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BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS
PUBLIC INPUT MEETING
ACADEMIC OPPORTUNITIES ACADEMY
August 23, 2012
8:00 a.m.
Women's Intercultural Center
303 Lincoln Street
Anthony, New Mexico

REPORTED BY: Cynthia C. Chapman, RMR-CRR, NM CCR #219
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A P P E A R A N C E S

COMMISSIONERS:

MR. M. ANDREW GARRISON, Chair
MS. CAROLYN SHEARMAN, Vice Chair
MR. EUGENE GANT, Secretary
MS. CARLA LOPEZ
MR. VINCE BERGMAN
MR. GILBERT PERALTA

STAFF:

MS. KELLY CALLAHAN, Director, Charter School Division
MS. CORDELIA CHAVEZ
MR. BRAD RICHARDSON
MS. SHELLY CHERRIN
MS. RACHEL STOFICK

1 THE CHAIR: Good morning, everyone. The
2 Public Education Commission meeting community input
3 meeting is back in session. This meeting is being
4 conducted pursuant to New Mexico Statutes Annotated,
5 Title 22, Section 8B-6J, 2009. The purpose of these
6 community input hearings that will be held from
7 August 20 through August 24, 2012, is to obtain
8 information from the applicant and to receive
9 community input to assist the Public Education
10 Commission in its decision whether to grant the
11 proposed charter applications.

12 According to this section of the law, the
13 Commission may appoint a subcommittee of no fewer
14 than three members to hold a public hearing.
15 According to law, these hearings are being
16 transcribed by a professional court reporter. The
17 total time allocated to each applicant is 90
18 minutes, which will be timed to insure an equitable
19 opportunity to present all applications.

20 During the hearing, the Commission will
21 allow for community input about the charter
22 application. The time for public comments will be
23 limited to 20 minutes. The Commission Chair, based
24 on the number of requests to comment, will aggregate
25 time to those wishing to speak. If there are a

1 large number of supporters or opponents, they are
2 asked to select a speaker to represent common
3 opinions. We will try to allocate an equitable
4 amount of time to represent the community
5 accurately.

6 The Commission will follow this process
7 for each community input hearing: The Commission
8 will ask each applicant or group to present here in
9 front. They will be given 20 minutes to present
10 their application in the manner they deem
11 appropriate. The Commission will not accept any
12 written documentation from the applicant; but the
13 applicant may use exhibits to describe their school,
14 if necessary.

15 Following the applicant's presentation,
16 the local school district representative or
17 representatives will be given five minutes to
18 comment. Subsequently, the Commission will allow
19 20 minutes for public comment, as I have described.
20 And, finally, the Commission will be given 45
21 minutes to ask questions of the applicant.

22 Commissioners, are you ready to proceed?
23 (Commissioners so indicate.)

24 THE CHAIR: Secretary Gant, will you
25 please take roll call?

1 COMMISSIONER GANT: Commissioner Peralta.

2 COMMISSIONER PERALTA: Here.

3 COMMISSIONER GANT: Commissioner Bergman.

4 COMMISSIONER BERGMAN: Here.

5 COMMISSIONER GANT: Commissioner Shearman.

6 COMMISSIONER SHEARMAN: Here.

7 COMMISSIONER GANT: Commissioner Lopez.

8 COMMISSIONER LOPEZ: Here.

9 COMMISSIONER GANT: Commissioner Garrison.

10 THE CHAIR: Here.

11 COMMISSIONER GANT: Commissioner Gant is
12 here. You have a quorum.

13 THE CHAIR: Thank you, Commissioner.
14 Academic Opportunities Academy. For the record,
15 please state the name of your school, the names of
16 the founders of the school, and any other person who
17 is here today on behalf of your school.

18 MR. CASAVANTES: Good morning,
19 Commissioners, everyone that's here. My name is
20 Mark Casavantes, C-A-S-A-V-A-N-T-E-S. And I am the
21 founder, and also Wes Clarkson is a founder, but
22 he's not here today.

23 THE CHAIR: You'll have 20 minutes to
24 present your application. Please proceed.

25 MR. CASAVANTES: Okay. As you know, I've

1 applied for several applications, and I think that
2 it's been a good idea that I've done that, because I
3 have five opportunities to speak to you all.

4 And I believe that, also, that it's been a
5 learning experience for me, and I believe that this
6 is going to be the beginning of a long relationship.

7 This is -- you know, what we're doing here
8 and what I've started may -- you know, I know it
9 has -- that my plan has had some parts in it that
10 have to be changed, revised and so forth. I'm
11 hoping that the plan will have -- be able to be
12 accepted somewhere with -- with revisions.

13 You know, I have served in the military.
14 I was in the Air Force in the Civil Engineer Corps
15 and the Navy. And I've learned that in military
16 life, that you accomplish your mission. And I am
17 always innovating and learning and testing and
18 thinking and planning and improving. And last night
19 and this morning, I've been going through that
20 process to -- to improve what I've started.

21 It is time that all the children in
22 New Mexico have a quality education. And I think
23 that you all agree with that, that we need to have a
24 quality education. And I don't believe that there
25 (inaudible). I may lose a few battles -- maybe five

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1 this week -- okay? But I will not lose the war, and
2 I will be back, okay?

3 So -- as you've seen in the previous
4 meetings that I've had with you, that I do have a
5 strong desire to improve education in New Mexico. I
6 think you all would agree that there's a great need
7 to improve the education in New Mexico.

8 You know, out of all the places I applied,
9 I feel that there's areas where it can be improved.
10 I know that Las Cruces was probably the strongest of
11 the five cities. And I think that Deming was the
12 weakest of the five cities and needs the most
13 improvement.

14 I think you can see my heart is in the
15 right place. I think you can see that I am creative
16 in seeking solutions, and I am working diligently to
17 seek solutions to improve education in New Mexico.
18 I think you can see that my overall idea is a good
19 one and will work, and I hope you agree.

20 You know, I initially, earlier, said I
21 wish I had the skills of a good lawyer, because I
22 think at this time, that's basically what -- what
23 skill I need to -- you know, I'm trying to convince
24 you, and I know that I have had, in these meetings,
25 not the level of community support that I'm -- I

1 would like or need.

2 I have really sought this support. I've
3 been in these communities repeatedly throughout the
4 application period. I'm surprised that there has
5 been such limited support. I have had lots of
6 people tell me that they would be here, and they're
7 not here, so...

8 You know, I appreciate what I've learned.
9 I -- I think I'm a better person from this
10 experience. And it's been a rewarding experience,
11 even though it's been, you know, a little bit -- you
12 know, the criticisms that I've received. I can
13 receive criticism and adjust, adapt to that and grow
14 from it. And, actually, I appreciate what you --
15 the comments that you all have made.

16 You know, when I was applying for my
17 501(c)(3) with the IRS, the first time, they sent me
18 eight pages of questions to respond to. And one of
19 the questions was what would I do if I did not get a
20 charter. And I answered, "We will reapply every
21 year until we get our charter schools. We will
22 apply for charter schools in other states."

23 We've applied in Indianapolis, Indiana.
24 We're going to apply in Texas, and we've applied
25 here in New Mexico. We made it to the second level

1 of the process in Indiana. I think their main
2 objection was the two-way dual-language program.

3 We're constantly thinking of ways to
4 improve education. I'm convinced, once we have a
5 charter school in some of these communities, that
6 will show that we -- that success can occur. And
7 I'm hoping it's similar to what happened with
8 Mr. Roger Bannister when he broke the four-minute
9 mile, that other people start breaking these records
10 and improving education throughout New Mexico.

11 A little bit of my background. As well as
12 a student teacher, Mr. Wes Clarkson was the
13 assistant principal there. And I observed that
14 there was one teacher who was a teacher in the
15 alternative education classroom that I thought was
16 an outstanding teacher, and I wanted to work with
17 him to learn how he worked. And I was asked to
18 switch to his class as a supervisory teacher,
19 Mr. Charlie Rizzo.

20 And he was a master at discipline. He
21 could transfer the most difficult student in
22 behavior to a model student in about three days.
23 And it was phenomenon what I saw he could do. And
24 it didn't look like he worked hard. He didn't get
25 stressed. He enjoyed his job, but would spend half

1 a day the first day that he had with a student and
2 have a discussion with them and really learn about
3 that student. And he would probe and seek and try
4 to find out what the root problems were.

5 And I have done that in my teaching, and
6 I -- and there's a lot of -- and I don't think a lot
7 of people do that. He was very calm and respectful.
8 And -- and what happened -- one of the things I
9 observed in the school is a lot of teachers would
10 say he was soft on discipline, because he wasn't
11 mean to his students. He wasn't -- and I found that
12 I think a lot of -- a lot of -- a lot of teachers
13 are mean to some of these students, and, actually, I
14 think, do create some of the gang problem.

15 During my teaching career -- I started at
16 Guillen Middle School, which was a reconstituted
17 school about a block from the border in El Paso, one
18 of the lowest income areas -- I think the average
19 income was around \$9,000 something a year. It had a
20 significant gang problem. And I -- I had a
21 difficult time the first half of the year. I didn't
22 realize that my students were performing between
23 about first- and fourth-grade level until about
24 Christmas time.

25 And at that time, I switched to filling in

1 the gaps that they had. And a couple of weeks
2 before the tests, I was -- only had progressed up to
3 about seventh grade. And I was worried that I was
4 going to have bad results and -- and my students
5 were going to fail the tests. And the last two
6 weeks, I basically summarized the eighth-grade
7 material. And my scores were -- the previous scores
8 were, I think, 25-percent passing. And I don't
9 recall the exact scores. But it was in the 50 -- in
10 the low 50 percents, you know, passing. And I think
11 the overall school score was, like, 35 percent.

12 And in the second year, my principal
13 thought that the -- a real wise strategy was to load
14 my classes to the maximum capacity, and the teachers
15 with the lowest scores to be given about ten
16 students. And I still did -- the scores went from
17 about 35 percent to, I think, around 50 -- mid 50s,
18 56 percent, if I recall correctly. So I got results
19 in my second year as well.

20 I've always welcomed the behavior problems
21 of the school. And once a principal knows that,
22 they will give them to you. And you get a bunch of
23 them.

24 I have had -- I have met my match a couple
25 of times. I had one in Albuquerque. It was a

1 student, every time he got out of the chair, would
2 cause me some issue. Some of the things he did is
3 he chose one time to steal his parent's car and
4 total it. And then when he tried to -- a few weeks
5 later, he totaled the other parent's car.

6 And this is one student that I never was
7 able to reach. And I was -- this was the kind of
8 student that I was worried some day would kill his
9 parents. But I never quit, and I kept trying,
10 working with this child.

11 I worked with a very strong-willed young
12 lady that was in the third grade who was going to be
13 retained. And I -- I was teaching her
14 multiplication tables, and she resisted like no
15 student I'd ever seen before; very strong willed.

16 But I was using some of the techniques
17 that I plan to use in the charter school. And I
18 showed her a graph of how long it took her to
19 complete a set of flash cards. First time, it took
20 me over three days to get that -- you know, three
21 times with her, about 270 minutes. But then the
22 second time, it took her 90 minutes. And then over
23 a period of time, she got it down to where she was
24 doing about eleven minutes.

25 And she improved dramatically. She went

1 from the bottom of her class to one of the top of
2 her class and was not retained. And she has
3 promised me this year that she's not going to give
4 me a hard time. And her father attended the
5 capacity hearing in Albuquerque.

6 I was working with a boy that was retained
7 in the fourth grade, and he developed a lot of bad
8 habits. And then he's soon to be tested -- he's
9 going to be given credit by exams. And I am
10 confident that he'll move to the fifth grade. And I
11 also used data and feedback to show when he was
12 being effective and when he was not. And it has had
13 phenomenal results.

14 When I started working with him, he was
15 probably reading about second-grade level, and now I
16 think he's at fourth-grade-level reading.

17 You know, another experience, I taught a
18 student, again, who as a sixth-grader, shot
19 somebody. He didn't kill his victim, but he spent a
20 year in -- in juvenile hall. And I got him as an
21 eighth-grader. And he was a very weak student, gang
22 member.

23 And I worked on him. He agreed to come in
24 for tutoring. I had to get the judge and the
25 probation department and so forth to modify his --

1 his bracelet schedule, whatever. But he became my
2 best student that year.

3 You know, I -- through my course of math
4 teaching, so forth, I've developed a lot of tricks
5 and strategies and so forth, you know. I've seen
6 that I can teach fifth and sixth graders algebra.
7 You know, when you were telling me that you can't
8 believe that these students can do college work in
9 the sixth grade, I'd say if I have enough time with
10 them, I believe I can.

11 I have an activity which any student that
12 has completed, has never failed the State exam. And
13 so, you know, I'm looking forward to having the
14 opportunity eventually to try these strategies and
15 to improve education in New Mexico.

16 For those that are here and might not know
17 how our plan is working, we're going to basically
18 have an open space where students work on activities
19 with instructional aides and that the teachers are
20 going to pull out students that need a particular
21 activ- -- skill to be learned. And so the only
22 students that are in that class are the students
23 that need that instruction.

24 In the current system, with 30 students or
25 25 students in their classroom, the -- you have kids

1 that you are wasting their time. And we're going to
2 try to do everything we can that we do not waste
3 their time and be effective and efficient and make
4 more progress.

5 And -- and so we're going to use testing
6 to identify the areas where they're going to need,
7 and we're going to check for things like retention,
8 how long do they keep and retain information. And
9 we're going to have a sensitive database that it's
10 going to monitor these students and track all sorts
11 of metrics, like I said, similar to what you see
12 when you track stock, like on a Web site like
13 TD Ameritrade. And I think with those things, we
14 will improve education dramatically. And that --
15 that is my sincere desire. Thank you.

16 THE CHAIR: Thank you for your
17 presentation. We would now like to hear from the
18 Gadsden School District. Are there any school
19 representatives here that would like to speak?
20 Please -- oh, there. He's yielding the table. Can
21 you have a seat there, sir? And please introduce
22 yourself and the role that you play at the school
23 district.

24 MR. YTURRALDE: Good morning. My name
25 Efren Yturralde. First name is E-F-R-E-N; last name

1 is Yturralde, Y-T-U-R-R-A-L-D-E.

2 THE REPORTER: Thank you.

3 MR. YTURRALDE: That's okay. It's even
4 uncommon in El Paso and New Mexico.

5 THE CHAIR: I hadn't heard that last name
6 before. And you will have five minutes to speak.

7 MR. YTURRALDE: Thank you. First of all,
8 I would like to thank the Commission for giving me
9 the opportunity to speak here. Ten years ago,
10 Gadsden Independent School District opened an
11 alternative school. They saw a need for an
12 alternative school for students that were not being
13 successful in regular school. The dropout rate was
14 high; it was over 18 percent at the time.

15 I was fortunate enough to be the principal
16 of that alternative school when we did open it.
17 This was ten years ago. We opened the doors and we
18 took over, and we took discipline students from high
19 school.

20 In the last ten years, I am happy to say
21 that Gadsden Desert Pride Alternative School has
22 graduated over 1,200 students and has recovered
23 students that were dropouts close to 1,000. These
24 students that come in need not a computer, not a
25 program; they need a teacher. They need to have

1 understanding. A person that teaches them has to
2 have the special training, the tolerance, the
3 caring, the instruction, the strategies, and the
4 knowledge to approach the student.

5 They cannot be successful in a regular
6 school. We all know that these students are
7 failures of the system. Therefore, the alternative
8 school has been a tremendous success in this
9 district.

10 Our dropout rate has gone down quite a
11 bit. We're under 5 percent. Last year, our
12 graduation rates, the district average was close to
13 81 percent for the whole district. That's not only
14 alternative schools, but the other schools. The
15 alternative school has played a very important part
16 in our system.

17 As for the district itself, we are limited
18 in the resources. But our teachers and our
19 administrators and our central office, and
20 especially our board, are very much behind the
21 improvement and achievement of our students. We
22 opened an early high school this year with our
23 limited resources. We combined Doña Ana Community
24 College and Chaparral High School, where the
25 community college is within walking distance so the

1 student can attend there so they can have their own
2 transportation.

3 We have also developed a number of new
4 career paths, including a health career path in
5 Santa Teresa. Our district as a whole has taken --
6 has taken a big goal to improve achievement with
7 very limited resources.

8 I am extremely proud of our teachers.
9 They work hard. Right up the road here in this
10 neighborhood, if you came through here, I'm sure you
11 noticed the socioeconomics in the area, very low.
12 Also, 99 percent of our -- this one school is
13 Hispanic with a high number of ELL students. That
14 school has the fifth highest scores in the state.
15 It's Anthony Elementary. And that was recognized
16 not only by the Secretary of Education, but also by
17 our Governor.

18 If Anthony can do it, and we can do it
19 with the resources we have now, we need the students
20 in our schools, please. Our numbers are not high.
21 Our SEG is low. For financing, we need our students
22 in our school.

23 The alternative -- the charter school we
24 have here now has been in existence for four years.
25 They don't have a building. We provided a building.

1 The next year, we've been told by our insurance
2 agents we cannot occupy that building anymore. It's
3 an old central office area. They only have
4 57 students in four years. The students are not --
5 they go there looking for something new.

6 I'm all for alternative education. That's
7 why we have provided alternative classes in our
8 school. We have provided different approaches,
9 pathways, the rigor, the early high school,
10 Cambridge, and other programs that we have entered
11 into our school.

12 I have 23 seconds. I want to say thank
13 you very much for your very progressive resource,
14 and I'm very proud to be in this district. I
15 started off as a principal. I was lucky enough to
16 get to central office. I was an assistant principal
17 under Dr. Nava; and also, I was lucky enough for the
18 board to make me a superintendent. And I can only
19 put all the success in the schools to the board, the
20 teachers and the students and the parents.

21 MS. CHAVEZ: Mr. Chair, the time is up.

22 THE CHAIR: Thank you very much for your
23 comments, sir. We will now hear public comment from
24 the community of Anthony. The first name on my
25 list -- and not too many folks printed so -- Mary

1 Telles?

2 MS. TELLES: That's me.

3 MR. CASAVANTES: I believe she's a
4 district employee. I'm not sure.

5 MS. TELLES: I'm here as a concerned
6 parent and a member of our community.

7 THE CHAIR: Good morning.

8 MS. TELLES: Good morning. My name is
9 Mary Telles. I am here representing our community
10 and as a concerned parent. I am a resident of
11 Anthony, New Mexico; have been for 30 years. We
12 raised our students -- well, I should say our
13 kids -- in the Gadsden Independent School District
14 public school, started in kindergarten, graduated
15 high schools. We have been very pleased with our
16 public schools.

17 Just over -- overwhelmed with the support
18 that our school district gives us as families in our
19 farming community. We are a farming community. We
20 do raise our kids -- most of our kids -- out on the
21 farms as far as where I'm from.

22 I know it's different when Mr. Yturralde
23 mentioned some of the career pathways that is
24 offered to our students. Out here in the farming
25 community, we also offer -- we also receive for our

1 kids horticulture, agricultural sciences, Future
2 Farmers of America. And if some of my farmer
3 friends were here, they would be backing me up on
4 this.

5 We are very pleased with our public
6 schools, and as a community, we need to support our
7 public schools and keep our students in our schools
8 so they can inherit the rich history of our
9 community. Thank you.

10 THE CHAIR: Thank you very much. This
11 looks like a "Marie." Good morning. Can you all
12 come up and print your name for me, please? And the
13 other folks that signed in, their signatures also,
14 if you want to come up and print your name for the
15 record? I'd appreciate it.

16 I have three more signatures to be printed
17 out. Please come up and take care of that.

18 THE CHAIR: So Maria Saenz, good morning.

19 MS. SAENZ: Good morning.

20 THE CHAIR: I'm going to give them each --
21 Mary Telles did a wonderful job. But I'm going to
22 allow three to four minutes for everyone to speak.

23 MS. SAENZ: I'm here as a concerned
24 community member, as a grandparent, and I do have
25 firsthand --

1 THE CHAIR: Start over.

2 MS. SAENZ: Yes. My name is Maria Saenz,
3 and I'm here as a concerned grandparent, community
4 member, and I also have firsthand knowledge of what
5 Gadsden District has been doing, because I am on the
6 Gadsden School Board. But my concern is that we've
7 had a very negative experience with a charter school
8 already.

9 As a grandparent, as a parent, I cannot
10 see how some of our parents will actually let their
11 children be in the existing charter school. There's
12 no playground. They're all in a cemented area
13 there. The facilities are not good. I don't
14 understand how come charter schools go by different
15 rules than school districts.

16 School districts, when we build buildings
17 or whatever, we've got to have certain
18 specifications. Obviously, charter schools don't.
19 I don't understand that.

20 The gentleman that was here, I don't want
21 to put him down or anything; but for 16 minutes, I
22 heard war stories from a teacher. I'm a retired
23 teacher. I could give you 16 minutes of war stories
24 myself. I did not hear anything about the
25 structure, how the objectives -- the goals for this

1 charter school, and that worries me. Okay?

2 We are doing the best we can. We need
3 people to be involved. We need resources to do a
4 better job. We've come a long way. We could do
5 better if we had more resources. And I don't see
6 the point of diluting the resources.

7 I'm sure they have good intentions. The
8 existing charter school had great intentions when
9 they started. In fact, they didn't tell us the
10 truth, okay? And I'm just going to leave it at
11 that, because -- again, because you are constrained
12 in time, I'll wrap this up and say, please, don't
13 dilute us anymore, and just have faith in us that
14 we're doing the best that we can. Thank you.

15 THE CHAIR: Thank you very much. You can
16 just set the microphone on the table. Thank you so
17 much. Jose Garcia. Good morning.

18 MR. GARCIA: Good morning. How you are
19 you all doing?

20 Good morning. My name is Jose Garcia. I
21 have two daughters here at the Gadsden School
22 District. I am very concerned, because I have had
23 multiple -- I can give you a long list of things
24 that this school district is not supplying our kids.
25 We have asked -- our daughter has asked for help

1 after school; and yet they told her that, because
2 she didn't meet a certain criteria, she couldn't
3 have that help.

4 We asked for help. But yet, "Oh, you
5 don't meet that certain criteria."

6 "What do you mean? We're asking for math
7 help with her mathematics to become better."

8 But, just -- they have told her, "No. You
9 have to be in a certain criteria."

10 Yet we're asking for the help, but we're
11 not getting it.

12 A lot of these parents that live within a
13 block from this school, Anthony Elementary, are
14 taking their kids to Canutillo, Texas, Anthony,
15 Texas, a lot of schools. A lot of these parents
16 want to take their kids to Las Cruces, New Mexico,
17 to the schools over there, because these schools are
18 not cutting it. I'm sorry.

19 I am sorry. There's a lot of -- you'll
20 see a lot of parents not here because they're afraid
21 that there's -- there's going to be repercussions,
22 that their kids are going to be ostracized
23 because -- for the parents speaking up. I'm not one
24 of them. I'm here. Please give us that chance.
25 Give us an opportunity to -- give us an alternative.

1 El Paso, you have private schools. You've
2 got other school districts. You've got magnet
3 schools. Yet here in Anthony, we have nothing,
4 except the charter school that they just -- they
5 spoke of, and they spoke of bad.

6 We have nothing to take our kids to say,
7 you know what? Let's -- let's have -- why not have
8 an alternative, so we can see -- let's better
9 ourselves. Let's better ourselves.

10 So I ask each and every one of you, give
11 us that opportunity. Just give us the opportunity
12 to better our kids so that we can be better. I went
13 to the pre-K orientation just the other day. I have
14 a pre-K daughter. They told us -- there was -- out
15 of 32 kids in that program, only four of them were
16 going to go to -- to college, okay? And half of
17 those were going to drop out -- drop out of school
18 by the ninth grade.

19 That's not acceptable. That's not
20 acceptable. To me, that's not. So what we need is
21 an alternative where we can say, "You know what?
22 Gadsden School District is here. Let me try this.
23 Let me try something else."

24 The parents will be involved. The
25 community is going to have a say as to what is done

1 and what is not done in this school. They're going
2 to -- the board is going to be made of people from
3 Anthony, not people from Las Cruces, not people from
4 Sunland.

5 This is a community. We're two years old
6 as a city. The people said, "Enough is enough."
7 And that's why we want the alternative school,
8 because we're saying, "Enough is enough."

9 There's parents that are afraid to come to
10 speak up. I asked Mr. Yturralde himself, why is
11 it -- I was flipping through my daughter's school
12 yearbook. It has third, fourth, and fifth grade for
13 one teacher. How -- is that a typo? No, it's not.
14 They're having third, fourth, and fifth graders in
15 one classroom.

16 How can you do that? How can you say,"
17 Okay, now, we're going to teach the
18 third-graders" -- no, that's not -- that's not. To
19 me, that's not.

20 Another thing, we asked Mr. Yturralde --
21 I, personally -- well, I met with Ms. Nava, in fact,
22 for the 2010 census, to do a robo-call to all the
23 households so we can get -- everybody gets counted.
24 They said no.

25 Why not? We're trying to help them out,

1 and yet they cannot help us by giving people just a
2 robo-call, both in English and in Spanish. We
3 supply the -- both the English and Spanish
4 translation. And yet they couldn't do that. I
5 wanted to get counted. We wanted everybody to get
6 counted so that they could get more funding, but yet
7 they couldn't do that.

8 Why not? They gave me an excuse that the
9 board members had a -- had an issue with that. What
10 issue was that? We're trying to better our people,
11 our community, and yet can't step up to the plate.

12 MS. CHAVEZ: Mr. Chair, time is up.

13 HEARING OFFICER: Thank you very much.

14 THE CHAIR: Carols Hernandez. Good
15 morning.

16 MR. HERNANDEZ: Good morning, everybody.
17 My name is Carlos Hernandez. I'll just give a brief
18 background who I am. I am a former school
19 superintendent in Arizona, a former school principal
20 in New Mexico. I was named the Educator of the Year
21 by LULAC in 1996, recognized by Senator Jeff
22 Bingaman. I'm coming back to this area because I
23 want to see our kids succeed.

24 Failure is not an option anymore. I'm not
25 here to say anything against Gadsden, because I work

1 for Gadsden. I was a teacher when they first opened
2 up Santa Teresa High School. I saw my kids go
3 through education there, kids from the Anapra area,
4 the low-level economic. That's not an excuse; we
5 shouldn't put that option on the table.

6 Parents have a right to have an option and
7 a choice. Now, former students of mine have come to
8 me who are now parents. That's how old I am now.
9 They were saying, "We need choices. We need to do
10 more for our kids."

11 A lot of our kids all learn in the
12 traditional system right now, and these parents need
13 a choice. Give them that choice so they can
14 succeed. Don't let Anthony stop growth. Like the
15 gentleman before me was saying, "Yes, a lot of kids
16 are going to Canutillo and a lot of kids are going
17 out of the area."

18 It takes a whole community to raise a
19 child. You heard of that, right? Let's work
20 together, work with Gadsden, work with the charter
21 schools. I know they say they're a bad charter
22 school, but that's not everybody. You can't label
23 that. That's how we begin to label our children,
24 those who can and those who can't. Like the
25 gentleman back there says that his children want to

1 go to college and all that -- no, you can't say
2 that. Children do not fail. We fail them.

3 So let's progress forward. And on the
4 record, Gadsden, last year, had a 90-percent failure
5 rate, AYP, across the state as well.

6 Ninety percent? Didn't our Governor say that?
7 We've got to change. Let's embrace grace change.
8 Let's embrace creativity. Let's not drown it.
9 Because a child may not learn in a traditional way.
10 They may learn in another better way. And that's a
11 parent's choice. Thank you.

12 THE CHAIR: Thank you very much. That
13 concludes all the folks that have signed in on the
14 sign-in sheet. So we will move forward to the
15 Public Education Commission's question period of the
16 applicant.

17 Will the applicant please move forward?
18 And the Chair will open up the floor for questions
19 by Commissioners.

20 UNIDENTIFIED SPEAKER: Sir, can I also
21 write my name there, so I can say something?

22 THE CHAIR: No, sir.

23 UNIDENTIFIED SPEAKER: Okay.

24 THE CHAIR: Questions? Commissioner
25 Shearman.

1 COMMISSIONER SHEARMAN: Good morning,
2 everyone. I just want to make a statement. And
3 I've said this before at our other hearings. And
4 for those of you who may not be aware of it, this is
5 the third time that we have heard Mr. -- I'm
6 sorry --

7 MR. CASAVANTES: Casavantes.

8 COMMISSIONER SHEARMAN: -- Casavantes'
9 presentation. So we're -- many of our questions
10 have already been asked and answered.

11 But what I really want to say is, by law,
12 what we consider -- the only thing we can consider
13 when looking at this charter school is the
14 application. That's it. It cannot be revised. It
15 cannot be changed. It's exactly what it is when it
16 comes to us.

17 I have made many -- I've asked many
18 questions. You and I have agreed that there are
19 many incomplete, insufficient sections in both your
20 application and your budget.

21 I will simply say, at this point in my
22 mind, your application is so insufficient and so
23 incomplete and as well as the budget, I must tell
24 you I cannot support this application. I wish you
25 luck in the future. But this application is not

1 sufficient to start a school. Thank you.

2 MR. CASAVANTES: Thank you. May I respond
3 to that?

4 THE CHAIR: Thank you, Vice Chair
5 Shearman. I want to also remind Commissioners that
6 if we have other questions for Mr. Casavantes about
7 the charter school, to ask them. If not, we'll be
8 having our decision-making meeting December 19 and
9 20. Commissioner Gant.

10 COMMISSIONER GANT: Mr. Chair, members,
11 audience. Having -- you talk about having the
12 metrics to follow the progress of the students in
13 your classes. You talk -- basically what I heard
14 you say, you will have a metrics to follow the
15 progress and so forth -- to follow the progress of
16 the students that are in there -- the big areas;
17 then you take them to the individual classrooms,
18 et cetera. Do you or do you not have a system
19 developed today?

20 MR. CASAVANTES: No.

21 COMMISSIONER GANT: Who is going to
22 develop the software matrix that you're going to
23 follow?

24 MR. CASAVANTES: Dr. Brian Clement
25 [verbatim].

1 COMMISSIONER GANT: And who is that?

2 MR. CASAVANTES: He is a -- get the exact
3 term -- database architect, and he's a retired
4 professor. And, basically, we're going to need to
5 have funding to pay for his -- for his services.
6 But he has shown us what he can do. He's worked for
7 Hewlett-Packard in that capacity and has extensive
8 background and can do that job.

9 COMMISSIONER GANT: And when do you expect
10 to have this metrics in place?

11 MR. CASAVANTES: Well, we know that we can
12 apply for -- we could apply for grants in November,
13 because until we have -- well, if we don't have --
14 if we don't have a -- a charter contract, then we --
15 I don't know exactly what we could do.

16 But we were going -- we will seek funding.
17 And, like I said earlier, we will be back here next
18 year with the correct application. We -- you know,
19 we will learn from the mistakes that we made in this
20 current application and make -- and be here, back
21 here, next year.

22 One of the things is the charter school
23 that is in Anthony is run by the school district.
24 And I've attended some of the meetings. And that
25 charter has lots of problems. And I think that, as

1 I've said in other places, that the school districts
2 choke off the charter.

3 This is not -- our charter will go -- go
4 directly to the State of New Mexico. That's why I
5 would not run a charter -- and I think a lot of the
6 charters that are run by the school districts,
7 that's where you have most of the significant
8 problems. And so I would not want to be put in that
9 position in running a charter. And I know that the
10 charter here is in very bad shape.

11 COMMISSIONER GANT: You -- according to
12 your application, you're planning to open up five
13 charter schools all at the -- same time.

14 MR. CASAVANTES: Yes, sir.

15 COMMISSIONER GANT: Excuse me. Excuse me,
16 please.

17 MR. CASAVANTES: Yes, sir.

18 COMMISSIONER GANT: Let me finish. I'm
19 talking about your charter. I'm not talking about
20 what the Commissioner said. And you don't have
21 facilities -- you claim to have some facilities
22 located by a broker. But my question is,
23 considering you don't have any stimulus funds and
24 there's only two of you founders, how are you going
25 to manage opening up five facilities, getting all

1 the furniture, doing all the renovations and repairs
2 that have to be done in five different locations
3 with multiple contractors across the state of New
4 Mexico, from Carlsbad to Deming, you name it -- how
5 are two of you going to do this without stimulus
6 funds and be ready to open? If you had the -- if
7 you had the authorization from the State, how would
8 you manage to do that? It's hard enough to do it in
9 one community.

10 MR. CASAVANTES: I agree. I understand.
11 And I agree. I would be seeking additional help
12 from people and -- and -- like I say, I'm hoping
13 that I would get grants and that I would be able to
14 hire staff that would be able to provide me the
15 assistance in all five communities. And that would
16 be our plan.

17 And I've -- I -- I know that -- I know the
18 challenges I face, and it would probably be a very
19 difficult challenge and so forth. But I would do my
20 best to accomplish that mission, and I believe I
21 can.

22 Also, I know that the superintendent
23 believed here that we were an alternative school.
24 We're planning to serve all students. And it's
25 not -- it's not a dropout recovery program. It's a

1 plan to serve all the students that have the
2 interest of what our charter school would have.

3 And --

4 COMMISSIONER GANT: Let's go back to the
5 question I was -- we were just dealing with, the
6 five locations. Do you know the process of getting
7 plans for renovations and repairs to the Public
8 Schools Facilities Authority? Do you know how that
9 works?

10 MR. CASAVANTES: Yes, sir. I know that --
11 I know that they have to approve the facility. They
12 have to approve the condition. They have the
13 requirements of the condition of the facility, the
14 footcandles, the size of each of the spaces, the
15 square feet, the parking, the air conditioning,
16 heating, all the -- you know, all the utilities and
17 so on, yes, sir.

18 COMMISSIONER GANT: Moving on. What I've
19 been trying to figure out in my mind, you talk --
20 and you mentioned it this morning -- how you want --
21 you've been trying to open up schools -- I would
22 assume the same type of school, a charter school, in
23 Indianapolis, in Texas.

24 MR. CASAVANTES: I have been.

25 COMMISSIONER GANT: Well, you indicated

1 that your plan is to open up in Texas.

2 MR. CASAVANTES: Yes, sir.

3 COMMISSIONER GANT: And open them up here
4 in New Mexico. Now, I'm trying to get -- figure out
5 what's going on here. Why wouldn't you just think
6 about opening one charter school in New Mexico from
7 the get-go and get it right?

8 MR. CASAVANTES: Well, your point is
9 well-taken. I -- you know, I -- I learned that the
10 plan is not where it should be. And I will revise
11 it, and I'll be back. And I -- I understand the
12 points that you've been making. And I appreciate
13 them. And I will make all the corrections, and you
14 will see a good plan.

15 I don't know exactly what -- which -- you
16 know, how I would have changed my strategy. I do
17 see that -- that in having five applications, I feel
18 I have had -- I'm getting five educations, and I am
19 going to improve upon it.

20 And I appreciate the comments that you've
21 given. And I'm taking them in, and I'm learning
22 from it. And I think you will see, next year, a
23 plan that you enjoy.

24 COMMISSIONER GANT: My last question.

25 MR. CASAVANTES: Yes, sir.

1 COMMISSIONER GANT: You talk about
2 sixth-graders taking college courses. And I guess
3 I'm old-fashioned at my age of almost 70. When
4 will -- when will a child be allowed to grow up
5 before that child is sent off to take college
6 courses? And you're talking about the sixth grade.
7 They're still growing up. They're still learning
8 how to get along with their peers.

9 And you want to do this online, which
10 means you stick someone in front of the one-eyed
11 monster instead of working with their peers, getting
12 with their fellows, working with physical teachers.
13 And now you're talking about sending them off -- of
14 course, they may be very bright. They may have some
15 of the skills to take some of those courses you're
16 talking about.

17 But when are we going to allow a child to
18 actually grow up, to be a child before we're asking
19 them to grow up?

20 MR. CASAVANTES: Okay. Well, maybe I'm a
21 product of my father. You know, in -- when I was in
22 the third grade, he got me enrolled at Texas Western
23 College, which is now UTEP, in a geology class in
24 the third grade. And I passed that course with a B.
25 Now, he was on my case like you wouldn't believe,

1 and so forth. But -- and -- he had all the rocks,
2 and made me identify them every day and all this --
3 all sorts of things. He was also teaching the
4 course to me.

5 But I believe that -- that there are some
6 things that can be done. And I think when they're
7 starting the system that we have -- and I know that
8 if they need to be in transitional period to get
9 people to -- to be able to do this. But if you look
10 at around the world, a lot of students around the
11 world are doing much higher-grade-level work than we
12 do.

13 If you look at this Singapore Math system.
14 They say, okay, this is seventh grade in the
15 United States, but sixth grade around the world.

16 And I think that if we look at education,
17 you will see that there is -- that -- how it is in
18 many other countries. They are far more advanced
19 than us, and I think we can do sort of the same
20 thing.

21 And it may take a transition to get there.
22 But I sincerely believe that this can be
23 accomplished.

24 COMMISSIONER GANT: Mr. Chair, I've asked
25 for the last two meetings with the gentleman, so I

1 won't ask any more questions today.

2 MR. CASAVANTES: Thank you, sir.

3 COMMISSIONER LOPEZ: Mr. Chair?

4 THE CHAIR: Thank you, Commissioner Gant.
5 Commissioner Lopez.

6 COMMISSIONER LOPEZ: I know it must be
7 hard for the audience, because we've done this two
8 other times already. And I apologize if there's
9 anything we're missing that we're not filling in for
10 you.

11 Here's what's bothering me. You did a
12 presentation this morning on being a teacher and
13 accomplishments that you had as a teacher. You've
14 talked some about your program in the last two
15 meetings and in this meeting. Yesterday, at the
16 meeting, you said, "We will set up these five
17 schools, and then we will pull out" -- which, to me,
18 sounded like you're going to Texas -- and you'll be
19 compensated.

20 And I asked you, "What will you be
21 compensated for when you're not in these schools
22 anymore and you're not teaching," which you talked
23 about these great stories as a teacher. And then
24 you go, "Here, I'm going to pull out and go
25 elsewhere," wherever that is, and be compensated.

1 And that's (indicates.)

2 We're being honest here, so I'm -- that's
3 pushing all my buttons. What will you be
4 compensated for when you leave and you won't be
5 teaching, and -- that's not working for me.

6 MR. CASAVANTES: I understand. Well, I've
7 looked at the budget and how you guys operate and so
8 forth. And I -- I need to study a little bit more
9 how the other school in Las Cruces is doing and how
10 they operate. I don't know if there is -- how their
11 compensation structure goes to the Colorado office,
12 okay?

13 I -- I -- I know that there's a huge need
14 here in New Mexico. And -- and I -- we will find --
15 I don't know if this will be a small amount that
16 comes out of New Mexico. I -- I -- I am -- do not
17 know exactly how -- just -- I just recently learned
18 about what happened at -- I think at the school in
19 Las Cruces. I was not aware of the structure and
20 the partnership agreements and those sort of things.

21 But now I am, and I will -- you know, I --
22 I need to have some compensation to live. But I --
23 and I -- but I am not seeking to get rich out of
24 this venture. I think that there's a huge need, and
25 we're going to satisfy that need. And I think that

1 there is someplace, somewhere, that I will get
2 enough compensation.

3 COMMISSIONER LOPEZ: I agree that we all
4 have to be compensated for the work that we do. But
5 I'm not hearing what work you'll be doing from
6 elsewhere on these five charter schools that are in
7 New Mexico.

8 MR. CASAVANTES: Well, similar to the same
9 thing is happening in Colorado, where they have some
10 oversight to make sure that the schools operate, and
11 then if there's any interventions that are
12 necessary, to do those interventions. And, you
13 know, once these schools are in place and running
14 well and so forth, I don't see that there's really
15 that much that I would be doing, you know?

16 COMMISSIONER LOPEZ: Thank you.

17 THE CHAIR: Thank you, Commissioner Lopez.
18 Are there any other questions from Commissioners?
19 Commissioner Bergman.

20 COMMISSIONER BERGMAN: Thank you,
21 Mr. Chair. Try it again, Mr. Chair. Let me lean
22 back a little bit. I was not going to reask any of
23 the questions we discussed yesterday.

24 But this audience, of course, has not
25 heard many questions that this Commission has asked

1 you. So just to give them an idea of some of the
2 questions we have asked, I'm going to ask one again.

3 And you had -- I know you took many notes
4 yesterday, and you had last night to think about
5 this. So let's just explore this one question, to
6 give them an example of what we've talked about.

7 It was on Page 23, where you stated, "Our
8 development plan is to begin the first year with
9 enough lessons and learning activities in our
10 database to meet the needs of our students for the
11 first four months of the school year." And then you
12 went on to state that, "As the year progresses, our
13 teachers will be assigned to create additional
14 learning activities to cover all the needs for the
15 year."

16 This, of course, would be in addition to
17 all their teaching every day that they're going to
18 be doing. Did you have a little time to think about
19 how you might answer that today that might be
20 different from yesterday?

21 MR. CASAVANTES: Maybe I didn't explain it
22 as well last time. But one of the things is we're
23 going to be in a longer school year basis, and we're
24 going to be a year-round plan, and we're going to
25 have the intercessions. And so during the

1 intercession periods, our teachers will work on
2 the -- the curriculum. And what was originally
3 believed was we worked up to the first intercession;
4 these teachers would get the second intercession
5 done over the second period, after the -- you know,
6 when they have the first break.

7 But then I told you that we -- we would
8 have a single strand through the entire year, so
9 that we would have that accomplished, and then
10 develop the second and third strands. Because, in
11 our system, we are going to have the students have a
12 choice of activities. There's activities which
13 sometimes are -- you know, boys like it more than
14 girls; and then there's other activities which girls
15 would like more than boys. So we want to give them
16 those choices; and then, also, based on their
17 learning styles.

18 So we plan to have, you know, five or more
19 strands. But we'll start with a single strand that
20 everyone would do for the whole year, before the
21 school year started. And Wes is working on that
22 right now, in developing that strand -- those
23 strands in all the curriculums.

24 And that -- and then when we could hire
25 any additional staff, you know, based on funding or

1 whatever, we would -- we have to allocate the
2 resources we have. But we would work on developing
3 those, you know, so everything would be in place at
4 least for one strand.

5 COMMISSIONER BERGMAN: Thank you. Thank
6 you, Mr. Chair.

7 THE CHAIR: Thank you, Commissioner
8 Bergman. Are there any other questions from
9 Commissioners of the applicant?

10 Any member of the public, including the
11 applicant, may submit written input following this
12 hearing. Written comments can be sent to the
13 Commission via the Public Education Department main
14 Web site, at ped.state.nm.us/comments. You will be
15 directed to an e-mail format in which to write your
16 comment. Make sure you identify the school you are
17 commenting on in the drop-down menu.

18 Please note that any written input must be
19 received by no later than close of business on the
20 third business day following the hearing on the
21 application you wish to comment on.

22 And I also want to mention that
23 Secretary Gant gave me the suggestion to announce
24 this: The Academic Opportunities Academy described
25 in detail their plan in the first community input

1 hearing, and all the minutes of those meetings will
2 be up on the Public Education Department Web site as
3 soon as they're finished off by the transcriber. So
4 give it a few days, and then go to the Web site, and
5 you'll be able to see those minutes, if you want a
6 more detailed description of the school.

7 So I thank Commissioner Gant for that
8 recommendation. I'd like to thank you all for your
9 presentations and your hard work in preparing the
10 application. We're going to take a ten-minute
11 recess.

12 MR. CASAVANTES: Thank you.

13 (Proceedings in recess at 9:00 a.m.)
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1 REPORTER'S CERTIFICATE

2 I, Cynthia C. Chapman, RMR, CCR #219, Certified
3 Court Reporter in the State of New Mexico, do hereby
4 certify that the foregoing pages constitute a true
5 transcript of proceedings had before the said
6 NEW MEXICO PUBLIC EDUCATION COMMISSION, held in the
7 State of New Mexico, County of Doña Ana, in the
8 matter therein stated.

9 In testimony whereof, I have hereunto set my
10 hand on September 4, 2012.

11
12
13 _____
14 Cynthia C. Chapman, RMR-CRR, NM CCR #219
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