

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

OPEN PUBLIC MEETING

January 11, 2019

10:10 a.m.

Jerry Apodaca Education Building - Mabry Hall
Santa Fe, New Mexico

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

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201 Third Street, NW, Suite 1630

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JOB NO.: 1607N (CC)

Page 2

1 APPEARANCES

2 COMMISSIONERS:

3 MS. PATRICIA GIPSON, Chair

4 MS. TRISH RUIZ, Vice Chair

5 MS. KARYL ANN ARMBRUSTER, Secretary

6 MR. R. CARLOS CABALLERO, Member

7 MR. MICHAEL CHAVEZ, Member

8 MR. TIM CRONE, Member

9 MS. GEORGINA DAVIS, Member

10 MS. SONIA RAFTERY, Member

11 MR. DAVID ROBBINS, Member

12 MS. GLENNA VOIGT, Member

13 PED STAFF:

14 MS. KAREN WOERNER, Acting Director,

15 Charter School Division

16 MS. BEVERLY FRIEDMAN, PED Custodian of Record

17 and Liaison to the PEC

18 PEC COUNSEL:

19 MS. AMI JAEGER, Counsel to the PEC

20 MR. MARK CHAIKEN, Counsel to the PEC

21 ALSO PRESENT: NEW MEXICO SECRETARY OF STATE

22 MAGGIE TOULOUSE OLIVER

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25

Page 4

1 INDEX TO PROCEEDINGS, Continued

2 PAGE

3 15 Discussion and Possible Action on 179

4 PEC Year-End Report to Legislature

5 and LESC

6 16 Report from the Chair 185

7 17 PEC Comments 190

8 18 Adjourn 197

9 REPORTER'S CERTIFICATE 199

10 ATTACHMENTS:

11 1 Visitor Sign-In Sheets

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Page 3

1 INDEX TO PROCEEDINGS

2 PAGE

3 1 Call to Order, Roll Call, 6

4 Pledge of Allegiance and

5 Salute to the New Mexico Flag

6 2 Approval of Agenda 8

7 3 Open Forum - No Speakers 9

8 4 Election of PEC Officers for 2019 9

9 5 Consent Agenda 12

10 6 Presentation by Albuquerque School 14

11 of Excellence on their RoboRAVE Trip

12 to Japan

13 7 Discussion and Possible Action on 19

14 Alma d'Arte Charter School's Corrective

15 Action Plans

16 8 Discussion and Possible Action on School 80

17 Improvement/NM DASH Plans - No Discussion

18 or Action

19 9 Report from Options for Parents and 80

20 the Charter School Division - Discussion

21 and Possible Action

22 10 Discussion and Possible Action on the 102

23 Perkins Grant Report

24 11 Briefing on Turquoise Trail Assurances 116

25 and Enrollment

12 Discussion and Possible Action on the 119

13 New Charter School Application - Tabled

14 Discussion and Possible Action on the 119

15 Implementation Checklist - Tabled

16 14 Discussion and Possible Action on PEC 124

17 Legislative Strategy Including

18 "No Time To Lose" and Pre-File

19 Legislative Bills

20

21

22

23

24

25

Page 5

1 THE CHAIR: Good morning, everyone. And

2 thank you so much. And I appreciate your

3 indulgence. Not that you were asked to indulge us,

4 but I appreciate the fact that you sat around and

5 waited for us. This hasn't happened before. But we

6 had an appointment that was made very late last

7 night, and we needed some work done over at the

8 Governor's Office.

9 And as you can also appreciate, that's an

10 office that's a little bit in a learning curve on

11 how some of these things, up to and including some

12 of the electronic things, work. So it took us a bit

13 longer to get the paperwork that we needed so that

14 we could have the Oath of Office administered to our

15 newly appointed Commissioner.

16 So once again, I appreciate -- I

17 appreciate the fact that there's bad weather out

18 there. But we will try to move things along as

19 quickly and as professionally as we can at this

20 point in time. And I apologize if some people are

21 upset. But life happens.

22 So I appreciate this.

23 So I'm going to call this meeting of the

24 PEC -- let me just ask -- do we want to -- do you

25 want me to call the meeting to order before we do

Page 6	Page 8
<p>1 the Oath of Office or -- all right. Just checking, 2 making sure. 3 Okay. So I'm going to call this meeting 4 of the Public Education Commission to order. It is 5 Friday, January 11th. And it is 10:10 a.m. And I 6 am going to ask Commissioner Armbruster to do roll 7 call for us. 8 COMMISSIONER ARMBRUSTER: Okay. That's 9 why I said should we do the swearing in before -- we 10 should do the swearing in. 11 THE CHAIR: Okay. 12 COMMISSIONER ARMBRUSTER: When you get a 13 lawyer and this is our first year of having one, you 14 find out all the wrong things you've been doing. 15 Don't write that down. 16 Too late. 17 THE CHAIR: We're going to administer the 18 Oath of Office at this point. 19 (A discussion was held off the record.) 20 SOS TOULOUSE OLIVER: I'll note for the 21 record that my mother, the court reporter, and I 22 happen to be wearing the same outfit today. So we 23 are related. 24 All right. So just raise your right hand 25 and repeat after me.</p>	<p>1 COMMISSIONER RAFTERY: Here. 2 COMMISSIONER ARMBRUSTER: Commissioner 3 Crone? 4 COMMISSIONER CRONE: Here. 5 COMMISSIONER ARMBRUSTER: Commissioner 6 Ruiz? 7 COMMISSIONER RUIZ: Present. 8 COMMISSIONER ARMBRUSTER: Commissioner 9 Caballero? 10 COMMISSIONER CABALLERO: Present. 11 COMMISSIONER ARMBRUSTER: We have a quorum 12 of six, and everyone is here, ten of us. 13 THE CHAIR: Thank you, and welcome. 14 COMMISSIONER RAFTERY: Thank you. 15 THE CHAIR: We're on to Item No. 2, which 16 is the approval of the agenda. Does anyone have 17 a -- oh, I'm sorry. I'm trying to truly expedite 18 this. 19 COMMISSIONER CABALLERO: Thank you. 20 THE CHAIR: I'm going to ask Commissioner 21 Armbruster to do the Pledge of Allegiance and 22 Commissioner Crone to do -- oh, I'm sorry -- oh, 23 yeah -- Commissioner Crone to do the Salute to the 24 New Mexico Flag. 25 (Pledge of Allegiance and Salute to the</p>
Page 7	Page 9
<p>1 (Oath of Office administered to 2 Commissioner Raftery.) 3 SOS TOULOUSE OLIVER: Congratulations. 4 THE CHAIR: Thank you so much. We 5 appreciate it. 6 Commissioner Armbruster, roll-call vote, 7 please. 8 COMMISSIONER ARMBRUSTER: Got it. 9 Commissioner Robbins? 10 COMMISSIONER ROBBINS: Present. 11 COMMISSIONER ARMBRUSTER: Commissioner 12 Voigt? 13 COMMISSIONER VOIGT: Present. 14 COMMISSIONER ARMBRUSTER: Commissioner 15 Armbruster is here. 16 Commissioner Davis? 17 COMMISSIONER DAVIS: Present. 18 COMMISSIONER ARMBRUSTER: There you go. 19 Commissioner Chavez? 20 COMMISSIONER CHAVEZ: Present. 21 COMMISSIONER ARMBRUSTER: Commissioner 22 Gipson? 23 THE CHAIR: Here. 24 COMMISSIONER ARMBRUSTER: Commissioner 25 Raftery.</p>	<p>1 New Mexico Flag conducted.) 2 THE CHAIR: We are on to Item No. 2, which 3 is the Approval of the Agenda. 4 Are there any changes to the agenda? 5 (No response.) 6 THE CHAIR: If there are none, I'll 7 entertain a motion. 8 COMMISSIONER ROBBINS: So move. 9 COMMISSIONER RUIZ: Second. 10 THE CHAIR: There's a motion by 11 Commissioner Robbins, a second by Commissioner Ruiz. 12 All in favor? 13 (Commissioners so indicate.) 14 THE CHAIR: Opposed? 15 (No response.) 16 THE CHAIR: Hearing no opposition, the 17 motion passes. 18 Beverly, has anyone signed up for Open 19 Forum? 20 MS. FRIEDMAN: No. 21 THE CHAIR: Okay. Thank you. So I am now 22 going to turn the meeting over briefly to 23 Commissioner Armbruster for Item No. 4, which is the 24 Election of PEC Officers. 25 COMMISSIONER ARMBRUSTER: At this time, we</p>

Page 10

1 will be electing a chair, vice chair, and secretary.
2 And I am going to be acting as acting chair until we
3 have elected a chair.
4 And I'm going to open nominations to the
5 floor. If you -- but I am going to start for a
6 nomination for Chairwoman Gipson to re- -- be Chair.
7 Terrible word -- re-Chair. New word. No. I do
8 nominate Patty Gipson.
9 THE CHAIR: Thank you.
10 COMMISSIONER ARMBRUSTER: Are there any
11 other nominations?
12 (No response.)
13 COMMISSIONER ARMBRUSTER: No one.
14 Okay. Do you want to move by acclamation?
15 COMMISSIONER RUIZ: I make a motion that
16 we accept the nomination of Chairwoman Patty Gipson
17 to continue her term by acclamation.
18 COMMISSIONER ROBBINS: Second.
19 COMMISSIONER ARMBRUSTER: All those in
20 favor?
21 (Commissioners so indicate.)
22 THE CHAIR: All those opposed?
23 (No response.)
24 COMMISSIONER ARMBRUSTER: Congratulations.
25 THE CHAIR: Thank you. Thank you, once

Page 12

1 secretary.
2 Commissioner Ruiz?
3 COMMISSIONER RUIZ: Yes. I would like to
4 nominate Karyl Ann Armbruster for PEC secretary.
5 THE CHAIR: Are there any other
6 nominations?
7 (No response.)
8 THE CHAIR: Seeing none, I'll entertain a
9 motion -- I will -- I move to accept the nomination
10 and approve the nomination of Commissioner
11 Armbruster by acclamation for Secretary of the
12 Public Education Commission.
13 COMMISSIONER ROBBINS: I'll second.
14 THE CHAIR: There's a second by
15 Commissioner Robbins.
16 All in favor?
17 (Commissioners so indicate.)
18 THE CHAIR: Opposed?
19 (No response.)
20 THE CHAIR: Hearing no opposition,
21 congratulations once again. The motion passes.
22 COMMISSIONER ARMBRUSTER: Thank you.
23 THE CHAIR: Thank you. We can move on to
24 Item No. 5, which is the Consent Agenda.
25 Do we have any items on the Consent Agenda

Page 11

1 again.
2 And I am now going to open up nominations
3 for Vice Chair. And I am going to nominate
4 Commissioner Trish Ruiz for Vice Chair.
5 COMMISSIONER ROBBINS: Second.
6 COMMISSIONER DAVIS: Can we -- can we
7 offer other -- Madam Chair, I don't know how to do
8 this correctly.
9 COMMISSIONER ARMBRUSTER: Don't worry.
10 COMMISSIONER DAVIS: So I would like to
11 place into nomination Carlos Caballero.
12 COMMISSIONER CABALLERO: Accept.
13 THE CHAIR: We'll have to make ballots.
14 Are there any other nominations?
15 THE CHAIR: We're going to pass out paper;
16 so that I will ask the Commissioners to place the
17 name of the candidate they are voting for for Vice
18 Chair. And that is either Commissioner Caballero or
19 Commissioner Ruiz.
20 Thanks.
21 We could move on to secretary, could we
22 not? We could move on to secretary while she's
23 counting? That would make things a little bit
24 quicker.
25 I am going to open up nominations for

Page 13

1 that Commissioners would like to be moved off? If
2 not, I'll entertain a motion to accept the Consent
3 Agenda.
4 COMMISSIONER VOIGT: I move.
5 THE CHAIR: There's a motion by
6 Commissioner Voigt.
7 COMMISSIONER ROBBINS: Second.
8 THE CHAIR: There's new names that I have
9 to get used to saying.
10 Do I have a second?
11 COMMISSIONER ROBBINS: I'll second.
12 THE CHAIR: There's a second by
13 Commissioner Robbins. Commissioner Robbins? The
14 motion for the Consent Agenda?
15 COMMISSIONER ROBBINS: I seconded.
16 THE CHAIR: Oh, you seconded.
17 All in favor? Do we just do that by --
18 (Commissioners so indicate.)
19 THE CHAIR: Opposed?
20 The consent agenda passes, hearing no
21 opposition.
22 Is this the results?
23 Commissioner Ruiz has been selected to be
24 the Vice Chair of the PEC. She received seven
25 votes, and Commissioner Caballero received three.

Page 14

1 Congratulations.
 2 COMMISSIONER RUIZ: Thank you.
 3 (A discussion was held off the record.)
 4 THE CHAIR: We are on to Item No. 6, which
 5 is the presentation by Albuquerque School of
 6 Excellence on their RoboRAVE trip to Japan. So
 7 welcome. I know some of you were here super-early.
 8 So I truly appreciate you being on time and
 9 indulging us. So thank you so much.
 10 And we've been looking forward to seeing
 11 this. We want -- and once again, we delayed you
 12 till January because we just wanted to give you the
 13 appropriate time. And December is a tough meeting
 14 to be able to do this at. So thank you so much for
 15 coming and offering us this presentation.
 16 FROM THE FLOOR: Thank you, as well, for
 17 listening to us.
 18 (Robot activity.)
 19 FROM THE FLOOR: All-righty. Thank you
 20 guys for all being here. I want to thank all of you
 21 for also listening to our presentation as well. My
 22 name is Lillian Keovilay, and I'm here with our
 23 Robotics Team to present our -- our Robotics Team
 24 from Albuquerque School of Excellence. As you can
 25 see, this is our VEX robot. Unfortunately, due to

Page 15

1 flooding at our school, we were unable to present
 2 our Robotics robot. But we thought we would bring
 3 this to give you a little taste of what we do at our
 4 school.
 5 So for RoboRAVE competition, we go across
 6 the East to Japan to compete in an international
 7 competition called RoboRAVE. It is a competition
 8 that involves different kinds of tasks, such as line
 9 following, jousting, and many others that involve
 10 programming robots and building robots to complete
 11 the task. We compete against different countries,
 12 and that gives our students an opportunity to go
 13 meet and interact with different countries, as well
 14 as learn different cultures.
 15 In our trip to Japan, we also travel
 16 around the country as well as meet with different
 17 students as we were able to go to a different high
 18 school and interact with and learn culture, such as
 19 traditional tea ceremonies.
 20 So...
 21 FROM THE FLOOR: So Japan was a very
 22 interesting experience for all of us. And it gave
 23 us a chance to see how other teams use their time
 24 and do their challenges and see how other people
 25 interact and work together as a team to help create

Page 16

1 robots and complete the tasks. And it definitely
 2 taught us a lot about what we should do in the
 3 future and sort of build as a team.
 4 THE CHAIR: Could you just give us your
 5 name?
 6 FROM THE FLOOR: Im Reave Barten.
 7 THE CHAIR: Thank you.
 8 FROM THE FLOOR: Well, I believe that is
 9 it.
 10 Does anybody have any questions for us?
 11 THE CHAIR: I guess one of my first
 12 questions is what -- did you have serious damage
 13 with the flooding?
 14 FROM THE FLOOR: I believe it was pretty
 15 serious. We had to delay our beginning of school
 16 for a week in order to repair.
 17 FROM THE FLOOR: It's a million dollars
 18 worth of damage.
 19 THE CHAIR: From roof damage or --
 20 FROM THE FLOOR: It was something to do
 21 with one of the fire prevention things and the cold
 22 weather we had in Albuquerque. But we're working on
 23 it. The school starts Monday. The teachers have
 24 been there. We're, "Go Phoenix." We're going to
 25 get it now.

Page 17

1 FROM THE FLOOR: As far as I'm concerned,
 2 we received some damage to our robotics equipment.
 3 COMMISSIONER VOIGT: So I would just like
 4 to praise this presentation, because, you know, STEM
 5 is really a huge priority for demonstrating what you
 6 know in the many academic fields. But also the
 7 opportunity to have international travel, what a
 8 huge education in itself. What city did you visit
 9 in Japan?
 10 FROM THE FLOOR: So on our trip to Japan,
 11 we visited Tokyo. We also went to Kaga, where the
 12 competition took place. And we also thought it was
 13 relevant to go to Hiroshima, a location of
 14 significance in our history, in order to experience
 15 and at least see places that received great damage
 16 during World War II. We thought it would be a way
 17 to pay our respects to the past as well as the -- as
 18 well as the country of Japan.
 19 COMMISSIONER VOIGT: That's phenomenal.
 20 Congratulations.
 21 THE CHAIR: Commissioner Robbins?
 22 COMMISSIONER ROBBINS: As the School of
 23 Excellence is in my district and actually just down
 24 the block from where I live, you know, and I visited
 25 it at the invitation of your director and principal,

1 you guys have done an excellent job not only in this
2 competition, but the school itself. I mean, you're
3 a highly rated school. The students do wonderful
4 things.

5 One of the things that I think a lot of
6 people don't understand is when they get into the
7 high school grades, they go and visit colleges; not
8 just around New Mexico, but around the country. I
9 think seniors go to different colleges. California,
10 East Coast colleges, some Ivy League schools
11 sometimes.

12 All of this -- those college visits are
13 covered by the school. But this trip, the students
14 had to cover this themselves through fundraising and
15 things like that. That's very admirable for a trip
16 like this for high school students and everything;
17 so you're to be commended for that and just for the
18 excellence for just what you do in your education.
19 So keep up the good work.

20 THE CHAIR: Thank you. I do believe it's
21 actually one of their mission-specific goals is the
22 college visits.

23 COMMISSIONER ROBBINS: That's right.

24 THE CHAIR: So that is an exciting and
25 important component to this.

1 Any other questions, Commissioners?
2 (No response.)

3 THE CHAIR: We truly appreciate you
4 coming. I'm terribly sorry about the damage to the
5 school and glad to hear you're getting through it.
6 And, please, there's an open invitation to come back
7 anytime; and, hopefully, you can come back with
8 your -- with your full robot. We'd truly like to
9 see that. We appreciate you coming, and thank you.

10 FROM THE FLOOR: Thank you, all.
11 (Applause.)

12 THE CHAIR: We are now on to Item No. 7,
13 which is Discussion and Possible Action on Alma
14 d'Arte Charter School's Corrective Action Plans. So
15 I'll ask anyone from the school that wishes to come
16 up -- and as you're coming up, I'll also remind you
17 to please identify yourself for the record when you
18 get ready to speak.

19 MR. GENE ELLIOTT: Good morning, ladies
20 and gentlemen, members of the Commission, Madam
21 Chairman. My name is Gene Elliott. I'm president
22 of the governance council of Alma d'Arte Charter
23 High School. And we have with us this morning our
24 principal, our new principal, Holly Schullo,
25 Dr. Holly Schullo, our coordinator of special

1 education, Becky Beidler, Rebecca Beidler; and our
2 business manager, Kate Shelton.

3 So I would turn this over to Dr. Schullo,
4 and we will be happy to answer your questions. Are
5 we going to take the -- the items one at a time?
6 Or -- or all three --

7 THE CHAIR: I think it might be easiest to
8 compartmentalize them and take them one by one.

9 MR. GENE ELLIOTT: One at a time.

10 THE CHAIR: That'll just be easier for
11 questions as well.

12 MR. GENE ELLIOTT: Okay. Does anybody
13 have any questions or comments they would like to
14 make?

15 THE CHAIR: Well, our questions and
16 comments will come after anything that you might
17 want to say and after anything that the Charter
18 School Division might want to add, okay?

19 MR. GENE ELLIOTT: They're not going first
20 this time? We're going first?

21 THE CHAIR: I -- it's up to Karen. I
22 didn't know if Karen wanted to say anything or not.

23 MS. KAREN WOERNER: I think that
24 everything I currently know, you have -- sorry. I
25 think that everything that I currently know, you

1 have, or was stated at the last meeting. So I would
2 prefer that this school present their plan. And if
3 I have additional, I would appreciate the time to do
4 so.

5 THE CHAIR: Sure. No problem. Thanks.

6 DR. HOLLY SCHULLO: Good morning. I'm
7 Holly Schullo. And our school was put on a
8 Corrective Action Plan for special education,
9 English Language Learners, and some financial
10 discoveries.

11 And we submitted a Corrective Action Plan
12 in response to some issues found. And we received
13 some feedback from Karen Woerner and the bureaus
14 involved, and we're here again for some additional
15 feedback based on what we've submitted.

16 Maybe we can start with special education
17 first, because that was a big rock for us, followed
18 by maybe financial, and then work our way back to
19 English Language Learners, and then answer your
20 questions.

21 THE CHAIR: Yeah. That'll work fine.

22 MS. REBECCA BEIDLER: I'm not quite sure
23 what you want to know. But -- excuse me. My
24 background in special education is quite extensive.
25 And I was called upon by Dr. Schullo to actually

Page 22

1 come in and help them. And so I came out of
2 retirement to help the school.

3 And I will report that if the State were
4 to go to Alma d'Arte today, that everything is
5 within compliance. I worked very hard to pull
6 everything into compliance.

7 I was hired by Las Cruces Public Schools
8 back in 2012. I worked for them from 2012 to 2016
9 to help them in corrective action on Indicator 13
10 and transition. So I'm very familiar with high
11 schools and the way that high schools work with
12 special education.

13 And I have already drawn out a plan for
14 Alma d'Arte to be able to stay within compliance. I
15 know I've charted out the rest of the IEPs for the
16 remainder of the 2018-'19 school year; so I know
17 when all of those are due. I already have all of
18 the reevaluations scheduled through 2019, the
19 entire -- the entire year. And so I am very aware
20 of compliance issues and NMAC and federal
21 regulation. I don't know. What else do you want to
22 know from me?

23 THE CHAIR: Karen, is there something that
24 you want to --

25 MS. KAREN WOERNER: If the Commissioners

Page 24

1 more individualized help.

2 MS. KAREN WOERNER: So you're actually the
3 one providing the service; you're the special ed
4 teacher, not just the paperwork.

5 MS. REBECCA BEIDLER: I am. I am. That's
6 correct.

7 MS. KAREN WOERNER: So the students
8 that -- can you speak to the schedule a little bit?
9 When we visited in the fall, there were students
10 that were in yoga or in teaching aide positions
11 rather than having a special ed or a service
12 program. Has that changed now?

13 MS. REBECCA BEIDLER: That definitely has
14 changed. The reason that that was done at that
15 moment, I guess, was because they didn't have a
16 special educator on the campus for a couple of
17 months. But I went on full-time with Alma d'Arte on
18 the 12th of November, and I've worked very hard to
19 make sure that I have pulled us into 100 percent
20 compliance with both State and federal regulations.

21 MS. KAREN WOERNER: And I have one other
22 question. Can you tell me who is on the IEP teams
23 when you have the IEP meetings?

24 MS. REBECCA BEIDLER: Yes. There's always
25 a minimum of five members on those teams. There's,

Page 23

1 have questions, I could wait till -- do you want me
2 to ask questions?

3 THE CHAIR: I'm sure we do.

4 MS. KAREN WOERNER: Okay. So I hear you
5 say that the files are now in order, your
6 evaluations and your reevaluations --

7 MS. REBECCA BEIDLER: That is correct.

8 MS. KAREN WOERNER: -- and those things.
9 What about -- can you speak to the service? Can you
10 please speak to the services that are being provided
11 for students with special needs?

12 MS. REBECCA BEIDLER: Certainly. I've
13 gone in and I have evaluated what the services are
14 on the students that are at Alma d'Arte. And I have
15 found that there are some -- some individual time
16 and some group time. And most of it -- most of the
17 IEPs state individual or group.

18 So I have started with a model of actually
19 going in and co-teaching in the English and math
20 classes at the moment. I also am co-teaching in a
21 science class so that I can provide support to the
22 special education students in the science classes.
23 And if I see that the students need more specific
24 help or individualized help, I can actually pull
25 them out to a resource room where I can give them

Page 25

1 of course, more if the students have ancillary
2 services. There's the special education teacher,
3 the general education teacher, the administrator,
4 the parent, and the student. And then, of course,
5 if there's ancillary services, there's the school
6 psychologist or the school social worker.

7 MS. KAREN WOERNER: Thank you. And,
8 actually, I thought of another question while you
9 were talking. So then -- no, I lost it. So just to
10 confirm, the schedule for those students has
11 changed. They are not --

12 MS. REBECCA BEIDLER: Yes, it has.

13 MS. KAREN WOERNER: Okay. Thank you.

14 THE CHAIR: I just have one question for
15 now. And then maybe later -- I had a concern when I
16 saw the Corrective Action Plan with the -- with the
17 component with the lab, that --

18 MS. REBECCA BEIDLER: Okay.

19 THE CHAIR: -- students going into the lab
20 and signing in for some of them with an IEP that
21 requires specific time. How is that going -- how is
22 that accommodation going to be made? Is it just a
23 sign-in? Is it computer work that they're doing?
24 Or is there someone there?

25 Because it really -- it was not clear, and

Page 26

1 it was concerning when I saw what was written,
2 because it looked like they're going into the lab
3 and they're signing in. And there wasn't any
4 documentation to show that there was -- there was
5 going to be accountability for the actual one-on-one
6 work that might be required in an IEP.

7 MS. REBECCA BEIDLER: When they actually
8 go into the lab, I am in the lab. And that's what I
9 was referring to when I said when they need that
10 one-to-one attention. I take them into the lab.
11 And they actually sign in and sign out of that lab,
12 and I am present with them when they are in that
13 lab.

14 THE CHAIR: So can there be multiple
15 students in the lab at the same time?

16 MS. REBECCA BEIDLER: Yes, there can.

17 THE CHAIR: All right. Thanks.

18 Commissioner Armbruster?

19 COMMISSIONER ARMBRUSTER: In full
20 disclosure, I started teaching special education
21 before IDEA in 1970, when I was six -- want to put
22 that in there -- and I did teach for 39 years. But,
23 anyway, so I do have some questions about special
24 education.

25 When you were in the class, then -- doing

Page 28

1 COMMISSIONER ARMBRUSTER: And -- because
2 this is high school.

3 MS. REBECCA BEIDLER: Yes, it is.

4 COMMISSIONER ARMBRUSTER: And they're
5 significantly behind, I'm sure. How do I say this?
6 What time period can you actually teach the
7 students -- I'm sure that they need -- as well as
8 math, I'm sure that it's writing and reading. That
9 would be my probably educated guess, like, that you
10 can actually teach them strategies for writing and
11 strategies for reading faster. I'm sure they can
12 all read; but they just don't read with
13 automaticity.

14 So what times can those kids get
15 instruction? Because I'm sure that you don't expect
16 the -- you know, tenth-grade teacher to be teaching
17 on their level for what they need, for remediation.

18 MS. REBECCA BEIDLER: And -- no. And
19 that's exactly what I'm saying. When I say I go
20 into the classroom, I can actually pull the group or
21 pull them to the side, the group of students who
22 need more help with reading or writing. Yesterday,
23 I was in an English class, and they were working on
24 grammar and commas.

25 And, you know, I just go around and I make

Page 27

1 inclusion, then, of course, you can't be in the lab
2 helping kids; you can only be one place or the
3 other. So I have just some specific questions; so
4 please bear with me.

5 What are some of the things that you do in
6 the classroom as an inclusion teacher?

7 MS. REBECCA BEIDLER: I work with students
8 individually. If they have questions after the
9 instruction has been given, I also can assist the
10 teacher in breaking down the material a little
11 further and showing other ways, especially in
12 mathematics, for a problem to be solved; because
13 sometimes it's very difficult for students with
14 disabilities to understand that.

15 And the thing of it is, I don't try to
16 discriminate between special ed and general ed in
17 those classes because of the fact that general ed
18 students sometimes suffer just as much as special ed
19 students do. So I don't discriminate. If a general
20 ed student asks me for help, I, of course, answer
21 them as well.

22 But I try to break down the material. I
23 have been a co-teacher for many, many years as well.
24 And so I just try to break down the material so that
25 they understand the material more clearly.

Page 29

1 sure -- there was general ed students as well as
2 special ed that need the help; but --

3 COMMISSIONER ARMBRUSTER: I am sure.

4 MS. REBECCA BEIDLER: But the time frame,
5 I only actually have to be pulled out for paperwork
6 very little now, because I do have everything under
7 control and caught up. And so the time frame is I'm
8 pretty much there every day except for today.

9 COMMISSIONER ARMBRUSTER: Right.

10 MS. REBECCA BEIDLER: And so we're there
11 eight hours a day. So I give my full time to those
12 students the entire time I'm there.

13 COMMISSIONER ARMBRUSTER: Is there a
14 particular -- I hate to use the word -- program of
15 instruction that special ed kids get in addition to
16 what they're getting in their regular classroom?

17 MS. REBECCA BEIDLER: At the moment, I
18 don't believe that we have any, like, READ 180 or
19 anything like that, if that's what you're referring
20 to.

21 COMMISSIONER ARMBRUSTER: It could be
22 that. It could be -- I used to use Step Up to
23 Writing.

24 MS. REBECCA BEIDLER: Right.

25 COMMISSIONER ARMBRUSTER: It's a writing

Page 30

1 program, in addition to what regular education
2 students get, because they don't always need the
3 in-depth; although, it wouldn't hurt them. But they
4 don't always need the in-depth that special ed use.

5 MS. REBECCA BEIDLER: Right now, I'm just
6 pulling them out and working with them on the
7 assignments given and breaking it down further so
8 that they can understand. I don't have any specific
9 programs that are being used at this moment.
10 However, I can find those programs and incorporate
11 those programs as well.

12 I'm used to having READ 180 on the school
13 campus, where the students are able to do that. Of
14 course, now I realize I'm in a smaller fishbowl than
15 I was with public education. And so, I mean, I
16 realize the charter school is public education; but
17 it's just smaller, as not in -- I think you
18 understand what I'm trying to say.

19 COMMISSIONER ARMBRUSTER: Definitely.

20 MS. REBECCA BEIDLER: So I'm used to
21 having those programs. But at the moment, we don't
22 have those programs. But I do my best to break it
23 down so that they understand and teach them to
24 understand as much as I can.

25 COMMISSIONER ARMBRUSTER: So advocating

Page 32

1 needed to learn -- I wanted them to learn the
2 grade-level material; but I had to bring them up on
3 the other end so that they made growth in reading
4 and math, language, whatever. So I just wanted to
5 check on that.

6 Okay. Next?

7 COMMISSIONER RAFTERY: Can I ask a
8 question?

9 THE CHAIR: Commissioner Raftery.

10 COMMISSIONER RAFTERY: I'm new here, but I
11 want to know. How many children do you service?
12 And do you do a full inclusion?

13 MS. REBECCA BEIDLER: Do I do full
14 inclusion. What do you mean?

15 COMMISSIONER RAFTERY: Well, special ed
16 has pullout programs, and then sometimes --

17 THE CHAIR: Commissioner, is your
18 microphone on?

19 COMMISSIONER RAFTERY: I don't know how to
20 use it. It's on. Hello. All right.

21 Well, different IEPs, you service
22 different programs differently. And when you have
23 full inclusion there in the classroom -- so you go
24 in the classroom and you do everything in the
25 classroom, but you monitor the children and teach

Page 31

1 for money -- you know, one of those resources -- to
2 obtain some --

3 MS. REBECCA BEIDLER: Programs.

4 COMMISSIONER ARMBRUSTER: -- programs
5 that -- and they don't necessarily have to be only
6 for special ed. They can be for anybody.

7 MS. REBECCA BEIDLER: No, I understand
8 that.

9 COMMISSIONER ARMBRUSTER: But what I think
10 I'm concerned about is in my experience -- which
11 doesn't mean it's perfect, either -- that kids with
12 special needs need way more instruction that's
13 very --

14 MS. REBECCA BEIDLER: Direct.

15 COMMISSIONER ARMBRUSTER: -- sequential.
16 It's direct. It's almost like a formula, like you
17 have math formulas for finding area and that type of
18 thing. They almost need that formula for doing
19 that.

20 So I just -- I'm not sure that they can
21 catch up enough just only through inclusion.

22 And I was an inclusion teacher; so I'm not
23 saying that. But they also -- I also had to provide
24 them a totally different thing, because I couldn't
25 expect that they could learn everything that they

Page 33

1 them.

2 Whereas, the pullout program, they're on
3 their own IEP, and they're doing something different
4 in addition to what's going on in the classroom.

5 So I'm wondering, what is it that you --
6 what do you service?

7 MS. REBECCA BEIDLER: I understand that
8 you're asking about the full spectrum of services.
9 And so right now, most of what I am doing is
10 inclusion, with the exception of pulling them out
11 individually when they need that individual
12 instruction, or they come in and need more
13 one-to-one help.

14 COMMISSIONER RAFTERY: And how many --

15 MS. REBECCA BEIDLER: How many students?
16 There are 30 students that have IEPs, not including
17 gifted.

18 COMMISSIONER RAFTERY: Okay. Thank you.

19 THE CHAIR: No, I'm sorry. Where did I
20 get the number 60 out of?

21 MS. REBECCA BEIDLER: There's not 60.

22 THE CHAIR: I thought something I had
23 seen; but I could be wrong.

24 COMMISSIONER ARMBRUSTER: And so --

25 THE CHAIR: Commissioner Armbruster?

Page 34

1 COMMISSIONER ARMBRUSTER: On the 30 IEPs,
 2 are -- are any of those only speech-and-language?
 3 MS. REBECCA BEIDLER: I do not have only
 4 speech-and-language, no.
 5 COMMISSIONER ARMBRUSTER: And some are
 6 spectrum disorder, who may be --
 7 MS. REBECCA BEIDLER: I have two that are
 8 on the spectrum. A few are ED, a few that are OHI;
 9 but primarily, it's Specific Learning Disabilities.
 10 COMMISSIONER ARMBRUSTER: And some of them
 11 are -- I'm honestly not totally familiar with
 12 everything in charter schools in terms of how they
 13 do special education. So because you're a high
 14 school, you're getting students from elementary
 15 schools.
 16 So do -- are some of the IEPs written for
 17 self-contained as opposed to inclusion?
 18 MS. REBECCA BEIDLER: We do not have any
 19 IEPs that are self-contained at the present time,
 20 no.
 21 COMMISSIONER ARMBRUSTER: Okay.
 22 MS. REBECCA BEIDLER: I will say if
 23 they're in Las Cruces, that most of the students are
 24 being pushed into full inclusion. And that's only
 25 because I was the special education coordinator in

Page 35

1 charge of the high schools for four years in
 2 Las Cruces Public Schools. So I do know that
 3 Las Cruces Public Schools has pushed very hard for
 4 inclusion for most special education students,
 5 which, of course, unless they're severely disabled.
 6 Then they're sticking primarily to the
 7 self-contained classrooms.
 8 COMMISSIONER ARMBRUSTER: Thank you.
 9 MS. REBECCA BEIDLER: Or I should say
 10 multiply disabled.
 11 MS. KAREN WOERNER: So can I -- so I think
 12 you're working there full-time. But I have
 13 questions about in response to what the Special Ed
 14 Bureau feedback was given.
 15 They mentioned that services that are
 16 owed -- how are you making up those services that
 17 are owed to the students?
 18 MS. REBECCA BEIDLER: The compensatory
 19 services for the students who were -- I can offer
 20 through the summer, if, in fact, parents want their
 21 students to come through the summer. But right now,
 22 I just stepped in, and I am taking care of their
 23 needs at present.
 24 I do understand that they did lose
 25 services during the -- during the time that there

Page 36

1 was no special educator on the campus. And so we'll
 2 send out letters to the parents and ask for those
 3 who feel their students need compensatory services.
 4 However, I will say that the students were
 5 served, not entirely, but partially, by me during
 6 the time that they were waiting for a special
 7 educator to be hired. I had to apply for return to
 8 work because I was retired. And so I went in on a
 9 contract with the school to help them with some of
 10 those services.
 11 So the services that were lost are not
 12 that extensive. However, we will send out letters
 13 to the parents and ask if they feel their students
 14 need compensatory services. We can offer that
 15 through the summer.
 16 MS. KAREN WOERNER: Thank you. And then
 17 the -- this may be for someone else. I'm not sure.
 18 But the S.T.A.R.S. data at 40 days
 19 couldn't be validated. And I know that you're now
 20 working -- you weren't there. I know. And you're
 21 now working on it.
 22 So my real question is who handles the
 23 S.T.A.R.S. data? And do you expect that the 80-day
 24 is going to be resolved?
 25 DR. HOLLY SCHULLO: Okay. So Eric Ahner

Page 37

1 handles our S.T.A.R.S. data. And he's been handling
 2 the S.T.A.R.S. data for a few years. And he does an
 3 excellent job.
 4 My contribution to the struggle, besides
 5 the opening and closing of windows of the platform
 6 itself for data review, is that we have PowerSchool.
 7 And that's also new to our district.
 8 So while it's a really robust platform for
 9 keeping records, it also is a transition. So we --
 10 I had to, you know, really input a lot of data into
 11 that new platform. And it's moving over now more
 12 smoothly, and we've got a really solid grasp. Our
 13 80-day count is in, and it's finished.
 14 MS. KAREN WOERNER: And so students are
 15 properly assigned to the appropriate service
 16 provider, now that you have one, is I guess the
 17 bottom line question.
 18 DR. HOLLY SCHULLO: Yes.
 19 MS. KAREN WOERNER: And have you revised
 20 your CAP from what you provided to us since you got
 21 feedback from the bureaus -- or from the Special
 22 Education Bureau?
 23 DR. HOLLY SCHULLO: So I was not sure what
 24 was due for today. But all of the feedback that you
 25 gave me, I'm integrated to the next level.

Page 38

1 MS. KAREN WOERNER: So, Chairwoman, I
 2 would recommend that we obtain a copy of the revised
 3 CAP; because they got feedback on some things that
 4 needed to be corrected in it from the Special Ed
 5 Bureau. And I think that at the Commission's
 6 pleasure, maybe you'd like to see the revised
 7 version.
 8 THE CHAIR: And that's fine. And I think
 9 as long as we just have visual on the revised, I
 10 don't think it'll necessarily require a trip back
 11 up. But as long as we have the revised.
 12 And I'm just going to -- this has nothing
 13 to do with the school. But we're mentioning the
 14 40-day reporting and Eric -- because I had a
 15 conversation with Eric about the reporting. And
 16 there -- and a couple of other schools have also
 17 communicated to me, there's a concern over -- and
 18 maybe you can speak to this, but it's not specific
 19 to your school -- that there is a concern about the
 20 windows opening with the 40- and 80-day reporting,
 21 and that it used to be that schools could input the
 22 bulk, and then if there needed to be tweaks made,
 23 they could go back in. But they're not able to do
 24 that any longer.
 25 So it -- you can't -- there are

Page 39

1 corrections that could be made. So now you can't
 2 make that correction. So now there is problems that
 3 are arising that could have been fixed before the
 4 window should close.
 5 MS. KAREN WOERNER: I'll make a note. I
 6 don't know what that's about; but --
 7 THE CHAIR: And it's my understanding it's
 8 coming from Director Craig.
 9 MS. KAREN WOERNER: So for the financial
 10 pieces. First I hear of it. So --
 11 THE CHAIR: But I was told it's the
 12 reporting windows. And a number of schools. So I'm
 13 just -- you know, I'm just putting it out there at
 14 this moment to see if there is, you know, something
 15 that we can do to help the schools out with not
 16 getting snagged on reporting issues that shouldn't
 17 be.
 18 COMMISSIONER CHAVEZ: Madam Chair, I know
 19 for the 80-day report, there was a window that was
 20 short. But in our district, all we did was
 21 requested more time, and we were given more time.
 22 So the PED has been very receptive when you request
 23 more time outside of the window.
 24 THE CHAIR: Okay. That was not what
 25 some -- that was not what these schools communicated

Page 40

1 happened to them, unfortunately. So maybe
 2 there's -- there could potentially be a distinction
 3 between a big district and, you know, multiple small
 4 districts.
 5 So -- but thank you for that. And
 6 hopefully, we can pursue that, thanks, if we can get
 7 some kind of --
 8 MS. KAREN WOERNER: I'll find- --
 9 THE CHAIR: Work on that. I'd appreciate
 10 it. Because I'd like to be able to fix that. If it
 11 truly is a problem, I would like to be able to fix
 12 it for the schools so that it makes things a little
 13 bit easier.
 14 I'm sorry. Commissioner Caballero.
 15 COMMISSIONER CABALLERO: Yes. Can you
 16 give me a little bit more detailed explanation as to
 17 what you're doing specifically for English Language
 18 Learners?
 19 THE CHAIR: Okay. I'm going to ask the
 20 Commissioner -- we're doing that third. We're
 21 taking those Corrective Action Plans -- so we will
 22 address that.
 23 COMMISSIONER CABALLERO: Okay. All right.
 24 Thank you.
 25 THE CHAIR: Okay.

Page 41

1 COMMISSIONER ARMBRUSTER: It's hard when
 2 it's your field, you know. It's my group.
 3 So one of the things I'd like to see --
 4 and I don't think this is asking a lot of you,
 5 because you've already talked about it -- is on your
 6 Corrective Action Plan, putting down specifically
 7 some of the things that you're doing: "When I'm in
 8 inclusion, I'm doing this. And when I'm..." -- and
 9 in terms of actually remediating, which is not the
 10 same as what you're doing in inclusion, remediating
 11 what it is that you will be working on and how or
 12 whatever -- you know how to do that. I'm sure you
 13 have more experience than I.
 14 But I'd just like to see some of those
 15 things, and maybe even questions. What I'd like to
 16 find is a program that -- whatever. Because I think
 17 the school has every -- has the total ability to be
 18 successful, and I just want to make sure that they
 19 are.
 20 And this is -- there are a lot of things
 21 that happened at the school, of which you all didn't
 22 have any control over. But now we want to make sure
 23 that it is all that it can be; and particularly, a
 24 federal program, the biggy here.
 25 And -- what was I going to say? And so on

Page 42

1 the IEPs, when you looked at them, let's just say
 2 they maybe weren't up to your standards. So you
 3 can -- so will you be looking at the ones that
 4 perhaps don't need to be redone right now, but you
 5 can have an IEP meeting at any time --
 6 MS. REBECCA BEIDLER: Of course.
 7 COMMISSIONER ARMBRUSTER: -- to put them
 8 more in compliance with what you feel the child
 9 needs, and not what you can provide; but what that
 10 child needs. Because, you know -- and I can't
 11 remember, for the life of me, the other lawsuit
 12 dealing with special education. I'm sure you know
 13 what I'm talking about.
 14 You have to have different goals every
 15 year. You have to -- you know, all that type of
 16 thing; so that we can really be sure that these kids
 17 are where it is and that Alma is on the right track
 18 and not having to come back and see us as many
 19 times. Do you know what I'm talking about?
 20 MS. REBECCA BEIDLER: I can certainly put
 21 the steps down for you. That's not a problem. When
 22 you say the other lawsuit, if you're talking about
 23 the corrective action that was being done --
 24 COMMISSIONER ARMBRUSTER: No. It was the
 25 one -- yeah -- that -- it was the lawsuit. And

Page 43

1 Jackie --
 2 MS. REBECCA BEIDLER: Actually, the parent
 3 complaint?
 4 COMMISSIONER ARMBRUSTER: This was a
 5 settled lawsuit.
 6 MS. REBECCA BEIDLER: Oh, okay. I don't
 7 know anything about that.
 8 THE CHAIR: It's a statewide, not an
 9 individual school lawsuit.
 10 MS. REBECCA BEIDLER: Okay.
 11 COMMISSIONER ARMBRUSTER: No, no, no.
 12 Breathe. Breathe.
 13 MS. REBECCA BEIDLER: Wait a minute. My
 14 watch is tapping me.
 15 COMMISSIONER ARMBRUSTER: Because it was
 16 talking about that oftentimes students weren't
 17 making the progress that they were expected to be
 18 making, and that year after year, the IEP goals were
 19 the same. And so that you have to make sure that
 20 the goals are different every year.
 21 I mean, it doesn't mean, like, they're
 22 totally different. But, you know, you're writing
 23 three sentences this year. And next year, our goal
 24 is to write -- to have a topic sentence and three
 25 sentences, that type of thing, that you would just

Page 44

1 have to change them every year.
 2 And I'm not sure, with all that has been
 3 going on at Alma with special education, that has
 4 occurred. So I wanted to be preventive rather than
 5 having to go back again.
 6 MS. REBECCA BEIDLER: I will tell you I
 7 have conducted 28 IEPs since the 12th of November.
 8 COMMISSIONER ARMBRUSTER: How fun.
 9 MS. REBECCA BEIDLER: I had no academic
 10 goals in the previous IEPs. Their goals were
 11 actually attendance and other things. The students
 12 all have academic goals now.
 13 COMMISSIONER ARMBRUSTER: Thank you.
 14 MS. REBECCA BEIDLER: And I have worked
 15 very hard to make sure that I use data to drive my
 16 IEPs; because I believe the present levels of
 17 academic and functional performance are what drives
 18 the IEP. And I have included academic goals, and
 19 they are all different. I promise.
 20 COMMISSIONER ARMBRUSTER: Well, it's not
 21 so much different for every child; but if you have
 22 the same one every single year for that child,
 23 that's kind of questionable.
 24 Thank you for putting academic goals
 25 because now I wonder how they got into special

Page 45

1 education without academic needs. I just thought I
 2 would say that. I'm stopping.
 3 MS. REBECCA BEIDLER: Me, too.
 4 COMMISSIONER RUIZ: Madam Chair?
 5 THE CHAIR: Commissioner Ruiz?
 6 COMMISSIONER RUIZ: I appreciate the fact
 7 that you're going to try to make up and compensate
 8 for the lost time of services in the summer. I
 9 guess my question is, is there an option to do
 10 that -- to offer some of those lost time services
 11 now in the form of maybe evenings or Saturdays?
 12 Because here's the thing about it that I
 13 worry about that. In the summer, a lot of parents
 14 are gone on vacation. So I'm not really sure how
 15 you would properly be able to compensate that lost
 16 time of service. And I'm wondering if it might best
 17 be served if we could offer evenings or possibly
 18 Saturdays.
 19 DR. HOLLY SCHULLO: Thank you,
 20 Commissioner Ruiz. I have really struggled with the
 21 model that I saw. And it's improved 100 percent.
 22 When I look at the struggles that our students have
 23 had over the last three, four years, credit recovery
 24 is one. Once you're behind, you fall further.
 25 So I have a contract in process with

Page 46

1 Edgenuity to provide credit recovery. And we can do
 2 that side by side, you know, and monitor that, so
 3 that our students can capture some credits, and, you
 4 know, maybe use that in the form of compensatory as
 5 we're working to move forward.
 6 COMMISSIONER RUIZ: Okay. Thank you.
 7 THE CHAIR: And I guess I'm a little
 8 confused with conflating credit recovery with the
 9 compensatory time that is required. And I guess
 10 there's -- a part of me has a concern that if
 11 there's going to be compensatory time made up in the
 12 summer, and you're a senior, where -- what are we
 13 doing, you know? That, really, that time needs to
 14 be made up now before -- before the summer comes --
 15 comes around.
 16 And I think, to me, just so many kids work
 17 during the summer. So that to say, "We're going to
 18 offer it during the summer," what's the likelihood
 19 that a good number of these students are going to be
 20 ready, willing, and able to do that through the
 21 summer? Because they've got other commitments.
 22 Even -- you know, as we all know, there's
 23 a good number of our students that help pay for
 24 families' expenses. So that to ask them to give up
 25 that summertime, some of them aren't going to be

Page 47

1 able to do that.
 2 So I -- it's -- it's disconcerting. And I
 3 don't know if you can answer to that at this moment
 4 in time.
 5 DR. HOLLY SCHULLO: So, as you said, not
 6 to conflate the credit recovery with compensatory, I
 7 understand that. I just realized if they lost
 8 something, how can we give them something back? And
 9 then during the school year, our seniors, if needed,
 10 I'm offering -- like the Albuquerque model I like so
 11 much -- the Extended School Year for three weeks, if
 12 they need to capture their credits to graduate. So
 13 we're working side by side.
 14 THE CHAIR: Yeah. See. I'm sorry. And
 15 I'm trying not to beat a dead horse here. But it's
 16 still -- you know, there's -- there's a distinction
 17 between kids that are short on credit and kids that
 18 need compensatory remediation. Thank you for --
 19 they're two separate -- some of them can be the same
 20 folks. They can be. But maybe that's because the
 21 time hadn't been given; so now they're running shy
 22 of credits because they weren't getting the services
 23 they were supposed to, so now they're short.
 24 But they're two different entities. So to
 25 say offering for the credit recovery or that

Page 48

1 extended time, it's not servicing those students at
 2 the time that they need it.
 3 And that's what we're trying to address is
 4 the fact that there were these students that were --
 5 some of them are significantly lacking in those --
 6 that remediation time at this moment in time. And
 7 to say we're going to hold off until the summer to
 8 make up for that is still doing a disservice to
 9 those students.
 10 It's not just about making up the time;
 11 it's about doing the right thing for the students
 12 that we're servicing. That's more important to me.
 13 I know the statute is "X" amount of hours. But the
 14 idea is that these students need help. They haven't
 15 gotten that help.
 16 And just looking at, "Well, we've got 'X'
 17 amount of hours, and that's what we're going to do,"
 18 that's not the end game. The end game is servicing
 19 those kids appropriately and giving them the skills
 20 that they need to move on. And that little -- you
 21 know, I'm kind of at a loss here with that.
 22 MS. REBECCA BEIDLER: I definitely
 23 understand the distinction between credit recovery
 24 and compensatory services.
 25 I can certainly offer those compensatory

Page 49

1 services in the evenings. I can get with the
 2 parents, and I can find out exactly when those --
 3 those times are convenient for them; because parents
 4 do transport their students to and from Alma. So I
 5 can certainly get with the parent and find out when
 6 those can be offered.
 7 I just was looking at my calendar -- I'm
 8 sorry -- just to see how many days they were without
 9 services. They were without services for 32 days,
 10 school days. And so it can be significant time.
 11 And so I can offer after school for whatever the
 12 parents are able to bring their students because of
 13 the fact that the parents will have to pick up their
 14 students later after school. And so I can certainly
 15 write letters, and I can certainly make up that time
 16 before the end of school also.
 17 COMMISSIONER RUIZ: Madam Chair?
 18 THE CHAIR: Thank you.
 19 Commissioner Ruiz?
 20 COMMISSIONER RUIZ: I appreciate that.
 21 Thank you for considering that. One of the things
 22 that we did at the campus where I'm at is we used to
 23 have what we called "Saturday D Hall." It's
 24 actually still a Saturday D Hall. We renamed it,
 25 gave it a new concept. Actually, I did. We call it

1 "Saturday School."

2 And we do offer the evening services as
3 well. And we didn't have a loss of time for kids.
4 We just did it for remediation for those kids. We
5 renamed it "Saturday School." And those kids that
6 need those extra -- time. In your case, 32 missed
7 days, that's a lot.

8 MS. REBECCA BEIDLER: That's a lot.

9 COMMISSIONER RUIZ: That's an entire --

10 MS. REBECCA BEIDLER: Quarter, almost.

11 COMMISSIONER RUIZ: Exactly. So I think
12 that's great that you're willing to do that in the
13 evenings. I would also suggest looking at something
14 of a Saturday school. Ours is from 8:00 to 11:30.
15 That just gives you an option, a variety to help
16 those kids try to recoup some of the -- 32 days,
17 again, that's a considerable amount of time to lose
18 services. So I would ask for you to consider that
19 as well. Thank you.

20 THE CHAIR: Commissioner Armbruster?

21 COMMISSIONER ARMBRUSTER: Just to tag onto
22 Commissioner Ruiz, I represent District 4, part of
23 which is Los Alamos, where I happen to live. And
24 they have Saturday School since I've retired. But
25 they also have Saturday School. And it's

1 included in the revised CAP, please.

2 THE CHAIR: Yes. Yes, I agree. So at
3 this moment in time, we're -- we're looking for a
4 revised Corrective Action Plan by our February
5 meeting. And that will include whatever the
6 compensatory time plan is, so that we can take a
7 look at it.

8 And -- well, I'm trying to -- to figure
9 this out and be fair to the school and giving them
10 enough time to be able to do this, and giving us
11 enough time to be able to look at it so that in case
12 we felt that we needed to speak with you, we'd have
13 a fair and reasonable amount of time to give you
14 that notice that we need to -- that we need to speak
15 to you about it.

16 So I have to look at my calendar for
17 the -- for the February date.

18 COMMISSIONER CABALLERO: Madam Chair,
19 since we still have more to present, may we cover
20 that in the next meeting when they come back, for
21 when they come back?

22 THE CHAIR: We're not. We're trying not
23 to have to have them come back. So -- but we're
24 looking to see when we can schedule a time frame for
25 them to have to send the reports back to us. And if

1 presented -- and I know that you can do this well --
2 that it's a positive.

3 You know, "We're going to offer this so
4 that you can come and make up classes, a test that
5 you missed, get a higher grade," do whatever. And
6 that would give you an opportunity, if you could get
7 a group of kids, to do both remediation as well as
8 getting them up to what they need to do in class.

9 But it's a positive and not a negative.

10 I'm sure it's a positive for you, Commissioner Ruiz.

11 COMMISSIONER RUIZ: Uh-huh.

12 COMMISSIONER ARMBRUSTER: You know, it's
13 all how you present these things. "You're going to
14 Saturday School because you were bad."

15 "No, that's not the group you're in."

16 And I know with the positiveness that
17 emanates out of that school, you can do that. And I
18 guess you'll have to pay teachers to do all this;
19 because I know it's a very big job. I'm with you.
20 I'm with you 100 percent. And thank you for all
21 that you are doing.

22 THE CHAIR: Deputy Director?

23 MS. KAREN WOERNER: Thank you, Chairwoman
24 and Commissioners. I would just ask, if it's not
25 already, that this compensatory services plan be

1 we look -- if the Commission looks at those reports
2 and we have additional concerns, we might then have
3 to say, "We need to see you."

4 So I'm trying to give you a fair and
5 reasonable amount of time to be able to do that and
6 get it to us.

7 And our next meeting is the -- the 8th of
8 February. So would it be reasonable -- and I'm just
9 asking you, because you have a far greater
10 understanding of the number of students; you have to
11 figure out the hours. And I'm sure there's budget
12 discussions that you have to have. I know you've
13 got a governance council meeting coming up.

14 MR. GENE ELLIOTT: The 21st.

15 THE CHAIR: So you can hash some of this
16 out at that governance council meeting. So would it
17 be fair to say by the 29th of January?

18 DR. HOLLY SCHULLO: Absolutely. That's an
19 easy and generous deadline.

20 THE CHAIR: Then we could have eyes on it
21 by the 30th. And there would be -- and you'd know
22 at least by the 5th or 6th if it needed to come up
23 on the 8th. Okay. Can we -- is that --

24 MS. KAREN WOERNER: I have one question,
25 Chairwoman.

Page 54

1 THE CHAIR: Sure.
 2 MS. KAREN WOERNER: Would you want the
 3 Special Ed Bureau to review that CAP again for you
 4 as they did the last time?
 5 THE CHAIR: Right.
 6 MS. KAREN WOERNER: So I need to give them
 7 at least a couple of days to -- I can let them know
 8 now which days; but --
 9 THE CHAIR: Well, if they submit it by the
 10 29th, then that gives -- hopefully, the Special Ed
 11 Bureau, the -- we have eyes on it right away. So we
 12 can take a look at it. It gives the Special Ed
 13 Bureau the 30th, the 31st, and the 1st.
 14 So we move into the next week. So if
 15 there's feedback, and we get that feedback, and
 16 we've already had time to look at it, we can then
 17 make a decision by the 5th --
 18 MS. KAREN WOERNER: Okay.
 19 THE CHAIR: -- to say, "Hey, you know, we
 20 need to -- we need to have a further conversation
 21 about this."
 22 So I think that's -- I think that's a
 23 reasonable time frame. Yes?
 24 DR. HOLLY SCHULLO: Absolutely. Thank
 25 you.

Page 55

1 THE CHAIR: Okay. All right. So -- I
 2 said the 29th; right? I say these things, and then
 3 I don't write them down.
 4 Okay. Okay. So we're -- we're fine to
 5 move on off of the -- this piece of the CAP.
 6 Okay. All right. Thank you.
 7 So now the next on the agenda is the
 8 financial component, I believe.
 9 MR. GENE ELLIOTT: Okay. As I said
 10 earlier, Kate Shelton is our new business manager
 11 and doing a tremendous job.
 12 MS. KATE SHELTON: Good morning.
 13 THE CHAIR: And yeoman's work as well.
 14 MS. KATE SHELTON: It's good to be back up
 15 here again. I think. My name is Kate -- as Gene
 16 said, Kate Shelton. As Gene said, I am the new
 17 business manager for the school. I came on in
 18 August, and we've been doing a lot of work with the
 19 business office up there and a lot of other things.
 20 And so when we approached this Corrective
 21 Action Plan, the information that we were supposed
 22 to give or the action plan that we were supposed to
 23 write was on a write-up for T&E reporting from last
 24 year.
 25 We went above and beyond. When I came on,

Page 56

1 we identified goals that we had to improve the
 2 financial operations and the business management
 3 operations. And so I went ahead and included those
 4 in the Corrective Action Plan so that you could see
 5 that we are not only just taking it as it comes at
 6 us; but we've had these discussions since August and
 7 have identified additional things that we are
 8 working on and need to be worked on.
 9 So the first issue was the T&E reporting.
 10 And that's really tough for me to respond to. I
 11 can't speak as to why the T&E reporting was done
 12 incorrectly in prior years. It was blatantly
 13 incorrectly reported.
 14 For this year, it is corrected. We have
 15 done a comprehensive personnel file review. And T&E
 16 is reported as to the supporting documentation
 17 that's in their file; not what's on their contract.
 18 Because contracts, when I came on, did not match
 19 with what was in personnel files. I feel that we
 20 have corrected that.
 21 I have three years of experience as a
 22 business manager with multiple other schools. I am
 23 familiar with T&E reporting. And so this school
 24 does not have a T&E policy at this time. There will
 25 be one for consideration of approval at the

Page 57

1 January 21st governance council meeting.
 2 I know that does not cover us for this
 3 year. That will go into effect for next year's
 4 reporting. But in accordance with the PED T&E
 5 manual, the reporting was correct for this year.
 6 And so we are also looking at trainings --
 7 I am a third-party contractor for a company that
 8 handles school business services only. And so we do
 9 a lot of internal training through the company. But
 10 I also put in the Corrective Action Plan that I will
 11 look for additional T&E trainings. And those are
 12 something that we can look at attending to gain more
 13 knowledge. And, you know, we can offer that to
 14 governance council, Holly; it doesn't need to be
 15 inclusive to the business management part of things.
 16 Moving on, we also -- the -- when PED did
 17 their site visit, there was a concern over a lack of
 18 chief purchasing officer for the school. The prior
 19 chief purchasing officer that was identified for the
 20 school was the prior business manager.
 21 I would be more than willing to take that
 22 on for the school. But I am a contractor, and they
 23 do not allow us to get that certification when
 24 you're a contractor. You have to be a school
 25 employee.

Page 58

1 And so we did identify, back in August,
2 that Holly would take on that responsibility. The
3 trainings are held quarterly. And there was a
4 conflict. She had another training with the July,
5 August -- I guess if the decision was made in
6 August, it was the October-November-December window
7 of the training.

8 Do you have an update on that?

9 DR. HOLLY SCHULLO: Yes. So as we were
10 really trying to unpack, you know, who should be
11 CPO, I am willing to take on the responsibility for
12 my school. I have an MBA in educational leadership.
13 I could take that responsibility.

14 But I think it would be better to -- I
15 have a math teacher who also has a background in
16 financial management and accounting. And she's a
17 super-motivated person in our building. And I think
18 it would be good to have, you know, someone else
19 have that leadership in our building.

20 And it's just a better practice. It's
21 best practice, financially, to be honest.

22 THE CHAIR: Thanks. I appreciate that.

23 DR. HOLLY SCHULLO: Oh, my gosh. This is
24 an amazing math teacher. She's amazing. She's just
25 simply amazing. I was lucky that I got her. She's

Page 60

1 They can be a CPO. But I think having the
2 head have good knowledge -- they don't need to be
3 the expert. But they should have good knowledge of
4 what the New Mexico Procurement Code requires in
5 order to just provide that backup.

6 There may be times when something has to
7 be purchased, and that individual is not available,
8 or they may do something, because -- and, again,
9 people do this -- they want something; they may take
10 a shortcut to get it done quickly. But it's going
11 to violate that code. Having that backup is just a
12 good recommendation.

13 THE CHAIR: I thank you for that. Because
14 I think we all understand the underlying tone here,
15 that there was -- through no fault of anyone that's
16 primarily sitting there, there were significant
17 financial issues that developed; so that the more
18 people that become educated to understand what the
19 questions are that need to be asked -- because I
20 have a concern from the Corrective Action Plan here.
21 It identified that there hadn't been monthly
22 financial reports made to the governance council.
23 And --

24 MR. GENE ELLIOTT: Madam Chairwoman,
25 that's incorrect. I am sorry that you got that

Page 59

1 finishing up another degree. She has -- I think she
2 has four endorsements. She's Navajo bilingual.
3 She's just amazing. She does GEAR UP grants. She
4 does our fundraising. She's really in our building.

5 We're organizing FAFSA nights and
6 after-school makeup time for, you know, those
7 students who came in late; they missed the bus, you
8 know. So she is a really motivated person in my
9 building. And she's -- she's just -- she's amazing.
10 She's stellar.

11 THE CHAIR: Thank you. I appreciate that.

12 DR. HOLLY SCHULLO: And she wants to do
13 it. She wants to teach geometry, English 11. She
14 wants Algebra 2. She wants pre-calculus. I was
15 just like, "Slow down."

16 She was, like, "I can do the credit
17 recovery."

18 Yes. Super-motivated. Thank you.

19 COMMISSIONER ROBBINS: Madam Chairman?

20 THE CHAIR: Commissioner Robbins?

21 COMMISSIONER ROBBINS: Well, I appreciate
22 you have a math teacher wanting to take on the role
23 of CPO, and that's fine. But I would suggest that
24 you get some training also as oversight of that
25 individual.

Page 61

1 misconception. But we did receive monthly reports
2 on the finances. They weren't as complete as hers.

3 THE CHAIR: Right.

4 MR. GENE ELLIOTT: Now, if you have had
5 the opportunity to see a financial report that
6 numbers 57 pages in explicit detail, colored graphs
7 and everything that goes along with it, then you'll
8 understand what we have now.

9 Because I have been looking at financial
10 statements since I was about 16 years old. And hers
11 are some of the best I've ever seen. And we have a
12 full and complete monthly report on the status of
13 our money, and it's well under control.

14 THE CHAIR: Okay. Thank you. And we all
15 appreciate color. So we love when the graphs are
16 colored. It helps us out a lot. So I'm sure --
17 but -- so as we're -- certainly, as you're looking
18 at the training that you can potentially offer to
19 the school, yes, educating and getting as many
20 people who are involved in that school environment
21 to a level of understanding of what they need to be
22 looking at and the questions that they -- that they
23 need to be asking, that's always what we see start
24 to go awry in schools, that, you know, the
25 governance councils come back, and they say, "We

<p style="text-align: right;">Page 62</p> <p>1 thought everything was okay; because, yes, those 2 financial reports, we were getting them, and we 3 didn't know the questions to ask; so we just thought 4 everything was okay." 5 And then it was really bad. 6 So the more eyes we get on things and the 7 more people that can ask quality questions, 8 hopefully, the less opportunity there is for things 9 to spiral out of control, and then it becomes too 10 late. So I appreciate that. 11 Are there any other questions about the 12 financial CAP? Okay. 13 So now we can move on to -- 14 COMMISSIONER RUIZ: ELL. 15 THE CHAIR: -- ELL. 16 DR. HOLLY SCHULLO: So one of the things I 17 understand with EL is that we were having -- well, I 18 was surprised when I arrived at the school that I 19 didn't see the EL students. So also, I'm a new 20 administrator. So I really don't know where to 21 look. It's not my area of expertise. 22 And so we have worked -- the first thing I 23 understood was to go to the Bureau and look for the 24 home language survey and identify students and ask 25 about the WIDA ACCESS test and find our students.</p>	<p style="text-align: right;">Page 64</p> <p>1 the teacher is bilingual; monolingual instruction. 2 So that is a good support for our students. 3 And then monitoring and data analysis. 4 One thing that we did is we audited all of our 5 special education files. And we found one student 6 that we really need to look more closely at. And I 7 coded, you know, "Spanish-speaking" in one area and 8 then "not an EL-supported student" in another check 9 box. So Rebecca found that student. So we have 10 actively sought these students. 11 Monitoring students. We are doing a 12 cumulative folder audit and just going back in time 13 to make sure we haven't missed anyone through the 14 S.T.A.R.S. and make sure that we really did cast a 15 wide net and find the students. 16 To monitor the students in the future that 17 we are serving, we're looking just at -- we have 18 the -- the Platica class, where our students are 19 supported daily in their advisory class. So we 20 check on their grades. And we have the Next Step 21 Plans, and we're monitoring their progress. 22 Three years out of the program, if we test 23 students, and they become proficient, then we will 24 monitor them for the following three years and make 25 sure that they are supported through the rest of</p>
<p style="text-align: right;">Page 63</p> <p>1 I have -- when I first, you know, made our 2 registration packet, I put the home language survey 3 in the packet, and then I sent it home in Platica, 4 our advisory period. And I realized I was 5 overcorrecting; but, again, I'm not an expert. But 6 my effort was there to find these students. 7 This year we have found our students in 8 the S.T.A.R.S. We have been directed, through Karen 9 Woerner with excellent directives, how to find our 10 students and identify them. We found them. 11 We did test students last year, and we are 12 testing -- I have two labels for two students now, 13 and we've identified several more. So the next step 14 would be -- let's see -- supporting and serving our 15 English Learners. 16 And some of the language in the Corrective 17 Action Plan, it is my language. And I'm not an 18 expert. So when I put "Language and Learning Lab," 19 it is that this year I'm trying to figure out how 20 can we utilize the resources that we have in our 21 building. 22 And we have a lot of resources. In our 23 DASH plan, you may have read, we have a lot of 24 TESOL-endorsed teachers. So we have area -- every 25 core area TESOL-endorsed, except for science. But</p>	<p style="text-align: right;">Page 65</p> <p>1 their high school career with us. 2 And then we did receive feedback. And I 3 was really fortunate, at district test coordinator 4 training this week, that I had the opportunity to 5 speak with Kirsi Laine in person and sit 6 elbow-to-elbow with her and unpack the Corrective 7 Action Plan feedback so that I had a clearer 8 understanding of everything that I could do. 9 One thing I put in the CAP is just a wish 10 for the future to be a biliterate school and have 11 the bilingual seal for our school and our students. 12 But that's a wish for down the line, as we, you 13 know, become greater. 14 I guess I should speak more a little bit 15 to service. We have content area support. And we 16 have a great amount of resource in our building. 17 In our DASH plan, you'll see most -- over 18 half of our teachers are bilingual. So there is a 19 support there. 20 My registrar and my secretary, they are 21 also bilingual. 22 So when it comes to registering our 23 students and supporting the entry, we have that. 24 And Becky is bilingual for special education. So 25 that was important, too.</p>

<p style="text-align: right;">Page 66</p> <p>1 And in conclusion, last year, we did have 2 TESOL, like, SIOP planning strategy training. And 3 that was through LCPS. We used their same trainers 4 in our building. And so our teachers are all 5 TESOL-supported. 6 When I was thinking through the Corrective 7 Action Plan on my own, my practicum was on dual mean 8 language immersion. So when I said a learning lab, 9 this is a passion for me, that in Las Cruces, our -- 10 our strength is language. So I want to see our 11 students do more as biliterate students who would 12 walk in, you know, bilingual. 13 THE CHAIR: Deputy Director, did you want 14 to say something? 15 MS. KAREN WOERNER: I do. But if the 16 Commissioners have something, I can wait. 17 THE CHAIR: And I want to recognize 18 Commissioner Caballero first, because he asked 19 earlier; so... 20 COMMISSIONER CABALLERO: Thank you, 21 Madam Chair. 22 So I understand you mentioned that you 23 have over 50 percent of your faculty is bilingual. 24 My main concern specifically is, for example, in 25 math, if a student -- I know that all of us that</p>	<p style="text-align: right;">Page 68</p> <p>1 to this, because I am bilingual, and I am also 2 TESOL-certified. 3 So when it comes to making sure that 4 students understand, I have talked to Dr. Schullo 5 about actually creating word walls, using language 6 development within the classrooms, where the 7 students can actually create, draw pictures, that 8 would integrate the arts, as well to the vocabulary 9 words, the use of cognates, the use of language 10 development in our English classes. 11 The thing that I love is they use a lot of 12 the Latin roots; so they teach the students the 13 Latin roots. And, of course, you know as well as I 14 do that Spanish is definitely derived from Latin. 15 And so if you began to look at the Latin roots, and 16 you start to break down the cognates and the 17 different types of language that the students are 18 using, and you use that language development within 19 the classroom across the board, and you use word 20 walls, the students begin to recognize those chunks 21 of words that have meaning, and it helps them to 22 decipher also what's going on in the classroom. 23 COMMISSIONER CABALLERO: Thank you, 24 Madam Chair. 25 DR. HOLLY SCHULLO: If I may add to that,</p>
<p style="text-align: right;">Page 67</p> <p>1 came from Mexico were way advanced in math. But 2 most of the time, we could not understand the word 3 questions. 4 And we did not have a bilingual English -- 5 math teacher until high school. And we had to 6 pretty much do it as a group. 7 And so my question is, is there enough 8 faculty to be able to guide the students, at least 9 to understand what the question is and what the 10 question is asking and be able to then solve it on 11 their own? Otherwise, you know, students get 12 completely lost, demoralized, and they don't 13 advance. 14 DR. HOLLY SCHULLO: The first thing that I 15 asked for in the building, I hired another math 16 teacher. So we have three math teachers in the 17 building, and we have three English teachers. One 18 of our English teachers also teaches math. 19 It is important to me that when a student 20 asks a question, they can hear it in their home 21 language. So I have encouraged all of our teachers, 22 "If you speak Spanish, please don't hold back. Say 23 it in Spanish. Then say it back in English, so that 24 they're getting this -- they're getting this" -- 25 MS. REBECCA BEIDLER: I can actually speak</p>	<p style="text-align: right;">Page 69</p> <p>1 your direct question was -- my teacher, Sandra 2 Peterson, she teaches Geometry, Algebra 1, and 3 Algebra 2. And she is also -- she is 4 bilingual-endorsed and she is bilingual in Spanish. 5 THE CHAIR: Is that the super-math 6 teacher? 7 DR. HOLLY SCHULLO: Not my super-math 8 teacher. I'm waiting for the moments when we could 9 say we could be 3CPO. We have a lot of motivation 10 in the school. 11 THE CHAIR: Commissioner Voigt? 12 COMMISSIONER VOIGT: Thank you, 13 Madam Chair. 14 Dr. Schullo, this is just to clarify a 15 question. You mentioned you were casting a wide net 16 to try to identify your English Language Learners. 17 What's your total population of ELL 18 students? 19 Five? 20 So you have, like -- I mean, she just did 21 that before you said five. So you have five? You 22 have like ample staff for -- 23 DR. HOLLY SCHULLO: Oh, yes, we do. Thank 24 you. 25 COMMISSIONER VOIGT: -- yeah -- for the</p>

Page 70

1 five students that you have that are identified
2 currently as ELL. But you're continuing this
3 process of identification; is that right?

4 DR. HOLLY SCHULLO: Yes.

5 MS. REBECCA BEIDLER: One of the funny
6 things is, one of our students with a disability,
7 his home language is Spanish, on a survey. However,
8 I started speaking Spanish to the student, and he
9 doesn't understand a word of Spanish. So go figure.

10 COMMISSIONER VOIGT: Thank you.

11 THE CHAIR: Okay. Deputy Director?

12 MS. KAREN WOERNER: So I just have a
13 couple of questions. So thank you for that.

14 I guess -- I think you kind of addressed
15 in there with your explanation of how -- you talked
16 about biliteracy and bilingualism, which I think is
17 phenomenal, and I wish I were.

18 But I'm more concerned about the English
19 language development. And you did speak to some of
20 those strategies. That's really our main concern
21 here, beyond the screening and identifying.

22 And then I did want to mention that Kirsi
23 Laine is here. If anybody has specific questions
24 for her, I know that she is here. I know she had
25 met with you.

Page 72

1 give the screening and then to give the ACCESS test
2 to all?

3 DR. HOLLY SCHULLO: So right now -- and I
4 now understand our teachers -- I have two in place,
5 and they have been there. They're both Spanish
6 bilingual. One is a history teacher; one is my math
7 teacher. And they have been giving the test.

8 So last year, we tested -- we could have
9 tested five students; but one student transferred
10 out, I believe. This year, we have Pre-Label IDs
11 for two, and then we were going to bring in the -- I
12 think there's three more.

13 So those two teachers that have been
14 giving the test, they actually need to jump on and
15 recertify once again. And I'm also going to jump on
16 and certify. As you said, I need to know what's
17 going on in my building. And even though it's not
18 my responsibility direct, I need an active hand in
19 that.

20 MS. KAREN WOERNER: Sure. Thank you,
21 Dr. Schullo.

22 So the question, though, like, the ACCESS
23 test is an annual test that's given to all students
24 who are still in the EL -- identified as EL. And
25 you do all know, just as a reminder, that -- who

Page 71

1 Again, Commissioners, I would ask that the
2 revised CAP -- because there were a lot of changes
3 that needed to be made, I would suggest that the
4 revised CAP be submitted on this as well; because
5 what was initially submitted didn't address the
6 things that we've discussed today.

7 And I did have another question about were
8 there -- well, for your point about the Spanish on
9 the home language survey, I think that's one of the
10 reasons we don't want to repeat giving it, because
11 they might have learned a little in Spanish class,
12 and they put Spanish on there or something like
13 that.

14 So that's one of the reasons that schools
15 are directed not to give that home language survey
16 again and only use the original one.

17 So as a high school, you probably don't
18 end up screening very many students, because home
19 language surveys only give it to those who are new
20 to public schools in New Mexico, meaning they came
21 from a private school, home school, or out of state.
22 They should have been given their home language
23 survey previously if they were in public schools.

24 But since you are a high school, have you
25 had to screen any students? And who is certified to

Page 73

1 knows how it's going to change? But currently,
2 that's projected to be in the school grade in the
3 future, their growth on their test.

4 But my original question was had you had
5 to screen any students to determine if they're EL
6 this year? And is that done by the same two
7 ladies -- teachers that you mentioned?

8 DR. HOLLY SCHULLO: That will be done by
9 the same two ladies. I realize now the window is
10 going to open for testing.

11 MS. KAREN WOERNER: For the annual test,
12 yes. I wanted to be sure to delineate between
13 screening someone initially and an annual test for
14 all.

15 MS. REBECCA BEIDLER: I don't know if we
16 have anyone that needs to be screened. I can't
17 answer that.

18 DR. HOLLY SCHULLO: So I will tell you
19 that I -- we registered a new student yesterday.
20 And my secretary pushed in with me and translated
21 for the parent. So I would like to, you know, move
22 forward with that student.

23 MS. REBECCA BEIDLER: And I do know that.
24 I do know, with this parent, that when they were
25 registering, I walked up and started talking, and

Page 74

1 then I very quickly realized that mom did not speak
 2 English; so, of course, I transferred to Spanish.
 3 And the -- so I was asking her about
 4 that -- that specific student. However, they came
 5 out of a school in New Mexico; so they should
 6 already be designated. If, in fact, that -- they
 7 are ELLs, it should already be designated.
 8 MS. KAREN WOERNER: And how would you
 9 confirm that?
 10 MS. REBECCA BEIDLER: That's a good
 11 question.
 12 DR. HOLLY SCHULLO: Actually, to be
 13 honest, I could just send the student number, and
 14 Ms. Laine could help me, you know, find the student.
 15 But we do know the pathway through the S.T.A.R.S.
 16 and to call for the home language survey. So I know
 17 the steps that we need to take.
 18 MS. KAREN WOERNER: And I'm sorry. I
 19 asked that question very specifically, because
 20 the -- the original CAP did not address that. And
 21 so I wanted to be sure. So thank you. Yes, you do
 22 have a way in S.T.A.R.S. to look that up. So thank
 23 you for that. And that should be included in the
 24 revised CAP, then.
 25 Thank you.

Page 75

1 THE CHAIR: Okay. Commissioner Voigt?
 2 COMMISSIONER VOIGT: Thank you,
 3 Commissioner. Just a question for Ms. Woerner. Is
 4 not the home language survey required in every
 5 student's cume file?
 6 MS. KAREN WOERNER: Yes. It's actually
 7 now called the "language usage survey"; formerly was
 8 the "home language survey." I may have used those
 9 interchangeably, but just to be clear. And, yes, it
 10 is required in the cume file.
 11 However, what our experience has been in
 12 the charter schools -- and this is not unique to
 13 Alma d'Arte -- is that it's very difficult to obtain
 14 that from the previous school that they were at, or
 15 the district; therefore, the Language and Culture
 16 Bureau has advised that the school should then look
 17 into S.T.A.R.S. for the new students.
 18 And there's fields in S.T.A.R.S. that they
 19 can look to see if they were ever identified as EL
 20 or if they have taken the ACCESS test in the past,
 21 which is an indication they have been identified.
 22 Unless the ACCESS test was proficient. We've had
 23 that, too, where students were identified and had
 24 scored proficient in the past; so they should have
 25 been exited and monitored.

Page 76

1 COMMISSIONER VOIGT: So every school,
 2 probably, upon receiving a new student, whether it's
 3 from a public school or private school or a district
 4 school, they do not have to administer a new home
 5 language survey. Is that correct?
 6 MS. KAREN WOERNER: In fact, they should
 7 not.
 8 THE CHAIR: Private school, they should.
 9 MS. KAREN WOERNER: Private school, they
 10 should.
 11 COMMISSIONER VOIGT: Thank you.
 12 THE CHAIR: Are we good?
 13 COMMISSIONER CABALLERO: We're good.
 14 THE CHAIR: So at this moment in time, I
 15 am going to make a motion that the Public Education
 16 Commission approve the Corrective Action Plan for
 17 the financial concerns.
 18 And then we will do the EL and the special
 19 ed when -- next month, when we've taken a look at
 20 the new ones. But we can clear out the EL -- the
 21 financial at this moment in time. Okay?
 22 So I make a motion that the Public
 23 Education Commission approve the Corrective Action
 24 Plan for Alma d'Arte in relation to their Corrective
 25 Action Plan for financial concerns.

Page 77

1 COMMISSIONER ROBBINS: Second.
 2 THE CHAIR: There's a second by
 3 Commissioner Robbins.
 4 Any discussion?
 5 (No response.)
 6 THE CHAIR: If not, Commissioner
 7 Armbruster, roll-call vote, please.
 8 COMMISSIONER ARMBRUSTER: Commissioner
 9 Crone?
 10 COMMISSIONER CRONE: Yes.
 11 COMMISSIONER ARMBRUSTER: Commissioner
 12 Ruiz?
 13 COMMISSIONER RUIZ: Yes.
 14 COMMISSIONER ARMBRUSTER: Commissioner
 15 Robbins?
 16 COMMISSIONER ROBBINS: Yes.
 17 COMMISSIONER ARMBRUSTER: Commissioner
 18 Voigt?
 19 COMMISSIONER VOIGT: Yes.
 20 COMMISSIONER ARMBRUSTER: Commissioner
 21 Armbruster votes "Yes."
 22 Commissioner Chavez?
 23 COMMISSIONER CHAVEZ: Yes.
 24 COMMISSIONER ARMBRUSTER: Commissioner
 25 Caballero?

Page 78

1 COMMISSIONER CABALLERO: Yes.
 2 COMMISSIONER ARMBRUSTER: Commissioner
 3 Davis?
 4 COMMISSIONER DAVIS: Yes.
 5 COMMISSIONER ARMBRUSTER: Commissioner
 6 Raftery?
 7 COMMISSIONER RAFTERY: Yes.
 8 COMMISSIONER ARMBRUSTER: Commissioner
 9 Gipson?
 10 THE CHAIR: Thank you. Yes.
 11 COMMISSIONER ARMBRUSTER: Just for the new
 12 people, and just in general, I vary how names are
 13 called. It's not always the same. So that's why I
 14 forget people. Sorry.
 15 THE CHAIR: The motion passes, and we will
 16 hopefully not have to see you -- no offense -- next
 17 month. But we can deal with this all on paper. And
 18 we thank you for all the time and the effort that
 19 you put into this. So thank you. We appreciate it.
 20 And let's take a short break.
 21 MR. GENE ELLIOTT: Madam Chairwoman, if I
 22 might, I would like to thank the Commission for your
 23 consideration of what I consider our hard work to
 24 bring about the changes that we need to make.
 25 I would also like the personal privilege

Page 79

1 of introducing Carolyn Williams, who is the
 2 secretary of our governing council, and rode with us
 3 very early in the morning.
 4 And I should point out that we drove
 5 through fog most of the way. And it was heavy fog
 6 in some places. So if you're on the roads in the
 7 morning, watch out for the fog.
 8 THE CHAIR: And we're so unused to that.
 9 I actually had my neighbor put his kids in the car
 10 and drove up a little bit more, Dripping Springs,
 11 because they had never seen fog before and wanted
 12 them to know what it looked like. So we don't get
 13 fog a whole lot down in Las Cruces.
 14 MR. GENE ELLIOTT: I do wish to thank the
 15 Commission for your considerations and your
 16 courtesies, and I hope that you realize that we have
 17 a good school.
 18 THE CHAIR: We do.
 19 MR. GENE ELLIOTT: We will continue to
 20 have a better school. And we have one of the best
 21 leaders we could find right here in Dr. Schullo.
 22 And we have a wonderful new business manager in
 23 Kate. So thank you so very much.
 24 THE CHAIR: Thank you so much. We
 25 appreciate it. Safe travels home.

Page 80

1 (Recess taken, 11:45 a.m. to 12:08 p.m.)
 2 THE CHAIR: So before we move on the
 3 agenda, I'm going to ask Commissioners if they wish
 4 to take a lunch break.
 5 COMMISSIONER CABALLERO: Yes.
 6 THE CHAIR: I can always count on
 7 Commissioner Caballero to take that lunch break.
 8 COMMISSIONER ARMBRUSTER: How much more do
 9 we have? I'd appreciate knowing how much longer.
 10 THE CHAIR: We have a fair amount, 17
 11 items. And we're only on No. 8.
 12 (A discussion was held off the record.)
 13 THE CHAIR: It was the placeholder, in
 14 case we had to move a school off the consent agenda.
 15 That's where we would have heard the DASH plan,
 16 No. 8. But we didn't take any schools off of the
 17 consent agenda. I was looking at it and thinking, I
 18 have no idea what that was doing in there.
 19 COMMISSIONER CABALLERO: Who put that in
 20 there? Who did that?
 21 THE CHAIR: So now I'm good. So let's do
 22 this. Let's do No. 9, the report. Then we can take
 23 a short lunch break, okay? So whenever you're
 24 ready.
 25 MS. KAREN WOERNER: Okay. Thank you,

Page 81

1 Chairwoman and Commissioners.
 2 I just wanted to, first -- particularly
 3 since we have some new Commissioners -- welcome. I
 4 would like to introduce -- I've asked our staff --
 5 we're missing some folks. Maybe we need to wait for
 6 them to come back here.
 7 What I did pass out, though, or Dolores
 8 did for me, is sort of our chart for our group and
 9 was going to introduce the folks that are here. You
 10 will notice we have a lot of vacant positions.
 11 We've had a lot of transitions and a lot of vacant
 12 positions. So many of the staff are working
 13 multiple jobs, if you will, and in some cases have
 14 to use comp time to even have these things filled.
 15 I don't know when they can take the comp time, but
 16 they're earning it right now.
 17 So in summary, I'll introduce those who
 18 are here. So Dolores Archuleta, as some of you
 19 know, was our executive secretary admin assistant.
 20 So, Dolores, if you would stand up? Dolores has now
 21 been -- in a different position. She's now joined
 22 our technical assistance and training team as the
 23 coordinator, but she is still doing the executive
 24 secretary job, because we still haven't filled that
 25 vacancy. And, in fact, it's in HR waiting to be

<p style="text-align: right;">Page 82</p> <p>1 posted; so it's not even posted yet. 2 Debbie Dolbow is our other administrative 3 support person. She's not down here; she works for 4 Assessment & Accountability, so she may have other 5 duties there now. 6 Megan Shannon is on a visit to a school 7 site. 8 But Dylan Wilson is here. You can 9 probably guess which one is Dylan. But Dylan is on 10 the authorizing side of the house, if you will. We 11 sort of have an authorizing practices that does most 12 of the site visits and provides support through that 13 avenue. 14 The technical assistance training and 15 support group does more of the training sessions and 16 preparing and doing training and tracking and all of 17 that. So let me move to that group. 18 Melissa Brown is here. She is the 19 administrator in that group. Melissa. 20 And then Laurel, which -- Laurel is the 21 specialist. And you probably have heard a lot about 22 Laurel with the governing board stuff, because that 23 comes before you a lot. 24 And then Dolores, I already mentioned. 25 Leslie Kelly, you met yesterday. She is</p>	<p style="text-align: right;">Page 84</p> <p>1 interested, or applicant teams that are interested, 2 in opening a school. 3 And we do not know which way they're 4 going, local or state. That's why it says -- I 5 don't know if I left that column on there, because 6 they all said, "Unknown." 7 But there are 17 potential new charter 8 school applicants. Those applications are not due 9 till June 1st; so we won't know more about that till 10 then. 11 THE CHAIR: Not to interrupt. But 12 normally, when the -- when the web guy comes back, 13 these are usually posted on the website as well. 14 MS. KAREN WOERNER: Thank you. I'll make 15 sure that that gets done. 16 Do you know if the list is posted or the 17 NOIs are posted? Do you know? 18 THE CHAIR: Usually it's just the list. 19 MS. KAREN WOERNER: Okay. Thank you. 20 THE CHAIR: I think this would be fine. 21 MS. KAREN WOERNER: Okay. Thank you. 22 Obviously, this last month, we've been 23 doing fewer site visits because many of the schools 24 have an extended winter break. But don't be fooled. 25 We've been very busy, not only preparing for future</p>
<p style="text-align: right;">Page 83</p> <p>1 the grant program manager. And those folks are 2 funded through the grant. We have a position posted 3 in our interviewing next Tuesday for her support 4 person that you see there. 5 We also are interviewing next Wednesday 6 for the data and financial analyst position. 7 And I just sent a list to HR for our 8 authorizing practices administrators, which is my 9 former position and Baylor's former position, that 10 need to be filled. 11 So we're working -- I've only been in my 12 position for about a month, now with the holidays 13 there in the middle. We're working hard to fill 14 those vacant positions and have interviews scheduled 15 for some of them. 16 Moving on with the authorizing practices, 17 the other paper that Dolores handed out to you was 18 the Notice of Intent list that you had asked about 19 yesterday, Commissioner Armbruster. 20 COMMISSIONER ARMBRUSTER: And I didn't 21 mean that you had to have it today. I feel -- 22 MS. KAREN WOERNER: I didn't want to worry 23 about it later; so there you have it. So that's the 24 list of submissions. Because the deadline was 25 Tuesday. So that there are 17 schools that are</p>	<p style="text-align: right;">Page 85</p> <p>1 site visits and finishing up reports from past site 2 visits; but there's a lot of the other work going on 3 that everyone is filling in on with implementation 4 year or NOIs, et cetera. 5 I do just want to talk to the school 6 improvement plans that you approved earlier. There 7 is a page in your binder that outlines a summary, if 8 you will. It's in Section 5 -- wherever the school 9 improvement plans were -- 5 -- excuse me -- I think 10 the last page of 5 -- or we passed these out this 11 morning. But it should have been the last page of 12 5. The one that you had in there was earlier. 13 This colored one was updated this week 14 from the things that the school submitted. But I 15 just wanted to bring your attention to that list 16 and -- in case you had any questions. I do have 17 copies -- they did go out to you. But I do have 18 copies of the school improvement plans here as well. 19 If you have questions, please let me know 20 and I'll be happy to provide any missing information 21 you might not have had, because it came this week. 22 That summarizes up all the school improvement plans 23 that were required this year. And -- 24 THE CHAIR: So there are no schools that 25 haven't submitted at this point in time; correct?</p>

<p style="text-align: right;">Page 86</p> <p>1 MS. KAREN WOERNER: That's correct. The 2 list that you had, we did not have to move anybody 3 down to No. 8; so they're all -- they all have 4 submitted something. 5 THE CHAIR: Right. 6 MS. KAREN WOERNER: And I do have -- if 7 you look on the colored sheet, you'll notice that 8 some have submitted agendas or draft minutes. I 9 have to follow up with those to get a final 10 approval, the final minutes. 11 But I think they're all moving on their 12 improvement plans. And I want to thank the 13 Commission for holding their feet to the fire on 14 this; because these are really technically due 15 40 days after the school grades come out. And we're 16 still just getting some right now. So half the year 17 has gone by. I made a note next year to bring it up 18 sooner. 19 THE CHAIR: Me, too. I think that's 20 something that will absolutely -- we don't have 21 the -- we need to make sure we're on it quicker. 22 Yeah. 23 MS. KAREN WOERNER: Get it tighter. Some 24 schools are very diligent about it and were doing it 25 despite our request or lack of request. So some</p>	<p style="text-align: right;">Page 88</p> <p>1 technical assistance team has been doing -- they had 2 an implementation training last week, another one 3 this week, Tuesday, the 5th. That would be No. 7 of 4 the implementation year trainings. 5 The new applicant training is starting 6 January 28th. And the governing -- there are some 7 governing board trainings January 22nd, 23rd, and 8 24th, in the evenings in Rio Rancho, both 9 introductory and ongoing -- for continuing -- excuse 10 me -- members, offering it in the evening in 11 response to a request to have it outside the 12 workday. 13 Regarding the implementation year, both 14 teams, there are two schools currently in 15 implementation year. Both of those leadership teams 16 have attended all the sessions and trainings 17 provided by CSD to date. They will begin attending 18 more trainings with other PED bureaus as we go 19 forward in the -- this next semester. 20 Both school leadership teams have 21 successfully met their first submission deadline 22 date, including the first of three phone 23 conferences. 24 So that was the three submission windows. 25 The first one has ended. We did have our phone</p>
<p style="text-align: right;">Page 87</p> <p>1 have just started; so they've missed a whole 2 semester of work. 3 COMMISSIONER CABALLERO: I don't have that 4 handout. 5 MS. KAREN WOERNER: Here. Could you pass 6 this to the Commissioner? 7 COMMISSIONER VOIGT: I have a question, 8 Karen. 9 MS. KAREN WOERNER: Yes. 10 COMMISSIONER VOIGT: On this school 11 improvement plan, what does the CSI acronym stand 12 for? 13 MS. KAREN WOERNER: Comprehensive Support 14 and Intervention. 15 COMMISSIONER VOIGT: Okay. Thank you. 16 MS. KAREN WOERNER: Several schools were 17 identified -- I have a hard time with those 18 acronyms. But MRI, CSI, or TSI. So the 19 Comprehensive Support and Intervention schools are 20 also receiving support from at least two members -- 21 at least two members of the PED from different 22 bureaus to help monitor that plan. 23 But, still, they were required -- they're 24 required by PED to do one. 25 Okay. So moving on, the training and</p>	<p style="text-align: right;">Page 89</p> <p>1 conference. Melissa, Megan, and I all sat in on 2 that phone conference with the schools. Solare has 3 recruited and hired a head administrator. Raíces 4 has begun the recruiting process; however, has not 5 received any applications at this time. 6 Both school leadership teams will attend 7 two trainings in January and one in February to help 8 prepare for that large March submission, the next 9 submission window. 10 And as we talked about yesterday, we will 11 be looking at that implementation year checklist 12 next month for any proposed revisions. 13 The next thing on my list was the school 14 closures. And at last month's meeting, Chairwoman 15 Gipson asked specifically about Anthony and Student 16 Athlete Headquarters. And I've communicated this to 17 Chairwoman Gipson, but wanted to share publicly, 18 that the request for the approval of the property 19 disposition was submitted to the DFA. 20 The DFA responded back asking, "Why are we 21 getting this?" 22 And the reason, the PED counsel responded, 23 that due to statute, NMSA 22-8B-4N, it states that 24 school closure property becomes property of the 25 State. And so the PED wanted to ensure that they</p>

Page 90

1 had the State's approval, because there was an
2 incident -- pretty important, because there was an
3 incident in the past where approval was not obtained
4 from the State, and there was a legal battle about
5 how it was disposed of.

6 So General Counsel's Office advised me
7 they received an e-mail from DFA suggesting they'll
8 have the response to us next week. We're also
9 expecting that the General Services Department, GSD,
10 will follow a similar timeline once we have those
11 approvals.

12 The portables will be transferred to the
13 City of Anthony via the Mayor's Office, and the
14 inventory will be available for donation to charter
15 schools starting with State charter schools.

16 And based on Chairwoman's suggestion -- I
17 think it might have been yesterday -- I have asked
18 for a copy of the inventory so that we can make that
19 list of items available to the schools so that we'll
20 be prepared to transfer the property as soon as the
21 approval is received.

22 THE CHAIR: Because I'm -- now that we
23 know that that transfer of property may happen
24 quickly, I'm concerned that Anthony is going to take
25 possession of those portables before we -- the

Page 92

1 kitchen equipment, as long as it's not bolted in.

2 MS. KAREN WOERNER: Bolted down, yeah,
3 installed. So let me get that list and make this a
4 very high priority to find out the list and then
5 pursue how we would go about physically getting it
6 in trucks, or whomever would do that. So let me
7 look into that, and I'll get back to you.

8 THE CHAIR: And in addition, now that it's
9 January, we need to start moving on the
10 communication from Dolores Huerta to their folks.

11 MS. KAREN WOERNER: Yes.

12 THE CHAIR: Yeah.

13 MS. KAREN WOERNER: So to segue, wait. I
14 wanted to mention SAHQ for the Commission. The
15 legal complaint was filed with the court in
16 December -- actually, on December 19th. And we're
17 awaiting a response from them for the summons, which
18 is basically what leads to the -- I guess the
19 replevin or whatever. I don't understand the
20 terminology. But a summons, so that we can access
21 the building. That's in the court system right now.

22 COMMISSIONER CABALLERO: From what school?

23 MS. KAREN WOERNER: Student Athlete
24 Headquarters.

25 COMMISSIONER CABALLERO: Can we mention

Page 91

1 inventory can get out of that. I have a concern
2 about that.

3 MS. KAREN WOERNER: Well --

4 THE CHAIR: So we need to make sure that
5 they don't get those portables.

6 MS. KAREN WOERNER: So we don't release
7 the portables until we release the inventory. Got
8 it.

9 THE CHAIR: So I think -- I don't know.
10 Is there some way that someone -- because I know
11 that SAHQ, I think, is in a completely different --
12 in terms of obtaining the inventory that's there.
13 But Anthony shouldn't be a concern about being able
14 to get down and into the property.

15 So is it possible that someone can go down
16 and -- obviously, with a truck -- to clear out that
17 property so that -- because more schools are
18 probably up here, anyway, that want those materials,
19 so that they would just have to pick them up from
20 here instead of having to go down to Anthony. It
21 would probably expedite the dispersal of that
22 equipment as well.

23 I know a fair amount of it is computers;
24 because I think they have at least three labs that
25 are down there. But there may possibly be some

Page 93

1 those, instead of --

2 MS. KAREN WOERNER: I used the acronym.
3 I'm sorry. I'm bad.

4 COMMISSIONER VOIGT: Back up to the
5 implementation training, which two schools have
6 completed the implementation training?

7 MS. KAREN WOERNER: Currently, in the
8 implementation training are Solare Collegiate and
9 Raíces del Saber.

10 COMMISSIONER VOIGT: Thanks.

11 MS. KAREN WOERNER: During the last
12 meeting, I was asked about a contract for closure.
13 The CSD has a contract with SW REC No. 10 that is
14 valid from August 13th, 2018, to the end of the
15 school year, 2019. And that contract will be used
16 to complete any closure work that's necessary; so
17 I'm thinking that they might be able to help us with
18 getting inventory through that.

19 It's also going to include the work with
20 La Academia de Dolores Huerta. I know they've been
21 notified of the nonrenewal. I don't know if they're
22 appearing. But either way, my understanding, we
23 start the closure proceedings or some of the basic
24 things that need to be done pending the outcome of
25 an appeal.

<p style="text-align: right;">Page 94</p> <p>1 THE CHAIR: There's a clear checklist. So 2 that, yeah, there are some things that we need to 3 put in motion. And then, obviously, if there is an 4 appeal and they were successful, we just stop. 5 MS. KAREN WOERNER: So I did send the 6 checklist to Ms. Miranda at La Academia just so she 7 could be reviewing that and let her know that we 8 would be in touch and following up to help support 9 that process. 10 THE CHAIR: Right. But there is the 11 requirement in that checklist for that letter to go 12 out. 13 MS. KAREN WOERNER: Right. 14 THE CHAIR: So -- 15 MS. KAREN WOERNER: I think it's by 16 February-something. 17 THE CHAIR: Yeah. 18 MS. KAREN WOERNER: I don't know if I have 19 it here. But, yes, we need to make sure those are 20 happening. And that's -- yeah. 21 And then the last thing under my section 22 was governing board concerns. However, the two 23 schools that are listed did, in fact, get everything 24 in, some of it as late as Wednesday. But, 25 nevertheless, it is now complete.</p>	<p style="text-align: right;">Page 96</p> <p>1 to the fire. It makes it -- it will make our work 2 easier, eventually. Thank you. 3 THE CHAIR: Thank you. 4 MS. KAREN WOERNER: And if you have any 5 questions. 6 COMMISSIONER ARMBRUSTER: I do. It's 7 either -- it's sort of Ami as well. Is it 8 appropriate or helpful to send a letter that you 9 would write from the PEC regarding the Anthony thing 10 about, "Please be sure that this happens," or that? 11 I don't know. That's why I'm just asking. You 12 know, so we -- so they don't get rid of the 13 portables before we get our stuff? 14 MS. AMI JAEGER: Are you asking me to send 15 a letter to PED's counsel? 16 THE CHAIR: Or the City of Anthony. 17 COMMISSIONER ARMBRUSTER: Anthony. 18 MS. AMI JAEGER: I'm happy to do it. Do 19 you think it would be helpful? So we coordinate -- 20 because, Karen, PED is the lead on the closure 21 details, including making sure that the property is 22 in possession of the PED; correct? 23 MS. KAREN WOERNER: Yes. And -- I'm not 24 opposed to the suggestion. I do think, though, that 25 it may be more appropriate for PED to do that. But</p>
<p style="text-align: right;">Page 95</p> <p>1 So you actually -- we left them on the 2 consent agenda. So they've been approved. So the 3 two that were listed on the list for concerns got 4 their concerns resolved this week. 5 But I do want to thank the Commission for 6 doing it this way. I think it does help -- it will 7 eventually help reduce the workload and the nagging 8 that Laurel Pierce does to the governing board 9 members and governing boards; because it's very 10 difficult to get all the paperwork submitted that's 11 required. 12 But the way you're doing it now with 13 calling them here if there are concerns is really 14 helpful. So thank you for that. 15 Some of these schools don't report their 16 changes. We accidentally stumble upon it, either 17 from someone showing up at a training or their 18 website's information, or we go to a meeting. And 19 so we're really trying to work hard this year with 20 the governing board on reporting their changes and 21 also completing their required trainings. So -- and 22 trying to make sure they understand it's their 23 responsibility and not that of the head 24 administrator. 25 So -- but thank you for holding their feet</p>	<p style="text-align: right;">Page 97</p> <p>1 I'm fine with -- 2 MS. AMI JAEGER: Why don't you ask PED to 3 copy me on the letter so that we know what's going 4 on? The problem is there's -- you know, things are 5 happening on behalf of the PEC, and we're not aware 6 of it except for the monthly update. 7 MS. KAREN WOERNER: Yeah. I know that the 8 PED handles the closure proceedings; right? 9 MS. AMI JAEGER: Yeah. But you can handle 10 the closure proceeding, and you could copy me on 11 letters that are sent out by your counsel. 12 MS. KAREN WOERNER: Got it. I'm sure they 13 can do that. 14 MS. AMI JAEGER: Yeah. 15 THE CHAIR: Thanks. Okay. 16 All right. Before you break for lunch, 17 Matt has a commitment. So he asked if he could make 18 three quick announcements, because he won't be 19 probably available after the break. So -- so people 20 don't bite you, quickly. 21 MR. MATT PAHL: You know, whether it's the 22 end of the meeting or before lunch, I'm just not in 23 a great position to make announcements here. But 24 they will be quick. 25 I have three items, first of which is just</p>

1 welcome to our new Commissioners and thank you for
2 your -- your service. It's exciting. This is a
3 Commission with a lot of momentum. And seeing new
4 members is exciting, and looking forward to
5 continuing with work with the Commission.

6 Second is our legislative platform. I'll
7 have these passed around. Much of this I mentioned
8 at the last meeting, so I won't go too in-depth.

9 The one thing that I think would be useful
10 for those at home is just this chart on the bottom.
11 And it just notes how many charter schools we've
12 actually had. When you go over to The Roundhouse,
13 there's still a lot of talk about rampant charter
14 growth and how we need to stop that charter growth.
15 But that ignores the fact that PED has been doing
16 their job over the last five years.

17 We've had some come in and some leave the
18 charter sector. That's healthy, and that's
19 represented in this chart here. I'll have these
20 handed out.

21 The other items are maintaining the
22 funding equity for charter schools. And that
23 includes maintaining the Small School Size
24 Adjustment for charter schools. "Small" is "small,"
25 no matter where you are. And the funding formula

1 out-of-pocket their first year. We really see this
2 as an equity issue. We want to make sure that every
3 charter school has the ability to reach students of
4 all economic background, and transportation is a
5 real big part of that.

6 And then, lastly, teacher salary increases
7 are going to happen. And it's an exciting thing for
8 our state. I spend the night with a teacher every
9 night. I'm excited that she's going to get a raise.

10 I'll just note that our role in this is to
11 make sure they're fully funded. Between the cash
12 balance sweeps and the -- and the salary increases
13 of last year, there were a number of charter schools
14 and small school districts that actually had a hard
15 time paying out those salary increases.

16 We put enough money into the formula. The
17 formula is not a perfect mechanism for distributing
18 that funding to make sure everybody gets enough
19 money for that.

20 So it's just something we're going to be
21 very concerned about is if it costs -- you know,
22 whatever it is -- \$250 million to do the salary
23 increases, let's put 270, 280 in, just to make sure
24 everyone has enough funding to make sure those
25 salary increases aren't actually a budget decrease

1 was set up to ensure that's every school, no matter
2 which kids they serve, kids that wanted to go to a
3 charter school or a district school, they're both
4 public schools. And that formula was set up to
5 ensure that Small School size is there for every
6 student that's at a Small School.

7 On the back side, we have a facilities
8 bill that's not yet completed. I was hoping to be
9 able to share that with you. But I will get you an
10 e-mail when we do get that final draft. That's
11 Senator Ortiz y Pino, and another Senator will
12 likely co-sponsor that bill.

13 We asked for funds for specialized charter
14 leader professional development. And it's the
15 first-year charter leader boot camp. Whether it's a
16 new school or an old school with a new charter
17 leader that is coming from a district school, it's
18 just a different animal, and we want to be able to
19 provide coaching for the year to do that. And we'll
20 be working with an REC to provide that.

21 COMMISSIONER CABALLERO: "REC" meaning?

22 MR. MATT PAHL: Thank you, Commissioner
23 Caballero. A Regional Educational Cooperative.

24 And the last two are better access to
25 transportation funding. It's charters have to pay

1 for the schools, which, in some cases, that was this
2 year.

3 So no fault of the State for wanting to
4 put more money into teachers' pockets; it was just
5 the distribution mechanism is imperfect.

6 And so many schools -- and, again, small
7 school districts also face that problem as well.

8 Lastly -- and I'll maybe hand these up to
9 Bev, so they'll be on your chair.

10 And then, lastly, the Public Charter
11 Schools of New Mexico has a Facebook page. And
12 that's the way we're communicating.

13 THE CHAIR: Already "liked" it.

14 MR. MATT PAHL: Oh, great. Thank you,
15 Madam Chair. I'm encouraging you all to follow it,
16 because it's our main communication with families
17 and the public that are kind of charter school
18 supporters, but not our charter leaders. We
19 communicate with them with e-mail and webinars and
20 stuff. But we'd like to communicate with a broader
21 audience.

22 You'll see how we're communicating with
23 that group there and also how they're communicating
24 with us. It might be useful in your observations.
25 It also kind of serves as a blog of where I am.

1 I took pictures of the students today.
2 And so if you know I'm in your neck of the woods and
3 haven't reached out to you, or we announce that
4 we're coming to your neck of the woods, reach out to
5 me, and I'm happy to communicate with you
6 individually.

7 Thank you, Madam Chair. And I really
8 appreciate you bumping me up.

9 THE CHAIR: Okay. Thanks. You're free at
10 last, temporarily.

11 (A discussion was held off the record.)

12 (A recess was taken at 12:35 p.m., and
13 reconvened at 1:50 p.m., as follows:)

14 THE CHAIR: We're on 10. So we are now on
15 to Discussion and Possible Action on the Perkins
16 Grant Report. So let me just get -- this is going
17 to be really quick.

18 We had asked that Dr. Perea be here today
19 to give us an update on the Perkins Grant Report,
20 because we have always voted to accept the Perkins
21 Grant Report in December, and then it gets filed,
22 and then the grant gets filed again, or whatever
23 report that they have to do. And this December, we
24 did not do that, and we were not asked to do it.

25 And we did ask for it in December. So --

1 question. Could you talk about the Perkins Grant
2 and what it is and how -- how our action affects
3 anybody? Or somebody? Or --

4 THE CHAIR: Yeah. I can touch on it very
5 briefly. Dr. Perea can certainly go into it in far
6 more depth. And that report may, in terms of
7 explaining what it is.

8 But it's career-technical education grant
9 money that comes through the federal government.
10 The Carl Perkins Grant money is federal grant money
11 that then is -- goes to the State.

12 COMMISSIONER DAVIS: All states?

13 THE CHAIR: States that participate in it.
14 The opportunity is there, yes, for all states to
15 participate. I don't know how many states do
16 participate. But New Mexico certainly does. And it
17 is the Office of Career and Technical Education.
18 Dr. Perea is the director of that who administers
19 that.

20 It is, actually -- in the statute, that's
21 the task of the PEC, to oversee the Perkins Grant.
22 And that's why, annually, we have always voted on --
23 so that that report can then be sent to the federal
24 government. And the federal government has to
25 approve. They can -- they can set Corrective Action

1 and there was, at that time, no response. The
2 response at this moment in time from Dr. Perea was,
3 "I'm not available this month," and I -- so I asked
4 two things. I asked to have the report so that
5 Commissioners would have time to look at it. And
6 you all do have a copy of that report.

7 So I'm going to ask Commissioners to,
8 between now and the next meeting, to look through
9 it. And if you have any what you consider might be
10 significant questions, if you could forward them to
11 Beverly before the meeting so that -- Dr. Perea will
12 be here. But then if she needs to prepare something
13 more, she would be able to address those specific
14 questions.

15 So we'll do that. And I will also tell
16 you that there has been no response to the question,
17 "Why didn't -- why were we not asked to vote in
18 December on it?"

19 That question was not answered. So I have
20 a concern about this. It's been brought to my
21 attention that there could be a -- an issue with the
22 grant itself, because we did not approve it. I
23 don't know that for a fact. I'm just saying that
24 was a concern that was raised to me.

25 COMMISSIONER DAVIS: Well, I have a

1 Plans on the State because they have not met certain
2 hallmarks.

3 They don't -- so they check to make sure
4 that the state is administering the grant money as
5 they said that they were going to. So -- and
6 unfortunately, because most of our charter schools
7 are small in number of pupils, most of our charter
8 schools are not a large enough cohort to qualify for
9 Perkins Grant money, even though that's what we
10 oversee.

11 So it's kind of ironic. And it's -- that
12 has been, to me, the frustration and the challenge,
13 to try to see why can't we get more schools to be
14 able to participate, and especially when you're
15 looking at the Albuquerque region. Because they're
16 close in proximity. So they could actually create a
17 cohort large enough.

18 COMMISSIONER VOIGT: To justify the
19 mountains of paperwork.

20 THE CHAIR: Correct.

21 COMMISSIONER VOIGT: Because, also so many
22 charter schools -- not to interrupt -- are so
23 career-focused, you know, with trades and
24 internships and career pathways.

25 THE CHAIR: And also a piece of our task

1 is vocational education. And there's a strong
2 legislative focus, when you're looking at the
3 education legislation that's coming forward, that is
4 looking at, "We need to do a better job with
5 vocational and career education."

6 And, to me, that's the -- you know, that's
7 where charter schools can truly shine. And that
8 Perkins Grant, to be able to allow schools to
9 acquire oftentimes very expensive and specific
10 equipment for these programs. And if charters could
11 group together to be able to say, "Okay, we can get
12 this grant, and we can house this at this particular
13 school, and then all we need to do is transport the
14 kids to -- to that school and work out a cooperative
15 arrangement that way," I think that's -- that's my
16 ideal world.

17 But every time we come up here and we
18 speak with Dr. Perea about this, there's just all
19 these hurdles that it -- and I don't know. I don't
20 know if -- where the hurdle actually is. And I
21 think we need to break down that barrier to make
22 sure that those monies are -- and I certainly
23 understand the mountain of paperwork that's required
24 to try to get those grants.

25 So, yes, if you don't have a chance to get

1 it, you're not going to put the effort into -- to
2 writing the grant. And I know a lot of that is the
3 federal requirements in terms of the application
4 itself. But I think if schools could work together,
5 they could also work on that application together,
6 and the task isn't as great.

7 So I'm hoping that next month, we can have
8 a good in-depth conversation about where this money
9 is going and what can we do to try to make it more
10 available for the charters; because they just -- you
11 know, it's a shame.

12 MS. VOIGT: You know, it seems like if the
13 RECs could help maybe -- I don't know what their
14 specific responsibilities include. I know they do a
15 lot of training for charter schools, State charter
16 schools. But if the RECs would be that umbrella
17 entity that could bring the charter schools together
18 to apply for that grant together, you know, it's
19 just a matter of getting that paperwork in.

20 THE CHAIR: Right. And I'm just going to
21 just add that I don't think the RECs at this moment
22 in time offer a tremendous amount of training for
23 charter schools.

24 MS. VOIGT: They don't anymore. They used
25 to ten years ago; but anymore, it's kind of less and

1 less.

2 THE CHAIR: I agree. But it's certainly
3 that they might have the manpower for that
4 grant-writing --

5 MS. VOIGT: Right.

6 THE CHAIR: -- instead of having to go out
7 and hire someone else. They certainly might have to
8 contract; but it might be a reasonable contract
9 through that REC. So that is certainly something
10 that is a good idea to potentially look at.

11 COMMISSIONER RAFTERY: Pattie, just to
12 kind give you information. I know that the Perkins
13 Grant really is effective in the public schools
14 through the DECA program and the other programs. So
15 perhaps we could say can charter school kids be in
16 DECA and be in BBC? It's just an idea; because I
17 know that every year, they have to reapply.

18 THE CHAIR: They can have their own DECA
19 program; but it's not going to get any grant money
20 out of Perkins.

21 COMMISSIONER RAFTERY: But if we're trying
22 to integrate charter schools into a program that's
23 already there? Just a question.

24 COMMISSIONER CABALLERO: My question is
25 that the program should be doing it.

1 MS. VOIGT: Are DECA students given a Carl
2 Perkins application priority?

3 THE CHAIR: No, I don't believe so.

4 MS. VOIGT: I didn't think so; because
5 DECA has been around for decades.

6 COMMISSIONER RAFTERY: That's how they get
7 funded, through Perkins.

8 THE CHAIR: Right. But that's because a
9 part of that larger school district that has the --
10 you know, that minimum number -- and I know
11 Commissioner Armbruster asked what's the number.
12 And honestly, I don't remember. I just know that
13 continually, Dr. Perea says you need that --

14 COMMISSIONER ARMBRUSTER: I'd love to ask
15 her. That's a good question.

16 THE CHAIR: -- says you need that "X"
17 number. And most of the charters don't. So, yes,
18 I'm very familiar with the DECA programs. But --
19 and a school could have one of those programs. But
20 once again, they're not going to get any Perkins
21 money from it.

22 COMMISSIONER RAFTERY: Okay. My question
23 was -- my understanding is why can't our schools --
24 like the school we had this morning, why can't their
25 kids go to a DECA program that's already

<p style="text-align: right;">Page 110</p> <p>1 established?</p> <p>2 THE CHAIR: Oh, in a local high school.</p> <p>3 COMMISSIONER RAFTERY: Right. Right.</p> <p>4 THE CHAIR: That's a good question.</p> <p>5 MS. VOIGT: As far as activities go, like</p> <p>6 after-school activities, athletics, charter</p> <p>7 schools -- State charter school students can</p> <p>8 participate in NMAA-sanctioned activities within the</p> <p>9 district that they live in. You know, students in</p> <p>10 the Northeast Heights in Albuquerque can participate</p> <p>11 in the Eldorado marching band or tennis team if they</p> <p>12 want.</p> <p>13 But DECA, I know is an accredited program</p> <p>14 as well. So as far as being half-time enrolled at</p> <p>15 Eldorado just to participate in their DECA courses</p> <p>16 and then attending a charter school, you know --</p> <p>17 THE CHAIR: Yeah. That's -- if you're</p> <p>18 talking about having to actually be enrolled in a</p> <p>19 school, then it becomes challenging. It's a whole</p> <p>20 different story when you are looking at -- and</p> <p>21 it's -- there's challenges, unfortunately, that</p> <p>22 we've seen there; because we've had school districts</p> <p>23 who have fairly recently tried to pass policies that</p> <p>24 say, "Charter school students can't participate in</p> <p>25 after-school activities in our district."</p>	<p style="text-align: right;">Page 112</p> <p>1 I know Commissioner Caballero continually</p> <p>2 has questions. And I know his frustration with</p> <p>3 this -- with this program, because it doesn't seem</p> <p>4 like the questions get answered.</p> <p>5 COMMISSIONER CABALLERO: Right. And I</p> <p>6 will -- I was planning to, once again, ask for a</p> <p>7 copy of -- of the federal report criticizing the</p> <p>8 State program so that we know where the weaknesses</p> <p>9 are. And I would say at this juncture, the new</p> <p>10 Commissioners should get -- should get the report</p> <p>11 that was given to us the last time. That way, they</p> <p>12 see if it's the same verbiage and the same garbage</p> <p>13 and see the -- the criticism by the federal</p> <p>14 government of the program.</p> <p>15 And we have a duty to look at that and</p> <p>16 oversee whether there is an improvement. It may</p> <p>17 not -- it may not be. But those of you that are new</p> <p>18 in the Commission may not be able to see that unless</p> <p>19 you take a look at that.</p> <p>20 But, Commissioners, my concern -- and I'm</p> <p>21 preoccupied with the notion that if kids in the</p> <p>22 middle school or early in high school start -- they</p> <p>23 start being pushed to decide what they want to be</p> <p>24 when they grow up, it could improve their -- their</p> <p>25 grades.</p>
<p style="text-align: right;">Page 111</p> <p>1 COMMISSIONER CHAVEZ: I think what was</p> <p>2 just mentioned, I think a lot of the CPSOs, DECA</p> <p>3 being one of them, I think they do fall under</p> <p>4 New Mexico Activities Association, don't they? We</p> <p>5 don't do DECA; but we do SkillsUSA.</p> <p>6 MS. VOIGT: Yes, SkillsUSA is --</p> <p>7 THE CHAIR: Right. And I'm honestly not</p> <p>8 sure whether DECA falls under NMAA or not.</p> <p>9 COMMISSIONER CHAVEZ: Because they're</p> <p>10 competitions, and I think that's why it falls under</p> <p>11 the umbrella.</p> <p>12 THE CHAIR: Right. But if it requires</p> <p>13 that you -- because there's classes that are</p> <p>14 associated with it as well, potentially, and it</p> <p>15 would require enrollment in the other more</p> <p>16 traditional public school, that's where it would</p> <p>17 create a challenge; whereas, the other activities</p> <p>18 are all purely after-school activities.</p> <p>19 So -- but I -- I think it's absolutely --</p> <p>20 it's a value to explore that and see if this is a</p> <p>21 possibility. So those are all questions that</p> <p>22 hopefully we can have some of them answered before</p> <p>23 the next meeting, and some of them that we can ask</p> <p>24 as you go through that report and see if there is</p> <p>25 any additional questions.</p>	<p style="text-align: right;">Page 113</p> <p>1 I saw a lot of my friends in school became</p> <p>2 doctors, because they convinced themselves that they</p> <p>3 could, in fact, go to university on grades and</p> <p>4 become doctors rather than on football; because they</p> <p>5 both got kicked out of football. "How do I go to</p> <p>6 university?"</p> <p>7 I said, "You have no choice but to get</p> <p>8 good grades."</p> <p>9 And once they make that decision -- but a</p> <p>10 lot of kids don't make that decision. And I can</p> <p>11 tell you, immigrant parents, their main goal for</p> <p>12 coming to the U.S. is to propel their children to</p> <p>13 professional careers.</p> <p>14 And my father would say, "Become a</p> <p>15 plumber, but become the best plumber. You can't</p> <p>16 just do pick-and-shovel."</p> <p>17 And there's -- they spent a lot of</p> <p>18 resources and devoted their life to that for their</p> <p>19 children.</p> <p>20 But if we convince those kids, "This is</p> <p>21 what you could do and this is how do you it,"</p> <p>22 starting in middle school, and arm the parents with</p> <p>23 also that information, man, we could do a lot to</p> <p>24 pick up grades, and it becomes easier for teachers</p> <p>25 to teach.</p>

<p style="text-align: right;">Page 114</p> <p>1 THE CHAIR: Yes.</p> <p>2 COMMISSIONER CABALLERO: Because teachers</p> <p>3 then get motivated students. That's my belief. I</p> <p>4 may be a little off. But if we push Perkins and</p> <p>5 career development to an all-time high, then we</p> <p>6 begin to see graduation rates go up; we begin to see</p> <p>7 a bunch of stuff happen. But if we don't --</p> <p>8 THE CHAIR: I've seen great presentations</p> <p>9 from Deming Public Schools. They were down at the</p> <p>10 LESC in Cruces this summer. And their</p> <p>11 career-and-technical programs there were -- the</p> <p>12 culinary program was there. The -- the building</p> <p>13 trades kids were there; and just, you know, great</p> <p>14 work.</p> <p>15 And then most recently, Rio Rancho was up</p> <p>16 when the LESC was here. And the program that they</p> <p>17 have, which also helps to incorporate the</p> <p>18 trauma-inspired learning that we're trying to focus</p> <p>19 so much on -- so it's -- you know, it's a win-win.</p> <p>20 So, Beverly, could I ask if you could also</p> <p>21 ask Dr. Perea, not only -- thank her for the report.</p> <p>22 But we would also like to see whatever the</p> <p>23 evaluation is of the program from the federal</p> <p>24 government. I know a couple of years ago, we did</p> <p>25 see one.</p>	<p style="text-align: right;">Page 116</p> <p>1 been sent. That's our issue.</p> <p>2 COMMISSIONER DAVIS: Oh. Oh. Well,</p> <p>3 that's handy.</p> <p>4 THE CHAIR: It is, isn't it? Yeah. Yeah.</p> <p>5 That was the concern that was raised. It's like,</p> <p>6 "How come we're not?"</p> <p>7 And the question was never answered for</p> <p>8 December.</p> <p>9 So then we pushed the question again, and</p> <p>10 that question still has not been answered. All we</p> <p>11 got was the report; so...</p> <p>12 COMMISSIONER DAVIS: Tell me again who</p> <p>13 this Dr. Perea is.</p> <p>14 THE CHAIR: She's the head of the</p> <p>15 Career-Technical Education Bureau.</p> <p>16 COMMISSIONER ARMBRUSTER: She's very nice</p> <p>17 and very --</p> <p>18 THE CHAIR: Right across the hall, yes.</p> <p>19 COMMISSIONER DAVIS: Thank you.</p> <p>20 THE CHAIR: Okay. Thank you. All right.</p> <p>21 We are on to item No. 11, which is the</p> <p>22 briefing on Turquoise Trail. As you remember from</p> <p>23 our previous meeting, we asked our legal counsel to</p> <p>24 engage in a conversation. So Ami is going to brief</p> <p>25 us briefly on that. Thank you.</p>
<p style="text-align: right;">Page 115</p> <p>1 COMMISSIONER CABALLERO: It was a summary</p> <p>2 from their department. So if we could have the</p> <p>3 actual --</p> <p>4 THE CHAIR: So if we could see that as</p> <p>5 well.</p> <p>6 MS. FRIEDMAN: I will direct her to the</p> <p>7 transcript of this meeting so she can read the</p> <p>8 discussion so she'll have a good idea of what to</p> <p>9 prepare for.</p> <p>10 THE CHAIR: That's a good idea. So,</p> <p>11 hopefully, we'll have that, and have it early enough</p> <p>12 so that everybody could have an opportunity.</p> <p>13 And I would remind you also, if you would</p> <p>14 take a look at this, see what questions you might</p> <p>15 have -- even if it's not in this report -- but if</p> <p>16 you just have a question about the Perkins Grant in</p> <p>17 general that doesn't seem to be answered through</p> <p>18 reading through this report, forward those to</p> <p>19 Beverly, and Dr. Perea can be prepared to answer</p> <p>20 those as well as other questions when she comes in</p> <p>21 February.</p> <p>22 COMMISSIONER DAVIS: If we vote not to</p> <p>23 approve this report, what happens?</p> <p>24 THE CHAIR: At this point in time,</p> <p>25 nothing; because it's already been -- it's already</p>	<p style="text-align: right;">Page 117</p> <p>1 MS. AMI JAEGER: So I was asked to kind of</p> <p>2 get some background information about kind of how</p> <p>3 the MOU with Turquoise Trails occurred.</p> <p>4 And just for the new Commissioners, it</p> <p>5 looked like Turquoise Trails had an enrollment that</p> <p>6 set up a preference that was outside of statute, so</p> <p>7 that their preference for enrollment had a</p> <p>8 preference for students living within the portion of</p> <p>9 the school district where it was located.</p> <p>10 See, all school districts are divided into</p> <p>11 their own areas for the schools. And so, I mean,</p> <p>12 the Commission didn't want to take any legal action,</p> <p>13 but just said, you know, kind of, "What's this</p> <p>14 about?"</p> <p>15 So I was fortunate to meet with Patty</p> <p>16 Matthews, who is counsel for Turquoise Trail. And</p> <p>17 also John Kennedy came. He's counsel for Santa Fe</p> <p>18 Public Schools. And so -- sorry?</p> <p>19 COMMISSIONER ARMBRUSTER: I thought he had</p> <p>20 retired.</p> <p>21 MS. AMI JAEGER: And so I just listened to</p> <p>22 their description of the MOU, how it came about and</p> <p>23 what it was trying to achieve.</p> <p>24 But it does set a preference for the</p> <p>25 students living within the Santa Fe Public Schools</p>

<p style="text-align: right;">Page 118</p> <p>1 and Turquoise Trail's district boundary. They noted 2 that the statutes don't provide for this enrollment 3 preference. Statute provides for students that are 4 currently enrolled and their siblings. That's 5 what's in statute. 6 But the -- during the meeting, they said 7 that they felt it was in the best interests of 8 Santa Fe Public Schools and Turquoise Trail, because 9 it was a win for the Santa Fe Public Schools because 10 they did not need to build a new facility because 11 there's a lot of growth in that part of the Santa Fe 12 School District. 13 And Turquoise Trail also was able to keep 14 their building. They've been in that building for a 15 long time. And it could have been risky that 16 Santa Fe Public Schools would end their lease, and 17 then they wouldn't have a facility. So they sort of 18 felt like it was a win-win. 19 So even though they acknowledged that that 20 preference was not in statute, they said, "Well, you 21 know, we are a charter school that was in existence 22 from the school..." -- I have to look at my notes, 23 get the exact -- 24 THE CHAIR: It's a conversion school. 25 MS. AMI JAEGER: Conversion school. She</p>	<p style="text-align: right;">Page 120</p> <p>1 documents? 2 MS. AMI JAEGER: Sure. That's a good 3 idea. Yeah. 4 THE CHAIR: Okay. So that way, the 5 schools can have as updated as possible; but they 6 also have an understanding that there's pending 7 litigation, so there may be changes to -- to these 8 documents. Okay? 9 MS. KAREN WOERNER: And will you provide 10 the wording that I should post for that, or -- 11 MS. AMI JAEGER: Sure. 12 MS. KAREN WOERNER: And this would be -- 13 the Commission is still going to be reviewing and 14 vote on the new application today, is that right, 15 like, with the qualifier that you just said? Is 16 that what I heard? 17 THE CHAIR: I don't know whether we vote 18 to adopt it, or it's best to simply have them post 19 it without any motions, have them posted on the 20 website as drafts, with the notation that -- with 21 everything that we've worked on updated, but still 22 listed as "Draft," with the notation that, "Due to 23 pending litigation, there may still be changes to 24 these documents." 25 Because there may be, because there are</p>
<p style="text-align: right;">Page 119</p> <p>1 said, "Because we're a conversion school, we can do 2 this." 3 Well, that's their interpretation of 4 statute. I don't -- I think that works for the 5 first year of the conversion school, but that it's 6 not a continuing preference. 7 So my analysis, or my opinion, is that it 8 is outside of the statute. Their enrollment is 9 outside of the statute. And I can understand from a 10 policy perspective why it's best for them; but I 11 don't think it's what the statute supports. 12 To that point, one of the bills that has 13 been prefiled that we will talk about is a bill that 14 would be a change in the law for conversion schools 15 to allow an enrollment preference that, to the best 16 of my knowledge, would only apply to Turquoise 17 Trail. 18 THE CHAIR: So that's all we -- thank you. 19 I'm going to ask at this point in time, 20 with the application and the implementation year 21 checklist, both, because of the fact that they're 22 not complete because of legal -- do we want to 23 simply adopt them pending -- as drafts, to be put up 24 on the website, with the notation that there is 25 pending litigation and changes may occur to these</p>	<p style="text-align: right;">Page 121</p> <p>1 pieces of these documents that we didn't touch. 2 MS. KAREN WOERNER: We didn't touch. 3 Yeah. 4 THE CHAIR: Because of -- because of that. 5 So we didn't look at them. So we may have to make 6 changes to them. So I'm just asking, is it best to 7 adopt them with that, or simply direct the CSD to 8 post them as "Draft" on the website, with the 9 notation that the -- "Due to pending litigation, the 10 PEC may make changes -- will adopt at a later date 11 and may make changes to these documents." 12 MS. AMI JAEGER: Right. And then would 13 you -- my question, though, is would you say that 14 it's a draft and put today's date on it? Because 15 you want to help the schools know. 16 THE CHAIR: Absolutely, yes. As the 17 draft, they'll have all the current dates changed so 18 that they know that they -- that that is the best 19 document that they can use at this moment in time 20 for working on. 21 MS. AMI JAEGER: And then -- just to be 22 clear -- and wait for the Public Education 23 Commission to vote on it once we're able to. 24 THE CHAIR: Once it's completely 25 finalized.</p>

Page 122	Page 124
<p>1 MS. AMI JAEGER: Sure. I think that's 2 smart. 3 THE CHAIR: Okay. So we're going to 4 remove, then, 11 -- 12 and 13 off the agenda. And 5 the direction will simply be for CSD, whenever the 6 Webmaster comes back -- 7 COMMISSIONER CABALLERO: May I suggest 8 that we table that item? 9 THE CHAIR: Sure. 10 COMMISSIONER CABALLERO: -- rather than -- 11 THE CHAIR: Rather than remove? 12 COMMISSIONER CABALLERO: Uh-huh. 13 THE CHAIR: Sure. Sure. 14 MS. KAREN WOERNER: And approve the 15 agenda. 16 THE CHAIR: All right. So I'm going to 17 make a motion that we table Item No. 12 and 13. 18 COMMISSIONER RUIZ: Second. 19 THE CHAIR: There's a second by 20 Commissioner Ruiz. 21 Commissioner Armbruster -- is there any 22 discussion on it? Okay. 23 COMMISSIONER ARMBRUSTER: Commissioner 24 Davis? 25 COMMISSIONER DAVIS: Yes.</p>	<p>1 COMMISSIONER CABALLERO: Sí. 2 COMMISSIONER ARMBRUSTER: It passed. 3 THE CHAIR: The motion passed ten-zero. 4 So these will be posted with all of the updates that 5 we made yesterday. But it's still labeled as 6 "Draft." And Ami will forward you the language that 7 should be used so that schools know that there may 8 be changes -- and there most likely will be because 9 of those pieces that we didn't review. 10 MS. KAREN WOERNER: Understood. Thank 11 you. 12 Just a clarification on the implementation 13 year, however? I think we were going to table that 14 until next month, because that was the checklist -- 15 we're still going to look at that next month, okay? 16 Thank you. 17 THE CHAIR: Hopefully, yes. 18 MS. KAREN WOERNER: Exactly. 19 THE CHAIR: All right. We are on to Item 20 No. 14, which is Discussion and Possible Action on 21 PEC Legislative Strategy Including "No Time To Lose" 22 and pre-filed bills. 23 And I believe we have -- Ami provided -- 24 MS. AMI JAEGER: They were passed out 25 yesterday. So if you weren't here, they were put on</p>
Page 123	Page 125
<p>1 COMMISSIONER ARMBRUSTER: Sometimes you 2 get to be first. 3 Commissioner Ruiz? 4 COMMISSIONER RUIZ: Yes. 5 COMMISSIONER ARMBRUSTER: Commissioner 6 Chavez? 7 COMMISSIONER CHAVEZ: Yes. 8 COMMISSIONER ARMBRUSTER: Commissioner 9 Voigt? 10 MS. VOIGT: Aye. 11 COMMISSIONER ARMBRUSTER: Commissioner 12 Robbins? 13 COMMISSIONER ROBBINS: Yes. 14 COMMISSIONER ARMBRUSTER: Commissioner 15 Raftery? 16 COMMISSIONER RAFTERY: Yes. 17 COMMISSIONER ARMBRUSTER: Commissioner 18 Crone? 19 COMMISSIONER CRONE: Yes. 20 COMMISSIONER ARMBRUSTER: Commissioner 21 Gipson? 22 THE CHAIR: Yes. 23 COMMISSIONER ARMBRUSTER: Commissioner 24 Armbruster votes "Yes." 25 Commissioner Caballero?</p>	<p>1 the top of your list. 2 THE CHAIR: All right. So -- 3 (Chair consults with counsel.) 4 THE CHAIR: I guess the easiest thing to 5 do -- does anyone -- because those of us that were 6 here yesterday, we did have it. If -- we have two 7 choices. People can quickly look at them, see if 8 they have any questions. 9 This is -- this is what I sort of need to 10 know; because as we go through the Legislative 11 Session, these will be heard in committees. And I 12 do not speak for or against a piece of legislation 13 unless I know the PEC has given me that direction. 14 So I'm not a -- I'm not an island. So 15 what I need to know now, if anyone has any -- 16 appears to have any significant concerns about any 17 of these pieces of legislation; so -- because 18 let's -- you know, I have no idea when these are 19 going to come up for review by the committees. It 20 could -- it could be between now and our next 21 meeting. It could be after our meeting. 22 It -- sometimes I don't get a call until 23 the night before and something's been put on a 24 committee agenda, and I'm on the road at 4:00 in the 25 morning to get up for an 8:00 start.</p>

<p style="text-align: right;">Page 126</p> <p>1 So we don't have -- it's one of those 2 things where we don't have a lot of time to look at 3 this before we have to make decisions about it 4 because people are pre-filing through today. 5 Commissioner Voigt? 6 MS. VOIGT: So are you the only 7 Commissioner that attends any of the legislative -- 8 THE CHAIR: No. They're public. They're 9 public. 10 MS. VOIGT: To speak on behalf of the PEC, 11 are you the only one? 12 THE CHAIR: Yeah. I speak -- 13 Commissioners can speak for themselves. 14 MS. VOIGT: Right. Got you. 15 THE CHAIR: But in terms of the PEC, I 16 speak for the PEC. 17 MS. VOIGT: That's good to know. 18 COMMISSIONER ARMBRUSTER: Or you can speak 19 for just yourself. 20 THE CHAIR: And I'll be honest with you, 21 because I've struggled with this. Because I am the 22 Chair, people don't recognize me as an individual. 23 MS. VOIGT: You've lost your identity. 24 THE CHAIR: So I do not speak as an 25 individual at these committee meetings, because I</p>	<p style="text-align: right;">Page 128</p> <p>1 A cut to the Small School Size Adjustment. 2 THE CHAIR: Yes. Yes. 3 MS. VOIGT: Okay. Thank you. And as a 4 Commission, do we take consensus from each other on 5 how we are going to represent -- how you're going to 6 represent the Commission towards these bills as 7 they're presented? 8 THE CHAIR: Well, that's what I just said. 9 MS. VOIGT: That's what this is for? 10 THE CHAIR: Yeah. That I need a sense of 11 is this a yay or a nay -- 12 MS. VOIGT: Okay. 13 THE CHAIR: -- for that. But absolutely, 14 Small -- we -- we speak unanimously on no cuts in 15 Small School Size Adjustment and in favor of 16 anything that allows for greater funding for any 17 kind of capital outlay for building, no cuts in, you 18 know, the funding for lease reimbursement. 19 MS. VOIGT: Right. 20 THE CHAIR: Things like that. That's just 21 kind of a general yay. 22 MS. VOIGT: So I have one. On House 23 Bill 45, it sounds like it's more addressed to the 24 instructional materials definition. 25 But in the very last paragraph, where it</p>
<p style="text-align: right;">Page 127</p> <p>1 never feel like -- I tru- -- they don't see that. 2 So I'm uncomfortable with doing that. 3 MS. VOIGT: Yeah. 4 THE CHAIR: Other Commissioners certainly 5 can do that. But there's no -- you know, there's an 6 identity loss with that. And I'm -- and I'm okay 7 with -- most of the time, I'm okay with that. So 8 I -- that's just my preference, not to speak on my 9 own because -- because of that. 10 MS. VOIGT: Okay. And this just leads me 11 to just another question just about the general 12 conduct of the PEC. 13 Are we going to be assigning each other, 14 or volunteering to be on different committees later? 15 THE CHAIR: Yes. 16 MS. VOIGT: We can talk about that later? 17 Thanks. Okay. So regarding these bills -- 18 THE CHAIR: Yes. 19 MS. VOIGT: -- we know, because every 20 year, the Small School Size Adjustment will come up. 21 And that's something that we are opposed to; 22 correct? 23 THE CHAIR: A cut in the Small School Size 24 Adjustment. 25 MS. VOIGT: A cut to the adjustment, yes.</p>	<p style="text-align: right;">Page 129</p> <p>1 says, "Delete State charter schools from inclusion 2 in the definition of a school district? -- because 3 State charter schools are LEAs. So they are, in 4 essence, their own school district. And when you 5 look at how they manage their finances, how they're 6 responsible for their utilities and their facilities 7 and everything else, they are indeed a school 8 district. So I would disagree with that last 9 paragraph of that House Bill. 10 THE CHAIR: Yeah. I absolutely agree. I 11 don't know if that was a mistake that got in there. 12 But how do you delete charter schools from 13 instructional materials? 14 COMMISSIONER CABALLERO: Which one is 15 that? 16 COMMISSIONER ROBBINS: The one I heard 17 from three, four months ago, this was an attempt -- 18 this is the beginning of an attempt to strangle 19 charter schools. This isn't an attempt to start 20 strangling them. This is one of the steps. Small 21 School Size was another thing which they've delayed 22 for a year, but that's going to come up again every 23 year. But, you know, that definitely is the first 24 thing. 25 On 92, HB 92, I just had a question,</p>

<p style="text-align: right;">Page 130</p> <p>1 because we don't have the clarity, and I don't see 2 the language or anything. But limiting testing to 3 24 hours, that's less than an hour a week. And does 4 that exclude -- is that only State-required testing? 5 Is it district testing? Is it teacher pop tests and 6 regular quizzes? 7 Because if that language is too 8 restrictive -- if it's only State-administered 9 that's one thing. But part of the problems that -- 10 APS had this issue. APS administered three or four 11 of their own tests each year, and that compounded. 12 So when you throw in the PARCC on top of it or other 13 State-required testing, then, yes, everyone was 14 saying, "Yes, there's too much testing." 15 Well, it wasn't State-mandated testing, 16 because over the years, State-mandated testing has 17 actually decreased. It's district-mandated testing. 18 So is this going to be restricted to only 19 State, or is it school- and district-required? Or 20 is it all? 21 I mean, that -- it -- the way you word 22 this and the way that language actually comes out 23 could be so restrictive that basically you can't 24 test students. 25 THE CHAIR: Right. Right.</p>	<p style="text-align: right;">Page 132</p> <p>1 thing where schools are becoming more than just 2 schools; and in a way, they have. But in a way, if 3 you're going to require the nursing, the counseling, 4 behavioral health services as part of sufficient 5 education, are they requiring school districts and 6 individual schools to provide that? Or are they 7 going to just count that as part of sufficient 8 education and then mandate the other State agencies, 9 such as CYFD, HSD, and DOH, to provide those to the 10 school? 11 Because you get into a very -- you know, 12 who's responsible? And then you can say that this 13 is basic education. But you get small charters, 14 okay, they have 60, 70, 80. Well, if they have to 15 have a counselor; they have to have a nurse, all of 16 a sudden, the SEG isn't going to cover all of that. 17 I mean, for large schools and large school 18 districts, they can probably absorb this. But for a 19 lot of charters, this will be a huge issue if it's 20 not -- if it's not just counting it as basic 21 education. But if they're requiring the district to 22 provide those services, that becomes an issue, I 23 think. 24 MS. VOIGT: Yeah. Madam Chair and 25 Commissioner Robbins. I see what you're saying,</p>
<p style="text-align: right;">Page 131</p> <p>1 Commissioner Ruiz? 2 COMMISSIONER RUIZ: Madam Chair, I think 3 that -- I see what you're saying about the verbiage 4 on there. But I really do believe that this is in 5 regards to State-mandated testing. Because they're 6 not going to limit when you give pop quizzes or your 7 weekly review or an end-of-a-lesson quiz that you 8 might give. 9 And then we also know that the Governor 10 and the Lieutenant Governor just unrolled yesterday 11 the plan that's going to specifically cut, besides 12 the new test, a minimum of an hour and a half of 13 State testing time. 14 So we do need to get it clarified in the 15 wording. But I do really believe that that's just 16 intended for State-mandated testing. 17 THE CHAIR: And I agree with you. 18 MS. AMI JAEGER: It is in the language. 19 THE CHAIR: So it is in the language that 20 it's just statewide testing. 21 MS. AMI JAEGER: It says "statewide 22 assessment and accountability." So it's a statewide 23 student assessment program for statewide testing. 24 COMMISSIONER ROBBINS: Does HB 121, Social 25 Services -- because again, we're getting into the</p>	<p style="text-align: right;">Page 133</p> <p>1 even the smaller charter schools, what they 2 typically do is they consult with a nurse once or 3 twice a week and they share those services with 4 other charter schools. 5 Every charter school that I know has at 6 least a quarter-time social worker, one nurse once a 7 week. And they provide those -- those basic 8 sufficient education support services. They do. 9 And they can afford it. Even if they contract for 10 that minimum amount of time, one day a week for a 11 school nurse, which is what Media Arts Collaborative 12 Charter School does, and they are still providing 13 that type of behavioral support, I can see how you 14 get the burdensome -- 15 THE CHAIR: But I think the question 16 becomes, what is going to be the definition of 17 "sufficient"? So that whether that would end up 18 being sufficient enough, that beco- -- there's not 19 enough clarity in this. So it's, like, yes, would 20 it -- because it's also putting the onus on PED now 21 to monitor those plans; so, therefore, in that 22 evaluative tool is what is -- what is the hallmark 23 for "sufficient"? 24 MS. VOIGT: It could be different for 25 every school.</p>

1 THE CHAIR: We don't know that. Without
2 this rollout and being able to see what it really
3 means, we don't know what a sufficient plan looks
4 like. So, you know, that -- you know, that really
5 small contract with -- with behavioral health
6 services, or, you know, half-day a week with a nurse
7 may not fall under that "sufficient" category. Who
8 knows?

9 Commissioner Ruiz?

10 COMMISSIONER RUIZ: Madam Chair, I know
11 that -- and I don't even know if that's been
12 unveiled. But part of the plan for that is we were
13 going to have funding available for those extra
14 services that are being required of the traditional
15 public schools, and -- we know charter schools are
16 public schools, right? But for all educational
17 entities.

18 And I know that that was absolutely in the
19 plan. I haven't looked to see if that's already
20 been made public. But I do know that that was part
21 of that, to include funding for that.

22 So it goes back to what is your -- you
23 know, your question of the definition of
24 "sufficient." My hope is that when we determine
25 that, that the funding will be there, across the

1 those are. So I don't know how they're going to do
2 that and make that.

3 And I don't know with charter schools,
4 because they do tend to be smaller, as well as rural
5 schools are -- you know, there may be one nurse for
6 three schools, and he or she is on call. You know,
7 maybe you're at one school one day, the other school
8 the other; however, but you're always on call so
9 you're close enough to be able to get there.

10 MS. VOIGT: Most schools have a health
11 assistant as well.

12 COMMISSIONER ARMBRUSTER: So there's a lot
13 of things. So it's hard to say, "Am I for this or
14 against it?"

15 MS. VOIGT: If you read further -- just to
16 point out, if you read further in the verbiage of
17 this summary, "Annual social service plans."

18 So a school can create their annual plan
19 based on how their demographics might shift each
20 year, you know. Because they might have a spike in
21 kids with CP and a decrease in kids that are
22 auditorily challenged. Whatever. So each plan,
23 it'll fluctuate each year based on the student
24 demographics.

25 I like the flexibility that this offers

1 board, for charters and other schools.

2 THE CHAIR: Right. And I know the
3 Governor did roll out her ed budget yesterday. But
4 honestly, I have not looked at it, and I don't know
5 how detailed it is. So I don't know if there is --
6 if that money is -- you know, how much of that money
7 is available and so on.

8 But that is -- there is an -- the budget
9 was rolled out. So there is the ed budget. But I
10 don't think it was detailed yet, so you can't see
11 who's getting what money out of it. So --
12 Commissioner Armbruster?

13 COMMISSIONER ARMBRUSTER: I think -- I'm
14 not sure how to -- what I advise you to do, because
15 that's sort of what you're asking, in that I don't
16 know what "sufficient" means, and I don't know.
17 Would a school that has a high homeless population
18 be more needy than a school that has a high suicidal
19 rate? I can't compare those two. They're very
20 different.

21 And as well, I don't know whether you need
22 one social worker per 100 students as opposed to one
23 social worker for the school that has 25 children.
24 That seems an overkill to me. But there may be -- I
25 don't know. Because I don't know what 25 children

1 for schools to have this annual social service plan,
2 just like they would have a five-year technology
3 plan that's going to shift every five years based on
4 AI and AR. You know what I mean? So --

5 COMMISSIONER CABALLERO: Go ahead.
6 Finish.

7 MS. VOIGT: I was going to bring up
8 another bill.

9 THE CHAIR: Is this on this bill?

10 COMMISSIONER CABALLERO: No.

11 THE CHAIR: Okay. Okay.

12 MS. VOIGT: Go ahead.

13 COMMISSIONER CABALLERO: My concern on
14 SB 14, I know that the intent -- it's at the very
15 top of the next staple.

16 My concern with that bill is that the
17 retirement fund is -- in this area is pretty much
18 depleted to the point that it's going to need an
19 infusion, either more contribution or State funding.
20 And either way we look at it, it's going to be hard
21 to come up with a solution.

22 I don't know if we want to get into this
23 one or just sit and wait. I think the unions are
24 going to be very active in this one, the teachers
25 unions. And the retirement groups are already

<p style="text-align: right;">Page 138</p> <p>1 eyeing out that they're -- they should not be 2 affected.</p> <p>3 And it's usually -- to appease everybody, 4 they take it from the retirees. And that can't be a 5 good thing, either; because teachers get very, very 6 nervous, also. "Okay. Once I retire, then my 7 retirement is always going to be in danger." 8 But I think for us as a group, we need to 9 kind of be vigilant and be on top of it and see 10 where it's going. But either way, it's going to be 11 tough. A solution has to be reached very, very 12 soon. And what was proposed years ago, that wasn't 13 adhered to. And no changes were made, no infusion 14 was had by the administration. And so now it's in 15 worse shape.</p> <p>16 And this session, they've got to have a 17 solution this session; otherwise, it gets -- it's 18 already critical.</p> <p>19 MS. AMI JAEGER: I think this is 20 IPOC-endorsed, which is the interim pension 21 committee.</p> <p>22 COMMISSIONER CABALLERO: Uh-huh.</p> <p>23 COMMISSIONER ARMBRUSTER: Didn't they 24 already decide for future folks that you have to be 25 a certain age in order to get into the retirement</p>	<p style="text-align: right;">Page 140</p> <p>1 bill only applies to the contributions that are 2 going in.</p> <p>3 COMMISSIONER CABALLERO: The staff that's 4 controlling the money, everything's on the table. 5 They're going to try and come to -- they're going to 6 put everything on the table so that the legislators 7 can pick and choose, and, I guess depending on the 8 pressure from the outside and the inside, come up 9 with a solution.</p> <p>10 But everything is on the table. The age 11 of retirement, how many years, the teacher 12 contribution, the school contribution, any which 13 way -- I believe any which way they see it, the 14 State is going to have to put in some money. 15 Because the State caused it, to some extent. I know 16 that the dumping, the decline in the Wall Street 17 caused it. But internally, we were spending a lot 18 of money for professionals doing their work -- they 19 were charging high, high fees. And we didn't stay 20 on top of that.</p> <p>21 COMMISSIONER ROBBINS: Another thing 22 that's going to happen is whether teacher pay is 23 increased by \$5,000, \$6,000, \$8,000. That's going 24 to impact the solvency of the retirement funds also, 25 dramatically. So just to say if they go in with a</p>
<p style="text-align: right;">Page 139</p> <p>1 medical plan or you can't start getting it? 2 COMMISSIONER CABALLERO: That may be 3 subject to change.</p> <p>4 COMMISSIONER ARMBRUSTER: Or they were 5 thinking about changing -- they upped the age that 6 you have to be, right, to -- to get the benefit from 7 the retir- -- didn't we already pass that? 8 THE CHAIR: They did.</p> <p>9 COMMISSIONER ROBBINS: They increased the 10 number of years of service before you can be 100 11 percent vested in the retiree health plan. If you 12 have less than 25 years, then you can still 13 participate; but you're going to have to contribute 14 a larger portion than you would --</p> <p>15 COMMISSIONER ARMBRUSTER: We already had 16 that. Because I didn't have 25 years. But you 17 could not retire at a certain age.</p> <p>18 THE CHAIR: I think that's one of the 19 proposals. It's not this one. That is a proposal, 20 increasing -- before you can start receiving 21 retirement benefits.</p> <p>22 COMMISSIONER ARMBRUSTER: Right, 23 particularly the health benefits, because they're 24 going --</p> <p>25 COMMISSIONER ROBBINS: This particular</p>	<p style="text-align: right;">Page 141</p> <p>1 10 percent increase; because some of the things are 2 as much as 20 percent. If they go in with a 3 10 percent increase, that automatically underfunds 4 the existing pension by another billion dollars. It 5 automatically adds a billion dollars to the unfunded 6 liability. That's going to hurt the State's bond 7 rating.</p> <p>8 So these things have to be balanced out, 9 because if the State has a downgrade in their bond 10 rating, they're going to pay more in debt, which 11 means the cost of government is going to go up.</p> <p>12 So these things have to be balanced. I 13 think it's best to maybe, for the Commission, on 14 these things to take a wait-and-see. Let the 15 experts put in those recommendations and everything 16 to balance the State's fiscal interests with bond 17 ratings and things like that.</p> <p>18 It's great to give everybody these things; 19 but there's these balancing things that I think the 20 legislative committees are going to be best 21 positioned to do that balancing without a lot of 22 outside pressure.</p> <p>23 THE CHAIR: I tend to agree. I think 24 there should be an issue that we -- and this 25 generally isn't as broad an issue as we usually</p>

1 weigh in on. Obviously, this will impact teachers
2 in charter schools.

3 COMMISSIONER CABALLERO: Yes, we have to
4 stay on top of that.

5 THE CHAIR: But generally, the issues that
6 we weigh in on have a more direct impact on the
7 operations of a charter school. So I think this is
8 something that we simply let all the big dogs play
9 this one out and see what happens. And if something
10 comes up around February and it's still not settled,
11 we can revisit it.

12 But I don't think this is something we
13 want to, you know, take the charge on.

14 Commissioner Armbruster?

15 COMMISSIONER ARMBRUSTER: I'm not sure I
16 saw this; but I may have. There was a big issue --
17 and this occurred in 2002 or -3, somewhere around
18 then when we started that three-tier system; do you
19 all remember? Because what it did was it gave those
20 tiers only to classroom teachers, because, you know,
21 speech-and-language don't work with children; or
22 nurses, they don't work with children. So they then
23 did not get those raises in many school districts.

24 My district, because I was a bulldog,
25 pitbull, we put everybody on the same pay scale.

1 But that's one of the things. If Deming
2 School District, for instance, had that policy,
3 where everyone was paid the same amount, but the --
4 but it was only their policy, then the charter
5 school in Deming -- I'm making this up -- might not
6 be doing that.

7 So if we're involved in that, I think
8 that's something that we would want to be involved
9 in.

10 Does that make sense?

11 THE CHAIR: It does. It does.

12 MS. VOIGT: A different bill, No. 128,
13 reads that I could do my doctorate for under \$50.
14 Doesn't it read like that? House Bill 128. \$5.00
15 per credit hour for senior citizens.

16 THE CHAIR: Wow.

17 MS. VOIGT: Doesn't it read like that?

18 COMMISSIONER ROBBINS: To help the
19 declining enrollment in our colleges.

20 MS. STEWART: Allows seniors.

21 MS. VOIGT: It says "senior citizens."
22 Isn't that funny?

23 MS. AMI JAEGER: That's what it is. But
24 many times, you can't take those credits for a
25 degree.

1 And that was one of those issues, because you had to
2 do those dossiers and blah-blah-blah.

3 And I said, "Suck it up," you know,
4 because speech-and-language have to take classes and
5 pay for them every year, as do -- I think nurses do.
6 So we just had them pay scale, the one set of pay
7 scales.

8 But the reason I'm bringing it up is I
9 think it's extremely important to our charter
10 schools, because it's hard to find somebody who
11 wants to do that, as a nurse, because they can get
12 paid a lot more not being at the schools, and then
13 they're getting less pay than a teacher with the
14 same amount.

15 I mean, if a nurse -- some nurses have
16 MAs, and some do not. But all counselors have an
17 MA. All speech-and-language have an MA. To be one,
18 you have to have one. So they would be on the
19 Tier 3.

20 But I don't know how we can -- if that
21 comes up, I think it's important that we fight for
22 it, because then they're more -- at least equally
23 likely to do a charter school as to do a -- I don't
24 know what TPS's -- I don't know what Albuquerque or
25 Deming, I don't know what their policy is.

1 MS. VOIGT: Oh. You have to take
2 basket-weaving?

3 MS. AMI JAEGER: You can take the credit,
4 but they're not going to award you a degree.

5 THE CHAIR: You're kind of like auditing.

6 MS. AMI JAEGER: You're very much
7 auditing.

8 MS. VOIGT: I'm sure the full bill has
9 those details in them.

10 THE CHAIR: Or I'm going back to school.

11 MS. AMI JAEGER: It's for people above --
12 60 and older. Is that what you mean?

13 MS. VOIGT: I know I don't look it; but --

14 MS. AMI JAEGER: It wasn't a high school
15 senior.

16 COMMISSIONER VOIGT: Oh.

17 MS. VOIGT: Right. Right. It does say
18 "senior citizens."

19 COMMISSIONER ARMBRUSTER: I've done that
20 at UNM-LA. I've taken a class. There was someone
21 doing a class between two candidates, two different
22 candidates that I needed to be involved in. You
23 have to wait until the enrollment of that class is
24 set. And then you go and -- you know, I'm a senior.
25 They say, "Can I see your ID? Of course they had to

1 ask for mine.

2 They said, "Yes."

3 So it was like \$5.00 or \$10.00 to take the
4 classes. And oftentimes they'll have ones on
5 computers, something that you want to take. So I
6 know they do that UNM-LA. I assume that's in other
7 places, too; but apparently not.

8 THE CHAIR: Oh.

9 MS. VOIGT: Anyway, I thought that was
10 interesting.

11 THE CHAIR: If I have the opportunity,
12 I'll chime in on that.

13 COMMISSIONER ROBBINS: SB 22, I think
14 could have a big impact on the Commission. If an
15 Early Childhood Education & CARE Department is set
16 up, every charter that has a K would be impacted,
17 and it would impact our dealing with not only PED,
18 but now dealing with this new department.

19 It's going to increase dramatically the
20 work of this Commission, it could, for any charter
21 that we have with a K, because now we're dealing
22 with two different departments instead of one.

23 THE CHAIR: Right. And I think it creates
24 a challenge, obviously, as -- you know, monitoring.
25 So now, you've got two -- potentially, two

1 COMMISSIONER ROBBINS: But as a separate
2 department, you can have very conflicting conflicts
3 between departments. That's what I'm saying. From
4 our standpoint, as an initial -- I think it would
5 compound our working with all of our charters and
6 the charters reporting and having to deal with two
7 different departments instead of only one.

8 COMMISSIONER CABALLERO: PED and this
9 new -- because it says it intends to transfer
10 various functions from other State agencies to this
11 new department, which is --

12 THE CHAIR: That means we're dealing with
13 two separate departments in terms of we've got
14 schools that have that -- as Commissioner Robbins
15 said, that K program. So now it's not coming out
16 PED, and it's coming out of --

17 COMMISSIONER ROBBINS: It just adds to the
18 complexity, when you have two different departments.
19 And they're saying, okay, they're going to take
20 things and bring them here.

21 They can do that. But you still have this
22 problem of K -- pre-K and K being one department,
23 and first-grade on up being in the second
24 department. But you don't have pre-K and
25 kindergarten as a separate school. Kindergarteners

1 monitoring entities to go in. So do we have to
2 alter our -- once again, our performance framework,
3 the contracts, because there's another entity?

4 COMMISSIONER ROBBINS: Yeah. I understand
5 the concept. But it really, from a monitoring --
6 and who has -- you know, if you have a K-through-5,
7 you know, and now they say, "Well, K is going to be
8 handled by one entity, first through fifth is a
9 different entity," wait a minute. It's one school.
10 Now you have two masters that can dictate what you
11 do.

12 It could create a lot of problems. Maybe
13 setting this up within a special division within PED
14 may be a better way than setting it up as a separate
15 department.

16 COMMISSIONER CABALLERO: The confidence
17 level on that is not very high in terms of PED. And
18 the discussions back and forth is exactly what you
19 mentioned. And so I hear that the intent by Senator
20 Padilla was not to prevent that from happening. And
21 so this department would swallow up other agencies'
22 authority and put it under this one. But I'm not
23 sure if that's truly what the intent is. And we may
24 face that.

25 But we won't know until --

1 are in with your elementary schools now.

2 And that was done several years ago,
3 trying to -- it's kind of like trying to unscramble
4 the egg to say, "We're going to take functions
5 and" -- you can do that. But you're going to have
6 inherent conflicts, because you can't unscramble the
7 schools.

8 THE CHAIR: Right. Because even those
9 pre-K programs, they're talking about the fact that
10 they want the -- the kindergarten teacher to be the
11 same person that's done that pre-K program with --
12 so that it's -- you know, it's a steady transition.

13 So you're right. There's two different
14 masters that people will be having to deal with.
15 And it could significantly increase concerns that
16 are brought to us, because we've got those two
17 separate entities that we're dealing with. So that
18 will be something that we'll need to take a closer
19 look at as it gets rolled out and certainly address.

20 COMMISSIONER ARMBRUSTER: I think in
21 addition, we have schools who just have, now, room
22 right now, for the students they have in the school,
23 there will be several issues. One is if they even
24 have the room to put pre-K in, then they're going
25 to -- everybody's going to have to come back to us

<p style="text-align: right;">Page 150</p> <p>1 because they may need to increase their cap, right? 2 And they're adding a grade, aren't I right? 3 So we are impacted in that, in the same 4 sense, plus everything that David has been saying. 5 THE CHAIR: And it has also been 6 communicated to me that our schools that do have 7 those pre-K programs, pre-K children aren't 8 identified legally as a student; so, therefore, they 9 don't fall under our performance framework, and we 10 don't look at the pre-K program. 11 But if this new department rolls out, does 12 that potentially redefine a student? So, therefore, 13 those pre-K programs now fall under our -- 14 through -- that are in our schools; so now we have 15 to look at them because now they are students; 16 whereas, now we can't look at them. 17 And it's frustrating sometimes because 18 what's going on may not be good. But we don't have 19 authority over non-students. But that I would 20 imagine that the definition of "student" is going to 21 be redefined. 22 COMMISSIONER CABALLERO: That's required a 23 lot of -- 24 THE CHAIR: Yeah. There's a lot of -- 25 COMMISSIONER RAFTERY: To me, I don't</p>	<p style="text-align: right;">Page 152</p> <p>1 But they're not looking at creating little 2 miniature classrooms. They truly are looking more 3 at allowing a child to be a child and developing 4 their creativity and so on. But they feel that 5 there is -- you know, there has to be a consistency, 6 and there has to be some quality and some insurance 7 to parents that their children are safe in these 8 programs. 9 That's also part of it is the safety 10 factor as well. And I think that's also the idea of 11 CARE, because I think they're also trying to 12 incorporate, like, behavioral health, more of a 13 community-school type of piece to these pre-K 14 programs. 15 COMMISSIONER RAFTERY: Okay. All right. 16 Thank you. 17 THE CHAIR: So it's more of a -- it also, 18 I think, includes the wraparound services that would 19 go with that -- with that program. So it's broader 20 than -- 21 COMMISSIONER ARMBRUSTER: I wonder if the 22 3Y4Y comes with this. That's more CARE-ish. I 23 don't know. Just asking. 24 THE CHAIR: And that's going to be part of 25 the discussion as well. And one of the challenges</p>
<p style="text-align: right;">Page 151</p> <p>1 understand the difference between Early Childhood 2 Education and Care Department. On 22. 3 COMMISSIONER CABALLERO: The title of the 4 bill. 5 COMMISSIONER RAFTERY: Okay. So what does 6 that mean? 7 MS. KAREN WOERNER: I think it's they're 8 trying to alleviate the problem of the pre-K 9 situation with CYFD and Early Childhood here, or -- 10 wherever programs there are out there. So they're 11 trying to have a department over all the pre-K 12 programs. 13 COMMISSIONER RAFTERY: Is it like Head 14 Start and all that, or -- I'm thinking out of the 15 box. I don't understand the -- 16 THE CHAIR: I think what they're trying to 17 do is to, yes, to standardize -- for want of a 18 better word, standardize what those pre-K programs 19 look like, because, you know, they vary. And the 20 LESC has spent a lot of time even looking at what 21 should be included in a pre-K program. So that 22 they're looking at the licensing of the staff for 23 those, establishing standards and policies for 24 program -- ed programs, you know, that they would be 25 doing.</p>	<p style="text-align: right;">Page 153</p> <p>1 is, you know, that early program that's there, 2 the -- it was supposed to be that if you enrolled 3 your child in that July, going in three weeks early 4 or whatever it is, that that was going to be your 5 kindergarten teacher that was going to be that 6 person that was teaching that. 7 And that hasn't -- it hasn't been the 8 case, because many of those kindergarten teachers 9 just have chosen, "I don't want to work those three 10 weeks"; so -- and you -- right. 11 Or, "I have a summer job," or, "I've got 12 plans," or whatever. Or, "I chose not to teach 13 because you're a brand new teacher, so I want you to 14 get the extra money because you're on the lower end 15 of the pay scale. So I'm not going to teach that 16 program. I'm going to let you do it, because I know 17 you need the money." 18 But that's not how the program was set up. 19 So they're trying to make, also, those assurances 20 that it is the same person that's following through. 21 What hasn't been prefiled to my knowledge, 22 is legislation that I know they're supporting which 23 extends the school year. 24 COMMISSIONER ARMBRUSTER: It's on -- 25 COMMISSIONER CABALLERO: Which one?</p>

<p style="text-align: right;">Page 154</p> <p>1 MS. AMI JAEGER: But that's for 2 professional development. 3 COMMISSIONER ARMBRUSTER: That's just for 4 teachers, not for kids. 5 MS. AMI JAEGER: For teachers, that they 6 get paid for that -- 7 COMMISSIONER ROBBINS: I had heard there's 8 one where they add three days to the school year. 9 THE CHAIR: Actually, they have a rollout 10 over three or five years; so that they're looking at 11 that saying -- so school districts can deal with it 12 in pieces. And they're -- I know there's another 13 proposal for all-year-round school. 14 COMMISSIONER CABALLERO: Yeah. 15 THE CHAIR: And that proposal is 16 all-year-round, no more than three weeks off at a 17 given time, and you have to be in school at least -- 18 yeah, at least three weeks before you can have a 19 break; so... 20 MS. KAREN WOERNER: And that would be 21 statewide. 22 THE CHAIR: That would be statewide, yes. 23 COMMISSIONER CABALLERO: It's a lot of 24 money. But a state that is at the very bottom of 25 the 50 states has no other choice but to go</p>	<p style="text-align: right;">Page 156</p> <p>1 because I hadn't heard that they were going to take 2 away the option for schools to have a four-day week; 3 because that's when many high schools -- that's when 4 their students go out and do internships. 5 Can I introduce another topic for a bill? 6 Are we finished? 7 So I was just looking at Senate Bill 26. 8 So in the summary, I presumed that this was going to 9 be about transgender students and having the option 10 for a single-gender bathroom. But I just pulled up 11 the bill, the Senate bill. And it was about taking 12 away restroom breaks for punitive measures. 13 But I think that the transgender restroom 14 and locker room -- I don't know if that was 15 addressed in last year's session. Probably not. It 16 was a lame duck session, or the session before that. 17 But that should be included in this. And I'm sure 18 Michael Padilla would be willing to write that in, 19 or SB 26 to include -- if they're going to 20 standardize bathroom policies, they need to talk 21 about transgender students, or students who identify 22 as "they" or "them." So that would be really great 23 if we could plug that. 24 THE CHAIR: And you're right. I thought 25 that's what this was --</p>
<p style="text-align: right;">Page 155</p> <p>1 year-round. I'm sorry; but -- 2 THE CHAIR: It obviously has economic 3 impact for families, for -- it has to go along with 4 pay increases, obviously, because there's a lot of 5 faculty that work jobs through the summer break, in 6 particular, to be able to make good money so that 7 they can afford to teach during the school year. I 8 mean, we've all worked with those folks. 9 So those are -- those are considerations. 10 And they're also looking at not allowing schools to 11 do a four-day week. That's going to be huge. I 12 don't know -- I don't know how much traction that's 13 going to get, simply because a lot of the rural 14 areas, that's when -- especially in the high-school 15 level, that's when their sports teams travel on 16 Friday, so that they don't have to miss a lot of 17 school, so that it has a lot of impact that way. 18 And I know there's been -- there was more 19 pushback on that one in the discussion than the 20 others. And I'm surprised it wasn't -- they haven't 21 been prefiled. You know, that's interesting; 22 because I know they got -- I believe so. Not -- 23 some of them, not unanimously. The four-day didn't 24 get so unanimous. 25 MS. VOIGT: Yeah. So just on that --</p>	<p style="text-align: right;">Page 157</p> <p>1 MS. VOIGT: No. It's about -- 2 THE CHAIR: But it's -- what? Not 3 allowing to you use bathrooms as a -- 4 MS. VOIGT: As punishment, as a punitive 5 measure, because of student aides, special aides. 6 The language is, "Respect for the dignity and 7 autonomy of the student require public and charter 8 schools to adhere to the student bathroom...," 9 blah-blah, "...recommended by parent." 10 But it's talking more about, "Prohibit 11 withdrawal or withholding of bathrooms for any 12 reason such as for punitive measures." 13 And they're also talking about withholding 14 food. Like, schools do that? 15 MS. KAREN WOERNER: So does that mean 16 schools are not letting kids go to the bathroom or 17 not have food? 18 THE CHAIR: As a means of punishment. 19 MS. VOIGT: Right. Withhold it. Right, 20 right. So if you pull up Senate Bill 26, that's 21 what it reads as. 22 COMMISSIONER RAFTERY: Where are you 23 reading that? 24 MS. VOIGT: I'm looking at the bill, on 25 the legislative -- "Bathroom policies. Prohibiting</p>

1 withdrawal of bathroom privileges as a form of
2 discipline." So --

3 THE CHAIR: This says "policy."

4 MS. VOIGT: "Standardized policy." But I
5 think we should also --

6 THE CHAIR: Oh, PED rule.

7 MS. VOIGT: We should also advocate to
8 have restrooms for transgender students as part of
9 that policy.

10 MS. AMI JAEGER: That is already required
11 by law.

12 MS. VOIGT: But is it a bathroom policy?
13 If he's talking about bathroom policies for charter
14 schools, then to just encompass that whole bathroom
15 policy stuff, everything that has to do with
16 bathrooms and policies.

17 THE CHAIR: Okay. Interesting. Because
18 it would also be interesting as well, not knowing
19 all of the facets that charters have, depending on
20 what that policy ended up being, would it require
21 some construction, you know, that --

22 MS. VOIGT: For transgender students?

23 THE CHAIR: Right.

24 MS. VOIGT: What Media Arts did is we just
25 put the both-gender symbol on two bathrooms that

1 MS. AMI JAEGER: But it's -- there is a
2 simple solution, which is every stall has a door,
3 and there aren't urinals. All bathrooms are the
4 same, then, and they're open to all genders, and
5 there's a door on them.

6 MS. VOIGT: As far as bathroom policies
7 go, if there's going to be standardized restroom
8 policies, and it says, "including charter schools,"
9 then we should bring in that other discussion as a
10 proactive advocate.

11 THE CHAIR: And I think, by and large, our
12 position is that if it's -- if this is something
13 that affects public schools, I wish we could get
14 away with the -- always having to say "public
15 schools and charters," that it should just be
16 "public schools." Because there's an understood
17 that -- so when you're looking at -- so when you're
18 looking at textbooks and instructional materials,
19 why can you pull out charters, because we're public
20 schools?

21 So that the verbiage should not be there,
22 "public schools and charters," because there are no
23 private charters in New Mexico. It's not allowed.
24 We're all public. So everything should just be
25 written for public schools, and it's understood that

1 were private. Faculty can use it. Anyone can use
2 this bathroom, because it's a single-use, locking
3 door. And that solved that.

4 THE CHAIR: Right. If you've got one of
5 those available, yes. But if you don't, then it
6 becomes, you know, with -- some of our smaller
7 charters are in a little strip mall store, for want
8 of anything else, that it becomes -- it could become
9 a challenge. So it will be interesting to see.

10 MS. VOIGT: Also, APS has dealt with this,
11 too. There were students that were born female but
12 identify male that want to use the male bathroom.
13 So there's accommodations that can be made with EAs
14 accompanying them, something like that.

15 MS. AMI JAEGER: You can't do an EA on an
16 older student. And also, students that may identify
17 as a particular gender don't want to be stigmatized
18 by going to the unisex. So allow them to go to the
19 bathroom they identify with. Not a separate.

20 MS. VOIGT: That's what I just said. If
21 they want to use -- if a person was born with female
22 genitalia that wants to use the -- identifies or is
23 transitioning to male and wants to use the male
24 restroom, the big -- the all-male restroom, you have
25 to allow it.

1 every one of our charters has to comply with public
2 school rules.

3 MS. VOIGT: Because it further mystifies
4 the public when you do that.

5 THE CHAIR: Yes. Yes.

6 MS. AMI JAEGER: What do you think about
7 what Matt said, where he made the distinction,
8 instead of "traditional schools" and "charter
9 schools," he said "district schools" and "charter
10 schools," all of which are public.

11 COMMISSIONER CABALLERO: But the charter
12 schools are miniature district schools.

13 MS. VOIGT: State charters are.

14 MS. AMI JAEGER: But they function also as
15 a district.

16 THE CHAIR: But most legislation doesn't
17 address districts. Almost all legislation simply
18 addresses and uses the term "public schools." So
19 why do we always have to say, "Public schools. Oh,
20 yeah, and also charters," because it's -- you know,
21 not only are we a stepchild all the time, but it
22 shouldn't be; because it just -- you're right. It
23 continues to create that mystique that, "Oh, yeah,
24 they're really not entirely public, you know?"

25 COMMISSIONER CABALLERO: I do know that

Page 162	<p>1 when legislators talk about public schools, they</p> <p>2 always ask, "Does that include charter schools?"</p> <p>3 And I said, "Yes."</p> <p>4 "Well, can you please clarify?"</p> <p>5 And they all want clarity. And so unless</p> <p>6 you begin to change the mindset --</p> <p>7 THE CHAIR: Right.</p> <p>8 COMMISSIONER CABALLERO: But those that</p> <p>9 have not been teachers or are not teachers, they</p> <p>10 insist on that clarification. "Is this charters</p> <p>11 also?"</p> <p>12 THE CHAIR: But if we insist on getting</p> <p>13 rid of the "and charter," it helps to -- it helps</p> <p>14 them out, hopefully. I don't know. I don't know.</p> <p>15 MS. VOIGT: I like what Karen just brought</p> <p>16 up. Traditional and charter. Traditional and</p> <p>17 charter.</p> <p>18 THE CHAIR: I just want to get rid of that</p> <p>19 "and charter," and just use "public schools."</p> <p>20 MS. VOIGT: We are one.</p> <p>21 THE CHAIR: Yeah. So do we have any</p> <p>22 other --</p> <p>23 COMMISSIONER ARMBRUSTER: So we don't --</p> <p>24 at this point, am I correct? We don't have any</p> <p>25 particular ones of these that we are taking a PEC</p>	Page 164	<p>1 clean, that the school can have the preference</p> <p>2 lottery.</p> <p>3 Because it does violate statute. The MOU</p> <p>4 that they made with Santa Fe -- Turquoise Trail and</p> <p>5 Santa Fe School District, that MOU does violate</p> <p>6 statute with allowing Turquoise Trail to have the</p> <p>7 preference enrollment. And --</p> <p>8 COMMISSIONER ARMBRUSTER: Between a rock</p> <p>9 and a hard place.</p> <p>10 THE CHAIR: Well, you know, it creates an</p> <p>11 issue. Because the idea is that there's only one</p> <p>12 conversion school in New Mexico. And that's</p> <p>13 Turquoise Trail. So, therefore, it doesn't affect</p> <p>14 any other school, so, really, what's the big deal?</p> <p>15 But there's no guarantee that there won't</p> <p>16 be any other conversion school ever. There's only</p> <p>17 one now. But when the -- when you go into the --</p> <p>18 the possibilities for when a school is -- there's</p> <p>19 intervention by the Secretary of Education, one of</p> <p>20 the options always is for that school to become a</p> <p>21 conversion charter school.</p> <p>22 So it doesn't mean that Turquoise Trail</p> <p>23 will always be the only conversion school. There is</p> <p>24 always the possibility that there could be another</p> <p>25 conversion school; so...</p>
Page 163	<p>1 position on? Other than the bathroom, we talked</p> <p>2 about, sort of. But --</p> <p>3 THE CHAIR: Well, no. The instructional</p> <p>4 materials, we are.</p> <p>5 COMMISSIONER ARMBRUSTER: And</p> <p>6 instructional materials.</p> <p>7 THE CHAIR: The instructional materials,</p> <p>8 we are. And I think we have to look at the --</p> <p>9 COMMISSIONER ROBBINS: The Early Childhood</p> <p>10 Education.</p> <p>11 (Reporter cautions.)</p> <p>12 (A discussion was held off the record.)</p> <p>13 THE CHAIR: I do think we need to look at</p> <p>14 House Bill 181. And I can't take a vote. So if we</p> <p>15 look at House Bill 181 -- yeah. You know,</p> <p>16 there's --</p> <p>17 (Chair consults with counsel.)</p> <p>18 COMMISSIONER ARMBRUSTER: Didn't we just</p> <p>19 talk about 181?</p> <p>20 MS. AMI JAEGER: I brought it up. We</p> <p>21 should see what the sense of the Commission is.</p> <p>22 THE CHAIR: 181 was included in -- 181 is</p> <p>23 actually to try to remedy the problem that has been</p> <p>24 created by that MOU that has been established. So</p> <p>25 Representative Trujillo has proposed 181 to make it</p>	Page 165	<p>1 COMMISSIONER ARMBRUSTER: I didn't realize</p> <p>2 they could still do that.</p> <p>3 MS. AMI JAEGER: They still do that.</p> <p>4 THE CHAIR: So Hawthorn as an example;</p> <p>5 Dulce is another example. That is one of the</p> <p>6 options when they're looking at, "Well, what are you</p> <p>7 going to do? What's your improvement plan," is that</p> <p>8 always is an option, that they could be a conversion</p> <p>9 charter school.</p> <p>10 COMMISSIONER ARMBRUSTER: And would that</p> <p>11 be a State charter, though?</p> <p>12 MS. VOIGT: It could be a State or</p> <p>13 district.</p> <p>14 MS. AMI JAEGER: PEC is supposed to be</p> <p>15 involved in that decision-making with PED.</p> <p>16 THE CHAIR: That's not identified. They</p> <p>17 could. So that's not clear. But the idea is that</p> <p>18 this would allow -- at any time, if there was</p> <p>19 another conversion school, it could happen. So this</p> <p>20 isn't just that that narrow, that, "Well, this is</p> <p>21 the only one, so let's let them do that."</p> <p>22 MS. VOIGT: If you look at like a pro-con</p> <p>23 for this HB 181, the only pro would be they would be</p> <p>24 guaranteed enrollment, you know, to have their</p> <p>25 students enroll in their post-conversion as a</p>

1 charter, you know. So is there a controversy around
2 this as far as how the PEC would stand relative to
3 enrollment?

4 THE CHAIR: It does. It goes to Ami's
5 briefing with relation to the issues of the school.
6 The school does have enrollment. The problem is
7 that enrollment came from outside -- the enrollment
8 comes from outside the sending area. And the school
9 district doesn't want to have to build another
10 school to answer the needs of that area. But the
11 only way they can fix that is allow -- is creating
12 this preference lottery for it.

13 MS. VOIGT: So it creates a burden on the
14 district.

15 THE CHAIR: It's trying to take a --

16 MS. VOIGT: Take a burden away from the
17 district.

18 MS. AMI JAEGER: Otherwise, the district
19 is going to take over their building, knock off the
20 lease, and say, "We're taking you over. Go find
21 someplace else."

22 MS. VOIGT: I don't see the benefit of
23 converting.

24 THE CHAIR: No, no, no. They've already
25 converted.

1 to allow everyone in," and then support something
2 that says, "We don't have to allow everyone in."

3 And I think this opens Pandora's Box.

4 This looks very benign. And I even said that to
5 Representative Trujillo when she asked me about
6 this. When I said, "On the surface, it seems fairly
7 benign. But without being able to look at it and
8 really think about it, you know, I don't" -- and
9 when you really think about it and look at it, it
10 can have potentially far-reaching ramifications, and
11 you don't know who else is going to come along and
12 say, "Hey, I want these kids to be going to the
13 charter in my district; so, therefore, I want -- if
14 you're going to allow them to have a preference
15 lottery, my school can have a preference lottery."

16 And that's -- we spend more time fighting
17 preferences, because we are public schools, and you
18 can't say no to that child. And now we're -- this
19 is saying you have the right to say no.

20 And, granted, it's not a -- it's not a
21 specific class of child. So -- but it could be, it
22 could be.

23 MS. VOIGT: Yeah. I see that.

24 COMMISSIONER ROBBINS: The larger
25 districts, Santa Fe, Las Cruces, Albuquerque,

1 MS. VOIGT: I don't have -- I'm saying
2 just for this conversation, is because the only
3 benefit that a small school -- like, there are
4 several small schools in the APS district. Like
5 Garfield, the only reason they haven't converted is
6 they reidentify as a magnet. It would be a burden
7 to convert because then you have to find a board and
8 all those other burdens. But I was understanding
9 the scope of that House Bill 181.

10 THE CHAIR: I think, to me, the bigger
11 issue is the overarching concept of allowing a
12 preference; because if you're allowing it here with
13 this bill, what stops someone else from saying,
14 "Hey, I want these particular kinds of students to
15 be going to my school in my -- the charter school
16 that sits in my district; so, therefore, I'm going
17 to create a bill that allows a preference lottery
18 for these kids."

19 MS. KAREN WOERNER: Staff children.

20 THE CHAIR: Staff children, yeah. Or, you
21 know, whatever. And we're public schools. And I --
22 you know, we've -- we can't look at things two
23 completely separate ways. We can't look at some
24 schools and say, "You're trying to discriminate and
25 not allow these kinds of students in, and you have

1 especially, with the change in demographics and
2 moving, and you have older areas of the city, their
3 student population is decreasing. They have a lot
4 of schools that are, you know, marginal if you keep
5 them open or not. You could have a lot more charter
6 schools in a place like Albuquerque than you
7 currently have.

8 Santa Fe has one -- you could have -- I
9 could see, in the next five to ten years, you could
10 have half-a-dozen conversion schools in Albuquerque,
11 easily. So this will affect -- more than likely,
12 will affect other schools.

13 COMMISSIONER CABALLERO: I do believe that
14 the discussion on this one is going to trend towards
15 the Legislature, school districts, and other people
16 in education to look at the number of charters,
17 lines; because the creation of charter schools in
18 some areas are drawing down population in the public
19 schools.

20 And I sent my son to a magnet school. I
21 had the means to take him there. But the very
22 poor -- and his best friend was a lot smarter than
23 my son. Their parents couldn't take him. And so it
24 becomes those that have and those that don't have.

25 And I visited an elementary school whose

Page 170

1 enrollment has dropped because of charter schools
2 within the vicinity. And, of course, those parents,
3 even if they're not close to the charter school, but
4 they were sending their child to that elementary
5 school, and it wasn't -- it wasn't going down, it
6 wasn't cratering, it wasn't having bad grades; but
7 they choose a charter school because they believed
8 that was better for their children.

9 And so their enrollment dropped, and that
10 school started faltering to the point it was being
11 taken over by the state.

12 THE CHAIR: By the state?

13 COMMISSIONER CABALLERO: So the
14 legislators see that. There's a discussion. They
15 ask me.

16 And so it's going to get to the point of
17 we need to provide -- and with the lawsuit, we need
18 to provide every child the opportunity to learn.
19 And if there are children that are very, very poor
20 and have to stay in an elementary school versus a
21 charter school, the State has to do something.

22 So I predict that we will visit districts,
23 preferences, and all kinds of stuff to balance it
24 out. Otherwise, the federal judge can come in
25 and -- to start dictating or putting together an

Page 172

1 where they can pick him up and take him, all of a
2 sudden, you don't need the preference.

3 THE CHAIR: Actually, this is not a case
4 where a charter drained down an area. The problem
5 is the charter was doing so well that folks -- and
6 then the population increased in that area; so then
7 the school that they had closed and gave to the
8 charter, all of a sudden they needed back.

9 Because now, they have -- demographics
10 changed; so the surrounding area became younger, had
11 the new crop of kids, and, "Oh, now we need that
12 school, so we want to take that school back."

13 COMMISSIONER CABALLERO: So it's a
14 win-win.

15 THE CHAIR: It's not -- because there's
16 already students that are there. And why should --
17 here's my take on it. If the statute is that you --
18 that we're public schools, and we have to take
19 everyone, then if you allow -- if we have -- if the
20 statute is changed, and public schools don't have to
21 take everyone, and a public school is allowed to
22 establish some kind of preference policy, then we
23 have to abide by that, because the statute changed.

24 But right now, the statute is we're public
25 schools, our charters are obligated to have that

Page 171

1 agency that's going to run public education, and you
2 don't want that.

3 But, eventually, we will see more of too
4 many charter schools or whatever -- I know El Paso
5 is having to consolidate elementary schools, maybe
6 one high school, teachers having to leave because
7 they cannot sustain.

8 So it's a balancing act of money, better
9 education. And I can't say charter schools are at
10 fault, because a lot of those charter schools are
11 excellent; I mean, excellent. And so they can't,
12 either, other than to deal with the money. How do
13 we balance it? Are we going to consolidate this?
14 And we may have to face that.

15 COMMISSIONER ROBBINS: One of the things,
16 rather than providing a preference, which I think
17 that creates other issues, is what Matt Pahl was
18 saying earlier today, is to provide charters with
19 increased transportation funding to pay; because
20 that solves this problem that you mentioned. That
21 way, if that local school -- rather than giving him
22 preference. If they say, you know, "I'd like to
23 send my kid over there, but I can't afford to drive
24 him over there."

25 If you give the charter school the funding

Page 173

1 open enrollment policy. And if we allow people to
2 chip away at that and say, "Not in my district, not
3 in my district, not in my district," we are
4 potentially opening the door to allow ourselves to
5 do what a lot of schools think charters already do,
6 and that's segregate.

7 MS. VOIGT: Yes. Yes.

8 THE CHAIR: That's the bottom line. And
9 that's an argument that -- and that's what we -- not
10 only do we face that, "Oh, you're not really a
11 public school," but we -- we are up against the wall
12 time and time again with, "Charters segregate."

13 This opens the door to segregate, not
14 necessarily by a class of people. But it opens the
15 door to allow it, and it allows someone else to
16 propose another bill that could absolutely segregate
17 a class of people.

18 MS. VOIGT: This is definitely a can of
19 worms. Because even the two words side by side,
20 "enrollment" "preference," I mean, that is like
21 blaring red, you know, ding-ding-ding-ding. There's
22 something wrong with those.

23 COMMISSIONER ARMBRUSTER: I think what
24 Santa Fe said to Turquoise Trail is, "We want your
25 school, because that area in south Santa Fe is

Page 174

1 growing. And so we will give you a school that's
2 more -- could be empty" -- let's just put it that
3 way; or is empty -- "in the middle of Santa Fe."

4 MS. AMI JAEGER: In the Railyard.

5 COMMISSIONER ARMBRUSTER: By the Railyard,
6 where there are not so many young children who would
7 be going to an elementary school. And then they
8 would have to get the kids who have chosen to go to
9 Turquoise Trail but don't walk there, those kids,
10 would go to that school there, and then they would
11 have their -- it's really mind-boggling.

12 THE CHAIR: And not have transportation
13 funding.

14 COMMISSIONER ARMBRUSTER: Exactly.

15 THE CHAIR: So your kids who live all the
16 way down there who go to that school, now you have
17 to come up to here, and they're going to have to
18 find their own way.

19 COMMISSIONER VOIGT: I think this is a
20 huge can of worms. If we have any influence in --

21 COMMISSIONER ARMBRUSTER: And they didn't
22 offer to give them transportation -- Santa Fe could
23 have -- they chose not to. But they could have
24 said, "Because kids have been going to your school
25 for a number of years at Turquoise Trail, we will

Page 176

1 THE CHAIR: So we'll -- we'll see.

2 Okay. Is there anything else that piques
3 anyone's interest, curiosity? And if you're not
4 familiar with the process, these items often get put
5 on a committee's agenda late. They get --
6 oftentimes, the agenda gets changed in the morning,
7 and the -- you know, the bills get -- for whatever
8 reason, you know, they get pulled off.

9 So that it becomes a challenge to know
10 that you got there on time on the right day and that
11 everything fell in place and it's being heard when
12 you thought it was being heard. You know, someone
13 has offered an amendment that creates an issue and
14 then it gets pulled. So it does become challenging
15 to keep track of all of these.

16 MS. VOIGT: There's 437 prefiled bills.

17 THE CHAIR: And that's only the tip of the
18 iceberg.

19 COMMISSIONER CABALLERO: That's three days
20 ago.

21 THE CHAIR: Today is the last --

22 COMMISSIONER CABALLERO: Today was the
23 last day.

24 MS. VOIGT: I'm looking at the website
25 now. It's updated January 10th.

Page 175

1 provide you with the transportation money for those
2 students who are currently at Turquoise Trail, where
3 it's located, to go to Turquoise Trail by the
4 Railyard." They could have sweetened the deal.

5 THE CHAIR: And they have them boxed into
6 the corner by saying, "Or we're going to take your
7 building."

8 What's the -- oh, you know, what
9 alternative do I really have here, but to agree with
10 this? Otherwise, we literally have no school; so...

11 COMMISSIONER CABALLERO: I don't think we
12 have seen the end of that discussion at The
13 Roundhouse. It's going to continue.

14 THE CHAIR: Honestly, this is the only
15 piece that has ever been presented in the four years
16 that I've been on the Commission to ask for a
17 preference. Because we're always facing the, "You
18 allow preference, and we don't want you to."

19 This is the first time as a proposal by a
20 legislator that says, "I want you to do what we've
21 been fighting against you for, because this is what
22 we thought you always do, but now we want you to do
23 it," you know? So that's -- you know, that's what's
24 kind of surprising.

25 MS. VOIGT: Yeah.

Page 177

1 THE CHAIR: So they have until this
2 afternoon, close of business day?

3 COMMISSIONER CABALLERO: 5:00, uh-huh.

4 THE CHAIR: So -- and that's not -- that
5 doesn't just end it.

6 COMMISSIONER CABALLERO: No, no. There's
7 a bunch of bills; but the legislator couldn't get
8 there in time to sign.

9 COMMISSIONER ARMBRUSTER: Right. Sure.
10 Or the new people didn't get to put any in.

11 COMMISSIONER CABALLERO: That's right,
12 until they get sworn in.

13 THE CHAIR: Yeah. So there's still going
14 to be a lot on the plate. So it's going to be an
15 interesting ride these next 60 days. So we will
16 just see, and keep you posted as best we can.

17 COMMISSIONER ARMBRUSTER: I don't -- but
18 you're really quite on top of it, Pattie; so maybe
19 if you get word that "X" bill is being heard
20 tomorrow --

21 THE CHAIR: I can send a note to Beverly
22 as best I can.

23 COMMISSIONER ARMBRUSTER: It's not like,
24 "If you're here, fine; if you're not here,
25 that's" --

Page 178

1 MS. VOIGT: What are the expectations of
2 having an established quorum in a Senate Education
3 room or something?

4 THE CHAIR: It's highly unlikely there
5 will be a quorum of us there.

6 MS. VOIGT: Okay.

7 COMMISSIONER ARMBRUSTER: It's highly
8 unlikely. I'm not saying that's a great answer.
9 Sometimes you know, and --

10 THE CHAIR: You're right. Sometimes I get
11 a text late that something's been thrown on, and I
12 don't -- but I will try to keep people posted as
13 best I can.

14 MS. VOIGT: I have a question.

15 THE CHAIR: And it also depends also on
16 the committee.

17 MS. VOIGT: Real quick. So what -- I know
18 last year, there was a bill for a portion of the
19 2 percent to come towards PEC for -- for budgetary
20 stuff. Is that going to be in this session as well?

21 THE CHAIR: No. My only response --
22 because we have requested to be in the budget.

23 MS. VOIGT: Okay. Good.

24 THE CHAIR: So that's hopefully where --
25 where it'll be addressed. So it won't just be a

Page 180

1 MS. AMI JAEGER: I made five. Hold on.

2 I've got --

3 THE CHAIR: Here. Well, it came from Bev,
4 the -- yeah.

5 MS. FRIEDMAN: Yeah.

6 THE CHAIR: I read through it. So do you
7 need another one?

8 COMMISSIONER CABALLERO: I gave mine away
9 twice.

10 THE CHAIR: And Ami mentioned there really
11 wasn't substantive change to it. She did
12 incorporate the comments that were provided.

13 COMMISSIONER ARMBRUSTER: A lot of them
14 were typos.

15 THE CHAIR: Yeah, yeah. So if I could ask
16 Commissioners to quickly peruse through this. I
17 know you didn't have a lot of time to look at e-mail
18 today; but, you know, the changes that were made
19 were good. But it doesn't really change the tenor
20 or the tone of it. And I think it accurately
21 reflects -- I just had one -- no, it's a spelling,
22 or -- the word "contract" was used, and I think it
23 should have been "contrast" in here.

24 It wasn't -- it could have been fixed in
25 the e-mail. I don't know. Because I had the paper

Page 179

1 portion. We created a budget for that that deals
2 with that. So -- and I will keep you posted on
3 where that sits, you know, whether it gets actually
4 in legislation or not, you know.

5 Okay. So the year-end report. So we're
6 on to Item No. 15, which is Discussion and Possible
7 Action on the Year-End Report.

8 MS. AMI JAEGER: And the report was
9 presented in December. And I did get comments from
10 Commissioners. And I have prepared a revised draft
11 that incorporated the comments and edits from the
12 Commissioners that provided comments.

13 Bev sent it around this morning. And I do
14 have a few printed copies. There are not a lot of
15 substantive changes.

16 THE CHAIR: Yeah, we got it through the
17 e-mail this morning.

18 MS. AMI JAEGER: Do you want me to pass
19 the copies out that I have?

20 COMMISSIONER ARMBRUSTER: I'd like one, if
21 you have it.

22 COMMISSIONER RUIZ: Me, too, if you have
23 an extra.

24 THE CHAIR: And Commissioner Ruiz wants
25 one.

Page 181

1 copy from -- no, I read the e-mail; because that's
2 the way I would have had the -- no.

3 COMMISSIONER ARMBRUSTER: I saw that
4 someplace else.

5 THE CHAIR: I read it on the e-mail. And
6 the word "contract" is used instead of "contrast."

7 COMMISSIONER CABALLERO: I see here that
8 charter schools are public schools.

9 COMMISSIONER ARMBRUSTER: I think Glenna
10 found it. I read right over it.

11 THE CHAIR: I circled it last night when I
12 was reading it. But then my -- my change didn't
13 save; so then I lost where it was. But I am sure
14 you can find it. That's the only change that I saw.
15 Was that --

16 MS. AMI JAEGER: It should be "contrast"?

17 THE CHAIR: It should be "contrast," yeah.

18 MS. AMI JAEGER: And it says "con-" --

19 THE CHAIR: "Contract," or "contracts."

20 COMMISSIONER RUIZ: It's "contracts," I
21 think.

22 COMMISSIONER ARMBRUSTER: Did you find it?

23 MS. AMI JAEGER: Yeah. It's under
24 Mission, on Page -- well, there is a "contracts"
25 here, but that should be "contracts."

Page 182	Page 184
<p>1 THE CHAIR: And I know it was on the 2 e-mail that I had last night; because I read it last 3 night. All right. 4 COMMISSIONER ARMBRUSTER: Here's the other 5 "contract," which is right under -- Page 3, second 6 paragraph. But that should be "contract," under, 7 "The newest charter contract sets the..." -- 8 THE CHAIR: Well, if it's -- 9 MS. AMI JAEGER: I'll proofread it again 10 carefully. 11 THE CHAIR: Otherwise, that was the only 12 change that I saw that needed to be done. And it's 13 a grammatical one. So I'm -- so are we okay with a 14 motion to adopt this? 15 COMMISSIONER RUIZ: Yes. 16 MS. VOIGT: I'll make a motion -- 17 THE CHAIR: Okay. 18 MS. VOIGT: -- to adopt the Year-End 19 Report. 20 COMMISSIONER RUIZ: Second. 21 THE CHAIR: Whatever it is, she's 22 seconding it. Okay. 23 MS. VOIGT: I'll make the motion to adopt 24 the 2018 Year-End Report. 25 COMMISSIONER RUIZ: Second.</p>	<p>1 COMMISSIONER ARMBRUSTER: Commissioner 2 Raftery? 3 COMMISSIONER RAFTERY: Yes. Just say 4 "Raftery," like a "raft" in a "tree." 5 COMMISSIONER ARMBRUSTER: Better than I 6 use. 7 Commissioner Robbins? 8 COMMISSIONER ROBBINS: Yes. 9 COMMISSIONER ARMBRUSTER: Commissioner 10 Armbruster votes "Yes." 11 Commissioner Ruiz? 12 COMMISSIONER RUIZ: Yes. 13 COMMISSIONER ARMBRUSTER: Ten-to-zero 14 vote. 15 THE CHAIR: Motion passes ten-zero. Thank 16 you. And thank a for all your work on that, because 17 it's work that needed to be done and hasn't been 18 done most recently; so... 19 MS. AMI JAEGER: So do you want to just 20 post it on the PEC website, or do you want copies 21 actually delivered to LESC and LFC, and then -- 22 because that -- we are -- and PED. We're directed 23 to do that. So how would you like that handled? 24 THE CHAIR: I think it should be the 25 direct delivery --</p>
<p>1 THE CHAIR: There's a motion by 2 Commissioner Voigt. There's a second by 3 Commissioner Ruiz. 4 Any further discussion? 5 (No response.) 6 THE CHAIR: If not, roll-call vote, 7 please. 8 COMMISSIONER ARMBRUSTER: Commissioner 9 Voigt. 10 MS. VOIGT: Aye. 11 COMMISSIONER ARMBRUSTER: Commissioner 12 Chavez? 13 COMMISSIONER CHAVEZ: Yes. 14 COMMISSIONER ARMBRUSTER: Commissioner 15 Caballero? 16 COMMISSIONER CABALLERO: Yes. 17 COMMISSIONER ARMBRUSTER: Commissioner 18 Crone? 19 COMMISSIONER CRONE: Yes. 20 COMMISSIONER ARMBRUSTER: Commissioner 21 Davis? 22 COMMISSIONER DAVIS: Yes. 23 COMMISSIONER ARMBRUSTER: Commissioner 24 Gipson? 25 THE CHAIR: Yes.</p>	<p>1 COMMISSIONER ARMBRUSTER: I think it's 2 nice to have it on the website, as well, but not 3 instead of. 4 THE CHAIR: Right. I think all of the 5 above has to be done. 6 Okay. We are on to Item No. 16, which is 7 my report. And I'm going to leave the discussion 8 about Liaison List to a later date, because we've 9 got new people on. People need to think about this. 10 So we'll hold that off until probably February, with 11 the exception that I have asked Commissioner 12 Robbins, because there's a meeting next week, to 13 take Commissioner Peralta's spot on the PSCOC. So I 14 will -- I will send notification to them to contact 15 you. 16 But Commissioner Peralta did indicate -- 17 oh, I'm sorry. It's probably in the 20s, maybe 18 around the 21st or so. But I'll get that date for 19 you. 20 COMMISSIONER ROBBINS: In two weeks. 21 THE CHAIR: Yeah. I think it is in two 22 weeks; but it was important that that position be 23 filled right away. 24 I attend the LESC. I am most likely not 25 going to go to the LESC on Monday, simply because</p>

1 there's really not much on the agenda, and the
2 legislation that they've been looking at supporting,
3 they already rolled out before, and we've got all
4 this here. And there's not -- they've pulled
5 everything else off of the agenda besides that.

6 I will be up next week anyway for a
7 variety of reasons. I'm meeting with some -- I have
8 a meeting set with Tim Hand, who's doing general
9 operations at PED. That'll happen sometime next
10 week, not exactly sure when.

11 I thought I was going to be reporting to
12 you on an interesting training that I was invited to
13 do. I was invited to attend Secret Service training
14 on identifying potential threats to schools. And I
15 was really excited on going. But there's a
16 government shutdown.

17 COMMISSIONER CABALLERO: They're not
18 paying you.

19 THE CHAIR: It was supposed to be this
20 past Tuesday. And they waited until Friday at 5:00,
21 and they finally -- I was going -- I was going in an
22 armored car with our sheriff. So they called, and
23 they said, "We're sorry, but we have to cancel."
24 But they are intending on doing it again.

25 So, hopefully, I'll have -- it's an

1 So that we feel we are obviously on firm ground
2 because we have the new appointment made.

3 So we are more than glad that that has --
4 that that was able to take place. It created just a
5 little bit of paperwork to -- to get this done. And
6 I just -- and I brought with me -- just so the
7 Commissioners know, the four Commissioners that
8 terms expired -- I have a copy of it somewhere -- I
9 sent a letter to each of those Commissioners
10 thanking them for their service, identifying the
11 dates of their service. And then I went and I had
12 that letter laminated so that they've got -- and I
13 brought -- there's a copy of the template that I
14 used that I do have here so that if you want to take
15 a look at it, you can take a look at it.

16 Challenging trying to -- sorry. I'm
17 challenged by trying to have to put something on
18 that template with everyone's -- it -- you know.

19 MS. AMI JAEGER: I feel your pain.

20 MS. KAREN WOERNER: It was -- I kept
21 sitting there saying, "I should be able to do this a
22 whole lot easier than I am." And everyone's name
23 would just continually get thrown someplace else
24 just when I thought I had it right.

25 And I was, "Oh, no, it's not there."

1 unfortunate conversation that we have to have that
2 we're in this stage. But it is also important. And
3 that is also another piece of legislation that's out
4 there is to reduce the number of fire drills and
5 increase the number of active shooter drills;
6 because, fortunately, we've never, you know, lost a
7 child since -- before 1900 in a fire.

8 But, unfortunately, we have not -- we
9 can't say the same thing about an active shooter.
10 So we have to move with the times and change that.
11 So it's -- once again, that's unfortunate times that
12 we're dealing with with these conversations.

13 We did have, I guess, about two or three
14 weeks of -- some of you that were here last month
15 were made aware of the fact that there had been an
16 appointment made to the vacant position. We had a
17 concern involving the date of that -- of that
18 appointment, because the dates extended to
19 December 31st of 2020.

20 So we've been actively engaged with the
21 Attorney General's Office, the Secretary of State's
22 Office. I wrote a letter to the Attorney General's
23 Office asking for an official opinion for it. I had
24 been actively in conversation with the transition
25 team and, later on, the Governor's Office with it.

1 So it required more work than it should
2 have. But I was more than happy to do that.

3 And I didn't realize that Beverly allowed
4 them to keep their nameplates. So that was -- that
5 was nice. So they have their nameplate, and they
6 have a letter, and they have \$10. They can get on a
7 subway.

8 So I appreciate that. I want to welcome
9 everyone, and everyone's going to have an
10 opportunity to say something, if they so choose.
11 And we're just strapping our boots on and getting
12 ready for the Session. So we'll keep you all posted
13 with that.

14 And I want to thank everyone for all the
15 work that you do do and the support that you offer.
16 So thank you, all.

17 And now we are on to -- well, of course,
18 the New Mexico School Boards Association is not
19 here. So -- and I have spoken to Joe about this,
20 and even saying, "If you want something that folks
21 need to know, you don't have to come here. Just
22 send me something, and I'll keep folks updated."

23 So he appreciated that. So I'll keep
24 touching base with him when I do see him. So,
25 hopefully, you know, we can move forward on some

<p style="text-align: right;">Page 190</p> <p>1 joint efforts, especially with training with them, 2 because I think that'll -- that's important. 3 Okay. We're on to PEC Comments. So if I 4 look either way, I put a new Commissioner on the 5 spot. As we go around the room. So I'll -- take 6 our longest-serving, newest Commissioner and say, 7 Commissioner Chavez, is there anything you wish to 8 say? 9 COMMISSIONER CHAVEZ: No, just wow. I'm 10 just -- just wow. That's a lot -- there's a lot. 11 There's a lot to this, and a lot more than I think 12 the PEC is given credit for. And I'm starting to 13 see a whole new world. 14 But I'm grateful and thankful to be here 15 and just looking forward to serving in the upcoming 16 years. 17 THE CHAIR: Thank you. Thank you. We 18 appreciate it, and welcome, once again. 19 Commissioner Voigt? 20 MS. VOIGT: I'm happy to be here, looking 21 forward to digging in and hopefully helping create 22 some constructive growth. 23 THE CHAIR: Thank you. 24 Commissioner Robbins? 25 COMMISSIONER ROBBINS: Just want to</p>	<p style="text-align: right;">Page 192</p> <p>1 it's actually talking about sort of the Watergate 2 and Spiro Agnew. 3 I'm just going to leave it at that. I'm 4 going to leave it at that. It's not dull in any 5 way. And the things that were brought out, which 6 is, like, what, 50 years later, by the original 7 young -- at that time, 30-year-old attorneys, they 8 didn't even know about until she showed it to them. 9 Because then, you know, we didn't have all 10 these computers and things and people could Google. 11 So it's very good. There are seven 12 episodes, and it's free, and you can download them. 13 They range from about 25 minutes to maybe 45. 14 THE CHAIR: I don't think there's one even 15 that long. The first one's the longest. 16 COMMISSIONER ARMBRUSTER: So, again, it's 17 "Bag Man," and you can get it on Podcast, or you can 18 do it on YouTube. And it's just -- it's not a 19 visual thing; it's just auditory. That's where I 20 saw the first one. 21 So I highly recommend it. It's totally 22 entertaining, particularly if you're driving long 23 distances. 24 THE CHAIR: Yeah. It made my trip up here 25 go really, really quickly. And as a history</p>
<p style="text-align: right;">Page 191</p> <p>1 welcome the new Commissioners. A year and a half 2 ago, I was in your position. So I know what it 3 feels like. But welcome, and look forward to 4 working with all of you. 5 THE CHAIR: Commissioner Ruiz? 6 COMMISSIONER RUIZ: And I just want to 7 welcome every one of you here and let you know that 8 it's been two years for me. And the first six 9 months, I was just, like, "What" every time I left. 10 So we're glad you're here. 11 And then to a comment that Commissioner 12 Chavez said, that the PEC is often not -- you know, 13 they don't really understand a lot of that. I think 14 that will change based on the conversations I've had 15 with the new -- some of the new administration, and 16 I hope that we are going to get some recognition. 17 But welcome. 18 THE CHAIR: Thank you. 19 Commissioner Armbruster? 20 COMMISSIONER ARMBRUSTER: Also welcome to 21 everyone. And I wanted to -- I hope Pattie agrees 22 with me -- to recommend a podcast that I found 23 really fascinating. You would never think this. 24 It's actually called "Bag Man," two words, when you 25 look it up on Podcast. It's by Rachel Maddow. And</p>	<p style="text-align: right;">Page 193</p> <p>1 teacher, it was fascinating what people didn't know 2 about Spiro Agnew. You know, it's like, wow. Yeah. 3 COMMISSIONER ARMBRUSTER: It's not just 4 about him. It's pertinent to now and ten years from 5 now and then ten years -- 6 COMMISSIONER CABALLERO: It's pertinent to 7 "Trompa." 8 THE CHAIR: It is, because if you close 9 your eyes, you think you're -- 10 COMMISSIONER CRONE: Déjà vu all over 11 again. 12 THE CHAIR: Commissioner Crone? 13 COMMISSIONER CRONE: Well, I was once 14 labeled a "nattering nabob." And I still resent 15 them. 16 I would -- welcome to all of you new 17 Commissioners. She's going to work the hell out of 18 you; so just... 19 MS. VOIGT: No doubt. I feel it already. 20 COMMISSIONER CRONE: I will accept a 21 letter and my nameplate; but I'd also like a gold 22 watch. 23 THE CHAIR: I think that's in the budget. 24 Is it not? 25 MS. KAREN WOERNER: Yes.</p>

Page 194

1 THE CHAIR: Commissioner Caballero?
 2 COMMISSIONER CABALLERO: Yes. And, again,
 3 to the new Commissioners, nice to have you around.
 4 I've talked to most of you. And I hope you have
 5 staying power, because that's what it's going to
 6 take, and a lot to learn.
 7 I -- when I first got in, it was a lot to
 8 learn. And still -- and still. And the one thing I
 9 can say is this Commission offers you an opportunity
 10 to learn from others a lot more than what you think
 11 you know. And so it is very refreshing. I never
 12 leave without going, "Wow, is that true?" And then
 13 you start thinking about it, and you do a little
 14 research and -- oh, wow -- learn something new.
 15 And then I have to ask again, "Is this
 16 right?"
 17 And so I hope you have as much fun
 18 learning as much as I have, even though it's been
 19 several years. And I hope to do a lot of things
 20 this coming year. I'm very hopeful that we can get
 21 a lot of things done.
 22 THE CHAIR: Commissioner Davis?
 23 COMMISSIONER DAVIS: Well, I'm happy to be
 24 here. I was grateful that I was invited to come
 25 November and December. That was really interesting,

Page 196

1 And so what happened was this happened.
 2 And I'm just, you know, so happy. I'm looking
 3 forward to working with Michelle and Howie. I think
 4 they're going to make a big difference. I think
 5 it's going to be wonderful.
 6 I'm so happy to hear that PARCC is out. A
 7 lot of teachers called me up -- we all call each
 8 other. We have breakfast every Friday.
 9 So I'm willing, able to learn. There's a
 10 lot of things that I did already know, like the
 11 acronyms. If I know the acronyms... . So I'm just
 12 delighted, excited, and happy. And thank you,
 13 Trish, and thank you, everybody who moved that --
 14 what is it? -- wheel and got it done.
 15 Because this morning -- last night was a
 16 whirlwind. I found out about 9:00 last night. On
 17 to Albuquerque I went, and here I am this morning.
 18 I got sworn in. It doesn't seem real. I hope we
 19 have an enjoyable conversation and friendship.
 20 Thanks.
 21 MS. FRIEDMAN: Madam Chair?
 22 THE CHAIR: Thank you, and welcome
 23 everyone once again, and thank everyone else for
 24 coming back.
 25 MS. FRIEDMAN: Madam Chair, can I make a

Page 195

1 and it helped me to understand what I was to expect.
 2 And everyone has been just very welcoming
 3 and friendly. So I really appreciate that.
 4 And I look forward to working with all of
 5 you and making education in New Mexico better.
 6 THE CHAIR: It's a double-edged sword
 7 sometimes inviting people to come to our November
 8 and December meetings, because you don't want to
 9 scare people off.
 10 COMMISSIONER CABALLERO: By then, it's too
 11 late. You're done --
 12 COMMISSIONER CRONE: You'd have to resign.
 13 COMMISSIONER CABALLERO: Before you start.
 14 THE CHAIR: Commissioner Raftery?
 15 COMMISSIONER RAFTERY: I just want to tell
 16 you I am so honored to be here. I have wanted to
 17 run for this PEC when it came open back in -- two or
 18 three years ago --
 19 THE CHAIR: Three or four years.
 20 COMMISSIONER RAFTERY: And our Democratic
 21 Party said, "We already have a Democrat. Let's go
 22 with her."
 23 So I said, "Fine, okay."
 24 So she didn't win. She didn't win. But
 25 that's okay.

Page 197

1 comment?
 2 THE CHAIR: Sure.
 3 MS. FRIEDMAN: I'd like to just let the
 4 new Commissioners know that at the end of the
 5 meeting, if you do not want any of the paper inside
 6 of your notebook, to take those out, and you can put
 7 them in the blue recycle bin. You may save the
 8 tabs. You can save whatever papers you would like.
 9 But if you don't want any of the rest of them, I
 10 recycle them.
 11 COMMISSIONER RAFTERY: So we can take them
 12 if we want to, or we can throw them away?
 13 COMMISSIONER DAVIS: So you don't want the
 14 tabs?
 15 MS. FRIEDMAN: You can either pull the
 16 tabs out, or you can use them and recycle them.
 17 COMMISSIONER DAVIS: But you don't use
 18 them.
 19 MS. FRIEDMAN: No. And don't forget your
 20 orange folders. I need these.
 21 MS. VOIGT: I motion to adjourn?
 22 COMMISSIONER RUIZ: Second.
 23 THE CHAIR: Everyone is getting up and
 24 leaving, and we haven't adjourned?
 25 COMMISSIONER CABALLERO: Motion to

1 adjourn.
 2 COMMISSIONER RUIZ: Second.
 3 THE CHAIR: All in favor?
 4 (Commissioners so indicate.)
 5 THE CHAIR: Hearing no opposition, we have
 6 adjourned.
 7 (Proceedings adjourned at 3:54 p.m.)
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1 RECEIPT
 2 JOB NUMBER: 1607N CC Date: 1/11/19
 3 PROCEEDINGS: OPEN PUBLIC MEETING
 4 CASE CAPTION: In re: Public Meeting of the Public
 5 Education Commission
 6 *****
 7 ATTORNEY: MS. BEVERLY FRIEDMAN - PED
 8 DOCUMENT: Transcript / Exhibits / Disks / Other ____
 9 DATE DELIVERED: _____ DEL'D BY: _____
 10 REC'D BY: _____ TIME: _____
 11 *****
 12 ATTORNEY:
 13 DOCUMENT: Transcript / Exhibits / Disks / Other ____
 14 DATE DELIVERED: _____ DEL'D BY: _____
 15 REC'D BY: _____ TIME: _____
 16 *****
 17 ATTORNEY:
 18 DOCUMENT: Transcript / Exhibits / Disks / Other ____
 19 DATE DELIVERED: _____ DEL'D BY: _____
 20 REC'D BY: _____ TIME: _____
 21 *****
 22 ATTORNEY:
 23 DOCUMENT: Transcript / Exhibits / Disks / Other ____
 24 DATE DELIVERED: _____ DEL'D BY: _____
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1 BEFORE THE PUBLIC EDUCATION COMMISSION
 2 STATE OF NEW MEXICO
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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 January 22, 2019.
 17
 18
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Job No.: 1607N (CC)

A

a.m 1:11 6:5 80:1	activities 110:5,6,8,25 111:4,17 111:18	age 138:25 139:5,17 140:10
abide 172:23	activity 14:18	agencies 132:8 148:10
ability 41:17 100:3	actual 26:5 115:3	agencies' 147:21
able 14:14 15:17 22:14 30:13 38:23 40:10,11 45:15 46:20 47:1 49:12 52:10,11 53:5 67:8 67:10 91:13 93:17 99:9,18 103:13 105:14 106:8,11 112:18 118:13 121:23 134:2 136:9 155:6 168:7 188:4,21 196:9	add 20:18 68:25 107:21 154:8	agency 171:1
absolutely 53:18 54:24 86:20 111:19 121:16 128:13 129:10 134:18 173:16	adding 150:2	agenda 3:5,8 8:16 9:3,4 12:24,25 13:3,14,20 55:7 80:3,14,17 95:2 122:4,15 125:24 176:5,6 186:1 186:5
absorb 132:18	addition 29:15 30:1 33:4 92:8 149:21	agendas 86:8
Academia 93:20 94:6	additional 21:3,14 53:2 56:7 57:11 111:25	Agnew 192:2 193:2
academic 17:6 44:9,12,17,18,24 45:1	address 40:22 48:3 71:5 74:20 103:13 149:19 161:17	ago 107:25 114:24 129:17 138:12 149:2 176:20 191:2 195:18
accept 10:16 11:12 12:9 13:2 102:20 193:20	addressed 70:14 128:23 156:15 178:25	agree 52:2 108:2 129:10 131:17 141:23 175:9
access 62:25 72:1,22 75:20,22 92:20 99:24	addresses 161:18	agrees 191:21
accidentally 95:16	adds 141:5 148:17	ahead 56:3 137:5,12
acclimation 10:14,17 12:11	adhere 157:8	Ahner 36:25
accommodation 25:22	adhered 138:13	AI 137:4
accommodations 159:13	adjourn 4:7 197:21 198:1	aide 24:10
accompanying 159:14	adjourned 197:24 198:6,7	aides 157:5,5
accountability 26:5 82:4 131:22	adjustment 98:24 127:20,24,25 128:1,15	Alamos 50:23
accounting 58:16	admin 81:19	Albuquerque 1:21 3:9 14:5,24 16:22 47:10 105:15 110:10 143:24 168:25 169:6,10 196:17 199:21
accredited 110:13	administer 6:17 76:4	Algebra 59:14 69:2,3
accurately 180:20	administered 5:14 7:1 130:10	all-male 159:24
achieve 117:23	administering 105:4	All-righty 14:19
acknowledged 118:19	administers 104:18	all-time 114:5
acquire 106:9	administration 138:14 191:15	all-year-round 154:13,16
acronym 87:11 93:2	administrative 82:2	Allegiance 3:3 8:21,25
acronyms 87:18 196:11,11	administrator 25:3 62:20 82:19 89:3 95:24	alleviate 151:8
act 171:8	administrators 83:8	allow 57:23 106:8 119:15 159:18 159:25 165:18 166:11 167:25 168:1,2,14 172:19 173:1,4,15 175:18
acting 2:9 10:2,2	admirable 18:15	allowed 160:23 172:21 189:3
action 3:11,12,13,14,16,17,20,21 3:23 4:3 19:13,14 21:8,11 22:9 25:16 40:21 41:6 42:23 52:4 55:21,22 56:4 57:10 60:20 63:17 65:7 66:7 76:16,23,25 102:15 104:2,25 117:12 124:20 179:7	adopt 119:23 120:18 121:7,10 182:14,18,23	allowing 152:3 155:10 157:3 164:6 167:11,12
active 72:18 137:24 187:5,9	advance 67:13	allows 128:16 144:20 167:17 173:15
actively 64:10 187:20,24	advanced 67:1	Alma 3:11 19:13,22 22:4,14 23:14 24:17 42:17 44:3 49:4 75:13 76:24
	advise 135:14	alter 147:2
	advised 75:16 90:6	alternative 175:9
	advisory 63:4 64:19	amazing 58:24,24,25 59:3,9
	advocate 158:7 160:10	
	advocating 30:25	
	affect 164:13 169:11,12	
	afford 133:9 155:7 171:23	
	after-school 59:6 110:6,25 111:18	
	afternoon 177:2	

amendment 176:13
Ami 2:13 96:7,14,18 97:2,9,14
 116:24 117:1,21 118:25 120:2
 120:11 121:12,21 122:1 124:6
 124:23,24 131:18,21 138:19
 144:23 145:3,6,11,14 154:1,5
 158:10 159:15 160:1 161:6,14
 163:20 165:3,14 166:18 174:4
 179:8,18 180:1,10 181:16,18,23
 182:9 184:19 188:19
Ami's 166:4
amount 48:13,17 50:17 52:13
 53:5 65:16 80:10 91:23 107:22
 133:10 143:14 144:3
ample 69:22
analysis 64:3 119:7
analyst 83:6
ancillary 25:1,5
animal 99:18
Ann 2:4 12:4
announce 102:3
announcements 97:18,23
annual 72:23 73:11,13 136:17,18
 137:1
annually 104:22
answer 20:4 21:19 27:20 47:3
 73:17 115:19 166:10 178:8
answered 103:19 111:22 112:4
 115:17 116:7,10
Anthony 89:15 90:13,24 91:13
 91:20 96:9,16,17
anybody 16:10 20:12 31:6 70:23
 86:2 104:3
anymore 107:24,25
anyone's 176:3
anytime 19:7
anyway 26:23 91:18 146:9 186:6
Apodaca 1:12
apologize 5:20
apparently 146:7
appeal 93:25 94:4
appearing 93:22
appears 125:16
appease 138:3
Applause 19:11
applicant 84:1 88:5
applicants 84:8

application 3:20 107:3,5 109:2
 119:20 120:14
applications 84:8 89:5
applies 140:1
apply 36:7 107:18 119:16
appointed 5:15
appointment 5:6 187:16,18
 188:2
appreciate 5:2,4,9,16,17,22 7:5
 14:8 19:3,9 21:3 40:9 45:6
 49:20 58:22 59:11,21 61:15
 62:10 78:19 79:25 80:9 102:8
 189:8 190:18 195:3
appreciated 189:23
approached 55:20
appropriate 14:13 37:15 96:8,25
appropriately 48:19
approval 3:5 8:16 9:3 56:25
 86:10 89:18 90:1,3,21
approvals 90:11
approve 12:10 76:16,23 103:22
 104:25 115:23 122:14
approved 85:6 95:2
APS 130:10,10 159:10 167:4
AR 137:4
Archuleta 81:18
area 31:17 62:21 63:24,25 64:7
 65:15 137:17 166:8,10 172:4,6
 172:10 173:25
areas 117:11 155:14 169:2,18
argument 173:9
arising 39:3
arm 113:22
Armbruster 2:4 6:6,8,12 7:6,8,11
 7:14,15,18,21,24 8:2,5,8,11,21
 9:23,25 10:10,13,19,24 11:9
 12:4,11,22 26:18,19 28:1,4 29:3
 29:9,13,21,25 30:19,25 31:4,9
 31:15 33:24,25 34:1,5,10,21
 35:8 41:1 42:7,24 43:4,11,15
 44:8,13,20 50:20,21 51:12 77:7
 77:8,11,14,17,20,21,24 78:2,5,8
 78:11 80:8 83:19,20 96:6,17
 109:11,14 116:16 117:19
 122:21,23 123:1,5,8,11,14,17
 123:20,23,24 124:2 126:18
 135:12,13 136:12 138:23 139:4

139:15,22 142:14,15 145:19
 149:20 152:21 153:24 154:3
 162:23 163:5,18 164:8 165:1,10
 173:23 174:5,14,21 177:9,17,23
 178:7 179:20 180:13 181:3,9,22
 182:4 183:8,11,14,17,20,23
 184:1,5,9,10,13 185:1 191:19
 191:20 192:16 193:3
armored 186:22
arrangement 106:15
arrived 62:18
arts 68:8 133:11 158:24
asked 5:3 60:19 66:18 67:15
 74:19 81:4 83:18 89:15 90:17
 93:12 97:17 99:13 102:18,24
 103:3,4,17 109:11 116:23 117:1
 168:5 185:11
asking 33:8 41:4 53:9 61:23
 67:10 74:3 89:20 96:11,14
 121:6 135:15 152:23 187:23
asks 27:20 67:20
assessment 82:4 131:22,23
assigned 37:15
assigning 127:13
assignments 30:7
assist 27:9
assistance 81:22 82:14 88:1
assistant 81:19 136:11
associated 111:14
Associates 1:20 199:20
Association 111:4 189:18
assume 146:6
assurances 3:18 153:19
Athlete 89:16 92:23
athletics 110:6
ATTACHMENTS 4:10
attempt 129:17,18,19
attend 89:6 185:24 186:13
attendance 44:11
attended 88:16
attending 57:12 88:17 110:16
attends 126:7
attention 26:10 85:15 103:21
Attorney 187:21,22 200:7,12,17
 200:22
attorneys 192:7
audience 101:21

audit 64:12
audited 64:4
auditing 145:5,7
auditorily 136:22
auditory 192:19
August 55:18 56:6 58:1,5,6 93:14
authority 147:22 150:19
authorizing 82:10,11 83:8,16
automatically 141:3,5
automaticity 28:13
autonomy 157:7
available 60:7 90:14,19 97:19
 103:3 107:10 134:13 135:7
 159:5
avenue 82:13
awaiting 92:17
award 145:4
aware 22:19 97:5 187:15
awry 61:24
Aye 123:10 183:10

B

back 19:6,7 21:18 22:8 38:10,23
 42:18 44:5 47:8 52:20,21,23,25
 55:14 58:1 61:25 64:12 67:22
 67:23 81:6 84:12 89:20 92:7
 93:4 99:7 122:6 134:22 145:10
 147:18 149:25 172:8,12 195:17
 196:24
background 21:24 58:15 100:4
 117:2
backup 60:5,11
bad 5:17 51:14 62:5 93:3 170:6
Bag 191:24 192:17
balance 100:12 141:16 170:23
 171:13
balanced 141:8,12
balancing 141:19,21 171:8
ballots 11:13
band 110:11
barrier 106:21
Barten 16:6
base 189:24
based 21:15 90:16 136:19,23
 137:3 191:14
basic 93:23 132:13,20 133:7
basically 92:18 130:23

basket-weaving 145:2
bathroom 156:10,20 157:8,16,25
 158:1,12,13,14 159:2,12,19
 160:6 163:1
bathrooms 157:3,11 158:16,25
 160:3
battle 90:4
Baylor's 83:9
BBC 108:16
Bean 1:20 199:20
bear 27:4
beat 47:15
Becky 20:1 65:24
beco- 133:18
becoming 132:1
began 68:15
beginning 16:15 129:18
begun 89:4
behalf 97:5 126:10
behavioral 132:4 133:13 134:5
 152:12
Beidler 20:1,1 21:22 23:7,12 24:5
 24:13,24 25:12,18 26:7,16 27:7
 28:3,18 29:4,10,17,24 30:5,20
 31:3,7,14 32:13 33:7,15,21 34:3
 34:7,18,22 35:9,18 42:6,20 43:2
 43:6,10,13 44:6,9,14 45:3 48:22
 50:8,10 67:25 70:5 73:15,23
 74:10
belief 114:3
believe 16:8,14 18:20 29:18
 44:16 55:8 72:10 109:3 124:23
 131:4,15 140:13 155:22 169:13
believed 170:7
benefit 139:6 166:22 167:3
benefits 139:21,23
benign 168:4,7
best 30:22 45:16 58:21 61:11
 79:20 113:15 118:7 119:10,15
 120:18 121:6,18 141:13,20
 169:22 177:16,22 178:13
better 58:14,20 79:20 99:24
 106:4 147:14 151:18 170:8
 171:8 184:5 195:5
Bev 101:9 179:13 180:3
Beverly 2:11 9:18 103:11 114:20
 115:19 177:21 189:3 200:7

beyond 55:25 70:21
big 21:17 40:3 51:19 100:5 142:8
 142:16 146:14 159:24 164:14
 196:4
bigger 167:10
biggy 41:24
bilingual 59:2 64:1 65:11,18,21
 65:24 66:12,23 67:4 68:1 69:4
 72:6
bilingual-endorsed 69:4
bilingualism 70:16
biliteracy 70:16
biliterate 65:10 66:11
bill 99:8,12 119:13 128:23 129:9
 137:8,9,16 140:1 144:12,14
 145:8 151:4 156:5,7,11,11
 157:20,24 163:14,15 167:9,13
 167:17 173:16 177:19 178:18
billion 141:4,5
bills 3:24 119:12 124:22 127:17
 128:6 176:7,16 177:7
bin 197:7
binder 85:7
bit 5:10,12 11:23 24:8 40:13,16
 65:14 79:10 188:5
bite 97:20
blah-blah 157:9
blah-blah-blah 143:2
blaring 173:21
blatantly 56:12
block 17:24
blog 101:25
blue 197:7
board 68:19 82:22 88:7 94:22
 95:8,20 135:1 167:7
boards 95:9 189:18
bolted 92:1,2
bond 141:6,9,16
boot 99:15
boots 189:11
born 159:11,21
both-gender 158:25
bottom 37:17 98:10 154:24 173:8
boundary 118:1
box 64:9 151:15 168:3
boxed 175:5
brand 153:13

break 27:22,24 30:22 68:16
 78:20 80:4,7,23 84:24 97:16,19
 106:21 154:19 155:5
breakfast 196:8
breaking 27:10 30:7
breaks 156:12
Breathe 43:12,12
brief 116:24
briefing 3:18 116:22 166:5
briefly 9:22 104:5 116:25
bring 15:2 32:2 49:12 72:11
 78:24 85:15 86:17 107:17 137:7
 148:20 160:9
bringing 143:8
broad 141:25
broader 101:20 152:19
brought 103:20 149:16 162:15
 163:20 188:6,13 192:5
Brown 82:18
budget 53:11 100:25 135:3,8,9
 178:22 179:1 193:23
budgetary 178:19
build 16:3 118:10 166:9
building 1:12 15:10 58:17,19
 59:4,9 63:21 65:16 66:4 67:15
 67:17 72:17 92:21 114:12
 118:14,14 128:17 166:19 175:7
bulk 38:22
bulldog 142:24
bumping 102:8
bunch 114:7 177:7
burden 166:13,16 167:6
burdens 167:8
burdensome 133:14
Bureau 35:14 37:22 38:5 54:3,11
 54:13 62:23 75:16 116:15
bureaus 21:13 37:21 87:22 88:18
bus 59:7
business 20:2 55:10,17,19 56:2
 56:22 57:8,15,20 79:22 177:2
busy 84:25

C

C 1:19 2:1 3:1 4:1 199:8,19
Caballero 2:4 8:9,10,19 11:11,12
 11:18 13:25 40:14,15,23 52:18
 66:18,20 68:23 76:13 77:25

78:1 80:5,7,19 87:3 92:22,25
 99:21,23 108:24 112:1,5 114:2
 115:1 122:7,10,12 123:25 124:1
 129:14 137:5,10,13 138:22
 139:2 140:3 142:3 147:16 148:8
 150:22 151:3 153:25 154:14,23
 161:11,25 162:8 169:13 170:13
 172:13 175:11 176:19,22 177:3
 177:6,11 180:8 181:7 183:15,16
 186:17 193:6 194:1,2 195:10,13
 197:25
calendar 49:7 52:16
California 18:9
call 3:3,3 5:23,25 6:3,7 49:25
 74:16 125:22 136:6,8 196:7
called 15:7 21:25 49:23 75:7
 78:13 186:22 191:24 196:7
calling 95:13
camp 99:15
campus 24:16 30:13 36:1 49:22
cancel 186:23
candidate 11:17
candidates 145:21,22
cap 37:20 38:3 52:1 54:3 55:5
 62:12 65:9 71:2,4 74:20,24
 150:1
capital 128:17
CAPTION 200:4
capture 46:3 47:12
car 79:9 186:22
care 35:22 146:15 151:2 152:11
CARE-ish 152:22
career 65:1 104:17 105:24 106:5
 114:5
career-and-technical 114:11
career-focused 105:23
career-technical 104:8 116:15
careers 113:13
carefully 182:10
Carl 104:10 109:1
Carlos 2:4 11:11
Carolyn 79:1
case 50:6 52:11 80:14 85:16
 153:8 172:3 200:4
cases 81:13 101:1
cash 100:11
cast 64:14

casting 69:15
catch 31:21
category 134:7
caught 29:7
caused 140:15,17
cautions 163:11
CC 1:24 199:25 200:2
CCR 1:19 199:8,19
ceremonies 15:19
certain 105:1 138:25 139:17
certainly 23:12 42:20 48:25 49:5
 49:14,15 61:17 104:5,16 106:22
 108:2,7,9 127:4 149:19
CERTIFICATE 4:8 199:7
certification 57:23
certified 71:25 199:8
certify 72:16 199:10
cetera 85:4
CHAIKEN 2:14
chair 2:3,3 4:5 5:1 6:11,17 7:4,23
 8:13,15,20 9:2,6,10,14,16,21
 10:1,1,2,3,6,9,22,25 11:3,4,7,13
 11:15,18 12:5,8,14,18,20,23
 13:5,8,12,16,19,24 14:4 16:4,7
 16:11,19 17:21 18:20,24 19:3
 19:12 20:7,10,15,21 21:5,21
 22:23 23:3 25:14,19 26:14,17
 32:9,17 33:19,22,25 38:8 39:7
 39:11,18,24 40:9,19,25 43:8
 45:4,5 46:7 47:14 49:17,18
 50:20 51:22 52:2,18,22 53:15
 53:20 54:1,5,9,19 55:1,13 58:22
 59:11,20 60:13 61:3,14 62:15
 66:13,17,21 68:24 69:5,11,13
 70:11 75:1 76:8,12,14 77:2,6
 78:10,15 79:8,18,24 80:2,6,10
 80:13,21 84:11,18,20 85:24
 86:5,19 90:22 91:4,9 92:8,12
 94:1,10,14,17 96:3,16 97:15
 101:9,13,15 102:7,9,14 104:4
 104:13 105:20,25 107:20 108:2
 108:6,18 109:3,8,16 110:2,4,17
 111:7,12 114:1,8 115:4,10,24
 116:4,14,18,20 118:24 119:18
 120:4,17 121:4,16,24 122:3,9
 122:11,13,16,19 123:22 124:3
 124:17,19 125:2,3,4 126:8,12

<p>126:15,20,22,24 127:4,15,18,23 128:2,8,10,13,20 129:10 130:25 131:2,17,19 132:24 133:15 134:1,10 135:2 137:9,11 139:8 139:18 141:23 142:5 144:11,16 145:5,10 146:8,11,23 148:12 149:8 150:5,24 151:16 152:17 152:24 154:9,15,22 155:2 156:24 157:2,18 158:3,6,17,23 159:4 160:11 161:5,16 162:7,12 162:18,21 163:3,7,13,17,22 164:10 165:4,16 166:4,15,24 167:10,20 170:12 172:3,15 173:8 174:12,15 175:5,14 176:1 176:17,21 177:1,4,13,21 178:4 178:10,15,21,24 179:16,24 180:3,6,10,15 181:5,11,17,19 182:1,8,11,17,21 183:1,6,25 184:15,24 185:4,21 186:19 190:17,23 191:5,18 192:14,24 193:8,12,23 194:1,22 195:6,14 195:19 196:21,22,25 197:2,23 198:3,5</p> <p>Chairman 19:21 59:19</p> <p>Chairwoman 10:6,16 38:1 51:23 53:25 60:24 78:21 81:1 89:14 89:17</p> <p>Chairwoman's 90:16</p> <p>challenge 105:12 111:17 146:24 159:9 176:9</p> <p>challenged 136:22 188:17</p> <p>challenges 15:24 110:21 152:25</p> <p>challenging 110:19 176:14 188:16</p> <p>chance 15:23 106:25</p> <p>change 44:1 73:1 119:14 139:3 162:6 169:1 180:11,19 181:12 181:14 182:12 187:10 191:14</p> <p>changed 24:12,14 25:11 121:17 172:10,20,23 176:6</p> <p>changes 9:4 71:2 78:24 95:16,20 119:25 120:7,23 121:6,10,11 124:8 138:13 179:15 180:18</p> <p>changing 139:5</p> <p>Chapman 1:19 199:8,19</p> <p>charge 35:1 142:13</p> <p>charging 140:19</p>	<p>chart 81:8 98:10,19</p> <p>charted 22:15</p> <p>charter 2:10 3:11,15,20 19:14,22 20:17 30:16 34:12 75:12 84:7 90:14,15 98:11,13,14,18,22,24 99:3,13,15,16 100:3,13 101:10 101:17,18 105:6,7,22 106:7 107:15,15,17,23 108:15,22 110:6,7,16,24 118:21 129:1,3 129:12,19 133:1,4,5,12 134:15 136:3 142:2,7 143:9,23 144:4 146:16,20 157:7 158:13 160:8 161:8,9,11 162:2,13,16,17,19 164:21 165:9,11 166:1 167:15 168:13 169:5,17 170:1,3,7,21 171:4,9,10,25 172:4,5,8 181:8 182:7</p> <p>charters 99:25 106:10 107:10 109:17 132:13,19 135:1 148:5,6 158:19 159:7 160:15,19,22,23 161:1,13,20 162:10 169:16 171:18 172:25 173:5,12</p> <p>Chavez 2:5 7:19,20 39:18 77:22 77:23 111:1,9 123:6,7 183:12 183:13 190:7,9 191:12</p> <p>check 32:5 64:8,20 105:3</p> <p>checking 6:1</p> <p>checklist 3:22 89:11 94:1,6,11 119:21 124:14</p> <p>chief 57:18,19</p> <p>child 42:8,10 44:21,22 152:3,3 153:3 168:18,21 170:4,18 187:7</p> <p>Childhood 146:15 151:1,9 163:9</p> <p>children 32:11,25 113:12,19 135:23,25 142:21,22 150:7 152:7 167:19,20 170:8,19 174:6</p> <p>chime 146:12</p> <p>chip 173:2</p> <p>choice 113:7 154:25</p> <p>choices 125:7</p> <p>choose 140:7 170:7 189:10</p> <p>chose 153:12 174:23</p> <p>chosen 153:9 174:8</p> <p>chunks 68:20</p> <p>circled 181:11</p> <p>citizens 144:15,21 145:18</p> <p>city 17:8 90:13 96:16 169:2</p>	<p>clarification 124:12 162:10</p> <p>clarified 131:14</p> <p>clarify 69:14 162:4</p> <p>clarity 130:1 133:19 162:5</p> <p>class 23:21 26:25 28:23 51:8 64:18,19 71:11 145:20,21,23 168:21 173:14,17</p> <p>classes 23:20,22 27:17 51:4 68:10 111:13 143:4 146:4</p> <p>classroom 27:6 28:20 29:16 32:23,24,25 33:4 68:19,22 142:20</p> <p>classrooms 35:7 68:6 152:2</p> <p>clean 164:1</p> <p>clear 25:25 75:9 76:20 91:16 94:1 121:22 165:17</p> <p>clearer 65:7</p> <p>clearly 27:25</p> <p>close 39:4 105:16 136:9 170:3 177:2 193:8</p> <p>closed 172:7</p> <p>closely 64:6</p> <p>closer 149:18</p> <p>closing 37:5</p> <p>closure 89:24 93:12,16,23 96:20 97:8,10</p> <p>closures 89:14</p> <p>co-sponsor 99:12</p> <p>co-teacher 27:23</p> <p>co-teaching 23:19,20</p> <p>coaching 99:19</p> <p>Coast 18:10</p> <p>code 60:4,11</p> <p>coded 64:7</p> <p>cognates 68:9,16</p> <p>cohort 105:8,17</p> <p>cold 16:21</p> <p>Collaborative 133:11</p> <p>college 18:12,22</p> <p>colleges 18:7,9,10 144:19</p> <p>Collegiate 93:8</p> <p>color 61:15</p> <p>colored 61:6,16 85:13 86:7</p> <p>column 84:5</p> <p>come 19:6,7,15 20:16 22:1 33:12 35:21 42:18 51:4 52:20,21,23 53:22 61:25 81:6 86:15 98:17</p>
--	---	---

106:17 116:6 125:19 127:20
 129:22 137:21 140:5,8 149:25
 168:11 170:24 174:17 178:19
 189:21 194:24 195:7
comes 46:14,15 56:5 65:22 68:3
 82:23 84:12 104:9 115:20 122:6
 130:22 142:10 143:21 152:22
 166:8
coming 14:15 19:4,9,16 39:8
 53:13 99:17 102:4 106:3 113:12
 148:15,16 194:20 196:24
commas 28:24
commended 18:17
comment 191:11 197:1
comments 4:6 20:13,16 179:9,11
 179:12 180:12 190:3
Commission 1:1 6:4 12:12 19:20
 53:1 76:16,23 78:22 79:15
 86:13 92:14 95:5 98:3,5 112:18
 117:12 120:13 121:23 128:4,6
 141:13 146:14,20 163:21
 175:16 194:9 199:1,12 200:5
Commission's 38:5
Commissioner 5:15 6:6,8,12 7:2
 7:6,8,9,10,11,11,13,14,14,16,17
 7:18,19,20,21,21,24,24 8:1,2,2
 8:4,5,5,7,8,8,10,11,14,19,20,22
 8:23 9:8,9,11,11,23,25 10:10,13
 10:15,18,19,24 11:4,5,6,9,10,12
 11:18,19 12:2,3,10,13,15,22
 13:4,6,7,11,13,13,15,23,25 14:2
 17:3,19,21,22 18:23 26:18,19
 28:1,4 29:3,9,13,21,25 30:19,25
 31:4,9,15 32:7,9,10,15,17,19
 33:14,18,24,25 34:1,5,10,21
 35:8 39:18 40:14,15,20,23 41:1
 42:7,24 43:4,11,15 44:8,13,20
 45:4,5,6,20 46:6 49:17,19,20
 50:9,11,20,21,22 51:10,11,12
 52:18 59:19,20,21 62:14 66:18
 66:20 68:23 69:11,12,25 70:10
 75:1,2,3 76:1,11,13 77:1,3,6,8,8
 77:10,11,11,13,14,14,16,17,17
 77:19,20,20,22,23,24,24 78:1,2
 78:2,4,5,5,7,8,8,11 80:5,7,8,19
 83:19,20 87:3,6,7,10,15 92:22
 92:25 93:4,10 96:6,17 99:21,22

103:25 104:12 105:18,21
 108:11,21,24 109:6,11,14,22
 110:3 111:1,9 112:1,5 114:2
 115:1,22 116:2,12,16,19 117:19
 122:7,10,12,18,20,21,23,23,25
 123:1,3,4,5,5,7,8,8,11,11,13,14
 123:14,16,17,17,19,20,20,23,23
 123:25 124:1,2 126:5,7,18
 129:14,16 131:1,2,24 132:25
 134:9,10 135:12,13 136:12
 137:5,10,13 138:22,23 139:2,4
 139:9,15,22,25 140:3,21 142:3
 142:14,15 144:18 145:16,19
 146:13 147:4,16 148:1,8,14,17
 149:20 150:22,25 151:3,5,13
 152:15,21 153:24,25 154:3,7,14
 154:23 157:22 161:11,25 162:8
 162:23 163:5,9,18 164:8 165:1
 165:10 168:24 169:13 170:13
 171:15 172:13 173:23 174:5,14
 174:19,21 175:11 176:19,22
 177:3,6,9,11,17,23 178:7
 179:20,22,24 180:8,13 181:3,7
 181:9,20,22 182:4,15,20,25
 183:2,3,8,8,11,11,13,14,14,16
 183:17,17,19,20,20,22,23,23
 184:1,1,3,5,7,8,9,9,11,12,13
 185:1,11,13,16,20 186:17 190:4
 190:6,7,9,19,24,25 191:5,6,11
 191:19,20 192:16 193:3,6,10,12
 193:13,20 194:1,2,22,23 195:10
 195:12,13,14,15,20 197:11,13
 197:17,22,25 198:2
Commissioners 2:2 9:13 10:21
 11:16 12:17 13:1,18 19:1 22:25
 51:24 66:16 71:1 80:3 81:1,3
 98:1 103:5,7 112:10,20 117:4
 126:13 127:4 179:10,12 180:16
 188:7,7,9 191:1 193:17 194:3
 197:4 198:4
commitment 97:17
commitments 46:21
committee 125:24 126:25 138:21
 178:16
committee's 176:5
committees 125:11,19 127:14
 141:20

communicate 101:19,20 102:5
communicated 38:17 39:25
 89:16 150:6
communicating 101:12,22,23
communication 92:10 101:16
community-school 152:13
comp 81:14,15
company 57:7,9
compare 135:19
compartmentalize 20:8
compensate 45:7,15
compensatory 35:18 36:3,14
 46:4,9,11 47:6,18 48:24,25
 51:25 52:6
compete 15:6,11
competition 15:5,7,7 17:12 18:2
competitions 111:10
complaint 43:3 92:15
complete 15:10 16:1 61:2,12
 93:16 94:25 119:22
completed 93:6 99:8
completely 67:12 91:11 121:24
 167:23
completing 95:21
complexity 148:18
compliance 22:5,6,14,20 24:20
 42:8
comply 161:1
component 18:25 25:17 55:8
compound 148:5
compounded 130:11
comprehensive 56:15 87:13,19
computer 25:23
computers 91:23 146:5 192:10
con- 181:18
concept 49:25 147:5 167:11
concern 25:15 38:17,19 46:10
 57:17 60:20 66:24 70:20 91:1
 91:13 103:20,24 112:20 116:5
 137:13,16 187:17
concerned 17:1 31:10 70:18
 90:24 100:21
concerning 26:1
concerns 53:2 76:17,25 94:22
 95:3,4,13 125:16 149:15
conclusion 66:1
conduct 127:12

conducted 9:1 44:7
conference 89:1,2
conferences 88:23
confidence 147:16
confirm 25:10 74:9
conflate 47:6
conflating 46:8
conflict 58:4
conflicting 148:2
conflicts 148:2 149:6
confused 46:8
congratulations 7:3 10:24 12:21
 14:1 17:20
consensus 128:4
consent 3:8 12:24,25 13:2,14,20
 80:14,17 95:2
consider 50:18 78:23 103:9
considerable 50:17
consideration 56:25 78:23
considerations 79:15 155:9
considering 49:21
consistency 152:5
consolidate 171:5,13
constitute 199:10
construction 158:21
constructive 190:22
consult 133:2
consults 125:3 163:17
contact 185:14
content 65:15
continually 109:13 112:1 188:23
continue 10:17 79:19 175:13
Continued 4:1
continues 161:23
continuing 70:2 88:9 98:5 119:6
contract 36:9 45:25 56:17 93:12
 93:13,15 108:8,8 133:9 134:5
 180:22 181:6,19 182:5,6,7
contractor 57:7,22,24
contracts 56:18 147:3 181:19,20
 181:24,25
contrast 180:23 181:6,16,17
contribute 139:13
contribution 37:4 137:19 140:12
 140:12
contributions 140:1
control 29:7 41:22 61:13 62:9

controlling 140:4
controversy 166:1
convenient 49:3
conversation 38:15 54:20 107:8
 116:24 167:2 187:1,24 196:19
conversations 187:12 191:14
conversion 118:24,25 119:1,5,14
 164:12,16,21,23,25 165:8,19
 169:10
convert 167:7
converted 166:25 167:5
converting 166:23
convince 113:20
convinced 113:2
cooperative 99:23 106:14
coordinate 96:19
coordinator 19:25 34:25 65:3
 81:23
copies 85:17,18 179:14,19 184:20
copy 38:2 90:18 97:3,10 103:6
 112:7 181:1 188:8,13
core 63:25
corner 175:6
correct 23:7 24:6 57:5 76:5 85:25
 86:1 96:22 105:20 127:22
 162:24
corrected 38:4 56:14,20
correction 39:2
corrections 39:1
corrective 3:11 19:14 21:8,11
 22:9 25:16 40:21 41:6 42:23
 52:4 55:20 56:4 57:10 60:20
 63:16 65:6 66:6 76:16,23,24
 104:25
correctly 11:8
cost 141:11
costs 100:21
council 19:22 53:13,16 57:1,14
 60:22 79:2
councils 61:25
counsel 2:12,13,14 89:22 96:15
 97:11 116:23 117:16,17 125:3
 163:17
Counsel's 90:6
counseling 132:3
counselor 132:15
counselors 143:16

count 37:13 80:6 132:7
counting 11:23 132:20
countries 15:11,13
country 15:16 17:18 18:8
County 199:13
couple 24:16 38:16 54:7 70:13
 114:24
course 25:1,4 27:1,20 30:14 35:5
 42:6 68:13 74:2 145:25 170:2
 189:17
courses 110:15
court 1:20 6:21 92:15,21 199:9
courtesies 79:16
cover 18:14 52:19 57:2 132:16
covered 18:13
CP 136:21
CPO 58:11 59:23 60:1
CPSOs 111:2
Craig 39:8
cratering 170:6
create 15:25 68:7 105:16 111:17
 136:18 147:12 161:23 167:17
 190:21
created 163:24 179:1 188:4
creates 146:23 164:10 166:13
 171:17 176:13
creating 68:5 152:1 166:11
creation 169:17
creativity 152:4
credit 45:23 46:1,8 47:6,17,25
 48:23 59:16 144:15 145:3
 190:12
credits 46:3 47:12,22 144:24
critical 138:18
criticism 112:13
criticizing 112:7
Crone 2:5 8:3,4,22,23 77:9,10
 123:18,19 183:18,19 193:10,12
 193:13,20 195:12
crop 172:11
Cruces 22:7 34:23 35:2,3 66:9
 79:13 114:10 168:25
CSD 88:17 93:13 121:7 122:5
CSI 87:11,18
culinary 114:12
culture 15:18 75:15
cultures 15:14

cume 75:5,10
cumulative 64:12
curiosity 176:3
current 121:17
currently 20:24,25 70:2 73:1
 88:14 93:7 118:4 169:7 175:2
curve 5:10
Custodian 2:11
cut 127:23,25 128:1 131:11
cuts 128:14,17
CYFD 132:9 151:9
Cynthia 1:19 199:8,19

D

D 3:1,1 4:1,1 49:23,24
d'Arte 3:11 19:14,22 22:4,14
 23:14 24:17 75:13 76:24
daily 64:19
damage 16:12,18,19 17:2,15 19:4
danger 138:7
DASH 3:13 63:23 65:17 80:15
data 36:18,23 37:1,2,6,10 44:15
 64:3 83:6
date 52:17 88:17,22 121:10,14
 185:8,18 187:17 200:2,9,14,19
 200:24
dates 121:17 187:18 188:11
David 2:7 150:4
Davis 2:6 7:16,17 11:6,10 78:3,4
 103:25 104:12 115:22 116:2,12
 116:19 122:24,25 183:21,22
 194:22,23 197:13,17
day 29:8,11 133:10 136:7 176:10
 176:23 177:2
days 36:18 49:8,9,10 50:7,16
 54:7,8 86:15 154:8 176:19
 177:15
de 93:20
dead 47:15
deadline 53:19 83:24 88:21
deal 78:17 148:6 149:14 154:11
 164:14 171:12 175:4
dealing 42:12 146:17,18,21
 148:12 149:17 187:12
deals 179:1
dealt 159:10
Debbie 82:2

debt 141:10
DECA 108:14,16,18 109:1,5,18
 109:25 110:13,15 111:2,5,8
decades 109:5
December 14:13 92:16,16 102:21
 102:23,25 103:18 116:8 179:9
 187:19 194:25 195:8
decide 112:23 138:24
decipher 68:22
decision 54:17 58:5 113:9,10
decision-making 165:15
decisions 126:3
decline 140:16
declining 144:19
decrease 100:25 136:21
decreased 130:17
decreasing 169:3
definitely 16:1 24:13 30:19 48:22
 68:14 129:23 173:18
definition 128:24 129:2 133:16
 134:23 150:20
degree 59:1 144:25 145:4
Déjà 193:10
del 93:9
DEL'D 200:9,14,19,24
delay 16:15
delayed 14:11 129:21
delete 129:1,12
delighted 196:12
delineate 73:12
delivered 184:21 200:9,14,19,24
delivery 184:25
Deming 114:9 143:25 144:1,5
Democrat 195:21
Democratic 195:20
demographics 136:19,24 169:1
 172:9
demonstrating 17:5
demoralized 67:12
department 90:9 115:2 146:15
 146:18 147:15,21 148:2,11,22
 148:24 150:11 151:2,11
departments 146:22 148:3,7,13
 148:18
depending 140:7 158:19
depends 178:15
depleted 137:18

depth 104:6
Deputy 51:22 66:13 70:11
derived 68:14
description 117:22
designated 74:6,7
despite 86:25
detail 61:6
detailed 40:16 135:5,10
details 96:21 145:9
determine 73:5 134:24
developed 60:17
developing 152:3
development 68:6,10,18 70:19
 99:14 114:5 154:2
devoted 113:18
DFA 89:19,20 90:7
dictate 147:10
dictating 170:25
difference 151:1 196:4
different 15:8,11,13,14,16,17
 18:9 31:24 32:21,22 33:3 42:14
 43:20,22 44:19,21 47:24 68:17
 81:21 87:21 91:11 99:18 110:20
 127:14 133:24 135:20 144:12
 145:21 146:22 147:9 148:7,18
 149:13
differently 32:22
difficult 27:13 75:13 95:10
digging 190:21
dignity 157:6
diligent 86:24
ding-ding-ding-ding 173:21
direct 31:14,16 69:1 72:18 115:6
 121:7 142:6 184:25
directed 63:8 71:15 184:22
direction 122:5 125:13
directives 63:9
director 2:9 17:25 39:8 51:22
 66:13 70:11 104:18
disabilities 27:14 34:9
disability 70:6
disabled 35:5,10
disagree 129:8
discipline 158:2
disclosure 26:20
disconcerting 47:2
discoveries 21:10

discriminate 27:16,19 167:24
discussed 71:6
discussion 3:11,13,13,15,17,20
 3:21,23 4:3 6:19 14:3 19:13
 77:4 80:12 102:11,15 115:8
 122:22 124:20 152:25 155:19
 160:9 163:12 169:14 170:14
 175:12 179:6 183:4 185:7
discussions 53:12 56:6 147:18
Disks 200:8,13,18,23
disorder 34:6
dispersal 91:21
disposed 90:5
disposition 89:19
disservice 48:8
distances 192:23
distinction 40:2 47:16 48:23
 161:7
distributing 100:17
distribution 101:5
district 17:23 37:7 39:20 40:3
 50:22 65:3 75:15 76:3 99:3,17
 109:9 110:9,25 117:9 118:1,12
 129:2,4,8 130:5 132:21 142:24
 144:2 161:9,12,15 164:5 165:13
 166:9,14,17,18 167:4,16 168:13
 173:2,3,3
district-mandated 130:17
district-required 130:19
districts 40:4 100:14 101:7
 110:22 117:10 132:5,18 142:23
 154:11 161:17 168:25 169:15
 170:22
divided 117:10
division 2:10 3:15 20:18 147:13
doctorate 144:13
doctors 113:2,4
document 121:19 200:8,13,18,23
documentation 26:4 56:16
documents 120:1,8,24 121:1,11
dogs 142:8
DOH 132:9
doing 6:14 25:23 26:25 31:18
 33:3,9 40:17,20 41:7,8,10 46:13
 48:8,11 51:21 55:11,18 64:11
 80:18 81:23 82:16 84:23 86:24
 88:1 95:6,12 98:15 108:25

127:2 140:18 144:6 145:21
 151:25 172:5 186:8,24
Dolbow 82:2
dollars 16:17 141:4,5
Dolores 81:7,18,20,20 82:24
 83:17 92:10 93:20
donation 90:14
door 159:3 160:2,5 173:4,13,15
dossiers 143:2
double-edged 195:6
doubt 193:19
downgrade 141:9
download 192:12
Dr 19:25 20:3 21:6,25 36:25
 37:18,23 45:19 47:5 53:18
 54:24 58:9,23 59:12 62:16
 67:14 68:4,25 69:7,14,23 70:4
 72:3,21 73:8,18 74:12 79:21
 102:18 103:2,11 104:5,18
 106:18 109:13 114:21 115:19
 116:13
draft 86:8 99:10 120:22 121:8,14
 121:17 124:6 179:10
drafts 119:23 120:20
drained 172:4
dramatically 140:25 146:19
draw 68:7
drawing 169:18
drawn 22:13
drills 187:4,5
Dripping 79:10
drive 44:15 171:23
drives 44:17
driving 192:22
dropped 170:1,9
drove 79:4,10
dual 66:7
duck 156:16
due 14:25 22:17 37:24 84:8 86:14
 89:23 120:22 121:9
Dulce 165:5
dull 192:4
dumping 140:16
duties 82:5
duty 112:15
Dylan 82:8,9,9

E

E 2:1,1 3:1,1,1 4:1,1,1
e-mail 90:7 99:10 101:19 179:17
 180:17,25 181:1,5 182:2
EA 159:15
earlier 55:10 66:19 85:6,12
 171:18
early 79:3 112:22 115:11 146:15
 151:1,9 153:1,3 163:9
earning 81:16
EAs 159:13
easier 20:10 40:13 96:2 113:24
 188:22
easiest 20:7 125:4
easily 169:11
East 15:6 18:10
easy 53:19
economic 100:4 155:2
ed 24:3,11 27:16,16,17,18,20
 29:1,2,15 30:4 31:6 32:15 34:8
 35:13 38:4 54:3,10,12 76:19
 135:3,9 151:24
Edgenuity 46:1
edits 179:11
educated 28:9 60:18
educating 61:19
education 1:1,12 6:4 12:12 17:8
 18:18 20:1 21:8,16,24 22:12
 23:22 25:2,3 26:20,24 30:1,15
 30:16 34:13,25 35:4 37:22
 42:12 44:3 45:1 64:5 65:24
 76:15,23 104:8,17 106:1,3,5
 116:15 121:22 132:5,8,13,21
 133:8 146:15 151:2 163:10
 164:19 169:16 171:1,9 178:2
 195:5 199:1,12 200:5
educational 58:12 99:23 134:16
educator 24:16 36:1,7
effect 57:3
effective 108:13
effort 63:6 78:18 107:1
efforts 190:1
egg 149:4
eight 29:11
either 11:18 31:11 93:22 95:16
 96:7 137:19,20 138:5,10 171:12
 190:4 197:15

EI 62:17,19 72:24,24 73:5 75:19
 76:18,20 171:4
EL-supported 64:8
elbow-to-elbow 65:6
Eldorado 110:11,15
elected 10:3
electing 10:1
Election 3:7 9:24
electronic 5:12
elementary 34:14 149:1 169:25
 170:4,20 171:5 174:7
ELL 62:14,15 69:17 70:2
Elliott 19:19,21 20:9,12,19 53:14
 55:9 60:24 61:4 78:21 79:14,19
ELLS 74:7
emanates 51:17
employee 57:25
empty 174:2,3
encompass 158:14
encouraged 67:21
encouraging 101:15
end-of-a-lesson 131:7
ended 88:25 158:20
endorsements 59:2
engage 116:24
engaged 187:20
English 21:9,19 23:19 28:23
 40:17 59:13 63:15 67:4,17,18
 67:23 68:10 69:16 70:18 74:2
enjoyable 196:19
enroll 165:25
enrolled 110:14,18 118:4 153:2
enrollment 3:19 111:15 117:5,7
 118:2 119:8,15 144:19 145:23
 164:7 165:24 166:3,6,7,7 170:1
 170:9 173:1,20
ensure 89:25 99:1,5
entertain 9:7 12:8 13:2
entertaining 192:22
entire 22:19,19 29:12 50:9
entirely 36:5 161:24
entities 47:24 134:17 147:1
 149:17
entity 107:17 147:3,8,9
entry 65:23
environment 61:20
episodes 192:12

equally 143:22
equipment 17:2 91:22 92:1
 106:10
equity 98:22 100:2
Eric 36:25 38:14,15
especially 27:11 105:14 155:14
 169:1 190:1
essence 129:4
establish 172:22
established 110:1 163:24 178:2
establishing 151:23
et 85:4
evaluated 23:13
evaluation 114:23
evaluations 23:6
evaluative 133:22
evening 50:2 88:10
evenings 45:11,17 49:1 50:13
 88:8
eventually 95:7 96:2 171:3
everybody 100:18 115:12 138:3
 141:18 142:25 196:13
everybody's 149:25
everyone's 188:18,22 189:9
everything's 140:4
exact 118:23
exactly 28:19 49:2 50:11 124:18
 147:18 174:14 186:10
example 66:24 165:4,5
excellence 3:9 14:6,24 17:23
 18:18
excellent 18:1 37:3 63:9 171:11
 171:11
exception 33:10 185:11
excited 100:9 186:15 196:12
exciting 18:24 98:2,4 100:7
exclude 130:4
excuse 21:23 85:9 88:9
executive 81:19,23
Exhibits 200:8,13,18,23
existence 118:21
existing 141:4
exited 75:25
expect 28:15 31:25 36:23 195:1
expectations 178:1
expected 43:17
expecting 90:9

expedite 8:17 91:21
expenses 46:24
expensive 106:9
experience 15:22 17:14 31:10
 41:13 56:21 75:11
expert 60:3 63:5,18
expertise 62:21
experts 141:15
expired 188:8
explaining 104:7
explanation 40:16 70:15
explicit 61:6
explore 111:20
extended 47:11 48:1 84:24
 187:18
extends 153:23
extensive 21:24 36:12
extent 140:15
extra 50:6 134:13 153:14 179:23
extremely 143:9
eyeing 138:1
eyes 53:20 54:11 62:6 193:9

F

face 101:7 147:24 171:14 173:10
Facebook 101:11
facets 158:19
facilities 99:7 129:6
facility 118:10,17
facing 175:17
fact 5:4,17 27:17 35:20 45:6 48:4
 49:13 74:6 76:6 81:25 94:23
 98:15 103:23 113:3 119:21
 149:9 187:15
factor 152:10
faculty 66:23 67:8 155:5 159:1
FAFSA 59:5
fair 52:9,13 53:4,17 80:10 91:23
fairly 110:23 168:6
fall 24:9 45:24 111:3 134:7 150:9
 150:13
falls 111:8,10
faltering 170:10
familiar 22:10 34:11 56:23
 109:18 176:4
families 101:16 155:3
families' 46:24

far 17:1 53:9 104:5 110:5,14 160:6 166:2	76:17,21,25 83:6	football 113:4,5
far-reaching 168:10	financially 58:21	foregoing 199:10
fascinating 191:23 193:1	find 6:14 30:10 41:16 49:2,5 62:25 63:6,9 64:15 74:14 79:21 92:4 143:10 166:20 167:7 174:18 181:14,22	forget 78:14 197:19
faster 28:11	find- 40:8	form 45:11 46:4 158:1
father 113:14	finding 31:17	former 83:9,9
fault 60:15 101:3 171:10	fine 21:21 38:8 55:4 59:23 84:20 97:1 177:24 195:23	formerly 75:7
favor 9:12 10:20 12:16 13:17 128:15 198:3	finished 37:13 156:6	formula 31:16,18 98:25 99:4 100:16,17
Fe 1:12 117:17,25 118:8,9,11,16 164:4,5 168:25 169:8 173:24,25 174:3,22 199:13	finishing 59:1 85:1	formulas 31:17
February 52:4,17 53:8 89:7 115:21 142:10 185:10	fire 16:21 86:13 96:1 187:4,7	forth 147:18
February-something 94:16	firm 188:1	fortunate 65:3 117:15
federal 22:20 24:20 41:24 104:9 104:10,23,24 107:3 112:7,13 114:23 170:24	first 6:13 16:11 20:19,20 21:17 39:10 56:9 62:22 63:1 66:18 67:14 81:2 88:21,22,25 97:25 100:1 119:5 123:2 129:23 147:8 175:19 191:8 192:15,20 194:7	fortunately 187:6
feedback 21:13,15 35:14 37:21 37:24 38:3 54:15,15 65:2,7	first-grade 148:23	Forum 3:6 9:19
feel 36:3,13 42:8 56:19 83:21 127:1 152:4 188:1,19 193:19	first-year 99:15	forward 14:10 46:5 73:22 88:19 98:4 103:10 106:3 115:18 124:6 189:25 190:15,21 191:3 195:4 196:3
feels 191:3	fiscal 141:16	found 21:12 23:15 63:7,10 64:5,9 181:10 191:22 196:16
fees 140:19	fishbowl 30:14	four 35:1 45:23 59:2 129:17 130:10 175:15 188:7 195:19
feet 86:13 95:25	five 24:25 69:19,21,21 70:1 72:9 98:16 137:3 154:10 169:9 180:1	four-day 155:11,23 156:2
fell 176:11	five-year 137:2	frame 29:4,7 52:24 54:23
felt 52:12 118:7,18	fix 40:10,11 166:11	framework 147:2 150:9
female 159:11,21	fixed 39:3 180:24	free 102:9 192:12
fewer 84:23	Flag 3:4 8:24 9:1	Friday 6:5 155:16 186:20 196:8
field 41:2	flexibility 136:25	FRIEDMAN 2:11 9:20 115:6 180:5 196:21,25 197:3,15,19 200:7
fields 17:6 75:18	flooding 15:1 16:13	friend 169:22
fifth 147:8	floor 10:5 14:16,19 15:21 16:6,8 16:14,17,20 17:1,10 19:10	friendly 195:3
fight 143:21	fluctuate 136:23	friends 113:1
fighting 168:16 175:21	focus 106:2 114:18	friendship 196:19
figure 52:8 53:11 63:19 70:9	fog 79:5,5,7,11,13	frustrating 150:17
file 56:15,17 75:5,10	folder 64:12	frustration 105:12 112:2
filed 92:15 102:21,22	folders 197:20	full 19:8 26:19 29:11 32:12,13,23 33:8 34:24 61:12 145:8
files 23:5 56:19 64:5	folks 47:20 81:5,9 83:1 92:10 138:24 155:8 172:5 189:20,22	full-time 24:17 35:12
fill 83:13	follow 86:9 90:10 101:15	fully 100:11
filled 81:14,24 83:10 185:23	followed 21:17	fun 44:8 194:17
filling 85:3	following 15:9 64:24 94:8 153:20	function 161:14
final 86:9,10 99:10	follows 102:13	functional 44:17
finalized 121:25	food 157:14,17	functions 148:10 149:4
finally 186:21	fooled 84:24	fund 137:17
finances 61:2 129:5		funded 83:2 100:11 109:7
financial 21:9,18 39:9 55:8 56:2 58:16 60:17,22 61:5,9 62:2,12		funding 98:22,25 99:25 100:18 100:24 128:16,18 134:13,21,25

137:19 171:19,25 174:13
fundraising 18:14 59:4
funds 99:13 140:24
funny 70:5 144:22
further 27:11 30:7 45:24 54:20
 136:15,16 161:3 183:4
future 16:3 64:16 65:10 73:3
 84:25 138:24

G

G 3:1 4:1
gain 57:12
game 48:18,18
garbage 112:12
Garfield 167:5
GEAR 59:3
gender 159:17
genders 160:4
Gene 19:19,21 20:9,12,19 53:14
 55:9,15,16 60:24 61:4 78:21
 79:14,19
general 25:3 27:16,17,19 29:1
 78:12 90:6,9 115:17 127:11
 128:21 186:8
General's 187:21,22
generally 141:25 142:5
generous 53:19
genitalia 159:22
gentlemen 19:20
geometry 59:13 69:2
GEORGINA 2:6
getting 19:5 29:16 34:14 39:16
 47:22 51:8 61:19 62:2 67:24,24
 86:16 89:21 92:5 93:18 107:19
 131:25 135:11 139:1 143:13
 162:12 189:11 197:23
gifted 33:17
Gipson 2:3 7:22 10:6,8,16 78:9
 89:15,17 123:21 183:24
give 14:12 15:3 16:4 23:25 29:11
 40:16 46:24 47:8 51:6 52:13
 53:4 54:6 55:22 71:15,19 72:1
 72:1 102:19 108:12 131:6,8
 141:18 171:25 174:1,22
given 27:9 30:7 35:14 39:21
 47:21 71:22 72:23 109:1 112:11
 125:13 154:17 190:12

gives 15:12 50:15 54:10,12
giving 48:19 52:9,10 71:10 72:7
 72:14 171:21
glad 19:5 188:3 191:10
Glenna 2:7 181:9
go 7:18 15:5,12,17 16:24 17:13
 18:7,9 22:4 26:8 28:19,25
 32:23 38:23 44:5 57:3 61:24
 62:23 70:9 85:17 88:18 91:15
 91:20 92:5 94:11 95:18 98:8,12
 99:2 104:5 108:6 109:25 110:5
 111:24 113:3,5 114:6 125:10
 137:5,12 140:25 141:2,11
 145:24 147:1 152:19 154:25
 155:3 156:4 157:16 159:18
 160:7 164:17 166:20 174:8,10
 174:16 175:3 185:25 190:5
 192:25 195:21
goal 43:23 113:11
goals 18:21 42:14 43:18,20 44:10
 44:10,12,18,24 56:1
goes 61:7 104:11 134:22 166:4
going 5:23 6:3,6,17 8:20 9:22
 10:2,4,5 11:2,3,15,25 16:24
 20:5,19,20 23:19 25:19,21,22
 26:2,5 33:4 36:24 38:12 40:19
 41:25 44:3 45:7 46:11,17,19,25
 48:7,17 51:3,13 60:10 64:12
 68:22 72:11,15,17 73:1,10
 76:15 80:3 81:9 84:4 85:2
 90:24 93:19 97:3 100:7,9,20
 102:16 103:7 105:5 107:1,9,20
 108:19 109:20 116:24 119:19
 120:13 122:3,16 124:13,15
 125:19 127:13 128:5,5 129:22
 130:18 131:6,11 132:3,7,16
 133:16 134:13 136:1 137:3,7,18
 137:20,24 138:7,10,10 139:13
 139:24 140:2,5,5,14,22,23
 141:6,10,11,20 145:4,10 146:19
 147:7 148:19 149:4,5,24,25
 150:18,20 152:24 153:3,4,5,15
 153:16 155:11,13 156:1,8,19
 159:18 160:7 165:7 166:19
 167:15,16 168:11,12,14 169:14
 170:5,16 171:1,13 174:7,17,24
 175:6,13 177:13,14 178:20

185:7,25 186:11,15,21,21 189:9
 191:16 192:3,4 193:17 194:5,12
 196:4,5
gold 193:21
good 5:1 18:19 19:19 21:6 46:19
 46:23 55:12,14 58:18 60:2,3,12
 64:2 74:10 76:12,13 79:17
 80:21 107:8 108:10 109:15
 110:4 113:8 115:8,10 120:2
 126:17 138:5 150:18 155:6
 178:23 180:19 192:11
Google 192:10
gosh 58:23
gotten 48:15
governance 19:22 53:13,16 57:1
 57:14 60:22 61:25
governing 79:2 82:22 88:6,7
 94:22 95:8,9,20
government 104:9,24,24 112:14
 114:24 141:11 186:16
Governor 131:9,10 135:3
Governor's 5:8 187:25
grade 51:5 73:2 150:2
grade-level 32:2
grades 18:7 64:20 86:15 112:25
 113:3,8,24 170:6
graduate 47:12
graduation 114:6
grammar 28:24
grammatical 182:13
grant 3:17 83:1,2 102:16,19,21
 102:22 103:22 104:1,8,10,10,21
 105:4,9 106:8,12 107:2,18
 108:13,19 115:16
grant-writing 108:4
granted 168:20
grants 59:3 106:24
graphs 61:6,15
grasp 37:12
grateful 190:14 194:24
great 17:15 50:12 65:16 97:23
 101:14 107:6 114:8,13 141:18
 156:22 178:8
greater 53:9 65:13 128:16
ground 188:1
group 23:16,17 28:20,21 41:2
 51:7,15 67:6 81:8 82:15,17,19

101:23 106:11 138:8
groups 137:25
grow 112:24
growing 174:1
growth 32:3 73:3 98:14,14
 118:11 190:22

GSD 90:9

guarantee 164:15

guaranteed 165:24

guess 16:11 24:15 28:9 37:16
 45:9 46:7,9 51:18 58:5 65:14
 70:14 82:9 92:18 125:4 140:7
 187:13

guide 67:8

guy 84:12

guys 14:20 18:1

H

half 65:18 86:16 131:12 191:1

half-a-dozen 169:10

half-day 134:6

half-time 110:14

hall 1:12 49:23,24 116:18

hallmark 133:22

hallmarks 105:2

hand 6:24 72:18 101:8 186:8
 199:16

handed 83:17 98:20

handle 97:9

handled 147:8 184:23

handles 36:22 37:1 57:8 97:8

handling 37:1

handout 87:4

handy 116:3

happen 6:22 50:23 90:23 100:7
 114:7 140:22 165:19 186:9

happened 5:5 40:1 41:21 196:1,1

happening 94:20 97:5 147:20

happens 5:21 96:10 115:23 142:9

happy 20:4 85:20 96:18 102:5

189:2 190:20 194:23 196:2,6,12

hard 22:5 24:18 35:3 41:1 44:15
 78:23 83:13 87:17 95:19 100:14
 136:13 137:20 143:10 164:9

hash 53:15

hate 29:14

Hawthorn 165:4

HB 129:25 131:24 165:23

head 60:2 89:3 95:23 116:14
 151:13

Headquarters 89:16 92:24

health 132:4 134:5 136:10

139:11,23 152:12

healthy 98:18

hear 19:5 23:4 39:10 67:20

147:19 196:6

heard 80:15 82:21 120:16 125:11

129:16 154:7 156:1 176:11,12

177:19

hearing 9:16 12:20 13:20 198:5

heavy 79:5

Heights 110:10

held 6:19 14:3 58:3 80:12 102:11

163:12 199:12

hell 193:17

Hello 32:20

help 15:25 22:1,2,9 23:24,24 24:1

27:20 28:22 29:2 33:13 36:9

39:15 46:23 48:14,15 50:15

74:14 87:22 89:7 93:17 94:8

95:6,7 107:13 121:15 144:18

helped 195:1

helpful 95:14 96:8,19

helping 27:2 190:21

helps 61:16 68:21 114:17 162:13
 162:13

hereunto 199:15

Hey 54:19 167:14 168:12

high 15:17 18:7,16 19:23 22:10

22:11 28:2 34:13 35:1 65:1

67:5 71:17,24 92:4 110:2

112:22 114:5 135:17,18 140:19

140:19 145:14 147:17 156:3

171:6

high-school 155:14

higher 51:5

highly 18:3 178:4,7 192:21

hire 108:7

hired 22:7 36:7 67:15 89:3

Hiroshima 17:13

history 17:14 72:6 192:25

hold 48:7 67:22 180:1 185:10

holding 86:13 95:25

holidays 83:12

Holly 19:24,25 21:6,7 36:25

37:18,23 45:19 47:5 53:18

54:24 57:14 58:2,9,23 59:12

62:16 67:14 68:25 69:7,23 70:4

72:3 73:8,18 74:12

home 62:24 63:2,3 67:20 70:7

71:9,15,18,21,22 74:16 75:4,8

76:4 79:25 98:10

homeless 135:17

honest 58:21 74:13 126:20

honestly 34:11 109:12 111:7

135:4 175:14

honored 195:16

hope 79:16 134:24 191:16,21

194:4,17,19 196:18

hopeful 194:20

hopefully 19:7 40:6 54:10 62:8

78:16 111:22 115:11 124:17

162:14 178:24 186:25 189:25

190:21

hoping 99:8 107:7

horse 47:15

hour 130:3 131:12 144:15

hours 29:11 48:13,17 53:11

130:3

house 82:10 106:12 128:22 129:9

144:14 163:14,15 167:9

Howie 196:3

HR 81:25 83:7

HSD 132:9

Huerta 92:10 93:20

huge 17:5,8 132:19 155:11

174:20

hurdle 106:20

hurdles 106:19

hurt 30:3 141:6

I

iceberg 176:18

ID 145:25

idea 26:21 48:14 80:18 108:10,16

115:8,10 120:3 125:18 152:10

164:11 165:17

ideal 106:16

identification 70:3

identified 56:1,7 57:19 60:21

63:13 70:1 72:24 75:19,21,23

87:17 150:8 165:16
identifies 159:22
identify 19:17 58:1 62:24 63:10
 69:16 156:21 159:12,16,19
identifying 70:21 186:14 188:10
identity 126:23 127:6
IDs 72:10
IEP 24:22,23 25:20 26:6 33:3
 42:5 43:18 44:18
IEPs 22:15 23:17 32:21 33:16
 34:1,16,19 42:1 44:7,10,16
ignores 98:15
II 17:16
imagine 150:20
immersion 66:8
immigrant 113:11
impact 140:24 142:1,6 146:14,17
 155:3,17
impacted 146:16 150:3
imperfect 101:5
implementation 3:22 85:3 88:2,4
 88:13,15 89:11 93:5,6,8 119:20
 124:12
important 18:25 48:12 65:25
 67:19 90:2 143:9,21 185:22
 187:2 190:2
improve 56:1 112:24
improved 45:21
improvement 85:6,9,18,22 86:12
 87:11 112:16 165:7
Improvement/NM 3:13
in-depth 30:3,4 98:8 107:8
incident 90:2,3
include 52:5 93:19 107:14 134:21
 156:19 162:2
included 44:18 52:1 56:3 74:23
 151:21 156:17 163:22
includes 98:23 152:18
including 3:23 5:11 33:16 88:22
 96:21 124:21 160:8
inclusion 27:1,6 31:21,22 32:12
 32:14,23 33:10 34:17,24 35:4
 41:8,10 129:1
inclusive 57:15
incorporate 30:10 114:17 152:12
 180:12
incorporated 179:11

incorrect 60:25
incorrectly 56:12,13
increase 141:1,3 146:19 149:15
 150:1 187:5
increased 139:9 140:23 171:19
 172:6
increases 100:6,12,15,23,25
 155:4
increasing 139:20
indicate 9:13 10:21 12:17 13:18
 185:16 198:4
indication 75:21
Indicator 22:9
individual 23:15,17 33:11 43:9
 59:25 60:7 126:22,25 132:6
individualized 23:24 24:1
individually 27:8 33:11 102:6
indulge 5:3
indulgence 5:3
indulging 14:9
influence 174:20
information 55:21 85:20 95:18
 108:12 113:23 117:2
infusion 137:19 138:13
inherent 149:6
initial 148:4
initially 71:5 73:13
input 37:10 38:21
inside 140:8 197:5
insist 162:10,12
installed 92:3
instance 144:2
instruction 27:9 28:15 29:15
 31:12 33:12 64:1
instructional 128:24 129:13
 160:18 163:3,6,7
insurance 152:6
integrate 68:8 108:22
integrated 37:25
intended 131:16
intending 186:24
intends 148:9
intent 83:18 137:14 147:19,23
interact 15:13,18,25
interchangeably 75:9
interest 176:3
interested 84:1,1

interesting 15:22 146:10 155:21
 158:17,18 159:9 177:15 186:12
 194:25
interests 118:7 141:16
interim 138:20
internal 57:9
internally 140:17
international 15:6 17:7
internships 105:24 156:4
interpretation 119:3
interrupt 84:11 105:22
intervention 87:14,19 164:19
interviewing 83:3,5
interviews 83:14
introduce 81:4,9,17 156:5
introducing 79:1
introductory 88:9
inventory 90:14,18 91:1,7,12
 93:18
invitation 17:25 19:6
invited 186:12,13 194:24
inviting 195:7
involve 15:9
involved 21:14 61:20 144:7,8
 145:22 165:15
involves 15:8
involving 187:17
IPOC-endorsed 138:20
ironic 105:11
island 125:14
issue 56:9 100:2 103:21 116:1
 130:10 132:19,22 141:24,25
 142:16 164:11 167:11 176:13
issues 21:12 22:20 39:16 60:17
 142:5 143:1 149:23 166:5
 171:17
it'll 38:10 136:23 178:25
item 8:15 9:2,23 12:24 14:4
 19:12 116:21 122:8,17 124:19
 179:6 185:6
items 12:25 20:5 80:11 90:19
 97:25 98:21 176:4
Ivy 18:10

J

Jackie 43:1
JAEGER 2:13 96:14,18 97:2,9

97:14 117:1,21 118:25 120:2,11
121:12,21 122:1 124:24 131:18
131:21 138:19 144:23 145:3,6
145:11,14 154:1,5 158:10
159:15 160:1 161:6,14 163:20
165:3,14 166:18 174:4 179:8,18
180:1 181:16,18,23 182:9
184:19 188:19
January 1:11 6:5 14:12 53:17
57:1 88:6,7 89:7 92:9 176:25
199:16
Japan 3:10 14:6 15:6,15,21 17:9
17:10,18
Jerry 1:12
job 1:24 18:1 37:3 51:19 55:11
81:24 98:16 106:4 153:11
199:25 200:2
jobs 81:13 155:5
Joe 189:19
John 117:17
joined 81:21
joint 190:1
jousting 15:9
judge 170:24
July 58:4 153:3
jump 72:14,15
junction 112:9
June 84:9
justify 105:18

K

K 146:16,21 147:7 148:15,22,22
K-through-5 147:6
Kaga 17:11
Karen 2:9 20:21,22,23 21:13
22:23,25 23:4,8 24:2,7,21 25:7
25:13 35:11 36:16 37:14,19
38:1 39:5,9 40:8 51:23 53:24
54:2,6,18 63:8 66:15 70:12
72:20 73:11 74:8,18 75:6 76:6
76:9 80:25 83:22 84:14,19,21
86:1,6,23 87:5,8,9,13,16 91:3,6
92:2,11,13,23 93:2,7,11 94:5,13
94:15,18 96:4,20,23 97:7,12
120:9,12 121:2 122:14 124:10
124:18 151:7 154:20 157:15
162:15 167:19 188:20 193:25

Karyl 2:4 12:4
Kate 20:2 55:10,12,14,15,16
79:23
keep 18:19 118:13 169:4 176:15
177:16 178:12 179:2 189:4,12
189:22,23
keeping 37:9
Kelly 82:25
Kennedy 117:17
Keovilay 14:22
kept 188:20
kicked 113:5
kid 171:23
kids 27:2 28:14 29:15 31:11
42:16 46:16 47:17,17 48:19
50:3,4,5,16 51:7 79:9 99:2,2
106:14 108:15 109:25 112:21
113:10,20 114:13 136:21,21
154:4 157:16 167:18 168:12
172:11 174:8,9,15,24
kind 40:7 44:23 48:21 70:14
101:17,25 105:11 107:25
108:12 117:1,2,13 128:17,21
138:9 145:5 149:3 172:22
175:24
kindergarten 148:25 149:10
153:5,8
Kindergarteners 148:25
kinds 15:8 167:14,25 170:23
Kirsi 65:5 70:22
kitchen 92:1
knock 166:19
know 11:7 14:7 17:4,6,24 20:22
20:24,25 21:23 22:15,16,21,22
28:16,25 31:1 32:11,19 35:2
36:19,20 37:10 39:6,13,14,18
40:3 41:2,12 42:10,12,15,19
43:7,22 46:2,4,13,22,22 47:3,16
48:13,21 51:1,3,12,16,19 53:12
53:21 54:7,19 57:2,13 58:10,18
59:6,8 61:24 62:3,20 63:1 64:7
65:13 66:12,25 67:11 68:13
70:24,24 72:16,25 73:15,21,23
73:24 74:14,15,16 79:12 81:15
81:19 84:3,5,9,16,17 85:19
90:23 91:9,10,23 93:20,21 94:7
94:18 96:11,12 97:3,4,7,21

100:21 102:2 103:23 104:15
105:23 106:6,19,20 107:2,11,12
107:13,14,18 108:12,17 109:10
109:10,12 110:9,13,16 112:1,2
112:8 114:13,19,24 117:13
118:21 120:17 121:15,18 124:7
125:10,13,15,18 126:17 127:5
127:19 128:18 129:11,23 131:9
132:11 133:5 134:1,3,4,4,6,10
134:11,15,18,20,23 135:2,4,5,6
135:16,16,21,25,25 136:1,3,5,6
136:20 137:4,14,22 140:15
142:13,20 143:3,20,24,24,25
145:13,24 146:6,24 147:6,7,25
149:12 151:19,24 152:5,23
153:1,16,22 154:12 155:12,12
155:18,21,22 156:14 158:21
159:6 161:20,24,25 162:14,14
163:15 164:10 165:24 166:1
167:21,22 168:8,11 169:4 171:4
171:22 173:21 175:8,23,23
176:7,8,9,12 178:9,17 179:3,4
180:17,18,25 182:1 187:6 188:7
188:18 189:21,25 191:2,7,12
192:8,9 193:1,2 194:11 196:2
196:10,11 197:4
knowing 80:9 158:18
knowledge 57:13 60:2,3 119:16
153:21
knows 73:1 134:8

L

La 93:20 94:6
lab 25:17,19 26:2,8,8,10,11,13,15
27:1 63:18 66:8
labeled 124:5 193:14
labels 63:12
labs 91:24
lack 57:17 86:25
lacking 48:5
ladies 19:19 73:7,9
Laine 65:5 70:23 74:14
lame 156:16
laminated 188:12
language 21:9,19 32:4 40:17
62:24 63:2,16,17,18 66:8,10
67:21 68:5,9,17,18 69:16 70:7

70:19 71:9,15,19,22 74:16 75:4
75:7,8,15 76:5 124:6 130:2,7,22
131:18,19 157:6
large 89:8 105:8,17 132:17,17
160:11
larger 109:9 139:14 168:24
Las 22:7 34:23 35:2,3 66:9 79:13
168:25
lastly 100:6 101:8,10
late 5:6 6:16 59:7 62:10 94:24
176:5 178:11 195:11
Latin 68:12,13,14,15
Laurel 82:20,20,22 95:8
law 119:14 158:11
lawsuit 42:11,22,25 43:5,9
170:17
lawyer 6:13
LCPS 66:3
lead 96:20
leader 99:14,15,17
leaders 79:21 101:18
leadership 58:12,19 88:15,20
89:6
leads 92:18 127:10
League 18:10
learn 15:14,18 31:25 32:1,1
170:18 194:6,8,10,14 196:9
learned 71:11
Learners 21:9,19 40:18 63:15
69:16
learning 5:10 34:9 63:18 66:8
114:18 194:18
LEAs 129:3
lease 118:16 128:18 166:20
leave 98:17 171:6 185:7 192:3,4
194:12
leaving 197:24
left 84:5 95:1 191:9
legal 90:4 92:15 116:23 117:12
119:22
legally 150:8
legislation 106:3 125:12,17
153:22 161:16,17 179:4 186:2
187:3
legislative 3:23,24 98:6 106:2
124:21 125:10 126:7 141:20
157:25

legislator 175:20 177:7
legislators 140:6 162:1 170:14
Legislature 4:3 169:15
LESC 4:4 114:10,16 151:20
184:21 185:24,25
Leslie 82:25
let's 42:1 63:14 78:20 80:21,22
100:23 125:18 165:21 174:2
195:21
letter 94:11 96:8,15 97:3 187:22
188:9,12 189:6 193:21
letters 36:2,12 49:15 97:11
letting 157:16
level 28:17 37:25 61:21 147:17
155:15
levels 44:16
LFC 184:21
liability 141:6
Liaison 2:11 185:8
licensing 151:22
Lieutenant 131:10
life 5:21 42:11 113:18
liked 101:13
likelihood 46:18
Lillian 14:22
limit 131:6
limiting 130:2
line 15:8 37:17 65:12 173:8
lines 169:17
list 83:7,18,24 84:16,18 85:15
86:2 89:13 90:19 92:3,4 95:3
125:1 185:8
listed 94:23 95:3 120:22
listened 117:21
listening 14:17,21
literally 175:10
litigation 119:25 120:7,23 121:9
little 5:10 11:23 15:3 24:8 27:10
29:6 40:12,16 46:7 48:20 65:14
71:11 79:10 114:4 152:1 159:7
188:5 194:13
live 17:24 50:23 110:9 174:15
living 117:8,25
local 84:4 110:2 171:21
located 117:9 175:3
location 17:13
locker 156:14

locking 159:2
long 38:9,11 92:1 118:15 192:15
192:22
longer 5:13 38:24 80:9
longest 192:15
longest-serving 190:6
look 45:22 52:7,11,16 53:1 54:12
54:16 57:11,12 62:21,23 64:6
68:15 74:22 75:16,19 76:19
86:7 92:7 103:5,8 108:10
112:15,19 115:14 118:22 121:5
124:15 125:7 126:2 129:5
137:20 145:13 149:19 150:10
150:15,16 151:19 163:8,13,15
165:22 167:22,23 168:7,9
169:16 180:17 188:15,15 190:4
191:3,25 195:4
looked 26:2 42:1 79:12 117:5
134:19 135:4
looking 14:10 42:3 48:16 49:7
50:13 52:3,24 57:6 61:9,17,22
64:17 80:17 89:11 98:4 105:15
106:2,4 110:20 151:20,22 152:1
152:2 154:10 155:10 156:7
157:24 160:17,18 165:6 176:24
186:2 190:15,20 196:2
looks 53:1 134:3 168:4
Los 50:23
lose 3:24 35:24 50:17 124:21
loss 48:21 50:3 127:6
lost 25:9 36:11 45:8,10,15 47:7
67:12 126:23 181:13 187:6
lot 16:2 18:5 37:10 41:4,20 45:13
50:7,8 55:18,19 57:9 61:16
63:22,23 68:11 69:9 71:2 79:13
81:10,11,11 82:21,23 85:2 98:3
98:13 107:2,15 111:2 113:1,10
113:17,23 118:11 126:2 132:19
136:12 140:17 141:21 143:12
147:12 150:23,24 151:20
154:23 155:4,13,16,17 169:3,5
169:22 171:10 173:5 177:14
179:14 180:13,17 188:22
190:10,10,11,11 191:13 194:6,7
194:10,19,21 196:7,10
lottery 164:2 166:12 167:17
168:15,15

love 61:15 68:11 109:14
 lower 153:14
 lucky 58:25
 lunch 80:4,7,23 97:16,22

M

MA 143:17,17
Mabry 1:12
Madam 11:7 19:20 39:18 45:4
 49:17 52:18 59:19 60:24 66:21
 68:24 69:13 78:21 101:15 102:7
 131:2 132:24 134:10 196:21,25
Maddow 191:25
MAGGIE 2:15
magnet 167:6 169:20
main 66:24 70:20 101:16 113:11
maintaining 98:21,23
makeup 59:6
making 6:2 35:16 43:17,18 48:10
 68:3 96:21 144:5 195:5
male 159:12,12,23,23
mall 159:7
man 113:23 191:24 192:17
manage 129:5
management 56:2 57:15 58:16
manager 20:2 55:10,17 56:22
 57:20 79:22 83:1
mandate 132:8
manpower 108:3
manual 57:5
March 89:8
marching 110:11
marginal 169:4
MARK 2:14
MAs 143:16
masters 147:10 149:14
match 56:18
material 27:10,22,24,25 32:2
materials 91:18 128:24 129:13
 160:18 163:4,6,7
math 23:19 28:8 31:17 32:4
 58:15,24 59:22 66:25 67:1,5,15
 67:16,18 72:6
mathematics 27:12
Matt 97:17,21 99:22 101:14
 161:7 171:17
matter 98:25 99:1 107:19 199:14

Matthews 117:16
Mayor's 90:13
MBA 58:12
mean 18:2 30:15 31:11 32:14
 43:21,21 66:7 69:20 83:21
 117:11 130:21 132:17 137:4
 143:15 145:12 151:6 155:8
 157:15 164:22 171:11 173:20
meaning 68:21 71:20 99:21
means 134:3 135:16 141:11
 148:12 157:18 169:21
measure 157:5
measures 156:12 157:12
mechanism 100:17 101:5
Media 133:11 158:24
medical 139:1
meet 15:13,16 117:15
meeting 1:10 5:23,25 6:3 9:22
 14:13 21:1 42:5 52:5,20 53:7
 53:13,16 57:1 89:14 93:12
 95:18 97:22 98:8 103:8,11
 111:23 115:7 116:23 118:6
 125:21,21 185:12 186:7,8 197:5
 200:3,4
meetings 24:23 126:25 195:8
Megan 82:6 89:1
Melissa 82:18,19 89:1
Member 2:4,5,5,6,6,7,7
members 19:20 24:25 87:20,21
 88:10 95:9 98:4
mention 70:22 92:14,25
mentioned 35:15 66:22 69:15
 73:7 82:24 98:7 111:2 147:19
 171:20 180:10
mentioning 38:13
met 70:25 82:25 88:21 105:1
Mexico 1:2,12,21 2:15 3:4 8:24
 9:1 18:8 60:4 67:1 71:20 74:5
 101:11 104:16 111:4 160:23
 164:12 189:18 195:5 199:2,9,12
 199:13,21
Michael 2:5 156:18
Michelle 196:3
microphone 32:18
middle 83:13 112:22 113:22
 174:3
million 16:17 100:22

mind-boggling 174:11
mindset 162:6
mine 146:1 180:8
miniature 152:2 161:12
minimum 24:25 109:10 131:12
 133:10
minute 43:13 147:9
minutes 86:8,10 192:13
Miranda 94:6
misconception 61:1
missed 50:6 51:5 59:7 64:13 87:1
missing 81:5 85:20
Mission 181:24
mission-specific 18:21
mistake 129:11
model 23:18 45:21 47:10
mom 74:1
moment 23:20 24:15 29:17 30:9
 30:21 39:14 47:3 48:6 52:3
 76:14,21 103:2 107:21 121:19
moments 69:8
momentum 98:3
Monday 16:23 185:25
money 31:1 61:13 100:16,19
 101:4 104:9,10,10 105:4,9
 107:8 108:19 109:21 135:6,6,11
 140:4,14,18 153:14,17 154:24
 155:6 171:8,12 175:1
monies 106:22
monitor 32:25 46:2 64:16,24
 87:22 133:21
monitored 75:25
monitoring 64:3,11,21 146:24
 147:1,5
monolingual 64:1
month 76:19 78:17 83:12 84:22
 89:12 103:3 107:7 124:14,15
 187:14
month's 89:14
monthly 60:21 61:1,12 97:6
months 24:17 129:17 191:9
morning 5:1 19:19,23 21:6 55:12
 79:3,7 85:11 109:24 125:25
 176:6 179:13,17 196:15,17
mother 6:21
motion 9:7,10,17 10:15 12:9,21
 13:2,5,14 76:15,22 78:15 94:3

122:17 124:3 182:14,16,23
183:1 184:15 197:21,25
motions 120:19
motivated 59:8 114:3
motivation 69:9
MOU 117:3,22 163:24 164:3,5
mountain 106:23
mountains 105:19
move 5:18 9:8 10:14 11:21,22
12:9,23 13:4 46:5 48:20 54:14
55:5 62:13 73:21 80:2,14 82:17
86:2 187:10 189:25
moved 13:1 196:13
moving 37:11 57:16 83:16 86:11
87:25 92:9 169:2
MRI 87:18
multiple 26:14 40:3 56:22 81:13
multiply 35:10
mystifies 161:3
mystique 161:23

N

N 2:1 3:1,1 4:1,1
nabob 193:14
nagging 95:7
name 11:17 14:22 16:5 19:21
55:15 188:22
nameplate 189:5 193:21
nameplates 189:4
names 13:8 78:12
narrow 165:20
nattering 193:14
Navajo 59:2
nay 128:11
necessarily 31:5 38:10 173:14
necessary 93:16
neck 102:2,4
need 23:23 26:9 28:7,17,22 29:2
30:2,4 31:12,18 33:11,12 36:3
36:14 42:4 47:12,18 48:2,14,20
50:6 51:8 52:14,14 53:3 54:6
54:20,20 56:8 57:14 60:2,19
61:21,23 64:6 72:14,16,18
74:17 78:24 81:5 83:10 86:21
91:4 92:9 93:24 94:2,19 98:14
106:4,13,21 109:13,16 118:10
125:9,15 128:10 131:14 135:21

137:18 138:8 149:18 150:1
153:17 156:20 163:13 170:17
170:17 172:2,11 180:7 185:9
189:21 197:20
needed 5:7,13 32:1 38:4,22 47:9
52:12 53:22 71:3 145:22 172:8
182:12 184:17
needs 23:11 31:12 35:23 42:9,10
45:1 46:13 73:16 103:12 166:10
needy 135:18
negative 51:9
neighbor 79:9
nervous 138:6
net 64:15 69:15
never 79:11 116:7 127:1 187:6
191:23 194:11
nevertheless 94:25
new 1:2,12,21 2:15 3:4,20 8:24
9:1 10:7 13:8 18:8 19:24 32:10
37:7,11 49:25 55:10,16 60:4
62:19 71:19,20 73:19 74:5
75:17 76:2,4,20 78:11 79:22
81:3 84:7 88:5 98:1,3 99:16,16
101:11 104:16 111:4 112:9,17
117:4 118:10 120:14 131:12
146:18 148:9,11 150:11 153:13
160:23 164:12 172:11 177:10
185:9 188:2 189:18 190:4,13
191:1,15,15 193:16 194:3,14
195:5 197:4 199:2,9,12,13,21
newest 182:7 190:6
newly 5:15
nice 116:16 185:2 189:5 194:3
night 5:7 100:8,9 125:23 181:11
182:2,3 196:15,16
nights 59:5
NM 1:19 199:19
NMAA 111:8
NMAA-sanctioned 110:8
NMAC 22:20
NMSA 89:23
NOIs 84:17 85:4
nominate 10:8 11:3 12:4
nomination 10:6,16 11:11 12:9
12:10
nominations 10:4,11 11:2,14,25
12:6

non-students 150:19
nonrenewal 93:21
normally 84:12
Northeast 110:10
notation 119:24 120:20,22 121:9
note 6:20 39:5 86:17 100:10
177:21
notebook 197:6
noted 118:1
notes 98:11 118:22
notice 52:14 81:10 83:18 86:7
notification 185:14
notified 93:21
notion 112:21
November 24:18 44:7 194:25
195:7
number 33:20 39:12 46:19,23
53:10 74:13 100:13 105:7
109:10,11,17 139:10 169:16
174:25 187:4,5 200:2
numbers 61:6
nurse 132:15 133:2,6,11 134:6
136:5 143:11,15
nurses 142:22 143:5,15
nursing 132:3
NW 1:21 199:20

O

O 3:1,1 4:1,1
Oath 5:14 6:1,18 7:1
obligated 172:25
observations 101:24
obtain 31:2 38:2 75:13
obtained 90:3
obtaining 91:12
obviously 84:22 91:16 94:3 142:1
146:24 155:2,4 188:1
occur 119:25
occurred 44:4 117:3 142:17
October-November-December
58:6
offense 78:16
offer 11:7 35:19 36:14 45:10,17
46:18 48:25 49:11 50:2 51:3
57:13 61:18 107:22 174:22
189:15
offered 49:6 176:13

offering 14:15 47:10,25 88:10
offers 136:25 194:9
office 5:8,10,14 6:1,18 7:1 55:19
 90:6,13 104:17 187:21,22,23,25
officer 57:18,19
Officers 3:7 9:24
official 187:23
oftentimes 43:16 106:9 146:4
 176:6
oh 8:17,22,22 13:16 43:6 58:23
 69:23 101:14 110:2 116:2,2
 145:1,16 146:8 158:6 161:19,23
 172:11 173:10 175:8 185:17
 188:25 194:14
OHI 34:8
okay 6:3,8,11 9:21 10:14 20:12
 20:18 23:4 25:13,18 32:6 33:18
 34:21 36:25 39:24 40:19,23,25
 43:6,10 46:6 53:23 54:18 55:1
 55:4,4,6,9 61:14 62:1,4,12
 70:11 75:1 76:21 80:23,25
 84:19,21 87:15,25 97:15 102:9
 106:11 109:22 116:20 120:4,8
 122:3,22 124:15 127:6,7,10,17
 128:3,12 132:14 137:11,11
 138:6 148:19 151:5 152:15
 158:17 176:2 178:6,23 179:5
 182:13,17,22 185:6 190:3
 195:23,25
old 61:10 99:16
older 145:12 159:16 169:2
OLIVER 2:15 6:20 7:3
once 5:16 10:25 12:21 14:11
 45:24 72:15 90:10 109:20 112:6
 113:9 121:23,24 133:2,6 138:6
 147:2 187:11 190:18 193:13
 196:23
one's 192:15
one-on-one 26:5
one-to-one 26:10 33:13
ones 42:3 76:20 146:4 162:25
ongoing 88:9
onus 133:20
open 1:10 3:6 9:18 10:4 11:2,25
 19:6 73:10 160:4 169:5 173:1
 195:17 200:3
opening 37:5 38:20 84:2 173:4

opens 168:3 173:13,14
operations 56:2,3 142:7 186:9
opinion 119:7 187:23
opportunity 15:12 17:7 51:6
 61:5 62:8 65:4 104:14 115:12
 146:11 170:18 189:10 194:9
opposed 9:14 10:22 12:18 13:19
 34:17 96:24 127:21 135:22
opposition 9:16 12:20 13:21
 198:5
option 45:9 50:15 156:2,9 165:8
options 3:15 164:20 165:6
orange 197:20
order 3:3 5:25 6:4 16:16 17:14
 23:5 60:5 138:25
organizing 59:5
original 71:16 73:4 74:20 192:6
Ortiz 99:11
out-of-pocket 100:1
outcome 93:24
outfit 6:22
outlay 128:17
outlines 85:7
outside 39:23 88:11 117:6 119:8
 119:9 140:8 141:22 166:7,8
overarching 167:11
overcorrecting 63:5
overkill 135:24
oversee 104:21 105:10 112:16
oversight 59:24
owed 35:16,17

P

P 2:1,1 3:1 4:1
p.m 80:1 102:12,13 198:7
packet 63:2,3
Padilla 147:20 156:18
page 3:2 4:2 85:7,10,11 101:11
 181:24 182:5
pages 61:6 199:10
Pahl 97:21 99:22 101:14 171:17
paid 143:12 144:3 154:6
pain 188:19
Pandora's 168:3
paper 11:15 78:17 83:17 180:25
 197:5
papers 197:8
paperwork 5:13 24:4 29:5 95:10
 105:19 106:23 107:19 188:5
paragraph 128:25 129:9 182:6
PARCC 130:12 196:6
parent 25:4 43:2 49:5 73:21,24
 157:9
parents 3:15 35:20 36:2,13 45:13
 49:2,3,12,13 113:11,22 152:7
 169:23 170:2
part 46:10 50:22 57:15 100:5
 109:9 118:11 130:9 132:4,7
 134:12,20 152:9,24 158:8
partially 36:5
participate 104:13,15,16 105:14
 110:8,10,15,24 139:13
particular 29:14 106:12 139:25
 155:6 159:17 162:25 167:14
particularly 41:23 81:2 139:23
 192:22
Party 195:21
Paso 171:4
pass 11:15 81:7 87:5 110:23
 139:7 179:18
passed 85:10 98:7 124:2,3,24
passes 9:17 12:21 13:20 78:15
 184:15
passion 66:9
pathway 74:15
pathways 105:24
PATRICIA 2:3
Pattie 108:11 177:18 191:21
Patty 10:8,16 117:15
pay 17:17 46:23 51:18 99:25
 140:22 141:10 142:25 143:5,6,6
 143:13 153:15 155:4 171:19
paying 100:15 186:18
PEC 2:11,12,13,14 3:7,23 4:3,6
 5:24 9:24 12:4 13:24 96:9 97:5
 104:21 121:10 124:21 125:13
 126:10,15,16 127:12 162:25
 165:14 166:2 178:19 184:20
 190:3,12 191:12 195:17
PED 2:8,11 39:22 57:4,16 87:21
 87:24 88:18 89:22,25 96:20,22
 96:25 97:2,8 98:15 133:20
 146:17 147:13,17 148:8,16
 158:6 165:15 184:22 186:9

200:7
PED's 96:15
pending 93:24 119:23,25 120:6
 120:23 121:9
pension 138:20 141:4
people 5:20 15:24 18:6 60:9,18
 61:20 62:7 78:12,14 97:19
 125:7 126:4,22 145:11 149:14
 169:15 173:1,14,17 177:10
 178:12 185:9,9 192:10 193:1
 195:7,9
Peralta 185:16
Peralta's 185:13
percent 24:19 45:21 51:20 66:23
 139:11 141:1,2,3 178:19
Perea 102:18 103:2,11 104:5,18
 106:18 109:13 114:21 115:19
 116:13
perfect 31:11 100:17
performance 44:17 147:2 150:9
period 28:6 63:4
Perkins 3:17 102:15,19,20 104:1
 104:10,21 105:9 106:8 108:12
 108:20 109:2,7,20 114:4 115:16
person 58:17 59:8 65:5 82:3 83:4
 149:11 153:6,20 159:21
personal 78:25
personnel 56:15,19
perspective 119:10
pertinent 193:4,6
peruse 180:16
Peterson 69:2
phenomenal 17:19 70:17
Phoenix 16:24
phone 88:22,25 89:2
physically 92:5
pick 49:13 91:19 113:24 140:7
 172:1
pick-and-shovel 113:16
pictures 68:7 102:1
piece 55:5 105:25 125:12 152:13
 175:15 187:3
pieces 39:10 121:1 124:9 125:17
 154:12
Pierce 95:8
Pino 99:11
piques 176:2

pitbull 142:25
place 11:11,16 17:12 27:2 72:4
 164:9 169:6 176:11 188:4
placeholder 80:13
places 17:15 79:6 146:7
plan 21:2,8,11 22:13 25:16 41:6
 51:25 52:4,6 55:21,22 56:4
 57:10 60:20 63:17,23 65:7,17
 66:7 76:16,24,25 80:15 87:11
 87:22 131:11 134:3,12,19
 136:18,22 137:1,3 139:1,11
 165:7
planning 66:2 112:6
plans 3:12,13 19:14 40:21 64:21
 85:6,9,18,22 86:12 105:1
 133:21 136:17 153:12
plate 177:14
platform 37:5,8,11 98:6
Platica 63:3 64:18
play 142:8
please 7:7 19:6,17 23:10 27:4
 52:1 67:22 77:7 85:19 96:10
 162:4 183:7
pleasure 38:6
Pledge 3:3 8:21,25
plug 156:23
plumber 113:15,15
plus 150:4
pockets 101:4
podcast 191:22,25 192:17
point 5:20 6:18 71:8 79:4 85:25
 115:24 119:12,19 136:16
 137:18 162:24 170:10,16
policies 110:23 151:23 156:20
 157:25 158:13,16 160:6,8
policy 56:24 119:10 143:25 144:2
 144:4 158:3,4,9,12,15,20
 172:22 173:1
poor 169:22 170:19
pop 130:5 131:6
population 69:17 135:17 169:3
 169:18 172:6
portables 90:12,25 91:5,7 96:13
portion 117:8 139:14 178:18
 179:1
position 81:21 83:2,6,9,9,12
 97:23 160:12 163:1 185:22

187:16 191:2
positioned 141:21
positions 24:10 81:10,12 83:14
positive 51:2,9,10
positiveness 51:16
possession 90:25 96:22
possibilities 164:18
possibility 111:21 164:24
possible 3:11,13,16,17,20,21,23
 4:3 19:13 91:15 102:15 120:5
 124:20 179:6
possibly 45:17 91:25
post 120:10,18 121:8 184:20
post-conversion 165:25
posted 82:1,1 83:2 84:13,16,17
 120:19 124:4 177:16 178:12
 179:2 189:12
potential 84:7 186:14
potentially 40:2 61:18 108:10
 111:14 146:25 150:12 168:10
 173:4
power 194:5
PowerSchool 37:6
practice 58:20,21
practices 82:11 83:8,16
practicum 66:7
praise 17:4
pre-calculus 59:14
Pre-File 3:24
pre-filed 124:22
pre-K 148:22,24 149:9,11,24
 150:7,7,10,13 151:8,11,18,21
 152:13
Pre-Label 72:10
predict 170:22
prefer 21:2
preference 117:6,7,8,24 118:3,20
 119:6,15 127:8 164:1,7 166:12
 167:12,17 168:14,15 171:16,22
 172:2,22 173:20 175:17,18
preferences 168:17 170:23
prefiled 119:13 153:21 155:21
 176:16
prefiling 126:4
preoccupied 112:21
prepare 89:8 103:12 115:9
prepared 90:20 115:19 179:10

preparing 82:16 84:25
present 2:15 7:10,13,17,20 8:7
 8:10 14:23 15:1 21:2 26:12
 34:19 35:23 44:16 51:13 52:19
presentation 3:9 14:5,15,21 17:4
presentations 114:8
presented 51:1 128:7 175:15
 179:9
president 19:21
pressure 140:8 141:22
presumed 156:8
pretty 16:14 29:8 67:6 90:2
 137:17
prevent 147:20
prevention 16:21
preventive 44:4
previous 44:10 75:14 116:23
previously 71:23
primarily 34:9 35:6 60:16
principal 17:25 19:24,24
printed 179:14
prior 56:12 57:18,20
priority 17:5 92:4 109:2
private 71:21 76:3,8,9 159:1
 160:23
privilege 78:25
privileges 158:1
pro 165:23
pro-con 165:22
proactive 160:10
probably 28:9 71:17 76:2 82:9
 82:21 91:18,21 97:19 132:18
 156:15 185:10,17
problem 21:5 27:12 40:11 42:21
 97:4 101:7 148:22 151:8 163:23
 166:6 171:20 172:4
problems 39:2 130:9 147:12
proceeding 97:10
proceedings 1:10 93:23 97:8
 198:7 199:11 200:3
process 45:25 70:3 89:4 94:9
 176:4
Procurement 60:4
professional 1:20 99:14 113:13
 154:2
professionally 5:19
professionals 140:18

proficient 64:23 75:22,24
program 24:12 29:14 30:1 33:2
 41:16,24 64:22 83:1 108:14,19
 108:22,25 109:25 110:13 112:3
 112:8,14 114:12,16,23 131:23
 148:15 149:11 150:10 151:21
 151:24 152:19 153:1,16,18
programming 15:10
programs 30:9,10,11,21,22 31:3
 31:4 32:16,22 106:10 108:14
 109:18,19 114:11 149:9 150:7
 150:13 151:10,12,18,24 152:8
 152:14
progress 43:17 64:21
Prohibit 157:10
Prohibiting 157:25
projected 73:2
promise 44:19
proofread 182:9
propel 113:12
properly 37:15 45:15
property 89:18,24,24 90:20,23
 91:14,17 96:21
proposal 139:19 154:13,15
 175:19
proposals 139:19
propose 173:16
proposed 89:12 138:12 163:25
provide 23:21 31:23 42:9 46:1
 60:5 85:20 99:19,20 118:2
 120:9 132:6,9,22 133:7 170:17
 170:18 171:18 175:1
provided 23:10 37:20 88:17
 124:23 179:12 180:12
provider 37:16
provides 82:12 118:3
providing 24:3 133:12 171:16
proximity 105:16
PSCOC 185:13
psychologist 25:6
public 1:1,10 6:4 12:12 22:7
 30:15,16 35:2,3 71:20,23 76:3
 76:15,22 99:4 101:10,17 108:13
 111:16 114:9 117:18,25 118:8,9
 118:16 121:22 126:8,9 134:15
 134:16,20 157:7 160:13,14,16
 160:19,22,24,25 161:1,4,10,18

161:19,24 162:1,19 167:21
 168:17 169:18 171:1 172:18,20
 172:21,24 173:11 181:8 199:1
 199:12 200:3,4,4
publicly 89:17
pull 22:5 23:24 28:20,21 157:20
 160:19 197:15
pulled 24:19 29:5 156:10 176:8
 176:14 186:4
pulling 30:6 33:10
pullout 32:16 33:2
punishment 157:4,18
punitive 156:12 157:4,12
pupils 105:7
purchased 60:7
purchasing 57:18,19
purely 111:18
pursue 40:6 92:5
push 114:4
pushback 155:19
pushed 34:24 35:3 73:20 112:23
 116:9
put 21:7 26:21 42:7,20 57:10
 63:2,18 65:9 71:12 78:19 79:9
 80:19 94:3 100:16,23 101:4
 107:1 119:23 121:14 124:25
 125:23 140:6,14 141:15 142:25
 147:22 149:24 158:25 174:2
 176:4 177:10 188:17 190:4
 197:6
putting 39:13 41:6 44:24 133:20
 170:25

Q

qualifier 120:15
qualify 105:8
quality 62:7 152:6
Quarter 50:10
quarter-time 133:6
quarterly 58:3
question 24:22 25:8,14 32:8
 36:22 37:17 45:9 53:24 67:7,9
 67:10,20 69:1,15 71:7 72:22
 73:4 74:11,19 75:3 87:7 103:16
 103:19 104:1 108:23,24 109:15
 109:22 110:4 115:16 116:7,9,10
 121:13 127:11 129:25 133:15

134:23 178:14
questionable 44:23
questions 16:10,12 19:1 20:4,11
 20:13,15 21:20 23:1,2 26:23
 27:3,8 35:13 41:15 60:19 61:22
 62:3,7,11 67:3 70:13,23 85:16
 85:19 96:5 103:10,14 111:21,25
 112:2,4 115:14,20 125:8
quick 97:18,24 102:17 178:17
quicker 11:24 86:21
quickly 5:19 60:10 74:1 90:24
 97:20 125:7 180:16 192:25
quite 21:22,24 177:18
quiz 131:7
quizzes 130:6 131:6
quorum 8:11 178:2,5

R

R 2:1,4 3:1 4:1
Rachel 191:25
raft 184:4
Raftery 2:6 7:2,25 8:1,14 32:7,9
 32:10,15,19 33:14,18 78:6,7
 108:11,21 109:6,22 110:3
 123:15,16 150:25 151:5,13
 152:15 157:22 184:2,3,4 195:14
 195:15,20 197:11
Raíces 89:3 93:9
Railyard 174:4,5 175:4
raise 6:24 100:9
raised 103:24 116:5
raises 142:23
ramifications 168:10
rampant 98:13
Rancho 88:8 114:15
range 192:13
rate 135:19
rated 18:3
rates 114:6
rating 141:7,10
ratings 141:17
re- 10:6
re-Chair 10:7
reach 100:3 102:4
reached 102:3 138:11
read 28:12,12 29:18 30:12 63:23
 115:7 136:15,16 144:14,17

180:6 181:1,5,10 182:2
reading 28:8,11,22 32:3 115:18
 157:23 181:12
reads 144:13 157:21
ready 19:18 46:20 80:24 189:12
real 36:22 100:5 178:17 196:18
realize 30:14,16 73:9 79:16 165:1
 189:3
realized 47:7 63:4 74:1
really 17:5 25:25 37:8,10,12
 42:16 45:14,20 46:13 56:10
 58:10 59:4,8 62:5,20 64:6,14
 65:3 70:20 86:14 95:13,19
 100:1 102:7,17 108:13 131:4,15
 134:2,4 147:5 156:22 161:24
 164:14 168:8,9 173:10 174:11
 175:9 177:18 180:10,19 186:1
 186:15 191:13,23 192:25,25
 194:25 195:3
reapply 108:17
reason 24:14 89:22 143:8 157:12
 167:5 176:8
reasonable 52:13 53:5,8 54:23
 108:8
reasons 71:10,14 186:7
Reave 16:6
Rebecca 20:1 21:22 23:7,12 24:5
 24:13,24 25:12,18 26:7,16 27:7
 28:3,18 29:4,10,17,24 30:5,20
 31:3,7,14 32:13 33:7,15,21 34:3
 34:7,18,22 35:9,18 42:6,20 43:2
 43:6,10,13 44:6,9,14 45:3 48:22
 50:8,10 64:9 67:25 70:5 73:15
 73:23 74:10
REC 93:13 99:20,21 108:9
REC'D 200:10,15,20,25
RECEIPT 200:1
receive 61:1 65:2
received 13:24,25 17:2,15 21:12
 89:5 90:7,21
receiving 76:2 87:20 139:20
receptive 39:22
recertify 72:15
recess 80:1 102:12
recognition 191:16
recognize 66:17 68:20 126:22
recommend 38:2 191:22 192:21

recommendation 60:12
recommendations 141:15
recommended 157:9
reconvened 102:13
record 2:11 6:19,21 14:3 19:17
 80:12 102:11 163:12
records 37:9
recoup 50:16
recovery 45:23 46:1,8 47:6,25
 48:23 59:17
recruited 89:3
recruiting 89:4
RECs 107:13,16,21
recycle 197:7,10,16
red 173:21
redefine 150:12
redefined 150:21
redone 42:4
reduce 95:7 187:4
reevaluations 22:18 23:6
referring 26:9 29:19
reflects 180:21
refreshing 194:11
regarding 88:13 96:9 127:17
regards 131:5
region 105:15
Regional 99:23
registered 73:19
registering 65:22 73:25
registrar 65:20
registration 63:2
regular 29:16 30:1 130:6
regulation 22:21
regulations 24:20
reidentify 167:6
reimbursement 128:18
related 6:23
relation 76:24 166:5
relative 166:2
release 91:6,7
relevant 17:13
remainder 22:16
remediating 41:9,10
remediation 28:17 47:18 48:6
 50:4 51:7
remedy 163:23
remember 42:11 109:12 116:22

142:19
remind 19:16 115:13
reminder 72:25
remove 122:4,11
renamed 49:24 50:5
repair 16:16
repeat 6:25 71:10
replevin 92:19
report 3:15,17 4:3,5 22:3 39:19
 61:5,12 80:22 95:15 102:16,19
 102:21,23 103:4,6 104:6,23
 111:24 112:7,10 114:21 115:15
 115:18,23 116:11 179:5,7,8
 182:19,24 185:7
reported 1:19 56:13,16
reporter 6:21 163:11 199:9
REPORTER'S 4:8 199:7
reporting 1:20 38:14,15,20 39:12
 39:16 55:23 56:9,11,23 57:4,5
 95:20 148:6 186:11
reports 52:25 53:1 60:22 61:1
 62:2 85:1
represent 50:22 128:5,6
Representative 163:25 168:5
represented 98:19
request 39:22 86:25,25 88:11
 89:18
requested 39:21 178:22
require 38:10 111:15 132:3
 157:7 158:20
required 26:6 46:9 75:4,10 85:23
 87:23,24 95:11,21 106:23
 134:14 150:22 158:10 189:1
requirement 94:11
requirements 107:3
requires 25:21 60:4 111:12
requiring 132:5,21
research 194:14
resent 193:14
resign 195:12
resolved 36:24 95:4
resource 23:25 65:16
resources 31:1 63:20,22 113:18
Respect 157:6
respects 17:17
respond 56:10
responded 89:20,22

response 9:5,15 10:12,23 12:7,19
 19:2 21:12 35:13 77:5 88:11
 90:8 92:17 103:1,2,16 178:21
 183:5
responsibilities 107:14
responsibility 58:2,11,13 72:18
 95:23
responsible 129:6 132:12
rest 22:15 64:25 197:9
restricted 130:18
restrictive 130:8,23
restroom 156:12,13 159:24,24
 160:7
restrooms 158:8
results 13:22
retir- 139:7
retire 138:6 139:17
retired 36:8 50:24 117:20
retiree 139:11
retirees 138:4
retirement 22:2 137:17,25 138:7
 138:25 139:21 140:11,24
return 36:7
review 37:6 54:3 56:15 124:9
 125:19 131:7
reviewing 94:7 120:13
revised 37:19 38:2,6,9,11 52:1,4
 71:2,4 74:24 179:10
revisions 89:12
revisit 142:11
rid 96:12 162:13,18
ride 177:15
right 6:1,24,24 18:23 26:17 29:9
 29:24 30:5 32:20 33:9 35:21
 40:23 42:4,17 48:11 54:5,11
 55:1,2,6 61:3 70:3 72:3 79:21
 81:16 86:5,16 92:21 94:10,13
 97:8,16 107:20 108:5 109:8
 110:3,3 111:7,12 112:5 116:18
 116:20 120:14 121:12 122:16
 124:19 125:2 126:14 128:19
 130:25,25 134:16 135:2 139:6
 139:22 145:17,17 146:23 149:8
 149:13,22 150:1,2 152:15
 153:10 156:24 157:19,19,20
 158:23 159:4 161:22 162:7
 168:19 172:24 176:10 177:9,11

178:10 181:10 182:3,5 185:4,23
 188:24 194:16
Rio 88:8 114:15
risky 118:15
RMR 199:8
RMR-CRR 1:19 199:19
road 125:24
roads 79:6
Robbins 2:7 7:9,10 9:8,11 10:18
 11:5 12:13,15 13:7,11,13,13,15
 17:21,22 18:23 59:19,20,21
 77:1,3,15,16 123:12,13 129:16
 131:24 132:25 139:9,25 140:21
 144:18 146:13 147:4 148:1,14
 148:17 154:7 163:9 168:24
 171:15 184:7,8 185:12,20
 190:24,25
RoboRAVE 3:9 14:6 15:5,7
robot 14:18,25 15:2 19:8
robotics 14:23,23 15:2 17:2
robots 15:10,10 16:1
robust 37:8
rock 21:17 164:8
rode 79:2
role 59:22 100:10
roll 3:3 6:6 135:3
roll-call 7:6 77:7 183:6
rolled 135:9 149:19 186:3
rollout 134:2 154:9
rolls 150:11
roof 16:19
room 23:25 149:21,24 156:14
 178:3 190:5
roots 68:12,13,15
Roundhouse 98:12 175:13
Ruiz 2:3 8:6,7 9:9,11 10:15 11:4
 11:19 12:2,3 13:23 14:2 45:4,5
 45:6,20 46:6 49:17,19,20 50:9
 50:11,22 51:10,11 62:14 77:12
 77:13 122:18,20 123:3,4 131:1
 131:2 134:9,10 179:22,24
 181:20 182:15,20,25 183:3
 184:11,12 191:5,6 197:22 198:2
rule 158:6
rules 161:2
run 171:1 195:17
running 47:21

rural 136:4 155:13

S

S 2:1 3:1 4:1

S.T.A.R.S 36:18,23 37:1,2 63:8
64:14 74:15,22 75:17,18

Saber 93:9

safe 79:25 152:7

safety 152:9

SAHQ 91:11 92:14

salary 100:6,12,15,22,25

Salute 3:4 8:23,25

Sandra 69:1

Santa 1:12 117:17,25 118:8,9,11
118:16 164:4,5 168:25 169:8
173:24,25 174:3,22 199:13

sat 5:4 89:1

Saturday 49:23,24 50:1,5,14,24
50:25 51:14

Saturdays 45:11,18

save 181:13 197:7,8

saw 25:16 26:1 45:21 113:1
142:16 181:3,14 182:12 192:20

saying 13:9 28:19 31:23 103:23
130:14 131:3 132:25 148:3,19
150:4 154:11 167:1,13 168:19
171:18 175:6 178:8 188:21
189:20

says 84:4 109:13,16 129:1 131:21
144:21 148:9 158:3 160:8 168:2
175:20 181:18

SB 137:14 146:13 156:19

scale 142:25 143:6 153:15

scales 143:7

scare 195:9

schedule 24:8 25:10 52:24

scheduled 22:18 83:14

school 2:10 3:9,13,15,20 14:5,24
15:1,4,18 16:15,23 17:22 18:2,3
18:7,13,16 19:5,15,23 20:18
21:2,7 22:2,16 25:5,6 28:2
30:12,16 34:14 36:9 38:13,19
41:17,21 43:9 47:9,11 49:10,11
49:14,16 50:1,5,14,24,25 51:14
51:17 52:9 55:17 56:23 57:8,18
57:20,22,24 58:12 61:19,20
62:18 65:1,10,11 67:5 69:10

71:17,21,21,24 73:2 74:5 75:14
75:16 76:1,3,3,4,8,9 79:17,20
80:14 82:6 84:2,8 85:5,8,14,18
85:22 86:15 87:10 88:20 89:6
89:13,24 92:22 93:15 98:23
99:1,3,3,5,6,16,16,17 100:3,14
101:7,17 106:13,14 108:15
109:9,19,24 110:2,7,16,19,22
110:24 111:16 112:22,22 113:1
113:22 117:9,10 118:12,21,22
118:24,25 119:1,5 127:20,23
128:1,15 129:2,4,7,21 132:5,10
132:17 133:5,11,12,25 135:17
135:18,23 136:7,7,18 140:12
142:7,23 143:23 144:2,5 145:10
145:14 147:9 148:25 149:22
153:23 154:8,11,13,17 155:7,17
161:2 164:1,5,12,14,16,18,20
164:21,23,25 165:9,19 166:5,6
166:8,10 167:3,15,15 168:15
169:15,20,25 170:3,5,7,10,20
170:21 171:6,21,25 172:7,12,12
172:21 173:11,25 174:1,7,10,16
174:24 175:10 189:18

School's 3:11 19:14

school- 130:19

schools 18:10 22:7,11,11 34:12
34:15 35:1,2,3 38:16,21 39:12
39:15,25 40:12 56:22 61:24
71:14,20,23 75:12 80:16 83:25
84:23 85:24 86:24 87:16,19
88:14 89:2 90:15,15,19 91:17
93:5 94:23 95:15 98:11,22,24
99:4 100:13 101:1,6,11 105:6,8
105:13,22 106:7,8 107:4,15,16
107:17,23 108:13,22 109:23
110:7 114:9 117:11,18,25 118:8
118:9,16 119:14 120:5 121:15
124:7 129:1,3,12,19 132:1,2,6
132:17 133:1,4 134:15,15,16
135:1 136:3,5,6,10 137:1 142:2
143:10,12 148:14 149:1,7,21
150:6,14 155:10 156:2,3 157:8
157:14,16 158:14 160:8,13,15
160:16,20,22,25 161:8,9,9,10
161:12,12,18,19 162:1,2,19
167:4,21,24 168:17 169:4,6,10

169:12,17,19 170:1 171:4,5,9
171:10 172:18,20,25 173:5
181:8,8 186:14

Schullo 19:24,25 20:3 21:6,7,25
36:25 37:18,23 45:19 47:5
53:18 54:24 58:9,23 59:12
62:16 67:14 68:4,25 69:7,14,23
70:4 72:3,21 73:8,18 74:12
79:21

science 23:21,22 63:25

scope 167:9

scored 75:24

screen 71:25 73:5

screened 73:16

screening 70:21 71:18 72:1 73:13

seal 65:11

second 9:9,11 10:18 11:5 12:13
12:14 13:7,10,11,12 77:1,2 98:6
122:18,19 148:23 182:5,20,25
183:2 197:22 198:2

seconded 13:15,16

seconding 182:22

Secret 186:13

secretary 2:4,15 10:1 11:21,22
12:1,4,11 65:20 73:20 79:2
81:19,24 164:19 187:21

section 85:8 94:21

sector 98:18

see 14:25 15:23,24 17:15 19:9
23:23 38:6 39:14 41:3,14 42:18
47:14 49:8 52:24 53:3 56:4
61:5,23 62:19 63:14 65:17
66:10 75:19 78:16 83:4 100:1
101:22 105:13 111:20,24
112:12,13,18 114:6,6,22,25
115:4,14 117:10 125:7 127:1
130:1 131:3 132:25 133:13
134:2,19 135:10 138:9 140:13
142:9 145:25 159:9 163:21
166:22 168:23 169:9 170:14
171:3 176:1 177:16 181:7
189:24 190:13

seeing 12:8 14:10 98:3

seen 33:23 61:11 79:11 110:22
114:8 175:12

SEG 132:16

segregate 173:6,12,13,16

segue 92:13
selected 13:23
self-contained 34:17,19 35:7
semester 87:2 88:19
Senate 156:7,11 157:20 178:2
Senator 99:11,11 147:19
send 36:2,12 52:25 74:13 94:5
 96:8,14 171:23 177:21 185:14
 189:22
sending 166:8 170:4
senior 46:12 144:15,21 145:15,18
 145:24
seniors 18:9 47:9 144:20
sense 128:10 144:10 150:4
 163:21
sent 63:3 83:7 97:11 104:23
 116:1 169:20 179:13 188:9
sentence 43:24
sentences 43:23,25
separate 47:19 147:14 148:1,13
 148:25 149:17 159:19 167:23
sequential 31:15
serious 16:12,15
serve 99:2
served 36:5 45:17
serves 101:25
service 1:20 23:9 24:3,11 32:11
 32:21 33:6 37:15 45:16 65:15
 98:2 136:17 137:1 139:10
 186:13 188:10,11
services 23:10,13 25:2,5 33:8
 35:15,16,19,25 36:3,10,11,14
 45:8,10 47:22 48:24 49:1,9,9
 50:2,18 51:25 57:8 90:9 131:25
 132:4,22 133:3,8 134:6,14
 152:18
servicing 48:1,12,18
serving 63:14 64:17 190:15
session 125:11 138:16,17 156:15
 156:16,16 178:20 189:12
sessions 82:15 88:16
set 99:1,4 104:25 117:6,24 143:6
 145:24 146:15 153:18 186:8
 199:15
sets 182:7
setting 147:13,14
settled 43:5 142:10

seven 13:24 192:11
severely 35:5
shame 107:11
Shannon 82:6
shape 138:15
share 89:17 99:9 133:3
she'll 115:8
sheet 86:7
Sheets 4:11
Shelton 20:2 55:10,12,14,16
sheriff 186:22
shift 136:19 137:3
shine 106:7
shooter 187:5,9
short 39:20 47:17,23 78:20 80:23
shortcut 60:10
show 26:4
showed 192:8
showing 27:11 95:17
shutdown 186:16
shy 47:21
Sí 124:1
siblings 118:4
side 28:21 46:2,2 47:13,13 82:10
 99:7 173:19,19
sign 26:11,11 177:8
sign-in 4:11 25:23
signed 9:18
significance 17:14
significant 49:10 60:16 103:10
 125:16
significantly 28:5 48:5 149:15
signing 25:20 26:3
similar 90:10
simple 160:2
simply 58:25 119:23 120:18
 121:7 122:5 142:8 155:13
 161:17 185:25
single 44:22
single-gender 156:10
single-use 159:2
SIOP 66:2
sit 65:5 137:23
site 57:17 82:7,12 84:23 85:1,1
sits 167:16 179:3
sitting 60:16 188:21
situation 151:9

six 8:12 26:21 191:8
size 98:23 99:5 127:20,23 128:1
 128:15 129:21
skills 48:19
SkillsUSA 111:5,6
Slow 59:15
small 40:3 98:23,24,24 99:5,6
 100:14 101:6 105:7 127:20,23
 128:1,14,15 129:20 132:13
 134:5 167:3,4
smaller 30:14,17 133:1 136:4
 159:6
smart 122:2
smarter 169:22
smoothly 37:12
snagged 39:16
social 25:6 131:24 133:6 135:22
 135:23 136:17 137:1
Solare 89:2 93:8
solid 37:12
solution 137:21 138:11,17 140:9
 160:2
solve 67:10
solved 27:12 159:3
solvency 140:24
solves 171:20
somebody 104:3 143:10
someplace 166:21 181:4 188:23
something's 125:23 178:11
son 169:20,23
SONIA 2:6
soon 90:20 138:12
sooner 86:18
sorry 8:17,22 19:4 20:24 33:19
 40:14 47:14 49:8 60:25 74:18
 78:14 93:3 117:18 155:1 185:17
 186:23 188:16
sort 16:3 81:8 82:11 96:7 118:17
 125:9 135:15 163:2 192:1
SOS 6:20 7:3
sought 64:10
sounds 128:23
south 173:25
Spanish 67:22,23 68:14 69:4
 70:7,8,9 71:8,11,12 72:5 74:2
Spanish-speaking 64:7
speak 19:18 23:9,10 24:8 38:18

52:12,14 56:11 65:5,14 67:22
 67:25 70:19 74:1 106:18 125:12
 126:10,12,13,16,18,24 127:8
 128:14
Speakers 3:6
speaking 70:8
special 19:25 21:8,16,24 22:12
 23:11,22 24:3,11,16 25:2 26:20
 26:23 27:16,18 29:2,15 30:4
 31:6,12 32:15 34:13,25 35:4,13
 36:1,6 37:21 38:4 42:12 44:3
 44:25 54:3,10,12 64:5 65:24
 76:18 147:13 157:5
specialist 82:21
specialized 99:13
specific 23:23 25:21 27:3 30:8
 34:9 38:18 70:23 74:4 103:13
 106:9 107:14 168:21
specifically 40:17 41:6 66:24
 74:19 89:15 131:11
spectrum 33:8 34:6,8
speech-and-language 34:2,4
 142:21 143:4,17
spelling 180:21
spend 100:8 168:16
spending 140:17
spent 113:17 151:20
spike 136:20
spiral 62:9
Spiro 192:2 193:2
spoken 189:19
sports 155:15
spot 185:13 190:5
Springs 79:10
staff 2:8 69:22 81:4,12 140:3
 151:22 167:19,20
stage 187:2
stall 160:2
stand 81:20 87:11 166:2
standardize 151:17,18 156:20
standardized 158:4 160:7
standards 42:2 151:23
standpoint 148:4
staple 137:15
start 10:5 21:16 61:23 68:16 92:9
 93:23 112:22,23 125:25 129:19
 139:1,20 151:14 170:25 194:13

195:13
started 23:18 26:20 70:8 73:25
 87:1 142:18 170:10
starting 88:5 90:15 113:22
 190:12
starts 16:23
state 1:2 2:15 22:3 23:17 24:20
 71:21 84:4 89:25 90:4,15 100:8
 101:3 104:11 105:1,4 107:15
 110:7 112:8 129:1,3 130:19
 131:13 132:8 137:19 140:14,15
 141:9 148:10 154:24 161:13
 165:11,12 170:11,12,21 199:2,9
 199:13
State's 90:1 141:6,16 187:21
State-administered 130:8
State-mandated 130:15,16 131:5
 131:16
State-required 130:4,13
stated 21:1 199:14
statements 61:10
states 89:23 104:12,13,14,15
 154:25
statewide 43:8 131:20,21,22,23
 154:21,22
status 61:12
statute 48:13 89:23 104:20 117:6
 118:3,5,20 119:4,8,9,11 164:3,6
 172:17,20,23,24
statutes 118:2
stay 22:14 140:19 142:4 170:20
staying 194:5
steady 149:12
stellar 59:10
STEM 17:4
step 29:22 63:13 64:20
stepchild 161:21
stepped 35:22
steps 42:21 74:17 129:20
STEWART 144:20
sticking 35:6
stigmatized 159:17
stop 94:4 98:14
stopping 45:2
stops 167:13
store 159:7
story 110:20

strangle 129:18
strangling 129:20
strapping 189:11
strategies 28:10,11 70:20
strategy 3:23 66:2 124:21
Street 1:21 140:16 199:20
strength 66:10
strip 159:7
strong 106:1
struggle 37:4
struggled 45:20 126:21
struggles 45:22
student 25:4 27:20 64:5,8,9
 66:25 67:19 70:8 72:9 73:19,22
 74:4,13,14 76:2 89:15 92:23
 99:6 131:23 136:23 150:8,12,20
 157:5,7,8 159:16 169:3
student's 75:5
students 15:12,17 18:3,13,16
 23:11,14,22,23 24:7,9 25:1,10
 25:19 26:15 27:7,13,18,19 28:7
 28:21 29:1,12 30:2,13 33:15,16
 34:14,23 35:4,17,19,21 36:3,4
 36:13 37:14 43:16 44:11 45:22
 46:3,19,23 48:1,4,9,11,14 49:4
 49:12,14 53:10 59:7 62:19,24
 62:25 63:6,7,10,11,12 64:2,10
 64:11,15,16,18,23 65:11,23
 66:11,11 67:8,11 68:4,7,12,17
 68:20 69:18 70:1,6 71:18,25
 72:9,23 73:5 75:17,23 100:3
 102:1 109:1 110:7,9,24 114:3
 117:8,25 118:3 130:24 135:22
 149:22 150:15 156:4,9,21,21
 158:8,22 159:11,16 165:25
 167:14,25 172:16 175:2
stuff 82:22 96:13 101:20 114:7
 158:15 170:23 178:20
stumble 95:16
subject 139:3
submission 88:21,24 89:8,9
submissions 83:24
submit 54:9
submitted 21:11,15 71:4,5 85:14
 85:25 86:4,8 89:19 95:10
substantive 179:15 180:11
subway 189:7

successful 41:18 94:4
successfully 88:21
Suck 143:3
sudden 132:16 172:2,8
suffer 27:18
sufficient 132:4,7 133:8,17,18,23
 134:3,7,24 135:16
suggest 50:13 59:23 71:3 122:7
suggesting 90:7
suggestion 90:16 96:24
suicidal 135:18
Suite 1:21 199:20
summarizes 85:22
summary 81:17 85:7 115:1
 136:17 156:8
summer 35:20,21 36:15 45:8,13
 46:12,14,17,18,21 48:7 114:10
 153:11 155:5
summertime 46:25
summons 92:17,20
super-early 14:7
super-math 69:5,7
super-motivated 58:17 59:18
support 23:21 64:2 65:15,19 82:3
 82:12,15 83:3 87:13,19,20 94:8
 133:8,13 168:1 189:15
supported 64:19,25
supporters 101:18
supporting 56:16 63:14 65:23
 153:22 186:2
supports 119:11
supposed 47:23 55:21,22 153:2
 165:14 186:19
sure 6:2 21:5,22 23:3 24:19 28:5
 28:7,8,11,15 29:1,3 31:20 36:17
 37:23 41:12,18,22 42:12,16
 43:19 44:2,15 45:14 51:10
 53:11 54:1 61:16 64:13,14,25
 68:3 72:20 73:12 74:21 84:15
 86:21 91:4 94:19 95:22 96:10
 96:21 97:12 100:2,11,18,23,24
 105:3 106:22 111:8 120:2,11
 122:1,9,13,13 135:14 142:15
 145:8 147:23 156:17 177:9
 181:13 186:10 197:2
surface 168:6
surprised 62:18 155:20

surprising 175:24
surrounding 172:10
survey 62:24 63:2 70:7 71:9,15
 71:23 74:16 75:4,7,8 76:5
surveys 71:19
sustain 171:7
SW 93:13
swallow 147:21
swearing 6:9,10
sweeps 100:12
sweetened 175:4
sword 195:6
sworn 177:12 196:18
symbol 158:25
system 92:21 142:18

T

T 3:1 4:1
T&E 55:23 56:9,11,15,23,24
 57:4,11
table 122:8,17 124:13 140:4,6,10
Tabled 3:20,22
tabs 197:8,14,16
tag 50:21
take 20:5,8 26:10 52:6 54:12
 57:21 58:2,11,13 59:22 60:9
 74:17 78:20 80:4,7,16,22 81:15
 90:24 112:19 115:14 117:12
 128:4 138:4 141:14 142:13
 143:4 144:24 145:1,3 146:3,5
 148:19 149:4,18 156:1 163:14
 166:15,16,19 169:21,23 172:1
 172:12,17,18,21 175:6 185:13
 188:4,14,15 190:5 194:6 197:6
 197:11
taken 75:20 76:19 80:1 102:12
 145:20 170:11
talk 85:5 98:13 104:1 119:13
 127:16 156:20 162:1 163:19
talked 41:5 68:4 70:15 89:10
 163:1 194:4
talking 25:9 42:13,19,22 43:16
 73:25 110:18 149:9 157:10,13
 158:13 192:1
tapping 43:14
task 15:11 104:21 105:25 107:6
tasks 15:8 16:1

taste 15:3
taught 16:2
tea 15:19
teach 26:22 28:6,10 30:23 32:25
 59:13 68:12 113:25 153:12,15
 155:7
teacher 24:4 25:2,3 27:6,10
 28:16 31:22 58:15,24 59:22
 64:1 67:5,16 69:1,6,8 72:6,7
 100:6,8 130:5 140:11,22 143:13
 149:10 153:5,13 193:1
teachers 16:23 51:18 63:24 65:18
 66:4 67:16,17,18,21 72:4,13
 73:7 113:24 114:2 137:24 138:5
 142:1,20 153:8 154:4,5 162:9,9
 171:6 196:7
teachers' 101:4
teaches 67:18 69:2
teaching 24:10 26:20 28:16
 153:6
team 14:23,23 15:25 16:3 81:22
 88:1 110:11 187:25
teams 15:23 24:22,25 84:1 88:14
 88:15,20 89:6 155:15
technical 81:22 82:14 88:1
 104:17
technically 86:14
technology 137:2
tell 24:22 44:6 73:18 103:15
 113:11 116:12 195:15
template 188:13,18
temporarily 102:10
ten 8:12 107:25 169:9 193:4,5
Ten-to-zero 184:13
ten-zero 124:3 184:15
tend 136:4 141:23
tennis 110:11
tenor 180:19
tenth-grade 28:16
term 10:17 161:18
terminology 92:20
terms 34:12 41:9 91:12 104:6
 107:3 126:15 147:17 148:13
 188:8
Terrible 10:7
terribly 19:4
TESOL 66:2

TESOL-certified 68:2
TESOL-endorsed 63:24,25
TESOL-supported 66:5
test 51:4 62:25 63:11 64:22 65:3
72:1,7,14,23,23 73:3,11,13
75:20,22 130:24 131:12
tested 72:8,9
testimony 199:15
testing 63:12 73:10 130:2,4,5,13
130:14,15,16,17 131:5,13,16,20
131:23
tests 130:5,11
text 178:11
textbooks 160:18
thank 5:2 7:4 8:13,14,19 9:21
10:9,25,25 12:22,23 14:2,9,14
14:16,19,20 16:7 18:20 19:9,10
25:7,13 33:18 35:8 36:16 40:5
40:24 44:13,24 45:19 46:6
47:18 49:18,21 50:19 51:20,23
54:24 55:6 59:11,18 60:13
61:14 66:20 68:23 69:12,23
70:10,13 72:20 74:21,22,25
75:2 76:11 78:10,18,19,22
79:14,23,24 80:25 84:14,19,21
86:12 87:15 95:5,14,25 96:2,3
98:1 99:22 101:14 102:7 114:21
116:19,20,25 119:18 124:10,16
128:3 152:16 184:15,16 189:14
189:16 190:17,17,23 191:18
196:12,13,22,23
thankful 190:14
thanking 188:10
thanks 11:20 21:5 26:17 40:6
58:22 93:10 97:15 102:9 127:17
196:20
thing 27:15 31:18,24 42:16 43:25
45:12 48:11 62:22 64:4 65:9
67:14 68:11 89:13 94:21 96:9
98:9 100:7 125:4 129:21,24
130:9 132:1 138:5 140:21 187:9
192:19 194:8
things 5:11,12,18 6:14 11:23
16:21 18:4,5,15 23:8 27:5 38:3
40:12 41:3,7,15,20 44:11 49:21
51:13 55:2,19 56:7 57:15 62:6
62:8,16 70:6 71:6 81:14 85:14

93:24 94:2 97:4 103:4 126:2
128:20 136:13 141:1,8,12,14,17
141:18,19 144:1 148:20 167:22
171:15 192:5,10 194:19,21
196:10
think 18:5,9 20:7,23,25 30:17
31:9 35:11 38:5,8,10 41:4,16
46:16 50:11 54:22,22 55:15
58:14,17 59:1 60:1,14 70:14,16
71:9 72:12 84:20 85:9 86:11,19
90:17 91:9,11,24 94:15 95:6
96:19,24 98:9 106:15,21 107:4
107:21 109:4 111:1,2,3,10,19
119:4,11 122:1 124:13 131:2
132:23 133:15 135:10,13
137:23 138:8,19 139:18 141:13
141:19,23 142:7,12 143:5,9,21
144:7 146:13,23 148:4 149:20
151:7,16 152:10,11,18 156:13
158:5 160:11 161:6 163:8,13
167:10 168:3,8,9 171:16 173:5
173:23 174:19 175:11 180:20
180:22 181:9,21 184:24 185:1,4
185:9,21 190:2,11 191:13,23
192:14 193:9,23 194:10 196:3,4
thinking 66:6 80:17 93:17 139:5
151:14 194:13
third 1:21 40:20 199:20
third-party 57:7
thought 15:2 17:12,16 25:8
33:22 45:1 62:1,3 117:19 146:9
156:24 175:22 176:12 186:11
188:24
threats 186:14
three 13:25 20:6 43:23,24 45:23
47:11 56:21 64:22,24 67:16,17
72:12 88:22,24 91:24 97:18,25
129:17 130:10 136:6 153:3,9
154:8,10,16,18 176:19 187:13
195:18,19
three-tier 142:18
throw 130:12 197:12
thrown 178:11 188:23
Tier 143:19
tiers 142:20
tighter 86:23
till 14:12 23:1 84:9,9

Tim 2:5 186:8
time 3:24 5:20 9:25 14:8,13
15:23 20:5,9,20 21:3 23:15,16
25:21 26:15 28:6 29:4,7,11,12
34:19 35:25 36:6 39:21,21,23
42:5 45:8,10,16 46:9,11,13 47:4
47:21 48:1,2,6,6,10 49:10,15
50:3,6,17 52:3,6,10,11,13,24
53:5 54:4,16,23 56:24 59:6
64:12 67:2 76:14,21 78:18
81:14,15 85:25 87:17 89:5
100:15 103:1,2,5 106:17 107:22
112:11 115:24 118:15 119:19
121:19 124:21 126:2 127:7
131:13 133:10 151:20 154:17
161:21 165:18 168:16 173:12
173:12 175:19 176:10 177:8
180:17 191:9 192:7 200:10,15
200:20,25
timeline 90:10
times 28:14 42:19 49:3 60:6
144:24 187:10,11
tip 176:17
title 151:3
today 6:22 22:4 29:8 37:24 71:6
83:21 102:1,18 120:14 126:4
171:18 176:21,22 180:18
today's 121:14
Tokyo 17:11
told 39:11
tomorrow 177:20
tone 60:14 180:20
tool 133:22
top 125:1 130:12 137:15 138:9
140:20 142:4 177:18
topic 43:24 156:5
total 41:17 69:17
totally 31:24 34:11 43:22 192:21
touch 94:8 104:4 121:1,2
touching 189:24
tough 14:13 56:10 138:11
TOULOUSE 2:15 6:20 7:3
TPS's 143:24
track 42:17 176:15
tracking 82:16
traction 155:12
trades 105:23 114:13

traditional 15:19 111:16 134:14
161:8 162:16,16
Trail 3:18 116:22 117:16 118:8
118:13 119:17 164:4,6,13,22
173:24 174:9,25 175:2,3
Trail's 118:1
Trails 117:3,5
trainers 66:3
training 57:9 58:4,7 59:24 61:18
65:4 66:2 81:22 82:14,15,16
87:25 88:2,5 93:5,6,8 95:17
107:15,22 186:12,13 190:1
trainings 57:6,11 58:3 88:4,7,16
88:18 89:7 95:21
transcript 1:10 115:7 199:11
200:8,13,18,23
transfer 90:20,23 148:9
transferred 72:9 74:2 90:12
transgender 156:9,13,21 158:8
158:22
transition 22:10 37:9 149:12
187:24
transitioning 159:23
transitions 81:11
translated 73:20
transport 49:4 106:13
transportation 99:25 100:4
171:19 174:12,22 175:1
trauma-inspired 114:18
travel 15:15 17:7 155:15
travels 79:25
tree 184:4
tremendous 55:11 107:22
trend 169:14
tried 110:23
trip 3:9 14:6 15:15 17:10 18:13
18:15 38:10 192:24
Trish 2:3 11:4 196:13
Trompa 193:7
tru- 127:1
truck 91:16
trucks 92:6
true 194:12 199:10
Trujillo 163:25 168:5
truly 8:17 14:8 19:3,8 40:11
106:7 147:23 152:2
try 5:18 27:15,22,24 45:7 50:16

69:16 105:13 106:24 107:9
140:5 163:23 178:12
trying 8:17 30:18 47:15 48:3
52:8,22 53:4 58:10 63:19 95:19
95:22 108:21 114:18 117:23
149:3,3 151:8,11,16 152:11
153:19 166:15 167:24 188:16
188:17
TSI 87:18
Tuesday 83:3,25 88:3 186:20
turn 9:22 20:3
Turquoise 3:18 116:22 117:3,5
117:16 118:1,8,13 119:16 164:4
164:6,13,22 173:24 174:9,25
175:2,3
tweaks 38:22
twice 133:3 180:9
two 34:7 47:19,24 63:12,12 72:4
72:11,13 73:6,9 87:20,21 88:14
89:7 93:5 94:22 95:3 99:24
103:4 125:6 135:19 145:21,21
146:22,25,25 147:10 148:6,13
148:18 149:13,16 158:25
167:22 173:19 185:20,21
187:13 191:8,24 195:17
type 31:17 42:15 43:25 133:13
152:13
types 68:17
typically 133:2
typos 180:14

U

U.S 113:12
uh-huh 51:11 122:12 138:22
177:3
umbrella 107:16 111:11
unable 15:1
unanimous 155:24
unanimously 128:14 155:23
uncomfortable 127:2
underfunds 141:3
underlying 60:14
understand 18:6 27:14,25 30:8
30:18,23,24 31:7 33:7 35:24
47:7 48:23 60:14,18 61:8 62:17
66:22 67:2,9 68:4 70:9 72:4
92:19 95:22 106:23 119:9 147:4

151:1,15 191:13 195:1
understanding 39:7 53:10 61:21
65:8 93:22 109:23 120:6 167:8
understood 62:23 124:10 160:16
160:25
unfortunate 187:1,11
unfortunately 14:25 40:1 105:6
110:21 187:8
unfunded 141:5
unions 137:23,25
unique 75:12
unisex 159:18
university 113:3,6
Unknown 84:6
UNM-LA 145:20 146:6
unrolled 131:10
unpack 58:10 65:6
unscramble 149:3,6
unused 79:8
unveiled 134:12
upcoming 190:15
update 58:8 97:6 102:19
updated 85:13 120:5,21 176:25
189:22
updates 124:4
upped 139:5
upset 5:21
urinals 160:3
usage 75:7
use 15:23 29:14,22 30:4 32:20
44:15 46:4 68:9,9,11,18,19
71:16 81:14 121:19 157:3 159:1
159:1,12,21,22,23 162:19 184:6
197:16,17
useful 98:9 101:24
uses 161:18
usually 84:13,18 138:3 141:25
utilities 129:6
utilize 63:20

V

vacancy 81:25
vacant 81:10,11 83:14 187:16
vacation 45:14
valid 93:14
validated 36:19
value 111:20

variety 50:15 186:7
various 148:10
vary 78:12 151:19
verbiage 112:12 131:3 136:16
 160:21
version 38:7
versus 170:20
vested 139:11
VEX 14:25
vice 2:3 10:1 11:3,4,17 13:24
vicinity 170:2
vigilant 138:9
violate 60:11 164:3,5
visit 17:8 18:7 57:17 82:6 170:22
visited 17:11,24 24:9 169:25
Visitor 4:11
visits 18:12,22 82:12 84:23 85:1
 85:2
visual 38:9 192:19
vocabulary 68:8
vocational 106:1,5
Voigt 2:7 7:12,13 13:4,6 17:3,19
 69:11,12,25 70:10 75:1,2 76:1
 76:11 77:18,19 87:7,10,15 93:4
 93:10 105:18,21 107:12,24
 108:5 109:1,4 110:5 111:6
 123:9,10 126:5,6,10,14,17,23
 127:3,10,16,19,25 128:3,9,12
 128:19,22 132:24 133:24
 136:10,15 137:7,12 144:12,17
 144:21 145:1,8,13,16,17 146:9
 155:25 157:1,4,19,24 158:4,7
 158:12,22,24 159:10,20 160:6
 161:3,13 162:15,20 165:12,22
 166:13,16,22 167:1 168:23
 173:7,18 174:19 175:25 176:16
 176:24 178:1,6,14,17,23 182:16
 182:18,23 183:2,9,10 190:19,20
 193:19 197:21
volunteering 127:14
vote 7:6 77:7 103:17 115:22
 120:14,17 121:23 163:14 183:6
 184:14
voted 102:20 104:22
votes 13:25 77:21 123:24 184:10
voting 11:17
vu 193:10

W

wait 23:1 43:13 66:16 81:5 92:13
 121:22 137:23 145:23 147:9
wait-and-see 141:14
waited 5:5 186:20
waiting 36:6 69:8 81:25
walk 66:12 174:9
walked 73:25
wall 140:16 173:11
walls 68:5,20
want 5:24,25 10:14 14:11,20
 20:17,18 21:23 22:21,24 23:1
 26:21 32:11 35:20 41:18,22
 54:2 60:9 66:10,13,17 70:22
 71:10 83:22 85:5 86:12 91:18
 95:5 99:18 100:2 110:12 112:23
 117:12 119:22 121:15 137:22
 142:13 144:8 146:5 149:10
 151:17 153:9,13 159:7,12,17,21
 162:5,18 166:9 167:14 168:12
 168:13 171:2 172:12 173:24
 175:18,20,22 179:18 184:19,20
 188:14 189:8,14,20 190:25
 191:6 195:8,15 197:5,9,12,13
wanted 14:12 20:22 32:1,4 44:4
 73:12 74:21 79:11 81:2 85:15
 89:17,25 92:14 99:2 191:21
 195:16
wanting 59:22 101:3
wants 59:12,13,14,14 143:11
 159:22,23 179:24
War 17:16
wasn't 26:3 130:15 138:12
 145:14 155:20 170:5,5,6,6
 180:11,24
watch 43:14 79:7 193:22
Watergate 192:1
way 17:16 21:18 22:11 31:12
 67:1 74:22 79:5 84:3 91:10
 93:22 95:6,12 101:12 106:15
 112:11 120:4 130:21,22 132:2,2
 137:20 138:10 140:13,13
 147:14 155:17 166:11 171:21
 174:3,16,18 181:2 190:4 192:5
ways 27:11 167:23
we'll 11:13 36:1 90:19 99:19
 103:15 115:11 149:18 176:1,1

185:10 189:12
we're 6:17 8:15 11:15 16:22,24
 16:24 20:20 21:14 29:10 38:13
 40:20,20 46:5,17 47:13 48:3,7
 48:12,17 51:3 52:3,3,22,22,23
 55:4,4 59:5 61:17 64:17,21
 76:13 79:8 80:11 81:5 83:11,13
 86:15,21 90:8 92:16 95:19 97:5
 100:20 101:12,22 102:4,14
 108:21 114:18 116:6 119:1
 121:23 122:3 124:15 131:25
 144:7 146:21 148:12 149:4,17
 160:19,24 166:20 167:21
 168:18 172:18,24 175:6,17
 179:5 184:22 186:23 187:2,12
 189:11 190:3 191:10
we've 14:10 21:15 37:12 48:16
 54:16 55:18 56:6 63:13 71:6
 75:22 76:19 81:11 84:22,25
 98:11,17 110:22,22 120:21
 148:13 149:16 155:8 167:22
 175:20 185:8 186:3 187:6,20
weaknesses 112:8
wearing 6:22
weather 5:17 16:22
web 84:12
webinars 101:19
Webmaster 122:6
website 84:13 119:24 120:20
 121:8 176:24 184:20 185:2
website's 95:18
Wednesday 83:5 94:24
week 16:16 54:14 65:4 85:13,21
 88:2,3 90:8 95:4 130:3 133:3,7
 133:10 134:6 155:11 156:2
 185:12 186:6,10
weekly 131:7
weeks 47:11 153:3,10 154:16,18
 185:20,22 187:14
weigh 142:1,6
welcome 8:13 14:7 81:3 98:1
 189:8 190:18 191:1,3,7,17,20
 193:16 196:22
welcoming 195:2
went 17:11 24:17 36:8 55:25 56:3
 188:11 196:17
weren't 36:20 42:2 43:16 47:22

61:2 124:25
wheel 196:14
whereof 199:15
whirlwind 196:16
WIDA 62:25
wide 64:15 69:15
Williams 79:1
willing 46:20 50:12 57:21 58:11
 156:18 196:9
Wilson 82:8
win 118:9 195:24,24
win-win 114:19 118:18 172:14
window 39:4,19,23 58:6 73:9
 89:9
windows 37:5 38:20 39:12 88:24
winter 84:24
wish 65:9,12 70:17 79:14 80:3
 160:13 190:7
wishes 19:15
withdrawal 157:11 158:1
Withhold 157:19
withholding 157:11,13
Woerner 2:9 20:23 21:13 22:25
 23:4,8 24:2,7,21 25:7,13 35:11
 36:16 37:14,19 38:1 39:5,9
 40:8 51:23 53:24 54:2,6,18
 63:9 66:15 70:12 72:20 73:11
 74:8,18 75:3,6 76:6,9 80:25
 83:22 84:14,19,21 86:1,6,23
 87:5,9,13,16 91:3,6 92:2,11,13
 92:23 93:2,7,11 94:5,13,15,18
 96:4,23 97:7,12 120:9,12 121:2
 122:14 124:10,18 151:7 154:20
 157:15 167:19 188:20 193:25
wonder 44:25 152:21
wonderful 18:3 79:22 196:5
wondering 33:5 45:16
woods 102:2,4
word 10:7,7 29:14 67:2 68:5,19
 70:9 130:21 151:18 177:19
 180:22 181:6
wording 120:10 131:15
words 68:9,21 173:19 191:24
work 5:7,12 15:25 18:19 21:18
 21:21 22:11 25:23 26:6 27:7
 36:8 40:9 46:16 55:13,18 78:23
 85:2 87:2 93:16,19 95:19 96:1

98:5 106:14 107:4,5 114:14
 140:18 142:21,22 146:20 153:9
 155:5 184:16,17 189:1,15
 193:17
workday 88:12
worked 22:5,8 24:18 44:14 56:8
 62:22 120:21 155:8
worker 25:6 133:6 135:22,23
working 16:22 28:23 30:6 35:12
 36:20,21 41:11 46:5 47:13 56:8
 81:12 83:11,13 99:20 121:20
 148:5 191:4 195:4 196:3
workload 95:7
works 82:3 119:4
world 17:16 106:16 190:13
worms 173:19 174:20
worry 11:9 45:13 83:22
worse 138:15
worth 16:18
wouldn't 30:3 118:17
wow 144:16 190:9,10 193:2
 194:12,14
wraparound 152:18
write 6:15 43:24 49:15 55:3,23
 96:9 156:18
write-up 55:23
writing 28:8,10,22 29:23,25
 43:22 107:2
written 26:1 34:16 160:25
wrong 6:14 33:23 173:22
wrote 187:22

X

X 3:1 4:1 48:13 109:16 177:19
X' 48:16

Y

y 99:11
yay 128:11,21
yeah 8:23 21:21 42:25 47:14
 69:25 86:22 92:2,12 94:2,17,20
 97:7,9,14 104:4 110:17 116:4,4
 120:3 121:3 126:12 127:3
 128:10 129:10 132:24 147:4
 150:24 154:14,18 155:25
 161:20,23 162:21 163:15
 167:20 168:23 175:25 177:13

179:16 180:4,5,15,15 181:17,23
 185:21 192:24 193:2
year 6:13 22:16,19 42:15 43:18
 43:18,20,23,23 44:1,22 47:9,11
 55:24 56:14 57:3,5 63:7,11,19
 66:1 72:8,10 73:6 85:4,23
 86:16,17 88:4,13,15 89:11
 93:15 95:19 99:19 100:1,13
 101:2 108:17 119:5,20 124:13
 127:20 129:22,23 130:11
 136:20,23 143:5 153:23 154:8
 155:7 178:18 191:1 194:20
year's 57:3 156:15
year-end 4:3 179:5,7 182:18,24
year-round 155:1
years 26:22 27:23 35:1 37:2
 45:23 56:12,21 61:10 64:22,24
 98:16 107:25 114:24 130:16
 137:3 138:12 139:10,12,16
 140:11 149:2 154:10 169:9
 174:25 175:15 190:16 191:8
 192:6 193:4,5 194:19 195:18,19
yeoman's 55:13
yesterday 28:22 73:19 82:25
 83:19 89:10 90:17 124:5,25
 125:6 131:10 135:3
yoga 24:10
young 174:6 192:7
younger 172:10
YouTube 192:18

Z

0

1

1 3:3 4:11 69:2
1/11/19 200:2
1:50 102:13
10 3:17 93:13 102:14 141:1,3
 189:6
10.00 146:3
10:10 1:11 6:5
100 24:19 45:21 51:20 135:22
 139:10
102 3:17
10th 176:25
11 1:11 3:18 59:13 116:21 122:4

11:30 50:14
11:45 80:1
116 3:18
119 3:20,21
11th 6:5
12 3:8,20 122:4,17
12:08 80:1
12:35 102:12
121 131:24
124 3:23
128 144:12,14
12th 24:18 44:7
13 3:21 22:9 122:4,17
13th 93:14
14 3:9,23 124:20 137:14
15 4:3 179:6
16 4:5 61:10 185:6
1607N 1:24 199:25 200:2
1630 1:21 199:20
17 4:6 80:10 83:25 84:7
179 4:3
18 4:7
180 29:18 30:12
181 163:14,15,19,22,22,25
 165:23 167:9
185 4:5
19 3:11
190 4:6
1900 187:7
197 4:7
1970 26:21
199 4:8
19th 92:16
1st 54:13 84:9

2

2 3:5 8:15 9:2 59:14 69:3 178:19
20 141:2
2002 142:17
201 1:21 199:20
2012 22:8,8
2016 22:8
2018 93:14 182:24
2018-'19 22:16
2019 1:11 3:7 22:18 93:15 199:16
2020 187:19
20s 185:17

219 1:19 199:8,19
21st 53:14 57:1 185:18
22 146:13 151:2 199:16
22-8B-4N 89:23
22nd 88:7
23rd 88:7
24 130:3
24th 88:8
25 135:23,25 139:12,16 192:13
250 100:22
26 156:7,19 157:20
270 100:23
28 44:7
280 100:23
28th 88:6
29th 53:17 54:10 55:2

3

3 3:6 142:17 143:19 182:5
3:54 198:7
30 33:16 34:1
30-year-old 192:7
30th 53:21 54:13
31st 54:13 187:19
32 49:9 50:6,16
39 26:22
3CPO 69:9
3Y4Y 152:22

4

4 3:7 9:23 50:22
4:00 125:24
40 36:18 86:15
40- 38:20
40-day 38:14
437 176:16
45 128:23 192:13

5

5 3:8 12:24 85:8,9,10,12
5,000 140:23
5.00 144:14 146:3
5:00 177:3 186:20
50 66:23 144:13 154:25 192:6
57 61:6
5th 53:22 54:17 88:3

6

6 3:3,9 14:4
6,000 140:23
60 33:20,21 132:14 145:12
 177:15
6th 53:22

7

7 3:11 19:12 88:3
70 132:14

8

8 3:5,13 80:11,16 86:3
8,000 140:23
8:00 50:14 125:25
80 3:13,15 132:14
80-day 36:23 37:13 38:20 39:19
87102 1:21 199:21
8th 53:7,23

9

9 3:6,7,15 80:22
9:00 196:16
92 129:25,25