

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

OPEN PUBLIC MEETING

November 15, 2018

1:00 p.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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1 APPEARANCES
 2 COMMISSIONERS:
 3 MS. PATRICIA GIPSON, Chair
 4 MR. GILBERT PERALTA, Vice Chair
 5 MS. KARYL ANN ARMBRUSTER, Secretary
 6 MR. R. CARLOS CABALLERO, Member
 7 MR. JAMES CONYERS, Member
 8 MR. TIM CRONE, Member
 9 MS. TRISH RUIZ, Member
 10 MS. CARMIE TOULOUSE, Member
 11
 12 PED STAFF:
 13 MS. JULIA ANDERSON, Acting Director,
 14 Charter School Division
 15 MS. BEVERLY FRIEDMAN, PED Custodian of Record
 16 and Liaison to the PEC
 17
 18 PEC COUNSEL:
 19 MS. AMI JAEGER, Counsel to the PEC
 20 MR. MARK CHAIKEN, Counsel to the PEC
 21
 22
 23
 24
 25

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1 THE CHAIR: I'm going to bring to order
 2 this meeting of the Public Education Commission. It
 3 is Thursday, November 15th, and it is 1:08 p.m. And
 4 I will ask Commissioner Armbruster for roll call,
 5 please.
 6 COMMISSIONER ARMBRUSTER: Okay.
 7 Commissioner Robbins is not yet here.
 8 Commissioner Toulouse?
 9 COMMISSIONER TOULOUSE: Present.
 10 COMMISSIONER ARMBRUSTER: Commissioner
 11 Armbruster is here.
 12 Commissioner Conyers?
 13 COMMISSIONER CONYERS: Present.
 14 COMMISSIONER ARMBRUSTER: Commissioner
 15 Peralta?
 16 COMMISSIONER PERALTA: Here.
 17 COMMISSIONER ARMBRUSTER: Commissioner
 18 Gipson?
 19 THE CHAIR: Here.
 20 COMMISSIONER ARMBRUSTER: Commissioner
 21 Crone is not yet here.
 22 Commissioner Ruiz not yet here.
 23 Commissioner Caballero?
 24 COMMISSIONER CABALLERO: Here.
 25 COMMISSIONER ARMBRUSTER: So we have six

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 5 New Mexico Flag
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1 at the moment. I think some more are coming.
 2 THE CHAIR: It doesn't matter. If they
 3 do, they do.
 4 COMMISSIONER ARMBRUSTER: We'll just
 5 acknowledge them when they come.
 6 THE CHAIR: Thank you. We have a quorum,
 7 so we will proceed.
 8 I will ask Commissioner Armbruster to lead
 9 us in the Pledge of Allegiance and Commissioner
 10 Conyers in the Salute to the New Mexico flag.
 11 (Pledge of Allegiance and Salute to the
 12 New Mexico Flag conducted.)
 13 THE CHAIR: We are on to Item No. 2,
 14 Approval of the Agenda. And I do have a recommended
 15 change. Does anyone else have before I go?
 16 Okay. I am going to ask that -- and I
 17 have to look at the number -- is it 5B? -- that 5B
 18 be removed from the agenda, Middle College High
 19 School, that we do not do the renewal hearing
 20 tomorrow. They have not been able to provide
 21 E-Occupancy to us.
 22 And it does not look like they're going --
 23 they're having a struggle, and they have to go
 24 through a fairly lengthy process to get that
 25 E-Occupancy. And statutorily, that's one of the --

<p style="text-align: right;">Page 6</p> <p>1 required for renewal. So that at this moment in 2 time, I'm not comfortable in voting for renewal for 3 a school that cannot comply with that statutory 4 requirement, so that I'm asking to move them -- 5 we'll move them to the December agenda and, 6 hopefully, they will be able to get the paperwork 7 that is necessary.</p> <p>8 But Commissioner Peralta has been in 9 touch -- excuse me -- with PSFA, so that we've been 10 in communication. And it's been a struggle. But 11 they don't have E-Occupancy in their building.</p> <p>12 COMMISSIONER PERALTA: I'll second that 13 change.</p> <p>14 THE CHAIR: Okay. There's a -- no, it's 15 not a motion; so...</p> <p>16 COMMISSIONER PERALTA: I saw language in 17 the motion.</p> <p>18 THE CHAIR: We've never done formal 19 motions to move off the agenda -- 20 (Chair consults with counsel.)</p> <p>21 THE CHAIR: So I'll make the motion, and 22 then we can have a discussion, okay?</p> <p>23 So I'm going to move that we adopt the 24 agenda, with the exception of the -- with the -- 25 with the addition of the removal of 5B, Middle</p>	<p style="text-align: right;">Page 8</p> <p>1 (Commissioners so indicate.)</p> <p>2 THE CHAIR: Opposed?</p> <p>3 (No response.)</p> <p>4 THE CHAIR: Hearing no opposition, that 5 motion passes.</p> <p>6 And I am also going to recommend and make 7 a motion that we remove Item No. 14, 'cause the LESC 8 has not moved forward on that yet; so we're really 9 not sure exactly what that plan is going to look 10 like. So until we're clearer on what that plan 11 looks like, there's really not much that we can move 12 on at this point in time.</p> <p>13 Do I have a second?</p> <p>14 COMMISSIONER PERALTA: I second it.</p> <p>15 THE CHAIR: All in favor?</p> <p>16 (Commissioners so indicate.)</p> <p>17 THE CHAIR: Opposed?</p> <p>18 (No response.)</p> <p>19 THE CHAIR: Hearing no opposition, the 20 motion passes.</p> <p>21 The agenda is adopted with the changes of 22 the removal of 5B and No. 14.</p> <p>23 I wanted to make the announcement. For 24 anyone that is here from Taos Academy that wishes to 25 speak during the public portion of that, there is a</p>
<p style="text-align: right;">Page 7</p> <p>1 College Charter School, from the agenda. 2 (Chair consults with counsel.)</p> <p>3 THE CHAIR: I will also -- oh, well, we 4 need a second for that.</p> <p>5 COMMISSIONER CABALLERO: Second.</p> <p>6 THE CHAIR: Second on my motion. Yes?</p> <p>7 COMMISSIONER PERALTA: Yes.</p> <p>8 THE CHAIR: There's a second by 9 Commissioner Peralta. Discussion? Oh, okay. I 10 thought you --</p> <p>11 COMMISSIONER CABALLERO: No, no. I was 12 just --</p> <p>13 THE CHAIR: I am also recommending that we 14 remove No. 14. So I will amend my motion to include 15 5B and 14.</p> <p>16 COMMISSIONER CABALLERO: Madam Chair, can 17 you do two separate motions, just to make it clean?</p> <p>18 THE CHAIR: If you want me to.</p> <p>19 COMMISSIONER CABALLERO: Please.</p> <p>20 THE CHAIR: Sure. I don't -- so can we 21 have a -- just need a voice vote?</p> <p>22 Will the record reflect that Commissioner 23 Crone is now here?</p> <p>24 So all in favor of removing 5B from the 25 agenda? Aye?</p>	<p style="text-align: right;">Page 9</p> <p>1 sign-up sheet right here on the corner. There's a 2 separate sign-up.</p> <p>3 So if anyone that -- and there's only one 4 person -- and I think this individual signed up to 5 speak during that portion. And I'm -- let me look 6 at the name -- Simon Herskovits.</p> <p>7 FROM THE FLOOR: Simeon Herskovits.</p> <p>8 THE CHAIR: Simeon. And your intention 9 was to speak during the renewal hearing for Taos?</p> <p>10 FROM THE FLOOR: Yes.</p> <p>11 THE CHAIR: So there just -- so there is 12 no one else. So we'll simply transfer your name 13 over to that.</p> <p>14 If anyone else from Taos Academy wishes to 15 be heard during the renewal hearing for Taos, there 16 is a separate sign-up sheet for that.</p> <p>17 Okay. So there is no one for the public 18 comment at this point in time.</p> <p>19 We are on to No. 4, the Consent Agenda.</p> <p>20 Do any Commissioners have any changes they 21 wish to make to the Consent Agenda?</p> <p>22 COMMISSIONER TOULOUSE: Madam Chair, may I 23 ask you a question? This is just curiosity. But 24 who is the new head administrator for the New Mexico 25 Connections Academy?</p>

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1 THE CHAIR: I don't have that information.
 2 MS. KAREN WOERNER: Just a second.
 3 MS. JULIA ANDERSON: Madam Chair, we can
 4 get that for you, I'm sure.
 5 COMMISSIONER TOULOUSE: Thank you.
 6 THE CHAIR: Okay. So there are no changes
 7 to the Consent Agenda. So I'll entertain a motion
 8 to approve the Consent Agenda.
 9 COMMISSIONER TOULOUSE: Madam Chair, so
 10 move.
 11 THE CHAIR: Motion by Commissioner
 12 Toulouse, a second by Commissioner -- Gipson.
 13 All in favor?
 14 (Commissioners so indicate.)
 15 THE CHAIR: Opposed?
 16 (No response.)
 17 THE CHAIR: Hearing no opposition, the
 18 motion passes.
 19 We are on to No. 5, Discussion and Renewal
 20 Applications. And for today, on the schedule is
 21 Taos Academy.
 22 So anyone that wants to come up from Taos
 23 at this moment in time, you're welcome to join us.
 24 FROM THE FLOOR: Good afternoon. Is this
 25 good if we're right here?

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1 THE CHAIR: Okay. Thanks.
 2 MS. FRIEDMAN: And, Madam Chair, I'll be
 3 timing 15 minutes.
 4 THE CHAIR: Okay.
 5 MS. JULIA ANDERSON: Madam Chair, members
 6 of the Commission, good afternoon. I'm going to
 7 start by introducing myself. I'm Julia Anderson.
 8 I'm the new Acting Director of the Charter School
 9 Division. I haven't had the pleasure of meeting
 10 most of you; but I'm happy to be here and happy to
 11 talk to you more after the close of the meeting.
 12 But we'll start now with Taos Academy
 13 Charter School.
 14 We'd like to recognize that Taos Academy
 15 did submit their materials early, which we really
 16 appreciate. We were able to move forward with our
 17 process. We're here today because of that, and --
 18 (Court reporter request.)
 19 THE CHAIR: You're not being timed.
 20 MS. JULIA ANDERSON: I've always been a
 21 fast talker. I apologize. I'll slow it down.
 22 So we'd like to start by recognizing that
 23 Taos Academy did submit their application materials
 24 early, which we really appreciate. It allowed us to
 25 be here today, and to work through the process. And

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1 THE CHAIR: And if you -- I don't know if
 2 you brought anyone from your governance.
 3 FROM THE FLOOR: That was Simeon, who was
 4 going to speak on our behalf.
 5 THE CHAIR: He can come up with you if
 6 that's your choice.
 7 FROM THE FLOOR: That would be lovely.
 8 FROM THE FLOOR: Is this the portion where
 9 we present to you?
 10 THE CHAIR: They're going to --
 11 FROM THE FLOOR: You're going to first?
 12 Okay.
 13 THE CHAIR: So just so that you know, CSD
 14 will provide the information they wish to. Then
 15 you'll have an opportunity to present whatever you
 16 feel is necessary. And then because there will be,
 17 then, no one else for public comment, I believe --
 18 correct?
 19 MS. FRIEDMAN: That's correct. Well, yes.
 20 Okay. He's the only one.
 21 FROM THE FLOOR: He can speak after us.
 22 THE CHAIR: And then we're -- we'll open
 23 ourselves up for questions. So -- and then we
 24 should be done.
 25 FROM THE FLOOR: Thank you so much.

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1 we're happy about that.
 2 So the PED is recommending a five-year
 3 renewal for Taos Academy Charter School with one
 4 condition; and that is, the implementation of NMDASH
 5 or a similar improvement plan to improve achievement
 6 among the lowest performing students such that the
 7 school earns at least a "C" on the A-through-F
 8 school grading report in each of the years of its
 9 contract.
 10 So the CSD conducted its site visit for
 11 Taos Academy in September. And I'll note for the
 12 Commissioners that that information is contained in
 13 Item 5, starting on Page 1.
 14 On Page 2 is the sort of the progress
 15 report evaluation box. And then the information
 16 that informed those decisions can be found on the
 17 follow pages.
 18 So Taos Academy did earn either a
 19 Demonstrates Substantial Progress or Meets the
 20 Standard on each of the listed indicators within the
 21 academic performance and organizational sections.
 22 The school has implemented specific action
 23 steps to improve achievement among those
 24 lowest-performing students, and those are outlined
 25 in our report. And they were -- each of those

1 action steps was verified during the site visit.

2 Organizational, CSD did observe
3 continued confusion about proper identification and
4 servicing of English Learners. This was an issue
5 that was identified during the 2016 site visit.
6 Guidance was provided, and is also included in that
7 report.

8 More guidance was provided during the 2017
9 site visit. There continued to be some confusion
10 during this site visit; but the school has reached
11 out to the Language and Culture Bureau, and they are
12 demonstrating progress in moving through those
13 issues.

14 Finally, Madam Chair, members of the
15 Commission, I'll call your attention to the school's
16 overall standing, which is a little bit farther
17 along in your packet. They've earned four
18 consecutive "A" grades. And if you look at the
19 proficiency rates on Chart 2 on Page 4 of 251 in
20 your packet, we also see consistent improvement in
21 reading proficiency over the past four years; and,
22 likewise, we're seeing improvement, with a
23 particular spike, you'll see in 2016 on math
24 proficiency.

25 And you'll also note that the current

1 MS. ELIZABETH LEBLANC: There we go.
2 Okay. That's better. Thank you. I know my teacher
3 voice is actually kind of a low one, too.

4 So Elizabeth Leblanc, L-E-B-L-A-N-C.

5 MS. KARIN MOULTON: And Karin Moulton,
6 K-A-R-I-N; Moulton, M-O-U-L-T-O-N.

7 MS. ELIZABETH LEBLANC: And Chairwoman
8 Gipson and members of the Public Education
9 Commission, we want to thank you for having us here
10 today and for your service to public education
11 options in our state.

12 I am honored to be here today with my
13 friend and colleague, Karin Moulton, co-founder of
14 Taos Academy and Director of our STEM Arts
15 Institute. Karin is also the first person who got
16 me into education. Karin's early vision and
17 commitment have made our school possible.

18 Our director, Traci Filiss, could not be
19 here today due to a family emergency; but much of
20 our school's success is due to her unfailing
21 advocacy and hard work.

22 My name is Elizabeth Leblanc, and I serve
23 as the school's curriculum, instruction, and data
24 coordinator. I have been with the school since its
25 inception, and I am proud to be speaking here as a

1 standing where student performance is compared to
2 statewide peers, Taos Academy has consistently come
3 in well above the statewide benchmark.

4 Thank you.

5 THE CHAIR: Okay. Thank you. You are
6 being timed; so -- regardless. So you have
7 15 minutes, and Beverly does have the little
8 placard. So use your time wisely.

9 FROM THE FLOOR: We came with a visual so
10 we're --

11 FROM THE FLOOR: We are both teachers; so,
12 yes, we have a visual aid for you today. I'm not
13 sure where best to place it. Right here. There we
14 go.

15 THE CHAIR: And while you're setting it
16 up, if I would please ask you that before you speak
17 for the first time, that you identify yourself and
18 spell your last name for the record.

19 FROM THE FLOOR: Thank you.

20 MS. ELIZABETH LEBLANC: All right? My
21 name is Elizabeth LeBlanc.

22 THE CHAIR: Oh, we're going to have to fix
23 that. You're going to have to be closer to the
24 microphone.

25 FROM THE FLOOR: Is that better?

1 representative of Taos Academy Charter School.

2 As you know, Taos Academy is seeking to be
3 chartered for another five years of excellence and
4 innovation in education. Taos Academy has a unique
5 blended learning model that has served our students
6 and families well. With your support over the past
7 nine years, we have grown from a start of
8 70 students and 5 teachers to over 200 students and
9 21 members of our teaching staff.

10 During that time, we have come to be
11 recognized both within our community and beyond as a
12 school who is serving students in a high-risk area
13 with a high degree of success. And it is not an
14 overstatement to say that our school is changing
15 minds and changing lives.

16 The mission of Taos Academy is to prepare
17 students in fifth through twelfth grade for
18 achieving and maintaining a level of excellence by
19 supporting and promoting academic achievement,
20 strong leadership skills, and social responsibility.

21 Our goal in the school comment time is to
22 demonstrate the many ways that Taos Academy is
23 fulfilling our stated mission and vision and the
24 ways that we hope to continue to grow and improve in
25 our student service.

<p style="text-align: right;">Page 18</p> <p>1 In terms of academic achievement, Taos 2 Academy is proud to have earned a school grade of 3 "A" for six years in a row, demonstrating consistent 4 growth and achievement over time. We are one of 5 only four State-chartered schools to achieve that 6 standard and one of only 13 school districts in the 7 State. This validates the hard work of our students 8 and our innovative learning model.</p> <p>9 Our academic achievement is also seen in 10 our PARCC proficiency rates, as seen in the chart in 11 your packet. Taos Academy students earned high 12 rankings for our spring 2018 PARCC results in both 13 English language arts and in math.</p> <p>14 In English language arts, Taos Academy 15 ranked No. 6, and in math, No. 8 on the list of the 16 top ten high-performing State-chartered schools in 17 New Mexico.</p> <p>18 MS. KARIN MOULTON: And you guys have your 19 charts in your little blue packet that we passed out 20 earlier. We know it's hard to see far away. We 21 have included these closer up for you.</p> <p>22 THE CHAIR: Are these the same charts that 23 were in --</p> <p>24 MS. KARIN MOULTON: No, they are 25 different.</p>	<p style="text-align: right;">Page 20</p> <p>1 high-school level, this plan is aligned with the 2 student's college and career readiness goals.</p> <p>3 Our digital platform allows us to track, 4 along with students and their families, their 5 progress towards their stated post-secondary aims 6 and helps them select classes from our course 7 catalog that put them on a pathway towards a 8 professional credential, such as a certificate or a 9 degree from our partner, UNM-Taos.</p> <p>10 Students have a high degree of voice and 11 choice at Taos Academy and in their learning, from 12 the courses they take to their pacing, their 13 progression, and to where and when they are 14 learning.</p> <p>15 MS. KARIN MOULTON: Another key component 16 of our mission statement is leadership. And we 17 strive to provide leadership opportunities to all of 18 our stakeholders at Taos Academy, our students, our 19 families, teachers, and administrators.</p> <p>20 Students start career readiness planning 21 in the eighth grade by taking career and tech ed 22 classes, foreign language classes, and STEM Arts 23 Institute courses, for which they earn high school 24 credit.</p> <p>25 Most of our students joining our high</p>
<p style="text-align: right;">Page 19</p> <p>1 MS. ELIZABETH LEBLANC: However, what I 2 would like to point out about our PARCC results and 3 what I am super-proud about is we are the only 4 school on both of those lists serving 68 percent 5 free/reduced lunch to the kids. And that, to me, is 6 tremendous. Most of the schools achieving the 7 standards that we are not serving the same 8 demographic we are. And it's exciting to know that 9 our innovation and our risk-taking pays off for 10 those kids.</p> <p>11 Taos Academy has earned special 12 recognition for significant double-digit growth over 13 the past three years in our English language arts, 14 and we have recently committed to achieving similar 15 growth in the area of math over the next three 16 years.</p> <p>17 TA is also proud that over the past five 18 years, due to community outreach and education, our 19 student population has become more reflective of the 20 demographics of the surrounding area, while our 21 academic achievement has remained high.</p> <p>22 A high level of individualization is core 23 to our achievement at TA. As part of our learning 24 model, every student has an individualized learning 25 plan as early as fifth grade. And at the</p>	<p style="text-align: right;">Page 21</p> <p>1 school program come to us with credits already 2 earned as eighth graders at Taos Academy. This 3 early preparation continues in the ninth grade with 4 our 21st Century Learning classes in global 5 leadership and SMART Lab, where students hone their 6 skills in communication, collaboration, and critical 7 thinking and creativity skills.</p> <p>8 In the tenth grade, all of our students 9 take a career pathways course, where they design a 10 self-created project to further explore one area of 11 interest.</p> <p>12 Finally, our College Link program allows 13 junior and senior high school students with a 3.0 14 GPA to participate in university classes so they can 15 earn both high school and college credit toward 16 graduation. We have had several of our students 17 earn their Associate's degree at the same time as 18 their high school diploma.</p> <p>19 This emphasis on college-and-career 20 readiness, as well as our partnership with UNM-Taos, 21 has allowed us to grow our College Link and 22 dual-credit programming.</p> <p>23 We're currently seeking official 24 designation as an Early College High School. As 25 indicated in our chart, spring 2018, by the numbers,</p>

<p style="text-align: right;">Page 22</p> <p>1 this one that's also in your packet, in one semester 2 alone, 98 dual credit classes were taken. That's 3 294 college credits earned over -- and saving our 4 families over \$235,000 in tuition. 5 This by-the-numbers chart, we create at 6 the end of every semester to chart our successes and 7 our areas of progress as a method of 8 self-reflection. It also demonstrates the success 9 of our STEM Arts Institute program. 10 Students took over 238 STEM arts classes 11 from community professionals. And the program 12 served over 60 percent of our student body. The 13 STEM Arts Institute plays an important part in 14 engaging at-risk students and providing them with 15 hands-on opportunities to practice academic skills 16 in a fun, creative setting. 17 Together, both of these programs, the 18 Early College High School and the STEM Arts 19 Institute, form a career pathway for each student. 20 Students are encouraged to take classes in their 21 pathway aligned to the New Mexico Career Cluster 22 framework. Their academic classes, combined with 23 program classes, help them develop a post-secondary 24 plan for college and the workplace after graduation. 25 The third and last component of our</p>	<p style="text-align: right;">Page 24</p> <p>1 participation in the Safe and Healthy Schools grant, 2 which is providing teacher training and curriculum 3 for our upper middle-school students on restorative 4 justice and conflict resolution circles. 5 Back to you. 6 MS. ELIZABETH LEBLANC: Yes, ma'am. 7 All right. In closing, Taos Academy has 8 been recognized locally, nationally, and 9 internationally. 10 Locally, we have been recognized for our 11 student music concerts, community theater 12 productions, and our student-produced radio shows. 13 And if you want to hear more about our school, they 14 are the best advocates for what we do. We're 15 standing in. 16 On a wider stage, Taos Academy has been 17 featured in national education research as an 18 exemplar school. We've been spotlighted in a series 19 of articles by EdSurge on innovation and flexibility 20 in digital learning. 21 Members of Taos Academy's team have 22 presented at the K-12 International Symposium for 23 Blended and Online Learning, iNACOL. The school was 24 also profiled in an in-depth report by Evergreen 25 Education Group and the Foundation for Blended and</p>
<p style="text-align: right;">Page 23</p> <p>1 mission statement is social responsibility. This is 2 achieved through community service. Here on our 3 chart is just a short list of some of the community 4 partners that work closely with our school and our 5 students to help them succeed in their goals. 6 Students in Grades 5 through 9 all rotate 7 through required leadership classes as part of their 8 21st Century Learning, where they design and 9 participate in service learning projects. 10 In 2018, we're proud to say that our Taos 11 Academy students won Best in Nation in the Verizon 12 Innovative App Challenge. They created the "See 13 Something Say Something," a suicide prevention app 14 by teens for teens. 15 Another group of our students collaborate 16 each year with students in the Taos District schools 17 to bring emotional intelligence, or EQ, and student 18 leadership practices to both students, teachers in 19 their schools and throughout -- sorry. 20 They bring the EQ and student leadership 21 practices to both students and teachers in their 22 schools through a grant from "inspirED" initiative, 23 which is a collaboration between Yale Center for 24 Emotional Intelligence and Facebook. 25 This work is continuing through our</p>	<p style="text-align: right;">Page 25</p> <p>1 Online Learning about the use of successful, 2 personalized programs to support increased student 3 achievement in college readiness in rural areas. 4 Internationally, the school has partnered 5 for the past six years with the Center for 6 Relational Learning founded by George Otero. 7 Mr. Otero began visiting Taos Academy in 2012 with a 8 team of Australian educators, administrators, and 9 parents. And the core team returns to Taos Academy 10 twice each year, bringing a variety of educators 11 from Australia, including key policy makers and 12 state administrators to review and learn from Taos 13 Academy's model. 14 In a recent interview, New Mexico's 15 Secretary of Education, Christopher Ruskowski, 16 said, "Taos Academy is a beacon campus. They 17 embrace education. They embrace standards. There 18 is a reason they are a top-ten school, and it is 19 because they are innovative and because they take 20 risks." 21 We thank you again for the opportunity to 22 be here today and formally to request a recharter of 23 five years to continue building on the firm 24 foundation that we have built with our community, 25 our students, our students, our families, our staff,</p>

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1 and our friends.
 2 MS. KARIN MOULTON: Thank you.
 3 MS. ELIZABETH LEBLANC: Thank you so much.
 4 MS. KARIN MOULTON: Thank you so much for
 5 your work and your time.
 6 THE CHAIR: Bev, how much time is left?
 7 MS. FRIEDMAN: Four minutes.
 8 MS. ELIZABETH LEBLANC: Simeon, do you
 9 have four minutes?
 10 THE CHAIR: So if you want, I'm going to
 11 ask you to move the mic back. Thanks.
 12 MR. SIMEON HERSKOVITS: With your
 13 permission, I'll stay seated, because the microphone
 14 seems better designed for the desk.
 15 And I don't think I'll need all the time
 16 allotted. But by all means, warn me if I'm getting
 17 close.
 18 MS. FRIEDMAN: Will do.
 19 THE CHAIR: Trust me.
 20 MR. SIMEON HERSKOVITS: Anyhow, my name is
 21 Simeon Herskovits. And I will spell both of those
 22 names, because they're unusual.
 23 "Simeon" is "S" as in "Sam," I, "M" as in
 24 "Michael," -E-O, "N" as in Nancy. And Herskovits,
 25 "H" as in "Harry," E-R, "S" as in "Sam," K-O, "V" as

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1 in "Victor," I-T, "S" as in "Sam."
 2 I do not have a formally prepared
 3 presentation at all. I came to just offer
 4 supportive public comment.
 5 I would like to sort of offer you two
 6 forms of comment from my own perspective. One is my
 7 experience as a governing council member for, now,
 8 approximately eight years on the governing council
 9 of Taos Academy Charter School, and how I initially
 10 was impressed by the school, and then how my
 11 impressions have evolved over that time; and then,
 12 also, as a member of the community up in Taos, what
 13 my sense is of Taos Academy's standing and what you
 14 might say role is in the Taos community and, in
 15 particular, the Taos educational community.
 16 So first off, I'm an attorney. I practice
 17 public interest environmental and social justice
 18 law, and I've been living and practicing in Taos for
 19 over 20 years.
 20 When I was -- I'm originally from the East
 21 Coast, and I am a product of public and private
 22 schools back there. When I was first invited onto
 23 the governing council, I knew nothing about Taos
 24 Academy. I happened to have encountered, socially,
 25 Traci Filiss, the head of the school, who knew other

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1 people -- we knew people in common.
 2 And when I first met with Traci and other
 3 governing council members and Karin and some of the
 4 teachers and staff, I was impressed with the energy
 5 and the vision; but I was really not at all clear in
 6 my mind about what exactly this hybrid model would
 7 be like in practice, how it would be for students,
 8 and whether or not it made sense on an emotional
 9 level as well as an intellectual level to me, as
 10 someone who went to an old-fashioned -- what I
 11 consider an old-fashioned school, particularly my
 12 public schools in the '60s and '70s.
 13 And I did visit the campus of the school
 14 and spend some time with students and teachers and
 15 advisers as well as the administrators before
 16 joining the governing council. And I have to tell
 17 you I was really incredibly impressed and surprised
 18 at how engaged socially as well as intellectually
 19 the children were with the teachers and advisers and
 20 with what I could perceive of their learning
 21 experience.
 22 So there are classes, of course, live
 23 classes, like there always have been in schools.
 24 And then there is also an online kind of
 25 computer-based curriculum that the students

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1 participate in. And that was the part that I had
 2 sort of no sense of initially.
 3 What I saw and what I've come to
 4 appreciate as it's been refined and improved on over
 5 the years is that the students at Taos Academy get a
 6 truly individualized educational experience and are,
 7 in a sense, more directly engaged and accountable
 8 for being responsive to each component of each
 9 course that they're taking.
 10 And at the same time, because of the live
 11 component and the engagement in person in the flesh,
 12 as well as through the computer system that they use
 13 of all their teachers and advisers, they're very
 14 much attended to and engaged with students in a way
 15 that I have to say surpasses even my experience even
 16 at very fine public schools back in Massachusetts.
 17 So I was really quite impressed with that.
 18 I did join the governing council. I've been on for,
 19 as I've said, a number of years. And I've watched
 20 the competence and the esprit de corps of the
 21 teachers and the administrators grow and the pride
 22 of the students grow over time as well. And I have
 23 to say that's really gratifying, and it's something
 24 you should be aware of in deciding how to deal with
 25 the school.

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1 Now, in terms of the community -- I'm
2 almost out of time. But what I will tell you is
3 that charter schools, even public charter schools,
4 often encounter some skepticism or resistance from
5 members of the community, or public schools, or
6 public school administrators. I think that was true
7 in Taos, to begin with.

8 However, I have to say that over time,
9 what I've learned and heard from many different
10 people in the community, in local government,
11 parents and teachers, activists, business people, is
12 that Taos Academy has, over time, become recognized
13 in that area in Taos County, in that whole vicinity,
14 as one of the very best schools that any of the
15 parents or students or other community members see
16 available in the town. And it's seen as very
17 complementary, and I believe it is very
18 complementary and a model and a different kind of
19 school alternative to the existing public schools in
20 Taos and also the other charter schools, which are
21 very different.

22 So it's a very, very -- it's a very highly
23 regarded and warmly regarded institution and
24 educational entity, I guess you could say, school,
25 in Taos, in the vicinity. And you should be aware

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1 we appreciate the time and effort and energy that
2 has to go into giving us this picture so that we can
3 make an accurate decision.

4 So I'm just going to start off with a
5 couple of things, and then Commissioners certainly
6 can ask other questions.

7 But you -- you mentioned that you're --
8 you're in an area of a high level of high-risk
9 students. But it doesn't appear that your
10 demographics match your community; so that can you
11 speak to -- and I know there's various definitions
12 of "high risk." But can you -- can you speak to how
13 you think this has come about, that the school
14 doesn't necessarily match the demographics of the
15 rest of the community?

16 And I couch that in the fact that as great
17 as the -- your performance has been -- and no one --
18 no one denies the great successes that you've had --
19 but there is still that challenge with the -- with
20 your lowest quartile.

21 MS. ELIZABETH LEBLANC: Right. And I
22 would -- let's see. Am I on? Okay. There we go.

23 And I would like to separate those two
24 just a bit; because from a data standpoint, they
25 are -- I understand the interrelatedness of them.

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1 of that, too. The people in Taos have really grown
2 to cherish as well as admire Taos Academy. Sorry
3 for running over.

4 THE CHAIR: Okay. Thank you. It's always
5 better to ask for forgiveness.

6 All right. Thank you.

7 And I will reiterate CSD's comments that
8 we appreciate you -- your willingness to do this a
9 month earlier than most of the other schools. So
10 that was -- that was greatly appreciated, and hope
11 that it was also advantageous to you, because now
12 it's off your -- it's off the bucket list for this
13 year. So, hopefully, that helps out as well.

14 And I certainly -- this is yeoman's work.
15 And we thank everyone who gets themselves involved
16 in a governing council, is willing to work at a
17 charter school. No one understands what it all is
18 going to mean until you start doing it. And it's
19 hard work; it's gratifying work. But it's more than
20 what a traditional public school has to do, with
21 less resources and fewer people.

22 So everyone's wearing many hats. And this
23 is not an easy task. And as much as we try to hone
24 it down to make it a little bit easier, it's still
25 asking a substantial amount of additional work. So

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1 But in order to respond, I would say two things.

2 One, I think that the -- if I'm
3 remembering correctly, the packet provided by the
4 Charter School Division shows our demographics from
5 last year around, like, 120th day, perhaps.

6 When I said in our opening statement that
7 our demographics have changed in the last five
8 years, that has been true. And we've become a more
9 close mirror. So what you're seeing, there's still
10 the gap. But what's not showing in the packet is
11 we're actually trying to close the gap and have made
12 some progress in doing that.

13 In the last three years, for example, we
14 have changed from being a predominantly Caucasian
15 school to now serving predominantly underserved
16 populations. That is a shift for us. It didn't
17 come about just because we had high academic
18 achievement. It came out because we really reached
19 out to our community and tried to make a viable,
20 visible presence there and make inroads and make it
21 a welcoming place for the families that really need
22 that kind of change.

23 That's something that we --

24 THE CHAIR: Can I interrupt a second? Can
25 you respond to me how the demographics have changed?

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1 I don't know if you've got that information at hand.
 2 So from the graph that they've provided us to this
 3 current year, can you give us a ballpark idea?
 4 MS. ELIZABETH LEBLANC: I'm sorry. I
 5 don't think I stated that correctly. What I meant
 6 was what the graph doesn't show is that prior to the
 7 snapshot last year -- like to get to that point --
 8 was a three-year, like, of us working with our
 9 community to get to that point. So I'm
 10 acknowledging that yes, there is still a gap, and
 11 that the snapshot also doesn't show the work that
 12 has already been done that we plan to continue.
 13 So there's a pattern behind that that's
 14 not being shown that we are working to get our
 15 demographics closer to that of our community. We
 16 realize that we want to serve the people that we
 17 work with.
 18 To also -- to go to that about why we
 19 think that gap might be happening, when we first
 20 began Taos Academy, I think that was a gap and a
 21 problem for most of the charter schools. There was
 22 a large division, not just between State-chartered
 23 schools in our town; but also the district charter
 24 schools in our town tend to be open to that
 25 challenge that their demographics do not truly

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1 mirror the surrounding area.
 2 MS. KARIN MOULTON: And I'd like to add
 3 that in the -- when we first opened up, I think part
 4 of the change that we're seeing is that our model is
 5 so hugely different from traditional models in
 6 what's being offered in all the other schools,
 7 including the other charter schools, our model is so
 8 different that people didn't understand what we were
 9 doing. And it's taken some years for people to
 10 understand that we're not just that computer school,
 11 that we do, you know, outdoor ed programs and our
 12 STEM arts program and all those things that we just
 13 talked to you -- you know, presented, that we have
 14 all these live programs. And I think it's taken
 15 some time.
 16 And so, you know, as Elizabeth said,
 17 you're seeing some changes where we're approaching
 18 more of those demographics. We are getting more of
 19 the local population, because now they see that we
 20 are being successful, and they are signing up for
 21 the school, and they're realizing it's open and
 22 available to everyone; because we still get that
 23 notion in our small, little town -- I have people
 24 ask me all the time, "How much does it cost to go to
 25 your school?" And, you know, they don't realize

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1 that it's free public education.
 2 So I think we're dealing with some of
 3 those; but we are coming around. Every year, we get
 4 a little closer. I hope that answered your
 5 question.
 6 THE CHAIR: Part of it. Now I need the
 7 second part.
 8 MS. ELIZABETH LEBLANC: Right. So -- and
 9 I'm glad, because I got to spend about 45 minutes in
 10 a phone call with the people who actually created
 11 the Q1 calculation; because when you see this on
 12 your report card, you want to know how is it
 13 calculated, what does it mean, and how can I use
 14 this to improve. That's part of my job in my
 15 curriculum, data, and instruction part of what I do.
 16 So without going into too much detail --
 17 and I'm sure you're somewhat familiar with the way
 18 that this is calculated -- there is a three-year
 19 lag. When I crunch -- and you do have our response
 20 to this, by the way, in your packets.
 21 THE CHAIR: We do. We do.
 22 MS. ELIZABETH LEBLANC: So not to go over
 23 too much of it -- but when we go into the numbers,
 24 there's several ways the Q1 breaks down with Taos
 25 Academy, and I do not believe that, A, it's an

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1 accurate reflection of what happens in our school;
 2 and, B, we have started to address and we've written
 3 down a list about the action steps that we are
 4 taking to improve student achievement across the
 5 board.
 6 Specifically with the Quartile 1 -- so
 7 it's that lowest performing 25 percent (indicates)
 8 in our calculation -- over 40 percent of the student
 9 test scores that were used in our school grade
 10 calculation of "D" did not come from our school.
 11 They were earned in -- sorry. I get a little like
 12 "grrrrr," because I can't control that, right, so I
 13 apologize.
 14 They were earned in School Year '15-'16 at
 15 another Public Education Department or
 16 State-chartered school in our state. We had not --
 17 we had zero chance to impact those students'
 18 instruction for over 40 percent of the test scores
 19 that we're accountable for in that calculation.
 20 For another 40 percent of the test scores,
 21 these students were taking their first assessment
 22 with us at Taos Academy, meaning we had them for
 23 less than one instructional year. We had less than
 24 a year to impact and to fill gaps and to address
 25 anything that they were coming into us with.

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1 So when you put those together, 83 percent
 2 of that "D" grade is based on about 0.6 of an
 3 instructional year, for most of those kids. We
 4 haven't had that amount of time to impact their
 5 scores.
 6 That doesn't mean that we're perfect. It
 7 does not mean that I am trying to look at that and
 8 shove it under a rug. But it does mean that the
 9 number doesn't mean what we think it means.
 10 If it meant that 25 percent of our
 11 students were not being served or were failing, you
 12 should be asking way harder questions about our
 13 model and what's going on with it.
 14 However, when I actually dig into the data
 15 and I look at the actual students that it's
 16 impacting, I was actually shocked to see that we
 17 were being assessed on -- like, if I assessed a
 18 student on only 17 percent of what they did in my
 19 classroom and I gave them zeros on the rest, that
 20 wouldn't be a very good teaching model. It's not
 21 something I could use instructionally when I looked
 22 at the actual student data we were looking for. And
 23 it was being used in the Q1 calculation.
 24 And I'll stop there, because that's kind
 25 of -- questions on that part. And then I'd like to

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1 address what we are doing; because we didn't just
 2 stop and go, "Oh, well, this doesn't really pertain
 3 to us." We recognized the gaps in the calculation,
 4 and we are working on it.
 5 THE CHAIR: Right. But it's my
 6 understanding -- I'm trying to flip through and find
 7 it -- this isn't just a one-year issue. This is
 8 more than -- this is a multiple-year issue with the
 9 Q1.
 10 MS. KAREN WOERNER: I'm sorry. I've
 11 looked at a lot of schools.
 12 THE CHAIR: I know. Me, too. I believe
 13 that's correct, yes.
 14 MS. ELIZABETH LEBLANC: This is a
 15 multi-year issue. This has been a low one for Taos
 16 Academy for several years.
 17 THE CHAIR: So that's -- to me, that's
 18 part of the concern. I appreciate what you just
 19 said. But that story is more, "This is what we're
 20 doing now."
 21 It doesn't appear to be, "This is what we
 22 did three years ago, and we've seen the changes that
 23 have taken place because we've been addressing it."
 24 This -- that's my concern, that there
 25 doesn't -- there hasn't seemed to be any significant

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1 impact if there has been a three-year program to try
 2 to change this. And that's --
 3 MS. ELIZABETH LEBLANC: And you would only
 4 see that change numerically if we kept the same
 5 students; if they tested into our Q1, we kept them
 6 for three years, and then they tested again and grew
 7 out of our Quarter 1. I mean, that's, like, how the
 8 calculation is set up. And that isn't the case.
 9 THE CHAIR: I understand that. I
 10 understand that. But what you just communicated to
 11 me appeared -- and maybe it's what I'm processing --
 12 appeared to be a one-year story, "This is what we're
 13 doing," not what we have been doing to try to
 14 address the needs of those Q1 students, regardless
 15 of what the -- what that grade is coming out to,
 16 "This is what we have been doing."
 17 MS. ELIZABETH LEBLANC: You're right. I
 18 stopped after the math part. I wanted to make sure
 19 we were kind of clear on that piece.
 20 THE CHAIR: That's the concern.
 21 MS. ELIZABETH LEBLANC: Right. And I hear
 22 it, and I understand.
 23 THE CHAIR: Let me just interrupt. I
 24 think it falls, then, also into mission-specific
 25 goals. But I'm not 100 percent sure.

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1 COMMISSIONER TOULOUSE: Madam Chair?
 2 MS. ELIZABETH LEBLANC: Should I --
 3 THE CHAIR: I'm not sure. But let's move
 4 on. And if it does fall into the mission-specific,
 5 then we can address that later.
 6 COMMISSIONER TOULOUSE: On that issue,
 7 though, do you know how many students move out of
 8 that classification?
 9 MS. ELIZABETH LEBLANC: Right. That
 10 should be in your packet as well.
 11 COMMISSIONER TOULOUSE: Well, the packet
 12 is 200-and-some pages.
 13 MS. ELIZABETH LEBLANC: I know. We read
 14 it, too.
 15 COMMISSIONER TOULOUSE: For me to find it
 16 right here, right now --
 17 MS. ELIZABETH LEBLANC: So when I look at
 18 these, 43 percent of our students that we were
 19 working with -- I take that back. So 60 percent of
 20 the students that I looked at who were in our school
 21 grade of 2018 either gained one proficiency level in
 22 PARCC during their time with us or remained at the
 23 same proficiency level in PARCC.
 24 Now, whether they get reclassified as a Q3
 25 depends what our -- our school-wide test scores. I

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1 can't predict that part, when they get reclassified.
 2 Does that make sense?
 3 COMMISSIONER TOULOUSE: My interest was
 4 just if they were progressing --
 5 MS. ELIZABETH LEBLANC: Yes.
 6 COMMISSIONER TOULOUSE: -- since you're
 7 talking about getting the new kids all the time.
 8 And I understand that. But I just wanted to make
 9 sure there was a way to track that it wasn't the
 10 same kid staying there all the time in the kind of
 11 school that you had.
 12 MS. ELIZABETH LEBLANC: Right. That's --
 13 I understand. And that makes sense, yeah.
 14 THE CHAIR: And it doesn't go to the
 15 mission-specific goals. That's good.
 16 MS. ELIZABETH LEBLANC: Well, the part
 17 that I wanted to get to, because I do like the data
 18 piece and the math part and understanding what the
 19 numbers mean.
 20 But, you know, when this first came up in
 21 our school grade, which is something that, you know,
 22 as you see, it's been an issue for us for several
 23 years, there are several different pieces that we
 24 put into place.
 25 One of those is a student success lab

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1 that's open from 8:00 to 12:00 on students' off
 2 days. It is open, staffed, and available to
 3 students at any time. They can come in at any point
 4 Monday through Friday and receive support in their
 5 coursework. They don't have to sign up. It doesn't
 6 cost anything.
 7 We also instituted an increase in our STEM
 8 arts programming. And that -- Karin, do you want to
 9 jump in and speak? You're welcome to do that. But
 10 that has more to do with that being able to practice
 11 those embedded skills. So being able to practice
 12 math in a different setting, when it's applied math,
 13 versus just in the digital curriculum, for example.
 14 So an increase in our STEM programming.
 15 We also started a Middle School Plus program. And
 16 this is an enrichment program that happens for our
 17 fifth- through eighth-graders on their off days. So
 18 that happens on Tuesday and Thursday, and then also
 19 Fridays from 8:00 to 12:00. It's an enrichment
 20 program for them. So this is more of a kind of
 21 social and live-taught time, where they're actually
 22 getting the hands-on instruction, you know, like
 23 having a book club, for example, being able to
 24 practice the skills that they see in the digital
 25 curriculum, but being able to do it in collaborative

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1 and social ways.
 2 And so those are some of the things we've
 3 done. We also instituted a math lab that's open
 4 while students are on campus on their days, again,
 5 to try and get some of that targeted instruction so
 6 we can start filling gaps.
 7 THE CHAIR: Is that success lab what
 8 you're also going to open, or have open for the
 9 public to use? Is that -- 'cause I -- if I am not
 10 correct, I read where you're -- or is that with the
 11 new building?
 12 MS. ELIZABETH LEBLANC: We don't have it
 13 open to the public yet.
 14 THE CHAIR: I knew I read it somewhere.
 15 It was with the new building projection; right?
 16 MS. KARIN MOULTON: At this point, the
 17 Success Lab is only for the Taos Academy.
 18 Hopefully, the new building will have some of those,
 19 once we get it underway. I just wanted to add that
 20 another thing we are doing to address that is that
 21 many of our teachers have included that lower Q1 in
 22 their PDPs, so where they are tracking specific
 23 students and recording the -- the activities and the
 24 measures that they're taking to help that lower
 25 quartile move up and track that growth. So we're in

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1 the process of collecting more data and having all
 2 of the staff involved in doing that.
 3 THE CHAIR: There are actually some of
 4 those courses that I think I need to take with those
 5 options. I appreciate that.
 6 And, just -- I was reading about your farm
 7 project. And I was at RFK Middle School on Tuesday.
 8 And they've just purchased a farm.
 9 MS. ELIZABETH LEBLANC: Oh, cool.
 10 MS. KARIN MOULTON: That's great.
 11 THE CHAIR: So it's really exciting. And
 12 they're going -- and they have a culinary program;
 13 so they're doing a whole farm-to-table program. So
 14 it's really -- it's exciting to see these things.
 15 And I wish that it the aeronautical school
 16 could -- you know, that you could do something with
 17 them so that those kids could actually, you know,
 18 get in a plane and -- you know, that would be
 19 exciting for schools to be able to do something
 20 collaborative that way with programs like that.
 21 MS. KARIN MOULTON: We're working with the
 22 local Civil Air Patrol to try to get that; because
 23 we're developing a program where high school
 24 students can actually get their pilot's license,
 25 which could be really cool as well.

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1 THE CHAIR: I can't imagine the insurance.
 2 But that's okay.
 3 MS. KARIN MOULTON: That's why we're not
 4 doing it yet.
 5 THE CHAIR: I know. There's challenges.
 6 So thank you.
 7 Commissioners? Anyone else?
 8 COMMISSIONER CABALLERO: I do have one.
 9 THE CHAIR: Sure. Commissioner Caballero?
 10 COMMISSIONER CABALLERO: Yes. In dealing
 11 with the English Learners group, are there any
 12 particular challenges or things that you have done
 13 to -- I know it would be hard to -- to get the
 14 students motivated to get into everything that
 15 you're doing. It's probably rather hard to do, I'm
 16 assuming. So can you give me a little bit more on
 17 that?
 18 MS. KARIN MOULTON: Yes. So, you know,
 19 with our digital curriculum, they -- we can -- they
 20 can be offered their curriculum in their native
 21 language. And we have some live-talk classes to
 22 help them further with an enrichment class that they
 23 can take as well to get some additional support.
 24 MS. ELIZABETH LEBLANC: Then there's also
 25 some targeted instruction that's offered to them,

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1 specifically on things like that, building the
 2 social skills and the social English language
 3 acquisition, as well as the academic piece; so
 4 trying to make it something that's fun and
 5 accessible and give them multiple places where they
 6 can interact, where they see where they can engage,
 7 and then build on those. It's been successful for
 8 us.
 9 THE CHAIR: Commissioner Armbruster?
 10 COMMISSIONER ARMBRUSTER: I apologize. I
 11 have a different copy; so, fellow Commissioners, I
 12 don't -- it's in Section 3, I can tell you. But I
 13 know it's not the same pages that you have.
 14 Section 3, "Contractual, Organizational, and
 15 Governance Responsibilities," if you want to follow.
 16 But you don't have to.
 17 So I just had a question about the
 18 educational approach. And what it says is, "After a
 19 thorough assessment, students are placed
 20 appropriately according to academic need. Placing
 21 students according to present performance level,
 22 ensures student success by building on their
 23 individual knowledge base rather than grade level."
 24 So could you tell me the difference -- I'm
 25 sure there is one -- between that and what, in the

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1 terminology, we would call "tracking"? No?
 2 MS. ELIZABETH LEBLANC: I'm sorry. You
 3 would call "tracking"? See, I don't even know what
 4 that is.
 5 No, when we say "individualized," I mean,
 6 it's individualized for the student. So, for
 7 example, if we're in a multi-grade advisory group --
 8 an advisory for us is kind of like homeroom,
 9 right? -- you might have mixed nominal fifth- and
 10 sixth-graders. But one sixth-grader's curriculum is
 11 entirely tailored to what that one sixth-grader
 12 needs. They might be ready for seventh-grade math,
 13 and they might seriously need some foundational
 14 English Language learning before they're ready for
 15 grade-level content, right? So trying to both
 16 expose them to the grade-level content in our
 17 live-taught classes, and then scaffold them to where
 18 they need to be in their digital content.
 19 But I would say it's different from
 20 tracking in that no one student can have -- has the
 21 same needs or curriculum.
 22 MS. KARIN MOULTON: So when they come into
 23 our school, they have assessments at their grade
 24 level. And then between that and the MAP scores, we
 25 look to see where the student is. And we meet that

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1 student -- the curriculum meets the student where
 2 they are. That's what we mean when we use
 3 assessments; and so that we can place them
 4 appropriately in whatever subject that they need
 5 where they are.
 6 COMMISSIONER ARMBRUSTER: So they get a
 7 grade-level class that has accommodations or
 8 modifications to -- for an example, I guess, they're
 9 in social studies, eighth-grade social studies and
 10 they're reading at a fourth-grade level; but they're
 11 getting the content of eighth-grade social studies
 12 somehow modified or with accommodations or whatever
 13 you do to assure that they're increasing their
 14 English Language skills, as well as getting the
 15 content area.
 16 MS. KARIN MOULTON: Yes, exactly. Uh-huh.
 17 THE CHAIR: Commissioner Toulouse?
 18 COMMISSIONER TOULOUSE: Madam Chair, I
 19 have a question that has to do with your high level
 20 of achievement for year after year. And, you know,
 21 I know from my own experience, not in education but
 22 in other areas, that once you get to a certain
 23 level, you really can't go much farther. So you
 24 have to -- you know, I know there's still room for
 25 growth, but there's not really the room for growth

1 there used to be. And at some point, each child is
2 going to plateau out.

3 But how do you manage to keep your staff,
4 the faculty, and your students, once they know
5 they're that high, still trying to achieve, if that
6 makes any sense what I'm saying?

7 MS. KARIN MOULTON: I'll take a stab.

8 I think that with the -- with the high
9 achievement and the honor of the grades that we've
10 received, we take pride in it, because we work
11 really hard. And we constantly talk about a model
12 of constant improvement. You know, even with "A"s
13 you never truly arrive. There are places to
14 improve.

15 So we celebrate with our students. We
16 made an announcement at school this morning that
17 we're heading down here for the recharter. One --
18 one student stood up and gave such a heartwarming
19 speech, like -- you know, it was about, "You have to
20 support this school, and when we have fundraisers,
21 show up," and he did this improv thing that was just
22 very -- so I think they take pride. It's part of
23 the culture of the school to build pride in a job
24 well-done and keep that -- keep the bar high and
25 just keep encouraging constant improvement.

1 as an idea on how to encourage not just kids, but
2 people; because this is a lesson they should take
3 through their whole lives, that something -- you
4 need to strive for your best.

5 I spent 30 years in State government. If
6 I had ever expected to get praised for anything I
7 did, I wouldn't have lasted a year. I set my own
8 standards and lived up to them and then set the next
9 one and was lucky if I wasn't getting beaten down
10 when I did slide.

11 But it served me, because I have learned
12 that I have to keep achieving. And so I just was
13 wondering if you had a way -- and it sounds like you
14 do -- to instill that into these students, that
15 whatever you do in life, you have to keep
16 succeeding.

17 But I am concerned that you don't have
18 more Native American students.

19 MS. KARIN MOULTON: True, yeah.

20 COMMISSIONER TOULOUSE: And that's a big
21 issue. My family landed in Taos in the middle of
22 the 1700s. And then we came to Santa Fe in the
23 1800s and Albuquerque in the 1900s. And so, to me,
24 I always have my heart in some of the programs up
25 there. To me, it's too bad that the Pueblo seems to

1 You know, you may think that you have
2 arrived, but there's probably something else you can
3 be doing better. And we talk about that and create
4 that culture. Our staff meets four times a week, so
5 that we are always on the same page in that; so
6 we're all talking about where can we improve, you
7 know, where do we see a gap that we need to fulfill.

8 So I think it's a constant conversation
9 that kind of keeps us motivated.

10 COMMISSIONER TOULOUSE: Well, I just know
11 at times, it's hard. And I can tell you now at the
12 age of 73, I'm just trying to maintain. I'm not
13 trying to improve any skills. I'm just trying to
14 keep what I have. I have a number of grandchildren
15 I watch and all. But each one of them has a level
16 that's reasonable for them to get to in different
17 things. And it's very hard to get all of those
18 things.

19 And every time you work on something,
20 something else is likely to slip. And I'm just
21 wondering, again, when you get that good, it's
22 easier for somebody who knows they're that high
23 already to let something slip to move it up. And I
24 just wondered if there was any way -- and it's an
25 open question. I'm not asking for anything but just

1 be separate from what's going on; because there are
2 students there with tremendous ability, too.

3 MS. KARIN MOULTON: Definitely. We're
4 working on it. We've had some great success with
5 some of our Pueblo students. And, you know, the
6 Governor has come and spoke at our graduations and
7 that sort of thing. So, you know, we're constantly
8 building relationships.

9 I think, particularly in that arena, it's
10 about building relationship and gaining trust. So I
11 think we're in the process of that, hopefully; and
12 again, always something to work on. We're lifelong
13 learners, all of us.

14 COMMISSIONER TOULOUSE: I would encourage
15 you to continue that. I will not be here after
16 December. I'm giving my seat up to somebody who's
17 well-trained already to take it over. But we'll
18 still be watching everybody's success. Taos is one
19 of those areas where my heart is with the family
20 history. So thank you.

21 MS. KARIN MOULTON: Thank you.

22 THE CHAIR: Commissioners, any other
23 questions?

24 If not, I'll entertain a motion.

25 COMMISSIONER CABALLERO: I'll do it.

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1 Where is it?

2 THE CHAIR: And, Commissioners, we have

3 this packet that was provided that has proposed

4 motion language --

5 COMMISSIONER CABALLERO: Oh.

6 THE CHAIR: -- to help you out.

7 COMMISSIONER CABALLERO: Okay. This is

8 Carlos Caballero. Ah. Ricardo Carlos Caballero. I

9 do have a first name that I use.

10 I move that the PEC renew the charter

11 contract between PEC and Taos Academy Charter

12 School.

13 THE CHAIR: I guess we should add, "for a

14 five-year term."

15 COMMISSIONER CABALLERO: Yes. Yes.

16 MS. KARIN MOULTON: You could do ten if

17 you wanted.

18 THE CHAIR: Statutorily, we can't; so --

19 COMMISSIONER CABALLERO: Then we go with

20 the five-year.

21 MS. ELIZABETH LEBLANC: The statutory five

22 years.

23 COMMISSIONER CABALLERO: Yes.

24 THE CHAIR: So the motion, just to be

25 clear, is that Taos Academy's charter be renewed for

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1 a five-year term.

2 COMMISSIONER CABALLERO: Thank you.

3 THE CHAIR: Do I have a second?

4 COMMISSIONER TOULOUSE: Second.

5 THE CHAIR: There's a motion by

6 Commissioner Caballero, a second by Commissioner

7 Toulouse.

8 Discussion? Discussion or a roll-call

9 vote?

10 COMMISSIONER ARMBRUSTER: I was going to

11 do discussion.

12 THE CHAIR: Okay. Sure.

13 COMMISSIONER ARMBRUSTER: I -- this is not

14 to dismiss how wonderful you are. But I'm one of

15 those lowest-quartile promoters. And it has been

16 suggested -- and you are not the only school, I

17 might add -- to make the motion more that having a

18 condition of raising your bottom quartile to a "C"

19 level.

20 And I am not able to support this motion

21 to give you the charter without that, not -- not

22 saying not -- but just -- I feel that it's an

23 important part. Because for me, if you have a

24 school, and a fourth of your kids are "D"s or "F"s

25 in terms of growth, over the history of that, that

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1 concerns me.

2 And I am the one perhaps who feels that

3 that's necessary to add as a condition of the

4 five-year contract; so --

5 COMMISSIONER TOULOUSE: Madam Chair?

6 THE CHAIR: Commissioner Toulouse?

7 COMMISSIONER TOULOUSE: Based on that, I

8 don't think we should put grades in anything.

9 Because with the new administration -- it's already

10 said it's opposed to school grades -- I wouldn't

11 want to have to -- this Commission, after I'm gone,

12 to have to come back and change anything until we

13 know where, come January, February, everything is

14 going. Because it'll just make more changes that

15 they have to come back in and do and that this

16 Commission will have to do.

17 And that's why I'm very comfortable at

18 this point with simply indicating improvement rather

19 than a letter grade; because those probably will not

20 be around very long.

21 THE CHAIR: Okay. And I'm going to add

22 simply that I think they addressed the key issue in

23 terms of you can't just look at the letter grade,

24 because the letter grade doesn't reflect what --

25 because I'll also add that, you know, as we do

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1 contract negotiations and so on, that is one of the

2 key areas that we look at: Growth.

3 And I think the school has been able to

4 successfully show us in other areas how they are

5 reaching those growth potentials and that the --

6 that the flat letter grade doesn't reflect what

7 truly is -- is occurring at the school.

8 So that's my two cents on that.

9 Commissioner Armbruster?

10 COMMISSIONER ARMBRUSTER: Thank you,

11 Madam Chair. I just wanted to make sure I

12 understood what you said, Commissioner Toulouse.

13 Would you be comfortable saying that the -- however

14 that's measured -- and I agree with you -- but

15 however that's measured, that it needs to show

16 growth?

17 COMMISSIONER TOULOUSE: I would be

18 comfortable in saying that in the contract, when the

19 contract is done. I think that's contract language.

20 THE CHAIR: Okay. I'm going to ask -- I'm

21 going to ask the 64-dollar question. If they do not

22 choose to do a mission-specific goal, it will not be

23 reflected in the contract. So that's -- with the

24 new contract, they're not required to do

25 mission-specific goals. It's an option.

<p>Page 58</p> <p>1 So that on the surface, I don't see where 2 that would be embedded in the contract, because it 3 can't be. There's no place in it, at this point in 4 time, for that to be -- for them to show that, 5 unless they chose to show it. 6 COMMISSIONER CABALLERO: On that, 7 Madam Chair, you know, we've gone through a lot of 8 changes in our evaluation structure. And I, for 9 one, have never been keen on any condition, because 10 I think the statutes are very, very specific in 11 demanding growth from the charter schools year by 12 year and demanding that we evaluate the charter 13 schools year by year. 14 So I believe that when you put a 15 condition, and they fail for any reason, it triggers 16 the removal of the contract. That's just my 17 Commissioner Caballero's interpretation of that. 18 So I have been against conditions. And so 19 I truly believe if you have a school that has shown 20 change and adaptation and goal-setting and meeting 21 it, like -- I read their material -- like they have, 22 I don't think that they are going to fail. 23 And we have an opportunity within the year 24 in their evaluation to go through our new evaluation 25 system and say, "You know what? We saw it in your</p>	<p>Page 60</p> <p>1 THE CHAIR: We're voting on -- thank you. 2 I will remind the Commissioners that we are voting 3 to approve a five-year charter contract for Taos 4 Academy. 5 COMMISSIONER CRONE: Without conditions. 6 THE CHAIR: Correct. 7 COMMISSIONER CRONE: Thank you. 8 COMMISSIONER ARMBRUSTER: Commissioner 9 Conyers? 10 COMMISSIONER CONYERS: Yes. 11 COMMISSIONER ARMBRUSTER: Commissioner 12 Toulouse? 13 COMMISSIONER TOULOUSE: Yes. 14 COMMISSIONER ARMBRUSTER: Commissioner 15 Gipson? 16 THE CHAIR: Yes. 17 COMMISSIONER ARMBRUSTER: Commissioner 18 Crone? 19 COMMISSIONER CRONE: Yes. 20 COMMISSIONER ARMBRUSTER: Commissioner 21 Peralta? 22 COMMISSIONER PERALTA: Yes. 23 COMMISSIONER ARMBRUSTER: Commissioner 24 Armbruster votes "No." 25 Commissioner Ruiz?</p>
<p>Page 59</p> <p>1 renewal. You still need to improve dramatically," 2 and at that point, we do it. 3 But at this point, the conditions in the 4 contract and all, it gets very messy. It gets very, 5 very messy for us and the school, and I don't think 6 we need to do it with this school. I think it -- if 7 we had a school that was problematic, and there was 8 no improvement, it was barely skating through an 9 approval, then I could see it and kind of go with 10 the flow. But I don't think it's necessary. 11 Yes -- and I'm with you on the low 12 quartile. But I have confidence that they're going 13 to improve. And they're already heard that it's got 14 to change from us. And we have a year to evaluate 15 that. 16 And if it doesn't change, you have that 17 opportunity to -- to make sure that something is 18 done then. 19 COMMISSIONER TOULOUSE: Madam Chair, I 20 call the question. 21 THE CHAIR: Question has been called. 22 Commissioner Armbruster, roll-call vote, 23 please. 24 COMMISSIONER CRONE: Madam Chair, what are 25 we voting on?</p>	<p>Page 61</p> <p>1 COMMISSIONER RUIZ: Yes. 2 COMMISSIONER ARMBRUSTER: Commissioner 3 Caballero? 4 COMMISSIONER CABALLERO: Yes. 5 COMMISSIONER ARMBRUSTER: The motion 6 passes. 7 THE CHAIR: The motion passes eight-one. 8 COMMISSIONER ARMBRUSTER: Seven-one. 9 THE CHAIR: Seven-one. Sorry. Why can't 10 I count? The motion passes seven-one. 11 Congratulations. Thank you for all your hard work. 12 We appreciate it. 13 MR. SIMEON HERSKOVITS: Thank you for your 14 work and attention. 15 THE CHAIR: Can we take a five-minute 16 break? 17 (Recess taken, 2:14 p.m. to 2:29 p.m.) 18 THE CHAIR: Okay. We are -- oh. Before 19 we continue, I would like to welcome and recognize 20 that an incoming Commissioner is here. Georgina 21 Davis, who will be taking Commissioner Conyers' 22 seat -- because he's irreplaceable. So she's not 23 replacing him; she's just taking his seat. So, 24 welcome. 25 We are -- we are on to item No. 5 -- no,</p>

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1 we're not. We're on to Item No. 6, which is the
2 report from Options for Parents, Charter School
3 Division update.

4 COMMISSIONER ARMBRUSTER: Madam Chair?
5 Madam Chair?

6 THE CHAIR: Oh. I'm sorry.

7 COMMISSIONER ARMBRUSTER: I'm just going
8 to ask you this. Since we're not doing middle
9 school today, maybe this should be taken out and not
10 thrown away and be redone? You know how we throw
11 the stuff away?

12 THE CHAIR: I guess I could ask. Beverly,
13 do you want to collect it all, or do you want the
14 Commissioners to be responsible for them and bring
15 them back?

16 COMMISSIONER ARMBRUSTER: I don't care.
17 It seems silly to throw it away and then need it
18 again.

19 MS. FRIEDMAN: Madam Chair, I think it's
20 probably easier for the printer, when he has all the
21 items together, to print the entire book. And so
22 he'll print it again.

23 And so if you would like to take it with
24 you and, you know, maybe do a closer read on it or
25 something like that for the next meeting -- but

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1 technical assistance team. So we're really looking
2 forward to that. Her transition will start soon.
3 And she'll be wearing multiple hats for a little
4 while and then will be filling that position that
5 she currently holds once she transitions.

6 THE CHAIR: Okay. Can I just ask? What
7 exactly is the position that the -- that goes
8 through the grant?

9 MS. JULIA ANDERSON: That is --
10 Madam Chair, that is a support position. It's
11 essentially a business operations admin position
12 that is part of the grant funding.

13 THE CHAIR: Okay. Thanks.

14 MS. JULIA ANDERSON: You're welcome. So
15 those are the staffing updates.

16 And as you know, the staff has been
17 working hard to complete all of the site visits.
18 They are in and out of the office all the time and
19 doing lots of work around the clock. I'm getting
20 lots of late-night e-mails. So they're diligently
21 trying to get all of that done.

22 And so moving on to closure updates.

23 So SAHQ, we're in the process of
24 finalizing the documents necessary to file the
25 replevin action. That's expected to be filed by the

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1 thank you very much for considering that,
2 Commissioner Armbruster.

3 THE CHAIR: Okay.

4 MS. JULIA ANDERSON: Madam Chair,
5 Commissioners, again, nice to see you all. My name
6 is Julia Anderson, the Acting Director of the
7 Charter School Division. I'm happy to be here. I'm
8 now in week three; so if you'll bear with me, and
9 I'll provide you some updates.

10 First, on staffing, we still have three
11 vacancies, and we're working actively to fill those:
12 the deputy director position, a position on the
13 authorizing team, and a financial data analyst
14 position. The deputy position is a high priority,
15 as you know. We plan on filling that as soon as
16 possible. We have completed the interviews, and
17 that will be filled before your December meeting.
18 So I'll keep you apprised.

19 We also have an additional position that
20 is vacant that's part of the charter school grant.
21 It'll be funded through that funding stream. So
22 those are all in process. We'll keep you updated.

23 Another staffing update, Dolores
24 Archuleta, who has provided wonderful administrative
25 support, has moved -- accepted a position on the

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1 end of next week.

2 On Anthony, we've got letters ready to go
3 to General Services and also to the Department of
4 Finance and Administration to get approval for the
5 disposition of assets. The plan, once we receive
6 approval, is to give the portables to the City of
7 Anthony, and the remaining assets will go to the
8 school district.

9 THE CHAIR: Okay. Here's my -- here's my
10 ongoing concern with this. Why -- number one, my
11 understanding is the school district was offered the
12 assets, and they didn't want them. And why was the
13 school district given the option and no charter
14 school was given the option for those? Because that
15 is how it's always occurred before.

16 And, you know, we're back exactly where we
17 were -- you know, this school has been sitting in a
18 time warp for six months now, and we're still having
19 the same conversation. And I've had this
20 conversation, that, you know, I was told by the
21 person who holds the contract to close that school
22 that Gadsden school district was asked if they
23 wanted the materials, and they said no. And then it
24 ended there.

25 And my question was, "Why was Gadsden

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1 offered it and no charters were offered it?"

2 And there was never any answer to that.

3 So we're back to giving it to a school

4 district that doesn't want it. And we've got

5 charters that are opening or woefully short of

6 materials, and they're not given the option to get

7 the -- there's -- my understanding is there's three

8 full computer labs that are sitting -- and Lord only

9 knows what they look like now, not -- they sat

10 through a summer, and now they're sitting through a

11 winter.

12 And granted, our winters aren't quite as

13 bad. But there is -- there's a lot of rodents down

14 there, you know. It's -- we're all desert. So, you

15 know, they love empty spaces.

16 So I don't know what the condition of them

17 are at this point in time. But my -- my continued

18 question, with no response, is, "Why weren't

19 charters given the opportunity to avail themselves

20 of these materials?"

21 MS. JULIA ANDERSON: Thank you,

22 Madam Chair. I am happy, now that I have written

23 that question down -- and I apologize. I -- I'm

24 happy to work on getting an answer to that for you.

25 I don't have it at this moment. I have the update

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1 that I was provided, and I will absolutely work on

2 getting that answer for you. And I apologize it

3 hasn't come sooner.

4 THE CHAIR: So what is our time frame if

5 what we're asking for doesn't work out, which will

6 be shortsighted and unfortunate. But what's the

7 time frame that the -- that the City -- because,

8 trust me, I get a phone call every day from the City

9 of Anthony about those portables. Every day.

10 COMMISSIONER ARMBRUSTER: And what is

11 their question?

12 THE CHAIR: They want the portables.

13 COMMISSIONER ARMBRUSTER: Oh.

14 THE CHAIR: They're being given the

15 portables. And they want to know when they can have

16 them.

17 COMMISSIONER ARMBRUSTER: When they're

18 empty?

19 THE CHAIR: No, that's not a sufficient

20 answer at this point in time, because this closure

21 should have taken place -- this should have all been

22 done by the end of August.

23 So to say, "When they're empty..." --

24 they're empty now. They're complete- -- they're

25 empty now. They're the ones that are guarding them

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1 so that they're not being just completely ransacked

2 at this moment in time. So I appreciate that.

3 But there -- so what's the timeline?

4 MS. JULIA ANDERSON: So the timeline is to

5 get -- hope -- I mean, it depends on when we get

6 approval from GSD and DFA. Again, I was provided

7 the information that that letter is to go out next

8 week. I am unaware of what the usual turnaround

9 time is on those sorts of approvals from GSD or DFA.

10 That, to my understanding, is the hurdle that

11 remains.

12 THE CHAIR: Well -- and my understanding

13 is that's turned -- that has always been the hurdle,

14 because the appraisal came out so high that they

15 wouldn't sign off on it.

16 Okay. It's -- this is incredibly

17 frustrating that this has really been mismanaged.

18 All right. Thank you.

19 MS. JULIA ANDERSON: Thank you. So moving

20 on to C, looking at governing board concerns, I just

21 wanted to update Madam Chair, you and the

22 Commissioners, that the two schools, Aldo Leopold

23 Charter School and Hózhó Academy, that received

24 Letters of Concern last month related to

25 non-compliance, are now in compliance.

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1 The subitem here for La Tierra Montessori

2 School for the Arts and Sciences, it's unclear what

3 issues remain. And I'm going to ask Laurel Pierce

4 to provide the update. She's been working on the

5 issue directly and has more information.

6 MS. LAUREL PIERCE: Hello, Commissioners.

7 Can you hear me all right? Or -- okay. I just

8 wanted to give -- provide an update on La Tierra

9 Montessori.

10 We do not currently know if they have

11 their fifth member seated. It appears that it has

12 not happened at this point, which leaves them with a

13 four-member board, which is in violation of the

14 statute that states that there needs to be five

15 members seated on a Board of Finance.

16 They have indicated there is somebody who

17 they have, potentially -- are potentially ready to

18 forward; but I have not received a reply from the

19 school to let me know if that has occurred or when

20 the date that this anticipated designation will take

21 place.

22 In addition, because the seat was not

23 filled by the 13th, that also means that they failed

24 to fill, in a timely manner, the seat that was

25 created by the vacancy of -- the resignation of

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1 Stephen Lujan.
 2 THE CHAIR: Thank you. And Laurel does a
 3 yeoman's job in going back and, you know, stalking
 4 their -- their board minutes and their agendas; so
 5 that it's -- it's -- this isn't just hearsay that --
 6 that we're getting. She really does a lot of
 7 thankless work to make sure that the boards are
 8 being filled in an appropriate time and that
 9 everything is being complied with.
 10 And at this moment in time, it does not
 11 appear that they -- that they've been able -- that
 12 they have filled that position. Not that they're
 13 unable to fill it. They have not filled it. They
 14 no longer qualify as a Board of Finance, which is a
 15 significant concern. That violates statute; so
 16 that -- and there can't be this, you know, one-month
 17 forgiveness or whatever that they need to be -- they
 18 need to be into compliance with this.
 19 So that at this moment in time, I'm going
 20 to recommend that we send a Letter of Concern to the
 21 school and asking them to notify us by the 27th of
 22 the month that they have -- they are in compliance,
 23 and that if they do not come into compliance, they
 24 will -- they'll then go to a Notice of Breach. And
 25 that's our obligation to make sure that they stay

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1 MS. LAUREL PIERCE: Commissioner Gipson
 2 and -- I just wanted to clarify that they do have a
 3 meeting scheduled in November for the 26th --
 4 THE CHAIR: Okay.
 5 MS. LAUREL PIERCE: -- as I understand it.
 6 The meeting on the 5th, their paperwork indicated
 7 that they had seated the member on the 5th. And
 8 there is no evidence that they had any type of
 9 agenda or notice that a meeting on the 5th took
 10 place.
 11 So I believe, potentially, the 26th is the
 12 date that they would be having their meeting, and,
 13 potentially --
 14 THE CHAIR: So that hopefully they can
 15 then send the notification on the 27th that this
 16 happened.
 17 Okay. So I'm going to move that the
 18 Public Education Commission send a second-notice
 19 Letter of Concern informing the school that failure
 20 to comply -- I'm sorry -- I guess I should say
 21 La Tierra Montessori.
 22 I move that the Public Education
 23 Commission send a second-notice letter to La Tierra
 24 Montessori informing the school that failure to
 25 timely provide the documents may result in notice of

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1 and follow the statutes.
 2 COMMISSIONER CABALLERO: The 27th being
 3 12 days?
 4 THE CHAIR: That's the turnaround time
 5 that we had already established with that; so, yeah.
 6 And it should -- hopefully, it's an easy fix, and
 7 they can say, "We had the meeting. Here's the --
 8 you know, here's the -- here's the draft agenda, and
 9 here's an assurance that they took the vote, and,
 10 yes, he's taken the two-hour online training so that
 11 he can vote at a meeting." Hopefully, that should
 12 happen.
 13 But, apparently, they were supposed to
 14 have a meeting in November -- yes? -- and there's no
 15 evidence that they had that meeting in November. So
 16 it doesn't appear that they -- that they can get him
 17 on until maybe in December now, because they don't
 18 have any meeting noticed for November.
 19 COMMISSIONER CABALLERO: Madam Chair, they
 20 have requested an extension. Do we need to answer
 21 that request?
 22 THE CHAIR: No. That comes automatically
 23 through Laurel. As long as they ask for the
 24 extension, we've all agreed that they can have it.
 25 So that was already granted. Yeah.

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1 breach -- oh. And it says, "To the following
 2 school," yeah, period.
 3 Do I have a second?
 4 COMMISSIONER CONYERS: (Indicates.)
 5 THE CHAIR: There is a second by
 6 Commissioner Conyers.
 7 Any discussion?
 8 MS. JULIA ANDERSON: Madam Chair, that
 9 would be the first Letter of Concern and not the
 10 second? Just to clarify.
 11 THE CHAIR: They didn't get a -- they
 12 haven't gotten a letter already? Oh, sorry. That's
 13 our error. Okay. So I will amend my motion.
 14 I move that the Public Education
 15 Commission send a Letter of Concern informing the
 16 school that failure to timely provide the documents
 17 may result in Notice of Breach to the following
 18 school. And that's La Tierra Montessori School for
 19 the Arts and Sciences.
 20 COMMISSIONER CONYERS: (Indicates.)
 21 THE CHAIR: And we have a second by
 22 Commissioner Conyers.
 23 Discussion?
 24 (No response.)
 25 THE CHAIR: Ready.

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1 COMMISSIONER ARMBRUSTER: Commissioner
 2 Crone?
 3 COMMISSIONER CRONE: Yes.
 4 COMMISSIONER ARMBRUSTER: Commissioner
 5 Conyers?
 6 COMMISSIONER CONYERS: Yes.
 7 COMMISSIONER ARMBRUSTER: Commissioner
 8 Toulouse?
 9 COMMISSIONER TOULOUSE: Yes.
 10 COMMISSIONER ARMBRUSTER: Commissioner
 11 Armbruster votes "Yes."
 12 Commissioner Peralta?
 13 COMMISSIONER PERALTA: 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 Gipson?
 22 THE CHAIR: Yes.
 23 COMMISSIONER ARMBRUSTER: An eight-to-zero
 24 vote. Passes.
 25 THE CHAIR: Okay. We are on to Turquoise

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1 as a result of a newspaper article, actually, from
 2 the Santa Fe New Mexican discussing a settlement
 3 that Turquoise Trail had made with Santa Fe school
 4 district.
 5 There's been that ongoing issue with their
 6 building, and Santa Fe was not going to renew the
 7 lease. And the E-Occupancy is related to the other
 8 portion of growing into that new facility. Yes. So
 9 the E-Occupancy doesn't relate to the building that
 10 they've made the agreement with with Santa Fe. It's
 11 a separate issue.
 12 So the concern that was raised via the
 13 article was that there -- there was a preference
 14 agreement made with Santa Fe school district that --
 15 and I need to word this correctly -- that if -- if
 16 there was a lottery, that there would be preference
 17 given to a certain portion of the district.
 18 COMMISSIONER ARMBRUSTER: But that they
 19 would serve if they were a traditional public
 20 school.
 21 THE CHAIR: That there would have to be a
 22 preference to that particular area, not just an open
 23 enrollment.
 24 COMMISSIONER ARMBRUSTER: Yeah, to the --
 25 I thought it was to the area that the school would

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1 Trail, No. -- yes? You don't have anything else?
 2 I'm sorry.
 3 MS. JULIA ANDERSON: No. The only thing I
 4 did want to add was that the new principal at
 5 New Mexico Connections Academy is Elisa Bohannon.
 6 THE CHAIR: That name sounds familiar.
 7 Does the name sound familiar?
 8 COMMISSIONER TOULOUSE: I think so.
 9 THE CHAIR: Yeah, I think so. I don't
 10 know.
 11 MS. JULIA ANDERSON: And nothing further,
 12 Madam Chair.
 13 THE CHAIR: We are on to Item No. 7, which
 14 is Discussion and Possible Action on Turquoise Trail
 15 Enrollment Preference, Enrollment Cap, and
 16 E-Occupancy.
 17 And I do not believe there is anyone from
 18 Turquoise -- oh, I'm sorry. I didn't see you.
 19 Sorry.
 20 So if you want to come forward? Good
 21 afternoon.
 22 FROM THE FLOOR: Good afternoon,
 23 Madam Chair.
 24 THE CHAIR: So just so that the
 25 Commissioners are aware, this discussion came about

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1 serve based on its location. No?
 2 THE CHAIR: No. And I apologize. We're
 3 just trying to get the right wording so that
 4 we're -- I don't think it's in -- is it in here?
 5 COMMISSIONER ARMBRUSTER: Maybe he knows.
 6 FROM THE FLOOR: Madam Chair, members of
 7 the Commission, I'm happy to try to answer any
 8 questions.
 9 COMMISSIONER ARMBRUSTER: Do you know the
 10 answer to that?
 11 FROM THE FLOOR: Madam --
 12 (Chair consults with counsel.)
 13 THE CHAIR: So if the Commissioners go to
 14 Tab 7, and the -- and there are a number of yellow
 15 dividing papers. But the very last -- so almost to
 16 Tab 8, that very last section, the document that is
 17 titled Memorandum of Understanding. And if you look
 18 to Page 2 of 9, under Covenants and Conditions,
 19 there is a -- this is part of that MOU, that, "The
 20 Governing Body will revise, adopt, and implement its
 21 lottery admissions policy to grant enrollment
 22 preferences as follows:"
 23 And if you go down to the third item, the
 24 concern is that that violates the statute.
 25 COMMISSIONER CABALLERO: Can we be

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1 provided with that?
 2 MS. AMI JAEGER: I'm sorry. I didn't hear
 3 you.
 4 THE CHAIR: Can you -- you want the
 5 statute?
 6 COMMISSIONER CABALLERO: Right.
 7 MS. AMI JAEGER: Oh, okay.
 8 (A discussion was held off the record.)
 9 MS. AMI JAEGER: I can tell you -- let me
 10 look for the statute. But it's -- the schools may
 11 set up a preference for siblings. You know, they
 12 have a preference for students that are already
 13 enrolled, they can come back, and for siblings. So
 14 the concern is that the MOU goes beyond that and
 15 creates yet an additional enrollment preference by
 16 looking at an attendance area boundary and giving
 17 that as another -- as another preference.
 18 And that goes -- I think -- it's up for
 19 the Commission to consider if that's a problem or
 20 not.
 21 COMMISSIONER CABALLERO: I think it's an
 22 enrollment restriction. If they're giving
 23 boundaries other than -- so I don't know if the
 24 statute allows -- I know we had a charter school
 25 that talked about their target area and then went --

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1 they did a statewide recruitment. And that school
 2 is no longer with us. And I wasn't sure how that
 3 could be curtailed if -- if we had to.
 4 And so my question is what is the clarity
 5 of -- once a charter school -- and Madam Chair may
 6 know this -- once a charter school gets chartered,
 7 they cannot be restricted to anybody that --
 8 THE CHAIR: Correct. As long as --
 9 because most of them don't provide transportation.
 10 As long as a parent is willing to bring their child
 11 to the school, there are no enrollment restrictions
 12 by geographic boundaries, outside of the school
 13 district.
 14 COMMISSIONER CABALLERO: So -- so then my
 15 question is, is there language in the statutes that
 16 talk about that? Because this seems to me as a
 17 restriction.
 18 THE CHAIR: Right.
 19 COMMISSIONER CABALLERO: And is that -- if
 20 this restriction is contrary to -- to precise
 21 language to that, if not -- I'm looking at this, and
 22 it says that the parties agree that a legislative
 23 amendment should be seeked or not -- or go to court
 24 to get -- you know, get it -- fix it.
 25 I'm wondering if the restriction

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1 statutorily on boundaries is clear or it's up in the
 2 air. If it's up in the air, it's an accommodation
 3 by the school district and the charter school, I
 4 don't know if there's a way out.
 5 That's all I'm saying. But I don't know,
 6 Madam Chair. I'm very limited in my experience.
 7 THE CHAIR: Right. We think it's pretty
 8 clear that they -- that they can't do this. And
 9 I'll certainly let Ami address that. Because they
 10 are a -- they are a State-chartered charter school,
 11 it does become an issue for us.
 12 MS. AMI JAEGER: So, Commissioners -- and
 13 Commissioner Caballero, the statutory reference is
 14 22-8B-4.1.
 15 COMMISSIONER CABALLERO: Again, please?
 16 MS. AMI JAEGER: So it's 22-8B, as in
 17 "Boy," 4.1. And it's sub-(b) as in "boy."
 18 So it says, "A charter school shall give
 19 enrollment preference to, 1, students who have been
 20 admitted to the charter school through an
 21 appropriate admission process and remain in
 22 attendance through subsequent grades; and, 2,
 23 siblings of students already admitted to or
 24 attending the same charter school," period.
 25 There are no other statutory

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1 considerations for providing an enrollment
 2 preference.
 3 THE CHAIR: So now that we've dug into the
 4 woods on that, if you -- would you like to see the
 5 statute?
 6 COMMISSIONER CABALLERO: I was given the
 7 opportunity to read it, and I read it. Thank you.
 8 THE CHAIR: Okay. Thanks. Okay. Sorry.
 9 MR. FLOYD TRUJILLO: Madam Chair and
 10 members of the Commission, my name is Floyd J.
 11 Trujillo. I'm president of the Turquoise Trail
 12 Charter School Governance Council. I am happy to
 13 answer any questions.
 14 The background I can give you is that, as
 15 the Commission is aware, the district had sent a --
 16 what amounted to an eviction notice for the school
 17 in ordering us not to be allowed into the facility
 18 after 2021.
 19 We proposed a mediation, which we did
 20 attend with the district. The primary issue for the
 21 district was overcrowding on the south side with
 22 students that were unable to get into Turquoise
 23 Trail because of the lottery and because of the
 24 enrollment cap.
 25 One of the strategies that we had used was

<p style="text-align: right;">Page 82</p> <p>1 to request a -- an enrollment increase, which we 2 did. However, during the mediation, the proposal 3 was that in order to comply with the statute, we -- 4 and as the MOU states, we do give the first two 5 statutory preferences in that order, the current 6 students followed by sibling preference, and 7 we've -- we're simply adding a third. 8 Again, the issue would then -- if there 9 was no long -- well, let me stop there. 10 THE CHAIR: See, that's where we have the 11 issue, that I understand you've done 1 and 2, which 12 we have no problem with. But as a State charter, 13 you're making an agreement with an entity that 14 violates the law. That violates the law. 15 Whether that ends up being, "Well, you 16 know, odds are we're not going to have to do that, 17 because that's No. 3," you -- it viol- -- it 18 violates statute to -- to agree to that preference. 19 And where do we go with this if another school says, 20 "Oh, we tried to get this building. And the only 21 way the district was going to lease us this building 22 was if we made this agreement that we're going to 23 give preference to this part of the district, and we 24 say, "Oh, that's okay"? 25 You know, we don't have the ability to</p>	<p style="text-align: right;">Page 84</p> <p>1 E-Occupancy issue with the other property. 2 COMMISSIONER CABALLERO: Oh, okay; 3 because -- 4 THE CHAIR: And the enrollment cap. 5 COMMISSIONER CABALLERO: -- I truly 6 believe that we've got -- in this issue, we've got 7 to give their attorneys, the district, and the 8 school attorney and our attorney, a chance to -- to 9 go over what all of this means. I -- I, personally, 10 don't think it's clear-cut that -- that -- what our 11 position is, is -- is that clear; because knowing 12 the law and how it -- it's interpreted or 13 misinterpreted, we've gone through a lot of 14 decisions, and we get overturned, and I look, and 15 it's -- "Ah, I didn't see that. Dang." And we get 16 overturned. 17 So I think that we need to give -- that's 18 my position. I think we need to give the lawyers 19 some time to review this. And if it goes nowhere, 20 then we come back here and we go with what we 21 believe and let the district and the charter school 22 appeal us. But at least we give -- give that 23 opportunity to review the law -- I'm not quite sure 24 it's that clear-cut -- and then we deal with the 25 rest, the other issues, the occupancy and everything</p>
<p style="text-align: right;">Page 83</p> <p>1 allow an entity to violate the statute. We don't. 2 MR. FLOYD TRUJILLO: Madam Chair, the 3 legal counsel, both ours as well as the district, 4 has weighed in. And the opinion is that it does not 5 violate statute. 6 THE CHAIR: And I'm going to tell you that 7 our legal counsel has weighed in. And, obviously, 8 that's not the opinion our legal counsel has. So 9 that's -- you know, that's the concern. And it's 10 unfortunate that, once again, there wasn't an 11 attempt to reach out to the PEC's legal counsel 12 when -- I know we're not a party to the MOU. 13 But if there's a concern -- and I'm 14 guessing that that was a fabric of the conversation. 15 If you're saying the school district doesn't believe 16 it violates the statute, and your legal counsel, it 17 had to be a fabric of the conversation when this MOU 18 was being drafted. So why there wasn't a reach-out 19 to the PEC to say, "You know, what do you think?" 20 That's -- that's truly the concern. 21 COMMISSIONER CABALLERO: Madam Chair, is 22 this the -- the only issue or the primary issue that 23 we are concerned about? 24 THE CHAIR: No. There's -- I identified 25 three other areas in that. But there's also an</p>	<p style="text-align: right;">Page 85</p> <p>1 else. 2 THE CHAIR: Oh. I'm sorry. 3 COMMISSIONER TOULOUSE: Madam Chair, I 4 don't see where, however the law is written, 5 anybody, whether it's the school district, the 6 charter school, or us, can add something into the 7 law. 8 Now, I don't -- I don't read that as 9 ambiguous. I suppose you could. But it doesn't 10 say, you know, that there's anywhere that there's 11 room to wiggle on that one. It says, "These are the 12 exceptions -- you know, these are the exceptions you 13 make." 14 And I think if we allow this without at 15 least requesting some additional legal work on it, 16 that we're opening the door for all kinds of other 17 interpretations of the law to start coming through 18 on schools. And I would have a real concern that 19 this is adding a whole section into that part of the 20 law. And I don't think that we're allowed to do 21 that, that no one is allowed to do that. 22 And so I think we -- I mean, I don't know 23 whether this is one for an Attorney's General's 24 opinion, whether it's one we want to go to court on. 25 I'd rather ask the Attorney General first and have</p>

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1 them look at the law.

2 But I just -- I don't see where we can
3 allow a -- an addition to the law. If we did, other
4 schools would want it for other areas.

5 THE CHAIR: Right. And I -- and if we go
6 into, briefly, the enrollment issue, I think there's
7 a couple of concerns. Because in the MOU, it
8 mentions that there might be combined fifth and
9 sixth grades, which we have concerns over, that
10 there's -- you know, there's an agreement to do
11 that. And that's not part of any education plan
12 that's in your contract at this point in time, that
13 you're going to have combined grades. And that is
14 there in the MOU. So that is a little bit of a
15 concern to me.

16 And if you want to address any part of the
17 enrollment, you can, that enrollment cap.

18 MR. FLOYD TRUJILLO: Madam Chair, I don't
19 have anything to add.

20 THE CHAIR: Okay. E-Occupancy. There's
21 not E-Occupancy for -- and I don't know how you're
22 referencing that piece.

23 MR. FLOYD TRUJILLO: Madam Chair, members
24 of the Commission, I believe you're referring to the
25 Del Sol, where we currently have our

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1 else, it's a safety issue that we need to be assured
2 that that school is in a safe building.

3 And it's -- and it's not just, "Well, it
4 has been, so it is."

5 That can't be -- because our statutory
6 requirement is that we have verification. And
7 Commissioner Peralta does yeoman's work on PSFA with
8 that, that we have verification. And we can't
9 accept, "Well, it has been in the past, so it'll
10 continue to be so," because we don't have the
11 documentation of that.

12 MR. FLOYD TRUJILLO: Madam Chair, members
13 of the Commission, fully understand. We are
14 working, as I said, to get the appropriate copy of
15 the certificate.

16 We do take this very, very seriously.

17 Our -- I do have copies, if the Commission would
18 like, of the latest fire marshal inspection, which
19 was conducted in August, and does state that the
20 building is E-Occupancy. That is what he based his
21 inspection on. I have copies of this, if the
22 Commission would like.

23 THE CHAIR: Okay. So my understanding
24 from this MOU is that the statement in here is that
25 for the '20 -- '19-'20 -- '20 school year, plans to

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1 seventh-graders. It is our understanding that there
2 is E-Occupancy. We've been unable to find the
3 certificate. We've reached out to PSFA, CID, the
4 original architects that we were working with to get
5 the certificate itself. The building was built
6 as -- and it has housed schools in the past. Girls,
7 Inc. was there prior to the Boys and Girls Club.

8 I have contacted CID. They have stated
9 that they do not maintain records for as far back as
10 we need.

11 I have also met with CID and had them
12 begin the process of either reissuing the
13 certificate or doing whatever is necessary to create
14 a new one.

15 THE CHAIR: Right. So you need to
16 understand that from our perspective, it doesn't
17 have E-Occupancy. Without that -- without that
18 record to say, "Well, it's our understanding that it
19 has it," it doesn't.

20 And we have two Commissioners here that
21 sit on NMPSIA. And I have had this overarching
22 discussion with a number of schools at the
23 conference on Friday, that it's not just a petty
24 paperwork issue that you can't show that you have
25 E-Occupancy; it's an insurance issue, and, above all

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1 expand by an additional 250 students. Is that above
2 and beyond the cap you currently have?

3 MR. FLOYD TRUJILLO: Madam Chair, we have
4 no intention of going above the current enrollment
5 cap.

6 THE CHAIR: Okay. So this isn't -- okay.
7 All right. Okay.

8 So my question is, at this moment in time,
9 does the Commission wish to send a letter -- send a
10 Letter of Concern to the school notifying them
11 that -- I'm going to, I guess, refer to our attorney
12 at this point in time to see whether she feels that
13 Commissioner Toulouse's comment about getting an
14 opinion regarding the Attorney General is
15 appropriate, or simply a Letter of Concern outlining
16 our two issues. I think the enrollment cap has been
17 satisfied, but that the E-Occupancy and the
18 preference concern needs to be addressed and
19 satisfied to us.

20 MS. AMI JAEGER: Commissioner Toulouse,
21 what would we be asking the Attorney General to
22 opine on? What was your basis of it?

23 COMMISSIONER TOULOUSE: Whether the
24 statute is sufficiently open that it could be
25 interpreted to add something. And I don't know

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1 whether that's an appropriate one or not. But it
2 seems like if we have anyplace to go before going
3 into the district court, that might be what I would
4 do; but whether there is room in that part of the
5 statute to allow an interpretation different than
6 what we're making.

7 And, again, that's why I said I don't know
8 if that would be appropriate. That would be my only
9 other discussion. I know it's -- we don't
10 necessarily have that good a track record with the
11 district court around here.

12 MS. AMI JAEGER: I mean, it's -- well,
13 it's a good suggestion. I mean, you know, part of
14 the purpose was to be able to brief the
15 Commissioners on this issue. We needed to be able
16 to brief the Commissioners in an open meeting and
17 have this kind of a discussion.

18 It wasn't that I anticipated litigation or
19 I didn't anticipate any particular response. But I
20 really felt the Commissioners needed to be briefed
21 and have a discussion about what they thought would
22 be the next best step.

23 COMMISSIONER TOULOUSE: Well -- and I'm
24 wondering what the role of the Santa Fe Public
25 Schools is in this, because this school was

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1 their lotteries.

2 Now, to me, this gives somebody an opening
3 to say, "Okay, they can do this; then we can also
4 begin to decide who we're going to let go through
5 our lottery."

6 I just see that door really coming open.
7 And I just -- again, my interests in this,
8 officially, only go through December 31st. But
9 unofficially, they're going to go on for years and
10 years and years. And I don't want to see this. But
11 I can't make any statement or do any votes on my own
12 that would take me after December 31st.

13 So I feel like in some ways that gives me
14 a little more freedom to discuss some things that I
15 can see happening. I mean, I could name them for
16 you, but I won't. But I'm sure you folks too could
17 see the ones right away who would jump on this and
18 say, "I don't need to be so underhanded on my
19 lottery manipulation anymore. We want this kind of
20 students, or students from this neighborhood or that
21 neighborhood. Good. They can do it here; then the
22 door is open."

23 You can't close that door once it's open.

24 And I don't like to see that.

25 MR. FLOYD TRUJILLO: Madam Chair --

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1 originally chartered as one of the early ones and
2 under Santa Fe Public Schools and came to us more
3 recently, if the school district still considers
4 they have more ownership here, maybe, than we think
5 they do. And I think in this case, there needs to
6 be some discussion somewhere, too, as to really who
7 controls the school.

8 THE CHAIR: Well, they have ownership of
9 the building.

10 COMMISSIONER TOULOUSE: No, I know that,
11 but...

12 THE CHAIR: That's the issue. That's the
13 big cookie they're dangling.

14 COMMISSIONER TOULOUSE: But for them to
15 make any other requirements beyond that, I -- I
16 don't know. I -- this is -- to me, though, if we
17 let this go without some kind of looking at it and
18 getting it clarified, we're opening the door for
19 other schools to also expand things.

20 And once you do that, there's somebody out
21 there who's going to say, "Ah, okay, I want to do
22 this."

23 We already have schools that I am sure are
24 manipulating their lotteries, and we haven't had
25 people to go out and observe what they're doing at

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1 Madam Chair, Commissioner Toulouse, I'm sure this
2 was not an attempt at manipulation. This was an
3 attempt at collaboration with the district to assist
4 them with the issues that they have in the
5 overcrowding of the south side of Santa Fe. This
6 was an attempt to collaborate and to work together
7 to ensure that those students in the south side of
8 Santa Fe have the ability to attend a -- an
9 excellent school.

10 Thank you.

11 THE CHAIR: But my question -- I'm sorry.
12 But my question is they do, because they're in
13 Santa Fe school district. So they have the option
14 to get into that lottery. The issue is offering
15 them -- granting them that preference violates the
16 statute that we're obligated to -- you know, I'm not
17 saying I don't want those kids to be able to go
18 there. But to be able -- but to deny students from
19 another area in preference of another, that --
20 that's what we have a concern.

21 And I understand -- I know you're between
22 a rock and a hard place. But so are we in terms of
23 our ability to absolve you from having to follow the
24 statute.

25 COMMISSIONER CABALLERO: Let -- let --

1 Madam Chair -- and I'm having difficulty. And
2 that's why I propose that the attorneys talk to each
3 other, see if they find why they're doing what
4 they're doing.

5 I see that -- that once you have a statute
6 that says you cannot deny anybody enrollment, it's
7 pretty clear. And I can go back to my high school,
8 where our -- the graduates are now going to war with
9 the -- with the school district, because we put a
10 magnet school right next to the high school -- or
11 for -- to have our Chicanitos go into medicine to
12 become doctors. There's not one person from
13 Jefferson High in that magnet high, not one, because
14 there's a -- there's an open enrollment, and
15 students cannot be denied from all over the
16 district.

17 And so there's a war now between those
18 students who our students hate -- and they hate the
19 poor Chicanitos, and they don't get along, and they
20 share a parking lot.

21 So I can relate to this whole idea of good
22 intentions. And a lot of work went into doing the
23 magnet school, a lot, a lot of work. Good
24 intentions and no discrimination stuff went into
25 that. And now it's somewhere else.

1 And we go into a lot of discussions in --
2 by the community in saying, "We're targeting the
3 south side of Albuquerque, and we're targeting these
4 Chicanitos, and we're targeting these poor kids."
5 But we cannot deny anybody enrollment.

6 And so four or five years go down the
7 line, and you look at the enrollment, and it's not
8 quite what you think.

9 Also, in little schools where they didn't
10 think they were going to get impacted by a charter
11 school, all of a sudden, they lose a lot of their
12 enrollment, and that public school is hurting.

13 So I don't have the answer. I really
14 don't. I'm -- I'm trying to learn where the middle
15 line and where we find some solution. But when I
16 read the statute, I -- I saw that's -- the wording
17 is "open enrollment," and there's some preferences
18 on specific issues. But is it -- is it a denial to
19 the school district to -- to have an attempt to
20 service the students and a charter school to have an
21 attempt to comply with that need and come up with an
22 IOU that's contrary to an interpretation of the
23 language?

24 I don't know. That's why I submitted my
25 proposal that the attorneys give it a try first.

1 But I see Toulouse's proposition that
2 maybe we need somebody -- or maybe we need to have a
3 discussion with the attorneys. And if that goes
4 nowhere, we go to the Attorney General for
5 clarification. But -- but Toulouse is right. And
6 Madam Chair is right. It opens the door to a lot of
7 stuff, and beginning with a lot of confusion and
8 we'll never see the end of it.

9 THE CHAIR: And I can speak to the fact
10 that there is -- there are letters that go out --
11 fortunately, not often -- but there are letters that
12 go out because schools are violating enrollment
13 pol- -- you know. So that's why we're having this
14 discussion.

15 So I will ask. Is it the will of the
16 Commission that at this moment in time, we don't
17 move forward on anything, and we allow the attorneys
18 to -- and then we put it on the agenda for December
19 if there's not a satisfactory -- okay. All right.
20 I'm fine with that.

21 COMMISSIONER ARMBRUSTER: I have a
22 question, Madam Chair.

23 THE CHAIR: Okay.

24 COMMISSIONER ARMBRUSTER: To -- well, do
25 this one first. My understanding was that Santa Fe

1 Public Schools was going to take back -- I guess is
2 the better -- the word -- the school, unless you all
3 came to an agreement. And -- which I've -- you
4 know, I -- which means that you would close if they
5 took back your school. You wouldn't be there, and
6 you would have to find another school in the middle
7 of Santa Fe where it's not so heavily populated.
8 Does that sound right?

9 MR. FLOYD TRUJILLO: Madam Chair,
10 Commissioner Armbruster, that is correct. We were
11 served with a notice. And the Santa Fe School Board
12 took formal action to not allow us to be in the
13 building after 2021.

14 COMMISSIONER ARMBRUSTER: Right. That's
15 what I understood. So I can see the issues on both
16 sides are crystal clear. You are opening Pandora's
17 Box, for people that might not have the emergency
18 issue that you have. And totally agree with
19 Madam Chair and others who have expressed that
20 opinion; so -- which is one reason I guess I'm
21 saying maybe it is an attorney thing that has to be
22 worked out.

23 Because I don't know that it -- it's like
24 a no-win situation here. Somebody's losing, when we
25 would like everyone to win and do that.

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1 And my second thing -- and I will just say
2 that my husband always says, "Oh, yes, Karyl Ann.
3 You say -- it's always, 'Just do this.'"

4 So I'm aware of that. So, Commissioner
5 Peralta, if you can't find E-Occupancy -- so, I
6 mean, what would they do? Close down the school if
7 they don't have a way of going back in and checking
8 to see if it's an okay place?

9 I mean, like -- what -- what do you do?
10 If you can't find it, you can't find it.

11 THE CHAIR: No, that's not an answer.

12 COMMISSIONER ARMBRUSTER: Can't they go
13 and reevaluate?

14 THE CHAIR: It's not a simple process,
15 right?

16 COMMISSIONER PERALTA: The school would
17 have to reapply, just like we had previously -- the
18 Middle College. So CID would have to go back and
19 reassess the building, do the entire application
20 process all over again, which sometimes it takes a
21 little bit of time and it's not as speedy a process
22 as we'd like; so...

23 COMMISSIONER ARMBRUSTER: Do they close
24 the school while that's going on? Or the school
25 continues to work?

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1 THE CHAIR: It's the new one.

2 COMMISSIONER ARMBRUSTER: I understand.

3 THE CHAIR: Whatever we're calling it, the
4 seventh-grade wing or whatever. I -- you know.

5 COMMISSIONER ARMBRUSTER: And then let me
6 do one more thing. So this is going to be -- the
7 new un-E'd place is for seventh and eighth grade?
8 Sixth, seventh, and eighth? Fifth, sixth, seventh,
9 and eighth?

10 MR. FLOYD TRUJILLO: Madam Chair,
11 Commissioner, it's currently just the seventh.

12 COMMISSIONER ARMBRUSTER: So in this --
13 back to this MOU, so your current sixth-graders --
14 whatever number that is, it doesn't matter --
15 presumably will go to the seventh grade
16 non-E-Occupancy institution. So how many openings
17 would there actually be for these students who
18 wouldn't -- where your stipulation is for No. 3, for
19 example? How many openings would there be?

20 MR. FLOYD TRUJILLO: Madam Chair,
21 Commissioner Armbruster, we currently have
22 approximately 480 students. We would be adding
23 approximately 60 for next year.

24 COMMISSIONER ARMBRUSTER: So are part of
25 those 60 the current sixth graders?

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1 COMMISSIONER PERALTA: They wouldn't close
2 the school. They would just note the school is
3 under assessment by the CID and PSFA, and give them
4 the time that they need to be able to do the
5 assessment. The school can operate until the
6 certificate is produced, which, in my opinion, I
7 think will happen. It's just getting through the
8 application and following through the channels.

9 COMMISSIONER ARMBRUSTER: And so for the
10 original application for this school, of course,
11 most of us were not here. Was that E-Occupancy
12 attached to the application?

13 THE CHAIR: Their initial application went
14 to Santa Fe Public Schools.

15 COMMISSIONER ARMBRUSTER: Well, did you
16 have to have an E-Occupancy for that?

17 MR. FLOYD TRUJILLO: Madam Chair,
18 Commissioner Armbruster?

19 THE CHAIR: It's the new facilities. I'm
20 sorry. It's the new one.

21 MS. AMI JAEGER: They're expanding.

22 COMMISSIONER ARMBRUSTER: So it's the new
23 one you need the E-Occupancy for. Got it.

24 MR. FLOYD TRUJILLO: Madam Commissioner,
25 correct.

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1 THE CHAIR: No, it's additional. Correct?

2 MR. FLOYD TRUJILLO: Madam Chair,
3 Commissioner Armbruster, that's correct.

4 COMMISSIONER ARMBRUSTER: Additional.

5 MR. FLOYD TRUJILLO: Correct.

6 COMMISSIONER ARMBRUSTER: And that's what
7 Santa Fe wants you to choose, either siblings of
8 kids that you have, the current kids, or the
9 surrounding area ones?

10 MR. FLOYD TRUJILLO: Madam Chair,
11 Commissioner Armbruster, again, the MOU states that
12 the first preference, per statute, is for the
13 students that are already attending. Second would
14 be siblings of any students attending. And the
15 third preference is the one that has been proposed.

16 COMMISSIONER ARMBRUSTER: Okay.

17 THE CHAIR: So we're --

18 COMMISSIONER ARMBRUSTER: I see.

19 THE CHAIR: So we're moving on.

20 COMMISSIONER ARMBRUSTER: I agree.

21 THE CHAIR: And you have a conversation.

22 Thank you so much.

23 MR. FLOYD TRUJILLO: Madam Chair,
24 Commissioners, thank you.

25 THE CHAIR: We are on to item No. 8,

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<p>1 Discussion and Possible Action on the Board of 2 Finance for Solare Collegiate. I know someone is 3 here from -- and that's Tab 8, which I don't know if 4 CSD wants to offer anything with this. 5 And the documentation is there. I don't 6 think there's any -- 7 MS. JULIA ANDERSON: Yeah, Madam Chair. I 8 don't believe we have anything to add. 9 THE CHAIR: Thank you for coming. 10 FROM THE FLOOR: Glad to be here. 11 THE CHAIR: We appreciate it. But it 12 appears that all the documents are appropriate. So 13 I don't think there is -- so I will -- I move that 14 the Public Education Commission approve Solare 15 Collegiate's Board of Finance. 16 COMMISSIONER RUIZ: Second. 17 THE CHAIR: There's a second by 18 Commissioner Ruiz. 19 Any discussion? 20 (No response.) 21 THE CHAIR: Commissioner Armbruster? 22 COMMISSIONER ARMBRUSTER: Commissioner 23 Caballero? 24 COMMISSIONER CABALLERO: Yes. 25 COMMISSIONER ARMBRUSTER: Commissioner</p>	<p>1 which is our ideal location. So we're really 2 excited about the potential. It's a large piece of 3 land that would suit us at full capacity and really 4 give us the opportunity to grow as a community 5 school. 6 THE CHAIR: Great. All right. We are on 7 to Item No. 9, Discussion and Possible Action on the 8 Renewal Application. 9 And we did spend time yesterday on -- at 10 the work session, this morning. I'm so used to it 11 being yesterday. Just as an aside, I was talking 12 with a Representative Ferrary yesterday. 13 And at one of the subcommittee meetings 14 she was at, she was introducing herself. And at the 15 end of it, she said, "And thank you for taking my 16 call"; because she's made so many phone calls 17 introducing herself, it's just part of her fabric 18 of, "Thank you for taking my call." People are 19 looking at her like, "What?" 20 So we all have to get out of that now. 21 There were -- mostly cleanup on this, 22 with, you know, taking out, and there's some 23 grammatical changes. There weren't really -- the -- 24 the substantive change that came in this from what 25 we had discussed the last time was if we look at the</p>
<p>Page 103</p> <p>1 Conyers? 2 COMMISSIONER CONYERS: Yes. 3 COMMISSIONER ARMBRUSTER: Commissioner 4 Ruiz? 5 COMMISSIONER RUIZ: Yes. 6 COMMISSIONER ARMBRUSTER: Commissioner 7 Toulouse? 8 COMMISSIONER TOULOUSE: 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 Crone? 18 COMMISSIONER CRONE: Yes. 19 COMMISSIONER ARMBRUSTER: An eight-to-zero 20 vote. 21 FROM THE FLOOR: Can I just share with you 22 quickly? One of the concerns that Commissioner 23 Toulouse had was about facilities. We actually are 24 in the process -- our potential landlord is in an 25 offer for a piece of land around 98th and Gibson,</p>	<p>Page 105</p> <p>1 page where we open up on the Statement of 2 Innovation, which is on Page 17, the change that we 3 made yesterday was to make sure that it says "shall" 4 and not "may." So that it's something that every 5 school has to do. 6 So I think that was really -- oh, I'm 7 sorry. Right. And then we had the discussion and 8 we took out of the packet the last page. 9 COMMISSIONER CABALLERO: Oh. F? 10 THE CHAIR: No. My last page is 11 "Facility." 12 COMMISSIONER CABALLERO: F. Part F. 13 THE CHAIR: That the discussion was during 14 this time, that it doesn't make sense to do an 15 amendment; so we took out the amendment. 16 COMMISSIONER CABALLERO: Part F. 17 THE CHAIR: And we also took out that 18 piece on -- yeah, I have to go back -- the section 19 where there's the discussion on the material terms. 20 COMMISSIONER ARMBRUSTER: Those are 21 redundant. 22 THE CHAIR: Right. Which is, I think, 23 Page 21. No. 24 COMMISSIONER TOULOUSE: 22. 25 THE CHAIR: 22. No. That's not my 22.</p>

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<p>1 Sorry. If you take the one that was handed this 2 morning, it's -- 3 MS. AMI JAEGER: Otherwise, in their book 4 it's not a numbered page. But it is Page 22 in the 5 book. 6 COMMISSIONER TOULOUSE: It's after 7 Page 21; so -- 8 THE CHAIR: It's Page 22 of what we have, 9 which is, "Contractual, Organizational, and 10 Governance Responsibilities," the charter material 11 terms. 12 We had a discussion yesterday, and it was 13 thought that, you know, if the school's been 14 violating the material terms of their contract, we 15 should already know that; so that we really don't 16 want them to be writing down, "Oh, by the way, this 17 is" -- hopefully, they're not doing that. 18 So it just didn't make a lot of sense. 19 And much of it is repetitive to what they've already 20 been asked to answer to in other parts of the 21 contract; so that it's redundant. It looks like 22 busy work. And if I was the person tasked with 23 having to put this all together, it's, like, why do 24 I have to answer this first, second, and third time, 25 so that we -- we did make substantive changes to</p>	<p>1 MS. JULIA ANDERSON: Okay. 2 THE CHAIR: -- that that could just be 3 attached with the analysis, just so that we're aware 4 that the following amendments have been approved 5 during the length of this contract. 6 MS. JULIA ANDERSON: Right. So it will be 7 removed, but we will include that information in the 8 analysis section. 9 THE CHAIR: Right. 10 MS. JULIA ANDERSON: Okay. Thank you. 11 THE CHAIR: Thanks. 12 COMMISSIONER CABALLERO: Motion. 13 THE CHAIR: Motion. 14 COMMISSIONER CABALLERO: I move that the 15 Public Education Commission adopt the PEC renewal 16 Application Kit, including all that has been 17 mentioned, but not to include Part F. 18 Do we have to mention the section that has 19 been removed or -- just -- 20 THE CHAIR: No, because that'll be -- 21 that'll be posted. 22 COMMISSIONER CABALLERO: Okay. 23 THE CHAIR: The clean copy. 24 COMMISSIONER CABALLERO: All right. 25 THE CHAIR: Do I have a second?</p>
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<p>1 that, and, hopefully, to make it easier for the 2 schools to be able to fill this out, okay? 3 Do we have any questions for those that 4 were not here yesterday? 5 COMMISSIONER ARMBRUSTER: Today. 6 THE CHAIR: Today. I'm sorry. 7 MS. JULIA ANDERSON: Madam Chair, I would 8 just like to clarify. We want to keep Part F, 9 right, not for current amendment requests, but for 10 us to provide that historical information. 11 THE CHAIR: Correct. The history of 12 amendment requests, yes, but not -- we're taking out 13 that they're making an amendment request. 14 MS. JULIA ANDERSON: Perfect. Thank you. 15 THE CHAIR: Right. And that's going to be 16 populated by CSD. We're not asking the school to 17 provide that. 18 MS. JULIA ANDERSON: Yes. Thank you. 19 THE CHAIR: All right. And you know what? 20 That -- that piece can probably just be provided 21 with the analysis, you know, just as a historical 22 reference for people. I don't think we need to have 23 that -- 24 MS. JULIA ANDERSON: The section -- 25 THE CHAIR: -- with a lot of time --</p>	<p>1 COMMISSIONER ARMBRUSTER: (Indicates.) 2 THE CHAIR: There's a second by 3 Commissioner Armbruster. 4 Any discussion? 5 (No response.) 6 THE CHAIR: Commissioner Armbruster? 7 COMMISSIONER ARMBRUSTER: Commissioner 8 Toulouse? 9 COMMISSIONER TOULOUSE: Yes. 10 COMMISSIONER ARMBRUSTER: Commissioner 11 Caballero? 12 COMMISSIONER CABALLERO: Yes. 13 COMMISSIONER ARMBRUSTER: Commissioner 14 Ruiz? 15 COMMISSIONER RUIZ: Yes. 16 COMMISSIONER ARMBRUSTER: Commissioner 17 Armbruster votes "Yes." 18 Commissioner Crone? 19 COMMISSIONER CRONE: Yes. 20 COMMISSIONER ARMBRUSTER: Commissioner 21 Conyers? 22 COMMISSIONER CONYERS: Yes. 23 COMMISSIONER ARMBRUSTER: Commissioner 24 Gipson? 25 THE CHAIR: Yes.</p>

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<p>1 COMMISSIONER ARMBRUSTER: Commissioner 2 Peralta? 3 COMMISSIONER PERALTA: Yes. 4 COMMISSIONER ARMBRUSTER: That is an 5 eight-to-zero vote, and that passes. 6 THE CHAIR: And moving right along, we are 7 on Discussion and Possible Action on Closure 8 Procedures. 9 And Commissioners received today the clean 10 copy of the closure procedures, which, once again, 11 we've -- we visited and revisited this morning. 12 COMMISSIONER TOULOUSE: Madam Chair, to 13 revert back to the last, wasn't that a nine-to-zero 14 vote, not an eight-to-zero vote? 15 THE CHAIR: No. David is not here; so 16 it's eight. 17 COMMISSIONER TOULOUSE: I'm counting 18 chairs, not people. Sorry. 19 THE CHAIR: I just use my fingers; so -- 20 especially I -- I've been here so long -- I was here 21 since yesterday. 22 So just so that the Commissioners are 23 aware, this is obviously, once again, something that 24 we've been working on for at least two work 25 sessions. And, unfortunately, it came about as a</p>	<p>1 of that work over the past several work sessions. 2 And we did clean it up and look at it once again. 3 So this is the final clean copy for Commissioners to 4 see. 5 So are there any questions regarding this? 6 If not, I will entertain a motion to 7 approve this. And it's Item No. 10. 8 COMMISSIONER RUIZ: Madam Chair, I'll move 9 that the Public Education Commission adopt the PEC 10 closure procedures. 11 THE CHAIR: Do I have a second? 12 COMMISSIONER PERALTA: Second. 13 THE CHAIR: There's a second by 14 Commissioner Peralta. 15 Any discussion? 16 (No response.) 17 THE CHAIR: Commissioner Armbruster? 18 COMMISSIONER ARMBRUSTER: Commissioner 19 Conyers? 20 COMMISSIONER CONYERS: Yes. 21 COMMISSIONER ARMBRUSTER: Commissioner 22 Armbruster votes "Yes." 23 Commissioner Toulouse? 24 COMMISSIONER TOULOUSE: Yes. 25 COMMISSIONER ARMBRUSTER: Commissioner</p>
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<p>1 result of the two most recent closures, and becoming 2 more and more aware -- well, I'm going to go back to 3 the closure of the -- of Cariños and the issue that 4 came about with that building. 5 And there was an expression by the Board 6 of Finance that there wasn't necessarily, in policy, 7 identification of things. So that helped to start 8 the conversation. 9 And then unfortunately what has happened 10 with the two most recent closures, we've become more 11 and more aware of the fact that some of the 12 communication that was anticipated and expected of 13 the schools did not happen. And that was 14 unfortunate for the parents and the students that 15 were there, so that we needed to keep a closer eye 16 and know that the letters that were supposed to go 17 out by the school to the families to notify them of 18 the closure and so on, did that happen. 19 So that we need to have verification of 20 these things, and hopefully to avoid the concern 21 that's been raised now with the disposition of the 22 property, so that we have a clearer sense on how 23 that disposition is going to take place and that 24 we're informed on a more regular basis about that. 25 So that's the -- this is the culmination</p>	<p>1 Caballero? 2 COMMISSIONER CABALLERO: Yes. 3 COMMISSIONER ARMBRUSTER: Commissioner 4 Peralta? 5 COMMISSIONER PERALTA: Yes. 6 COMMISSIONER ARMBRUSTER: Commissioner 7 Ruiz? 8 COMMISSIONER RUIZ: Yes. 9 COMMISSIONER ARMBRUSTER: Commissioner 10 Crone? 11 COMMISSIONER CRONE: Yes. 12 COMMISSIONER ARMBRUSTER: Commissioner 13 Gipson? 14 THE CHAIR: Yes. 15 COMMISSIONER ARMBRUSTER: Eight to zero. 16 THE CHAIR: The motion passes, eight-zero. 17 Thank you. 18 We are on to Item No. 11, which is 19 Discussion and Possible Action on Revised Assurances 20 Statement. 21 And, once again, a little historical 22 perspective. This -- this was raised as a concern 23 approximately two meetings ago, I believe, 24 initially, and then was brought back up last month 25 as a -- as a concern. And our attorney did have a</p>

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<p>1 conversation with the one school, in particular, who 2 raised the concern. 3 And I do believe, if I recollect, that 4 that attorney did address that concern to us at the 5 last meeting; so that if you go to Tab 11, you will 6 see the assurance form that has been provided and 7 has been -- it was -- the change was made. And the 8 one school has signed this. That's my 9 understanding. 10 And this is the recommendation from our 11 attorney that we go forward with this Letter of 12 Assurances. 13 Any discussion? 14 COMMISSIONER RUIZ: Can I go ahead and 15 make a motion? 16 I move that the Public Education 17 Commission adopt the PEC Assurance Statement. 18 THE CHAIR: Do I have a second? 19 COMMISSIONER CONYERS: (Indicates.) 20 THE CHAIR: There's a second by 21 Commissioner Conyers. 22 Any discussion? 23 (No response.) 24 THE CHAIR: Commissioner Armbruster? 25 COMMISSIONER ARMBRUSTER: Commissioner</p>	<p>1 Contract Renewal. 2 And Commissioners will find the clean copy 3 of the contract. And I'm trying to find to 4 reference the exact page for the educational 5 program. Page 4 of the contract. 6 So I want to thank Commissioner Armbruster 7 for a time on Thursday that we spent, and the school 8 for spending the time. We met Thursday afternoon in 9 Albuquerque to -- for contract negotiations. 10 And the substantive portion of that 11 meeting is Item No. 4 on Page 4 of the contract, 12 "Conditions mandated by the Department decision and 13 order dated October 12th, 2018." 14 So I'll ask the school if they wish to 15 come down to say anything. No, I don't -- 16 MS. NADINE VIGIL: Good evening -- or good 17 afternoon. 18 THE CHAIR: Oh. So you're calling it 19 evening. 20 MS. NADINE VIGIL: I'm Nadine Vigil. I'm 21 the head administrator/director of Taos 22 International. I just want to say thank you. And 23 looks like everything is good to go. And thank you 24 for listening to us and believing in us, and we're 25 good.</p>
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<p>1 Gipson? 2 THE CHAIR: Yes. 3 COMMISSIONER ARMBRUSTER: Commissioner 4 Peralta? 5 COMMISSIONER PERALTA: Yes. 6 COMMISSIONER ARMBRUSTER: Commissioner 7 Crone? 8 COMMISSIONER CRONE: Yes. 9 COMMISSIONER ARMBRUSTER: Commissioner 10 Conyers? 11 COMMISSIONER CONYERS: Yes. 12 COMMISSIONER ARMBRUSTER: Commissioner 13 Ruiz? 14 COMMISSIONER RUIZ: Yes. 15 COMMISSIONER ARMBRUSTER: Commissioner 16 Armbruster votes "Yes." 17 Commissioner Caballero? 18 COMMISSIONER CABALLERO: Yes. 19 COMMISSIONER ARMBRUSTER: Commissioner 20 Toulouse? 21 COMMISSIONER TOULOUSE: Yes. 22 COMMISSIONER ARMBRUSTER: Eight to zero. 23 THE CHAIR: Motion passes, eight-zero. 24 We are on to Item No. 12, Discussion and 25 Possible Action on Taos International Settlement</p>	<p>1 THE CHAIR: Okay. Thank you. And we do 2 have the -- told the Commissioners that we do 3 have -- I think it was last night, your governance 4 council met or -- 5 MS. NADINE VIGIL: Tuesday. 6 THE CHAIR: Tuesday, right. They had 7 scheduled Monday, but snow intervened. 8 MS. NADINE VIGIL: Yes. 9 THE CHAIR: So, fortunately, there was a 10 little bit of leeway there. 11 MS. NADINE VIGIL: I know, yes. We had to 12 close school because we had 8 to 10 inches of snow 13 in Taos. 14 THE CHAIR: I have a good friend in Taos. 15 She showed me pictures of her backyard. We had 16 about 12 snowflakes in Cruces; so I can identify. 17 MS. NADINE VIGIL: So we met on Tuesday, 18 and the governing board council did everything they 19 had to do. They voted on it. We submitted 20 everything to Julia and Megan and Patty, of course. 21 So thank you. And I want to thank Patty also for 22 hanging in there with us. 23 And we're good, like I say. We're back on 24 track, doing very well with our school. 25 Thank you.</p>

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<p>1 THE CHAIR: Thank you. I appreciate it. 2 Thank you for your time. 3 So, Commissioners, if there is no 4 discussion, I'll entertain a motion to approve the 5 renewal contract for Taos International. 6 COMMISSIONER TOULOUSE: Madam Chair? 7 THE CHAIR: Oh. Commissioner Toulouse. 8 COMMISSIONER TOULOUSE: I will do the 9 motion. 10 I move that the Public Education 11 Commission accept the terms and sign the charter 12 contract between PEC and Taos International School, 13 as ordered by Christopher Ruskowski, in his 14 official capacity as the Secretary of the Public 15 Education Commission. 16 COMMISSIONER RUIZ: Second. 17 THE CHAIR: There is a motion by 18 Commissioner Toulouse, a second by Commissioner 19 Ruiz. 20 Any discussion? 21 (No response.) 22 THE CHAIR: Commissioner Armbruster? 23 COMMISSIONER ARMBRUSTER: Commissioner 24 Armbruster votes "Yes." 25 Commissioner Gipson?</p>	<p>1 THE CHAIR: Oh. I'm sorry. I'm in my own 2 world. I apologize. 3 MS. NADINE VIGIL: Again, thank you so 4 much. We have shown a lot of growth and made a good 5 grade. So we're good. Thank you. 6 THE CHAIR: Thank you so much. 7 So we are on to Item No. 13, which is 8 the -- which is -- in Tab 13. And those that were 9 there, you know, this morning, with the -- we went 10 over this proposed budget. So we're open for 11 discussion. The addition to this budget is the 12 addition that the first two pages are the 2 percent. 13 And the pages -- Vocational Ed/Strategic 14 is a request for funds coming out of General Funds. 15 Right. Right. Because we would not be able to use 16 the schools' money to move forward on vocational 17 education, but that the statute places vocational ed 18 and strategic planning under the responsibilities of 19 the -- of the Public Education Commission. 20 So are there any questions? Comments? 21 COMMISSIONER TOULOUSE: Good luck. 22 THE CHAIR: Concerns? 23 COMMISSIONER CABALLERO: Other than we 24 discussed increasing the full-time equivalency 25 amounts.</p>
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<p>1 THE CHAIR: Yes. 2 COMMISSIONER ARMBRUSTER: Commissioner 3 Toulouse? 4 COMMISSIONER TOULOUSE: Yes. 5 COMMISSIONER ARMBRUSTER: Commissioner 6 Conyers? 7 COMMISSIONER CONYERS: Yes. 8 COMMISSIONER ARMBRUSTER: Commissioner 9 Caballero? 10 COMMISSIONER CABALLERO: Yes. 11 COMMISSIONER ARMBRUSTER: Commissioner 12 Crone? 13 COMMISSIONER CRONE: Yes. 14 COMMISSIONER ARMBRUSTER: Commissioner 15 Ruiz? 16 COMMISSIONER RUIZ: Yes. 17 COMMISSIONER ARMBRUSTER: Commissioner 18 Peralta? 19 COMMISSIONER PERALTA: Yes. 20 COMMISSIONER ARMBRUSTER: It's an 21 eight-to-zero vote. 22 THE CHAIR: Motion passes, eight-zero. 23 Thank you. 24 We are on to Item No. 13. 25 MS. NADINE VIGIL: Thank you.</p>	<p>1 THE CHAIR: Oh, correct. Correct. We 2 did, right. And -- 3 COMMISSIONER CABALLERO: So she's going to 4 make the changes and -- 5 THE CHAIR: Yes. We did have a brief 6 discussion about staffing. 7 COMMISSIONER CABALLERO: I think we're 8 good to go, Madam Chair. 9 THE CHAIR: Okay. 10 COMMISSIONER CABALLERO: I will -- do we 11 need a -- 12 THE CHAIR: Yeah. And it's -- 13 COMMISSIONER CABALLERO: 13? 14 THE CHAIR: 13. 15 COMMISSIONER CABALLERO: I move that the 16 Public Education Commission adopt the PEC budget for 17 FY 2019-2020. 18 THE CHAIR: Do I have a second? 19 COMMISSIONER PERALTA: Second. 20 THE CHAIR: There's a motion by 21 Commissioner Caballero, a second by Commissioner 22 Peralta. 23 Any discussion? 24 (No response.) 25 THE CHAIR: Commissioner Armbruster?</p>

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<p>1 COMMISSIONER ARMBRUSTER: Commissioner 2 Toulouse? 3 COMMISSIONER TOULOUSE: 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 Caballero? 12 COMMISSIONER CABALLERO: Yes. 13 COMMISSIONER ARMBRUSTER: Commissioner 14 Gipson? 15 THE CHAIR: Yes. 16 COMMISSIONER ARMBRUSTER: Commissioner 17 Crone? 18 COMMISSIONER CRONE: Yes. 19 COMMISSIONER ARMBRUSTER: Commissioner 20 Ruiz? 21 COMMISSIONER RUIZ: Yes. 22 COMMISSIONER ARMBRUSTER: Commissioner 23 Armbruster votes "Yes." 24 Eight to zero. 25 THE CHAIR: Thank you. Motion passes,</p>	<p>1 start at 9:00. So we've got to start at 9:00. 2 THE CHAIR: Yeah. Yeah. 3 COMMISSIONER ARMBRUSTER: Okay. 4 THE CHAIR: We stand in recess until 5 tomorrow morning at 9:00 a.m. 6 (Proceedings in recess at 3:49 p.m.) 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
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<p>1 eight-zero. 2 (Chair consults with counsel.) 3 THE CHAIR: So we're going to take 15 and 4 put it onto tomorrow. Same thing with 16. Yeah. 5 Same thing with 16. 6 So we're good to go. We're going to 7 recess until tomorrow. And I thank you, because 8 we've gotten through the bulk of it. And because we 9 don't have a hearing tomorrow morning, you're going 10 to be free at last pretty early tomorrow. 11 COMMISSIONER ARMBRUSTER: I just want to 12 check. So what time are we -- we can't change -- 13 COMMISSIONER CABALLERO: 9:00. 14 COMMISSIONER ARMBRUSTER: So did people 15 know who wanted to go to the other part of the 16 meeting that we're not -- 17 THE CHAIR: I'm asking, what part of the 18 meeting did people come to that they didn't hear? 19 COMMISSIONER ARMBRUSTER: I'm just saying 20 if they were coming tomorrow, thinking that it began 21 at whatever time. 22 THE CHAIR: Our meeting starts at 9:00. 23 COMMISSIONER ARMBRUSTER: Okay. I'm fine. 24 That's fine. 25 COMMISSIONER CABALLERO: It was posted to</p>	<p>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 November 27, 2018. 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">Cynthia C. Chapman, RMR-CRR, NM CCR #219 BEAN & ASSOCIATES, INC. 201 Third Street, NW, Suite 1630 Albuquerque, New Mexico 87102</p> <p>Job No.: 1032N (CC)</p>

1 RECEIPT
2 JOB NUMBER: 1032N CC Date: 11/15/18
3 PROCEEDINGS: PUBLIC MEETING, Volume One
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: _____

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