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BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS
MEETING AND TRAINING
November 1, 2012
8:50 a.m.
5151 San Francisco Road, Northeast
Kokopelli Ballroom
Albuquerque, New Mexico

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A P P E A R A N C E S

COMMISSIONERS:

- MS. M. ANDREW GARRISON, Chair
- MS. CAROLYN SHEARMAN, Vice Chair
- MR. EUGENE GANT, Secretary
- MS. CARLA LOPEZ
- MR. VINCE BERGMAN
- MR. JEFF CARR
- MR. MICHAEL CANFIELD
- MR. GILBERT PERALTA
- MS. MILLIE POGNA

STAFF:

- MS. KELLY CALLAHAN, Director, Charter School Division
- MS. BEVERLY FRIEDMAN, NMPED PIO
- MS. SHELLY CHERRIN

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1 (November 1, 2012, 8:50 a.m.)

2 THE CHAIR: Good morning, everyone. Good
3 morning. We're going to begin the Public Education
4 Commission meeting and training of November 1, 2012,
5 here in Albuquerque. And our first order of
6 business is roll call. And in absence of Secretary
7 Gant, Vice Chair Shearman will take roll.

8 (Roll call conducted.)

9 THE CHAIR: We have a quorum. We will go
10 to Item No. 3, and we will join Commissioner Millie
11 Pogna with the Pledge of Allegiance; then follow up
12 with Commissioner Carla Lopez with the Salute to the
13 New Mexico Flag. Please stand, everyone.

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

16 THE CHAIR: Commissioner Jeff Carr will
17 give us a Statement of Aspiration to begin our
18 meeting.

19 COMMISSIONER CARR: This morning, I would
20 like us to remember the hurricane victims this
21 morning. And I'd like you to remember my mother,
22 who's in the hospital right now struggling with
23 pneumonia and coming near to death several times.
24 And she was a -- she riveted bombs during World
25 War II at a Boeing plant in St. Louis.

1 Here's what I plan. I -- and this is a
2 poem without an author, and simply starts with "Yes,
3 but... ."

4 "Yes, but...

5 "...I teach in a four-wall box of drab
6 proportions, but choose to make it a place that
7 feels like home.

8 "...I see too many students to know them
9 as they need to be known, but refuse to let that
10 render them faceless in my mind.

11 "...I am overcome with the transmission of
12 a canon I can scarcely recall myself, but will not
13 represent learning as a burden to the young.

14 "...I suffer from a poverty of time, and
15 so will use what I have to best advantage those I
16 teach.

17 "...I am an echo of the way school has
18 been since forever, but will not agree to perpetuate
19 the echo another generation.

20 "...I am told I am a good teacher, as the
21 test scores I generate, but I will not allow my
22 students to see themselves as data.

23 "...I work in isolation, and I am all the
24 more determined to connect my students with the
25 world.

1 "...I am small in the chain of power, but
2 I have the power to change young lives.

3 "...there are many reasons to succumb and
4 30 reasons five times a day to succeed.

5 "...most decisions about my job are
6 removed from me except the ones that matter most."

7 THE CHAIR: Thank you, Commissioner Carr.

8 Next item is the -- is No. 4, Approval of
9 the Agenda. And the Chair would like to recommend
10 that we move Item No. 7, the Public Education
11 Department Secretary Designate Report, which will be
12 given by Public Education Commission Deputy
13 Secretary Paul Aguilar -- I would like to move that
14 for after lunch. Paul Aguilar will not make it
15 until 1:00. And so we'll move that, and the Chair
16 will place it accordingly with his arrival.

17 The Chair will entertain a motion.

18 COMMISSIONER BERGMAN: Mr. Chair, I move
19 that the Public Education Commission approve the
20 November 1, 2012, agenda with the following change
21 as you just made.

22 COMMISSIONER SHEARMAN: Second.

23 THE CHAIR: Thank you. We have a second
24 by Commissioner Shearman. All those in favor, say
25 "Aye."

1 (Commissioners so indicate.)

2 THE CHAIR: Any dissenting votes? Seeing
3 none, the agenda is approved.

4 No. 5, Approval of the Minutes of the
5 September 19 and 20 meeting, 2012. The Chair will
6 entertain a motion.

7 COMMISSIONER LOPEZ: Move approval.

8 (Multiple Commissioners second the motion.)

9 THE CHAIR: So moved by Carla Lopez. We
10 have a second by five of you. Who was it? We'll
11 say Millie Pogna. All those in favor, say "Aye."

12 (Commissioners so indicate.)

13 THE CHAIR: Dissenting votes? Seeing
14 none, the minutes are approved for the September 19
15 and 20 meeting of 2012.

16 We are at Item No. 6, Open Forum. This is
17 a timed item. Public comments and observations
18 regarding education policy and governance issues, as
19 well as the Strategic Plan for Education are heard
20 at this time. Do we have anyone signed up -- we
21 have no one signed up?

22 We will move -- since we skipped No. 7, we
23 will move to Item No. 8, which is Vote on Charter
24 School Amendments. Good morning, Kelly Callahan,
25 Acting -- it's not Acting Director. That switched.

1 General Manager of the Charter Schools Division,
2 Good morning.

3 MS. CALLAHAN: Good morning, Mr. Chair,
4 Commissioners. Mr. Chair, Commissioners, I have
5 before you in your notebooks two requests for
6 amendments to current charter schools.

7 The First Amendment request is from Media
8 Arts Collaborative Charter School. And Media Arts
9 Collaborative is putting in a request to change
10 their Charter Mission Statement. The current
11 Charter Mission Statement states, "By 2011..." --
12 oh, excuse me. "The Media Arts Collaborative
13 Charter School will provide a high school education
14 through a holistic approach that blends media arts
15 with responsibility and integrity in an inclusive
16 and diversive academic environment. MACCS will
17 provide an integrative, inclusive curriculum through
18 hands-on experiential learning that satisfies
19 New Mexico standards for graduation from secondary
20 schools.

21 "We seek to prepare students for an
22 education in the media arts at the university and
23 community-college level as well as to prepare all
24 students to understand the role of media arts in the
25 world and how people's lives can be affected by

1 them.

2 "Our mission stems from the need to
3 provide an education that recognizes the extensive
4 influence the media has on our children and society.
5 Our vision is for MACCS to contribute sustainability
6 to the growth of the State of New Mexico" -- excuse
7 me -- "to the growth the State of New Mexico is
8 experiencing in the film and television industries
9 to renew generations of New Mexico residents with
10 marketable skills playing important creative roles
11 in these industries."

12 That's the current mission statement.
13 They wish to revise the statement to read, "The
14 Media Arts Collaborative Charter School offers
15 secondary students a comprehensive, project-based,
16 cross-curricular education centered in the media
17 arts. We prepare our graduates for positions in the
18 media industries and for the rigor of post-secondary
19 education."

20 And the rationale for this change is to
21 provide a more succinct verbiage and clarity of the
22 school's mission. And present, walking in -- timing
23 is perfect -- is the head administrator for Media
24 Arts Collaborative Charter School, Glenna Voigt.

25 At this time, the Charter Schools Division

1 does recommend approval of this amendment. And I
2 am -- and Glenna is available for questions.

3 THE CHAIR: The Chair will open up the
4 floor for any questions from Commissioners.
5 Question, Commissioner Shearman?

6 COMMISSIONER SHEARMAN: I think perhaps
7 it's less of a question, more of a comment. I --
8 all you're doing is -- is reducing the amount of
9 language; is that correct?

10 MS. VOIGT: Good morning, Commission and
11 Ms. Shearman. Yes, indeed.

12 COMMISSIONER SHEARMAN: Okay. All right.
13 May I ask a question that has absolutely nothing to
14 do with this? Where is your school located?

15 MS. VOIGT: We are at the corner of Copper
16 and Adams, which is directly behind the Bank of
17 America at Central and Washington. It's a two-story
18 purple building.

19 THE CHAIR: Okay. All right. You all
20 were the ones with the water damage.

21 MS. VOIGT: We had the water main break on
22 Copper in March. It spouted for about three hours
23 before they could find the valve. And we lost 34
24 windows, but only two computers. And not one drop
25 of water landed in the basement. We were very, very

1 lucky.

2 COMMISSIONER SHEARMAN: Terrific. Thank
3 you.

4 MS. VOIGT: You're welcome.

5 THE CHAIR: Question by Commissioner
6 Canfield?

7 COMMISSIONER CANFIELD: Don't know if
8 that's going to work or not. Good morning. I was
9 curious as to the reason for the change. I
10 understand you want to reduce the verbiage. But
11 were you having problems aligning with your current
12 mission? Was there anything in your mission that
13 you were having difficulty achieving or aligning
14 your school to?

15 MS. VOIGT: Commissioner Canfield, no, not
16 at all.

17 COMMISSIONER CANFIELD: Thank you.

18 THE CHAIR: Any other questions? The
19 Chair will entertain a motion.

20 COMMISSIONER LOPEZ: Move approval.

21 COMMISSIONER CARR: Second.

22 THE CHAIR: There was a motion by
23 Commissioner Lopez for approval; seconded by
24 Commissioner Carr. Let's go ahead and proceed with
25 a roll call vote from Commissioner Shearman.

1 COMMISSIONER SHEARMAN: Commissioner
2 Lopez.
3 COMMISSIONER LOPEZ: Yes.
4 COMMISSIONER SHEARMAN: Commissioner
5 Bergman.
6 COMMISSIONER BERGMAN: Yes.
7 COMMISSIONER SHEARMAN: Commissioner
8 Canfield.
9 COMMISSIONER CANFIELD: Yes.
10 COMMISSIONER SHEARMAN: Commissioner
11 Peralta.
12 COMMISSIONER PERALTA: Yes.
13 COMMISSIONER SHEARMAN: Commissioner Carr.
14 COMMISSIONER CARR: Yes.
15 COMMISSIONER SHEARMAN: Commissioner
16 Pogna.
17 COMMISSIONER POGNA: Yes.
18 COMMISSIONER SHEARMAN: Commissioner
19 Garrison.
20 THE CHAIR: Yes.
21 COMMISSIONER SHEARMAN: Commissioner
22 Shearman votes yes. Eight-zero in affirmative.
23 THE CHAIR: With a unanimous vote, the
24 amendment presented by the Media Arts Collaborative
25 Charter School is approved.

1 MS. VOIGT: Thank you very much. Have a
2 wonderful day.

3 THE CHAIR: Thank you.

4 MS. VOIGT: Thanks.

5 MS. CALLAHAN: Mr. Chair, just before we
6 end the meeting --

7 THE CHAIR: Ms. Voigt, you're like a
8 stealth, just in and out, smooth. Love it.

9 MS. CALLAHAN: Charter school principals.
10 Mr. Chair, Commissioners, we just need to remember
11 to sign -- I will try my best to have you sign this
12 before we leave.

13 Mr. Chair, Commissioners, the second
14 request for an amendment comes from East Mountain
15 High School. The head administrator, Mr. Doug Wine,
16 is present. The school has two, actually, amendment
17 requests in their documentation.

18 The first, in the current charter, reads,
19 "By 2011, EMHS will establish baseline iObservation
20 data in one of three domains for each teacher.
21 Within the next year and a half, each teacher will
22 improve one level from the initial score."

23 And the proposal from East Mountain is to
24 delete the goal in its entirety. The rationale for
25 this revision or amendment: "At the time of the

1 writing of the goal, EMHS administration had just
2 received Marzano training. After the writing of the
3 charter, the administration briefly tested the
4 protocols from the software. The administration
5 found that the software was too cumbersome, over
6 40 points to observe, to be useful for teacher
7 evaluation or growth."

8 "In addition, the vendors confirmed
9 similar complaints from other users. In sum, the
10 administration found the software did not help us
11 focus on improvement and did not help us identify
12 teaching needs in a meaningful way."

13 And Mr. Wine is here to field any
14 questions. We do recommend the approval of this
15 amendment.

16 THE CHAIR: Good morning, Mr. Wine. The
17 Chair will open up the floor for questions from
18 Commissioners.

19 COMMISSIONER BERGMAN: Mr. Chair?

20 THE CHAIR: Commissioner Bergman.

21 COMMISSIONER BERGMAN: Since this has
22 proved to be too cumbersome and you couldn't
23 implement it, what are you going to replace it with?
24 Is the next amendment what you're talking about, or
25 is that a separate --

1 MR. WINE: Commissioner Bergman and
2 Commissioners, no. This is -- the State is actually
3 going with a different protocol than Marzano's,
4 which is also why it's being removed. The State's
5 protocol is following Danielson's protocol, which
6 there are 22 different observation points. We're
7 piloting it, not through State approval, but we're
8 piloting it ourselves, because we have taken all the
9 information off PED. So we are using what the State
10 will probably enact next year.

11 COMMISSIONER BERGMAN: So it's not just
12 you with the problem. Everybody that used this
13 Marzano has got a problem?

14 MR. WINE: He has 41 different points of
15 observation, and it's a little cumbersome.

16 COMMISSIONER BERGMAN: Yeah. Thank you.

17 THE CHAIR: Thank you, Commissioner
18 Bergman. Commissioner Shearman?

19 COMMISSIONER SHEARMAN: Thank you. I'm
20 curious that -- is this something you purchased?
21 I'm assuming it is. It's software; it's a program.
22 Was it purchased?

23 MR. WINE: It was purchased -- I think it
24 was, like, \$900.

25 COMMISSIONER SHEARMAN: Okay. But you

1 weren't aware of the 40 points and so forth until
2 later?

3 MR. WINE: We were aware of the 40 points.
4 It was through all of the training we received. The
5 training seemed to suggest that it was very easy to
6 use them. And as we had sort of discussions. We
7 did a demo. We went through doing all of the
8 observation. It was mostly a process of going like
9 this (Indicates) and not actually observing
10 classrooms, because it was about 15 pages of stuff
11 to go through.

12 COMMISSIONER SHEARMAN: Okay. So your
13 charter is a 2010 charter?

14 MR. WINE: Yes.

15 COMMISSIONER SHEARMAN: Is that when you
16 began operation?

17 MR. WINE: Correct -- no, we began in
18 2000.

19 COMMISSIONER SHEARMAN: 2000. So when
20 this school comes up for approval, should this
21 revision be approved, are we going to see a year to
22 a year-and-a-half results from iObservation and then
23 change over to the new system that you're just
24 talking about? So there's going to be a continuity
25 of evaluations that we're going to be able to see,

1 or whomever, when this school comes up for renewal?

2 MR. WINE: What we're going to try to do
3 is provide some explanation of what observations
4 meant over five years. The reality is that these
5 systems -- and the State has a different system
6 still. So they're -- we're trying to create
7 something that has continuity that makes sense for
8 what we -- what our mission is, which is college
9 preparedness. So in answer to your question, we
10 probably will not have the iObservation data because
11 we lost the database once we stopped paying for it.

12 So we'll have more -- two years of really
13 intense using the new protocol from the State, which
14 is last -- this year and next year. And it sort
15 of -- it's expected -- as the governing council has
16 put together my professional development, I'm
17 expected to develop this entire plan and then look
18 for teacher growth using this plan.

19 COMMISSIONER SHEARMAN: So we -- whomever
20 is your renewal authorizer will see two years of
21 data rather than five.

22 MR. WINE: Correct.

23 COMMISSIONER SHEARMAN: Is that correct?

24 MR. WINE: Correct.

25 COMMISSIONER SHEARMAN: That is a concern.

1 Thank you.

2 THE CHAIR: The floor remains open for
3 questions from Commissioners. Seeing none, the
4 Chair will entertain a motion.

5 COMMISSIONER POGNA: Mr. Chairman, I move
6 approval.

7 THE CHAIR: A move for approval by
8 Commissioner Pogna.

9 COMMISSIONER CARR: Second.

10 THE CHAIR: Seconded by Commissioner Carr.
11 We will proceed with a roll-call vote through
12 Commissioner Shearman.

13 COMMISSIONER SHEARMAN: Commissioner
14 Lopez.

15 COMMISSIONER LOPEZ: Yes.

16 COMMISSIONER SHEARMAN: Commissioner
17 Bergman.

18 COMMISSIONER BERGMAN: Yes.

19 COMMISSIONER SHEARMAN: Commissioner
20 Canfield.

21 COMMISSIONER CANFIELD: Yes.

22 COMMISSIONER SHEARMAN: Commissioner
23 Peralta.

24 COMMISSIONER PERALTA: Yes.

25 COMMISSIONER SHEARMAN: Commissioner Carr.

1 COMMISSIONER CARR: Yes.

2 COMMISSIONER SHEARMAN: Commissioner
3 Pogna.

4 COMMISSIONER POGNA: Yes.

5 COMMISSIONER SHEARMAN: Commissioner
6 Garrison.

7 THE CHAIR: Yes.

8 COMMISSIONER SHEARMAN: Commissioner
9 Shearman votes yes. The vote is eight-zero in the
10 affirmative.

11 THE CHAIR: We have a unanimous approval
12 of the amendment presented by the Media Arts
13 Collaborative Charter School. Thank you, sir.
14 Which one are we on?

15 MS. CALLAHAN: East Mountain.

16 THE CHAIR: I knew that. I switched it.
17 Sorry. The East Mountain High School. Thank you,
18 sir.

19 MS. CALLAHAN: Mr. Chair, Commissioners,
20 the second amendment from East Mountain High School
21 is regarding their college readiness goal. The
22 current charter statement reads, "Ready for college
23 New Mexico. By 2012 after four years of an annual
24 report on New Mexico high school graduates who take
25 remedial classes in New Mexico colleges and

1 universities, EMHS will establish a benchmark
2 percentage of students needing to take remedial
3 courses in New Mexico State colleges."

4 The second half is, "In 2013 and each year
5 after, EMHS will drop the percentage of those
6 needing to take remedial courses by 2 percent."

7 The proposed revision or amendment
8 statement reads, "By the end of the 2013-'14 school
9 year, EMHS will determine the New Mexico benchmark
10 average of graduates who are in need of remediation
11 upon graduation. EMHS will use Accuplacer scores to
12 estimate the percentage of graduates who will need
13 remedial classes in New Mexico colleges."

14 And they note that, "This measure is a
15 conservative number, because some of those students
16 do not go to college and, therefore, are not figured
17 into the Public Education Department report."

18 The second part: "EMHS will decrease the
19 percentage of those needing to take remedial courses
20 by two percentage points in the 2014-2015 graduating
21 class."

22 The rationality for this revision or
23 amendment: "The Public Education Department stopped
24 providing these data to schools and the public in
25 2009. These data were a list of students who

1 attended East Mountain High School at one time and
2 attended a public university in New Mexico. Since
3 EMHS no longer receives this important benchmark,
4 EMHS cannot estimate the remediation rate in the way
5 that PED could measure it. Therefore, beginning in
6 2011, EMHS will estimate the remediation percentage
7 for math and English based upon SAT, ACT, and
8 Accuplacer scores for the entire graduating class.
9 EMHS will set a three-year average benchmark for the
10 graduating class, and then seek to decrease the
11 percentage of those needing remediation by two
12 percentage points in 2014-'15."

13 And the CSD recommends approval.

14 THE CHAIR: The floor is open for
15 questions from Commissioners. Commissioner Lopez?

16 COMMISSIONER LOPEZ: Can you explain in
17 plain English what this is?

18 MR. WINE: Okay. And, Commissioner
19 Shearman, you'll like this answer, because we can
20 actually keep this one over several years.

21 COMMISSIONER SHEARMAN: Terrific.

22 MR. WINE: So PED used to create a report
23 when Dr. Winograd, who is now with CEPR at UNM,
24 would create it for PED. And what it did is it said
25 that the remediation of people going into college

1 classes was "X" percentage. It was provided
2 statewide, districtwide, and for each individual
3 high school.

4 So we had those data and kept track of
5 them. Ours -- I think the statewide percentage was
6 49 percent; ours was 37 percent. And so, as a
7 school that was college prep, it was our goal to
8 decrease that number ultimately to zero someday. So
9 we -- this was like one of the centerpieces of what
10 we were trying to accomplish.

11 We can't get that information anymore
12 because PED no longer provides the report. So what
13 we can do is estimate it. We know that UNM, CNM,
14 Eastern, New Mexico State, and all of them, use
15 either the ACT, SAT, or Accuplacer scores to
16 determine remediation rate. So we can begin to
17 estimate -- and what we would do is -- PED's rate is
18 they would estimate it any time a student was in our
19 school. We can't keep track of a student once a
20 student comes and leaves. So we're going to
21 estimate it on once a student graduates. We would
22 keep track of those scores and then figure out what
23 it is. Is that better?

24 COMMISSIONER LOPEZ: That is. Thank you.

25 MR. WINE: Actually, I had someone edit

1 that for me.

2 THE CHAIR: Was there a notice given by
3 the Public Education Department that that data was
4 no longer going to be reported out?

5 MR. WINE: I don't know. I mean, from
6 what I could tell -- Dr. Winograd used to work --

7 THE CHAIR: What's the name of this
8 doctor?

9 MR. WINE: Dr. Winograd. He's with CEPR
10 now at UNM. And he was in Governor Richardson's
11 office presenting this report. And you still hear
12 the report quoted, and the data is three years old
13 now.

14 THE CHAIR: Spell his name, his last name.

15 MR. WINE: W-I-N-O-G-R-A-D. He's with
16 CEPR. It's policy research -- I don't know what the
17 "C" and "E" stand for. I should, because he's one
18 of my professors. Sorry. Center of Education and
19 Policy Research.

20 THE REPORTER: Thank you.

21 MR. WINE: Okay. Thanks. Sorry.

22 THE CHAIR: Give me a second.

23 MR. WINE: So, if I may, we're not trying
24 to delete this goal. We're basically trying to
25 remeasure it in the best way that we can.

1 THE CHAIR: Well, that scares me, because
2 New Mexico colleges have been -- this is a big
3 issue, that you're not going to English 101; you're
4 going to English 99, 100, Math 100, instead of --
5 instead of qualifying for just basic -- general
6 courses in college. So with the lottery system and
7 things happening the way they are, I -- it just
8 astounds me that that data would not be -- would not
9 be continued.

10 MR. WINE: Uh-huh. And I'm assuming it
11 exists. It's just -- it's not reported in a way
12 that we can get it. And so we're just trying to
13 create our own.

14 THE CHAIR: Interesting. Any other
15 questions by Commissioners? Commissioner Shearman.

16 COMMISSIONER SHEARMAN: Just for
17 clarification and I apologize for my phone. I
18 forgot to turn it off. So, again, when this school
19 comes up for renewal, will there be any gaps in data
20 for this particular measure?

21 MR. WINE: No.

22 COMMISSIONER SHEARMAN: Okay.

23 MR. WINE: Yeah. So what we'll have is
24 what PED has reported to us and then what we can
25 create after that. So there are going to be two

1 different measures. So we don't know if the
2 37-percent measure that we've got from PED will be
3 up or down from there, which is why we want to sort
4 of recalibrate the benchmark. But, no, there will
5 be no gap.

6 COMMISSIONER SHEARMAN: But still the
7 2-percent reduction each year is your goal?

8 MR. WINE: Yes, absolutely.

9 COMMISSIONER SHEARMAN: Okay. Thank you.

10 MR. WINE: You're welcome.

11 THE CHAIR: If there are no other
12 questions, the Chair will entertain a motion.

13 COMMISSIONER CANFIELD: Move to adopt.

14 COMMISSIONER PERALTA: Second.

15 THE CHAIR: Moved by Commissioner
16 Canfield, seconded by Commissioner Peralta. We'll
17 proceed with a roll call vote through Commissioner
18 Shearman.

19 COMMISSIONER SHEARMAN: Commissioner
20 Lopez.

21 COMMISSIONER LOPEZ: Yes.

22 COMMISSIONER SHEARMAN: Commissioner
23 Bergman.

24 COMMISSIONER BERGMAN: Yes.

25 COMMISSIONER SHEARMAN: Commissioner

1 Canfield.

2 COMMISSIONER CANFIELD: Yes.

3 COMMISSIONER SHEARMAN: Commissioner

4 Peralta.

5 COMMISSIONER PERALTA: Yes.

6 COMMISSIONER SHEARMAN: Commissioner Carr.

7 COMMISSIONER CARR: Yes.

8 COMMISSIONER SHEARMAN: Commissioner

9 Pogna.

10 COMMISSIONER POGNA: Yes.

11 COMMISSIONER SHEARMAN: Commissioner

12 Garrison.

13 THE CHAIR: Yes.

14 COMMISSIONER SHEARMAN: Commissioner

15 Shearman votes yes. Eight votes in the affirmative,
16 zero negative.

17 THE CHAIR: Unanimous. The amendment
18 presented by the East Mountain High School is
19 passed. Congratulations.

20 MR. WINE: Thank you.

21 THE CHAIR: I also want to recognize a
22 couple of folks in the audience. I want to thank
23 David Craig from the Legislative Education Study
24 Committee for being with us this morning. He's
25 obviously our acronym finder also. Thank you, sir.

1 And Mark Tolley from APS, working with charter
2 schools. Thank you, sir.

3 Next item on the agenda is the vote on
4 preliminary contract approval for the Health
5 Leadership High School. So we invite Ms. Kelly
6 Callahan, General Manager of the Charter Schools
7 Division, back up.

8 MS. CALLAHAN: Mr. Chair, Commissioners,
9 if you will -- I direct your attention to the
10 Agenda, Executive Summary, that was provided for the
11 Commissioners. The Charter Schools Division and all
12 the charter schools and authorizers in the State of
13 New Mexico, as you all know, are under the new
14 provision of SB 446. 22-8B-9 is the new charter
15 contract that is required for schools who are
16 approved after July 1, 2012, and are renewed after
17 July 1, 2012. And so the new applications that came
18 in after July 1 all had to fall under this SB 446
19 provision.

20 The PEC approved one charter school that
21 will now need to receive a contract. There's an
22 issue, however, because the contents of the contract
23 under 22-8B-9 are specific to academic, financial,
24 and organizational benchmarks. The school is not in
25 existence. And so it's very difficult to create a

1 contract based on -- they don't have a building;
2 they don't have staff; they don't have students.

3 And -- and so when we were developing the
4 contract that you all have reviewed -- and we are in
5 current public comment review -- is a comprehensive
6 contract that covers all the elements that are
7 outlined in the statute and incorporate the
8 performance frameworks which are part of 22-8B-9.1.
9 And the frameworks list very specific benchmarks.
10 So, with existing schools, we will be able to do a
11 much better job of working on negotiating the
12 performance measures that these schools will have to
13 meet.

14 The new school, however, doesn't have
15 anything. And so the Charter Schools Division has
16 developed what we call a "preliminary contract" that
17 would serve as a placeholder until the school was
18 able to -- to either get some data that we could use
19 as a means of negotiation, or we determine a process
20 that would incorporate the fact that it's a new
21 school.

22 And so the preliminary contract draft is
23 included in your packets. And the preliminary
24 contract essentially is the Planning Year Checklist.
25 Schools that are new and approved by the Public

1 Education Commission are required to go through a
2 Planning Year Checklist. Then they must demonstrate
3 that they are ready to commence operations and
4 receive approval from the Commission to begin their
5 school.

6 And so the preliminary contract is
7 essentially -- what we've done in the past for all
8 new schools is that they've agreed that they -- as
9 one of the conditions for them to open, is they have
10 to complete the Planning Year Checklist and meet the
11 conditions that are set by the Public Education
12 Commission. So this preliminary contract would then
13 stipulate those measures, much as we've done in the
14 past. We just didn't have a separate contract. It
15 was just part of the resolution that was approved by
16 the Commission.

17 And so we want to ask for assistance from
18 legal counsel on negotiating this particular
19 contract and any contracts that are coming forward.
20 And we need to -- we need to have a process. Are
21 Commissioners involved? Is it the full Commission?
22 Is it a committee? Is it the legal counsel for the
23 Commission, the CSD, and the school? Who are the
24 players that are going to actually be at the table?
25 And so we're trying to put together that process and

1 what that looks like.

2 And so what I'm proposing is that we do an
3 extension for this preliminary contract so that we
4 can indeed get these legal issues ironed out, insure
5 that we're meeting the requirements of the law, and
6 insure that the school has adequate means to fulfill
7 the terms of their contract. And so the request
8 that is on here, the motion that is on here is that
9 we extend this contract deadline for the school
10 prior to the December meeting that we have set up
11 already.

12 And so that's -- that's kind of where
13 we're sitting right now. I open that up to
14 discussion and process. Health Leadership was
15 unable to be at the meeting today, and they have --
16 they've verbally agreed that they would accept an
17 extension to ensure that the process is thorough and
18 fair.

19 THE CHAIR: Any comments from
20 Commissioners, recommendations?

21 COMMISSIONER BERGMAN: Mr. Chair?

22 THE CHAIR: Commissioner Bergman.

23 COMMISSIONER BERGMAN: Kelly, we did not
24 discuss this yesterday in our meeting, and I've read
25 that preliminary draft, but I don't remember. Are

1 you going to include -- if we impose conditions on
2 these new applicants, are you going to put them in
3 this preliminary contract, or are you going to wait
4 until a more formal contract is done?

5 MS. CALLAHAN: Mr. Chair, Commissioner
6 Bergman, the conditions that were set forth in the
7 resolution would become part of this preliminary
8 contract, as well as the final contract.

9 COMMISSIONER BERGMAN: Thank you.

10 COMMISSIONER LOPEZ: Mr. Chair?

11 THE CHAIR: Commissioner Lopez, and then
12 Commissioner Shearman.

13 COMMISSIONER LOPEZ: It seems very
14 sensible to me, to -- two things: To take time to
15 figure it out, and, also, that there be some way of
16 measuring the checklist year. So I like the idea a
17 lot.

18 THE CHAIR: Commissioner Shearman?

19 COMMISSIONER SHEARMAN: Thank you. Are
20 we -- let me just clarify for myself. Are we voting
21 on the extension of time to get this preliminary
22 contract completed? And are we also voting on the
23 preliminary contract itself? Two votes? One --
24 help me understand here.

25 MS. CALLAHAN: Mr. Chair, Commissioner

1 Shearman, the vote that's on the table today is just
2 for the extension. We need to review the contract
3 and go over the -- before that can be approved, to
4 insure legal counsel and everybody has an
5 opportunity to -- to make sure that we fulfill the
6 requirements of the law.

7 COMMISSIONER SHEARMAN: Okay. Now, is
8 that something else we're going to do today or at
9 another date?

10 MS. CALLAHAN: Mr. Chair, Commissioner
11 Shearman, I'm going to -- I'm hoping that's
12 something that we can determine. Do we need to set
13 a committee? Do we need to set -- I'm looking for
14 some guidance on how we need to proceed. But
15 what -- who's involved is -- you know, the law does
16 not stipulate who's -- who needs to be the
17 negotiat- -- it just says that it will be
18 negotiated. So, between the authorizer and the
19 school.

20 But now we're at the crossroads where we
21 have to make those decisions, and so I'm looking for
22 some guidance from the Public Ed Commission, from
23 legal counsel, as to how we proceed, and then
24 looking to implement that plan.

25 COMMISSIONER SHEARMAN: (Indicates.)

1 THE CHAIR: So, in essence, some of the
2 requirements of SB 446, they cannot come to fruition
3 until the school is already up and running?

4 MS. CALLAHAN: Mr. Chair, that's correct.

5 THE CHAIR: So we're just -- at best we
6 kick a can down the road, I'm guessing.

7 MS. CALLAHAN: Mr. Chair, I --

8 THE CHAIR: For lack of better
9 terminology.

10 MS. CALLAHAN: For lack of a better
11 response, I concur.

12 THE CHAIR: And then it also brings
13 what -- the question of how do we take care of this
14 before -- or by December 14, what meetings are had,
15 what quorums are voided, or what full meetings are
16 called between now and December 14, to figure this
17 out.

18 MS. CALLAHAN: Mr. Chair, that's correct.

19 THE CHAIR: So I notice something else on
20 the agenda, and it kind of speaks to this, because I
21 was hoping to -- at first glance, I'm thinking of
22 having Commissioner Bergman, who chairs the Charter
23 School Committee, to take care of this, because then
24 you don't have a quorum; you have the committee
25 working with our legal counsel. I don't know

1 where -- where Mr. Vigil's contract stands, but he's
2 been working awful hard for us for what seems to be
3 a paltry amount. So that needs to be figured out
4 with the Deputy Secretary.

5 Perhaps -- perhaps this discussion can be
6 moved under Item No. 12 -- not moved, but had --
7 this discussion could be had under Item No. 12 with
8 the PEC Comments to figure -- figure out some of
9 those details, because this is now.

10 MS. CALLAHAN: Right. Right.

11 THE CHAIR: Okay. So there's a proposed
12 motion under Item No. 9. Are there any more
13 questions? Are there any other questions by
14 Commissioners? Commissioner Bergman, comment?

15 COMMISSIONER BERGMAN: Mr. Chairman, I --
16 this is partially some of what we discussed
17 yesterday in our meeting, and I am certainly
18 amenable -- because I am retired, I do have time,
19 probably, as always, to travel, since I live in
20 Roswell. And the expenses -- as long as I'm going
21 to be reimbursed for expenses, I'm more than happy.
22 We talked about how we might do that. So I am
23 certainly amenable to that this might be the time I
24 should make -- I did ask Kelly yesterday that there
25 was some discussion of how these negotiations are

1 going to go on. And I indicated -- and I'm just
2 speaking for myself -- that -- but I thought my
3 fellow Commissioners would at least like to know
4 when negotiations are actively going on, and, if any
5 PEC Commissioner wanted to attend those, that they
6 be a part of the invited group.

7 So I think that's going to be something
8 that the CSD is going to be amenable to. I just
9 want to let everybody know, if you want to actually
10 sit in on these contract negotiations -- and they
11 may take days. They may -- that's why 30 days were
12 allowed. It's not something that's going to be
13 accomplished in a couple of hours. But I did want
14 to be sure that we at least had a place at the
15 table, someone from our group, if we wanted it. So
16 that was discussed yesterday also.

17 THE CHAIR: So we'll continue that
18 discussion under Item No. 12 with comments from
19 Commissioners. I see an omission that we didn't
20 actually -- we didn't actually put in the agenda,
21 that the -- the committee reports. And that was
22 probably all of us just -- just glancing over it and
23 not officially entering that in the agenda. So I
24 apologize. I own that.

25 Any other questions or comments from

1 Commissioners? If not, the Chair will entertain a
2 motion on this -- on this timed application here.

3 COMMISSIONER BERGMAN: Mr. Chair?

4 THE CHAIR: Commissioner Bergman?

5 COMMISSIONER BERGMAN: I move to approve
6 extending the new charter school contract
7 negotiations deadline with Health Leadership High
8 School for no later -- or actually, no longer --
9 than December 14, 2012.

10 THE CHAIR: We have a motion.

11 COMMISSIONER CARR: Second.

12 THE CHAIR: Seconded by Commissioner Carr.

13 We will proceed with a roll-call vote through
14 Commissioner Shearman.

15 COMMISSIONER SHEARMAN: Commissioner
16 Lopez.

17 COMMISSIONER LOPEZ: Yes.

18 COMMISSIONER SHEARMAN: Commissioner
19 Bergman.

20 COMMISSIONER BERGMAN: Yes.

21 COMMISSIONER SHEARMAN: Commissioner
22 Canfield.

23 COMMISSIONER CANFIELD: Yes.

24 COMMISSIONER SHEARMAN: Commissioner
25 Peralta.

1 COMMISSIONER PERALTA: Yes.

2 COMMISSIONER SHEARMAN: Commissioner Carr.

3 COMMISSIONER CARR: Yes.

4 COMMISSIONER SHEARMAN: Commissioner

5 Pogna.

6 COMMISSIONER POGNA: Yes.

7 COMMISSIONER SHEARMAN: Commissioner

8 Garrison.

9 THE CHAIR: Yes.

10 COMMISSIONER SHEARMAN: Commissioner

11 Shearman votes yes. Mr. Chair, that's eight

12 affirmative, zero opposed.

13 THE CHAIR: There is unanimous approval
14 extending the new charter school contract
15 negotiations deadline with Health Leadership High
16 School for no longer than December 14, 2012.

17 MS. CALLAHAN: Thank you.

18 THE CHAIR: Thank you, Kelly. We have
19 some -- we have some paperwork to sign. So I'm
20 going to call a 15-minute recess to knock that out.
21 And then we'll return with item No. 11, PED Charter
22 School Division Report. We're in recess.

23 Board of Finance for Health Leadership
24 High School will be the Item No. 10 that we come
25 back to.

1 (Recess taken, 9:30 a.m. to 9:45 a.m.)

2 THE CHAIR: The meeting of the Public
3 Education Commission is back in session. We are on
4 Agenda Item No. 10, vote on approval of Board of
5 Finance for Health Leadership High School. The
6 documents submitted in -- I'm assuming they're in
7 our folders.

8 MS. CALLAHAN: Mr. Chair, the Health
9 Leadership High School did not have the two required
10 documents to have a full packet. According to
11 statute, and regulation, they have 90 days from
12 their approval, and so they requested to be on the
13 December agenda for approval of Board of Finance.
14 It's sort of a moot point, because there's no money
15 that they are able to get because of the federal
16 grant not being available this year. The time
17 intensity that we've had in the past has been
18 because they had to spend their federal grant money
19 in order to get their start-up funds.

20 There's none of those available. And so
21 they wanted to get their Certificate -- they needed
22 to get their Certificate of Insurance that bonds
23 their business manager. They didn't have that yet,
24 and one other document. And they didn't want to
25 submit an incomplete packet.

1 THE CHAIR: So the Chair will table the
2 vote on approval of Board of Finance unless --
3 Mr. Vigil, we don't need to take a vote on that;
4 right?

5 MR. RAMON VIGIL: You can vote to approve
6 their request for extension.

7 THE CHAIR: The Chair will entertain a
8 motion.

9 COMMISSIONER PERALTA: So moved.

10 COMMISSIONER BERGMAN: Second.

11 THE CHAIR: So moved by Commissioner
12 Peralta, seconded by Commissioner Bergman. All
13 those in favor, say "Aye."

14 (Commissioners so indicate.)

15 THE CHAIR: Those in dissension? Seeing
16 none, we are granting an extension for the vote on
17 approval for the Board of Finance for Health
18 Leadership High School.

19 Item No. 11 is the PED Charter School
20 Division Report. The Charter School Division will
21 give a report on the current status of the Charter
22 Schools Division. Topics will include New America
23 School, charter renewal status, new charter
24 application appeals, Senate Bill 446 implementation
25 update, the report on the National Association of

1 Charter School Authorizers national conference, and
2 the Charter School Division's staffing update.

3 There will be an opportunity for Public
4 Education Commissioners to ask questions. And then
5 here's a note. The Acting Director of CSD, which is
6 General Manager Kelly Callahan, is still in the
7 process of compiling the information for the report.
8 The PED will receive a draft copy by Wednesday,
9 October -- so this is outdated here.

10 MS. CALLAHAN: Yes, Mr. Chair. The report
11 that you just received this morning, I've -- we just
12 finished it yesterday afternoon.

13 THE CHAIR: So please disregard that note.
14 Kelly, the floor is yours.

15 MS. CALLAHAN: Thank you, Mr. Chair,
16 Commissioners. The request was made by the
17 Executive Committee of the PEC that the Charter
18 School Division do a report for the Commission. And
19 so that -- there really isn't a format that was
20 discussed, so that may be something that we can talk
21 about later. But the -- so what I did is I made a
22 list of topics based on requests from the executive
23 committee and -- and am just going to do sort of an
24 update. And I'm not sure what -- what we want in
25 the future, if we want a formalized report,

1 something that we can put together. I'd be happy to
2 work with the Executive Committee to determine what
3 that's going to look like.

4 So, right now, it's just -- the report
5 that you receive, the written report, is based on
6 New America School, and then I just have verbal
7 updates on the rest. If I may proceed?

8 THE CHAIR: Please proceed.

9 MS. CALLAHAN: Thank you. Mr. Chair,
10 Commissioners, you have in front of you a report
11 about New America School. And if I may, I'm just
12 going to go ahead and read what's on here so it can
13 get into the record. This is the report from the
14 Charter Schools Division on that school.

15 The background. There was a series of
16 allegations that were recently leveled against the
17 governing council of New America School in
18 New Mexico, which is located in Albuquerque, and
19 named officers of the New America Schools, who are
20 serving as consultants to that governing council, by
21 the former head administrator of the school.

22 These allegations were submitted to the
23 Public Education Commission in July and August of
24 this year. The Commission requested the Charter
25 Schools Division to conduct a preliminary review of

1 the allegations and of any subsequent actions that
2 may have been taken to address them, and provide a
3 report of its findings.

4 The allegations consist mostly of
5 confidential personnel matters between the former
6 head administrator and the school's governing
7 council. Other non-personnel-related allegations
8 suggest possible violations of the State's Open
9 Meetings Act and the governing council's
10 conflict-of-interest policy, noncompliance with the
11 State's required use of the House evaluation
12 process, the lack of a 2011-'12 employment contract
13 for the school's head administrator, sexual
14 harrassment, and the lack of authority of the New
15 America School superintendent to review the
16 professional performance of the head administrator.

17 In conducting the request to review, the
18 Charter Schools Division was directed to contact the
19 legal counsel for the New America School-New Mexico
20 for background information and responses to the
21 allegations.

22 The sequence of events. In June of 2012,
23 the superintendent of the New America
24 School-New Mexico conducted the professional review
25 of the school's head administrator. As the

1 governing council met to consider the performance
2 evaluation, the head administrator raised the
3 charges that are substantively covered in the
4 complaints that were submitted to the Public
5 Education Commission.

6 The school's governing council then hired
7 both an independent lawyer with significant
8 experience in employment law, and a forensic
9 accountant from the University of New Mexico to
10 investigate the allegations. These formal
11 investigations have only recently concluded, with
12 some of the findings already being reported to the
13 relevant Public Education Department divisions and
14 bureaus. Investigations exonerate the actions and
15 positions taken by the New America
16 School-New Mexico's governing council and confirm
17 that the school is operating in compliance with the
18 law and its charter.

19 The outline of the responses to the
20 non-personnel-related complaints submitted to the
21 Public Education Commission: The New America School
22 officers that are serving as advisers to the school
23 are operating under a legal service contract with
24 the governing council. The New America School
25 superintendent holds a valid New Mexico

1 administrator license and is, by charter, explicitly
2 expected to review the professional performance of
3 the head administrator. The school has an approved
4 waiver to use a professional review process other
5 than the State's House process.

6 The sexual harassment charge was found by
7 the independent investigators to be without merit.
8 The head administrator was working under a signed
9 contract for the 2011-'12 school year. The
10 governing council has not violated the Open Meetings
11 Act or its conflict-of-interest policy. Concerns
12 raised about New America School-Las Cruces need to
13 be addressed to their governing board as separate
14 issues.

15 Conclusion: The Charter Schools Division
16 is satisfied that the New America School's governing
17 council has acted appropriately. The personnel
18 issues raised among the allegations remain a
19 confidential matter between the former head
20 administrator of the school and the school's
21 governing council.

22 And that completes the report.

23 THE CHAIR: Thank you, Ms. Callahan. Were
24 you going to give verbal on the other items?

25 MS. CALLAHAN: Yes.

1 THE CHAIR: Okay. Were there any
2 questions on the report, as read, on New America
3 School?

4 COMMISSIONER CARR: Mr. Chair?

5 THE CHAIR: Commissioner Carr.

6 COMMISSIONER CARR: Yeah. Is there any --
7 is this -- is there any sign that whoever -- or the
8 person bringing this complaint or issues forward,
9 that they're going to take it any further? Are they
10 going to take it to the Attorney General's Office or
11 anyplace else, or -- because when you talk about
12 these -- when you talk about sexual harassment, they
13 can go all the way to a federal level.

14 MS. CALLAHAN: Mr. Chair and Commissioner
15 Carr, there has not been any communication with the
16 former employee by the school or to the CSD, not
17 that I know of.

18 COMMISSIONER CARR: Okay. All right.

19 THE CHAIR: Any other questions?
20 Ms. Callahan, please proceed.

21 MS. CALLAHAN: Mr. Chair, Commissioners,
22 the charter renewal status that we have right now --
23 just to let the Commissioners know, that we received
24 seven charter renewal requests to the Public
25 Education Commission. Five are renewing that are

1 existing Public Education Commission schools, and
2 two are from school districts that are requesting to
3 move to the Public Education Commission as
4 authorizers.

5 And so we have the seven. They are posted
6 on the Web site. I'm hoping that all the
7 Commissioners received the CD of the applications
8 and their -- their background documentation for your
9 review. Part of what today's training is going to
10 be is to kind of walk through what's going to be
11 happening next from the Charter Schools Division in
12 terms of the review process. So I'm going to go
13 into that in a lot more detail.

14 But just so that we have on the record
15 that there are seven schools that are up for renewal
16 to the Public Education Commission. And -- and we
17 will go over that process, and the determination of
18 approval will be at the December 14 and 15 meetings,
19 which I believe are in Santa Fe. I believe the
20 meeting is in Santa Fe. Any questions about that?
21 And as I said we're going to go into more detail.

22 THE CHAIR: Commissioner Shearman?

23 COMMISSIONER SHEARMAN: Just out of
24 curiosity, are there any schools that are renewing
25 with their districts, or is seven the total number

1 in the state?

2 MS. CALLAHAN: Commissioner Shearman,
3 Mr. Chair the number is seven to the PEC. I'm going
4 to actually defer -- I know APS has a couple of
5 renewals -- if I may, to Mr. Tolley?

6 MR. TOLLEY: Mr. Chairman, members of the
7 Commission, we have two full renewals after their
8 five-year term. And then we have two that were
9 given a one-year period from last year that will
10 come up for an extension.

11 COMMISSIONER SHEARMAN: Thank you.

12 MS. CALLAHAN: Those are the ones that
13 we're aware of. And I don't believe there was any
14 other district ones that were due at this time.

15 COMMISSIONER SHEARMAN: Thank you.

16 THE CHAIR: Just real quick, I want to
17 recognize my good friend, Eddie Soto, who is the
18 Assistant Superintendent with the Albuquerque Public
19 Schools. Good morning.

20 MR. SOTO: Good morning, members of the
21 Commission.

22 COMMISSIONER POGNA: Mr. Chairman?

23 THE CHAIR: Commissioner Pogna?

24 COMMISSIONER POGNA: I want to thank you
25 very much for the CDs. That is extremely helpful.

1 MS. CALLAHAN: You're welcome.

2 COMMISSIONER POGNA: I need all the help I
3 can get. Thank you.

4 MS. CALLAHAN: I'm trying to be as
5 responsive as possible to the different needs of
6 technology. We understand that. And, Mr. Chair, if
7 I may, I just want to recognize that the Charter
8 Schools Division staff is doing a fantastic job in
9 gathering the information and data that you have.
10 We have an incredible team. And I know I've said it
11 before, but I don't think you can ever compliment a
12 team as good as we have enough. And so I do want to
13 get that on the record, that they are working
14 extremely hard and thoroughly to give you the best
15 review information, which we'll go over in the
16 training. So you'll see, actually, the instruments
17 we're utilizing.

18 COMMISSIONER CANFIELD: Mr. Chair?

19 THE CHAIR: Commissioner Canfield. Please
20 use the microphone.

21 COMMISSIONER CANFIELD: What are the two
22 school districts you said -- is it two school
23 districts where someone is trying to transition out?
24 And what are those school districts?

25 MS. CALLAHAN: Mr. Chair, Commissioner

1 Canfield, the school districts are Albuquerque
2 Public Schools and Gadsden.

3 THE CHAIR: Please proceed.

4 MS. CALLAHAN: Mr. Chair, Commissioners, a
5 status report on the appeals from the new
6 applications that were reviewed in this past summer
7 and addressed at the meeting in September. As of
8 today, we have received appeals from Health Sciences
9 Academy in Deming, New Mexico Connections Academy
10 from Santa Fe, and Taos International Schools. The
11 schools have until -- or the applicants have until
12 November 5 -- the deadline was actually the 4th, but
13 that falls on a Sunday. So they have until the 5th.
14 So we may receive a few more. But this is as of
15 yesterday afternoon.

16 The next item that I wanted to discuss is
17 just an SB 446 update of implementation and where we
18 are. The Charter Schools Division is holding public
19 input meetings for gathering feedback on the
20 performance frameworks and the contract. And we
21 actually have held one in Las Vegas that was
22 attended by West Las Vegas and their charter school,
23 and Santa Fe, and several of their schools who came
24 to that. And we received -- they received sort of
25 an overview training and then were able to provide

1 some public input. So we're gathering information.

2 The New Mexico Charter Schools conference
3 is tomorrow and Saturday. We have -- the Charter
4 School Division has two two-hour sessions. We have
5 one tomorrow and one on Saturday. And the sessions
6 are going to be, again, just sort of an overview,
7 bringing everybody up to speed, and then an
8 opportunity for feedback on the frameworks and the
9 contracts.

10 Just so you are aware, the -- all of the
11 charter schools and authorizers in the state have
12 received the draft copies of the frameworks and the
13 contract. We sent them certified mail. So we
14 wanted to make sure everybody had a CD of the
15 documents. We also have them posted on the Web site
16 and on the PEC Web site. And so anybody who's
17 interested, it's completely transparent and open.
18 Everybody has an opportunity.

19 And the meetings tomorrow will give the
20 schools, authorizers, governing boards, whoever is
21 attending, a chance to provide the feedback. And
22 what our intent, then, is, after this weekend -- and
23 then we have a Las Cruces meeting that we've set up
24 for the 15th -- the 14th and 15th of November, that
25 will gather information from southern schools. We

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1 have one additional Albuquerque meeting for those
2 that didn't attend the conference that will take
3 place on the 27th of November.

4 So we -- I think we've really made an
5 extraordinary effort to get as much feedback as
6 possible regarding these documents. And what we'll
7 then do is we will put everything together and send
8 the draft that comes from those feedback documents
9 and get it together so you can review it prior to
10 the December meeting. So, hopefully, we can move
11 forward in final approval.

12 And then the work begins. Then it's the
13 actual, how do you -- how do you make that part of
14 the school? And so when we go into the renewal
15 contract negotiations, those performance frameworks,
16 those targets are going to be what needs to be
17 negotiated.

18 So it's -- it's a very, very comprehensive
19 process, and we're trying to make sure that we keep
20 everybody involved along the way. And once we have
21 final approval, we do those contract negotiations.
22 Then we will do the assessment tools of how we're
23 going to evaluate the schools, because SB 446
24 requires that authorizers visit each one of their
25 schools. In the past, it was -- that was not a

1 requirement. We did usually a third of the schools
2 for the Public Education Commission. Now we have to
3 do all 53. So it's a significant increase in work.

4 We do want to invite the Commissioners to
5 be a part of these meetings. I know that some of
6 you are attending the conference this weekend at
7 this hotel. Please come to the input meetings. I
8 think it's a great dialogue that will take place,
9 and spirited, very spirited. And -- but it's all
10 good. I think it needs -- we want to thoroughly
11 review everything that's happening, because it is a
12 high-stakes decision that is going to be made
13 regarding contracts for authorizers and for schools.

14 So that's where we are. Anybody have
15 questions about just where we are on the SB 446
16 process?

17 THE CHAIR: Commissioner Canfield?

18 COMMISSIONER CANFIELD: Mine's a little --
19 I guess, before that, you talked about the sessions
20 here in the next couple of days? What times were
21 those? Do you know?

22 MS. CALLAHAN: Mr. Chair, Commissioner
23 Canfield, the session tomorrow is in the afternoon.
24 I believe it's at 1:00.

25 MR. TOLLEY: Thirty.

1 MS. CALLAHAN: 1:30? Thank you. Oh, I
2 didn't bring that up. So 1:30 to about 3:20. And
3 then 9:00 -- Judy?

4 UNIDENTIFIED SPEAKER: 9:00 to 10:50.

5 MS. CALLAHAN: 9:00 to 10:50 for tomorrow
6 morning -- or Saturday morning. So we have two
7 sessions that are going to be facilitated by the
8 Charter Schools Division.

9 COMMISSIONER SHEARMAN: And the same
10 content both times?

11 THE CHAIR: Mr. Chair, Commissioner
12 Shearman, yes.

13 COMMISSIONER SHEARMAN: Okay. Thank you.

14 THE CHAIR: I wanted to go back to the --
15 to the renewals, because this takes me back to -- I
16 believe it was 2010, when the Ralph Bunche Charter
17 School, they wanted to go from being -- being
18 authorized by the Local Education Agency -- in this
19 instance, it was Albuquerque Public Schools -- and
20 they wanted to be renewed by -- at the State level.

21 So they came to the Public Education
22 Commission, but we denied the renewal, and it was
23 subsequently overturned by the Secretary of
24 Education.

25 So what is that process? Is it different

1 from LEA to LEA, in the sense that a charter
2 school -- do they disassociate themselves from the
3 leg- -- not the legislative -- the Local Education
4 Agency and then try to get authorized by the other
5 body? Or, what I recall from Albuquerque Public
6 Schools is that they would have probably renewed
7 them at the time if they decided to go with APS.
8 But they -- they, in fact, chose to go to the PEC.

9 So it just kind of brings that school
10 closure situation to mind, because it just seems to
11 me, at the executive level, it turns into a
12 political decision, "Well, I want to keep votes, so
13 we don't want to send these poor children away and
14 close their school," versus the State level says --
15 says, "No."

16 Can they go back to the LEA and
17 renegotiate, or how does that work? Or is that
18 really not -- we haven't crossed those bridges.

19 MS. CALLAHAN: Mr. Chair, Commissioners,
20 the law allows for the charter school to make a
21 choice --

22 THE CHAIR: Right.

23 MS. CALLAHAN: -- as to which agency they
24 wish to authorize with. However, it doesn't -- it
25 does not allow for -- well, somebody said, "No."

1 I'm now going to take it back to somebody -- it's an
2 all-or-nothing proposition. They have to -- they
3 have to -- if they're committing to the Public
4 Education Commission, they have to commit to that
5 process and go through appeals that -- which is what
6 happened. Just to -- to maybe kind of filter a
7 couple of things out of your question.

8 The SB 446, being a part the renewal
9 process now, meaning that the elements of the
10 performance framework, elements of -- the academic
11 performance, all of those are very tight in SB 446,
12 where, in the past, it was very nebulous about, you
13 know, what is a minimum education standard; what
14 does -- how does that apply; how does that work?

15 You know, I'm not saying it's going to be
16 easy, because this -- these schools have been under
17 a previous statute. I mean, their charter was
18 written prior to SB 44. However, they're being
19 reviewed post 446. And so this is going to be a --
20 an interesting process to look at in terms of
21 academic performance.

22 What -- one of the things that we do
23 request is that schools that are coming from the
24 districts, we get reports from the district. So
25 there will be current -- as much as current

1 information as we possibly can get, so we can get an
2 informed decision regarding recommendations to the
3 Commission. And so we're sort of in this No Man's
4 Land right now, because these folks wrote their
5 charters prior to the -- the more structured
6 goal-writing process that we're instituting.

7 And Shelly Cherrin is here, has been
8 working with schools on really tightening up their
9 goal writing, because there are specific benchmarks
10 that they have to go after. And so they -- those
11 charters were written prior to these new standards.
12 And so we're going to have to really examine looking
13 at performance, looking at the -- the outcomes that
14 the school has received over the last four years.
15 And we're doing our best to gather that information
16 so you can make the best informed decision about
17 renewal or not to renew.

18 And that -- the closure issue is a big
19 part of that, is -- is -- SB 446, you know, is
20 written with the intent that the quality of charter
21 schools needs to be assessed. And if the quality is
22 not up to the measures that are placed into these
23 contracts, then they're not going to be renewed.
24 But, again, we're running under two different
25 systems that we're going to have to address. And I

1 imagine legal counsel is going to have to get
2 involved and those kinds of things.

3 But my hope, as a staff to an authorizer
4 and working with NACSA and -- that we can develop
5 these systems that are in place that fairly assess,
6 but also fairly allow for corrective action of
7 schools, so that we can -- we'll know well in
8 advance if a school is in trouble. And then we can
9 put in structures for them to improve; and, if not,
10 then we have clear documentation that they probably
11 should not continue as a school.

12 THE CHAIR: It brings me to the Public
13 Education Commission's Legislative Education Study
14 Committee report, in that we made a decision, it was
15 overturned, and the Secretary of Education indeed
16 said this, that the Legislature has not defined
17 "minimum education standards," that Adequate Yearly
18 Progress was a vestige from another time. That was
19 quote, unquote. And so do we have minimum education
20 standards, and are they defined? Yes we're using A
21 through F. Yes, we got waivers. But is a D
22 closure, or is an F closure? And it has not been
23 defined.

24 And it seems that the Secretary of
25 Education has thrown the ball into the court of the

1 legislators saying they haven't defined "minimum
2 education standards." Yet, in law, one of the four
3 reasons that we can close a school -- the Public
4 Education Commission can indeed close a school -- is
5 that they don't meet minimum education standards
6 here in New Mexico.

7 So I think we've created a mess, and I
8 don't think SB 446 makes anything tighter until that
9 is addressed.

10 MS. CALLAHAN: Mr. Chair, Commissioners, I
11 agree. The "minimum education standards" language
12 in the law, you know, has not been -- nobody has
13 said it's, you know, two years of an F grade or two
14 years of not meeting Adequate Yearly Progress.
15 That's not been defined. The hope that, with
16 SB 446, is that at least there are some tighter
17 outcomes that really give you a picture of the
18 school that -- that look at -- at the amount of
19 success that the school is finding.

20 And in the frameworks, what we've been
21 working on is that there's a rubric, that there
22 is -- you know, a school that makes a C right now is
23 considered not meeting standards. And so by
24 putting -- by putting some -- some, you know, kind
25 of stop points in there, we're -- by our work, we're

1 putting together a standard that, hopefully, we'll
2 be able to measure how a school is performing, and
3 you can make an informed decision as to renewal or
4 nonrenewal.

5 That's the -- that's -- so reviewing those
6 performance framework rubrics actually ties levels
7 of performance to meeting standard or not meeting
8 the standard, and then it's up to the authorizer.
9 And we're still working on developing what is -- you
10 know, so three "Doesn't meet standards" is a
11 nonrenewal. But those are concerns that we have to
12 discuss. And we're in mid-implementation. I don't
13 have any answers right now. But we're trying to
14 tighten what a minimum education standard looks
15 like.

16 COMMISSIONER CARR: Mr. Chair?

17 THE CHAIR: Commissioner Carr.

18 COMMISSIONER CARR: I would -- I concur
19 with Chairman Andrew -- that we -- that we -- it
20 isn't very clear in regards to what the Secretary
21 had decided before. However, with the new grading
22 system and the charter laws exist, what I
23 understand -- tell me if I'm wrong -- if a school
24 gets a C, that's right in the middle; right? I
25 mean -- and according to the charter law, the

1 charter school needs to at least be there or above.

2 I would like to see it above, of course.

3 But as it is now -- and, to me, the
4 standard could be just above C, whatever that would
5 be, if you could -- you could actually figure that
6 out in the numbers. But -- and then over a period
7 of time, you know, did it average out to that? You
8 could look at our -- you can look at -- you know, or
9 is it going the other direction, you know? Did they
10 start out with an A, but now they're a D or
11 something, you know? So -- 'cause we do measure
12 improvement for students and things like that in
13 testing.

14 There was a -- the -- in going back to
15 pre-446 and to the present, I would think, you know,
16 a school that was under the old law, that you would
17 definitely have to make a judgment based on the
18 standards that they were supposed to meet at the
19 time. But then I would think that they would also
20 have to come up to the new law for the future, just
21 like a new school would -- or does. Does that make
22 sense?

23 THE CHAIR: I think we're at the point of
24 speculating. And I don't know that it's questions
25 for Kelly Callahan. It's questions for the

1 Legislature. It's questions for the Governor, the
2 Executive order. And it's frustrating. And you
3 probably sense my frustration, your frustration, and
4 the frustration of the full Public Education
5 Commission that something needs to be tied down
6 there. But, Kelly, if you don't have any comments
7 on that -- and I don't expect any -- would be a
8 report on the NACSA national conference?

9 MS. CALLAHAN: And, Mr. Chair,
10 Commissioner Carr, actually, just that kind of
11 segues perfectly into what the NACSA conference --
12 the National Association of Charter School
13 Authorizers held a national conference in Memphis
14 last week. Commissioner Shearman, myself, and
15 Shelly Cherrin came -- attended the conference. It
16 was approximately 400 different authorizers. Also,
17 Mr. Tolley and Mr. Romero from APS attended as well.

18 And I think the prevailing message that
19 came out -- and Commissioner Shearman, please add
20 anything I missed. But the prevailing movement in
21 terms of authorizer practices is about upping that
22 level of quality, and that the bargain of autonomy
23 and accountability is just that. There needs to be
24 a higher level of accountability and a high level of
25 quality for these schools.

1 And that is the -- that is the movement
2 that NACSA is supporting. In addition to supporting
3 quality charter schools, they are also in support of
4 closing those that aren't meeting those quality
5 standards, and which is why it's really important to
6 have the performance frameworks identified, because
7 it gives specific targets for schools to meet and/or
8 exceed.

9 And, you know, those are the things that
10 we're working through. And I just need to say that
11 New Mexico is one of eleven states that is working
12 with NACSA. We are -- we are developing the
13 frameworks and the contracts, in conjunction with
14 many other states that are facing very similar
15 issues. And I -- you know, I have to say, Lisa
16 Grover was at the charter committee meeting
17 yesterday. And, you know, I have to reemphasize
18 that the law -- the SB 446 law and the charter
19 school law is the fourth strongest in the country.
20 And we're moving, I think, toward capturing what
21 that means.

22 And, you know, it's a strong law but how
23 do you implement it? How do you enforce it? And I
24 think we're moving forward with the development of
25 the framework, drafts, and the contract drafts, to

1 put some meat and teeth into what those standards
2 are, because the contract ultimately is where you
3 can make those material decisions about what a
4 school needs to do and where they need to be to be
5 renewed or continue operating. And so I think
6 that's the strength that we need to do. And we need
7 to educate ourselves about these practices.

8 And there were great breakout sessions at
9 the conference. I know that Shelly attended a lot
10 about the frameworks and has really brought back
11 some ideas that we can put into practice with our
12 guidance tool and the tools that we're going to
13 develop for oversight, you know, looking at virtual
14 schools. That is a -- that was a hot-button issue
15 that was also addressed at the conference. And so
16 they're really, I think, taking a proactive stance.
17 And New Mexico is one of eleven states that is
18 moving forward.

19 And I have to say we're at -- we've
20 progressed faster -- the -- we started in April,
21 March and April. And we're almost to the point of
22 implementation, where many states are still -- we're
23 caught up now to where states are in the
24 implementation process.

25 So I think we're doing tremendous work. I

1 want us to make sure that we're doing quality work.
2 If we expect quality schools, I want our tools and
3 our documents to be quality. And so, again, the
4 team is working very thoroughly with the
5 constituents to insure that it's fair and that it
6 is -- that it is representative of what the charter
7 schools are doing in terms of performance.

8 And so I think the NACSA conference --
9 and, Commissioner Shearman, you want to add
10 anything? I think it really validated the work that
11 we're doing. But we -- it also created a little bit
12 of a lump in my stomach, because we have a lot of
13 work to do in a short amount of time.

14 So -- but I have great faith in the team
15 and the work that we're doing together with the PEC,
16 that we're going to come up with a strong document
17 and hopefully be number one, the law. Commissioner
18 Shearman, anything else that you wanted to share
19 with the -- in terms of the conference?

20 THE CHAIR: Commissioner Shearman will
21 actually be reporting out in Item No. 12. But you
22 are always welcome to make comments.

23 COMMISSIONER SHEARMAN: I just wanted to
24 say one thing. Kelly and Shelly were great company
25 at the conference.

1 MS. CALLAHAN: Thank you.

2 COMMISSIONER SHEARMAN: I got to know them
3 much better. It made it a great experience. But it
4 was a tremendous conference, the first time I have
5 attended. And I would encourage other
6 Commissioners, as they are able, and as we have the
7 money, to provide that experience. It truly was
8 marvelous. I do have some things to say and I
9 brought some information to share with other
10 Commissioners. So I'll wait a little bit to bring
11 that up.

12 MS. CALLAHAN: Okay. Thank you.

13 THE CHAIR: Thank you, Commissioner
14 Shearman. Ms. Callahan, any other items to report
15 out?

16 MS. CALLAHAN: Just the Charter School
17 Division staffing update. Again, I did this
18 Executive Summary. There's been some changes that
19 Deputy Secretary Aguilar is going to talk about.
20 You all received a letter regarding my change in
21 status and responsibility. And I just wanted to say
22 that I'm resuming my duties as General Manager of
23 Charter Schools and will continue to work with the
24 Commission, I imagine, in many ways, since the work
25 that we're doing is about performance management and

1 authorizing practices.

2 And so that a great deal of my
3 responsibility is working with schools, working with
4 the education administrators on the charter school
5 team, to insure that the schools are providing
6 quality programs for the children of New Mexico.
7 And I'm very honored to be a part of that Public
8 Education Department Charter Schools Division team,
9 and I hope to continue for a very long time
10 assisting the schools that are helping students and
11 parents have options for education. So other than
12 that, we were -- Deputy Secretary Aguilar will fill
13 in this afternoon.

14 THE CHAIR: When does the new selection
15 start? I forget the gentleman's name.

16 MS. CALLAHAN: Mr. Chair and
17 Commissioners, the gentleman -- the new Director for
18 the Options for Parents is Tony Gerlicz. And he
19 started on Monday, this past Monday.

20 THE CHAIR: Okay. I was hoping to meet
21 him today. When can we expect to meet him? Not
22 until December?

23 MS. CALLAHAN: Mr. Chair, Commissioners,
24 he is accompanying Deputy Secretary Aguilar this
25 afternoon.

1 THE CHAIR: Oh, excellent. Excellent.
2 Look forward to meeting him.

3 COMMISSIONER SHEARMAN: I just want to say
4 thank you to Kelly for stepping in and doing such a
5 tremendous job. I don't think we missed a beat.
6 And maybe we stepped ahead a few paces, maybe a
7 bunch of paces. But you've been great to work with.
8 We've asked you for things that we've never gotten
9 before. And it's made our jobs easier, and I think
10 we've done better because of your -- your help and
11 your leadership. And I just want you to know how
12 much we appreciate you.

13 COMMISSIONER LOPEZ: Here, here.

14 COMMISSIONER CANFIELD: Second.

15 MS. CALLAHAN: Thank you very much.

16 (Applause.)

17 THE CHAIR: Any other items?

18 MS. CALLAHAN: That concludes my report,
19 Mr. Chair.

20 THE CHAIR: And the full Commission echos
21 those remarks. We really appreciate you. It has
22 gone to another level under your guidance.

23 MS. CALLAHAN: I appreciate that.

24 Mr. Chair, Commissioners. It's been an honor.

25 THE CHAIR: Thank you. Item No. 12 on the

1 agenda is PEC Comments. But before I move to that,
2 Kelly, let me ask you a quick question. Item
3 No. 13, what is your projection -- I'm trying to
4 figure out the timing for this afternoon with Deputy
5 Secretary arriving. What are we looking at with
6 Item No. 13?

7 MS. CALLAHAN: Mr. Chair, the Item 13 is
8 the renewal training. And an hour, probably
9 90 minutes tops. It's not a very -- we're going to
10 walk through some documents, just so you can see
11 what it is that -- that we need to -- it's not an
12 extensive training. But we wanted everyone to be
13 familiar with the documents that you'll be receiving
14 in a couple of weeks. So I'm going to say an hour,
15 an hour and a half at the most.

16 THE CHAIR: So with that said, Item No. 7,
17 which we are moving around as the Public Education
18 Department Secretary Designate report -- and Paul
19 Aguilar, you had mentioned 1:00 is his arrival? Or
20 is that still -- is it estimated still?

21 MS. FRIEDMAN: 1:00.

22 THE CHAIR: So 1:00, he should be back.
23 So that's after lunch. I'm just trying to figure
24 out -- we're also expecting Commissioner Gant to
25 attend at some point. But we've moved pretty

1 aggressively through the agenda.

2 So Item No. 12 is the calendar of
3 meetings. Although I would propose that we -- that
4 we table that as far as voting on it until the
5 December meeting. I want to thank Beverly Friedman
6 for providing that calendar and the important dates
7 that -- well, again, and Kelly also -- the important
8 dates that need to be considered when calendaring
9 that out.

10 And then the NASBE and NACSA, I would love
11 for Commissioner Gant to hear those, too. But --
12 what do you all think? Any recommendations? The
13 floor is open. We have to wait till 1:00 for Deputy
14 Secretary Aguilar. But do we want to go through
15 Item 12 and then just have that report and Item 13
16 being the training? Or do we want to save 12 also?
17 Commissioner Canfield?

18 COMMISSIONER CANFIELD: It would be my --
19 Mr. Chair, to proceed with the agenda and try and
20 get those things cleaned up so we can get back to
21 work this afternoon.

22 COMMISSIONER LOPEZ: I agree.

23 COMMISSIONER CARR: I agree, too.

24 THE CHAIR: Let's continue. Item No. 12,
25 letter "a" is the 2013 Public Education Commission

1 Calendar of Meetings. If you'll look in your books,
2 there is a -- there is a calendar. There is
3 important dates.

4 On January 8th, 2013, letters of intent
5 are due for new charter schools. Seems like it
6 never stops.

7 On February 1, 2013, renewal contracts are
8 due.

9 On 7/1, July 1, 2013, new charter school
10 applications are due.

11 August 12, 2013, community input hearings
12 will be conducted throughout the state. That
13 usually takes a week.

14 September 19 and 20 of 2013, Public
15 Education Commission meeting for approval or denial
16 of new charter schools, decision-making meeting.

17 Next October 1 is renewal applications are
18 due.

19 And next November 4th, new charter school
20 contracts are due.

21 And then next December would be on the
22 12th and 13th, our decision meeting to approve or
23 deny renewal applications.

24 And so, Beverly, are these highlighted
25 dates just -- just your best stab at it as far as

1 looking at those dates, or Kelly Callahan's stab at
2 it?

3 MS. FRIEDMAN: They're Kelly's
4 recommendation -- they're Kelly's dates. And then
5 the meetings would surround those dates.

6 THE CHAIR: Oh, got you. Okay. Okay. So
7 the highlighted dates reflect those important dates.
8 But that wouldn't necessarily be the meeting dates.

9 MS. CALLAHAN: Correct.

10 THE CHAIR: So that's for all of us to
11 decide. And I do recommend that we -- we vote on
12 the calendar dates in the December meeting. So the
13 Chair will entertain a motion to postpone the vote.
14 Commissioner Shearman?

15 COMMISSIONER SHEARMAN: I so move.

16 THE CHAIR: Moved by Commissioner
17 Shearman.

18 COMMISSIONER CARR: Second.

19 THE CHAIR: Seconded by Commissioner Carr.
20 All those in favor, say "Aye."

21 (Commissioners so indicate.)

22 THE CHAIR: Opposed, "No." We will vote
23 on the dates for the 2013 Public Education
24 Commission calendar in the December meeting.

25 MS. FRIEDMAN: Chairman Garrison?

1 THE CHAIR: Beverly?

2 MS. FRIEDMAN: Mr. Chair, I would
3 recommend that the Commission send their recommended
4 meeting dates, maybe, to the Executive Committee, so
5 that we have some dates on the calendar for the
6 December meeting to vote on.

7 THE CHAIR: Let's do that. That's a great
8 recommendation. The recommendation is for the full
9 Public Education Commission to forward prospective
10 dates, or dates that you prefer, to the Executive
11 Committee. And go ahead and send those to
12 Commissioner Gant, as Secretary, to start compiling
13 some prospective dates so that we're not cold --
14 walking into it cold during the December meeting.
15 We can have something in our folders and binders
16 with any conflicts stated from each individual
17 Commissioner. Does that make sense?

18 Commissioner report on the NASBE
19 conference I attended, and Commissioner Gilbert
20 Peralta attended the National Association of State
21 Boards of Education in Chicago, Illinois, where I
22 proceeded to catch bronchitis and just finished my
23 Z-Pak a couple of days ago. But it was -- it was a
24 very informative conference. Some of the hot items
25 were, of course, virtual schools. And the one that

1 I latched onto was teacher induction.

2 When looking at teacher training, folks
3 coming into a new system and looking at the data
4 that this NASBE report reflected, that teachers come
5 in and they leave the profession pretty darn
6 quickly. And without a solid and structured
7 induction period, where everyone is involved --
8 don't just throw a new teacher to the wolves -- but
9 you can prove the likelihood of someone sticking
10 around. And I want to go over some of this -- some
11 of the highlights of the report. This is a NASBE --
12 and, again, it's National Association of State
13 Boards of Education -- discussion guide. So it's
14 called "Teacher Induction, Improving State Systems
15 for Supporting New Teachers."

16 Here are some of the highlights here.
17 Researchers find it did take up to five years for a
18 teacher to become fully proficient and able to
19 maximize student achievement. Half a decade, folks.
20 That's a long time.

21 Defining teacher induction. Teacher
22 induction has come to mean a variety of things in
23 supporting new teachers. From a standalone mentor
24 who meets with a new teacher a few times a year, to
25 comprehensive support services for new teachers,

1 teacher induction can vary in focus, implementation,
2 and scope.

3 For example, teacher induction and
4 mentoring are two terms that are sometimes used
5 interchangeably, given that mentoring has become the
6 dominant form of induction support over the last 20
7 years. But while mentoring is an important
8 component of an induction program, comprehensive
9 induction is much more than pairing a new teacher
10 with a veteran one for a specific period of time.
11 This discussion guide uses the term "comprehensive
12 induction" to include the following:

13 Multiyear support for new teachers for at
14 least two years; high quality mentoring utilizing
15 carefully selected and well-prepared mentors;
16 regularly scheduled common planning time with other
17 teachers; ongoing professional development; and
18 standards-based evaluation of new teachers
19 throughout the process.

20 The impact of teacher induction. While
21 many view induction as a remedy for turning over --
22 for turnover problems in a school or district, the
23 overarching goal of a comprehensive induction
24 program should be developing and supporting new
25 teachers so they are more effective and make a

1 smooth transition into the teaching profession.

2 As teachers become better at managing the
3 challenges of being new to the field, their focus
4 can then be turned to how to improve instruction.
5 Induction expedites this process. Richard Ingersoll
6 and Michael Strong, prominent researchers in teacher
7 induction, found that beginning teachers who
8 participated in some kind of induction performed
9 better at various aspects of teaching, such as
10 keeping students on task, developing workable lesson
11 plans, using effective student questioning
12 practices, adjusting classroom activities to meet
13 students' interests, maintaining a positive
14 classroom atmosphere, and demonstrating successful
15 classroom management.

16 It's interesting, because in my
17 experience, what I see -- when I talk to teachers
18 about classroom management, it becomes a very
19 personal thing. I've seen teachers that almost
20 don't even like to have interns come from the
21 University of New Mexico because they have a hard
22 time letting go of their domain. Their classroom is
23 their place where they are in charge. And I think
24 it should be the opposite, because if I personalize
25 something, then I'm representing myself. And so

1 it's very hard for a teacher to let go of ego when
2 you're trying to manage this classroom. You're
3 trying to keep this control over these children.
4 Well, there's 20 to 30 of them, as Commissioner Carr
5 had mentioned in his statement of inspiration.

6 And so it does become personal. But human
7 interaction states this. This is a law. As your
8 ego goes up, your power and influence go down.
9 Because I don't represent myself as a teacher. I
10 don't represent Mr. Garrison. I represent the
11 school, the Local Education Agency that I work for.
12 And so that's -- that's an interesting paradigm
13 shift from teachers who, yes, they're -- they're
14 good teachers they're giving their all. But are
15 they giving too much, because of ego, because of
16 trying desperately to maintain that classroom
17 control and make it their domain?

18 So there may be some paradigm shifts in
19 the future. And I know there are several schools
20 that we talked about it in -- in meetings past about
21 school bullying. It also occurs with adults, for
22 example, with teachers bullying kids and maintaining
23 classroom control. But at what cost, if you kill a
24 child's spirit and you're not loving and encouraging
25 them?

1 Experienced teachers also benefit from
2 their participation in comprehensive induction.
3 Educators who served as mentors refine their own
4 teaching practices and build leadership skills
5 through reflection on their own practices.

6 It's a really great give-and-take when
7 a -- when a qualified trained mentor takes on a new
8 teacher, because you're actually gleaning
9 information that is updated from the university
10 levels that come into perhaps a 25-year teacher or a
11 15-year teachers' practice that, "Hey, this is new
12 stuff that I could even implement that into my
13 practice."

14 Lower teacher turnover is one of the big
15 components of an induction program that is
16 comprehensive. Comprehensive induction programs are
17 able to reduce these turnover rates by more than
18 half for first-year teachers. We don't want to
19 bring them in, sink or swim, and have them leave.

20 For example, teachers who received
21 induction services such as common planning time with
22 other teachers in the same subject regularly
23 scheduled collaboration with other teachers, and,
24 being part of an external support network of
25 teachers, were less likely to leave the field than

1 teachers who participated in induction programs that
2 did not provide these services.

3 So comprehensive means comprehensive. And
4 I don't know how we can build more hours into the
5 day with everything that administrators have to do.
6 But I'll tell you what. If I'm not there as a
7 leader with my sole focus being those folks that I'm
8 in charge of, then what are we there for? So it
9 brings to -- it brings to question, are we giving
10 teachers support today, or are we giving just more
11 accountability and direction and more burden for
12 teachers to carry? True teacher support should be
13 loving and encouraging, just like true teacher
14 support for children should be loving and
15 encouraging.

16 So to build that and to build it
17 comprehensively is a big, big task. I had asked
18 Kelly earlier about the -- about the -- the
19 principles and the leadership trainings that are
20 required. In my field, which is partly corrections,
21 the American Correctional Association requires
22 40 hours of training annually for security personnel
23 in order for the whole agency to receive their
24 accreditation.

25 And you had mentioned 45 hours for -- for

1 administrators. And I'm not sure what that is for
2 teachers. Any input from APS? Is there any
3 required time?

4 MR. SOTO: Not a minimum number.

5 THE CHAIR: So not a minimum. So that's
6 interesting to me in that, gosh, we're banking so
7 much on this one teacher in the classroom of 20 to
8 30 children, especially at the elementary level.
9 It's all day long. What are we doing to make sure
10 that that's a successful, everyday exchange? Just
11 an aside, I'm a health and wellness professional. I
12 was at a teachers' conference a while back. This
13 was maybe two years ago. And I was talking about
14 nutrition.

15 And this teacher told me -- she goes,
16 "I -- that's the job of the parents. I'm here to
17 teach them A, B, Cs and 1, 2, 3s. But that's the
18 job of their parents." And I -- I just beg to
19 differ. Is it? Is it, really, solely the job of
20 the parent, when, in a 24-hour day -- the child's
21 hopefully sleeping for eight hours. They have about
22 eight hours, if you include commute time at the
23 elementary level, eight hours with the teacher at
24 the school at the environment that the teacher is
25 in. That's half of their waking hours. That's

1 50 percent of their time. How can we dismiss our
2 duty to love and encourage and educate during that
3 time, because "that's not my job"?

4 And I -- I gave the numbers to that
5 teacher, and she just said this: "I never thought
6 of it that way." And so systems are responsible.
7 And, unfortunately, systems work in silos most of
8 the time. So the physical educator is doing a great
9 job. The health educator is doing a great job. But
10 the food system for the school hasn't been touched.
11 The discussion has not been had to improve the
12 nutrition of the children in those schools. It's
13 slowly changing, and it's going to have to change
14 because childhood diabetes did not exist in the
15 1970s, and it's turning into an epidemic that we
16 will have to answer to.

17 So I spoke with a friend of mine from
18 Belen -- actually, my cousin, Patsy Castillo. And
19 they're serving -- they're serving nutritious food
20 at the schools. But she said, "You know what? When
21 we first started" -- and she didn't give me an
22 update on what's happening now. But, "When we first
23 started it, the children hated it."

24 And I said, "I know why they hated it.
25 Because it wasn't presented in the right way. It

1 wasn't given to them as an experience, just as field
2 trips are, just as new math is introduced to
3 children, or a new book is introduced to children.
4 It has to be given and delivered as an experience to
5 the child."

6 So at the high school level, I beg to
7 question, are we making everything about that
8 child's experience in the school something positive?
9 Why can't you use your fine arts department and
10 music department to make food exciting, for children
11 to be involved in the preparation of it, for the
12 food service personnel to maybe dress up as
13 characters, depending on what -- what holiday or
14 season that it is? There's a lot to be done. And
15 children, they are hardwired to be inspired. But
16 us, as teachers, we have to lead that charge.

17 The report goes on. To look at the global
18 view, it's vital for state boards to have a clear
19 vision of what comprehensive induction entails,
20 especially given the impact it can have on teacher
21 quality, teacher turnover, and student achievement.
22 And it speaks to, well, if a Local Education Agency,
23 if we don't know that there is -- well, if we know
24 that there's no minimum requirement, what kind of
25 policy -- what kind of public policy, what kind of

1 precedent are we setting for, "Hey, let's train
2 these teachers"?

3 I know, in the Metropolitan Detention
4 Center, that 40 hours is given. That 40 hours is
5 developed, and it's a must, because it's in their
6 accreditation requirement. It is a must that they
7 must -- that they have to give that training to
8 their security personnel in order to stay
9 accredited. So there are different ways to fry that
10 fish. But they are there.

11 As state boards discuss induction for new
12 teachers, it's important to consider supports beyond
13 just providing a mentor to insure better quality --
14 better teacher quality, and lower turnover. They
15 also go into cost-benefit analysis. And I have
16 probably gone on to speak to enough tangents.

17 But let me close by stating a couple of
18 examples. While 31 states require some form of
19 mentor training, only 12 states have policies that
20 discuss content or delivery of this training on
21 issues such as recognizing knowledge of state
22 teaching standards, using formative assessments, or
23 understanding effective classroom observation.

24 Illinois, for instance, includes mentor
25 training standards that require mentors to

1 participate in foundational training, an ongoing
2 professional learning community that uses reflective
3 observation and practice and a self assessment
4 process to improve their own instructional and
5 mentoring practices.

6 Rhode Island requires at least ten hours
7 of initial mentor training that includes topics such
8 as adult learning theory, reflective questioning,
9 the role of the mentor in supporting new teachers,
10 and setting expectations with a new teacher.

11 I think this was sent out to -- to the
12 full Public Education Commission. If you don't have
13 this and would like this teacher induction
14 discussion guide, just get with me, and I can order
15 some from -- or just request them from the National
16 Association of State Boards of Education.

17 Commissioner Peralta, did you have
18 anything else that you wanted to speak to in regards
19 to the conference, or any comments?

20 COMMISSIONER PERALTA: I just want to take
21 this opportunity to extend my appreciation and
22 thanks to those involved in doing the coordinating
23 in the travel and registration, like Beverly and
24 support staff and the PED. This was my first
25 conference as Commissioner, national conference.

1 And I found it to be a very qualitative and
2 informative conference, and I enjoyed my stay there
3 thoroughly. And I want to thank them again for
4 giving me this opportunity.

5 THE CHAIR: Thank you, Commissioner
6 Peralta. I'll just end briefly. There was a
7 session on virtual schools. And a Mike Tyson quote
8 came out. How's that for education? So he states
9 this -- and it was after his -- I believe it was
10 Michael Spinks that he knocked out in, like,
11 90 seconds, just tore into this man. And he stated
12 this: "Everyone has a plan until they're smacked in
13 the face."

14 And I'll tell you -- and so it made me
15 think of virtual education. Are we -- do we place
16 it where it belongs, a wonderful tool, and wonderful
17 tools to expand on what we -- what we offer with
18 regard to face-to-face contact? Or do we virtualize
19 our -- the whole child's world and make them limited
20 in their ability to smile, make eye contact, give a
21 good handshake, and have all those soft skills that
22 they're going to need that can only be obtained
23 through true human interaction.

24 And the speakers -- actually, there was a
25 whole -- there was a study group; there was a panel

1 that spoke to it. And it was that -- that it's a
2 tool. Five years ago, I wasn't buying -- I was not
3 buying an app. When the iPhone came out -- it's
4 only been five years, for example, that all of a
5 sudden our phones are filled with all of these apps.
6 I will concede that half of those are for my
7 three-year-old daughter. That's scary, in and of
8 itself, that she knows how to work an iPad. But are
9 they just -- are they trends?

10 Yeah, technology changes that quick.
11 What's next? And do we shift this foundation of
12 education to chase each one of these trends? Or do
13 we put them in their proper place? I should say
14 that's my personal opinion. What I believe is their
15 proper place is to use them as tools to assist in
16 educating the whole child.

17 Commissioner Report on the National
18 Association of Charter School Authorizers
19 conference. Vice Chair Shearman.

20 COMMISSIONER SHEARMAN: Thank you. You've
21 heard a lot about the conference already. Kelly
22 gave you a nice overview of it. As I said, it was
23 very successful, I thought, very well done.

24 I agree with Kelly. The themes were
25 authorizer accountability and quality, close

1 low-performing schools. And this Commission, I
2 know, intends to do that. We also are very well
3 aware that the provisions in the law that we may use
4 to deny an application are not always current or
5 applicable. So we're going to have to work, I
6 believe, very closely with Kelly and the entire CSD
7 staff to put together these guides, performance
8 framework, the contract, all of those documents.
9 We're going to have to be very, very sure that they
10 coordinate with New Mexico State law that gives us
11 the ability to do what we know we need to do for
12 students. And that is to maintain our
13 high-performing schools and to close our
14 low-performing schools.

15 The NACSA conference gave one whole
16 general session to the process that St. Louis went
17 through when they closed six charter schools, 4,000
18 students at one time. It involved the entire
19 community, the mayor's office, the business
20 community, the schools. They brought in people with
21 expertise. They did job fairs; they did school
22 fairs for students to locate schools to transition
23 to.

24 And it was a big deal. They thought they
25 did it very well with a minimum of disruption. But

1 the very -- one of the very last things the
2 presenter said -- the lady who was from the mayor's
3 office, said, "And when school started the next
4 year, we still had parents dropping students off at
5 closed schools." And she said, "We did so much
6 advertising, direct mail contact, and so forth, that
7 we had people saying to us, 'Enough. I've heard
8 enough from you, no more.'" And she said, "We still
9 had parents bringing them to those closed schools."

10 But she said, "It was worth it. We had
11 4,000 students that were not getting the education
12 they needed, and we made the decision, along with
13 our education partners in the community, to close
14 those schools and get those students in a better
15 situation."

16 And that's what we've got to do. That's
17 our job, too. But we've got to have the tools to do
18 it with. So I'm looking forward to helping to
19 develop those tools.

20 I also -- I went to several sessions on
21 virtual schools. We all tried go to different
22 sessions and cover different aspects so that we
23 could bring back as much information as possible.

24 I brought back some -- some handouts or
25 some information that they had presented. This one

1 is, "Key Questions for Reviewing Virtual Schools."
2 And, unfortunately, I wasn't able to get enough for
3 everybody to have a copy. I only was able to grab
4 what was on the table.

5 This one is "School Quality in The Cloud,
6 Guidelines for Authorizing Virtual Charter Schools."
7 And then the last one is "Successfully Authorizing
8 Blended Charter Schools." And I think that's what
9 Andrew sort of was alluding to a minute ago with a
10 virtual education. I heard a really good session on
11 blended, where you use the virtual content in the
12 classroom to augment or supplement what the teacher
13 is presenting, to give those students more practice,
14 more intense teaching. And when they get that
15 immediate feedback, "Yes, you did it right, move on;
16 no, let's try that again; and here's the
17 instruction, here's your practice; good, you did it
18 well this time; now let's move on." And that's what
19 they called blended learning.

20 I did attend a session put on primarily by
21 the people from Colorado, who are very big in
22 virtual education, virtual schools. And let me give
23 you the direct quote from those folks.

24 "Virtual education in Colorado is very
25 popular. It's not doing well with students."

1 That is powerful to me. Kids like it;
2 their families like it, I suppose, for whatever
3 reason. We're used to computers; we like them.
4 Kids love them. They've been on them since the day
5 they were born, I think. So they like the idea.
6 But we haven't found a way yet to really give those
7 children that education they need in a virtual
8 environment is what they were saying.

9 So I apprec- -- again, I appreciate the
10 opportunity to go. I would love to go again. I
11 encourage all Commissioners to take advantage of the
12 opportunity when you can to attend. Thank you.

13 THE CHAIR: Thank you, Commissioner
14 Shearman. Item Letter "d" is our comments from
15 Commissioners. And within Item "d," I would like to
16 get a committee report from the Charter School
17 Committee, who they actually met Wednesday,
18 October 31st, yesterday, at 3:00 p.m. And I would
19 love to hear a report out on that, Mr. Bergman.

20 COMMISSIONER BERGMAN: Thank you, Chairman
21 Garrison. And, of course, we did meet here
22 yesterday afternoon. Commissioners Shearman and
23 Pogna and myself were there. Ms. Callahan was
24 there. And I had specifically invited Lisa Grover
25 to come. And I'll get into a moment why I did that.

1 She was there.

2 A lot of what we discussed has already
3 been contained in Ms. Callahan's report. So I won't
4 go into that. There -- there is -- I share this,
5 just with -- it's just for our information at this
6 time. And I had not heard it till yesterday, and I
7 don't know how many of you have heard about it. But
8 one of your new -- and PED and CSD are already on
9 top of this, by the way; they're already actively
10 working on it.

11 One of our new charter schools, the W. W.
12 Dorn School [verbatim] on South Broadway only
13 enrolled five students. And State law mandates you
14 have to have a minimum of eight to be a viable
15 school.

16 COMMISSIONER LOPEZ: Which one?

17 COMMISSIONER BERGMAN: The W. W. Dorn, the
18 one on South Broadway, working with that community
19 action group. I understand they may be up to ten
20 students now. I understand we're not involved with
21 this at this stage. Commissioner Shearman raised
22 the issue is, is it possible to set a higher minimum
23 of students? But since State law specifies eight,
24 we have no authority to contravene State law. So
25 the Legislature is going to have to address that as

1 an issue. But, like I say, PED and CSD are on top
2 of it talking about how they can make them a viable
3 school.

4 And it may come to us at some point.
5 There may be a reason to suspend them or do
6 something like that. That's down the road. But I
7 wanted you to be aware of it. The reason I invited
8 Dr. Lisa Grover to come to the meeting -- this
9 actually started with Andrew. He called me about a
10 month ago, wanted me to look into something called
11 the "independent charter boards." This is something
12 that NACSA is actually appropriating at the national
13 level. They want something in every state called an
14 "independent charter board." It's in a little
15 two-page document that Andrew sent to me, e-mailed
16 to me. And that is one of their tenets.

17 Now, both Ms. Callahan and Commissioner
18 Shearman state this did not come up at this meeting
19 at all that they just went to. It's not really --
20 it must be way down their list of things. Some
21 sample legislation was given to me, and I went over
22 that. It was apparently a compilation of what
23 exists in some states, most of whom are back East,
24 that have something called, quote, an "independent
25 charter board."

1 We in this state already have an
2 independent charter board. It's called the Public
3 Education Commission. This -- as the way that NACSA
4 is promoting it, they want to create multiple
5 authorizers in each state. This document purported
6 to allow mayors, city commissions, school districts,
7 colleges, community colleges, nonprofit groups, to
8 apply to this, quote, board, and be given the
9 authority to authorize their own charter schools.

10 And I -- I would be opposed to that one.
11 Some want more authorizers. But right now we have
12 nine school districts that are authorizers, or at
13 least allowed to be -- by statute, to be authorizers
14 if they wish to. And we, of course, have one state
15 authorizer since summer of 2007.

16 Here, again, that's the Public Education
17 Commission. And Dr. Grover did state in our meeting
18 that she's not actively appropriating this
19 conversation. She wants to figure out a way to make
20 the PEC more independent, give us, I guess, more
21 authority to accomplish some of the things -- and
22 we're already working on that. The report that
23 Chairman Garrison presented the LESC at their last
24 August meeting has many -- has our recommendations
25 for things that we would like to see in the

1 legislative area. As always, there's no guarantee
2 that it will either get introduced into the
3 legislature or come out of the legislature if it is
4 introduced.

5 But I think we already are an independent
6 board. We could use some more independence. We
7 could use some more authority to try to improve the
8 quality of the education that the children of this
9 state get. And so we already are working on that.
10 We already have -- a majority of the charter schools
11 in this state have already chosen to fall under our
12 umbrella, and I think, right there, there's a vote
13 in our favor.

14 And, as has been noted with all the
15 changes that have been made, here again, through the
16 legislature, through the work of the CSD, and
17 through our work, as we have worked with CSD, we now
18 have laws in place. We now have the various
19 procedures, and we now have 446 with the contract
20 specifications. I can't remember what organization
21 it was has already been mentioned. We now are rated
22 as the fourth best state in the nation in this
23 kind -- in these areas. So we're not at the bottom
24 of the list in at least one thing anymore. We're
25 actually out in front leading the way.

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1 And so we also have good procedures in
2 place, and we continually change them. We
3 continually amend them as needed. As Ms. Callahan
4 noted, it's an evolving process. There's going to
5 be some difficulties as we implement this contract
6 process. Every new thing turns out there's always a
7 bump in the road or a couple. And we will meet
8 those as it occurs with -- things will be modified;
9 they'll be changed; they'll be improved.

10 And that is the goal of this Commission.
11 It's the goal of CSD. And, here again, Dr. Grover
12 noted that her emphasis for the alliance that she
13 works with is improving the quality of the schools.
14 And that's where the emphasis really -- not in an
15 independent charter board. It should be in how can
16 we make every charter school in this state a higher
17 quality school, not for us, but for the children
18 that go to those schools. And that continues to be
19 our emphasis, and I'm sure it will be in the future.

20 And I intend to continue to stay on top of
21 this, watching this. When this other information
22 becomes available, I'll make it known to my fellow
23 Commissioners. But that was the emphasis, and I was
24 glad Dr. Grover was there. I believe it's good to
25 establish a dialogue. She gave me a couple of

1 fairly thick pamphlets that come from her
2 organization. And I, obviously, haven't had time to
3 read them. I'm going to read them when I get home.
4 And if there's information in there that needs to be
5 shared, I will share that also.

6 So I intend to stay on top of that, with
7 the Chairman's approval. And as we discussed
8 earlier, I'm going to try to continue to work
9 closely with Ms. Callahan to try and stay on top of
10 these issues so we can be sure that what we're doing
11 is viable and top-notch and improves the quality of
12 the education in this state. Thank you,
13 Mr. Chairman.

14 THE CHAIR: Thank you, Commissioner
15 Bergman. Any other comments from Commissioners?

16 COMMISSIONER CANFIELD: Mr. Chair?

17 THE CHAIR: Commissioner Canfield, and
18 then Commissioner Carr.

19 COMMISSIONER CANFIELD: Thank you,
20 Mr. Chair. I just -- I just wanted to say a few
21 things, that there's about a 50/50 chance I won't be
22 able to make the December meeting. And I think most
23 of you know that my actual term is up. And I just
24 wanted to take the opportunity to thank you,
25 Mr. Chair, for your leadership, and thank the rest

1 of the Commissioners for the professional way
2 they've both treated me and each other. And it's
3 been a pleasure serving on this Commission with all
4 of you.

5 So I wish you all the best. If I don't
6 make it to the December meeting, I wish you all the
7 best, and I'm sure our paths will cross again some
8 way. So thank you.

9 THE CHAIR: Thank you, Commissioner
10 Canfield. We've really appreciated the business
11 lens that you look through when looking at the
12 application renewals, looking at new applications.
13 It's been a refreshing view that you bring to the
14 work of the Public Education Commission. So we
15 thank you also.

16 COMMISSIONER CANFIELD: Thank you,
17 Mr. Chair.

18 THE CHAIR: Commissioner Carr.

19 COMMISSIONER CARR: Mr. Chair, as you were
20 going through your report, years of teaching rushed
21 through my mind, and I couldn't help but make some
22 comments. I appreciate what you said. I think I --
23 I agree, I think, almost wholeheartedly with most of
24 what you said. I can't think of anything right now
25 that I necessarily disagree with, but I would like

1 to add some things.

2 What I've seen from experience -- and I
3 think educators -- long-term educators probably
4 concur with me, and also from reading studies and
5 reports, countless over the years, I have seen
6 teacher after teacher, brand new teacher, come in
7 with -- full of excitement and smiles on their face
8 and want to make a difference and want to do things.
9 And I've seen principals go the same way, come and
10 go.

11 But I've also seen leadership in that
12 regards, and poor mentorship. I've seen new
13 teachers get piled on with everything because
14 veteran teachers, like myself, realize that we can
15 act on this level for so long before we go crazy,
16 insane, or do something else through our own
17 detriment or change our professions. You know,
18 there was a teacher in California, the movie -- that
19 she wrote -- there was a book, and there was a movie
20 that came out, "Freedom Writers." Do you guys
21 remember that?

22 She only lasted five years. At the level
23 of -- if anybody saw that movie, read that book, she
24 could only -- the level that she was doing, what she
25 was doing for those kids could only be maintained

1 for a certain amount of time by most human beings.
2 And we have to provide that kind of support, true
3 structured mentorship. We have a mentorship program
4 where we pay a veteran teacher to be with another
5 teacher for the first year and -- but there's
6 nothing really structured with it. And it's not
7 always implemented, even at that level, in many
8 districts. So burnout is huge.

9 We have -- here's the other -- and I'm
10 going to go -- the next one is our working
11 conditions and class size. If you saw -- you know,
12 you saw the teachers' strike in Chicago. It was not
13 about pay. It was about classroom size. It was
14 about having a professional role in what happens in
15 the classroom. You know, most people realize that
16 if you don't have some kind of say-so, some kind of
17 say in what goes on, you can't buy into anything,
18 into what's going on. You shut yourself up in your
19 classroom, and you do the best you can for your kids
20 in spite of what's going on.

21 And that, psychologically, is not a good
22 place to be. Teachers need to be part of the
23 process all along the way. They need to feel like
24 they've got some sense of empowerment. Most of us
25 are there for the kids, and we're not there to get

1 rich. And which brings us to the other condition.

2 We've slipped from No. 26 in pay, I
3 think -- and I think we're somewhere down the bottom
4 as far as that's concerned as well. You look at
5 some of the states, like Massachusetts, where
6 they're doing quite well. They have extremely high
7 union membership, where they've actually got a
8 say-so in what's going on in schools. They have a
9 much higher pay.

10 We can't find -- we're looking for a math
11 teacher at Taos High School. We have all these
12 people unemployed, and we cannot find, right now, a
13 math teacher. And we actually have the funding for
14 that position. We brought two math teachers in from
15 Spain, because we had a special program that
16 actually helped fund that. We can't find a math
17 teacher who's looking for a job in this economic
18 situation we're in right now, with high
19 unemployment. That's amazing to me. They're going
20 to go somewhere else, you know.

21 So pay conditions, how teachers are
22 treated. You have to take care of the person doing
23 the nurturing. When I go to a hospital, I want my
24 nurses who are taking care of my mother -- I want
25 them well paid; I want them supported; I want them

1 to have time for continuing education, which is
2 another issue that Chairman Garrison brought up, and
3 that is a very important aspect.

4 So it -- when it comes right down to it,
5 what people don't want to talk about is the elephant
6 in the room or the 8,000-pound gorilla in the room,
7 which is money. We've been underfunded for over ten
8 years. And -- and what you hear -- you know, what
9 you hear from people, what teachers hear from
10 people, what educators -- and I'm going to include
11 administrators, because administrators get beaten
12 down time after time after time as well. They're
13 part of the team. And we have to have adequate
14 funding to do all these things we need to do.

15 We need -- you know, if we want to extend
16 the school day or the school year, it's going to
17 cost money. Do we just want to stick them in a room
18 or stick them in front of a computer for an extra
19 one or two hours a day, or do we want to take them
20 out on some field trips, give them some experience,
21 teach them how to ride horseback, how to go -- what
22 it means to go camping and all these things that a
23 lot of our poor kids never get a chance to do.

24 I was able to do some of that with a grant
25 this year, with -- from the federal parks. And --

1 and it -- it was a tremendous amount of work to do
2 that, with poor kids, in a classroom where I've got
3 three teen mothers who -- whose babies are at the
4 day care. And those teen mothers are
5 breast-feeding, and they can't go with us on a field
6 trip, you know.

7 And it's -- there's all -- you know, it's
8 a -- they're -- that's a freshman level. You know,
9 the problems and everything that we have are going
10 to require more than -- than what may -- overworked
11 teacher who maybe has to work a second job -- and
12 many of our younger teachers have to work second and
13 third jobs, and they immediately leave school and go
14 to their second job so that they can pay their
15 bills, instead of taking on a club or tutoring kids.

16 I've been lucky. I've never had to work a
17 second job. But a lot of teachers I work with have.
18 And -- but I've also been fortunate and lucky in
19 many ways that other teachers haven't been.

20 It's going to require a lot of resources,
21 just a lot of resources. And nobody wants to broach
22 that dirty word that we have to reduce our class
23 size or anything that costs money. Oh, no, that's
24 not that important, you know. It is. You put
25 45 kids in a classroom with one teacher, or they're

1 teaching 170 kids a day, are you kidding me? Are
2 you telling me that doesn't have an effect? And
3 it's not good for the kids. It's got to be a team
4 effort. Everybody involved in the team has to be
5 taken care of so that they can also take care of the
6 children.

7 And it's awful hard for teachers to do
8 everything that they need to do if that's not
9 happening. You know, as taking an example -- going
10 to the -- you know, I'll stop, because I could talk
11 all day -- setting an example. When I first started
12 teaching, I remember my students asking me, "Do you
13 smoke?"

14 No, I don't smoke. It was important that
15 I didn't smoke, and that I let my students know that
16 I don't, that it's not good for them. "Well, I bet
17 you drink every night."

18 "No, I don't drink every night. I'll have
19 a glass of wine or something" -- I want to set an --
20 I've always wanted to set an example. I think it's
21 important for our teachers to be able to do that,
22 and be trained that that's important.

23 I -- our principal that's been -- that we
24 had last year that retired last year, he always came
25 up with these great stories. And one of them was,

1 "You don't tell your kids not to drink and then sit
2 there and get drunk watching the football game every
3 Sunday, because they're going to look at what you
4 do, and that's important."

5 And some time -- you know, and a lot of --
6 at least maybe -- well, I want to say a large
7 percentage of my students and students across the
8 country, sometimes that teacher in the classroom is
9 the only functional supportive adult in their whole
10 life that they see a few hours a week. And if that
11 teacher is beaten down and -- and belittled
12 constantly in public, "You're never doing enough.
13 You're never doing enough. You're not doing enough.
14 You're failing our kids." They need support.

15 And in countries like Finland and Japan
16 where teachers are held to a high regard as being
17 the most respected profession and people aspire to
18 that, and, of course, they also have high standards
19 to get into those -- into those profession -- into
20 the teaching profession, that's the kind of thing we
21 need to work for -- to work toward. Because some of
22 the things that Chairman Garrison has been talking
23 about, we've been talking about, and people have
24 been writing about it for over 100 years.

25 And we can go back to the old classroom

1 where you have to be single. You just graduate from
2 high school, and you take a bunch of kids that are
3 from K through 8, like my mother went to. That's
4 the kind of school my mother went to, and -- and not
5 pay them anything. And you just have somebody
6 volunteering. Well, that's a different time period.
7 We live in a society where both the husband and the
8 wife have to work in order to -- to just -- to just
9 function. And then we've got a lot of single
10 parents who are teaching, where that's their only
11 income.

12 Whereas, in years past, the wife taught,
13 and the husband is one that made all the money. It
14 didn't really make that much difference what the
15 wife made, because it was the position -- the
16 profession that was mostly women.

17 So we're going to have to buckle down and
18 get the resources we need for our kids. To try to
19 do everything on a shoestring is awful. And it gets
20 boring and tiring to hear about it constantly. And
21 nobody wants to put out any money to do what needs
22 to be done, you know.

23 And it doesn't just happen with teachers.
24 It happens -- I, mean our firefighters, our
25 policemen, our soldiers; those are all professions

1 that are quite often underappreciated, underfunded.
2 And a lot of times those people aren't taken care of
3 when they should be.

4 And when you see Hurricane -- what's the
5 name? -- Hurricane Sandy, all our first responders
6 out there, those are the people that we've been
7 belittling for the past two years. And it's -- you
8 know, we need -- we need -- there's a lot of things
9 we need to be doing. So I'll shut up. I'll stop
10 preaching. But I just wanted to get that said.

11 Just really quick -- I guess I wanted to
12 ask where we were -- I haven't heard anything about
13 the five-year plan. I just wondered if we were --
14 where we were on that.

15 THE CHAIR: Any updates on the Strategic
16 Planning Committee? No updates at this time.

17 COMMISSIONER CARR: Okay.

18 THE CHAIR: Commissioner Lopez?

19 COMMISSIONER LOPEZ: I -- as you know, I
20 served on the Santa Fe School Board way back, '94 to
21 2001. And what I saw there was a lot of individuals
22 who did an astonishing and admirable -- and I
23 respected them greatly -- the job that they did.
24 But what I saw was moments of greatness in the
25 middle of a system that was really, really

1 struggling. And so I give that as a context,
2 because I, very recently, am watching what this new,
3 very young superintendent, who is younger than my
4 oldest child is now, doing there. And what I saw
5 was, he has called a spade a spade. It's the first
6 time I've seen that happen.

7 And I know Beverly and I go back to 1994
8 at Santa Fe. And she was one of the very many
9 administrators and teachers who I saw doing the best
10 they could do. This guy, in his report, called --
11 didn't blame any individuals. But he said -- or his
12 report said -- his first initial report that he
13 brought people in to look at the system. And what
14 he said was that there is a culture in this system
15 that is culturally offensive and operationally
16 dysfunctional, which I found enormously refreshing,
17 that somebody is saying, not, "You're doing a bad
18 job, administrators are wrong, teachers are wrong,"
19 but, "We have a huge, huge problem here."

20 And so my point is to urge everyone to
21 keep an eye on what they're doing there. But, I
22 agree with Commissioner Carr, you know. It's good
23 to call a spade a spade. But if there's not
24 money -- you know, I've always felt that every
25 classroom, at least at the elementary level, should

1 have a teacher's assistant. Well, how much money is
2 that? A lot of money. Every school should have
3 more social workers. With all the problems we have
4 in our society, there should be one for every grade,
5 at least, lots more money. Lot -- we need
6 after-school programs, because these parents are
7 working. And the cities can't -- you know, they can
8 put up a band-aid for those after-school programs,
9 but they can't fund them.

10 It is funding. And I agree with
11 Commissioner Carr. People say you can't throw money
12 at it. Well, you can throw money at it, and it's
13 time. And so pay attention to Santa Fe. See where
14 they get. They're going to need money. But they
15 did call a spade a spade. Thank you.

16 THE CHAIR: Thank you, Commissioner Lopez.
17 Any other comments from Commissioners? Seeing none,
18 I do want to charge Chairman Vince Bergman of the
19 Charter Schools Committee with initiating a
20 preliminary meeting with the Charter Schools
21 Division. Define the scope of negotiations for the
22 preliminary contract approval for the Health
23 Leadership High School. Also, define those
24 logistics, and then report back to the Executive
25 Committee with that information. Do you want me to

1 start over there?

2 COMMISSIONER BERGMAN: I don't think
3 either one of us was keeping up with all that.

4 MS. CALLAHAN: For the contracts, the
5 Charter School committee.

6 THE CHAIR: And then we'll give you our
7 blessing, hopefully, at that point to negotiate the
8 preliminary contract, in the December meeting,
9 you'll present to the full Public Education
10 Commission. If needed, we'll follow that with --
11 follow that up with a working session. And then we
12 will vote on the preliminary contract as far as
13 approval goes. Does that make sense? Does that
14 sound fair for this first run-through?

15 MS. CALLAHAN: I think that's probably,
16 Mr. Chair, the best way that we can approach this.
17 I'm just worried about setting travel again. Is
18 there a way we can kill birds and stones if there's
19 other meetings that you all are attending, or we can
20 piggyback on or --

21 THE CHAIR: Between now and December 14?

22 MS. CALLAHAN: Yeah.

23 THE CHAIR: I don't think there are --
24 there are no full PEC meetings, obviously.

25 MS. CALLAHAN: I know there's an LESC

1 meeting.

2 COMMISSIONER SHEARMAN: It's in
3 Las Cruces; isn't that correct?

4 MR. CRAIG: We're in Santa Fe in December.
5 But it is the 14th and 15th.

6 MS. CALLAHAN: And to set up planning.

7 COMMISSIONER SHEARMAN: I'm asking David
8 when the LESC meeting is, and I can't hear him all
9 the way back there.

10 MR. CRAIG: The LESC meeting is in
11 December on the 14th and 15th, Commissioner
12 Shearman.

13 COMMISSIONER SHEARMAN: Where?

14 MR. CRAIG: In Santa Fe.

15 COMMISSIONER SHEARMAN: In Santa Fe. Why
16 did I think it was in Las Cruces?

17 MR. CRAIG: We met in Las Cruces in
18 September.

19 MR. CARR: That's the 14th and 15th,
20 though, too. That's when our meeting is.

21 THE CHAIR: I'm going to repeat these
22 steps because, I think we have it covered in them.
23 The Charter Schools Committee Chair will initiate a
24 preliminary meeting with the Charter Schools
25 Division, which should include the full Committee

1 for Charter Schools. Define the scope of
2 negotiations. Now, what that means, that you will
3 define, including the logistics. So let's not try
4 to figure that out now. Let you all figure that
5 out.

6 Report those logistics and the scope back
7 to the Executive Committee of the Public Education
8 Commission. At that point, you will proceed to
9 negotiate a preliminary contract based on our
10 approval of the logistics and the scope. And then,
11 in the December meeting, you'll present the
12 preliminary contract approval to the full Public
13 Education Commission. If needed, we'll have a
14 working session, and then we'll vote on that
15 approval at that time.

16 So next step is let's define the scope of
17 negotiations and the logistics, and then we'll move
18 forward from there when you report back to the
19 Executive.

20 I'm going to need to take a quick break.
21 Recommendations on the -- on continuing through the
22 day? Do -- Beverly, I know Deputy Secretary is
23 coming at 1:00. Can we move him back to 1:30 or --

24 MS. FRIEDMAN: Mr. Chair, I can check with
25 him and see.

1 THE CHAIR: Because what we're staring at
2 now is we have 11:20. We could do the training
3 probably by, you know, 12:30ish and then -- and then
4 take a little time for lunch. I'm guessing people
5 are going to want to just eat here in the hotel. I
6 know I am. And then, a little bit after 1:00,
7 probably closer to 1:30, we would be ready to
8 continue.

9 MS. FRIEDMAN: I'll check with him,
10 Mr. Chair.

11 THE CHAIR: Okay. Let's take a ten-minute
12 break, and then we'll proceed with item No. 13, the
13 Renewal Application Review Training. We're in
14 recess.

15 (Recess taken, 11:20 a.m. to 11:45 a.m.)

16 THE CHAIR: The Chair calls this Public
17 Education Commission meeting back into session. And
18 we are at item No. 13, Renewal Application Review
19 Training. And there is no Executive Summary, so we
20 will introduce again Kelly Callahan.

21 MS. CALLAHAN: Mr. Chair, Commissioners,
22 there's a tiny Executive Summary. It's very short.
23 Basically, the information that we're going to cover
24 very quickly is the renewal review process and what
25 it is that we're doing in our evaluations of the

1 renewal applications.

2 And I'd like to introduce Rochelle
3 Cherrin, who is the Executive Administrator in the
4 CSD who is working primarily with the implementation
5 of SB 446, and the work that we're doing with NACSA
6 and the performance framework. And so all of this,
7 of course, ties back to the applications. And
8 Shelly has been very instrumental in creating these
9 new applications. And so I invited her to come and
10 do some quick overview training.

11 This is not nearly as intensive as the one
12 that we did this summer prior to the review of the
13 applications. And so we're just going to go over
14 some points. You have folders with your names on
15 it. And they are -- they contain all of the
16 documents that you're going to need. So I'm going
17 to turn this over to Shelly. And we're here, and
18 we're going to tag-team whenever we need to.

19 And so if there's anything that you need,
20 we'll be happy to provide it for you if we have it.
21 Thank you.

22 THE CHAIR: Thank you very much.

23 MS. CHERRIN: Good morning, Mr. Chair and
24 members of the Commission. I just wanted to give
25 you a little bit of a background on the development

1 of the renewal. It looks significantly different,
2 I'm sure, than the renewal applications you've seen
3 in the past.

4 There's two reasons for that: One is
5 because, as ex-charter school operators, Kelly and I
6 have completed charter school applications more than
7 once, and we wanted to make the process a little bit
8 more succinct and easier and maybe have not as many
9 elements that are repetitive for not only us, but
10 for the reviewers.

11 We've also reviewed them. And so, again,
12 we just thought maybe it was time to look at it and
13 just really stick to what's required.

14 So what we did is we -- in terms of -- oh.
15 And the second part of it was that with the upcoming
16 performance -- the contracts, and then the
17 performance frameworks, we needed to look ahead and
18 get people -- our schools ready for that, just
19 because we know that a lot of the elements of the
20 contract will be negotiated. There's a 30-day
21 limit, as we've talked about before. And we just
22 didn't feel like thinking about these things after
23 the application was approved was enough time.

24 So we did a Part A and a Part B. So the
25 Part A is looking back, and the Part B is looking

1 forward. And, again, Part B, the purpose of that is
2 really just to give us a starting ground for our
3 negotiations.

4 When looking into Part A and what's
5 required, when we went back to the statutes, there's
6 only really seven areas that are required. And it's
7 the report of the progress on the charter school and
8 achieving the goals, objectives, students'
9 performance standards, the financial statement that
10 discloses cost of administration, instruction, and
11 other spending categories; any change to the
12 original charter, amendments, the petition in
13 support of the charter from the families, and also
14 the petition in support of the charters from the
15 employees; the description of the charter school
16 facilities, and assurances that the facilities are
17 in compliance, and a statement of the term of the
18 renewal requested.

19 So Part A really does focus on the past
20 performance and looking at what they've done. Now,
21 if you look at the other thing -- again, the reasons
22 why charters can be denied or renewals can be
23 denied -- let me just find this. It does state
24 that -- and, again, we talked about this a little
25 bit this morning, but I do want to point out one

1 thing. It states that, "A charter may be suspended,
2 revoked, or not renewed by the chartering authority
3 if the chartering authority determines that the
4 charter school failed to meet or make substantial
5 progress toward achievement of the Department's
6 minimum educational standards, or... -- it doesn't
7 say "and"; it says "or" -- "...student standards
8 identified in the charter application."

9 So before the charter application was the
10 contract. But now, moving into SB 446, there will
11 actually be a contract where those -- in my
12 understanding, the minimum requirements will be
13 defined and agreed upon. That's the authorization
14 part. And I'm just going to kind of leap out here.
15 And I know that a lot more information has to be
16 discussed and gathered.

17 But it seems to me that if -- if those
18 minimum educational standards are negotiated and
19 agreed upon by the authorizer, that if the school
20 does not meet those, then it's a breach of contract.
21 And, again, I think that we need to really explore
22 that a lot further. But it does have "or" here, not
23 "and." So I just, you know, thought I would throw
24 that out.

25 So anyway, looking at that, what we --

1 again, I think we recognized that for this year,
2 it's probably going to be a little more difficult,
3 because mission statements, as we've talked about in
4 the last training, were maybe a little bit vague and
5 a little bit general. And our goals from charter
6 applications from five years ago may or may not have
7 been written in SMART format. Some of the schools
8 were open before they were required to do that. And
9 so our challenge this year is going to be looking at
10 the progress of the schools and somehow analyzing
11 how they're doing. And they may or may not, in some
12 cases, relate to the goals. We've already struggled
13 with that in some of the analyses that we've done.

14 Anyway -- and I just wanted to let you
15 know -- I mean, we'll -- you know, I think, again,
16 that's a good thing about things changing. The
17 mission statements will have to be more concise.
18 They'll have to translate into goals that can be
19 measured. And the goals will have to be very
20 specific as well. So I think, again, moving ahead,
21 the good news is that we should be able to really
22 just have four or five years of annual reports that
23 are consistent and that really give us the
24 information that we need. This year, I think it'll
25 be a little bit of a struggle.

1 So, again, Part A -- and I know that you
2 all received copies of the renewal application. And
3 it basically just asks questions that we've
4 identified, the seven that are identified in the law
5 as things that we need to look at. And then we are
6 going to do our best to look at all the data and
7 analyze that for you so that you can see trends and
8 patterns, and we'll try to tie them back to goals.
9 Do you want to add anything else to that? Okay.

10 So Part B is looking forward. And, again,
11 I think that this is something we'll have to have a
12 discussion about, because, again, it's not required
13 to look forward to consider -- maybe just the
14 amendment piece, which we did put in Part B -- but
15 the law doesn't require the plans for the future.
16 And we put it in, again, just to give people a place
17 to start -- the schools a place to start, and you
18 all, in terms of what needs to be negotiated within
19 that 30-day time period.

20 We are asking schools, though, to look at
21 their mission, again, because, again, they have to
22 be not so general anymore. We have to be able to
23 determine if they're meeting their mission. And
24 that's through some really good strong goals. So
25 we're asking them to look at their goals again.

1 The goals that are listed here are the
2 ones that are required in 446. And then they have
3 optional goals as well that they can put in. For
4 example, if they're a school that has a really
5 unique population and they want to put in some
6 optional goals, or if they want to have some
7 organizational goals, they have the ability to put
8 those in as well.

9 The amendments -- and again, I think we're
10 rolling this out for the first time. And the
11 amendments, we are going to have to consider. And I
12 think there's going to be some question about, if
13 the applications are approved, does that include
14 approving the amendments as well. And the only
15 thing that I wanted to mention about the renewals
16 is -- you know, we -- we didn't -- we're asking for
17 the schools to submit a copy of their latest
18 application, including any changes that were made
19 through the amendment process.

20 We, I think, feel very strongly that if
21 they're wanting to change too many things, then the
22 question would be, "Is this a new application?"
23 It's a renewal process. We want to renew what
24 they've been doing. If there are some minor
25 changes, that's one thing. But if there are some

1 big changes; for example, if it's a Montessori
2 school and they want to become a STEM program, well,
3 to us, that would be a whole new application. And I
4 think we're approaching looking at the amendments
5 like that as well.

6 And I think the rest of the questions --
7 the financial plans, again, we did put this -- I
8 don't know how this got in -- but, again, we have a
9 Part A and a Part B. And you'll see, again, if we
10 can go back to the seven required elements of a
11 renewal application, the amendment piece and maybe
12 this question about the financial plans, where you
13 have to under- -- present them in categories in
14 terms of what you're spending, I see that that's
15 here as well.

16 But then we also put in other questions
17 that have to do with what we're going to be
18 expecting in terms of governance and partnerships
19 and things like that that are based on SB 446. Are
20 there any questions?

21 COMMISSIONER SHEARMAN: I'm reading the
22 financial -- under Financial Plans -- now, this is
23 for renewal. So this is the information that they
24 are going to be required to provide to support their
25 bid for renewal; right?

1 MS. CHERRIN: Yes, that's correct.

2 COMMISSIONER SHEARMAN: Financial
3 statements that disclose the costs of
4 administration, instruction, and other spending
5 categories for a charter that is understandable to
6 the general public.

7 MS. CHERRIN: Right.

8 COMMISSIONER SHEARMAN: What kind of
9 statements are you envisioning here? Like, a
10 budget? Or financial statements? Or -- I can't
11 think of financial statements.

12 COMMISSIONER CANFIELD: Audit.

13 COMMISSIONER SHEARMAN: Audit findings?

14 MS. CHERRIN: Again -- and that comes
15 directly from the law in terms of what's required.
16 And so what we've suggested to the schools is that
17 they really maybe -- they maybe want to do a pie
18 graph. How much is -- what percentage of their
19 budget is going toward instruction, versus
20 administration, versus supplies and materials.
21 There's a variety of ways that they can show that.

22 But, basically, that was one of the
23 suggestions that we made. It's the spending
24 categories and just how they can disclose the cost
25 of all of that. Some, you know, schools may have

1 other ways. They may have, like, end-of-year
2 reports, you know, where they talk about how much
3 they've spent on instruction versus administration,
4 versus other areas.

5 COMMISSIONER SHEARMAN: So no defined
6 presentation, just information that needs to be
7 there. What about audits? Where is that
8 information?

9 MS. CHERRIN: That's in Part A, where we
10 ask for any material findings, financial findings.
11 And that would be based on their audits.

12 COMMISSIONER BERGMAN: Do you all know
13 what document we're reading from? I can't find it
14 here somewhere.

15 MS. CHERRIN: Here is Part A, and here is
16 Part B. (Indicates.) Again, we don't have a copy
17 of the renewal application here.

18 MS. CALLAHAN: So there's two parts.
19 These are the analyses that we're going to be
20 providing to the Commission. And so Part A is the
21 required elements, according to the law, that Shelly
22 just talked about, the seven elements that are
23 reviewed for the charter renewal. That analysis
24 takes place in this document that's labeled Part A.

25 COMMISSIONER LOPEZ: Preliminary and

1 Final?

2 MS. CALLAHAN: Preliminary and Final
3 Recommendation Document. So, in other words, what
4 you're going to get in a couple of weeks is our
5 preliminary overview of the renewal application that
6 will -- that will give our analysis of what's
7 happening in this renewal document.

8 We then ask for feedback from the schools.
9 They have a chance to respond to these, which is
10 different from the application -- new application,
11 because these schools have been in existence. So if
12 there's a discrepancy somewhere, if there's audit
13 findings that aren't addressed, what have you, that
14 were -- we ask that the school then give us a
15 response back. After that's assimilated into this
16 document, we'll send the entire document with the
17 recommendation from the CSD, what we feel would be
18 an appropriate action for the PEC to take in terms
19 of the renewal; so whether it's a denial or approval
20 of the renewal application.

21 And so Part A is -- this is -- this is the
22 rubber hits the road on the renewal. This is where
23 you really want to focus the attention, because this
24 is the requirement by law of what they have to do to
25 demonstrate capacity to be renewed. And what we're

1 trying to do is we're trying to capture a lot of
2 information in these -- you know, as easily as we
3 can so that it's readable to the reviewers and to
4 the public in understanding what's happening.

5 Part B and C are future -- you know,
6 looking at the previous application, what kind of
7 changes are going to happen, they propose, either
8 through an amendment or other changes that are in
9 here that may be significant. And so this
10 section -- if you don't approve this section, this
11 section becomes moot, essentially. This is the --
12 this is the document -- or this is the part of the
13 application that needs to be very carefully
14 scrutinized by the Commission to insure that the
15 school is viable to continue.

16 MS. CHERRIN: And I will say, though, in
17 Part B, there are a couple of required elements of a
18 renewal application that will need to be looked at
19 as well. And we'll make sure that you, you know,
20 just get a list of the seven elements that are
21 required in the renewal.

22 MS. CALLAHAN: When you receive your
23 documents from us, we'll have kind of a table of
24 contents that you'll be able to identify what --
25 what sections are doing what, and it will lay it out

1 clearly.

2 And I just need to put a little caveat on
3 here. Shelly alluded to it, and I think I alluded
4 to it earlier. This is this bridge that we're
5 talking about. You have the schools who were under
6 a completely different set of laws when they wrote
7 their applications. They received yearly updates
8 and reviews for progress. And then the new law that
9 they're going to be required to do. And so we're
10 kind of straddling.

11 So that the Part A -- which is why we
12 distinctly separated it -- Part A was looking at
13 those previous standards and those previous -- did
14 they meet terms of that charter contract. And then
15 we're look- -- if we say, "Okay, we feel like you've
16 done adequate work, and we agree that you need to be
17 renewed," then we need to look at the next part of
18 the charter that is going to be under the terms of
19 SB 446.

20 So there's differences that -- we're
21 literally straddling. So once we have a contract in
22 place that we can, you know, show and demonstrate
23 what the school is going to do to meet the terms of
24 the contract, that's what we're trying to get to
25 here is this is about capacity of the next phase,

1 you know. Are they going to be able to implement
2 any changes that they need to do?

3 Some of them may not have any changes
4 because they're doing just fine. And so this will
5 be a very limited section. But we will make it
6 really clear in the review that we send you where it
7 is that we want you all to really pay attention and
8 where -- where the next steps would be in terms of
9 approval to contract. Does that help a little?
10 It's confusing for us, too, as well. And I
11 apologize.

12 THE CHAIR: It is very helpful.
13 Commissioner Canfield, do you have a question or a
14 comment?

15 COMMISSIONER CANFIELD: So the charter
16 schools will actually be getting your report about
17 the same time we will be getting it. Right?

18 MS. CALLAHAN: Mr. Chair, Commissioner
19 Canfield, that is correct. And just -- if I could
20 interject a couple of the other documents that you
21 have? These are the -- these are the reports that
22 we're receiving from the previous authorizers and/or
23 the Public Ed Department divisions to which schools
24 are responsible for reporting the -- their safety
25 plans -- the compliance part. And so these reports,

1 the contents of these three, will be assimilated
2 into this. (Indicates.)

3 So you're going to he get this one report
4 that's going to synthesize everything to -- so
5 you'll have one document that will give the
6 oversight of the school in terms of performance and
7 compliance. And so that's -- we wanted to include
8 these -- and I'm sorry about extra pieces of paper.
9 But we wanted you to see that we were thoroughly
10 looking back at the schools and what it is that
11 they're doing and how they're performing right now,
12 so you have the biggest and most complete picture of
13 what they look like. And that's kind of where we're
14 heading.

15 And then, also, we've included a site
16 visit document. As part of the process includes a
17 site visit from the CSD. So what we're doing is
18 we're verifying and validating the information that
19 they gave us. We're reviewing their data. We're
20 reviewing their governance board minutes, and, you
21 know, are they complying with the Open Meetings Act.
22 We're looking at curriculum. We're actually going
23 to do classroom visits, which hasn't happened in the
24 past. But we're going to look at the instruction
25 itself.

1 And so -- so these tools -- you're not
2 going to receive these. (Indicates.) These are
3 working documents. But we wanted you to see the
4 questions that we were going to be asking. We
5 wanted you to see what the -- what the items are
6 that we're going to be reviewing to -- that makes
7 this report, then, comprehensive and -- and will, I
8 think, give you the most accurate picture of what
9 this school is doing and how well they're doing.

10 COMMISSIONER LOPEZ: All right.

11 MS. CALLAHAN: Does that help a little
12 bit?

13 COMMISSIONER LOPEZ: A lot.

14 THE CHAIR: Commissioner Bergman?

15 COMMISSIONER BERGMAN: I just wanted to
16 know. That's the level of cooperation we
17 appreciate. When you send us stuff, even if you
18 don't make it really stuff [verbatim], we need it.
19 And maybe we do need it; maybe we don't need it.
20 But we do appreciate that kind of cooperation.

21 (A discussion was held off the record.)

22 THE CHAIR: Please proceed.

23 MS. CALLAHAN: The --

24 MS. CHERRIN: Can I --

25 MS. CALLAHAN: Go ahead.

1 MS. CHERRIN: Well, again, these are -- we
2 haven't started filling these out yet. And so they
3 are drafts, which means that we can update them a
4 little bit, and we can make it really very clear by
5 taking out a couple of the parts from Part B that
6 have to be in Part A. They're one of those search
7 criteria. And that's an easy fix. So I suggest
8 that we do that. So you won't have to worry about
9 it.

10 MS. CALLAHAN: Mr. Chair, Commissioners,
11 I'm going to continue to say, this is truly
12 evolving. And the train-and-track analogy that I've
13 been talking about, laying the track while the train
14 is coming behind you is a challenge. And we're
15 trying our best to insure a fair process for schools
16 as well as a rigorous review that's -- and there's a
17 lot of -- a lot of brain power that goes into this
18 discussion; arguments, to some degree, about what
19 needs to be included.

20 And so, you know, it's -- I consider them
21 all living documents, because we do -- we have to be
22 agile enough to change, you know, to make sure we're
23 meeting the terms of the law, but also -- I guess I
24 can't emphasize this bridging that we're doing is
25 very difficult. Because it -- the schools are the

1 ones that are -- that we're trying to ease as
2 much -- because this is going to be a difficult
3 transition for them. They literally are the guinea
4 pigs of SB 446, because that's a -- that's when we
5 will be doing these material negotiations and the
6 terms that we've been talking about in -- I wish we
7 had a definition of "material terms." I wish we had
8 a definition of "minimum education standards." I
9 wish we had -- these are going to become the
10 definitions to which the schools live by. And I
11 think that's a very important piece of it.

12 So we're trying to make sure that we're
13 building the rigor and accountability with fairness
14 and -- and thoroughness of review. But if there are
15 questions, if there are things that you can suggest,
16 please -- please send it to me or to any of the
17 team, and we will -- we want to make sure that you
18 all have that complete picture of what it is, that
19 there's something that you need to do.

20 I just also want to mention in here that
21 you have a time line. This is the time line -- it
22 looks much better than the one I did. My team is
23 technologically advanced. And so the time line --
24 and just to draw your attention to where we are,
25 right now is November 1. And it was 1 and 2 when we

1 originally did this, but we were able to do it in
2 one day. We're at that point in the time line.

3 The next kind of phases that we're going
4 through, we are in the middle of the analysis.
5 October 10 through the 7th, we are also in the
6 middle of our site visits; I believe about half of
7 them have been completed. The November 9 -- so next
8 week is when we're looking at completing the
9 preliminary analysis. And we're asking for a little
10 grace, because we had to change some of the site
11 visits due to the instructional audits, and so we're
12 asking for a little flexibility.

13 But as soon thereafter the 9th, we will
14 send those preliminary analyses, which will be just
15 the rough cut. This is before the schools respond,
16 and you'll just get that initial overview that
17 the -- the CSD did. And then the schools have to
18 have their work back to us by November 21. And then
19 we are going to incorporate what those responses
20 look like into the analysis. Then the final -- the
21 school response part of it will go at the end of the
22 month, and then you will receive the final analyses
23 and recommendation by December 3 -- or excuse me --
24 December 6.

25 It's a very tight time line, very tight.

1 I mean, we're pushing, as it is, to do the thorough
2 review that needs to happen. There are seven
3 schools. And so it's -- and then, you know, again,
4 the train -- the other train that's coming is we
5 have current things that are going on, the
6 instructional audits and the day-to-day reviews that
7 we have to do about concerns that come up, trying to
8 create the templates for SB 446 and getting all of
9 that done.

10 So, you know, please know that we'll try
11 as best we can to stay to the deadlines. But we're,
12 again, operating in real time. Sometimes that
13 doesn't -- that doesn't work all the time. But,
14 hopefully, this gives you a little bit of a picture
15 of where -- where we're going to be.

16 And then, of course, the meetings are the
17 middle of December, and then we have to look at the
18 contract negotiations. So it's -- again, it's
19 tight, and it's coming very quickly.

20 We're through.

21 MS. CHERRIN: To give you enough time for
22 lunch.

23 THE CHAIR: Questions, Commissioners?
24 Commissioner Bergman.

25 COMMISSIONER BERGMAN: So, according to

1 this time line, we're not going to get the
2 preliminary preliminary analysis. We're going to
3 get the preliminary analysis after the schools have
4 responded and you include those comments in that
5 preliminary, and that's due at the end of November,
6 then, November 28.

7 MS. CALLAHAN: The -- did I read it wrong?
8 I apologize. No, you're right. That's exactly
9 right.

10 COMMISSIONER BERGMAN: And then a week
11 later, we get the final recommendation.

12 MS. CALLAHAN: The final would be December
13 6. So that would be with the recommendation. So
14 everything would be incorporated into that one final
15 document that you get. So you'll get a draft, and
16 then you'll get a final.

17 COMMISSIONER BERGMAN: Okay. Thanks.

18 THE CHAIR: I have a question. Has all
19 this been run through the new director? The reason
20 I ask is that I remember we were going to receive
21 some draft documents from a former CSD director, and
22 that that presentation got pulled by the -- it was
23 requested to be pulled, and, I implied, by the
24 Secretary of Education Designate. And there were --
25 there were other things going on.

1 So I love this. I just want to make sure
2 that I'm going to love it because it's still here
3 next week.

4 MS. CALLAHAN: Mr. Chair, Commissioners,
5 Mr. Gerlicz, as we said, began his term on Monday
6 and has assured us that the work that we're doing
7 is -- he plans to continue, that there's not a
8 change -- and I think he would be very honest if we
9 asked him that same question. He's in the middle of
10 reviewing everything that we're doing at this point;
11 so looking at process, looking at organization,
12 looking at structure. He's on -- the learning curve
13 is like this. (Indicates.)

14 So that's what he's in the middle of right
15 now. So I would suggest maybe asking him this
16 afternoon the commitment. But he was very adamant
17 about that the work that we've begun doesn't need to
18 be stopped. And we have too many critical time
19 lines. So -- but I -- I don't want to speak for
20 him. But that's what his assurance was to me when
21 he started.

22 THE CHAIR: Okay. Thank you.

23 COMMISSIONER LOPEZ: Mr. Chair?

24 THE CHAIR: Commissioner Lopez?

25 COMMISSIONER LOPEZ: I just want a

1 clarification. How is the structure between you
2 and -- I'm thrilled to hear that's it's Tony
3 Gerlicz. Another really excellent charter school
4 principal will be working with you folks. But what
5 will the relationship be between -- on staff?

6 MS. CALLAHAN: Mr. Chair, Commissioner
7 Lopez, the position that I had was the Acting or
8 Interim Director, Options for Parents. I took Patti
9 Matthews' position, Ms. Matthews' position, and
10 acted an internal role. And so there was a Director
11 and then a General Manager. And the General Manager
12 has hands-on oversight of schools and the
13 educational administrative staff at the CSD;
14 whereas, the Director for the Options for Parents
15 actually has a lot more responsibility outside the
16 charter schools. There's home school, private
17 school. Virtual schools will fall under that
18 person.

19 And so IDEA New Mexico would be under that
20 person. So they have a larger Options for Parents.

21 COMMISSIONER LOPEZ: So Charter Schools
22 Division is under Options for Parents.

23 MS. CALLAHAN: Correct, correct. And then
24 the educational administrative staff works with, you
25 know, the schools themselves and clients and review,

1 oversight, that kind of thing.

2 And Mr. Gerlicz and Patti and myself, we
3 covered a lot of territory beyond charter schools.
4 What's happened, though, just lately is that because
5 of the new charter school law, it sort of elevated
6 everything -- you know, charter schools above
7 everything else right now. And, you know, it's not
8 that they're not being paid attention to; but
9 it's -- that focus is on charter schools and the
10 implementation of SB 446, because it's just such a
11 short time line.

12 COMMISSIONER LOPEZ: So your position --
13 you're going back to Manager?

14 MS. CALLAHAN: To General Manager, yes.

15 COMMISSIONER LOPEZ: And that's under
16 Options for Parents?

17 MS. CALLAHAN: Correct.

18 COMMISSIONER LOPEZ: Okay. Thank you.

19 COMMISSIONER BERGMAN: Mr. Chair?

20 THE CHAIR: Commissioner Bergman.

21 COMMISSIONER BERGMAN: So you answer to
22 Mr. Gerlicz; correct?

23 MS. CALLAHAN: Mr. Chair, Commissioner
24 Bergman, yes, that's correct.

25 COMMISSIONER BERGMAN: But you are going

1 to be acting, then, on the day-to-day operation of
2 CSD; is that correct?

3 MS. CALLAHAN: Yes, Commissioner Bergman.
4 That -- essentially, yes.

5 COMMISSIONER BERGMAN: Or is he -- is that
6 going to be part of his big umbrella?

7 MS. CALLAHAN: We're still developing
8 exactly what that's going to look like. Because
9 even since Patricia Matthews left, it's a
10 different -- there's -- the whole implementation of
11 SB 446 has taken on this new level of structure.
12 And so we're going to have to take a look at it.
13 But, essentially, the General Manager over Charter
14 Schools Division will have the day-to-day
15 operations. But, ultimately, Mr. Gerlicz is
16 responsible for what happens and reporting to the
17 PEC and -- and is your staff to -- to your --

18 COMMISSIONER BERGMAN: I guess I'm asking,
19 because as Chair of the Charter School Committee of
20 the PEC, am I supposed to run everything through
21 Mr. Gerlicz and -- or how am I supposed to do that?

22 MS. CALLAHAN: Mr. Chair, Commissioner
23 Bergman, I would say that it's probably a good idea
24 for us to both -- you know, that any communication
25 that we send goes through both of us regarding

1 charter schools, just so we can make sure that
2 everybody's in the -- I'm about transparency and
3 everything in the loop. I want to make sure that
4 he -- as the new Director, he obviously wants to be
5 involved as much as he can with the new development
6 of the law.

7 COMMISSIONER BERGMAN: So should I send
8 e-mails to you -- then I should certainly copy him
9 in to them? I guess that's my question.

10 MS. CALLAHAN: Yes, Mr. Commissioner.

11 COMMISSIONER BERGMAN: Okay. Thank you.

12 THE CHAIR: Are there any other questions?
13 I want to thank you both for the fine presentation,
14 very informative. And this is all exciting work.
15 But what an aggressive time line. You did not lie.
16 We are going to -- we are planning on having Deputy
17 Secretary Paul Aguilar and Mr. Tony Gerlicz at
18 11- -- at 1:30. So it is 12:20 now. So we're going
19 to break from now until 1:30. We're in recess.

20 (A recess was taken at 12:20 p.m., and
21 reconvened at 1:35 p.m., as follows:)

22 THE CHAIR: The Chair calls this meeting
23 of the Public Education Commission back into
24 session. Hope everyone had a wonderful lunch. And
25 congratulations to Jeff Carr for fighting through

1 that fish and chips. It just looked awesome. I was
2 coveting it.

3 COMMISSIONER CARR: It was.

4 THE CHAIR: Was it great?

5 COMMISSIONER CARR: It was great.

6 THE CHAIR: We are at Item No. 7, and we
7 would like to welcome Public Education Department
8 Deputy Secretary Mr. Paul Aguilar. I'm glad you
9 made it down. We moved the item around so we could
10 enjoy your company and give and receive the Public
11 Education Department Secretary Designate report.
12 Welcome.

13 DEP. SEC. AGUILAR: Thank you,
14 Mr. Chairman and members. How are you? I'm only
15 jealous, because I talked to Commissioner Peralta,
16 and he had the Philly Cheesesteak. So fried fish
17 with beef on top might be okay.

18 Mr. Chairman, thank you for having --
19 having me here today. It's always a pleasure. It's
20 nice to see each and every one of you. Before I
21 start with a briefing, Mr. Chairman, I want to make
22 an introduction.

23 THE CHAIR: Yes, sir.

24 DEP. SEC. AGUILAR: With me today is
25 Mr. Tony Gerlicz. Mr. Gerlicz has been appointed as

1 the Director of Options for Parents with the Public
2 Education Department. Mr. Gerlicz is recently
3 returned to New Mexico from Warsaw, Poland, where he
4 was a director of the American School in Warsaw,
5 serving some 900 students, studying all aspects of
6 school life, middle -- elementary, middle, and high
7 schools.

8 Mr. Gerlicz had a previous role here in
9 New Mexico as the founder and head learner at the
10 Monte del Sol Charter School in Santa Fe. And under
11 Tony's direction, the mission of Monte del Sol was
12 to create community leaders under a program focusing
13 on academic excellence using the arts, technology,
14 sustainability, community connection, and global
15 perspective. Ninety percent of Monte del Sol's
16 graduates at the time went on to attend local and
17 also out-of-state public and private universities.
18 And during his time at Monte del Sol, Tony directed
19 the technical assistance training for emerging
20 charter schools and veteran charter school leaders
21 around the state.

22 Mr. Chairman, in addition to serving as
23 the Director of the American School in Warsaw --
24 which, by the way, caused some problems in
25 communication, because he'd be calling me in the

1 middle of the night while he was up over there --
2 but he also served as the head of the Upper School
3 at the Garland -- Graland Country Day School in
4 Denver. He was also the director of the Oregon
5 Governor's School for Citizen Leadership, and has
6 served as a middle school/high school principal.

7 And I found out, to my delight -- because
8 I was a middle school math teacher -- is he's also a
9 math teacher. And so all good things come from
10 STEM, STEM education, as far as I'm concerned.

11 Mr. Chairman, Tony's the son of immigrants
12 who believe that education was the pathway to
13 success for their children. He's taken that belief
14 into his career. He's been married for 28 years --
15 I find out one year less than I have, so we're both
16 doing pretty well -- to Diane Friedman, a native New
17 Mexican, and is the father of Stefan, who is a
18 26-year-old with an MBA from UC Davis. And Camilla,
19 a 24-year-old who's a third-year doctoral student in
20 mathematics at UT Austin. Both Tony and Diana are
21 bilingual in English and Spanish.

22 And, Mr. Chairman, Tony has indicated that
23 he's thrilled to be back in New Mexico working for
24 our kids. Mr. Chairman, I'd like to introduce for a
25 brief comment Mr. Tony Gerlicz. (Applause.)

1 MR. GERLICZ: Thank you, Paul,
2 Mr. Chairman, and members of the Commission. It's
3 really a pleasure and an honor to be here. I -- as
4 Paul said, I am thrilled to take this position. And
5 I'm thrilled to take this position for a couple of
6 key reasons.

7 I first met Paul, which immediately got me
8 interested, and then the Secretary, her initiatives.
9 And I was born and bred an educator from day one.
10 As Paul mentioned, we grew up fairly low in the
11 socioeconomic stream of things as immigrants. And
12 education was the ticket, and was the only ticket,
13 and there was no higher value in my family than
14 education. And it's been my whole life.

15 And starting a charter school here in
16 Santa Fe -- and the reason I came to Santa Fe is
17 because my wife is a native New Mexican. And we
18 love this region. We love the culture; we love the
19 language; we love its people; we love everything
20 about it.

21 So starting a charter school was, without
22 a doubt, the highlight of my professional career,
23 and only to be surpassed by the success of that
24 charter school. Starting a school is one thing, but
25 having it be successful is truly extremely

1 fulfilling, professionally and personally.

2 So I was 70 percent, 80 percent of the way
3 there to being -- accepting the position and being
4 very comfortable. And what got me fully the way
5 there was when I met Kelly. And the work that Kelly
6 has done has impressed me no end. She and I are
7 together philosophically on educational matters. We
8 view charter schools in very similar lights as
9 beacons of hope and excellence in the educational
10 sphere.

11 And I am thrilled that Kelly will stay on
12 in the Charter School Division. And we will work --
13 and I'm extremely looking forward to working very
14 closely with her as we move forward and steering in
15 the charter school world here in New Mexico.

16 So I'm happy to answer any of your
17 questions. But that's a little bit about me. And
18 it really is a -- an absolute pleasure to be in
19 front of you and to take this position here in
20 New Mexico. Thank you.

21 THE CHAIR: The Chair will open up the
22 floor to questions from Commissioners?

23 COMMISSIONER LOPEZ: Mr. Chair?

24 THE CHAIR: Commissioner Lopez.

25 COMMISSIONER LOPEZ: Tony, I'm thrilled

1 that you're here. And I know Tony from Santa Fe
2 when your school was authorized -- actually, I
3 wasn't on the Board. My husband was at that point.

4 But one thing that you didn't say was,
5 even after you left Monte del Sol, it went through a
6 rough spot, but it's still being successful. You
7 laid a really good foundation. And I'm really
8 thrilled that you're here, even though I won't be
9 around. But welcome aboard.

10 MR. GERLICZ: Thank you, Commissioner
11 Lopez. That was duplicated when I saw the list of
12 the Commissioners and saw your name on it, and then
13 dampened immediately by knowing that you're leaving.

14 COMMISSIONER LOPEZ: Thank you.

15 THE CHAIR: Other questions? I had a
16 question of Ms. Kelly Callahan, with the changes
17 with the switch -- I shouldn't say a switch -- but
18 with the changes and with your hiring. I had asked
19 her the question when we were going over the renewal
20 framework if that would indeed stay intact. And she
21 said that that might be a question better asked of
22 you. And I said, "Sure, I'll ask it this
23 afternoon." So --

24 MR. GERLICZ: Great. It's a fine
25 question. And after, let's say, three days on the

1 job --

2 THE CHAIR: She mentioned that, too, by
3 the way.

4 MR. GERLICZ: -- there's no way I'm going
5 to change anything right now. I'm going to lean
6 very, very heavily on Kelly's expertise, which I
7 trust implicitly.

8 THE CHAIR: I just want to compliment her
9 and let you know that we have really seen the
10 Charter Schools Division and its accountability, its
11 transparency, its professionalism rise up with her
12 acting as interim. And from what I've heard, just
13 today even, from -- about you is that there are some
14 great things to look forward to. So --

15 MR. GERLICZ: Well, if I could add to
16 that, Commissioner Garrison, is that in addition to
17 Kelly, the eight other staff people that we have in
18 the Charter School Division are first class. And
19 this is coming from someone who has run very
20 high-powered international schools, started a school
21 of my own in Santa Fe and has had a rich experience
22 in education. I can tell you firsthand, these are
23 first-class people. And I'm very excited to be
24 working with them. So together, it's all good
25 things.

1 THE CHAIR: Absolutely. And the work of
2 Shelly and Rachel and the rest of the clan, and
3 knowing that you have administrators, former
4 administrators of charter schools, it's been very
5 comforting and also enlightening. We're learning
6 every step of the way, too, with the looming SB 446
7 requirements. It is a lot; it's plenty. So I hope
8 you're going to fight for extra staff as you catch
9 up.

10 MR. GERLICZ: Say that a little bit
11 louder.

12 THE CHAIR: I say it loud. I've called
13 him in the middle of the night, and we're in the
14 same time zone. So I'm with you.

15 MR. GERLICZ: Great. Thank you.

16 THE CHAIR: Any other questions? Now I
17 need to get a pronunciation right. I've heard
18 Gerlitch [ph]. I've heard Gerlitz [ph].

19 MR. GERLICZ: It depends on what country
20 you're in. If you're in Poland, it's Gerleech [ph].
21 So just say Gerlitch [ph].

22 THE CHAIR: Gerlitch [ph]. Excellent.
23 Tony Gerlicz, welcome to New Mexico, back to
24 New Mexico, and we congratulate on your position.

25 MR. GERLICZ: Gracias. Es un placer

1 grande.

2 THE CHAIR: [Spoken Spanish.] Just for
3 the record, Commissioner Gant is present, back from
4 the PSCOC meeting.

5 DEP. SEC. AGUILAR: Mr. Chairman, thank
6 you very much. Along the lines that you just --
7 your comment about additional staffing, the Public
8 Education Department has submitted its FY14 budget
9 request to the Legislative Finance Committee and the
10 Department of Finance and Administration on
11 September 1, as required by statute. That request
12 has requested additional funding for additional
13 staff for the Charter Schools Division. So we're
14 going to pursue that actively, and we hope that we
15 can be successful in getting that funding.

16 Secondly, along the lines of staffing,
17 just so you know, I can't -- I can't release a name
18 yet. But our General Counsel -- we have a new
19 General Counsel -- oh. We have a General Counsel.
20 Let me do another introduction, Mr. Chairman, before
21 I go further.

22 Mr. Chairman, we have a new General
23 Counsel with the Public Education Department. As
24 you know, Mr. Brown left to -- can't say greater
25 pastures at Santa Fe County, but he's now working

1 with Santa Fe County. But we are pleased to welcome
2 Ms. Hilary Noskin to the Public Education
3 Department. She comes to us from private practice.
4 In her short time here -- and I'll be talking about
5 Questa and other issues in a few minutes. But in
6 her short time here, she's shown a willingness to
7 roll up her sleeves and get to work and get to work
8 hard. She's done a wonderful job in reorganizing
9 the inner operations of our General Counsel's
10 office.

11 We are now in the process of developing a
12 docketing system. Our filing system has been -- we
13 just carried about 19 or 20 boxes to State Archives.
14 So we've cleaned up the area, and we've -- she's
15 also -- she'll take credit for this, which I'm okay
16 with -- is we have new staff coming on board in
17 terms of new attorneys in the -- in the Office of
18 the General Counsel. And so she's also already
19 increasing staff.

20 And so, Mr. Chairman, I'd like to
21 introduce Ms. Hilary Noskin. (Applause.)

22 MS. NOSKIN: Thank you. I met most of you
23 at lunch. Commissioner Bergman, I didn't get the
24 opportunity. But I'm available. I have the
25 pleasure of knowing the Chairman from before this --

1 this opportunity. And I'm very pleased to be here.
2 And whatever I can help with, thank you very much.
3 Oh. I guess if you have any questions, I'm happy to
4 answer them.

5 THE CHAIR: She said that she knew me
6 before. That doesn't imply that she has a criminal
7 background, as far as lawyering. I do know
8 Ms. Noskin, and she's a dear friend. Any questions
9 of Ms. Noskin? Congratulations on your appointment
10 as General Counsel of the Public Education
11 Department.

12 MS. NOSKIN: Thank you, sir.

13 DEP. SEC. AGUILAR: Thank you,
14 Mr. Chairman. Oh. So getting back to what I
15 started, I can't release a name yet. But Ms. Noskin
16 and our federal -- we've decided that -- I shouldn't
17 say "we decided" -- you've noted throughout the past
18 year since -- or the past year and a half since
19 Mr. Arnold left that -- and I've seen it
20 demonstrated -- you really do have a need for an
21 attorney. And so when Mr. Arnold left, we chose to
22 not fill that position and to hire a contract
23 attorney, who's done a good job for you.

24 But we believe that you need an attorney
25 that you have access to more often than just here at

1 meetings and whatnot. So I'm pleased to announce
2 that we have finished -- Ms. Noskin and
3 Ms. Kaselniak [ph], our Director of Federal Programs
4 and others, have just completed the interview
5 process. And we are in the process of making an
6 offer to an attorney who will serve 50 percent of
7 their time on charter school issues, serving your
8 needs, and will serve 50 percent of the time on
9 federal programs.

10 And so -- and that's not set in stone. If
11 one -- during the slow season, they do more work on
12 federal programs than they do during the busy
13 season, we'll do more work on charter school issues.
14 I just wanted to let you know about staffing, that
15 we have another staff member that we'll be making an
16 offer to in the next day or so. So the request --
17 so I guess Tony will take credit for new attorneys
18 and new staff and other funding. So -- that's okay.

19 THE CHAIR: The man is working fast.
20 Excellent.

21 DEP. SEC. AGUILAR: Mr. Chairman, I have a
22 request for information from Commissioner Peralta
23 regarding Mr. Bill Green. Mr. Bill Green is serving
24 this year as the Superintendent of the Quemado
25 Public Schools and is serving as the Superintendent

1 of the Reserve Public Schools. The information that
2 I had received is how -- is receiving well over
3 \$180,000. That's not, in fact, the case. The
4 salary of the Quemado School was about \$90,000. And
5 the salary for the Superintendent at Reserve has
6 been about \$90,000.

7 Mr. Green is serving both at a combined
8 salary of \$120,000. So there's some savings to each
9 district. And there's no statutory or rule
10 preclusion to him serving in that manner. So, to be
11 perfectly honest with you, the stability that he's
12 brought to the Reserve Public Schools after all the
13 issues that we dealt with last year has -- is a
14 breath of fresh air. Things are moving smoothly.
15 Buildings are getting fixed, and kids are being
16 educated. And so we're very happy that he offered
17 to do that. And so I hope that that answers your
18 question, Commissioner.

19 COMMISSIONER PERALTA: Thank you.

20 DEP. SEC. AGUILAR: Mr. Chairman, just for
21 your -- more information, the Legislative Finance
22 Committee has scheduled -- or would like to
23 schedule -- an entrance conference with the
24 Department. And I would like to extend an
25 invitation to any member of the Commission that

1 would like to attend the entrance conference. We
2 don't have a set date yet. But they're going to
3 begin an evaluation of the Charter School Facilities
4 lease assistance and capital outlay Planning.

5 A number of Commissioners -- you've heard
6 a number of issues that have been raised over the
7 last year regarding the amount of money that's spent
8 on leases, where that money comes from, who are --
9 who is the recipient of the -- the final recipient
10 of the money, is the lease assistance program
11 sufficient to cover the cost of the lease on a
12 building; if not, how much of the operational money
13 districts -- charter schools are using to offset
14 that cost, and whether the lease -- the leases that
15 are entered into are actually reasonable and
16 consistent across the state.

17 And, granted, there are regional
18 differences. But, as the Public School Capital
19 Outlay Council has been working on and has noted, we
20 have a limited number -- but still of concern, we
21 have a limited number of charter schools who have
22 lease -- lease contracts with folks for -- at the
23 high end, \$56 a square foot. And we have a number
24 that are between \$22.50 and \$40; and I want to say a
25 number -- it will be 14 or 15 schools -- most are

1 down in the \$10, \$11, and \$12 range.

2 But the other thing that is of concern is
3 that there's not a -- there's not a uniform lease
4 contract that's entered into. And so terms are
5 different depending on who the owner is and how the
6 school -- how well the school can negotiate or not.
7 And so the Public School Facility -- the Public
8 School Capital Outlay Council this morning
9 authorized the Public School Facilities Authority to
10 put together a task force.

11 I have offered some of the work of our
12 General Counsel's Office. Ms. Patti Matthews and
13 Ms. Susan Fox have offered some pro bono work to
14 contribute to the task force. And so we want to put
15 together a group to really start looking at that and
16 try to come up with a situation that's acceptable to
17 all -- to all parties concerned so that our leases
18 are fair to the State, fair to the charter schools,
19 and fair to the -- to the landlords; but also trying
20 to determine who these landlords are, and insuring
21 that our statutes are aligned properly with the
22 desires -- with the -- not the desires -- our
23 statutes are aligned properly with what's in the
24 best interests of the State.

25 And so that work, I assume, will begin

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1 quickly. And, hopefully we'll have a report
2 sometime after the session. I don't think it'll get
3 done before the session. If we identify some really
4 significant statutory issues, then we may -- we'll
5 communicate to you. But we may then look at how we
6 can get some legislation in place in time. It's a
7 little late in the year. You know how that goes.
8 But we're going to give it a shot. And if not,
9 we'll bring recommendations forward to the Public
10 Education Commission.

11 And, Mr. Chairman, what I would like to do
12 is contact you, if that's okay, about the entrance
13 conference, and then you can communicate with your
14 members --

15 THE CHAIR: Sure.

16 DEP. SEC. AGUILAR: -- if anyone wants to
17 be present at that. It's not a big event. It
18 really is a sit-down outlining what the scope of the
19 evaluation will be and then requesting any upfront
20 data that's necessary to begin the evaluation
21 process. But, again, members are welcome if they
22 choose to.

23 Mr. Chairman, the next item I'd like to
24 talk about is the matter of the suspension of the
25 Questa Board. I've been serving as the Board of

1 Education for the Questa Independent School
2 District. I am proud to report that the lack of
3 infighting has actually calmed things down in the
4 district. School is running well. We've identified
5 some facilities issues that need to be addressed.
6 And the Public School Facilities Authority has very
7 graciously stepped in to help us get those issues.

8 We had a leaky roof in the gymnasium at
9 Questa High School, and we also had a boiler that
10 had been worked on for a number of times this year
11 that still wasn't working. And now the gym and the
12 school has heat, and they're ready to go,
13 particularly now that the weather is going down.

14 Mr. Chairman, as you know, the Secretary
15 of Public Education suspended the authority of the
16 Questa Board based on a number of allegations. I
17 believe you've seen the suspension letter. It was
18 e-mailed to all of you. The staff has prepared a --
19 a response to -- and it's a staff response, not the
20 Secretary's response -- to the Board. And I don't
21 think you've gotten it, so I apologize for that. I
22 have a copy with me here. But I will make sure you
23 get -- it gets e-mailed to you this afternoon. Oh,
24 you do? Great. Thank you very much.

25 COMMISSIONER SHEARMAN: Is this it,

1 though? I'm asking.

2 DEP. SEC. AGUILAR: I'm a little blind.
3 Yes, ma'am. So as a result, Mr. Chairman, the --
4 the Secretary of the Department has scheduled a
5 hearing on Monday, November 5, this coming Monday,
6 to give the Board of Education the opportunity to
7 present their case and reasons why the Board should
8 not continue to be suspended. I'm -- I want to use
9 my words carefully -- I'm a little dismayed.

10 We were notified last evening that
11 Mr. John Kennedy and Mr. Vigil from the Cuddy
12 McCarthy Law Firm have -- have pulled out of the
13 representing the School Board in this matter. There
14 was no reason given. We believe that it's -- it was
15 difficult for the law firm to represent both sides
16 in this, because they couldn't come together to
17 agree on things. And so there's not -- there's not
18 a provision in statute for the requirement for legal
19 representation in this matter.

20 But we want to be fair to folks. And so
21 what we've done is, this afternoon, there will be a
22 meeting with -- there's a hearing officer that's
23 been appointed, and there's a meeting between our
24 legal staff and the hearing officer and the Board to
25 try to determine whether it would be appropriate to

1 go forward with the hearing on Monday. And we're
2 going to let the hearing officer make that decision,
3 keep it completely out of the Department's purview.
4 And so the hearing officer will determine what the
5 circumstances are, whether the hearing will go
6 forward on Monday, or whether it will be delayed.

7 And I don't know what that term of delay
8 is. We'll keep the Commission posted as that
9 information comes forward. And so -- the -- now
10 there are a couple of options really. The Secretary
11 will decide whether the suspension -- or the hearing
12 officer will make a recommendation to the Secretary,
13 who will decide -- pardon me -- who will decide
14 whether the suspension should continue, should end
15 with an agreement or not, and/or -- or -- well,
16 those are the two options, whether the suspension
17 will continue, or whether it will terminate with
18 either conditions or not. And that will be a
19 decision to be made by the Secretary.

20 Mr. Chairman, I think that's -- oh. We
21 had a great Halloween party yesterday at the
22 Department. That sounds funny. But I'm really
23 excited, because the staff really came together and
24 had a good time. I believe that the morale at the
25 Department is -- is -- is as high as it's been in a

1 long, long time. Folks are working hard. I think
2 our productivity -- I would put our productivity
3 up -- that would be competitive with other -- with
4 private industry, as well as any other agency in
5 State government. I'm pretty proud of our staff.

6 And they came together yesterday for --
7 again, it's funny -- but for a pretty good Frito-pie
8 lunch. And so you can't go wrong with Fritos and
9 chile. So that was exciting. There were costume
10 contests and door decorating and things of that
11 nature. So I believe that our morale is -- is
12 improving. Folks are happier, and I think that
13 we're moving forward as a Department. And,
14 Mr. Chairman, with that, I will stand for any
15 questions.

16 THE CHAIR: I have one. It pertains to
17 the -- the appointment of District 7 for the Public
18 Education Commission. And I was remiss in sending
19 that request to Beverly, because I just thought
20 about it yesterday. But it's -- it's running on two
21 years without an appointment for a vacant position.
22 And so that's incredible to me. I work for
23 Bernalillo County government. And Michelle Lujan
24 Grisham left her post so she could run for Congress.
25 And within a week, someone was -- was appointed from

1 the Governor's Office. So this is just -- it
2 baffles me. And it's disappointing not to have a
3 full Commission, because we represent the full State
4 of New Mexico and each individual community, and it
5 would be nice to fill that.

6 DEP. SEC. AGUILAR: Mr. Chairman, I don't
7 have an answer for you, but I will try to find out
8 where we are with it. And if we're not, I'll answer
9 that as well.

10 THE CHAIR: I appreciate it. Commissioner
11 Gant?

12 COMMISSIONER GANT: A couple of questions,
13 if I may, Mr. Chair, Mr. Deputy Aguilar. This
14 morning, maybe I left with the wrong impression on
15 this -- with the lease assistance and coming up with
16 the standardized lease and all that. I thought that
17 Ms. Fox and Ms. Matthews were taken out of the
18 equation, and they were going to only use government
19 or State attorneys, your attorneys, et cetera, those
20 from the Roundhouse area.

21 I thought that those two, because -- well,
22 one of my concerns was they are the attorneys for
23 the charter school. And I left with that impression
24 after we rewrote the -- the motion.

25 DEP. SEC. AGUILAR: Mr. Chairman and

1 Commissioner, what I left with -- maybe we're -- we
2 weren't at the same meeting. I'm being glib.
3 While -- I think the concern was that they -- in the
4 initial motion, they were going to work -- they were
5 going to work with the PSFA directly to craft the --
6 the -- the standardized lease agreements. And you
7 raised the issue, I believe, and so did member
8 Maestas. I think when it went to a task force,
9 where there would be a number of folks, not just
10 PSFA and the private attorneys, that it was -- that
11 they came back into it. It could be just in an
12 advisory capacity. But let me visit with -- with
13 David and Mr. Gorrell, and I'll get an answer for
14 you.

15 COMMISSIONER GANT: Thank you. My other
16 question, which was probably covered this morning
17 since, is Deputy Aguilar and I were up in the
18 Roundhouse this morning -- is William W. and
19 Josephine Dorn Charter School. And you said this
20 morning, there's nine students.

21 DEP. SEC. AGUILAR: Mr. -- Commissioner
22 Gant --

23 COMMISSIONER GANT: And I realize that
24 they're saying that they can cover it with the
25 federal dollars they have now that are start-up, and

1 they're getting help from some downtown outfit to
2 help pay for the lease, I guess. I don't know how
3 that's working. But I -- I really question having
4 five or nine, or however many they've got, how they
5 can still afford to have enough teachers to pay the
6 salaries that are required to pay, how they're
7 covering administrative costs as who's running the
8 place and all that.

9 And I think -- I think, Mr. Chair, we need
10 a report or for them to come stand and explain to us
11 how they're going to keep this school open for the
12 next year, regardless of where the funds are coming
13 from. You know, they talked about having
14 90 students to open the school. Well, I believe at
15 one time, they had five. So they don't have their
16 lease money -- they have lease money for nine
17 students. They have SEG for nine students. And
18 that federal money can't go very far after a while.

19 So I really think we need some kind of
20 explanation from them personally in front of us,
21 because we're the authorizer, and where they're
22 going with this, you know. That's just my comment.

23 DEP. SEC. AGUILAR: And, Mr. Chairman, I
24 was remiss. I wrote it down just as we started
25 questions. So, for the rest of the Commission, the

1 William and Josephine Dorn Charter School, it was
2 brought to our -- it was self-reported by Mr. Mike
3 Vigil, their finance person about the third week in
4 September, it was brought to our attention that they
5 only had -- they had an enrollment of five students.
6 So I brought them in to the Department to have a
7 sit-down on their finances, on whether they would be
8 eligible to remain open and whether they were going
9 to be able to manage the year.

10 Mr. Vigil has laid out a financial plan,
11 and I will e-mail a copy to each of the members on
12 how they're going -- it's going to be tight. They
13 have -- or they did at the time -- I believe that
14 they're -- that they've let one person -- they've
15 laid off one person, I believe, but let me look into
16 that for sure. I want to verify that before -- that
17 they had the principal and three teachers for five
18 kids.

19 They had anticipated -- when they hired
20 contracts, they had anticipated having 90 students,
21 which didn't materialize. And so there were a
22 couple of options. One of them was -- and we talked
23 about it -- that they had the option of coming
24 before this Commission and asking for a second
25 planning year. Obviously, they chose not to do it,

1 because they're not here today.

2 The other option was -- and according to
3 statute, the Secretary cannot authorize a school to
4 operate with less than eight people. And so they
5 came up with four kids between the third week of
6 September and the first reporting date. And so they
7 meet that test.

8 Mr. Vigil has indicated that they have the
9 capacity to finish out the year. We've already
10 begun clawing back the excess SEG that's been paid
11 to them. And -- but I agree with Commissioner Gant
12 that they should come before you and explain why --
13 you know, why they spent an awful lot of money to --
14 for only nine kids.

15 COMMISSIONER GANT: Mr. Chair, members and
16 Deputy Aguilar, the other issue is that they laid
17 out a plan for us when we authorized the school a
18 year ago, how they're going to meet standards, and
19 how they're going to raise the educational level of
20 students that go to their school, et cetera,
21 et cetera. So the concern I have is with the
22 limited budget, the limited resources, which
23 includes staff, et cetera, how -- they need to
24 explain how they plan to meet these standards.

25 I mean, is -- I know you've got five

1 students. Well, you can have more time with the
2 students. But still, there's -- need a plan,
3 because a year or two, three years down the road,
4 when the Charter School Division is doing their
5 analysis every year, they need to have a plan in
6 hand to cover this. And if they don't get any more,
7 even if they get 30 students or 40 students, I don't
8 understand how they can keep the school running to
9 meet the standards as required by the State and by
10 their charter. Thank you.

11 DEP. SEC. AGUILAR: Mr. Chairman and
12 Mr. Gerlicz, can you please contact them and get it
13 on the agenda for next time -- for the next meeting?

14 THE CHAIR: That issue obviously brings us
15 back to the -- the ongoing conversation of the
16 Public Education Commission not being an
17 independent, separate body, that we're indeed
18 advisory to the Secretary. And it also brings to
19 light what Kelly Callahan and the PEC have been
20 discussing, is that we are authorizing -- we're
21 authorizing new applications; we're authorizing
22 renewals. But between these five-year contracts,
23 what can the PEC do, what can it not do?

24 And the answer has been that we need to
25 devise a protocol for all that. So there's a lot of

1 rules that haven't even been defined yet. And it
2 just seems like things come up that -- that the PEC
3 is really -- is really unable to address, because
4 there's no codified body of knowledge on which to
5 address it. So it's -- it's interesting. It's a
6 lot. And with SB 446, what seems to tie in a lot of
7 things may or may not.

8 We also had the discussion this morning
9 about minimum education standards. And the -- the
10 Secretary of Education had indeed called -- called
11 minimum education standards out and said that that
12 was the Legislature that hasn't defined it and that
13 AYP was a, quote, unquote, "vestige of an earlier
14 time." So what is it now, and how do we hold people
15 to it?

16 And we ran through some examples. Is it a
17 D? Is it a C for several years, or is it an F? And
18 so there's a lot to be discussed at all levels with
19 regard to education. So -- just made that come into
20 my head right now as far as where we stand today.

21 Other questions for the Deputy Secretary?

22 COMMISSIONER CARR: Mr. Chair.

23 THE CHAIR: Commissioner Carr.

24 COMMISSIONER CARR: In regards to the
25 minimum number of students, the law -- I don't have

1 the law right in front of me. But if they meet the
2 minimum, then -- you know, then you can let them
3 continue to operate. But if you see that that's not
4 working out, I mean, we can -- I mean, surely, there
5 are steps to be having -- just because they've met
6 the bare minimum doesn't necessarily mean, you know,
7 that things are working out there.

8 And -- and you do have the power --
9 okay -- and I think -- and I think we have the
10 power. I mean, at some point, if they're in breach
11 of contract, then we need to take another look at
12 what's going on there and to see whether or not they
13 should be allowed to continue.

14 Chairman Garrison seems to be a little bit
15 unclear exactly what the procedures are. But we
16 need -- I'm trusting that you're keeping a close eye
17 on it and -- and that we're taking all the steps we
18 need to to make sure that that school is fulfilling
19 its contract.

20 DEP. SEC. AGUILAR: Mr. Chairman, with
21 regard to the educational piece, I would defer to --
22 to Kelly for that piece. But with regard to their
23 ability to operate from a fiscal perspective, the
24 eight -- the threshold of eight is -- it doesn't --
25 once they've met that threshold, we really don't

1 have the option but to allow them to start.

2 We did ask them for a financial plan.
3 They've provided it. We have them on monthly
4 reporting. We're looking at every expenditure that
5 they're making. Their monthly reports are by
6 invoice, not by -- not in general terms by category.
7 We're being very proactive on that, because the last
8 thing I need is to come to May and they can't meet
9 their payroll, and then I've got to find money to do
10 that, and that just takes away from someone else.

11 Now, we are going to do a complete review
12 of their finances at the end of the second quarter;
13 not just a monthly review. We'll be calling them
14 in. We have our internal monitors that will be
15 looking at their entire package to insure that we
16 can, in fact, make it through to the end of the
17 year.

18 So we're doing those pieces. To the
19 question of quality of program, I can't answer that.
20 And that's -- I think that's a question for -- and
21 maybe not at this moment, unless you want it now. I
22 don't know that Kelly's been there to visit. But,
23 again, I would agree with Commissioner Gant. And as
24 I've directed Mr. Gerlicz, we'll have them here at
25 the next meeting, so they can answer those questions

1 for you.

2 COMMISSIONER CARR: Okay. Thank you.

3 THE CHAIR: And I think that's a first
4 step is that we can weigh the four reasons why an
5 authorizer can close a school without seeing the
6 information and seeing how they can prove that this
7 is for the best interests of children, not just
8 educationally, but financially also. And we know
9 what the law says. So maybe on -- by that
10 yardstick, they stay open. But we need to measure
11 them at all levels.

12 Other questions for Deputy Secretary?
13 Commissioner Lopez?

14 COMMISSIONER LOPEZ: Mr. Chair, just in
15 keeping with your reminding him about the
16 appointment for -- is it 7? There's going to be two
17 more openings, which is Canfield's position and
18 mine.

19 COMMISSIONER GANT: I'm 7.

20 THE CHAIR: I'm sorry. I was erasing
21 Commissioner Gant.

22 COMMISSIONER LOPEZ: There can be a
23 reminder on that one, also, on these other two
24 positions, too.

25 THE CHAIR: Beverly, which is the opening?

1 MS. FRIEDMAN: Five.

2 COMMISSIONER LOPEZ: And no one ran for my
3 seat, and no one ran for Commissioner Canfield's
4 seat.

5 THE CHAIR: And so those are upcoming.

6 COMMISSIONER LOPEZ: At the end of
7 December, they will be vacant.

8 THE CHAIR: Right. And my seat also. So
9 a lot of change. And I hope we hold a quorum,
10 Deputy Secretary.

11 DEP. SEC. AGUILAR: Mr. Chairman, for
12 clarification, is your seat not being run for,
13 either?

14 THE CHAIR: Correct.

15 DEP. SEC. AGUILAR: Okay. Can I get those
16 numbers? I'll --

17 THE CHAIR: One, I'm District 1.
18 District 5 has been -- has been vacant. District 4
19 is Carla Lopez. Commissioner Bergman?

20 COMMISSIONER BERGMAN: I believe somebody
21 ran for Mr. Canfield's seat.

22 THE CHAIR: District 3, I think it's --
23 it's Carmie Toulouse.

24 MS. FRIEDMAN: Mr. Chair?

25 THE CHAIR: Yes, ma'am.

1 MS. FRIEDMAN: Mr. Chair and
2 Commissioners, I'd just like to mention a gentleman
3 came into my office about a week ago. And he is
4 from the Farmington area. And he said he was on the
5 ballot. And I'm not sure if he was on the ballot as
6 a write-in or as a formal candidate.

7 THE CHAIR: If we can just keep track of
8 it, I'll try to get a full Commission. I think it's
9 important that -- that a ten-member Commission that
10 represents the full state as best as we can, and all
11 the wonderful individual communities that we
12 represent, I think that's obviously the best way to
13 go.

14 DEP. SEC. AGUILAR: Mr. Chairman, we
15 have -- Wednesday morning, we'll know, and then we
16 can --

17 THE CHAIR: Right. We'll know a lot. Any
18 other questions from Deputy Secretary Aguilar?
19 Seeing none, I want to thank you, sir. I appreciate
20 the report.

21 DEP. SEC. AGUILAR: Thank you,
22 Mr. Chairman. Mr. Chairman, may I have a moment?

23 THE CHAIR: Absolutely.

24 DEP. SEC. AGUILAR: Mr. Chairman, I want
25 to take a minute to express the thanks and the --

1 couple of things. I want to take a minute to
2 express the thanks and appreciation of the Secretary
3 and myself for the extraordinary effort that Kelly
4 Callahan performed under and gave to this Commission
5 and to the Public Education Department in the time
6 that -- since Ms. Matthews left.

7 She stepped into an incredibly difficult
8 circumstance, and she did it with head held high,
9 without complaining. She is a trooper of the
10 highest regard. And I would be remiss without --
11 and I know you know this. But I would be remiss to
12 not express the absolute appreciation and thanks of
13 the Secretary and myself to her for -- for her
14 extraordinary work. I believe that she is vital to
15 the success of -- of the charter school effort going
16 forward, to the success of -- I'm going to get it
17 wrong -- SB 446. Proud of that? Got that right.

18 MS. CALLAHAN: (Indicates.)

19 DEP. SEC. AGUILAR: And to the -- to
20 insuring in the future that our -- that we have the
21 highest quality charter schools that are meeting the
22 needs of the children of the state. And when
23 history is written of the charter school movement,
24 Kelly will certainly be an important chapter in that
25 history, because I think she's done extraordinary

1 work, and I look forward to continuing to work with
2 her to help us move this effort forward.

3 (Applause.)

4 THE CHAIR: Deputy Secretary, I want to
5 say that we applauded her this morning, but it was
6 not a standing ovation. And I really do think that
7 you deserve one.

8 (Standing ovation.)

9 MS. CALLAHAN: Thank you.

10 THE CHAIR: I will confess that I called
11 her right away after I had heard that she wasn't
12 going to indeed be the Director of Options for
13 Parents, and she talked me off the ledge and told me
14 how great that Tony Gerlicz is. And she didn't want
15 to be exempt, and this -- this guy knows his stuff,
16 and he's coming in. He's from New Mexico. And it
17 just feels good. It feels good. It really feels
18 bad for me, because I'm out the door.

19 So this might be some sick joke of yours,
20 Deputy Secretary, that we have Hilary Noskin; we
21 have Tony; we have Kelly staying. And I'm gone,
22 huh?

23 DEP. SEC. AGUILAR: Mr. Chairman, we
24 strive to hire the best, and sometimes it takes a
25 while.

1 THE CHAIR: Well, we'll call it
2 circumstance and luck for the Public Education
3 Department.

4 MS. CALLAHAN: Thank you.

5 DEP. SEC. AGUILAR: And, Mr. Chairman, the
6 last comment I'd like to make is I've had the
7 opportunity to sit in your meetings and to work with
8 the Commissioners. Those of you that are leaving, I
9 want to thank you very much for your service.
10 Public service is the -- is one of the most noble
11 types of service that can be done; true public
12 service, not just for a paycheck, but to serve the
13 best interests of the citizens of New Mexico and the
14 children of New Mexico.

15 I personally want to offer my thanks to
16 those of you that will not be back for your service,
17 and I've had the -- I appreciate the effort to work
18 with you, with each and every one of you. For those
19 of you coming back, I'm going to try to hone my
20 sense of humor for the coming year so we can have a
21 great year. And I look forward to working with you
22 as we move into the new year.

23 THE CHAIR: I want to open up the floor
24 for any last Commissioner comments, not necessarily
25 for the Deputy Secretary, but if there are any

1 closing comments we can make before we adjourn.

2 Commissioner Gant?

3 COMMISSIONER GANT: This is just a comment
4 to the Deputy. You're going to have to put up with
5 me for two more years over at the PSCOC.

6 DEP. SEC. AGUILAR: Life is good.

7 THE CHAIR: Nice answer. The Chair will
8 entertain a motion to adjourn.

9 COMMISSIONER LOPEZ: So move.

10 COMMISSIONER PERALTA: Second.

11 THE CHAIR: Moved by Commissioner Lopez,
12 seconded by -- someone did. So we'll say it's
13 Commissioner Peralta. Those in favor, say "Aye."

14 (Commissioners so indicate.)

15 THE CHAIR: Opposed? Seeing none, the
16 meeting is adjourned. Thank you, everyone.

17 (Proceedings adjourned at 2:20 p.m.)

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C-E-R-T-I-F-I-C-A-T-E

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

I, Cynthia C. Chapman, RMR-CRR, CCR #219,
Certified Court Reporter in the State of New Mexico,
do hereby certify that the foregoing pages constitute
a true transcript of proceedings had before the said
NEW MEXICO PUBLIC EDUCATION COMMISSION, held in the
matter therein stated.

In testimony whereof, I have hereunto set my
hand on November 14, 2012.

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