

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

OPEN PUBLIC MEETING

June 14, 2019

9:00 a.m.

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

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

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<p>1 APPEARANCES</p> <p>2 COMMISSIONERS:</p> <p>3 MS. PATRICIA GIPSON, Chair</p> <p>4 MS. TRISH RUIZ, Vice Chair</p> <p>5 MS. KARYL ANN ARMBRUSTER, Secretary</p> <p>6 MR. R. CARLOS CABALLERO, Member</p> <p>7 MR. MICHAEL CHAVEZ, Member</p> <p>8 MR. TIM CRONE, Member</p> <p>9 MS. GEORGINA DAVIS, Member</p> <p>10 MS. SONIA RAFTERY, Member</p> <p>11 MR. DAVID ROBBINS, Member</p> <p>12 MS. GLENNA VOIGT, Member</p> <p>13 PED STAFF:</p> <p>14 MR. ALAN BRAUER, Acting Director, Options for</p> <p>15 Parents and Families Division</p> <p>16 MS. KAREN WOERNER, Deputy Director, Options for</p> <p>17 Parents and Families Division</p> <p>18 MS. BEVERLY FRIEDMAN, PED Custodian of Record</p> <p>19 and Liaison to the PEC</p> <p>20 PEC COUNSEL:</p> <p>21 MS. AMI JAEGER, Counsel to the PEC</p> <p>22 MR. MARK CHAIKEN, Counsel to the PEC</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 INDEX TO PROCEEDINGS, Continued</p> <p>2 PAGE</p> <p>3 15 Discussion and Possible Action on a 191</p> <p>4 Contract for Support/Mentors for</p> <p>5 New Schools and New Head Administrators</p> <p>6 16 Report from the Chair 215</p> <p>7 17 PEC Comments 230</p> <p>8 18 Adjourn 244</p> <p>9 REPORTER'S CERTIFICATE 245</p> <p>10 ATTACHMENTS:</p> <p>11 1 Visitors' Sign-In Sheets</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
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1 Raftery?
 2 COMMISSIONER RAFTERY: Here.
 3 COMMISSIONER ARMBRUSTER: Commissioner
 4 Crone?
 5 COMMISSIONER CRONE: Here.
 6 COMMISSIONER ARMBRUSTER: Commissioner
 7 Ruiz?
 8 COMMISSIONER RUIZ: Present.
 9 COMMISSIONER ARMBRUSTER: Commissioner
 10 Caballero isn't here.
 11 So we have eight.
 12 THE CHAIR: Eight Commissioners present.
 13 Thank you so much.
 14 I'm going to -- well, I will lead us in
 15 the Pledge of Allegiance, and Commissioner Crone,
 16 I'll ask to do the Salute to the New Mexico Flag.
 17 (Pledge of Allegiance and Salute to the
 18 New Mexico Flag conducted.)
 19 COMMISSIONER CRONE: I'll try to memorize
 20 it one of these days. I promise.
 21 THE CHAIR: After you're gone.
 22 We're on to the Approval of the Agenda.
 23 And I have just two small changes. In 4-B, letter
 24 d, Alma d'Arte -- that's in the Consent Agenda -- it
 25 needs to be removed from the Consent Agenda. And

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1 they are already in 6-C on the regular agenda.
 2 And in 6-C, No. 1, AIMS can be removed.
 3 Does anyone else have any other changes?
 4 (No response.)
 5 THE CHAIR: If not, I'll entertain a
 6 motion.
 7 COMMISSIONER ROBBINS: So move.
 8 COMMISSIONER CRONE: Second.
 9 THE CHAIR: There's a motion by
 10 Commissioner Robbins, a second by Commissioner Ruiz.
 11 All in favor?
 12 (Commissioners so indicate.)
 13 THE CHAIR: Opposed?
 14 (No response.)
 15 THE CHAIR: Hearing no opposition, the
 16 motion passes.
 17 We are on to Item No. 3, which is Open
 18 Forum. And no one has signed up.
 19 So now we are on to Item No. 4, which is
 20 the Consent Agenda.
 21 (Chair consults with PEC counsel.)
 22 THE CHAIR: So I will entertain a motion
 23 for the Consent Agenda, as modified.
 24 COMMISSIONER RUIZ: So move.
 25 COMMISSIONER CRONE: Second.

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1 THE CHAIR: There's a motion by
 2 Commissioner Ruiz, a second by Commissioner Crone.
 3 Do we do a roll call for this?
 4 COMMISSIONER ARMBRUSTER: I'll do it.
 5 Commissioner Ruiz?
 6 COMMISSIONER RUIZ: Yes.
 7 COMMISSIONER ARMBRUSTER: Commissioner
 8 Crone.
 9 COMMISSIONER CRONE: Yes.
 10 COMMISSIONER ARMBRUSTER: Commissioner
 11 Raftery?
 12 COMMISSIONER RAFTERY: Yes.
 13 COMMISSIONER ARMBRUSTER: Commissioner
 14 Gipson?
 15 THE CHAIR: Yes.
 16 COMMISSIONER ARMBRUSTER: Commissioner
 17 Davis?
 18 COMMISSIONER DAVIS: Yes.
 19 COMMISSIONER ARMBRUSTER: Commissioner
 20 Armbruster votes "Yes."
 21 Commissioner Voigt?
 22 COMMISSIONER VOIGT: Yes.
 23 COMMISSIONER ARMBRUSTER: Commissioner
 24 Robbins?
 25 COMMISSIONER ROBBINS: Yes.

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1 COMMISSIONER ARMBRUSTER: Eight-to-zero
 2 vote.
 3 THE CHAIR: Motion passes, eight-zero.
 4 Thank you.
 5 We are now on to Item No. 5, which is a
 6 presentation by the Albuquerque Sign Language
 7 Academy. You didn't think you were going to be up
 8 so quick, did you?
 9 MR. RAFE MARTINEZ: Is the green light on?
 10 THE CHAIR: Is the green light on?
 11 MR. RAFE MARTINEZ: No. Now it is. There
 12 it is. Good morning.
 13 THE CHAIR: Good morning.
 14 MR. RAFE MARTINEZ: Good morning. Sorry.
 15 Thank you for having me. The Albuquerque
 16 Sign Language Academy, Rafe Martinez, Executive
 17 Director.
 18 We were asked to present -- it's not an
 19 amendment -- but we are expanding our program
 20 through what already exists in a K-12 set. But we
 21 are creating a transition program for students, 18
 22 to 21, who are following in the Abilities Pathway so
 23 that they -- kids that have left us because they
 24 went to another high school and, quote, graduated
 25 but they're coming back to us to really graduate in

1 this three-year program.

2 THE CHAIR: Okay.

3 MR. RAFA MARTINEZ: So we're doing this
4 under the lens of literacy in connection to the
5 Striving Readers federal grant that we received last
6 year in connection with the Presbyterian Ear
7 Institute, which is a preschool that works with the
8 deaf and hard-of-hearing kids in Albuquerque. But
9 it's an oral deaf program. And in partnership with
10 them, us. And then ACE Leadership High School,
11 whose specialty is getting kids into the workforce.

12 And so ACE Leadership agreed to kind of
13 take on this challenge of creating a deaf program in
14 connection to our program so that we can create a
15 pipeline of employment for our kids who are deaf and
16 hard-of-hearing; and special needs, by the way.

17 THE CHAIR: Right.

18 MR. RAFA MARTINEZ: So it's an exciting
19 project. And I'll just tell you the reason it came
20 to be was last year was our first graduating class.
21 So we had our first group of kids that started with
22 the school graduated last year. And so it was a
23 celebration, for sure.

24 But then after they graduated, they were
25 kind of thrown into the -- the throes of what

1 So it -- so the discussion is exciting for
2 us. It's what we want to do in long-term. So this
3 is a first step in our adult education endeavor. So
4 beyond just the 21-year-old kind of cap, we want to
5 build a workforce development program that
6 specializes in working with deaf, hard-of-hearing,
7 and special needs adults into -- to, quite honestly,
8 to purposeful citizenship. That's our driver.

9 We're the only ones that are doing it in
10 New Mexico, for sure. And the argument is whether
11 we're the only ones doing it in the nation. So it's
12 exciting for us. It's a lot of work. But it's very
13 cool.

14 So I will entertain any questions if you
15 have any for me.

16 THE CHAIR: Is there any limited capacity
17 with the partnership that you have with ACE? Is
18 there any challenges with that? Or will they be
19 able to accommodate however many students you may
20 have?

21 MR. RAFA MARTINEZ: Yes. So right now, we
22 have seven kids who will be coming back into our
23 transition program. Some of our kids have already
24 matriculated into their population already.

25 So they have an interpreter. They have

1 existed in the public system without us. So this
2 last year -- this year -- actually, this year that
3 just finished, a co-founding parent whose son was at
4 the age to either transition -- graduate and/or
5 transition, was given the choice, through the
6 comprehensive -- the district -- about what their
7 transition services look like.

8 And just so you understand, the mission of
9 our little school is that we're trying to keep
10 the -- a community together of students who can
11 communicate with one another through sign language.

12 And the district's transition program doesn't do
13 that. As much as it should, it basically is divided
14 by geography. So where kids live in the city, they
15 are sent to the transition program in that -- by
16 where they live, not by what their needs are.

17 So there was a need for us to step in.

18 Now, the reason the Striving Reader grant
19 was important to us is it gave us financial capacity
20 to go ahead and launch that -- that -- that program
21 this coming year with support from that grant. And
22 because we're in partnership with ACE Leadership and
23 PEI -- ACE Leadership, more specifically because of
24 their mission to get kids into the work pipeline,
25 okay?

1 systems built out for the deaf students that have
2 gone to them since ninth grade.

3 This is a little different, for sure. But
4 their willingness to be adaptive, to be flexible, to
5 listen to us is really a plus, you know. And I
6 think it's kudos to them for wanting to take on this
7 project.

8 You know, we've taken steps to partner
9 with other schools. It just didn't go as well.
10 This is going so-far-so-good.

11 Now, again, there's capacity around --
12 financial capacity because of this grant; so that is
13 helpful for sure. And I've got to tell you, we're
14 kind of -- in the whole story of our existence, we
15 are building it based on the needs of families and
16 kids, right? Because there's such a chasm of not --
17 of non-service, of non-program, we're trying to fill
18 in those blanks. But also by learning by what
19 doesn't work well in transition programs that have
20 existed over the past -- in the past.

21 So, you know, part -- I need to probably
22 say this as well. We're not doing it just with
23 those on-the-ground partners of schools. We're also
24 working with Penn State University, University of
25 Minnesota, Harvard, of course, UNM, to create

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1 systems that will hold water on a national platform
2 when it comes to deaf education.

3 So those partners have been really
4 powerful for us to get some perspective. And to be
5 quite honest, it's given us some street cred around
6 deaf ed, where, you know, people want to take shots
7 at us in the deaf education world. And so we can
8 say, "No, but we're working with these guys, too";
9 so --

10 MS. VOIGT: Madam Chair?

11 THE CHAIR: I'm sorry. I'm going to put
12 this out publicly so it's on the record. Is there
13 any possibility through the CSP grant, through the
14 concept of expansion, that -- because they are
15 expanding their program, is there -- is there any
16 way they can get some of that CSP money?

17 MR. ALAN BRAUER: Madam Chair, members of
18 the Commission and Mr. Martinez, I would love to
19 work with Rafe, too, to see what we can possibly do.
20 If there's a possibility for that to happen, we
21 would definitely make that an option, for sure.

22 THE CHAIR: I think that would be
23 fabulous; because to me, that's what that money
24 should be going towards. So hopefully we can get it
25 done.

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1 So...

2 THE CHAIR: So where are you in your
3 expansion plan?

4 MR. RAFA MARTINEZ: Well, that's a great
5 question. So, Madam Chair, members of the
6 Commission, that's a great question.

7 So we've been working with the County --
8 Bernalillo County over the past year to create a
9 plan where we would be able to, in partnership with
10 the County, we'd be able to pull in our partners,
11 which consist of Carrie Tingley Hospital Foundation,
12 U.S. Forest Service, U.S. Fish & Wildlife, Rocky
13 Mountain Youth Corps, The Nature Conservancy, those
14 guys, and the Bernalillo County Extension Office,
15 4-H, to use a piece of Bernalillo County property to
16 build a new school where all those services would
17 exist.

18 And we build program through that lens of
19 conservation, the land, 4-H, getting back into kind
20 of what I believe is the roots of New Mexico as a
21 New Mexico boy, right?

22 So we'll be pulling back those tenets of
23 New Mexico into our program around serving deaf,
24 hard-of-hearing, and disability.

25 Now, just so you know, that those talks

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1 MR. RAFA MARTINEZ: Madam Chair, thank
2 you.

3 THE CHAIR: Commissioner Voigt?

4 MS. VOIGT: Thank you, Madam Chair.
5 Director Martinez, I just want to commend you for
6 being innovative and reaching out of the box to not
7 only obtain this grant, but the collaboration with
8 another charter school that strengthens both of your
9 missions. But also the bottom line is that you're
10 providing such great outcomes for your kids at ASL
11 and also at ACE. So great work.

12 MR. RAFA MARTINEZ: Madam Chair,
13 Commissioner Voigt, thank you very much. I'll say
14 this also, right? So the partnership with ACE has
15 given us capacity; not just educational capacity,
16 but space capacity. So we're approved to 200 kids.
17 We can only fit 100 in our current building. So the
18 expansion into 107 is going to happen off-site.

19 So those seven kids will be away from our
20 site; but they'll still be our kids with our teacher
21 and under our payroll and all that kind of thing.

22 And that just goes also to the point we
23 are working really hard in partnership with a whole
24 lot of folks to try to either build or secure a new
25 building to continue, grow, you know, in service.

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1 have stalled a bit. I'm not sure if it's
2 summertime. We were on the -- so we're at the point
3 where we have the plan. We've gone through an RFP
4 with -- so we have an architect and a builder. We
5 don't have money yet. That's -- you know, we've got
6 kind of to work on that piece.

7 But the other piece is in partnership with
8 the County, the hope is that we would be able to
9 work with them to leverage anything we have as far
10 as being a public charter school and all the
11 triggers around through PSFA, that we leverage those
12 connections, that power, with the County, to really
13 maximize funding.

14 And so the County -- you know, talks have
15 gone well for a year. We're to the point now where
16 we're meeting with neighborhood associations. And
17 that's a whole other ball of fun right there. So
18 we've been pushed off of their agenda twice. So --
19 and we have conceptual design about where this will
20 happen. We're just waiting for government
21 processes, I think, to catch up.

22 THE CHAIR: Yeah. Welcome to that world.

23 MR. RAFA MARTINEZ: Yeah. Yeah.

24 COMMISSIONER ROBBINS: Madam Chair?

25 THE CHAIR: Commissioner Robbins?

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1 COMMISSIONER ROBBINS: As the parent of a
2 profoundly hearing-impaired child, bilateral hearing
3 loss, I applaud you and the staff on what they're
4 doing to support all the children, not only there,
5 but reaching out and with this transition plan.

6 Do you work at all with the School for the
7 Deaf in Santa Fe and have any sort of liaisons or
8 relationships with them?

9 MR. RAFA MARTINEZ: Madam Chair, members
10 of the Commission, Commissioner Robbins. No, we
11 don't. And partly is they see us as a threat. And
12 that's been since our conception.

13 COMMISSIONER ROBBINS: Okay.

14 MR. RAFA MARTINEZ: We -- we exist because
15 of a whole lot of gaps in their programming. And
16 since we've come online, it's been a constant
17 struggle to kind of -- what's the word? --

18 MS. FRIEDMAN: Collaborate?

19 MR. RAFA MARTINEZ: Not just collaborate,
20 but also kind of defend ourselves, right? So like I
21 said, for a whole lot of reasons, that's an
22 historical system of deaf education that's been
23 around since the 1800s. We represent something new,
24 in that we not only work with deaf children, but we
25 work with deaf children with disability and hearing

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1 intellectual capacity as everyone else. They have
2 the same physical abilities as everyone else. The
3 only thing, for the most part, is they have a
4 hearing loss.

5 And they can perform virtually any job
6 necessary. But a lot of the people look at that as
7 an impediment, and resistance to hire or promote.
8 And we need to get past that in our society.

9 MR. RAFA MARTINEZ: Madam Chair,
10 Commissioner Robbins. Absolutely. And thank you
11 for saying that. I didn't realize your history.
12 But it mirrors mine, almost --

13 COMMISSIONER ROBBINS: My youngest is a
14 daughter. And she grew up learning sign language.
15 And she communicates very well with our son. And my
16 wife and I, we use sign language. He can read lips
17 a little bit. But his primary means of
18 communication and of receiving direction is sign
19 language; so...

20 MR. RAFA MARTINEZ: Yeah. I completely
21 understand. Thank you for saying that. I'll
22 just -- I will say this kind of to maybe put a
23 period on this, is one of the glaring statistics in
24 deaf education -- well, there's two that really jump
25 out at you. These are historic and they're

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1 children that have connection to deaf, which makes
2 us nationally unique. No one is doing what we're
3 doing.

4 COMMISSIONER ROBBINS: I applaud you for
5 that. I don't want to push you into that if they
6 are not receptive to that. When my child was very
7 young, we explored the possibility of attending the
8 school. And, really, the only option we had was for
9 him to be housed here in Santa Fe. We lived in
10 Albuquerque. With his multiple disabilities and
11 interactions with family, we felt that that was more
12 important, the interaction with family and the
13 closeness with family and the support that his
14 family could provide him was more important.

15 And he went through APS. And
16 unfortunately, the Sign Language Academy did not
17 exist at that time; otherwise, we probably would
18 have moved him over to that. So if I can help you
19 in any way, please look at my contact information.
20 Let me know how I can help you in this transition
21 plan; because I think it's very important, and it's
22 an area where I think a lot of people don't
23 understand.

24 People look at individuals who are deaf as
25 not having the skill sets. They have the same

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1 national.

2 So deaf students, upon graduation from
3 high school, tap out -- top out at about between a
4 third- and a fourth-grade reading level. That's a
5 national statistic. That's -- when you start
6 understanding the tenets of deaf education and how
7 kids learn to read and not having access to a
8 phonetic base, you understand kind of why that is.

9 But the other one, as a parent of a deaf
10 child, as they grow up into adulthood, you're
11 looking between a 65 and 70 percent unemployment,
12 under-employment rate in the deaf community. That's
13 national. All indications in New Mexico is it's a
14 higher number in the state.

15 So our partnerships with U.S. Forest
16 Service, all that group that I named earlier around
17 conservation and hands-on is a direct effort to
18 break that cycle, to give our kids a shot at
19 being -- again, I'm going to use that term -- useful
20 citizens, where they're able to get up in the
21 morning -- my son -- we created a summer
22 conservation program that works with our school in
23 connection with Rocky Mountain Youth Corps.

24 My son does that now. He's 15. He's
25 multiple needs plus deaf. But he wakes up every

<p style="text-align: right;">Page 22</p> <p>1 morning telling me he has to go to work, gets his 2 uniform on, gets out there and loves it. That's 3 taken root across our community. I think if we just 4 stay on this trajectory, I'm hopeful we'll be able 5 to change some of those statistics here in New 6 Mexico.</p> <p>7 THE CHAIR: Commissioner Crone? 8 COMMISSIONER CRONE: Yes. Thank you. 9 I'm retired from Northern College in 10 Española. And recently, Northern gave an athletic 11 scholarship, a basketball scholarship to a deaf 12 student. So in terms of the needs of your students, 13 what is the PE part of it?</p> <p>14 MR. RAFE MARTINEZ: Madam Chair, 15 Commissioner Crone, members of the Commission. 16 Great question.</p> <p>17 So we -- everything we get as far as 18 budget goes to kids. And one of the things that I 19 believe in, as a former basketball coach, by the 20 way, is everyday PE. So we have an everyday PE 21 program. It's -- it's vital for our kids -- regular 22 ed kids, kids with able bodies. But it's probably 23 doubly vital with kids with disability.</p> <p>24 So we are connected to UNM's adaptive PE 25 program. So they send in interns, and they work</p>	<p style="text-align: right;">Page 24</p> <p>1 money, right, for that? So when your kids graduate, 2 does that stop, or can they not quite graduate and 3 continue until 21 and get the money?</p> <p>4 MR. RAFE MARTINEZ: So if they graduate, 5 then they're off the table for us. They basically 6 transition into an adult, you know, college or 7 something of that sort, education. So these kids 8 that are coming back to us are -- don't tell them 9 that they didn't graduate. You'll have a fight on 10 your hands.</p> <p>11 But they are -- they walked the line, 12 because they'll go through the ceremonial processes 13 to -- but they're not officially graduated until 14 they receive a diploma. And that happens at the age 15 of 21. That's why we're able to pull them back. So 16 essentially, they're still in the K-12 system; so 17 there's not an additional stand-alone transition 18 system. Does that make sense?</p> <p>19 COMMISSIONER ARMBRUSTER: Absolutely. 20 That's why I was trying to figure out how all those 21 things were working together. But I know that the 22 issue is graduation; because -- but it's graduation, 23 and maybe isn't, exactly, sort of.</p> <p>24 MR. RAFE MARTINEZ: Madam Chair, 25 Commissioner Armbruster. Yes, because you're --</p>
<p style="text-align: right;">Page 23</p> <p>1 with our staff. So we flourish in partnership. 2 That's what we do. We have to make our -- we have 3 to stretch our dollar, right? So we do that through 4 partnership, through interns, through connection 5 with other programs in the city and the county. 6 Bernalillo County Workforce, that kind of stuff.</p> <p>7 I know the young man you're talking about. 8 In fact, as a former coach, a lot of old basketball 9 coaches in Albuquerque were calling me to see if 10 they could get him to transfer to their school 11 through me because of my connection to the deaf 12 community, right?</p> <p>13 It's exciting. He's good, too; he's big. 14 So, yeah. So PE in my mind is a huge part of a -- 15 just a well-rounded education. And we firmly will 16 now present that [verbatim].</p> <p>17 COMMISSIONER CRONE: Thank you. 18 THE CHAIR: Commissioner Armbruster? 19 COMMISSIONER ARMBRUSTER: Yes, thank you. 20 I guess we've all had experience with children on 21 the spectrum because it is a spectrum of disorders 22 just like almost all disabilities.</p> <p>23 So -- and I don't know the answer to this, 24 so that's why I'm asking you. So I know that with 25 special ed, you can go until you're 21. And you get</p>	<p style="text-align: right;">Page 25</p> <p>1 COMMISSIONER ARMBRUSTER: Because that's a 2 lot of money you would be losing when you are 3 continuing to give services. That's why I asked.</p> <p>4 MR. RAFE MARTINEZ: Correct. And, again, 5 so the Circle grant, the Striving Leaders grant, 6 allows us to conceive money for this idea. And the 7 SEG, the funding formula, will take over to make it 8 sustainable long-term. So it all fits nicely now; 9 so...</p> <p>10 COMMISSIONER ARMBRUSTER: Good. 11 THE CHAIR: Commissioner Robbins? 12 COMMISSIONER ROBBINS: I just wanted to 13 say, virtually everyone in the country, and even 14 around the world, has an experience with the deaf 15 community, and they probably don't even realize it.</p> <p>16 The huddle in football was created by 17 students at Gallaudet University because they use 18 sign language to lay out their plays. And that is 19 something that is still present in almost every 20 football game; they huddle together and things like 21 that. It started with the deaf students at 22 Gallaudet so they could actually lay out their plays 23 and communicate. I just wanted to add.</p> <p>24 MR. RAFE MARTINEZ: Great story. 25 THE CHAIR: It is a good story; it is.</p>

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1 Commissioners? I wanted to remark that we
2 have ten.

3 THE CHAIR: Yes. Let the record show that
4 Commissioner Chavez and Commissioner Caballero are
5 now here.

6 So we truly appreciate this. And this is
7 exactly what we hope happens, those partnerships
8 with charters, the community, other charters,
9 hopefully traditional, so that I hope we can
10 continue to highlight this so that folks see that
11 there's a pathway for expanding their programs and
12 being able to serve students better by a mutual
13 agreement for services and things like that. It
14 really is; it's exciting. And I hope the government
15 entities can get their act together.

16 MR. RAFA MARTINEZ: Yeah. Madam Chair,
17 members of the Commission, thank you. Me, too.

18 THE CHAIR: Because it's also what's in
19 the statute as well, that we're supposed to move
20 into public buildings. The challenge is the public
21 buildings aren't there a lot. And when someone
22 tries to get into and use public land and facilities
23 and there's challenges, then it becomes, "Do it,"
24 because it's so difficult. So certainly if there's
25 anything we can do --

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1 MR. RAFA MARTINEZ: Madam Chair, thank
2 you.

3 THE CHAIR: -- please let us know.

4 MR. RAFA MARTINEZ: Thank you all. Thank
5 you for that.

6 THE CHAIR: Thank you so much.

7 Commissioners I'm going to ask for just a
8 quick break. I know it's early, but --

9 (Recess taken, 9:31 a.m. to 9:40 a.m.)

10 THE CHAIR: We are on to Item No. 6, which
11 is the report for Options for Parents. So first
12 item is your updates.

13 MR. ALAN BRAUER: Madam Chair, members of
14 the Commission, good morning. I have a few updates
15 today. I wanted to start out with some staffing
16 updates.

17 First and foremost, I wanted to introduce
18 to the Commission our newest member of the team,
19 Carolyn Bayne, who I think I shared last month that
20 we were hiring her for the new Executive Assistant
21 to the Director role. And so I wanted her to just
22 stand up and acknowledge her as the newest part of
23 our team.

24 THE CHAIR: Welcome.

25 MS. CAROLYN BAYNE: Thank you.

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1 (Applause.)

2 MR. ALAN BRAUER: We also -- this is
3 hiring season for sure for the Charter School
4 Division as well as for the entire Department. So
5 we are in the process of filling several positions
6 this month and over the summer.

7 The first position I wanted to give a
8 quick update on is the Data and Financial
9 Administrator position that we have on our team. I
10 think it was only filled for just a short period of
11 time last year.

12 THE CHAIR: Barely.

13 MR. ALAN BRAUER: And so we are in the
14 process of finalizing that hiring decision. So I am
15 hoping surely by the next time we meet in August,
16 we'll have a person in seat for that role.

17 We also are in the process of the Charter
18 School Authorizing Practices Administrator to be the
19 colleague to what Megan Maestas does as the other
20 Authorizing Practices Administrator.

21 So we have a strong pool of candidates,
22 and we hope to move forward with additional
23 interviews over the coming weeks for that position.

24 Another position that's in the works is
25 the Training and Support Specialist position. We're

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1 setting up interviews as -- as I speak right now for
2 that role. And, again, hopefully we'll be able to
3 move through that hiring process as quickly as
4 possible to get somebody in seat for that role.

5 THE CHAIR: So that's Christmas, about.

6 MR. ALAN BRAUER: I am hoping --
7 Madam Chair, I am hoping we could celebrate
8 Christmas in at least August this year.

9 And then, finally, Leslie Kelly, the
10 manager of the New Mexico Charter School Program
11 Grant, is in the process of hiring a coordinator,
12 and we're in the process of setting up interviews
13 over the next couple of weeks for the support with
14 the grant as well.

15 THE CHAIR: Okay. Thanks.

16 MR. ALAN BRAUER: So the next time I join
17 you all, my hope is that we have some really great
18 news about rounding out our entire team and having
19 all the open positions filled for sure.

20 I'm going to move on to brief updates on
21 the New Mexico Charter School Program Grant. We did
22 have several amendments that we have been in
23 discussion with the USDE about. And we're awaiting
24 approval for that -- those amendments to go in
25 place.

<p style="text-align: right;">Page 30</p> <p>1 We did want to make sure that those 2 amendments for the grant itself is in alignment to 3 the mission and vision of the PED and the PEC. And 4 so we have -- we feel like we have a path moving 5 forward with that. 6 At the same time, we did post the 7 application for this upcoming year on the RFPs, 8 RFIs, RFAs part of the website of NMPED. And Leslie 9 Kelly, the manager of the grant, is also reaching 10 out to schools to provide more context as needed. 11 The big spirit of this is to ensure that 12 there is more equity in providing access to the 13 resources, similar to what you shared, Madam Chair, 14 with regard to ASLA. I think that is the spirit of 15 what we hope. 16 We think there are many great examples of 17 charter schools across the state. And we want to 18 make sure that this expansion grant and the monies 19 available can really be supportive of as many 20 schools as possible. 21 I wanted to give an encouraging update on 22 school closures. SAHQ -- sorry -- SAHQ is in the 23 process of disbursing their materials. I talked to 24 Sandy Beery last night to get the most updated 25 understanding of where we are with the disbursement</p>	<p style="text-align: right;">Page 32</p> <p>1 And then I do have a two-page stapled 2 document as well that gives an overview of the 3 conference, and then the big picture headlines, as 4 well as the sessions at a glance. 5 I did want to acknowledge that similar to 6 other annual conferences, we do have a time slot for 7 the Public Education Commission to have space with 8 charter leaders and governing council members and 9 other folks in attendance on Saturday from 8:45 to 10 10:00. So that's set up for you all to engage with 11 your constituents during that time. 12 Right now, the conference is going to be 13 next Friday, June 21st, starting at 11:00 on Friday 14 with registration. Then we'll jump into lunch and, 15 then we'll have an open plenary with -- I'm excited 16 to say that every single executive leadership member 17 of the NMPED will be here for an open panel and 18 dialogue with our attendants so that -- to really 19 kick us off in that way. 20 I also wanted to acknowledge a leader in 21 the room right now. Jessica Helen Lopez, who is 22 bringing some just really talented student leaders 23 to kick us off in the morning as well. 24 We have about 200 registered attendees, 25 special guests, presenters, and PED staff, and the</p>
<p style="text-align: right;">Page 31</p> <p>1 of the inventory. We did feel like it was important 2 to provide the two new schools that are up for 3 Commencement of Operations first -- first dibs, for 4 lack of a better way of saying that, to the 5 inventory, especially given the timeline, as they 6 are potentially opening up soon. 7 So Saturday, June 22nd, is the day that 8 the schools are going to receive their inventory. 9 THE CHAIR: Okay. Is that next week? 10 During the conference? 11 MR. ALAN BRAUER: I think it's just right 12 up the road from where the conference will be. So, 13 Madam Chair, yes, it is actually on that same day. 14 Thank you for acknowledging that. 15 THE CHAIR: Okay. 16 MR. ALAN BRAUER: Speaking of the 17 conference, I wanted to give a few updates about the 18 conference. And I wanted to acknowledge two 19 different handouts that we provided to the PEC this 20 morning. 21 We have a 99 percent ready-for-approval 22 program that you'll see in front of you. And it 23 comes with a new NMPED logo, as well as the 24 breakdown of the programming elements and the 25 sessions.</p>	<p style="text-align: right;">Page 33</p> <p>1 PEC. 2 We also -- I just wanted to acknowledge 3 that this is the 20th anniversary of the Charter 4 School Act. And so we are celebrating 20 years of 5 the diversity of our charters from across the state. 6 As a consequence of that, a positive consequence, we 7 have ten different schools that are presenting best 8 practices, lessons-learned or case studies 9 throughout the training. So I think that is 10 something that is a little bit of a shift from years 11 past that the CSD team is really excited about. 12 I also wanted to acknowledge the CSD team 13 who has been really supportive in planning the 14 conference, especially Melissa Brown, who has really 15 been my support in creating a lot of the program 16 elements and being a great Editor in Chief for those 17 documents, as well as the Charter School Division 18 team who are going to be presenting, the PED staff, 19 and other community members who will be joining us 20 for this as presenters. I just wanted to share my 21 gratitude for them early on. 22 That's all I have on the -- on the 23 conference at this point. 24 I wanted to share, in terms of governing 25 board concerns, we have -- we have one concern for</p>

<p style="text-align: right;">Page 34</p> <p>1 Alma d'Arte for this -- at this time. And at the 2 time of my -- my comments right now, I don't believe 3 that we received the updated notification of a 4 change to their governing board. 5 THE CHAIR: Okay. Thank you. 6 MR. ALAN BRAUER: I wanted to just 7 highlight, there's a -- also been a request for a 8 change in location for Altura Preparatory School. I 9 believe, Madam Chair, that's going to be discussed 10 later on today as well? Or no? 11 THE CHAIR: No, I think this is the -- 12 yeah, this is the moment. 13 MR. ALAN BRAUER: Okay. Great. Great. 14 But the school has requested a change in location 15 for their campus. So I don't know if I should pause 16 and have discussion at this point or -- 17 THE CHAIR: No, we can have discussion at 18 this point, because this had originally been on the 19 Consent Agenda, and I requested that it be pulled 20 off because I just had a couple of questions 21 regarding it. Because when I Googled it, it seemed 22 like it was a substantial move. 23 So -- hi. Sorry. I didn't see you. 24 MS. LISSA HINES: I'm happy to answer any 25 questions.</p>	<p style="text-align: right;">Page 36</p> <p>1 MS. LISSA HINES: It is currently the 2 New Mexico International School. It is their 3 location until June 30th. And they're expanding. 4 THE CHAIR: Okay. But it doesn't come up 5 as that on -- it came up as a suite of offices. 6 MS. LISSA HINES: So I think originally it 7 had been built as a suite of offices. It was an 8 empty shell when the New Mexico International School 9 approached the owners about building it out as a 10 school. 11 They are moving to become a K-8 school and 12 expanding; so they needed to get bigger. And as -- 13 when this all happened, that was the only building 14 with E-Occupancy that would be available to us in 15 such a short amount of time. 16 THE CHAIR: Right. And that was one of my 17 questions. Did it have E-Occupancy? Because once 18 again, when -- you know, when I got the snapshot of 19 it, it's just, like, divided offices. And it's, 20 like, how is that going to be ready for August? So 21 it's -- 22 MS. LISSA HINES: Yeah. That particular 23 address, there's a -- there are a suite of buildings 24 that have, like, a pediatrician's office, et cetera, 25 on one side. Then across the street is the actual</p>
<p style="text-align: right;">Page 35</p> <p>1 THE CHAIR: Is the green light on? 2 MS. LISSA HINES: Oh. I'm sorry. 3 THE CHAIR: And if you could just identify 4 yourself for the record? 5 MS. LISSA HINES: Lissa Hines. And I'm 6 one of the co-directors at Altura Preparatory 7 School. 8 THE CHAIR: And thanks for this. I had 9 had a preliminary conversation, so I knew that there 10 was a move that was necessitated, which is always 11 unfortunate. But, you know, things happen when 12 you're not in public buildings. 13 MS. LISSA HINES: Yes. 14 THE CHAIR: So that's one -- this is, 15 unfortunately for you, one of the highlights that we 16 can use as to why we need to really move to have 17 greater partnership. It doesn't help you any at 18 all. But I did have -- when I -- when I did a quick 19 Google of the addresses, I got 14 miles. 20 MS. LISSA HINES: It is across town. 21 THE CHAIR: So that is -- that was a 22 challenge for me, because it seems like you're 23 really going out of a geographic zone. And when I 24 did the Google map of the site, it's just office 25 buildings; correct?</p>	<p style="text-align: right;">Page 37</p> <p>1 school where New Mexico International School is, 2 which would be the building that we would be taking 3 over. 4 THE CHAIR: Okay. Great. But I think 5 there's -- I guess I still have, you know, a concern 6 about the significant distance and the move. And I 7 get the challenges. 8 MS. LISSA HINES: Yeah. 9 THE CHAIR: But there's always that 10 concern about enrollment. 11 MS. LISSA HINES: Right. So our -- we 12 contacted all of our families. All of our families 13 except for about five will be going with us. And we 14 are providing transportation. 15 THE CHAIR: Right. 16 MS. LISSA HINES: So we'll have one stop 17 there right where our school has been housed, and 18 then another in the Uptown area to accommodate our 19 families' needs. 20 THE CHAIR: Okay. All right. Thanks. I 21 appreciate that. 22 Commissioner Voigt? 23 MS. VOIGT: Thank you. Hi. 24 MS. LISSA HINES: Hi. Good morning. 25 MS. VOIGT: Good morning. So I just have</p>

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1 a question about the community impact in your new
 2 geographic location. Were you able to have any kind
 3 of community meetings before you planned your
 4 relocation?
 5 MS. LISSA HINES: So our landlord passed
 6 away in March, and the new landlords met with us in
 7 April. And that was when they let us know that they
 8 would be unable to work with us on the growth needs
 9 that we needed to become a K-5 school. And so we
 10 have not -- literally, this has been, you know, a
 11 lightning flash of a timeline. So we have not been
 12 able to have community meetings at the new location.
 13 MS. VOIGT: Do you plan to?
 14 MS. LISSA HINES: Absolutely. Yeah.
 15 MS. VOIGT: Okay. How does your current
 16 community -- when you did your community input
 17 meetings before your school opened, how do they feel
 18 about that distance?
 19 MS. LISSA HINES: All of our families,
 20 like I said, except for five, who are not going to
 21 be able to come with us for various reasons, where
 22 they're moving out of state or moving to the
 23 East Mountain area, for example, everyone is going
 24 to be with us except for about five families.
 25 MS. VOIGT: I understand about facility

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1 locations and obtaining facilities are a great
 2 challenge. But there was nothing within that span
 3 within your original site location intention that
 4 was available.
 5 MS. LISSA HINES: Nothing. This is the
 6 only building available right now with E-Occupancy
 7 in Albuquerque.
 8 MS. VOIGT: In the City of Albuquerque.
 9 MS. LISSA HINES: Yes.
 10 THE CHAIR: That's the challenge. They
 11 needed a space they could move into.
 12 MS. VOIGT: I totally understand how it
 13 is.
 14 THE CHAIR: And I get that.
 15 MS. VOIGT: Yeah.
 16 THE CHAIR: But I just --
 17 MS. VOIGT: It's just unfortunate.
 18 MS. LISSA HINES: Basically, with, like,
 19 eight weeks to come up with something.
 20 MS. VOIGT: Yeah. That's too bad.
 21 THE CHAIR: It is a shame. And once
 22 again, thank you for giving us this highlight that
 23 we can use moving forward. But it's -- you know,
 24 it's just a shame that these events take place.
 25 MS. LISSA HINES: I agree.

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1 THE CHAIR: And you do all this great
 2 planning to serve this community. And then for
 3 reasons completely out of your control, you have no
 4 ability to stay in that community.
 5 So -- but I appreciate you coming up and
 6 just giving a little bit of an update so that --
 7 little bit clearer. And I'm glad it already has
 8 E-Occupancy. That was my big concern. I looked at
 9 it and said, "There's just no way that's going to
 10 happen."
 11 MS. LISSA HINES: We were panicked as
 12 well.
 13 THE CHAIR: Well, it's happy happenstance
 14 for you that you were able to find that E-Occupancy
 15 building, because I don't know what you would have
 16 done otherwise.
 17 MS. VOIGT: Madam Chair? So just a
 18 follow-up question to that, because your intention
 19 originally was to be in the International District;
 20 isn't that correct?
 21 MS. LISSA HINES: Yes.
 22 MS. VOIGT: Do you have any future sites
 23 of possibly relocating there, working with the
 24 community to create that space, that intentionality
 25 for a community school in the ID?

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1 MS. LISSA HINES: Again, if something with
 2 E-Occupancy were to become available and we were
 3 able to move, I'm sure that that would absolutely be
 4 up for grabs. But right now, I mean, it's really
 5 about fulfilling our charter contract, you know, as
 6 it was written, and be in a place that can house as
 7 K-5, and, in addition to that, serving the families
 8 that we have already started to serve.
 9 MS. VOIGT: How many other charter schools
 10 are in your immediate area right now in your new
 11 location?
 12 MS. LISSA HINES: I don't think there -- I
 13 don't think there are any other charter schools in
 14 the area, in the new location. I'm not sure.
 15 THE CHAIR: I'm not sure. Matt?
 16 MR. MATT PAHL: Yeah. That part of
 17 Albuquerque does not have a lot of charters.
 18 THE CHAIR: One more. Is there outdoor
 19 space for the kids?
 20 MS. LISSA HINES: Yes. Yeah.
 21 THE CHAIR: Okay. Great. Great. Thanks
 22 so much. I appreciate it.
 23 MS. LISSA HINES: Thank you. Can I turn
 24 this off?
 25 THE CHAIR: Yeah. Thanks.

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1 MR. ALAN BRAUER: Madam Chair, members of
 2 the Commission, just a quick point of clarification.
 3 Is there any need for a vote right now before --
 4 THE CHAIR: No, there is not. It's just a
 5 notification.
 6 MR. ALAN BRAUER: Okay. Great. Thank
 7 you.
 8 I wanted to close out my remarks on our
 9 school acknowledgments for this month. And the
 10 Charter School Division team and I felt like this
 11 was a good opportunity to acknowledge and celebrate
 12 the three new schools that were started last year
 13 and received Commencement of Operations from you
 14 all.
 15 And so I wanted to highlight, first,
 16 Albuquerque Collegiate Charter. I believe Director
 17 Rivera is here in the room. I'll just start out
 18 with they finished up the year -- or at least at the
 19 128th day, with 35 students, serving 35 students at
 20 their school.
 21 We reached out to the administrators at
 22 the school and we wanted to highlight some student
 23 achievement results from the -- from this year. At
 24 the beginning of the year only 20 percent of
 25 Collegiate's students were able to demonstrate

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1 proficiency on Istation. By the end of the school
 2 year, students worked really hard to push that
 3 proficiency to 85 percent. This included zero
 4 students performing at Level 1.
 5 In addition, on our internal reading
 6 assessments, which is STEP, the students averaged
 7 1.49 years of reading growth since September. And
 8 nearly 100 percent of scholars demonstrated a full
 9 year's worth of growth on this literacy assessment.
 10 I did want to also just note that I had
 11 the chance to join the school for their
 12 end-of-the-year celebration. And it was really
 13 great to see the families and the students and the
 14 staff truly celebrate the academic achievement this
 15 past year.
 16 And so thank you, Ms. Rivera, for that
 17 invite to join you all that day.
 18 I also wanted to highlight and acknowledge
 19 Hózhó Academy in Gallup, New Mexico. At the 128th
 20 day report, they were serving 176 students.
 21 THE CHAIR: Oh, okay.
 22 MR. ALAN BRAUER: And the administrator
 23 provided us a little bit of information about
 24 academic results from this year as well.
 25 For kindergarten, 78 percent of the

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1 students were at 80 percent or better on the
 2 curriculum-based measurements for literacy.
 3 First-graders were at 75 percent -- sorry --
 4 75 percent of students were at 80 percent or better
 5 on the curriculum-based measurements for literacy.
 6 And then according to the MAPs NWEA growth
 7 for second grade, out of 17 students, seven met, and
 8 five exceeded, the growth. So 12 out of the 17 met
 9 the expected growth for this year or exceeded that.
 10 So I just wanted to acknowledge their work
 11 and their effort as well for this last year.
 12 And then finally I wanted to acknowledge
 13 Altura Preparatory School. They -- at the 120-day
 14 S.T.A.R.S. count, they were at 57 students. At the
 15 time of my comments, we did not receive an updated
 16 additional context about their academic experiences
 17 and achievement this year. But conferring with the
 18 Charter School Division team during their school
 19 sites and what they know about this school, they had
 20 some really strong results as well in literacy,
 21 similar to that of Collegiate.
 22 And so I wanted to acknowledge their
 23 efforts as well in closing out the first year. So I
 24 just wanted to give a congratulations to each of
 25 those three schools from the Charter School

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1 Division.
 2 THE CHAIR: I think the biggest highlight
 3 is they were actually able to find an E-Occupancy
 4 school in that short of time. That was a monumental
 5 feat. Thank you for that.
 6 We are on to -- unless you have anything
 7 else? I'm sorry.
 8 MR. ALAN BRAUER: Madam Chair, that's it.
 9 THE CHAIR: Okay. All right. We're on to
 10 No. 7, which is Discussion and Possible Action on
 11 Charter Contract Amendment Requests.
 12 And we have just one school, and that's
 13 Explore.
 14 MS. KAREN WOERNER: Madam Chair, before we
 15 go on, because we removed the change of location
 16 from the Consent Agenda --
 17 THE CHAIR: I'm sorry. Say that again?
 18 MS. KAREN WOERNER: Because we removed the
 19 change of school location from the Consent Agenda,
 20 it has not actually been approved yet.
 21 THE CHAIR: It's not an approval. They're
 22 notifying us of the move. It's just a notification,
 23 not a vote.
 24 MS. KAREN WOERNER: The form has a
 25 documentation for you to approve and sign.

<p style="text-align: right;">Page 46</p> <p>1 THE CHAIR: Because we don't normally vote 2 on notifications. 3 MS. KAREN WOERNER: We do that as part of 4 the Consent Agenda items now. That's why it's not 5 separate. 6 THE CHAIR: But that form is a 7 notification. 8 MS. KAREN WOERNER: Okay. 9 THE CHAIR: Good morning. 10 MR. JUSTIN BAIARDO: Good morning. 11 THE CHAIR: This is becoming a routine. 12 MR. JUSTIN BAIARDO: A regular trip, yes. 13 Good to see everyone again. My name is Justin 14 Baiardo. I'm the founder of Explore Academy. 15 MS. ELISHA VARELA: I'm Elisha Varela. I 16 work with Operations for Explore. 17 MS. MATTHEWS: Patricia Matthews for the 18 charter school. I'm sorry; I'm an attorney. 19 COMMISSIONER ROBBINS: You don't have to 20 apologize for being an attorney. 21 MS. MATTHEWS: It just comes natural. I 22 start with the words "I'm sorry." 23 THE CHAIR: Usually, the Charter School 24 Division does their little schtick. 25 MS. KAREN WOERNER: Okay. Schtick it is.</p>	<p style="text-align: right;">Page 48</p> <p>1 good solid round number to propose. So in regards 2 to the 1,100 student capacity, that is the Fire 3 Marshal's recommendation. 4 I -- having walked the halls every day, I 5 do not recommend 1,100 students in that school. But 6 we feel like remaining the size we want to remain at 7 that site and the community that we've built, we 8 like that 500-to-600 range. And so I think we'd 9 just like the flexibility to operate within what was 10 once our cap, 500, and would potentially be our new 11 cap at 600, where we could float between those two 12 numbers. 13 MS. MATTHEWS: Madam Chair, members of the 14 Commission, Mr. Baiardo has asked me to speak before 15 it goes for a vote on this -- I assume you will take 16 the various amendments separately. Because the 17 second amendment is a request to develop and 18 implement a second site. And I'm not sure, with the 19 Commission's discussion based on the work session 20 yesterday and what I understand that they've pulled 21 the policy on developing a second site. 22 So we have an idea. So I'm not sure -- 23 and the idea has to do with enrollment. And so I 24 would -- I don't know if you want to wait -- I ask 25 the Commission to hold on the vote with regard to</p>
<p style="text-align: right;">Page 47</p> <p>1 Next section will be 7. 2 So, Commissioners, Madam Chair, in 3 Section 7, you have the rationale for the request 4 and some academic performance and financial 5 performance and analysis provided by CSD for the 6 amendment request of increasing the enrollment cap 7 from 500 to 600 students. 8 Following that, behind the pink sheet is 9 the actual request form from the school, as well as 10 their supporting documentation. And, obviously -- 11 the analysis is that the school, you know, obviously 12 is doing well both academically and financially, and 13 they are operating in a capacity -- in a building 14 that has a capacity of 1,100 students. So they 15 certainly can accommodate 600. 16 And I stand for any questions. 17 THE CHAIR: So anything you want to add? 18 MR. JUSTIN BAIARDO: Yeah. We feel like 19 we're going to obviously have our capacity this year 20 with exceeding the waiting list. And the intent 21 behind this amendment request was just to provide 22 the school with some flexibility if we need to go 23 above 500 and have a range. 24 We feel like probably 530 to 550 is a good 25 sweet spot. But my board decided that 600 was a</p>	<p style="text-align: right;">Page 49</p> <p>1 enrollment after the -- until after the discussion 2 with regard to the second site; because we'd like to 3 propose a concept that I think falls within a policy 4 that exists with the Commission and have that 5 discussion. So I can go further if you'd like; but 6 I don't want to jump ahead. 7 COMMISSIONER CABALLERO: For discussion, 8 Madam Chair. Was there a -- did we post this second 9 item? 10 THE CHAIR: Oh, yeah. Yeah. 11 COMMISSIONER CABALLERO: All right. 12 THE CHAIR: Yeah. It's there. I don't 13 think the proposal is there. The amendment request 14 is there. 15 COMMISSIONER CABALLERO: Okay. 16 THE CHAIR: So they did put the 17 amendment -- but they're asking for us to make a 18 decision on the second amendment request before we 19 make a decision on this first one. I don't have a 20 problem with that, you know. 21 MS. VOIGT: Yeah. I'd like to hear what 22 their idea is. 23 THE CHAIR: Well, we're going to vote 24 first. We'll vote on -- we'll entertain B, if 25 that's what the Commission wants to do.</p>

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1 COMMISSIONER ROBBINS: I'd like to hear
 2 this.
 3 MS. VOIGT: I'd like to hear their idea.
 4 COMMISSIONER ROBBINS: I'd like to hear
 5 discussion on that. Then we'll vote on the cap and
 6 then on the site.
 7 THE CHAIR: They want us to vote on B
 8 first and then vote on the cap. That's my
 9 understanding.
 10 MS. MATTHEWS: I'm more than happy just to
 11 put it out on the table what it is we might be
 12 suggesting. I'm assuming -- or if you wouldn't --
 13 MS. VOIGT: Yeah. Let's hear it.
 14 THE CHAIR: I'm kind of uncomfortable with
 15 not having seen this.
 16 MS. MATTHEWS: It's a one-sentence
 17 request.
 18 THE CHAIR: This, we have not seen. We
 19 saw the amendment request; but this, we have not
 20 seen. And we did have a robust discussion yesterday
 21 about what B is about. So my -- my understanding
 22 was there was a direction the Commission was going
 23 to go in today. So I'm somewhat perplexed as to
 24 what we want to do at this moment in time.
 25 MS. VOIGT: Madam Chair, I think -- how

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1 brief?
 2 MS. MATTHEWS: It's about three sentences.
 3 MS. VOIGT: So showing some flexibility to
 4 see what the school has -- what they have to offer.
 5 It could be a growth -- great idea. I'd like to
 6 just hear it out.
 7 THE CHAIR: Okay. All right.
 8 MS. MATTHEWS: The idea, Madam Chair,
 9 assuming that the second amendment would be denied
 10 because of the policy changes by the Commission, I'm
 11 looking at something called the "School Location
 12 Within District Notification."
 13 And effectively what the school would
 14 propose -- and I think this is what they're
 15 proposing, anyway, which would be just to simply
 16 increase their cap from not the 600 requested,
 17 right, to 1,200 and have that cap sit.
 18 And then when the school finds the next
 19 location -- because they're not planning to
 20 replicate; they're planning to expand the current
 21 enrollment on -- in a different location. So
 22 it's -- and it would be under the same
 23 administration.
 24 And if I look at the School Location
 25 Within District Notification, they would then come

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1 to you once they have that other site. But right
 2 now, we have in our -- in this whole concept, the
 3 capacity to move forward with 1,200 kids. And so
 4 the cap would be increased to 1,200. As you just
 5 heard Mr. Baiardo say, the school can accommodate
 6 about 600 as it is, and then they would look for
 7 another site to accommodate the balance of that
 8 enrollment as it comes.
 9 But they have approved in their charter at
 10 that point in time the ability to go forward. Then
 11 we come to you with the notification of where that
 12 second site would be. Or -- I won't call it second
 13 site; just the -- a place to grow into. That was
 14 the idea. I'm sorry if it was more than three
 15 sentences.
 16 MS. VOIGT: That was way more than three
 17 sentences.
 18 THE CHAIR: So this is my question. Are
 19 you, at this moment in time, saying you're not
 20 asking us to move forward with B? Or are you making
 21 an assumption about what we're going to do about B?
 22 MS. MATTHEWS: I'm making an assumption.
 23 THE CHAIR: Okay. All right. So, really,
 24 the enrollment cap is just an enrollment cap
 25 increase at this point in time. And the issue

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1 becomes the issue whenever.
 2 MS. VOIGT: Right. That's what it sounds
 3 like.
 4 THE CHAIR: That's what we're getting at
 5 at this point in time, right.
 6 MS. MATTHEWS: To have another -- we would
 7 come to you -- we'd have a 1,200 student enrollment
 8 cap, and we'd come to you with a site notification
 9 eventually.
 10 THE CHAIR: I understand. If we vote for
 11 the enrollment cap increase, that's not an
 12 indication that that second site amendment would be
 13 approved.
 14 MS. MATTHEWS: Understand. We understand.
 15 THE CHAIR: Right.
 16 MS. MATTHEWS: That the concept that
 17 you're objecting to under the second site concept is
 18 replication and the concept of --
 19 THE CHAIR: Well, you know what? I think
 20 that's a conversation to have later.
 21 MS. MATTHEWS: That's why I was thinking
 22 we should do that afterward. But --
 23 THE CHAIR: Okay. So that's why I'm
 24 somewhat confused. Because the enrollment cap, you
 25 want anyway. So I don't know why we have to hold

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1 off B until A.
 2 I'm fine to do that. But I don't -- it
 3 really doesn't matter, does it? Because you're
 4 making an assumption of what we're going to do with
 5 B. You want the enrollment cap anyway; correct?
 6 MS. MATTHEWS: Of 1,200, correct.
 7 MS. VOIGT: Madam Chair, just a clarifying
 8 question?
 9 THE CHAIR: Yeah.
 10 MS. VOIGT: Okay. So the enrollment cap
 11 is an independent piece, right?
 12 MR. JUSTIN BAIARDO: That's correct.
 13 MS. VOIGT: So whatever repercussions for
 14 the school come out of approving an enrollment cap,
 15 you guys can deal with and come back to us with
 16 whatever that might be; you know, a remodel, a new
 17 site location, whatever. So -- but right now, we're
 18 just looking at an enrollment cap.
 19 THE CHAIR: Yeah. So, I mean, if it's
 20 your preference -- because it's no skin off my
 21 teeth -- for us to take action on B first, we will.
 22 But you wanted the enrollment cap increase, so I
 23 don't know why we need to hold off on it. You want
 24 it anyway; correct? Or no?
 25 MS. VOIGT: I think we might be jumping

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1 the gun if we packaged this all together. If we can
 2 just do the -- you know, look at separate items but
 3 right now --
 4 THE CHAIR: They are two separate items.
 5 MS. VOIGT: Yeah, right now. So let's
 6 just look at the first one, which is only --
 7 THE CHAIR: They asked us to look at the
 8 second one first. That's why I have confusion.
 9 They asked us to take action on the second one
 10 first. So we will.
 11 COMMISSIONER CABALLERO: Quick question?
 12 THE CHAIR: Sure.
 13 COMMISSIONER DAVIS: I have a question.
 14 So I'm understanding that their current cap is 600.
 15 THE CHAIR: Right.
 16 COMMISSIONER DAVIS: They'd like us to
 17 expand it to 1,200, even though they don't have the
 18 capacity for 1,200; is that correct? Is that
 19 correct?
 20 THE CHAIR: Yeah. You know --
 21 MS. MATTHEWS: We withdraw the request.
 22 THE CHAIR: Thank you. Because we can't
 23 give you an enrollment cap increase that goes beyond
 24 your current E-Occupancy.
 25 We've been told that time and time again.

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1 MS. MATTHEWS: Madam Chair, it's your
 2 agenda. But would it make sense perhaps to go ahead
 3 and consider the second amendment and come back to
 4 the first, please? Please.
 5 THE CHAIR: Sure.
 6 MS. MATTHEWS: Because, to me --
 7 THE CHAIR: Sure.
 8 MS. MATTHEWS: -- if -- we don't know what
 9 you're going to do with the second amendment -- or
 10 the second request. And if you were to deny it,
 11 then that would modify the first. If you approve
 12 it, then we just ask for 600 at the Masthead
 13 location.
 14 THE CHAIR: Sure. All right.
 15 MS. MATTHEWS: I appreciate that,
 16 Madam Chair.
 17 THE CHAIR: Okay. So we're on to B, which
 18 is the new school, same district. Sorry. Because
 19 I'm not navigating SharePoint as well as I thought
 20 because I have to close things out and then open it
 21 back up; so it's not as seamless as I thought it was
 22 going to be.
 23 So just for the two Commissioners that
 24 were not here yesterday --
 25 COMMISSIONER DAVIS: Thank you.

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1 THE CHAIR: -- we did have a fairly robust
 2 third or fourth discussion about this issue. And it
 3 came up also, in part, when we were looking at the
 4 renewal applications and statutory requirements.
 5 And we really circled around yesterday the
 6 issue of revocation and that the State statute is
 7 fairly clear as to what revocation is, and the
 8 dilemma, if there's a second site and there has to
 9 be a revocation hearing, we can't revoke half of a
 10 charter; so that the consensus at the time of
 11 yesterday of the Commission was that we really need
 12 some statutory clarification in order to be able to
 13 clearly and cleanly move forward on this topic.
 14 It's not going to happen soon. But even
 15 outside -- we felt that statutory clarification was
 16 even a better route than trying to look at
 17 rule-making, because rule-making gets a little wonky
 18 as well.
 19 And it's also not a quick process as well.
 20 But that for the -- you know, there's a number of
 21 areas where the Charter School Act needs to be
 22 cleaned up. The last cleanup act was really a new
 23 glossary, for all intents and purposes, and that was
 24 it.
 25 But there is -- as we move forward and

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1 things are becoming more complex and things are
 2 changing, but the statute hasn't changed, it was
 3 the -- I believe the comfort level of the Commission
 4 yesterday to have the guidance through statute to be
 5 able to do this in a -- in a better manner.
 6 COMMISSIONER RUIZ: Madam Chair?
 7 THE CHAIR: Commissioner?
 8 COMMISSIONER RUIZ: And that was the
 9 extent of our conversation, a long conversation
 10 yesterday, as in previous Commission meetings.
 11 So I make a motion that the Public
 12 Education Commission table Explore Academy's request
 13 for a new school in the same school district.
 14 COMMISSIONER CRONE: Second.
 15 THE CHAIR: There's a motion by
 16 Commissioner Ruiz, a second by Commissioner Crone.
 17 Any further discussion?
 18 (No response.)
 19 THE CHAIR: Roll call, Commissioner
 20 Armbruster.
 21 COMMISSIONER ARMBRUSTER: I'm trying to --
 22 THE CHAIR: The vote is to table letter B
 23 in Item No. 7.
 24 COMMISSIONER ARMBRUSTER: Okay.
 25 Commissioner Voigt?

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1 COMMISSIONER VOIGT: Yes.
 2 COMMISSIONER ARMBRUSTER: Commissioner
 3 Chavez?
 4 COMMISSIONER CHAVEZ: Yes.
 5 COMMISSIONER ARMBRUSTER: Commissioner
 6 Raftery?
 7 COMMISSIONER RAFTERY: Yes.
 8 COMMISSIONER ARMBRUSTER: Commissioner
 9 Robbins?
 10 COMMISSIONER ROBBINS: Yes.
 11 COMMISSIONER ARMBRUSTER: Commissioner
 12 Davis?
 13 COMMISSIONER DAVIS: Yes.
 14 COMMISSIONER ARMBRUSTER: Commissioner
 15 Armbruster votes "No."
 16 Commissioner Gipson?
 17 THE CHAIR: Yes.
 18 COMMISSIONER ARMBRUSTER: Commissioner
 19 Crone?
 20 COMMISSIONER CRONE: Yes.
 21 COMMISSIONER ARMBRUSTER: Commissioner
 22 Ruiz?
 23 COMMISSIONER RUIZ: Yes.
 24 COMMISSIONER ARMBRUSTER: Commissioner
 25 Caballero?

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1 COMMISSIONER CABALLERO: Yes, to table.
 2 THE CHAIR: The motion passes nine-one.
 3 COMMISSIONER ARMBRUSTER: Nine-one.
 4 THE CHAIR: Thank you very much.
 5 Okay. Now we're back to letter A.
 6 MR. JUSTIN BAIARDO: Just for
 7 clarification, the most recent vote tabling would
 8 require that it be heard at the next meeting again;
 9 is that --
 10 THE CHAIR: No. It's tabled until there's
 11 statutory clarification on it. Yeah.
 12 MR. JUSTIN BAIARDO: Okay. I mean, just
 13 for clarification, the second school is not the
 14 request. It was a second facility to serve more
 15 kids.
 16 THE CHAIR: It specifically says, "New
 17 school in same district." That's what the item says
 18 on the agenda.
 19 MS. MATTHEWS: With all due respect,
 20 Madam Chair, members of the Commission, at the time
 21 this school came forward to request -- to do what it
 22 wants to do, which is to dramatically expand its
 23 enrollment to make this very successful school
 24 available to other students, this was the process
 25 that they were guided into.

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1 In all practicality, it is essentially
 2 just expanding the enrollment and then putting more
 3 kids at a different location. So I think you're
 4 right. There needs to be statutory clarification
 5 for -- I'm not even going to say that. I think it's
 6 well within the statute that you can do what you're
 7 doing, in addition to the Department's stated
 8 position that the Secretary has the authority to
 9 waive to the extent that they could make this
 10 happen.
 11 But let's put that aside. This school
 12 came before the Commission in its process that was
 13 available at the time. What we're asking the
 14 Commission to do is to say, "Okay, we decided. We,
 15 the Commission, decided, after this school came
 16 forward and made the request, to yank that process."
 17 So do we have any other process by which
 18 we can foster this school's extension?
 19 And so I'm looking at your own policy that
 20 says, "A School Location Within the District
 21 Notification is used to notify the Commission of a
 22 planned change in the school's physical location,
 23 including additional facilities or facility space
 24 when the school will be staying within the same
 25 district. This notification shall also be used to

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1 notify the Commission when the school is adding an
 2 additional facility or facility space within the
 3 same district, because the primary facility does not
 4 have sufficient capacity."
 5 So, now, given that you brought up the
 6 issue of the actual technical building capacity,
 7 which is identified in the E-Occupancy -- which is
 8 1,100? Then we would amend the request to 1,100 for
 9 the amendment request.
 10 Now, the school obviously doesn't want the
 11 Commission just to deny growth at its current site,
 12 if that's the inclination to deny the first request
 13 which was at 600; but we're asking the Commission to
 14 have a discussion about flexibility to move the
 15 enrollment cap of this school to 1,100 so that it
 16 can do what it actually intended all along, which
 17 was just to make this school available to other
 18 kids -- this school; not another school; this
 19 school -- and expand its enrollment. That's the
 20 request.
 21 Is that fair, Mr. Baiardo?
 22 MR. JUSTIN BAIARDO: Yes, it is.
 23 THE CHAIR: Sure.
 24 COMMISSIONER CABALLERO: Discussion. I
 25 think you need to -- what you just read, you need to

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1 read on the policy decision that the Commission did
 2 to clarify and to say that if there's -- that we
 3 cannot do another school without going through the
 4 recharter. It has to be another charter.
 5 And in that policy decision, what you just
 6 read is further clarified. There is no -- no
 7 unclear area.
 8 And I can tell you the Commission does
 9 have the authority and the power to make policy
 10 decisions. This school was not before the
 11 Commission when we stopped them and we made a policy
 12 decision.
 13 We made a policy decision -- it has been
 14 an ongoing conversation within the Commission for a
 15 long time, a long, long time, even the other
 16 administration.
 17 And so we managed to hammer out a
 18 definition just recently. And what I think is
 19 there's an attempt to circumvent the decision by the
 20 Commission. And then the decision and the policy
 21 for that decision is very, very clear. I don't
 22 think there's anything unclear about it.
 23 MR. JUSTIN BAIARDO: Commissioner, just to
 24 clarify on our end just to make sure our intentions
 25 are crystal-clear, yeah, the -- what's written on

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1 the agenda is "New school in the same district."
 2 And that was not our intention. We applied for a
 3 second site under the same charter, which would be,
 4 by definition, the same school, two facilities. The
 5 second site amendment is the --
 6 THE CHAIR: That wasn't this amendment
 7 request, was it not?
 8 MS. KAREN WOERNER: The amendment request
 9 that existed previously that they submitted reads,
 10 "New school or new site amendment request form."
 11 And so it probably should have been worded, "New
 12 school or new site" on the agenda, because that's
 13 the way the amendment request was written.
 14 MR. JUSTIN BAIARDO: Our intention is to
 15 establish a second facility where we can expand our
 16 enrollment to more students, not a second governance
 17 council, second contract. We just want to be able
 18 to serve more students at a site that is more
 19 amenable to where the students are coming from,
 20 closer to their homes.
 21 THE CHAIR: And I'll just direct you to
 22 the purpose -- what's listed as the purpose of that
 23 other amendment site that you cited. But I don't
 24 think we're going to have any further discussion on
 25 this.

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1 But I think the point at hand is -- and
 2 I'm going to be honest. I'm uncomfortable with
 3 amending an amendment on the day of -- that this was
 4 not what Commissioners were thinking about when we
 5 were coming here to vote. We were thinking of that
 6 smaller enrollment cap.
 7 I think that's a discussion that needs to
 8 be had, and people need to think about it. So I'm
 9 not comfortable with it; but I'm willing and open
 10 for anyone else that wants to -- Commissioner
 11 Robbins?
 12 COMMISSIONER ROBBINS: Well, I think
 13 things seemed kind of confused. I was and am still
 14 in favor of increasing the cap on the first motion
 15 to the 600. And if you needed more at that current
 16 site because your E-Occupancy is almost 1,100,
 17 that's fine. It seems like that should have been
 18 the first step.
 19 And then if you wanted, later on, after
 20 you -- because to approve a second site, we don't
 21 know location; we don't know anything about that.
 22 We don't know the -- how you're going to actually
 23 handle that, the distance, how you're going to
 24 handle administrative things, what the governance
 25 council is going to do with regard to this; because

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1 we don't see anyone from the governance council
 2 speaking to us now.
 3 Those concerns I have with the second site
 4 at this time.
 5 Increasing the cap in the motion that was
 6 put forth was -- in the request -- was to increase
 7 it to 600. Now, I'm all in favor, and I'll put
 8 forth a motion to do so at this time.
 9 But I don't like, as has been expressed,
 10 changing the motion at this time, when the original
 11 request was to increase from 500 to 600, and then to
 12 say, "Now we want to take it to 1,100 or 1,200."
 13 1,200 is a no-brainer, because you don't have an
 14 existing facility that can accommodate that. And
 15 you, by your earlier statement, said even the 1,093,
 16 which I think is what the E-Occupancy is, would be
 17 too much for your current site.
 18 The 600, you said you can adequately
 19 accommodate that in the site without overburdening
 20 the facilities or anything. I am more than prepared
 21 to make that motion. I'll leave it at that.
 22 MR. JUSTIN BAIARDO: Okay.
 23 THE CHAIR: Commissioner Armbruster?
 24 COMMISSIONER ARMBRUSTER: Madam Chair, I'm
 25 just a little confused.

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1 So when this was sent to us, dated -- it
 2 seems like it was dated before we changed the rules.
 3 And so I'm just -- we've been in a lot of appeals
 4 lately. So I just wondered.
 5 THE CHAIR: I need a point of
 6 clarification. Which are you talking about dated?
 7 The enrollment cap increase?
 8 COMMISSIONER ARMBRUSTER: The new school
 9 site.
 10 THE CHAIR: No, no, no. We've already
 11 tabled that. We've tabled that issue. So we're
 12 speaking solely to the enrollment cap right now. So
 13 the new school site has been tabled.
 14 COMMISSIONER ARMBRUSTER: Okay.
 15 COMMISSIONER ROBBINS: So if there's no
 16 other discussion, Madam Chair, I move the Public
 17 Education Commission approve the enrollment cap
 18 increase for Explore Academy from 500 to 600.
 19 COMMISSIONER RUIZ: Second.
 20 THE CHAIR: There's a motion by
 21 Commissioner Robbins, a second by Commissioner Ruiz.
 22 Any further discussion?
 23 Commissioner Caballero?
 24 COMMISSIONER CABALLERO: I will announce
 25 my abstention. I think that this particular item

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1 should be tabled. There's too much in there on what
 2 the intent really is. Is their intent really to
 3 grow their school in behalf of students or something
 4 else? So I feel uncomfortable at this time with all
 5 that has been said in motion and counter-motion. I
 6 will abstain.
 7 THE CHAIR: Okay. All right. Thank you.
 8 Anyone else?
 9 COMMISSIONER ARMBRUSTER: I just want to
 10 clarify something, that what we're voting on. We
 11 are voting to expand, to --
 12 THE CHAIR: Increase the enrollment cap.
 13 COMMISSIONER ARMBRUSTER: To increase
 14 their enrollment cap to 600, is that correct?
 15 THE CHAIR: Correct. That's the motion.
 16 COMMISSIONER ARMBRUSTER: Does everyone
 17 understand? I just wanted to make sure what we were
 18 voting on.
 19 Ready?
 20 THE CHAIR: If there is no further
 21 discussion, we are.
 22 COMMISSIONER ARMBRUSTER: And no further
 23 abstentions besides Commissioner Caballero?
 24 All right. Commissioner Gipson?
 25 THE CHAIR: Yes.

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1 COMMISSIONER ARMBRUSTER: Commissioner
 2 Crone?
 3 COMMISSIONER CRONE: Yes.
 4 COMMISSIONER ARMBRUSTER: Commissioner
 5 Robbins?
 6 COMMISSIONER ROBBINS: Yes.
 7 COMMISSIONER ARMBRUSTER: Commissioner
 8 Voigt?
 9 COMMISSIONER VOIGT: Yes.
 10 COMMISSIONER ARMBRUSTER: Commissioner
 11 Davis?
 12 COMMISSIONER DAVIS: Yes.
 13 COMMISSIONER ARMBRUSTER: Commissioner
 14 Ruiz?
 15 COMMISSIONER RUIZ: Yes.
 16 COMMISSIONER ARMBRUSTER: Commissioner
 17 Armbruster votes "Yes."
 18 Commissioner Chavez?
 19 COMMISSIONER CHAVEZ: Yes.
 20 COMMISSIONER ARMBRUSTER: Commissioner
 21 Raftery?
 22 COMMISSIONER RAFTERY: Yes.
 23 COMMISSIONER ARMBRUSTER: That's a nine
 24 to -- nine votes for and one abstention.
 25 THE CHAIR: Nine affirmative, one

<p style="text-align: right;">Page 70</p> <p>1 abstention. The motion passes. Thank you. 2 MR. JUSTIN BAIARDO: Thank you. 3 THE CHAIR: All right. We're going to 4 take a short break. Sorry. 5 (Recess taken, 10:31 a.m. to 10:48 a.m.) 6 THE CHAIR: Okay. We are on to Item 7 No. 9 -- 8. I'm sorry. Item No. 8, Discussion and 8 Possible Action on the Response by Alma d'Arte 9 Charter School. 10 MR. ALAN BRAUER: Madam Chair, members of 11 the Commission. 12 Alma d'Arte was asked for -- asked to send 13 information to us from the May -- May meeting. They 14 did comply with that and send the information to us. 15 The -- in the packet, in your packet, 16 after the first -- first page, you'll find the 17 response from Alma around the special education 18 services. It's a little hard to see. But the more 19 faint type in this document, it would have been red 20 if it was in color. And that is the special 21 education response that's embedded in that. 22 EL. I apologize. The first page is the 23 EL. So the more faint language is from the Language 24 and Culture Bureau. 25 And then after that document, there is</p>	<p style="text-align: right;">Page 72</p> <p>1 returned it or if it's 23 for both. 2 They -- this letter is kind of a pattern 3 of not completely and accurately addressing 4 questions that this Commission has put forth to 5 them. And I'm very concerned that, you know, we ask 6 about something, and they don't quite understand 7 what we're asking for. 8 And this is a tremendous concern for me 9 that do they understand statutory requirements? If 10 a simple letter asking for the name of something and 11 then they reply without giving us the name, if they 12 don't answer those basic, simple questions how can 13 they assure us that they're fulfilling the statutory 14 requirements of education for their students? 15 THE CHAIR: Thank you. I do believe there 16 is folks, once again -- oh, I'm sorry. Does CSD 17 want to add anything else before we -- 18 MS. KAREN WOERNER: I just want a point of 19 clarification on the -- what's in your packet. So 20 the first page was what we had asked for. And then 21 the -- the letter that you're looking at on Pages 2 22 and forward are -- is the letter that we received 23 back. 24 But the notes in the red text were added 25 by CSD since we received the letter.</p>
<p style="text-align: right;">Page 71</p> <p>1 another document referring to special education 2 services at the school as well, and there is 3 embedded information from the Special Education 4 Bureau in there as well. 5 We also have the Special Education Bureau 6 team here if there is any questions specifically for 7 them, or if there is questions for the CSD team. 8 COMMISSIONER ROBBINS: Madam Chair? 9 THE CHAIR: Commissioner Robbins? 10 COMMISSIONER ROBBINS: If I could, I 11 thought some of the questions that you had put forth 12 originally in the Letter of Concern were very clear. 13 But it looks like sometimes the responses we 14 received while they were in person are dancing 15 around the question. They don't answer the question 16 specifically. 17 "What is the name of the tutor?" 18 It's not mentioned. 19 "What certification does he hold?" 20 Not mentioned. 21 So, you know, we have specific questions 22 asking for the number of parents who received the 23 letter and the number of parents who returned the 24 letter. And they give us a single number of 23. I 25 don't know if that's 23 that received it or 23 that</p>	<p style="text-align: right;">Page 73</p> <p>1 So though -- on the first page we asked 2 the number of parents who receive and who returned 3 the letter stating they declined those services, we 4 added that in there. That's the lighter text. 5 So the school has not had a chance to 6 respond to what is the name of the tutor. Our 7 concern there, though, is who is the tutor, what 8 certifications, and when were these services 9 provided, because when we were on site visits, that 10 did not exist. 11 So I agree with you, Commissioner Robbins, 12 that there's some serious concerns about the 13 requirements and the understanding of what is 14 required here. 15 I did want to clarify they did not have 16 the question of, "What is the tutor?" That was 17 notes added later because of what the response was. 18 I just wanted to clarify that one piece for the 19 school. 20 Also, if you continue on, you will see 21 that one of the issues was around the initial and 22 annual letters. And there still is a 23 misunderstanding about what should be in each of 24 those. As indicated on the back side of the letter 25 you'll see in the lighter text, those are notes</p>

<p style="text-align: right;">Page 74</p> <p>1 added by CSD in collaboration with Ms. Laine from 2 the Language and Culture Bureau about some obvious, 3 still, misunderstandings of how the process works 4 for identifying and notifying -- identifying 5 students and notifying parents. 6 And then further on in the letters that 7 they sent, we documented some concerns. So I just 8 wanted to be clear that, you know, that the lighter 9 text happened after it was submitted to the school. 10 Also -- but still some very serious concerns. 11 And then the special ed report is further 12 back. It has a heading of "Special Ed Bureau Report 13 to the Public Education Commission." And they are 14 here to respond to any questions about that section 15 of the report, as they -- as you recall, they had to 16 upload IEPs to a secure location. And they were 17 reviewed by the Special Ed Bureau who are also here. 18 And Ms. Laine is here as well. 19 Thank you. 20 THE CHAIR: Thank you. 21 MS. KAREN WOERNER: And, of course, the 22 school's representatives are here in the audience as 23 well. 24 THE CHAIR: Right. I was just looking 25 through. Our -- the requests that we made for what</p>	<p style="text-align: right;">Page 76</p> <p>1 back. 2 And there is a discrepancy between 3 understanding between the screening instrument which 4 is to screen for English Language proficiency of a 5 student entering public education and an annual 6 assessment. 7 There seems to be a discrepancy in that 8 understanding. It's hard to tell from paper whether 9 that's really just not knowing all the language or 10 not knowing all the terminology, or really not 11 understanding the process. And that was one of the 12 questions that we had. 13 And as Ms. Woerner was saying, we weren't 14 sure about the tutoring services, because that was 15 not mentioned before. And that was really in 16 response to Commissioner Chavez' question about what 17 are you really doing for ELs in the program. 18 So those were the things -- so there is 19 isn't -- so from our perspective, it's hard to tell 20 from paper if the flow really is there on serving 21 ELs, identifying and serving ELs. 22 THE CHAIR: Okay. Thank you so much. 23 Commissioners, do you have any questions? 24 COMMISSIONER ARMBRUSTER: Just a 25 clarifying question, thank you, because I'm not</p>
<p style="text-align: right;">Page 75</p> <p>1 the school needed to send out is not here; correct? 2 Is it here? 3 MS. KAREN WOERNER: It's on the Executive 4 Summary sheet, Madam Chair, Commissioners. 5 THE CHAIR: Oh, okay. I'm looking at the 6 documents. Okay. All right. Okay. So I have to 7 close this file out. 8 COMMISSIONER ARMBRUSTER: This is the 9 first one, right? First one? 10 THE CHAIR: Yeah. Sorry. Okay. 11 So once again, I want to thank the bureaus 12 for cooperating with this. And if there is any 13 clarifying information that you wish to offer us, we 14 would greatly appreciate it. 15 So I don't know who wants to go first. 16 MS. KIRSI LAINE: Madam Chair -- can you 17 hear? 18 THE CHAIR: Is the little green light on? 19 MS. KIRSI LAINE: No. There. 20 Madam Chair and Commissioners. So when we 21 looked at the submission from the school -- so the 22 questions still became as to is there really an 23 understanding of the identification process or how 24 to determine if a student was an EL. So the wording 25 is always a little bit changed when we get something</p>	<p style="text-align: right;">Page 77</p> <p>1 familiar with EL; let me just say that. 2 So because this is high school, one would 3 assume that before they got there, they had that 4 survey and things, so that the school would not be 5 responsible for doing that because it's already 6 there somewhere, unless the child came from another 7 state or just moved here or whatever, but new to 8 the -- new to New Mexico. 9 MS. KIRSI LAINE: Yes. 10 COMMISSIONER ARMBRUSTER: Am I correct on 11 that? 12 MS. KIRSI LAINE: Yes. So the process for 13 when a student transfers from another school is that 14 all of that information is really housed in 15 S.T.A.R.S. And we do support State charters, 16 really, in accessing information in S.T.A.R.S. They 17 don't always have it. And so they look for that 18 information. So if a student was identified as an 19 EL and was not exited yet, then a student is 20 currently an EL and gets an annual letter saying 21 that they're in the EL program for that year. 22 COMMISSIONER ARMBRUSTER: And if that -- a 23 child exited from the program because the English 24 proficiency was adequate, then that child would not 25 have another language survey go home, because he or</p>

<p style="text-align: right;">Page 78</p> <p>1 she had been exited from that program. 2 MS. KIRSI LAINE: Exactly. Yes. 3 THE CHAIR: Commissioners, any other 4 questions? 5 (No response.) 6 THE CHAIR: Thank you so much once again. 7 Thank you. 8 MS. KIRSI LAINE: Thank you. 9 MS. KAREN WOERNER: Did you want to hear 10 from the Special Ed Bureau? 11 THE CHAIR: Yes. If he's finished his 12 cookie. 13 MS. KAREN WOERNER: Have you finished your 14 cookie? 15 THE CHAIR: Thank you once again for your 16 time. And if you would just identify yourselves for 17 the record. 18 MR. TIM CRUM: Good morning, Madam Chair. 19 My name is Tim Crum. I am the Deputy Director of 20 the Special Education Bureau. Nice to be with you. 21 MS. CHARLENE MARCOTTE: Good morning. My 22 name is Charlene Marcotte, Education Administrator 23 assigned to Alma d'Arte. 24 MS. CYNTHIA ROMERO: Good morning. I'm 25 Cynthia Romero, and I'm the data supervisor at the</p>	<p style="text-align: right;">Page 80</p> <p>1 And then in the service logs -- I'm 2 sorry -- yes, the service logs -- we didn't see a 3 link to the amount of time that was being spent 4 providing the reading, writing, and math goals. 5 And so the service log, we put some 6 recommendations in here that -- in the IEP -- I'm 7 sorry. In the service log, we were seeing content 8 mastery being listed a lot of the times; and also 9 we're seeing that in the IEP. So we're not sure if 10 content mastery is the same thing as services being 11 provided in reading, writing and math. 12 So there was a lot of inconsistencies in 13 what we were seeing in service logs that were being 14 provided, as well as in the PWN and in the service 15 pages of the IEP. 16 THE CHAIR: Okay. Thank you. 17 MS. CHARLENE MARCOTTE: There was also a 18 few students that didn't have a need indicated for 19 special education in the IEPs. And that was 20 concerning as well. There -- they have a 21 disability; but in order to qualify for special 22 education services, you have to have a disability 23 and it has to impact your education. 24 And a student -- there were a few students 25 that had a disability; but there was no</p>
<p style="text-align: right;">Page 79</p> <p>1 Special Ed Bureau. 2 THE CHAIR: Thank you for this once again. 3 So if you want to highlight any continued 4 concerns, any new concerns in light of what you -- 5 all the information that you received, we'd 6 certainly appreciate it. 7 MR. TIM CRUM: Thank you. Do you want to 8 go first? 9 MS. CYNTHIA ROMERO: So there were a 10 couple of concerns when we reviewed the IEPs that 11 were uploaded into the secure site for us. 12 I'll go over some of -- some of those 13 concerns. 14 One of the concerns that we saw in -- in 15 the report itself that Charlene and I were able to 16 put together has more or less the percentage of the 17 IEPs that we saw items missing or items not in 18 compliance with. 19 And so for one of the areas is in the area 20 of the specialized instruction. So we would see a 21 goal, for example, in reading, writing, or math. 22 And in the Prior Written Notice, we wouldn't see the 23 amount of service that that student was going to be 24 receiving, how many hours that service was going to 25 be provided for.</p>	<p style="text-align: right;">Page 81</p> <p>1 documentation showing it was impacting their 2 disability. And they were not receiving any 3 specialized instruction according to the IEP; so, 4 therefore, they need to act into looking at the data 5 and seeing if they need to exit these students from 6 special education, because they don't qualify to be 7 in special education. 8 Just overall, it appears that, from what 9 we see on paper, what we've seen, that there is a 10 mismatch between what students are receiving and 11 what they should be receiving. Special education is 12 supposed to be specialized instruction. And what's 13 recorded in service logs appears to be just support. 14 So if they're in the general education 15 classroom, they're receiving math. Then if a 16 student asks for help, then that's the type of 17 support that's logged into the service logs. 18 First is specialized instruction, which 19 would be based off of the goals in the IEP. So if a 20 student was reading, for example, at a tenth-grade 21 level, then that's where the specialized instruction 22 comes in. If they're a senior, they should be 23 trying to work them up to close that gap. And 24 that's what we're not seeing with the service logs 25 that were provided and then the needs that were</p>

<p style="text-align: right;">Page 82</p> <p>1 indicated. There's a gap there for students with 2 disabilities.</p> <p>3 THE CHAIR: Thank you. I don't know if 4 you want to add any more.</p> <p>5 MR. TIM CRUM: No, Madam Chair, not for 6 specifics. But I think, overall, what I've heard in 7 my brief review of the report -- because I haven't 8 looked at it that closely for that long -- there are 9 concerns beyond what would be normal, in my view of 10 an LEA, what we should see.</p> <p>11 And there was also mention of compensatory 12 in the report. So did you want to speak to that a 13 little bit?</p> <p>14 THE CHAIR: Yeah.</p> <p>15 MS. CHARLENE MARCOTTE: So from what we're 16 seeing is in -- if we were looking at another 17 school's IEPs, we would see that they had special 18 education math, special education reading, special 19 education writing. But what they have to offer, 20 Alma d'Arte, is learning lab and content mastery. 21 So we don't know if that's special education.</p> <p>22 But what we're inferring from the service 23 logs providing -- that they provided, it's not 24 special education. It's more like tutoring. And 25 tutoring is not special education, because it's not</p>	<p style="text-align: right;">Page 84</p> <p>1 And what we were seeing is not indicating 2 specialized instruction. It's indicating that the 3 special ed teacher was in the general classroom -- 4 the general ed classroom. That's all that's 5 indicated. That's all the service logs indicate. 6 It's not indicating that the students received 7 specialized instruction.</p> <p>8 THE CHAIR: Received compensatory.</p> <p>9 MS. CHARLENE MARCOTTE: So, therefore, 10 this raises a new need for compensatory services.</p> <p>11 THE CHAIR: Right.</p> <p>12 MS. CHARLENE MARCOTTE: Because if they 13 never received any specialized instruction, they 14 will owe all the time for the whole school year. So 15 it's not only the time that they were without a 16 special education teacher; it would be now if they 17 didn't receive any specialized instruction.</p> <p>18 THE CHAIR: Right, right. Yeah. Okay. 19 Thank you.</p> <p>20 Commissioner Armbruster?</p> <p>21 COMMISSIONER ARMBRUSTER: I just wanted to 22 clarify some things for me, which may or may not 23 have anything to do with Alma, as a matter of fact. 24 So when you have a special ed teacher who's going 25 into an inclusion class with special ed students</p>
<p style="text-align: right;">Page 83</p> <p>1 specialized instruction trying to help them close 2 that gap and working with them where they are 3 according to their goals in their IEP.</p> <p>4 So that's where -- that's where we're 5 indicating if they cannot provide service logs to 6 indicate they've worked with those students at the 7 level they needed that specialized instruction, they 8 will owe these students compensatory services in 9 those areas where they have a need.</p> <p>10 THE CHAIR: And that's -- so let me ask, 11 because when we started this way back months ago, 12 there was -- correct me -- about 300 hours of 13 compensatory time owed? Is that the number that we 14 were -- I think it was somewhere around 300, wasn't 15 it?</p> <p>16 MS. KAREN WOERNER: It was significant. 17 And that was at the time they didn't have a special 18 ed provider.</p> <p>19 THE CHAIR: My question is, is there any 20 indication to what might be still owed? What a 21 deficiency might be, if there is one? Or if there 22 is one?</p> <p>23 MS. CHARLENE MARCOTTE: If there is one. 24 So what we would need to see is service logs showing 25 specialized instruction happening for every student.</p>	<p style="text-align: right;">Page 85</p> <p>1 with needs and IEPs as well as regular ed students, 2 and they're just working so that they're able to do 3 what they're supposed to be doing in class; so then 4 in order to give them the specialized instruction 5 that you mentioned, would -- how would that occur?</p> <p>6 Would it be like you'd have to have a 7 class where you just worked with those kids on that? 8 Or how does that occur? Or where? Does that make 9 sense what I'm asking you?</p> <p>10 MS. MARJORIE GILLESPIE: Yes.</p> <p>11 MS. CYNTHIA ROMERO: It could be seen in a 12 variety of ways. They could do it as a small group. 13 They could do it even as a co-teaching situation, 14 where the two teachers, the general ed and the 15 special ed teacher, are teaching together.</p> <p>16 But oftentimes, you would see the special 17 ed teacher in the general ed classroom working in 18 the groups with the students that needed the 19 specific help in that area that -- the content area 20 that is being taught at that time.</p> <p>21 COMMISSIONER ARMBRUSTER: So if you had 22 something that was -- was or was not developed for 23 special ed -- I don't know; I've been out of this 24 for a while -- I don't know. Does the little book 25 say, "Only for special ed children"? I don't think</p>

<p style="text-align: right;">Page 86</p> <p>1 so.</p> <p>2 So if you're doing specialized instruction</p> <p>3 in an area like writing or reading, that type of</p> <p>4 thing, and you're doing it with everyone who needed</p> <p>5 that type of service, which is probably most in the</p> <p>6 classroom of this inclusion class, that would be</p> <p>7 considered specialized instruction?</p> <p>8 MS. CYNTHIA ROMERO: It's also going to be</p> <p>9 dependent on the students' goals. So the special ed</p> <p>10 teacher will also be providing a specific -- will</p> <p>11 need to be providing the specific things in the</p> <p>12 goals of that student's IEP. And so they would be</p> <p>13 providing those particular services during that</p> <p>14 inclusion time.</p> <p>15 COMMISSIONER ARMBRUSTER: So I would say,</p> <p>16 just off the top of my head, generally, goals for LD</p> <p>17 kids would be increasing reading speed. It would</p> <p>18 be -- in terms of writing, they would be able to</p> <p>19 write a topic sentence and supporting sentences and</p> <p>20 conclu- -- I mean, those are the general kinds of</p> <p>21 things. I'm just talking about English, not about</p> <p>22 math now. That would be the sort of thing they</p> <p>23 would be doing.</p> <p>24 So if that special ed teacher were in a</p> <p>25 classroom and doing that specifically as part of the</p>	<p style="text-align: right;">Page 88</p> <p>1 it's difficult for LEAs to generally meet all of the</p> <p>2 requirements under the IDEA B. They're pretty</p> <p>3 spectacular intensive requirements.</p> <p>4 So we would expect to sometimes see some</p> <p>5 latency in maybe IEPs by two weeks or three weeks or</p> <p>6 something like that. That would be more normal.</p> <p>7 We would -- we would not expect to see</p> <p>8 specifics in the failure of executing or</p> <p>9 implementing IEPs as normal, where students are --</p> <p>10 where there's not a distinguishing characteristic or</p> <p>11 a log that shows that students are receiving</p> <p>12 specific services that are required under the IEP in</p> <p>13 the least restrictive environment, which we refer to</p> <p>14 as inclusion as well. So that would -- that's not</p> <p>15 normal.</p> <p>16 So just those normal breakdowns, if there</p> <p>17 are such a thing. I don't want to imply that it's</p> <p>18 normal not to do something that's fully in</p> <p>19 compliance. But there are things that do happen,</p> <p>20 and they're less impactful.</p> <p>21 So I would say that this is what I'm</p> <p>22 reading in the report is impactful on students with</p> <p>23 disabilities, particularly as it relates to time and</p> <p>24 the time that they -- as they're aging and the time</p> <p>25 that they need the services and the amount of</p>
<p style="text-align: right;">Page 87</p> <p>1 co-teaching, then that would count towards what</p> <p>2 you're talking about; am I right?</p> <p>3 MS. CYNTHIA ROMERO: Yeah. It would</p> <p>4 really depend on the particular student's IEP. Also</p> <p>5 we'd have to take into consideration any</p> <p>6 accommodations or modifications that are also in the</p> <p>7 IEP. They would have to be following all of those</p> <p>8 items while they were in the inclusion setting.</p> <p>9 COMMISSIONER ARMBRUSTER: And the</p> <p>10 accommodations would basically not be on the special</p> <p>11 ed instruction; it would be on the general ed</p> <p>12 instruction and goals and tests and how they're</p> <p>13 grading a paper and that type of thing; right?</p> <p>14 MS. CYNTHIA ROMERO: Yes, correct.</p> <p>15 COMMISSIONER ARMBRUSTER: Thank you.</p> <p>16 THE CHAIR: Commissioner Voigt?</p> <p>17 COMMISSIONER VOIGT: Thank you.</p> <p>18 Mr. Crum, you stated that there were</p> <p>19 concerns beyond what would be normal concerns. So</p> <p>20 what is a normal concern that the Special Education</p> <p>21 Bureau would have when they see these entries into</p> <p>22 the portal?</p> <p>23 MR. TIM CRUM: I'm glad you asked that</p> <p>24 follow-up question.</p> <p>25 We do see, on a pretty regular basis, that</p>	<p style="text-align: right;">Page 89</p> <p>1 services.</p> <p>2 So -- now, the report, if it's accurate</p> <p>3 and it's consistent with the service log, the lack</p> <p>4 of the service logs or the lack of the content and</p> <p>5 the service logs, then that's very concerning to me;</p> <p>6 because then there could be an assumption from the</p> <p>7 report or what information we have is that there</p> <p>8 could be a systemic problem with the students</p> <p>9 receiving specialized services and those times for</p> <p>10 those services on a regular basis in the least</p> <p>11 restrictive environment.</p> <p>12 That's kind of the ballpark of what I'm</p> <p>13 seeing as outside of the scope of normal. I hope</p> <p>14 that helps.</p> <p>15 MS. VOIGT: Thank you. Yes, that did.</p> <p>16 Thank you.</p> <p>17 COMMISSIONER CABALLERO: Question?</p> <p>18 THE CHAIR: Certainly. Commissioner</p> <p>19 Caballero?</p> <p>20 COMMISSIONER CABALLERO: Yes. And so when</p> <p>21 you're looking at all this information, this</p> <p>22 information that was inputted to a portal, and you</p> <p>23 received and that's what you saw, do you make visits</p> <p>24 to the schools to see their actual files at any</p> <p>25 point?</p>

<p style="text-align: right;">Page 90</p> <p>1 MR. TIM CRUM: Yes, sir. We would -- we 2 do site visits as they are necessary. In this case, 3 we were able to remotely review the IEPs. Site 4 visits would take us further into the depth of 5 compliance or non-compliance. And they are 6 definitely in order when certain criteria hit. 7 COMMISSIONER CABALLERO: And would your 8 criteria dictate a site visit to this school? 9 MR. TIM CRUM: If I were exposed to only 10 this report and what I've heard from my staff, I 11 would say yes, it would meet the criteria for a site 12 visit. 13 COMMISSIONER CABALLERO: The -- my other 14 question is, it was mentioned that possibly some 15 students may not belong in special ed. And if 16 that's the case, would a site visit then entail that 17 investigation? Because that would go into the 18 number of hours owed to those students that qualify. 19 So if 300 hours was the last count, it could be less 20 or it could be more depending on the total number of 21 students and what they received or didn't receive, 22 right? 23 MR. TIM CRUM: Yes, sir. I think if I 24 expand a little bit on that is that if, in fact, a 25 student was identified for special education, and</p>	<p style="text-align: right;">Page 92</p> <p>1 I'm sorry to interrupt. 2 COMMISSIONER CABALLERO: No, no, no. 3 MR. TIM CRUM: We have something called 4 early intervention; we call it coordinated early 5 intervention. That is also an opportunity for Local 6 Education Agencies to use techniques to determine 7 whether or not the student can get assistance before 8 being diagnosed or being found with a need for 9 disability, which, you know, we always promote. 10 You can do them voluntarily, or you have 11 to do them on a mandatory basis if you're found to 12 be what we call significant disproportionality; in 13 other words, where you might be identifying them 14 systematically too many under a particular race, 15 maybe, or disability or both. 16 So a number of thing -- that's highly -- 17 that's highly regulated and watched. There's data 18 on that. 19 So we determine whether or not it's 20 happening or not. 21 COMMISSIONER CABALLERO: Thank you. Thank 22 you, sir. 23 THE CHAIR: Commissioner Armbruster? 24 COMMISSIONER ARMBRUSTER: Yeah. I wanted 25 to go back to the service logs. And with guilt, I</p>
<p style="text-align: right;">Page 91</p> <p>1 their disability -- there was a disability that was 2 identified, and the IEP team convened, and -- with 3 the EDT and they had a disability, but in the end 4 the diagnosis was not special education and they 5 were in special education, that would constitute a 6 problem in the -- perhaps the SAT process, the 7 process that leads up to the student being 8 identified with a disability. 9 And it could fall into the categories of 10 disproportionate. We talked about significant 11 disproportionality before. Maybe we didn't -- there 12 could be disproportionate numbers if that was 13 systemic. 14 And then a compensatory component, yes, in 15 fact, that would be reduced; but there would be 16 non-compliance, a very serious non-compliance if 17 you're identifying a student in special education 18 when they shouldn't have been identified. 19 And there's also resources. It's 20 impactful on resources as well. So you've got to -- 21 COMMISSIONER CABALLERO: You're servicing 22 more students than you actually should have, and 23 you're spreading your resources. Uh-huh. Yeah. 24 There's an impact on that. 25 MR. TIM CRUM: We have something called --</p>	<p style="text-align: right;">Page 93</p> <p>1 will say that ten years ago, I don't actually recall 2 ever writing them down as a special ed teacher. 3 So what teachers are supposed to do -- 4 just go to where we're supposed to be -- is on a 5 daily basis, for each child that you see, you would 6 write down what that child does? So is that 7 correct? And everyone does that? I'm just not sure 8 what the service logs mean. 9 MR. TIM CRUM: That's a good question. 10 MS. CHARLENE MARCOTTE: To ensure that an 11 LEA has documentation that they met the service 12 hours according to every IEP, they should be 13 documenting the services they're providing to 14 students with disabilities. That goes for the 15 ancillary providing, too; the OT, PT, the speech 16 therapists. They have to be documenting what they 17 did with the student and the service time. 18 Because, for example, if an IEP calls for 19 365 minutes a week of special education math, they 20 should be able to back up that they provided the 21 365 hours [verbatim] of special education math. 22 COMMISSIONER ARMBRUSTER: If there were a 23 class -- learning labs or something -- I don't know; 24 I just wrote it down somewhere -- and that were a 25 class where a special ed teacher was in charge, and,</p>

<p style="text-align: right;">Page 94</p> <p>1 you know, 12 of the children whose IEPs indicated 2 that they should have that time went to that class, 3 then would you need a service log in addition to 4 that? Or you knew that the children were in that 5 class getting special ed services? 6 MS. CHARLENE MARCOTTE: You would need a 7 service log, because not every kid might be working 8 on the same goal. So it has to be -- I mean -- 9 COMMISSIONER ARMBRUSTER: Who checks 10 those? Or when do those get checked? 11 MS. CHARLENE MARCOTTE: They get checked 12 whenever we request them. We can ask for them any 13 time with the -- when they ask for reimbursement, we 14 can ask to see those. When we are looking at 15 S.T.A.R.S. data, we can ask to see those as well. 16 So at any time. It just depends on whenever we feel 17 we need to look at them, we can ask for them. 18 COMMISSIONER ARMBRUSTER: And so those are 19 sort of stored year to year someplace. 20 MS. CHARLENE MARCOTTE: The LEA is 21 responsible for keeping those. We only keep them 22 when we ask for them. 23 COMMISSIONER ARMBRUSTER: I'm assuming 24 that is something you do for every school every 25 year.</p>	<p style="text-align: right;">Page 96</p> <p>1 there that day, what days were they absent, what do 2 you have to make up, when were you absent so you 3 have to make it up. When the child is absent, 4 that's different; but to track all that. 5 So we do advise schools that they need to 6 keep service logs for their special ed services. Of 7 course, we cannot require that because we have not 8 been able to find a statute or regulation that 9 actually mandates it. But we stress to the schools 10 at site visits that -- and I just learned of some 11 new reasons why we need to. 12 We always stress that this is a highly 13 litigious population that could have serious 14 ramifications for the school. An IEP is just an 15 intent to serve. Without the service logs, you 16 cannot prove to a judge how you provided those 17 services. 18 So I try to get them to think of it as to 19 the why they would want to do that. Because it is 20 burdensome. There is a valid reason for doing so. 21 So to your point, yes, we do cover this at every 22 site visit. 23 THE CHAIR: I just wanted that -- right. 24 Yeah. 25 MR. TIM CRUM: Madam Chair and</p>
<p style="text-align: right;">Page 95</p> <p>1 MS. MARJORIE GILLESPIE: No. It just 2 depends on the situation. And if we have a concern, 3 we will ask for them. But it's up to the LEA to be 4 keeping those logs. 5 COMMISSIONER ARMBRUSTER: So basically, 6 Administration is looking for those and doing those. 7 THE CHAIR: I want to interrupt for just a 8 second and see -- is that something for the site 9 visit? When you're looking at the IEPs, is that 10 something that you look at as well? 11 MS. KAREN WOERNER: Yes. Every site 12 visit, we do recommend strongly to the school that 13 they keep those service logs. The ones for the 14 ancillary services are automatically done because 15 they have to do those for their Medicaid billing and 16 things like that. The ones for the ancillary 17 services are easy. 18 What you're getting at are the ones for 19 the classroom teachers get a little harder. But we 20 do explain to them that based on our advice from the 21 Special Ed Bureau, that a couple of things: 22 One is that keeping them -- sometimes they 23 say, "Well, it's in the IEP and it's in the 24 schedule." 25 But that doesn't show that the child was</p>	<p style="text-align: right;">Page 97</p> <p>1 Commissioner, if I may just add a little bit on 2 this? Yeah. What Charlene described, if it were 3 outside of that context, it would be outside of best 4 practice at the very least. 5 But when we find -- let's say if we found 6 a finding like that, that services were being 7 provided in a less conventional way, then we would 8 find a procedural compliance issue to deal with, and 9 they would deal with the procedural component. 10 So, you know, we -- we'd like to give them 11 the benefit of the doubt; because, let's say 12 students are receiving services, and it's in an 13 unorthodox way, one that's less conventional, but 14 there's proof of it, you know, there's some sort of 15 proof. We would look into that, too. 16 So we take a -- make a discretionary call 17 there. And then we would call for is this a 18 systematic problem and there would be a procedural 19 change to help them out to assist them in moving 20 into the proper way. 21 You know, when you think about it, too, 22 there's case management law, case waiver, caseload 23 waivers law in the NMAC, that requires that a 24 licensed teacher manage the caseloads. So that 25 would be part of their responsibilities.</p>

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1 And then there's a reason that those
 2 caseloads only allow so many students under
 3 particular severity levels that would change the
 4 formula, you know, to only manage so many students
 5 and -- so many case loads. Excuse me. And that
 6 would be one of them: Make sure the service logs
 7 are up to date, make sure the IEPs are in place,
 8 make sure the evaluations are going on, so forth.
 9 THE CHAIR: Commissioner Voigt?
 10 COMMISSIONER VOIGT: Thank you. Just one
 11 more question of the Special Education Bureau.
 12 Do you have confidence that provided
 13 that -- with the documentation that you've been
 14 provided, that the special education students' needs
 15 are being met through the documentation that you've
 16 been provided? Do you feel that the students' needs
 17 are being met?
 18 MS. CHARLENE MARCOTTE: With the
 19 documentation provided, no.
 20 THE CHAIR: Thank you.
 21 COMMISSIONER CABALLERO: Question?
 22 THE CHAIR: Sure.
 23 COMMISSIONER CABALLERO: Do you spend any
 24 time training school personnel on what schools
 25 should be doing in this area?

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1 MS. CHARLENE MARCOTTE: We have -- we have
 2 two directors' conferences a year. We have one in
 3 the fall; we have one in the winter. Then we also
 4 have monthly webinars. And then we have our website
 5 which has a host of documents and -- and resources.
 6 We have guidance manuals posted on our
 7 website as well, as well as I'm also available. You
 8 know, I tell my districts they can call me at any
 9 time. If they're stuck, if they have a question,
 10 that's what my job is, to support them.
 11 But I haven't -- they haven't really
 12 reached out to me to request any support or
 13 anything; so...
 14 COMMISSIONER CABALLERO: And the follow-up
 15 question, also, to that is taking into account the
 16 growth of charter schools, do you feel you have
 17 enough resources in your Department to stay on top
 18 of training and retraining, if you feel that what
 19 you're doing is doing not enough in training and
 20 retraining? Because it's very involved. I have
 21 been finding that out in the last few years. It's
 22 tough.
 23 Do you have enough resources to stay on
 24 top of the increase of charter schools and school
 25 demands?

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1 MR. TIM CRUM: Madam Chair and
 2 Commissioner, boy, that's a -- you're asking a
 3 Deputy Director if he has enough resources. I have
 4 to restrain myself to some degree. To some degree.
 5 But in actuality, I mean, we -- we have a
 6 tremendous volume of compliance requirements. And
 7 we're down a few staff now; we're working in that
 8 area. But when we're staffed up and we have a
 9 tremendous network of help through provider -- or
 10 technical assistance providers, professional
 11 development providers well beyond just those two
 12 academies that we have every year.
 13 So I would say that when we're -- as the
 14 way we function, we have -- we can provide the
 15 resources.
 16 And not only that, we will move and
 17 prioritize resources in areas, especially if LEAs
 18 are struggling, and students are -- there's a
 19 systematic -- or a systemic problem of some sort.
 20 So I hope that answers your question.
 21 It's kind of broad. But we do have it down pretty
 22 good.
 23 A tremendous director. Deborah
 24 Dominguez-Clark, she's got over a quarter century in
 25 the work. That's one of the things. She makes

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1 herself very, very accessible to any of the
 2 tremendous detail. She has an unbelievable
 3 knowledge base in special education, well beyond
 4 mine.
 5 And so we try to leverage that, as well as
 6 all of our staff. We have tenured staff as well.
 7 We try to keep people. It's not an easy
 8 job. You know, grow a lot of -- a lot training goes
 9 on in our bureau.
 10 And so beyond compliance, we really focus
 11 on TA when we can. It's a fine line, because our
 12 job is to ensure the IDEA B Act is followed
 13 according to the law. That's a very fine line.
 14 And when you're giving TA, you're giving
 15 TA. You cannot be the one that's advising on when
 16 they're making decisions, for instance.
 17 But we're very careful to point to
 18 manuals -- that's why we have an extensive library
 19 of manuals, including a manual with policies. And
 20 we can also refer to the CFR for the statute. But
 21 the resources, we can always use a little more. We
 22 never turn them away, you know.
 23 COMMISSIONER CABALLERO: Thank you.
 24 MR. TIM CRUM: Thank you.
 25 THE CHAIR: Commissioner Armbruster?

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<p>1 COMMISSIONER ARMBRUSTER: I just want to 2 clarify a point. 3 So in the identification of special 4 education students, if a child is ED, emotionally 5 disturbed, needs the services -- if that child is 6 not -- is doing quite well academically but still 7 has those issues that are hindering progress, if 8 that child is not in special ed with an IEP, that 9 child would see a counselor; but not a psychologist, 10 a licensed psychologist, correct? 11 So it's possible that labeled ED -- 12 because everybody gets labeled here -- an ED child 13 would be in special education, and the services 14 would be coming just from a licensed psychologist, 15 but he or she could be doing quite well 16 academically. But you would continue them on then 17 or not? 18 MS. CHARLENE MARCOTTE: No. That's where 19 you have your 504 plans. And even the regulations 20 state if a student only requires ancillary service, 21 like psychological services, they don't qualify for 22 special education. And that should not be the sole 23 basis for putting a student in special education. 24 So... 25 COMMISSIONER ARMBRUSTER: So as a --</p>	<p>1 COMMISSIONER ARMBRUSTER: It could be 2 everybody else's education, not theirs; right? 3 MS. CYNTHIA ROMERO: Yes, correct. 4 THE CHAIR: Commissioners, any other 5 questions? 6 (No response.) 7 THE CHAIR: Thank you so much, once again. 8 We truly do appreciate this. 9 MR. TIM CRUM: My pleasure. Thank you. 10 THE CHAIR: Thank you. So I know there 11 are folks from the school here as well. So if the 12 school wants to come up, you're certainly -- 13 MR. GENE ELLIOTT: The little green light 14 is on. I think it's on. There it is. 15 Good morning, Madam Chairwoman, members of 16 the Commission. 17 As you know, my name is Gene Elliott. I'm 18 the president of the governance council of Alma 19 d'Arte. And Holly can introduce herself. 20 DR. HOLLY SCHULLO: Good morning. I'm 21 Holly Schullo. Thank you. 22 MR. GENE ELLIOTT: Sitting here listening 23 to the speakers from the Special Ed Bureau 24 reinforced something that I wanted to say. And that 25 is why were we not directed way back in December to</p>
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<p>1 sorry. As a 504 child, you can get psychological 2 services from a psychologist as a counselor; is that 3 true? 4 MS. CHARLENE MARCOTTE: Ancillary, yes. 5 MS. CYNTHIA ROMERO: So in order for them 6 to actually qualify for special education, they have 7 to meet two prongs: One, they have to have the 8 need, the disability; and then, two, they have to 9 have the need academically. 10 And so the IEP team is looking at the NM 11 TEAM, New Mexico TEAM manual. And under each 12 eligibility category, they're asked those 13 two-pronged questions. And if they can't say as a 14 team that they meet the eligibility criteria under 15 meeting the services, meeting the academic need, 16 then they can't technically officially say yes, they 17 are students of special education needs. 18 COMMISSIONER ARMBRUSTER: There's a really 19 fine line on spectrum disorders, for example. 20 Because they could be academically quite fine; 21 behaviorally, possibly not. So then you have to 22 make the decision whether the behavior is 23 interfering with. 24 MS. CYNTHIA ROMERO: Yes, with their 25 education.</p>	<p>1 consult with the Special Ed Bureau and the ELL folks 2 and create the plan that would be acceptable? That 3 didn't happen. We were given a Corrective Action 4 Plan by, I guess, PED. 5 THE CHAIR: No, that was by us. Let's 6 just clear that up. 7 MR. GENE ELLIOTT: Okay. By you. And 8 since then, for seven months that I've counted here, 9 we have been back and forth talking, talking back 10 and forth. And this could all have been done by 11 January, had we -- and I'm assuming that they are 12 the ultimate authority on what we do with special 13 education and ELL; is that correct? 14 THE CHAIR: For the most part, yes; 15 because that's not our position. That's what we 16 rely on the Bureau. 17 But I'm going to say -- I'm going to put 18 the onus back on the school as well. The school 19 knew what our concerns were. So if the school 20 wanted to clear this up, all they had to do was to 21 contact the Special Ed Bureau. 22 If you felt you were fully in compliance, 23 say, "Here, review our records so that we can show 24 and clear out these concerns with the Commission." 25 MR. GENE ELLIOTT: Well, then, my</p>

1 opinion --

2 THE CHAIR: So that's on the school. The
3 school was fully aware from January of what the
4 concerns were, that there were these overwhelming
5 special ed compliance issues. And if the school
6 felt that they were in compliance or needed help in
7 figuring out how to get into compliance, it's not us
8 that gives that direction. It's the Special Ed
9 Bureau.

10 And as they so often said as they've been
11 up here, that's what they're here for, to offer that
12 help. You've got a -- for want of a better term, a
13 liaison to contact. So there shouldn't be a
14 question as to, "I don't know where to go."

15 MR. GENE ELLIOTT: I didn't say that.

16 THE CHAIR: Well --

17 MR. GENE ELLIOTT: I said we were directed
18 to create a Corrective Action Plan.

19 THE CHAIR: No. We created the Corrective
20 Action Plan. You did not create the Corrective
21 Action Plan.

22 MR. GENE ELLIOTT: We were to comply with
23 it.

24 THE CHAIR: And to fall into compliance
25 with that Corrective Action Plan, you needed to get

1 into compliance with Special Ed.

2 MR. GENE ELLIOTT: And if you will recall,
3 I think it was at the February meeting, I have the
4 transcription here, that I asked the question to
5 whom -- I mean, there are three agencies, at
6 least -- well, two of them and one there, and the
7 Commission -- to whom -- where is the ultimate
8 point?

9 THE CHAIR: Us. We're the ultimate point.
10 But we are not the -- we are not the bureau that
11 determines whether you are in compliance or not. As
12 I said at that meeting, that we are the ultimate
13 arbiter; but it is not our capacity or authority to
14 determine whether you are or not in compliance with
15 Special Ed.

16 But we take the information about those
17 compliance concerns from the various bureaus into
18 consideration when we are making our decisions. And
19 I do believe that's what I said at the meeting.

20 MR. GENE ELLIOTT: I would have to go back
21 and look. But there was not any clarification or
22 response to my statement about that, as I recall it.
23 I'd have to go back and check.

24 So the question is --

25 THE CHAIR: The question is -- it's not a

1 question; it's a fact. We're sitting here now, six
2 months into this, and you've continued to be out of
3 compliance with Special Ed and with some concerns
4 with EL. But to have the Special Ed Bureau be able
5 to make that report that you're -- what was the
6 term? -- out of the norm?

7 MR. GENE ELLIOTT: Above what could be
8 expected.

9 THE CHAIR: That's concerning. And when
10 the Special Ed Bureau can answer a direct question
11 and say, you know, "Do you believe that the school
12 is in compliance?" -- is that not what you asked,
13 Commissioner Voigt?

14 MS. VOIGT: Yeah. What was -- I had asked
15 Mr. Crum what was beyond a normal issue.

16 THE CHAIR: Right. But then when you
17 asked that second question...

18 MS. KAREN WOERNER: The documents
19 provided.

20 THE CHAIR: "Do you have confidence?"
21 Right.

22 MS. VOIGT: With the documents provided.

23 THE CHAIR: And the Special Ed Bureau says
24 no. And we've continued to have this overwhelming
25 concern, ultimately, that the issue is that students

1 aren't being served. That is the -- that is the
2 bottom line with this. And it continues to be.

3 And when just that is addressed, and month
4 after month it is the same issue, that students --
5 we've got children that are not receiving the
6 services they're supposed to have --

7 MR. GENE ELLIOTT: Measured by which --

8 THE CHAIR: By the Special Ed Bureau.

9 MR. GENE ELLIOTT: Okay. Then I would --
10 I would invite them to come to the campus and do a
11 site visit and see if we are or are not meeting the
12 standards.

13 THE CHAIR: They reviewed all of your
14 IEPs. I mean, what more -- honestly, what more do
15 you want? That's what I -- you know --

16 MR. GENE ELLIOTT: Then what would you
17 have us do?

18 THE CHAIR: They are the experts that do
19 that. I don't -- and I can maybe ask them. But I
20 don't know what, beyond -- I know there may be a
21 more in-depth. But by and large, when you're going
22 to those schools and you're doing the audit or the
23 site visit, the first thing you're looking at is the
24 IEPs and the service logs, which is what they did,
25 remotely.

<p style="text-align: right;">Page 110</p> <p>1 MR. GENE ELLIOTT: And I will tell you 2 that we took the initiative to correct the IEPs. 3 DR. HOLLY SCHULLO: So I realize that -- 4 Madam Chair and Commissioners, I realize this is 5 like we're digging here. This is something that I 6 identified when I walked in to Alma d'Arte. I'm a 7 new administrator. It is my first year, and I 8 myself have made my own mistakes. 9 I identified the deficiencies in special 10 education. I hired two people on an early morning, 11 on a Saturday morning, mid-August, to audit all of 12 our special education files. 13 And what I found was that, you know, we 14 could do better. We could do a lot better. So I 15 placed that teacher on administrative leave, and 16 then she did not return to the building. 17 So we had a lapse in service. And I made 18 other mistakes there with, you know, filling that 19 gap. And that is on me. 20 However, we hired somebody else to do the 21 work and help us. And I think we did good work. 22 One of the struggles that I see in the 23 report that we received back from Special Education 24 is this: We didn't put classroom minutes or 25 inclusion or pull-out minutes.</p>	<p style="text-align: right;">Page 112</p> <p>1 But to simply say, "It's their fault 2 because they didn't give me feedback" is completely 3 inappropriate, especially when we're sitting here 4 six months later with the same report. Honestly, 5 it's the same report. 6 COMMISSIONER CABALLERO: For discussion? 7 DR. HOLLY SCHULLO: So Commissioner 8 Armbruster actually said this. None of the logs 9 that were uploaded were classroom logs, not for 10 push-in or pullout or co-teaching. None of those 11 logs were included because we don't keep those logs. 12 And if I had received that directive, my teacher 13 would have been keeping those logs. 14 And I hired an expert, you all. I hired 15 someone who is a very seasoned special education 16 teacher. And if we don't have these answers in 17 Las Cruces -- and I did. On May 14th, when I sent 18 the new IEPs and what was required of us, I e-mailed 19 and I said, "Will this do? We do want help. We do 20 want to improve." 21 When you asked about resources, what we 22 need for next year, we dedicated -- we need two 23 special education teachers, period, and one EA. And 24 that's out there. 25 I was hoping one of my faculty members</p>
<p style="text-align: right;">Page 111</p> <p>1 (A discussion was held off the record.) 2 THE CHAIR: We had that set up because of 3 the next item. It's the next school. So we had it 4 set up. Sorry. 5 DR. HOLLY SCHULLO: So that snapshot is -- 6 we sent logs for compensatory and the ancillary. 7 And we received what you're reading that is feedback 8 on that data, and our IEPs that we uploaded, all of 9 them. 10 When you go back in time to the 40th day, 11 where we first uploaded all of the previous work 12 from last year and where we could do better -- 13 that's what I was working from -- from there to 14 where we are now is much better, okay? 15 THE CHAIR: No, it's not. It's not. 16 DR. HOLLY SCHULLO: So from the 40th day, 17 though, where our troubles began, that's where we 18 should have had detailed feedback. I put them up in 19 the same site; but we didn't receive feedback on 20 that 40th day. 21 THE CHAIR: You know, I'm going to say 22 this. At some point in time, someone has to say -- 23 reach out and say, "Did I do this right? I'm a 24 brand new administrator. I need help. Is this 25 okay?"</p>	<p style="text-align: right;">Page 113</p> <p>1 would step up and take half English and half special 2 education, because she has degrees, two degrees in 3 special education. And we are working on this. And 4 next year, we'll be better. 5 I want to -- 6 THE CHAIR: Commissioner Caballero has a 7 question. 8 DR. HOLLY SCHULLO: Yes, please. 9 COMMISSIONER CABALLERO: I've been around 10 through all the discussions. And -- but today, what 11 I did learn that was different is that if, in fact, 12 everything has been the same since six months back, 13 and Special Education should, in my opinion -- I 14 don't know if they have regulation for that -- do a 15 site visit, because -- and that's why I asked the 16 question. 17 That's -- when you receive -- when they 18 receive that information, it's inputted into the 19 system. It could be different on paper, could be 20 different on time. And so that's why I asked to -- 21 maybe I should have -- the question should have 22 been, "Are you -- are you required to make a site 23 visit?" 24 So my question was -- "And in this 25 situation, would this promote a site visit?"</p>

<p style="text-align: right;">Page 114</p> <p>1 And the answer is yes. 2 So I actually believe that we've -- there 3 should have been a site visit sometime back. That 4 should have been from us, should have been from that 5 end. It has been an ongoing coming here constantly. 6 The Commission, guys, has gone through a 7 change of moving away from punitive to an early 8 alert system and to a helping system. And if 9 charter schools don't make it that way, then they 10 need to be removed from charter. 11 But I think that we still have a confusion 12 as to what we were doing in the past and what we 13 should be doing now. And what I have learned about 14 special education, that it is tough; it is tough, 15 guys. And as a teacher, I don't think I would ever 16 decide to be a special ed. It's just -- 17 kindergarten was tough for me. And I taught 18 kindergarten. 19 THE CHAIR: God bless you. 20 COMMISSIONER CABALLERO: I was the only 21 guy who taught kindergarten. But special ed, it's 22 something else. 23 And I've talked to parents. For some 24 reason, parents feel at ease talking to me. And a 25 lot of them have special ed children in charter</p>	<p style="text-align: right;">Page 116</p> <p>1 says, "Well, no, we don't want to help the schools, 2 or we don't want those kids." 3 But I'm at the point where I would say 4 that we should wait until the bureau makes a site 5 visit and can come back and give us a true picture; 6 because we've been getting the same picture from 7 what was loaded to them. And I think that we need 8 to find out once and for all and not go back and 9 forth monthly or bimonthly with this problem. 10 And I'm sure that a charter school, if 11 they owe services, they will have to -- to do it. 12 Or maybe some kids didn't belong there, and they 13 were overwhelmed themselves, not knowing; so that -- 14 that's where I'm at, Madam Chair. I don't know 15 about the other Commissioners; but that's -- 16 THE CHAIR: I have a recommendation. 17 COMMISSIONER CABALLERO: Okay. 18 THE CHAIR: So, you know, this is a 19 process that the school is in. So we did send the 20 Letter of Concern. So we're on a pathway in the 21 intervention ladder towards a breach and then 22 revocation. 23 The Letter of Concern, in my opinion, 24 can't be closed out, because the concern is still 25 there. So this is what I'm suggesting: That a</p>
<p style="text-align: right;">Page 115</p> <p>1 schools. And they have run to charter schools 2 because they -- they want help. And the charter 3 schools have received them because they have to. 4 But I personally believe that it takes a 5 lot more resources in the charter school to do that. 6 And at some point, the number or the percentage is 7 going to be overwhelming for one particular school. 8 And there has to be a step-in for 9 additional resources. That's just me, as an 10 opinion; because the rest of the kids get less. And 11 so the administrator then has to decide, "The rest 12 of the kids need help; but I'm required by law to 13 provide this, no matter what. I cannot deny." 14 And I've asked the parents, "Do you think 15 you got pushed out?" 16 And they all say yes, but they cannot 17 articulate how. But they just feel that charter 18 schools is the answer for them. And for a lot of 19 times, it has been. For a lot of times. 20 And, Madam Chair, I just don't know what 21 the balance is. I don't know what the solution is, 22 other than it's a matter of resources. 23 Parents accuse the charter schools of 24 not -- of not feeling for them or not trying. I 25 haven't seen that in a single charter school that</p>	<p style="text-align: right;">Page 117</p> <p>1 Notice of Breach be sent to the school. There is a 2 time frame for that Notice of Breach that I would 3 ask it to be extended until the end of August. 4 And during that time period, that we'll 5 work with CSD to get a couple of different contracts 6 going. One is for an operational audit of the 7 school, so that we can check on -- because there 8 have been concerns with the governance council and 9 Open Meetings Act violations. I know there has been 10 a complaint filed with another bureau. 11 So I would like to see if we can -- if 12 that's finalized by that time or there's additional 13 information on that, that would -- that would give 14 us a little more leeway to be able to get that 15 information. 16 At the same time, I would also like a 17 contract of special ed mentoring for the school. 18 And if the Special Ed Bureau feels during that time 19 they should do an audit, that would give them the 20 time to do it. But that's entirely on them to 21 determine if they feel that a site visit -- a site 22 visit would be necessary. 23 But that the school be provided, through 24 us, the opportunity for mentoring so that we're 25 clear by August where they stand.</p>

<p style="text-align: right;">Page 118</p> <p>1 So that's my suggestion. 2 COMMISSIONER ROBBINS: I think that's an 3 excellent suggestion. I don't know if the end of 4 August may give the Special Ed Bureau sufficient 5 time to actually do an on-site, since school is out 6 of session right now. I'm thinking perhaps the 7 middle or the end of September. Also to go out and 8 do contracts right now, we're closing out one fiscal 9 year, starting another fiscal year. That can be 10 somewhat problematic to get something done in the 11 next couple of weeks, to get a contract in place, 12 unless there are people already available that would 13 qualify under a price agreement or something that 14 the State has. I would just suggest maybe we push 15 it to the end of September. 16 THE CHAIR: Our problem is we don't have a 17 September meeting. 18 MS. FRIEDMAN: Yes, we do. 19 THE CHAIR: No. It's the end of August 20 for the votes. 21 MS. FRIEDMAN: Oh, sorry. 22 THE CHAIR: That's our September meeting. 23 We go August into -- so we don't have another 24 September meeting. 25 COMMISSIONER ROBBINS: Right.</p>	<p style="text-align: right;">Page 120</p> <p>1 mentor. 2 THE CHAIR: Correct. Yeah. 3 COMMISSIONER ARMBRUSTER: A quick question 4 here, and then I want to comment, which is -- so how 5 many special ed students -- I know you may not know 6 everybody -- but what do you think you're going to 7 have next year? In August. How many students? 8 DR. HOLLY SCHULLO: Right now, with my 9 incoming freshmen, I don't see but a few. So maybe 10 we'll have 34. But if we're removing -- or ED 11 doesn't belong in special ed anymore, that would 12 bring our numbers to 26, I think. 13 COMMISSIONER ARMBRUSTER: And I'm thinking 14 even with your ED students, even if they're doing 15 well academically, they may need a counselor. They 16 don't just sort of, like, become gone. 17 So with 26, you would need about how 18 many -- like, two special ed teachers? 19 One-and-a-half? 20 DR. HOLLY SCHULLO: We would like two. 21 THE CHAIR: And you have how many right 22 now? 23 DR. HOLLY SCHULLO: I have an open 24 position for one, and we need two, and an open 25 position for an EA that I'm interviewing for next</p>
<p style="text-align: right;">Page 119</p> <p>1 THE CHAIR: And I think we can face that 2 if we have to. 3 COMMISSIONER ROBBINS: Okay. And that's 4 fine. I was concerned the timing of getting untried 5 people in place and getting something done with a 6 short fuse, so to speak. 7 THE CHAIR: Right. 8 COMMISSIONER ROBBINS: If need be, we can 9 address it in August. 10 THE CHAIR: There might be something on 11 the vendors list that we can work through, that that 12 is most likely not the problem. So I think we're -- 13 I think we should be okay with that. 14 MS. MATTHEWS: Madam Chair? I'm trying to 15 clarify. So the contract with the auditor would be 16 let by the Department? 17 THE CHAIR: By us through CSD, yeah. 18 MS. MATTHEWS: Okay. 19 THE CHAIR: Yeah. 20 MS. MATTHEWS: I was going to recommend 21 the Coalition -- I'm sorry, PCSNM. I don't know if 22 we were going to initiate that or -- 23 THE CHAIR: No, it's us initiating it; 24 so... 25 MS. MATTHEWS: And the same with the</p>	<p style="text-align: right;">Page 121</p> <p>1 week. 2 COMMISSIONER ARMBRUSTER: Okay. Because, 3 you know, I think that although it seems like we're 4 attacking you -- 5 DR. HOLLY SCHULLO: No, not at all. 6 COMMISSIONER ARMBRUSTER: It really isn't. 7 I've heard very fine things about your school. I've 8 heard that's it's very much needed in your area, 9 that the many students who are there are there 10 because they need that small attention. 11 I would also suspect that students have 12 been getting some special ed direct instruction. 13 And maybe it hasn't been reported in the right way. 14 I don't think it's as bad as it probably appears on 15 paper, which -- and it's very complicated, as 16 Commissioner Caballero said. And I have that crown 17 because I had middle school special ed. 18 But, anyway, I think the things are not 19 necessarily as bad. But you need help. And I think 20 that that's a fine thing to admit to, and I commend 21 the Chair for suggesting that instead of saying, 22 "Oh, let's just get rid of the school," that they do 23 something to help you, that once you're on the 24 track, you say, "Oh, that's what we're talking 25 about," and to ask questions as well; because,</p>

<p style="text-align: right;">Page 122</p> <p>1 really, it is hard. There are so many i's to dot 2 and t's to cross, it's very complicated. 3 And it's especially complicated if you're 4 new, and it's even complicated if you're not new; it 5 just is. So I'm really happy that we're looking 6 forward to helping children. Because in the end, 7 that's what our goal is, to help children. And 8 you're open to that, and we are open to that, and I 9 see a path forward. And that's why I'm -- 10 THE CHAIR: Okay. Are we ready for a 11 motion? 12 MS. VOIGT: One more comment before we go 13 to that. 14 THE CHAIR: Oh, sure. 15 MS. VOIGT: In addition to the 16 recommendations you made, I think we should also -- 17 we should have the final approval stamp from the 18 Special Education Bureau that their service logs 19 retain all the components that they should be having 20 to verify the durations and descriptions of their 21 service hours and how these service hours are 22 meeting the needs of the written IEP goals; I mean, 23 very specific that is basic information that's 24 provided by the service logs. I think that should 25 be a component.</p>	<p style="text-align: right;">Page 124</p> <p>1 But we would be able to get the frame only 2 for, like, two weeks or whatever. But the service 3 logs could be uploaded to the Special Ed Bureau 4 by -- for whatever time the school has been open for 5 the upcoming school year. Would that suffice? 6 MS. VOIGT: Sure. Yeah. This is more of 7 a learning component, also, going forward that will 8 really help you solidify your program. 9 MR. GENE ELLIOTT: Thank you. 10 THE CHAIR: So that -- 11 MS. MATTHEWS: That helped. Thank you. 12 COMMISSIONER ARMBRUSTER: I think the 13 thing that you will be able to see is that special 14 education services are not services that fit into 15 the existing way the school is run. It's what is 16 determined on what those students need, and that's 17 how the -- it's done. It's not like you stick them 18 in there because that's where we can fit. It's, no, 19 they drive that. 20 MS. MATTHEWS: I think it would be just 21 extremely helpful for the Bureau to come, even 22 though that wasn't part of your recommendation, just 23 because it appears -- and I'm hearing whispers 24 behind me and your comments alone, about what the 25 expectations are. It would be very helpful for the</p>
<p style="text-align: right;">Page 123</p> <p>1 THE CHAIR: Okay. 2 MS. MATTHEWS: Madam Chair? 3 If that is, could we have clarification? 4 Because I'm not sure what she's asking. Is she 5 saying retroactively or prospectively, that's what 6 they will recommend to the school? I mean, I'm not 7 understanding. 8 THE CHAIR: So are you asking for this 9 current year's -- 10 MS. VOIGT: No retroactive. No. But 11 moving forward, you should know and demonstrate that 12 you know what components need to be written into a 13 service log as recommended by the Special Education 14 Bureau that provide the description and the duration 15 of how services are being met. 16 So there's a time frame; there is a 17 descriptor. And then also how are those descriptors 18 really meeting the needs of the students' goals that 19 are written in the IEPs. 20 THE CHAIR: So I -- and this -- I believe 21 at the very least -- because we don't meet until the 22 end of August; so school will have begun already. 23 So I think what we could do -- and Commissioner 24 Voigt can correct me if -- if it's not going to be 25 sufficient.</p>	<p style="text-align: right;">Page 125</p> <p>1 school to have, directly from the mouth of the 2 Bureau, "This is it." 3 Because it does seem to me there is 4 perhaps some question about what is to be logged, 5 when is it to be logged and by whom. I get 6 ancillary services. Got that piece. But the 7 classroom, the SpEd teacher -- I just think -- I'm 8 not sure I know, I don't know how that works. But 9 the Bureau, if they could come through -- 10 THE CHAIR: Whatever we set up in terms of 11 the special ed mentoring, we can certainly 12 coordinate that through the Special Ed Bureau to 13 make sure that all those areas are being covered so 14 that there's no concerns. 15 MS. MATTHEWS: That would be consistent, 16 yeah. 17 THE CHAIR: Yeah. So that's -- I don't 18 think that's a problem. We can either set out -- 19 with whoever we contract with, they can coordinate 20 with the Special Ed Bureau and create -- help to 21 create that plan so that we're on the same page. 22 Yeah. 23 MS. MATTHEWS: That sounds very workable. 24 THE CHAIR: So I'm going to try to 25 navigate myself through this one.</p>

<p style="text-align: right;">Page 126</p> <p>1 MS. MATTHEWS: Madam Chair, will there be 2 a formal Letter of Breach? 3 THE CHAIR: Yes, there will be. Yes. 4 MS. MATTHEWS: And then they will be 5 articulating particularly the violations that caused 6 the breach? 7 THE CHAIR: Correct, yes. Yes. So I move 8 that the Public Education Commission acknowledge 9 that Alma d'Arte's response does not satisfy the 10 PEC's concerns raised in the Notice of Concern, and 11 Alma d'Arte be provided the following Notice of 12 Breach: 13 There are concerns beyond the norm that 14 continue with the School's -- with the School 15 related to the special ed services. I think the -- 16 the qualifiers will come in the Letter of Concern. 17 And there continues to be issues with EL 18 services. 19 And that the Commission will work with the 20 Charter School Division in obtaining contracts for 21 special ed mentoring for the school in coordination 22 with the Special Ed Bureau, and an operational 23 budget to be -- to be conducted, and that the Notice 24 of Breach will be extended to -- and I'm looking at 25 my calendar.</p>	<p style="text-align: right;">Page 128</p> <p>1 mentioned, we are in closing stages and ramping up 2 for the new year. 3 So it will -- it will be a few weeks 4 before we can get a contract in place. We can work 5 through different channels to expedite it. But I 6 would say that we're probably looking mid-July, 7 probably, is -- I want to be reasonable and also 8 expedite this. But just knowing what I've learned, 9 it'll be probably around that before we can execute 10 that and put it in place. 11 THE CHAIR: Can we just have an agreement, 12 if it can't because of hurdles that we don't see now 13 with the contracts, that they drastically delay when 14 we can start all of this, that we set August 12th as 15 the tentative? 16 But if something comes up -- and we're 17 going to have a July meeting when we're on the road 18 trip; so we'll know by that July meeting if we -- if 19 we face significant hurdles and can't get it done by 20 that time. If we can't get it reasonably done by 21 that time, we'll then look at extending the time. 22 And I have no issue with that. 23 Does anyone else have an issue with that? 24 And we can -- you know, we'll deal with it if we 25 have to deal with it. But we're -- but the letter</p>
<p style="text-align: right;">Page 127</p> <p>1 So we meet August 22nd and 23rd. Do we 2 think that we could complete this work by 3 August 12th so that reports could come back? And 4 I'm just thinking, is that -- because I know this is 5 also a new application. Because we're voting on the 6 new applications, that -- that week in August; so I 7 don't want to, you know, just completely overwhelm 8 what's coming in. But I want to give the school 9 ample opportunity to have notice of whatever is 10 going to be in the reports. 11 MR. ALAN BRAUER: Madam Chair, 12 Commissioners, Alma d'Arte leadership, when is the 13 first day of school for you? 14 THE CHAIR: Of school, yeah. Then we'll 15 get the -- they're not going to get the service logs 16 by that time. 17 DR. HOLLY SCHULLO: So August 1st is our 18 first day. 19 THE CHAIR: Oh. Well, two weeks. 20 MS. MATTHEWS: So today's -- 21 THE CHAIR: Today's the 14th. 22 MS. MATTHEWS: How fast can they get 23 contracts? 24 MR. ALAN BRAUER: Madam Chair, 25 Commissioners, Ms. Matthews, as Commissioner Robbins</p>	<p style="text-align: right;">Page 129</p> <p>1 will indicate August 12th. And if you want us to 2 put a qualifier in there, or, you know, delay if 3 unforeseen circumstances or whatever... 4 MS. MATTHEWS: I think the foreseeable -- 5 if you could put that language in there. 6 THE CHAIR: But I'm trying to live in my 7 perfect world. 8 MS. MATTHEWS: Me, too. 9 THE CHAIR: And that's -- so let's -- I'd 10 rather try to get it done, also, because I'd like it 11 done for the start of the school year. I think that 12 just makes sense. So we're going to do whatever we 13 can to get it done expeditiously. 14 MR. GENE ELLIOTT: Good. 15 THE CHAIR: So do I need to read this 16 motion? Do people remember that I made the motion? 17 COMMISSIONER RUIZ: Second. 18 THE CHAIR: All right. So let me -- 19 Cindy, you got it; right? Do you want to read it 20 back? 21 (The record was read as requested.) 22 COMMISSIONER RUIZ: Second. 23 THE CHAIR: Because I need to modify. 24 Because it's not "operational budget"; it's 25 "operational audit." I need to amend that, because</p>

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<p>1 it is an operational audit that will be conducted, a 2 contract for that. 3 There's a second by Commissioner Ruiz. 4 Any further discussion? 5 COMMISSIONER CABALLERO: Let's vote. 6 COMMISSIONER ARMBRUSTER: Are there any 7 abstentions? 8 (No response.) 9 COMMISSIONER ARMBRUSTER: Good. Okay. I 10 am not -- Commissioner Chavez? 11 COMMISSIONER CHAVEZ: Yes. 12 COMMISSIONER ARMBRUSTER: Commissioner 13 Crone? 14 COMMISSIONER CRONE: Yes. 15 COMMISSIONER ARMBRUSTER: Commissioner 16 Voigt? 17 COMMISSIONER VOIGT: Yes. 18 COMMISSIONER ARMBRUSTER: Commissioner 19 Robbins? 20 COMMISSIONER ROBBINS: Yes. 21 COMMISSIONER ARMBRUSTER: Commissioner 22 Davis? 23 COMMISSIONER DAVIS: Yes. 24 COMMISSIONER ARMBRUSTER: Commissioner 25 Ruiz?</p>	<p>1 No. 8, which is Discussion and Possible Action on 2 the Corrective Action Plan for La Academia de 3 Dolores Huerta. Oh, I'm sorry. No. 9. I went 4 ahead. Now I had to go back. Now I'm going back 5 again. 6 MS. FRIEDMAN: Would you say your name, 7 please? 8 THE WITNESS: It's Melissa Miranda, 9 M-I-R-A-N-D-A. 10 MS. FRIEDMAN: Thank you. Can everyone 11 hear her? Okay. All right. Thank you. 12 MS. MELISSA MIRANDA: Thank you. I'm 13 going to put mute so that I don't interfere; and 14 I'll unmute when I need to talk. Is that okay? 15 MS. FRIEDMAN: Sure. 16 MS. MELISSA MIRANDA: Okay. Thank you. 17 THE CHAIR: Great. So for the 18 Commissioners that didn't have the opportunity to be 19 on our contract negotiations road show, we were down 20 in Las Cruces to negotiate with Alma d'Arte, Dolores 21 Huerta, and Raíces, while we were down there, 22 because the Commission, if you remember, voted to 23 place the Corrective Action Plan on La Academia 24 Dolores Huerta. 25 And this all revolves -- in part, revolves</p>
<p>Page 131</p> <p>1 COMMISSIONER RUIZ: Yes. 2 COMMISSIONER ARMBRUSTER: Commissioner 3 Gipson? 4 THE CHAIR: Yes. 5 COMMISSIONER ARMBRUSTER: Commissioner 6 Armbruster votes "Yes." 7 Commissioner Raftery? 8 COMMISSIONER RAFTERY: Yes. 9 COMMISSIONER ARMBRUSTER: Commissioner 10 Caballero? 11 COMMISSIONER CABALLERO: Yes. 12 COMMISSIONER ARMBRUSTER: Ten-zero vote. 13 The motion passes. 14 THE CHAIR: Ten-zero. Thank you all. 15 MS. MATTHEWS: Thank you. 16 MR. GENE ELLIOTT: Madam Chair, one 17 question. If we complete and thoroughly pass all of 18 these audits, will that be the end? 19 THE CHAIR: Yeah. 20 MR. GENE ELLIOTT: Okay. Thank you very 21 much. We appreciate that. We look forward to it. 22 THE CHAIR: Well, subject to anything else 23 that comes up; but -- 24 DR. HOLLY SCHULLO: Thank you. 25 THE CHAIR: Okay. We are now on to Item</p>	<p>Page 133</p> <p>1 around part of the Secretary's decision. So we just 2 want to have some clarifying elements so we're sure 3 where we're going in terms of the Corrective Action 4 Plan. 5 So I do have a couple of questions here. 6 So my question for -- it's actually for the Charter 7 School Division -- is did the Secretary's decision 8 and order on March 18th direct the Commission to 9 renew La Academia's charter for two years? 10 MR. ALAN BRAUER: Madam Chair, members of 11 the Commission, yes, it did. And I think it did 12 include -- and this might be another question you 13 had -- with conditions, which I know is potentially 14 a disagreement between the Public Education 15 Commission and the PED at this time. 16 THE CHAIR: Okay. So we're -- so we did 17 have -- Commissioner Voigt, Commissioner Armbruster 18 and myself, as well as the Charter School Division, 19 the evening before, the late afternoon of the -- 20 before we did the contract negotiations, we felt 21 that that would be a good time to be able to sit 22 down and talk with the school about the Corrective 23 Action Plan. And the subcommittee, at that time, 24 had -- actually, shortly before that, had sent a 25 template of a starting point for the school for the</p>

<p style="text-align: right;">Page 134</p> <p>1 discussion of the Corrective Action Plan. 2 So we did have that discussion, and we 3 appreciate all of that time. And at that time, the 4 school had indicated that they were using the short 5 cycle assessment of Illuminate. And there wasn't a 6 lot of identifying information about Illuminate for 7 that. And the subcommittee had identified that we 8 wanted to see data that showed that there was 9 approximately a year-and-a-half's growth with -- 10 with their student population in order to feel 11 comfortable with an Illuminate goal. 12 And the school indicated that they would 13 be able to get back to us by the following 14 Wednesday. 15 COMMISSIONER ARMBRUSTER: I think that 16 they hadn't yet used it, that they were going to use 17 it, which is why they didn't know -- 18 THE CHAIR: I'm not sure about that. 19 COMMISSIONER ARMBRUSTER: I thought they 20 were just starting it. 21 MR. ROBERT PALACIOS: Madam Chair, my name 22 is Robert Palacios. I'm the treasurer for the 23 governing council. We had just started using it, 24 this method, for this school year. 25 COMMISSIONER ARMBRUSTER: This next year</p>	<p style="text-align: right;">Page 136</p> <p>1 would be the easiest thing to do. Okay. We've got 2 it. So the school wouldn't have to upload anything 3 additional to us. We've got the data, and it's 4 provided directly by PED. 5 Unfortunately, it doesn't look like that 6 dashboard piece is going to be available by the -- 7 after -- at the conclusion of this coming-up school 8 year. So that's not going to be on the dashboard 9 report for August of 2020. The dashboard is going 10 to be there; but that particular component -- so we 11 have to look -- we have to continue to look at 12 Illuminate. 13 We have discovered through the director 14 that the Illuminate Southwest Coordinator -- is that 15 what he refers -- is that what he's called? -- 16 MR. ALAN BRAUER: Madam Chair, I think so. 17 Simone, I think, is the same person that Ms. Miranda 18 and the team was -- 19 THE CHAIR: -- for Illuminate is actually 20 in Santa Fe. But we've just discovered this. So 21 we're in -- this is State government. So we're in 22 the very early stages of discussion with him on what 23 this all looks like and what it all means. 24 So I'm going to ask that we take a little 25 more time, a week or so, so that we can get our</p>
<p style="text-align: right;">Page 135</p> <p>1 or the current? 2 MR. ROBERT PALACIOS: The current school 3 year that just ended. 4 THE CHAIR: Okay. But the question really 5 was about does -- what does this goal equate to. So 6 the school had said that they were going to have a 7 conversation with their Illuminate rep, and that 8 they would get back to us by the following Wednesday 9 with some clarifying information. 10 And I received a message from their -- I 11 don't remember if it was the school or their 12 counsel -- that that information was not going to be 13 available for that May target date. 14 And the reason for that target date was we 15 were still all together, so that it becomes very 16 challenging when we can't meet to look at something. 17 The school did provide a goal. But once again, 18 there was the big question of what does this really 19 mean? 20 So I reached out to the director to see if 21 he could find some information about Illuminate and 22 to give us some clarifying information about the 23 goal, and/or would it be possible if we could simply 24 capture off of the dashboard that's coming a 25 year-and-a-half-growth per student; because that</p>	<p style="text-align: right;">Page 137</p> <p>1 answers -- our questions answered from the 2 Illuminate folks, get some answers, come back to the 3 school with, "What you've presented is great," or, 4 "We think maybe we should tweak it and it should be 5 this." 6 I'm not sure yet. I don't have that 7 answer. And that, we'll -- we'll allow the school, 8 certainly, the opportunity to provide input with 9 that. And then we would make a final decision at 10 the July meeting. 11 But right now, we just don't -- what 12 was -- what was provided, we don't have clarifying 13 information for it. 14 So, you know, there's still questions. So 15 the director has had the early discussions with 16 them, and I think we can get to a place. But we're 17 not there at this point in time, because the 18 information that we had asked for from the school to 19 say, "Please try to get this" -- that's not what -- 20 we weren't given really any clarifying information 21 to -- for us to be able to make an adequate decision 22 here today. 23 MR. ROBERT PALACIOS: Madam Chair, if I 24 may ask? So we're moving away from the 25 year-and-a-half and working with Illuminate to</p>

<p style="text-align: right;">Page 138</p> <p>1 figure what standard we're going to use based off of 2 their short cycle assessments. 3 THE CHAIR: Correct. We won't be able to 4 capture that year-and-a-half. I'm not saying we're 5 moving away from that year-and-a-half. It's 6 probably not going to be worded as that target. But 7 the goal is to try to figure out what pathway 8 Illuminate has that can bring us the closest to show 9 us that that would be an approximation. 10 That's what we're looking at; because we 11 don't have a clear sense at this point in time what 12 mastery really means with that, is this a -- is this 13 truly a rigorous goal. We need to dig deeper into 14 Illuminate to see what exactly that all means. And 15 we don't have those questions answered yet. But the 16 director -- and if you want to add anything, because 17 you had the conversation. 18 MR. ALAN BRAUER: Sure. Madam Chair, 19 members of the Commission, leader -- sorry -- 20 Dolores Huerta -- I think the area where we really 21 want to figure out, and we haven't had a chance to 22 do so, is from a very quick review of the -- the 23 Corrective Action Plan that you shared with the 24 Commission, there are some -- the goals in there, 25 such as, you know, 71 percent of the students will</p>	<p style="text-align: right;">Page 140</p> <p>1 IEPs. By, you know, numerous lawsuits, we cannot -- 2 we cannot take out; because the goal, as you 3 indicated, is all students without IEPs. And we 4 cannot do that. 5 MS. ELAINE PALMA: So, Madam Chairperson, 6 and Commissioners, my name is Elaine Palma. I'm the 7 secretary on the governing council. On the IEP, 8 those students sometimes have to take alternative 9 assessments. 10 THE CHAIR: We'll take care of that. The 11 wording can't be "all students except those with 12 IEPs." 13 MS. ELAINE PALMA: That will be covered 14 with the IEP with the individual student. 15 MS. MELISSA MIRANDA: If I can interrupt 16 real quick? 17 THE CHAIR: I'm sorry. I forget there's 18 someone in that little box. 19 MS. MELISSA MIRANDA: The reason why that 20 verbiage was on there is when we received the draft 21 of the CAP, it stated that; so I left it, just 22 because it was already on the previous CAP. But 23 I'll more than gladly remove that verbiage. 24 THE CHAIR: Okay. Then we're good. 25 MS. MELISSA MIRANDA: Thank you.</p>
<p style="text-align: right;">Page 139</p> <p>1 meet a certain percentage of set standards, we need 2 to get a little bit more clear on what those 3 standards are. 4 From my understanding from my conversation 5 with Illuminate, there are essentially what I would 6 call power standards, that the school chooses those 7 specific standards in reading and math to really 8 drive instruction and to drive student success. 9 What we just kind of need to learn a little bit more 10 about is, you know, the -- is 60 percent meeting 11 expectation? Is that a rigorous goal for all 12 students to drive towards with Illuminate? 13 And so my initial couple of conversations 14 with Simone, I still have some questions there. And 15 I would love to -- if it pleases the Commission, 16 maybe we can do a -- a conference call with them or 17 do some work together to come to -- from the -- from 18 the Division side as well as from Dolores Huerta, to 19 really kind of coalesce our thoughts around kind of 20 what is, like, a rigorous goal. What cohort of 21 students are we looking at so that we just feel like 22 there's something there that we can really show 23 significant growth with students. 24 THE CHAIR: But I will add a qualifier or 25 a clarifier, that we cannot exempt out students with</p>	<p style="text-align: right;">Page 141</p> <p>1 THE CHAIR: Thanks. I will say that we 2 would like to move forward -- before any other 3 decisions are made, we would like to move forward 4 with the governance council training, because you 5 did -- and thank you -- provide that additional 6 information. So we're going to try to move forward 7 with that sooner rather than later as well. 8 But as you heard before, sooner rarely 9 exists in our world; so -- but we're going to work 10 on that based on the feedback that you gave us. 11 Commissioner Armbruster? 12 COMMISSIONER ARMBRUSTER: So I was 13 incorrect; not my first time on this Illuminate. 14 But you have the results from that, 15 because you gave it; correct? On the short cycle 16 assessment? Short cycle assessment? And so I 17 wondered, of your students, how many -- it must 18 test, like, proficiency; right? It has to tell you 19 something; so I'm assuming it's proficiency. 20 MR. ROBERT PALACIOS: Ms. Miranda, can you 21 speak on that part? 22 COMMISSIONER ARMBRUSTER: Ms. Miranda, do 23 you understand that question? 24 MS. MELISSA MIRANDA: Yes. Unfortunately, 25 I can't answer that question. Because we started</p>

<p style="text-align: right;">Page 142</p> <p>1 with Illuminate later in the year; but we're 2 comparing apples to oranges. So how we can work it 3 so we can address the issue is we're going to give 4 the same assessment at the beginning of the year 5 that we did at the end. 6 This year, because we were getting 7 familiar with Illuminate, we did not use the same 8 assessment at the beginning to the end. So it was 9 just addressing the benchmarks in between. 10 Does that make sense? 11 COMMISSIONER ARMBRUSTER: No. But -- 12 well, you wanted me to be honest. I can see that 13 you can't see growth because it was the first time 14 you gave the test. And I have no idea what this 15 test -- I actually do not. But I thought it might 16 just show, like, "20 out of our 100 children are 17 already proficient." But I don't know that. So 18 that's why I was asking. 19 MS. MELISSA MIRANDA: Well, what happened 20 is Illuminate has four different assessments. And 21 they color-code them; so it's, like, orange, pink, 22 green, blue. And the blue is the comprehensive 23 assessment. And we didn't give the comprehensive 24 assessment at the beginning. We just have the 25 comprehensive at the end.</p>	<p style="text-align: right;">Page 144</p> <p>1 of those students who are returning already are 2 proficient, or at least were proficient this year 3 was my point. Thank you. 4 THE CHAIR: And I think it'll just be 5 helpful if we have that conference call, and we 6 can -- and, certainly, those that participated 7 are -- you know, will be welcome in on that 8 conversation so that we can be able to provide the 9 best information and get a goal that is also going 10 to be useful for the school. 11 This is not something that we're trying to 12 create that's -- that is something you have to do, 13 but doesn't serve any purpose with the school as 14 well. The purpose is to get the students to a 15 certain point. How are we going to do it? What 16 should it be? And we want it to be -- to serve a 17 purpose for you. So hopefully, at least the 18 conference call, we know we can get done fairly 19 quickly. 20 MR. ROBERT PALACIOS: Madam Chair, 21 Commissioners, are there any more expectations or 22 needs from La Academia at this point? 23 THE CHAIR: At this point, no. No. 24 COMMISSIONER CHAVEZ: Madam Chair, if I 25 could, I'm familiar with Illuminate. I know there's</p>
<p style="text-align: right;">Page 143</p> <p>1 So we don't know -- I could tell you like 2 the end of the year; but I wouldn't know how many 3 grew because we didn't give that same assessment at 4 the beginning of the year that we did to the end. 5 THE CHAIR: So assuming no growth, because 6 we wouldn't know that, did some students test 7 proficient? 8 MS. MELISSA MIRANDA: Yes. Yes, they did. 9 But, of course, I mean, I'm going to be quite 10 honest, not as many as we would like. But we were 11 working with the new Illuminate, getting our pacing 12 guides in order with illuminate, getting familiar 13 with it. 14 So, you know, we're familiar with it; 15 we're working with Simone as well, to get it in 16 place so that we can have the [incomprehensible] to 17 show [incomprehensible] making growth we need to 18 target in specific areas. 19 COMMISSIONER ARMBRUSTER: So when you're 20 writing the goals for those students who tested 21 proficient this year, just out of the blue, so to 22 speak, some of those students won't be with you next 23 year because they're going into -- whatever -- high 24 school or something. So some of those students 25 would remain. So you would probably know how many</p>	<p style="text-align: right;">Page 145</p> <p>1 different ways to administer and use of the 2 software. One is just what the company provides, as 3 what was mentioned, the different colors; they 4 color-code the different assessments. So my 5 understanding, if I can ask for clarification, the 6 green assessment was the one that was given? 7 THE CHAIR: I thought she said blue. 8 MS. MELISSA MIRANDA: I believe it was 9 orange. The blue was [incomprehensible] -- and that 10 one wasn't given at the beginning. 11 COMMISSIONER CHAVEZ: Okay. 12 THE CHAIR: Sorry. 13 MS. MELISSA MIRANDA: That's okay. 14 COMMISSIONER CHAVEZ: So orange is usually 15 the fall assessment. 16 MS. MELISSA MIRANDA: And that was given 17 in, I want to say end of October, beginning of 18 November. So we were trying to get our data rolled 19 over from how we share our system with LCPS. So we 20 had to work with them to acquire the data and to get 21 Illuminate to talk to our student system. 22 So it took us a while to implement 23 Illuminate. But when we finally did, it was, I want 24 to say the end of October to the beginning of 25 November that we gave the orange assessment.</p>

<p style="text-align: right;">Page 146</p> <p>1 COMMISSIONER CHAVEZ: Okay. So was it 2 administered in October? 3 MS. MELISSA MIRANDA: Yes. 4 COMMISSIONER CHAVEZ: Okay. And so you 5 never took the green in the spring? 6 MS. MELISSA MIRANDA: We did take the 7 green. And then we took the blue. But we can give 8 the blue at the beginning. So instead of giving the 9 orange, I feel that leads perfectly -- to see if 10 what the students grew comprehensively is I feel we 11 should have given the blue in October and then the 12 blue again in May so that we would be able to see 13 what -- the student growth over the year. 14 COMMISSIONER CHAVEZ: So again, for 15 clarification, you do have three data points. 16 MS. MELISSA MIRANDA: Yes. 17 COMMISSIONER CHAVEZ: Okay. So you should 18 be able to see growth or how the kids did. 19 MS. MELISSA MIRANDA: Yes, based on those 20 particular standards. So my understanding is that 21 the orange only assesses the orange standards, 22 according to the pacing guides that we use from 23 Illuminate. So it doesn't necessarily tell us the 24 comprehensive. It's just for that -- like, that 25 quarter, I guess you could say.</p>	<p style="text-align: right;">Page 148</p> <p>1 already given us some information what they feel 2 which standards would be beneficial for the students 3 to learn so that they're successful in high school. 4 And those are the standards that we would like to 5 target in our assessments, so that when the students 6 leave La Academia that they're successful in 7 whatever high school they go to. 8 COMMISSIONER CHAVEZ: Okay. The last 9 point is you all received your summative assessments 10 for your students earlier this month. Will you be 11 sharing that information when they become finalized 12 in July? 13 MS. MELISSA MIRANDA: Can you clarify 14 which summative assessments? 15 COMMISSIONER CHAVEZ: The State summative 16 assessment which was formerly known as PARCC. 17 MS. MELISSA MIRANDA: I don't believe 18 we've received those yet. We had a governing 19 council meeting yesterday, and our instructional 20 coach told us that -- who is also our testing 21 coordinator -- that we had not received any 22 information at this time, yet. 23 COMMISSIONER CHAVEZ: I know they were 24 released. The preliminary results were released a 25 couple of weeks ago.</p>
<p style="text-align: right;">Page 147</p> <p>1 COMMISSIONER CHAVEZ: That's correct. And 2 the purpose is to inform instruction. 3 MS. MELISSA MIRANDA: Yes, yes, and that's 4 probably -- 5 COMMISSIONER CHAVEZ: And -- which is why 6 it's not comprehensive. But you could see how the 7 kids are performing according to the standards, you 8 know, if they're progressing. 9 MS. MELISSA MIRANDA: Yes. Oh, yes, 10 definitely. Definitely. I was just thinking more 11 so we could see the growth from, you know, beginning 12 of the year to the end, it would be better to use 13 the same assessment, which is the blue, the 14 comprehensive, to see how they did overall. 15 COMMISSIONER CHAVEZ: And for next year, 16 will you be using it in the same manner? Or will 17 you be creating your own assessments for those 18 different interims? 19 MS. MELISSA MIRANDA: We're working with 20 Simone to create -- well, we put a hold on it 21 because we wanted to see where the CAP was going -- 22 where we were going to be working on so that we 23 could -- we're working with Las Montañas to -- like, 24 vertical alignment. 25 And they're going to help us -- they've</p>	<p style="text-align: right;">Page 149</p> <p>1 MS. MELISSA MIRANDA: Okay. I'll get with 2 her to make sure. 3 THE CHAIR: So that hopefully by the July 4 meeting, we would have that or -- 5 MS. MELISSA MIRANDA: Right. 6 THE CHAIR: Can you get us that 7 information? 8 MR. ALAN BRAUER: Can you repeat that? 9 THE CHAIR: The information from the 10 summative assessments, can you just get that for us? 11 MR. ALAN BRAUER: Yeah. We can work on 12 that. 13 THE CHAIR: Thanks. Okay. So there is no 14 action to be taken at this point in time because 15 we're not voting on the CAP. But we will proceed 16 forward, as I mentioned. We'll -- the director will 17 set up the conference call for us at some point in 18 the near future, and we can get that clarifying 19 information so that we can have an appropriate 20 benchmark for -- for the July meeting. 21 COMMISSIONER CHAVEZ: Madam Chair, one 22 last clarifying question. 23 Will you all be using Illuminate in 24 English and in Spanish, or just in English? 25 MS. MELISSA MIRANDA: Currently, we are</p>

Page 150	Page 152
<p>1 using Illuminate in English. And we chose that just 2 because when the students take the PARCC assessment 3 we were trying to use it to give us a better 4 indication of how the kids would score. They take 5 the assessment in English. And that was the -- that 6 was the reasoning behind the decision to just 7 purchase the English. 8 COMMISSIONER CHAVEZ: This is a 9 dual-language school; correct? 10 THE CHAIR: Yeah, it is. 11 MS. MELISSA MIRANDA: Yes, it is. 12 COMMISSIONER CHAVEZ: So how are you 13 monitoring the Spanish component? 14 MS. MELISSA MIRANDA: The Spanish 15 component, we monitor their WIDA scores. And also 16 we worked with the bilingual director and the EL 17 teacher to monitor the students. 18 COMMISSIONER CHAVEZ: Okay. The WIDA 19 scores are in English. My question is how are you 20 monitoring Spanish? 21 MS. MELISSA MIRANDA: I'm sorry. It would 22 be the IPT then. I'm sorry. I always get those 23 confused. 24 COMMISSIONER CHAVEZ: So the WIDA ACCESS 25 for ELLs, and IPT Spanish are both language</p>	<p>1 they're receiving services, then I have to give them 2 an assessment in Spanish. 3 COMMISSIONER CHAVEZ: That's up to the 4 school to decide. And the direction has always been 5 in what language will the student be most successful 6 in. But if you're dual-language, you should be 7 monitoring both languages to make sure that -- if 8 you're back on the trajectory for biliteracy, then 9 you should be tracking both languages, and, you 10 know, making sure you're on track for the kids to 11 become biliterate. 12 That doesn't mean you have to offer both 13 tests in the same tool; but you have to have some 14 type of monitoring. So if it's in Spanish, then you 15 should be monitoring in English somehow. It doesn't 16 have to be the same tool. It could be a different 17 tool. And vice versa, if you're assessing them in 18 English, then you should have another assessment 19 that's also tracking their Spanish development. 20 THE CHAIR: Okay. Thank you so much. 21 Oh, I'm sorry. 22 MS. JENNY DUMAS: May I say just one quick 23 thing? I'm Jenny Dumas. I'm the attorney for the 24 school. I just wanted to clarify around process. 25 I'm hearing that there is going to be some more fact</p>
Page 151	Page 153
<p>1 assessments. What about your content assessment in 2 Spanish? 3 MS. MELISSA MIRANDA: Well, those, we use 4 the teacher-made assessments. And they also -- let 5 me clarify. So the assessment is in English; but we 6 do have the need to create and use the Common Core 7 standards so that the teachers can create their own, 8 and that also can be given in Spanish. 9 THE CHAIR: But it's not currently. 10 MS. MELISSA MIRANDA: Just the benchmark 11 assessments are given in English. 12 THE CHAIR: Okay. 13 MS. MELISSA MIRANDA: But we do have the 14 ability to pull from Illuminate to generate the 15 assessments in both English and Spanish; just not 16 the benchmarks right now. We're using just the 17 English. But we can -- I mean, we can have that 18 discussion to look at purchasing the Spanish 19 component. 20 THE CHAIR: Commissioner Ruiz? 21 COMMISSIONER RUIZ: Madam Commissioner, 22 the -- my understanding -- and I assist as a test 23 coordinator -- is that if a student is receiving 24 services, I've never understood that I had an option 25 to test them in English. My understanding was if</p>	<p>1 development with regard to the capability of the 2 Illuminate program. 3 But my question is, is there going to be 4 another ongoing coordination with the school and the 5 Department and the subcommittee to reach an 6 agreement as to the terms of the CAP? 7 THE CHAIR: I said that, that we would, 8 yes. 9 MS. JENNY DUMAS: Okay. I just wanted to 10 make sure of that. 11 THE CHAIR: Yeah. 12 MS. JENNY DUMAS: Okay. 13 THE CHAIR: Okay. Are we good? 14 Thank you so much. I appreciate the time. 15 And thank you for traveling up. 16 MR. ROBERT PALACIOS: Thank you. 17 MS. MELISSA MIRANDA: Thank you. 18 THE CHAIR: Thank you, little box. Voices 19 come out of the table, and it's, like -- does anyone 20 need a quick break? 21 COMMISSIONER CABALLERO: Yes. 22 MS. KAREN WOERNER: A lunch break? 23 THE CHAIR: No, no. 24 COMMISSIONER ROBBINS: No coffee. Don't 25 take 15 minutes to go get coffee.</p>

<p style="text-align: right;">Page 154</p> <p>1 COMMISSIONER CABALLERO: Eight minutes. 2 THE CHAIR: Because there's very little 3 left. 4 (Recess held, 12:40 p.m to 12:59 p.m.) 5 THE CHAIR: Okay. So we are on to Item 6 No. 10, Discussion and Possible Action on the 7 Commencement of Operations. So that's always one of 8 our happy notes. 9 And the first school that is up is Raíces 10 del Saber Xinachtli. So, yes? Yes. 11 MR. ALAN BRAUER: Madam Chair, members of 12 the Commission, I have a -- just a few -- a few 13 comments that I'll share. But I wanted to direct 14 you to Section 10. And within your -- within your 15 folders, you'll find two different items for both 16 schools -- I'll just share for both schools; they're 17 similar. 18 You will find a peer review one-pager on a 19 peer review process that we did for both schools 20 with external reviewers. And then you will find the 21 Implementation Year Checklist for both schools in 22 Section 10. 23 THE CHAIR: My computer lost power; so... 24 COMMISSIONER ARMBRUSTER: I'm sorry. 25 Where was that?</p>	<p style="text-align: right;">Page 156</p> <p>1 include meeting all conditions within the 2 Commencement of Operation Indicator C Section, Pages 3 5 to 7 of the school's Implementation Year 4 Checklist. 5 Raíces has provided a signed lease 6 agreement and insurance documentation for its 7 facility. 8 The facility Raíces plans to operate is 9 currently under construction; however, the school 10 has provided a timeline indicating the construction 11 is projected to be complete by the beginning of 12 August 2019. 13 Raíces anticipates receiving E-Occupancy 14 certification by the third week of July. To date, 15 Raíces has not hired any of its licensed teaching 16 staff; although I wanted to share that the team may 17 have updates for today. 18 Raíces provided a staff timeline 19 indicating they plan to hire three licensed teachers 20 by mid-June and two licensed education assistants by 21 July. The school has met its projected kindergarten 22 enrollment and 65 percent of its projected 23 enrollment for first grade. 24 And they might have, again, other updates 25 from today, given that, you know, they may have new</p>
<p style="text-align: right;">Page 155</p> <p>1 MS. VOIGT: Section 10. 2 THE CHAIR: It's the pink tab? See Tab 10 3 and go to the pink page. And it's right after the 4 pink page is the Implementation Year Checklist. 5 COMMISSIONER ARMBRUSTER: It's over here. 6 THE CHAIR: And as people are finding 7 them, we, of course, have received updates as the 8 information has been dropped throughout the year. 9 MR. ALAN BRAUER: Madam Chair and 10 Commissioners, that's right. In regard to Raíces 11 del Saber Xinachtli Community School, I have a few 12 comments from the Charter School Division regarding 13 their process and their Implementation Year 14 Checklist. 15 Raíces del Saber Xinachtli Community 16 School submitted an application to the Public 17 Education Commission to become an authorized charter 18 school, which was approved with conditions on 19 August 23rd, 2019. Raíces attended ten meeting 20 trainings throughout this year provided by the 21 Charter School Division, beginning in September 2018 22 through April 2019. 23 Raíces has successfully submitted all 24 documentation and submissions, when applicable, 25 provided in the Implementation Year Checklist, to</p>	<p style="text-align: right;">Page 157</p> <p>1 enrollment numbers today. 2 THE CHAIR: Okay. The school is certainly 3 welcome to come up now, if you can all fit. And you 4 certainly are welcome to take more of these chairs 5 that are up front here. 6 So good afternoon. Thank you all for 7 traveling up. And if you would identify yourselves 8 for the record. 9 MS. ANGELA STOCK: Good afternoon. My 10 name is Angela Stock. I will be the principal for 11 Raíces. 12 MS. EMMA ARMENDARIZ: I am Emma 13 Armendariz. I'm the president of the governing 14 board. 15 MR. CARLOS ACEVES: Carlos Aceves, one of 16 the founders. 17 MR. FRED MOBLEY: Fred Mobley, CFO for IMA 18 Asset Managers, the property manager for FYI, who 19 owns the facility. 20 MS. LUCÍA CARMONA: Good afternoon. Lucía 21 Carmona, co-founder, and starting July 1st, Director 22 of Operations and Community Engagement. 23 THE CHAIR: So you're welcome to offer any 24 and all updates that you might have. 25 MS. ANGELA STOCK: Okay. Well, first I</p>

<p style="text-align: right;">Page 158</p> <p>1 want to say that I am so excited to be on this 2 venture with this amazing board and the founders 3 that is Raíces del Saber Xinachtli. I -- this is a 4 wonderful opportunity for students of Las Cruces. 5 Some of the updates that Alan was talking 6 about, we have scheduled, for next week, staff -- 7 THE CHAIR: Professional development? 8 MS. ANGELA STOCK: Staff interviews. 9 Sorry. I have so much information in my head. 10 Staff interviews. 11 So we're going to go ahead and interview 12 our office managers, our teacher assistants, and our 13 teachers. I have some strong leads on some special 14 education teachers. 15 We are providing a part-time, halftime 16 special education teacher to be working with us. 17 And I have a -- a teacher who is very interested. 18 That is one of the -- hiring a special education 19 bilingual teacher is one of the biggest hurdles, not 20 only for us, but also for LCPS, which is a big 21 public school. So I'm really excited on this one 22 teacher. 23 THE CHAIR: Great. And we're as confident 24 as we can be that the building is going to be -- 25 they're laughing.</p>	<p style="text-align: right;">Page 160</p> <p>1 27 parents, 15 have to step back, because we're not 2 providing transportation this year. That is a great 3 big threat for us, in terms of -- so we would have 4 more, maybe open another class if we can. 5 People are really excited receiving 6 this -- this -- this new model. We have -- out of 7 those that are already enrolled, I have -- we have, 8 like, 20 parents, more or less -- 20 parents that 9 are monolingual English, and they really want their 10 children to become bilingual in Spanish and in 11 English. 12 And then, actually, they're asking, "We'd 13 like to receive support as parents to learn Spanish 14 as well"; of course, how they can help their child. 15 Also we have right now, I can say, seven 16 parents that ask us, "Please, please consider have 17 us secure for next year because we're involved in 18 Pre-K this year. And they want to be sure that the 19 next year, things don't turn around for next year. 20 That is the kind of response we have. 21 THE CHAIR: Okay. 22 COMMISSIONER CHAVEZ: Madam Chair? 23 So the school, I read that it's a 90/10 24 model. And so it'll be a two-way model then; 25 correct?</p>
<p style="text-align: right;">Page 159</p> <p>1 MR. FRED MOBLEY: Yes, ma'am. We met with 2 our contractor yesterday, and he felt very confident 3 that we can finish up the building the last week in 4 July. And so we -- he's been working on the 5 building for about a month now. We've got our 6 permit -- permit, and he's continuing on. So things 7 are progressing right along. 8 THE CHAIR: Okay. Great. And you'll keep 9 us posted if something comes up. 10 MS. ANGELA STOCK: Absolutely. 11 THE CHAIR: Commissioners, are there any 12 questions? 13 COMMISSIONER CABALLERO: Questions. 14 THE CHAIR: Sure. 15 COMMISSIONER CABALLERO: How do the 16 parents and the children break down as to your 17 community so far? And are you satisfied with your 18 results and your target -- original target? 19 MS. LUCÍA CARMONA: Yes. At this point, 20 we have a pool of 76 contracted parents coming. Out 21 of those 76 -- I've got my numbers here -- 63. 22 37 kindergartens, 26 that wants to be in the first 23 grade. But really we just have a -- for just 20 24 spots. 25 So -- but then, actually -- besides these</p>	<p style="text-align: right;">Page 161</p> <p>1 MS. ANGELA STOCK: Yes, it will. 2 COMMISSIONER CHAVEZ: Great. Perfect. 3 THE CHAIR: Any other -- Commissioner 4 Armbruster? 5 COMMISSIONER ARMBRUSTER: Okay. I'm 6 extremely conflicted. I think I've expressed that 7 since the beginning. Not against you; it's not that 8 I don't think a bilingual school is phenomenal. I 9 think a new way of learning is phenomenal. My issue 10 runs around capacity and the ability to run a very 11 good school. That's why we do all of this. 12 At the beginning, I'm actually -- to be 13 honest, I was shocked that with a 68 percent that 14 you even applied; because our goal was -- threshold, 15 I guess, was 95 percent. And so even after six 16 months, when you remediated the issues of Did Not 17 Meet and brought some of the approaches up to Meets, 18 they still didn't go all the way up to Meets and 19 still didn't even hit that particular threshold that 20 we had set, which is lower now, by the way, but 21 then. 22 And so even in the Implementation Year 23 One, which I went through again, last night, it's 24 great that I see the growth. I admire you for 25 saying, "Hey, I didn't get that right. Let me do it</p>

<p style="text-align: right;">Page 162</p> <p>1 again." I think that's really an admirable quality 2 that many people do not have. They say, "No, I'm 3 right." You were not that way and I really like 4 that. 5 But of those -- and I may have miscounted; 6 so let me say that -- there were 40 indicators, I 7 guess is the word I want to use, where you had to 8 redo them; whereas, other schools may be doing 10 or 9 15 of them. So it concerns me that that shows 10 capacity or doesn't show capacity to be able to run 11 this school well. 12 On the other hand -- and I'm speaking out 13 of both sides of my mouth -- is that I think that 14 you have a strong principal. I think you have 15 experience in doing this. It would concern me a 16 little bit that we don't have teachers in place 17 already. Good that you've got a special ed teacher, 18 because that's the hard one; technically, a 19 bilingual one. 20 So those are concerns that I have in terms 21 of timing, getting things in on time, getting them 22 done in a way that would lead you forward. Those 23 are all concerns that I still have; because it's -- 24 it just didn't -- there was something missing, and I 25 can't put my finger on it.</p>	<p style="text-align: right;">Page 164</p> <p>1 forward, we should be moving forward, because it 2 doesn't help anything by keeping that in the back of 3 our mind. Because when they come in for anything, 4 we're going to be laden with that. Or the 5 perception on their side is that we are already 6 preconceived them as not being able to -- to -- to 7 do it. 8 It's a new method. It's all Hispanic. It 9 is bilingual. I still believe that learning both 10 languages is an advantage. It has been an advantage 11 to my Anglo cohort students, the guys that I grew 12 up. They are now very successful because they 13 learned both English and Spanish along with the rest 14 of us. And to this point, they don't regret. 15 And even the African-American guys that I 16 went to school with, one of them is a counselor, and 17 he works primarily in Hispanic schools. And he does 18 very well, because he knows both languages. And he 19 grew up in the barrio; he knows all the stuff that 20 he needs to be able to help Chicanitos. 21 And so I think that we need to move 22 forward. The only question I have of the school is 23 a little definition of what -- the last word, which 24 is Nahuatl. What does that mean, and how do we pick 25 up the concept that you're trying to share with --</p>
<p style="text-align: right;">Page 163</p> <p>1 But as you know, when someone at the PEC 2 chose to go back and check out your approaches and 3 to make them Meets, remember that. That was a 4 totally different person, who, interestingly, after 5 six months, still didn't find all of them to Meet, 6 which is what our other applicants have had in the 7 past. 8 So those are my concerns. And I'm just 9 expressing them, because I feel I should be honest. 10 COMMISSIONER CABALLERO: Madam Chair? The 11 only thing I have to say with the summary is that we 12 all have problems with how the procedure was 13 initially. We all had problems. And the 14 Commissioner forgets that, keeps going back to those 15 problems. 16 And I don't think we're at the point of 17 rehashing problems. If -- if you need to tell a 18 school, a prospective school, that you expect them 19 to stay on top of procedure, just say that. But to 20 discuss stuff that was totally wrong, and then it 21 comes across laden with other stuff that I don't 22 want to have to get into -- but I think we need to 23 stop. We need to reflect on what happened in the 24 past and leave it in the past. 25 And if the school is already moving</p>	<p style="text-align: right;">Page 165</p> <p>1 with the world? 2 MR. CARLOS ACEVES: I think that's a 3 harder question than the Commissioner -- 4 Ms. Armbruster asked. 5 Well, first of all, thank you for voicing 6 your concerns. What -- we realized from the 7 beginning that this project was not going to be an 8 easy one. And our goals were really -- you know, 9 talk about us setting a high standard. And then to 10 top it off, we're introducing a concept that's not 11 readily known. 12 Xinachtli, that moment in time when a seed 13 bursts and is not yet a seed and not yet a plant, 14 either, it's a moment of infinite possibilities. 15 And as human beings, especially in this society, we 16 don't like to talk about infinite possibilities. We 17 want to be certain; we want to be concrete. We want 18 to see -- especially all of you -- we want to see 19 data. And I understand that. I understand that. 20 But there's things happening in the 21 educational world that are really something to note. 22 And maybe when you go back, you could Google these 23 things. 24 About, you know, maybe just under ten 25 years ago, in states across the United States, they</p>

<p style="text-align: right;">Page 166</p> <p>1 started introducing a new training for teachers. I 2 know that in Texas, this training was started two 3 years ago; in California, it was started five years 4 ago. In other states. It's simply referred to as 5 "circle training." 6 And what "circle training" is about is 7 training teachers to engage students while they all 8 sit in a circle, including the teacher, and how to 9 use that circle format to enhance academic projects, 10 how, especially, it's used a lot for the emotive 11 side of child development. 12 Last -- just this year, I went to a 13 training at Region 19, a service agency provided by 14 the Texas Education Association, to get my 15 certification in first aid response to emotional 16 trauma in the classroom, which is now mandated by 17 the State of Texas. 18 And one-third of that training was this 19 lady from California who specifically trained us on 20 circle interaction. And circle interaction is 21 something that the Xinachtli project has been doing 22 for 25 years. 23 When I entered the classroom 25 years, 24 that's one of the first things I did. I didn't know 25 that they would later call it "circle training."</p>	<p style="text-align: right;">Page 168</p> <p>1 original purpose of charter schools is to take 2 chances with new things in education, to get the 3 entire public education system moving along and not 4 stay stagnated on one procedure. So [Native 5 language spoken]. Thank you. 6 MS. ANGELA STOCK: I'd also like to say 7 something if I could. Thank you for recognizing 8 that I do have the experience to run a school. And 9 that is exactly what I am going to be there for. 10 As Mr. Aceves has said, the data piece, 11 that is something that I'm really -- that's my 12 forte. And so I know that we can integrate all of 13 these things together. 14 And the uniqueness of the school was very 15 dear to my heart; because my roots -- and it's no 16 coincidence that the school is called "Raíces" -- 17 also run deep within this culture. And having 18 worked for the public school districts for 25 19 years-plus, I have that experience to make it 20 possible. Thank you. 21 THE CHAIR: Commissioner Armbruster? 22 COMMISSIONER ARMBRUSTER: Apparently, I 23 didn't say that very clearly. So I just want to 24 clarify what my concerns were. It was never about 25 what you were going to do or even how you were going</p>
<p style="text-align: right;">Page 167</p> <p>1 But the idea of sitting in a circle and interacting 2 in a circle and ways to use that interaction to 3 enhance human development, academic development, 4 it's not ten years old; it's thousands of years old. 5 It's part of the heritage of this state being a 6 state with an indigenous population. It is part of 7 indigenous culture. 8 All indigenous cultures, all indigenous 9 societies, whether you go to the Hopi or Zuni Pueblo 10 here, or to the Lakota, or to any nation in Mexico, 11 when they traditionally sit down to make decisions 12 for their community, they don't sit like we're 13 sitting, where the authorities are on one side and 14 the presenters on another. 15 They sit in a circle. It's sacred. 16 Sacred, not because it's religious or spiritual. 17 Sacred because it's the way we humans best interact, 18 when we're all in a circle and feel that we're all 19 at the same level. And when you take that to 20 children, believe me, you know, it's something 21 natural to them. 22 So I hope I've answered your question, and 23 I hope that -- I want to thank you and the rest of 24 you for taking a chance; because this is a chance on 25 something that's really innovative, which is the</p>	<p style="text-align: right;">Page 169</p> <p>1 to do it. It wasn't about dual language. In fact, 2 I was just having a conversation with Commissioner 3 Chavez, like, I wish I had learned these things. 4 So it isn't about that. My concern came 5 from the performance and the data that was having to 6 be turned in from when you learned from the CSD what 7 was going on. It had nothing to do with the 8 bilingual program. 9 And I really want to make that clear, 10 because those are two totally separate things for 11 me. My concerns came from the quality of work that 12 was coming in, not from what you were going to do. 13 And I did Google it, and I did read about 14 it before. So that was never an issue for me. And 15 I just wanted to clarify that, because I didn't want 16 you to think that I didn't think what you were going 17 to do or your plans weren't good. I just wanted to 18 make that clear. 19 MR. ALAN BRAUER: Madam Chair, members of 20 the Commission, Raíces team, I believe, in my -- 21 from the Planning Year Checklist, I believe the 22 E-Occupancy is going to be by the third week in 23 July? And I just wanted to see if that is -- if 24 that's squaring up right now in terms of the 25 construction. Because I think you may have said it</p>

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<p>1 might not have been ready by that time. I just 2 wanted to clarify that timeline before we move on. 3 MR. FRED MOBLEY: That is correct. The 4 E-Occupancy, the Certificate of Occupancy for the 5 building will be given once the construction is 6 complete. And so we anticipate that we'll actually 7 have that within a couple of days of finishing up 8 the last inspection. 9 THE CHAIR: And, of course, our motion 10 will reflect pending the E-Occupancy being sent. So 11 that's -- you know, that will just be the format 12 that when you do get it, that you forward a copy of 13 that to CSD so that we -- so that we have that. 14 Are there any other questions? 15 (No response.) 16 THE CHAIR: I'll entertain a motion. 17 MS. VOIGT: Madam Chair? 18 THE CHAIR: Commissioner Voigt? 19 MS. VOIGT: I'd like to move that the 20 Public Education Commission approve the Commencement 21 of Operations for Raíces -- for -- I'm not going to 22 say the whole name -- but for Raíces. 23 COMMISSIONER CABALLERO: Second. 24 THE CHAIR: I think the motion needs to 25 reflect the full legal name of the school. Sorry.</p>	<p>1 COMMISSIONER DAVIS: Yes. 2 COMMISSIONER ARMBRUSTER: Commissioner 3 Crone? 4 COMMISSIONER CRONE: No. 5 COMMISSIONER ARMBRUSTER: Commissioner 6 Raftery? 7 COMMISSIONER RAFTERY: Yes. 8 COMMISSIONER ARMBRUSTER: Commissioner 9 Chavez? 10 COMMISSIONER CHAVEZ: Yes. 11 COMMISSIONER ARMBRUSTER: Commissioner 12 Gipson? 13 THE CHAIR: Yes. 14 COMMISSIONER ARMBRUSTER: Commissioner 15 Armbruster votes "No." 16 It passes. 17 THE CHAIR: Motion passes eight-to-two. 18 COMMISSIONER ARMBRUSTER: Yes. 19 THE CHAIR: Thank you very much. 20 Congratulations. 21 And, secondly, Solare. 22 (A discussion was held off the record.) 23 THE CHAIR: You're just cruising around 24 your old stomping grounds. 25 DEP. SEC. AGUILAR: Madam Chair, good</p>
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<p>1 MS. VOIGT: Okay. That's okay. Raíces 2 del Saber Xinachtli Community School. 3 THE CHAIR: Pending -- 4 MS. VOIGT: Pending E-Occupancy. Yes. 5 COMMISSIONER CABALLERO: Second. 6 THE CHAIR: There's a motion by 7 Commissioner Voigt, a second by Commissioner 8 Caballero. 9 Any further discussion? 10 (No response.) 11 THE CHAIR: If not, roll call, please. 12 COMMISSIONER ARMBRUSTER: Commissioner 13 Robbins? 14 COMMISSIONER ROBBINS: Yes. 15 COMMISSIONER ARMBRUSTER: Commissioner 16 Caballero? 17 COMMISSIONER CABALLERO: Yes. 18 COMMISSIONER ARMBRUSTER: Commissioner 19 Voigt? 20 COMMISSIONER VOIGT: Yes. 21 COMMISSIONER ARMBRUSTER: Commissioner 22 Ruiz? 23 COMMISSIONER RUIZ: Yes. 24 COMMISSIONER ARMBRUSTER: Commissioner 25 Davis?</p>	<p>1 morning. 2 THE CHAIR: Welcome. 3 MR. ALAN BRAUER: Madam Chair, members of 4 the Commission, in similar parallel structure, 5 you'll find the Implementation Year Checklist, as 6 well as the peer review one-pager in your 7 information packets. 8 I have a few comments on Solare as well 9 from the Charter School Division. 10 Solare Collegiate Charter School submitted 11 an application to the PEC to become a 12 State-authorized charter school that was approved on 13 the 24th of August, 2018. The Solare's leadership 14 team attended ten monthly trainings provided by the 15 Charter School Division beginning in September of 16 2018 through April 2019, so has successfully 17 submitted all documentation and resubmissions, when 18 applicable, required within the Implementation Year 19 Checklist, to include meeting all conditions within 20 the Commencement of Operations, Section C indicator, 21 Pages 5 to 7 of the school's Implementation Year 22 Checklist. 23 Solare has provided a signed lease 24 agreement, insurance documentation, and E-Occupancy 25 certification for the temporary location the school</p>

<p style="text-align: right;">Page 174</p> <p>1 will operate at until it is able to move into its 2 permanent facility tentatively scheduled for January 3 2020.</p> <p>4 As of June 10th, the school is fully 5 staffed with all licensed and non-licensed 6 personnel, and has met over 90 percent of its 7 projected enrollment target. And they may have 8 additional -- similar to Raices, they may have 9 additional updates as well based on their 10 [inaudible].</p> <p>11 THE CHAIR: And if you would all just 12 identify yourself for the record.</p> <p>13 MS. RACHAEL SEWARDS: My name is Rachael 14 Sowards, lead founder and head of school for Solare 15 Collegiate.</p> <p>16 MR. DAN HILL: Madam Chair, members of the 17 Commission, I'm Dan Hill, counsel for Solare.</p> <p>18 MR. PETER LORENZ: Peter Lorenz, vice 19 chair of the governing board.</p> <p>20 MS. CAMILLE VASQUEZ: Hello. My name is 21 Camille Vasquez, governing board secretary, part of 22 the finance and academic committee.</p> <p>23 MR. SUBRAMANIAN IYER: I'm Subramanian 24 Iyer. I'm the treasurer and the chairman of the 25 finance committee.</p>	<p style="text-align: right;">Page 176</p> <p>1 difficulties. So at least we're sure that you can 2 open when the first day of school starts. So 3 that's -- that's exciting. It truly is.</p> <p>4 So, Commissioners, any questions? If 5 not --</p> <p>6 COMMISSIONER CABALLERO: I just forget 7 where are they going to set up the school.</p> <p>8 THE CHAIR: Well, temporarily, they're 9 going to be in the old SAHQ school that we closed, 10 unfortunately, last July. And then they're in the 11 South Valley.</p> <p>12 MS. RACHAEL SEWARDS: We got our official 13 address yesterday.</p> <p>14 THE CHAIR: Oh, did you?</p> <p>15 MS. RACHAEL SEWARDS: So, yes, that was 16 assigned to us. We're on Gibson just east of 98th. 17 Do you know where the Walgreens is located there? 18 Barbados is a side street that goes into a little 19 community. We're right there on the corner.</p> <p>20 THE CHAIR: You're building on how many 21 portables? It's not portables; it's manufactured. 22 Is manufactured better or what?</p> <p>23 MS. RACHAEL SEWARDS: Because of all the 24 City requirements for buildings, facades and 25 whatnot, we were actually able to transition to</p>
<p style="text-align: right;">Page 175</p> <p>1 (A discussion was held off the record.)</p> <p>2 THE CHAIR: And I just want to say, just 3 as an aside, it was never a good thing when the 4 former General Counsel and the former Deputy 5 Secretary were sitting in this room at the same 6 time. It was never a good omen for us. So this is, 7 you know, different times.</p> <p>8 So welcome. Thank you.</p> <p>9 So anything that you want to add? If not, 10 we'll open it up for questions. Okay?</p> <p>11 MS. RACHAEL SEWARDS: Just very briefly, 12 we are fully staffed. We are very excited, in that 13 we have two special ed teachers hired because of our 14 high special ed population. And we have a part-time 15 PE teacher who also has SpEd credentials who said 16 she'll come on full-time if the need shows itself. 17 We're at 93 percent of enrollment, 144 students out 18 of our anticipated 156. And we're getting a lot of 19 family referrals coming in each week.</p> <p>20 THE CHAIR: And I just want to say thank 21 you for the contingency plan. I think things, you 22 know, were constantly changing in terms of that. 23 And it's -- once again, as we talked before, it's 24 the challenges of not being able to find public 25 buildings. And that's where we're all facing those</p>	<p style="text-align: right;">Page 177</p> <p>1 doing a site-built building, keeping on the same 2 timeline and the same budget. So we're having a 3 site-built building. It'll be -- right now the plan 4 is three separate buildings with connected walkways. 5 We may transition to doing two buildings.</p> <p>6 THE CHAIR: Okay. That's great. And I 7 know -- there were -- could you just clarify, for 8 our own curiosity, what that impact study was that 9 the City -- because it's something we haven't really 10 faced before, and we don't know what its potential 11 is to other schools as we're moving forward.</p> <p>12 MS. RACHAEL SEWARDS: Yeah. So the City 13 of Albuquerque redid their zoning requirements. 14 They recoded all the zone -- the different zone 15 areas for the City. And in addition to that, as 16 part of the building requirements, they added 17 something called a "Neighborhood Impact Study," 18 which is a series of just collecting data about 19 the -- the current number of cars, vehicles that are 20 in a specific area, and anticipating what the impact 21 would be of a new building; or new school, in 22 particular.</p> <p>23 It's a requirement that is -- for a couple 24 of different types of buildings; but educational 25 institutions would be one of those requirements.</p>

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<p>1 THE CHAIR: And I would assume there was a 2 cost factor to that. Yes? 3 MS. RACHAEL SEWARDS: As far as for us? 4 Yes. 5 THE CHAIR: You had to conduct the impact 6 study; so there was a cost to that. 7 MS. RACHAEL SEWARDS: Yes. Uh-huh. 8 THE CHAIR: Around about what was it? 9 MS. RACHAEL SEWARDS: \$14,000. 10 THE CHAIR: Yeah. So when you're talking 11 of start-up schools, and that gets thrown in when it 12 wasn't certainly in the budget because no one knew, 13 it's -- yeah. 14 So I think that's -- you know, something 15 that at least we can inform other schools going 16 forward that they're probably going to have to face 17 the same. So it's -- it's just useful information 18 for us. 19 Sorry you had to go through it; but it's 20 good for us going forward to know it. 21 So if there's nothing else, I'll entertain 22 a motion. 23 MS. VOIGT: I'll make the motion. 24 THE CHAIR: Okay. Commissioner Voigt? 25 COMMISSIONER VOIGT: Yeah. I'd like to</p>	<p>1 THE CHAIR: Yes. 2 COMMISSIONER ARMBRUSTER: Commissioner 3 Raftery? 4 COMMISSIONER RAFTERY: Yes. 5 COMMISSIONER ARMBRUSTER: Commissioner 6 Armbruster votes "Yes." 7 Commissioner Robbins? 8 COMMISSIONER ROBBINS: Yes. 9 COMMISSIONER ARMBRUSTER: Commissioner 10 Crone? 11 COMMISSIONER CRONE: Yes. 12 COMMISSIONER ARMBRUSTER: Commissioner 13 Caballero? 14 COMMISSIONER CABALLERO: Yes. 15 COMMISSIONER ARMBRUSTER: Commissioner 16 Ruiz? 17 COMMISSIONER RUIZ: Yes. 18 COMMISSIONER ARMBRUSTER: Ten-to-zero 19 vote. The motion passes. 20 THE CHAIR: Motion passes, ten-zero. 21 Thank you very much. You already had the 22 E-Occupancy for that building; so that's -- we're 23 good, then. 24 MS. RACHAEL SEWARDS: If any of the 25 Commissioners are available in Albuquerque on</p>
<p>Page 179</p> <p>1 move that the Public Education Commission approve 2 the Commencement of Operations for Solare Collegiate 3 Charter School. 4 COMMISSIONER CABALLERO: Second. Being in 5 my district. 6 THE CHAIR: There's a -- 7 COMMISSIONER CABALLERO: They'll be in my 8 district. 9 THE CHAIR: There's a motion by 10 Commissioner Voigt; there's a second by Commissioner 11 Caballero. 12 Any further discussion? 13 (No response.) 14 THE CHAIR: Roll call, please. 15 COMMISSIONER ARMBRUSTER: Commissioner 16 Chavez? 17 COMMISSIONER CHAVEZ: Yes. 18 COMMISSIONER ARMBRUSTER: Commissioner 19 Voigt? 20 COMMISSIONER VOIGT: Yes. 21 COMMISSIONER ARMBRUSTER: Commissioner 22 Davis? 23 COMMISSIONER DAVIS: Yes. 24 COMMISSIONER ARMBRUSTER: Commissioner 25 Gipson?</p>	<p>Page 181</p> <p>1 Tuesday at 11:00, we're doing a ground-breaking 2 ceremony, and you're all welcome to attend. 3 THE CHAIR: Thanks. So, Commissioners, we 4 bulked all of the contracts into one motion; right? 5 So that what I'm going to propose is that there's 6 just one vote with all the contracts, unless, 7 through what any Commissioners have read, if they 8 wish to speak about something in particular with a 9 school. Otherwise, we'll just go with this one 10 motion. 11 But all of the schools, just to be aware, 12 all of the schools have to be identified 13 individually in the motion; so it's not just "all 14 the schools." 15 And as we do this, I want to thank the 16 schools that are here present and all the schools 17 that are here present for fitting into our really 18 tight schedule. Because of what happened during the 19 Legislative Session and trying to get it all done 20 for lease reimbursement, it really was difficult, 21 and we appreciate all the time -- the conversation. 22 Because, for me, that's always the great 23 thing about doing those contract negotiations is you 24 do get to see the schools individually and have a 25 conversation about them, and you learn sometimes</p>

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<p>1 things you don't want to know; but most of the time 2 things that you do want to know about the school. 3 So it's -- it's always very interesting 4 for me to do that. And I want to thank, once again, 5 all of the Commissioners that took the time out to 6 travel all around and be part of the contract 7 negotiations. 8 So is there any discussion? 9 (No response.) 10 THE CHAIR: If not, I'll entertain a 11 motion. 12 MS. VOIGT: Madam Chair? 13 THE CHAIR: Sure. 14 MS. VOIGT: I'll make the motion. 15 THE CHAIR: Oh, sure. 16 MS. VOIGT: I move that the Public 17 Education Commission approve the 2019 charter 18 contracts and performance frameworks, including 19 mission-specific goals, for the following schools 20 and their contract terms: 21 Alma d'Arte, 2019 to 2022. 22 Cesar Chavez, 2019 to 2024. 23 Explore Academy, 2019 to 2024. 24 La Academia Dolores Huerta, 2019 to 2021. 25 Middle College High School, 2019 to 2024.</p>	<p>1 Robbins? 2 COMMISSIONER ROBBINS: Yes. 3 COMMISSIONER ARMBRUSTER: Commissioner 4 Caballero? 5 COMMISSIONER CABALLERO: Yes. 6 COMMISSIONER ARMBRUSTER: Commissioner 7 Voigt? 8 COMMISSIONER VOIGT: Yes. 9 COMMISSIONER ARMBRUSTER: Commissioner 10 Ruiz? 11 COMMISSIONER RUIZ: Yes. 12 COMMISSIONER ARMBRUSTER: Commissioner 13 Armbruster votes "Yes." 14 Commissioner Crone? 15 COMMISSIONER CRONE: Yes. 16 COMMISSIONER ARMBRUSTER: Commissioner 17 Davis? 18 COMMISSIONER DAVIS: Yes. 19 COMMISSIONER ARMBRUSTER: Commissioner 20 Gipson? 21 THE CHAIR: Yes. 22 COMMISSIONER ARMBRUSTER: Commissioner 23 Chavez? 24 COMMISSIONER CHAVEZ: Yes. 25 COMMISSIONER ARMBRUSTER: Ten-to-zero</p>
<p>Page 183</p> <p>1 New Mexico School for the Arts, 2019 to 2 2024. 3 School of Dreams Academy, 2019 to 2024. 4 Southwest Aeronautics, Mathematics and 5 Science Academy, 2019 to 2024. 6 Southwest Preparatory Learning Center, 7 2019 to 2024. 8 Southwest Secondary Learning Center, 2019 9 to 2024. 10 Taos Academy, 2019 to 2024. 11 And our new schools: We have Raíces del 12 Saber Xinachtli Community School and Solare 13 Collegiate Charter School. 14 COMMISSIONER RAFTERY: I second. 15 COMMISSIONER CRONE: I second. 16 THE CHAIR: We're now fighting over this. 17 There's a motion by Commissioner Voigt, a second by 18 Commissioner Raftery. 19 Any further discussion? 20 (No response.) 21 THE CHAIR: If not, roll call, please. 22 COMMISSIONER ARMBRUSTER: Commissioner 23 Raftery? 24 COMMISSIONER RAFTERY: Yes. 25 COMMISSIONER ARMBRUSTER: Commissioner</p>	<p>Page 185</p> <p>1 vote. Motion passes. 2 THE CHAIR: Motion passes, ten-zero. 3 Congratulations to all, and thank you once again. 4 We appreciate all the work you do every day. 5 (Applause.) 6 THE CHAIR: We are on to Item No. 12, 7 which is Discussion and Possible Action on Revisions 8 to the Renewal Application and Amendment Request 9 Forms with reference to A-to-F. Yesterday, we went 10 through, and hopefully purged out, any vestiges to 11 the A-to-F. As the Deputy Director said this 12 morning, we'll probably come across the line where 13 A-to-F still exists." 14 But we did some good work there yesterday 15 and hopefully make it a little bit clearer going 16 forward as for these forms. 17 So if there's no discussion -- is there 18 discussion on this? Because most of us were there 19 yesterday. 20 COMMISSIONER ARMBRUSTER: We didn't 21 substantially change things. 22 THE CHAIR: We didn't change anything 23 other than placing language that would be more 24 appropriate to the current accountability system and 25 removing out the references to A-to-F. But,</p>

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<p>1 otherwise, the forms and the renewal application, 2 there were no changes to the intent of those forms 3 or the processes; it was simply any identification 4 of the A-to-F grading system, which no longer 5 exists. So we had to place in what the new language 6 that was appropriate to the new accountability 7 system. So...</p> <p>8 COMMISSIONER ROBBINS: Madam Chair, I move 9 that the Public Education Commission adopt the 10 revisions to the PEC renewal application and 11 amendment request forms referencing to A-to-F school 12 grades.</p> <p>13 COMMISSIONER RUIZ: Second. 14 COMMISSIONER CHAVEZ: Second. 15 THE CHAIR: There's a motion by 16 Commissioner Robbins; there's a second by 17 Commissioner Chavez. 18 Seeing no further discussion -- because 19 you can't see discussion...</p> <p>20 COMMISSIONER ARMBRUSTER: So on renewal, 21 Commissioner Armbruster votes "Yes." 22 Commissioner Robbins? 23 COMMISSIONER ROBBINS: Yes. 24 COMMISSIONER ARMBRUSTER: Commissioner 25 Caballero?</p>	<p>1 ten-zero.</p> <p>2 We're on to Item No. 13. We had really a 3 very robust conversation yesterday about 4 reengagement. Once again, we're not in a place 5 where I hoped we could be with that. We really got 6 a lot of work done, and I think the discussion was 7 more than valuable. And we have a clearer sense of 8 I think where we need to go with this.</p> <p>9 So we're on the move to finalizing this 10 maybe -- maybe in October? Maybe? You, know, 11 'Cause we might have a short work session in August. 12 But it depends on the number of schools with the new 13 applicants.</p> <p>14 So the schedule is a little in flux until 15 we know exactly how many schools that we have to 16 hear for the new applications. So if we can 17 continue that work in August, that would be great. 18 But then it would be October.</p> <p>19 So that was just that -- you know, that 20 little update. So there's no vote to be taken at 21 this point in time. Just for those that couldn't 22 make it yesterday, it really was a very valuable 23 discussion. And I appreciate Tani from Cesar Chavez 24 coming up and all the work that she does, not only 25 what they do at the school, but truly in the</p>
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<p>1 COMMISSIONER CABALLERO: Yes. 2 COMMISSIONER ARMBRUSTER: Commissioner 3 Voigt? 4 COMMISSIONER VOIGT: Yes. 5 COMMISSIONER ARMBRUSTER: Commissioner 6 Chavez? 7 COMMISSIONER CHAVEZ: Yes. 8 COMMISSIONER ARMBRUSTER: Commissioner 9 Davis. 10 COMMISSIONER DAVIS: Yes. 11 COMMISSIONER ARMBRUSTER: Commissioner 12 Raftery? 13 COMMISSIONER RAFTERY: Yes. 14 COMMISSIONER ARMBRUSTER: Commissioner 15 Gipson? 16 THE CHAIR: Yes. 17 COMMISSIONER ARMBRUSTER: Commissioner 18 Ruiz? 19 COMMISSIONER RUIZ: Yes. 20 COMMISSIONER ARMBRUSTER: Commissioner 21 Crone? 22 COMMISSIONER CRONE: Yes. 23 COMMISSIONER ARMBRUSTER: Ten-to-zero 24 vote. Passes. 25 THE CHAIR: Thank you. Motion passed</p>	<p>1 research and promoting and moving forward, the 2 discussion about reengagement schools. She helps 3 keep it out there when sometimes we kind of forget; 4 because it is -- you know, it's not that many of our 5 schools. And you don't want to say, "Oh, well, it 6 doesn't matter." And it does. So we need to get 7 this -- this work done.</p> <p>8 So that's just my little update there. 9 The discussion and possible action on the 10 memorandum of understanding. 11 For those of you that haven't been around, 12 there is actually a memorandum of understanding 13 between us and the CSD. It is old, and, really, all 14 it does is reiterate statute in the language of the 15 MOU. So it really isn't an effective working 16 relationship; it doesn't establish that. 17 So we had a preliminary discussion. 18 Myself, legal counsel, Deputy Secretary Bobroff and 19 the Director had a preliminary discussion -- I think 20 it was April? And our legal counsel gave a "Let's 21 start the conversation here" document. And they are 22 scheduled to meet -- June 22nd? 23 MR. CHAIKEN: 25th. 24 THE CHAIR: So there will be further 25 discussion about this, our legal counsel, PED's</p>

<p style="text-align: right;">Page 190</p> <p>1 legal counsel and the Director will be there to 2 further this conversation. And hopefully, it would 3 be really nice if we could have that MOU in place 4 for the August meeting. 5 It would be great if it could be available 6 for the July meeting. But, you know, we weren't 7 originally targeting to have a July meeting. But it 8 really would be great if it could be available for 9 us to agree to in July; but, absolutely, for August. 10 So I think it's really going to -- to help move 11 things forward and clarify a lot. 12 COMMISSIONER CABALLERO: And, Madam Chair, 13 is the MOU between PED and us, or -- 14 THE CHAIR: It is. 15 COMMISSIONER CABALLERO: -- or the 16 Division and us? 17 THE CHAIR: Well, CSD is part of the 18 Division. So the formal agreement is between us and 19 PED. 20 COMMISSIONER CABALLERO: And we mention 21 the Division? 22 THE CHAIR: Absolutely, yes. Yeah. So it 23 does help to sort of codify, solidify the 24 relationships. And certainly, it'll be in the 25 packet for your perusal before the meeting. Okay?</p>	<p style="text-align: right;">Page 192</p> <p>1 ducks in a row. But then the first day of school 2 comes, and it's, "What do I do?" And, "I didn't 3 know that this was going to happen." 4 There's just -- you know, anything can 5 happen, as you all know. 6 So what I am proposing is that we set up 7 a -- and I've referred to this publicly, but it's 8 probably not a politically correct term -- to set up 9 a "SWAT" team. 10 MS. VOIGT: "SWOT," meaning S-W-O-T; 11 right? O-T, not A-T. 12 THE CHAIR: So that we have more people 13 that can come in, whenever there's an identified 14 issue in a school, throughout the school year, to 15 say, "Hey, we've got these people here that can come 16 in and can spend a day." 17 And I know the Director and I have spoken. 18 And that's in the budget. But I think we need to 19 amp it up a little bit for the first week of school, 20 minimally, for the new schools that are opening, and 21 say, "Here you go. Here's your guy," or "Here's 22 your gal. And they're yours for the week." 23 This is a no-questions -- no-judgment 24 zone. Thank you. Not a no-question zone. A 25 no-judgment zone. So this isn't they're going to</p>
<p style="text-align: right;">Page 191</p> <p>1 All right. Wow, we're moving on here. 2 Discussion and Possible Action for Contract for 3 Support -- oh, yes, that's mine as well. 4 So we've been talking about this for a 5 long time. We identify that there are particular 6 needs that a new head administrator has when they're 7 coming into a charter school. 8 And those are two -- and there's actually 9 two different avenues there. Someone who's 10 experienced as a head administrator from a 11 traditional public school, so that they've got at 12 least the strong administrative background going 13 into what an administrator does, they still need 14 help in being a mini-superintendent. So that's one 15 need, not as intense as the need when someone hasn't 16 been a head administrator anywhere and now is a head 17 administrator at a charter school; because it's a 18 double whammy. 19 "I'm not sure, you know, really, what I'm 20 doing here as a head administrator, but I also need 21 to conduct myself in many ways as a superintendent," 22 so that there's -- it is a stressful situation. And 23 if you put that burden additionally on opening up a 24 brand new school, that's just one more layer to the 25 concern, because you can think you've got all your</p>	<p style="text-align: right;">Page 193</p> <p>1 rat back, unless there is a health-and-safety 2 concern. Then there has to be a call-out. 3 But this is a person who's going to be 4 there to offer whatever help and support that 5 individual needs to make sure that that school 6 starts off on a good foot. 7 MS. VOIGT: You know, having lived that 8 that you just spoke of, I think, also -- I think the 9 first week of school is not a good time for that; 10 number one, because the principal is going to be 11 buried, literally, with lifting off that first 12 school year. But I think a good time frame might be 13 within the first 90 days, you know, depending on 14 what is in place already; because every new charter 15 school principal is building the ship while they're 16 sailing it, really. So -- and a lot of 17 administrators don't know what they don't know in 18 that regards. 19 But I think the first week of school would 20 not be the most opportune time, having been through 21 that, I think; but within the first 90 days for 22 sure. And then an as-needed, on-call basis to 23 whatever the liaison or the mentor is going to 24 provide would be good, just having that open door or 25 open-phone-call piece. But I think just that first</p>

<p style="text-align: right;">Page 194</p> <p>1 week, it's pretty compacted. 2 THE CHAIR: And that's part of my concern. 3 And I also have a concern, especially with new 4 schools, that if something really goes south and we 5 don't know it, there has to be someone there. 6 MS. VOIGT: I think also we don't want to 7 micromanage. If we're hovering over this new 8 administrator who's really trying to set the culture 9 for his or her school and really trying to be the 10 one, that's a really crucial time for a new 11 principal. And I think someone there, you know, in 12 that capacity might be -- it might be a little -- 13 not necessarily a threat; but I think it's something 14 that might not be fully appreciated or -- it might 15 not have the intention -- the intention might not be 16 taken as it's intended. Do you know what I mean? I 17 just think that first week is not a good time. 18 COMMISSIONER ARMBRUSTER: They might not 19 know what they don't know. 20 THE CHAIR: I'm going to reflect back to 21 someone I spoke to and had several conversations 22 with that actually sat -- I don't know if they sat 23 as the charter school director; but they worked for 24 the Charter School Division back when there were no 25 State-authorized charters; it was only APS charters.</p>	<p style="text-align: right;">Page 196</p> <p>1 for the school to figure that out. 2 But it is -- they are just as that, you 3 know, little guardian angel to say, "We're here to 4 help." 5 MS. VOIGT: I just really think it's 6 hovering. 7 THE CHAIR: I think it's up to us to 8 establish that criteria for whoever does it so that 9 they're clear that they're not hovering. 10 But I have -- based on especially the 11 openings this year, I have -- I have serious 12 concerns with not being around. 13 MS. VOIGT: Uh-huh. You know, I think the 14 administrators that are choosing to open charter 15 schools -- and I know in New Mexico, there's pretty 16 strong administrators, because at least 98.9 percent 17 of them are coming from previous administrative 18 experiences with traditional public schools. 19 But -- and the community of charter 20 schools in New Mexico is really strong, and there is 21 a lot of collaboration, thanks to the Charter School 22 Division and the Public Charter Schools of 23 New Mexico, in bringing these folks together to 24 share, you know, as either in a critical friends 25 group or best practice sessions, and then Luncheon</p>
<p style="text-align: right;">Page 195</p> <p>1 So -- but there was a Charter School Division. 2 And -- and a number of other people -- 3 MS. VOIGT: There's only a Charter School 4 Division that came with the State-chartered schools. 5 That's when the Charter School Division was created. 6 THE CHAIR: They worked for PED, and they 7 did the support for charter schools. And it was 8 APS. This is where the conversation actually 9 started. 10 But I'm going to say that from all the new 11 administrators that I have spoken to, they thought 12 it was -- it would have been a value. Because I 13 want to make it clear we're not looking to 14 micromanage. 15 MS. VOIGT: Okay. Yeah. 16 THE CHAIR: This is not a -- this is not 17 an evaluation. 18 MS. VOIGT: Right. 19 THE CHAIR: We are not there to say, "This 20 is what you should do." 21 This person is going to be there just to 22 say -- just so someone can say, "What should I do?" 23 They're not there to say -- unless it's, 24 once again, a health-and-safety issue, they're not 25 there to say, "Don't do it that way." Because it's</p>	<p style="text-align: right;">Page 197</p> <p>1 Learns. 2 But I think coming from an authorizer, 3 okay -- maybe if it's passed off to the Charter 4 School Division as a support model; but coming from 5 an authorizer, it's going to look like hovering. 6 And I speak to this as a former charter school 7 founder -- the first State charter school in 8 New Mexico, having paved the way for a lot of these 9 schools to come through. That's how I would see it. 10 THE CHAIR: But I'm going to say they're 11 the compliance component. We're not. 12 MS. VOIGT: Right. Right. 13 THE CHAIR: So you put the Charter School 14 Division in. Now it's a compliance issue. 15 COMMISSIONER VOIGT: And that's why it's 16 [incomprehensible] micro-managing, because it's 17 compliance. 18 THE CHAIR: But you said you'd prefer to 19 have the Charter School Division -- 20 MS. VOIGT: That's my schtick, and I'm 21 going to stay with it, because I think the first 22 week is hectic as you-know-what. 23 THE CHAIR: That's exactly why I'm saying 24 the support needs to be there. 25 MS. VOIGT: It shouldn't be there. You</p>

<p style="text-align: right;">Page 198</p> <p>1 have to give the administrator freedom and liberty 2 to run their school, and learn by doing so is 3 important. Learning by doing is really important. 4 COMMISSIONER CABALLERO: Madam Chair, I 5 think it's a good concept, that I support the idea 6 that it should be done. I know I gave to some new 7 directors during the conferences, "Just make sure 8 this is what needs to happen. This is what needs to 9 happen. This is what we look at." 10 Some of them knew, and some of them were 11 surprised, like, "Oh, shit." 12 (A discussion was held off the record.) 13 COMMISSIONER CABALLERO: And so my take is 14 that we provide it somehow -- I'm sorry -- that we 15 have something that -- that says, "I'm a new 16 administrator, upcoming administrator." So this is 17 prior to the first week of opening. Then after the 18 first week of opening, within the first 90 days is 19 how -- "Now, how do I administer this new school?" 20 Because there's a bunch of stuff that you need to do 21 to open a school. 22 THE CHAIR: Uh-huh. 23 COMMISSIONER CABALLERO: That's not the 24 same as when you already started it. 25 THE CHAIR: Right.</p>	<p style="text-align: right;">Page 200</p> <p>1 in the building the first week, further stressing 2 out the principal that's trying to get the school 3 off the ground. 4 THE CHAIR: Commissioner Ruiz? 5 MS. VOIGT: And that's all I'm going to 6 say. 7 COMMISSIONER RUIZ: And I have to say that 8 I tend to agree with you. I'll tell you why. 9 Because I work still in the traditional public 10 school. And I'm just saying that for three weeks, 11 you -- it's just, like -- like, literally, you see a 12 flash, a bolt, and that's me. And the principal is 13 the other flash going the other way. 14 It is really, really hectic at the 15 beginning. 16 Maybe an alternative -- and Karyl Ann -- 17 Commissioner Armbruster and I were just discussing 18 that. Perhaps an alternative to that might be -- 19 because I do think new principals and new charter 20 schools leaders do need some kind of guidance. I 21 don't know how they would take to that because, 22 honestly, I know how busy it is. 23 But perhaps there might be a way that 24 prior to the opening of that school, you know, or of 25 the school year, it's like, "Okay, you know what?"</p>
<p style="text-align: right;">Page 199</p> <p>1 COMMISSIONER CABALLERO: Once you started 2 it, there's -- make mistakes and learn. But we 3 could minimize the mistakes, because mistakes are 4 very costly to the school and children, and have 5 that available to them, which is -- and taking what 6 you're saying as not hovering and not punitive and 7 not, "Okay, I know what they're doing wrong," and 8 just give that support somehow. 9 And so the concept that I'm talking about 10 is -- I think it's a -- it's a worthwhile concept to 11 continue. 12 MS. VOIGT: I think before the doors open, 13 an administrator has to have so much in place, okay? 14 That could be happening before the doors open. Once 15 those doors open, you have all kinds of organic 16 matter running around, you know. And I think it -- 17 to be at a school site within the first week is not 18 a good idea. It's not a good idea. And I'm not 19 going to say do it and let's see what happens; 20 because -- and I told you so. But I just know it's 21 not going to be a good time. 22 But if we have a lot of things in place 23 that we think are good practices for that first week 24 and be proactive with the administrators that way, I 25 think it would be a lot better received than being</p>	<p style="text-align: right;">Page 201</p> <p>1 In one of the trainings that we're doing..." -- 2 whatever, however you all determine that -- "...we're 3 going to spend, you know, three hours. And these 4 three hours, we're going to go over, you know, these 5 are best practices and things that would help you 6 with the opening of your new charter, your new 7 school year." 8 But I have to tell you, I'm -- I tend to 9 agree with you. I do not think it would be a good 10 thing to put somebody right there, because I think 11 it is -- I'm telling you. Even when I've had like 12 people interning under me, whew, and they start that 13 day one as just an intern under you, and they're 14 shadowing you, it's great; but it's so hectic. 15 And -- 16 THE CHAIR: We could say within the first 17 90 days; and -- because we don't know when we're 18 going to get this executed. We don't know what. 19 Or we could say within the first 90 days 20 and/or up to that head administrator. 21 MS. VOIGT: As needed. 22 THE CHAIR: They might want to say, "I 23 want someone here tomorrow. I want someone here 24 this week because I'm not sure." 25 And someone else might say, "Hey, you know</p>

<p style="text-align: right;">Page 202</p> <p>1 what? I think we're better off as a 2 trial-and-error." 3 MS. VOIGT: I think it's better to leave 4 it flexible like that. Because if you're running -- 5 I don't know if there's a boot camp that's going to 6 be run for new charter school principals or 7 whatever. But I think a boot camp is kind of a good 8 thing, too, to be proactive and operating ahead of 9 time, to just say, "Double-check yourself. Are all 10 these things in a row," you know? 11 MR. ALAN BRAUER: Madam Chair, members of 12 the Commission, I appreciate this conversation, for 13 sure. I think that at this -- the heart and 14 spirit -- I think I don't hear any arguments around 15 how do we support new administrators and new schools 16 to start off as fine as they possibly can. 17 I think the devil is in the details, for 18 sure, as we think about what are the different needs 19 of different leaders. And I think that has to be a 20 relational act with them to kind of figure out that. 21 I'm on board with the -- with -- I don't 22 know if the SWAT -- I'm okay with the SWAT. We 23 could talk about it like an executive -- executive 24 coach, executive mentor, we could call it. 25 THE CHAIR: We can nuance the name.</p>	<p style="text-align: right;">Page 204</p> <p>1 MS. VOIGT: Sure. Yeah. 2 MR. ALAN BRAUER: If we don't have those 3 systems in place to react to that, we will never 4 have those systems in place. 5 MS. VOIGT: You know what, Alan? I'd love 6 to work with you on that. Let me know how we can 7 work together. Because having, you know, done that, 8 and during a time in 2007, when there were many 9 State charter schools being opened during that time, 10 and us forming a dynamic critical friends group 11 amongst each other and going through those scenarios 12 together within our first school years was really 13 meaningful. I can share with you some of the things 14 we constructed. 15 MR. ALAN BRAUER: Absolutely. 16 Madam Chair, Commissioners, I don't know -- I know 17 we're a week away from this conference. On Saturday 18 of the conference, we have an 11:30-to-1:00 longer 19 extended period of time for folks to do a 20 Professional Learning Community/Critical Friends 21 Group opportunity. I'm going to set that up during 22 lunch so that at tables, folks can share certain 23 problems and practice, or get feedback peer-to-peer 24 from governing council members and head 25 administrators and teachers and so forth.</p>
<p style="text-align: right;">Page 203</p> <p>1 MR. ALAN BRAUER: We could nuance it and 2 make it sound like what it is so that they see that 3 this is truly putting their learning and the 4 school's success at the heart. 5 So I think that there is probably some 6 type of sweet spot that we can find between -- 7 before the school year starts. Because as we all 8 know, if you don't have the systems in place and you 9 don't have somebody who both, like, can do it from 10 the support and compliance that the Charter School 11 Division does, as well as the authorizing body does, 12 having a separate person as a peer, as an executive 13 leader, that's another area that could put -- could 14 support and put pressure on ensuring that the school 15 is open. 16 And so that could very well happen maybe a 17 week before school starts. You just sit down. I'm 18 envisioning an executive leader sitting down with me 19 and just kind of going through, "What are all the 20 systems you have?" "What's your -- what's going to 21 happen when you have your first fire alarm pulled 22 that first day," or, "What are you going to do 23 with" -- you know, "How are you going to react," and 24 kind of go through some of the hypothetical things 25 that we all know happens.</p>	<p style="text-align: right;">Page 205</p> <p>1 I wonder if we could figure out a way to 2 know who are the newbies coming in. I know we know 3 two of them, Solare and Raíces. We could jump on 4 that next week, potentially, and just be smart to 5 bring some folks together. 6 MS. VOIGT: You know what might really be 7 a great format for that -- I haven't looked at the 8 agenda for the conference. But if you have that 9 time block set aside already for small PLC sharing, 10 if you have a tables and you put the topic, and then 11 whoever wants to go to that table, and they just sit 12 there and share or whatever, something like that 13 would be great. Then you could get it all done real 14 quickly, and people self-determine where they want 15 to do their stuff. 16 And if you'd like, I would be willing to 17 facilitate one of those. 18 MR. ALAN BRAUER: Great. Thank you. 19 THE CHAIR: Because I think -- I think 20 there's also a possibility, where if we can get 21 these regional teams together so that, you know, 22 they don't necessarily always have to be there, but 23 they're at least on call -- but we'll also have to 24 set some kind of guidelines as to how much time 25 schools can actually -- you know, you're not 24/7;</p>

<p style="text-align: right;">Page 206</p> <p>1 because there's only a finite amount of money that 2 we're going to pay these folks. 3 So that schools need to know that, you 4 know. You can't just keep calling these people and 5 they're at your disposal whenever, that we'll have 6 to place those parameters around what that looks 7 like, and probably less time as the year goes on, 8 you know. So we can work that out. 9 Commissioner Armbruster? 10 COMMISSIONER ARMBRUSTER: Yeah. I think 11 that's a terrific idea. I am not volunteering 12 because I don't know anything about administration. 13 So let me just get myself out of there and throw 14 some more on them. 15 But I think, you know, I remember having 16 Harry Wong's First Day of School. I thought, "Oh, 17 my God, thank goodness," because I would never have 18 thought, "Greet each child." I just wouldn't think 19 about that. 20 So I think if there were a first day of 21 school for administrators, whether that's a new 22 administrator who's never been at a charter 23 school -- they are different in different ways, 24 because you have more responsibilities -- or just 25 a -- or a brand new school person doing that.</p>	<p style="text-align: right;">Page 208</p> <p>1 slight tag-on. When we're having the Special Ed 2 Division talk to Alma, which we had set up, right, 3 that they're going to go and look and -- 4 THE CHAIR: We said if they felt it 5 appropriate. 6 COMMISSIONER ARMBRUSTER: If they're going 7 to Las Cruces, I think that a lot of people in 8 Las Cruces, including Las Cruces Public Schools 9 possibly would be -- it would be advantageous to 10 share those resources. One school needs to have 11 them, real particular things. But honestly, some of 12 the things they were talking about, I had never even 13 heard about. 14 So I'm not sure that everybody's even 15 doing that. But once we send a group down or to 16 Albuquerque, or wherever we're sending them, maybe 17 we can expand it so that more than one school or two 18 schools are getting that information; because I 19 don't think that you can ever have too much 20 information. 21 THE CHAIR: I think we're talking two 22 different things. 23 COMMISSIONER CABALLERO: Are you talking 24 about the -- 25 COMMISSIONER ARMBRUSTER: I'm talking</p>
<p style="text-align: right;">Page 207</p> <p>1 I can say that in parts of our state, that 2 probably would have been quite helpful. And rather 3 than new administrators struggling, they would have 4 had nowhere to go; because in the end, you know 5 what? It's our time that's taken up, but not 6 helping them on the front end. So I would like to 7 see that. 8 Another thing I had written down was -- 9 again, I don't know whether it's the CSD's 10 responsibility or someone -- Pattie, maybe you have 11 someone in mind who could tag onto the end of the 12 last CSD learning, you know, a training that they 13 have. So assuming that they would all make it, just 14 to say, "Hey. Here's something much like the Harry 15 Wong thing, pass it out. These are things that you 16 might want to think about. Or pass on to the person 17 you are wanting to hire. 18 Because then you are kind of doing what 19 Pattie was talking about, Commissioner Voigt, except 20 not micromanaging, because that person wouldn't be 21 there. But at least you have some idea what to do. 22 Because I think that some of these people 23 that we've been talking about don't have any idea 24 what to do; and I can understand why they wouldn't. 25 This is not a condemnation in any sense, just a</p>	<p style="text-align: right;">Page 209</p> <p>1 about the mentor. 2 THE CHAIR: But that's not necessarily 3 the -- that's not necessarily coming out of the 4 bureaus that are here. 5 COMMISSIONER CABALLERO: I think we need 6 to stay on point. 7 THE CHAIR: That's not what we're 8 talking -- we're talking about -- 9 COMMISSIONER ARMBRUSTER: Right. But 10 outsiders. They could be outsiders, but they could 11 be attached to something. Because one of the things 12 Glenna, I thought, was saying -- thank you for 13 saying -- is that sometimes the first day -- and 14 Trish was saying the same thing -- is like unh-unh, 15 you can't do that. 16 If it was the Harry Wong type of thing 17 that was attached to something, no matter who said 18 it -- it doesn't have to be CSD; it should be 19 someone who really knows about administering charter 20 schools -- that that could be attached to that so 21 they would have that little heads-up. I'm sorry. 22 THE CHAIR: I'm lost. I'm sorry. I'm 23 lost. 24 COMMISSIONER CABALLERO: I agree that 25 there's a lot of information.</p>

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1 THE CHAIR: I'm just owning it. I'm just
 2 owning it.
 3 COMMISSIONER CABALLERO: There is a lot of
 4 information in the area of special ed. And,
 5 certainly, new -- new directors of charter schools
 6 should be aware or have a checklist, if nothing
 7 else.
 8 COMMISSIONER ARMBRUSTER: I would think
 9 so.
 10 COMMISSIONER CABALLERO: If I were a new
 11 administrator, I certainly would have missed half
 12 the requirements. It's a lot. It's a lot.
 13 THE CHAIR: And I think part of that core
 14 of the teams that are created, that that's part of
 15 the skill set, that you need someone who can go in
 16 and offer that help for special ed if that's what it
 17 is, someone who can help with finances, someone who
 18 can help with just general operational
 19 administrative issues, so that there's -- you know,
 20 there's a core of people that can be sent out,
 21 depending on what the need is.
 22 COMMISSIONER CABALLERO: Right.
 23 THE CHAIR: Or just a call; so that it's
 24 not a call to an official phone number. It's a call
 25 to, you know, someone's private number, that -- you

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1 charter school principals.
 2 MR. ALAN BRAUER: Madam Chair,
 3 Commissioners, one -- I don't want to belabor this
 4 any more than we need to. You just jarred something
 5 for me, Commissioner Voigt. I do think that there
 6 is the -- there is the mentorship between a
 7 school -- a new school leader and the mentor. And
 8 then there's an opportunity potentially for us to
 9 think about how do we create our own in-shop kind of
 10 Principals Pursuing Excellence model that we could
 11 use, as you just mentioned.
 12 There should be an opportunity to make
 13 this relational, too, so that it's not just mentor
 14 to school leader, but also bringing the mentors and
 15 the school leaders together over the course of time.
 16 And, again, this is in the vacuum of budgeting and
 17 that sort of thing.
 18 But if we want to think about that, I
 19 wonder if maybe we have like a smaller step back
 20 throughout the year, periodically, maybe three times
 21 a year with the new school leaders; because I think
 22 what I'm hearing is that we want to do something
 23 different than what we have done before, is there
 24 hasn't really been, like, a protocol. So now let's
 25 create that.

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1 know, so that there's that less onus that's on
 2 there.
 3 COMMISSIONER CABALLERO: Or at least, "We
 4 set up our systems. Can you come out to see if I'm
 5 in compliance?" I mean, that's -- that's half the
 6 battle.
 7 THE CHAIR: There's a lot of people out
 8 there that have exited out of Principals Pursuing
 9 Excellence, retired financial people, that there's
 10 just this -- there's a wealth of support and help
 11 and knowledge out there. And they may not want to
 12 work full-time.
 13 MS. VOIGT: So in 2009, I think it was,
 14 Dr. Linda Paul created this great group called
 15 Charter Leaders something-or-other. And many of the
 16 charter school principals that are here now, and
 17 myself, we were in this group. It was great
 18 learning. It was better than my master's degree.
 19 It was all shared work by charter school leaders.
 20 If there's something that we can do to
 21 bring in experience and local wisdom from what we
 22 have in our communities to help with these -- with
 23 our new charter administrators, I think that would
 24 be one of the best practices we could do is utilize
 25 our local wisdom that we already have with our State

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1 And we can bring -- we can do a -- we can
 2 do the individual elbow-to-elbow work at schools
 3 with the leader and the mentor, and then we could
 4 also bring more formalized kind of training, you
 5 know, maybe beginning-of-the-year, midyear,
 6 end-of-the-year kind of way to bring people
 7 together.
 8 Anyway, I think we have a lot of different
 9 opportunities we can build that kind of thing.
 10 THE CHAIR: So it's going to be a simple
 11 motion; because I think it can be fluid enough that
 12 we can figure out what it's going to look like, but
 13 that we need to move forward on getting some
 14 contract work done. And the particulars of exactly
 15 how it's going to look like, that can be figured out
 16 once we have the folks that we can contract with.
 17 MS. VOIGT: Okay. I'll make that motion
 18 if we're ready.
 19 THE CHAIR: Sure.
 20 MS. VOIGT: I move that the Public
 21 Education Commission direct its staff at Charter
 22 School Division to contract with an entity or
 23 entities to mentor or provide support to new schools
 24 and new head administrators in compliance with the
 25 New Mexico Procurement Code.

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<p>1 THE CHAIR: I'll second it. 2 There's a motion by Commissioner Voigt, a 3 second by Commissioner Gipson. 4 No further discussion? 5 (No response.) 6 THE CHAIR: Roll call, please. 7 COMMISSIONER ARMBRUSTER: Commissioner 8 Voigt? 9 COMMISSIONER VOIGT: Yes. 10 COMMISSIONER ARMBRUSTER: Commissioner 11 Ruiz? 12 COMMISSIONER RUIZ: Yes. 13 COMMISSIONER ARMBRUSTER: Commissioner 14 Davis? 15 COMMISSIONER DAVIS: Yes. 16 COMMISSIONER ARMBRUSTER: Commissioner 17 Raftery? 18 COMMISSIONER RAFTERY: Yes. 19 COMMISSIONER ARMBRUSTER: Commissioner 20 Crone? 21 COMMISSIONER CRONE: Yes. 22 COMMISSIONER ARMBRUSTER: Commissioner 23 Chavez? 24 COMMISSIONER CHAVEZ: Yes. 25 COMMISSIONER ARMBRUSTER: Commissioner</p>	<p>1 But the next LESC is in Santa Teresa. So 2 how fortuitous. So it's -- it's nice that once 3 again, it's close to home. So I will be there. 4 We -- I'm trying to think -- we're all 5 going, or many of us will be there next week. I 6 don't think we had any other events in between. 7 No, no. 8 I want to -- I guess I'll extend a 9 thank-you to the School Boards Association for the 10 invitation to the Law Conference; but, 11 unfortunately, it's going on now, so we are 12 obviously unable to attend. 13 So we thank them. And I guess he's not 14 here; so -- anyway, next up is -- actually, Matt, 15 you didn't get put on the agenda. 16 MR. MATT PAHL: 16-B. 17 MS. KAREN WOERNER: Yeah, 16-B. 18 THE CHAIR: Oh, I'm sorry. I'm looking at 19 my motions; I'm not looking at the agenda. We're 20 not approving anything. I don't see Matt there. 21 MR. MATT PAHL: I hope that's not wishful 22 thinking, Madam Chair. 23 Just a quick update from us; I always try 24 and keep them quick. July 1st through the 3rd is 25 the National Alliance for Public Charter Schools</p>
<p>Page 215</p> <p>1 Robbins? 2 COMMISSIONER ROBBINS: Yes. 3 COMMISSIONER ARMBRUSTER: Commissioner 4 Armbruster votes "Yes." 5 Commissioner Gipson? 6 THE CHAIR: Yes. 7 COMMISSIONER ARMBRUSTER: Commissioner 8 Caballero? 9 COMMISSIONER CABALLERO: Yes. 10 COMMISSIONER ARMBRUSTER: Ten-to-zero 11 vote. 12 THE CHAIR: Motion passes, ten-zero. 13 Thank you. 14 I'll make myself short. Besides just a 15 ton of phone calls, I appreciate all the work that 16 the Director has been doing in terms of trying to 17 get us straight with Illuminate. And that's a 18 conversation that will continue to move forward. 19 I did not attend the last -- the 20 first-of-the-year LESC. I had anticipated going, 21 particularly because it was -- Senator Pinto's 22 services were that day as well. So I was sorry I 23 missed that. But my HVAC system decided that it's 24 not doing well. So I had to do some triage; so I 25 couldn't make it.</p>	<p>Page 217</p> <p>1 conference in Las Vegas. There's still time to 2 register. Las Vegas is a quick flight. I had 3 mentioned that the last couple of times. I'm sure 4 you've gotten some notices; but -- 5 THE CHAIR: I think it's probably 6 unfortunately too late for us to make those 7 travel -- we wouldn't be able to get the 8 reimbursement. 9 And it was unfortunate, because they had a 10 great strand, and I didn't know it until too late, 11 on governance, I thought. So it would have been, 12 you know -- yeah. 13 MR. MATT PAHL: Yeah. Sorry it's coming 14 from us late. But -- but, yeah. I'm sure -- I 15 don't know. There's a lot of e-mails going out 16 around this; so -- the other thing I just want to 17 spend a little bit of time on is around facilities. 18 First is a thank-you to the Commission, 19 because I just see there's an understanding from you 20 all that this thing -- it just doesn't work out. 21 There's no way to systematize this, because every 22 property is different. There are steps we all can 23 take to maybe make it a little more systematized. 24 But I hear that from the Commission when 25 these things pop up. I heard it today at the Altura</p>

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1 hearing. I heard it yesterday from the work session
 2 when we talked about this additional thing in
 3 Albuquerque, that now most schools, if they're
 4 building, are going to have to go through.
 5 So I appreciate that. And I wanted to
 6 alert you of something that could be happening as
 7 early as July, which is the new lease assistance
 8 decision from PSCOC. They have been true to their
 9 word. They have been going to charter schools for
 10 the last year -- I think they did two rounds -- to
 11 measure square feet.
 12 They are choosing to take a very
 13 conservative read on the legal language that
 14 instructional space is all that they will fund.
 15 Instructional space, to them, is only classrooms;
 16 not hallways, not bathrooms, not office space. And
 17 so we will find that most of our charter schools
 18 will experience a cut under that scenario.
 19 There is a chance that something called
 20 "tare" can be added onto this. And that, to us, is
 21 very important. I believe that it is up to us --
 22 our bill this last year on facilities, it didn't get
 23 too far but was well-received -- did change that
 24 language. So we're not talking just about
 25 instructional; but tare provides for an additional

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1 percentage of square footage on top of what they
 2 would measure for just instructional.
 3 It's really important to our schools that
 4 we get tare that's commensurate with the standards
 5 that are applied to all other public schools. I
 6 know they're working on that now; but I think the
 7 tare rate they're considering is anywhere between 20
 8 and 30 percent.
 9 So if a school gets 30,000 square feet,
 10 whatever it is -- I'm making up that number; I don't
 11 know if that's real -- we would expect to see
 12 20 percent on top of that. We're entering fair
 13 territory there, where schools can actually, you
 14 know, maybe have that money used to pay for their --
 15 their lease.
 16 So I see that as a heads-up. I know that
 17 Commissioner Robbins is the -- the guy for the PEC
 18 on PSCOC, and I know that he's well aware of these
 19 issues. I'm just not sure, you know, if the whole
 20 Commission knows. So just wanted to make sure
 21 that's there.
 22 Obviously, significant budget pressure as
 23 a result of these cuts. And to be clear, not every
 24 school gets cuts. Some are actually going to see
 25 some increases.

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1 Through the conversations we've had, we've
 2 also run into some other issues that I want to
 3 highlight for you.
 4 One is a -- nothing that has been decided
 5 yet, but there seems to be a direction of not
 6 allowing for land leases to be covered by lease
 7 assistance.
 8 THE CHAIR: Right. We've actually got
 9 that communication, that it won't be. Yeah.
 10 COMMISSIONER ROBBINS: If I could modify
 11 that, that was a vote that was taken back in May to
 12 not allow land leases. However, because of feedback
 13 and things, the subcommittee -- I forget what the
 14 initials for the other subcommittee is, Finance or
 15 something like that -- they've agreed to revisit it
 16 to come up with what's reasonable. And when we were
 17 looking at it in May, there was one school that had
 18 something like 30 or 40 acres that they were
 19 leasing --
 20 THE CHAIR: Right.
 21 COMMISSIONER ROBBINS: -- which seemed
 22 prohibitive, which, you know, the largest high
 23 schools are only about 60 acres; that's with 2,000,
 24 2,500 students.
 25 So to be leasing that many acres when you

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1 don't have these big sports complexes and things
 2 like that and athletic fields and things like that
 3 seemed to be excessive. And that was causing the
 4 average cap to bump up by almost 70 percent. If you
 5 took that one out, it was causing the cap to go up
 6 very high on what they would allow.
 7 They are going to go back, the
 8 subcommittee, and look at what is reasonable in
 9 terms of land leases and bring that back to the
 10 PSCOC so that it won't necessarily be totally
 11 eliminated.
 12 MR. MATT PAHL: Yeah. And, Commissioner
 13 Robbins and Madam Chair, a lot of that -- you
 14 present an example that I think would not be
 15 reasonable. A -- an issue -- and this is not a PEC
 16 school, so I'll mention it by name. It's Mosaic
 17 Academy up in Aztec. They just happened to have a
 18 land lease, and they leased with somebody else for
 19 their portables. They were going to -- under the
 20 previous agreed-upon rule -- or decision from the
 21 PSCOC, they wouldn't get any lease assistance just
 22 for the land that their portables are sitting on.
 23 This is the kind of thing that I think the
 24 PSCOC is interested in fixing. Portables cannot
 25 float in the air and have students attend classes in

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1 them; so that -- that's the thing that we're looking
 2 at right now. And I think it highlights the fact
 3 that even though the PSFA has been going into
 4 charter schools quite a bit over the last year,
 5 there's still more to learn. And these facility
 6 issues are really big, and they're compounded by the
 7 fact that 20 percent of small school size is going
 8 away.
 9 We've also had discussions with PSFA and a
 10 couple of the PSCOC members regarding portable
 11 transport. That's the item that's prohibited right
 12 now. We can find a portable. Not every school has
 13 the \$40,000 to \$60,000 to transport, hook it up, all
 14 of that. They've been open to annual solutions
 15 there. So we're hoping in the next couple of months
 16 they'll be able to figure that out.
 17 So there's a lot of pieces there. I just
 18 want to note that the tare thing, I believe, is
 19 pretty up-in-the-air, whether it's offered at all
 20 and, if so, at what rate. So I would hope that as
 21 you are able to connect with folks that have
 22 interests with the PSCOC, that you can advocate for
 23 schools to be able to get some additional overhead
 24 on top of the square footage that they will be
 25 approved for.

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1 The other thing I'll just note on the
 2 facilities piece is we will -- this is just a
 3 heads-up; it's not for a while. But we will present
 4 that bill again this next session. I think we did
 5 get out of the Senate at committee unanimously. I
 6 think it just wasn't the top-of-the-heap
 7 priority-wise in a session where we passed
 8 150 bills.
 9 So we're hoping this session, we're able
 10 to get more traction. We liked the fact that it was
 11 a bipartisan bill, that people had agreed on what we
 12 had put on there. So I may -- if it suits the
 13 Commission, I'd love to go over the bill point by
 14 point sometime in the fall so you all know what's in
 15 there, and, of course, take feedback on any ways to
 16 improve it.
 17 But we'd love to have that stamp of
 18 approval from the PEC as well when we bring that
 19 around. We think it does solve some short- and
 20 long-term problems for facilities. But in the
 21 immediate term, it's all about lease assistance.
 22 We're real concerned about that.
 23 Lastly, we will be conducting our annual
 24 survey of members this summer. Some of those
 25 questions, we'll want to kind of keep amongst the

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1 family. But many others, we'll want to share with
 2 you all. Of course if you have ideas for some
 3 questions that we can add to that survey that would
 4 be useful to you all, bring those up either now, or
 5 always e-mail me or call me; or through Alan, I'd be
 6 happy to consider those and potentially add that in.
 7 It's a good opportunity to survey the
 8 majority of the charter schools in the state.
 9 THE CHAIR: Okay. Thank you.
 10 MR. MATT PAHL: Thank you.
 11 THE CHAIR: I need to go back a little
 12 bit; because I didn't mention the NACSA conference,
 13 that Bev mailed out the information so that the
 14 decision needs to be made, like, yesterday, you
 15 know, if you're interested in going to St. Louis.
 16 It's posthaste.
 17 MS. VOIGT: I am.
 18 COMMISSIONER ROBBINS: If no one else is,
 19 I went last year to Florida. I would be willing to
 20 go again if you want to have more than one person
 21 go. But I don't have to go.
 22 COMMISSIONER ARMBRUSTER: What are the
 23 parameters of that in terms of how many people can
 24 go or not go or are paid or whatever?
 25 MS. FRIEDMAN: Basically, it's up to the

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1 Chair. And if you'd like to go, you can go. They
 2 always seem to find money.
 3 THE CHAIR: I'm going to go. So I'm going
 4 to say yes.
 5 MS. FRIEDMAN: Okay.
 6 THE CHAIR: And if I -- I'll know sooner
 7 than later if I can't make those dates.
 8 MS. FRIEDMAN: Let me just mention to you.
 9 Those of you who have traveled before, I have been
 10 able to get a PCard, where your hotel and your
 11 flights are paid for ahead of time.
 12 We can no longer do that. I tried to get
 13 that for David last year. And even though he was a
 14 State employee, they still would not give me the
 15 PCard for his travel. So you'll have to pay for
 16 your travel, your airline, ahead of time, and your
 17 hotel.
 18 I will pay for the registration. And if
 19 you'll save receipts, we'll try to get that turned
 20 around as soon as we can.
 21 COMMISSIONER ROBBINS: The dates are the
 22 21st to the 24th of October. So basically, you fly
 23 out for the 20th if you want to be there for the
 24 full three-and-a-half days.
 25 MS. FRIEDMAN: And I would say one of the

1 advantages of doing without the PCard is that you
2 can get tickets now while sometimes they go on sale;
3 and...

4 THE CHAIR: And you get the mileage.

5 MR. FRIEDMAN: And you get the mileage in
6 your own account.

7 COMMISSIONER ROBBINS: \$650 on Southwest,
8 and if you do Travelocity, it's about \$400.

9 MS. FRIEDMAN: The main thing is making
10 the reservation in the hotel where everything is
11 going to be happening. And so that would be one of
12 your first considerations.

13 THE CHAIR: Right.

14 MS. FRIEDMAN: Yes, ma'am.

15 COMMISSIONER RUIZ: When I looked at the
16 link -- because I will be going; it will be my first
17 one -- I thought it said you had to be registered.
18 I may be wrong. I think it said you had to be
19 registered first, because then you get the code for
20 the hotel; so...

21 MS. FRIEDMAN: As soon as I find out who
22 would like to go, I will get all of that information
23 for you, and I will register.

24 This is something else, also. The end of
25 the fiscal year is June 28th or 30th, whatever. So

1 that's flying day. The actual conference starts on
2 Monday, and it runs through noon on Thursday. So
3 it's three-and-a-half days.

4 THE CHAIR: Most people -- there's very
5 few people that are left there on Thursday, because
6 people start -- you know, the only people that are
7 there is because their flight leaves late, you know.
8 That's the bottom line; because they usually have
9 almost nothing really scheduled; little, "Oh, let's
10 do this," you know.

11 Because people -- and the same thing.
12 Some people don't come in until Monday, you know.
13 It just depends on where they're coming from. Some
14 people drive. And so it's --

15 COMMISSIONER ARMBRUSTER: Well, I tried to
16 find the sessions, because you can say, "I don't
17 care about this one," so you can come in later.

18 THE CHAIR: But your flying in is usually
19 either Sunday or -- if you're not there by early
20 Monday, you're going to miss all of Monday.

21 COMMISSIONER ARMBRUSTER: Right.

22 MS. FRIEDMAN: Madam Chair, if I could
23 mention, those of you who are going to the Charter
24 School Conference next week, someone from Charter
25 Schools will be picking up your travel, because --

1 this will be in next year's money. So what I will
2 do is as soon as we get into next year's money, I'll
3 start that.

4 One of the first things is to pay our dues
5 to NACSA, and then the second thing is to register
6 those people who were going to go at the lower rate.
7 And I'll get all that information, and we'll get
8 that done.

9 THE CHAIR: Okay. Thanks. Appreciate
10 that.

11 So --

12 COMMISSIONER ARMBRUSTER: So do you want
13 to confirm now? Or by Monday morning? Or what do
14 you want?

15 MS. FRIEDMAN: Let me know in the next
16 week if you would like to go. And the information
17 is on the website. If you need more information, I
18 can talk to you about it. Basically, you can pick
19 your air flights. The hotel is a very large hotel
20 on the river, probably closer to the hotel now.

21 COMMISSIONER ARMBRUSTER: Maybe you know
22 this, because I did go on the website. Sometimes
23 they say it starts on the 20th; but it really
24 doesn't. You know what I mean? Like --

25 COMMISSIONER ROBBINS: The 20th is Sunday;

1 your travel documents, if you want to be reimbursed.

2 THE CHAIR: Oh, I thought they were paying
3 for us. When you said they were picking up our
4 travel, I thought they were paying for us.

5 MS. KAREN WOERNER: Just the form.

6 MS. FRIEDMAN: Oh, no. They'll be picking
7 up your travel to give to me for reimbursement.
8 They'll give that to me the following week. And if
9 you're going to LESC or LC or anyplace like that in
10 the next two weeks -- next week and the next week --
11 in the next two weeks, I need all of that no later
12 than the 28th.

13 THE CHAIR: The LESC ends on the 26th.

14 MS. FRIEDMAN: Okay. If you can send it
15 to me as soon as possible.

16 THE CHAIR: I can put it in the mail that
17 afternoon.

18 MS. FRIEDMAN: Okay. If you have any
19 other expenses, I need that by the 28th, to be paid,
20 and in a timely manner. And as soon as we get that
21 done, then we'll send it out to you, and then send
22 it back to me as soon as you can.

23 THE CHAIR: Okay.

24 MS. FRIEDMAN: Thank you.

25 THE CHAIR: Thank you.

<p style="text-align: right;">Page 230</p> <p>1 So PEC Comments. 2 Commissioner Raftery? 3 COMMISSIONER RAFTERY: I just want to 4 comment on Raíces school. When I was in Lybrook -- 5 or Jemez Mountain -- about 2000, in the year 2000, 6 one of the schools up there in Lybrook had the -- 7 the circle teaching thing. And what they did was 8 they taught by modalities, and they taught by, I 9 guess, their culture, because it was Native 10 American. 11 And at the very beginning, it kind of 12 scared me to death, because I thought, "Now I'm in 13 charge of these people, trying to get test scores 14 and all of that." 15 But I was there for three years. It was 16 part of their culture, and they really learned a 17 lot. And that's how they learned at home. So the 18 teachers who were Native American just brought it 19 into the school. 20 The way the room was set up wasn't even a 21 regular classroom. They had the desk, you know, in 22 a different place. Kids learned thematic units -- 23 well, thematically. That's not the way they do it 24 anymore. It was like a medicine wheel or a wheel, 25 and they just kind of went around it. And as they</p>	<p style="text-align: right;">Page 232</p> <p>1 there, they were doing student-led conferences, 2 which I had never heard of before. So it's like a 3 parent-teacher conference, but the student is in 4 charge. And so we went through that. And they were 5 just spectacular students. 6 And then we saw their achievement, their 7 academic achievement. They have Grades 6 through 8 10. And the first person I saw was -- this was her 9 first year there. She arrived at below grade level, 10 and now she was above grade level. And it's only 11 because of the commitment of the teachers in that 12 school. 13 So -- but it was. They incorporated all 14 their culture into their academics and so forth; so 15 they were learning everything. And that school 16 would like to increase to Grade 11, but money is an 17 issue. And... 18 THE CHAIR: They've always been our Little 19 School That Can, you know. And it's -- the size of 20 the school has been a constant challenge. 21 COMMISSIONER DAVIS: Yeah. Recruiting and 22 retaining teachers is an issue. They had 39 23 students. 24 THE CHAIR: Yeah. And I forget how many 25 times we had to -- they had to stretch out where</p>
<p style="text-align: right;">Page 231</p> <p>1 taught the concepts, they would bring in their 2 culture and all the concepts so that the kids could 3 have that. 4 So when he was speaking -- or when they 5 were speaking, I kind of envisioned that model. And 6 it was -- it was really quite successful, and I 7 really enjoyed the three years that I observed it. 8 So, you know, it was scary. And I was 9 scared, because I didn't know how I was going to 10 evaluate it. But it was really a success. And I 11 don't know if they're still doing it. But it was 12 really a success. And I don't know if they're still 13 doing it. I don't think they are. But that's my 14 comment. 15 THE CHAIR: Okay. Thank you. 16 Commissioner Davis? 17 COMMISSIONER DAVIS: Well, I have 18 something similar to say. 19 So I was invited to do a -- to observe a 20 school year-end activity at little Navajo, 21 New Mexico. And the school acronym is DEAP. And 22 the "D" stands for some word I could never say. 23 So they did something similar. They had 24 six cultural values that they incorporated into 25 their academic learning. And the -- when I was</p>	<p style="text-align: right;">Page 233</p> <p>1 they were going to be; because they had so many 2 issues with, "Yeah, we could use this building"; 3 "No, now we can't use that building." 4 And it was really -- it was questionable 5 whether they were going to get up and running 6 because of that. So it's really -- when we look at 7 small schools, it's -- it is hard to maintain a 8 school with that few kids. 9 COMMISSIONER DAVIS: Yeah. And it's so 10 remote. 11 THE CHAIR: Exactly. So that adds all 12 those extra challenges to it. But I'm excited you 13 got to see them because they've come up often before 14 us. And it's -- you know, it's always one of those 15 little heart-wrenching things when we know they're 16 struggling to be able to just literally stay alive. 17 COMMISSIONER DAVIS: Yeah. So I was told 18 they weren't sure they would apply for renewal. 19 THE CHAIR: Oh, no. 20 COMMISSIONER DAVIS: Yeah. And it's 21 because, I think, of the money. 22 THE CHAIR: Oh, okay. Huh. Wow. 23 COMMISSIONER DAVIS: That would be really 24 sad. 25 THE CHAIR: That would be. That would be.</p>

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1 Commissioner Caballero?
2 COMMISSIONER CABALLERO: You know, the
3 returning about the circle. And I had asked
4 Mr. Aceves at one time to describe what he was
5 trying to do. Like, I think I was catching it, but
6 not completely.

7 And I had asked the ladies, and they said
8 "No, it's Carlos." And he started to. We got
9 interrupted, and he never really explained anything.
10 And I remain curious as to what -- what he was
11 doing.

12 And, of course, all his team was very,
13 very excited with what they were doing. It ran from
14 him to the organizing team to parents. And I wanted
15 to know why.

16 But, anyway, when I went from teaching in
17 the schools to junior college and university, I used
18 the Socratic Method. And it was not received by my
19 department, the Political Science department, very
20 well. And so after many years of teaching, I -- I
21 asked why I hadn't been evaluated. And the director
22 says, "You've been evaluated almost every semester.

23 And I said, "You've never been to my
24 classroom."

25 And some of the -- somebody else walked up

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1 updates with NMPSIA. New Mexico Highland, we
2 approved the agreement for them to join the risk
3 program; so they're now with NMPSIA.

4 And then we talked about looking at
5 increasing coverage. It's going to be called
6 "excess coverage," because they've had a higher -- I
7 guess a higher rate of hailstorms and all, the rain
8 and all that, and so it's causing damage. And so
9 because of that, we're looking at increasing those
10 limits, which is going to actually make an increase
11 for all of those members.

12 And then we talked about Sandy Hook. And
13 we've been talking about it for a while. We had
14 tried the STOPit program a couple of years ago. We
15 didn't get a lot of buy-in; I think Rio Rancho and
16 Clovis. And they're actually still doing it.

17 But you have to pay for that program. So
18 because the insurance pool is asking us to prove
19 that we are doing everything we can to ensure
20 student safety -- so next July 1st, I'm sure you'll
21 hear about this, because I know that they were going
22 to make a presentation at the law conference --
23 we're going to give the school districts till July 1
24 to either get in with the Sandy Hook Promise Program
25 or something similar to that. And if they choose

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1 to me and said, "He stands out in the hallway
2 listening to" -- and it wasn't a lecture --
3 "listening in." And it was all question-and-answer,
4 critical thinking. And for junior college students,
5 that was the hardest thing to get acquainted with,
6 critical thinking.

7 And -- but once they got it, they all
8 excel, very, very much, and they all learn the
9 political science or government -- the -- what most
10 of my colleagues were just regurgitating to them
11 from the pulpit.

12 And so I get it that when you start
13 something new, it's very hard to be received. But
14 you have to just continue with it.

15 THE CHAIR: Right. I know a number of the
16 people on their governance council. That's how they
17 started their first meetings. They were in a
18 circle. And they were -- it's, like, "What are you
19 doing," you know? And it was -- they really
20 hesitated; but they embraced that from the
21 beginning. And so that the -- you know, the
22 governance council is very versed in what the school
23 truly means.

24 Commissioner Ruiz?

25 COMMISSIONER RUIZ: I just have a few

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1 not to, if the school district chooses not to do
2 that, there's going to be more than likely a
3 10 percent --

4 COMMISSIONER CABALLERO: Surcharge?

5 COMMISSIONER RUIZ: You'll get charged
6 10 percent for not having that; because the insurers
7 are wanting us to prove we're doing everything we
8 can to ensure student safety.

9 But we did also talk about if, like,
10 Clovis is doing it and also Rio Rancho, I think
11 there's a couple of districts that are doing their
12 own or something similar. We're going to see how we
13 can align that, as long as it's using the same
14 criteria.

15 They wanted to do it effective August 1.
16 And I was like, "Unh-unh, you cannot do that." So
17 we moved it to July 1st of next year; so...

18 THE CHAIR: Thank you.

19 Commissioner Armbruster?

20 COMMISSIONER ARMBRUSTER: I am fine.

21 THE CHAIR: Great.

22 Commissioner Crone?

23 COMMISSIONER CRONE: So two of our

24 Commissioners were flooded out recently; so I hope
25 you have a home.

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1 Do you have a home?
 2 COMMISSIONER DAVIS: Me?
 3 COMMISSIONER CRONE: Yeah.
 4 COMMISSIONER DAVIS: Yes, I have a home.
 5 COMMISSIONER CRONE: Didn't they open the
 6 dam at Navajo?
 7 COMMISSIONER DAVIS: Yeah. So there's a
 8 lot of water in the river, and the river looks
 9 really good. I live up on top of the hill.
 10 COMMISSIONER CRONE: And thanks for the
 11 parking space today. I actually --
 12 THE CHAIR: Commissioner Robbins?
 13 COMMISSIONER ROBBINS: Well, without going
 14 into the Socratic Method, I do want to point out a
 15 couple of things besides what we shared with Matt
 16 Pahl in terms of the space and the minimum -- the
 17 space tare considerations.
 18 One thing that they did do is they looked
 19 at, for public schools, the minimum space
 20 calculations; because very small schools and very
 21 large schools were basically being shortchanged
 22 based upon the number of students, and that, you
 23 know, they were -- the old calculation was basically
 24 just the number of students. If they have
 25 10 students, this is the size school you need.

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1 They weren't taking into account that you
 2 have to have administrators, counselors, things like
 3 that. They readjusted that, and that was approved
 4 by PSCOC. Those are minimum space standards.
 5 They're not really what schools should have; but
 6 it's the minimum that they should at least be
 7 designing to, and preferably above that for program
 8 purposes.
 9 And the land leases, as I mentioned,
 10 they're going to be reevaluating that, because in
 11 cases where, you know, you have to -- you have a
 12 building, it's a portable building but you have to
 13 have a place to put it, land leases do make it
 14 appropriate. And you have to have space for parking
 15 and -- you know, a reasonable amount. So they're
 16 going to look at it from the standpoint of what's
 17 reasonable.
 18 But the last thing I wanted to say, really
 19 has nothing to do with us today except for how we
 20 started and how we start each and every convention
 21 meeting. And that's with the Pledge of Allegiance
 22 to the Flag. Today is Flag Day. A lot of people
 23 may not know it's Flag Day, June 14th.
 24 It was the date that the flag of the
 25 United States was adopted by the Second Continental

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1 Congress. And it's also the date -- June 14 is the
 2 day that's recognized as the founding of the
 3 United States Army. So it's very important that we
 4 understand that, I think.
 5 And when we pledge allegiance to the
 6 flag -- and I understand we had a member last year
 7 that stopped wanting to say the Pledge of Allegiance
 8 to the flag.
 9 We aren't pledging to a person. We aren't
 10 pledging to an administration. We are pledging to
 11 an ideal. And that ideal is put forth in the
 12 preamble to the Constitution. And the Constitution
 13 was issued because the confederacy wasn't working.
 14 And it says "We, the People of the
 15 United States, in order to form a more perfect
 16 union...," and it goes on. It doesn't say, "to form
 17 a perfect union." It says, "to form a more perfect
 18 union."
 19 And I will be the first to admit that this
 20 country is not perfect. But I think it's the best
 21 thing that's around right now. So God Bless
 22 America, and God Bless each and every one of you.
 23 Thank you.
 24 THE CHAIR: Commissioner Voigt?
 25 MS. VOIGT: Thank you, Commissioner

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1 Robbins. And you're so full of little tidbits, I
 2 mean, the football huddle and -- you've got to get
 3 on Jeopardy.
 4 COMMISSIONER ROBBINS: You know -- but my
 5 kids gave me -- years ago, they gave me an
 6 electronic game that was 1001 useless facts.
 7 Hopefully, these aren't.
 8 MS. VOIGT: No. Thank you for that.
 9 So this week, it was an honor to finish up
 10 the work with the Assessment -- Student Success Task
 11 Force.
 12 THE CHAIR: You're done?
 13 MS. VOIGT: Yes, we're done. It was such
 14 a great working group. And we really dug in to look
 15 at equity and cultural relevance behind our
 16 assessments. But I think the bigger picture, and
 17 what the PED is really supporting, is a more
 18 balanced approach to assessment, where summative has
 19 always been way down here, right, if you're looking
 20 at a teeter-totter.
 21 And so they're bringing the bar a little
 22 more level so we have summative, but we have a big
 23 block for interim assessments, and we have a big
 24 block for formative assessments, which we really
 25 know is where our instruction improves.

1 RECEIPT
2 JOB NUMBER: 2358N CC Date: 6/14/19
3 PROCEEDINGS: OPEN PUBLIC MEETING
4 CASE CAPTION: In re: Public Meeting of the Public
5 Education Commission
6 *****
7 ATTORNEY: MS. BEVERLY FRIEDMAN - PED
8 DOCUMENT: Transcript / Exhibits / Disks / Other _____
9 DATE DELIVERED: _____ DEL'D BY: _____
10 REC'D BY: _____ TIME: _____
11 *****
12 ATTORNEY:
13 DOCUMENT: Transcript / Exhibits / Disks / Other _____
14 DATE DELIVERED: _____ DEL'D BY: _____
15 REC'D BY: _____ TIME: _____
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