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BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS
PUBLIC INPUT MEETING
STARSHINE LISA LAW PEACE SCHOOL
August 20, 2012
3:40 p.m.
300 Don Gaspar, Mabry Hall
Santa Fe, 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. MICHAEL CANFIELD
- MS. MILLIE POGNA

STAFF:

- MS. KELLY CALLAHAN, Director, Charter School Division
- MS. BEVERLY FRIEDMAN, PED Liaison to PEC
- MS. CORDELIA CHAVEZ
- MR. BRAD RICHARDSON
- MS. KAREN EHLERT
- MS. CHELLEY CHERRIN

1 THE CHAIR: The Public Education
2 Commission meeting is back in session. StarShine,
3 were you here when I read this spiel at the front
4 end?

5 (Affirmative response.)

6 THE CHAIR: She nodded "yes." I just
7 looked at her, and -- so with that said, I will move
8 on to No. 2, because I'll tell you what. It's hard
9 to be long-winded at 3:40.

10 So the Commission will follow this -- the
11 following process for the community input hearing.
12 We will ask each applicant or group to present at
13 the table. They will be given 20 minutes to present
14 their application in the manner they deem
15 appropriate.

16 The Commission will not accept any written
17 documentation from the applicant, but the applicant
18 may use exhibits to describe their school, if
19 necessary. However, the setup time for exhibits
20 will be included in the 20 minutes.

21 Following the applicant's presentation,
22 the local school district representatives will be
23 given five minutes to comment. Do we have anyone
24 from the Santa Fe School District here? So that may
25 save us some time.

1 Subsequently, the Commission will allow
2 20 minutes for public comments, as I described
3 above. Finally, the Commission will be given
4 45 minutes to ask questions of the applicant.

5 Commissioners, are you ready to proceed?

6 COMMISSIONER GANT: Let's do it.

7 THE CHAIR: For the record, why don't we
8 just have each one of you state your names for the
9 record and titles, and let us know if you're a
10 founder of the school, and if you have anyone else
11 to introduce. So please do so.

12 MS. McCARTY: Trish McCarty, founding
13 board member.

14 THE CHAIR: Hold on. Don't start the
15 clock until introductions are done.

16 MS. McCARTY: Trish McCarty, founding
17 board member.

18 MR. DAVIES: Byron Davies, founding board
19 member.

20 MS. LYNCH: Donna J. Lynch, board member.

21 DR. CARTER: Dr. Dianne Carter, board
22 member.

23 MS. DRINKWATER: Jill Drinkwater, board
24 member.

25 MS. GUTIERREZ: And Grace J. Gutierrez,

1 board member.

2 MR. McCARTY: Steve McCarty, board member.

3 MS. HETRICK: Elizabeth Hetrick, board
4 member.

5 THE CHAIR: Thank you. Is there anyone
6 else you wanted to introduce? Is that it?

7 MS. McCARTY: Well, I was going to
8 introduce Lisa Law in a minute. Lisa Law.

9 THE CHAIR: Hi, Lisa. Good afternoon.

10 MS. LAW: Hi.

11 THE CHAIR: Good afternoon. You may begin
12 your presentation.

13 MS. McCARTY: Good afternoon, Mr. Chairman
14 Garrison and members of the New Mexico Public
15 Education Commission, and thank for you inviting us
16 to speak today.

17 StarShine Academy, Lisa Law Peace School
18 is an alternative, unique K-12 charter school
19 designed to meet the needs of the whole child and of
20 each individual child, not only in academics, but to
21 include body, mind, spirit, health, wealth, and
22 happiness.

23 The new charter school is modeled after an
24 existing school in Phoenix, Arizona, now ten years
25 old, and is designed as an eco-village school

1 incorporating green practices, community, gardening,
2 sports, art, music, and to include service learning
3 and civic responsibility.

4 We believe that all children can grow up
5 to be lifelong learners, high achievers, and
6 productive members of society. I am Trish McCarty,
7 founder of StarShine Academy Nonprofit Schools. I
8 am a mother of four, a grandmother of seven. I was
9 an executive with AT&T in technology and with Mellon
10 Corporate Bank. I have cofounded a food co-op, a
11 mother's preschool co-op, a mortgage bank, and other
12 companies.

13 I became an advocate for education many
14 years ago and spoke frequently about the need for
15 gardens and healthy eating in our schools. After
16 9/11, several community members asked me to open a
17 charter school as a model for holistic education.

18 We have been honored by the United Nations
19 for our work toward peace-building among our
20 students and our communities.

21 We chose the name StarShine Academy, Lisa
22 Law Peace School, to honor Lisa Law, a longtime
23 friend and citizen of Santa Fe, New Mexico, known
24 worldwide for her photography and her life's
25 devotion toward helping those less fortunate and

1 living as a constant activist for peace. Her
2 photographs are part of a permanent collection at
3 the Smithsonian Institute and the Woodstock Museum.

4 That's Lisa. You will hear from her
5 during the public input.

6 The curriculum is a blended model of
7 technology and tradition, and it's diverse to
8 address needs of each individual child. We use Core
9 Knowledge as the base for K-8, with the Paideia
10 Method, integrating A-Plus, as the foundational
11 curriculum for 8-12.

12 Reading Recovery and other reading
13 programs are used to intervene for those students
14 struggling with their ability to read. Brain
15 exercises are used to help promote healthy brain
16 physiology. Hands-on science and math helps to
17 engage students in STEM and in their own learning.
18 Technology is used to help all children learn and as
19 a gate to individualized learning.

20 We have earned prestigious accreditations
21 from North Central and the Commission on
22 Trans-Regional International Accreditation under
23 Advanced Ed for both national and international
24 accreditation.

25 Today, approximately only 24 percent of

1 schools nationwide have maintained accreditation.
2 Accreditation is designed to help educational
3 institutions boost their ongoing performance efforts
4 for the benefit of their students.

5 Advanced Ed insists on a relentless
6 pursuit of excellence for itself and the
7 institutions that it accredits. The ethics of
8 excellence insures that institutions will find rich
9 benefits from accreditation, and that parents can
10 confidently make and form decisions about their
11 children's education, knowing their child's school
12 is accredited. Accreditation matters because our
13 students deserve the highest level of excellence
14 possible.

15 I would like for you now to meet the
16 outstanding StarShine Academy Lisa Law School Board.
17 You're going to have to push this down.

18 DR. DAVIES: Good afternoon, Chairman
19 Garrison and Commissioners. I am Dr. Byron Davies,
20 the chief solutions architect for StarShine Academy.
21 Long before StarShine, I studied at Cal Tech and MIT
22 and earned my Ph.D. in electrical engineering at
23 Stanford University. I worked for many years in
24 systems research and development at Texas
25 Instruments and Motorola.

1 For five years, I taught computer
2 science -- I taught computer science to doctors at
3 the Arizona School for Health Sciences. And
4 finally, five years ago, I found the love of my work
5 life, StarShine Academy, where I have been a teacher
6 in the high school as well as part of the innovation
7 team.

8 My primary job at StarShine is to use data
9 to help find the best ways to do almost everything.
10 Every day, we strive to provide the best learning
11 opportunity for each child by combining high-tech
12 and high-touch interaction. At StarShine, we use
13 technology to help teachers deliver individualized
14 learning.

15 We use technology to enhance all three
16 columns of Paideia practice, including some very
17 innovative software to support the Socratic
18 component. And we use even more advanced technology
19 to understand how people can most effectively work
20 together to achieve their individual and mutual
21 goals. We continuously work to refine our ability
22 to help kids and adults learn.

23 Members of the Public Education
24 Commission, in the interests of the children of
25 Santa Fe, I ask you to support StarShine Academy in

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1 its quest to open a Santa Fe school in the fall of
2 2013. Thank you.

3 MS. LYNCH: I'm Donna Lynch. I'm licensed
4 to practice law in California and New Mexico. When
5 I lived in California, my former husband and I were
6 instrumental in implementing Reading Recovery in the
7 State of California. And since I -- we've
8 separated, but he continues to do that throughout
9 the United States.

10 And, in New Mexico, I'm on the board of
11 St. Elizabeth's Shelter, the homeless shelter here,
12 and I participate in the legal clinic, homeless
13 legal clinic and homeless court with Judge Ann
14 Yalman.

15 And I have actually visited the campus in
16 Arizona. And you -- the first thing that happens is
17 you are just struck by the fact that these kids come
18 up to you. They do not try to avoid you. They come
19 up to you. They shake your hand. They look you in
20 the eye. They identify the country that they
21 represent. And they tell you what they want to be
22 when they grow up.

23 And several of them showed me their
24 garden. They've got flowers in the garden and
25 everything all over the place. I saw the kitchen,

1 where the woman -- I think she's been there from the
2 beginning -- knows all of the kids' names and what
3 they like to eat. And she was packaging fresh food
4 that day. It was hotter than heck in the kitchen,
5 but she was packaging fresh food.

6 And then the kindergarten class is the one
7 that made me cry, because there were, like, I think
8 22 or 25 kids in there. And they were watching this
9 program, and they were doing exercises. And one of
10 them came up to me, and then all 22, 25 of them
11 lined up, each one doing the same thing, looking me
12 in the eye, shaking my hand, smiling at me. And,
13 you know, that is pretty unusual for kindergarten
14 kids. They usually don't want to talk to you.

15 So it's just a fabulous program. It's
16 huge. I didn't see the sports facility, because
17 they're just starting that in Arizona; right?

18 MS. McCARTY: Uh-huh.

19 MS. LYNCH: And -- but it's a huge campus.

20 MS. McCARTY: Pass it on.

21 MS. LYNCH: Okay.

22 DR. CARTER: Guess it's my turn. I'm
23 Dr. Dianne Carter. And I guess I've had education
24 in my bloodstream and my family's bloodstream for
25 years. I received my doctorate in educational

1 leadership. And in education, I have done just
2 about everything. You know, someone might say,
3 "Couldn't you find a job," because I was a school
4 psychologist, a director of pupil services. I
5 supervised curriculum. I supervised audiologists,
6 psychologists, counselors, the whole gamut, and
7 ultimately found my heart as a principal, and really
8 enjoyed that, both for a junior high and a high
9 school.

10 I moved on, in terms of my experience,
11 then, to become a supervisor of a correctional
12 facility. That's where my heart led me, because, to
13 me, if you can save a child or assist a child to
14 move forward, it's -- makes your heart just beat.
15 And I had the opportunity to see that in changing
16 students' lives, unbelievable success.

17 From that point on, then, I was involved
18 to join the U.S. Department of Education, where I
19 developed the correctional education programs for
20 the United States and helped the input and the
21 development of those, not only curriculum, but
22 connections and interactivity among all the state
23 directors of correctional education.

24 It sounds like I couldn't find a job,
25 because I went on then from there, and I was

1 president of the National Academy of Corrections,
2 where we developed curriculums nationwide for
3 programs, both for probation education, correctional
4 education, and also in the prisons, as well as
5 probation and parole.

6 That led me, then, to what really brought
7 my heart to a stop, which was working with the
8 Federal Bureau of Prisons, which, when I retired,
9 was Deputy Director of the Bureau and development
10 responsibility for all the curriculums and training
11 of staff.

12 The thing that I know, in speaking from my
13 heart, not only from young children but to adults,
14 is that you can change lives. You have to do that
15 with your investment, your time, your values, and
16 your spirit. And it can be done. And that's what I
17 hope to be able to bring to this program. Thank
18 you.

19 MS. DRINKWATER: My name is Jill
20 Drinkwater. I'm a vice president of Morgan Stanley.
21 And I'm just a very concerned citizen about the
22 educational system in Santa Fe. I have a son who
23 went through the system who's -- he actually went
24 through; he's 18 and going to college.

25 I think the biggest thing I love about

1 StarShine is the K-through-12 model. I think my
2 experience -- this is firsthand -- with seeing lots
3 of kids drop out in high school who should have gone
4 through, is they drop out because there's not a
5 sense of community and continuity. And I went down
6 to StarShine, too, and I was astonished at the
7 care -- there's a little kindergartener who came up
8 to Trish, and I guess they had worn clothes that
9 didn't fit them.

10 And so I see the teacher running up to
11 Trish saying, "Here. We have clothes here." And
12 they changed the child to clothes that could fit
13 them. It's extraordinary that they would do that
14 and that that concern is there.

15 So, again, I wholeheartedly support the
16 school, and I hope you will, too.

17 MS. GUTIERREZ: I'm Grace Gutierrez, and
18 I'm a retired Santa Fe Public School educator. And
19 I'm very sad the way education is going in
20 New Mexico. I read the statistics, and we're --
21 what? -- the lowest state in the nation.

22 And I worked in remedial programs. I was
23 instrumental in starting the bilingual program.
24 I -- we passed legislation for that. That was
25 supposed to be two languages for every child,

1 because I had never met a so-called Anglo that was
2 ashamed of speaking Spanish. But it turned out into
3 a remedial program.

4 Then I went into reading remedial programs
5 in Santa Fe. And we had up to 3,000 children that
6 needed remediation in reading. It was a tremendous
7 job. Our teachers worked very hard. Our first
8 meeting that I had with them, I said I had all the
9 lists of all the people that were at the State
10 Prison. I had a list of all the kids that were at
11 the "D" Home. I said, "You take these lists home,
12 and I want you to circle all the kids that you
13 thought you did so well with."

14 They came back to the next meeting, and
15 they had tears in their eyes. And they said, "We
16 didn't do so hot, did we?"

17 And I said, "No. There has to be a
18 different way. There has to be a way."

19 I finally -- I did leave. We had won two
20 exemplary awards for our reading accomplishment.
21 The bilingual program, when I left it, we were sixth
22 in the nation. I did leave. I retired. I had a
23 husband that was a state director of special ed, and
24 he brought federal funds into the state that we
25 needed desperately. But it also cost him his

1 health. He turned gray-gray while I saw him
2 fighting for special ed children in the State of New
3 Mexico. I did help him with his health problems,
4 and then I had my father.

5 But this program here has brought me back
6 out of retirement. It is an educator's dream, the
7 things they are doing. We just went through the
8 Olympics. This is the education of -- or the
9 Olympics of education. I could not sleep while I
10 was reading the proposal. And then I looked at this
11 wonderful book and I thought, "My heavens, this
12 makes me want to be 40 years old again and go and
13 work at that school."

14 It's going to take 400 children. Can you
15 imagine what a gift this would be to 400 children,
16 at-risk children in Santa Fe? And I know that the
17 dropout rate is tremendous here. It's far more than
18 what we see in the papers. I had the statistics in
19 Title 1. With a federal program, you have to have
20 all of that written down. I knew where every
21 remedial kid was and where they went when they
22 dropped out.

23 And they dropped out like flies. It was
24 awful. I'd find some that had left to Colorado with
25 their grandfathers. So when -- I mean, I could not

1 sleep for a week looking at these pictures. And I'd
2 get up, and then I'd read more in the book. And I
3 thought, gosh, Santa Fe -- when I came to Santa Fe,
4 I thought we were going to be the best school system
5 in the state because of the State Department of
6 Education. I thought, Oh, there's going to be all
7 kinds of pilot programs and back and forth.

8 No, I didn't find that at all. I mean, I
9 was probably one of the first educators from
10 Santa Fe that came to the State Department of
11 Education to ask for all this help. And they loaded
12 my van. They were so excited to help someone from
13 Santa Fe.

14 Well, when I did work in bilingual
15 education, I worked very closely with the State
16 Department of Education, and they helped us to
17 become the seventh in the nation.

18 Title 1, every time I needed some special
19 materials, they gave them to me. This is a dream
20 come true.

21 MS. HETRICK: Can you hear me? My name is
22 Elizabeth Hetrick. And I come to you as the -- I'm
23 the mother of three children.

24 THE CHAIR: Make sure you push down on the
25 button.

1 MS. HETRICK: Okay.

2 THE CHAIR: It's a bar. It's a bar.

3 MS. HETRICK: I have it. My name is
4 Elizabeth Hetrick. I'm the mother of three
5 children. I'm the grandmother of seven, soon to be
6 eight. I have served in every capacity in my
7 children and my grandchildren's schools: As a
8 substitute teacher, as a room parent, as a tutor, on
9 the school board. And I've -- then, from there, I
10 went on to work with -- in the WIC program with
11 nutrition education, which is truly my love. And I
12 went -- moved on from that prior to retiring as
13 state director of a federal nutrition program, the
14 Commodity Food Program.

15 My -- currently, I'm serving as the chair
16 of the board of Farm to Table, which is a program
17 that -- yeah, a program, an organization that
18 supports the production, development, and marketing
19 of fresh fruit, vegetables, and meat throughout the
20 state. Specifically, programs that your -- would be
21 familiar with would be the Restaurant to Table
22 program, and the Fresh Fruit and Vegetables in the
23 Schools Program, which is now expanded to several
24 hospitals around the state and some care facilities.

25 I am so enthusiastic about StarShine

1 Academy, because part of their model is very much
2 using gardening, the growing of food, the
3 recognizing of where food comes from and what it --
4 what it does. A garden program can be incorporated.
5 You can use math; you can use history. I'm just
6 very, very excited about this business of children
7 learning to take responsibility for their health as
8 well as their mental health as well as their
9 physical health. Thank you very much for this
10 opportunity.

11 MR. McCARTY: Hi. Good afternoon. I'm
12 Steve McCarty, and I happen to be married to the
13 CEO/Founder of StarShine Academy. Thank you for
14 this opportunity to introduce myself and tell you a
15 little bit about my history here in Santa Fe.

16 I'm a long-time, multi-platinum recording
17 artist. I think 48 years I've been playing. I come
18 from a family of educators. We've had a home here
19 in Santa Fe for over 35 years. My mother held two
20 doctoral degrees in childhood development. She
21 started the Head Start program at the Taos Pueblo.
22 In fact, when she died, her ashes were spread by
23 then Governor Tony Reyna on the Pueblo.

24 She was revered, and Bill Richardson also
25 entered into the Congressional Record in Washington,

1 D.C., that she was one of the most influential women
2 in the history of the State of New Mexico.

3 My father was also a great humanitarian.
4 He did so much for this community, including
5 St. Elizabeth's Homeless Shelter. He was the guy
6 that paid off the note over many years. And it's
7 been such a blessing. I'm sure you know that.

8 I started a music department at StarShine
9 Academy in Phoenix that we're very proud of. And I
10 have seen the tremendous work that -- and healing
11 effect that StarShine has had with kids in the
12 at-risk communities. I've seen it ignite time and
13 time again, ignite the aspirations of children and
14 give them the tools and the skills to not only
15 succeed and graduate, but to go on to be healthy,
16 happy, productive citizens who give back to their
17 communities.

18 I want to continue -- we love this
19 community, Santa Fe. We've had such a long-time,
20 deep commitment to Santa Fe and New Mexico. And we
21 want to continue this. And I urge you to please
22 grant our charter. Thank you so much.

23 THE CHAIR: Thank you for your
24 presentation. I'll repeat the offer for the local
25 school district to come forward to speak. Is there

1 anyone from the Santa Fe School District? Seeing no
2 one, we will move to public comment. We will hear
3 public comment from the community of Santa Fe. And
4 the first person, and only person on the list, is
5 Ms. Lisa Law.

6 MS. LAW: Hello.

7 THE CHAIR: Can you fill 20 minutes? I'm
8 just kidding.

9 MS. LAW: You're going to speak. She's
10 going to speak.

11 UNIDENTIFIED SPEAKER: I signed up.

12 THE CHAIR: Did you?

13 UNIDENTIFIED SPEAKER: Yeah.

14 THE CHAIR: On what sheet? Outside still?

15 UNIDENTIFIED SPEAKER: Outside on the
16 sheet. Oh, I'm sorry.

17 THE CHAIR: Okay. Well, let's go ahead,
18 and then we'll get that other sign-in sheet, I'm
19 sure.

20 MS. LAW: I'm Lisa Law, and I'm very
21 honored to be here and to have the school named
22 after me. That was a shock.

23 I've lived here for over 45 years. And I
24 came here to have my children, because I thought
25 New Mexico was really a great place to be. And

1 since then, I found it has been. And I've lived all
2 over the northern part of New Mexico, in Truchas, in
3 Taos, Ranchos de Taos, Pojoaque, Abiquiu, Santa Fe.
4 And I raised my children here and tried to keep them
5 in the best schools that there were, which was
6 difficult.

7 But I helped start the Rio Grande School,
8 and I named the Rio Grande School, because it was a
9 hands-on school. And it was a school where they
10 learned how to solve problems and work with their
11 hands in gardening and in solving problems.
12 Problem-solving is so important, especially when you
13 get out after graduating, you have to be able to
14 live a life and create a job for yourself.

15 And so, through Rio Grande School, they
16 were able to do that. So I was very happy about
17 that.

18 Now I have five grandchildren. One is
19 only four days old. And it's very important for me,
20 because now I'm just about to hit my 70s, to know
21 that my children are going to have a school to go
22 to, my grandchildren, that will give them a good
23 education and a chance to really face life and its
24 problems. Because right now, there's a lot of
25 problems out there. Economically. There's a lot of

1 wars and fighting. And a school like this school
2 will be so important that I really support it.

3 And my grandson -- my oldest grandson, who
4 is 12, he does gardening. He grows -- he's in
5 charge of growing the vegetables in the backyard of
6 his house. And he's into snakes and chameleons and
7 lizards. And I told him that if he -- if we got the
8 school going here, that he would be in charge of the
9 reptiles. And he was so excited about it, because
10 he wants to do that. He wants to work with --
11 working with reptiles and in zoos. So he felt that
12 he -- this was a good school for him to go to.

13 My younger two grandchildren from my
14 daughter, she's a yoga teacher in the schools right
15 now in Aspen School. They're into dancing and
16 performing. And this will have a lot of that in the
17 school as well. It's a holistic school. And I'm
18 into holistic living. It's -- I went to Oakwood in
19 the Valley in California. Oakwood -- I wasn't doing
20 really great in school in elementary school.

21 So my mother moved me to Oakwood, where I
22 was in charge of the reptiles and the goats. And
23 what I did then was learn to use any imagination. I
24 would daydream. I would daydream things, and then I
25 would do them.

1 Because of the Oakwood School, I was able
2 to daydream the rest of my life and create my work.
3 So I'm now collected in over seven museums with my
4 photography. I have two books and a movie out on
5 the '60s. I'm at MOMA now at a show in MOMA in
6 New York. I was just at a big show at the museum at
7 Bethel Woods in Woodstock. I'm in a show called
8 "Who Shot Rock and Roll" in Los Angeles at the
9 Annenberg right now. Many shows and many books,
10 over ten books and over 200 movies, my work.

11 And it's all because I was allowed to
12 daydream and to create what was going to happen from
13 there. And so I own three homes, and I have had a
14 very healthy life. And I think because of Oakwood,
15 I was able to do that. I remember that so well, to
16 be able to do what was good -- what I wanted to do,
17 what I was creating in my mind.

18 And so this school, I believe, is the most
19 exciting school I've heard of so far. And I'm so
20 glad to be part of it. My daughter says she's going
21 to work there, too, and she's going to teach yoga.
22 And I just -- I think that this town needs a school
23 like this. And especially because my children live
24 here, this town needs a school like this.

25 I also helped raise money for Warehouse 21

1 for the last 18 years, which is now working very
2 well. It's a place for teenagers to go. But I wish
3 I was able to do that 18 years ago when my kids were
4 younger. It's difficult to get it off the ground.

5 So please let this happen for this
6 community. This community really needs a school
7 like this, where you could have holistic -- a
8 holistic learning experience and a holistic life.
9 Thank you very much for listening.

10 THE CHAIR: Thank you very much. Sali
11 Randel?

12 MS. RANDEL: Yes, thank you.

13 THE CHAIR: Was I close?

14 MS. RANDEL: You did a good job.
15 Absolutely. Thank you for allowing me and thank you
16 for asking me. I am a citizen of the City
17 Different. And this is a different way to educate
18 children. And I -- I almost choke up. I've been
19 reading Trish's book. And I tell you, if every one
20 of you read this book, there's no way that you won't
21 make a charter here. It is one of the most
22 inspiring stories.

23 And I speak from experience, because I
24 have been on the board of a holistic school in
25 Houston, Texas, the Wilhelm Schole. And I'm also

1 the founder of the United Nations Environment
2 Programs award for Advertising with Integrity for
3 Nature. I've raised millions of dollars for
4 wilderness and wildlife. And it's about time I did
5 something for children.

6 I don't have any children. And I really
7 want to be involved with this school and give back.
8 I was the first woman vice president of Polaroid
9 when women didn't be vice presidents of Polaroid.
10 And I want to inspire and be a part of sharing with
11 these children. So I'm just really empowering you
12 to -- let's have the StarShine effect. You know,
13 it's teaching that happiness is success.

14 And, wow, this is a school I wish I had
15 gone to, because I wouldn't have wasted so many
16 years striving to be. I would have just not learned
17 that I was okay the way I was. [Verbatim.] Thank
18 you for teaching, and thank you for allowing this
19 school. We're so lucky they chose Santa Fe. Thank
20 you.

21 THE CHAIR: Thank you very much. Last
22 call. Anyone miss out on the sign-in? Sir, your
23 name? Come up and identify yourself? Mike C De
24 Baca, good afternoon.

25 MR. C DE BACA: Good afternoon.

1 Mr. Chair, Commissioners, I just wanted to come up
2 here because I missed you all. Missed the road
3 trip. But I figured I could, you know, at least
4 catch up with you in a couple of places.

5 I am speaking on behalf of the school. I
6 think StarShine has a strong application, for one.
7 I really appreciate the fact that they took the
8 advice from -- from CSD and the PEC last year,
9 refined their application.

10 They've reached out, asked me to -- to
11 look at it and give them some advice. I think that
12 they're headed down the right path. I feel very
13 good about supporting the school. I think that it's
14 a school that Santa Fe would -- would really
15 appreciate having. And I don't throw my support at
16 too many schools, but this is one that I think
17 that -- I think that you all need to take a good
18 look at.

19 And that's about all I have to say. I'll
20 see you in Albuquerque.

21 THE CHAIR: Thank you, sir. That
22 concludes public comment, and we are at the Public
23 Education Commission's question period. The Chair
24 will open the floor for questions by Commissioners
25 of the applicant. Commissioner Shearman.

1 COMMISSIONER SHEARMAN: Hello again.

2 MS. McCARTY: Hello.

3 COMMISSIONER SHEARMAN: I want to start
4 off with your student goals. I think we talked a
5 lot about these last year. And I just want to say
6 that student goals, to me, are -- do two things.
7 They tell me immediately what you're looking for
8 your students to do -- thank you -- what you're
9 looking for your students to do in the school to
10 gauge their progress, so forth. Also, those goals,
11 though, should the school be approved and come
12 before us for renewal, this is a big part of
13 renewal, what were your goals and did you meet your
14 goals.

15 So one of the things I really look for in
16 goals is are they measurable, are they time-bound,
17 are they clear. So I want to start off with student
18 academic performance. First paragraph under that,
19 the third line, it says, "81 percent of all students
20 who have attended for at least two years will
21 receive passing scores, as measured by New Mexico
22 State Assessments and Galileo Assessments," and so
23 forth. Would you define for me, "receive passing
24 scores"?

25 MS. McCARTY: Well, passing scores for

1 StarShine now are 70 percent. However, that's --
2 that's an average. I mean, there are some classes
3 that we have that we require an 80, or even a
4 90-percent pass rate. It depends on the type of
5 assessment we're using and how we're integrating it
6 into the Core Standards.

7 COMMISSIONER SHEARMAN: It goes on to say
8 "New Mexico State Assessments." Am I to assume,
9 though, that that's New Mexico Standards and
10 Benchmarks, NMSBA?

11 MS. McCARTY: Yes.

12 COMMISSIONER SHEARMAN: So then what you
13 mean is reach proficiency --

14 MS. McCARTY: Yes.

15 COMMISSIONER SHEARMAN: -- on NMSBA. Is
16 that ambitious?

17 MS. McCARTY: Well, I think it is for the
18 children that we are trying to serve. This school
19 is, by definition, a small alternative school. We
20 really want to serve 400 kids. We believe that when
21 you're a high risk and when you have a lot of family
22 issues and when you need a lot of extra help, you
23 need to be able to be in a smaller environment and
24 one that integrates the communities.

25 So the -- the kids that we have seen

1 previously, and from the discussions that we've had
2 in many of the neighborhoods with the parents, the
3 kids are way far behind. And if we can get them up
4 to proficiency that fast, I think it is ambitious.

5 And I know that we can, because we have
6 done it in Arizona. And we work with some of the
7 most poverty --

8 COMMISSIONER SHEARMAN: So the reading of
9 this goal -- I don't want to beat it to death --

10 MS. McCARTY: That's okay.

11 COMMISSIONER SHEARMAN: -- really is not
12 clear in what you're saying. Instead of "receive
13 passing scores," I think you mean "reach proficiency
14 on NMSBA."

15 MS. McCARTY: Okay.

16 COMMISSIONER SHEARMAN: And that would
17 tell me, if I were looking at a renewal application,
18 did 81 percent of your students reach proficiency on
19 NMSBA or did they not. I like pretty clear-cut
20 things.

21 Down in Student Academic Growth, Goal 1,
22 "By the end of the third year, students will
23 progress a minimum of one year of growth per year
24 towards mastery of 80 percent or more in each
25 subject area."

1 I'm not -- is 80-percent mastery? Or what
2 is "mastery"? Would you define that for me?

3 MS. McCARTY: It's 80 percent on the tests
4 that dictate whether or not it's mastery.

5 COMMISSIONER SHEARMAN: There's not an
6 exam listed. There's not an assessment here. It
7 says, "...in each subject area."

8 MS. McCARTY: Right. You know,
9 overarching -- you know, we have the laws in
10 New Mexico that we have to be performing on. And so
11 that is the overarching goal. But because we look
12 at each individual score all day long -- I mean, we
13 have assessments every day. So we have benchmark
14 assessments, weekly, monthly, quarterly. And those
15 all should lead up to what the State requires.

16 So we look at those benchmarks for mastery
17 along the way so that that should dictate what they
18 get on their New Mexico tests.

19 COMMISSIONER SHEARMAN: So daily work is
20 really what you're talking about here?

21 MS. McCARTY: Ultimately, no. Ultimately,
22 this is for the New Mexico Standards. But the --
23 the daily work, if they're falling below that
24 mastery level -- and as I said before, in some
25 classes, it may be 90 percent. If they're falling

1 below, we have a dashboard -- and I should have
2 Byron explain this -- that can literally watch the
3 kids. And if they're starting to fall below, we
4 have to go in and pull them back up.

5 So by the time we get to the New Mexico
6 tests, we should know exactly where they are and how
7 they're going to perform. And because we're
8 holistic, we get the kids ready with their diet and
9 everything else to make sure they're coming in with
10 a full set -- do you want to talk about the
11 dashboard?

12 DR. DAVIES: We currently use dashboards
13 on existing software, and we're using two different
14 kinds of software, one for reading and for math,
15 which give up-to-the-date reports on -- on what kids
16 are doing, how they're progressing against the
17 assessments, how -- what problems they're having,
18 whether they're stuck in such a way that the
19 software can't help them anymore and they need
20 teacher intervention. And then we use those to
21 guide -- guide -- well, the actual teacher
22 intervention.

23 We are also working on a dashboard that
24 integrates across all the subject domains, so that
25 the teacher or the principal can see at any moment

1 how the child is progressing and whether a problem
2 is erupting, so that we can address it as quickly as
3 possible.

4 COMMISSIONER SHEARMAN: Thank you. I'm
5 stuck on these things.

6 MS. McCARTY: That's okay.

7 COMMISSIONER SHEARMAN: "Seventy-five
8 percent of students will exhibit a positive
9 attitude, even excitement, in all studies, including
10 STEM."

11 Again, it's renewal time. Somebody is
12 looking at this. What evidence is there of a
13 positive attitude. How do you put that on paper and
14 give it to somebody to -- to know?

15 MS. McCARTY: There are a lot of
16 scientists working on this right now. But our
17 favorite, because he's a partner with us, is Robert
18 Maslow. A lot of you --

19 DR. DAVIES: Marzano.

20 MS. McCARTY: Marzano. Maslow. We
21 believe in Maslow, too. He's coming back from the
22 grave. Oh, gee.

23 Marzano. He's really doing a lot of
24 breakthrough work in how to assess behavior and how
25 to assess happiness, how to assess attitude toward

1 your work. Because we know that that all matters at
2 the end of the day to a grade.

3 And so I -- I believe that we have some
4 way of -- you know, some of it is gut feel on great
5 teachers' part. But we have a better and better way
6 of assessing those kinds of things.

7 And I think, by the time renewal comes up,
8 I'll bet that we have adopted, you know, statewide,
9 at least, and maybe nationally, on how to assess
10 behavioral. Because, as Commissioner Gant pointed
11 out, you know, how can we only concentrate on math
12 and science and get a Bernie Madoff at the end of
13 the day? We need to look at what all is going on
14 with that child and empower them to know that the
15 happiness is inside of them and not on the outside,
16 because they're not going to maybe find happiness or
17 help.

18 You know, you were talking about the rural
19 communities. I've been in some of those families,
20 and it's pretty hard to find somebody that's going
21 to be an advocate for that child. And so the child
22 has to become an advocate for themselves. And they
23 have to be wanting to learn and wanting more so that
24 they seek out those other advocates. And that's
25 what we're about.

1 COMMISSIONER SHEARMAN: I think I've
2 articulated to you the words that I'm not sure how
3 to measure that, how you prove that --

4 MS. McCARTY: Okay.

5 COMMISSIONER SHEARMAN: -- and so forth.

6 MS. McCARTY: Okay.

7 COMMISSIONER SHEARMAN: On Page 68, you
8 define several groups of employees. And you say, "A
9 volunteer employee is a person who is providing a
10 specific and previously identified service to the
11 school, either independently or through an
12 organization."

13 How would you foresee using a volunteer
14 employee in this school?

15 MS. McCARTY: Well, you know, I consider
16 anybody that works at StarShine an employee, even if
17 they're not paid. One of the things that I believe
18 strongly in, and I think it's supported across the
19 board with StarShine, is the amount of community
20 involvement that has got to be there. There are
21 many, many people that are very open and ready to be
22 an advocate for a child or for a classroom. And so
23 we use a lot of volunteers whenever we can.

24 I mean -- and it may be only one time.
25 Maybe as Steve having a rock star teach guitar.

1 Maybe we have a very noteworthy theater expert from
2 New York, and she's a full-time volunteer. She
3 doesn't get paid.

4 So, you know, maybe it's just the way that
5 I, personally, look at people that are involved.
6 Whether they're getting paid or not, they're still
7 very important to the whole organization, and
8 they're treated just like employees.

9 DR. DAVIES: Volunteers also bring a lot
10 of excitement to the school. Volunteers are able to
11 tell stories and do things that few teachers are
12 able to do.

13 I was just talking to somebody just
14 yesterday evening who is a prominent musician in the
15 area, and he said he'd be very happy to come into
16 the school and teach music appreciation and sit with
17 the kids and play examples of music from the '30s
18 and the '40s and the '50s, and all the way through
19 the '90s, classical music, any kind of music, so
20 they can become familiar with those. And he can
21 tell it in a way that's very exciting and in a way
22 that very few teachers would be able to do.

23 MS. McCARTY: He was a volunteer for a
24 really long time to get the kids excited about
25 quantum physics, because there's hardly anything

1 that turns him on more than talking about quantum
2 physics. So when he got around the high school
3 kids, he had all the kids talking about Fibonacci
4 numbers and quantum physics. And it was because he
5 was so excited.

6 So there are a lot of people that are
7 retired, and they want to give back. We've heard a
8 little bit of it.

9 COMMISSIONER SHEARMAN: Thank you. I'm
10 looking at your staffing plan, starts on Page 67. I
11 read you're planning on having a 12-to-1
12 student-teacher ratio. And it would appear to me,
13 with a 12-to-1 student-to-teacher ratio, and
14 400 students, that you will need 33 teachers. On
15 your staffing plan, you have 13-and-a-half. And on
16 your budget, you have 14-and-a-half.

17 MS. McCARTY: I thought there were
18 33 teachers.

19 THE CHAIR: If you have 14-and-a-half,
20 that averages out to a yearly salary of \$37,586,
21 which, in New Mexico, is still a Level 1 teacher.
22 I'm wondering, what about those 33 teachers?

23 MS. McCARTY: I'm a little bit stumped,
24 because our CFO, who put that together with us and
25 who worked with several people in New Mexico -- I

1 thought there were 33 teachers on there. I mean, I
2 was even reading it this morning, and I thought
3 there were 33 teachers in there.

4 But I -- you know, I can only say we would
5 be compliant to the State. One of the things that I
6 realized last year and this year is that you really
7 have to -- one of the first people you have to hire
8 here is a very highly qualified business manager
9 that really understands New Mexico finance, because
10 it is -- I mean, I have a financial background. You
11 know, I was a commercial banker, and I was a
12 mathematician. And I have gone over this and over
13 this. And I continually just don't see some little
14 thing.

15 And he's a CPA in Arizona and our CFO in
16 Arizona who put this together. And I said, "We need
17 to get some people in New Mexico to make sure we've
18 got this right." So I'm a little bit stumped. I
19 thought it was right.

20 COMMISSIONER SHEARMAN: Well, I've -- I'm
21 with you. The math tells me 33. The written
22 staffing plan says 13-and-a-half. The budget says
23 14-and-a-half.

24 MS. McCARTY: I just don't know. We went
25 over it 50 times, so --

1 COMMISSIONER SHEARMAN: And I'm glad you
2 brought up the business manager, because I notice in
3 your budget you have \$30,000 for a business manager.
4 I'm a little concerned about that. Most business
5 managers that we've seen in other applications
6 through the years, it starts at \$50,000.

7 MS. McCARTY: Yeah. We talked that over
8 with several people in New Mexico as well. And with
9 400 kids, nobody thought we needed a full-time
10 business manager. They all thought it would be more
11 like three-quarter time. And we don't have any
12 aspirations to grow over -- I mean, maybe max, 425,
13 or something like that. But we really are -- our
14 model is what it is, and we want to keep it small
15 and very individualized.

16 COMMISSIONER SHEARMAN: Okay. Thank you.

17 THE CHAIR: Thank you, Commissioner
18 Shearman. Commissioner Lopez.

19 COMMISSIONER LOPEZ: Hi. I do have to say
20 that I was distressed when I saw whole sections of
21 the McCurdy application copied in your application
22 and the name "McCurdy" not even changed. And as
23 educators, you would have found that unacceptable
24 with students.

25 And we have to -- to quote my colleague

1 here -- we have to vote on what we have in front of
2 us. And what we have in front of us is "McCurdy
3 School will....," "McCurdy school will..." on Page 71
4 and 72 in the application. So that was -- that was
5 a little bit --

6 MS. McCARTY: One of my philosophies in
7 life is not to reinvent the wheel. And when I
8 see -- I got to know some of the people at McCurdy.
9 And I really thought -- they were very much like we
10 are in Phoenix in that they use a lot of the same
11 type of curriculum. They have some of the same
12 philosophies we do about the whole child.

13 And when I went through their
14 application -- last year, I think was the first time
15 I met them -- I said, "Do you guys mind if we
16 actually use some of the way you described how you
17 met your application?" And they said, "Absolutely
18 not."

19 I mean, I'm like that, too. If anybody
20 wants to use any of our stuff, we have most of it on
21 the Internet. People can cut and paste it, because,
22 to me, at the end of the day, we're all about
23 excellence. And we're learning what excellence is
24 almost every single day.

25 And so we used some of the McCurdy file.

1 I know -- I saw those mistakes on those two pages.
2 But we -- we probably are -- well, I shouldn't say,
3 you know, an exact replica of. But they believe a
4 lot of the same philosophies that we do. And so do
5 most mothers. I mean, you know, at the end of the
6 day, you're just trying to serve the needs of the
7 kids that are in front of you.

8 And I learned the hard way last year that
9 it wasn't our reputation that was so much at stake
10 here; it was the way we read the application. So I
11 wanted to get it right. And we spent a lot of time
12 and a lot of thought as to what everyone is looking
13 for in that application, how that aligns with how we
14 actually do it on the ground.

15 So I appreciate your bringing that up. It
16 was --

17 COMMISSIONER LOPEZ: On outreach -- on
18 student recruitment, you know, I appreciate that you
19 went to visit in the neighborhood; I do. I would
20 have liked to see you at the Boys and Girls Club.
21 Lisa is here and had a lot of connections with
22 Warehouse 21. But there's YouthWorks; there's other
23 places in town. So a comment, I would have
24 appreciated that.

25 MS. McCARTY: Going to those --

1 COMMISSIONER LOPEZ: Yeah. Those are the
2 places where those kids have a high chance of ending
3 up in prison, frankly. And from what I hear you
4 saying, those are the kids you wanted, you want to
5 affect. And so the recruitment was -- you know,
6 just makes me even a little bit nervous. Thank you,
7 Mr. Chair.

8 THE CHAIR: Thank you, Commissioner Lopez.
9 Commissioner Gant.

10 COMMISSIONER GANT: Hi. Going back to
11 Commissioner Lopez' first comment, it just -- when I
12 saw that, I said, "What would you do, as a teacher,
13 if someone -- if a student copied another student's
14 paper and handed it in as his or her own?"

15 MS. McCARTY: Well, I care a lot about
16 ethics. And we care a lot about teaching the kids
17 ethics. We also teach them that there's a whole
18 bunch of stuff to learn from the Internet. And that
19 if you can learn from cutting and pasting and
20 putting things together, as long as you get the
21 permission, it's probably a good way to go. Because
22 we can learn from each other.

23 I totally agree with you on copying as
24 your own work or writing a book and it not being
25 mine. But I also want the kids to learn from

1 others. And I want them to partner with people that
2 they think -- I think McCurdy's will be very good
3 friends of ours, and -- as well as some of the other
4 districts and some of the other charter schools.

5 You know, most of the people that I have
6 ever met in education care about kids. And however
7 they can put it together to help each other, we all
8 hold hands.

9 So I got permission to use that. And --
10 you know, I'm sure we'll do more and more together.

11 COMMISSIONER GANT: I just didn't see a
12 reference that said, "I did that." We'll move on to
13 something else.

14 (Thunder.)

15 MS. GUTIERREZ: Seems to be telling you
16 something.

17 THE CHAIR: It happened after every one of
18 Commissioner Gant's sentences.

19 COMMISSIONER GANT: All right. As I
20 understand, you're going to start the school next
21 year, if granted. Four hundred students. And it
22 says in here, "By the third year of operations, the
23 school will maintain an attendance rate of
24 95 percent." Why are you waiting so long?

25 MS. McCARTY: It takes about a year, year

1 and a half, to culturalize kids that are used to not
2 being self-sufficient. You can see, within a couple
3 of weeks of a new child coming in and being, you
4 know, told that they have to be self-accountable,
5 that this is a school that doesn't baby-sit. We're
6 going to help them all along the way, but we're not
7 going to baby-sit.

8 We -- it takes a while to get that kind of
9 an attendance. I think most schools don't have that
10 kind of attendance, no matter what type of person
11 they reach out to, but especially when you're
12 working with a lot of high-risk kids who have not
13 been very self-disciplined, and, in some cases,
14 neither are their parents. They may, you know, come
15 in two hours late because they think that's okay
16 because the kid wanted to sleep in.

17 The thing -- the two things that we teach,
18 the very first -- the very first thing that will
19 dictate your success or not is self-discipline,
20 period. Second thing is getting along with others.
21 If you don't get those two things right, forget
22 anything else.

23 And what we do consistently is talk about
24 how important attendance is. Now, we have -- we
25 have a relationship with a company by the name of

1 SPARK, that has -- is working with a lot of schools
2 in the U.S. And it's to try to help kids come at
3 zero hour. So they come at 7:00 and they get fed,
4 and they play, and they do some things that make
5 them want to come to school. And we incentivify them
6 in playing these games and doing some other things
7 and get something extra, you know, guitar lessons or
8 whatever.

9 But you can watch the kids that have been
10 at StarShine in the past. After about a year, year
11 and a half, they just start kind of humming. I
12 mean, they start doing things to really empower
13 themselves. But before that, we have to really work
14 with them pretty hard. And with the parents.

15 I mean, the parents, some of them don't
16 understand that it's an important thing to teach
17 your child to show up on time. They've never done
18 it. They don't see why it's important. They think
19 that if they get there sometime in the morning, it's
20 good enough. Some of the kids come in on their
21 parents' bike, and their parents are tired and they
22 don't want to get up. So it's a whole family
23 process. It takes a while.

24 COMMISSIONER GANT: So what's going to be
25 your percentage of attendance the first year?

1 Second year?

2 MS. McCARTY: You know, I almost hesitate
3 to tell you this. But when we very first started
4 StarShine ten years ago, the Superintendent of
5 Public Instruction called me and said, "Trish,
6 you've got a 92-percent attendance rate. And I
7 don't know. How are you getting this?"

8 And I thought he was admonishing me,
9 because I came from AT&T, where you had to have
10 100 percent. So I said, "I'm doing the best I can.
11 These kids, some of them are really having a hard
12 time, and we're trying really hard to get them to
13 show up."

14 And he said, "No, Trish," he said. "Right
15 now, Scottsdale is getting 58 percent, and Tempe is
16 getting 63 percent."

17 And I said, "Well, that explains the loss
18 of money in education, because how can you educate a
19 kid that's only there half the time?"

20 So I think attendance is one of the things
21 that is our strong point, and, certainly, the first
22 part of self-discipline.

23 COMMISSIONER GANT: All right. In one of
24 your paragraphs, in the basic -- it's on Page 29.

25 It talks about, "The school will -- "The school will

1 contract license ancillary services specialists,
2 including speech therapists, OTs, PTs, school
3 psychiatrists, psychologists, and diagnosticians."

4 And then I go to your budget. In your
5 budget, I don't see any budget line or money in the
6 budget line for any of these, whether they're
7 salaried or not. I go down to the -- where it would
8 be purchased, those -- those professional folks
9 would be purchased on a contract; there's no money
10 in that line. No --

11 MS. McCARTY: Well, what I understand, and
12 what we do now -- and for 400 kids, this is what you
13 need. We have 200 now. We have a full-time special
14 ed teacher that has a doctorate in special ed. We
15 have a second special ed teacher that also teaches
16 other classes; she has a double major.

17 So in my mind, every child should be
18 treated as a special ed child. That's why we name
19 our -- our personal learning plans ILPs, so it
20 sounds like ELP. And we treat every one of our kids
21 like that.

22 And we learn a lot from the leaders from
23 those backgrounds, because we want to know, What's
24 going on in special ed? How can we do it across the
25 board? And we track them -- I mean, it's a lot like

1 a college tracking system of, really, what do they
2 want, how do they want to get there, and how fast or
3 slow do they need to move through that ILP.

4 And we use special ed as a way to do that
5 and to formulate that plan and continue to. So
6 that's a big hot button for us. I know we discussed
7 it at length for this budget. So I don't know why
8 you can't see it. I -- you know, I would have to go
9 back and ask him. But he's --

10 COMMISSIONER GANT: This is the budget we
11 have to vote on. And on Page 5 and Page 6, there is
12 no money in the budget on any line for a
13 diagnostician, SLPs, OTs, PTs. So I am curious
14 where that money is that -- you know, this makes --
15 to me, it makes the budget incomplete. Okay.

16 I'll go back to the basic document for a
17 couple of more questions.

18 Facilities. You have your facilities.
19 There is a statute that requires that you have your
20 Educational Specifications and your Facilities
21 Master Plan approved by the PSFA prior to 1 July.
22 Didn't happen. Did not happen. It wasn't approved,
23 actually, because I talked to the PSFA on Friday.
24 They got the last piece of information from one of
25 your employees in Arizona.

1 MS. McCARTY: It was from me. He asked
2 for some clarification on Friday.

3 COMMISSIONER GANT: And he got the last
4 piece of information. I could look up his name;
5 it's in my e-mail.

6 DR. DAVIES: Mr. Sprick.

7 COMMISSIONER GANT: At that point, he
8 called me. He said, "Commissioner, I have the last
9 piece of information." This was last Friday. That
10 was all supposed to be done prior to 1 July. So can
11 we explain why that didn't happen? I mean, if I
12 may, there are 13 other applications. They all made
13 it. So I'm just curious why StarShine did not.

14 MS. McCARTY: When we read the
15 specifications for the facilities management and we
16 put it in the original report, we did not understand
17 that they needed to have a full facility drawing and
18 plans. I mean, we thought -- we read that to say,
19 you know, What do you think you're going to do, but
20 not without -- not with specific plans.

21 I think it was brought to my attention --
22 I can't even remember who called me and said, "We
23 need to have the whole plan."

24 Well, we had it, because we had just done
25 another one just like it. And we were able to put

1 it together, I think, within two days of them
2 telling us that we needed the whole plan. We just
3 had a piece of it. So it wasn't that we ignored it
4 completely. We just didn't think that we had to
5 have the entire plan done.

6 And I said, "It seems kind of
7 hypothetical, because we're wishing. If we don't
8 have a school, how do we know exactly what's going
9 to be on that facility?"

10 But we did the best we could. I think we
11 did -- I mean, we had an actual architect working
12 with us to make sure that the plan was correct. And
13 when I did talk to Mr. Sprick on Friday, he said,
14 "Well, I've approved a plan, so it should be in time
15 for the hearing." And --

16 COMMISSIONER GANT: Well, the State
17 statute stated. The State statute was clear that it
18 had to be done before the application was sent in to
19 the CSD for review.

20 MS. McCARTY: Right. And we thought that
21 that's what we did, based on how we read that. So,
22 apparently -- well --

23 COMMISSIONER GANT: Maybe it would have
24 been appropriate to have somebody on the ground in
25 the State of New Mexico to help you along. That's

1 just --

2 MS. McCARTY: Well, we've had several.

3 COMMISSIONER GANT: Let's see what else.

4 I've read through -- we're missing an organizational
5 chart, a wiring diagram for your personnel -- for
6 your director -- for your director and staff and how
7 they relate to each other and --

8 MS. McCARTY: We had the organizational
9 staff [verbatim], and then we were told this year
10 they weren't going to use the organizational staff
11 [verbatim]. So we took it back out. So, you
12 know --

13 COMMISSIONER GANT: We're just -- we're
14 just looking for complete applications. That's what
15 we're looking for. And that's all we can judge.
16 It's wonderful stories people tell about how great
17 the school is. But we have to live by the statutes,
18 not gut feelings, not warm feelings of the heart.
19 Because, in the end, we have to take care of every
20 kid in the state, not just the 400 kids that go to
21 StarShine. That's all the questions I have.

22 THE CHAIR: Thank you, Commissioner Gant.
23 Are there other questions from Commissioners?

24 COMMISSIONER SHEARMAN: No, sir.

25 COMMISSIONER LOPEZ: No, sir.

1 THE CHAIR: Seeing none, we will move to
2 the closing. Any member of the public, including
3 the applicants, may submit written input following
4 this hearing. Written comments can be sent to the
5 Commission via the Public Education Department main
6 Web site, which is ped.state.nm.us, through the
7 following -- through the following -- wait --
8 through the Calendar listed on the front PED Web
9 page, through the Public Comments section on the PED
10 Web page, or using the link
11 ped.state.nm.us/comments.

12 You will be directed to an e-mail format
13 in which to write your comment. Make sure you
14 identify the school you're commenting on in the
15 drop-down menu.

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

20 I want to thank you for your presentation
21 today and your hard work in preparing your
22 application. This meeting will -- this Commission
23 will now recess the hearing until --

24 COMMISSIONER POGNA: 8:00 tomorrow.

25 THE CHAIR: -- 8:00 a.m. in Albuquerque

1 where we'll resume. Thank you, Commissioner Pogna.

2 We are in recess.

3 (Proceedings in recess at 4:50 p.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 Santa Fe, in the
8 matter therein stated.

9 In testimony whereof, I have hereunto set my
10 hand on August 28, 2012.

11
12
13 _____
14 Cynthia C. Chapman, RMR-CRR, NM CCR #219
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16 201 Third Street, NW, Suite 1630
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