

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS  
COMMUNITY INPUT HEARING  
for Proposed New State Charter School  
EXPLORE ACADEMY

July 19, 2019

9:00 a.m.

New Mexico Farm and Ranch Heritage Museum Auditorium  
4100 Dripping Springs Road  
Las Cruces, New Mexico

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JOB NO.: 2363N (CC)



1 so I shall not complain.  
 2 But I cover Los Alamos; I cover Jemez and  
 3 Rio Rancho and Corrales and Placitas and part of  
 4 Albuquerque, and probably some other place that I  
 5 keep forgetting.  
 6 COMMISSIONER VOIGT: Good morning. Glenna  
 7 Voigt -- good morning. I'm Glenna Voigt, District  
 8 3, which is Central Albuquerque.  
 9 COMMISSIONER CHAVEZ: Good morning. My  
 10 name is Michael Chavez, and I am a Commissioner  
 11 representing District 6, which is -- neighbors  
 12 Commissioner Gipson's district; so everything from  
 13 Los Lunas and to the southwest.  
 14 MS. KAREN WOERNER: I'm Karen Woerner, and  
 15 I'm Deputy Director of the Charter School Division.  
 16 THE CHAIR: And the person who just left  
 17 is Alan Brauer, and he is the Director.  
 18 MS. KAREN WOERNER: He went to check on  
 19 the sound.  
 20 THE CHAIR: Yes. So thank you all for  
 21 coming today. I'm going to thank the school for all  
 22 the time and effort and energy. We know what it  
 23 takes to work on these applications; so we  
 24 appreciate all of that.  
 25 And sometimes at these meetings we tend to

1 90 minutes, which will be timed to ensure an  
 2 equitable opportunity to present applications.  
 3 During the hearing, the Commission will allow for  
 4 community input about the charter application.  
 5 The time for public comments will be  
 6 limited to 20 minutes. If you wish to speak  
 7 regarding the application, please sign in at least  
 8 15 minutes before the applicant's presentation.  
 9 Please be sure that you indicate on the sign-up  
 10 sheet whether you are here in opposition or support  
 11 of the charter school. The Commission Chair will  
 12 allocate time to those wishing to speak.  
 13 If there are a large number of supporters  
 14 or opponents, they are asked to select a speaker to  
 15 represent common opinions. We will try to allocate  
 16 an equitable amount of time to represent the  
 17 community accurately.  
 18 The Commission will follow this process  
 19 for each of their community input hearings:  
 20 The Commission will ask each applicant or  
 21 group to present at the table in front. They will  
 22 be given 20 minutes to present their application in  
 23 a manner they deem appropriate. The Commission will  
 24 not accept any written documentation from the  
 25 applicant; but the applicant may use exhibits to

1 dig into, you know, particular issues, and you  
 2 think, Oh, my god. But this is our time to get  
 3 those questions that we have answered. And also it  
 4 helps to, I hope, drive you, for whatever you feel  
 5 you need to say at the August meeting, to highlight  
 6 maybe some of those -- and answer some of those  
 7 concerns that may have been raised here. So we do  
 8 appreciate this time.  
 9 So this meeting is being conducted  
 10 pursuant to New Mexico Statutes Annotated, Title 22,  
 11 Section 8B-6J 2009.  
 12 The purpose of this Community Input  
 13 hearing that will be held on -- today is not  
 14 July 16th -- all right; so -- sorry -- I pulled up  
 15 the wrong script -- July 19th is to obtain  
 16 information from the applicants and to receive  
 17 community input to assist the Public Education  
 18 Commission in its decision whether to grant the  
 19 proposed charter application.  
 20 According to this section of the law, the  
 21 Commission may appoint a subcommittee of no fewer  
 22 than three members to hold a public hearing.  
 23 According to law, these hearings are being  
 24 transcribed by a professional court reporter. The  
 25 total time allocated to each application is

1 describe their school, if necessary. However, the  
 2 setup time for exhibits, et cetera, will be included  
 3 in the 20 minutes.  
 4 Following the applicant's presentation,  
 5 the school district representatives, which  
 6 includes -- excuse me -- superintendents,  
 7 administrators, board members, will be given  
 8 10 minutes to comment.  
 9 Subsequently, the Commission will allow  
 10 20 minutes for public comment, as described above.  
 11 And, finally, the Commission will be given  
 12 time to ask questions of the applicant.  
 13 I took out the 40 minutes.  
 14 So are the Commissioners ready to proceed?  
 15 (Commissioners present indicate.)  
 16 THE CHAIR: Thank you.  
 17 Explore Academy, you're already -- can  
 18 everyone hear me? Thank you.  
 19 For the record, please state the name of  
 20 your school, the names of the founders of the school  
 21 and any other person who is here today on behalf of  
 22 your school. And the 20 minutes will start after  
 23 you introduce yourself.  
 24 MR. JUSTIN BAIARDO: Our school is Explore  
 25 Academy-Las Cruces. My name is Justin Baiardo, one

<p style="text-align: right;">Page 10</p> <p>1 of the founders.</p> <p>2 MS. ELISHA VARELA: My name is Elisha</p> <p>3 Varela, and I am one of the founders.</p> <p>4 FROM THE FLOOR: We can't hear them.</p> <p>5 (A discussion was held off the record.)</p> <p>6 THE CHAIR: Thanks.</p> <p>7 MR. JUSTIN BAIARDO: Thank you, guys.</p> <p>8 Members of the Commission, thank for the</p> <p>9 opportunity to speak before you once again. The</p> <p>10 Explore Academy model which I am going to present to</p> <p>11 you today is similar in many ways to what was</p> <p>12 presented before this Commission over five years</p> <p>13 ago. However, the version that currently exists, we</p> <p>14 feel is a more tried and tested application of the</p> <p>15 model that was once theoretical, and as such</p> <p>16 currently exists as a more mature and refined</p> <p>17 version of its former self.</p> <p>18 Explore Academy started out as one of the</p> <p>19 biggest experiments, a model the likes of which no</p> <p>20 one had seen anywhere ever. It is New Mexico True</p> <p>21 for sure, home-grown and original. What we do at</p> <p>22 Explore Academy, we do with purpose; turn the tables</p> <p>23 on education and put students in the driver's seat;</p> <p>24 because, let's be honest, they are the clientele</p> <p>25 that we are all devoted to serve.</p>	<p style="text-align: right;">Page 12</p> <p>1 these monthly junctions. And with each choice,</p> <p>2 their paths diverge from one another, sending them</p> <p>3 along a trajectory that becomes theirs and theirs</p> <p>4 alone. Now, if the Explore Academy were open for</p> <p>5 10,000 years, no two students would ever share the</p> <p>6 same educational experience based on the choices</p> <p>7 they make for themselves.</p> <p>8 This model not only provides students the</p> <p>9 ability to choose, but their teachers to once again</p> <p>10 be the creators and inventors they set out to be</p> <p>11 originally. In a society where teachers are more</p> <p>12 and more told what to teach, when to teach, and how</p> <p>13 to teach their material, Explore Academy flips the</p> <p>14 script, allowing teachers to create flavors or</p> <p>15 classes based on their interests and their passions</p> <p>16 to better book and engage students in the content at</p> <p>17 hand. And as such, teachers and students will be</p> <p>18 paired together with one another, not randomly, but</p> <p>19 purposefully to the common interests that they both</p> <p>20 share.</p> <p>21 It's an innovative model, to be sure. And</p> <p>22 I am truly appreciative of our Commission and of the</p> <p>23 Public Education Department as a whole for</p> <p>24 supporting innovation in this model moving forward</p> <p>25 and how we propose to seek to adapt it to the</p>
<p style="text-align: right;">Page 11</p> <p>1 This philosophy of the school is built on</p> <p>2 choice theory, which asserts that when you have a</p> <p>3 choice, when you have the freedom to choose, you as</p> <p>4 an individual are happier and more invested and more</p> <p>5 successful in what you're doing.</p> <p>6 So why not trust students to determine</p> <p>7 what's best for them? In a world where everything</p> <p>8 is built around the individual, why is the manner in</p> <p>9 which one is educated left off the map? Why can't</p> <p>10 our youngest citizens customize their education,</p> <p>11 like they're used to in every other aspect of their</p> <p>12 lives?</p> <p>13 So that's what we do. That's what we plan</p> <p>14 to do in Las Cruces. For every subject from PE to</p> <p>15 English, art to science, every class will be an</p> <p>16 elective, and students will make choices to direct</p> <p>17 their own educational pathways. With what we have,</p> <p>18 over a 1,000 flavored themes that we will offer to</p> <p>19 students, the combination of choices they will come</p> <p>20 to make in assembling their own education will</p> <p>21 become near infinite, and as a result, will create</p> <p>22 something that is entirely unique. It becomes their</p> <p>23 own educational fingerprint.</p> <p>24 At Explore Academy, students will change</p> <p>25 classes every 22 days with new choices at each of</p>	<p style="text-align: right;">Page 13</p> <p>1 Las Cruces area and its families.</p> <p>2 The one-size-fits-all approach to</p> <p>3 learning, we feel stands awkwardly out of place</p> <p>4 amidst the landscape of diversity we see in every</p> <p>5 other aspect of our lives. And we will continue to</p> <p>6 push the Explore Academy model in exemplifying the</p> <p>7 principle that there are more avenues towards</p> <p>8 success.</p> <p>9 There is no doubt I come to you today to</p> <p>10 present this model in a new environment, one which</p> <p>11 has not shown proven success. It's a blank slate.</p> <p>12 However, what we feel is the heart of the</p> <p>13 model's success is not a specific subset of</p> <p>14 students, a specific demographic, or a specific set</p> <p>15 of teachers or administrators; but, rather, this</p> <p>16 model is a framework that can be customized for</p> <p>17 success by new teachers who seek to engage students</p> <p>18 in the communities they currently serve.</p> <p>19 Good teaching is good teaching. What the</p> <p>20 Explore Academy model provides is a platform for</p> <p>21 teachers to be the best teachers they can be and to</p> <p>22 empower them to better connect with students and</p> <p>23 enjoy their interactions every day.</p> <p>24 We feel that not only is there a lack of</p> <p>25 choice in education here in Las Cruces, but that</p>

<p style="text-align: right;">Page 14</p> <p>1 what the Explore Academy model offers is something 2 that this community can specifically benefit from. 3 Yes, there exists a sampling of charter 4 schools from which parents can choose; but the 5 framework we provide allows -- allows for, takes 6 choice to another level altogether, because not only 7 will students select to attend Explore Academy, but 8 in doing so, they would be opening up a new world of 9 choice for themselves, and, in essence, they would 10 be choosing to have more choice, which is where we 11 set ourselves apart from the other options provided 12 throughout the area. 13 With greater individualism in educating 14 our students comes greater accountability, no doubt. 15 With the framework we have proposed to provide, we 16 offer a more resolute insight into student learning. 17 In the traditional semester-based system, 18 students take courses or classes several months and 19 receive a letter grade that represents the 20 mathematical average of how students performed in 21 that semester. 22 But what does that grade really tell us? 23 What does that grade reveal about the student's 24 specific level of comprehension in specific areas? 25 As an educator, I am more familiar with</p>	<p style="text-align: right;">Page 16</p> <p>1 Our students will graduate having mastered 2 every single academic standard set before them. A 3 school this high where students are held to higher 4 standards of accountability is surely in the best 5 interests of our students in the community as our 6 students prepare for success in the future. 7 We feel like, as we've come down to 8 Las Cruces over the last several months, we've been 9 privileged, I think, to be warmly received and 10 welcomed by over 100 families that we've met with 11 over the course of the last -- I guess it's several 12 months, and currently have over 150 students who 13 have expressed interest in attending Explore 14 Academy. 15 We've had three very successful family 16 information events, which have been 17 standing-room-only, I'm proud to say. We've held 18 meetings in Spanish and English, we feel like to be 19 representative to the populations we seek to serve. 20 We've been staying out -- Ms. Varela and I have 21 stayed out here for -- till they actually kick us 22 out, basically, speaking to parents -- Ms. Varela in 23 Spanish and myself in English -- to help parents 24 understand our model, how it is complex. And we 25 feel like we want to provide as much insights into</p>
<p style="text-align: right;">Page 15</p> <p>1 this -- more than familiar with this problem, how 2 students can struggle and fail, even in multiple 3 areas within a curriculum, and still come out in the 4 end deemed as proficient in all the standards 5 provided therein. With that certification, they 6 pass on to the next level with gaps in what they've 7 learned. 8 If the goal of a school is to educate 9 students and to ensure that they have achieved the 10 required competencies, then it's surprising how 11 little accountability is actually placed in 12 determining what students learn. I would submit 13 that most schools, in fact, do not know what their 14 students know. 15 In sharp contrast, with the Explore 16 Academy model, students are assessed in a more 17 specific manner and are held accountable for each 18 standard as dictated by the State. They are held 19 accountable to higher standards and must prove their 20 proficiency in each standard before they are awarded 21 credit. 22 And while our academic model is colored 23 with a highly diverse palate of creativity and 24 choice, it is, at its foundation, one of the most 25 highly accountable educational systems in the state.</p>	<p style="text-align: right;">Page 17</p> <p>1 what we are offering or what we plan to offer to the 2 community. 3 That being said, with the overwhelming 4 support we have received, we have had an 5 overwhelming amount of parents who have expressed 6 difficulty in attending this meeting on a workday at 7 9:00 a.m. Some of them are coming today. I have 8 directed a lot of them to present their support over 9 e-mail. I'm not sure if there's another way to do 10 that; but that's what we've kind of guided them. If 11 they want to convey their support, if they cannot 12 attend on this day, that's what we've offered them. 13 Other than that, members of the 14 Commission, thank you very much for allowing us to 15 share additional insights into our proposal for 16 Explore Academy-Las Cruces. 17 THE CHAIR: Thank you. 18 So I'm going to ask, is there anyone here 19 from LCPS? 20 FROM THE FLOOR: (Indicates.) 21 THE CHAIR: So please come forward. 22 MS. TARYN LANDIN: Good morning. 23 THE CHAIR: Okay. Just give me a second. 24 MS. KAREN WOERNER: You're speaking on 25 behalf of the District; correct?</p>

1 MS. TARYN LANDIN: Correct.  
 2 THE CHAIR: I'll just remind you to state  
 3 your name for the record.  
 4 MS. TARYN LANDIN: Yes. Good morning. My  
 5 name is Taryn Landin. I'm Chief of Staff for  
 6 Las Cruces Public Schools, and I am here speaking on  
 7 behalf of the Superintendent and the Administration  
 8 of Las Cruces Public Schools.  
 9 The Administration of LCPS is opposed to  
 10 the establishment of the charter school, Explore  
 11 Academy, within Las Cruces, the reason being we feel  
 12 like, as a district, we have a variety of options  
 13 available to the students, and we are working very  
 14 hard to expand that portfolio of options to our  
 15 families and students.  
 16 We are strengthening our dual-language  
 17 program. We have a -- we are strengthening our  
 18 dual-credit program. We've got an early college  
 19 high school; we've got strong partnerships with both  
 20 the University and Doña Ana Community College, the  
 21 workforce here.  
 22 And we have also the highest graduation  
 23 rate of any large district within the State of New  
 24 Mexico. So we feel like we're doing a pretty good  
 25 job of educating the students.

1 We've got project-based learning  
 2 opportunities. We've got Project Lead the Way in  
 3 our high schools. We've just -- we do have many  
 4 things going on.  
 5 We feel like the establishment of a  
 6 charter school would diminish or decrease the  
 7 resources available to the school district, and we  
 8 are working diligently to provide the opportunities  
 9 that the students and families of Las Cruces need.  
 10 THE CHAIR: Thank you so much. We  
 11 appreciate it.  
 12 MS. TARYN LANDIN: Thank you.  
 13 THE CHAIR: So we have four people that  
 14 have sign- -- we have four people that have signed  
 15 up for public comment. So you have five minutes  
 16 apiece, if you wish to take it. You do not have  
 17 to -- you do not have to take it all.  
 18 And the first person on the list is Linda  
 19 Morgan Davis.  
 20 FROM THE FLOOR: Hi. I really think I put  
 21 down I wasn't going to speak; but I'm happy to  
 22 speak.  
 23 I'm Linda Morgan Davis. I'm with L&D  
 24 Associates Consulting Group.  
 25 THE CHAIR: Sorry. I apologize.

1 FROM THE FLOOR: It's okay. Now that I'm  
 2 here, I'm happy to speak. And we have been  
 3 consulting with Explore Academy on this application.  
 4 And I think it's a wonderful opportunity for  
 5 students in Las Cruces. It's been a successful  
 6 model in Albuquerque with great graduation rates,  
 7 and we're very happy to be here in support of the  
 8 Explore Academy-Las Cruces. Thank you.  
 9 THE CHAIR: Sorry. I didn't know there  
 10 were two sheets.  
 11 So the first person on this list is Toni  
 12 Hill [verbatim].  
 13 FROM THE FLOOR: Hi. My name is Toni  
 14 Hull, and I'm speaking on behalf of myself. I'm an  
 15 educator of over 25 years, and I have always done  
 16 things differently in my classroom. Kids -- we know  
 17 technology has changed the way kids learn and the  
 18 way they need to advocate for themselves. And we  
 19 need to really evolve and give kids options.  
 20 So not everyone fits -- you know, I grew  
 21 up in the traditional school setting as well. It  
 22 was fine for me. But the thing is I have noticed,  
 23 as teaching has evolved over those 20 -- now six --  
 24 years, kids change. And it's because of what we  
 25 carry around in our pockets.

1 They have the information. We, as the  
 2 educators, need to be the ones to facilitate their  
 3 critical thinking, their passion, their creativity,  
 4 and to advocate for those skills that they need,  
 5 such as time management, being able to -- can they  
 6 create a plan for themselves? And that's what I see  
 7 in this model. Kids need that; because otherwise,  
 8 they come out of school, and they don't have those  
 9 tools.  
 10 So it's a big part of what we need, as  
 11 educators, to really help them excel.  
 12 And, you know, I come from New York. I  
 13 don't know if you noticed my accent. But New York  
 14 and New Mexico, the thing is doing what's best for  
 15 kids. And we do what's best for kids, you know,  
 16 every day in our classrooms.  
 17 How can we give kids that don't learn in  
 18 this visual way a different way, another option, a  
 19 way to really find out what their passion is about  
 20 and then become that person and that leader and  
 21 whatever it is they want to do; because no matter  
 22 what, they have to advocate for their lives and to  
 23 have the best lives possible.  
 24 And that's what I see when I look at what  
 25 the Explore Academy model is about. It's about

<p style="text-align: right;">Page 22</p> <p>1 exploring the content and making sure kids get the 2 content and excel in them; but also how do they know 3 how to navigate the world. 4 I was teaching Master of Health in the 5 Department of Education in 2012, and I traveled to 6 over 11 states visiting hundreds of schools. And 7 what I've noticed -- and I've read many, many 8 applications on how to -- you know, those schools 9 that want to be Blue Ribbon Schools and all that, 10 what is the successful school? It's about kids 11 being empowered and also being -- having those 12 choices to pursue their passion in the way that they 13 want. 14 Even though they have to learn that math 15 standard, how can they learn it "in a way that 16 appeals to me"? And as an educator, sometimes 17 that's really been hard, over 25 years, to evolve; 18 because we started off one way, and now it totally 19 looks different in the classroom. 20 That's what I've seen in my visits to 21 successful schools, kids that have those empowering 22 activities and those skills and experience-based 23 learning that equip them for the future. And that's 24 what we want for our kids. 25 Thank you.</p>	<p style="text-align: right;">Page 24</p> <p>1 Academy, I'm nervous about my school for lots of 2 reasons, like most parents. But because of my 3 child's challenges, if you will, I think an option 4 like Explore Academy would be so beneficial for him. 5 We went to the meeting last night. And he 6 is super-jazzed, just about the idea of getting to 7 have a choice in what he's learning in a smaller 8 class size, and then also just how often they're 9 able to -- like, the terms are so much shorter 10 instead of semester-long. 11 Because he is -- his brain is just 12 constantly working. So being able to transition 13 quicker into different topics was really, really 14 exciting for him. 15 So I am just here to speak in support. 16 Thank you. 17 THE CHAIR: Thank you. 18 Next is Trina Witter. 19 FROM THE FLOOR: Hi. My name is Trina 20 Witter, and I am a parent of two girls. I have a 21 senior at Las Cruces High School and a rising 22 fourth-grader. I just wanted to echo what a 23 couple -- and I'm here in support of the Academy. 24 I -- some of our background is we have 25 done a little bit of public school; we've done a</p>
<p style="text-align: right;">Page 23</p> <p>1 THE CHAIR: Thank you. 2 Next is Kristen Chastine. 3 FROM THE FLOOR: Hi there. My name is 4 Kristen Chastine, and I am in support of the Explore 5 Academy-Las Cruces. And I'll also be reading on 6 behalf of a couple of parents that were not able to 7 attend today. Is that okay? 8 I cannot do that? 9 THE CHAIR: I'm going to ask you that you 10 can submit those -- just like, literally -- well, to 11 the person to your left. Yes. Those, you can 12 submit, and they'll go into the record. 13 FROM THE FLOOR: Okay. And then I'd like 14 to also just speak on behalf of myself. I have two 15 kids that are in elementary school. And I'm not 16 coming from a place of, "We've had a terrible 17 experience." We've actually had a really great 18 experience. We're at Hillrise Elementary, and we've 19 had a great experience. 20 However, my son is -- I don't know how to 21 say it, other than very outside the box. He's 22 gifted; he's extremely bright. I know all kids are 23 very unique and special; but he is an 24 outside-the-box kind of kid. 25 And so when we heard about Explore</p>	<p style="text-align: right;">Page 25</p> <p>1 little bit of private school. And I also have -- 2 both my daughters are gifted in the AES program. 3 The youngest one that will be a fourth-grader, 4 she -- we tried public school last year. She had 5 been home-schooled basically before that. And it 6 was not a good fit for her. 7 I was told that she would not be 8 accelerated in her reading because they didn't do 9 that, and it was just like that in math. And it was 10 just very frustrating. She was just kind of 11 plateauing, even though her IEP indicated that she 12 needed these things. 13 So I -- really, when I learned about the 14 Explore Academy, I was very excited about the idea 15 of having another choice. And, again, to echo what 16 some of the other people have said, just letting my 17 youngest have a choice in how her learning 18 progresses. Because she and -- she -- her mind is 19 working so busily. And we do a lot of field trips 20 and we do a lot of, you know, non-traditional-type 21 schooling. We do our book schooling at home; but 22 we're also out there in the community doing 23 community service and just a lot of variety. 24 She really needs that variety and that 25 choice. And that's why I'm here to support the</p>

<p style="text-align: right;">Page 26</p> <p>1 school.</p> <p>2 Thank you.</p> <p>3 THE CHAIR: Thank you.</p> <p>4 And, finally, George Moreno.</p> <p>5 FROM THE FLOOR: Good morning. My name is</p> <p>6 George Moreno, and I'm here in support of Explore</p> <p>7 Academy. I want to share three stories that I think</p> <p>8 will help you understand why having a school like</p> <p>9 Explore Academy here will be beneficial to the</p> <p>10 students in Las Cruces.</p> <p>11 So we moved out here three years ago from</p> <p>12 Virginia --</p> <p>13 (Reporter cautions.)</p> <p>14 FROM THE FLOOR: -- in 2016, after</p> <p>15 [inaudible] award. We brought our kids here, and</p> <p>16 then we enrolled them at Highland High School. They</p> <p>17 both have IEPs. One has a gifted IEP; one has a</p> <p>18 developmental delay IEP.</p> <p>19 When we asked for some of the services</p> <p>20 that we were receiving in Virginia for our kids, the</p> <p>21 school came back and said, "We can't do that. We</p> <p>22 only have these things available, and that's all --</p> <p>23 that's all you can get. Those are basically the</p> <p>24 options you have."</p> <p>25 We reached out to the Superintendent,</p>	<p style="text-align: right;">Page 28</p> <p>1 child who has a developmental delay.</p> <p>2 When they start school, they're ahead of</p> <p>3 their peers. But they cannot get differentiated</p> <p>4 services. So what happens is they converge to the</p> <p>5 average. The average is whatever the teacher has to</p> <p>6 teach the rest of the students.</p> <p>7 So there's really no options. We have</p> <p>8 offered the school and the school district options,</p> <p>9 ideas of how they might improve. And it takes a</p> <p>10 really long time for them to implement any of those</p> <p>11 ideas, if they have even considered them.</p> <p>12 As a result, we've looked to move back to</p> <p>13 Virginia, looked to move to other states. We've</p> <p>14 lived in other states. The schools at LCPS, by far,</p> <p>15 have been the worst schools that our kids have</p> <p>16 attended since they've been in school.</p> <p>17 So bringing in a school like Explore</p> <p>18 Academy will create competition within this area and</p> <p>19 provide kids an opportunity to choose how they want</p> <p>20 to pursue their education. And there's no more</p> <p>21 power than when you are passionate about the things</p> <p>22 that you're doing. And when schools like Explore</p> <p>23 Academy and their model provides the curriculum that</p> <p>24 follow the standards in a way that they are</p> <p>25 passionate about, the kids will definitely pursue</p>
<p style="text-align: right;">Page 27</p> <p>1 tried to get a hearing with him, was not able to do</p> <p>2 that for at least three months; ultimately, got</p> <p>3 access to the community representative at the LCPS</p> <p>4 to address the issues we were having, where -- so</p> <p>5 the administrator called the FBI on me. And I had</p> <p>6 the FBI Customs Support Protection, come to my house</p> <p>7 [inaudible] an FBI agent.</p> <p>8 I addressed this with the community</p> <p>9 representative at the LCPS. And I was trying to get</p> <p>10 accountability for what had happened. There was an</p> <p>11 individual that was not part of an IEP meeting that</p> <p>12 was informed about some of the situations that had</p> <p>13 occurred. My daughter had been lost from the school</p> <p>14 bus. So in a nutshell, what ended up happening was</p> <p>15 there was no accountability for that teacher.</p> <p>16 The services that are provided to my kids</p> <p>17 were actually [inaudible]. And I feel it was in</p> <p>18 retaliation to what had occurred in me trying to get</p> <p>19 accountability for that teacher.</p> <p>20 So that's one story.</p> <p>21 Second story. One of my childs [verbatim]</p> <p>22 has a gifted IEP. She gets 30 minutes in AES</p> <p>23 supports. In the summer, she advances, moves ahead.</p> <p>24 She is now going to go to enter sixth grade. Every</p> <p>25 summer we've been here, she's advanced. So has my</p>	<p style="text-align: right;">Page 29</p> <p>1 those things.</p> <p>2 The third story which I want to add to</p> <p>3 that is I have a brother who went to a charter</p> <p>4 school in El Paso, went from public school to</p> <p>5 charter school. He was struggling a lot in public</p> <p>6 school in El Paso.</p> <p>7 I understand charter schools are also</p> <p>8 public schools, but [inaudible] matters. He ended</p> <p>9 up going to charter school from middle school,</p> <p>10 stayed there until he graduated high school.</p> <p>11 The opportunities that he received at the</p> <p>12 charter school at the -- the educational</p> <p>13 differentiation made a big difference in his -- in</p> <p>14 his educational success. He graduated high school,</p> <p>15 military school, went approximately 60 credit hours</p> <p>16 in college. So he will be entering college with --</p> <p>17 as a junior. He received Congressional awards for a</p> <p>18 lot of the robotics competitions that he</p> <p>19 participated in, thanks to the opportunity the</p> <p>20 charter school offered which LCPS does not offer.</p> <p>21 Even if you go and ask different schools</p> <p>22 within the district -- I've been to White Sands,</p> <p>23 I've been to Highland. I've been to schools about</p> <p>24 what they have available. They don't have a lot of</p> <p>25 those things available. They don't have the</p>



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1 technology. They don't have the teachers.  
 2 So with that, I'll end it. Thank you.  
 3 THE CHAIR: Thank you. I was waiting for  
 4 the other sound. What is that sound?  
 5 MS. KAREN WOERNER: We don't have  
 6 Melissa's phone.  
 7 THE CHAIR: Thank you very much. And that  
 8 concludes all those that signed up for public input;  
 9 so I appreciate everyone's comments.  
 10 I'd also like to recognize that we've now  
 11 been joined by Commissioner Caballero. So welcome,  
 12 and thank you for traveling down.  
 13 I'll indulge everyone in asking for a  
 14 five-minute break before we start our questions.  
 15 I'd just appreciate it. So thank you. We'll take a  
 16 short early break and run out of the room.  
 17 Thank you.  
 18 (Recess taken, 9:38 a.m. to 9:43 a.m.)  
 19 THE CHAIR: Okay. So thank you once  
 20 again. And thank everyone, once again, for  
 21 indulging us the time and giving your comments.  
 22 I don't have a lot to really dig into with  
 23 your program, because we've done contract  
 24 negotiations; we've done amendment requests. So I  
 25 think I'm fairly clear with the programming of the

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1 school.  
 2 But I'm going to dig in a little bit with  
 3 the -- the local issues here. Because, obviously,  
 4 it is my district, and I've lived here for a while  
 5 now.  
 6 So, historically, I'm going to go back to  
 7 when LCPS proposed the opening of Early College High  
 8 School, and then after that, the medical early  
 9 college, if that's what we want to call it. And  
 10 I -- you know, we're still kind of Small Town USA  
 11 here. And I remember the local high schools all  
 12 objecting to the creation of -- it was -- it was not  
 13 a pretty process, that there was overwhelming  
 14 concern by the schools for their own school district  
 15 to create this expansion -- expansion school and the  
 16 sentiments that were brought out during that time  
 17 about culling off some kids and these are programs  
 18 that we offer.  
 19 I think during that process -- I think  
 20 LCPS listened fairly well to the concerns. And if  
 21 you look at the programmings that are offered in the  
 22 high schools that we have, they are incredibly  
 23 varied and evolving all the time, from animal  
 24 husbandry and a lot of agriculture and STEM programs  
 25 this year. We had one high school here that

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1 partnered with the home-builders, and they're in a  
 2 trades program with them; so that -- and I think  
 3 Justin and I, about two years ago, even, talked on  
 4 the phone about this when he initiated this with,  
 5 "What's the climate down there?"  
 6 And it's like we're not a very big  
 7 community. So we're getting towards a saturation  
 8 point. I think even if LCPS wanted to open another  
 9 magnet school or something, it's, like, where would  
 10 they go; because, also -- this is the neighborhood I  
 11 live in.  
 12 So the high school that's just to the east  
 13 of me, when that was opened, it wasn't a, "Build it,  
 14 and they will come." It was, "Build it and no one  
 15 wanted to come to it," because, you know, a simple  
 16 sentiment here, LCPS, "Once a dog, always a dog."  
 17 So that, "My kids went to Oñate."  
 18 "My kids graduated from Mayfield."  
 19 "My kids graduated from LCPS" -- I mean,  
 20 "I did; so my kids are going to graduate from  
 21 there."  
 22 There is -- there's a lot of tradition  
 23 rooted in this community.  
 24 So that it took a long time to get folks  
 25 to go out to a school that had an incredible amount

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1 of different offerings, a facility that offered  
 2 every technological advance that you possibly could  
 3 have; yet, it was like a boondoggle for a while.  
 4 So that that's -- that's part of the  
 5 concern that I have. LCPS has been, in my mind, a  
 6 pretty good partner with charters here. They've  
 7 offered services that, as a State charter, that  
 8 school districts don't have to offer to help move  
 9 our charters forward.  
 10 But they have. And, of course, the  
 11 building program that they undertook a couple of  
 12 years ago, certainly, we appreciate.  
 13 So that it's a little concerning when  
 14 someone from the school district comes and offers  
 15 comments not in support; because I've always viewed  
 16 them as a partner with our -- with our charters.  
 17 And then, finally, for now, the facilities  
 18 issue, you know. We've had two years now, in a row,  
 19 where schools that we have voted to open, they've  
 20 had unimaginable delays with building; so that last  
 21 year, the two schools that we were opening were  
 22 delayed actual- -- actually all three schools that  
 23 we opened had significant delays, some more than  
 24 others.  
 25 But as a result of those delays, at least

<p style="text-align: right;">Page 34</p> <p>1 two of our schools -- because -- once again, because  2 of those delays, saw less than half of the kids  3 actually end up coming to the school that year  4 because they didn't open when school was going to  5 open. And, you know, "I want my kids to start  6 school." So that is a concern.  7 So just so that -- it's a conversation  8 that the Commission is engaging in. And I think  9 it's going to be very likely that, with the  10 commencement of operation, you're going to have to  11 have your E-Occupancy. It can't be a condition of  12 the commencement; because we're -- this year, both  13 of the schools that we were -- that we are opening  14 will not be opening in the facilities that they had  15 told us they were going to be in.  16 So -- and that's in areas other than  17 Las Cruces. And we know that, fortunately for LCPS,  18 they don't have just decaying buildings sitting  19 around that we've got space available. And we don't  20 have a lot of empty facilities, period.  21 So when I looked at your application and  22 the two -- the two pieces of property that you --  23 that you indicated, I have separate concerns about.  24 My understanding is, with the church  25 facility, they only want to sell it and they don't</p>	<p style="text-align: right;">Page 36</p> <p>1 an option.  2 So that is an overarching concern, that  3 where you go, how you do it, and how do you fulfill  4 that promise to the community that you're going to  5 open August of 2020.  6 MR. JUSTIN BAIARDO: Okay?  7 THE CHAIR: I think so, for now.  8 MR. JUSTIN BAIARDO: Do I need a mic? I  9 think --  10 THE CHAIR: Oh, it's right there. I don't  11 know. You have to ask the folks back there if you  12 need a mic.  13 Yes, you do.  14 MR. JUSTIN BAIARDO: We -- we went  15 through -- we'll start backwards, go facilities.  16 The problem in Albuquerque, I think, parallels the  17 same challenges that are here. And I think we've --  18 we went through that.  19 We had our -- our three-facility  20 jump-jump-jump. We spent our time in the church.  21 Every charter school spends some time in a church or  22 a strip mall, that phase that a school goes through.  23 We've -- we had the benefit this time around of  24 having a track record, at least for the academic  25 model.</p>
<p style="text-align: right;">Page 35</p> <p>1 want to even divide it out. So I think that's not  2 a -- not a -- really an available option. And it is  3 only three blocks from a middle and a high school  4 charter. So I had a significant concern about --  5 about the proximity.  6 The second one, San Saba, you know, it's  7 just a typical warehouse.  8 MR. JUSTIN BAIARDO: Right.  9 THE CHAIR: So that is going to take  10 significant build-out. And based on when we vote  11 for this, I don't see that you can get the  12 permitting done and -- and as I think even the  13 Director will attest, we've been spending a lot of  14 time talking about traffic issues with schools and  15 traffic impact studies that now appear to be  16 required when a school is opening. So there's --  17 there's delays between county and state entities to  18 even get those permits.  19 The one school here that we're opening  20 this year, it was -- through no fault of their own,  21 it was the permitting processes just took so long  22 that construction didn't start on time.  23 And then it becomes, "Okay, so you can't  24 open on time. Where do you go?"  25 And, honestly, there isn't -- there isn't</p>	<p style="text-align: right;">Page 37</p> <p>1 THE CHAIR: I'm sorry. You have a what?  2 MR. JUSTIN BAIARDO: Track record, that we  3 have a successful model that we feel like we can  4 implement in other environments. And with that  5 comes the comfort with -- with investors that we  6 have worked with.  7 We started this process early on in the  8 spring with a -- actually, several investors that  9 were looking to -- at facility options with us in  10 Albuquerque, didn't end up going with them in the  11 end. But the -- where I feel like we're going with  12 our facility solution is through a private placement  13 bond, which is a great opportunity for a school to  14 enter into -- into a --  15 THE CHAIR: Can you -- I'm sorry. I'm --  16 I guess I'm having difficulty -- you're going to do  17 what?  18 MR. JUSTIN BAIARDO: We have an investor  19 who will -- we will purchase -- a private placement  20 bonds investor. We did a public offering for the  21 school in Albuquerque, where we -- a bond market  22 deal, where the school ended up purchasing the  23 building, which is what a lot of charter schools do.  24 We would do the same thing here in  25 Las Cruces, and were able to do it our very first</p>

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1 year, prior to even opening.  
 2 So the bond deal that we did in  
 3 Albuquerque in a similar way, we already have --  
 4 we've been working with the investor to have the  
 5 same deal here in Las Cruces at a good interest rate  
 6 for a school to build a brand new facility. So  
 7 we've identified three parcels of land, two of which  
 8 we are specifically honing in on, and having working  
 9 on.  
 10 We understand the timeline with the --  
 11 obviously, your approval is what it is. Middle, end  
 12 of August, everything has to kind of wait until that  
 13 point in time. But we have been working with the  
 14 contractor, architects. Up to this point, you know,  
 15 they, obviously, with the presumption that we would  
 16 get approved; but then knowing that what we're  
 17 working for may not end up coming to existence,  
 18 obviously, pending your approval; but to have a new  
 19 facility built for us starting in August, basically,  
 20 and actually start the groundwork for closing on  
 21 property -- and absolutely right. It is a very  
 22 aggressive timeline to be open by next August; it  
 23 absolutely is.  
 24 If we could push the vote to July or even  
 25 May or June, it would be ideal for a new school for

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1 the facility piece. But for our specific purposes,  
 2 I mean, because we are waiting on -- on a vote for  
 3 approval in August, that's when I think everyone --  
 4 you know, all the parties who are a part of building  
 5 a new facility kind of have to wait until you are --  
 6 you know, you're officially approved before we move  
 7 forward.  
 8 Prior to that, though, prior to August we  
 9 have been working, like I said, with architects and  
 10 a general contractor and an investor who is willing  
 11 to do a bond deal with us to purchase land and build  
 12 a campus for us. So we feel like the facility needs  
 13 are -- we've addressed them, and we're actually able  
 14 to bring a brand new facility to the families of  
 15 Las Cruces.  
 16 THE CHAIR: I'm going to tell you that  
 17 each of the schools we've had have had maybe not a  
 18 bonding plan, but they've had a construction plan.  
 19 But that it is completely out of your control when  
 20 the County and the State comes in --  
 21 MR. JUSTIN BAIARDO: Absolutely.  
 22 THE CHAIR: -- and says, "You have to do  
 23 this study," and the permits sit for literally  
 24 months --  
 25 MR. JUSTIN BAIARDO: Yup.

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1 THE CHAIR: -- on the County level, that  
 2 that's -- we've got the track record of it not  
 3 happening.  
 4 MR. JUSTIN BAIARDO: Sure.  
 5 THE CHAIR: And, you know, schools have  
 6 hired, you know, project managers to make sure --  
 7 but you can only sit at the -- at the government  
 8 office for so long, you know, begging for those  
 9 permits to be -- so -- and is this bond coming -- is  
 10 this your foundation that you bond through?  
 11 MR. JUSTIN BAIARDO: Yeah, because the  
 12 school can't take on the debt. So the foundation,  
 13 right.  
 14 THE CHAIR: Where are the three pieces of  
 15 property?  
 16 MR. JUSTIN BAIARDO: The two are -- the  
 17 one -- the factory.  
 18 THE CHAIR: San Saba.  
 19 MR. JUSTIN BAIARDO: Yeah. We've -- we're  
 20 kind of keeping that one as an existing building.  
 21 That's still in the running. The -- I'll mention  
 22 the two that were specifically -- I think --  
 23 MS. ELISHA VARELA: Most likely.  
 24 MR. JUSTIN BAIARDO: -- yeah, I guess  
 25 we're in current discussions with. One is off of

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1 I-70 and Rinconada. There's a Walmart up further  
 2 north up there, and there's an adjacent -- it's  
 3 about 9 or 10 acres, which is -- we're talking to  
 4 the developer up there.  
 5 The other one is the -- the old golf  
 6 course, I-70 and -- it's Solano and Madrid.  
 7 THE CHAIR: In that medical complex.  
 8 MR. JUSTIN BAIARDO: Correct. So we've  
 9 been talking to the ownership of that entire  
 10 development. And the medical facility is going up.  
 11 We'd be on, I believe, the southeast end of that  
 12 particular -- it's, like, 110 acres.  
 13 So to address your point, I do think  
 14 temporary facilities on that site would be, as a --  
 15 as a facility -- I mean, if the site ends up -- the  
 16 deal goes through and sites purchased by September,  
 17 which is our goal, our timeline, to have a backup  
 18 plan for at least being able to put up temporary  
 19 facilities on the site for the months leading up.  
 20 So let's say we start school in portables  
 21 for the first three months, but the school is being  
 22 built next to those portables, we can convey some  
 23 degree of confidence that parents come to a school.  
 24 If the students are in portables for one or two  
 25 months as the school opens -- just to make sure the

<p style="text-align: right;">Page 42</p> <p>1 school opens, but the pertinent facility is being 2 built on the same premises, I don't feel like we'll 3 lose families just based on the fact that they'll 4 see the facility. 5 THE CHAIR: I appreciate the fact. But a 6 lot of the issues that are delaying with -- you'd 7 still face because of the traffic pattern and things 8 like that, it doesn't matter if you're putting 9 portables or a permanent facility there. Those are 10 the issues that -- because the one school that we 11 had that struggled to open, it was a manufactured 12 that they were putting up. So it was the -- you 13 know, it was the traffic concerns. 14 I have a concern about not knowing exactly 15 where, because I think it's -- you're talking about 16 different communities of people that you can 17 potentially draw from. So when you're talking about 18 pieces of property that are that far apart, the 19 school district doesn't understand the impact for 20 them to adequately provide feedback to us. 21 And for us, we don't -- we don't have a 22 better sense of what the particular impact is for 23 that community, because they are two different -- 24 you know, or, actually, three very distinct areas. 25 And that's -- that's a challenge we're</p>	<p style="text-align: right;">Page 44</p> <p>1 You know, I spoke to you about the setting 2 on the phone that same day, about the longer runway 3 of giving schools a year and a half to open would be 4 ideal; like you said, the permitting process, the 5 rezoning if it has to go through that, makes it very 6 challenging. 7 I think we're -- with what we are 8 proposing and what we're planning to do, I think we 9 have the best possible plan put out in terms of 10 providing our students with a -- with a new facility 11 that families and students can come to and be 12 attracted by and proud for attending. 13 You're right, in terms of where we're 14 located, we're almost at the behest of where is the 15 real estate? Where are the opportunities for you to 16 build a school? You know, it's -- we can't go so 17 far out of the city that, you know, it becomes 18 prohibitive for parents to travel every day to the 19 school. So, I mean, it's a balancing act. We 20 understand. Absolutely. 21 THE CHAIR: Right. I don't know if you 22 want to address any of the other -- 23 MS. ELISHA VARELA: Yeah. We have -- 24 Madam Chair, I did want to just mention 25 construction-wise that I think because we -- I've</p>
<p style="text-align: right;">Page 43</p> <p>1 facing as well, that if there's a commitment to 2 build here -- and I'm not accusing you of this -- 3 but it almost becomes, like, a bait-and-switch. 4 "Oh, we're going to say we're going to build here, 5 but then that didn't work out, so now we're going to 6 go way over here," and it's a whole different 7 community of people that you're -- especially when 8 you're looking at your early build-out being middle 9 school, that it becomes more of a -- a community- -- 10 MR. JUSTIN BAIARDO: Sure. 11 THE CHAIR: -- -based school. 12 MR. JUSTIN BAIARDO: Yeah. 13 Madam Chair, I do feel -- I agree. I 14 think it's -- it's difficult without -- you know, 15 it's cart before the horse in a sense, sometimes, 16 you know, to wait for approval; but what can you do 17 before you're approved. And, you know, we feel like 18 facilities has taken -- at least in Albuquerque with 19 our operation, we feel like facility piece has 20 taken -- about half my job has been about 21 facilities. 22 I mean, we're there. We're in a stable 23 place in Albuquerque, and that's all well and good. 24 Absolutely. I do feel like -- it puts new schools 25 in a tough bind with the timeline.</p>	<p style="text-align: right;">Page 45</p> <p>1 been talking with the local contractors, too, they 2 already know kind of the issues. Like, they, right 3 away -- "Well, that's funny." Like, "Haha." 4 So in their designs and the way that 5 they're looking, they already know that it's not 6 just about phasing in as we grow; but the first year 7 probably would have to be a phased project. 8 And I think the goal in their mind is 9 instead of biting off phase one and saying, "Sorry, 10 it's not going to be ready until October, good 11 luck"; it's like, "Phase I-A, we will get you ready 12 and keep going on the other things you'll need." 13 So programmatically for us, that would 14 mean flex space and things that we can do without in 15 a temporary situation, but eventually we would need 16 them to be there. 17 So I didn't want to address that. He's 18 forever the optimist; I'm forever the realist, you 19 could say pessimist where I'm, like, "No, that's not 20 going to work." 21 So in the same way that you spoke about 22 it, that's the way I think about it. 23 I'm, like, "Are you sure, though?" 24 Because if one person goes on vacation, we may not 25 see that for three weeks. And that's kind of the</p>

<p style="text-align: right;">Page 46</p> <p>1 way it works. That's everywhere; that's not just 2 Las Cruces.</p> <p>3 So -- yeah. So I'm -- as a part of the 4 founding team, I am keenly aware of that. That's 5 kind of my job, too. I'm, like, the whistle-blower 6 on anything. I'm, like, "Are you sure, though?" 7 Because ideal? I don't want to see ideal; I want to 8 see realistic, what could that look like. Because I 9 don't want to promise things we can't deliver on. 10 It's not fair to anyone involved. I just wanted to 11 say that part.</p> <p>12 As far as rewinding to the initial parts 13 of the comments about the school district, diversity 14 here, I think, is much more than what we see in 15 Albuquerque as far as programs. There are many more 16 programs available to students.</p> <p>17 That being said, in the different 18 specialized programs, which I think all serve a need 19 and are amazing, most of them, if not all of them, 20 it's -- when you enter, that is what you're going to 21 kind of live and breathe. If you're going to the 22 medical high school, everything is geared that way, 23 when you're going to any of the high schools that 24 are specialized with their programs.</p> <p>25 So you're still in the system of, you</p>	<p style="text-align: right;">Page 48</p> <p>1 the middle schools, from what I can tell, it could 2 be much fuller. Where you're looking at places in 3 other areas of the state in big districts, there's 4 usually double the middle schools of high schools 5 maybe, at least 2/3 more. But here, it's the exact 6 same amount of middle schools to high schools.</p> <p>7 So the middle school offerings, I think, 8 will be the most kind of innovative for the 9 district.</p> <p>10 Now, speaking on some of the other -- 11 like, just areas of performance, you know, we -- 12 with our higher accountability and the way that we 13 kind of focus on the standards, graduation rates 14 here are super high, highest in the state; but 15 proficiency is some of the lowest in the state. 16 Some schools are at under 10 percent proficient for 17 math and under 30 percent for ELA.</p> <p>18 And that's alarming. Even if students are 19 in school and engaged by the time they're leaving 20 from twelfth grade on, they're not prepared 21 academically for college, and probably not prepared 22 for the massive amount of choice and planning and 23 organizational skills that being an adult is going 24 to require.</p> <p>25 So those are the kind of the skills that</p>
<p style="text-align: right;">Page 47</p> <p>1 know, a yearlong course, and you're not exposed to 2 the more wide diversity that I think that we try to 3 bring.</p> <p>4 And I think the idea of Explore, college 5 prep or not, is not just giving you the best 6 students and let me have them; it's definitely the 7 kids that are the outside the box thinkers, ones 8 that don't quite fit in the traditional sense, where 9 the yearlong school or being assigned their classes 10 and everyone has the same lunch, all of those kind 11 of restrictions, the 30 people in the class, those 12 are the things that are prohibitive for those 13 specific students. Those are the ones that do the 14 best at our school.</p> <p>15 So it's not about aptitude; it's not about 16 what community you're coming out of. I think the 17 model itself is designed in a way to have all those 18 choices built in, where they may have to go to four 19 different high school programs in order to get that 20 amount of choice.</p> <p>21 Because it's definitely not that there's 22 not programs here. This is probably the best part 23 of the state for a diversity of high school options. 24 It just is.</p> <p>25 Middle school, definitely less options in</p>	<p style="text-align: right;">Page 49</p> <p>1 we're aiming at improving and just having a 2 different way of looking at it. This definitely is 3 something where we would want to partner. We see 4 the partnerships with the other charters and the 5 district, and that is something we would want to do. 6 This is not a way for us to come in and steal kids 7 in any way. It's just a different way for those 8 kids that are not going to fit in or not going to be 9 successful, or are leaving the school system 10 completely.</p> <p>11 You know, a lot of parents are coming to 12 us and saying -- they're just getting home-schooled. 13 Bringing those kids back into the public sector and 14 letting them have all of the activities involved 15 with a public school and all of the socialization 16 skills, the sports, those things, are very 17 important, too, and they make them a part of the 18 community, too, rather than isolated.</p> <p>19 So those are some of the things that I 20 think -- although I understand the population and 21 looking at not-built high schools and why do you 22 want to put another high school, just on our end, I 23 think that that kind of reinvigorating idea of 24 education not as a competitor who wants to steal 25 kids, but somebody who wants to work together.</p>

<p style="text-align: right;">Page 50</p> <p>1 So different tracks for different kids.  2 Not all kids work in our model, either. And there  3 are plenty of models here that every kid should have  4 an option for.  5 THE CHAIR: Okay. And I just want to  6 explain -- in case I was misinterpreted, I did give  7 the story of -- on the two early colleges. But the  8 diversity of programming, I was referring to each  9 and every one of the high schools that we have here.  10 So that I understand that if you're -- if you're  11 going into the medical school, you are keenly  12 focused on that. And that is a choice. And I think  13 a student understands that, "This is what I'm going  14 to be focusing on."  15 But in the high schools, there's a  16 multitude of programming that is available. I'm not  17 exactly sure what the same number of middle schools  18 to high schools -- I'm not exactly sure what that  19 means in terms of a good or a bad, because you made  20 the statement, "Well, you've got the same number of  21 middle schools as you do high schools."  22 MS. ELISHA VARELA: It's not good or bad.  23 THE CHAIR: That kind of keeps the numbers  24 at a better rate, to me, than taking ten middle  25 schools, which a lot of school districts do is take</p>	<p style="text-align: right;">Page 52</p> <p>1 I will try to find it, because I thought it was in  2 this application. And we've read a bunch of them.  3 So it could have been in someone else's application.  4 So if it's -- if it's not, I'm -- I'm fine. But if  5 I can find it -- I'll see if I can. So I'll just  6 let it rest --  7 MR. JUSTIN BAIARDO: Okay.  8 THE CHAIR: -- until I see if I can find  9 it.  10 So Commissioner Voigt?  11 COMMISSIONER VOIGT: Thank you. Good  12 morning. Can I be heard back here?  13 Super.  14 So I really appreciate your process and  15 your lack of emphasis on a grade outcome as final  16 evidence of how students succeed.  17 I had a question, though, about your  18 demonstration for your students. Can you just  19 explain how that would look, as students are  20 demonstrating their proficiency? Would it just  21 include standards? Would it also include skill sets  22 like creative thinking or perseverance, things like  23 that?  24 MR. JUSTIN BAIARDO: Sure. So in the end  25 of one of our courses, or seminars, there is an</p>
<p style="text-align: right;">Page 51</p> <p>1 a large number of middle schools and channel  2 everyone into a fewer number of high schools. I  3 think it shows there's thought to try to keep those  4 high schools at a somewhat smaller number, because  5 we're not channeling these students into these --  6 you know, I think Albuquerque has finally decided  7 that they're going to reinvent what the high schools  8 look like and not have those 2,000-student high  9 schools and start to make them small.  10 And one of our middle schools is now a  11 community school here. Lynn Middle School. So I  12 think that also helps to attest to the diversity  13 of -- of programmings that are available.  14 Now that we're on diversity, I think  15 your -- and you can correct me if I'm wrong. But I  16 thought I read in the application that you made a  17 statement that it is most likely that parents not of  18 color -- you may not have used that exact term --  19 probably would -- your school probably wouldn't be  20 the first choice for them, and that the diversity  21 issue is -- is a concern that you know that you have  22 to address, that -- or parents of low -- or  23 low-income -- I'm going to try to find it.  24 But, you know, it's 300 pages, and I  25 thought I had highlighted it. And -- but I will --</p>	<p style="text-align: right;">Page 53</p> <p>1 exam. We feel like it's -- you're responsible to  2 have the students test in some way, the standardized  3 way.  4 So with the different things that we  5 offer, Theme A, Theme B, Theme C, where students get  6 to choose, in the end, the component of the exit  7 exam of each of those three versions, or themes --  8 we call them flavors -- is common. So no matter how  9 they're taking it -- Teacher A is teaching it with  10 Roller-Coaster; Teacher B is teaching with  11 [inaudible].  12 No matter how they are choosing to take  13 it, they are still held to showing mastery of the  14 standards in the same way, in a way.  15 So we use Bloom's taxonomy in our model,  16 where the students have to at least demonstrate --  17 (Reporter requests clarification.)  18 MR. JUSTIN BAIARDO: We use Bloom's  19 taxonomy. And it is a hierarchy of skills. In  20 other words, students are -- if they understand  21 something at a basic level, that would be Level 1  22 all the way up through -- I think there are seven  23 levels in Bloom's.  24 So our exit exams are common across  25 different flavors of a given class, at -- what we do</p>

<p style="text-align: right;">Page 54</p> <p>1 is we have the students show that or demonstrate 2 that understanding at Bloom's 1, 2, and 3, which are 3 lowest levels, but, yes, still show a basic 4 foundational understanding. 5 But what we allow the teachers to then do 6 is to assess students in different ways, based on 7 the specific flavor in the class. The teachers have 8 that freedom to be able to say that we were doing -- 9 we were modeling in class for this whole month. Let 10 me do an oral examination of the students to let 11 them demonstrate how the model works and explain the 12 in and outs of the process that takes place. 13 So we do want to give teachers the freedom 14 to be able to assess students in the way that's 15 specific to their particular flavor. 16 At a higher level -- so we're talking 17 about Bloom's Levels 4, 5, 6, and upwards, that's 18 analysis, synthesis. But yet, as an administrator, 19 could look at test scores and see Teacher A, Teacher 20 B, Teacher C, if Teacher A isn't teaching 21 efficiently or effectively enough, then at least the 22 common part of the exit exam would show up where you 23 could see discrepancies between how different 24 teachers are doing it. 25 But it allows teachers the freedom to be</p>	<p style="text-align: right;">Page 56</p> <p>1 many different ways. I see a lot of schools who 2 think they're utilizing spiraling curriculum. But 3 to see and have that explained, I really appreciate 4 seeing that. 5 I just have a quick question about 6 "flavors." Where did that come from? 7 MR. JUSTIN BAIARDO: The term, or just the 8 general -- 9 COMMISSIONER VOIGT: The whole concept of 10 having flavors. 11 MR. JUSTIN BAIARDO: Actually, from my 12 personal experience as a teacher. I taught in the 13 Rio Rancho Public School District for a while, and I 14 taught science. And the way I taught was a very 15 lab-based inquiry based -- you know, just the way I 16 taught. But I know teachers down the hall taught a 17 very different way. 18 I knew some kids went to that teacher and 19 were happy, and some kids went to that teacher and 20 weren't happy. Some kids went to me. So I kind of 21 felt like if I could put out there how I teach, and 22 then the kids will know that from the get-go. They 23 can choose, "Hey, this teacher is doing it this way; 24 this teacher is doing it this way..." 25 COMMISSIONER VOIGT: Kind of a fit factor.</p>
<p style="text-align: right;">Page 55</p> <p>1 able to assess in certain ways. They're specific to 2 a flavor in a way. 3 COMMISSIONER VOIGT: During those 4 presentations, would students be fielding questions 5 so they would have to think on their feet? 6 MR. JUSTIN BAIARDO: In the higher-level 7 classes, yeah. In this school -- we use the 8 presentations; but those are usually minimal, 9 getting the kids up there and being comfortable with 10 presenting and being able to close their argument. 11 But then as you get into -- yeah, as our levels move 12 up from 100 to 700 in our tiered system, as schools 13 move through the curriculum from Grades 6 and on, as 14 they get into, like, what we would call into 400 or 15 500-level classes, then there's more of that 16 synthesis, where they have to think on the fly and 17 respond to a critique. 18 In the end, our seniors would undergo a 19 senior thesis. And part of that thesis is defense, 20 where they have to, you know, field questions, but 21 also defend what their thesis is. 22 COMMISSIONER VOIGT: And why what they 23 know is important to know. Super. It's great to 24 see, also, the use -- the real use of a spiraling 25 curriculum and how that knowledge is reinforced in</p>	<p style="text-align: right;">Page 57</p> <p>1 MR. JUSTIN BAIARDO: It is, absolutely. 2 So rather than randomly bringing students in, let 3 them have a choice as to how do they want to learn 4 today sort of thing. So flavor became an option 5 among several choices. 6 COMMISSIONER VOIGT: It's catchy. I 7 notice your seminars -- in your graduation 8 requirements, like 170 credits or something? -- 9 MR. JUSTIN BAIARDO: Yes. 10 COMMISSIONER VOIGT: -- your student 11 information system is going to be very complex. 12 MR. JUSTIN BAIARDO: Correct. It is, yes. 13 COMMISSIONER VOIGT: Is each seminar worth 14 one credit? 15 MR. JUSTIN BAIARDO: It's worth one credit 16 in the information system. When we export those 17 credits to the State, we combine seminars to be the 18 equivalent of a semester class. So usually, it's 19 between 3 and 4 of our seminars equate to a semester 20 of, let's say, Geometry or English 9 or World 21 History. So put it together on the back end when we 22 report those to the State. Yeah. You can think of 23 those being worth like a sixth of a credit, maybe. 24 It's kind of dicey. But the State sees it as a 25 package credit in the end.</p>

<p style="text-align: right;">Page 58</p> <p>1 COMMISSIONER VOIGT: Those transcripts are 2 recognized by colleges? 3 MR. JUSTIN BAIARDO: Correct, right. 4 We've gone through the NCAA accreditation process. 5 We've also -- the transcript we package to colleges, 6 even for students that transfer out, is a packaged 7 version. So they don't see the three seminars that 8 went into equal English 10. They see English 10 as 9 a -- 10 COMMISSIONER VOIGT: Great. Just finally, 11 it's awesome that you're going to be providing 12 students with feedback about their learning. What 13 is that turnaround time that the students will 14 receive that feedback, and how in-depth will did be? 15 MR. JUSTIN BAIARDO: I think there's 16 layers to this. I'll start. You can -- because we 17 go against, I guess, traditional grades in a sense, 18 in the end, it's good for kids to kind of know where 19 they score with -- but what we -- we've had students 20 who come in and transfer that are not familiar with 21 this kind of mechanism, where they give us a 22 paper -- the notion within today's youth is they 23 turn it in, and they walk away. 24 We hand it back. "Here. Fix this." 25 Because we keep our classes small and the teaching</p>	<p style="text-align: right;">Page 60</p> <p>1 students and the parents in a way that's kind of a 2 good progress to check some. 3 MS. ELISHA VARELA: Just a little bit more 4 specific from a teacher standpoint, anywhere between 5 instantaneous, and that's it. It is pretty rare 6 that something is done and there is not formative 7 feedback on it within 24 hours. It's just really, 8 really rare. It would have to be kind of a huge 9 project or something that's going to have to be 10 dissected. 11 But for the most part, as kids are 12 working, they are getting almost immediate feedback. 13 And utilizing Google Classroom helps; because when 14 kids do turn stuff in on a rolling basis, teachers 15 are able to go in, make comments, track feedback, 16 and it's just they're live. So if a teacher is 17 working during their lunch for fifth, the student 18 doesn't have to wait till the next day to see that; 19 they actually see it live as it's happening. So 20 when the student comes in the next day, they've 21 already seen feedback back. 22 So breakneck speed from somebody who's 23 coming from a traditional school. It was an 24 adjustment for teachers; it was an adjustment for me 25 to be able to say, "I only have to grade 10 or</p>
<p style="text-align: right;">Page 59</p> <p>1 load is half what a traditional semester-based 2 teacher would face every day with students, we feel 3 like -- I mean, the expectation is that feedback is 4 formative and ongoing; so wherever they can find 5 room to show kids where they can improve, that they 6 provide that. 7 From an administrative standpoint, or from 8 our data standpoint, we provide students with a 9 weekly update as to where they are in all their 10 classes. That's driven really by the teachers 11 assessments and evaluation of students both 12 subjectively and objectively. 13 So at the end of every week, we send the 14 student and the parent home a progress report, which 15 shows -- and with classes that are one month in 16 length, we have to really get on it quick if we feel 17 like a student is starting to slide here or there. 18 So the parents and the students know, in this class, 19 we feel like this student is on pace. This class, 20 this student is struggling, and these are the areas. 21 And it's actually a report that the 22 teacher fills out about every student that they 23 have. It's gotten to the point where it takes them 24 about 10 minutes to do it on a weekly basis. But 25 it's really [inaudible] compile the data to the</p>	<p style="text-align: right;">Page 61</p> <p>1 14 essays. We're only looking for these three 2 things in the standard right now." 3 It's immediately back. And everybody gets 4 [inaudible]. But it's pretty phenomenal when you 5 get used to it. 6 COMMISSIONER VOIGT: That's super. Thank 7 you very much. 8 COMMISSIONER CHAVEZ: Madam Chair? 9 THE CHAIR: Oh. Commissioner Chavez? 10 COMMISSIONER CHAVEZ: Can everybody hear 11 me? 12 Great. 13 A couple of things I want to address, 14 things that kind of stood out in listening to you 15 talk, and also looking at the information that was 16 provided to us regarding the score sheet. 17 The first one that kind of stood out for 18 me -- and let me just echo what Madam Chair had 19 mentioned as far as Las Cruces, my familiarity with 20 Las Cruces, and there is a traditional -- stronghold 21 like you wouldn't believe. I mean, generations. If 22 you're a bulldog, then those -- their grandkids are 23 going to go to Las Cruces High School. If they went 24 to, you know, Mayfield High School -- and you're 25 right, Commissioner Gipson. You know, what we're</p>



<p style="text-align: right;">Page 62</p> <p>1 seeing over at Centennial is -- it took a long time 2 for Oñate to build that tradition. 3 So we'll see. But I've never seen that 4 loyalty to a high school like I have here in 5 Las Cruces. It's just -- 6 THE CHAIR: 10,000 to the 7 Mayfield/Las Cruces -- there's more people that 8 attend the Mayfield/Las Cruces football game than 9 the total number that go to Aggie football games all 10 season, you know. It is -- it is quite an event. 11 COMMISSIONER CHAVEZ: It is. And that's 12 those deep roots that are just developed over time. 13 And you're talking about tradition. 14 But there's a couple of things that I want 15 to just kind of talk about with -- you have 16 demonstrated a successful model over in Albuquerque. 17 But as I've done research over the years, 18 one of the things that I always ask myself is, you 19 know, you have successful schools all over the 20 country. And I always enjoy listening to Dr. Toni 21 Hull and her talking mentioning Blue Ribbon Schools. 22 Because my thing has always been, you 23 know, if it's as easy as replicating a model from 24 one place to another, then we would have Blue Ribbon 25 Schools across this country; and yet we don't. It's</p>	<p style="text-align: right;">Page 64</p> <p>1 out of the 12 points in the area of Bilingual 2 Multicultural Indian Education and Hispanic 3 Education. 4 And so as I -- as I look at that, that 5 caught my attention. And I went to your 6 application. 7 And your first statement in that area 8 says, "Las Cruces EA-LCS will provide equal 9 education opportunities to all students regardless 10 of race, ethnicity, background, language, culture, 11 and any other factor." 12 I think everybody has that idea, that 13 sentiment that we're going to provide equal 14 educational opportunities. But I think about Lau v. 15 Nichols and the ruling that came from that; because 16 what we're -- what that centered around was not 17 equal opportunities; it dealt with equity. Because 18 when you have student populations that are 19 different, the same opportunities that you provide 20 the total population may not be enough for, say, a 21 SpEd student or an EL student. 22 And so I'm troubled by the use of just 23 "equal education." And as I read through it, I saw 24 more and more of that. And so -- in fact, you know, 25 most recently here in the State of New Mexico with</p>
<p style="text-align: right;">Page 63</p> <p>1 not that easy to just replicate somebody's model and 2 move it into a different community and get the same 3 results. 4 And so that's the first thing that I'd 5 like to just kind of address and ask you. What's 6 different? I mean, what would be different here in 7 Las Cruces from what you guys do over in 8 Albuquerque? 9 Other areas that kind of stood out for me 10 were you're looking at a target of around 10 percent 11 for ELLs. And so that's the first thing that kind 12 of stood out. And I know the ELL population is 13 different here than in the southern -- Southern 14 New Mexico than it is in Northern New Mexico. 15 In fact, the PED did a study years ago 16 where they looked at the ELL population, and they 17 determined that the EL population up north was more 18 generational, just years and years of -- where here, 19 you're looking at first, second, maybe a third 20 generation of people that are new to the country. 21 And so there definitely is a -- there's a 22 difference between the EL population between the 23 north and the south. 24 And continuing that, I look at your score 25 card. And I saw that you scored in "Approaches," 6</p>	<p style="text-align: right;">Page 65</p> <p>1 the Martinez/Yazzie lawsuit and the ruling, we're 2 heavily focused on equity and what does equity mean 3 for all kids. 4 And so I'd like you to kind of expand upon 5 that, because going back to a comment that you made, 6 that my ears always perk up when I hear somebody 7 says, "Teaching is just good teaching." 8 Well, it's not always just good teaching 9 when you're talking about equity; because it may go 10 beyond that. And so I always use a reference to 11 Robert Marzano's work from years back and the 12 high-yield strategies, right? And if it was just 13 simple as good teaching being good teaching, it 14 didn't always work for certain student subgroups. 15 And so if you could maybe expand upon 16 those areas? 17 MR. JUSTIN BAIARDO: Sure. 18 MS. ELISHA VARELA: So as far as -- 19 starting at the beginning, what's different, I think 20 a big thing that's important for everybody to 21 realize -- and maybe we don't say enough -- that 22 this campus is not Albuquerque's campus. It's just 23 not the same thing. The framework is the same; the 24 curriculum is the same; but everything else about 25 the school is going to be different. Because that's</p>

<p style="text-align: right;">Page 66</p> <p>1 the nature of opening a school. And so although the 2 model itself, we know, works, what works here is 3 going to probably look vastly different than what 4 works in Albuquerque.</p> <p>5 So with that being said, we understand 6 that this is not a matter of "Just take this and 7 make it work here; it works." That is not what this 8 will be. Because like you said, then everyone would 9 do that. We don't have the same school, and it 10 would be great.</p> <p>11 But the school down here is not the same 12 school as Albuquerque.</p> <p>13 So a couple of things that I think we're 14 most excited about is in Albuquerque -- maybe I'm 15 being selfish here. Albuquerque's population -- and 16 APS is where we draw from -- it does not have a 17 strong bilingual component, and it's something that 18 always hurts my soul as a bilingual educator. But 19 in Las Cruces, we do have that ability. There are 20 teachers that are bilingual-certified here, and we 21 have the population, where almost everybody is 22 bilingual.</p> <p>23 Now, a troubling statistic in New Mexico 24 overall, but that is now but seeping into the lower 25 part of the state is generationally, Spanish just</p>	<p style="text-align: right;">Page 68</p> <p>1 Filosofía, or whatever the content is.</p> <p>2 So having that knowledge and understanding 3 that it is very -- that there is a multiple -- there 4 are multiple facets to that language, I think will 5 really help the school, because we need to have 6 those different avenues. Where in Albuquerque, 7 that's not necessary and actually not sustainable, 8 which is heartbreaking, but it's the reality.</p> <p>9 As far as the ELs, the population and what 10 they are looking at down here is a lot different; 11 because in so many of the first- and 12 second-generation families, the strategies for 13 English language development really do work, because 14 they're learning a language, where, like you 15 mentioned, in the northern part of the state, 16 sometimes people are ELs since kindergarten, and 17 they're always ELs, and they don't really try on the 18 ACCESS test, and they don't really care.</p> <p>19 It's hard to say, "Really try, because I 20 can't tell where you are in what skill level and 21 where you're struggling so I can help you as your 22 English development teacher."</p> <p>23 Having taught ELL myself and being a 24 coordinator, I understand the intricacies of that. 25 I was the ELL coordinator for Rio Grande and</p>
<p style="text-align: right;">Page 67</p> <p>1 goes away, where older generations are speaking it 2 and the younger ones are not. That is something I'm 3 on a mission to stop; because I don't want that to 4 happen.</p> <p>5 My family is from Northern New Mexico, and 6 Spanish just slowly went away. We're trying to 7 revive it. That's not what I want to see happen 8 here. I think our model is going to lend itself 9 very well to eventually -- I mean, my goal would be 10 to eventually integrate just the language track, 11 where there are content area classes being offered 12 in Spanish.</p> <p>13 Because Spanish needs to be viewed as it 14 actually is and not how it's viewed in most of the 15 state, which is infuriating, where everyone is, 16 like, "Spanish. Okay. That Spanish teacher teaches 17 a foreign language." That's not useful for most of 18 New Mexico. You need foreign language for Spanish. 19 Yes, there are non-speakers.</p> <p>20 We also need Heritage Language classes to 21 get people who have an exposure to it, but may not 22 be fluent, which is how I grew up.</p> <p>23 You also need full content-driven classes, 24 where you're not teaching them Spanish; they speak 25 Spanish. You're going to teach them Gramática or</p>	<p style="text-align: right;">Page 69</p> <p>1 bilingual coordinator. And it's -- Rio Grande High 2 School.</p> <p>3 So it's -- it's something I'm highly 4 familiar with, and I think that it will look 5 different down here. But that's also something we 6 want to tailor to the school.</p> <p>7 So as the population comes in, we've got 8 different staffing models depending on what level of 9 ELLs we get and what level of ELLs that come in. So 10 if we have a lot of high-level ELLs, that model is 11 going to look slightly different that year compared 12 to somebody coming in with lots of 1s or 2s from the 13 year before. They're going to take a very different 14 approach.</p> <p>15 So having a larger lane to travel in to 16 make sure we're able to meet all those needs.</p> <p>17 And then so -- yes, I am aware of that 18 pulse. I do know how it's going to shape up; but it 19 needs to match the population that comes in. I want 20 to serve them.</p> <p>21 I know maybe it was too much of a 22 boilerplate statement to put there; but I felt like 23 it did need to be stated, that our intention, as 24 everybody's should be, is to never discriminate or 25 make systems in the school that make it impossible</p>

<p style="text-align: right;">Page 70</p> <p>1 for certain families to access things and for  2 certain students to be successful.  3 So making sure that we're offering things  4 in the two most prevalent languages in Las Cruces  5 are important; so English and Spanish.  6 But also, just systems-wide, the flavors  7 are going to be made by Las Cruces teachers, and  8 they will be geared to Las Cruces things. We know  9 that our flavors here and the school culture and  10 community-building things that happen here are not  11 going to be the same as the Albuquerque campus,  12 because they're not the same school.  13 So looking at those things and making sure  14 that the school leader is on board with -- and being  15 ingrained in the community as far as what does the  16 community need, what makes this community, whether  17 it's a certain section of the city that is  18 important, whatever factors play into that, we need  19 to be open to that.  20 We are not coming in and saying, "Here's  21 the model. Follow it line by line. We'll let you  22 know every month how you're doing." That would be  23 ludicrous and really unfair to the community. And I  24 think about it just being not from Albuquerque  25 myself.</p>	<p style="text-align: right;">Page 72</p> <p>1 Spanish speakers being put into Spanish as a foreign  2 language. I can't even tell you -- that happens  3 everywhere and I loathe that.  4 Because they're -- both my children are in  5 dual-language schools [inaudible]. And having them  6 in English and Spanish equally and trying to explain  7 to people how well that does for their brain and  8 their development and how it works, that is  9 something that this community can support and would  10 benefit from. So that is my mission as far as that  11 goes.  12 But as far as equity versus having to give  13 the same education, the same opportunities, the best  14 thing that we can do as a school is listen to our  15 staff that are from here, listen to the community,  16 the input from board members; all of those things  17 are going to make a huge difference as we form the  18 school in the planning year.  19 And that is kind of the driving factor,  20 because the things that happen in Albuquerque are  21 not going to happen here.  22 So, yes, we have experience opening a  23 school, but not this school. For this, we are total  24 novice and humbled by the fact that we have to do  25 something that we're not 100 percent familiar with,</p>
<p style="text-align: right;">Page 71</p> <p>1 If somebody were to come in and say, "Do  2 it," Bernalillo is not Albuquerque. And I'm from  3 Bernalillo, and we are crazy-loyal to the high  4 school there. After being someone who broke off  5 after teaching there myself for seven years, I see  6 what that impact that the community has. We have  7 more people go to the Bernalillo football games  8 than -- so it's a thing, right?  9 But looking at the campus here, we want to  10 give a framework, we want to give the support and  11 the systems that we've slaved over for five years.  12 Like, our reporting and our data analysis has really  13 been a big driver, and those things are tools that  14 the school then will use to implement what's working  15 for the students.  16 And so -- yeah, I mean, looking back -- I  17 pulled it up as soon as you said that section,  18 because it's something I've been looking over and  19 kind of drafting a response to, because it's kind of  20 my baby, and it hurts to see that we didn't get the  21 points on it.  22 So it's something where I feel like having  23 multiple levels of language instruction that also  24 brings in native speakers, because that needs to be  25 a thing, I -- it is so frustrating to see native</p>	<p style="text-align: right;">Page 73</p> <p>1 because I'm not from here.  2 So that being said, you know, it is  3 something that is on our mind. And I think we are  4 more open to input here than maybe we might have  5 even been in Albuquerque. I think we have a sense  6 of entitlement there. We're from here, we know what  7 we need, guys. We're here. Like, tell me what you  8 need. How can I help you? Because I don't know  9 what to do and can you tell me what to do?  10 I can look at numbers. I can tell you  11 what systematically what issues there are. We can  12 use -- we're looking at using MAPs and getting NWEA  13 going 3 through 8, because relying on the State's  14 assessment now is a little shaky, and I want our own  15 for longitudinal data purposes.  16 I can give you all those numbers; but I  17 can't tell you what makes you go to school every  18 day. I can't tell you what flavors are going to  19 spark that interest in keeping you coming back.  20 Those are things the community has to tell us.  21 MR. JUSTIN BAIARDO: If I could add to  22 that. And I do get your point. I understand the  23 taking of the statement in terms of equal  24 opportunities. I would -- I would still stand by  25 that statement; because we do want the opportunities</p>

<p style="text-align: right;">Page 74</p> <p>1 to be equal for all students.  2 At the same time, past that opportunity  3 level gets you into the student, the individual.  4 And that's where that statement, "Good teaching is  5 good teaching" -- yeah, it's a little  6 tongue-in-cheek, I guess. But in the way -- when I  7 threw that out there, what I was thinking is that if  8 you are a teacher, then it's about all your  9 students, not just the 10 percent you know you're  10 carrying with you.  11 As an anecdotal reference, our school in  12 Albuquerque, we have, you know, classes of 16 and  13 17 students. And most of the teachers that we --  14 that apply for jobs, they see the small class size.  15 That's the big draw, right, for them. They don't  16 realize that teaching small classes is actually  17 harder than teaching a class of 32, sometimes,  18 because now there's 14, 16 students, and they can't  19 let any of them fail anymore.  20 So, whereas, yeah, you had 35 kids -- and  21 I taught in public school. Logistically, it's hard  22 to make sure every student gets everything at any  23 given time at the speed with which you have to go  24 through the curriculum. With 14-16 students in  25 front of you in a formative learning process in the</p>	<p style="text-align: right;">Page 76</p> <p>1 Even with our model, if a student does  2 need to take a class for a second time, we have seen  3 great success with students who have gone through --  4 let's say it's a linear equations class beginning in  5 algebra, and math is a struggle. They take it once;  6 they do not meet all the standards. That's okay.  7 We build a buffer in.  8 If they take it again, the next month or  9 the next month, down the road -- it's offered in a  10 staggered way -- they take it again with a different  11 teacher, different flavor, and we see incredible  12 success the second go-round. And sometimes that's  13 all it takes to build the foundation in a more solid  14 way.  15 I feel the multiple supports and the  16 different angles with which you support kids does  17 speak to that equity in terms of being able -- the  18 kids that need more lifting than this student,  19 that's what they get. And that's where our  20 teachers -- that's the way we've designed the  21 curriculum, to provide that.  22 MS. ELISHA VARELA: Just one thing I just  23 totally forgot. When he mentioned it, I think the  24 flex periods are really, really important for the  25 ELL and special ed students.</p>
<p style="text-align: right;">Page 75</p> <p>1 way you're trying to engage the kids, there is no  2 excuse for a teacher not to dig deep with the  3 students that need the extra work.  4 Whether it be bilingual or it be special  5 education, wherever the extra need is required, that  6 digging deep is where I feel that good teaching is  7 good teaching. So that's just a fast scan on what  8 that term means, because it means that you're not  9 letting any kids slide through the cracks.  10 And that's what our school is trying to  11 prevent, through a lot of different mechanisms, is  12 to make sure that that equity is there. And  13 we've -- the different level of supports we've built  14 in place systemically, with the tutoring that we  15 have built in during the flex periods during the  16 day -- and that goes with both on the ESL front, the  17 ELL front, but also in special ed, or just in  18 general, a kid that doesn't understand how to  19 balance an equation or how to solve for X, that  20 level of remediation that we build in during the  21 school day with the support staff that we hire and  22 plan to hire and have here within this campus, I  23 think does show that we are trying to find an equity  24 within how we offer services; because, "This student  25 needs twice as much attention."</p>	<p style="text-align: right;">Page 77</p> <p>1 So I have a son with an IEP, too. The  2 idea of the pullout and he misses class really  3 bothers me, because when they were doing something  4 fun -- they always pull them during the fun times in  5 elementary school. So, like, my kid misses all the  6 fun stuff when he has to go get pulled out.  7 Doing it during the flex periods has  8 really changed the way our ELL and SpEd students  9 interact with the rest of the school; because no one  10 knows. They just are totally normal for their five  11 classes for the most part. They get ancillary  12 services, ELD, any -- material translation, extra  13 testing, all of that can be scheduled during flex  14 periods almost all the time.  15 So even though they do get some pullout  16 and some push-in services, it is so much more  17 cohesive and blended into the every school day that  18 everybody kind of interacts in the same way in their  19 five seminars. That is kind of eye-opening for some  20 kids who spend so much time being pulled out because  21 they're dyslexic or pulled out because they're  22 autistic.  23 We've noticed our Albuquerque campus  24 retains a pretty high special ed population,  25 especially compared to all the other college prep</p>

<p style="text-align: right;">Page 78</p> <p>1 charters. And we kind of like that, because it's so 2 much more fun to see the gains in an entire 3 population than just in your highest -- like, the 4 top 25 percent, they're probably going to succeed 5 wherever you put them, to be honest; that's the 6 nature of the kid, right? 7 But the bottom 25 percent, where we see 8 the highest growth at our school, that's the fun 9 stuff; because that's where you really dig deep with 10 a kid who has deficits and learning gaps, and 11 saying, "No, we're going to close these, and you're 12 not going to move on until you get the support 13 that's going to close those." 14 The flex periods -- for me, that is kind 15 of one of the pivotal things that changed the model, 16 where we didn't anticipate that being such a big 17 deal. But it has been, because all of those 18 services that normally kids are missing out on, they 19 don't have to miss out on things anymore. They 20 continue on, but still get support. 21 COMMISSIONER CHAVEZ: Thank you. 22 THE CHAIR: Thank you. And before I pass 23 it to Commissioner Caballero, I want to state that 24 that was not in your application. It was another 25 application. So I take back any indication that --</p>	<p style="text-align: right;">Page 80</p> <p>1 intention, when you decided to come to Las Cruces to 2 open up a charter school no matter where in 3 Las Cruces? Or that you guys intentionally targeted 4 a community? 5 MS. ELISHA VARELA: A community within the 6 City itself? 7 COMMISSIONER CABALLERO: Yes. 8 MS. ELISHA VARELA: No. We didn't -- we 9 didn't specifically target a community. We did look 10 at the high school -- the high schools and where 11 there was population density versus where there 12 wasn't, because locating next to a high school that 13 has a ton of open space, we get that that's an 14 illogical move. 15 As far as the community itself, we did 16 research all of the data and statistics from the 17 entire area. And that's actually where we got that 18 10 percent. We didn't pull that out of the air. We 19 did every middle school and high school's ELL 20 population and calculated averages to see where 21 we're at. 22 The ELL population is higher in elementary 23 school. We anticipate higher in middle school and 24 lower in high school. But as far as pinpointing 25 specific communities, we -- like I said, we did look</p>
<p style="text-align: right;">Page 79</p> <p>1 MS. ELISHA VARELA: When you said it, I 2 was, like, "What?" 3 THE CHAIR: I know. I apologize. We read 4 a lot, and schools pulled out; but we still had to 5 read those applications. It was in another 6 application. So I apologize if I even intimated 7 that that was in your application. 8 Commissioner Caballero? 9 COMMISSIONER CABALLERO: Thank you. 10 (A discussion was held off the record.) 11 COMMISSIONER CABALLERO: I guess I have to 12 be really up -- but let me ask a few questions. 13 Tracker model that is successful, can you elaborate 14 on that? Or maybe I heard wrong. 15 THE CHAIR: I think it was "track record." 16 COMMISSIONER CABALLERO: Track record. 17 Okay. Forget that. 18 THE CHAIR: I thought it was "tracker" 19 also. 20 COMMISSIONER CABALLERO: Okay. So the 21 other thing is, I was going through your points, and 22 hearing the Commissioner that spoke about what he 23 just brought up, the 10 percent and all that, which 24 was actually where I was going... 25 And so my question is, did you -- was your</p>	<p style="text-align: right;">Page 81</p> <p>1 at population density, where other charters and 2 specialized high schools are located as well, just 3 to try to spread out. 4 So those are things that, ideally, we -- 5 you know, we took into consideration. But the 6 facilities piece ultimately will be a big 7 restricting factor, because we can only -- there's 8 only so many places we're allowed to go; so -- and 9 but like she said, this is definitely not a 10 situation of, "Well, we'll say we'll go here," and 11 then we'll go here. 12 We're pretty upfront and honest about 13 everything we're looking at. And some things fall 14 apart before we even know. 15 We looked at that church. And after the 16 application was submitted, it was a no-go. It was 17 the E-Occupancy issues. 18 And the pecan factory, there might be 19 other issues there. 20 So we're being very open about where we're 21 locating, because the location itself will have to 22 make do. But we're not going somewhere specific 23 based on any other factor. We would like to serve 24 wherever we're able to serve the highest need. But 25 there's no schools in a lot of places.</p>

<p style="text-align: right;">Page 82</p> <p>1 COMMISSIONER CABALLERO: So you've 2 determined where the highest need is? Can you 3 elaborate on that? 4 I'm not from Las Cruces. Originally, I'm 5 from El Paso. But even that, that's been so long 6 ago that I'm sure things have changed. 7 Where is the highest need here in 8 Las Cruces? 9 MS. ELISHA VARELA: It's multifaceted. 10 When we ask families, a lot of families will tell 11 us, "Please locate near Centennial." We're looking 12 at that. That's a massive campus with room, right? 13 But near a lot of the older high schools, 14 even especially like Las Cruces High School, there 15 is lower proficiency rates. There's a very 16 population-dense place where we could locate; but 17 the loyalty to local high schools and the proximity 18 to other charter schools is prohibitive. 19 So depending on -- families will tell us 20 where to locate all the time. We map it. They'll 21 tell us, "Go by here." We put it on a map, and we 22 go take a look. 23 But where families tell us to locate 24 basically at this point has been everywhere in the 25 City. And so it has been very conflicting for us,</p>	<p style="text-align: right;">Page 84</p> <p>1 from, having bus transportation to get them to 2 wherever we are locating, we feel like is essential. 3 So moving forward to applying for 4 transportation funding going into Year 2, which is 5 our first year we're eligible, we feel is crucial, 6 because we want to make sure we're not hitting the 7 neighborhood of kids around where we're located. 8 In Albuquerque, we advertise to the entire 9 city, and we have eight buses, going all the way -- 10 kids coming from Cochiti all the way to the 11 South Valley of Albuquerque, too. We don't market 12 to certain ZIP codes. We are all about trying to 13 make sure that any student who wants to go to 14 Explore Academy can get to Explore Academy. That's 15 kind of our -- 16 COMMISSIONER CABALLERO: Well, the bottom 17 line to -- to access inequity for the community that 18 I want to look after are Hispanic poor and other 19 minorities in that category. They need a lift. 20 And it seems to me that charter schools 21 want to balance its population so that they don't 22 have a high burdensome population at the bottom, the 23 language-deficient student, the Spanish-only or 24 Spanish-dominant. And so the charter schools that 25 have a high percentage of those students are heavily</p>
<p style="text-align: right;">Page 83</p> <p>1 because when we look at numbers, you know, locating 2 in the heart of the City is a good thing for 3 academics. But families are asking us to go further 4 out, where there's new subdivisions and no schools, 5 according to them. 6 So we're struggling with that ourselves, 7 because what need do you follow in that position? 8 And so -- and not being from here is also 9 restrictive for us. So we do rely on the people 10 from here to tell us, "Well, okay. What is your 11 opinion, though?" 12 We have some teachers and some admin down 13 here that have kind of helped steer us. And then 14 the facility is limiting. "This is the land you can 15 look at," and we're, like, "Okay." 16 MR. JUSTIN BAIARDO: Kind of we -- just to 17 [inaudible] the data. I do feel like our commitment 18 to seeking out transportation funding does help 19 access to the school as well. 20 In the first year, we're not eligible for 21 transportation funding now, as the new laws have 22 passed, you can't get transportation funding the 23 first year. We look to something like grant funding 24 or start-up money to get buses for the very first 25 year. So no matter where the student is coming</p>	<p style="text-align: right;">Page 85</p> <p>1 burdened in trying to bridge the gap. And the 2 schools that are most successful are the ones that 3 have a very small percentage. 4 And so it comes to mind -- two things -- 5 is, first, Hispanic community low-income has 6 actually no voice. These are the parents that 7 you're not going to get to meetings, per se. 8 They're going to be Spanish-dominant. So you're not 9 going to hear from them as much. 10 But you will hear, like me, as a parent, 11 when there was a lot of talk in El Paso for a 12 multilingual magnet school, a lot of good 13 intentions, a lot of good intentions. And a lot of 14 money flowed, because people with influence had a 15 lot of good intention. 16 But eventually, that school was built 17 along the Border Highway. So with the intention of 18 providing that type of school to people that really 19 needed it ended up for the affluent or middle class. 20 I had a car, my wife had a car, and we 21 were able to take the time to take him to school. 22 The transportation fell apart, and we ended up 23 having to transport. 24 And so none of the -- of the students at 25 the low end ever went to that school, none, because</p>

<p style="text-align: right;">Page 86</p> <p>1 it was right at the Border Highway. There was no 2 transportation. 3 So a lot of intentions, yes, a lot of 4 intentions. Had that school been built where they 5 originally targeted, it would have gone a long, long 6 way. It was a beautiful school with a lot of money 7 being spent. 8 So the other thing that I want you to 9 notice, that when you have an investor, if I'm an 10 investor -- and I did a lot of development under a 11 nonprofit in El Paso -- is that you look at where 12 are you going to do your investment. And if you 13 build \$10 million worth of building in a place that 14 by the time you finish building it, it's -- you're 15 spending \$10 million, but it's only going to be 16 worth \$5 million because of the surrounding -- it 17 makes no sense to the investor. 18 Once you get out -- or if you don't 19 succeed five, ten years, then the driving force -- 20 my bottom line is that the driving force with an 21 investor is -- is something else other than where 22 the greatest need is. 23 So there's a balancing act with you guys 24 in trying to -- if your intent to provide equity is 25 to balance those things out -- and I -- it's going</p>	<p style="text-align: right;">Page 88</p> <p>1 And now going into this year, we have an 2 entire bus, plus another bus that has to drop down 3 just to get South Valley kids. So that influx of 4 students and building the confidence with that part 5 of the community was important; because when I'm not 6 seeing our demographics match the district around 7 us, something is wrong. 8 That being said, our demographics in 9 Albuquerque will not match the demographics at this 10 school. Looking at this school, if the Las Cruces 11 campus demographics are not matching LCPS, we will 12 target advertisements to areas where kids are not 13 being served, period, because we want a 14 representative population. 15 So in Albuquerque, we like that kids come 16 all the way from the pueblos, all the way from 17 Tijeras, all the way from the South Valley. We have 18 kids that take the Rail Runner every day. That 19 shows that we're kind serving the whole community. 20 The same thing has to happen here. And I 21 look at that annually, all the addresses, where kids 22 are coming from, and I look to see if that 23 demographic matches. I don't just look at, oh, 24 Hispanic or not; because 95 percent of the students 25 here will be Hispanic, most likely, if we're doing</p>
<p style="text-align: right;">Page 87</p> <p>1 to be really, really hard. 2 MS. ELISHA VARELA: So I'll take the first 3 part of that. I think something that is important 4 for our school, not just the students being given 5 formative feedback and adjusting, and the teachers 6 given feedback; but it's also our school. But 7 something we've looked at -- and we grade ourselves 8 pretty harshly on our student population and the 9 subgroup breakdown matching the district around us. 10 So in Albuquerque, I average out the 11 schools every year, especially the schools we're 12 pulling from and what their demographic population 13 is, and then I compare it to ours. 14 And so the goal is that we should be 15 looking very similar to the district around us, 16 period, because if we're not, something is wrong 17 that we are only drawing from certain subgroups. 18 And then we specifically battle that. 19 And so last year, for example, we noticed 20 a drop-off in the families from the South Valley. 21 And that was not okay. Like, we looked at even bus 22 stops we had to drop off, because nobody was coming. 23 We didn't do basically any advertising because our 24 wait list is so long; but we did to the South Valley 25 specifically.</p>	<p style="text-align: right;">Page 89</p> <p>1 our job. 2 I will look at, also, ELL. I look at 3 where they're from in the city. If there's huge 4 dead zones where no kids are coming from, yes, could 5 that be cultural, where those families are not going 6 to go to a different high school? But it also might 7 be there's not enough outreach in that area. Maybe 8 our staff needs to go to that area and see how can 9 we serve those kids. 10 So that's just something that annually, I 11 think -- and even maybe twice a year -- needs to be 12 looked at to see are you matching what is around 13 you. It is huge indicator for me when the 14 Albuquerque campus gets swayed. Our ELL population 15 there is always lower than the district. Because we 16 have an entire ELD teacher serving seven kids. And 17 that's not okay. There should be a whole cohort on 18 those. So we focus our efforts on that to try to 19 pull in more. 20 Those things I think really help. Because 21 at the end of the day, you should be a 22 representative population. And so transportation 23 will help. We really are committed to that. That's 24 why our buses in Albuquerque have been so important 25 to us. If you're going to locate in an area that's</p>

<p style="text-align: right;">Page 90</p> <p>1 not convenient for people, like for us in the middle 2 of the city, I couldn't take my kids there. There's 3 no way I could drive them there every day, as an 4 educator. 5 With the buses, I can get them to a bus 6 stop at 6:45. So getting the buses there and making 7 sure it's making a loop in the different areas of 8 the city is going to be pretty vital. That will 9 help us maintain the balance between our demographic 10 breakdown and the city's demographic breakdown; 11 because they should match. 12 And that includes special ed and ELL. If 13 you have no special ed kids by tenth grade, I don't 14 know what you're doing. But it's not right. 15 COMMISSIONER CABALLERO: I would suggest 16 you spend a little more time in transportation. 17 Because it shows "Approaches." And that was my 18 concern after the other Commissioner spoke, that if 19 there's an intent to bring in, there's got to be a 20 better way to plan that out to reach that goal. 21 MR. JUSTIN BAIARDO: We discussed it with 22 the transportation department, working with them to 23 devise costs in terms of the routes that we provided 24 them, number of stops, mileage, number of stops. So 25 we're working with them to coordinate how -- what a</p>	<p style="text-align: right;">Page 92</p> <p>1 campus or location for our city. 2 In the end, with that -- with the bond 3 deal, it allows the school to own the building from 4 the beginning, too, which is really a good situation 5 for us -- the foundation, I should say -- to own the 6 building from the beginning, which that way, you're 7 not at the behest of an investor that is driving 8 your program in a direction that isn't fitting for 9 students. 10 THE CHAIR: Thank you. 11 Commissioner Armbruster? 12 COMMISSIONER ARMBRUSTER: Thank you. So I 13 just have some questions. In fact, I see the 14 gentleman -- and I'm sorry, I don't remember your 15 name -- but I'm going to ask the question that you 16 brought up. 17 So if you have -- obviously, you will have 18 gifted children as well as students with 19 disabilities. So tell me how you would accommodate 20 them. 21 MR. JUSTIN BAIARDO: We have -- obviously, 22 this is dependent on the population. So it's all 23 driven by the students. We would have a gifted 24 program manager; in a very similar way to the 25 general and special ed program, having a gifted</p>
<p style="text-align: right;">Page 91</p> <p>1 busing system would look like. Like I said, that 2 first year is a gap because transportation funding 3 is not available. The means to bridge that gap, and 4 obviously having a provider to provide those 5 transportation options, too. 6 THE CHAIR: Commissioner, and the school, 7 I think that's the challenge; because I believe the 8 "Approaches" on the rating sheet came because 9 they're not providing transportation that first 10 year. And you're absolutely right. It creates that 11 challenge, and then it sets that tone for the lack 12 of diversity there. 13 MR. JUSTIN BAIARDO: Absolutely. We feel 14 like that allows us to be representative and reach 15 all the parts -- just to address the concern about 16 the facility and the investor, just to -- a small 17 point, we're lucky at this point to be working with 18 investors that aren't going to choose which -- where 19 we end up. 20 And that's one thing I was very emphatic 21 about is that we don't want that individual to 22 drive -- "You need to locate here; you need to 23 locate there." They are, at this point, neutral as 24 to where we locate in the city, which allows us to 25 be able to have more freedom in finding the best</p>	<p style="text-align: right;">Page 93</p> <p>1 certified teacher. And how much of their time is 2 oriented around the gifted population depends on how 3 many gifted students we have. That's variable. 4 We'll have to cross that bridge. 5 What we have found -- and my experience 6 and from the parents who have come in and having 7 talked to an extensive number of gifted families 8 over the years, one of their big concerns before 9 enrolling our student is, "What does it look like? 10 What does gifted look like?" 11 And I think a lot of their frustration 12 that they express, or have expressed, is that it 13 means more work, more work, more work. And that's 14 not what we feel like gifted should be. It 15 shouldn't be, "Okay, if you're gifted, let me give 16 you twice the amount of work." That's not the way 17 it should work. 18 Going back to the answer from before, how 19 we assess and how we evaluate, using Bloom's 20 taxonomy, starting at a Level 1, starting at a 21 particular class, or this class might cover Levels 22 1, 2, and 3, or another class might cover Levels 3, 23 4, and 5, if a student can demonstrate mastery at a 24 specific level, then we will move that student's 25 expectation up a notch on Bloom's taxonomy scale.</p>



<p style="text-align: right;">Page 94</p> <p>1 In other words, if they're able to show 2 comprehension, which is Level 2, one of the more 3 basic expectations, we'll have them jump to a Level 4 3, where they will have to show it through 5 application, which is a higher part of the scale. 6 We feel rather than burden them with more 7 work, that doesn't do a student who's gifted any -- 8 anything. We like to enrich. That's our program is 9 enrichment specific to the student. Some students 10 might be gifted in math, but not in English language 11 arts. We're just not going to do it for the student 12 across the board. It may be their giftedness may be 13 in a specific subarea, too. That's another thing 14 where we enrich. How we do it is placed on Bloom's 15 taxonomy. 16 We've had good feedback. The feedback 17 from students and parents is they feel like their 18 students are challenged. 19 MS. ELISHA VARELA: Just one thing -- it's 20 something that we didn't initially have in the 21 model, and we have added, is the placement testing. 22 So if a student is coming in with -- either gifted 23 or just not -- just saying, you know, "I have an 24 exceptionally bright kid," we do let them test. So 25 if they're entering sixth grade, and the mom is,</p>	<p style="text-align: right;">Page 96</p> <p>1 really be with a group of kids that is on the same 2 maybe maturity level in that subject or interest 3 level in that subject, but without derailing them 4 completely and putting them on a totally different 5 path or putting them a million hours of homework 6 just because their IEP says, "Challenge them," 7 because that's boring, and they're going to 8 disassociate with school, and we don't want that. 9 The placement testing has helped for a lot 10 of reasons, both up and down. 11 COMMISSIONER ARMBRUSTER: These are sort 12 of quicky questions, I know. 13 Have you graduated a class? Two classes? 14 MR. JUSTIN BAIARDO: Three classes. 15 COMMISSIONER ARMBRUSTER: Three classes 16 from this charter. 17 THE CHAIR: You started with ninth. 18 COMMISSIONER ARMBRUSTER: We were trying 19 to figure out. We were using figures up here. We 20 were not in calculus. 21 So I'm just curious. Are the kids -- I 22 know kids move and leave and whatever. But how was 23 the graduation rate? And then do you know how the 24 kids did after they graduated? Did they go to a -- 25 you know, a career program or a college or whatever?</p>
<p style="text-align: right;">Page 95</p> <p>1 like, "Yeah, but she reads at a high school level, 2 she's bored," we will let them placement-test -- 3 like, take the sixth-grade -- it's basically a 4 combination of the exit exam, but a different 5 version. So there's test security. 6 If they're a whiz kid on that, and they're 7 scoring 95, they don't get credit, per se. We don't 8 give credit for taking the test. But we will allow 9 them to take seventh grade English instead. 10 If they're saying, "I've already taken 11 Algebra 1," hey, then here's a test. Show us you 12 can do Algebra 1. By all means, you can start in an 13 integrated [inaudible] for an integrated school. 14 That way, if you're not just saying, 15 "Well, your birthday is September 24th, 2014, you 16 were going to be in this class. Good luck." 17 Instead, it's, "Okay, you're ready for Algebra 2, 18 here's Algebra 2," and accelerate them. 19 But on top end, they just get to go 20 further. I know that that is something that is done 21 in a lot of places; because I was out of calculus as 22 a sophomore. But it's not across-the-board done. 23 And so we like that, especially for kids that are 24 gifted in one thing specifically, it does let them 25 come up and get challenged in their classes and</p>	<p style="text-align: right;">Page 97</p> <p>1 MS. ELISHA VARELA: Sure. So the first 2 graduating class was our tenth-graders from that 3 very first year. And I -- all but one or two maybe 4 finished out twelfth grade. And every year, we've 5 had -- I would say one student who's not quite done 6 and stays with us. But in general, pretty much 7 everybody graduates. 8 Now, we are -- we struggle to track the 9 kids who do transfer. So if somebody leaves as a 10 junior, we struggle to find out where the heck they 11 went to track that. At some point, I think 12 S.T.A.R.S. will get migrated to some really cool 13 State system that we can actually do it. 14 But the State does calculate our 15 graduation percentage. And it looks low. And I 16 don't know how they're calculating it, and we've 17 asked. So, anyway, that being said, for people who 18 stay with us, everybody gets accepted into colleges; 19 although, last year for specifics, every person went 20 on to college except one who on to military. A 21 couple went out of state. A couple stayed in-state. 22 I just read the other day one is 23 transferring from CNM. She got all her lower 24 coursework done, and now she's leaving the state and 25 going to art school.</p>

<p style="text-align: right;">Page 98</p> <p>1 So we have a pretty high percentage of  2 students. I only know of one who quit college, and  3 she quit because she started a bakery. So she kind  4 of found what she wanted to do; and even though we  5 all told her, "Please get a degree, don't start a  6 bakery yet, get a business degree, do something."  7 They do really well.  8 Another thing that's really important is  9 leaving our school, they all take ACCUPLACER,  10 because we promote dual-enrollment classes. So they  11 go to CNM; they go to UNM. And some of them do  12 online correspondence stuff for some of their  13 college classes; because we require at least one.  14 But they all score at college level on ACCUPLACER.  15 So we don't have students leaving Explore and taking  16 any remediation or remedial classes or credit going  17 to college.  18 That's something that I think we've  19 focused a lot on and doing more aligning between our  20 curriculum and the ACT, so that kids can start to  21 see these are certain skills that you need to buff  22 up on on your ACT, and that's why you're not scoring  23 here or there. So that's something that we continue  24 to get better at every year. So it's a struggle.  25 But in general, we give then some seminars</p>	<p style="text-align: right;">Page 100</p> <p>1 instead of one. I'm not sure I'm saying those words  2 correctly.  3 MR. JUSTIN BAIARDO: Yeah. And so --  4 we've been flexible. I think that's the point, is  5 that we treat each student individually in that. I  6 built a credit analysis, which is the -- kind of a  7 beautiful sheet that shows all the kids' 150 credits  8 that they're earning, you know.  9 And I've had to rebuild one for certain  10 kids where the credit requirement has been reduced  11 for the IEP. And so what we've done is we've  12 allowed flexibility within that, within our  13 graduation requirements and the minimum graduation  14 requirements, as set forth by the State, to allow  15 the IEP to play within those two limits.  16 And so if it's -- let's say on foreign  17 language, where some students take the first  18 semester of Spanish, and that is their ceiling, and  19 they cannot go beyond that basic Spanish -- you  20 know, foreign language development is different for  21 different students.  22 And so what we've done is we've changed  23 credit requirements to make sure we obviously still  24 maintain the minimum requirement, as set forth by  25 the State. But the IEP allows the student to have</p>
<p style="text-align: right;">Page 99</p> <p>1 as seniors and juniors for common acts, how to do  2 college interviews, how to do college essays, all of  3 those things, really do them. That's why everybody  4 gets in.  5 We also have them do, like -- what do you  6 call it? -- the stretch school, apply to something  7 you're not sure you'll ever get into, but you do it.  8 And we've had kids get in. And we've had kids  9 accepted into Stanford. And they were, like, "That  10 was my stretch school."  11 COMMISSIONER ARMBRUSTER: I need you to go  12 back one more time. Because we answered the gifted  13 or whatever we're calling it.  14 So tell me about the special ed student;  15 because I'm going -- as you know, I'm a special ed  16 educator. And I just specifically -- I did read in  17 your application -- although I'm getting  18 applications mixed up at this point -- that they  19 could, via an IEP, not have as many flavors because  20 they're taking longer to get through the ones they  21 have to have to graduate. I think I'm saying that  22 correctly.  23 MR. JUSTIN BAIARDO: That's right.  24 COMMISSIONER ARMBRUSTER: So I just wanted  25 to know, because their mastery may take two flavors</p>	<p style="text-align: right;">Page 101</p> <p>1 flexibility in terms of being able to take fewer  2 classes. So most kids take five classes at a time  3 with two of those flex periods. Term-by-term, some  4 students are taking four classes at a time. They  5 have three flex periods, one or two of which are  6 working with a special ed teacher directly, or  7 they're on program working with either a tutor  8 directly to help them.  9 So in other words, we use that extra  10 period in a very remedial-driven focus.  11 And so I guess the general answer to your  12 question is that we allow it to be flexible, based  13 on the needs of the student, because we know it's  14 different for every student.  15 But does this student have -- apply for  16 the Algebra 2 waiver? Is it a foreign language? It  17 really might depend on the student.  18 So we adjust the requirements and the  19 course load based on what's -- what the student  20 needs, but all the while maintaining that the  21 student is graduating with the same credit  22 requirements that the State would require.  23 COMMISSIONER ARMBRUSTER: This is truly my  24 last question. 700 is your goal?  25 MR. JUSTIN BAIARDO: Yes.</p>

<p style="text-align: right;">Page 102</p> <p>1 COMMISSIONER ARMBRUSTER: And that's a 2 large number. Although this is a larger district 3 than some, it's still not like Albuquerque, right? 4 And I'm wondering if your school could be successful 5 if you had -- I don't know -- 350 kids. I'm just 6 making that number up. 7 I'm not committing you to anything; but 8 I'm just asking if one of the issues here is taking 9 700 students. That's a large number. So can your 10 school be successful and -- you know, everything 11 else, if the number were less? 12 MR. JUSTIN BAIARDO: It can, absolutely. 13 I think we function in Albuquerque between 400 and 14 500 and feel like that -- it works. I mean, the 15 more -- I think why we liked 700 was because that 16 would allow for more offerings for the students, 17 more majors programs. 18 The one thing I like to -- because people 19 say, "700, that's a big school sticking it right in 20 the middle of the city," or whatever. It's helpful 21 to think about it in terms of phasing in. 22 If we're bringing in 100 sixth-graders, 23 let's say, every year, we're not filling an extra 24 eleventh grade and a twelfth grade and a ninth grade 25 every year. We're just filling -- again, we're</p>	<p style="text-align: right;">Page 104</p> <p>1 eighth grade. Not leave school, but they want to go 2 to the traditional brick-and-mortar because of the 3 programming that's available, and they want to be 4 with those kids so that when they go into high 5 school -- because there's so many more 6 opportunities -- and that's because the schools are 7 small. And one of them is a dual-language middle 8 school program that we have. 9 So I do have a concern with that 240 10 number, because at the very least, at one of the 11 properties you're looking at, that's about a quarter 12 of the size of the closest middle school. So that's 13 a lot. 14 And we don't have, generally, charters 15 that roll out with 240 students for their first 16 year. So... 17 COMMISSIONER CABALLERO: Which site are 18 you talking about? 19 THE CHAIR: The -- the one off of 70. 20 COMMISSIONER CABALLERO: I-70? 21 THE CHAIR: Right. And Rinconada. The 22 closest middle school there, I believe has like 23 around an 800 -- and I'm assuming that that's 24 probably what all the middle schools are running 25 about that number -- between 800 and 900, somewhere</p>
<p style="text-align: right;">Page 103</p> <p>1 filling our sixth-grade class, and that group is 2 going through our school. We'd backfill five 3 students here, six students here. Absolutely. 4 But the goal is to create the starting 5 point, in the end to be at sixth grade and moving 6 through the -- so when you think about it that way, 7 it's not, like, we're taking on 700 students all 8 next year. We're starting small. 9 And our goal would be to fill our sixth 10 grade class on a yearly basis with 100 students, and 11 that gets us to a point where we're building in the 12 end. Of course, that's five, six years away when we 13 have a school that size. It'll be built from a 14 younger age all the way up through. 15 COMMISSIONER ARMBRUSTER: Thank you. 16 THE CHAIR: I just have a couple of -- and 17 one is about the enrollment. Because your 18 application says that you want to start your rollout 19 with 240, I believe it is. Isn't that what we saw? 20 240. 21 So we have two middle-school charter 22 programs already in Las Cruces. Both of them are 23 extraordinarily small. And the -- the one -- I know 24 one of the two faces challenges, because the 25 eighth-graders often leave between seventh and</p>	<p style="text-align: right;">Page 105</p> <p>1 around there. So that's a quarter of the student 2 enrollment. 3 So that's -- you know -- I don't think 4 that's even really attainable. So I'm just -- 5 that's really more of a comment than anything. 6 But I want to thank both Commissioners for 7 the conversation about equal and equitable; because 8 I'm going to say, from my perspective, when I read 9 the application, and you made the statement, "We're 10 going to provide these for all students, regardless 11 of their background," that was off-putting to me, 12 because I don't know why a public school would have 13 to put that in a mission statement. 14 We're public schools; so we're obligated 15 to do that. So to me, when you put that in, there's 16 an intimation that either the local charter 17 school -- the local school district doesn't do that, 18 or charters don't do it. So it's an off-putting 19 connotation to me when that's put in there. 20 But what was off-putting to me today was 21 the statement that was made that, "We're not from 22 here. We don't know what you want, and we want to 23 listen when we start the school." 24 I'm going to reflect back to almost a year 25 ago to the day. And I'm the only one that was --</p>

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<p>1 that's up here that was here last year for the 2 community input hearing. 3 And it was full. It was absolutely full. 4 And it was full of City Councilors and a State 5 Representative and Chamber -- Green Chamber of 6 Commerce Chair. And those folks are great. But 7 their kids aren't going to the programs. But what 8 it was full of, it was parents and students. And 9 English was not their first or second language. So 10 we had an interpreter here so that everyone felt 11 comfortable. 12 And that this was -- this was a meeting 13 that was full of people who, to me, truly 14 represented what Las Cruces is. And it was a 90/10 15 program that they were creating as well. It was -- 16 we don't have a school, a charter school that wasn't 17 homegrown from this community. 18 And it is somewhat off-putting when a 19 sentiment is made, "We're not from here," because to 20 me, that's not what charters are. Charters are 21 supposed to reflect and grow out of what the 22 community needs, not from an outside force that is 23 coming in and saying, "Hey, this is what we're going 24 to do for you." 25 It's -- that's a sentiment that I don't</p>	<p>1 a bit about, I guess, you and a team coming down 2 here and spending time, I guess, in helping to 3 development curriculum and so on. But you don't 4 indicate any MOU. 5 So I was kind of confused with how that 6 relationship is actually going to be. And will 7 any -- eventually, will any funding from the -- for 8 the school's ed programming go to 9 Explore-Albuquerque? 10 MR. JUSTIN BAIARDO: It will not. We went 11 through this with our legal counsel. And we -- 12 obviously delicate subject overall -- wanted to make 13 sure that we were upfront in saying that in the end 14 is the board who -- you know, the charter is granted 15 to the school's board. And we would like to provide 16 support in starting the school. 17 In the end, it's going to be the board and 18 that school leader that end up carrying that school. 19 We want to provide as much support for those 20 individuals as possible to make the decisions 21 they -- you know, to make the right decisions for 22 students. But in the end, we are of full 23 understanding that it is the board's school, and 24 it's not -- we didn't put in a third-party 25 relationship or a contract or an MOU, because in the</p>
<p>Page 107</p> <p>1 appreciate in this community. So -- and that's -- 2 it's more of a statement than really a question. So 3 thank you. 4 Commissioners, are there any other 5 questions? 6 COMMISSIONER CABALLERO: One more. 7 THE CHAIR: Okay. Thank you. 8 Commissioner Caballero? 9 COMMISSIONER CABALLERO: And this question 10 may be a little strange. But I feel I should ask 11 it, only because I'm presented with an existing 12 charter opening up another charter. 13 And so we have been, as a Commission, 14 concerned with third-party contracts, relationships, 15 especially from out-of-state. But will the new 16 school here in Las Cruces have a financial 17 relationship or connection with your administration 18 once it opens? 19 MR. JUSTIN BAIARDO: No. Separate school. 20 Separate board. 21 COMMISSIONER CABALLERO: Thank you. 22 THE CHAIR: And thank you for that, 23 because that reminded me of something. 24 Because when you looked at your 25 implementation year, in particular, you spoke quite</p>	<p>Page 109</p> <p>1 end, the board will have to want to -- have to -- it 2 will be their choice to work with -- with us on an 3 annual basis, that they see that our services that 4 we provide are still useful and effective for their 5 student population. 6 But, in fact, they have the freedom to 7 sever that relationship, because they have the 8 autonomy to exist as their own educational entity. 9 So to answer your question, yeah, no, 10 there is no crossover of funding between the two -- 11 two schools. 12 THE CHAIR: So there's no MOU, even for 13 the -- I don't know how to refer to it -- the -- 14 whatever services you're providing in helping to 15 establish the curriculum? You know, that's where 16 I -- I just couldn't -- when I was reading it and I 17 read it over a couple of times, and I just wasn't 18 getting how that was working, when you're -- when 19 you don't have that MOU or something. 20 MR. JUSTIN BAIARDO: As founders, we -- I 21 mean, we're founders. So we're doing what we can to 22 bring the school upward. 23 So what is -- it puts us in a -- what's a 24 founder's role moving forward also? We're not going 25 to be administrators; we're not going to be</p>

<p style="text-align: right;">Page 110</p> <p>1 teachers. But we want to help support.  2 So what does that look like? And, yeah,  3 it's a hard thing to describe with specificity. It  4 wasn't done through bad intention. We were trying  5 to find a way to navigate that, where we want to  6 help -- the systems that we build, we feel like can  7 be super-helpful; but at the same time, you know,  8 if -- you know, we're not essential to the school's  9 operation. I mean, officially, we can't be. And we  10 understand that; so --  11 THE CHAIR: Thank you. And I do want to  12 publicly say thank you, because I know you've got  13 quite a cooperative relationship with Las Montañas.  14 So I really do appreciate that; so -- because  15 anything that we can do to move charters forward  16 positively, that's important for us.  17 Commissioners, anything else?  18 (No response.)  19 THE CHAIR: Okay. Any member of the  20 public, include the applicants, may submit written  21 input following this hearing. Written comments can  22 be sent to the Commission via  23 Charter.Schools@state.nm.us, mailed or  24 hand-delivered. The details and addresses are in  25 the -- on the sheets in the back, Karen?</p>	<p style="text-align: right;">Page 112</p> <p>1 COMMISSIONER VOIGT: A motion to adjourn.  2 THE CHAIR: There's a motion by  3 Commissioner Voigt.  4 COMMISSIONER CABALLERO: Second.  5 THE CHAIR: A second by Commissioner  6 Caballero.  7 All in favor?  8 (Commissioners so indicate.)  9 THE CHAIR: These meetings stand  10 adjourned.  11 Thank you very much, everyone.  12 (Proceedings concluded at 11:21 a.m.)  13  14  15  16  17  18  19  20  21  22  23  24  25</p>
<p style="text-align: right;">Page 111</p> <p>1 MS. KAREN WOERNER: Yes, ma'am.  2 THE CHAIR: Are the sheets in the back --  3 okay. Thank you. The details and addresses are  4 listed on the handouts in the back of the room.  5 Make sure you identify the school you are  6 commenting on if you're doing it online as a  7 drop-down box. So please make sure you're  8 commenting on the correct school.  9 And if you are submitting it via  10 traditional e-mail or snail-mail, please also make  11 sure that you identify the school that you're making  12 the comment on.  13 Any written input must be received no  14 later than 5:00 p.m. on the third business day  15 following the hearing on the application on which  16 you wish to comment. For Explore  17 Academy-Las Cruces, that would be July 24th, 2019,  18 at 5:00 p.m.  19 Thank you all for your presentations  20 today. The Public Education Commission will meet in  21 Santa Fe August 21st to the 23rd, 2019, to render  22 their decision on approval or denial of this and  23 other new charter school applications.  24 Commissioners, I'll entertain a motion to  25 adjourn.</p>	<p style="text-align: right;">Page 113</p> <p>1 BEFORE THE PUBLIC EDUCATION COMMISSION  2 STATE OF NEW MEXICO  3  4  5 REPORTER'S CERTIFICATE  6 I, Cynthia C. Chapman, RMR, CCR #219, Certified  7 Court Reporter in the State of New Mexico, do hereby  8 certify that the foregoing pages constitute a true  9 transcript of proceedings had before the said  10 NEW MEXICO PUBLIC EDUCATION COMMISSION, held in the  11 State of New Mexico, County of Doña Ana, in the  12 matter therein stated.  13 In testimony whereof, I have hereunto set my  14 hand on July 29, 2019.  15  16  17  18  19  20  21  22  23  24  25  <hr/> Cynthia C. Chapman, RMR-CRR, NM CCR #219  BEAN &amp; ASSOCIATES, INC.  201 Third Street, NW, Suite 1630  Albuquerque, New Mexico 87102    Job No.: 2363N (CC)</p>

1 RECEIPT  
2 JOB NUMBER: 2363N CC Date: 7/19/19  
3 PROCEEDINGS: Community Input Hearing Proceedings  
4 CASE CAPTION: In Re: EXPLORE ACADEMY-LAS CRUCES  
5 \*\*\*\*\*  
6 ATTORNEY: MS. BEVERLY FRIEDMAN, NMPED  
7 DOCUMENT: Transcript / Exhibits / Disks / Other \_\_\_\_\_  
8 DATE DELIVERED: \_\_\_\_\_ DEL'D BY: \_\_\_\_\_  
9 REC'D BY: \_\_\_\_\_ TIME: \_\_\_\_\_  
10 \*\*\*\*\*  
11 ATTORNEY:  
12 DOCUMENT: Transcript / Exhibits / Disks / Other \_\_\_\_\_  
13 DATE DELIVERED: \_\_\_\_\_ DEL'D BY: \_\_\_\_\_  
14 REC'D BY: \_\_\_\_\_ TIME: \_\_\_\_\_  
15 \*\*\*\*\*  
16 ATTORNEY:  
17 DOCUMENT: Transcript / Exhibits / Disks / Other \_\_\_\_\_  
18 DATE DELIVERED: \_\_\_\_\_ DEL'D BY: \_\_\_\_\_  
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21 ATTORNEY:  
22 DOCUMENT: Transcript / Exhibits / Disks / Other \_\_\_\_\_  
23 DATE DELIVERED: \_\_\_\_\_ DEL'D BY: \_\_\_\_\_  
24 REC'D BY: \_\_\_\_\_ TIME: \_\_\_\_\_  
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