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BEFORE THE PUBLIC EDUCATION COMMISSION  
STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS  
PUBLIC MEETING  
March 22, 2019  
9:03 a.m.

Mabry Hall, Jerry Apodaca Education Building  
300 Don Gaspar  
Santa Fe, New Mexico

REPORTED BY: Susan M. Hilton, CCR, CRR, RMR  
Bean & Associates, Inc.  
Professional Court Reporting Service  
201 Third Street, Northwest, Suite 1630  
Albuquerque, New Mexico 87102

(1642N) SMH

SANTA FE OFFICE  
119 East Marcy, Suite 110  
Santa Fe, NM 87501  
(505) 989-4949  
FAX (505) 820-6349



MAIN OFFICE  
201 Third NW, Suite 1630  
Albuquerque, NM 87102  
(505) 843-9494  
FAX (505) 843-9492  
1-800-669-9492  
e-mail: info@litsupport.com

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A P P E A R A N C E S

COMMISSIONERS:

- MS. PATRICIA GIPSON, Chair
- MS. TRISH RUIZ, Vice Chair
- MS. KARYL ANN ARMBRUSTER, Secretary
- MR. TIM CRONE
- MR. R. CARLOS CABALLERO
- MR. DAVID ROBBINS
- MR. MICHAEL CHAVEZ
- MS. GEORGINA DAVIS
- MS. GLENNA VOIGT

STAFF:

- MS. AMI JAEGER
- MR. MARK CHAIKEN
- MS. BEVERLY FRIEDMAN

I N D E X

REPORTER'S CERTIFICATE	114
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1 CHAIR GIPSON: I'm going to call the order  
2 of this meeting of the Public Education Commission.  
3 It is Friday, March 22, 2019, and it is 9:03 a.m.

4 And I will ask Commissioner Armbruster to  
5 do roll call.

6 COMMISSIONER ARMBRUSTER: If you can't hear  
7 me in my middle school voice, let me know. It's kind  
8 of a little scratchy.

9 Commissioner Robbins.

10 COMMISSIONER ROBBINS: Present.

11 COMMISSIONER ARMBRUSTER: Commissioner  
12 Voigt.

13 COMMISSIONER VOIGT: Here.

14 COMMISSIONER ARMBRUSTER: Commissioner  
15 Armbruster is here.

16 Commissioner Davis.

17 COMMISSIONER DAVIS: Present.

18 COMMISSIONER ARMBRUSTER: Commissioner  
19 Chavez.

20 COMMISSIONER CHAVEZ: Present.

21 COMMISSIONER ARMBRUSTER: Commissioner  
22 Raftery. Anyway, she's not here.

23 Commissioner Crone is not here.

24 Commissioner Ruiz.

25 COMMISSIONER RUIZ: Present.

1 COMMISSIONER ARMBRUSTER: Commissioner  
2 Cabellero.

3 COMMISSIONER CABALLERO: Present.

4 COMMISSIONER ARMBRUSTER: We have a quorum  
5 of eight.

6 CHAIR GIPSON: Correct.

7 Commissioner Crone is delayed. He is  
8 attending a swearing-in ceremony, but he's absent,  
9 and we'll note him present when he arrives. Thank  
10 you.

11 I'll lead the audience in the Pledge of  
12 Allegiance, and I'll ask Commissioner Armbruster to  
13 lead us in the salute to the New Mexico flag.

14 (Pledge of Allegiance and Salute to  
15 the New Mexico flag.)

16 CHAIR GIPSON: We are onto Item No. 2,  
17 which is the approval of the agenda. And I do have  
18 several changes that I'm asking for, so stick with me  
19 here. I am going to ask that Item No. 13, the  
20 Executive Session, be moved to Item No. 5. And then  
21 Item No. 6, I'm asking for -- actually, Item No. 7,  
22 the Discussion and Possible Action on Raices Del  
23 Saber Xinachtli Community School, that that be moved  
24 to Item No. 6. And then that would make the report  
25 No. 7, amendment request No. 8, the financial

1 framework would be 9, the organizational framework is  
2 10, the Legislative Bills and Strategy is 11, Report  
3 From the Chair is 12, PEC Comments, 13. So do I have  
4 a motion?

5 COMMISSIONER RUIZ: Yes.

6 CHAIR GIPSON: There's a motion to accept  
7 the agenda as amended by Commissioner Ruiz and a  
8 second by Commissioner Armbruster. All in favor?

9 (Commissioners so indicate.)

10 CHAIR GIPSON: Opposed. Hearing no  
11 opposition, the motion passes.

12 We are now onto Item No. 4, which is the  
13 Consent Agenda. Do I have any request to move  
14 anything off of the Consent Agenda onto the regular  
15 agenda?

16 Oh, I'm sorry. I skipped Open Forum  
17 because no one signed up, so I apologize. No one did  
18 sign up for Open Forum, so we are onto Item No. 4.

19 COMMISSIONER RUIZ: Madam Chair, I move  
20 that we approve the Consent Agenda.

21 COMMISSIONER ARMBRUSTER: Second.

22 CHAIR GIPSON: There's a motion to approve  
23 the Consent Agenda, a second by Commissioner  
24 Armbruster.

25 Roll call, please.

1 COMMISSIONER ARMBRUSTER: Commissioner  
2 Caballero.  
3 COMMISSIONER CABALLERO: Yes.  
4 COMMISSIONER ARMBRUSTER: Commissioner  
5 Ruiz.  
6 COMMISSIONER RUIZ: Yes.  
7 COMMISSIONER ARMBRUSTER: Commissioner  
8 Gipson.  
9 CHAIR GIPSON: Yes.  
10 COMMISSIONER ARMBRUSTER: Commissioner  
11 Chavez.  
12 COMMISSIONER CHAVEZ: Yes.  
13 COMMISSIONER ARMBRUSTER: Commissioner  
14 Davis.  
15 COMMISSIONER DAVIS: Yes.  
16 COMMISSIONER ARMBRUSTER: Commissioner  
17 Armbruster votes yes.  
18 Commissioner Voigt.  
19 COMMISSIONER VOIGT: Yes.  
20 COMMISSIONER ARMBRUSTER: Commissioner  
21 Robbins.  
22 COMMISSIONER ROBBINS: Yes.  
23 CHAIR GIPSON: It passes eight/zero. Thank  
24 you very much.  
25 I move that the Public Education Commission

1 enter into a closed session. The subjects to be  
2 discussed are issues subject to attorney/client  
3 privilege pertaining to threatened or pending  
4 litigation in which the PEC is or may become a  
5 participant pursuant to NMSA 1978, Section  
6 10-15-1(H)(7) specifically, an administrative appeal  
7 pursuant to the Charter School Act of Academia De  
8 Dolores Huerta, Raices Del Saber Xinachtli Community  
9 School, Albuquerque Collegiate and Mission  
10 Achievement and Success Charter School. Do I have a  
11 second?

12 COMMISSIONER ROBBINS: Second.

13 CHAIR GIPSON: There's a second by  
14 Commissioner Robbins.

15 Commissioner Armbruster, roll call.

16 COMMISSIONER ARMBRUSTER: Commissioner  
17 Voigt.

18 COMMISSIONER VOIGT: Yes.

19 COMMISSIONER ARMBRUSTER: Commissioner  
20 Davis.

21 COMMISSIONER DAVIS: Yes.

22 COMMISSIONER ARMBRUSTER: Commissioner  
23 Gipson.

24 CHAIR GIPSON: Yes.

25 COMMISSIONER ARMBRUSTER: Commissioner

1 Ruiz.

2 COMMISSIONER RUIZ: Yes.

3 COMMISSIONER ARMBRUSTER: Commissioner

4 Robbins.

5 COMMISSIONER ROBBINS: Yes.

6 COMMISSIONER ARMBRUSTER: Commissioner

7 Caballero.

8 COMMISSIONER CABALLERO: Yes.

9 COMMISSIONER ARMBRUSTER: Commissioner

10 Chavez.

11 COMMISSIONER CHAVEZ: Yes.

12 COMMISSIONER ARMBRUSTER: Commissioner

13 Armbruster votes yes.

14 CHAIR GIPSON: The motion passes

15 eight/zero. Thank you very much.

16 So I'm going to have to ask the audience to

17 temporarily vacate the premises.

18 (Executive session 9:10 a.m. to 11:05 a.m.)

19 CHAIR GIPSON: I move that the matters

20 discussed in the closed meeting were limited only to

21 those specified in the motion for closure, and no

22 vote was taken during the closed session.

23 COMMISSIONER ROBBINS: Second.

24 CHAIR GIPSON: There's a second by

25 Commissioner Robbins.

1 Commissioner Arbruster, roll call.  
2 COMMISSIONER ARMBRUSTER: Commissioner  
3 Chavez.  
4 COMMISSIONER CHAVEZ: Yes.  
5 COMMISSIONER ARMBRUSTER: Commissioner  
6 Davis.  
7 COMMISSIONER DAVIS: Yes.  
8 COMMISSIONER ARMBRUSTER: Commissioner  
9 Gipson.  
10 CHAIR GIPSON: Yes.  
11 COMMISSIONER ARMBRUSTER: Commissioner  
12 Ruiz.  
13 COMMISSIONER RUIZ: Yes.  
14 COMMISSIONER ARMBRUSTER: Commissioner  
15 Cabellero.  
16 COMMISSIONER CABALLERO: Yes.  
17 COMMISSIONER ARMBRUSTER: Commissioner  
18 Voigt.  
19 COMMISSIONER VOIGT: Yes.  
20 COMMISSIONER ARMBRUSTER: Commissioner  
21 Arbruster votes yes.  
22 Commissioner Robbins.  
23 COMMISSIONER ROBBINS: Yes.  
24 CHAIR GIPSON: It passes six/zero or  
25 seven/zero.

1 COMMISSIONER ARMBRUSTER: Right. I don't  
2 know where Commissioner Crone is.

3 CHAIR GIPSON: Eight/zero. Sorry. I  
4 forgot that Commissioner Crone had come in during  
5 that time, so I was using the number from when we  
6 were last in public session. Thank you.

7 Commissioner Robbins.

8 COMMISSIONER ROBBINS: Madam Chair, I would  
9 like to make a motion. I move that the Public  
10 Education Commission appeal the decision and the  
11 order Secretary Trujillo and the Public Education  
12 Department pertaining to Academia De Dolores Huerta.

13 COMMISSIONER RUIZ: Second.

14 CHAIR GIPSON: So a motion by Commissioner  
15 Robbins, a second by Commissioner Ruiz. Any  
16 discussion?

17 Seeing no further discussion, Commissioner  
18 Armbruster, roll call, please.

19 COMMISSIONER ARMBRUSTER: Commissioner  
20 Gipson.

21 CHAIR GIPSON: Yes.

22 COMMISSIONER ARMBRUSTER: Commissioner  
23 Davis.

24 COMMISSIONER DAVIS: Yes.

25 COMMISSIONER ARMBRUSTER: Commissioner

1 Voigt.  
2 COMMISSIONER VOIGT: Yes.  
3 COMMISSIONER ARMBRUSTER: Commissioner  
4 Ruiz.  
5 COMMISSIONER RUIZ: Yes.  
6 COMMISSIONER ARMBRUSTER: Commissioner  
7 Cabellero.  
8 COMMISSIONER CABALLERO: Yes.  
9 COMMISSIONER ARMBRUSTER: Commissioner  
10 Armbruster votes yes.  
11 Commissioner Robbins.  
12 COMMISSIONER ROBBINS: Yes.  
13 COMMISSIONER ARMBRUSTER: Commissioner  
14 Chavez.  
15 COMMISSIONER CHAVEZ: Yes.  
16 COMMISSIONER ARMBRUSTER: It passes eight  
17 to zero.  
18 CHAIR GIPSON: Motion passes eight/zero.  
19 Thank you.  
20 Commissioner Robbins.  
21 COMMISSIONER ROBBINS: I also move the  
22 Public Education Commission develop a corrective  
23 action plan with Academia De Dolores Huerta.  
24 COMMISSIONER RUIZ: Second.  
25 CHAIR GIPSON: There's a motion by

1 Commissioner Robbins, a second by Commissioner Ruiz.

2 Any discussion?

3 And let the record show that both  
4 Commissioner Cabellero and Commissioner Crone are  
5 back with coffee.

6 Commissioner Armbruster, roll call, please.

7 COMMISSIONER ARMBRUSTER: Commissioner  
8 Ruiz.

9 COMMISSIONER RUIZ: Yes.

10 COMMISSIONER ARMBRUSTER: Commissioner  
11 Robbins.

12 COMMISSIONER ROBBINS: Yes.

13 COMMISSIONER ARMBRUSTER: Commissioner  
14 Cabellero.

15 COMMISSIONER CABALLERO: Yes.

16 COMMISSIONER ARMBRUSTER: Commissioner  
17 Gipson.

18 CHAIR GIPSON: Yes.

19 COMMISSIONER ARMBRUSTER: Commissioner  
20 Armbruster votes yes.

21 Commissioner Voigt.

22 COMMISSIONER VOIGT: Yes.

23 COMMISSIONER ARMBRUSTER: Commissioner  
24 Crone.

25 COMMISSIONER CRONE: Yes.

1 COMMISSIONER ARMBRUSTER: Commissioner  
2 Davis.

3 COMMISSIONER DAVIS: Yes.

4 COMMISSIONER ARMBRUSTER: Nine to zero.

5 CHAIR GIPSON: Motion passes nine/zero.

6 Thank you.

7 We're now onto Item No. 6, which is  
8 Discussion and Possible Action on Raices Del Saber  
9 Xinachtli Community School Update Report. So I'm  
10 going to have to take that.

11 So as the commissioners who were on during  
12 the renewal process are aware, and the new  
13 commissioners have been updated on all of the  
14 proceedings prior to when they were on the  
15 commission, that there was a direction in the motion  
16 by the commission that there were conditions placed  
17 on the renewal. I'm sorry. Not the renewal. On the  
18 application. And I'm going to look at it because I  
19 never remember the numbers.

20 The conditions that were imposed were that  
21 the areas that were rated "Falls Far Below" -- "Falls  
22 Below" or "Falls Far Below" were eliminated, and at  
23 least 50 percent of the responses rated as  
24 "Approaches" moved to "Meets." So there was an  
25 independent evaluation team that was created to take

1 a look at this resubmission, and the commissioners  
2 were given a copy of that document on Monday?

3 MS. FRIEDMAN: Monday.

4 CHAIR GIPSON: Was it Monday? On Monday.  
5 So we've had an opportunity to look at it. There are  
6 members from the school that are here, so that we're  
7 going to offer some opportunity, if they wish to say  
8 anything, you have time, if you wish to say  
9 something.

10 MR. POHL: Thank you.

11 CHAIR GIPSON: And I'll remind you that  
12 when you do start to speak, if you will please  
13 identify yourself for the record and if necessary  
14 spell your last name. Thank you. The little green  
15 button has to be on.

16 MS. BENEDICTO: Thank you very much. Good  
17 morning. It's still morning. Good morning,  
18 Commissioners. Thank you for having us here and for  
19 allowing us to speak before you. My name is Rocio  
20 Benedicto, and I'm a board member of Raices Del Saber  
21 Xinachtli Community School.

22 MS. CARMONA: Good morning, Commissioners.  
23 I'm Lucia Carmona. I am the project coordinator and  
24 co-founder. We have a couple other members on the  
25 phone and our other founder Carlos Aceves just in

1 case we have questions.

2 CHAIR GIPSON: Right. Could you please  
3 identify for the record those members that are on the  
4 phone?

5 MS. CARMONA: Yes, Jane Asche, board  
6 member, and Mike Vigil, our business manager.

7 CHAIR GIPSON: Thank you.

8 MS. BENEDICTO: So Commissioners, just to  
9 give a little bit of background on Raices, I know  
10 that we have some board members here that have not --  
11 that were not at the board meeting in which we were  
12 presenting our school. Raices Del Saber is a dual  
13 language school that has a Mesoamerican enrichment  
14 program incorporated into our pedagogy. We are  
15 culturally responsive and believe that -- I have to  
16 put my glasses on to look at my notes -- culturally  
17 responsive and relevant. We are the first school in  
18 New Mexico to teach a Mesoamerican indigenous  
19 perspective enrichment, and we believe that we are  
20 meeting some of the goals of Dr. Trujillo's missions  
21 in terms of community schools, including at-risk  
22 populations and providing bilingual, bicultural  
23 education to the students along the southern border  
24 and in the southern part of New Mexico.

25 Raices is an important school in the Las

1 Cruces community because we don't have a lot of  
2 opportunities for our children to attend alternative  
3 schools. We are a bilingual, bicultural community.  
4 And by opening our school, we are not only paying  
5 respect to our community, we are also bringing in our  
6 indigenous perspective, who we are as a community  
7 having risen. We are very connected to NMSU, and I  
8 myself run projects within the University. And our  
9 connection to the University has provided us with and  
10 will continue to provide us with many opportunities  
11 to collaborate with them in both their bilingual  
12 programs with both their bilingual faculty and also  
13 their early childhood and family engagement  
14 faculties.

15 I think I'm going to pass it over to Lucia  
16 who will be able to talk a little bit more about  
17 where we have moved in these last few months.

18 MS. CARMONA: We are excited because we  
19 have a facility right now. We're in the process to  
20 sign an agreement, a lease agreement, with FYI,  
21 Family, Youth, Inc. They serve children at risk.  
22 They're really happy to be in this collaboration  
23 offering also their programs and sharing with our  
24 project as well under the model of community schools.  
25 We are ready to throw walls. I mean, the architects,

1 the engineers are really nervous, and say, Are you  
2 really going to be willing to do this? Because then,  
3 after that, there's no way to return back. So  
4 they're investing funds as well in this process from  
5 their own -- their own funds because they really  
6 believe in this project.

7           We're in the process to hire a principal.  
8 We have applicants, great applicants, on board. I  
9 mean, submitted an application. We are recruiting  
10 right now. We have been receiving applications also  
11 for students. We're preparing a splash at the end of  
12 this March -- of this month, an early engagement  
13 event. Again, we will continue with these  
14 presentations that the community wants to learn more  
15 about the contents of the school. Since the facility  
16 will be -- actually will be in between the city and  
17 the county -- actually, in the county just crossing  
18 the street -- we're also in conversations with the  
19 county manager and the superintendent of Las Cruces  
20 as well because they want to support because they  
21 say, Will you serve the community as well? Yes,  
22 directly, and we're also working on the county area  
23 as well.

24           We have parent engagement, Promotoro. It's  
25 one of the positions that we developed to recruit

SANTA FE OFFICE  
119 East Marcy, Suite 110  
Santa Fe, NM 87501  
(505) 989-4949  
FAX (505) 820-6349



MAIN OFFICE  
201 Third NW, Suite 1630  
Albuquerque, NM 87102  
(505) 843-9494  
FAX (505) 843-9492  
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1 parents as well to go knocking on doors, go all over  
2 the communities to interact directly. It's not on  
3 the website because it's really not -- it's a  
4 community model that we're continually moving. So we  
5 expect to fulfill all the requirements. And our goal  
6 is to have 60 students the first year and going from  
7 there as far as our enrollment goals. And also,  
8 fulfilling working together with the Charter Schools  
9 Division staff that are really helpful to us and  
10 helping us to commit and to be in compliance.

11 We have bank account, we have already an  
12 official board of finance and business manager that  
13 are helping us, a group of them, and we have a set of  
14 policies in place, a strong board that have completed  
15 their hours of mandatory training. Just like  
16 Saturday, they took the last course. And the  
17 curriculum instruction team, what can we say? They  
18 are also following all the calendars that we set and  
19 providing updates every submission that we have with  
20 the checklist. The last one we submitted was March  
21 1.

22 CHAIR GIPSON: Thank you. Just out of  
23 curiosity, where is the facility?

24 MS. CARMONA: It's 2211 North Valley.  
25 We'll be close to Mayfield, after Mayfield High

1 School.

2 CHAIR GIPSON: Oh, okay.

3 MS. BENEDICTO: It's an ideal community.

4 We are very pleased to have a building in that  
5 community.

6 MS. CARMONA: Semi rural, open space, and  
7 really tied to the curriculum.

8 CHAIR GIPSON: That's nice. Good luck with  
9 the traffic on that end.

10 MS. BENEDICTO: We'll need it. We'll need  
11 that.

12 CHAIR GIPSON: That was just a little local  
13 aside because the construction down there is closing  
14 out businesses like crazy. So it's sad.

15 Commissioner Crone.

16 COMMISSIONER CRONE: This is not directly  
17 related to the subject, but there are parking  
18 spaces --

19 CHAIR GIPSON: I forgot.

20 COMMISSIONER CRONE: -- reserved for the  
21 commissioners, and there's -- I know that three of  
22 the commissioners did park in those spaces. But  
23 there's a New Mexico license plate LZL277, so --

24 COURT REPORTER: Cindy said I could take  
25 it.

1 COMMISSIONER CRONE: Oh, I'll just send you  
2 my parking cost.

3 COURT REPORTER: Send it to Cindy.

4 CHAIR GIPSON: Okay. Thanks. Well, in  
5 Santa Fe, especially because they block off that  
6 whole side street there, those meters. So yeah,  
7 Santa Fe is a struggle.

8 COMMISSIONER CABALLERO: That's why I  
9 parked at the roundhouse.

10 CHAIR GIPSON: I know. That's why I stayed  
11 across the street, and I just walk. It's easier.

12 Commissioners, is there any --

13 COMMISSIONER CABALLERO: Motion, Madam  
14 Chair.

15 CHAIR GIPSON: -- discussion and/or --  
16 well, you make a motion. And if there's further  
17 discussion, we're fine.

18 COMMISSIONER CABALLERO: Okay. I move that  
19 the Public Education Commission approve Raices Del  
20 Saber Xinachtli Community School's update report  
21 because the school has met the conditions imposed by  
22 PEC in November of 2018, specifically that all areas  
23 rated "Falls Below" or "Falls Far Below" were  
24 eliminated, and that at least 50 percent of the  
25 responses read as "Approaches" moved to "Meets."

1 COMMISSIONER VOIGT: Second.

2 CHAIR GIPSON: There's a motion by  
3 Commissioner Caballero and a second by Commissioner  
4 Voigt. Is there any discussion?

5 Seeing none, Commissioner Armbruster, roll  
6 call, please.

7 COMMISSIONER ARMBRUSTER: Commissioner  
8 Davis.

9 COMMISSIONER DAVIS: Yes.

10 COMMISSIONER ARMBRUSTER: Commissioner  
11 Robbins.

12 COMMISSIONER ROBBINS: Yes.

13 COMMISSIONER ARMBRUSTER: Commissioner  
14 Crone.

15 COMMISSIONER CRONE: Yes.

16 COMMISSIONER ARMBRUSTER: Commissioner  
17 Arbruster votes yes.

18 Commissioner Voigt.

19 COMMISSIONER VOIGT: Yes.

20 COMMISSIONER ARMBRUSTER: Commissioner  
21 Gipson.

22 CHAIR GIPSON: Yes.

23 COMMISSIONER ARMBRUSTER: Commissioner  
24 Caballero.

25 COMMISSIONER CABALLERO: Yes.

1 COMMISSIONER ARMBRUSTER: Commissioner  
2 Chavez.

3 COMMISSIONER CHAVEZ: Yes.

4 COMMISSIONER ARMBRUSTER: Commissioner  
5 Ruiz.

6 COMMISSIONER RUIZ: Yes.

7 CHAIR GIPSON: The motion passes nine/zero.  
8 Thank you very much. Have a good trip home. I know  
9 one of you is on a time constraint.

10 MS. BENEDICTO: Thank you so much. And  
11 Commissioners, thank you so much. We're very  
12 grateful to have had your vote and your confidence.  
13 We know that our school is going to be extremely  
14 successful, and it will be a nice gold star on the  
15 Charter Schools Division, and your support has been  
16 invaluable in this process. Thank you very much.

17 CHAIR GIPSON: We'll see you back here in  
18 June for commencement of operation votes.

19 MS. BENEDICTO: Thank you so much.

20 CHAIR GIPSON: Thank you.

21 We are onto Item No. 7, Report from Options  
22 for Parents and the Charter Schools Division.

23 MR. BRAUER: Madam Chair and Members of the  
24 Commission, I'm going to defer the first part of the  
25 time to Deputy Director Woerner.

1 MS. WOERNER: Thank you. So Madam Chair,  
2 Commissioners, of course, the staffing is one of the  
3 things I always talk about at each of these monthly  
4 meetings, and as you're well aware. But for the  
5 public, Alan Brauer is our Acting Interim Director on  
6 contract, and I'm very glad to have him here. So  
7 that's the first piece of staffing.

8 We have an admin. assistant position  
9 available due to Dolores being selected for another  
10 position on the team. We're in the process of  
11 conducting interviews for that position. We did some  
12 Wednesday or yesterday -- I don't remember now -- and  
13 doing some more next week. We still have the two  
14 authorizing administrator vacancies, although  
15 interviews have been held. One person has been  
16 recommended. We're waiting for HR approval. And  
17 we're going to do a second round of interviews for  
18 the second position.

19 We have our training and technical  
20 assistant specialist vacancies that should be posted  
21 soon. That was Laurel's vacated position. And the  
22 data and financial analyst position is still posted,  
23 and we have asked for additional candidates. The  
24 first round, we really only had two candidates to  
25 interview. We feel like that pool wasn't great

1 enough. We're hoping that HR can give a list of more  
2 candidates to do interviews for that position.

3 And finally, our CSP grant program  
4 coordinator position working with Leslie, we had  
5 someone that would have been a great fit, but  
6 unfortunately, he declined the position. So we're  
7 back to square one on that one, and it is posted  
8 currently. We'll be doing interviews on that as  
9 well. So as you can see, we have, I think it's six,  
10 seven with -- well, we got one filled -- so six  
11 vacancies on our team, which is making it a very  
12 taxing workload for the team. I just want to share  
13 that with you-all. But we're working to get that  
14 resolved.

15 Site visits, as you know, this is site  
16 visit heavy team time. We have a lot of site visits  
17 at this time of year. Meagan Shannon and Dylan  
18 Wilson are the super team on the site visits.  
19 They're out of the office more than they're in the  
20 office. And I just want to acknowledge that Meagan  
21 is spending many hours of extra time to get the site  
22 visit reports completed, and that's because of the  
23 lack of staff to help support that right now. But I  
24 thank Meagan for that.

25 Regarding training, we have a new

1 application training session. The next one is  
2 Monday, March 25, in Albuquerque. We have the next  
3 implementation training, which is No. 10 of the  
4 sessions, is April 8 in Socorro. I'm looking to  
5 Melissa because she does those, and I'm making sure I  
6 say the right days and times. Governing board  
7 training is always ongoing. The team -- well, the  
8 team. Melissa Brown and Dolores Archuleta went to  
9 Las Cruces last weekend and going to Gallup for  
10 training this coming weekend.

11 MR. POHL: Next weekend.

12 MS. WOERNER: I'm sorry, next weekend.

13 And I wanted to share also under training  
14 that Melissa Brown, who is our training and technical  
15 assistants administrator, is developing online  
16 training for the introductory training for governing  
17 board members to provide it on a different platform  
18 rather than having the whole thing in person, and is  
19 also working on online live -- I'm calling them Lunch  
20 and Learn with Melissa. I don't know if that's the  
21 actual official title, but one-hour trainings that  
22 can be available during the lunch hour as a way for  
23 continuing members to participate in mandatory  
24 training one hour at a time. And I think that is a  
25 great idea of Melissa's, and I wanted to share that

1 with all of you.

2           Implementation was mentioned by Lucia  
3 Carmona. The submission was due March 1. Both  
4 schools have submitted those submissions. We're in  
5 the process of reviewing those for completeness and  
6 accuracy. The November resubmissions have been  
7 reviewed by both schools, and those are finalized  
8 now. So for those of you that that is -- they said  
9 in November primarily Meagan reviews them and gives  
10 feedback to the schools, and then they resubmit if  
11 they need to do any revisions of things. Those are  
12 now finalized for the November submission, and we're  
13 onto the March ones.

14           We have also -- I wanted to share we have  
15 also arranged to add the applicant teams to the State  
16 Charter School Leaders List, the e-mail list that  
17 goes out. And for that, they're not actually a  
18 school yet, but I think it's really important the  
19 bureaus here at PED use that list to send  
20 notifications about trainings or updates of things  
21 that are happening, statutes, rules, et cetera. We  
22 want to make sure that the schools that are in their  
23 implementation year are aware of that. Of course, if  
24 this commission chooses not to commence operation for  
25 those schools, we would have to remove them from the

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Santa Fe, NM 87501  
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1 list, but I think it's important for them to get that  
2 information from all our other bureaus. So we have  
3 added them or requested to add them to the list. One  
4 school has been added. The other school, we're  
5 waiting for their contact information to submit in  
6 the interest of supporting them further.

7           And then on school closures, Student  
8 Athlete Headquarters Academy, the only update I have  
9 on that is that about two weeks ago, the landlord  
10 offered to relinquish certain items in exchange for  
11 keeping certain items, and that is being reviewed.  
12 She has also requested a fairly short delay of the  
13 litigation, more time in answering the lawsuit due to  
14 an illness or a death in her family, and that was  
15 permitted by the court until the end of the month.  
16 So I won't really have much more until then.

17           Anthony Charter School, the inventory has  
18 been offered to the school, and the contractor's  
19 meeting school representatives at the school site on  
20 Saturday, March 30, in Anthony to distribute  
21 inventory. Leslie Kelly and I will also be there to  
22 partly oversee the process, but also to learn about  
23 the process of this whole closure proceeding.

24           And so finally, the grant, Leslie Kelly is  
25 our CSP grant program manager, and she is working

1 with the federal grant manager from the U.S.  
2 Department of Education to make revisions to the  
3 grant in order to serve more schools, but this is  
4 mainly due to requirements that were extremely  
5 stringent. There will still be a high standard, but  
6 more realistic and more attainable, I guess, more  
7 smart goals. So I think that's all on the updates.

8 I'll just move through the rest. The  
9 governing board concerns, we did list Media Arts, but  
10 that's been removed because they did submit all the  
11 necessary documents, and you voted. We left that on  
12 the Consent Agenda, and you've approved their  
13 governing board concerns. So we removed the  
14 concerns.

15 And update on legislation and amendments,  
16 I'm going to turn back over to Alan, unless there are  
17 some questions.

18 CHAIR GIPSON: No, I don't think so. I  
19 didn't know the material was negotiable, but that's  
20 okay. I didn't know if you wanted to delay because I  
21 thought the Deputy Secretary was going to offer some  
22 sage words.

23 MR. BRAUER: Madam Chair, you're reading my  
24 mind. I texted her. She's at another -- Deputy  
25 Secretary Bobroff is in another meeting. She said

1 she's on her way for sure. If it's okay, if we could  
2 defer?

3 CHAIR GIPSON: Absolutely.

4 MR. BRAUER: Great. Madam Chair, Members  
5 of the Commission, we're really excited to have an  
6 opportunity to share some key highlights around the  
7 state of the schools that you-all are responsible  
8 for. We hope to make this a part of the process each  
9 month so that we can really celebrate the diversity  
10 of the schools that we have and that we really care  
11 about.

12 The first school I wanted to mention is  
13 Tierra Adentro in Albuquerque. Full transparency,  
14 that was the first school site I went to in my new  
15 role. I joined Meagan and Bill at 7:00 a.m.  
16 Thankfully, it was two blocks from where I actually  
17 live in Old Town, so it was the perfect spot to  
18 start. I had gone by there so many times walking my  
19 pup, and I've never been inside that new building  
20 that they have. Walking in, I was just really truly  
21 amazed at the classroom settings. I didn't know it  
22 was a Flamenco center, music centered and art  
23 centered school, and so I was really awakened to the  
24 great work that they're doing especially around their  
25 mission specific indicators.

1           The school did move from a "C" on the  
2 report card at a 52 grading to a solid, solid "B" at  
3 70 overall last year. And so I think that's worth  
4 mentioning the impact that they have seen especially  
5 around academic issues.

6           In talking with the school leaders, 40  
7 percent of the students that go to Tierra Adentro are  
8 in dual credit classes. Many finish up at least the  
9 first year of college before they graduate from that  
10 school. And I think that's something that is really  
11 worth recognizing.

12           And then finally, I wanted to share that  
13 many schools across our state have a one-to-one  
14 correspondence of Chromebooks or computers to  
15 student. It seemed like there was a one-to-one  
16 correspondence of guitars at this school, and it was  
17 just really a beautiful way of seeing how they are  
18 living out their mission and vision. And many of the  
19 students are part of the Los Flamencos organization  
20 that works in collaboration with the National  
21 Institute of Flamenco at UNM, so students are doing  
22 what I'll call high stakes performance in public  
23 settings which really builds leadership for those  
24 students. So thank you.

25           CHAIR GIPSON: I think in particular that

1 new school site absolutely helped because they  
2 struggled so long, and they had to move to a  
3 temporary site. So I think that certainly helped to  
4 solidify the utmost commitment that they do have.  
5 And just so that you know, the Attorney General's  
6 daughter was the Charter Student of the Year, I  
7 guess, three years ago. She attended Tierra Adentro.  
8 So we have had a great opportunity at many events to  
9 get the pleasure of seeing them perform.

10           And it is just -- it is remarkable, the  
11 commitment that these students have, especially when  
12 they were in that building where they had to  
13 literally, I think, cross Central to get from one  
14 side to the other, that it was taking their lives in  
15 their hands to get there. But they come in so early  
16 for the dancing, and the musicians that come out of  
17 that school, it's enlightening to watch. So  
18 hopefully you have an opportunity to actually see  
19 them perform.

20           MR. BRAUER: Sure.

21           MS. WOERNER: So another school that the  
22 team wanted to highlight today was the Horizon  
23 Academy West. And I know that in the past there was  
24 some concerns about this school by the commission,  
25 but we want to report to you that like Tierra

1 Adentro, they improved their school grade from a "D"  
2 to a solid "B" on the state school grade list last  
3 year. And part of how they did that is they hired an  
4 instructional coach to specifically focus on how the  
5 teachers use data to drive instruction. And I can  
6 tell you that their continuous improvement plan and  
7 their data driven work was apparent at the last two  
8 site visits. I went last year, and the team that  
9 went this year had the same comments. And so we just  
10 wanted to recognize the work that they have done to  
11 boost their academic performance at the school.

12 CHAIR GIPSON: Thanks.

13 MR. BRAUER: Madam Chair, Members of the  
14 Commission, we also wanted to recognize Albuquerque  
15 Sign Language Academy for all their continued  
16 efforts. Being the first and only State-certified  
17 bilingual school, bilingual in American Sign Language  
18 and English, they are definitely a cutting edge model  
19 that is seen nationally as just a great model of  
20 choice for students who are deserving some really  
21 specific outcomes for them.

22 They're also currently creating bilingual  
23 certifications for their teachers as well, and then  
24 they're also working on alternative assessments for  
25 students, which will have a really deep impact both

1 across the state and the nation for students who are  
2 hard of hearing or deaf.

3 I wanted to also share that they have also  
4 increased -- they are a SAMS school. So I do want to  
5 just share that the report card isn't necessarily as  
6 equitable with other schools as it is for SAMS  
7 schools, but they did grow 23 points on last year  
8 report card model, and I think that is something  
9 definitely worth recognizing.

10 And finally, they are working to create  
11 transition plans for those students until the age of  
12 21, so that their students, regardless of their  
13 exceptionality, they're ready to be college or career  
14 ready. So thank you.

15 CHAIR GIPSON: Thank you. And without a  
16 doubt, they also, I hope, will help in that  
17 conversation that we had yesterday at the Work  
18 Session when we were looking at being able to  
19 adequately access resiliency, that they lead the way  
20 on that grit scale. So that I hope that is and will  
21 also help schools like this as well as others with  
22 the changes in the performance framework so that the  
23 SAMS schools and many others who are leading the way  
24 not only here, as you said, but the nation with some  
25 ground-breaking work, that that's identified through

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1 the changes in the performance framework as well. So  
2 thank you. I appreciate it.

3 MR. BRAUER: Sure.

4 CHAIR GIPSON: So I guess we have our next  
5 item ready.

6 MS. BOBROFF: Good morning, Commissioners.  
7 My name is Kara Bobroff. I introduced myself to each  
8 and every one of you. I'm the Navajo/Lakota to the  
9 Deputy Secretary for Identity Equity Transformation  
10 in the Charter School Division that fits into that  
11 line of transformation around innovation and thinking  
12 forward about how to share what's working to a larger  
13 system. So I'm really excited about that.

14 But I want to take just a couple minutes to  
15 share with you a little bit about where we are coming  
16 out of the Legislative session. And I know that  
17 yesterday Deputy Secretary Hand had an opportunity to  
18 present to you around the changes in the ESSA  
19 amendments going forward that we have submitted as a  
20 department. So I feel like that's been covered  
21 pretty well in-depth around the A-F -- replacement of  
22 the A-F System and going towards something different.  
23 So that's coming out in the State statute, and it's a  
24 big piece of what's going to shape the way that the  
25 department goes forward as far as thinking about

1 state accountability and school accountability.

2 One thing that didn't come out of the  
3 session was the Teacher Evaluation Bill, but what's  
4 going to happen around that will be a process for  
5 rule-making to look at the teacher evaluation system  
6 and a task force to come together to start to think  
7 about what that's going to look like going into the  
8 next school year. So please encourage your schools  
9 that you represent and the communities that you serve  
10 to get involved in that, if possible, or if there are  
11 some amazing teachers or school leaders that you know  
12 of, please let them know as well to participate in  
13 that process.

14 So what I wanted to share with you today  
15 was just a couple of different things around  
16 above-the-line changes as far as funding as well as  
17 some of the things that are below-the-line connected.  
18 And I'll do that now, if that's okay. So just  
19 increase educator salaries and wages is up to -- of  
20 \$162 million. Increase money for at-risk students is  
21 at \$113 million. And that's really looking at how  
22 are we serving those students across charters and  
23 school districts.

24 In thinking about the feedback that we have  
25 had from Yazzie-Martinez, I'm not sure if you saw

1 this week that there was a small article that came  
2 out both in the Albuquerque Journal and the Santa Fe  
3 New Mexican, that we're upholding the ruling and  
4 moving forward on the different findings and aspects  
5 of the Yazzie-Martinez remedies. So that will be a  
6 practice that we're taking off soon, and we'll be  
7 giving a report as to what we want charters and  
8 districts to be able to do next week at the Spring  
9 Budget Workshop. If you're there, please join that  
10 session. And if you're not, I'm happy to share that  
11 after we present that. We're still hammering out a  
12 couple different things in relation to that about how  
13 we're going to get a short-term plan in place as well  
14 as the longer-term changes that need to take place  
15 regarding that. But this is a big piece of  
16 addressing some of those concerns about funding  
17 related to those students.

18           Increase learning time for elementary  
19 students taking the notion of K-3 plus to K-5 plus so  
20 the districts and charters will have the opportunity  
21 to utilize this funding. It was 30 million in fiscal  
22 year '19, and for fiscal year '20, it's 120 million.  
23 So I'll be able to share this written document with  
24 you once things are signed off on. They're still in  
25 the process. So obviously, I don't have a written

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1 document for you today. So it's a significant  
2 increase.

3 And so again, like any schools or programs  
4 that you know that would be interested in having  
5 something around increased learning time for  
6 elementary students, to please apply for that. I  
7 know that school leaders in the charter sector might  
8 already do this, and they might utilize a different  
9 funding source, so this will really help with that,  
10 in addition to the innovations that they have for the  
11 students and families.

12 The other is the extended learning time and  
13 after-school summer programs. There's a \$62 million  
14 increase in funding above the line for districts and  
15 charters that want to utilize that funding to provide  
16 either extended learning time through the school day,  
17 additional days for after-school and summer  
18 opportunities for students. And so before, there  
19 wasn't any funding that was really going into that  
20 above the line, and now there is.

21 As we go into the other area that's above  
22 the line is an increase of bilingual and  
23 multicultural education program participation funds  
24 of \$7 million. So those charters that are serving  
25 students through bilingual education program model

1 will be able to utilize, or charters that want to add  
2 or increase their service model can apply for those  
3 funds as well. They don't have to fill out the  
4 application, but it comes above the line.

5           As we go into things that are below the  
6 line, our specific initiatives, we have a Bilingual  
7 Multi-Cultural Education Teacher Pipeline Initiative  
8 of \$5 million, which is looking at supporting  
9 teachers that want to go through preparation programs  
10 and/or pursue bilingual education certification  
11 either Native American students, any students that  
12 would be part of the bilingual program both in  
13 charters and districts as well. So that's really  
14 something that we're excited to partner with our  
15 higher education partners on and then get out the  
16 teachers that are in the pipeline now and in the  
17 future.

18           The second is the Indian education fund  
19 itself was originally at 1.8 million and was  
20 increased to six million, and so that's a huge  
21 increase. That predominantly is going to districts  
22 and pueblos, so we'll see an increase in the grant  
23 sizes that will be awarded, and then also the charter  
24 schools that serve Native American students that  
25 apply for Indian educational funding. So that's a

1 real huge increase. And also, we'll be able to  
2 support language programs, if they want, anything  
3 that's in line with the Indian Education Act, and  
4 that's a really broad-based act that focuses on  
5 students from early learning all the way to  
6 adulthood, both in language, cultural, identity  
7 development, college preparation as well. So we're  
8 really excited about that if you can imagine.

9           And then English learner bilingual  
10 evaluation support. So the Public Education  
11 Department didn't have kind of a universal Spanish as  
12 language assessment. So as we are thinking about the  
13 way that students have been assessed previously is  
14 that you have the English language assessment that's  
15 pretty -- it's universal, so you can kind of compare  
16 and see where students are. And there's a variety of  
17 types of assessments for Spanish-speaking students  
18 that has different indicators, different results. So  
19 this will provide opportunity to, I guess, uniformly  
20 have an assessment for Spanish speakers, so now we  
21 can start to look at both fluency over time in  
22 Spanish as well as English. And so that will be  
23 rolled out this next school year as well and  
24 available to schools to be able to access, and then  
25 also some technical assistance about how to

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1 administer that, what to do with the data, how do you  
2 utilize data to improve your program, as well as some  
3 training that will be provided through our Language  
4 and Cultural Bureau.

5           And the Indigenous Education Initiative,  
6 which is something I'm really excited about, it's \$1  
7 million that's going to indigenous education as a  
8 stream of innovation. So thinking about how do you  
9 take what it is you're doing for Native students or  
10 students with indigenous identities and holistically  
11 transform your school to serve those students in a  
12 very different way versus just one class or one  
13 program. So that will be an open RFP, and there will  
14 also be more technical assistance for schools that  
15 are serving Native students to think about how do you  
16 indigenize what it is you're doing in education. So  
17 that's really exciting, and that's a new initiative.

18           As we go through teaching, learning, and  
19 assessment, there's approximately -- I'm sorry, I  
20 talk really fast -- but that was a total of \$20  
21 million that's going into identity, equity, and  
22 cultural. As we go into teaching assessment, there's  
23 11 million. That will be increased from previous  
24 years this year. Pre-K, from 29 million to 39  
25 million. This is the increase that we'll see as far

1 as an additional \$39 million going into the programs.  
2 So those folks who have not been able to offer a  
3 pre-K program or any charter school leaders that  
4 would like to apply for that source of funding.

5 Esteem Initiative, which is also focused on  
6 programs, has increased from three million to five  
7 million. So any schools that you know of that have  
8 esteem focus will be eligible to apply for that, and  
9 it's a competitive process, but to participate in  
10 that initiative. As far as advanced placement, there  
11 was a small bump in that from one million to 1.5  
12 million to help pay for AP fees and for students to  
13 be able to take placement courses.

14 Career and Technical Education Initiative,  
15 it's a \$5 million pilot. So that's something that we  
16 wanted to be able to look at like what's been done  
17 currently, and then who are -- or what schools are  
18 doing things that are more potentially innovative or  
19 want to pilot the CTE model. So that's another area  
20 for charter schools to really play a major roll, I  
21 believe, as well as working with local districts in  
22 the future.

23 Research and development for new  
24 standards-based assessment, you probably heard a  
25 little bit about that from Dr. Jim Hand. There's \$2

1 million just to look at like what that needs to look  
2 like. There are stakeholder engagement sessions  
3 taking place now throughout the State where people  
4 can come, share their ideas, and then there will be a  
5 task force that continues that work into thinking  
6 about what does that assessment look like.

7           The Teacher Residency Pilot of \$1 million,  
8 so basically looking at billing out a stronger  
9 teacher residency training pilot program to see what  
10 that can do to help address some of the entry-level  
11 teachers that are serving at-risk students,  
12 specifically in schools that have a high population  
13 of high-risk students tend to have teachers that are  
14 not quite as prepared as schools that may not have  
15 at-risk students as many as other neighborhoods  
16 and/or schools or school districts. So the idea is  
17 to really think about building something specific to  
18 support students that are going and serving in those  
19 schools and school districts.

20           Teacher Development Evaluation System.  
21 There was one million there, and now there's three  
22 million to really think about what is that going to  
23 look like going forward and really to build that out.  
24 And then the State Wide Literacy Initiatives has  
25 moved above the line with the increase of the Atlas

1 funding. So if you were referring to basically  
2 before, there's funding that's accounted for in the  
3 SEG for districts and charters to be able to run some  
4 of that problem or Literacy Initiative within their  
5 schools.

6 And lastly is Academic Engagement and  
7 Student Success at \$5 million. So we see that the  
8 community schools and school-based health centers,  
9 there's a \$3.5 million initiative that will be going  
10 out to promote community schools as well. New and  
11 Beginning Teacher Professional Development at 2.5  
12 million. That's about a half million more than last  
13 year. Principals Pursuing Excellence will continue  
14 at 2.5 million. Grads and Teen Pregnancy Support  
15 Programming, we have 200,000 going into that area, as  
16 well as Breakfast for Elementary School Students and  
17 programs that support that at 1.6 million. New  
18 Mexico Grown Fruits and Vegetables at 200K, which it  
19 was at 200K last year.

20 So some of those programs will continue and  
21 be available so if there are charters that were  
22 receiving that, they would be eligible to continue  
23 that program. But overall, when you look at the  
24 different aspects of professional salaries,  
25 (unintelligible), and SEG, the total for that -- and

1 I didn't share that earlier -- is 486 million that's  
2 going into the top of the fund. So I just wanted to  
3 share that with you today. I think it's something  
4 that we're excited about.

5 The Governor is still going through bill  
6 analysis as well as the two bills that carry the  
7 funding forward. And so once it's solidified by  
8 April 5, we'll have the final version, and we'll be  
9 able to publish that and share it widely. But those  
10 are some of the things that the Public Education  
11 Department is excited about. We'll be looking to  
12 disseminate and roll out opportunities for people to  
13 apply and participate and students to have these same  
14 opportunities within their school. So that's I feel  
15 like -- anyway, it was just like going really, really  
16 fast.

17 CHAIR GIPSON: I'm from New York. I get  
18 this.

19 MS. BOBROFF: Yeah. Okay. The other thing  
20 is, I think as bills come through, if there are  
21 certain things that we have received letters and  
22 different -- from different constituents just about  
23 different things that they're asking to line item  
24 veto or to support, and so it's wholly open and  
25 welcome to that. So please encourage people to

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1 continue to send information. We assess that  
2 information and think about essential solutions to  
3 that, as well as kind of advising and informing  
4 people as they move forward how to address the new  
5 bills that are coming through.

6 But that's the kind of the broad stroke of  
7 where we're at going into the next school next year.  
8 Super excited about that, and then just really happy  
9 that the 60-day session was convinced, and people  
10 worked really, really hard. Our policy shop spent  
11 many, many hours. There's more bills, I think,  
12 coming through this year than any other previous year  
13 in a long time for sure, with the excitement about  
14 looking at education as a top priority, as well as  
15 the momentum with the Yazzie-Martinez Initiative --  
16 or not initiative, but case, was really another piece  
17 that contributed to a lot of that energy and time and  
18 focus. So I know that I saw a lot of you that were  
19 here as well, so thank you for your presence during  
20 that time, and we'll look forward to the interim  
21 committees that will be continuing to move forward as  
22 well.

23 CHAIR GIPSON: Thanks. And I mentioned  
24 yesterday, I had the opportunity to go to one of the  
25 re-envisioning assessment, and I want to applaud

1 every member of PED that came down in that 100-mile  
2 per hour wind from Albuquerque to make it to Cruces  
3 that day. Because just traveling in Cruces it was  
4 brutal, but it really was a very positive atmosphere.  
5 I mentioned there were students there, there were  
6 parents there, there were just community members  
7 there, the University was represented there, NEA,  
8 teachers, and there were business people that came,  
9 Workforce Solutions was there. So it really was such  
10 a broad spectrum of folks that wanted to be reengaged  
11 with this conversation. And some of the ideas are  
12 like really? But it's great to have those  
13 conversations and truly the refreshing opportunity to  
14 feel like you can throw it out there and the  
15 opportunity is there. So that's greatly appreciated.  
16 And thanks for all that ongoing work that this is  
17 we're just tipping the iceberg with that work.

18 I do have just a couple quick questions.  
19 The grant money that's for indigenous education that  
20 the RFP is going to go out for, I would presume with  
21 that RFP that a school, like we have got the new  
22 applicant, that we would do the commencement of  
23 operation potentially in June for, it would be too  
24 late for them to be able to apply for that for the  
25 upcoming school year? I don't know.

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1 MS. BOBROFF: I'll find out specifically  
2 how that works as far as a process point, but I think  
3 we're open to new applicants being able to apply for  
4 the different funding sources as part of their budget  
5 preparation and the process going forward. But I  
6 will make sure that we get back on the exact way that  
7 will happen.

8 CHAIR GIPSON: All right.

9 MS. BOBROFF: And I'm pretty sure that  
10 they're eligible. As far as the decision of making  
11 them eligible, I would say they're eligible.

12 CHAIR GIPSON: All right. Thanks. And the  
13 extended school year summer programming, I know there  
14 had been issues prior to this with the fact that that  
15 grant money was going with the understanding that  
16 that teacher was staying with the kids through that  
17 summer program. But as many of you may know, if you  
18 were an experienced teacher, many of them didn't want  
19 to work through the summer and were actually offering  
20 the opportunity to a brand new teacher who was  
21 probably a little more strapped for cash to do that  
22 program. And that violated the spirit, at the very  
23 least, of the program. And I know that was a lot of  
24 discussion through the session, and I'm thinking that  
25 the requirement is you have to stay -- if you're

1 getting that money, you do have to, in fact, have the  
2 same teacher staying with those students.

3 MS. BOBROFF: So Madam Chairman and  
4 Commissioners, that's something that we're taking a  
5 look at now. We certainly received a lot of feedback  
6 after the session closed on the same issue as to how  
7 that would work as far as implementation. And so  
8 we're doing kind of a review of that to see what is  
9 possible to be able to address those concerns. But  
10 those have been raised, and so we don't have a  
11 definitive answer yet.

12 CHAIR GIPSON: Okay.

13 MS. BOBROFF: But it was something that was  
14 brought to our attention for sure.

15 CHAIR GIPSON: There was a question whether  
16 you can force someone to work in the summer. But I  
17 understand the concept and the importance of that  
18 continuity, and we probably may very well have  
19 schools we're negotiating with that that may be  
20 something that we have to be aware of. We'll be  
21 doing that after the veto period. So I think we're  
22 good.

23 And I hate to use the word, the term  
24 "at-risk," because after 60 days, I'm kind of done  
25 with it. But there is a concern, and I know it's not

1 addressed there, but our charters are attached to the  
2 Atlas index of their districts. So that does hurt a  
3 number of charters because they don't get truly the  
4 at-risk index that they should qualify to by their  
5 student population. So that's something that we  
6 would really like to see separated out so that the  
7 charters get the at-risk index that does reflect  
8 their school, not the district.

9 And I don't know. I don't know if it's  
10 possible for that to be fixed. I don't think it is.  
11 I don't know. But I wish it could or by rule.

12 Commissioner Armbruster.

13 COMMISSIONER ARMBRUSTER: I just wanted  
14 to -- you may have already answered this, but I  
15 couldn't write and listen as quickly as you talk.  
16 And I can do that pretty quickly, by the way. So  
17 that's why I just need a clarification, if nothing  
18 else.

19 MS. BOBROFF: Okay.

20 COMMISSIONER ARMBRUSTER: So on the  
21 standard-based assessment that we are developing, and  
22 I think what you said, was that people can share  
23 ideas, and there's a committee; is that correct?

24 MS. BOBROFF: Uh-huh.

25 COMMISSIONER ARMBRUSTER: And so how do

1 people find out, or are districts sent out  
2 information?

3 CHAIR GIPSON: There's actually a link that  
4 we got in an e-mail that linked to invite us to  
5 those -- sorry. I swore I had it off. I also get it  
6 in my hearing aids. It was jarring, let me tell you.

7 So the e-mail that we received that invited  
8 us, and it listed all of those meetings, there's  
9 actually a link attached to that to apply to be on  
10 that committee. I can have Beverly send that out  
11 again because I still have it. So I'll have Beverly  
12 send that out again.

13 COMMISSIONER ARMBRUSTER: And I certainly  
14 will not deny that I got it. I was just going to  
15 say, really? I have a lot of those. I have two  
16 e-mail addresses.

17 CHAIR GIPSON: So I'll have that sent out  
18 again.

19 COMMISSIONER ARMBRUSTER: So TPSS,  
20 Traditional Public Schools, got this same --  
21 everybody got this?

22 MS. BOBROFF: Yes. So it was sent out in a  
23 couple different formats that -- I believe this ESSA  
24 newsletter as well as the link specifically  
25 announcing the different stakeholder sessions, and

1 then it's posted, I believe -- I want to say it's  
2 posted on our website, but I can check for sure, and  
3 we can also do another round. And I believe the  
4 Charter School Division sent out information to  
5 charter schools.

6 CHAIR GIPSON: And NEA also sent it out.

7 COMMISSIONER ARMBRUSTER: And when  
8 teachers -- and I know this is the question, but I'm  
9 just going to put my comment in -- you have a third  
10 grade teacher who may be good, but may not be the  
11 best. So really, sometimes having a different  
12 teacher with new ideas may not be the worst scenario  
13 in terms of teaching, which goes back to what Chair  
14 Gipson said is that if you taught for 40 years, you  
15 might not want to work. That's just a comment.

16 So when they're teaching extra days or  
17 they're going to be there extra time and hours in a  
18 day, are teachers being reimbursed on their hourly  
19 rate?

20 MS. BOBROFF: So that's -- so depending on  
21 the district and how they approach it, I believe is  
22 one aspect of that. The second is that it would  
23 depend on how -- that's one of the questions that's a  
24 local initiative. So districts can institute this.  
25 Then how they do it is kind of where the detail lies

1 as far as that goes. So I don't have a direct answer  
2 for you on that question other than districts and  
3 charters who apply for this funding will then put  
4 worth what their program model looks like, and that  
5 funding is utilized to compensate the teachers that  
6 are providing the program.

7 COMMISSIONER ARMBRUSTER: So they could be  
8 playing Pojoaque who maybe pays more than Santa Fe.  
9 Then the Santa Fe teachers may want to go to Pojoaque  
10 and teach the summer school.

11 MS. BOBROFF: Let me get more specific  
12 details for you, so I can have Deputy Secretary Perea  
13 Warniment share more exactly what that looks like in  
14 practice than what I know personally.

15 COMMISSIONER ARMBRUSTER: I'm sorry to put  
16 you on the spot.

17 MS. BOBROFF: No problem.

18 COMMISSIONER ARMBRUSTER: And then I'm not  
19 interested in doing it, so that is not the reason why  
20 I'm asking.

21 CHAIR GIPSON: Commissioner Chavez.

22 COMMISSIONER CHAVEZ: Madam Chair, Deputy  
23 Secretary, there seems to be a lot about the  
24 calendar. This is a time of year where charter  
25 schools and districts are developing their calendar

1 for next year. And the confusion is on the 190 days  
2 and the 80 days of professional development. Do you  
3 have any information on that for clarity, or will  
4 there be something that is sent out that just  
5 clarifies what are the expectations and what are the  
6 requirements?

7 MS. BOBROFF: Madam Chair, Commissioner  
8 Chavez, yes, we're working on that now, and that's  
9 something that we're reviewing because we have gotten  
10 quite a few different scenarios from various  
11 superintendents as to how that would impact their  
12 district specifically, and where they are as far as  
13 the overall approach to addressing the calendar  
14 issue. So we're working with a variety of  
15 superintendents to see what are the different  
16 scenarios and what are the considerations in order to  
17 come up with some way to address the issues that are  
18 being raised. So that's in the process as well. And  
19 so as soon as we land on a solution, we'll be able to  
20 share that broadly, and that will come out from  
21 Secretary -- Dr. Trujillo will send something out  
22 since the Superintendent is updating it. Thank you.

23 CHAIR GIPSON: So you weren't here  
24 yesterday. The answer is, that is to be determined.

25 MS. BOBROFF: That is to be determined.

1 CHAIR GIPSON: Because that's what we lived  
2 with yesterday.

3 Commissioners, any other questions or  
4 comments?

5 Thank you. We appreciate your time. Thank  
6 you very much.

7 MS. BOBROFF: Thank you. Thank you guys  
8 for all you do, and you have a good day, and safe  
9 travels to wherever you're traveling to and from.  
10 And I appreciate the time.

11 CHAIR GIPSON: Thanks. So we're onto Item  
12 No. 8, which is Amendment Requests. And actually,  
13 the first one is the Enrollment Cap Increase for  
14 Albuquerque School of Excellence.

15 MS. WOERNER: So Commissioners, if I could  
16 direct your attention to Section 6 of your packet.  
17 What you have here is the report compiled by the  
18 Charter Schools Division staff regarding their  
19 submission and some information related to their  
20 academic performance. As you can see on the chart on  
21 the first page -- am I on the right one?

22 MR. BRAUER: Yes.

23 MS. WOERNER: Thank you. So you can see  
24 that -- you had these materials before, but you can  
25 see that the performance framework on the second page

1 over the last two years and a little bit additional  
2 analysis related to students who are retained between  
3 school years and within a school year.

4 And then there's sort of a yellow sheet.  
5 And then following that is the packet submitted by  
6 the school with their amendment request documents.  
7 All documents are complete and have been reviewed to  
8 provide that report. And Dylan Wilson did the bulk  
9 of that, so he's here if you have additional  
10 questions as well.

11 CHAIR GIPSON: I'm just looking for, is  
12 this -- are we rolling out the total number  
13 potentially for next year?

14 MS. WOERNER: Yes, the request is to  
15 increase its enrollment count from 917.

16 CHAIR GIPSON: Right. So that anticipation  
17 is they're not looking to roll that out in pieces,  
18 that that's what they're looking to increase that for  
19 immediately next year. That's why I was looking to  
20 see if there was any kind of rollout that I missed.  
21 So they're just looking -- their anticipation is that  
22 it will be for next year, they could have that top  
23 enrollment.

24 MS. WOERNER: I guess if approved that,  
25 yes, they could. I don't think that that's their

1 plan to immediately jump to that level, but that's  
2 their long-term goal over the next couple of years, I  
3 believe. But that would be a question I think you  
4 would have to ask the school.

5 CHAIR GIPSON: All right.

6 MS. WOERNER: Dylan has a comment, too.

7 MR. WILSON: There should be -- in the  
8 appendix behind that first yellow page there, there  
9 should be an enrollment/staffing chart that kind of  
10 predicts how much they think their enrollment is  
11 going to be for the year.

12 MS. WOERNER: Oh, so they did provide it.  
13 My apologies.

14 CHAIR GIPSON: I thought I saw it when I  
15 looked through the materials, and then I wasn't --

16 MS. CARMONA: There was an enrollment cap  
17 to increase immediately, but I don't think they  
18 intend to hit that number immediately.

19 CHAIR GIPSON: I don't see it. Maybe I'm  
20 missing it.

21 MS. WOERNER: Madam Chair and  
22 Commissioners, if I could direct your attention to  
23 the page that has the title, Albuquerque School of  
24 Excellence at the top, and a very tiny chart at the  
25 bottom of the page that I can't read without some

1 reader glasses, but I think that's what the school  
2 provided for their plan.

3 CHAIR GIPSON: Okay.

4 COMMISSIONER ROBBINS: Madam Chair and  
5 Ms. Woerner, I don't see a total number here. I  
6 mean, I see two different numbers. I see multiple  
7 numbers, but I don't see a total number that's going  
8 above the 917.

9 CHAIR GIPSON: I'm sorry. What I'm looking  
10 at, if I just look at the line where it says Total, I  
11 don't know what that far right column -- because the  
12 one total, if you look at the very end, it says 741,  
13 and then there's a 341. And I can't -- oh, those are  
14 years. That doesn't make sense.

15 MS. WOERNER: I'm going to try to pull up  
16 the electronic copy. Let me just pull that up to see  
17 what was written.

18 CHAIR GIPSON: Yes. Because I'm confused  
19 as to -- I see where it says Growth Plan.

20 MR. WILSON: If I can --

21 MS. WOERNER: I think it's by grade level.  
22 So you have two columns, Commissioner Robbins, that  
23 is the lower grades and then the upper grades, and if  
24 you add them together.

25 MR. WILSON: If it helps, the school is

1 eventually intending to add a second campus. So  
2 they'll be splitting up their lower grades and their  
3 upper grades. So on that chart they have by year,  
4 but they have two columns per each year. One column  
5 is for grades five through twelve, the other column  
6 is for first through fourth.

7 CHAIR GIPSON: Okay.

8 MR. WILSON: So if you take the totals  
9 under each year in those two columns and put them  
10 together, that is what their total enrollment for  
11 that year would be.

12 CHAIR GIPSON: So if I look at the very  
13 far -- the last two columns on the far right, is that  
14 what they're looking at for next year or --

15 MR. WILSON: On the complete far right?

16 CHAIR GIPSON: 741 and 341, is that what  
17 they're anticipating they're going to have next year?

18 MR. WILSON: That is for 2024-2025. So  
19 this is a year-by-year increase.

20 CHAIR GIPSON: Because I can't read the  
21 dates.

22 COMMISSIONER ROBBINS: Madam Chair, I can  
23 read the dates. But in this plan, what this plan  
24 shows, they don't show any year at 1,199, which is  
25 what the summary page is indicating the increase is

1 for.

2 CHAIR GIPSON: Right. And I will say that  
3 we have a significant number of schools that never  
4 reach their enrollment cap, you know, that that's --  
5 it's not a requirement that you say you want 2,000  
6 students, and you never grow to 2,000. That's just a  
7 decision that the school determines.

8 COMMISSIONER ROBBINS: But you made a  
9 comment that this was for a second location.

10 MR. WILSON: That is eventually. Before  
11 they submit that request, we had them submit the  
12 request to increase their enrollment cap.

13 MS. WOERNER: So they would have to come  
14 before the commission to do the second site, but they  
15 are hoping to seek some grant funding for adding a  
16 second site in the future. But that would have to  
17 come before this commission. For now, they're asking  
18 to increase their enrollment only.

19 COMMISSIONER ROBBINS: At this approved  
20 site, this increase, if it's approved, would be to  
21 increase the enrollment at this site?

22 MS. WOERNER: Correct.

23 CHAIR GIPSON: No, only if their occupancy  
24 allowed them to grow to that number.

25 COMMISSIONER ROBBINS: Right. And that's

1 what my question is.

2 CHAIR GIPSON: Right.

3 COMMISSIONER ROBBINS: I guess, what is  
4 their occupancy approved for?

5 MR. WILSON: That obviously is the last  
6 document.

7 MS. WOERNER: It doesn't give the numbers,  
8 does it? You say the building capacity is what  
9 you're asking; right?

10 COMMISSIONER ROBBINS: Right.

11 MS. WOERNER: I don't think we have that.  
12 Oh, yes, I see it.

13 COMMISSIONER ROBBINS: The current  
14 building.

15 CHAIR GIPSON: Right. But it is most  
16 common that schools do have to ask for the enrollment  
17 cap increase because they have to go to their  
18 funders, whether it's a grant or they're looking for  
19 a loan, to show that they have been given permission  
20 to have that growth so that they're not making  
21 promises to lend the money for something that's not  
22 going to be able to happen. But yeah, if we did  
23 agree to the enrollment cap increase, it would never  
24 be able to violate the occupancy that they had. So  
25 that's -- but thanks for the question.

1 Do we have any questions or concerns? If  
2 not -- I'm guessing not. We haven't been told there  
3 is.

4 MS. WOERNER: Okay.

5 CHAIR GIPSON: So are there any questions  
6 or concerns? If not, I'll entertain a motion.

7 COMMISSIONER ROBBINS: I move that the  
8 Public Education Commission approve the amendment  
9 request from Albuquerque School of Excellence to  
10 increase its enrollment cap to 1,199.

11 COMMISSIONER RUIZ: Second.

12 CHAIR GIPSON: There's a motion by  
13 Commissioner Robbins and a second by Commissioner  
14 Ruiz. Any further discussion?

15 COMMISSIONER CABALLERO: Yes. I don't  
16 think I can vote on something I can't see, and I  
17 couldn't see the numbers and what they meant, so I  
18 want to abstain.

19 CHAIR GIPSON: Can you see the electronic  
20 version?

21 COMMISSIONER CABALLERO: Yeah. My computer  
22 won't connect to the interconnect, but I can look at  
23 someone's else's.

24 COMMISSIONER VOIGT: I've got mine.

25 COMMISSIONER CABALLERO: Madam Chair, I'm

1 clear.

2 CHAIR GIPSON: Thank you.

3 COMMISSIONER ARMBRUSTER: Madam Chair, I'm  
4 wondering, do we have like Istation scores for this  
5 school? I guess it was just one, two, or maybe one,  
6 two, three.

7 MS. WOERNER: I don't have them, but I can  
8 get those.

9 COMMISSIONER ARMBRUSTER: That's fine.

10 MS. WOERNER: And I should have done that.

11 COMMISSIONER ARMBRUSTER: That's fine. I  
12 don't need them. And I had a question, but I can't  
13 remember what it is.

14 CHAIR GIPSON: Do you want to wait or can  
15 we move on the motion?

16 COMMISSIONER ARMBRUSTER: Let me just  
17 clarify what I am going to be voting on. To increase  
18 the cap, period?

19 CHAIR GIPSON: Correct, that's the  
20 amendment request.

21 COMMISSIONER ARMBRUSTER: Okay. Got it.  
22 I'm cool.

23 CHAIR GIPSON: Are you good?

24 COMMISSIONER ARMBRUSTER: Yes.

25 CHAIR GIPSON: Okay. Roll call.

1 COMMISSIONER ARMBRUSTER: Commissioner  
2 Gibson.  
3 CHAIR GIPSON: Yes.  
4 COMMISSIONER ARMBRUSTER: Commissioner  
5 Voigt.  
6 COMMISSIONER VOIGT: Yes.  
7 COMMISSIONER ARMBRUSTER: Commissioner  
8 Chavez.  
9 COMMISSIONER CHAVEZ: 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 Robbins.  
18 COMMISSIONER ROBBINS: Yes.  
19 COMMISSIONER ARMBRUSTER: Commissioner  
20 Armbruster votes yes.  
21 Commissioner Ruiz.  
22 COMMISSIONER RUIZ: Yes.  
23 COMMISSIONER ARMBRUSTER: Commissioner  
24 Davis.  
25 COMMISSIONER DAVIS: Yes.

1 COMMISSIONER ARMBRUSTER: Nine to zero  
2 vote. The motion passes.

3 CHAIR GIPSON: The motion passes nine to  
4 zero.

5 And just for clarification, the letter that  
6 will go out acknowledging that the amendment request  
7 has been approved should also offer the advice that  
8 the commission in April is, in fact, looking at the  
9 issue of schools being able to open a site off-site,  
10 because the school does indicate in this narrative  
11 that they're looking to replicate whatever else the  
12 term is, so that the school needs to be forewarned  
13 that that may not be a possibility based on whatever  
14 actions the commission takes in April.

15 MS. WOERNER: And will you -- do you want  
16 us to word that, or are you going to draft the  
17 language?

18 MS. JAEGER: Yes. But can you just send me  
19 the letter, and then I'll have it?

20 MS. WOERNER: Absolutely. Thank you.

21 CHAIR GIPSON: Because there's a standard  
22 form that just says your amendment. So we can just  
23 add an addendum to that. Thanks.

24 We are onto now the B portion of No. 8, and  
25 that is the Change to Grade Levels Served of School

1 of Dreams. So thank you for bearing with us. We are  
2 so enthusiastic that you had to even participate in  
3 the pre-meeting festivities to this. So thank you  
4 and welcome.

5 MS. WOERNER: Thank you. As indicated, the  
6 School of Dreams is the next part in your packet that  
7 has the report from the Charter Schools Division  
8 outlining a summary again of the request to add  
9 grades five and six. For those of you who may not be  
10 familiar with this school, they currently serve  
11 grades seven through twelve, added grades K through  
12 four in sequential years, last year were approved to  
13 add grades four. They're now here asking to add  
14 grades five and six to make them a full -- actually,  
15 pre-K to twelfth grade school.

16 You can see the academic performance chart  
17 again. And on the next page is the performance  
18 framework for the last two years, as well as some of  
19 the issues that were found by the site visit team on  
20 this year's visit for the school, and moving further,  
21 some further details about some of the deficiencies  
22 that were found in the performance framework.

23 Again, some additional analysis on the last  
24 page of the report highlighting while they're  
25 eligible to add additional grades, they did see a

SANTA FE OFFICE  
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Santa Fe, NM 87501  
(505) 989-4949  
FAX (505) 820-6349



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201 Third NW, Suite 1630  
Albuquerque, NM 87102  
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1 drop in some of their grades in the school grading  
2 report. And as part of the requirements, which is  
3 listed on the recess form, the school must obviously  
4 go to the new contract if this is approved, receive  
5 no lower than a "C" letter grade in any of the past  
6 three years, or all of the past three years for which  
7 evaluations are available, and not had their board of  
8 finance revoked, and is complying with all reporting  
9 requirements. As far as the board of finance and the  
10 governing board compliance, that has been met, but  
11 there are some concerns about the overall performance  
12 at this school that we outlined here in our report.

13 CHAIR GIPSON: Thank you. Good morning.

14 MR. POHL: Good morning.

15 CHAIR GIPSON: If you would just identify  
16 yourself for the record.

17 MR. OGAS: Yes. My name is Michael Ogas.  
18 I'm the Superintendent of School of Dreams Academy.

19 CHAIR GIPSON: So anything that you wish to  
20 highlight, add, clarify?

21 MR. OGAS: Well, I haven't seen the report  
22 from the Charters School Division on this specific  
23 issue, but I can tell you, as you know, we have  
24 been -- I've been here before the commission for  
25 three years requesting grade level increases

1 systematically.

2 CHAIR GIPSON: Okay. Can I just interrupt  
3 for a second?

4 MR. OGAS: Yes, ma'am.

5 CHAIR GIPSON: You didn't receive this  
6 information?

7 MR. OGAS: I didn't receive that report. I  
8 received an agenda. That's all. The reason I didn't  
9 think anything of it was because we just came off a  
10 renewal in December and a comprehensive review of our  
11 entire programs. So I just figured that we were good  
12 to go, plus the recommendation at that time was for  
13 us to come as soon as we could to increase grades  
14 five and six.

15 CHAIR GIPSON: So I'm going to address my  
16 concern that you weren't given the opportunity to see  
17 this. So I'm going to ask you if you're comfortable  
18 moving forward with this without having seen the  
19 information that CSD offered to us?

20 MR. OGAS: Madam Chair, Members of the  
21 Commission, I believe the information is probably  
22 information that we have talked about in the past,  
23 and we knew under the new contract renewal we were  
24 going to renegotiate as well as move towards in terms  
25 of redefining our performance framework portion of

1 the contract. We have spoken over the years about  
2 whether or not some of us charters had the ability to  
3 write or change amendments to our performance  
4 framework over the past, and that's been on the  
5 record for a couple years already.

6 Our school's preference is we're moving  
7 into a new contract. We were reauthorized without  
8 conditions. We are at the final piece of adding in  
9 our entire grade level offerings. We are at the cusp  
10 of building. We have a site. We have been working  
11 on some things with the public school facilities  
12 authority.

13 There's a lot of things going on that I  
14 really believe the approval of adding grades five and  
15 six, we have the space for it. We are moving into  
16 the recruiting section of a recruiting fair in April.  
17 We would like to know whether or not we can begin  
18 hiring, that kind of thing. There's a lot of things  
19 at play here that I think in terms of past  
20 performance or things we needed that we didn't have  
21 or address in old performance framework goals. I was  
22 under the impression, and also was my governing  
23 counsel, that we were going to work through those in  
24 the future, get past that. I've already had our  
25 statistician identify new performance framework goals

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Santa Fe, NM 87501  
(505) 989-4949  
FAX (505) 820-6349



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201 Third NW, Suite 1630  
Albuquerque, NM 87102  
(505) 843-9494  
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1 for the upcoming negotiations.

2 I guess to answer your question, yes,  
3 ma'am. I'm happy to answer any questions and  
4 questions that arise with respect to that. We really  
5 want to see this move forward.

6 CHAIR GIPSON: Okay. I just wanted for  
7 you --

8 MR. OGAS: Sorry. It's a little bit  
9 roundabout way, but yes.

10 CHAIR GIPSON: -- to be comfortable with  
11 this. So we're fine.

12 So is there anything else you want to say?

13 MR. OGAS: We're real anxious to fill out  
14 all of our grades. We have the capacity to do it  
15 facility wise, staff wise, expertise wise, curriculum  
16 wise. We're ready to go.

17 CHAIR GIPSON: Okay.

18 COMMISSIONER VOIGT: I have a question for  
19 the school.

20 CHAIR GIPSON: Commissioner Voigt.

21 COMMISSIONER VOIGT: Thank you, Mr. Ogas.  
22 So currently for clarification, this school year  
23 you're grades K through four and seven through  
24 twelve?

25 MR. OGAS: Yes. We also have a 3Y, 4Y DD

1 program that was approved into our contract. No one  
2 wanted to call it a pre-K, so we don't.

3 COMMISSIONER VOIGT: Okay. So potentially,  
4 you could lose enrollment with that gapping bridge.

5 MR. OGAS: The fourth grade would not have  
6 a place to go. They would have to leave.

7 CHAIR GIPSON: Yeah. I mean, that is  
8 addressed in the amendment request that kids would  
9 have to disenroll, or not disenroll because the  
10 grades don't exist, and then potentially try to get  
11 them back, which is a little wonky.

12 MR. OGAS: If I may just add to that, Madam  
13 Chair, we have already lost an element because we  
14 don't have the full grades because parents are having  
15 to chose between two separate schools, sometimes the  
16 Belen schools, Los Lunas schools and us where they  
17 want their older kids to be with us, and their  
18 younger kids, but their schedules don't work. And we  
19 have lost enrollment because of that as well already.

20 CHAIR GIPSON: Okay. Thank you. I'm going  
21 to ask a question because we all received a disk with  
22 a state audit findings on there. And from that --  
23 from the audit report, there was a disclaimer of  
24 opinion, and that was related to your foundation, and  
25 1.159 million should have been reflected as a

1 liability.

2 MR. OGAS: Yes, ma'am. There was, I guess,  
3 maybe confusion about that, whether or not all that  
4 needed to be provided. I mean, we knew from our end  
5 what our liabilities were, and it came up during the  
6 last stages of the auditor's work. We met with them  
7 about three weeks ago, and we believe we're moving  
8 forward on a complete resolution to all of that. It  
9 was the fact that, I guess, the people that were  
10 doing the books for our foundation weren't exactly  
11 sure how to put the questions together, but that's  
12 been resolved now. Our business people met, our  
13 business people met with the auditors three weeks  
14 ago, and I'm pretty sure there's going to be  
15 clarification and moving forward with that as well.

16 CHAIR GIPSON: Okay. Just to be really  
17 sure that, I think, that clarification will  
18 absolutely be required when we do the contract  
19 negotiations.

20 MR. OGAS: Absolutely.

21 CHAIR GIPSON: So that that's clear.

22 MR. OGAS: Our business office is working  
23 to resolve that and has been since the preliminary  
24 finding came out.

25 CHAIR GIPSON: Okay. Thank you.

1 COMMISSIONER VOIGT: I'll make a motion.

2 CHAIR GIPSON: Sure.

3 COMMISSIONER VOIGT: Unless there are other  
4 questions.

5 COMMISSIONER DAVIS: Well, I have a  
6 question.

7 CHAIR GIPSON: Sure.

8 COMMISSIONER DAVIS: So because I am new  
9 here, and I don't know your history, it's telling us  
10 that you've got repeated concerns from the last  
11 visit. Can you talk to me about that?

12 MR. OGAS: I'm not sure. You would have to  
13 be specific on which ones.

14 COMMISSIONER DAVIS: So it says, Student  
15 Next Step Plans, repeated concern; English Language  
16 Learners' Rights, repeated concern; Personnel Files,  
17 repeated concerns.

18 MR. OGAS: So those things were in separate  
19 files. Some of them may not have been looked at.  
20 The Next Step Plans are fully compliant at this  
21 point. We also do an individualized learning plan  
22 that falls along with that. Our children at the  
23 older grades, if it's something that they're able to  
24 do or motivated to do, we're part of an early high  
25 school movement, so a lot of our students are

1 attending dual courses both on and off our campus.

2           So the concerns about some of the personnel  
3 files, the main one was that we did not have -- and I  
4 think that's been clarified since then -- the  
5 mandatory training of child abuse and that kind of  
6 stuff. We didn't have them in the personnel file,  
7 but we had a separate notebook of all of them that  
8 were there. So I think those kinds of details are  
9 being fixed. It's not that they weren't there.  
10 There was some other things that once they were  
11 brought to our attention, we have complied with.

12           With the ELL side, what we have done with  
13 any concerns, we have always served ELL students by a  
14 maintenance program. But what we're doing now is  
15 we're looking strongly at creating a bilingual  
16 program, a dual language program, as part of our  
17 younger grades would lead up into possibly seventh  
18 and eighth grade. We're actually putting that  
19 together right now for the upcoming year.

20           COMMISSIONER DAVIS: And then my other  
21 question, there's a graph in academic performance  
22 over the past fours, and you went up in 2017 and down  
23 in 2018. Can you explain that?

24           MR. OGAS: There was a couple of things  
25 with respect to that. And I think part of our

1 community got caught up in we're being tested too  
2 much type of notion, so we've tried very hard to  
3 address that. There was also the notion that, okay,  
4 a lot of our kids were taking college classes on this  
5 side, and what they were being tested on on the PARCC  
6 was a little bit different because of our dual credit  
7 model, and that may have been packed with some of  
8 that as well.

9           Some of us in the early college movement  
10 had made the comment that a lot of our kids were  
11 college ready, but not necessarily PARCC ready. And  
12 I'm not making light of it. It was some logistics  
13 that we all have been talking about for a number of  
14 years once the PARCC and the High Stakes testing came  
15 out.

16           COMMISSIONER DAVIS: Thank you.

17           CHAIR GIPSON: Can I just ask, in our  
18 packet, the page that's titled, SODA 28, 18, 19,  
19 preliminary site visit concerns, was that from the  
20 site visit that came as a result of the renewal site  
21 visit, or was that the site visit that was just done  
22 routinely in the fall?

23           MS. WOERNER: I think it's yes and yes.

24           MR. OGAS: It was.

25           MS. WOERNER: We combined our renewal and

1 annual site visits at the same time, so we had four  
2 staff on-site; two doing the renewal, and two doing  
3 the annual. And this is, in fact, from that site  
4 visit report for the annual portion.

5 CHAIR GIPSON: Okay.

6 MS. WOERNER: And as Mr. Ogas indicated,  
7 they are working to improve these areas. I would say  
8 that our biggest concern on this list would be the  
9 English Language Learner servicing and particularly  
10 concerned because the same issues had been noted the  
11 prior year.

12 CHAIR GIPSON: Okay. Thank you. I have a  
13 concern because you don't have a CPO?

14 MR. OGAS: The CPO that we have had, we  
15 have had our financial services working out of REC  
16 10, the same business manager that does that, and the  
17 CPO that they have been used and designated was the  
18 CPO for us. The monitoring team felt it needed to be  
19 different, so we are correcting it. It needed to be  
20 a different person.

21 CHAIR GIPSON: Than your business services?

22 MR. OGAS: Yes. We had someone from our  
23 business services. Well, we didn't, but our business  
24 manager was here, and the CPO was out of the REC as  
25 well, but not an employee of ours. We're making him

1 an employee of ours now.

2 CHAIR GIPSON: So that employee of yours is  
3 not yet certified, correct, because I think the  
4 springtime is when you're doing the training?

5 MR. OGAS: Yes.

6 CHAIR GIPSON: So they're just waiting for  
7 the training. So you're still currently using the  
8 CPO through REC, or did you sever that?

9 MR. OGAS: We have severed it in name. It  
10 hasn't been formalized in terms of the person being  
11 trained.

12 CHAIR GIPSON: So you currently don't have,  
13 then, a CPO?

14 MR. OGAS: Well, I don't know if sever is  
15 the right word. We utilize -- what we do utilize is  
16 mostly state procurement contracts, CES type things.  
17 So we haven't had a whole lot of major bidding going  
18 on.

19 CHAIR GIPSON: Okay.

20 MR. OGAS: But we are going to correct  
21 that.

22 COMMISSIONER DAVIS: I have one more  
23 question, just a curiosity question.

24 CHAIR GIPSON: Sure.

25 COMMISSIONER DAVIS: How did you set up the

1 school without those grades? You've got the lower  
2 grades and higher grades, and you didn't do the  
3 middle ones?

4 MR. OGAS: So I'll give you the Reader's  
5 Digest version of how this worked. When we were  
6 first chartered in 2009, we were seven, eight, and  
7 nine. We were going to be seven through twelve, but  
8 we started with seven through nine. We eventually  
9 went to seven through twelve. Then we were hearing  
10 from the community that -- they kept requesting that  
11 we start an elementary school.

12 So about four years ago, I came to the  
13 Commission saying we want to start an elementary  
14 school, here's our plan, we were going to move sites,  
15 and I requested the whole K through six. And the  
16 Commission rightfully thought it was a little  
17 aggressive, so they approved a K through two. And  
18 every year after that, I think the next year we  
19 approved a grade three and a 3Y, 4Y program. So we  
20 have been systematically -- what I wanted to do right  
21 away, but it was probably the best not to.

22 COMMISSIONER DAVIS: Okay. Thank you.

23 CHAIR GIPSON: Mr. Ogas is a regular here.

24 Commissioner Armbruster.

25 COMMISSIONER ARMBRUSTER: I have a

1 question. Do we have scores for this school on  
2 Istation?

3 MR. OGAS: I do. I mean, they're off the  
4 top of my head, but we were just doing a grant  
5 yesterday, and our Istation scores are in the 92 to  
6 95 percentile both in literacy and in mathematics.

7 COMMISSIONER CHAVEZ: Madam Chair,  
8 Mr. Ogas, I just kind of want to echo and repeat what  
9 some of the comments already regarding ELLs and  
10 proper identification. And I appreciate what you're  
11 trying to do with servicing them as far as  
12 academically, but it seems, according to the report  
13 that we received, that it's more about proper  
14 identification, and so the operations of  
15 identification. And it seems like you have had three  
16 years of this repeated concern. And so I'm just  
17 wondering if you've been able to revise your  
18 operations as far as identification of your ELLs.

19 MR. OGAS: We have trained office staff  
20 when we're enrolling students on the proper  
21 identification of documents and things that need to  
22 be submitted, and we have a very competent individual  
23 who knows how to do the different types of  
24 assessments that need to be done once they're  
25 identified through the enrollment process. That I am

1 confident that we have taken care of.

2 COMMISSIONER CHAVEZ: This is a new person?

3 MR. OGAS: No. This is a person who has a  
4 long history in the bilingual area.

5 COMMISSIONER CHAVEZ: I guess I'm having a  
6 hard time. If there's been three years of this  
7 repeated concern, and you have the same person,  
8 what's changed?

9 MR. OGAS: The process to identify. I  
10 think where we were getting locked up was at the  
11 office level when we were enrolling students, what we  
12 were requesting the enrollment packet information on  
13 whether or not a student had an English language  
14 needs.

15 COMMISSIONER CHAVEZ: Okay. So as far as  
16 identification, have you adopted the flow chart that  
17 the Language and Cultural Bureau has pushed out in  
18 terms of identification of ELLs?

19 MR. OGAS: I have not seen that yet, no.

20 CHAIR GIPSON: Thank you.

21 Did you want to say something?

22 MR. BRAUER: Yes, I wanted to defer.

23 CHAIR GIPSON: Okay.

24 MS. WOERNER: Madam Chair and

25 Commissioners, I just wanted to point out that the

1 site visit team was following direction from the  
2 State Purchasing Office that the CPO had to be an  
3 employee of the school. They have since advised us  
4 that the SWREC's procurement officer can be the  
5 school's procurement officer through a state agency  
6 agreement, and so for Mr. Ogas to continue to use the  
7 SWREC's procurement officer is approved by the  
8 State's Purchasing Office. Generally speaking, the  
9 CPO -- the guidance from the State Purchasing Office  
10 is that the CPO should be an employee of the school.  
11 They do have an employee of the school -- correct me  
12 if I'm wrong, Mr. Ogas -- but they do have an  
13 employee at the school who is a business manager?

14 MR. OGAS: We do, yes.

15 MS. WOERNER: So the CPO can be the state  
16 agency's -- the SWREC's procurement officer. And I  
17 just wanted to sort of retract that and rescue  
18 Mr. Ogas from that concern.

19 CHAIR GIPSON: Okay.

20 MR. OGAS: Thank you.

21 CHAIR GIPSON: That's okay.

22 Commissioner Voigt.

23 COMMISSIONER VOIGT: I want to make a  
24 motion that the Public Education Commission approve  
25 the amendment request from the School of Dreams to

1 change grade levels served.

2 COMMISSIONER CABALLERO: Second.

3 CHAIR GIPSON: There's a motion by  
4 Commissioner Voigt, a second by Commissioner  
5 Caballero. Is there any discussion? If not,  
6 Commissioner Armbruster, roll call, please. Oh I'm  
7 sorry. I thought you were --

8 COMMISSIONER ARMBRUSTER: That's okay.  
9 This school has been around for a long time, and it  
10 has kind of done from like life to death here with  
11 the 3Y, KY, as well as a night school. And I know a  
12 lot of that happened before I was here, and when  
13 Governor Richardson was Governor. So I know that  
14 you've been here way longer than I have. But it  
15 still concerns me that on the academic performance  
16 framework and the organizational framework that we  
17 would still have these "falls far belows." So now  
18 I'm saying, Well, I'm going to give you two more  
19 grade levels, and we still have these. And this is  
20 just me talking. If you've been a school for a long  
21 time, it seems to me that we shouldn't have one, two,  
22 three, four -- I don't know -- say like 10, some of  
23 them went down and some went up, which is good, but  
24 at least 10 that are still of concern.

25 MR. OGAS: May I respond?

1 CHAIR GIPSON: Certainly.

2 COMMISSIONER ARMBRUSTER: Please do.

3 MR. OGAS: So when the contract  
4 negotiations occurred five years ago, we entered it,  
5 and so did other charters, with the expectation that  
6 we could modify them after the first year, that we  
7 might be able to come back and renegotiate. We have  
8 been brought this up before. We knew at that time  
9 that those initial framework goals could either not  
10 be met or were not accurately correct depending on  
11 new data that we had, and we did ask. We repeatedly  
12 asked to come back to try to renegotiate those, and  
13 because of logistics and other things, it did not  
14 happen. And we have said that before. And we do  
15 know now. We have hired a statistician for the last  
16 three years who has looked at our information. And  
17 we feel that we have told the Charter Schools  
18 Division that we are going to include performance  
19 framework goals again into our new contract, and we  
20 feel we have a better handle on our current data and  
21 measurable data moving forward.

22 So we could see that on the one side for  
23 the performance framework goals that we weren't doing  
24 well, but then at the same time, the focus was on  
25 trying to improve school grade, too. So we were more

1 concerned about how do we get our kids ready for  
2 PARCC and the testing and all those kinds of things.  
3 So it was a split deal.

4 And I'm not making excuses. It's just the  
5 reality of what it was. And I have responded to that  
6 question many times already. And I do think it's a  
7 good bet to allow us to add grades five and six  
8 because the community has been asking for it, they're  
9 ready for it, everybody's waiting for it, and we can  
10 do a good job with it, to be honest with you. And I  
11 think you're going to see that in the next upcoming  
12 year or two.

13 CHAIR GIPSON: And I will substantiate what  
14 Mr. Ogas is saying because it was my first year on  
15 the Commission, I remember being at contract  
16 negotiations down at CES, and you actually came to  
17 ask the then director and chair, who wasn't me, if  
18 there could be a renegotiations. And there has been  
19 a continual reluctance and denial for the  
20 renegotiations of those goals. So I just want to  
21 make sure that people are aware that that did, in  
22 fact, happen. So it is -- I'm not going to go any  
23 further.

24 COMMISSIONER ARMBRUSTER: I'm ready.

25 CHAIR GIPSON: Seeing no other need for

1 discussion, roll call, please.

2 COMMISSIONER ARMBRUSTER: Commissioner

3 Chavez.

4 COMMISSIONER CHAVEZ: Yes.

5 COMMISSIONER ARMBRUSTER: Commissioner

6 Caballero.

7 COMMISSIONER CABALLERO: Yes.

8 COMMISSIONER ARMBRUSTER: Commissioner

9 Crone.

10 COMMISSIONER CRONE: No.

11 COMMISSIONER ARMBRUSTER: Commissioner

12 Voigt.

13 COMMISSIONER VOIGT: Yes.

14 COMMISSIONER ARMBRUSTER: Commissioner

15 Gipson.

16 CHAIR GIPSON: Yes.

17 COMMISSIONER ARMBRUSTER: Commissioner

18 Robbins.

19 COMMISSIONER ROBBINS: Yes.

20 COMMISSIONER ARMBRUSTER: Commissioner

21 Davis.

22 COMMISSIONER DAVIS: Yes.

23 COMMISSIONER ARMBRUSTER: Commissioner

24 Ruiz.

25 COMMISSIONER RUIZ: Yes.

1 COMMISSIONER ARMBRUSTER: Commissioner  
2 Armbruster votes yes.

3 CHAIR GIPSON: The motion passes eight to  
4 one. Thank you very much. We'll see you soon for  
5 contract negotiations. And just be aware that we're  
6 voting actually in a moment in changes to the  
7 performance framework.

8 MR. OGAS: Thank you.

9 CHAIR GIPSON: So a lot of it to be  
10 determined.

11 So we are onto -- actually, it's Item No.  
12 9, which is discussion and possible action on the  
13 financial framework. And I did mention this  
14 yesterday. The financial framework is still in the  
15 works, and there's a timeline that has been created  
16 in which there's going to be further engagement with  
17 the schools and financial -- the business managers  
18 here in New Mexico so that we're clear as to what  
19 information can be gathered, what information is more  
20 appropriate. And with public impact, they have a new  
21 individual on board, or at least new to us, who's  
22 done a substantial amount of work with charter  
23 schools, financial frameworks. So I think he's  
24 adding a little more light into the conversation  
25 about what should be there.

1           So we're going to move forward as quickly  
2 as possible, but I don't think we're looking at a  
3 trial run until probably more towards the end of the  
4 school year once we get all that feedback because  
5 it's March. So we're trying to move forward on it,  
6 and things are moving, but it's not as quickly as  
7 possible. So we will not be voting on that right  
8 now.

9           So we are going to move onto Item No. 10,  
10 which is discussion and possible action on the  
11 organizational framework. And if you remember from  
12 the last Work Session, we made a minor modification.  
13 When we were looking at the financial framework,  
14 there was a piece that we changed at the February  
15 Work Session which actually is in the organizational  
16 framework, not in the financial. So we need to vote  
17 on that change so that the organizational framework  
18 does reflect what we're going to be negotiating with.  
19 So I don't know if you want to add something.

20           MS. WOERNER: Thank you, Madam Chair and  
21 Commissioners. Yes, the discussion last month was  
22 regarding some pieces in the financial framework that  
23 should have been included in the organizational  
24 framework. The minor change, if I can direct --  
25 there are a few changes. We are in Item 9 section of

1 your binder.

2 CHAIR GIPSON: Well, actually, it's Item 8.  
3 We changed it today to Item 9, but in our tabs it  
4 should be 8.

5 MS. WOERNER: 8 is the financial one.

6 CHAIR GIPSON: Oh, you're right. I'm  
7 sorry.

8 MS. WOERNER: So Item 9 in your binder is  
9 the section of the organizational performance  
10 framework that is addressing financial management.  
11 So it's Page 24 of the actual document. And if  
12 you'll see on Section 2A, one of the things that was  
13 discussed last month was this, and without frequent  
14 repeated errors which does not exist in there. I  
15 don't know if the Commission wants to include that,  
16 but that was one of the things in that area.

17 Moving to 2D, there was some confusion  
18 about the 10 percent of RFRs. There was a discussion  
19 that we wanted to change to reflect what was provided  
20 by the finance folks here at PED. And that change is  
21 noted there with the underlining. And then going on  
22 to the next page, 2F does not exist in the current  
23 framework. So I'm not sure if the Commission wants  
24 to include that, but that was on what we wanted to  
25 take off of the financial framework and felt it

1 belonged in here.

2           And then 3A has several things that we have  
3 been checking on the old performance framework, but  
4 have not been specifically delineated in the new  
5 performance framework. And 3A has one, two, three,  
6 four bullets of underlined text that was reviewed  
7 last month and said to exist in the performance  
8 framework, but actually doesn't clearly state it in  
9 the reporting section, and those would be the adding  
10 sections. So I'm not sure if the Commission wants to  
11 approve all of those changes at this time.

12           CHAIR GIPSON: Because now I've got a  
13 little bit of confusion. What's underlined in 3A is  
14 what we changed at the last --

15           MS. WOERNER: Correct. It was what was  
16 listed under the financial framework at the last Work  
17 Session.

18           CHAIR GIPSON: Right.

19           MS. WOERNER: And you said needed to be in  
20 the -- should have been in the organizational  
21 performance framework. It is not currently in the  
22 organizational performance framework unless you add  
23 to the vote.

24           CHAIR GIPSON: Right.

25           MS. WOERNER: It has always been things

1 that we check, and it is on the old performance  
2 framework, but it was not delineated in this way in  
3 the new performance framework.

4 COMMISSIONER VOIGT: Ms. Woerner, so  
5 everything in Section 2 is from the financial that  
6 came forward to the organizational; is that correct?

7 MS. WOERNER: Yes. Section 2 is already  
8 existing except for the underlining -- in the  
9 organizational framework, this financial management  
10 and oversight is a piece of that.

11 COMMISSIONER VOIGT: Right.

12 MS. WOERNER: And then the text that is  
13 just regular text already exists.

14 COMMISSIONER VOIGT: Right. It's the  
15 underlined red?

16 MS. WOERNER: The underlined and the  
17 crossed out would be the changes that the Commission  
18 can entertain or not.

19 COMMISSIONER VOIGT: Okay. Gotcha.  
20 Thanks.

21 CHAIR GIPSON: One of the reasons why we  
22 didn't feel that urgency to work on -- move on the  
23 financial framework as quickly was because so much is  
24 in the organizational that we're not missing. There  
25 are big gaps in the financial information that we

1 get, and so this kind of even solidifies it even  
2 more.

3 COMMISSIONER VOIGT: It does, yeah.

4 CHAIR GIPSON: Okay. Are we ready for a  
5 motion?

6 COMMISSIONER VOIGT: Yeah, I will make  
7 that. I would move that the Public Education  
8 Commission adopt the organizational performance  
9 framework.

10 COMMISSIONER ROBBINS: I'll second.

11 CHAIR GIPSON: There's a motion by  
12 Commissioner Voigt, a second by Commissioner Robbins.  
13 Any further discussion? If not, Commissioner  
14 Armbruster, roll call.

15 COMMISSIONER ARMBRUSTER: Commissioner  
16 Davis.

17 COMMISSIONER DAVIS: Yes.

18 COMMISSIONER ARMBRUSTER: Commissioner  
19 Robbins.

20 COMMISSIONER ROBBINS: Yes.

21 COMMISSIONER ARMBRUSTER: Commissioner  
22 Voigt.

23 COMMISSIONER VOIGT: Yes.

24 COMMISSIONER ARMBRUSTER: Commission  
25 Caballero.

1 COMMISSIONER CABALLERO: Yes.

2 COMMISSIONER ARMBRUSTER: Commissioner

3 Gibson.

4 CHAIR GIPSON: Yes.

5 COMMISSIONER ARMBRUSTER: Commissioner

6 Chavez.

7 COMMISSIONER CHAVEZ: Yes.

8 COMMISSIONER ARMBRUSTER: Commissioner

9 Ruiz.

10 COMMISSIONER RUIZ: Yes.

11 COMMISSIONER ARMBRUSTER: Commissioner

12 Crone.

13 COMMISSIONER CRONE: Yes.

14 COMMISSIONER ARMBRUSTER: Commissioner

15 Armbruster votes yes.

16 The motion passes nine to zero.

17 CHAIR GIPSON: The motion carried

18 nine/zero?

19 COMMISSIONER ARMBRUSTER: Yes, it did.

20 CHAIR GIPSON: Thank you. We're on to

21 Discussion and Possible Action on PEC Legislative

22 Bills and Strategy. We don't have really full

23 information as to what will and will not be vetoed

24 until the first week in April, so that some of those

25 bills will, in fact, impact contract negotiations in

1 terms of our monitoring new pieces based on whatever  
2 does come forward. And we will also have to look at  
3 our new application and our revocation procedures  
4 simply based on what happens in terms of, in  
5 particular, opening and closing schools on tribal  
6 lands. So that we will have to look at what kind of  
7 modifications and notifications, in particular, with  
8 the new applications that we may have to make.

9           So I don't think there are going to be  
10 enormous changes. They'll just be procedural that  
11 we'll have to look at, but we'll keep an eye on it,  
12 and we'll have a better idea in April as to what's  
13 impacting charters, in particular, in terms of our  
14 monitoring the charters that come through those  
15 bills. So we'll get an update in April on that, and  
16 hopefully, the Deputy Secretary will be able to offer  
17 some clarification with that as well.

18           So we'll move on -- now that we're on that  
19 topic, we'll move onto my report in that I responded  
20 to commissioners that expressed an interest through  
21 communication with Beverly or directly to me with the  
22 liaison list. So that has been provided.

23           E-mails and computers, every commissioner  
24 received the new e-mail address that we have to use.  
25 And I believe it's March 30 -- is it, Beverly -- the

1 date that everyone has to be on it by?

2 MS. FRIEDMAN: Madam Chair, I had mentioned  
3 next Monday or this coming Monday.

4 CHAIR GIPSON: Okay.

5 MS. FRIEDMAN: If possible. That's why I  
6 wanted everyone to try it. And if it doesn't work  
7 for some, then I can postpone that date. But I was  
8 planning on changing all of the web information on  
9 Monday.

10 CHAIR GIPSON: All right. So do we have  
11 any commissioners that have not been successful in  
12 creating that e-mail account?

13 COMMISSIONER CABALLERO: I have not created  
14 it not because I wasn't successful, but I tried it  
15 here, and I couldn't connect to the internet.

16 CHAIR GIPSON: Okay.

17 COMMISSIONER CABALLERO: So I do promise to  
18 do it over the weekend.

19 CHAIR GIPSON: Okay.

20 COMMISSIONER CABALLERO: And if I can't  
21 tomorrow, I'll send you an e-mail.

22 CHAIR GIPSON: Just that so you're aware, I  
23 think a number of us experienced just a little  
24 difficulty when going in to try to change the  
25 password. I received for like two days just this

1 message critical error. It goes away. You just have  
2 to be diligent and keep trying, but it does  
3 eventually just disappear. And it's apparently not  
4 unusual that that happens.

5 COMMISSIONER ARMBRUSTER: Mine did the  
6 same.

7 COMMISSIONER CRONE: Mine did the same.

8 CHAIR GIPSON: So it just takes a day or  
9 two for that message to stop appearing, and then you  
10 can change the password.

11 But as long as we're on the subject of  
12 e-mails, I did ask Ami yesterday what do we do with  
13 our old ones. And all of us have had e-mail accounts  
14 that we have been using and directed to set up a  
15 separate e-mail account. Those e-mails need to be  
16 saved so that you either put them in a folder, but  
17 you cannot delete or transfer them over to the new  
18 account. But if there's an IPRA request, it is not  
19 sufficient to say, Well, those are from the old  
20 e-mail account so I don't have them any longer. We  
21 have to keep those, so just so that that's one more  
22 little task that you have to take care of.

23 And we will be getting new cards that have  
24 the new e-mail addresses, but it's probably going to  
25 be challenging for awhile for folks that are used to

1 contacting us through one e-mail address. So we are  
2 going to have to be diligent with reminding people  
3 that we've got a new e-mail address and to please use  
4 that.

5 MS. JAEGER: I don't have the new e-mail  
6 addresses for anybody.

7 MS. FRIEDMAN: Nobody else does except the  
8 commissioners. I'll send them to you.

9 MS. JAEGER: Okay.

10 MS. FRIEDMAN: Basically, they're going to  
11 be public on Monday.

12 CHAIR GIPSON: Okay.

13 COMMISSIONER ARMBRUSTER: Just a procedural  
14 question. I actually don't get -- I know that the  
15 Madam Chair does, but I don't. Don't start. But  
16 anyway, I get a lot of e-mails addressed to PEC other  
17 than yours about agenda meetings and all these  
18 attachments that come. That's what I have on my PC.  
19 So I just wanted to know just so I keep up with this,  
20 how many times a day does one really need to access  
21 it? Because on my other one, it came right away  
22 because it was part of my e-mail. Do you understand  
23 what I'm asking?

24 CHAIR GIPSON: No.

25 COMMISSIONER ARMBRUSTER: Well, when I open

1 my e-mail right now, I just see everything because I  
2 just use my regular e-mail. I know that you had a  
3 different account. So now I have a different  
4 account. What is the requirement or the suggestion  
5 of how many times a day one actually has to look at  
6 this PEC e-mail?

7 CHAIR GIPSON: You want my answer or  
8 someone else's answer --

9 COMMISSIONER ARMBRUSTER: I want someone --

10 CHAIR GIPSON: -- because my answer is a  
11 lot.

12 COMMISSIONER ARMBRUSTER: I can imagine.

13 CHAIR GIPSON: I have to look at it. And  
14 honestly, you have a different answer as well because  
15 as part of the Executive Committee, there is that  
16 burden to watch more often because things sometimes  
17 happen quickly. I think for just a commissioner, I  
18 would think at least once a day is reasonable,  
19 business days. Oh, there's such things as business  
20 days? Wow. But I would think it's reasonable once a  
21 day.

22 COMMISSIONER ARMBRUSTER: I mean, I'm fine  
23 with doing it. I'm just asking the question, like do  
24 you have to check it like every hour? You know what  
25 I'm saying?

1 CHAIR GIPSON: My answer is yes.

2 COMMISSIONER ARMBRUSTER: You do?

3 CHAIR GIPSON: Yes.

4 COMMISSIONER ARMBRUSTER: But I have not  
5 needed to do that. And so I just want to make sure  
6 I'm doing it when I should be doing it.

7 CHAIR GIPSON: Right.

8 COMMISSIONER DAVIS: I think once a day is  
9 good until it gets close to the meeting dates, and  
10 then they come more often.

11 COMMISSIONER ARMBRUSTER: Right. And this  
12 one is going to come in a few days.

13 CHAIR GIPSON: We're having the agenda  
14 setting conference after this meeting.

15 I spent a lot of time up here during the  
16 session. People thought I moved to Santa Fe there  
17 for awhile. But it was good work, and we had some  
18 positive outcomes. We spoke not in favor of the  
19 enrollment cap increase that was part of HB5/SB1,  
20 certainly the moratorium that was put in after the  
21 session. I did come up and also speak against the  
22 virtual school because we had also spoken about that.  
23 So I spent a lot of time digging into the roots of  
24 HB5 and S-B1 and the particulars as they impacted the  
25 charter schools, not only the moratorium, but the

1 enrollment age cap that was part of the conversation.

2           The small school size adjustments, we had a  
3 lot of conversations about. We had side talks about  
4 the at-risk index and that impact. So there was  
5 off-committees meetings, I think they were good  
6 conversations with legislators about the good work  
7 that charters do. And I have to give Matt absolute  
8 100 percent credit for being the advocate for charter  
9 schools. As I think I mentioned before when I was  
10 contacted by Mr. Zimmerman from the independent  
11 charter schools, he made it clear that they were not  
12 going to be doing advocacy.

13           And if charter schools don't understand how  
14 important advocacy is during that Legislative  
15 session, that is what stalled the Charter School  
16 Moratorium Bill, that is what continues the  
17 conversation about the age cap, that is what -- I  
18 mean, the numbers of charters that came up and the  
19 community support that came out against the school  
20 size adjustment, the age cap, the lottery cap,  
21 however we want it, was, I think, startling to a lot  
22 of the committee members. And that is work that the  
23 Public Charter Schools Coalition did for their  
24 schools, and it is continuing. So that I was glad to  
25 be able to be a piece of any of that.

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Santa Fe, NM 87501  
(505) 989-4949  
FAX (505) 820-6349



MAIN OFFICE  
201 Third NW, Suite 1630  
Albuquerque, NM 87102  
(505) 843-9494  
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1           So I just want to say really a good job  
2 because everything's not going to be a success. And  
3 I think the failures were kind of anticipated anyway.  
4 So you hate them, but it happens. So I think all and  
5 all, we came out better than -- certainly better than  
6 we could have during that session.

7           I also had the opportunity to attend the  
8 joint FBI Secret Service training on identifying  
9 potential threats to schools, which was fascinating  
10 and appalling at the same time. When you're engaged  
11 in that conversation, you hate the fact that you're  
12 actually engaged in this horrific conversation about  
13 what's going on and the threat. And the FBI and the  
14 Secret Service both have a plethora of available  
15 information free -- well, they say it's free. We  
16 have already paid for it as taxpayers, so it's really  
17 not free, but it's available. And they actually will  
18 do -- they'll come out and do some trainings with the  
19 school. So it might be something that the coalition  
20 might want to look at for a conference coming up,  
21 that they're very, very willing to engage schools.

22           One thing that I came out of that  
23 conference with was a concern that especially our  
24 very small schools, they don't have that resource  
25 when there is that potential threat. Because one

1 thing they made very clear is that the worse thing  
2 you can do is suspend a student, that that's  
3 overwhelmingly, I think, 99 percent of the active  
4 shooters that they have dealt with, the one  
5 commonality they have is that they were suspended,  
6 and they were suspended off-site. So that their  
7 number one is, that's the last thing you want to do,  
8 but you need to be able to have resources, behavioral  
9 health resources. You need a village to fix this,  
10 and many of our individual small charters don't have  
11 that.

12           So I think we need to engage with our  
13 schools to really have a conversation so that they  
14 know what other charters in their area may have so  
15 they can share. They need to know truly what the  
16 community offers for free in many cases, so that  
17 there's help out there so that they're not  
18 struggling. And I know administrators will say, Well  
19 what do you want me to do? I've got this kid. What  
20 do you want me to do? So that there's services out  
21 there that can help create those procedures to try to  
22 avoid that ultimate horrific act. And we don't want  
23 to be saying, If we'd only done this. And they have  
24 some guidance with it. They don't want to come in  
25 and tell the schools, This is what you have to do.

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119 East Marcy, Suite 110  
Santa Fe, NM 87501  
(505) 989-4949  
FAX (505) 820-6349



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201 Third NW, Suite 1630  
Albuquerque, NM 87102  
(505) 843-9494  
FAX (505) 843-9492  
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1 But through their assessments after these incidents,  
2 they have certainly learned so much about mistakes  
3 that hopefully can be avoided by schools in terms of  
4 the actions that they take when they're dealing with  
5 the students and setting up.

6 As I know, Commissioner Ruiz has mentioned  
7 Sandy Hook. There's another network out of Colorado  
8 that I think some districts are using, so just so  
9 that schools are also very aware of those  
10 opportunities and options for them and help.

11 COMMISSIONER CABALLERO: Madam Chair, the  
12 list of bills that fit the case, the federal case  
13 that went before the Legislature, one which was to  
14 push for a sociocultural funding died in the Senate  
15 by saying -- by Senator -- I'm not going to name  
16 names -- but I'm afraid that it's going to spur  
17 lawsuits by parents and students other than  
18 minorities. And it was just a fierce effect that had  
19 nothing to do with anything, and very few of the  
20 senators and state reps wanted to get into a  
21 discussion about school safety, and I don't know why.

22 And it's very real, and nobody brought it  
23 up, and it's like something to avoid discussing  
24 openly. And I guess I never got it. Those that were  
25 presenting bills and those that were in the committee

1 would avoid it completely like it's just an  
2 understanding that we shouldn't talk about it because  
3 it doesn't happen that much here. So it was just --  
4 the discussion was just about the social workers,  
5 whether there's enough money for social workers or  
6 not, and that there's a lot of resources out in the  
7 community that can deal with it, but that there  
8 isn't.

9 CHAIR GIPSON: In some communities, you're  
10 absolutely right, there isn't. And it's unfortunate  
11 if part of the conversation is, Well, it doesn't  
12 happen often here. But what they're not seeing is,  
13 yeah, the ultimate horrific act, fortunately, is not  
14 happening here, but the bullying and threats are real  
15 and active and every day within the communities. And  
16 above all else, the bottom line is that there's an  
17 individual or individuals that need help and aren't  
18 being helped. And that unfortunate act is that last  
19 great shout-out, and where were we all along the way.  
20 And the schools are that area where hopefully we can  
21 identify those students that are struggling.

22 Another thing that they mentioned was one  
23 of the most common comment is, Oh, who would have  
24 ever thought that because he's so quiet, or the  
25 other, Hey, I could have told you that that was going

1 to happen. And it's like, Well, why didn't someone  
2 say? And it's difficult.

3 COMMISSIONER VOIGT: Madam Chair, I think  
4 if New Mexico is ever able to adopt a curriculum for  
5 social emotional learning, that would be the best  
6 proactive and preventive thing that we could do as a  
7 state. There's already some state education boards  
8 that are making that mandatory. And something that  
9 we might want to look at is a rigorous social  
10 emotional learning curriculum. I mean, if we can  
11 mandate financial literacy and media literacy, we  
12 certainly should have a social emotional learning  
13 curriculum in place for all schools. And then it's  
14 great to have it for schools that can really flex it  
15 more by implementing a restorative justice program  
16 and building empathy in their schools and up  
17 standards. And there's a lot of great work that  
18 builds the school culture environment, but a social  
19 emotional learning curriculum would be just a basic  
20 foundation.

21 CHAIR GIPSON: Right. I know that when the  
22 LESC had the presentation from Rio Rancho for their  
23 career tech, the organization that they partner with,  
24 the main reason why they partnered with that  
25 organization is because their basis is restorative

1 justice. And it's phenomenal what they have done  
2 with that.

3 COMMISSIONER VOIGT: When that is  
4 implemented well, that will just raise a school  
5 culture and bring about an empathy that you've never  
6 seen before in kids. When they can demonstrate  
7 empathy by seeing a restorative justice project  
8 implemented by peers, it's shifting. It's great  
9 stuff.

10 CHAIR GIPSON: Okay.

11 COMMISSIONER CABALLERO: Madam Chair,  
12 before we end, I think that we need to have a motion  
13 to remove from the agenda the item we did not vote  
14 on. It was voted as part of the agenda.

15 CHAIR GIPSON: Well, it says, "Discussion  
16 of Possible Action," so I don't think we need a  
17 motion to remove it because I did discuss it.

18 COMMISSIONER CABALLERO: Okay.

19 CHAIR GIPSON: Thank you.

20 So I guess we're -- and as Matt's walking  
21 up, just a reminder, Beverly did send out the e-mail  
22 to us with the agenda for the spring workshop next  
23 week.

24 Beverly, there's nothing that we need to  
25 do, is there, just show up?

1 MS. FRIEDMAN: It would be best if you are  
2 going, just to let them know that you're going so  
3 that your name tag is there. And if you're not  
4 going, you don't need to do that.

5 CHAIR GIPSON: So who do we let know?

6 COMMISSIONER VOIGT: I already got an  
7 e-mail from David Craig.

8 CHAIR GIPSON: See, I didn't get an e-mail.

9 COMMISSIONER VOIGT: But I'm going to  
10 Panama instead.

11 MS. FRIEDMAN: I was told that all the  
12 commissioners would receive individual letters of  
13 invitation from David Craig, I believe. If not, let  
14 me know, and I'll jot it down.

15 CHAIR GIPSON: Okay. I'll check back. I  
16 don't remember seeing one from David, but I will  
17 double-check. But I am going.

18 MS. FRIEDMAN: Okay.

19 CHAIR GIPSON: Matt.

20 MR. POHL: Madam Chair and Commissioners,  
21 once again, I'm in a dangerous spot between you and  
22 your weekend and lunch, so I'm doubly dangerous, but  
23 always very thankful for the time to be able to come  
24 up here and give you a quick update on what we're up  
25 to.

1 I want to both thank the Chair for her  
2 comments around session and advocacy, and also thank  
3 the PEC for doubling down on some of those efforts.  
4 It's hard to feel successful when we didn't come out  
5 unscathed, but there were definite challenges that  
6 were averted as a result of that advocacy.

7 HB5 and SB1, enrollment cap was taken out.  
8 We did get the small school size phase out extended  
9 from three years to five years. That should make a  
10 difference in schools finding some time to actually  
11 change what they might need to change as a result of  
12 that. And I think the commission will see a number  
13 of amendments over the next year or two in response  
14 to those changes. I would anticipate that the  
15 commission will see enrollment cap -- or requests for  
16 enrollment cap increases in the near future. I would  
17 also think that facility changes will become more  
18 common. Many of our schools, about two-thirds of  
19 them want to be bigger. With small school size  
20 adjustment going away, now some of them have to get  
21 bigger as well. And so those facilities are  
22 generally the biggest restriction on that for most of  
23 our schools. And so just for the commission to know,  
24 in the next year or two years, I would imagine that  
25 you'll see a lot of those requests coming forward

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1 from our schools.

2           The other things that may be coming up --  
3 and I asked the Chair about this a couple weeks  
4 ago -- was with the extended school year in HB5 and  
5 SB1, there may be some old contracts that have a  
6 number of days that they'll be serving students. And  
7 so if the schools do choose to participate in the  
8 extended learning program, we're hoping that those --  
9 the option to participate in the extended learning  
10 will be a quick process with the commission if it  
11 does have to be changed in their contract. They  
12 would simply be requesting to extend their amount of  
13 time or maybe just align themselves with current  
14 practice and eliminate that part of the contract.  
15 That will be up to the commission.

16           CHAIR GIPSON: Or I think a notification  
17 might just be okay with that because it's compliance.

18           MR. POHL: Is that okay for me to  
19 communicate to schools just that it would be a  
20 notification, or should I wait for something official  
21 from CSD?

22           CHAIR GIPSON: We might have to pass that  
23 as part of the policy for April.

24           MR. POHL: Okay.

25           CHAIR GIPSON: I think you could adequately

1 communicate it out that it will be on the April  
2 agenda.

3 MR. POHL: Okay. Great. Thank you for  
4 that. Lots of questions around the mechanics around  
5 that are hopefully going to be answered in the next  
6 week at spring budget, particularly most of our  
7 schools of those three indicators for extended  
8 learning time. Two are very clear, and one, there is  
9 some interpretation from PED that needs to happen.  
10 They haven't had much time to do this, so this isn't  
11 on account of us not having that, but the  
12 after-school program is what a lot of our schools are  
13 saying, Well, we're just not sure what counts for  
14 that or what doesn't. So as soon as we get  
15 clarification on that, we'll know how many schools  
16 want to participate in extended learning probably in  
17 short order after that.

18 We are holding a training on April 11  
19 around school employment law. This will be -- we're  
20 doing this in conjunction with Shelly Sharon as well  
21 as Matthews & Fox. And one of the reasons why this  
22 is -- it's always important for our school leaders to  
23 get refreshers on that, but some of their budgets  
24 will be declining next year in real terms.  
25 Everybody's budget will be greater, but the

1 commitments that were made in HB5 and SB1, they're  
2 big commitments, increases of probably 15 percent of  
3 costs.

4           And so some of our schools only got 10  
5 percent more money. They may have to do reductions  
6 in force, and that's why this comes at a timely  
7 period for our schools. So we're already three weeks  
8 out. We have over 50 registrants right now, and we  
9 expect that to continue to climb. I think people are  
10 seeing the need for that. So just for you-all to  
11 know that that is coming.

12           And then lastly, a quick question for the  
13 commission. The organizational framework changes,  
14 can I get a copy of that to send out as well? I  
15 wasn't here at the last meeting, so I didn't see the  
16 changes.

17           CHAIR GIPSON: Yes, it's online with our  
18 materials this morning.

19           MR. POHL: Oh, okay. I'll pull it up  
20 there. Thanks for that. And will those changes  
21 impact site visits?

22           CHAIR GIPSON: No, because it's something  
23 that's already been done.

24           MR. POHL: Okay.

25           CHAIR GIPSON: So it won't change any part

1 of the site visit protocol.

2 MR. POHL: Okay. Great. Thank you very  
3 much for the time.

4 CHAIR GIPSON: I wanted to make one more  
5 comment. I just wanted to express the condolences of  
6 the PEC because Margarita Porter, who is the head of  
7 New America Las Cruces, her son was tragically killed  
8 earlier this week. So I wanted to express the  
9 condolences of the PEC to the family at this point in  
10 time.

11 So other than that, no one from the School  
12 Board Association is here. So we will move to PEC  
13 Comments.

14 Commissioner Davis.

15 COMMISSIONER DAVIS: Thank you for letting  
16 me be here. I just happen to be here. I'm excited  
17 being a new person at a time when new things are  
18 happening. So I feel like I'm a beginner at the  
19 beginning, and I'm going to learn as I go along. So  
20 thanks.

21 CHAIR GIPSON: Thank you.

22 Commissioner Cabellero.

23 COMMISSIONER CABALLERO: Thanks to  
24 everyone, especially sharing the computers so I can  
25 see and make an intelligent decision. I'm wondering

1 whether one of our schools that went up to become a  
2 State school, I think something to do with drama and  
3 the arts.

4 CHAIR GIPSON: It's in committee. It's  
5 already in committee.

6 COMMISSIONER CABALLERO: Thank you.

7 CHAIR GIPSON: Commissioner Ruiz.

8 COMMISSIONER RUIZ: I'm on Spring Break. I  
9 officially start Spring Break in about two hours.

10 COMMISSIONER ARMBRUSTER: I don't have  
11 anything.

12 CHAIR GIPSON: Commissioner Crone.

13 COMMISSIONER CRONE: I'm on Spring Break  
14 right now, so I'm going to watch the schedule next  
15 year. I plan to go to Mexico. I guess my e-mail  
16 isn't working. It was late at night, and I got  
17 frustrated. I haven't checked it, so I'll check.

18 CHAIR GIPSON: Okay. Thank you.

19 COMMISSIONER CRONE: At our last meeting,  
20 there was an update that there are many more schools  
21 who are getting into the same program.

22 CHAIR GIPSON: Oh, okay. Good.

23 COMMISSIONER CRONE: But I don't know what  
24 we're going to do at the county sheriff's.

25 CHAIR GIPSON: Commissioner Robbins.

1           COMMISSIONER ROBBINS: I have no additional  
2 comments. Thank you.

3           CHAIR GIPSON: Commissioner Voigt.

4           COMMISSIONER VOIGT: About three weeks ago,  
5 I had the great experience of working with an  
6 educational delegation from the Ukraine which are  
7 opening up their educational policies for innovation.  
8 So myself and another retired administrator did a  
9 presentation about just the brief history of ESSA and  
10 also about charter schools. They were very  
11 interested in the concept of a small community  
12 school. So it was a great experience. None of them  
13 spoke English, but we did have a good translator on  
14 hand. I know they went up to the roundhouse for a  
15 couple of days and met with Mimi Stewart, but it was  
16 a great meeting.

17           I want to just throw some thoughts out to  
18 my fellow commissioner who has been very modest about  
19 his upcoming great position as the Superintendent of  
20 Hatch Public Schools. So that's a great promotion  
21 for him. So kudos, Mr. Chavez.

22           CHAIR GIPSON: And I did have an  
23 opportunity to meet when they were up in the  
24 Legislature.

25           COMMISSIONER VOIGT: Yeah. Great bunch.

1 CHAIR GIPSON: They are. Through the  
2 interpreter, they're very enthusiastic.

3 Commissioner Chavez.

4 COMMISSIONER CHAVEZ: Gosh, I don't have a  
5 whole lot. I'm just trying to keep from going insane  
6 right now with all my duties and four different  
7 e-mails. Somebody said two e-mails. I've got four.  
8 So I'm just trying to keep everything straight.

9 CHAIR GIPSON: Okay. Thank you.

10 COMMISSIONER CHAVEZ: It's all good.

11 CHAIR GIPSON: Thank you.

12 I'll entertain a motion to adjourn.

13 COMMISSIONER RUIZ: So moved.

14 CHAIR GIPSON: There's a motion by  
15 Commissioner Ruiz.

16 COMMISSIONER ARMBRUSTER: Second.

17 CHAIR GIPSON: Second by Commissioner  
18 Armbruster. All in favor?

19 (Commissioners so indicate.)

20 CHAIR GIPSON: Opposed. Hearing no  
21 opposition, we are adjourned.

22 (Proceedings adjourned at 1:25 p.m.)

23

24

25

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