

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

OPEN PUBLIC MEETING

February 8, 2019

9:00 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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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
 14 PED STAFF:
 15 MS. KAREN WOERNER, Acting Director,
 16 Charter School Division
 17 MS. BEVERLY FRIEDMAN, PED Custodian of Record
 18 and Liaison to the PEC
 19
 20 PEC COUNSEL:
 21 MR. MARK CHAIKEN, Counsel to the PEC
 22
 23
 24
 25

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1 THE CHAIR: I'm going to bring to order
 2 this meeting of the Public Education Commission. It
 3 is Friday, February 8th, and it is 9:07 a.m. And I
 4 will ask Commissioner Armbruster to do roll call,
 5 please.
 6 COMMISSIONER ARMBRUSTER: Have to see
 7 where everyone is.
 8 Commissioner Robbins?
 9 COMMISSIONER ROBBINS: Present.
 10 COMMISSIONER ARMBRUSTER: Commissioner
 11 Voigt?
 12 COMMISSIONER VOIGT: Here.
 13 COMMISSIONER ARMBRUSTER: Commissioner
 14 Armbruster is here.
 15 Commissioner Davis?
 16 COMMISSIONER DAVIS: Here.
 17 COMMISSIONER ARMBRUSTER: Commissioner
 18 Chavez?
 19 COMMISSIONER CHAVEZ: Present.
 20 COMMISSIONER ARMBRUSTER: Commissioner
 21 Gipson?
 22 THE CHAIR: Here.
 23 COMMISSIONER ARMBRUSTER: Commissioner
 24 Raftery?
 25 COMMISSIONER RAFTERY: Here.

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 4 the New Mexico Flag
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1 COMMISSIONER ARMBRUSTER: Commissioner
 2 Crone is probably looking for a parking place; so
 3 he's not here at the moment.
 4 Commissioner Ruiz?
 5 COMMISSIONER RUIZ: Present.
 6 COMMISSIONER ARMBRUSTER: Commissioner
 7 Caballero is maybe on the train someplace; we don't
 8 know. So we have eight, a quorum.
 9 THE CHAIR: Thank you very much.
 10 I'm going to ask Commissioner Davis to
 11 lead us in the Pledge of Allegiance and Commissioner
 12 Chavez in the New Mexico Salute.
 13 (Pledge of Allegiance and Salute to the
 14 New Mexico Flag conducted.)
 15 THE CHAIR: Okay. We are on to Item
 16 No. 3, which is the Approval of the Agenda. And the
 17 only thing that I'm -- the only change I'm going to
 18 ask for at this point in time is on the Consent
 19 Agenda, that under B5, that Sandoval Academy of
 20 Bilingual Education be removed, and they'll be
 21 discussed with the CSD report.
 22 COMMISSIONER RUIZ: Madam Chair, I make a
 23 motion to approve the agenda with the changes that
 24 you just made.
 25 THE CHAIR: So --

<p style="text-align: right;">Page 6</p> <p>1 COMMISSIONER ROBBINS: Second. 2 THE CHAIR: -- there's a motion by 3 Commissioner Ruiz, a second by Commissioner Robbins. 4 All in favor? 5 (Commissioners so indicate.) 6 THE CHAIR: Opposed? 7 (No response.) 8 THE CHAIR: Hearing no opposition, the 9 motion passes. 10 Item No. 3, no one has signed up for Open 11 Forum. 12 So we are on to Item No. 4, which is the 13 Consent Agenda. 14 Does any Commissioner have any other 15 changes other than the one we made? 16 COMMISSIONER ROBBINS: I move the Public 17 Education Commission approve the Consent Agenda, as 18 printed and amended. 19 COMMISSIONER RUIZ: Second. 20 THE CHAIR: There's a motion by 21 Commissioner Robbins, a second by Commissioner Ruiz. 22 All in favor? 23 (Commissioners so indicate.) 24 THE CHAIR: Opposed? 25 (No response.)</p>	<p style="text-align: right;">Page 8</p> <p>1 but she will gladly answer a question now if 2 anyone -- so if -- do any of the Commissioners have 3 a question now? 4 Oh. I'm sorry. 5 COMMISSIONER RUIZ: Not a question; just, 6 well, I guess a request. I would like one of those 7 books, please, if I could get one. 8 THE CHAIR: Okay. Sure. Sure. 9 MS. FRIEDMAN: Madam Chair, I think she 10 picked up the ones that were left on the table; but 11 we will get one for you. 12 COMMISSIONER RUIZ: Thank you. 13 THE CHAIR: Okay. Thanks. So other than 14 that, there is no action on -- on this agenda item. 15 So we will move on to Item No. 6, which is 16 the report from Options for Parents. 17 MS. KAREN WOERNER: Thank you, 18 Madam Chair, Commissioners. So as most of you 19 already, of course, know that we are in this 20 transition, and the appointments have been made. 21 The Secretary of Education came out today to meet 22 with you. The five Deputy Secretaries have been 23 appointed, and those of you who were here yesterday 24 met three of them. And then the Chief of Staff -- 25 I'm not sure if you've all had a chance to meet --</p>
<p style="text-align: right;">Page 7</p> <p>1 THE CHAIR: Motion -- hearing no 2 opposition, the motion passes. 3 We are on to Item No. 5, Discussion and 4 Possible Action on the Perkins Grant Report. There 5 were a number of Commissioners that were present for 6 the report. And I want to publicly thank Dr. Perea 7 for the time. 8 Commissioners have been -- and Dr. Perea 9 did leave, for Commissioners, this big booklet. She 10 did ask, if you're not interested in it, to give it 11 back to her because they are costly. But there's a 12 lot of great information in this; so I would 13 strongly recommend, especially if you were not 14 present yesterday, to take a look through it. 15 Dr. Perea offered that her door is open. 16 So if Commissioners have any questions, want to 17 spend any time with her after you've had an 18 opportunity to go through any of this, please feel 19 free to contact her. She'll answer any questions. 20 But at this moment in time, I -- if a 21 Commissioner has a specific question they would like 22 to ask if you weren't here yesterday, Dr. Perea is 23 available. We can bring her over. 24 I told her yesterday that I didn't want to 25 have her just sit here waiting for something; so --</p>	<p style="text-align: right;">Page 9</p> <p>1 he came through today, too. 2 THE CHAIR: We did, in the hallway. 3 MS. KAREN WOERNER: And, of course, we -- 4 this division will report to Director Kara -- Deputy 5 Secretary Kara Bobroff. And we're very excited that 6 she's been named and looking forward to a director 7 being appointed. I'm especially looking forward to 8 a director being appointed. 9 And we're very excited about the whole 10 theme that they shared with you yesterday about 11 collaboration and support, both internally and 12 externally; so very excited about that. 13 Staffing. Besides the vacant director 14 position, which I can't stress enough I'm eager to 15 get filled, we have several others that I'm also 16 very eager to get filled. So two of our four 17 members of the authorizing team positions are 18 vacant. We're still working to try to get that 19 interviewed and hired. 20 One of three members of the training team 21 have been filled by Dolores. but Dolores hasn't 22 been able to leave her executive secretary or admin 23 assistant position yet; so that, thankfully, was 24 posted on Wednesday. So we would be looking to fill 25 that and then Dolores can transition more fully to</p>

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1 her new role.

2 And then the two other positions that are
3 vacant are the data and financial analyst and the
4 grant program coordinator. And both of those have
5 had recommendations made by our team; but we're
6 waiting on final approval from HR to actually offer
7 those positions. So you can see that a lot of
8 vacancies, we're a little bit overwhelmed with work,
9 but looking to get those filled.

10 Site visits going full force this time of
11 the year, extremely busy with only two members out
12 there doing that. And they're earning lots of comp
13 time trying to get all the reports done. I'm not
14 sure when they'll be able to take their comp time;
15 but they are earning comp time. And that's why
16 Megan and Dylan were not here yesterday, nor today.
17 They are actually at schools visiting for the site
18 visits.

19 Training. We do have, as you know, lots
20 of training going on for governing boards, new
21 applicants, implementation year and renewal year.
22 And I brought -- I'm just going to pass this around,
23 if you don't mind, if you want to take one. This is
24 a list of the training -- Melissa is going to do it
25 for me. These are all the training opportunities

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1 Roswell was chosen. Once again, I love green
2 people; so -- but I just couldn't figure out --

3 FROM THE FLOOR: Closer than Carlsbad.

4 THE CHAIR: I would question even Carlsbad
5 because of where our schools are located. It's,
6 like, how come there?

7 MS. KAREN WOERNER: We're obligated to
8 also offer it for local charter -- local charter
9 school boards. So -- but I'll let Laurel address
10 the selection.

11 THE CHAIR: It just piqued my curiosity
12 when I looked at the list. I thought --

13 MS. LAUREL PIERCE: I'm sure it did,
14 Commissioner Gipson. Last year with the
15 implementation of the new regulation that required
16 all governing board members to attend PED-approved
17 training, it created sort of an interesting
18 situation, where Carlsbad has two schools and
19 Roswell has one that are district-authorized that
20 are extremely far flung from any other trainings in
21 the area.

22 So last year, Director Poulos went down
23 and did a training in Carlsbad for all the schools
24 in the area. And apparently, they, internally,
25 between Roswell and Carlsbad, have decided to

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1 that are going to be offered. They're on the
2 website, but I wanted to share a hard copy for all
3 of you and extend an invitation. If any of you are
4 interested in attending any of these trainings, feel
5 free to do so.

6 THE CHAIR: Karen, can I, just for a
7 second? I saw a number of them were in Roswell.
8 Did I --

9 MS. KAREN WOERNER: In Roswell.

10 MS. MELISSA BROWN: Not "a number." One.
11 It's the continuing member training; so most people
12 do the whole eight hours; but -- because we let
13 people take it a la carte.

14 THE CHAIR: But I was just curious as to
15 why Roswell. That was my -- not the training. And
16 no offense to anyone from Roswell. But we don't
17 have --

18 COMMISSIONER ROBBINS: It's all on the
19 same day.

20 THE CHAIR: I understand that. But
21 who's -- no offense -- who's going to go to Roswell?

22 MS. KAREN WOERNER: Let me defer to the
23 training team as to why they've selected the spots
24 they've selected. Melissa?

25 THE CHAIR: I just couldn't figure out why

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1 flip-flop year-to-year if they can get one down
2 there. I said, "If you can get the minimum required
3 members that need to train, we will make
4 arrangements for that."

5 This year, it ended up in Roswell. And
6 since they didn't have enough intro people, because
7 Melissa and I have been tag-teaming. We'll go up
8 and do one intro training and one continuing member
9 training, all-day training, on Saturday. They
10 didn't have enough introductory people; so now we're
11 just -- I'm doing the continuing member training on
12 the 23rd in Roswell. And so that will catch that
13 corner of the state that is sort of out-of-pocket
14 for all the other trainings.

15 THE CHAIR: Right. Okay. Thanks.

16 MS. KAREN WOERNER: Excellent question.

17 THE CHAIR: It was just my little curious
18 nature. That's -- okay. Thank you.

19 MS. KAREN WOERNER: Thank you. So the
20 other issue is, what Melissa is passing out now is
21 the list of the new -- excuse me -- the renewal
22 schools for this year. There were 18. And, of
23 course --

24 THE CHAIR: How did we get one more? It
25 used to be 17.

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1 MS. KAREN WOERNER: I think there are 18.
2 I may have miscounted; but I think it's 18. This is
3 just a preliminary list with their school grades so
4 you can kind of see who's coming up. We don't know
5 yet if they're going to renew with the State or
6 local; but those are the ones from State that are
7 eligible.

8 We also have three locally authorized
9 charters who are going to participate in our renewal
10 training. We're not clear if that's because they're
11 thinking of switching ship, or, also, if they're
12 just -- their authorizer uses a similar application;
13 because that does happen that they steal your good
14 work and use it locally.

15 So we have three additional that have
16 expressed an interest in the training, but haven't
17 said what their plan is for renewal.

18 THE CHAIR: And just so everyone is aware,
19 that this number could be --

20 MS. KAREN WOERNER: Be 21.

21 THE CHAIR: Well, even more than that,
22 because we're not aware of all of the district
23 charters whose contracts are up. So that this could
24 be less; but it could be significantly more.

25 So what I wanted to ask you to do, once

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1 the long list. And what I would say is that it's
2 really difficult to do anything earlier than
3 November --

4 THE CHAIR: Okay.

5 MS. KAREN WOERNER: -- given that -- well,
6 we don't know what's happening with school grades
7 this year. But that doesn't normally come out till
8 the summer. Then they need time to respond.

9 We were thinking of -- and I agree with
10 you. Last year, the word was given a little late.
11 But they should be prepared to start as soon as
12 Monday's training, telling them of that option,
13 we'll be better prepared. But what we were
14 thinking, if it's okay with the Commission, that we
15 set a deadline of September 1st for early
16 applications, and we try to do the site visits end
17 of September, first of October, and then continue on
18 with the October 1st deadline that we see in October
19 site visits.

20 So the people who submit September 1st
21 would be heard in November; October 1st, December.
22 But given that we can start telling them that now,
23 we may have more people -- we hope to have more
24 people take advantage of that opportunity. But I
25 think to try to do anything in October might be

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1 again, as we did last year, I think the offer for
2 early renewal would be a great idea; although it
3 didn't work last year. We only had the one. But
4 maybe we can get others -- because I think we made
5 that decision later --

6 MS. KAREN WOERNER: A little late, yeah.

7 THE CHAIR: -- than right now.

8 So I think it's important, if we can get
9 even a couple of these schools to buy into an early
10 renewal, we can start, I think, as early as October.
11 That may be too early for the schools. But I'm more
12 than willing to say, "Hey" -- but I don't -- my
13 question was, would that work with you folks in
14 order to be able to get the site visit and analysis
15 of the renewal kit in an appropriate time? What
16 would have to be done --

17 (Commissioner Caballero enters hearing.)

18 THE CHAIR: -- to alter that time
19 schedule; because October is when they drop the
20 renewal application.

21 MS. KAREN WOERNER: So if I may,
22 Madam Chair?

23 Melissa and I did discuss this. She
24 was -- we were -- she was assuming that you would
25 like some of them to come earlier, particularly with

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1 really difficult.

2 THE CHAIR: Okay. And -- you know,
3 we're -- we're fine with that; certainly, we want to
4 be thoughtful with -- with that time frame. And,
5 yeah, the question about what a school report card
6 is going to look like is kind of up in the air. So
7 we want to be able to have some time to figure out
8 if there are significant changes, how that's going
9 to be applied to those renewal schools.

10 So we may very well have to do a work
11 session in October to -- if -- hopefully, we would
12 have that information so that we could take a look
13 in October and say, "Okay. How do we now have to
14 look at at least the last year to see how that plays
15 out for the renewal application?"

16 So I'm fine with that. If you could, just
17 send me an e-mail reminding me of those dates.

18 MS. STEWART: Sure.

19 THE CHAIR: So that if anyone questions --
20 and I'll have Beverly send it out to everyone. So
21 if anyone gets a call about it, they can clearly say
22 it's -- these are the dates.

23 MS. KAREN WOERNER: Sure. And Melissa
24 just pointed out something to me that she wanted me
25 to share. We are starting the renewal trainings a

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1 month earlier than we did last year. So, hopefully,
2 that'll help them get it done sooner.

3 THE CHAIR: That'll help, too. Yeah,
4 great.

5 MS. MELISSA BROWN: I'm also, on Monday,
6 going to be offering them more than the three
7 trainings that are scheduled. So there's a
8 possibility there will be more training dates added.

9 THE CHAIR: Great. And that might also
10 help them expedite what they're doing and -- and I
11 think, for a lot of schools, they need to get the
12 bulk of it done before the school year ends; because
13 as we've identified, when it's just the head
14 administrator that's spending the summer doing that
15 renewal application, you can see it.

16 COMMISSIONER VOIGT: Yeah.

17 THE CHAIR: And it shouldn't be done that
18 way, anyway. So it should be a collaborative effort
19 with the whole school to engage in doing that. So,
20 hopefully, offering that early will push them even
21 to engage with the school before staff leaves and
22 then they can come in in September, and they're
23 almost done.

24 The only thing is, populating the data is
25 more your burden than it is theirs. So I appreciate

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1 Commissioners are present for the record.

2 MS. KAREN WOERNER: So moving on, the
3 implementation year is the other piece.

4 So new renewal and implementation. We
5 have the two schools, as you know. The next
6 submission is a large one, and it's due in March.
7 So we'll be watching, and our staff will be looking
8 through the checklists, making sure they get
9 everything in and evaluating that.

10 We also are aware that we need to
11 reevaluate one school's responses, which are due on
12 February 28th. So we can give you feedback on that
13 next month.

14 I also wanted to speak to the financial
15 knowledge and expertise, particularly in light of
16 the conversations around the financial framework.

17 As you know, the staff here is generalists
18 in all areas, and we rely on the expertise of other
19 bureaus. But one of the positions I mentioned
20 earlier, the data and financial analyst position, is
21 really intended to help review financial reports,
22 look for those early warning signs as you've
23 directed, and help educate governing boards and
24 schools on those financial pieces, working with them
25 to support that work, as well as other data. But

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1 that. So thanks. And let's just hope -- maybe we
2 can offer free cookies or something to folks that
3 come, you know. "We'll feed you if you -- if you
4 take early renewal," you know, that it's -- so,
5 hopefully, we can separate this out a little bit.

6 Otherwise, I would rent a casita up here
7 for most of December; because it's going to be --
8 it's going to be long. And we've also learned that
9 if we pack a lot in in a day, it's not fair to the
10 school; because we're not giving the school the
11 time -- you just stop thinking. You can't remember
12 what school you're actually looking at anymore.

13 And I don't like to have to say, "I'm
14 sorry. Was it this application that I saw this,"
15 'cause it makes the school feel like you really
16 didn't read it. And I did; but I'm just trying to
17 remember which one.

18 So we need to give the school their fair
19 opportunity, and ourselves a fair opportunity, to be
20 able to do this in a thoughtful process.

21 So we'll be working on that schedule after
22 we work on the schedule for community input hearings
23 later. So thank you.

24 COMMISSIONER ARMBRUSTER: Madam Chair, I'd
25 just like to acknowledge that our other two

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1 that was the primary purpose for that position to be
2 added.

3 So I'm really looking forward to getting
4 that filled. I think it will be really helpful,
5 once we have that person in place and your financial
6 framework in place to really move forward stronger
7 in that area.

8 Also, the --

9 THE CHAIR: And just -- because we've
10 also, as I mentioned yesterday, had a discussion
11 with Deputy Secretary Bobroff about, I think,
12 altering that position a little bit and being split
13 time perhaps with the Budget Bureau, so that they
14 would be able to do more of the work for us and not
15 burden Budget and split that time somehow; so -- but
16 we are looking forward to a little more financial
17 support, however it looks.

18 MS. KAREN WOERNER: Absolutely. Thank you
19 for that.

20 And then the -- of course, the NASBO
21 Spring Budget Conference. I know several
22 Commissioners are attending that. Also we've
23 allocated funds for several staff to also attend
24 that -- we'd like this person named by then so they
25 could attend as well -- to help increase our

1 knowledge in that area as well.

2 So I think with that, I was going to move
3 on to the revised CAPs for Alma d'Arte, unless there
4 are any questions on anything I've said thus far.

5 THE CHAIR: Sure. I think we're good.

6 MS. KAREN WOERNER: So I know that the
7 school is here. So if you want to bring them, I'm
8 assuming, up to the front? We need a third chair,
9 if you don't mind.

10 And so, in your packet, I believe -- I
11 think it's in Section 6 --

12 THE CHAIR: It's in Item 6, yeah.

13 MS. KAREN WOERNER: -- you have the
14 information that was also sent electronically
15 regarding the CAPs that were revised by the school,
16 and then the feedback from both the Special
17 Education Bureau and the Language and Culture
18 Bureau.

19 I will say -- remind you that the
20 financial CAP was approved last month, so that
21 doesn't need to be addressed. But the other two,
22 the school was advised to submit their revisions
23 based on the feedback they had received from those
24 two bureaus, Special Education and Language and
25 Culture.

1 They did do that. Those were, again,
2 reviewed by the two bureaus. And the -- of concern
3 was that there are some repeated concerns listed in
4 this review that were the same listed in the
5 previous review.

6 So my recommendation would be that they
7 need to revise those again and work directly with
8 those two bureaus to do so to be sure that they're
9 covering everything. But I don't know what has
10 happened by the school since we received those just
11 a little over a week ago.

12 So with that, I'm here to answer any
13 questions. But I will defer to the school or to the
14 Chair, whichever you want to do.

15 THE CHAIR: Right. And I'll let the
16 school speak first. The only thing that I'd like to
17 initially say is -- because I sent an apology note
18 to Karen, because I read this, and I thought I had
19 been sent the previous CAP. And it had been a long
20 day. So I said, "Am I reading this right?"

21 And I was concerned that it looked like I
22 was reading what had previously been submitted. So
23 I was concerned that it didn't appear to me that
24 there had been significant changes. And I thought
25 maybe I was just missing something.

1 So I sent a plaintive to Karen for,
2 "What's going on?"

3 So I appreciate her after-hours responses
4 as well. So thank you.

5 So good morning once again.

6 MR. GENE ELLIOTT: Good morning. Gene
7 Elliott. I'm the president of the governance
8 council. And I very much thank you for your
9 invitation. I hope that we continue this monthly
10 gathering so that we can have the record for the
11 most consecutive PEC meetings attended by a single
12 school.

13 Not to make light of the issues here, but
14 I do have one request before I turn the microphone
15 over to Holly. And that is that it spoke to the
16 question that you made -- or the issue that you
17 raised here, because now we are asked again to go
18 directly to another bureau. And, frankly, this gets
19 a little confusing for us as to who -- which bureau
20 we go to for what.

21 And I'm not feigning ignorance here. But
22 we now have PEC, the PED, Special Ed Bureau, and so
23 forth, that we have to connect to directly. And it
24 would really be helpful to us in clarifying the
25 issues that we need to solve if we had one -- one

1 contact person that fed all that to us rather than
2 us to go respond back to these separate bureaus.
3 That's all I have.

4 THE CHAIR: And I'll just respond to that,
5 you know. We're not a bureau; so that -- but for
6 any school, whether you're a charter school or
7 you're a traditional school, your -- when there are
8 special ed issues or there are EL issues, that you
9 have to go to those specific bureaus. That CSD --
10 it kind of -- no offense to them -- muddies things
11 if they have to be a conduit for a school to be the
12 conduit to that bureau.

13 Then it's like playing phone tag, you
14 know. And things can -- you know, information can
15 just get misinterpreted, lost, whatever you want to
16 say; so that for any school, the recommendation
17 always is when there are issues that are addressed
18 by a specific bureau, your -- first and foremost,
19 you contact that bureau for -- and it was identified
20 in the prior submissions that it was the Special Ed
21 Bureau and Bilingual Bureau that identified the
22 concerns.

23 So -- and I apologize if that hasn't -- if
24 that hasn't been known. But -- and I guess it's --
25 once again, it's an assumption by us that schools

1 know that they need to contact -- just like if you
2 had a budget issue, you would call Budget about it.
3 So if you've got a special ed concern, you've got to
4 go to the people who are the experts in that.

5 MR. GENE ELLIOTT: I guess what I'm saying
6 is in this case, the Special Ed Bureau came through
7 Karen and back to us again. And there was no
8 clear -- from what I've read -- now, I may be
9 wrong -- but there was not a clear instruction to
10 respond to this to experts in the Special Ed Bureau.

11 THE CHAIR: Okay. There wasn't. We asked
12 for a reach-out to the Special Ed Bureau to review
13 this for us to see what concerns they may -- that
14 they may have. So they identified them for us.

15 And once again, I'll apologize if it
16 wasn't clear that based on the input that they gave
17 the last time, that if there was any -- when we sent
18 it back saying, "There's still concerns," if there
19 was a -- a lack of clarity over what that concern
20 was, the Special Ed Bureau should have been the
21 bureau contacted for any clarification on what they
22 had -- what they had communicated in their input.

23 MR. GENE ELLIOTT: Okay. I'll leave it at
24 that. Thank you, Madam Chair.

25 THE CHAIR: Okay. Thanks.

1 Item B for special education.

2 The EL concerns, I met directly with Kirsi
3 Laine, and she helped me craft my final response to
4 that and what we should be aware of for the site
5 visit. So I feel really confident about that.

6 But we have crafted our intentions and the
7 final responses on our part for Item A and Item B,
8 if we can read that and maybe discuss from that
9 feedback.

10 THE CHAIR: So what you have is different
11 from what we have? Is that what I'm hearing?

12 DR. HOLLY SCHULLO: So you've got my
13 feedback last Friday.

14 THE CHAIR: Right.

15 DR. HOLLY SCHULLO: And then I was told
16 that you all would look at that, and then we would
17 get more feedback. Well, I did receive more
18 feedback to respond to. And it's getting confusing.
19 Anyway, I have the final response.

20 THE CHAIR: I'm a little confused now; so
21 I apologize.

22 DR. HOLLY SCHULLO: Thank you. Okay.

23 MS. KAREN WOERNER: Madam Chair, I think,
24 if I understand what's being said, the CAPs were due
25 last week.

1 DR. HOLLY SCHULLO: Good morning. I'm
2 Holly Schullo, the principal of Alma d'Arte. And I
3 actually do want to thank Karen Woerner for helping
4 streamline that feedback, and then I would send it
5 back to her, and she would get input from the
6 bureaus. And the feedback was excellent.

7 I was unable to give my feedback for
8 Item A and Item B. I sent the feedback to Karen
9 last, like, Friday. Then Sunday night, she let me
10 know that we'll be coming to this meeting today. So
11 I didn't respond. And -- but I brought that
12 response with us today, as we crafted, you know, a
13 stronger strategy moving forward.

14 THE CHAIR: Okay.

15 DR. HOLLY SCHULLO: But you don't have
16 that CAP feedback.

17 THE CHAIR: For 2A and B? Or what "A" and
18 "B" are you referring to?

19 DR. HOLLY SCHULLO: For special education,
20 it says "Item A and Item B."

21 THE CHAIR: Hold on.

22 DR. HOLLY SCHULLO: And it's getting kind
23 of chunky in the Excel sheet there for Item A, Item
24 B. And I'm really comfortable with narrative. So
25 we did respond to -- moving forward for Item A and

1 THE CHAIR: Right.

2 MS. KAREN WOERNER: We had one-day
3 turnaround for the bureaus to review them. That
4 gave all the information for you electronically last
5 Friday.

6 I then had to notify the school, also, of
7 that feedback, and that based on the feedback and
8 your -- my consultation with you, Madam Chair, that
9 they would need to come to this meeting.

10 What I think I'm hearing -- and please
11 correct me if I'm wrong, Dr. Schullo -- I'm hearing
12 that they have taken that feedback and done
13 something more, which, of course, would be too late
14 to present to you all. And so she -- I'm hearing
15 that there's a revised revision, and that we are
16 not -- we do not have it in front of us.

17 THE CHAIR: Would you happen to have
18 copies of it? Or no?

19 DR. HOLLY SCHULLO: So I wasn't really
20 sure. And to be honest, I'm working in a mode of
21 compliance, and I'm -- I didn't bring copies. But
22 we can read it out loud. It's Item A and Item B.
23 It's not very long. And I think it's really
24 comprehensive about our intentions and what we need
25 to do and what we will do to move forward to make

1 our school not just compliant, but the best service
2 model that we want to offer.

3 MS. KAREN WOERNER: Madam Chair?

4 THE CHAIR: Yeah.

5 MS. KAREN WOERNER: If the Commission
6 would prefer, we could have that e-mailed to us and
7 make copies for all of you, if that's something you
8 want to consider.

9 THE CHAIR: Yeah. I think -- some
10 people -- I'm okay. I think I can take notes. But
11 if people want it --

12 DR. HOLLY SCHULLO: (Indicates.)

13 THE CHAIR: What? I'm not taking notes on
14 that. I thought I could just jot down little notes
15 on here. No.

16 So, yeah, if we could get a paper copy of
17 that, I'd appreciate it. That's a little bit longer
18 than I thought I'd just be able to jot a few little
19 random notes down. So if we could do that quickly,
20 I'd really appreciate that, so that we can -- so
21 that we can see it. That would be very helpful.

22 MS. KAREN WOERNER: So she's going -- I
23 think Holly just indicated she's going to e-mail it
24 to me. I will then forward it to the printer. That
25 may take a few minutes. Do you want to --

1 MS. KAREN WOERNER: But not complete, and
2 not -- there were still concerns. I think I heard
3 Dr. Schullo say she's met with Kirsi Laine; but we
4 haven't seen the results of that meeting with
5 Ms. Laine. So at this point, understand that
6 special education compliance was a priority; but I
7 think the English Language Learner law and
8 regulations are just as important.

9 So I'm concerned that both of those aren't
10 prepared. And I'm not sure what the Commission
11 wishes to do. I do think you need to see both.

12 THE CHAIR: I do. We do. We do.

13 DR. HOLLY SCHULLO: And if I may, I
14 understood that today was, again, another -- we
15 continue to craft our work in the building and
16 appear today. If I was able to send feedback on
17 Monday morning, I would have just sent feedback
18 again. But we missed it for your agenda.

19 THE CHAIR: But here -- but this is -- and
20 I'm not trying to be curt about this. But our
21 intention was to try to close out this CAP last
22 month. We closed out the financial one. We're
23 trying to close out the EL.

24 And I thought we communicated clearly last
25 month that you were going to provide -- because you

1 THE CHAIR: Can we do the --

2 MS. KAREN WOERNER: -- move to something
3 else?

4 The next thing listed is governing --

5 THE CHAIR: Can we do EL? Or is that --

6 MS. KAREN WOERNER: I think we're going to
7 have the same situation.

8 THE CHAIR: Is that EL and the SpEd on
9 that sheet?

10 DR. HOLLY SCHULLO: This -- I only brought
11 special education with us, because when I looked at
12 our site visit agenda, I saw Item A and Item B, and
13 that is the primary concern for our coming-up spring
14 site visit.

15 So I left EL on the table. I mean, I know
16 what we were supposed to do. I didn't bring that
17 crafted response with us today. I know special
18 education is our primary concern.

19 THE CHAIR: So there's been no -- so
20 correct me if I'm hearing this correctly. There's
21 been no change to what had originally been submitted
22 on EL?

23 MS. KAREN WOERNER: I think there was some
24 change.

25 THE CHAIR: I thought there was.

1 indicated to us last month that you had made
2 modifications, but because of the timing of the
3 input last month, we didn't have the full story last
4 month because of when things had to be submitted, so
5 that you were going to clean that up, resubmit it to
6 us, and our intention was to close out this CAP,
7 that this is not to be an ongoing dialogue for us.
8 As Mr. Elliott, we're not looking to make this a
9 monthly appearance.

10 But we are talking about -- at this moment
11 in time, we are talking about a compliance issue
12 that we are having -- we're going to have to make a
13 decision whether this school gets a letter of
14 breach, that you're in breach of your contract for
15 not compli -- for being out of compliance with, that
16 this can't be a seesaw every month, that I thought
17 we were going to come up here, we were going to talk
18 about it again, and we were going to be able to fix
19 it, and we're going to go back, and then next month,
20 we're going to fix what still is hanging out there.

21 Our intention was to have this information
22 and close it out this month. And the information --
23 and I fully understand. But we have to give
24 Commissioners enough opportunity to be able to read
25 this so that we can come here and have a responsible

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1 response; so that we can't just -- well, you know,
 2 I -- it was going to be too late. Because we also
 3 have Open Meetings Act compliance that -- so that we
 4 can't just be changing things and posting items
 5 after we've already made the information available.
 6 So it's -- I'm sure it's frustrating for
 7 you. But it's becoming exhaustively frustrating to
 8 us to not to be able to close this out. And I'm --
 9 and I -- I know we were clear that EL was also a
 10 part of this.
 11 I understand SpEd is on the top of the
 12 list for the compliance, because there's hundreds of
 13 hours that -- of time that has been lost. But we
 14 made it clear at the last meeting that we -- that
 15 the EL would be cleaned up, and we would clear it
 16 out this month. That was our intention. And SpEd.
 17 And we're still here.
 18 MR. GENE ELLIOTT: Madam Chairman, if I
 19 might make a comment? And I'm an informed outsider.
 20 But when I read the -- the report that we got from
 21 the Special Education Bureau, one of the things --
 22 it's quite confusing, because I was under the
 23 impression that we were going to have specific items
 24 that we needed to correct.
 25 This is a general statement about our

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1 program. Now, I wish that we had a specific thing.
 2 "You need to change this from this to this." And
 3 I --
 4 THE CHAIR: Well, I thought it was -- I
 5 thought we made it clear -- and maybe I'm wrong.
 6 But I thought we made it clear that, first and
 7 foremost, there had to be a better plan for doing
 8 the compensatory time.
 9 MS. REBECCA BEIDLER: We did do that.
 10 She's not -- excuse me.
 11 DR. HOLLY SCHULLO: Did you see -- we were
 12 waiting, I guess, for your approval to send out a
 13 letter, how we want to move forward. I sent all the
 14 feedback that I could for last Friday, and Karen
 15 Woerner said she would bring us more feedback.
 16 So I have respond- -- but I didn't give
 17 you more feedback. I got my directive Sunday night
 18 to appear here again. And I assume that you already
 19 had the materials for today's meeting. So I didn't
 20 send more material to you. I thought Sunday night,
 21 that door was shut.
 22 THE CHAIR: It was.
 23 DR. HOLLY SCHULLO: Okay. So that's where
 24 I am, Madam Chair. I am in compliance with the
 25 timeline I'm given.

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1 THE CHAIR: Right. But the frustration
 2 was this wasn't an intention to say, "We're going to
 3 give you feedback; then we're going to be able to
 4 provide even more feedback."
 5 The intention was the feedback that you
 6 were to provide was to be appropriate enough that we
 7 could close out this CAP; not -- we're still
 8 seesawing with this, still just isn't -- this isn't
 9 in full compliance. And I think by item, it's
 10 fairly clear where you weren't in compliance. So I
 11 don't know where the -- you know, and I'm not
 12 exactly sure, because on --
 13 COMMISSIONER VOIGT: Madam Chair, I have a
 14 question.
 15 THE CHAIR: What I have on here, I don't
 16 have -- and I apologize. It's in the one in the
 17 book -- I don't have the SpEd feedback.
 18 COMMISSIONER VOIGT: Madam Chair, I have a
 19 question.
 20 THE CHAIR: I'm sorry. Yes.
 21 COMMISSIONER VOIGT: That's okay. I know.
 22 So it seems like the school has everything they
 23 need; however, the challenge has been the disconnect
 24 in time, you know. And that's exactly what it
 25 appears like.

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1 If I could ask, when did you receive your
 2 feedback from the Special Education Bureau?
 3 DR. HOLLY SCHULLO: So we've received a
 4 couple of different sets here. The final feedback I
 5 received was last Friday at 3:15 p.m. And then we
 6 worked this week to --
 7 COMMISSIONER VOIGT: Which would have made
 8 it too late to even forward it to our feedback
 9 sheet. So the Special Education Bureau did not get
 10 you the feedback in time?
 11 THE CHAIR: No. No. No. We had -- when
 12 we created the timeline for them last month, we knew
 13 that it was going to be a very short turnaround to
 14 be able to give them that opportunity. Special Ed
 15 Bureau only had one day to look at the -- so it
 16 wasn't that they delayed in any way. They
 17 accommodated us, I'm going to say, in a one-day
 18 turnaround for that to give them the most amount of
 19 time to be able to fix this plan, do it. And then,
 20 you know, the -- the full intention was, based on
 21 the original feedback, our feedback --
 22 COMMISSIONER VOIGT: Right.
 23 THE CHAIR: -- that everything would be
 24 fixed, that -- and there wasn't intention that we're
 25 going to have another opportunity to respond back to

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1 that, because we'll be doing this every month.
 2 COMMISSIONER VOIGT: Right.
 3 THE CHAIR: You know, that's the bottom
 4 line. So that we figured because of the amount of
 5 feedback a month ago, everyone was clear in what
 6 needed to be done, so that it was really almost like
 7 what I was -- I was hoping that what the Special Ed
 8 Bureau would have to review was going to be
 9 appropriate enough that all that we would have to do
 10 is say, "It's okay," or if there was a minor --
 11 COMMISSIONER VOIGT: How long did you have
 12 to wait for the response from the Special Education
 13 Bureau?
 14 DR. HOLLY SCHULLO: I'm not sure. I'd
 15 have to check my e-mails again, because I think I
 16 e-mailed it on Tuesday, and I received feedback on
 17 Friday.
 18 COMMISSIONER VOIGT: Do you feel that it
 19 was an ample amount of time that you would have been
 20 able to put your responses in a form that we could
 21 have had on the agenda?
 22 DR. HOLLY SCHULLO: I was directed on
 23 Sunday evening that we would appear again here. So
 24 I'm not sure how that works. To me, a Sunday
 25 evening, 7:21 p.m., says that window is shut. And

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1 we received additional feedback. And that's why
 2 we're here. And I'm sorry. It's additional
 3 feedback.
 4 THE CHAIR: And once again, we tried to
 5 create, to give them the greatest amount of time to
 6 be able to do the work. And we communicated that it
 7 would be a very tight turnaround.
 8 COMMISSIONER CABALLERO: Madam Chair, it
 9 seems like, in the effort to give the most amount of
 10 time, we ourselves set it up for this situation.
 11 It's obvious that the bureau didn't have enough time
 12 to react. They had one day. And we see that not
 13 everything is before us because of that.
 14 I can see how the -- our Department --
 15 well, CSD may not have enough time. I think it was
 16 a goal to do it within one month that was, I think,
 17 pushing, pushing the envelope on time.
 18 We would have done ourselves a lot of
 19 justice -- our department and the school -- if we
 20 had just waited till the following month.
 21 But, you know, we're here now. And I do
 22 understand that the Commission has moved away from a
 23 culture of punishment to a different culture, where
 24 we give warnings and we help the schools get better
 25 and better. And I think we need to remind ourselves

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1 that that's -- that's where we're going when we did
 2 all our evaluations and things like that and try and
 3 see both sides.
 4 I hate to be coming back every month; but
 5 that -- you know, we crafted that ourselves with a
 6 short amount of time we gave the school.
 7 THE CHAIR: And I certainly appreciate
 8 that. And I -- and we are desperately trying to
 9 move away from that culture of punishment. But the
 10 significant concern is that this school is hundreds
 11 of hours behind in compensatory time for special
 12 education. So to also drag that on into months,
 13 that's a serious concern that we have, that students
 14 are not -- are potentially going without services.
 15 So that there is a time that we have to
 16 be -- we're a third of the way through the school
 17 year -- almost halfway through the school year at
 18 this point in time. So that's worrisome for us. So
 19 it's a very difficult balance.
 20 But I agree with you. We're trying not to
 21 make this punitive. But we do have, I think, a
 22 significant concern.
 23 Karen?
 24 MS. KAREN WOERNER: Thank you,
 25 Madam Chair. And I agree, Commissioner Caballero,

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1 that we need -- at this point is going to be another
 2 review.
 3 But I do just want to remind the
 4 Commissioners of the history of this situation. So
 5 in December, the school was before you for renewal,
 6 and these concerns were raised. And, therefore,
 7 they were assigned -- or I don't know what the word
 8 is -- but charged by the Commission to draft these
 9 Corrective Action Plans as part of the -- that
 10 meeting in December. So that gave them about a
 11 month to draft their Corrective Action Plans, which
 12 were reviewed at that time by the Special Ed Bureau
 13 and the Language and Culture Bureau, because as I
 14 mentioned earlier, we're generalists. I wanted to
 15 get their expert involvement.
 16 That feedback was provided to them just
 17 prior to the January meeting. And because it was
 18 just provided, we allowed them another month to
 19 revise them with that feedback from those two
 20 bureaus.
 21 Therefore, I would have expected the
 22 school to have submitted, last week, something that
 23 included all of the feedback from the January
 24 meeting.
 25 However, as it turns out, there is some of

1 the same concerns listed yet again on this review.

2 Therefore, yes, I agree. Sunday -- I
3 don't like -- it's unfair that Sunday night is when
4 they found out; but that's the earliest I could
5 notify, because we had the feedback on Friday, that
6 they would need to be here today.

7 I will say that I would have expected the
8 school to, A, have submitted a revised CAP last week
9 that included everything from the feedback, and if
10 unclear, to contact the bureaus for clarification;
11 and then, B, to show up here today with the revised
12 plan based on the feedback they received.

13 I know it was short order, but I would
14 have expected that, given the history that this has
15 been going on since the December renewal meeting.
16 So I have concerns about that that's not been done.

17 I am trying to be sure to provide that
18 information through the bureaus. But, of course,
19 the school can directly contact those bureaus and
20 get this sealed up well for the students at the
21 school.

22 Thank you.

23 THE CHAIR: And I'll just say that I
24 appreciate the fact that the Deputy Director is
25 willing to do this work on Sunday, you know, that

1 So are we still waiting for them to print
2 the materials off?

3 MR. GENE ELLIOTT: Madam Chairman?

4 MS. KAREN WOERNER: It's been sent to the
5 printer. Dolores went to go get it.

6 MR. GENE ELLIOTT: Madam Chairman, if I
7 might, please?

8 THE CHAIR: Sure.

9 MR. GENE ELLIOTT: The report I have, the
10 copy was indicated January 31st from the Special
11 Education Bureau. That was a week ago yesterday.
12 We got it on Friday. And I can assure you that
13 Karen, doing a wonderful job on the weekend, is not
14 the only one working on this issue on the weekend,
15 because I've had to tell this lady right here to go
16 home and get some rest, to go home and take the day
17 off because she's been working nights and weekends
18 on this, plus running the school.

19 But I would ask that you clarify for me.

20 If we received the information on last Friday, when
21 was the deadline that we could have to work on that,
22 get it done and back to Karen before this meeting?

23 THE CHAIR: Okay. And, see, that's where
24 I think there's a miscommunication here. The
25 intention was not that that feedback was going to be

1 she could have just as easily have closed it out on
2 Friday and not communicated anything and -- as I
3 indicated before, I appreciated the fact that she
4 responded to me, you know, after -- because I didn't
5 get a chance to look at her e-mail until, like,
6 quarter to 6:00 Friday night, so that, you know, she
7 is gracious enough to do that work.

8 And I've gotten a number of e-mails on
9 Saturdays from her; so that this isn't just, "We're
10 not doing" -- you know, sometimes submissions are
11 close of business day. But the rest of us are not
12 just closing out at 5:00 and saying, "We're not
13 doing any work."

14 And I do appreciate that. And
15 unfortunately, you know, sometimes we do have these
16 tough turnarounds, and we have to be also, you know,
17 aware of what printing and the rest of that, where
18 it becomes a challenge. And -- but it's frustrating
19 for us sometimes when we can't put something on the
20 agenda that we would really like to, either to close
21 something out, and we can't because it's too late.
22 It's -- I understand the reason for OMA. But
23 sometimes it gets challenging and frustrating,
24 because it's too -- it's beyond the time limit, and
25 we can't do it.

1 to give you, once again, another opportunity to fix
2 it. That feedback was really for us, and you're
3 copied with it for your information.

4 But the full intention of last month was
5 to outline, from the Special Ed Bureau and from us,
6 what the issues were with -- what was communicated
7 to us was, "We've basically fixed this, but because
8 of timing last month, we weren't able to get it all
9 in writing for you. So we will clean it up; we will
10 put it on paper; we will send it to you."

11 So that there was no -- honestly, there
12 was no further intention for you to be able to now
13 go back and fix it once again from this second or
14 third submission. The intention was you are clear
15 with what our concerns were. You were going to go
16 back; you were going to fix it; you were going to
17 submit it. And it was either going to be okay, or
18 it wasn't going to be okay at this point in time.

19 That's -- that's what I believed --

20 COMMISSIONER ROBBINS: Yes.

21 THE CHAIR: -- was the way it was going to
22 be.

23 COMMISSIONER ROBBINS: Uh-huh.

24 THE CHAIR: That this wasn't -- we weren't
25 seesawing anymore. So that the feedback from

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1 Special Ed was just to communicate to us whether you
2 got it right this time, or you didn't get it right.
3 And then we proceed from there as to what we need to
4 do about that, that it wasn't -- and I'm sorry if
5 that wasn't clear, that that feedback had the
6 intention that you were going to be able to try it
7 one more time.

8 MR. GENE ELLIOTT: So then where are we in
9 this discussion?

10 THE CHAIR: Well, we need to take a look
11 at what you -- what you have for us. And then we'll
12 make a decision on where we are. Because I -- we
13 still don't have eyes on the additional information.
14 So more than willing to take a look at that now. So
15 if we want to take a five-minute break and wait?
16 Because we have to wait for the printing to be done.

17 So let's just take a break now and -- and
18 that'll give us -- let's take 15, and that way,
19 hopefully, we'll get the paper, and we'll have an
20 opportunity to read it before we come back and
21 discuss it, okay?

22 COMMISSIONER VOIGT: Quick question,
23 Madam Chair. So also we don't have the ELL, as
24 well?

25 THE CHAIR: We don't.

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1 of those is what the school wrote and one of those
2 is what PED wrote? Or did you write both of those?

3 DR. HOLLY SCHULLO: If you look at the
4 Excel sheet --

5 COMMISSIONER ROBBINS: I'm looking at just
6 what was given to us during the break.

7 DR. HOLLY SCHULLO: I wrote that with my
8 special education coordinator in response to the
9 feedback from last Friday from the Special Education
10 Bureau. And they gave me Item A and Item B in
11 response to what I wrote in our CAP.

12 COMMISSIONER ROBBINS: So this is what you
13 wrote.

14 DR. HOLLY SCHULLO: In response to the new
15 feedback last Friday, yes, sir.

16 COMMISSIONER ROBBINS: Okay. I guess
17 the -- you know, it's Item B, the second part. It
18 talks about, you know, the total number of minutes
19 and things like that. But I don't actually see a
20 definitive plan.

21 There's a letter that was sent out,
22 apparently, to the parents. It's drafted; I don't
23 know if it was sent out. I think that's the thing
24 that's lacking perhaps in the response was no letter
25 out to the parents. The parents were given to X

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1 COMMISSIONER VOIGT: So is that something
2 that is also producible, if printed out?

3 DR. HOLLY SCHULLO: So to be honest, when
4 I reviewed the EL, I didn't know how you would ask
5 me to respond again. I wasn't sure what this
6 meeting would be, whether you would want a written
7 response or what my next directive would be.

8 So I continue to work on special
9 education. And if you look at the EL feedback, it
10 might just be the language that I crafted, you know.
11 But I have a clear understanding of what we need to
12 do. I have a committee on it. And we're moving
13 forward.

14 COMMISSIONER VOIGT: All the boxes need to
15 be filled in. That's where we need to be.

16 THE CHAIR: Okay. Thank you. We'll take
17 a 15-minute break, and I think that'll be enough
18 time. Thank you. I appreciate it.

19 (Recess taken, 10:02 a.m. to 10:30 a.m.)

20 THE CHAIR: Okay. Thank you once again.
21 And I think we've all had an opportunity to take a
22 look at this. So I will ask Commissioners if they
23 have -- Commissioner Robbins?

24 COMMISSIONER ROBBINS: Yeah. There's two
25 Item As and two Item Bs. Am I correct in saying one

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1 date to give this back, that we are scheduling
2 meetings with the parents.

3 What I see here is very general and
4 doesn't specifically address the 235 minutes that's
5 lacking and what is going to be done. Offering it
6 is great. But what is the specific plan to meet
7 that? Was the letter sent out? How many
8 individuals have responded if the letter was sent
9 out? These are the specifics I think that are
10 lacking in a response to address the CAP.

11 The Corrective Action Plan is, "Well,
12 we're going to do some of these things." It's -- we
13 don't have deadlines; we don't have dates; we don't
14 have numbers to look at to then measure are you
15 meeting that? I mean, it's a kind of a general
16 question. But --

17 DR. HOLLY SCHULLO: I guess my
18 understanding, Commissioner, is that I was -- I'm
19 making that plan. We have a plan for services there
20 that should meet the demands of our CAP.

21 COMMISSIONER ROBBINS: But the intent from
22 the December meeting and in January was that the
23 plan would be completed and submitted for this
24 meeting. And it was submitted; but it is still
25 lacking the specifics. And you now -- what I just

1 heard you say is you are working on the plan.

2 DR. HOLLY SCHULLO: So I want to defer --
3 we got new feedback last Friday. And it asks, like,
4 specific things. Like, Item B, what would you do
5 for a student who requires 900 minutes?

6 At this time, I don't have that student in
7 my building. I don't have that student. If I did,
8 though, I know exactly how I would serve that
9 student. And at that level, we -- you know, we will
10 need new personnel.

11 Ideally -- and that is the plan. We have
12 a -- in March, for compensatory services, and the
13 letter is finished. So that makes sense for our
14 community and meeting one-on-one with them to serve
15 those lost minutes.

16 Moving forward, restructuring the model in
17 our building for special education is content
18 mastery classes for math and English, and then
19 inclusion, where our special education teachers go
20 in and work with students in those high-need
21 classes, English and math.

22 And that -- that makes the minutes. If I
23 were to have inclusion, push-in and pullout, I would
24 make almost 900 minutes per student.

25 THE CHAIR: I just need a correction.

1 We are currently serving students now for the -- for
2 the minutes that are on their IEP. But the
3 compensatory is going to begin on March 1st.

4 You've got to give parents the time to --
5 to respond and make sure that they are going to be
6 able to pick up their students from school at 6:00
7 in the evening; because you told us in the last
8 meeting that you did not want it in the summer, so
9 we are doing it after school.

10 THE CHAIR: I get that. But you
11 understand the frustration with doing it after
12 school as well. It's still almost punitive to that
13 child, that if -- you know, "We didn't do this for
14 you. But in order to make up for it, you're either
15 going to not have to be able to go to work after
16 school, and your parent is going to have to find a
17 way to pick you up," that it's -- it's punish- -- "I
18 have to stay after school to get the services that
19 were required for this school to give me."

20 MS. REBECCA BEIDLER: During that time --
21 no, I understand.

22 THE CHAIR: And it is March. That we're
23 not starting this, it's becoming exhaustive to think
24 that these are kids we are not serving.

25 MS. REBECCA BEIDLER: They're being served

1 DR. HOLLY SCHULLO: Yes, ma'am.

2 THE CHAIR: Because I don't think -- I
3 get -- I think the confusion that we're all having
4 at this moment in time is that we get the going
5 forward. "If someone comes in, this is what we're
6 going to be able to do."

7 The concern has always been -- was last
8 month, and still is from what I don't see -- is
9 where -- the lost time. There is how many hundreds
10 of hours -- because the last time you were here, you
11 talked about the summer program, which -- you know,
12 which -- I get that. But there's -- there's not
13 that information.

14 And I'll be honest. From my perspective,
15 to say that that letter still hasn't gone out to
16 parents -- and it potentially isn't going to go out
17 till -- did you say March?

18 DR. HOLLY SCHULLO: No. The letter says
19 we will serve.

20 MS. REBECCA BEIDLER: We're going to begin
21 serving students after school on March 1st. And we
22 are going to do it.

23 THE CHAIR: So that's the makeup time.

24 MS. REBECCA BEIDLER: That's the
25 compensatory service after school. After school.

1 currently.

2 THE CHAIR: But August, September,
3 October, November, they were --

4 MS. REBECCA BEIDLER: They actually had
5 services during August and --

6 THE CHAIR: But they were still -- well,
7 you are hundreds of hours behind.

8 MS. REBECCA BEIDLER: Minutes, yes.

9 THE CHAIR: So to say they were being
10 served, they weren't. They weren't. And that's --
11 and, you know, I've said this publicly. I
12 understand the hour number. I understand that.

13 But my bottom line is if you were -- as I
14 shouldn't be saying this publicly. But if you were
15 serving those students appropriately -- and I could
16 be okay with short hours. I'm not supposed to be,
17 but I could be. But it's not the hours I'm
18 concerned about.

19 MS. REBECCA BEIDLER: It's the quality.

20 THE CHAIR: It's the quality and meeting
21 the needs of those students. You have not been
22 meeting the needs of those students. And in
23 addition, you're out of compliance.

24 So my main concern is not meeting the
25 needs of those students.

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1 If addition, we're a public entity.
 2 You're a public entity. And these are public funds.
 3 And you're out of compliance. And we've been
 4 desperately trying to get you into compliance, and
 5 we just -- and we can't.
 6 COMMISSIONER CABALLERO: Madam Chair, is
 7 there a State policy?
 8 THE CHAIR: I'm sorry. But I interrupted
 9 Commissioner Ruiz; so I will get to you.
 10 COMMISSIONER CABALLERO: Oh, okay. After
 11 Commissioner Ruiz.
 12 COMMISSIONER RUIZ: That's okay. So,
 13 Ms. Schullo, I guess -- I was looking at revisiting
 14 the transcript from last month. Because you keep
 15 referring to the fact that you had insufficient
 16 turnaround time.
 17 And so my concern is, again -- and
 18 everybody that has spoken has restated this. So
 19 this was on the record in December. Again,
 20 revisited the minutes from last month. It was very
 21 clearly stated that you were insufficiently serving
 22 the needs of those students.
 23 The bottom line here is we have to do
 24 what's best for kids. Those starting -- I'm
 25 sorry -- I have a cough drop in my mouth because I

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1 have a cough -- starting those services at March the
 2 1st is absolutely a detriment to those kids, because
 3 we've already missed all that time that we agreed
 4 last month that we were going to try to fix those
 5 compensatory hours. Those kids were not serviced.
 6 I realize you all are working with them now; but
 7 they were not sufficiently serviced.
 8 And I have a real concern with that. I
 9 have a real concern with the fact that we're not
 10 going to truly change that for another
 11 two-and-a-half weeks. And this has been going on
 12 since December. And then we're about -- this sheet
 13 right here that you handed us that copies were made
 14 doesn't address that those special pullout services
 15 are being offered; occupational therapy, speech
 16 language therapy, any of those things.
 17 And so I have to tell you, I'm really
 18 concerned at this point because we keep, again, just
 19 revisiting the same thing. And I get that you're
 20 saying that the timeline is there. But the request
 21 from the Commission has never changed, ma'am. With
 22 all due respect, those kids weren't serviced
 23 sufficiently for several months. But when it came
 24 in December, the request from the Commission has not
 25 changed. And it's still a failure to service kids.

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1 And those kids -- and I'm talking about sufficiently
 2 service those kids.
 3 And I -- I have a real problem waiting
 4 till March 1st.
 5 MS. REBECCA BEIDLER: And I understand
 6 that. And I guess I misunderstood what the
 7 Commission was saying last time. Because I am
 8 actually serving those kids and have been serving
 9 those kids since November 12th. And I understand
 10 that we're looking at the compensatory services.
 11 And I misunderstood, because I was asked the
 12 question how was I going to make up those
 13 compensatory minutes. Am I going to pull those kids
 14 out of classes that they need right now, where they
 15 lose time in those classes currently?
 16 I am pushing into classes to give them
 17 minutes, and they are getting sufficient minutes at
 18 this time. And they're getting over their minutes
 19 if you count the time that I'm actually being
 20 included in those classes.
 21 So I guess it was my confusion, because I
 22 was thinking that the Commission was asking me to go
 23 and do compensatory services at a time given for the
 24 time that they lost between September and October.
 25 And so that's my -- my misunderstanding in the

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1 language that is written, because these students
 2 have been being served since November 12th, when I
 3 walked through the doors of the school.
 4 I push into their English classes. I give
 5 them time in their English classes. I give them
 6 time in their math classes. I pull them out with me
 7 separately. And some of them are getting more than
 8 the minutes that were written -- that's written in
 9 their current IEP.
 10 And so I see now exactly what is being
 11 asked. But I was under the impression that I needed
 12 to do a letter offering excessive compensato- -- the
 13 excess of compensatory services at a time given for
 14 the time that was lost; although, I am trying to
 15 recoup some of that time as we speak.
 16 COMMISSIONER RUIZ: And I appreciate that.
 17 I want you to know that. I absolutely appreciate
 18 that you're trying to do that. But yet, and still,
 19 here we are. We are in February, and we are still
 20 discussing and trying to address the same issues
 21 that were brought forth in December. And so we
 22 can't keep doing this it. I mean, we can't just --
 23 it's -- it's -- we just cannot continue this.
 24 MR. GENE ELLIOTT: Madam Chair?
 25 COMMISSIONER CABALLERO: Madam Chair?

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1 THE CHAIR: Commissioner Caballero?
 2 COMMISSIONER CABALLERO: I think all of us
 3 understand what was discussed then and what they had
 4 to do and what we have to do now. I don't -- I
 5 personally don't like to be put in the category of
 6 we will not do after-school unless there's a
 7 statute, a code, or a written policy internally that
 8 we will not do after-school.
 9 But to say, "This is not what we're going
 10 to do," and include me in that -- when I read that
 11 letter and I understood the problem that we were
 12 facing was to make up time, and I thought about it
 13 within the hour that I was reading everything else,
 14 and I kept coming to the conclusion that that was
 15 probably the best solution, because you're not going
 16 to take away math and science and English and
 17 reading away -- take them away from that in order to
 18 make up time.
 19 I don't think that's -- that's either good
 20 for children. So they're staying after school.
 21 Okay, so they're staying after school. They're not
 22 at fault. But they've got to do it in order to make
 23 up that time.
 24 I was asked to stay -- time for my lunch
 25 hour, time after school, for English. And I never

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1 thought of it as a punishment, because I felt that
 2 the teachers were putting in extra time and giving
 3 me extra time; so I worked real hard for that.
 4 If there is no policy, I think it should
 5 be the board that decides whether the after-school
 6 in order to make up this time is reasonable. I --
 7 they were supposed to come in with a plan. That
 8 plan of 4:00 to 6:00, from March to May, seems to be
 9 like a plan for me in terms of making up that time.
 10 Unless the board -- the Commission still
 11 feels that that's inadequate, that's a different
 12 story. But I think we need to get the feel from the
 13 Commission, rather than from one person speaking for
 14 all. And I personally don't think that I should be
 15 lumped --
 16 COMMISSIONER VOIGT: Madam Chair?
 17 THE CHAIR: Commissioner Voigt?
 18 COMMISSIONER VOIGT: Thank you. So just
 19 for clarification, it sounds like you have been
 20 providing compensatory services since November.
 21 However, what about the ancillary services? How
 22 have those been made up, as Commissioner Ruiz
 23 mentioned?
 24 MS. REBECCA BEIDLER: Ancillary services
 25 have never been a problem. They have been given

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1 their services through ancillary throughout this
 2 entire time.
 3 COMMISSIONER VOIGT: Okay. So you have
 4 been contracting those out.
 5 MS. REBECCA BEIDLER: We have a full-time
 6 psychologist that was on staff. I mean, she's been
 7 on staff there for many years there at Alma d'Arte.
 8 And she has served the time for the mental health
 9 minutes.
 10 We have a social worker who is also on
 11 staff.
 12 THE CHAIR: I'm sorry. Can I just
 13 interrupt? Can you introduce yourself for the
 14 record?
 15 MS. REBECCA BEIDLER: Rebecca Beidler. I
 16 apologize.
 17 And so the ancillary services have never
 18 been a question. They have received mental health
 19 minutes. We do not have any students with OT and
 20 have not missed ancillary service minutes.
 21 COMMISSIONER VOIGT: Okay.
 22 MS. REBECCA BEIDLER: If you go to
 23 Las Cruces Public Schools -- and I'm not trying to
 24 rat them out, but I worked for them. If you go to
 25 Las Cruces Public Schools, and you look at what

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1 is -- with speech, many of these kids that still
 2 qualify as speech-language on IEPs that come to Alma
 3 d'Arte have had their services suspended at Las
 4 Cruces Public Schools, saying that their needs would
 5 be met in the -- in the general ed classroom.
 6 So it's not Alma d'Arte that has changed
 7 that pattern, if you go back to the pre IEPs.
 8 COMMISSIONER VOIGT: That answered my
 9 question.
 10 In the second Item A paragraph on the
 11 copies that we were just given, you list as
 12 receiving inclusion services. Inclusion isn't a
 13 special education service. It's a methodology.
 14 MS. REBECCA BEIDLER: Yes, it is.
 15 COMMISSIONER VOIGT: Okay. So it's not
 16 really providing a service, okay? So that's just
 17 kind of misnamed.
 18 What Commissioner Robbins was referring to
 19 as a really specific plan -- okay, we're hearing
 20 some of the verbiage now that really fills in those
 21 gaps. But this is something that we never received
 22 before was something really specific that outlines
 23 your plan, a beginning and end time and hours and
 24 minutes and what you're going to do within those
 25 time frames I think would have been really helpful

<p>Page 62</p> <p>1 for us. Okay?</p> <p>2 Oh. And one more thing. On the second</p> <p>3 Item B, you talk about you're doing away with the</p> <p>4 learning labs and you're implementing content</p> <p>5 mastery. Have you built out your skill sets for the</p> <p>6 mastery along with your rubric for mastery skill</p> <p>7 sets?</p> <p>8 MS. REBECCA BEIDLER: Yes.</p> <p>9 COMMISSIONER VOIGT: I'm just curious.</p> <p>10 Because mastery -- saying you're doing it and then</p> <p>11 having the fidelity behind it to assess it properly</p> <p>12 is -- they're two different things.</p> <p>13 MS. REBECCA BEIDLER: Yes. I actually</p> <p>14 taught math previously, so I have rubrics and stuff</p> <p>15 that go along with all of the math lessons that I am</p> <p>16 able to teach. And we ordered Step Up To Writing</p> <p>17 for writing. And I am still looking at reading</p> <p>18 programs.</p> <p>19 COMMISSIONER VOIGT: I'm not so much</p> <p>20 concerned about your programs, your curriculum, as</p> <p>21 in your methodology.</p> <p>22 MS. REBECCA BEIDLER: Yes. So all of the</p> <p>23 methodology that is used is research-based</p> <p>24 methodology that has been --</p> <p>25 COMMISSIONER VOIGT: Aligned with rubric</p>	<p>Page 64</p> <p>1 COMMISSIONER VOIGT: Towards mastery.</p> <p>2 MS. REBECCA BEIDLER: Toward mastery, yes.</p> <p>3 COMMISSIONER VOIGT: Your regular</p> <p>4 education students are also working toward mastery</p> <p>5 utilizing the same curriculum.</p> <p>6 MS. REBECCA BEIDLER: Yes.</p> <p>7 COMMISSIONER VOIGT: Okay. Thank you.</p> <p>8 MS. REBECCA BEIDLER: Well, similar</p> <p>9 curriculum. Sometimes you have to bring it down to</p> <p>10 special ed levels, yes.</p> <p>11 COMMISSIONER VOIGT: Thank you.</p> <p>12 MS. REBECCA BEIDLER: Yes.</p> <p>13 THE CHAIR: I just have one question. In</p> <p>14 the -- I think it's the first Item B, you talk about</p> <p>15 hiring additional staff. What other additional</p> <p>16 staff are you looking to hire?</p> <p>17 DR. HOLLY SCHULLO: Whatever is needed.</p> <p>18 Whatever is needed.</p> <p>19 THE CHAIR: We're asking you to identify</p> <p>20 what that --</p> <p>21 DR. HOLLY SCHULLO: Our greatest need</p> <p>22 is -- okay. On my faculty, I have someone with a</p> <p>23 Master's degree in Special Education and</p> <p>24 TESOL-endorsed. And she's my English teacher for 9</p> <p>25 and 11. But I can't use her for special education</p>
<p>Page 63</p> <p>1 and skills.</p> <p>2 MS. REBECCA BEIDLER: Yes. Yes.</p> <p>3 COMMISSIONER VOIGT: So if your special</p> <p>4 education population is expected to reach mastery</p> <p>5 level, what is your regular ed population doing?</p> <p>6 Are they also expected to reach a mastery level? It</p> <p>7 doesn't seem equitable if your special education</p> <p>8 population is reaching for mastery.</p> <p>9 MS. REBECCA BEIDLER: I believe all</p> <p>10 students are reaching for mastery.</p> <p>11 COMMISSIONER VOIGT: Are you using the</p> <p>12 content mastery program with your regular education</p> <p>13 students?</p> <p>14 MS. REBECCA BEIDLER: That's the name of</p> <p>15 it. To build skills. I don't know what else -- I</p> <p>16 mean, this is a model that's been used in many, many</p> <p>17 of the public schools here throughout New Mexico.</p> <p>18 So it would seem to me that the language that is</p> <p>19 being used is language that's been seen before; but</p> <p>20 it's to work on specific skills in reading, writing,</p> <p>21 and math.</p> <p>22 COMMISSIONER VOIGT: And that's within</p> <p>23 your full inclusion classrooms.</p> <p>24 MS. REBECCA BEIDLER: That's pulling them</p> <p>25 out to work with them individually.</p>	<p>Page 65</p> <p>1 third-hour to help me with content mastery for ELA.</p> <p>2 I need someone highly qualified and SpEd-endorsed.</p> <p>3 There are 267 special education openings</p> <p>4 in New Mexico. I have a plan for an EA to move</p> <p>5 forward. I have someone from, you know, Virginia</p> <p>6 that wants to come work here next year.</p> <p>7 Filling these positions is hard. We've</p> <p>8 got our resources in the building. But right now,</p> <p>9 our struggle is to find a special education</p> <p>10 highly-qualified ELA teacher. And that's what I'd</p> <p>11 like to have.</p> <p>12 I'd also like to have an EA. But as you</p> <p>13 know our IDEA B money is -- it hasn't been approved</p> <p>14 yet. And this is things -- this is what we've been</p> <p>15 going back in time to correct. That work was not</p> <p>16 done properly from the beginning. And I guess what</p> <p>17 you're reading now is my best assurance of what</p> <p>18 special education is going to look like at Alma</p> <p>19 moving forward.</p> <p>20 We need to do some hires. And we need to</p> <p>21 find the right people. Special education, ELA would</p> <p>22 be my full-time dream, and that's what we're looking</p> <p>23 for right now.</p> <p>24 THE CHAIR: Thank you.</p> <p>25 COMMISSIONER VOIGT: So to clarify, that's</p>

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1 the only position that you currently need to hire is
2 a combined special education and ELA?

3 DR. HOLLY SCHULLO: Well, I would also
4 like an assistant principal or a dean of students.

5 COMMISSIONER VOIGT: I'm talking about
6 what you need to survive.

7 DR. HOLLY SCHULLO: Yes. But I know that
8 I can't move -- I can't move over -- I have an
9 amazing English teacher who has a Master's degree in
10 special education right now in my building. She's
11 TESOL-endorsed, and she's an expert in tutoring and
12 serving students with dyslexia.

13 I'd like to just move her over for now for
14 the next 62 days to help in my building, help our
15 kids. If I had my way -- and I hope that Secretary
16 Trujillo really helps us all follow through -- I
17 have a nurse that comes in and helps us, you know,
18 on an as-needed basis.

19 I want a nurse in my building. I want a
20 social worker full-time. I want a counselor to
21 serve our students. And I would like to have three
22 special education teachers in my building next year.
23 I want faculty. I want great personnel in my
24 building.

25 THE CHAIR: Thank you.

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1 nine students who are "C" level, which is twice the
2 amount of service that the "B" level -- and this has
3 nothing to do with you, either; you didn't do it,
4 either -- but I just thought it was interesting that
5 students went from "C" to "B," because "B" is like a
6 class, maybe 46 minutes or whatever the class is,
7 and "C" is double that.

8 MS. REBECCA BEIDLER: As we well know our
9 percentages. I went back into those IEPs just to
10 see what was going on. And, honestly, I think that
11 that's where Dr. Schullo realized that they had a
12 special ed problem when she first walked in. So
13 she's really honestly tried.

14 I think that where the problem lies is in
15 the ability to use the language that the Commission
16 needs to hear so that she is truly trying to meet
17 the needs of these students.

18 And so when I went in, I have -- I went
19 back to the previous IEPs from all the previous
20 schools. And there were nine "C" levels that were
21 changed to "B" levels. This was not done under us.
22 This was done before us.

23 And I do see the needs. And we have
24 discussed those needs. And that is exactly why she
25 is saying what she is saying when it comes to trying

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1 Commissioner Armbruster?

2 COMMISSIONER ARMBRUSTER: I'm sorry. I'm
3 going to have to ask a few questions because I want
4 to make sure I'm saying it correctly. So currently,
5 Ms. Bidler [ph] -- Beidler? --

6 MS. REBECCA BEIDLER: Beidler.

7 COMMISSIONER ARMBRUSTER: -- sorry -- is
8 the only special ed teacher, and there are no EAs?

9 DR. HOLLY SCHULLO: So our money right now
10 in IDEA B is not accessible for that. I've
11 earmarked it as soon as this money is available.
12 And that should have been any day now.

13 I have an EA. I have three that we have
14 informally interviewed, and we'd like to interview
15 them and choose one to move forward.

16 COMMISSIONER ARMBRUSTER: Because I am
17 concerned --

18 DR. HOLLY SCHULLO: I am, too.

19 COMMISSIONER ARMBRUSTER: -- about how
20 much work Ms. Beidler has. And we don't want her to
21 leave.

22 Secondly -- and I think this is your
23 question, by the way -- is that I'm reading on the
24 first "B" that you've reviewed all the IEPs. And
25 it's kind of interesting, although maybe okay, that

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1 to hire for next year, especially, that we have the
2 adequate staff to meet the needs of these students.

3 We're working very hard to meet the needs
4 of these students. But at the -- the way that we
5 walked into this -- or I walked into this -- she
6 walked into it, as well -- it was -- it was made to
7 meet the needs of the school, not to meet the needs
8 of the students.

9 COMMISSIONER ARMBRUSTER: Right. And
10 that, of course, is a no-no. So it sounds to me --
11 what I'm getting is that -- how many children are
12 there that you have?

13 MS. REBECCA BEIDLER: I think there are 31
14 with IEPs.

15 COMMISSIONER ARMBRUSTER: That's a lot.

16 MS. REBECCA BEIDLER: Yes. Mind you, some
17 of those are As. Some of those are As. And they
18 are emotionally disturbed students who receive only
19 psychological services, and they have received their
20 psychological services throughout. And so some of
21 those are A-level students. But there are many
22 students that had about 235 minutes per student.
23 That needs to be made up.

24 COMMISSIONER ARMBRUSTER: Right. But
25 right now, with the inclusion, you are able to

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1 either co-teach the class and re-explain what the
 2 special ed kids might not understand. So you're
 3 looking at not only doing the content mastery, but
 4 looking at ways that that content mastery can be
 5 actually shared with all kids.
 6 MS. REBECCA BEIDLER: Actually, that's
 7 the --
 8 COMMISSIONER ARMBRUSTER: I mean, it's --
 9 MS. REBECCA BEIDLER: The practices are
 10 good practices for whatever child it is.
 11 COMMISSIONER ARMBRUSTER: So that we're
 12 looking into those kind of things we're talking
 13 about, Step Up to Writing to do that; so it's
 14 probably something with the whole class. It's not
 15 really a pullout problem just for special ed, but
 16 can be incorporated with all of your kids. So
 17 they're getting more time. And with this -- I'm
 18 sorry. This part I never understand.
 19 So the IDEA B is not approved because --
 20 did you answer that?
 21 THE CHAIR: No. I was going to ask.
 22 COMMISSIONER VOIGT: Commissioner
 23 Armbruster, I don't believe --
 24 THE CHAIR: Can we let the school answer?
 25 COMMISSIONER VOIGT: Yes. But I have a

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1 question for them as well after Commissioner
 2 Armbruster.
 3 DR. HOLLY SCHULLO: So I didn't bring Kate
 4 Shelton with me. She is our business manager.
 5 We've submitted all of the materials on our end for
 6 IDEA B. We're just waiting for the approval.
 7 COMMISSIONER ARMBRUSTER: Truly, this is
 8 not my area of expertise by a long shot. So did
 9 they have -- before you all were there, did they
 10 have that last year, and then it got taken away? Or
 11 you have to apply for it every year? Or what hoops
 12 do you have to go through?
 13 DR. HOLLY SCHULLO: So every year, that is
 14 an application. And it ties back to our budget and
 15 our numbers. But I'm not an expert on IDEA B, you
 16 know. We're waiting for that funding. And when
 17 that funding comes through, I'm looking at about
 18 \$22,000 freed -- freed up here that I can, you know,
 19 hire an EA immediately.
 20 COMMISSIONER ARMBRUSTER: Yeah. It's
 21 about that much money with benefits and everything.
 22 And that will help. And, actually, I would think
 23 that having an IA in a different class than you were
 24 in would make up some of those minutes that we're
 25 talking about. Because -- I do see that you are

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1 between a rock and a hard place, because you can't
 2 take the kids out of science or music or whatever to
 3 make up their reading time.
 4 And then when you -- generously, I might
 5 add -- offering to help by keeping them after
 6 school -- and I know it's not punitive to you, but
 7 it may be to them, as Commissioner Caballero was
 8 talking about; but -- you know, so you're really
 9 like, "What?"
 10 So I'm wondering if you have an EA, that
 11 if that couldn't make up some of your time.
 12 Because, say, you were in class -- I don't know --
 13 one class with ELA kids -- and this I -- I'm sorry.
 14 In Los Alamos, we call them "IAs" -- an EA could be
 15 in another class where there are some other students
 16 doing English language arts, because you can only be
 17 in one class at a time, or could be in the math
 18 class, and that's where they could be getting help.
 19 Or they could be getting it in science,
 20 because if they can't read in English, they can't
 21 read in science either. Or social studies.
 22 So they could be getting extra time with
 23 an EA. What I'm thinking is that may lower for you
 24 the amount of hours that you have to make up. Is
 25 this making any sense?

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1 COMMISSIONER VOIGT: No. I'm sorry. Let
 2 me clarify and explain. An EA, an educational
 3 assistant, does not retain a teacher's license in
 4 order to provide those qualities of instruction,
 5 okay?
 6 And, also, for clarification, you don't
 7 need to wait for your IDEA B funding to come through
 8 in order to hire an EA. You don't need to wait for
 9 that.
 10 After you finish your reporting for your
 11 special education services, you submit that to
 12 Budget. Then you would get the reimbursement should
 13 your EA be providing any type of support to your
 14 special education teacher.
 15 So don't wait -- I mean, if you need an EA
 16 to survive, you don't need to wait for that IDEA B
 17 money to come through.
 18 DR. HOLLY SCHULLO: Thank you.
 19 MR. GENE ELLIOTT: Madam Chairwoman?
 20 THE CHAIR: Sure.
 21 MR. GENE ELLIOTT: May I speak to
 22 something?
 23 THE CHAIR: Yes.
 24 MR. GENE ELLIOTT: I really would like to
 25 make sure that everybody understands the conditions

<p style="text-align: right;">Page 74</p> <p>1 that the special education program was in when 2 Dr. Schullo came on board and very shortly 3 thereafter discovered the deficiencies and hired 4 Mrs. Beidler to do the initial audit of the IEPs. 5 Now, that means that we have lost time. 6 No question about it. But to try to say that we 7 were at fault or deficient in not providing those 8 services -- even though I understand they were not 9 provided -- would indicate that Dr. Schullo had a 10 file drawer full of ready to hire special ed 11 teachers, and she could just pluck out a file and 12 call them tomorrow and they come to work. That all 13 takes time, as I understand it, to find the right 14 person. And you heard her say how short they are. 15 So we will accept the criticism for being 16 short on the services, because there were 17 extenuating circumstances that we were trying to 18 fix; did fix. We got rid of the teacher who caused 19 the problem. 20 And I think that is a great credit to the 21 management and the governance of this particular 22 school is we found deficiencies and we tried to 23 correct them. They did not meet the precise 24 timetable of an abstract example. 25 But we did do it; and we are doing it.</p>	<p style="text-align: right;">Page 76</p> <p>1 31st of January. 2 Now -- excuse me. It was Friday, the 1st 3 of February. I'm sorry. And she said, "I will" 4 be -- "I will touch base with you on Monday to 5 advise whether or not your attendance at the PEC 6 meeting on Friday is recommended. I will confirm 7 with PEC Chairwoman Gipson." 8 That timeline really doesn't give us much 9 more time than to drive up here. And I -- I really 10 object to the fact that we are somehow being defined 11 by the fact of these short time frames. I -- you 12 know, I'm retired. I've got all the time in the 13 world. I couldn't respond to that in that time 14 frame. 15 And another thing is -- the first time I 16 heard that this communication from the bureaus was 17 addressed to you all and not to us, it was a 18 revelation to me; because when I got a copy of this, 19 I assumed it was addressed to us, and we had to do 20 something about it. 21 And, frankly, in that context, language is 22 very unclear. It's clear when I understand it was 23 written to you all; but it was not written to us. 24 But in every effort to comply, Dr. Schullo responded 25 to that when you say we didn't have to. That was</p>
<p style="text-align: right;">Page 75</p> <p>1 And so, therefore, whoever is -- be they parents or 2 teachers or students -- have to work -- in any 3 successful organization, one thing has to exist, and 4 that's trust. And I think -- I know; I believe -- 5 that, we can be trusted to do this. And I think 6 what we've said here today is an example of that. 7 Now, secondly, go back to that e-mail -- 8 regarding the information coming to us, I think I 9 figured out the chronology here. On January 29th, 10 Holly sent this packet of information addressed to 11 all of you. And she sent it to Karen. Did you get 12 this eight- or ten-page packet of information? 13 Right? 14 That was on January the 29th. 15 On January 31st, we got this e-mail -- a 16 copy of this e-mail that the bureau sent to you; 17 that's two days. 18 Then Holly received an e-mail from Karen 19 that said, "Attached is the feedback from the 20 Special Education Bureau, Language and Culture...," 21 so forth and so forth. "Please review with your 22 governing board and your staff and consider 23 additional revisions. The information will be 24 shared with the PEC...," which I'm assuming you were 25 looking forward to. But that was on Friday, the</p>	<p style="text-align: right;">Page 77</p> <p>1 beyond our deadline. 2 So I'm just wanting to know -- I want 3 specific direction where we go from here. 4 THE CHAIR: And that's what we're going to 5 do next. 6 MR. GENE ELLIOTT: Okay. 7 DR. HOLLY SCHULLO: And if I may, did you 8 all receive, like -- my faculty, before I joined 9 them, like, we had EL -- three days' worth of 10 teaching and learning for serving English Learners. 11 And I sent the agenda items. 12 Now, I wasn't a part of that training. 13 Every teacher has, like, a folder that they refer to 14 strategies for working with English Learners. Did 15 you receive all that? 16 COMMISSIONER DAVIS: I got it. 17 COMMISSIONER CABALLERO: I got it. 18 DR. HOLLY SCHULLO: I don't think -- this 19 isn't the end of the story for me. This is just the 20 information that I was able to capture, and, you 21 know, collect from speaking with my faculty and 22 doing the DASH plan and working with them to move 23 forward. 24 So for me, this doesn't say that's the end 25 of the story. This is just the beginning of what we</p>

1 know we have had training for and what we want to do
2 in the future to serve. So I don't want you to
3 think that that is my final answer and we've come to
4 a final solution. We're still working.

5 THE CHAIR: Okay. But here's our dilemma.
6 This CAP has to be a final solution in terms of how
7 we're clearing it out. This -- the CAP isn't
8 intended to be an ongoing story; so that we create
9 these CAPS to assure the Commission that things are
10 being worked on, we're satisfied with the plan and
11 how that plan is going to be carried out. And then
12 we can close out.

13 So -- and I didn't -- I wasn't saying we
14 didn't receive the material. What I was going to
15 say is that it wasn't in the -- it wasn't in the
16 CAP. And that's where things get muddled to a great
17 extent for us. Because the plan is supposed to
18 be -- and I know the boxes are small -- but it's
19 supposed to be concise and in there, so that we
20 capture what the plan is.

21 And we certainly understand that there is
22 more information that goes with that. But we have
23 to make a determination at this point in time if we
24 are, in fact, going to -- so we have -- I will -- we
25 have two choices at this point in time.

1 We have a choice to -- to close out the
2 two CAPs, the EL CAP and the special ed CAP. And
3 they are separate. Or -- well, I guess we have
4 three choices. There's actually three choices.
5 Because if you choose not to close out either one of
6 the CAPs, there are two paths to go down at that
7 point in time.

8 The one path is to extend it to March, to
9 have that -- once again, to have a submission. And
10 I'm going to tell you right now. We're sitting back
11 at just about the same turnaround time; because
12 that's what is challenging for us. And I thought we
13 made an effort to make sure -- because we worked out
14 that timeline with you; not just imposed it on you.
15 And I think if you go back to the record, you're
16 going to see that I asked, "Is that a fair
17 turnaround time," so that that was agreed upon by
18 us. So that that turnaround time is going to be
19 just about the same, because we're looking at
20 actually fewer days, because February is shorter.
21 So it's --

22 COMMISSIONER CABALLERO: And the next
23 option is, Madam Chair?

24 THE CHAIR: The next option is a
25 non-compliance letter. That's the option, that a

1 letter comes from us that there's a breach; there's
2 a non-compliance. So that's the choices for the
3 Commission at this point in time.

4 COMMISSIONER CABALLERO: Madam Chair? But
5 a Commissioner could, in fact, make a different
6 motion if they so wish that is not part of those
7 options, in that that's what the Chair sees, but it
8 doesn't, of course, take away from the authority of
9 each Commissioner to make their own motion.

10 THE CHAIR: No. And I'm willing to look
11 at it -- you know, I'm looking at what I see as, you
12 know, the options that we generally have in terms of
13 the compliance ladder that we have; because we do
14 have to fall within that framework as well.

15 But if, you know, someone has a different
16 idea on it, it certainly --

17 COMMISSIONER VOIGT: Not a different idea.
18 I like those three options for succinctness. But I
19 just wanted to say, with -- in taking on a new
20 school, it's a huge, huge lift, and that you might
21 want to consider -- I mean, even coming from
22 Las Cruces High School, you know what your resources
23 are in the community, right, to be able to tap into
24 that might be able to aid you more expediently than
25 waiting for something from PED in Santa Fe.

1 There's a whole plethora of resources,
2 hopefully, that you can find within your community
3 that will help you with the timeliness of getting --
4 you know, of getting the support that you need to
5 bring yourself into compliance. I'm hoping that
6 you're able to tap into that.

7 DR. HOLLY SCHULLO: Thank you.

8 MR. GENE ELLIOTT: Thank you.

9 COMMISSIONER VOIGT: I'd like to make a
10 motion.

11 THE CHAIR: Certainly.

12 COMMISSIONER VOIGT: I would like to move
13 that we close out the special education compliance
14 CAP -- the special education CAP and move the
15 March -- to March, the ELL cap.

16 COMMISSIONER CABALLERO: Second.

17 THE CHAIR: There's a motion by --

18 COMMISSIONER VOIGT: Even though we were
19 expecting it today. But we'll move it to March.

20 THE CHAIR: There's a motion by
21 Commissioner Voigt and a second by
22 Commissioner Caballero.

23 Any discussion?

24 (No response.)

25 THE CHAIR: Commissioner Armbruster?

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<p>1 COMMISSIONER ARMBRUSTER: Commissioner 2 Gipson? 3 THE CHAIR: No. 4 COMMISSIONER ARMBRUSTER: Commissioner 5 Davis? 6 COMMISSIONER DAVIS: Yes. 7 COMMISSIONER ARMBRUSTER: Commissioner 8 Voigt? 9 COMMISSIONER VOIGT: Aye. 10 COMMISSIONER ARMBRUSTER: Okay. That's a 11 "For"; correct? 12 COMMISSIONER VOIGT: "Aye" means "yes." 13 "No" means "no." Thank you. 14 COMMISSIONER ARMBRUSTER: Got it. I 15 actually thought that. I just wanted to make sure 16 it was correct. 17 Commissioner Robbins? 18 COMMISSIONER ROBBINS: No. 19 COMMISSIONER ARMBRUSTER: Commissioner 20 Crone? 21 COMMISSIONER CRONE: No. 22 COMMISSIONER ARMBRUSTER: Commissioner 23 Ruiz? 24 COMMISSIONER RUIZ: No. 25 COMMISSIONER ARMBRUSTER: Commissioner</p>	<p>1 d'Arte -- regarding Alma d'Arte's corrective actions 2 with respect to its special education and ELL 3 language compliance requirements. 4 COMMISSIONER CRONE: Second. 5 THE CHAIR: There's a motion by 6 Commissioner Ruiz; there's a second by Commissioner 7 Crone. 8 Any discussion? 9 COMMISSIONER ROBBINS: (Indicates.) I 10 understand we're going to vote on this letter. One 11 thing that I would suggest, that even if this is 12 done, that the -- the school detail -- you're going 13 to get a letter, you know, if this passes, a letter 14 of non-compliance. 15 But the school needs to be very detailed 16 in their response to that letter, with dates, 17 specifics, because that's what I think we were 18 lacking. And I think that's what the Special Ed 19 Bureau was also addressing, is what we talked about 20 here is nice, and it's on the record. But we don't 21 have a definitive document stating this is what 22 you're going to do. That's all I wanted to add. 23 THE CHAIR: Thank you. 24 COMMISSIONER VOIGT: Madam Chair? So this 25 letter of non-compliance, when it comes out, is it a</p>
<p>Page 83</p> <p>1 Caballero? 2 COMMISSIONER CABALLERO: Yes. 3 COMMISSIONER ARMBRUSTER: Commissioner 4 Chavez? 5 COMMISSIONER CHAVEZ: No. 6 COMMISSIONER ARMBRUSTER: Commissioner 7 Raftery? 8 COMMISSIONER RAFTERY: No. 9 COMMISSIONER ARMBRUSTER: Raftery. I am 10 learning this. 11 Commissioner Armbruster votes "No." 12 So that motion does not pass. 13 THE CHAIR: So the motion fails -- 14 COMMISSIONER ARMBRUSTER: Eight-to-three. 15 THE CHAIR: Seven-to-three? 16 COMMISSIONER ARMBRUSTER: Seven-to-three. 17 THE CHAIR: The motion fails 18 seven-to-three. 19 COMMISSIONER ROBBINS: Madam Chair? 20 COMMISSIONER RUIZ: Madam Chair, I want to 21 make a motion, please? 22 THE CHAIR: Certainly. 23 COMMISSIONER RUIZ: I move that the Public 24 Education Commission send a formal notice of 25 non-compliance -- I can't read that -- Alma</p>	<p>Page 85</p> <p>1 boilerplate? Or would it be individually catered to 2 what the school needs to come back with? 3 THE CHAIR: It's crafted by our legal 4 counsel. It's not a boilerplate. It deals with the 5 specifics. 6 COMMISSIONER DAVIS: Can I ask a question? 7 THE CHAIR: Certainly. 8 COMMISSIONER DAVIS: So I'm not familiar 9 with this. So could you explain to me what this 10 letter is and then how much time they have to 11 respond and some more details about that? 12 THE CHAIR: Okay. I have to look back 13 specifically. But in our policy -- and I believe 14 there's a -- and I have to look at it -- I believe 15 there's a ten-day response time for the school to 16 respond after receipt of the letter. 17 And we have -- I'll get a copy -- but I 18 believe it's ten days to respond to the letter. So 19 it's embedded in our policy, the time frame. 20 The school is then -- the school is then 21 given the opportunity to make their response. If 22 the Commission feels that that response was 23 appropriate, we close it out, and they go back to 24 being in compliance. 25 If the Commission is not comfortable with</p>

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<p>1 that and they feel that the response was not 2 appropriate, it would be up to the Commission to 3 decide if they wanted to go to the next level with 4 that. 5 COMMISSIONER DAVIS: Okay. Thank you. 6 COMMISSIONER VOIGT: Madam Chair? 7 So if the compliance letter is sent back 8 to the State after the letter is sent, does the 9 school have to come back in March for that 10 acknowledgment or not? 11 THE CHAIR: If it's just an "Everything is 12 okay," that would be up to them if they just wanted 13 to come back for the "Attaboy." 14 COMMISSIONER VOIGT: Okay. 15 THE CHAIR: That's up to them. 16 COMMISSIONER VOIGT: What's 400 more 17 miles? 18 MR. GENE ELLIOTT: 600, you know. 19 THE CHAIR: I know the mileage well. If 20 it's -- if it's communicated to them that they're 21 okay, and they're in compliance, and that's the 22 report that's going to come back to the Commission, 23 like I said, that will be communicated to the 24 school. And it's certainly up to them. They're 25 free -- we're a public meeting, so anyone can come</p>	<p>1 guarantee exactly when that letter will go out. 2 COMMISSIONER VOIGT: Okay. Thanks for 3 clarifying that process. 4 THE CHAIR: We want to make it fair. So 5 we don't want to start ticking the time off at this 6 moment, because they don't have the letter, so they 7 don't have it detailed. So I would hope it would be 8 March, just so that we could finalize this and clear 9 it out. So that would be the ideal. Okay. 10 COMMISSIONER VOIGT: Got you. 11 THE CHAIR: Any other -- thanks. 12 (No response.) 13 THE CHAIR: Commissioner Armbruster? 14 COMMISSIONER ARMBRUSTER: Commissioner 15 Voigt? 16 COMMISSIONER VOIGT: No. 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 Ruiz? 25 COMMISSIONER RUIZ: Yes.</p>
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<p>1 up any time. 2 So it would be up to them. It would not 3 be required that they come up just for the 4 affirmation that they're okay. 5 COMMISSIONER VOIGT: But should they come 6 back with a non-compliant response to our letter, 7 what's the timeliness that they would be notified in 8 order for them to make any kind of argument towards 9 that? 10 THE CHAIR: Probably -- I think it's ten 11 days afterwards. 12 COMMISSIONER VOIGT: Okay. 13 THE CHAIR: So if we were going -- and 14 I -- depending on when the letter went out, you 15 know, it also depends on when they get the -- 16 because we time it all from the receipt of the 17 letter, not from this day. 18 So it would depend -- that timing -- so it 19 might be possible that it would not be the March 20 meeting that we would be addressing it, depending on 21 when they receive the letter, so that we can make 22 sure that that timeliness occurred. 23 COMMISSIONER VOIGT: Okay. 24 THE CHAIR: And February is just a little 25 bit shorter. So I can't guarantee. Because I can't</p>	<p>1 COMMISSIONER ARMBRUSTER: Commissioner 2 Caballero? 3 COMMISSIONER CABALLERO: No. 4 COMMISSIONER ARMBRUSTER: Commissioner 5 Chavez? 6 COMMISSIONER CHAVEZ: Yes. 7 COMMISSIONER ARMBRUSTER: Commissioner 8 Robbins? 9 COMMISSIONER ROBBINS: Yes. 10 COMMISSIONER ARMBRUSTER: Commissioner 11 Gipson? 12 THE CHAIR: Yes. 13 COMMISSIONER ARMBRUSTER: Commissioner 14 Armbruster votes "Yes." 15 So did I get everybody? 16 THE CHAIR: Okay. 17 COMMISSIONER ARMBRUSTER: I didn't get 18 Commissioner Raftery. 19 COMMISSIONER RAFTERY: Yes. 20 THE CHAIR: So the motion passes 21 eight-to-two. Thank you very much. And thank you 22 once again for coming up. We do appreciate it. 23 MR. GENE ELLIOTT: Thank you very much. 24 THE CHAIR: Okay. 25 We are now on to 6C, which is the</p>

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1 governance board concerns.
 2 MS. KAREN WOERNER: So as you indicated
 3 earlier, Madam Chair, Commissioners, the Sandoval
 4 Academy of Bilingual Education governing board has
 5 been somewhat lax in their updating the Commission
 6 on their changes. I do know the head administrator
 7 is here, Ms. Rodriguez, if you want to speak to her.
 8 Of course, I want to underscore that this
 9 is the responsibility of the governing board, not
 10 the head administrator. But I do appreciate the
 11 work that Ms. Rodriguez has done to try to get this
 12 in order.
 13 I will tell you we did receive an e-mail
 14 late yesterday from the governing board chair, I
 15 believe, that provided all the missing
 16 documentation. But since it came so late in the
 17 day, our staff has not had time to review that and
 18 confirm that it all is in place. But I believe
 19 they're taking measures to correct it, and I think
 20 the point has been made to the governing board,
 21 through lengthy e-mail exchanges that have included
 22 Ms. Rodriguez, that this is the responsibility of
 23 the governing board and that all these changes need
 24 to be done in a timely manner.
 25 It clearly has not been. But

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1 Ms. Rodriguez is here as well. And I'm here for
 2 questions, if you have any.
 3 THE CHAIR: Good morning.
 4 MS. JACKIE RODRIGUEZ: Good morning. I'm
 5 Jackie Rodriguez, the principal and director of --
 6 THE CHAIR: I don't think the mic is on.
 7 MS. JACKIE RODRIGUEZ: I'm Jackie
 8 Rodriguez, principal and director of Sandoval
 9 Academy. Good morning.
 10 THE CHAIR: Thanks for coming.
 11 MS. JACKIE RODRIGUEZ: Sure. I'll just
 12 speak to it. We knew that there was a lag of time
 13 to submit the needed documents. As the sole
 14 administrator and given the number of changes within
 15 the governing council, they're also aware that it is
 16 their responsibility, have been made aware as we've
 17 exchanged e-mails over the last couple of months, of
 18 the need to make sure that they are doing this in a
 19 more timely manner.
 20 I actually spoke with Karen during our
 21 site visit in December and asked for her
 22 recommendation of how to move forward and get it
 23 done. At her advisement, we went ahead and had
 24 another board meeting, approved resignations,
 25 changes, and got all those forms done this last

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1 week.
 2 The board -- unfortunately, they're
 3 working professionals and weren't able to be here.
 4 We're building a stronger board, I think, in the
 5 transition time that I've been there in the last two
 6 years. I see a lot of moving forward and making
 7 sure we are adhering to the compliance concerns and
 8 complying with what we need to, especially as a
 9 board and as a school.
 10 THE CHAIR: Commissioners, any questions?
 11 Comments? Concerns?
 12 You know, this is an ongoing concern for
 13 all of us. And we -- we certainly appreciate your
 14 time. So I guess I'll just ask the Commission if
 15 they're comfortable with hopefully being able to put
 16 this back on the consent agenda for next month,
 17 after Laurel is able to take a look at the
 18 documentation and as long as everything is
 19 appropriate that there's not a need for a letter to
 20 go out at this -- it appears that they're -- they're
 21 going to be in compliance -- that they are hopefully
 22 currently in compliance, and we can move forward on
 23 the consent agenda next month.
 24 Were you okay with that, just informally?
 25 (No response.)

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1 THE CHAIR: Okay. All right. So,
 2 hopefully, we'll -- you know, you won't have to come
 3 up next month, and we'll be okay. And we thank you
 4 for your intent -- for your attention to this.
 5 MS. JACKIE RODRIGUEZ: Thank you very
 6 much.
 7 THE CHAIR: And your intention.
 8 MS. JACKIE RODRIGUEZ: Yes. Thank you.
 9 THE CHAIR: Okay. Thank you. And now
 10 we're on to D.
 11 MS. KAREN WOERNER: Yes, ma'am. And I
 12 just wanted to -- before I move to D, I just wanted
 13 to also say if anything is missing, Laurel does a
 14 phenomenal job of notifying the schools what's
 15 missing. And if there is perchance anything
 16 missing, it will be resolved timely.
 17 Moving on to D is the update on the school
 18 closures. I'm not sure I have much to say. But
 19 there's three schools we need to discuss: of course,
 20 SAHQ, Anthony, and La Academia.
 21 SAHQ, we're still waiting for the court to
 22 issue the order to give us access to the building.
 23 So we still have our hands tied on that issue.
 24 Anthony, as you all know, it's been many
 25 months of trying to get this all solved with several

<p style="text-align: right;">Page 94</p> <p>1 legal issues. For those of you new on the 2 Commission, some of those revolved around a question 3 of whether portables and the way they were attached 4 to the land actually were attached to the landlord, 5 whether those are still truly portable, et cetera, 6 et cetera.</p> <p>7 But those issues have been resolved. The 8 GSD has agreed with the Commission and the PED's 9 request that the portables go to the City of Anthony 10 and the inventory to the other State charter 11 schools.</p> <p>12 However, it then moved on to the DFA to 13 review. Apparently, a little history here is that 14 there was -- there has been a legal case involving 15 assets that were transferred without following the 16 review by the State. And it was raised that the 17 State, because they didn't do that, it was an 18 illegal, inappropriate transfer of assets.</p> <p>19 So we're trying to make sure we have 20 everything covered so that we don't run into the 21 same issue. And since this is a new, I suppose, 22 process, the DFA -- the last e-mail I received was 23 that the DFA is asking their legal counsel to review 24 all this before they give us the official word. 25 So it looks like we're all in order, as I</p>	<p style="text-align: right;">Page 96</p> <p>1 as well. They took the -- 2 COMMISSIONER ROBBINS: The axles. 3 THE CHAIR: -- the axles off the 4 portables. So that's where the challenge was. Are 5 they really portable any longer? You know, they 6 weren't on -- they were on those little pontoon-y 7 things. 8 COMMISSIONER VOIGT: Most portables will 9 sit on those type of pontoons. 10 MS. KAREN WOERNER: They were also welded 11 to some bars that were laid in the concrete. So it 12 gets a little bit deeper than that. 13 COMMISSIONER VOIGT: That's the standard 14 installation for portables. They make them 15 non-portable. 16 So I have a second question. Does PED 17 have a school closure person currently? I know 18 Ms. Beery was doing it. Do you have a person that 19 does that? 20 MS. KAREN WOERNER: Yes. But no, we don't 21 have an employee. We still have a contract. And I 22 think I mentioned this last month. But it was a -- 23 a contract was signed in August with Southwest 24 Regional Education Cooperative to provide school 25 closure, to help handle the school closure</p>
<p style="text-align: right;">Page 95</p> <p>1 mentioned last month; but I'm still waiting for 2 official word. I will tell you that our legal 3 counsel here has done their due diligence to follow 4 up and request and continue to hound the agencies 5 that need to respond.</p> <p>6 COMMISSIONER VOIGT: Madam Chair. I have 7 a question. 8 MS. KAREN WOERNER: Yes. 9 COMMISSIONER VOIGT: So regarding the 10 portables, were those purchased by the school? 11 THE CHAIR: No, they were purchased by -- 12 COMMISSIONER VOIGT: They were purchased 13 with the property? 14 THE CHAIR: No, none of the above. 15 COMMISSIONER VOIGT: Okay. 16 THE CHAIR: The -- they were renting the 17 property from the water authority, the water utility 18 in Anthony. It was the water utility who purchased 19 the portables for the school and moved them onto the 20 property that the school was renting. 21 So the -- the water utility gave clear 22 title to the school of the portables. They still 23 rented the property that the portables were situated 24 on. The water utility, when they did the site 25 work -- and the water utility did all the site work</p>	<p style="text-align: right;">Page 97</p> <p>1 proceedings. 2 COMMISSIONER VOIGT: And inventory and -- 3 MS. KAREN WOERNER: All that. There's a 4 lot of work primarily around inventory and files and 5 records and those sort of things. In turn, 6 Southwest Regional Educational Cooperative did 7 indeed subcontract Sandy Beery. 8 COMMISSIONER VOIGT: Oh, Sandy. 9 MS. KAREN WOERNER: So I am still working 10 with Ms. Beery. She is halftime at McCurdy Charter 11 Schools; but the other half, I guess, is available 12 to do school closure proceedings. So she is the one 13 who currently has the contract and who we're working 14 with, at least for this year. 15 I do think that when we're fully staffed, 16 there are some pieces that we could take on 17 in-house. But I can't state now what -- how much we 18 really could do, and if we'll still need some 19 contract in the future. But currently, we have that 20 contract till the end of June. 21 COMMISSIONER VOIGT: Okay. Thanks. 22 THE CHAIR: And it's -- you know -- and 23 I'm sorry. Because my understanding was, from the 24 e-mail that I received, that we were good to go from 25 DFA, that the only thing that needed to be done --</p>

1 and there was -- for whatever reason, the concern
2 about how the inventory -- how that list was going
3 to be populated. So I don't see where that holdup
4 still is, because DFA, my understanding is, has
5 signed off on all of it.

6 MS. KAREN WOERNER: Oh. So that -- I'm
7 sorry, Madam Chair. That may have been how I
8 presented it. We had an e-mail from DFA that they
9 didn't -- and from GSD -- that didn't show any
10 opposition. But we haven't received the official
11 sign-off. So it seemed like all was going to be
12 good; but we had not received the actual official
13 written confirmation that would allow us to proceed.

14 So -- and that is because they wanted to
15 have -- and Aaron did follow up trying to get that
16 documentation, and that's when we were told that
17 they were having their legal counsel review it.

18 And then regarding the other, that was my
19 concern about being new to school closures, how the
20 inventory -- I know there are certain rules -- from
21 my previous experience, certain rules in how
22 disposal -- whatever the word is -- disposal of
23 inventory and equipment needs to be handled, in a
24 certain chain of command, certain entities and
25 certain orders.

1 And I just didn't know if there was
2 anything I needed to follow. That's what I was
3 following up on. Turns out that legal counsel said
4 that there is no guidance on that. So -- so all we
5 need to do, then -- an e-mail has been drafted. I
6 also need to reach -- I need to make contact -- and
7 I've tried -- to the mayor of Anthony to just -- at
8 some point, there was an agreement reached that the
9 inventory -- you know this from before -- but I want
10 to communicate to the mayor of Anthony and be clear
11 that they are aware that they're getting the
12 portables only.

13 THE CHAIR: They're very aware of that.

14 MS. KAREN WOERNER: Okay. Awesome.

15 THE CHAIR: My concern is -- and I've
16 expressed this. My concern is that the inventory
17 still is there; because those portables have been
18 sitting there, you know, since August.

19 MS. KAREN WOERNER: Right.

20 THE CHAIR: Actually, since July 1,
21 untended. So -- and what the quality of some of
22 those computers -- because they've been
23 un-air-conditioned through the summer and now. So
24 there's -- you know, there's serious concern about
25 that.

1 Commissioner Caballero?
2 COMMISSIONER CABALLERO: I thought we had
3 come up with a policy to --

4 THE CHAIR: We did.

5 COMMISSIONER CABALLERO: -- to give -- or
6 allow the --

7 THE CHAIR: We did.

8 COMMISSIONER CABALLERO: -- any charter
9 school to get first, and then public schools. Kind
10 of -- I do remember.

11 THE CHAIR: We did.

12 COMMISSIONER CABALLERO: We had our own
13 policy. And so if they're saying that there is no
14 policy, that -- yes, there is.

15 THE CHAIR: We do. There's no -- I think
16 what Karen is referring to -- and correct me if I'm
17 wrong -- that there is no outside rule that says,
18 "This is how you have to dispose of the property."

19 There isn't. So it is our -- and you're
20 absolutely correct.

21 COMMISSIONER CABALLERO: Now, do they
22 follow it?

23 THE CHAIR: That's the continual e-mails
24 that I keep sending out saying, "This is my
25 frustration." So that in anticipation that this is

1 going to be closed out, there's an e-mail. And I
2 thought two months ago -- my best guess -- two
3 months ago, we asked for an e-mail to be sent out to
4 the charters identifying the inventory that was
5 available so that those charters, first off, that
6 wanted the materials, they could weigh in on, "Yes,
7 this is -- this is what I want," and if it makes it
8 easier, that it get -- that the first offer is to
9 those schools within the geographic region, because
10 it's the quickest and easiest to pick up the
11 materials, to say to the charters that are there,
12 "Here's what's available."

13 If they say, "No, we don't want it," then
14 we extend it out, that that's done so that as soon
15 as whatever comes from DFA, the phone call can go
16 and say, "Hey, you can go down Tuesday and pick up
17 the..." -- the whatever -- whatever it is.

18 MS. KAREN WOERNER: Yes. And,
19 Madam Chair, Commissioner Caballero, my intent was
20 not -- we are going to, of course, offer it to the
21 State charter schools first. My concern was, was
22 there any particular order or any way we needed to
23 do it to be equitable and fair.

24 Apparently, there isn't an established
25 procedure. So it will be offered to State charter

1 schools.

2 The e-mail that was drafted -- now that I
3 know that the mayor does know, I don't need to
4 continue to try to reach her. But I will -- the
5 e-mail that was drafted was explaining that
6 inventory will be available as soon as the sign-off
7 is -- it's not yet ready. As soon as we receive
8 official word, it will be distributed.

9 The contractor -- I've spoken to the
10 contractor about how it best is that she has done
11 this in the past with getting who wants what. A
12 form that she has them fill out that will be
13 e-mailed to her to track. She has assured me that,
14 generally speaking, she offers it to the schools
15 that are about to open first. It's up to the
16 Commission if I send it to them first before all the
17 others.

18 But either way, she always negotiates it
19 to try to balance. If lots of folks want certain
20 things, she tries to balance it out and works with
21 the schools directly to do that.

22 So the e-mail from me would be to just
23 say, "Here's what's happening. Here's -- we don't
24 yet know. When it is ready, you'll have to arrange
25 come to the school to pick it up. We don't have the

1 THE CHAIR: Right. Yeah.

2 MS. KAREN WOERNER: So then, therefore,
3 it'll just go to the existing State charter schools.
4 And then we'll see if they take everything.

5 THE CHAIR: Right.

6 MS. KAREN WOERNER: And if not, then we'll
7 move to -- other charter schools?

8 THE CHAIR: I think the next school to be
9 discussed is that -- falls into that other category.

10 So that if we're looking at the potential for
11 closing Dolores Huerta, their inventory --

12 MS. KAREN WOERNER: Would be available to
13 approved schools.

14 THE CHAIR: -- would be available to the
15 approved schools. And that makes a little sense.

16 Commissioner Caballero?

17 COMMISSIONER CABALLERO: Yes.

18 Madam Chair, just a clarification. I know when we
19 crafted our policy, it didn't say just to the
20 charter schools close by.

21 THE CHAIR: No.

22 COMMISSIONER CABALLERO: And -- yeah -- so
23 that charter schools that may be far away are the
24 ones that have the least amount of money available
25 to put into supplies and stuff.

1 capacity to store or transport it. An e-mail will
2 come from Ms. Beery, so that she can have it in the
3 format that makes it easier for her to track who
4 wants what."

5 I anticipated having that done already
6 this week; but I have not, mainly with the issue of
7 reaching the mayor. With your knowledge that the
8 mayor is aware, then we can send that even today.

9 THE CHAIR: But the only thing I'm going
10 to say is I hesitate to make the offer to the
11 schools that may open; because it is a "may open."
12 So I hesitate to let someone pick up materials. And
13 if we don't vote in June for a commencement of
14 operation, now we have to get materials back from --
15 so I think that muddies it. If it was that we
16 had -- if it was a July closing --

17 MS. KAREN WOERNER: That makes sense.

18 THE CHAIR: -- and we had already voted to
19 open this school, I could see making those materials
20 available. But I think at this moment in time, it
21 wouldn't be appropriate to offer it to schools that
22 have not yet received the commencement of
23 operations.

24 MS. KAREN WOERNER: Excellent way. I
25 guess, normally, this is happening at that time.

1 THE CHAIR: Correct. It'll be made
2 available. But I thought when -- there was an
3 express concern about having to actually get the
4 inventory. My one suggestion was, "Well, try to
5 offer to the ones closest, so maybe they can quickly
6 go down and get it."

7 But -- because I did not realize that
8 Ms. Beery was still working; so, hopefully, we can
9 move forward with this. I'm not going to say
10 quickly any longer, because it's seven months now.

11 (A discussion was held off the record.)

12 THE CHAIR: Okay.

13 MS. KAREN WOERNER: So point of
14 clarification, just to be sure I understand,
15 inventory at Anthony should be offered to all
16 currently existing State charter schools. Thank
17 you.

18 THE CHAIR: But it is -- of course, it's
19 on them that they have to come pick it up. And I
20 think -- I've got no problem with Ms. Beery setting
21 a time frame that the material has to be picked up
22 within -- because we need to get those portables to
23 the City of Anthony.

24 MS. KAREN WOERNER: Absolutely.

25 THE CHAIR: So -- but I think a reasonable

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1 time frame and -- you know, whatever she feels is --
 2 is appropriate to do it, because she -- I'm guessing
 3 she has to travel down to Anthony to oversee that.
 4 So -- and I have said I've got no problem. If
 5 someone can't get there, I'm more than willing to
 6 meet someone down there to help them if they need to
 7 pick -- so if she can't make it, and a school wants
 8 to pick something up and I'm not here, I will gladly
 9 meet them in Anthony to help expedite that. So
 10 please feel free to call me.

11 MS. KAREN WOERNER: I have shared that
 12 with Ms. Beery. And I also expressed that I would
 13 be interested in going down as well, just because
 14 I'm trying to learn about all of the closure process
 15 and how it's been handled, just for my own
 16 education.

17 THE CHAIR: Right. Right. it's a
 18 fascinating adventure. All right.

19 MS. KAREN WOERNER: So -- and then that
 20 moves us on to La Academia Dolores Huerta, a meeting
 21 that I haven't included in this group. As you know,
 22 they have filed an appeal with the Secretary of
 23 Education. There's a hearing on February 20th
 24 regarding that.

25 However, I have spoken to the school.

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1 appeal is not granted in their favor, that they will
 2 have to be closing the school at the end of June --
 3 or by June.

4 They have not actually specifically stated
 5 that in the letter. I think it's clear; but it's
 6 implied in the communication they've had thus far.
 7 So I did ask the head administrator to be sure that
 8 that was included in the next communication, just to
 9 be clear that if the appeal is not approved, the
 10 school will be closing.

11 I was also advised that they have had some
 12 conversations with Las Cruces Public Schools about a
 13 possible other option in terms of a magnet school;
 14 but it would not be a charter, per se. So that's
 15 just something that they shared with me.

16 Also, there's a letter from the PED that
 17 normally has gone out from the Deputy Secretary of
 18 Finance and Operations, which is the one deputy
 19 secretary we don't yet have, that normally goes out
 20 to the schools that kind of introduces the
 21 contractor and explains some of the process and
 22 expectations that I've been trying to get signed by
 23 the vacant deputy secretary.

24 And I've sent it to the Secretary's
 25 office. I have not received it back as to who will

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1 They are following the closure steps on the outline
 2 from the PEC. I would say that the only step they
 3 haven't missed -- that they've missed in terms of
 4 the timeline is the parent meeting, where they talk
 5 about student options and transfer of records. I
 6 think they're waiting until after the hearing to
 7 have that meeting; so...

8 COMMISSIONER CABALLERO: That's a good
 9 move.

10 COMMISSIONER VOIGT: Where is that hearing
 11 at?

12 MS. KAREN WOERNER: Here, in this room.
 13 So they have sent -- they have communicated with the
 14 families and with the staff. They did send a letter
 15 to the staff. They also sent the -- they have
 16 communicated via their website, Facebook, and a
 17 Remind app, which the head administrator assures me
 18 that every student's family has access to this
 19 Remind app, which is a form of communication through
 20 your cell phones, where it sends a text message.

21 So they've sent those letters through
 22 those three mediums, the website, Facebook, and the
 23 Remind app, but haven't actually sent a hard-copy
 24 letter. They plan to send another note prior to the
 25 hearing that will specifically state that if this

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1 be signing that letter to send to introduce the
 2 contractor. And I'm not sure if that's related to
 3 the hearing that's coming up or not; but I have not
 4 been given the letter to send out and advised who
 5 should be signing that. So...

6 THE CHAIR: Yeah. Because my
 7 understanding is that letter is -- goes out -- you
 8 know, regard- -- it doesn't stall because of the
 9 hearing.

10 But I -- you know. But I -- maybe because
 11 of the vacancy that hasn't happened. But that's --
 12 that's on them to do that.

13 MS. KAREN WOERNER: So it's at the
 14 Secretary's office to advise me who should be
 15 signing it.

16 THE CHAIR: Well, you know what?
 17 Regardless, there will be a decision fairly soon.
 18 So we'll see.

19 MS. KAREN WOERNER: That's all I know.

20 THE CHAIR: All right. Thanks. I am
 21 remiss. Because I should have removed "7" from the
 22 agenda, because we decided to move that to March.

23 MR. CHAIKEN: Madam Chair, I think that
 24 was the financial frameworks.

25 THE CHAIR: I apologize. I'm looking at

<p style="text-align: right;">Page 110</p> <p>1 this incorrectly. So yesterday, we did look at the 2 Implementation Year Checklist, and we made some 3 really minor modifications to it. And I'm looking 4 for my -- so I'll -- I don't know if anyone wants to 5 make any comments about it. 6 We didn't make any substantial changes to 7 it. We word-smithed a bunch. There's a bunch of 8 dates that were changed. There was one item that 9 will come up in March, because we did make a minor 10 change to the organizational piece as we were 11 discussing yesterday. 12 So that will be a motion in March. But 13 otherwise, I don't believe there were any 14 significant changes to this. But because it still 15 is a kind of a draft. So I'm going to move that the 16 Public Education Commission adopt the Implementation 17 Checklist, as presented at this meeting, subject to 18 technical review and revision. 19 COMMISSIONER ROBBINS: Second. 20 COMMISSIONER VOIGT: I'll second. 21 THE CHAIR: There's a motion by 22 Commissioner Gipson and seconded by Commissioner 23 Voigt and Commissioner Robbins. 24 Any discussion? 25 (No response.)</p>	<p style="text-align: right;">Page 112</p> <p>1 Gipson? 2 THE CHAIR: Yes. 3 COMMISSIONER ARMBRUSTER: Commissioner 4 Davis? 5 COMMISSIONER DAVIS: Yes. 6 COMMISSIONER ARMBRUSTER: Ten-to-zero 7 vote. The motion passes. 8 THE CHAIR: Okay. Now we are on to Item 9 No. 8, which we are going to move to March, because 10 we -- we have some -- we haven't been able to take a 11 look at a clean copy of that. So we need to take a 12 look at that. 13 And I will say that I did have a 14 discussion yesterday, a brief discussion, with 15 Deputy Secretary Bobroff about that contract with 16 Public Impact. And I think we're okay. I think 17 we're okay. 18 MS. LESLIE KELLY: Good. Thank you. 19 THE CHAIR: So we should be able to move 20 forward on that. So, hopefully, March, we will be 21 able to get that clean copy and we can move forward 22 with that. 23 But just so that Commissioners that were 24 not here yesterday -- we did discuss that this will 25 be shared with the schools that we're going to</p>
<p style="text-align: right;">Page 111</p> <p>1 THE CHAIR: If not, Commissioner 2 Armbruster? 3 COMMISSIONER ARMBRUSTER: Commissioner 4 Chavez? 5 COMMISSIONER CHAVEZ: Yes. 6 COMMISSIONER ARMBRUSTER: Commissioner 7 Robbins? 8 COMMISSIONER ROBBINS: Yes. 9 COMMISSIONER ARMBRUSTER: Commissioner 10 Caballero? 11 COMMISSIONER CABALLERO: Yes. 12 COMMISSIONER ARMBRUSTER: Commissioner 13 Voigt? 14 COMMISSIONER VOIGT: Aye. 15 COMMISSIONER ARMBRUSTER: Commissioner -- 16 Commissioner Ruiz? 17 COMMISSIONER RUIZ: Yes. 18 COMMISSIONER ARMBRUSTER: Commissioner 19 Armbruster votes "Yes." 20 Commissioner Crone? 21 COMMISSIONER CRONE: Yes. 22 COMMISSIONER ARMBRUSTER: Commissioner 23 Raftery? 24 COMMISSIONER RAFTERY: Yes. 25 COMMISSIONER ARMBRUSTER: Commissioner</p>	<p style="text-align: right;">Page 113</p> <p>1 subcontract negotiations with, so they'll be able to 2 see it and know that this is what we're planning on 3 doing. It hasn't been approved by the Commission 4 yet; but this is what we anticipate will be 5 populated into the contract. 6 So we hopefully will be able to move 7 quickly forward on that. 8 Item No. 9, Discussion and Possible Action 9 on the PEC Rules of Procedure. 10 We looked at that briefly yesterday, and 11 Bev did jot down one change that was recommended. 12 So I'm going to ask Bev to give us that language for 13 the record. 14 MS. FRIEDMAN: Madam Chair, the one edit 15 for the PEC Rules of Procedure was on Page 3 of the 16 Rules of Procedure. 17 And it reads, "The Chairperson shall rule 18 on motions," comma, "control the floor of the 19 debate," comma, "and conduct meetings in a manner to 20 maintain decorum, time," comma, "efficiency and 21 provide adequate and relevant debate," period. 22 And that is the change. 23 THE CHAIR: Thank you. 24 So are we -- any further discussion on it? 25 COMMISSIONER DAVIS: So I have a question.</p>

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1 THE CHAIR: Certainly.
2 COMMISSIONER DAVIS: So if we vote -- we
3 vote for this motion or against this motion, if we
4 vote against it, then the language stays the same,
5 is that correct?
6 THE CHAIR: Correct, yeah, subject to
7 another motion. But, yes, it -- if it failed and
8 there was no additional motion, the language stays
9 exactly as it was --
10 COMMISSIONER DAVIS: Thank you.
11 THE CHAIR: -- will be, whatever.
12 MR. CHAIKEN: As adopted on April 14th.
13 THE CHAIR: Commissioner Robbins?
14 COMMISSIONER ROBBINS: I move the Public
15 Education Commission adopt the Rules of Procedure as
16 presented at this meeting and read by Ms. Friedman.
17 COMMISSIONER RUIZ: Second.
18 THE CHAIR: There's a motion by
19 Commissioner Robbins, a second by Commissioner Ruiz.
20 Any discussion?
21 (No response.)
22 THE CHAIR: Commissioner Armbruster?
23 COMMISSIONER ARMBRUSTER: Commissioner
24 Voigt?
25 COMMISSIONER VOIGT: Yes.

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1 COMMISSIONER CHAVEZ: Yes.
2 COMMISSIONER ARMBRUSTER: Commissioner
3 Armbruster votes "Yes."
4 So it's a nine-to-one vote.
5 THE CHAIR: The motion passes, nine to
6 one.
7 COMMISSIONER RAFTERY: I didn't vote.
8 THE CHAIR: Commissioner Raftery?
9 Commissioner Davis voted for you.
10 THE REPORTER: What was your vote?
11 COMMISSIONER RAFTERY: Yes.
12 THE REPORTER: Thank you.
13 THE CHAIR: So the motion still passes,
14 nine-to-one.
15 MS. FRIEDMAN: Madam Chair?
16 THE CHAIR: Oh, I'm sorry.
17 MS. FRIEDMAN: May I have the -- may I ask
18 a question of the Commission?
19 THE CHAIR: Sure.
20 MS. FRIEDMAN: I have the Rules of
21 Procedure printed. And they were printed in this
22 format. And, usually, I have them printed in a
23 format that's that big. And my question is, do you
24 all have a preference as to size of the Rules of
25 Procedure?

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1 COMMISSIONER ARMBRUSTER: Commissioner
2 Gipson?
3 THE CHAIR: Yes.
4 COMMISSIONER ARMBRUSTER: Commissioner
5 Davis?
6 COMMISSIONER DAVIS: No.
7 COMMISSIONER ARMBRUSTER: Commissioner
8 Robbins?
9 COMMISSIONER ROBBINS: Yes.
10 COMMISSIONER ARMBRUSTER: Commissioner
11 Caballero?
12 COMMISSIONER CABALLERO: Yes.
13 COMMISSIONER ARMBRUSTER: Commissioner
14 Crone?
15 COMMISSIONER CRONE: Yes.
16 COMMISSIONER ARMBRUSTER: Commissioner
17 Davis?
18 Oh, I'm sorry.
19 COMMISSIONER DAVIS: I get two votes?
20 COMMISSIONER ARMBRUSTER: It's because
21 you're new, and you get two votes.
22 Commissioner Ruiz?
23 COMMISSIONER RUIZ: Yes.
24 COMMISSIONER ARMBRUSTER: Commissioner
25 Chavez?

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1 COMMISSIONER CABALLERO: Big.
2 COMMISSIONER RUIZ: My eyes sure do
3 appreciate that larger print.
4 THE CHAIR: And I think -- I also think
5 that's probably cheaper. Yes? I don't know. But I
6 think that's easier. I think most of us keep it
7 tucked into the binder anyway; so it makes it -- I
8 think it makes it easier. So I think we're -- are
9 we all fine with that?
10 MS. FRIEDMAN: Okay. Because I think I'm
11 going to have to run them off.
12 COMMISSIONER ARMBRUSTER: I am fine with
13 that. My question is, could you just run off that
14 little piece, and we could put it in, instead of
15 running off all of this again? It's just that one
16 addition.
17 THE CHAIR: Well, you know what? I'll
18 leave it to Beverly, whatever is easiest. If you
19 want to print off the page, if it's easier to print
20 off a full page and add it, I'll leave it up to you,
21 an executive decision.
22 MS. FRIEDMAN: I was going to make it a
23 different color, actually.
24 COMMISSIONER RUIZ: You're so good,
25 Beverly.

<p style="text-align: right;">Page 118</p> <p>1 COMMISSIONER ARMBRUSTER: Do we get to 2 vote on that? 3 COMMISSIONER RUIZ: Only if you include 4 Commissioner Raftery this time. 5 THE CHAIR: Okay. Thank you. 6 Okay. We're now on to -- wow, moving 7 quickly. We're on to Report from the Chair. 8 And I'm going to ask Commissioners -- 9 because I thought I did last month's. I don't 10 remember if I did -- 11 MR. CHAIKEN: Madam Chair, are we doing 12 the Legislative Strategy? 13 THE CHAIR: I thought we were doing that 14 later. Sorry. I was leaving that. Actually, I 15 thought I was incorporating that into my report. 16 That's why I thought I'm okay. 17 And I was; but no one came. 18 So Discussion and Possible Action on PEC 19 Legislative Bills and Strategy. 20 So a couple of updates. And that's why I 21 was kind of incorporating that into my report, so 22 that's why I sort of skipped it. But in my report, 23 we can't take action; so this is better. 24 I came up -- I've been up a lot. I came 25 up for SB 1 and the hearings for SB 1. There were a</p>	<p style="text-align: right;">Page 120</p> <p>1 the intent was not to do that. But the intent was 2 that there would just be this 500 to 1,000 3 students -- because the number was in question, that 4 would -- that some schools would be able to increase 5 in that number, and that number would be magically 6 dusted around, but only for a year. 7 So that also didn't make any sense, 8 because, "Now, I'm going to give your school extra 9 students for a year. But then what are you going to 10 do after that year?" 11 So it really was very unclear. That has 12 been pulled out of SB 1. It is not in HB 5. 13 So that was a good effort by schools and 14 other community members to address that issue and 15 have that removed. 16 There's a second piece in both HB 5 and 17 SB 1 that speaks for the charter application. And 18 it asks for a three-year enrollment projection. 19 And I've had numerous conversations with 20 both Senators -- but I had a long conversation with 21 the Chair of the House Ed Committee -- that I don't 22 understand why we're asking for a three-year 23 enrollment projection when we currently ask for 24 five. So why are we reducing the requirement and 25 giving us even less information to make a</p>
<p style="text-align: right;">Page 119</p> <p>1 lot of -- it was amazing the community input in 2 favor of the charters in terms of not having the 3 enrollment cap that was rolled into SB 1, that the 4 Albuquerque Chamber of Commerce came, Kids Can came. 5 There were some real estate agents that -- that 6 independently came up to speak against it. No 7 doubt, there was a great showing. 8 But Charter Schools, I made public comment 9 in regards to it. There was also public comment at 10 that time about the age limit, because SB 1 and HB 5 11 included two things -- three things, actually -- 12 directly related to charters. The first is that 13 there was an enrollment cap that was embedded into 14 the bill. 15 And it read that PED would be able to -- 16 PED would determine what schools deserved to have an 17 increased enrollment cap and take enrollment from 18 other schools. That's how the bill was read -- 19 that's how the bill read. 20 And I spoke specifically against that in 21 terms of the concept of having to disenroll students 22 from a school so that another school could get 23 additional students, and how do you -- talk about 24 equity and trauma. 25 It was changed in the public hearing that</p>	<p style="text-align: right;">Page 121</p> <p>1 responsible decision on? And the response was, "We 2 didn't know you asked for any." 3 So -- and -- I'm sorry -- my response is, 4 "You're right. I don't have a phone," you know, 5 "that it's not like you don't know who any of us 6 are, it's not like we haven't been before you to 7 show you, and it's not like all of this information 8 is not on our website." 9 So if -- so I'm hoping that it's removed 10 out of HB 5 tomorrow. I -- everyone's fairly clear 11 that it should be, because it doesn't make any 12 sense. 13 The third part of SB 1 and HB 5 is the age 14 cap. And the age cap that's embedded in HB 5 and 15 SB 1 is 21 years; so that after the age of 21, 16 students would no longer be eligible for funding. 17 So, therefore, our recovery -- any schools that are 18 on recovery programs would not get funding for those 19 recovery programs. So that there's a general 20 concern, without a doubt, about that. 21 And I wanted to have some discussion here 22 with the Commission in terms of their sense, because 23 as I've said, I don't speak for the Commission 24 unless I understand what the -- what the 25 Commission's direction is in this term.</p>

1 I'll briefly identify what I think is a
2 fair and reasonable system to be set up for this,
3 and you can weigh in on what you agree or disagree
4 or have a different take on it.

5 I still have five years of NCAA
6 eligibility if I want to go back and play college
7 ball. I do. Well, you know, I just -- when I grow
8 up, I might. So I am -- I'm pretty much a supporter
9 of the concept of giving students 17 or 18 years of
10 school eligibility. And if they don't -- if they
11 leave school when they're a sophomore, and they
12 still have -- you still have four semesters or
13 whatever you want to call -- you still have two
14 years of eligibility to come back to school.

15 And whatever rule was created to say if
16 you walk in the door on this given day, and you
17 reenroll in a recovery program, and you're gone in
18 two days, you've ticked off a semester, I'm okay
19 with that, that you can't just -- I understand the
20 bouncing back and forth.

21 But I think -- you know, we hear the
22 stories of these adults that have had the
23 opportunity to come back and get their high school
24 diploma and the value of that high school diploma.
25 And I think unfortunately, the narrative too

1 often -- and I sat next to a woman at the SB 1
2 hearing. And she said, "I wouldn't want my child
3 sitting next to a 35-year-old man."

4 And I said, "They're not. I wouldn't want
5 that, either." You know, that these are adults
6 going in in the evening, and they're not a
7 35-year-old man sitting next to this little
8 14-year-old girl at 10:00 in the morning in
9 Algebra I. That's not what it is.

10 So I think that narrative has to be
11 cleaned up, because that's the vision that a lot of
12 people have.

13 But I think it's -- I hope it's a fair
14 alternative to say, "Give them 'X' amount of
15 semesters," and say, "Here's your opportunity. If
16 you don't avail yourself of it or if you decide, and
17 it -- and you drop out, you've lost -- time ticks
18 off."

19 And I -- you know, I hope that's the route
20 that people go. But I'm certainly not going to
21 express that publicly unless that's something that
22 the Commission also supports.

23 So I'm here to have a little chat about
24 that and see how Commissioners feel about it,
25 because the -- you know, I think the alternative is,

1 it's going to be 21. So there has to be some kind
2 of compromise that's created to make it palatable
3 for those that are -- we're not funding after 21.

4 So I'm open for suggestions.

5 Commissioner Raftery?

6 COMMISSIONER RAFTERY: Do we have -- don't
7 we have special ed kids that go to school till
8 they're 21?

9 THE CHAIR: We do. And, actually, they
10 can go beyond 21. But they don't get services -- no
11 services have to be provided or will be provided
12 after 21. But they could still go after 21.
13 They're just not going to be funded. The law
14 actually says services will not be provided after
15 the age of 21.

16 COMMISSIONER RAFTERY: So we do already
17 have kids going to school till they're 21.

18 THE CHAIR: Correct. Correct. But at
19 this moment in time, because of the recovery
20 programs, we have people -- I went to New America's
21 graduation last summer. And there was a
22 grandmother, a mother, and a daughter that
23 graduated. So there -- you know, the recovery
24 programs are servicing adults that far exceed the
25 age of 21 at this moment in time.

1 COMMISSIONER CABALLERO: We could pick a
2 number like 25, at least -- or no -- no age bracket,
3 I would say.

4 THE CHAIR: And, see, I'm more of the
5 latter, mine, that it shouldn't be an age time,
6 because I think 25 would cut off most of the people
7 that are in our recovery programs. I'm still of the
8 preference, give them a number of years that you
9 have to get funded by education. And if you're 55,
10 and you still have two years left to be funded, we
11 can -- we'll still fund you, you know.

12 So -- but that's -- you know, I think
13 the -- most of our charters would not be supportive
14 of as low an age as 25 with that. Because I would
15 bet -- I would just guess that the -- probably the
16 average is somewhere around 35 or 40 that's coming
17 back to those programs.

18 COMMISSIONER RAFTERY: Can I say
19 something?

20 COMMISSIONER VOIGT: Go ahead.

21 COMMISSIONER RAFTERY: When I was in high
22 school, we had a gentleman. He was about 40 years
23 old. And he would go to class with us all day long.
24 And he graduated with us. And we knew him. And he
25 was a real hard worker, and he was just -- you know.

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1 But it didn't scare us.
 2 Of course, it was a different day and
 3 time. But, anyway, I know that you're talking about
 4 a night school; is that correct?
 5 THE CHAIR: Yes.
 6 COMMISSIONER RAFTERY: So it would not
 7 even be with the kid; so -- so I don't have a
 8 problem with them -- you know, the age doesn't
 9 matter to me. I think that this should -- if they
 10 qualify, let them do it. Thank you.
 11 THE CHAIR: Okay. Thanks. And it is a
 12 new day. So a 40-year-old -- yeah. Commissioner
 13 Voigt?
 14 COMMISSIONER VOIGT: Thank you,
 15 Madam Chair.
 16 The reengagement of adult learners, I
 17 think is so important for our state, because we have
 18 so many rural communities that have been excluded
 19 from access even to public education. When you look
 20 at the Navajo Reservation, in itself, it's so vast;
 21 but also the hardships of a lot of our communities,
 22 just economically: girls getting pregnant at 16 and
 23 having to raise kids -- you know, for them to be
 24 able to have the opportunity to come back and be
 25 reengaged as an adult learner, I think if we didn't

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1 do this, it's telling them, "We don't care about
 2 you."
 3 And the GED? I'm sorry. That's not an
 4 option. A high school diploma outweighs the value
 5 of a GED by so much. And so when we look at this
 6 reintegration of adult learners, I think it's
 7 crucial to stand by our communities to support them
 8 to get a high school diploma. And I'm all for it.
 9 THE CHAIR: And, you know, what has been
 10 expressed -- and I have a good friend who teaches in
 11 a GED program. And most of the GED programs, the
 12 presumption is you have the skills. You just left
 13 school for whatever reason.
 14 And, therefore, the programs that they're
 15 starting with, the success rate is so low with the
 16 GED programs because the students aren't getting the
 17 services they need to be able to move out of that
 18 GED program, because that's not embedded in the GED
 19 program.
 20 But it is in those reengagement recovery
 21 programs, that they do provide those -- that --
 22 those ancillary services to try to move them ahead.
 23 So that's why -- and the GED programs have also an
 24 abysmal success rate.
 25 COMMISSIONER VOIGT: They do.

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1 THE CHAIR: They do. In addition to the
 2 fact that you're absolutely correct.
 3 COMMISSIONER VOIGT: And it's never too
 4 late to try to attain a dream, right?
 5 THE CHAIR: Right.
 6 COMMISSIONER VOIGT: I didn't become an
 7 educator until I was in my 40s. And, you know, it's
 8 never too late. And we don't want to cap people's
 9 dreams.
 10 THE CHAIR: No. And, you know, I'm -- I'm
 11 amazed -- and I hate to say lack of humanity. But
 12 it truly comes out to me as a lack of humanity when
 13 people hear these stories and then can't embrace the
 14 idea of doing this for -- for these folks.
 15 And also, part of the narrative, saying,
 16 "Well, we're giving Higher Ed another \$5 million."
 17 Well, they needed that anyway, you know, just to
 18 fix -- because they also faced all those -- those
 19 cuts.
 20 And just -- just throwing money at
 21 something doesn't make a good program. And
 22 that's -- and I've also had this discussion. If you
 23 could create a program that would give that high
 24 school diploma through that avenue, then fine. But
 25 you can't say, "We're going to eliminate this, pull

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1 the rug out from under you, and we've got no safety
 2 net for you to say, 'But you can go here and get the
 3 same opportunity.'"
 4 And that's not there. And that's --
 5 that's what I'm concerned about.
 6 COMMISSIONER VOIGT: Right. And then also
 7 just the overall value aspect of a GED and a high
 8 school diploma. What's more valuable? We know
 9 which one is, right?
 10 And so a GED is basically, "Here's your
 11 GED. Go work at McDonald's." That's the same thing
 12 as saying, "We don't care about you."
 13 THE CHAIR: Commissioner Crone?
 14 COMMISSIONER CRONE: I partially disagree
 15 with that. There's an exemplary program at Northern
 16 New Mexico College that the graduation rate is close
 17 to 100 percent. And the majority of those graduates
 18 go -- enroll in the college. It's an open
 19 admissions college. And so you can do it right.
 20 But I'm not disagreeing with anything
 21 you're saying. But I just wanted to -- there's
 22 something good about Northern. Did you hear me say
 23 it?
 24 THE CHAIR: Thank you.
 25 COMMISSIONER CABALLERO: Just as an

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1 addition, it's very -- it's not difficult to figure
2 out that the need is great. Because for many, many
3 years, the State went at 50 percent graduation. It
4 has slowly improved, but, still 65, 75 percent only
5 is still a huge percentage of 10, 15, 20, 30 percent
6 non-graduates.

7 And those folks are out there. And
8 they've been out there for many years. And you need
9 to improve our population.

10 THE CHAIR: You're absolutely right. But
11 I'm going to give a shout-out to Las Cruces, because
12 we have an 85 percent graduation rate. So it's --
13 there's -- through a lot of effort. And it's --
14 considering the diverse population, it really --
15 it's good hard work that's being accomplished.

16 So, Commissioner Robbins?

17 COMMISSIONER ROBBINS: Just for
18 clarification, the graduation rate that's generally
19 reported is a four-year graduation rate. If you're
20 in special ed, and you're there until 21, like my
21 son was, the year he turned 22, he ended school.
22 But he spent basically six-and-a-half, seven years
23 in high school. So he didn't count in the four-year
24 or the five-year or the six-year graduate. But he
25 did graduate.

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1 You know, I struggle with this. I mean,
2 part of me says, "Yes," and I can remember a very
3 early vote where I did this, by the way. And a part
4 of me says, "Well, you know, we look at the schools.
5 They're getting SEG money for 25 kids, and five are
6 graduating." Not the four-year, you know, but for
7 this group. That's a lot of money going.

8 Then I'm listening to Tim and checking
9 about the GED issue, which is at least you can get a
10 job or go on to college.

11 And so how long do you want to go without
12 either the high school diploma or the GED? And by
13 offering the high school diploma, then you still
14 have a lot of years where you're really not
15 employable, because you have not matriculated from a
16 higher education.

17 So I truly have this conflict. I was just
18 asking Tim if -- you can't just go get a GED,
19 because you have to have some information to be able
20 to pass the test. And I don't know what it's called
21 anymore. But, regardless, we all know what that
22 means. He was saying -- what I understood you to
23 say was --

24 COMMISSIONER CRONE: Let me correct
25 something. You can just go take the GED. When

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1 He was special ed. He was D-level special
2 ed. Does that high school diploma -- does that high
3 school diploma mean the same as someone who was in
4 advanced math or advanced science? No. But he does
5 have a diploma.

6 So -- and my daughter got a GED because
7 she was home-schooled the last two years of her high
8 school. We home-schooled her. And she went to a
9 private program. She got her GED. She went to
10 college, got her Associate's degree, became a
11 Registered Nurse.

12 And when she ended nursing when she
13 started having kids, she was making over \$30 an
14 hour. So a GED doesn't mean you can't get a job.

15 THE CHAIR: So the sense of the
16 Commission, are we in support of a maximum number of
17 years to say you are eligible for funding and --

18 COMMISSIONER CABALLERO: I am.

19 COMMISSIONER ROBBINS: Uh-huh.

20 COMMISSIONER ARMBRUSTER: I'm sorry,
21 Madam Chair. So we're talking about whether we want
22 to have an unlimited age --

23 THE CHAIR: Uh-huh.

24 COMMISSIONER ARMBRUSTER: -- to go back to
25 school?

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1 David was talking about his daughter, there are a
2 number of students at Northern -- and other
3 colleges, not just Northern -- that enter at 14, 15,
4 16. And with the dual credit and concurrent
5 enrollment, a lot of them are doing it that way.

6 But some young people just don't like high
7 school. And they take the GED and go right to
8 college; so that happens as well.

9 COMMISSIONER ARMBRUSTER: Right. But if
10 they go to a community college because they dropped
11 out of high school when they were a sophomore,
12 they're now 20, but they don't have the skills to
13 pass the math or the skills to pass the reading --
14 and I'm asking you this. Do -- are there classes
15 that prepare them to be able to pass it?

16 COMMISSIONER CRONE: Yeah. That's --
17 there is an instruction program where they prepare
18 you to pass the test.

19 COMMISSIONER ARMBRUSTER: So I guess my
20 conflicted feeling is that I would say we should
21 limit it; because I think that we're paying SEG
22 money where they could be going to get it -- I don't
23 know. It's, like, a terrible --

24 THE CHAIR: And I'm going to add that in
25 my area in particular, there is a transportation

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1 challenge to get to the community college. If you
 2 don't live within the city limits of Las Cruces, if
 3 you live anywhere in Doña Ana -- outside of Doña Ana
 4 County, for you to get yourself to the branch of the
 5 community college, for many of these people, they
 6 can't do that, because we don't have public -- we do
 7 not have good public transportation in Doña Ana
 8 outside of the city limits.

9 So that option really isn't -- and a lot
 10 of it is timing, as -- you know, to some extent, for
 11 when those -- because when and where those programs
 12 are offered is --

13 COMMISSIONER ARMBRUSTER: So then is this
 14 bill that all high schools will offer that?

15 THE CHAIR: No, no, no. The bill says,
 16 "We will not provide SEG money after the age of 21,"
 17 period. That's it.

18 COMMISSIONER ARMBRUSTER: So right now,
 19 does every high school -- because we're talking
 20 about transportation. So does every high school
 21 allow older students?

22 THE CHAIR: You have to have a recovery
 23 program accepted through --

24 COMMISSIONER ARMBRUSTER: So the
 25 transportation may be still an issue is what I'm

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1 saying. Yes?

2 THE CHAIR: It could be. But I think if
 3 you're limiting it, it becomes more widely available
 4 when it's a local school, as opposed to having to
 5 get to a branch of the community college, which in
 6 my area, is in Gadsden. And it's in the City of
 7 Las Cruces. So if I'm living in Hatch, I've got a
 8 little bit of a hike, you know.

9 COMMISSIONER ARMBRUSTER: And so Hatch has
 10 Hatch High School, if that's what it's called.

11 THE CHAIR: I can't speak and say they
 12 have a recovery program. I do not know. But I
 13 think if it's available, there are more
 14 opportunities for recovery programs to stay where
 15 they already are and potentially expand.

16 But I'm not saying that this is going to
 17 open the door for a lot of new programs. But the
 18 opportunity is there. But right now, I'm -- what I
 19 am absolutely saying is there will most likely be
 20 charter schools that have to close if the recovery
 21 program -- if the recovery program closes. That
 22 will -- I can guarantee you that will happen.

23 COMMISSIONER RUIZ: I was just going to
 24 say, we have credit recovery in Hobbs. And even in
 25 our main campus or our alternative campus, neither

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1 of those allow anyone over the age of 21, because
 2 the GED option is there. And we have a lot of
 3 success rate.

4 And at the junior college, they even offer
 5 classes for those students who are pursuing a GED
 6 that are not even at a cost to the student. They
 7 have -- it is at our junior college campus. But
 8 they're free classes in the evening, and it enables
 9 those people that are over the age of 21 to pursue
 10 that avenue.

11 So I don't know. I'm kind of torn here.
 12 I'm really torn. I see that it's going to affect
 13 charter schools; but -- I don't know. I don't think
 14 having a -- just, all these older kids or adults --
 15 they're not kids; they're adults -- is necessarily a
 16 good thing.

17 But, I mean, we don't do it in Hobbs. And
 18 we've never had an issue there. And I know we're
 19 just one district; but --

20 COMMISSIONER VOIGT: You know, a school
 21 that comes to mind right away is Gordon Bernell,
 22 which is an APS charter school. But they have
 23 probably -- at least 99.8 percent of their
 24 population is over 21 that have been incarcerated,
 25 or still are, but are eager to learn and get their

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1 high school diploma.

2 I know there are several charter schools
 3 that have evening programs exclusively for their
 4 older learners that are reintegrating. And I think
 5 that's the operative word here is "reintegration."
 6 It's recovery. It's not integration into, you know,
 7 an existing community population.

8 These are adults that have made the
 9 concerted effort and are motivated to -- to get
 10 their high school diploma.

11 And I like -- if there were some amendment
 12 or some type of conditions based on SB 1 about the
 13 reintegration of adult learners who stay enrolled
 14 for 18 consecutive months, you know, or something
 15 like that, as -- because of the commitment of the
 16 SEG, the State funding.

17 Now, as a breakdown to the State funding,
 18 age groups receive various amounts -- different
 19 amounts within the SEG. So I don't know what that
 20 amount is for 20-year-olds and over. I know it's a
 21 lot less for middle school and it's a lot less for
 22 elementary-school-age kids. Do we know what that
 23 is?

24 THE CHAIR: I hate to say 100 percent.
 25 But I think it's funded at whatever high school --

1 COMMISSIONER VOIGT: Okay. That makes
2 sense.

3 THE CHAIR: I'm pretty sure. Because I
4 think part of the narrative is, can we potentially
5 create a separate SEG funding formula for those
6 reengagement programs so that it would be funded at
7 the same level as a traditional high school student
8 would be?

9 So that that is -- and to tie into what
10 you said a little bit, there were -- there was
11 testimony that was -- that was offered by a number
12 of individuals that stated that they broke probation
13 to go back into the detention center so they could
14 go get their high school diploma. They felt that
15 that was their only alternative, because they wanted
16 a high school diploma, and they knew they could get
17 it if they went back to the detention center. So
18 they violated their probation.

19 COMMISSIONER VOIGT: That speaks volumes.

20 THE CHAIR: It's the same environment. So
21 I think that does speak volumes to the importance of
22 keeping that option open in communities for the --
23 and I know in my area, the local traditional school
24 actually directs students to those referral programs
25 that are in the charters.

1 That's the expectation. You can go there
2 and you can get it. So if we're -- so they may not
3 have the program; but they know the program exists
4 within their community through those charter
5 schools. So they know the opportunity is there, and
6 they direct the students to there. And we're -- you
7 know, we're looking to close those programs.

8 COMMISSIONER VOIGT: Yeah. And some of
9 those schools here in Albuquerque are the, quote,
10 unquote, dumping grounds, and they've even been
11 acknowledged as that by other educators, like RFK
12 Charter School. They have older students.

13 Now, a lot of these students, keep in mind
14 we're looking at this just from the charter school
15 lens, right? The evening programs that I know of,
16 like at Cesar Chavez and Gordon Bernell and New
17 America School, they're part-time. Those kids even
18 go part-time because a lot of them are working, like
19 maybe a .5 student. So they're assisting these
20 adult learners around their schedule to give them
21 the classes that they need to get their high school
22 diploma.

23 THE CHAIR: So I'll ask once again. I'm
24 trying to get a sense of the Commission.

25 COMMISSIONER ROBBINS: I think it's better

1 to allow a time frame rather than restricting --

2 THE CHAIR: A number of semesters.

3 COMMISSIONER VOIGT: Yeah, I like that.

4 THE CHAIR: A number of semesters funded?

5 COMMISSIONER ROBBINS: Uh-huh.

6 COMMISSIONER CABALLERO: I go for the
7 number of years left.

8 THE CHAIR: Okay. Yeah, that's what --
9 okay. All right.

10 So if we can move on, there was a -- just
11 to keep you updated, Representative Trujillo did
12 drop a charter moratorium by last week.

13 COMMISSIONER CRONE: Which Trujillo?

14 THE CHAIR: Christine. And I think that's
15 429 maybe. I'll get the number. There has been no
16 hearing set for that right now. I'll keep you
17 posted on that.

18 You know, there's a number of concerns
19 with the concept of moratorium. You know, there's a
20 concern about the new applicants, what's going to
21 happen with them in terms of the timing.

22 But what many people don't understand is
23 that the -- a moratorium being passed dries up
24 funding for schools in terms of being able to get
25 financing for facilities that they need. It drives

1 up the interest rate, because the -- the State has a
2 moratorium.

3 So the word "moratorium" sends a message
4 out to grant providers and lenders that the State is
5 no longer charter-friendly. And by that, I'm not
6 saying we're looking to open up a whole bunch of new
7 charters; but the concern is if there's a
8 moratorium, are we going to start closing as well.

9 So that they -- lenders, in particular,
10 aren't going to dig into the minutiae of a bill.
11 They just look at that. So it drives up interest
12 rates for schools that have an obligation, by
13 statute, to get into public facilities, and now
14 they're being hampered in their opportunity to try
15 to pursue that, because lenders are no longer going
16 to lend the money, or they're driving up interest
17 rates to exorbitant -- and I know there is a charter
18 facility funding bill as well. But it's not going
19 to be the panacea for all schools. It's a baby step
20 in terms of making the money available.

21 So -- and schools that are relying on
22 grants coming in, grants dry up when a moratorium is
23 created by the state. So it -- it stops schools
24 from being able to offer programs that they wanted
25 to, because they were relying on grant money. So

1 that it has effects that people don't see.

2 So we'll track that bill and see what --
3 what comes up with it. I provided -- Beverly sent
4 out SB 423, which was dropped last Wednesday. And I
5 think it was made available on Friday. I had given
6 the opportunity for Lisa Grover, who wrote the bill,
7 to come and speak today. I spoke with her on
8 Friday.

9 Commissioner Crone, myself, and
10 Commissioner Caballero, at the last regular LESC
11 meeting, each of us were given the opportunity to
12 speak right after they presented on the concepts of
13 the virtual charter. And we -- I think we gave them
14 a pretty clear picture.

15 So Lisa had reached out to me when she did
16 finally drop the bill. I kept looking, and I
17 couldn't find it. And then she called me and asked
18 me if I would meet with her because she knew how we
19 felt.

20 And I had a long conversation with her.
21 It didn't persuade me to change my mind. But I
22 don't speak for everyone. We have three new
23 Commissioners on. So I was clear what the sense of
24 the full previous Commission was. And I said I want
25 to give everyone an opportunity to weigh in on this.

1 policy, come out against virtual schools. In fact,
2 they support them. So as a representative of that
3 organization, she feels an obligation to make
4 this -- and Senator Stewart is the sponsor of the
5 bill.

6 COMMISSIONER ARMBRUSTER: Mimi Stewart?

7 THE CHAIR: Senator Stewart. Because it's
8 on the name -- I'm pretty sure her name is on the
9 top of the copy that I sent you.

10 COMMISSIONER CABALLERO: I think that the
11 main concern, Madam Chair, was that the regs and
12 everything, the statutes were void of what a charter
13 school could do, whether they should be around.
14 There are senators and representatives that feel
15 that they should change the laws to read, "No
16 virtual charter schools allowed in the state."

17 And so the sentiment is still there. So
18 this at least puts something there to regulate what
19 the -- what they don't want.

20 THE CHAIR: It doesn't. It allows for the
21 school.

22 COMMISSIONER CABALLERO: Right.

23 THE CHAIR: So it doesn't regulate it, any
24 more than -- so, honestly, it doesn't regulate the
25 virtual schools except for the fact that it caps for

1 And without prejudicing individuals by my
2 interpretation of the bill, I offered her the
3 opportunity to come here. She's not here.

4 So I'm going to, you know, open it up and
5 see. Excuse me?

6 COMMISSIONER ARMBRUSTER: Four new
7 Commissioners.

8 THE CHAIR: Oh, I'm sorry, yes. Four new
9 Commissioners.

10 COMMISSIONER VOIGT: Clarifying question.
11 So is House bill 429 the moratorium and the online
12 bill?

13 THE CHAIR: No, 423 -- SB 423.

14 COMMISSIONER VOIGT: Oh. Is the online
15 bill. And it was dropped by Grover.

16 THE CHAIR: She wrote --

17 COMMISSIONER VOIGT: She wrote the bill?

18 THE CHAIR: Yes. Why?

19 COMMISSIONER VOIGT: Because I didn't
20 think she would be a proponent.

21 THE CHAIR: Okay. This is what came up in
22 the conversation. Because she is a representative
23 of a national organization, the National Charter
24 School Alliance, I believe is the formal name. The
25 National Charter School Alliance does not, as a

1 the first year a maximum number of 200 students.
2 But outside of that, it doesn't place any additional
3 regulations outside of what we may -- if it is a
4 State charter.

5 And the bill reads that if you're going to
6 take students outside of your school district, then
7 it has to come to the PEC, and it's a statewide
8 charter. It limits to 200 students the first year,
9 and it limits to grades. But in terms of other
10 regulations, it's our policies and processes that
11 would monitor that.

12 So it doesn't -- it doesn't put any more
13 regulations on that school in that bill. So
14 that's -- for me, that's the --

15 COMMISSIONER CABALLERO: The weakness.

16 THE CHAIR: When we had the renewal
17 hearing with Connections, it was the overall concern
18 expressed directly by the head of the governance
19 council of that school that his -- I think his
20 opening statement was, "Do you know how big
21 New Mexico is?"

22 "Well, sort of, you know. Didn't you?"

23 When -- and the concern was we've got
24 students all over New Mexico. So how do we keep
25 track of all of these students and the problems with

1 doing whatever the statewide-required assessments
2 are, the problems of getting students to test sites.

3 They don't want to come. The reason why
4 they're going to these schools is, "I don't want to
5 travel." There's -- they had to travel, some of
6 them, 50 miles to get to a test site because we've
7 got broadband issues. So many of these students are
8 in very remote areas of the state. So now to find a
9 testing site -- and I know this bill does address,
10 "Oh, we're going to ask the local school district if
11 they'll allow us to be a testing site."

12 Well, Connections did that. The school
13 district said, "No, we're not going to -- we're not
14 going to do that."

15 So -- "Yeah, we're going to ask the Boys
16 and Girls Club if we can use them as a testing
17 site."

18 It just created these -- these challenges.

19 We know that there's challenges with the
20 governance council meetings. How do we monitor the
21 governance council meetings? Because we're talking
22 about governing councils that are all -- members are
23 all around the state. They never meet in person.

24 COMMISSIONER CABALLERO: Right. That's
25 what I was about to say.

1 allowed to have lease reimbursement.

2 COMMISSIONER VOIGT: Okay. Yeah. Makes
3 sense.

4 THE CHAIR: But then the concern becomes,
5 so where are they housing student records?

6 COMMISSIONER VOIGT: They must have
7 business offices or something. I mean -- you know.

8 THE CHAIR: So how do they pay -- and I
9 fully agree that they shouldn't have lease
10 reimbursement. And we're reducing the SEG. So now
11 they're going to say, "We have even less money to
12 offer programming because we have to rent this
13 space."

14 It's just -- there's -- and I haven't --
15 well, I have multiple issues. But if we're talking
16 about a cap, an enrollment cap on this level through
17 SB 1 and HB 5 initially, and saying it was really
18 500 students, but we're going to say -- but we're
19 going to allow 200 students in that virtual school,
20 I'm not willing to give away 200 seats of the 500
21 that they think are out there to a virtual school
22 that doesn't mean -- when I met with Lisa, she said
23 this they addressed the issues that the LESC and the
24 LFC had addressed. And those are primarily the
25 financial ones, the SEG money and the lease

1 THE CHAIR: And they don't -- they don't
2 make available, really, public comment in those
3 meetings. It's -- you know, I know they've had --
4 CSD has had difficulties in trying to get on when
5 they've been having these virtual governance council
6 meetings. So now if you're even a parent and you
7 want to express a concern at their governance
8 council meeting, there's challenges.

9 COMMISSIONER CABALLERO: You can't.

10 THE CHAIR: And there's challenges with --
11 you know, there's also that challenge of where is
12 this curriculum coming from? You know, we face
13 that. Is it going to be one of these big companies
14 again, so that we're buying into that? They did put
15 in there there's a different funding formula for
16 those students.

17 COMMISSIONER VOIGT: For the for-profit
18 schools.

19 THE CHAIR: No, no, no. We will never use
20 the word "for profit" because they're not. And we
21 do not authorize a for-profit school. But there's a
22 different funding formula, because they don't need
23 the State SEG.

24 COMMISSIONER VOIGT: Facilities, yeah.

25 THE CHAIR: And, in fact, they're not

1 reimbursement.

2 It wasn't the monitoring concerns. And
3 that's what I told her. "It's easy. You're not the
4 authorizer. You're not having to deal with the
5 challenges of the oversight of a statewide charter."

6 So that's my conversation with Lisa. The
7 hearing is Monday morning.

8 COMMISSIONER CABALLERO: One of the
9 problems that I tried to -- and I asked many
10 questions about the teacher-student ratio, because
11 Patricia was teaching, at that time, Internet
12 courses. And she felt that in the beginning, oh,
13 45 students through Internet, no big deal. And it
14 is overwhelming.

15 And they never answered -- they never
16 answered that question at all: How much -- how much
17 of what you get per student do you have to pay out
18 for your program or software?

19 Never answered. So it is problematic.

20 THE CHAIR: Yeah. And you're absolutely
21 right. That student-teacher -- because you think,
22 oh, yeah, it's all online. But if you're doing an
23 AP course, there's still got to be papers you have
24 to grade. And on the whole other end, I have some
25 serious concerns about special ed services that are

<p style="text-align: right;">Page 150</p> <p>1 provided 100 percent online. 2 COMMISSIONER VOIGT: Right. 3 THE CHAIR: I just can't see that. 4 COMMISSIONER VOIGT: You can even do PE 5 online now, which is perfect, because I was a PE 6 teacher. But, you know, my biggest concern is also 7 the rigor of the academics, you know. And then the 8 assessment piece, you know, the fidelity behind 9 assessment. Is the kid taking his physics test at 10 home with his uncle that works at Los Alamos Labs, 11 or whatever. But I'm totally down with you on what 12 you've said. 13 THE CHAIR: And I think there is that 14 whole other -- well, "We've recorded that you logged 15 on, but you don't know that I've logged on." And 16 through their own testimony, you never had to -- 17 there's no interaction. And I never had to 18 participate in a live lesson. So they're all 19 record. So I could be there, and you could -- if it 20 was live, you could e-mail -- or, you know, 21 whatever -- a question. 22 But, of course, there's -- there's no 23 actual visual; so that they can't see who's -- who 24 you're interacting with. 25 But if I didn't want to log on then, I</p>	<p style="text-align: right;">Page 152</p> <p>1 know. But I'll be honest. There is no NOI, from 2 what I can see -- I've looked at the NOIs. I do not 3 believe there is an NOI for a full-time -- for a 4 full-time online this year. So I don't think she's 5 got a school that is interested now. So I don't 6 think it would come up. 7 But -- and here's what some individuals 8 have said to me. "So just say no when a school 9 comes up." It's, like -- but do you know the 10 manpower that's involved in doing that application 11 and doing the review of the application and the time 12 and effort and energy, when it's like, "Oh, just say 13 no when it comes up?" 14 There's also that appeal process. So we 15 can't just randomly say no. 16 COMMISSIONER VOIGT: So back to what you 17 were saying about the whole complete online stuff, 18 enough of our charter schools already provide a 19 blended learning environment. For those unique 20 cases or snow days or whatever, there's already 21 that. 22 And I don't think the need for an 23 exclusively all-online charter school is something 24 that we really need to have in our state. 25 THE CHAIR: I'm sorry. I just got a text</p>
<p style="text-align: right;">Page 151</p> <p>1 could just see that lesson recorded, so that I never 2 had to do a live lesson. So who knows whether your 3 older brother is doing it for you, and if there's 4 three students in the home that are all part of 5 this, who knows who's doing what for whom? 6 That's -- you know, I prefer an 7 opportunity for a school district to do this. And 8 they always have that option to knock on the door 9 and say, "Where have you been? What are you doing?" 10 You know. 11 And I think there's the need for a very, 12 very small number of students that need this all the 13 time. I fully understand that. I think there's a 14 need for students that need it for short-term. I've 15 got an injury; I've got an illness; I have a job. 16 I -- I think I've told people. I had a 17 student who was a model. And she would go off to 18 photo shoots. And she would be able to keep up. 19 But she would be gone for a week, two weeks, and 20 then she'd come back, and she was able to keep up 21 because our curriculum was there online. 22 But, otherwise -- 23 COMMISSIONER CABALLERO: So the moratorium 24 is for this -- 25 THE CHAIR: No, no, no. That's -- oh, I</p>	<p style="text-align: right;">Page 153</p> <p>1 from Lisa Grover. 2 COMMISSIONER VOIGT: Ask her if her ears 3 were burning. 4 COMMISSIONER ARMBRUSTER: Well, I mean, 5 the thing is that both Connections and the virtual 6 school, who is not one of ours, the fact that they 7 buy their curriculum from those companies is a 8 profit for those companies. I understand that they 9 themselves are not classified as profit. But when 10 you're giving millions of dollars from our SEG -- 11 because, remember, they can take 2,000 students. 12 COMMISSIONER VOIGT: But textbooks are 13 for-profit also. 14 THE CHAIR: So just to be clear, they 15 can't take 2,000 students. This is capped at 200. 16 COMMISSIONER ARMBRUSTER: The new ones, 17 yeah. 18 THE CHAIR: The new ones are capped at 19 200. But just for a year. And then if they do 20 swell, we can just increase their cap. 21 COMMISSIONER ARMBRUSTER: This is better 22 than what probably exists. I'll say that. One 23 thing before Karen goes, who knows more than I do. 24 But you know what? Because -- the fact 25 that whatever we want to think about the PARCC test</p>

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1 and whether the testing was fair and all that
2 doesn't really matter. The fact is that their kids
3 were not doing all that well, even though I know
4 this last year they got a "D"; but they didn't have
5 enough kids tested. That's why they got an "F."
6 "D" is not just, like, high on my ability to think
7 that it's great.

8 And their lowest performing quartile, my
9 kids, are still "F"s. So they weren't doing
10 particularly well with any group, regardless. And
11 we have already somehow convinced a school who was
12 going to do K-12 online virtual schools. But it's
13 not only discriminatory, because every child who
14 does not have a -- an adult, whether it's a parent,
15 aunt, uncle, whatever, cannot be in virtual schools
16 until you're -- what? Ten in New Mexico?

17 THE CHAIR: Something like that. You have
18 to have someone who signs off as your, quote,
19 unquote, instructional coach, if you're under that
20 age.

21 So I kind of felt I knew where the
22 Commission was -- was going to land on this. My
23 bigger question is, is this something that we want
24 to simply just say, "Whatever, whatever"? Or is it
25 something that you expressly want me to speak

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1 charter starts out well, small, and does well and
2 can demonstrate they're doing well.

3 The problem currently is a charter can
4 come in unlimited. They have -- you know, they say,
5 "We're going to do all this," and then after three
6 or four or five years, they're not doing, yes, you
7 can close it down.

8 But there is a need and there is an
9 opportunity for a lot of people in this state -- the
10 same thing we were talking about with recovery
11 programs and being able to provide a funding
12 mechanism for that -- there are students in the
13 state who are capable of doing a 100 percent
14 charter -- 100 percent virtual. There are adults
15 that are doing 100 percent college -- 100 percent
16 college virtual.

17 And I know some that are teenagers. I'm
18 talking about 16- and 17-year-olds getting full
19 college credit online, and they will get a degree
20 online, and they can take that degree and go get a
21 job. And they will have 100 percent -- they're 16
22 or 17 years old, because they're motivated and
23 dedicated.

24 I think this is the challenge for a
25 charter school. Charter schools are not for

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1 against? That was --

2 COMMISSIONER VOIGT: Madam Chair. I would
3 encourage you to speak against it.

4 COMMISSIONER CABALLERO: I would, too.
5 And if you could get a meeting with Senator Stewart,
6 if you think that's a good idea, with some of us
7 and --

8 THE CHAIR: The problem is it's being
9 heard in Senate Ed Monday morning. It fast-tracked
10 because it just dropped. And I -- that's one of the
11 bills I'm tracking through -- actually, thank you,
12 Commissioner Armbruster. She sent me a bill
13 tracker. And it's actually working.

14 And I got the ding late last night that
15 it's set for -- that it's -- that it's on the agenda
16 for Senate Ed on Monday morning. So it offered no
17 time to speak to anyone. And that's unfortunate.

18 COMMISSIONER DAVIS: Is that by design?

19 THE CHAIR: Ooh, who knows?

20 COMMISSIONER ROBBINS: I have a -- I have
21 a slightly different take on this. To say -- if
22 you're opposed to this bill, which I think there's a
23 lot of good things in here in terms of restrictions
24 and limiting and everything, to give this Commission
25 the ability to provide greater oversight, if a

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1 students that dropped out. They are not for
2 students who do not have strong oversight or
3 dedication for themselves. And the thing it comes
4 into, how is that charter marketing itself? How is
5 it supporting the student? I think that's something
6 we would have to come up with the rules of
7 engagement and things like that.

8 I think this bill -- to just say throw
9 this bill out and say no, well, we're back to where
10 we're at right now to where you have unlimited. And
11 I would rather put some controls in place,
12 reasonable controls in place that we have the
13 opportunity, where we see that there is a true need,
14 and a charter is truly trying to meet that need of
15 permitting that, rather than saying, "We're just
16 going to pull the rug out."

17 It's kind of the same thing. In a way, if
18 a charter -- even an existing charter -- all of a
19 sudden, well, if this is the first step -- you know,
20 if we take this away, well, do you just open up the
21 floodgates and then you have challenges where
22 everyone comes in and if we say no, now you have
23 challenges for all of that?

24 So I would rather have some statutory
25 backup that we can lean on to say, "You have to meet

1 these conditions." And we can put those conditions
2 on virtuals, I think, rather than saying, "Let's
3 vote against this and throw it out," and we're right
4 back to square one. That's just my take.

5 THE CHAIR: Right. And I get it. And as
6 I've expressed, I don't disagree that there's a need
7 for a virtual charter school. I think it's better
8 for the district to establish that charter, so
9 there's greater oversight there. I give you one
10 possible alternative that might -- if this bill went
11 through, might ease some angst for individuals with
12 the concerns about these virtual charters.

13 And I think one of the concerns is the
14 companies that provide the -- the platforms for the
15 virtual schools, they fall into the category of a
16 charter management organization. That's what they
17 are.

18 And so here's my alternative: That
19 there's statute that does not allow charter
20 management organizations in the State of New Mexico.
21 And, therefore, if a virtual charter was proposed,
22 it would have to be an absolutely home-grown school,
23 and there would be no outside bigger organization
24 that would -- that money would be going to.

25 And here's another concern about CMOs.

1 Even if it's in the state somehow, you're creating
2 another layer of where the state money is going to
3 profit someone -- not necessarily profit, but to
4 enrich their salary to oversee this. And then you
5 have those other layers that have to be in the
6 school; so that there's a number of issues with
7 CMOs.

8 And just as K12 -- although some consider
9 them educational management organizations, which are
10 for-profits, but in New Mexico, because we don't
11 allow for-profits it's a CMO. KIPP. KIPP schools
12 are CMOs. And there's -- there's multiple others.

13 So if we were able to get in a statute --
14 because right now, the statute allows CMOs. But if
15 we could block CMOs, that might take away some of
16 the angst if this did happen.

17 COMMISSIONER VOIGT: Madam Chair? And,
18 you know, because our statute does allow CMOs, I am
19 shocked that we haven't had a stampede for KIPP,
20 Green Dot, all these -- the MET [ph] schools; I
21 mean, all these CMOs that exist around the country
22 that are doing well with their student bodies come
23 knocking at our door. It's really surprising that
24 we haven't.

25 THE CHAIR: They're at the door now.

1 COMMISSIONER VOIGT: Yeah, hence this
2 bill. When I opened Media Arts Collaborative School
3 in 2007, K12, Inc. knocked at our door. They wanted
4 to provide an online platform. They brought
5 pastries from Le Chantilly Bakery. There was a team
6 of 12 from Virginia that called on us to buy their
7 online platform.

8 They were going to fly us to Virginia.
9 And they guaranteed us within three years we would
10 have 3,000 students. Like that's what we wanted,
11 right?

12 We put them on hold. We said, "Let us
13 check it out. We'll think about it," myself and our
14 governing board.

15 Well, we found them on the NASDAQ, K12,
16 Inc., and then we made our decision, which was no.
17 But I know they're here. They're at New Mexico
18 Virtual School, K12, Inc. is. And they are an
19 educational management platform.

20 But so is Edgenuity. And Edgenuity is a
21 credit recovery program that probably at least
22 87 percent of our schools and school districts
23 utilize, in addition to Plato, which is another
24 online platform for credit recovery.

25 So there's -- the online curriculum, the

1 canned curriculums, they're out there. But when
2 schools are innovative, like most charter schools
3 are, they will utilize a blended platform, which
4 might include Edgenuity, Plato, and Khan Academy,
5 which is something that can really be streamlined
6 and individualized within a classroom setting. If
7 you haven't looked at Khan, check it out.

8 Salman Khan has a great story about how he
9 developed his online studies.

10 COMMISSIONER CABALLERO: Madam Chair, I
11 actually don't like virtual -- 100 percent virtual.
12 To me --

13 THE CHAIR: Tell us -- be specific about
14 this.

15 COMMISSIONER CABALLERO: I will tell you,
16 I just don't like them, and I don't think they're
17 good for students.

18 I know there's a need for students to be
19 on the computer and online. But we do have some
20 that are a mix. And they have an actual school;
21 students can go there and be talked to, somebody
22 face-to-face. They get services.

23 The adults that are now doing a lot
24 online, they have a campus they can go to for
25 tutoring. They have a campus to go to for whatever

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1 is it that they need, and it's there.

2 But 100 percent online, I -- it's just
3 beyond me how students can actually thrive. But
4 there is a need, and maybe locally, we can have the
5 blended. But I thought they would be more
6 successful, because I was trying to give the benefit
7 of the doubt. But when the school came here, it
8 was -- it was bad. Wow.

9 THE CHAIR: It was bad and sad. You know,
10 it really was.

11 COMMISSIONER CABALLERO: And the number of
12 students that got hurt by that --

13 THE CHAIR: Absolutely. And that's
14 what -- ultimately, that's what we're supposed to be
15 about. So I'll ask again. Is this something that
16 we want to speak out against?

17 COMMISSIONER RAFTERY: Yes.

18 COMMISSIONER DAVIS: Yes.

19 COMMISSIONER CABALLERO: (Indicates.)

20 THE CHAIR: So I have had some preliminary
21 conversations with folks about looking at a -- a
22 banning of CMOs.

23 COMMISSIONER CABALLERO: Yes.

24 THE CHAIR: So that that's -- it probably
25 will not be a separate bill. It'll -- it most

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1 that building would go if the school was closed.

2 And I think that closes that gap as well. So right
3 now, I think that's all that's on the horizon.
4 We've still got a lot of days left in the
5 Legislature.

6 MS. KAREN WOERNER: Madam Chair, I just
7 wanted to share with you all that it might be more
8 pressing than you think about virtual, because we've
9 had some interest in attending some of our trainings
10 by the New Mexico Virtual Academy that Farmington
11 has not renewed.

12 So I just wanted you to be aware that --
13 because you mentioned that this -- and I don't think
14 any of these schools --

15 THE CHAIR: What trainings?

16 MS. KAREN WOERNER: They want to come to
17 renewal; but I don't think they're eligible for
18 renewal.

19 They want to come to training; but I don't
20 think they're eligible.

21 THE CHAIR: No. And I've had -- not
22 recently. But I've had multiple conversations with
23 the superintendent and the assistant superintendent
24 in Farmington to outline the fact that if a school
25 is not renewed, they don't get an opportunity to go

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1 likely will just come as an amendment on something,
2 to get it on -- to get it on; because it doesn't
3 require just a whole complete separate legislation
4 for it, and it will be easier if it can just go on
5 as an amendment to something.

6 So I think -- and I'm going to have some
7 discussion with PED about it to see. So I'll keep
8 you posted on that. That should be coming forth.

9 I did also speak in favor of the charter
10 facility funding bill, because they are looking at
11 being able to put monies available for schools, so
12 that they can -- the estimate is that they would
13 be -- the money that would be available, they could
14 loan -- the loan would a 3 percent, which is
15 significantly -- it's significant savings.

16 And it's not going to a lender; it's going
17 to the state. So it's kind of win-win. And it'll
18 give some schools the opportunity to pay off their
19 lease-purchase agreement.

20 And there's also -- I believe it's in that
21 bill as well that if it's -- the building
22 automatically does go to the state; so it clears up
23 that there will be no --

24 COMMISSIONER CABALLERO: Donations.

25 THE CHAIR: -- no question about where

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1 to the other authorizer for renewal, that they have
2 to start all over again because their contract was
3 not renewed, and they have to -- they're a new
4 applicant.

5 MS. KAREN WOERNER: That was my question.
6 Because when it came up -- but I didn't know they
7 actually been not renewed already. So we need to
8 look into that. But they --

9 THE CHAIR: My understanding is that they
10 were not renewed.

11 MS. KAREN WOERNER: Okay.

12 THE CHAIR: That's my understanding. But,
13 honestly -- because you don't get any records of it.
14 We certainly don't get any records of it. But there
15 should be a record in the Farmington School Board
16 minutes.

17 MS. MELISSA BROWN: We looked. They're
18 not posted.

19 THE CHAIR: Of course not.

20 MS. KAREN WOERNER: They just mentioned to
21 me today that New Mexico Virtual Academy had
22 expressed interest in coming to the renewal. I just
23 heard about it. So I will follow up to find out
24 more details; but I just wanted you to be aware.

25 THE CHAIR: Yeah. We've been clear

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1 because, the issue came up -- when we didn't renew
2 Anthony, they tried to reorganize and go to Gadsden
3 School District. And I had that conversation with
4 the Gadsden School District, that that's not an
5 option. Once you're not renewed, then you have to
6 go back to square one.

7 So -- yeah, they want to --

8 COMMISSIONER ARMBRUSTER: I don't know if
9 they did. But I know Gene Schmidt, who is the
10 superintendent, talked about not going to renew
11 them, that they would start their own virtual online
12 thing. So I don't know if they didn't renew them
13 and -- I'm sure you can find out -- or they are not
14 going to. I'm not sure.

15 MS. MELISSA BROWN: Their December meeting
16 minutes aren't posted; so...

17 THE CHAIR: But, yeah. If they show up
18 and they indicate that they have not been renewed,
19 which would kind of be indicated by the fact that
20 they're sitting, that, you know, if there's any --
21 they can, I guess, contact our attorney.

22 MS. KAREN WOERNER: Okay.

23 THE CHAIR: And they can make it clear
24 that, you know, it's not a renewal.

25 Okay. So we will -- I will ask -- so

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1 facilities bill, I wanted to mention that at the
2 same day, there was a digital -- digital media bill
3 that was for special funding for a digital media
4 program. And there were a number of people that did
5 come up and speak for that.

6 I had not seen it before; so I didn't know
7 anything about it. But there were two young girls
8 that were standing behind me, and they had a camera
9 and they were recording it for their school project.
10 And it ended up that they were from Roots & Wings,
11 which is one of our schools; so that it was exciting
12 to see. And they spoke very eloquently about the
13 importance of the program, which certainly speaks
14 way more than what any of the adults can offer when
15 they can see that.

16 And it did get a do-pass through. So
17 that's -- I was -- I was a little disappointed I
18 didn't -- you know, I felt uninformed, because I
19 didn't know that was there at that time. So -- but
20 there's a lot of -- there were a number of schools
21 that -- in addition that did speak for that.

22 So I thought I had asked Commissioners
23 before, but I guess I did not. If you would send to
24 Beverly your -- the liaison list is in your packet.

25 MS. FRIEDMAN: Excuse me, Madam Chair. It

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1 that's all the legislation that I'm aware of that we
2 need to be having on our tracker right now.

3 COMMISSIONER VOIGT: When do you get to go
4 home next?

5 THE CHAIR: I get to go home tonight, but
6 I'm coming back Sunday.

7 COMMISSIONER CABALLERO: The Education
8 Committee is meeting tomorrow.

9 THE CHAIR: I understand that. And I
10 didn't know that until I was already up here. And I
11 do have to get home; but I did -- yesterday, when we
12 broke for lunch, I did go over, and I had a long
13 conversation with the Chair of the Education
14 Committee. So he fully understands our position on
15 those.

16 And I know that a number of charters are
17 coming up to speak, and they're addressing,
18 specifically, my understanding is, the age
19 limitation. That's the real talking point for
20 tomorrow.

21 So I think -- I think we're in good shape
22 for comment for tomorrow. And then I'll be back up
23 for the virtual school on -- on Monday.

24 So -- now we can segue into my report.

25 And just -- before I forget, when I was up for that

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1 was supposed to be in the notebook, but it wasn't.
2 That's why I handed it out.

3 THE CHAIR: So if you could just hand a
4 note to Beverly, there's no requirement -- if you
5 don't want to serve on another committee -- the only
6 committees that we actually have votes on, NMPSIA
7 and PSCOC. And Commissioner Robbins is already --

8 COMMISSIONER ROBBINS: Yes, we met on the
9 18th.

10 THE CHAIR: I think you've already met.
11 But, otherwise, we're sitting.

12 COMMISSIONER VOIGT: Which one is
13 Commissioner Robbins on?

14 THE CHAIR: He's on PSCOC. We get one
15 vote on PSCOC. And they met last --

16 COMMISSIONER ROBBINS: On the 18th of
17 January, the week after our last meeting.

18 THE CHAIR: So last meeting, I did mention
19 that I made the appointment for Commissioner
20 Robbins, because Commissioner Peralta had sat on
21 that for us, and they had notified us that there was
22 a meeting coming up. So Commissioner Peralta had
23 contacted me. And then I contacted Commissioner
24 Robbins; so that's been taken care of.

25 But if there's a committee that you're

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1 wishing to -- to serve on, it doesn't come to a
2 vote, let me know, and I'll send out confirmations
3 to folks, once I get a look at what people might be
4 interested in.

5 So that's -- I think I've given you my
6 highlights of where I've been, which is three out of
7 five days, I've been up here since the Legislature
8 has started. And I -- I want to send out a personal
9 thank-you to all of the new Deputy Secretaries;
10 because they have been -- they've made themselves
11 more than available.

12 The transition has not been smooth, only
13 because -- and I'm going to make this a personal
14 expression. I was incredibly disappointed in an
15 e-mail that was sent out by the previous Secretary
16 Designate that was certainly not favorable to the
17 Public Education Commission. And that was sent out
18 15 minutes before his last minutes.

19 COMMISSIONER ARMBRUSTER: Only you got it.

20 THE CHAIR: No. We got it.

21 COMMISSIONER CABALLERO: I didn't get it.

22 MS. FRIEDMAN: I sent it to everyone.

23 THE CHAIR: I wasn't copied who got it.

24 And I know -- you got copies of it, did you not?

25 MR. CHAIKEN: Ami definitely did.

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1 went to virtually every news media in the State of
2 New Mexico. But it was not covered by any of them.

3 So our -- the idea was why pique someone's
4 interest in something that was ignored. So we did
5 not make a public response to it, because there was
6 no coverage of it. So -- and I didn't -- there's no
7 sense in -- you know, I didn't want to sink to that
8 level, on one hand, to -- you know, and play a
9 tit-for-tat.

10 So I -- it's -- I'm just going to say it
11 was unfortunate; because it was right after there
12 was this extolling of the virtues of the PEC in
13 front of the LFC. So it's, like, "Which is it?
14 We're doing a great job, or we're not," you know.

15 So I think, you know, hopefully we can all
16 move on and be adults about this.

17 COMMISSIONER ARMBRUSTER: We have a lack
18 of adults in this --

19 THE CHAIR: I had actually spoken to Joe
20 Guillen, and he thought he was going to be over here
21 today for an update for the School Boards
22 Association. And he did say he was going to get
23 that actual invite out. And I guess he hasn't.

24 MS. FRIEDMAN: Oh, no. Madam Chair, they
25 usually send that out about the beginning of March.

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1 THE CHAIR: I know I got a copy. So my
2 presumption was everybody received it.

3 MS. FRIEDMAN: Madam Chair, I sent it out
4 to everybody.

5 THE CHAIR: Yeah, I thought everyone got
6 it.

7 COMMISSIONER VOIGT: I got it, and I
8 wasn't even on the Commission then.

9 THE CHAIR: It came out through Beverly.

10 COMMISSIONER DAVIS: A long time ago.

11 MS. FRIEDMAN: It was in December.

12 THE CHAIR: But it was -- I'm just going
13 to say it was unfortunate and, I think,
14 unprofessional.

15 COMMISSIONER CABALLERO: Well,
16 Madam Chair, this is coming from a man that still
17 believes in Manifest Destiny. And he's in
18 New Mexico. Ay-yi-yi. I had a couple of
19 conversations with him. And I gave up on him. I --
20 I --

21 THE CHAIR: And I understand where it was
22 coming from. It is still just unfortunate, as an
23 adult, that this is how you have to exit, you know.
24 So, you know, I'm -- we did not respond to it. We
25 did have to IPRA who-all got the e-mail. And it

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1 THE CHAIR: Only because he had mentioned
2 to me that they just finalized everything, had it,
3 and he said, "I'm sending it out." And that was
4 last week. He said, "I'm sending it out today."

5 But we all know when it is anyway. So
6 it's always nice when the School Boards Association
7 reaches out. I'm going to tell you the Hotel
8 Albuquerque is already full, you know, which is
9 always the case, because everyone books it. Then
10 they don't end up coming, because it's -- so it's --
11 you know, it's no big deal. There's other
12 opportunities in the direct area.

13 So it's -- you know, we're trying to keep
14 doors open with the School Boards Association. So
15 it is always nice when they invite us to these
16 events.

17 I know Matt is across the street, and
18 they're working to get ready for HB 5 tomorrow
19 morning. So I don't think he has anything
20 additional that he needs for us to over -- oh.

21 You may be contacted by a gentleman by the
22 name of Steve Zimmerman. And Steve Zimmerman has
23 started a new organization. And I'm going to try to
24 remember -- it's the Coalition of Independent
25 Charter Schools, or something to that effect. It's

1 a national organization. It's seven months old.
2 I spoke with him on Tuesday. He called
3 me. They're having a conference in October here in
4 Albuquerque. And I'm going to be honest with you.
5 I don't know why he offers. Because I asked him,
6 and he didn't have anything to offer me. They don't
7 offer any advocacy. They can't. They don't have
8 any money. They don't know New Mexico. So they're
9 not going to do advocacy for schools.

10 COMMISSIONER VOIGT: Are they a membership
11 organization?

12 THE CHAIR: They are a membership
13 organization. So my question was, "Well, what do I
14 get for my buck?"

15 And it's, like, "Well, we don't represent
16 the national narrative on for-profit charters."

17 And I said, "Well, you do understand
18 that's what New Mexico is? We're a not-for-profit;
19 so that -- we like independent schools. That's what
20 we do. We like schools that are mission-driven;
21 that's what we do. So what are you offering the
22 charters for their membership money?"

23 "We're going to have a conference." And
24 they can't offer training. And they don't want to
25 offer training.

1 picture of you on their web site. It looks just
2 like you.

3 COMMISSIONER ROBBINS: I was accused of
4 being Winston Brooks when I was on the School Board.
5 I understood that I looked similar to him; but he's
6 taller than I am, and I have more hair.

7 THE CHAIR: Okay. So I just wanted to
8 give you a heads-up in case he contacts you. You
9 can't find -- outside of the website, you can't find
10 a whole lot of information in terms of who their
11 backers are. He likes to float around Greg
12 Richmond's name, who's the CEO of NACSA. "Oh, Greg
13 Richmond told me to call you."

14 I'm sure he did. So -- right.

15 We're on to PEC Comments. Commissioner
16 Raftery.

17 COMMISSIONER RAFTERY: Oh, my goodness.
18 Learning a lot. Enjoying it. I'm interested in the
19 Coalition for School Administrators thing. I was
20 there before. So that would be nice.

21 THE CHAIR: Oh, on the PEC?

22 COMMISSIONER RAFTERY: Yeah. That's about
23 all I have to say right now.

24 THE CHAIR: Okay. All right. Thanks.

25 COMMISSIONER DAVIS: Well, thank you for

1 So it's like, "Well, you do understand
2 that we have a robust training requirement. So the
3 schools need that -- those training hours."

4 So if he -- he's looking for support. I'm
5 not going to offer it to him myself. And I told
6 him -- and I told him also that October was really
7 challenging, because it's -- the NACSA conference is
8 in October. We've got our own meetings in October.
9 So -- you know, I'm not so sure.

10 So he's trying really hard, he thinks.
11 We'll see. But he's -- you know, he's reaching out.
12 I know he had -- I saw Joseph Escobedo from APS up
13 last week, and he also indicated that he's been
14 contacted. So he's out there. So in case you see
15 the name come up --

16 COMMISSIONER VOIGT: Coalition of Public
17 Independent Charter Schools. November is their
18 conference in Old Town. It's November 17th to 19.

19 THE CHAIR: So he changed it since last
20 week. Because it was October. It was October. So
21 maybe he changed it.

22 COMMISSIONER VOIGT: It's a symposium.

23 THE CHAIR: And he's offering a great deal
24 for New Mexico schools; so --

25 COMMISSIONER VOIGT: Dave, there's a

1 letting me be here. Thank you for answering my
2 questions. So I'm happy to be here. I'm still
3 learning so much so quickly. And I'm enjoying all
4 of it. So thank you.

5 THE CHAIR: Commissioner Caballero?

6 COMMISSIONER CABALLERO: Yes. The only
7 thing I have to say is that looking forward to
8 learning from all the new Commissioners. Just
9 putting it out there. You have a lot to share, and
10 share it. Don't hold back. I make my decisions
11 based on what I'm about, what I know, and, of
12 course, what you say. It is important to me.

13 So if you've got something to say, please
14 say it. I have changed my mind on what -- how and
15 what people say. And that's all.

16 Thank you, Madam Chair.

17 THE CHAIR: Commissioner Robbins?

18 COMMISSIONER ROBBINS: Well, as the Chair
19 mentioned, I attend the first PSCOC meeting on
20 January 18th. I was welcomed. They did get your
21 letter; so I appreciate that. They were like,
22 "Well, let me check my e-mail"; because I told them
23 that you had sent it. And they were, like, "Oh,
24 yes, here it is. Okay. So you can" -- they did
25 have my name on the dais.

<p style="text-align: right;">Page 178</p> <p>1 And so one of the things -- and I have 2 pointed this out to, I think, one of the 3 Commissioners yesterday -- they have laptop 4 computers set up. And all of the stuff that we have 5 in our book is on your laptop computers. And it's a 6 touch screen, and you can move things. 7 You don't get to take the computer with 8 you, which would have been nice. But it is there. 9 You have printouts if you want paper; but they have 10 it all there so you can go through things very, very 11 quickly. It's very easy to find things. 12 I was very impressed that they have that 13 set up and everything, that PSFA, actually their IT 14 people set all that up and everything. And I 15 thought, wow, wouldn't that be neat if PED would use 16 some of the funding they get from our charters to do 17 that for us? 18 Anyway... 19 COMMISSIONER ARMBRUSTER: We've heard this 20 before. 21 COMMISSIONER ROBBINS: And I think I told 22 most of you before when I started on the APS Board, 23 first week I started, they gave me a laptop 24 computer, a carrying case, which back then, it was a 25 pretty big -- it was decent size; it wasn't overly</p>	<p style="text-align: right;">Page 180</p> <p>1 of the reallocation, which, to me, was kind of 2 amusing, since right now their mill rate on property 3 taxes is about 2 mills higher than the state 4 average. 5 So that's a very interesting thing. They 6 collect a lot in property taxes for capital, higher 7 than the state average; but yet they still are 8 allowed to get 50 percent match on certain projects 9 for schools in the district. And I live there. And 10 people think why don't you support that? 11 I said, "Look, I'm all about being 12 cost-effective with the monies. And I think there's 13 probably better ways that this money" -- but since 14 these were the projects that were available for the 15 reallocation of funding, that's where it went. And 16 some of it was for security upgrades for the APS 17 schools. Okay. 18 THE CHAIR: The only thing I'm going to 19 say is to remind -- I think most of the schools did 20 get the reminder -- now that you mention security, 21 there is additional funds that's available through 22 PSFA. And PSCOC will be looking to making those 23 awards, so that if you're talking to any charters, 24 please remind them. 25 I'm -- I know that message went out to all</p>
<p style="text-align: right;">Page 179</p> <p>1 burdensome, gave me a cell phone. I had an APS 2 e-mail address, which as far as I know, it's 3 probably still active because Board members from 4 20 years ago still have active e-mail addresses at 5 APS, which is kind of funny. 6 But it was a good meeting. Two of the 7 things that I wanted to mention that were done here, 8 the Roswell School District was looking at funding 9 and getting some funding from PSFA and the PSCOC for 10 an elementary school. And the bids originally came 11 in a little bit higher than what the total monies 12 that the school district and the PSCOC had 13 allocated. 14 So they went back, they did some tweaking, 15 value engineering, things like that, rebid it, got 16 it down to where it all met the needs. And so that 17 was moving forward, about a \$24 million elementary 18 school, which is about \$10 million or \$15 million 19 less than what APS spends on elementary schools -- 20 just an aside. 21 They also had a little over \$500,000 of 22 funding that had not been utilized, and deadlines 23 had passed. So they reallocated -- somewhere around 24 \$500,000 was reallocated. And the bulk of that went 25 to APS, just as an aside. They got about 85 percent</p>	<p style="text-align: right;">Page 181</p> <p>1 the charter leaders for that. But there is money 2 that's out there. It does become difficult, because 3 oftentimes there has to be matching money, and the 4 charters do not have that kind of funding. And 5 that's what makes it so frustrating. But -- 6 Commissioner Ruiz? 7 COMMISSIONER RUIZ: I'll be brief. First 8 of all, I want to thank Commissioner Crone and 9 Commissioner Chavez and Chairwoman Gipson, because 10 I've had some technical difficulties with my ramp. 11 And so had it not for these three, I wouldn't be 12 sitting here. 13 The other thing I was going to say really 14 quickly, just about NMPSIA, Commissioner Crone and I 15 met with NMPSIA yesterday. And so Sandy Hook, they 16 are forging ahead with that, and they are going to 17 have regional trainings. When we get those dates, 18 we'll share them with the community. It is free. 19 A lot of people didn't get into the other 20 program because there was such a huge cost for it. 21 But the Sandy Hook Promise is going to be free and 22 available to schools. 23 And I also wanted to say -- and I think I 24 told you this before the meeting -- that I really 25 appreciate our attorneys, because they do a whole</p>

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1 lot for us, and -- yeah. Thanks.

2 MR. CHAIKEN: Thank you for the
3 opportunity, and any way we can ever be helpful.

4 THE CHAIR: Commissioner Armbruster?

5 COMMISSIONER ARMBRUSTER: I apologize if I
6 didn't say your name right or if I forgot to call
7 your name. This is such a difficult job.

8 No, I do apologize. And, otherwise, I'm
9 fine.

10 THE CHAIR: Commissioner Crone?

11 COMMISSIONER CRONE: Trish said everything

12 I was going to say; so -- there are some bits -- we
13 did hear a lot at NMPSIA about arming school
14 personnel. And so there are bills -- and I don't
15 have my list with me, unfortunately. We're -- to
16 put some restrictions on that, some requirements so
17 that it's not just haphazard, willy-nilly.

18 THE CHAIR: It's not just like a random
19 faculty member?

20 COMMISSIONER CABALLERO: It's dangerous
21 even for security, because they're not properly
22 trained. And there's a reason why they have the
23 certification for certified police officers to be
24 able to carry.

25 COMMISSIONER CRONE: That would be one of

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1 COMMISSIONER CHAVEZ: Yeah, sure.

2 COMMISSIONER ARMBRUSTER: You haven't been
3 here for renewals.

4 COMMISSIONER CHAVEZ: This could be the
5 honeymoon period.

6 THE CHAIR: The fun is yet to come.

7 MS. FRIEDMAN: Madam Chair, can I make a
8 comment?

9 THE CHAIR: Sure.

10 MS. FRIEDMAN: I wasn't aware of your
11 Internet requests. And yesterday, when you were
12 talking about this informally, I wrote to our IT
13 people. Because over the past years that I've been
14 working with the PEC, I know -- I don't think anyone
15 is still here from when I did get everyone a
16 computer --

17 THE CHAIR: My first year, it was offered
18 to me. There was this 40-pound computer that was
19 made available. It's like, "Gee, would you like
20 this?"

21 And it's, like, "No, I don't even know
22 what software that would run on."

23 So -- but that was -- that was the last
24 that it was offered.

25 MS. FRIEDMAN: Right. And those were

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1 the requirements is that they have the same training
2 as police officers.

3 THE CHAIR: Okay, thanks.

4 If there's anything that you need that you
5 think we need to speak up about in regards to that,
6 just let me know.

7 COMMISSIONER CRONE: There's also other
8 gun control measures, just generally in the state.
9 So I just wanted to share that. Thank you.

10 THE CHAIR: Okay, thanks.

11 Commissioner Voigt?

12 COMMISSIONER VOIGT: It's still an honor
13 to be here. I really appreciate everyone's
14 candidness and honesty. And I'm having fun, and I
15 appreciate everyone here in this room.

16 COMMISSIONER CRONE: This is fun?

17 COMMISSIONER VOIGT: It has to be fun for
18 me to be able to be a participant. That's a
19 bottom-line standard. Thank you very much for
20 everyone's dialogue.

21 THE CHAIR: Commissioner Chavez?

22 COMMISSIONER CHAVEZ: I kind of echo the
23 same thing. Honored to be here. Meeting a lot of
24 great people. And it is fun.

25 COMMISSIONER VOIGT: Isn't it?

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1 offered. And we had training for everyone. And
2 those were what we had at that particular time. And
3 every one of those computers was returned to me for
4 a variety of reasons.

5 And so -- and at that time, I did ask for
6 e-mail addresses from the Department for the
7 Commissioners. And at that time, I was told -- and
8 I can't remember what the reasons were, and to go
9 back in my notes and try to find it. But it was
10 something about security and that type of thing.

11 THE CHAIR: Right.

12 MS. FRIEDMAN: Yesterday, I did write them
13 again and ask them about the e-mail addresses. And,
14 actually, they said that they are asking, "Do it."
15 Right now, it's in the process. And we're going to
16 have to check with Kara, the -- Deputy Secretary
17 Bobroff on it.

18 But all of the four people that I wrote in
19 the positions that need to approve it approved it.
20 And we suggested the e-mail address for each of you
21 to be PEC1, PEC2, PEC3, and so forth. So we are in
22 the process of possibly getting that.

23 And, Commissioner Robbins, your idea of
24 the computer being here is -- I think might be a
25 little bit more appealing to the people downstairs.

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1 Because I mentioned getting computers for everyone,
2 and the comment was, "Well, if you have \$25,000,
3 we'll get them for you." And --

4 THE CHAIR: It's actually in our budget;
5 but --

6 COMMISSIONER ROBBINS: For next year, it
7 is.

8 MS. FRIEDMAN: But if you would like me to
9 ask about the computers residing here and having all
10 of the information loaded on that, we can do that.
11 I know there are some people who still like the
12 paper copies. And, you know, we could print five
13 copies or something like that, if that was something
14 you would like.

15 But if you'd like something along that, I
16 can work with our people here to see what we can
17 get.

18 THE CHAIR: Okay. That's great. Thanks.
19 I appreciate it.

20 MS. FRIEDMAN: Also I didn't bring the
21 recycle. If you want to just empty your
22 notebooks -- or not -- just leave the stack of paper
23 on the desk.

24 THE CHAIR: Just so we're sure the fun
25 hasn't ended yet.

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1 COMMISSIONER ARMBRUSTER: Commissioner
2 Chavez?

3 COMMISSIONER CHAVEZ: Yes.

4 COMMISSIONER ARMBRUSTER: Commissioner
5 Gipson?

6 THE CHAIR: Yes.

7 COMMISSIONER ARMBRUSTER: Commissioner
8 Raftery?

9 COMMISSIONER RAFTERY: Yes.

10 COMMISSIONER ARMBRUSTER: Commissioner
11 Crone?

12 COMMISSIONER CRONE: Yes.

13 COMMISSIONER ARMBRUSTER: Commissioner
14 Ruiz?

15 COMMISSIONER RUIZ: Yes.

16 COMMISSIONER ARMBRUSTER: Commissioner
17 Caballero?

18 COMMISSIONER CABALLERO: Yes.

19 COMMISSIONER ARMBRUSTER: Ten-to-zero
20 vote.

21 THE CHAIR: Motion passes ten-zero. Thank
22 you. We'll just stay here, I think. Don't you?

23 MR. CHAIKEN: We're good, yeah.

24 (Executive Session held.)

25 THE CHAIR: I move that the Public

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1 So I move that the Public Education
2 Commission enter into a Closed Session. The
3 subjects to be discussed are issues subject to
4 attorney-client privilege pertaining to threatened
5 or pending litigation in which the PEC is or may
6 become a participant, pursuant to NMSA 1978,
7 Section 10-15-1(H)(7), specifically an
8 administrative appeal pursuant to the Charter School
9 Act of La Academia de Dolores Huerta.

10 Do I have a second?

11 COMMISSIONER RUIZ: Second.

12 THE CHAIR: There's a second by
13 Commissioner Ruiz.

14 Commissioner Armbruster?

15 COMMISSIONER ARMBRUSTER: Yes, I can do

16 that.

17 Commissioner Robbins?

18 COMMISSIONER ROBBINS: Yes.

19 COMMISSIONER ARMBRUSTER: Commissioner

20 Voigt?

21 COMMISSIONER VOIGT: Yes.

22 COMMISSIONER ARMBRUSTER: Commissioner

23 Armbruster votes "Yes."

24 Commissioner Davis?

25 COMMISSIONER DAVIS: Yes.

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1 Education Commission end Closed Session. The
2 matters discussed in the closed meeting were limited
3 only to those specified in the motion for closure,
4 and no vote was taken during the Closed Session.

5 COMMISSIONER RUIZ: Second.

6 THE CHAIR: A second by Commissioner Ruiz.

7 Commissioner Armbruster?

8 COMMISSIONER ARMBRUSTER: Commissioner
9 Caballero?

10 COMMISSIONER CABALLERO: Yes.

11 COMMISSIONER ARMBRUSTER: Commissioner
12 Ruiz?

13 COMMISSIONER RUIZ: Yes.

14 COMMISSIONER ARMBRUSTER: Commissioner
15 Crone?

16 COMMISSIONER CRONE: Yes.

17 COMMISSIONER ARMBRUSTER: Commissioner
18 Raftery?

19 COMMISSIONER RAFTERY: Yes.

20 COMMISSIONER ARMBRUSTER: Commissioner
21 Gipson?

22 THE CHAIR: Yes.

23 COMMISSIONER ARMBRUSTER: Commissioner
24 Chavez?

25 COMMISSIONER CHAVEZ: Yes.

1 COMMISSIONER ARMBRUSTER: Commissioner
2 Davis?
3 COMMISSIONER DAVIS: Yes.
4 COMMISSIONER ARMBRUSTER: Commissioner
5 Armbruster votes "Yes."
6 Commissioner Voigt?
7 COMMISSIONER VOIGT: Yes.
8 COMMISSIONER ARMBRUSTER: Commissioner
9 Robbins?
10 COMMISSIONER ROBBINS: Yes.
11 COMMISSIONER ARMBRUSTER: Unanimous.
12 Ten-zero.
13 THE CHAIR: Motion passes ten-zero. Thank
14 you very much. Entertain a motion to adjourn.
15 COMMISSIONER RUIZ: (Indicates.)
16 COMMISSIONER VOIGT: I'll second.
17 THE CHAIR: Everyone -- safe travels,
18 everyone.
19 (Proceedings adjourned at 1:53 p.m.)
20
21
22
23
24
25

1 RECEIPT
2 JOB NUMBER: 1641N CC Date: 2/8/19
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: _____
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16 *****
17 ATTORNEY:
18 DOCUMENT: Transcript / Exhibits / Disks / Other ____
19 DATE DELIVERED: _____ DEL'D BY: _____
20 REC'D BY: _____ TIME: _____
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22 ATTORNEY:
23 DOCUMENT: Transcript / Exhibits / Disks / Other ____
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25 REC'D BY: _____ TIME: _____

1 BEFORE THE PUBLIC EDUCATION COMMISSION
2 STATE OF NEW MEXICO
3
4
5
6
7 REPORTER'S CERTIFICATE
8 I, Cynthia C. Chapman, RMR, CCR #219, Certified
9 Court Reporter in the State of New Mexico, do hereby
10 certify that the foregoing pages constitute a true
11 transcript of proceedings had before the said
12 NEW MEXICO PUBLIC EDUCATION COMMISSION, held in the
13 State of New Mexico, County of Santa Fe, in the
14 matter therein stated.
15 In testimony whereof, I have hereunto set my
16 hand on February 19, 2019.
17
18
19
20 _____
21 Cynthia C. Chapman, RMR-CRR, NM CCR #219
22 BEAN & ASSOCIATES, INC.
23 201 Third Street, NW, Suite 1630
24 Albuquerque, New Mexico 87102
25 Job No.: 1641N (CC)

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