

**Public Education Commission Meeting**

October 12, 2018

Jerry Apodaca Education Building – Mabry Hall  
300 Don Gaspar Street  
Santa Fe, NM 87501

**Summary Minutes**

<p><b>Members Present-</b> Patricia Gipson, Chair Gilbert Peralta, Vice-Chair Karyl Ann Armbruster, Secretary Tim Crone Carmie Toulouse David Robbins James Conyers Trish Ruiz Carlos Caballero (arrived 9:15 a.m.)</p> <p>Meeting began at 9:12 a.m.</p>	<p><b>Members Absent</b></p>
<p><b>Agenda Item 1.</b> CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE &amp; SALUTE TO NEW MEXICO FLAG</p>	<p>Karyl Ann Armbruster, Secretary called the roll and confirmed a quorum.</p>
<p><b>Agenda Item 2.</b> APPROVAL OF AGENDA</p>	<p style="text-align: center;"><b>MOTION</b></p> <p>Trish Ruiz made a motion to approve the agenda as amended, removing DEAP from item number five and removing item numbers seven and ten. David Robbins seconded the motion.</p> <p style="text-align: center;"><b>Motion passes unanimously</b></p>
<p><b>Agenda Item 3.</b> OPEN FORUM</p>	<p style="text-align: center;">No Comments were made during Open Forum</p>
<p><b>Agenda Item 4.</b> CONSENT AGENDA</p> <p>A. Approval of PEC Minutes and Transcripts</p> <p>i. Approval of PEC Work Session Minutes for September 20, 2018</p>	

<ul style="list-style-type: none"> <li>ii. Approval of Transcript for September 21, 2018 PEC Meeting</li> <li>iii. Approval of Summary Minutes for September 21, 2018 PEC Meeting</li> </ul> <p>B. Notification of Changes</p> <ul style="list-style-type: none"> <li>i. Governance Board Changes <ul style="list-style-type: none"> <li>a. Albuquerque School of Excellence</li> <li>b. Cesar Chavez Community School</li> <li>c. J Paul Taylor Academy</li> <li>d. La Academia Dolores Huerta</li> <li>e. Southwest Secondary Learning Center</li> <li>f. Taos International School</li> </ul> </li> </ul>	<p style="text-align: center;"><b>MOTION</b></p> <p>James Conyers indicated motion to approve the consent agenda. Trish Ruiz seconded the motion.</p> <p style="text-align: center;"><b>Motion passes unanimously</b></p>
<p><b>Agenda Item 5. REPORT FROM OPTIONS FOR PARENTS &amp; THE CHARTER SCHOOL DIVISION-DISCUSSION AND POSSIBLE ACTIONS</b></p> <ul style="list-style-type: none"> <li>A. Charter School Division Update</li> <li>B. Update on School Closures</li> <li>C. Governing Board Concerns <ul style="list-style-type: none"> <li>i. Aldo Leopold High School</li> <li>ii. Hozho Academy</li> <li>iii. Turquoise Trail Community Charter School</li> <li>iv. Red River Valley Charter School</li> <li>v. <del>Dzit Dít Lool School of Empowerment Action and Perseverance (DEAP)</del></li> <li>vi. North Valley Academy</li> </ul> </li> </ul> <p>Tim Crone leaves.</p>	<p style="text-align: center;">Agenda Item 5.C(v) removed from Agenda.</p> <p style="text-align: center;"><b>MOTION</b></p> <p>Patricia Gipson made the following motion: I move that the Public Education Commission send a second notice Letter of Concern, informing the school that failure to timely provide the documents may result in Notice of Breach to the following schools: Aldo Leopold High School, Hózhó Academy, and Turquoise Trail Community Charter. David Robbins seconded the motion.</p> <p style="text-align: center;"><b>Motion passes unanimously</b></p>
<p><b>Agenda Item 6. DISCUSSION AND POSSIBLE ACTION ON THE UPDATED NOTICE OF INTENT (NOI) FOR 2019 APPLICATIONS FOR NEW CHARTER</b></p> <p>Tim Crone returns.</p>	<p style="text-align: center;"><b>MOTION</b></p> <p>David Robbins made the following motion: I move that the Public Education Commission adopt the changes that update the Notice of Intent for 2019 applications for new charter schools. Carlos Caballero seconded the motion.</p> <p style="text-align: center;"><b>Motion passes unanimously</b></p>

<p><b>Agenda Item 7.</b> DISCUSSION AND POSSIBLE ACTION ON NEW CHARTER SCHOOL APPLICATION OR RUBRIC, OR BOTH</p>	<p>Item removed from Agenda.</p>
<p><b>Agenda Item 8.</b> DISCUSSION AND POSSIBLE ACTION ON CHARTER SCHOOL RENEWAL APPLICATION</p>	<p>Recorded comments are available in full transcript.</p>
<p><b>Agenda Item 9.</b> DISCUSSION AND POSSIBLE ACTION ON REVISED AMENDMENT REQUESTS AND NOTIFICATIONS POLICIES, FORMS AND DEADLINES</p>	<p style="text-align: center;"><b>MOTION</b></p> <p>Gilbert Peralta made the following motion: I move that the Public Education Commission adopt the revisions to the Amendment Request and Notification policies forms and deadlines for school closure, school location within district, and head administrator, governing body member, or charter representative changes. David Robbins seconded the motion.</p> <p style="text-align: center;"><b>Motion passes unanimously</b></p>
<p><b>Agenda Item 10.</b> DISCUSSION AND POSSIBLE ACTION ON UPDATED CLOSURE PROCEDURE AND CHECKLIST</p>	<p>Recorded comments are available in full transcript.</p>
<p><b>Agenda Item 11.</b> DISCUSSION AND POSSIBLE ACTION FOR SITE VISIT PROTOCOL AND PERFORMANCE MONITORING</p>	<p style="text-align: center;"><b>MOTION</b></p> <p>Carlos Caballero made the following motion: I move that the Public Education Commission adopt the changes to the site visit protocol and performance monitoring. Seconded by Commissioner Ruiz.</p> <p style="text-align: center;"><b>Motion passes unanimously</b></p>
<p><b>Agenda Item 12.</b> REPORT FROM THE CHAIR</p> <ul style="list-style-type: none"> <li>A. PEC Calendar for 2019</li> <li>B. Update from New Mexico Charter Coalition</li> <li>C. Update from New Mexico School Board Association</li> </ul>	<p>Recorded comments are available in full transcript.</p>
<p><b>Agenda Item 13.</b> PEC COMMENTS</p>	<p>Recorded comments are available in full transcript.</p>
<p><b>Agenda Item 14.</b> EXECUTIVE SESSION: Pursuant to NMSA § 10-15-1(H)(7) DISCUSSIONSUBJECT TO ATTORNEY-CLIENT PRIVILEGE PERTAINING TO THREATENDED</p>	<p style="text-align: center;"><b>MOTION</b></p> <p>Patricia Gipson made the following motion: I'm going to move that the Commission enter into a Closed Session. The subjects to be discussed are issues subject to</p>

<p>OR PENDING LITIGATION IN WHICH THE PUBLIC BODY IS OR MAY BECOME A PARTICIPANT, SPECIFICALLY:</p> <p>A. IN RE NEW MEXICO PUBLIC EDUCATION DEPARTMENT NOTICE TO REVIEW PUBLIC EDUCATION COMMISSION'S DECISION TO GRANT RAICES DEL SABER XINACHTI COMMUNITY SCHOOL CHARTER WITH CONDITIONS</p> <p>B. CONTRACT FOR PROFESSIONAL SERVICES TO OVERSEE AND ASSIST WITH THE IMPLEMENTATION YEAR FOR RAICES DEL SABER XINACHTI COMMUNITY SCHOOL</p> <p>C. THE GOVERNING COUNCIL OF TAOS INTERNATIONAL SCHOOL V. CHRISTOPHER RUSZKOWSKI, IN HIS OFFICIAL CAPACITY AS THE SECRETARY OF THE NEW MEXICO PUBLIC EDUCATION DEPARTMENT, CASE NO D-101-CV-2018-01196.</p> <p>D. STUDENT ATHLETE HEADQUARTERS ACADEMY CLOSURE PROCEEDINGS WRIT OF REPLEVIN</p> <p style="padding-left: 40px;">D. THE GOVERNING COUNCIL OF NEW MEXICO CONNECTIONS ACADEMY, AND NEW MEXICO CONNECTIONS ACADEMY VS. CHRISTOPHER RUSZKOWSKI, IN HIS OFFICIAL CAPACITY AS THE SECRETARY OF THE NEW MEXICO PUBLIC EDUCATION DEPARTMENT, NO. D-101-CV-2018-00196</p> <p>E.</p>	<p>attorney-client privilege pertaining to threatened or pending litigation in which the PEC is or may become a participant, pursuant to NMSA 1978, Section 10-15-1(H)(7), specifically: A., In Re New Mexico Public Education Department Notice to Review Public Education Commission's Decision to Grant Raíces del Saber Xinachtli Community School Charter with conditions; B., Contract for Professional Services to Oversee and Assist with the Implementation Year for Raíces del Saber Xinachtli Community School; C., the Governing Council of Taos International v. Christopher Ruzzkowski, in his Official Capacity as the Secretary of the New Mexico Public Education Department, Case No. D-101-CV-2018-01196; D., Student Athlete Headquarters Academy Closure Proceedings Writ of Replevin; E., the Governing Council of New Mexico Connections Academy and New Mexico Connections Academy v. Christopher Ruzzkowski, in his Official Capacity as Secretary of New Mexico PED, Case No. D-101-CV-2018-01329. The matters discussed in the closed meeting will be limited only to those specified in the motion.</p> <p>Trish Ruiz seconded the motion.</p> <p style="text-align: center;"><b>Motion passes unanimously</b></p> <p style="text-align: center;"><b>MOTION</b></p> <p>Patricia Gipson made the following motion: I move that the Public Education Commission end Closed Session. Matters discussed in the closed meeting were limited only to those specified in the motion for closure, and no vote was taken during the Closed Session.</p> <p>Trish Ruiz seconded the motion.</p> <p style="text-align: center;"><b>Motion passes unanimously</b></p>
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<p><b>Agenda Item 15.</b> DISCUSSION AND POSSIBLE ACTION ON NEW MEXICO PUBLIC EDUCATION DEPARTMENT NOTICE TO REVIEW PUBLIC EDUCATION COMMISSION’S DECISION TO GRANT RAICES DEL SABER XINACHTI COMMUNITY SCHOOL CHARTER WITH CONDITIONS</p>	<p>No action taken.</p>
<p><b>Agenda Item 16.</b> DISCUSSION AND POSSIBLE ACTION ON CONTRACT FOR PROFESSIONAL SERVICES TO OVERSEE AND ASSIST WITH THE IMPLEMENTATION YEAR FOR RAICES DEL SABER XINACHTI COMMUNITY SCHOOL</p>	<p style="text-align: center;"><b>MOTION</b></p> <p>Carlos Caballero made the following motion: I move that the Public Education Commission issue a contract to an independent party for technical assistance for the planning and implementation year for Raíces del Saber Xinachtli Community School to address the conflict of interest that was created as a result of the Secretary of PED asking CSD to assist with its review of the PEC’s decision to grant the school a charter. Carmie Toulouse seconded the motion. <b>Motion passes unanimously</b></p>
<p><b>Agenda Item 17.</b> DISCUSSION AND POSSIBLE ACTION ON THE GOVERNING COUNCIL OF TAOS INTERNATIONAL SCHOOL v. CHRISTOPHER RUSZKOWSKI, in his official capacity as the SECRETARY of the NEW MEXICO PUBLIC EDUCATION DEPARTMENT, Case No D-101-CV-2018-01196.</p>	<p>No action taken.</p>
<p><b>Agenda Item 18.</b> DISCUSSION AND POSSIBLE ACTION ON STUDENT ATHLETE HEADQUARTERS ACADEMY CLOSURE PROCEEDINGS WRIT OF REPLEVIN</p>	<p>No action taken.</p>
<p><b>Agenda Item 19.</b> DISCUSSION AND POSSIBLE ACTION ON THE GOVERNING COUNCIL OF NEW MEXICO CONNECTIONS ACADEMY, AND NEW MEXICO CONNECTIONS ACADEMY VS. CHRISTOPHER RUSZKOWSKI, IN HIS OFFICIAL CAPACITY AS THE SECRETARY OF THE NEW MEXICO PUBLIC EDUCATION DEPARTMENT, NO. D-101-CV-2018-00196</p>	<p>No action taken.</p>

**Agenda Item 20. ADJOURN**

Adjourned at 12:44 p.m.

**MOTION**

Carmie Toulouse moves to adjourn the meeting.  
David Robbins seconded the motion.

**Motion passes unanimously**