

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

OPEN PUBLIC MEETING

May 22, 2020

9:00 a.m.

CONDUCTED VIA VIDEO TELECONFERENCE

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

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|--------|---|--------|---|
| Page 2 | <p>1 APPEARANCES</p> <p>2 COMMISSIONERS:</p> <p>3 MS. PATRICIA GIPSON, Chair</p> <p>4 MS. TRISH RUIZ, Vice Chair</p> <p>5 MS. KARYL ANN ARMBRUSTER, Secretary</p> <p>6 MR. R. CARLOS CABALLERO, Member</p> <p>7 MR. MICHAEL CHAVEZ, Member</p> <p>8 MR. TIM CRONE, Member</p> <p>9 MS. GEORGINA DAVIS, Member</p> <p>10 MS. SONIA RAFTERY, Member</p> <p>11 MR. DAVID ROBBINS, Member</p> <p>12 MS. GLENNA VOIGT, Member</p> <p>13</p> <p>14 PED STAFF:</p> <p>15</p> <p>16 MR. ALAN BRAUER, Director</p> <p>17 Options for Parents and Families</p> <p>18 MS. KAREN WOERNER, Deputy Director</p> <p>19 Options for Parents and Families</p> <p>20</p> <p>21 MS. BEVERLY FRIEDMAN, PED Custodian of Record</p> <p>22 and Liaison to the PEC</p> <p>23 PEC COUNSEL:</p> <p>24 MS. AMI JAEGER, Counsel to the PEC</p> <p>25 MR. MARK CHAIKEN, Counsel to the PEC</p>  | Page 4 | <p>1 INDEX TO PROCEEDINGS, Continued</p> <p>2</p> <p>3 ATTACHMENTS</p> <p>4 1. Zoom Attendee Report</p> <p>5 2. Chat Transcript</p> <p>6 3. Petition and Letters from Public re MAS</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>  |
| Page 3 | <p>1 INDEX TO PROCEEDINGS</p> <p>2 PAGE</p> <p>3 1 Call to Order, Roll Call, Pledge of Allegiance and 5</p> <p>4 Salute to the New Mexico Flag</p> <p>5 2 Approval of Agenda 7</p> <p>6 3 Open Forum 7</p> <p>7 4 Consent Agenda 87</p> <p>8 5 Report from Options for Parents 89</p> <p>9 and the Charter School Division -</p> <p>10 Discussion and Possible Actions</p> <p>11 6 Discussion and Possible Action on 125</p> <p>12 Amendment Request for Enrollment</p> <p>13 Cap Increase - Mission Achievement</p> <p>14 and Success</p> <p>15 7 Discussion and Possible Action on 217</p> <p>16 PED Exceptions and Waivers for</p> <p>17 Albuquerque Sign Language Academy</p> <p>18 8 Discussion and Possible Action on 239</p> <p>19 Renewal Application Criteria</p> <p>20 9 Discussion and Possible Action on 241</p> <p>21 New Application Criteria</p> <p>22</p> <p>23 10 Discussion and Possible Action on 249</p> <p>24 Charter Contract Amendment Request</p> <p>25 Policies, Timelines, and Forms</p> <p>11 Briefing and Discussion on Continuous 254</p> <p>Learning Plans (CLP) for Charter Schools</p> <p>12 Report from the Chair 261</p> <p>13 PEC Comments 279</p> <p>14 Executive Session 290</p> <p>15 Adjourn 294</p> <p>REPORTER'S CERTIFICATE 296</p> | Page 5 | <p>1 THE CHAIR: So good morning, everyone, and</p> <p>2 thank you for bearing with us as we got everyone in</p> <p>3 that needed to be in. We usually don't have this</p> <p>4 many attendees.</p> <p>5 And this is really only the second time</p> <p>6 we've done this virtually, so virtual doesn't always</p> <p>7 make it easier and quicker. So thanks for bearing</p> <p>8 with us as we get ourselves started.</p> <p>9 But I am going to call this meeting of the</p> <p>10 Public Education Commission to order. And it is</p> <p>11 Friday, May 22nd, and it is 9:09 a.m.</p> <p>12 And, Commissioner Armbruster, will you</p> <p>13 please do roll call?</p> <p>14 COMMISSIONER ARMBRUSTER: Yes.</p> <p>15 Commissioner Robbins?</p> <p>16 COMMISSIONER ROBBINS: Present.</p> <p>17 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>18 Voigt is not quite here.</p> <p>19 Commissioner Armbruster is here.</p> <p>20 Commissioner Davis?</p> <p>21 COMMISSIONER DAVIS: Here.</p> <p>22 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>23 Chavez?</p> <p>24 COMMISSIONER CHAVEZ: Present.</p> <p>25 COMMISSIONER ARMBRUSTER: Commissioner</p> |

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1 Gipson?  
 2 THE CHAIR: Yes, here.  
 3 COMMISSIONER ARMBRUSTER: Commissioner  
 4 Raftery?  
 5 COMMISSIONER RAFTERY: Here.  
 6 COMMISSIONER ARMBRUSTER: Commissioner  
 7 Crone?  
 8 COMMISSIONER CRONE: Here.  
 9 COMMISSIONER ARMBRUSTER: I heard it --  
 10 I'm sorry. I heard a "Here"; is that correct?  
 11 COMMISSIONER CRONE: Yes.  
 12 COMMISSIONER ARMBRUSTER: Okay. Sorry.  
 13 It's not -- you know.  
 14 Commissioner Ruiz?  
 15 COMMISSIONER RUIZ: Present.  
 16 COMMISSIONER ARMBRUSTER: Commissioner  
 17 Caballero?  
 18 COMMISSIONER CABALLERO: In Albuquerque,  
 19 but in view.  
 20 COMMISSIONER ARMBRUSTER: Okay. That's  
 21 fine. But I can't see all these people right now.  
 22 So we have nine Commissioners here. We have a  
 23 quorum.  
 24 THE CHAIR: Thank you.  
 25 We're now going to move on, and I'm going

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1 to ask Commissioner Crone to lead us in the Pledge  
 2 of Allegiance and Commissioner Caballero in the  
 3 Salute to the New Mexico Flag.  
 4 (Pledge of Allegiance and Salute to the  
 5 New Mexico Flag conducted.)  
 6 THE CHAIR: Okay. That was slightly  
 7 funky, but that's okay.  
 8 We are now on to Item No. 2, which is the  
 9 approval of the agenda. And I think -- I don't have  
 10 any changes to it.  
 11 COMMISSIONER RUIZ: Madam Chair, I make a  
 12 motion to approve the agenda.  
 13 COMMISSIONER ROBBINS: Second.  
 14 THE CHAIR: There's a motion by  
 15 Commissioner Ruiz, a second, I believe, by  
 16 Commissioner Robbins.  
 17 COMMISSIONER ROBBINS: Yes.  
 18 THE CHAIR: All in favor?  
 19 (Commissioners so indicate.)  
 20 THE CHAIR: Opposed?  
 21 (No response.)  
 22 THE CHAIR: Hearing no opposition, the  
 23 motion passes.  
 24 We are now on to Item No. 3, which is the  
 25 Open Forum. And I want to thank everyone who has

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1 participated in this in a number of ways.  
 2 Originally, when we scheduled the meeting  
 3 last week, we did not feel that we had capacity to  
 4 hear people during normal Public Forum; so we had  
 5 offered the opportunity for people to submit e-mails  
 6 and they would be read.  
 7 Then, unfortunately, we had to reschedule  
 8 that meeting. And in that time frame, Karen worked  
 9 out a way that we would be able to actually hear  
 10 people during this meeting.  
 11 So we did change that. But because the  
 12 change occurred and we had to reschedule, we felt  
 13 that the fairest thing to do would be to allow folks  
 14 to participate one way or the other, so that anyone  
 15 who submitted a letter for public comment who has  
 16 now signed up to speak today, your letter will not  
 17 be read because you are going to speak today.  
 18 In addition, Ms. Mitchell communicated  
 19 with all of the Commissioners with attachments of 11  
 20 or 12 letters, plus a petition. And because all  
 21 Commissioners had two evenings to look at those  
 22 letters, those individuals will not be heard today,  
 23 because your letters have, in fact, been read by the  
 24 Commissioners.  
 25 And the petition as well will not be read,

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1 because it was not only attached to the e-mail that  
 2 went out to all Commissioners, it is also populated  
 3 in our materials for today's meeting, so that  
 4 Commissioners have had two opportunities to look at  
 5 that.  
 6 So I hope that is clear and there is --  
 7 the sign-up for Public Forum has now ended. But I  
 8 think the easiest thing to do is to start with those  
 9 folks that want to speak.  
 10 So, Karen -- oops. And I got bounced off.  
 11 Sorry. I got bounced out for a second.  
 12 MS. KAREN WOERNER: Are you going to call  
 13 the name and I add them as you call them? How are  
 14 you going to handle it, Madam Chair?  
 15 THE CHAIR: So, do I have a list that's  
 16 separate?  
 17 MS. BEVERLY FRIEDMAN: Yes, I have a list.  
 18 THE CHAIR: Okay. So I don't have that  
 19 list. Bev's going to have to call them out.  
 20 MS. BEVERLY FRIEDMAN: All right.  
 21 MS. KAREN WOERNER: How -- are you  
 22 dividing time or anything? Do we have to time?  
 23 THE CHAIR: No, because people didn't know  
 24 we would divide time, so I think the fairest thing  
 25 to do is to just let people speak. It's our time

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| <p style="text-align: right;">Page 10</p> <p>1 more than it's their time.<br/> 2 MS. KAREN WOERNER: And do you limit each<br/> 3 speaker or no?<br/> 4 THE CHAIR: Hold on.<br/> 5 Karen, I'm sorry. I just -- my screen<br/> 6 keeps going out, and I don't know why. I would<br/> 7 respectfully ask people to keep their comments to a<br/> 8 minute, two minutes at the most. And that's a lot.<br/> 9 A minute.<br/> 10 MS. KAREN WOERNER: You want Bev or I to<br/> 11 time that, then?<br/> 12 THE CHAIR: I think if it goes over two,<br/> 13 people should get a warning.<br/> 14 MS. KAREN WOERNER: So, Bev, do you have<br/> 15 time stuff to do --<br/> 16 MS. BEVERLY FRIEDMAN: Yeah. Yes, I do.<br/> 17 THE CHAIR: I can do that. I can set my<br/> 18 timer --<br/> 19 MS. BEVERLY FRIEDMAN: Okay.<br/> 20 THE CHAIR: -- if you want.<br/> 21 MS. BEVERLY FRIEDMAN: That'll be fine.<br/> 22 Our first speaker is -- and please excuse<br/> 23 me if I mispronounce your name -- Orese Fahey.<br/> 24 MS. KAREN WOERNER: Hold on one second.<br/> 25 So I'm going to add her to the group.</p>  | <p style="text-align: right;">Page 12</p> <p>1 have been created by MAS.<br/> 2 Due to MAS's administration not showing an<br/> 3 intention to create a viable and safe solution for<br/> 4 pickup and drop-off on their school property, the<br/> 5 parents who drive to and from MAS every day are<br/> 6 forced to fend for themselves. They wait in long<br/> 7 lines of cars. They often park illegally. They<br/> 8 speed up and down residential streets.<br/> 9 The students run across congested streets<br/> 10 to get to their parents' cars, and residents in our<br/> 11 neighborhood can often not get out of the<br/> 12 neighborhood when school is at its peak traffic.<br/> 13 Some of the MAS students are there<br/> 14 11 hours a day. They arrive before 7:00 a.m.; they<br/> 15 leave at 6:00 p.m., which means that traffic parking<br/> 16 and safety issues in our area just persist all day<br/> 17 long.<br/> 18 MAS has not devoted time, energy, and<br/> 19 money to solving their unchecked growth in traffic<br/> 20 because they can't solve this problem on their<br/> 21 existing site. So their so-called solution has been<br/> 22 to annex areas around the school without obtaining<br/> 23 permission from either the City or privately owned<br/> 24 land in our neighborhood.<br/> 25 A few examples of their annexation is that</p>  |
| <p style="text-align: right;">Page 11</p> <p>1 Orese, can you hear us? You can unmute<br/> 2 yourself.<br/> 3 FROM THE PUBLIC: Okay.<br/> 4 MS. KAREN WOERNER: And you are welcome to<br/> 5 share your comment.<br/> 6 FROM THE PUBLIC: Thank you. Good<br/> 7 morning, and I appreciate the opportunity to voice<br/> 8 our neighborhood's concerns regarding Mission<br/> 9 Achievement and Success's request to have their<br/> 10 enrollment cap removed.<br/> 11 Our neighborhood opposes MAS's request to<br/> 12 add 465 more students to their enrollment. And we<br/> 13 have noticed that MAS's administration has been<br/> 14 vigorously advertising their school on billboards in<br/> 15 our area and in the South Valley in an effort to<br/> 16 recruit yet more students.<br/> 17 The principal and board president of<br/> 18 Mission Achievement and Success Charter School have<br/> 19 refused to partner with Victory Hills Neighborhood<br/> 20 Association, Clayton Heights Neighborhood<br/> 21 Association, the Loma Linda Traffic Coalition, our<br/> 22 city councilor and our traffic engineer, City<br/> 23 traffic engineer. All of these entities have<br/> 24 devoted countless volunteer hours in an effort to<br/> 25 solve the safety, traffic, and parking issues which</p> | <p style="text-align: right;">Page 13</p> <p>1 they use the community center parking lot next to<br/> 2 them. They use Marriott Residence Inn parking lot.<br/> 3 They use an alley behind our neighborhood, and so<br/> 4 on, with cars all over the area both parking and<br/> 5 queuing up to wait for their students.<br/> 6 And our question is, is adequate square<br/> 7 footage the only criteria that the State considers<br/> 8 to remove a charter school enrollment cap? And does<br/> 9 anyone in the PED or the PEC physically visit the<br/> 10 school site and assess whether the square footage<br/> 11 numbers are adequate or accurate?<br/> 12 And, now, because of COVID-19, we know<br/> 13 that schools, if anything, should be decreasing<br/> 14 enrollment to create more space for the students if<br/> 15 social distancing is required.<br/> 16 The Centers for Disease Control and<br/> 17 Prevention have recommended that schools aim for a<br/> 18 density of one student per 113 square feet. And I<br/> 19 can't imagine MAS's current facility being able to<br/> 20 accommodate their current enrollment of<br/> 21 1,120 students in their existing facility.<br/> 22 And, of course, to increase the enrollment<br/> 23 by 465 students also means those students' parents<br/> 24 and their cars, more teachers and their cars, and<br/> 25 added school buses going through our area.</p> |

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| <p style="text-align: right;">Page 14</p> <p>1 (Commissioner Voigt joins meeting.)<br/> 2 FROM THE PUBLIC: We are asking that the<br/> 3 MAS administration be denied their request to add<br/> 4 465 more students, as I have said. And we would<br/> 5 like to insist that the PEC help MAS work with the<br/> 6 City traffic engineer and the neighborhood<br/> 7 associations to solve all of these problems.<br/> 8 And there are many simple solutions which<br/> 9 we have written in depth; so I won't go through that<br/> 10 here, of course. And we would like to have the<br/> 11 bigger picture of what increased enrollment will<br/> 12 really mean to the entire area. The integrity of<br/> 13 our neighborhood needs to be protected so that all<br/> 14 who live here, work here, and go to school here --<br/> 15 and that means MAS -- need to be protected and feel<br/> 16 that they are safe and secure.<br/> 17 And it states on the PED website that a<br/> 18 charter's application may be denied if the<br/> 19 application is contrary to the interest of the local<br/> 20 community. And, of course, I would like to state<br/> 21 that in the way that MAS is currently operating, it<br/> 22 is not in the best interest of our local community.<br/> 23 Our neighbors are saying, "No más to MAS."<br/> 24 Adding 465 more students will be adding insult to<br/> 25 injury as far as our local community of homes and</p> | <p style="text-align: right;">Page 16</p> <p>1 I have been an educator for over 20 years.<br/> 2 My first experience working with a charter school<br/> 3 organization has been with MAS. I have never in my<br/> 4 life seen anything like this school.<br/> 5 School choice is so important. We have to<br/> 6 remember that a one-size-fits-all education<br/> 7 absolutely does not work. Some kids simply do not<br/> 8 excel in public school, and they deserve to have<br/> 9 multiple options. So why should we allow MAS to<br/> 10 expand?<br/> 11 We serve severely underserved students.<br/> 12 It would give more of them three meals a day, help<br/> 13 parents, as our building is open from 7:30 to 6:00.<br/> 14 Our students are not burdened with having to buy any<br/> 15 school supplies. They are given uniforms. And I<br/> 16 could go on and on.<br/> 17 In addition to all the perks, the<br/> 18 education these kids get is absolutely phenomenal.<br/> 19 Our teachers are highly trained in their field and<br/> 20 receive extensive professional development to make<br/> 21 sure we stay up with all the research on what is<br/> 22 best for kids.<br/> 23 When you can grow a 15-year-old's reading<br/> 24 level from second grade to being on level with the<br/> 25 support our school has in a matter of months, that</p> |
| <p style="text-align: right;">Page 15</p> <p>1 businesses is concerned.<br/> 2 Thank you for your time.<br/> 3 THE CHAIR: Thank you.<br/> 4 MS. KAREN WOERNER: So, Orese, I'm going<br/> 5 to move you back to the attendees.<br/> 6 FROM THE PUBLIC: Thank you.<br/> 7 MS. KAREN WOERNER: And, Commissioner --<br/> 8 Madam Chair, Commissioner Voigt has joined the<br/> 9 meeting.<br/> 10 THE CHAIR: Yes, I see that. Thanks.<br/> 11 MS. BEVERLY FRIEDMAN: Okay. Our next<br/> 12 speaker is Tennise Lucas.<br/> 13 MS. KAREN WOERNER: What was the first<br/> 14 name? I'm sorry.<br/> 15 MS. BEVERLY FRIEDMAN: Tennise,<br/> 16 T-E-N-N-I-S-E.<br/> 17 MS. KAREN WOERNER: Tennise. Thank you.<br/> 18 Tennise, I'm promoting you to the<br/> 19 panelists so that you can speak. You will have to<br/> 20 unmute yourself.<br/> 21 FROM THE PUBLIC: All right. Can you hear<br/> 22 me?<br/> 23 MS. KAREN WOERNER: Yes.<br/> 24 FROM THE PUBLIC: Awesome. Thank you so<br/> 25 much. Good morning.</p>  | <p style="text-align: right;">Page 17</p> <p>1 is saying something.<br/> 2 The passion our leaders and teachers have<br/> 3 trickles down to the students. We had 100 percent<br/> 4 of high school students online during this time. I<br/> 5 am sure many schools cannot say that.<br/> 6 So please let us enroll more students.<br/> 7 Don't take an opportunity away from them. Thank you<br/> 8 for your time.<br/> 9 MS. KAREN WOERNER: Thank you, Tennise.<br/> 10 I'm going to move you back to the attendees so you<br/> 11 can continue to listen to the meeting.<br/> 12 Next one, Bev?<br/> 13 MS. BEVERLY FRIEDMAN: The next speaker is<br/> 14 Rocio Hernandez. R-O-C-I-O.<br/> 15 MS. KAREN WOERNER: Okay. Rocio, I'm<br/> 16 promoting you to panelist, and you will have to<br/> 17 unmute yourself, please.<br/> 18 FROM THE PUBLIC: Hello. Good morning.<br/> 19 MS. KAREN WOERNER: Good morning.<br/> 20 FROM THE PUBLIC: My name is Rocio<br/> 21 Hernandez. I am the mother of two. Currently, only<br/> 22 one of my both two children are enrolled at MAS.<br/> 23 And one of my children is enrolled in APS.<br/> 24 So I am a parent, and I can attest that<br/> 25 MAS helps our lower performing students improve.</p>  |

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1 Both -- my child entered to MAS as a  
2 first-grader. Due to him being very low performing,  
3 we did speak together with MAS, and we decided to  
4 hold him back. At the end of kindergarten, Mateo  
5 was performing at the level he was supposed to be  
6 performing for a kindergarten, and reaching  
7 first-grade level.

8 Mateo now is at the end of his first-grade  
9 year, and he is testing at a second-grade level. He  
10 is performing immensely well compared to his sister.

11 His sister is in a current public school  
12 system. She is in fourth grade and has had many  
13 issues throughout the year. Due to the high demand  
14 for MAS, MAS hasn't -- Jocelyn has not been able to  
15 be enrolled. She's been put on the wait list for  
16 three years now.

17 This year going into fifth grade, she has  
18 also been put on the wait list because there is no  
19 space for her to be enrolled.

20 MAS has helped our family immensely, and  
21 it has been a true blessing. They have -- they  
22 provide school uniforms for the children. They  
23 provide school supplies for the children. They have  
24 an amazing before- and after-school program. Not  
25 only does that before- and after-school program

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1 and many more families, especially now in this  
2 pandemic.

3 And just to end here, I just wish I had  
4 more time to tell you the complete story of our  
5 family and why we support this school as much as we  
6 do. I implore you that you let MAS expand. That  
7 way more families can benefit from the school and  
8 children can get the education they deserve.

9 Also I want to bring up that there was  
10 more than 2,000 signatures for the extension from  
11 the community. And I'm just a little disappointed  
12 that we're not allowing the letters to be read,  
13 because I know there's been many letters submitted  
14 to this committee.

15 I want to thank you, the PEC, for allowing  
16 me to speak today. I hope you have a great day.

17 THE CHAIR: Thank you.

18 MS. BEVERLY FRIEDMAN: The next speaker  
19 is, I believe, Cesar David Rios. Rivas? But I'm  
20 not sure if you wanted to speak or not. If you are  
21 still in the audience, let us know if you want to  
22 speak.

23 Okay. I'm not hearing from you, so I  
24 assume you're not.

25 The next speaker is Charles Fenning.

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1 offer meals for my children so I know that when I  
2 drop off my son, he is taken care of, I am never  
3 worried about him not being safe or of the traffic  
4 around the area.

5 I know that is an issue that many -- I  
6 understand why people can be concerned. But I know  
7 MAS has worked hard as to finding solutions for that  
8 in constant communication with the parents.

9 Another thing I did want to bring up is  
10 that Jocelyn, this year, has been in -- always been  
11 in APS. This year, with speaking with her teacher,  
12 she has decided to go back to fourth grade to help  
13 her, and she is going to be entering MAS because  
14 they have openings for fourth grade.

15 When I spoke with my daughter and told her  
16 that she can either go to fifth grade in APS or do  
17 fourth grade again for MAS, she decided, in that  
18 second instant, she would rather do another year  
19 at -- a fourth-grader at MAS than do another year at  
20 APS.

21 MAS cares about their community and their  
22 students. They have an amazing before- and  
23 after-school program. They provide meals for  
24 students in this program. They have a food pantry  
25 every month. And I know that has helped my family

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1 MS. KAREN WOERNER: Bev, Cesar is added,  
2 but he has to unmute to let us know if he wants to  
3 speak.

4 FROM THE PUBLIC: Yes. I'm not planning  
5 on speaking. I'm here to support MAS.

6 MS. KAREN WOERNER: Thank you very much.

7 FROM THE PUBLIC: Thank you.

8 MS. KAREN WOERNER: So what was the next  
9 one, Bev?

10 MS. BEVERLY FRIEDMAN: The next one is  
11 Charles Fenning.

12 MS. KAREN WOERNER: Thank you. Charles,  
13 you're being moved to panelist. And if you can  
14 unmute yourself, you are welcome to speak.

15 FROM THE PUBLIC: Okay. Can you hear me  
16 okay now?

17 MS. KAREN WOERNER: Yes, Charles.

18 FROM THE PUBLIC: Okay. My issue mainly  
19 has to do with students who have any kind of special  
20 needs or any kind of special learning disabilities.

21 We have four students, all of whom  
22 attended MAS. And three of them did quite well, one  
23 of whom, though -- he had a bit of an issue. And  
24 most of his issue wasn't with the academic learning;  
25 it was more with behavioral.

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| <p style="text-align: right;">Page 22</p> <p>1 And we talked to many of the people there.<br/> 2 We talked to the -- the head of the special<br/> 3 education department. We talked to vice principals;<br/> 4 we talked to deans.<br/> 5 Their main mode of operation for any kid<br/> 6 who is an issue is to suspend them, is to take them<br/> 7 out of the class, is to not allow them to attend, is<br/> 8 to have the parent come in and try to step in.<br/> 9 And my wife, because I work out of town,<br/> 10 she was the one who ended up having to take off of<br/> 11 work and come in for him quite often. I mean, from<br/> 12 October to January, he was suspended over<br/> 13 25 different times because of behavior issues in the<br/> 14 class.<br/> 15 It took forever for us to be able to get<br/> 16 an IEP and to be able to go through the SAT process.<br/> 17 And in the middle of that, in the middle of the SAT<br/> 18 process, one of the vice principals actually<br/> 19 scheduled us for an expulsion hearing, for a<br/> 20 first-grader.<br/> 21 Most of the time when we tried to deal<br/> 22 with them, all we heard, especially from the special<br/> 23 education department, was that they do not have the<br/> 24 resources -- they don't have the resources to deal<br/> 25 with anybody who's an issue. They don't have the</p> | <p style="text-align: right;">Page 24</p> <p>1 That's all I have.<br/> 2 THE CHAIR: Okay. Thank you very much.<br/> 3 MS. KAREN WOERNER: Our next speaker is<br/> 4 Emily van Dyck.<br/> 5 Emily, you've been added as a panelist.<br/> 6 Please unmute yourself so you can speak.<br/> 7 FROM THE PUBLIC: Good morning.<br/> 8 MS. KAREN WOERNER: Good morning.<br/> 9 FROM THE PUBLIC: We have worked very hard<br/> 10 over our course of distance learning this year to<br/> 11 ensure, like Ms. Lucas mentioned earlier, the<br/> 12 100 percent participation online, including reaching<br/> 13 out to families to ensure that they have supplies<br/> 14 and support that they need during this time.<br/> 15 We have been met with a gracious support<br/> 16 from the public, signing our petition for<br/> 17 2,000 signatures. And we would love to be able to<br/> 18 serve more students at our school to support more<br/> 19 families throughout the community.<br/> 20 Thank you.<br/> 21 THE CHAIR: Thank you.<br/> 22 MS. BEVERLY FRIEDMAN: Our next speaker is<br/> 23 Chris Eide.<br/> 24 MS. KAREN WOERNER: Chris, you've been<br/> 25 promoted to panelist. Please unmute yourself to</p>  |
| <p style="text-align: right;">Page 23</p> <p>1 resources to deal with anybody who has a special --<br/> 2 a special problem.<br/> 3 And to me, adding 400-and-something extra<br/> 4 students is not going to increase that. It's not<br/> 5 going to help them to get the resources that they<br/> 6 need. What it's going to do is going to increase<br/> 7 the chance that they're going to have more students<br/> 8 that are going to have a special situation that need<br/> 9 to be dealt with.<br/> 10 We dealt with lawyers. We talked with<br/> 11 occupational therapists. We talked with other<br/> 12 people who are involved in this -- in this field.<br/> 13 And a lot of times MAS's main mode of operation,<br/> 14 like I was saying, is just to get rid of these<br/> 15 students.<br/> 16 They sit there and they make it very<br/> 17 difficult for a parent to deal and to be able to get<br/> 18 their kid through school. And then after the<br/> 19 120-day mark or whatever it is, whenever they get<br/> 20 that full funding for that student, they -- that's<br/> 21 the point when they try to kick you out.<br/> 22 And that's essentially what they try to do<br/> 23 to us. So, essentially, it's just the special<br/> 24 education needs are very lacking, and I don't think<br/> 25 adding students is going to help that.</p>           | <p style="text-align: right;">Page 25</p> <p>1 give your comments.<br/> 2 FROM THE PUBLIC: Good morning,<br/> 3 Madam Chair, members of the Commission. Thank you<br/> 4 for considering this case. And thank you for those<br/> 5 of you who have accepted our invitations to come and<br/> 6 visit MAS.<br/> 7 We know, as you know, that having over<br/> 8 1,000 families on the wait list for our school over<br/> 9 the past several years demonstrates the type of need<br/> 10 that exists, especially in the South Albuquerque<br/> 11 community. And while we understand, of course, that<br/> 12 there are many types of logistical challenges that<br/> 13 go together with this, that we all believe that<br/> 14 educating our next generation of students,<br/> 15 especially in South Albuquerque, is the most<br/> 16 important thing that we can do.<br/> 17 So we hope to be able to work together<br/> 18 with the neighborhood association, continue to work<br/> 19 together with the neighborhood association and City<br/> 20 Council members who we've worked closely with to<br/> 21 help find solutions for this, because we believe<br/> 22 everybody believes the same thing that we do, that<br/> 23 every single student deserves an excellent<br/> 24 education, and that if we can serve more students,<br/> 25 then it's our obligation to do that.</p> |

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1 It's our hope that you'll consider this  
2 seriously, the cap increase, and that you'll  
3 consider us serious in our vow to continue to work  
4 with the neighborhood association to find solutions  
5 to this problem.

6 Thank you.

7 THE CHAIR: Thank you.

8 MS. BEVERLY FRIEDMAN: The next speaker is  
9 Sonja Sanchez.

10 MS. KAREN WOERNER: Sonja, you've been  
11 added as a panelist. Please unmute yourself.

12 FROM THE PUBLIC: Can you hear me?

13 MS. KAREN WOERNER: Yes.

14 FROM THE PUBLIC: Hello. I am a parent of  
15 Mission Achievement. I have a senior there this  
16 year. We are very excited that she was able to  
17 graduate. She had been to some charter schools in  
18 the past and she was falling behind, and we were  
19 able to transfer over to MAS and catch up her  
20 credits for her to graduate on time, which was a big  
21 blessing.

22 All the other charter schools, the way  
23 they did their credits were a lot different, where  
24 we were going to have to wait a whole other year for  
25 her to graduate. And MAS was willing to take us in

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1 so many students get in, and then they have to  
2 travel to other schools to take their students to.

3 I can't say enough good things about MAS.

4 I think they're a great school. They have the  
5 community. They do have the food pantry. They help  
6 with uniforms. They help less fortunate families.

7 They help with computer and technology and Internet.

8 And they're just a good school.

9 I would hate to see them not be able to  
10 expand. And I -- like I said, I just can't say  
11 enough good things about them.

12 THE CHAIR: Thank you.

13 MS. BEVERLY FRIEDMAN: The next speaker is  
14 Rosa Swonger.

15 THE CHAIR: And while Rosa is coming on, I  
16 want to just clear something up.

17 When I said that the letters that were  
18 sent are not -- are not going to be read, they're  
19 not being read out loud by me today because the  
20 Commissioners have had two evenings in receipt of  
21 those letters. So they have been read by  
22 Commissioners. They're just not going to become  
23 part of the oral document today. And they are  
24 populated into the public comments portion.

25 MS. KAREN WOERNER: Rose, you have been

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1 and help us catch her up with her credits and help  
2 her with dual credits, and she was able to graduate  
3 this year.

4 She has been very successful this year.

5 She has been a mentor to some of her peers. She's  
6 been accepted to over four colleges. She --

7 MS. KAREN WOERNER: You've muted yourself.

8 FROM THE PUBLIC: -- and I know she  
9 wouldn't be able to do that in another school.

10 The letters that aren't going to be able  
11 to be read today is very unfortunate, disheartening,  
12 since that was messages from the MAS community that  
13 would be able to prove why MAS is such a good  
14 school.

15 We got over 2,000 signatures in our  
16 petition -- our community petition that is awesome.

17 I think the school should expand because  
18 other students should be able to get the opportunity  
19 to do what Mia did, and they should be able to excel  
20 the way Mia did.

21 And without the expansion, people would be  
22 on waiting lists. And I have other friends and  
23 family that are on waiting lists that are waiting to  
24 get in the school. And it's just -- it's just hard  
25 for parents to travel from school to school, because

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1 added as a panelist, and you can give your comments.

2 FROM THE PUBLIC: Awesome. Hello, and  
3 thank you guys for allowing me to speak today and  
4 for holding this meeting.

5 We -- this is going to be my third year  
6 with MAS Charter School as an assistant principal.  
7 And I've worked in several schools across my  
8 academic career. And while they have all been great  
9 schools, I feel like MAS really truly, you know,  
10 100 percent, like, makes every single decision that  
11 we make for students. So this enrollment cap is  
12 solely for the needs of our students and our  
13 families.

14 I -- I don't want to take up too much time  
15 because. Like everybody else has said, we could go  
16 on and on and on about how amazing our school is,  
17 what we do to serve our community and our students.

18 But, in particular, you know, specifically  
19 for the enrollment cap, I just want to talk about,  
20 you know, how, through our lottery process, we do  
21 have families who, time and time again, will apply  
22 and apply and apply, and they're not chosen through  
23 the lottery.

24 And while it is incredibly heartwarming  
25 when we, all as a leadership team, as an office



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| <p style="text-align: right;">Page 30</p> <p>1 staff team, as an operational staff team, we all<br/> 2 make these calls to families of, "You've been<br/> 3 accepted, congratulations, you've been accepted to<br/> 4 MAS, do you want to accept your spot at MAS," we<br/> 5 hear so much elation and so much excitement from our<br/> 6 families. We have tears from families. They're so<br/> 7 excited they finally got a spot with our school.<br/> 8 But also on the downside, you hear the<br/> 9 absolute heartbreak every single time we have to<br/> 10 call families and tell them that they did not get<br/> 11 selected this year, they're on the wait list again<br/> 12 this year.<br/> 13 And I hope you've noticed a lot of our<br/> 14 families, a lot of our teachers and our speakers<br/> 15 have gotten incredibly emotional, because it is an<br/> 16 emotional thing, you know. We are the ones who hear<br/> 17 that time and time again. We are the ones who<br/> 18 families appeal to time and time again.<br/> 19 "Do you have a spot yet? Do you have a<br/> 20 spot available yet?"<br/> 21 So this is our chance to tell all of our<br/> 22 families who have applied to our school that, yes,<br/> 23 you have been accepted this time.<br/> 24 So, you know, at the end of the day, all<br/> 25 students, all families have a right to free, quality</p> | <p style="text-align: right;">Page 32</p> <p>1 When I saw my grades, I knew I had to<br/> 2 change. My friend had been coming to MAS. She told<br/> 3 me all about this school. And that's when I decided<br/> 4 to attend here.<br/> 5 Coming here gave me a complete change.<br/> 6 The teachers here are so helpful, nice, and they<br/> 7 always encourage you to do your best. They know<br/> 8 what you are struggling with and will help you out.<br/> 9 There are even teachers who will give up some of<br/> 10 their time after school to help you in a subject<br/> 11 that you are struggling with.<br/> 12 I'm always going to thank those ones who<br/> 13 helped me throughout my school years. My last<br/> 14 school told me I wouldn't graduate with my<br/> 15 classmates. Ms. Mitchell, my principal, caught me<br/> 16 up, and now I was able to graduate and get my<br/> 17 diploma in May of 2019.<br/> 18 Even in greater news is that a couple of<br/> 19 weeks after I graduated, I got a call saying if I<br/> 20 wanted to work for my principal. I totally<br/> 21 accepted, and I work with great satisfaction. As I<br/> 22 saw that this school has helped me, not just in my<br/> 23 grades, but as well, they keep track that you don't<br/> 24 miss school.<br/> 25 So I have my eight-year-old sister in this</p> |
| <p style="text-align: right;">Page 31</p> <p>1 education. And, you know, we, in the educational<br/> 2 field, it is our responsibility to offer them that<br/> 3 choice, and they should get to choose where their<br/> 4 child gets that quality education.<br/> 5 And all of our families want to choose<br/> 6 MAS. So please give them that opportunity to do<br/> 7 that. Thank you.<br/> 8 THE CHAIR: Thank you.<br/> 9 MS. BEVERLY FRIEDMAN: Our next speaker is<br/> 10 Denise Garcia Vega.<br/> 11 FROM THE PUBLIC: Hello. Can you hear me?<br/> 12 MS. KAREN WOERNER: Yes, we can, Denise.<br/> 13 Go ahead.<br/> 14 FROM THE PUBLIC: Hello. Good morning.<br/> 15 Thank you for joining us today.<br/> 16 My name is Denise Garcia. I just want to<br/> 17 say that I am very thankful. This school has done<br/> 18 so much for me.<br/> 19 I started out in the school in 2017 as a<br/> 20 sophomore. My grades were unpleasant [verbatim]<br/> 21 back in my previous school. They paid no attention<br/> 22 to me. I'd raise my hand and they said they will<br/> 23 answer my question later or that they were too busy<br/> 24 to respond and that I should ask a classmate for<br/> 25 help.</p>  | <p style="text-align: right;">Page 33</p> <p>1 school as well. This school is impartial. I love<br/> 2 it, and that's why I'm here to support MAS and its<br/> 3 increasing enrollment. I think every kid should<br/> 4 come to the school. We really look out to the kids<br/> 5 so they have a great education.<br/> 6 As I'm currently working here, our<br/> 7 priority are the kids always. We put all the<br/> 8 attention to the kiddos so they can succeed in life.<br/> 9 Thank you and have an amazing day.<br/> 10 MS. BEVERLY FRIEDMAN: Next speaker is<br/> 11 Patricia Willson.<br/> 12 MS. KAREN WOERNER: Patricia, you have<br/> 13 been added as a panelist. If you would unmute<br/> 14 yourself, you can give your comments.<br/> 15 FROM THE PUBLIC: Thank you very much. I<br/> 16 appreciate the opportunity to speak. I'm<br/> 17 representing myself and also as a board member of<br/> 18 the Victory Hills Neighborhood Association, which is<br/> 19 the neighborhood association in which MAS is<br/> 20 located.<br/> 21 We've had a traffic committee for many,<br/> 22 many years. Back in 2016, we started a traffic<br/> 23 study. And it became apparent that the traffic<br/> 24 issues with MAS were so dramatic, it required a<br/> 25 separate subcommittee that has worked tirelessly to</p>                   |

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| <p style="text-align: right;">Page 34</p> <p>1 try to come up with traffic solutions.<br/> 2 When MAS started in the Pioneer Wear<br/> 3 factory in 2012, it was originally chartered for, I<br/> 4 believe, 672 students. It's almost twice that now.<br/> 5 There has been no -- hardly any attempt to solve<br/> 6 traffic issues in the neighborhood.<br/> 7 I don't live right adjacent to the school.<br/> 8 But am very aware of the problems that people who<br/> 9 live right near there have dealt with. And for many<br/> 10 years, we've just been totally ignored, and so we<br/> 11 would like to see some attention to dealing with the<br/> 12 traffic problems before the enrollment is increased.<br/> 13 Thank you so much.<br/> 14 MS. BEVERLY FRIEDMAN: The next speaker is<br/> 15 Tiffany Cunningham.<br/> 16 MS. KAREN WOERNER: Tiffany, you've been<br/> 17 added as a panelist. You can unmute yourself and<br/> 18 give your comments.<br/> 19 FROM THE PUBLIC: As a teacher and a<br/> 20 parent there, I just wanted to say that MAS is<br/> 21 absolutely committed to solving the neighborhood<br/> 22 problem. I've seen them adjust as we've increased<br/> 23 enrollment throughout the years.<br/> 24 I've been there five years. And I know<br/> 25 that they're willing to work with the community.</p> | <p style="text-align: right;">Page 36</p> <p>1 While positive programs were emerging,<br/> 2 like Scott Mendelsberg's College Now program, it was<br/> 3 clear much work needed to be done, as parents<br/> 4 literally didn't understand the choice they had to<br/> 5 make for their kids.<br/> 6 Magnet schools were on the rise. Small<br/> 7 schools -- school-within-school programs -- excuse<br/> 8 me -- such as careers academies for the<br/> 9 significantly disadvantaged, to include being behind<br/> 10 in grade level, were being developed. However, we<br/> 11 truly knew -- we never truly knew where our students<br/> 12 were coming from.<br/> 13 Significant achievement gaps remained in<br/> 14 safety shortly after the Columbine High School<br/> 15 shooting was profound.<br/> 16 The next profound pit stop in my military<br/> 17 spouse career, now with two kids on my own<br/> 18 journeying into public education system, we found<br/> 19 ourself in a super rural spot in the armpit of<br/> 20 California called Lompoc, California. While the<br/> 21 gang life wasn't as profound, the poverty was still<br/> 22 the same.<br/> 23 Students' families worked in farms and<br/> 24 agricultural fields and often were unavailable, as<br/> 25 they -- if their dependents -- if they were not</p>  |
| <p style="text-align: right;">Page 35</p> <p>1 And, of course, we want to keep everybody safe.<br/> 2 And that's all I want to say. Thank you.<br/> 3 THE CHAIR: Thank you.<br/> 4 MS. BEVERLY FRIEDMAN: Jennifer Prye.<br/> 5 MS. KAREN WOERNER: She had raised her<br/> 6 hand, and she was in a different section of the<br/> 7 list. So wait a second.<br/> 8 There you go, Jennifer.<br/> 9 FROM THE PUBLIC: Awesome. Thank you<br/> 10 for -- thank you for having me today.<br/> 11 My name is Jen Prye, and I am the current<br/> 12 high school assistant principal at MAS.<br/> 13 I also have one of my kids at MAS and one<br/> 14 who is not. I want to take you on journey for a<br/> 15 second around the world in urban education, as both<br/> 16 my career, which many of us would argue is a choice<br/> 17 as an educator, and as a mom, now looking at school<br/> 18 of choice for two young military children.<br/> 19 You'll find MAS stands out for those --<br/> 20 for those lives that are different and need a choice<br/> 21 for parents.<br/> 22 In 2001, as a young athletic trainer and<br/> 23 teacher, I had my first role in urban education in<br/> 24 the heart of southwest gang territory in Denver,<br/> 25 Colorado at Abraham Lincoln High School.</p>  | <p style="text-align: right;">Page 37</p> <p>1 dependents at Vandenberg Air Force Base, which my<br/> 2 two students were.<br/> 3 I had one student who flourished through<br/> 4 elementary school; I had one who struggled. What I<br/> 5 can tell you, both as a parent and as an educator, I<br/> 6 began to experience what school choice meant for<br/> 7 families. From my one son, who thrived with<br/> 8 teachers in a traditional setting, to my<br/> 9 non-traditional son who needed all the movement and<br/> 10 all the structure we could find for him, to my<br/> 11 students who were often by themselves for hours on<br/> 12 end, likely in primary care-givers after school with<br/> 13 parents in the field, I began to wonder what high<br/> 14 structure, high accountability, high support systems<br/> 15 and safe schools look like, not only for me as a<br/> 16 mom, but the students I served as well.<br/> 17 I would also argue that my administration<br/> 18 at Lompoc looked for and exceeded expectations for<br/> 19 the work around a 7:00 to 6:00 program to house safe<br/> 20 students.<br/> 21 My seat capacity was capped in my academy<br/> 22 with a wait list. My son was beginning to lie and<br/> 23 pick fights in the first grade because he was,<br/> 24 quote, unquote, already finished with his work.<br/> 25 As I transitioned from the classroom to</p> |

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| <p style="text-align: right;">Page 38</p> <p>1 full-time administration, I sought a place where I<br/>2 could find a place for not only my own<br/>3 non-traditional kid and pursue my passion in urban<br/>4 education with academic opportunities for everyone.<br/>5 I can tell you MAS is it. Without more<br/>6 seats in the early elementary and middle-school<br/>7 years, we likely will continue to seek ways to<br/>8 support Kenia's, whose letter you have who I<br/>9 respectfully request that the public hear from<br/>10 today, or other students like her.<br/>11 And it's students' lives, like my own son,<br/>12 that we will continue to be vastly different without<br/>13 a school-of-choice model. I can tell you I am truly<br/>14 blessed to not have only a spot for my own child,<br/>15 but who is just wired differently and now thriving.<br/>16 I look forward to serving more students with this<br/>17 enrollment increase as they come to us from middle<br/>18 school and become college-ready.<br/>19 Thank you for your time.<br/>20 THE CHAIR: Thank you.<br/>21 MS. BEVERLY FRIEDMAN: Our next speaker is<br/>22 Emily van Dyck.<br/>23 MS. KAREN WOERNER: Emily, you've been<br/>24 added as a panelist. You can unmute yourself,<br/>25 please.</p> | <p style="text-align: right;">Page 40</p> <p>1 but I can't hear you. Are you there?<br/>2 FROM THE PUBLIC: I am unmuted.<br/>3 MS. KAREN WOERNER: Okay. Now we hear<br/>4 you. Speak loudly. Are you -- make your comments.<br/>5 FROM THE PUBLIC: I just want to take a<br/>6 few moments to thank you all for taking the time to<br/>7 hear us all. We appreciate your valuable time.<br/>8 I haven't been working long at MAS.<br/>9 However, the time that I've been there has shown so<br/>10 much care for the students. As a middle school<br/>11 attendance coach, I have gotten nothing but<br/>12 appreciation from the parents for looking after the<br/>13 safety. Calling them every day, you know, it could<br/>14 be a tedious thing for anybody. But for parents,<br/>15 they appreciate that we are looking after the<br/>16 safety.<br/>17 And if you all decide on this increase for<br/>18 MAS, we would really appreciate it, because it's<br/>19 going to give the opportunity to every single<br/>20 student that needs that chance to learn the good<br/>21 education that they offer.<br/>22 And so it's going to transform their lives<br/>23 to a good future. So, therefore, I am blessed and<br/>24 grateful to be part of this MAS team. Thank you so<br/>25 much for this moment.</p> |
| <p style="text-align: right;">Page 39</p> <p>1 FROM THE PUBLIC: Thank you. I actually<br/>2 already spoke earlier.<br/>3 MS. BEVERLY FRIEDMAN: Oh, you did.<br/>4 Sorry.<br/>5 Our next speaker is Jake Roke [verbatim].<br/>6 MS. KAREN WOERNER: Bev, is it Jay Rake?<br/>7 MS. BEVERLY FRIEDMAN: Rake. Sorry.<br/>8 MS. KAREN WOERNER: Thank you. There's a<br/>9 lot of folks here.<br/>10 MS. BEVERLY FRIEDMAN: Yeah.<br/>11 MS. KAREN WOERNER: Jay, you can unmute<br/>12 yourself and give your comments now.<br/>13 COMMISSIONER CABALLERO: Jay stated that<br/>14 he wasn't going to speak, just --<br/>15 FROM THE PUBLIC: Yeah, I didn't really<br/>16 have any -- I wasn't expecting to speak. But I will<br/>17 just say this while I'm on here.<br/>18 THE CHAIR: Sorry. If you didn't --<br/>19 FROM THE PUBLIC: Thank you. I got it. I<br/>20 didn't expect to speak; so thank you.<br/>21 MS. KAREN WOERNER: Sorry about that, Jay.<br/>22 MS. BEVERLY FRIEDMAN: Sorry.<br/>23 Laura Chavez.<br/>24 FROM THE PUBLIC: Good morning.<br/>25 MS. KAREN WOERNER: Laura, you're unmuted,</p>   | <p style="text-align: right;">Page 41</p> <p>1 THE CHAIR: Thank you.<br/>2 MS. BEVERLY FRIEDMAN: Our next speaker is<br/>3 Angela Vigil.<br/>4 MS. KAREN WOERNER: Angela, you can unmute<br/>5 yourself and give your comments.<br/>6 Angela, we can hear you.<br/>7 FROM THE PUBLIC: Yes. Can you hear me?<br/>8 Good. I'm going to -- here I am.<br/>9 I wanted to, first of all, give you a<br/>10 little bit of background about -- of me. My name is<br/>11 Angela Vigil. My birthday is -- I was born in '59.<br/>12 I came directly from Presbyterian Hospital in 1959<br/>13 to my home where I am currently living. And so I<br/>14 know the neighborhood well, probably too well. But<br/>15 anyway -- no, I'm just teasing.<br/>16 I'm also a teacher. I just completed my<br/>17 38th year. I've taught in both public and charter<br/>18 schools. So I feel, as an educator -- I'm a teacher<br/>19 leader. I'm head of the EWS at Albuquerque High<br/>20 School, Early Warning Systems, which helps kids out,<br/>21 tries to keep kids in school.<br/>22 Enough about me. I will go ahead and, at<br/>23 this point, read my letter.<br/>24 "Public Education Commission Members. I<br/>25 am the vice president of the Victory Hills</p>  |

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| <p style="text-align: right;">Page 42</p> <p>1 Neighborhood Association of which MAS Charter<br/>2 School's property line is within our boundaries.<br/>3 VHNA has made multiple attempts to meet with and<br/>4 invite the MAS administration, the MAS board, MAS<br/>5 faculty and MAS students to become part of our<br/>6 association with no success. Zero.<br/>7 "They have shown no interest in being part<br/>8 of our group, which includes coming to our meetings,<br/>9 receiving our e-mails, or having any other<br/>10 communication with us, either positive [inaudible].<br/>11 They don't want to -- they just don't want to know.<br/>12 "Traffic. Neighborhood has been<br/>13 negatively impacted by the school's presence.<br/>14 Illegal parking in our neighborhood has also been a<br/>15 problem issue. We have tried multiple times to make<br/>16 contact with MAS school administration to discuss<br/>17 ways to improve our relationship as well as to<br/>18 discuss the traffic and parking issues at the school<br/>19 and how they can improve.<br/>20 "MAS has done whatever it can to keep us<br/>21 from knowing or providing any information about<br/>22 their school to us. Throughout the years, neighbors<br/>23 have tried to contact the school through mail,<br/>24 school visits, and via e-mail. Yet all attempts<br/>25 have been unanswered.</p> | <p style="text-align: right;">Page 44</p> <p>1 MAS's request to increase the number of students<br/>2 allowed as the school is at capacity and is beyond<br/>3 capacity. Please do not allow yet another death to<br/>4 occur in our neighborhood. Increasing the number of<br/>5 students to the school will only add more vehicles,<br/>6 which will make an already dangerous and bad problem<br/>7 worse.<br/>8 "Thank you and please feel free to contact<br/>9 me if you have any other questions. Angela D.<br/>10 Vigil."<br/>11 THE CHAIR: Thank you.<br/>12 MS. BEVERLY FRIEDMAN: The next speaker is<br/>13 Belinda East.<br/>14 MS. KAREN WOERNER: Belinda, you've been<br/>15 added as a panelist. If you would unmute yourself,<br/>16 you can make your comments.<br/>17 Belinda, are you there?<br/>18 FROM THE PUBLIC: Hello. I'm -- I am<br/>19 having some technical -- I respectfully decline to<br/>20 speak.<br/>21 THE CHAIR: Okay. Thank you. Sorry.<br/>22 FROM THE PUBLIC: No, not at all.<br/>23 MS. BEVERLY FRIEDMAN: The next speaker is<br/>24 Essence Johnson.<br/>25 FROM THE PUBLIC: Thank you for trying to</p> |
| <p style="text-align: right;">Page 43</p> <p>1 "A mediation between the neighbors and the<br/>2 school was set up earlier in the school year by the<br/>3 Public Education Department. We were allowed to<br/>4 speak to the MAS principal and her board member<br/>5 present through their attorney only. The MAS<br/>6 attorney responded to all the questions or comments<br/>7 that we voiced. This meeting was very cut and dry.<br/>8 And by the meeting's end, it left us even more<br/>9 despondent and confused.<br/>10 "I'm very concerned with all the traffic<br/>11 in the area and the rate of speed that drivers race<br/>12 through our neighborhood. I worry that one of the<br/>13 MAS students is going to be severely injured or<br/>14 killed, should they get hit by a car. We've already<br/>15 lost one bicyclist, an airport employee, who was hit<br/>16 and killed instantly by one of these speeding cars<br/>17 on Yale.<br/>18 "Now, we understand that MAS Charter<br/>19 School wants to increase their enrollment, which<br/>20 originally began with 672 students, and they<br/>21 increased to 1,120 students. And now, believe it or<br/>22 on not, MAS wants to add another 465 students to the<br/>23 campus for a total of 1,585 students into the<br/>24 already overcrowded school.<br/>25 "I'm respectfully asking that you deny</p>                    | <p style="text-align: right;">Page 45</p> <p>1 include me. I am not on the list for speakers<br/>2 today.<br/>3 MS. BEVERLY FRIEDMAN: Okay.<br/>4 THE CHAIR: Thank you.<br/>5 MS. BEVERLY FRIEDMAN: I have the name of<br/>6 Jacob Decimus.<br/>7 Did you want to speak?<br/>8 MS. KAREN WOERNER: I'm adding him. Hold<br/>9 on, Bev.<br/>10 MS. BEVERLY FRIEDMAN: Okay.<br/>11 MS. KAREN WOERNER: Jacob, you've been<br/>12 added as a panelist. Did you have comments?<br/>13 Whoops. My bad. Lost him. Here he is.<br/>14 Jacob, you are added as a panelist. Would<br/>15 you like to give your comments now?<br/>16 Jacob, are you there?<br/>17 THE CHAIR: He's still muted. Now he's<br/>18 unmuted. Jacob -- Jacob?<br/>19 I think we have to move on.<br/>20 MS. KAREN WOERNER: Okay. So --<br/>21 THE CHAIR: He's muted again. Wait. Hold<br/>22 on.<br/>23 Jacob, are you there?<br/>24 MS. KAREN WOERNER: Jacob, you're unmuted.<br/>25 You must be muting and unmuting yourself. Can you</p>   |

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1 let us know if you plan to give a comment?  
 2 He just muted himself again.  
 3 So one more time, Jacob. You currently  
 4 have muted yourself. But if you'd like to unmute,  
 5 please do so and give your comments. We see that  
 6 you've unmuted, but we cannot hear you.  
 7 THE CHAIR: I don't know if that's from  
 8 his phone that I hear in the background or not. But  
 9 I get a noise, but that's all. So I think we're  
 10 going to have to move on.  
 11 MS. BEVERLY FRIEDMAN: Okay. The next  
 12 person is Bonnie Sumner.  
 13 MS. KAREN WOERNER: Bonnie, you're unmuted  
 14 and you can give your comments now. Now you're  
 15 muted. Bonnie, you'll need -- there you go.  
 16 FROM THE PUBLIC: Okay. Sorry. Sorry  
 17 about that. So my name is Bonnie Sumner. And I  
 18 have been a teacher at Mission Achievement and  
 19 Success Charter School since January of 2016. I am  
 20 an 18-year veteran public schoolteacher. Before I  
 21 came to MAS, I had taught 14 years in Dallas  
 22 Independent School District and also in Rio Rancho  
 23 Public Schools.  
 24 My two personal children were attending  
 25 Rio Rancho High School. My son was on a behavioral

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1 504 plan. My daughter was also on an IEP.  
 2 I personally pulled them out of Rio Rancho  
 3 High School to come to MAS Charter School. My  
 4 daughter's IEP was not being followed. It was daily  
 5 phone calls to the sill [verbatim] at Rancho High  
 6 School as well as her teachers.  
 7 My son was the same way. They were both  
 8 failing. And as an educator, who my mother was an  
 9 educator -- I'm actually a third-generation teacher,  
 10 so teaching is not just my career; it's also my  
 11 passion and my calling. So my kids probably would  
 12 not have graduated on time if I had not taken them  
 13 to MAS.  
 14 But we've already heard stories from  
 15 parents like that, and we've already heard from  
 16 other people. But what I think the main issue here  
 17 is, is that we have to lay aside our inconveniences  
 18 for the sake of these children.  
 19 Some of our children that we serve have no  
 20 other advocate. We know that our social work is  
 21 overwhelmed in the state of New Mexico. So why are  
 22 we not servicing these children? What is more  
 23 important? Traffic issues or the future of our  
 24 state and the future of our country? That is the  
 25 main issue here. Who else is willing to serve these

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1 low-income families?  
 2 We are willing. We are moving heaven and  
 3 earth to service these families that literally get  
 4 overlooked, if we want to be real about it. So the  
 5 fact that we're willing to do it and the fact that  
 6 we're trying our best to make room, I think that  
 7 should hold some clout in this meeting.  
 8 Thank you for letting me speak.  
 9 THE CHAIR: Thank you.  
 10 MS. BEVERLY FRIEDMAN: Angel Garcia.  
 11 MS. KAREN WOERNER: I have to unmute.  
 12 Sorry about that. Angel, you've been added. You  
 13 can unmute yourself and give your comments.  
 14 FROM THE PUBLIC: Can you hear me? My  
 15 name is Daniel Enriquez. I am a student at MAS. So  
 16 two years ago I used to go to a --  
 17 THE CHAIR: Hold on. I'm sorry. I hate  
 18 to interrupt. But we have you identified as Angel  
 19 Garcia.  
 20 FROM THE PUBLIC: Okay.  
 21 MS. KAREN WOERNER: But he's on that  
 22 account. So what was your name?  
 23 THE CHAIR: We need your name for the  
 24 record, because we have you listed here as Angel  
 25 Garcia.

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1 FROM THE PUBLIC: Hello. My name is Angel  
 2 Garcia. I am Daniel Enriquez's foster parent.  
 3 MS. KAREN WOERNER: So you were actually  
 4 signing up for your student?  
 5 THE CHAIR: For your foster child?  
 6 FROM THE PUBLIC: Yes.  
 7 THE CHAIR: Okay. Thank you. We just  
 8 need his name for the record. So there was just a  
 9 little confusion. So sorry.  
 10 MR. ANGEL GARCIA: I apologize about that.  
 11 THE CHAIR: Thanks.  
 12 FROM THE PUBLIC: So my name is Daniel  
 13 Enriquez. I came to MAS in seventh grade. I used  
 14 to go to an APS school for middle school and sixth  
 15 grade. I was struggling a lot there, because they  
 16 won't help me as much. They would do like the same  
 17 thing and have you ask for another partner, but you  
 18 would really need the teacher to understand.  
 19 But the year ended for sixth grade. I  
 20 went up to seventh grade, and they let me in to MAS.  
 21 They started helping me out with all the struggles I  
 22 used to go through, 'cause I used to struggle with  
 23 math a lot. They would help me out.  
 24 I had a teacher that was Emily van Dyck.  
 25 She used to be a big help for me for math. She used

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| <p style="text-align: right;">Page 50</p> <p>1 to come over there to help me a lot.<br/> 2 Yes, you would have -- I used to have<br/> 3 behavioral issues, but they would never expel me;<br/> 4 they would just really help me out to help me so I<br/> 5 don't get expelled. They would do things to help me<br/> 6 so I could get it better and do stuff.<br/> 7 I came into the -- I'm now in the eighth<br/> 8 grade. I was struggling in the eighth grade. They<br/> 9 started helping me out more where I could start<br/> 10 going better. So I started learning how to do my<br/> 11 math and everything, and I was starting to get<br/> 12 really better at it.<br/> 13 FROM THE PUBLIC: All right.<br/> 14 And my name is Angel Garcia. I am the<br/> 15 foster parent of nine wonderful kids. I have almost<br/> 16 all my kids at MAS Charter School but two.<br/> 17 I choose MAS because they do help with<br/> 18 behavior issues. I had -- I have a kindergartener<br/> 19 that has a number of issues, lots of developmental<br/> 20 growth and behavior issues.<br/> 21 Rosa Swonger and her team have went out of<br/> 22 their way to really help my kid improve in a lot of<br/> 23 different behaviors and help him grow. We did<br/> 24 choose to hold him back a year to help him catch up<br/> 25 and to really advance in himself.</p> | <p style="text-align: right;">Page 52</p> <p>1 unmuted and can give your comments.<br/> 2 FROM THE PUBLIC: Okay. Well, I am an<br/> 3 instructional coach at MAS. And I just want to say<br/> 4 that, you know, we do work really hard for our<br/> 5 students.<br/> 6 I'm relatively new. But one thing I will<br/> 7 say is that a lot of the teachers work beyond just<br/> 8 the school building. They do stuff -- we had a<br/> 9 teacher that raised funds independently to buy<br/> 10 students computers, technology to make sure all of<br/> 11 our students had access to technology during our<br/> 12 time away from the school.<br/> 13 And another thing that I would like to say<br/> 14 is that one teacher, Ms. Sumner, discussed the issue<br/> 15 with traffic. I understand that traffic can be an<br/> 16 issue; it can be an inconvenience. But I would<br/> 17 think that supporting students, as many as we have<br/> 18 the opportunity to help, would be more important<br/> 19 than maybe us -- traffic inconvenience. That's just<br/> 20 my opinion.<br/> 21 Thank you.<br/> 22 THE CHAIR: Thank you.<br/> 23 MS. BEVERLY FRIEDMAN: And our last<br/> 24 speaker is Mia Sanchez.<br/> 25 MS. KAREN WOERNER: Bev, I'm not finding</p>            |
| <p style="text-align: right;">Page 51</p> <p>1 I really would like to see MAS grow for<br/> 2 the reasons is why are we going to put a cap on<br/> 3 something that's working? I would like to thank you<br/> 4 guys for the opportunity of speaking. But please<br/> 5 don't put a cap on something that's working.<br/> 6 THE CHAIR: Thank you so much.<br/> 7 MS. BEVERLY FRIEDMAN: Next speaker is<br/> 8 Darryl Encino.<br/> 9 FROM THE PUBLIC: Good morning. Thank you<br/> 10 all for hearing me speak. I just want to say I've<br/> 11 worked at MAS Charter School for three years now,<br/> 12 and I also have my daughter going there.<br/> 13 When she came to MAS, she was struggling<br/> 14 and was barely able to do any math or English. She<br/> 15 was barely passing.<br/> 16 Now, she is -- she received a letter<br/> 17 requesting her to go to Harvard.<br/> 18 So what we do at MAS is very important.<br/> 19 And I understand that traffic is an issue. But<br/> 20 that's an issue with every school, not just MAS.<br/> 21 Thank you so much for your time and thank you for<br/> 22 listening to me.<br/> 23 THE CHAIR: Thank you.<br/> 24 MS. BEVERLY FRIEDMAN: Kristina Squire.<br/> 25 MS. KAREN WOERNER: Kristina, you are</p>  | <p style="text-align: right;">Page 53</p> <p>1 that name. Is M-I-A "Mia"?<br/> 2 MS. BEVERLY FRIEDMAN: Right.<br/> 3 MS. KAREN WOERNER: Mia Monique. That<br/> 4 must be her. Let's see.<br/> 5 FROM THE PUBLIC: Hi. Can you hear me?<br/> 6 MS. KAREN WOERNER: Yes, ma'am.<br/> 7 FROM THE PUBLIC: Hi.<br/> 8 MS. KAREN WOERNER: Hi.<br/> 9 FROM THE PUBLIC: I recently graduated<br/> 10 from MAS. I was a senior. And I went there for<br/> 11 approximately, I'd say, a year and a half. I joined<br/> 12 really late in the year of 2019. And I will admit<br/> 13 initially my attitude towards MAS and the entirety<br/> 14 of the school itself has really, I guess, shifted<br/> 15 over the past year.<br/> 16 When I first went there, it was very, very<br/> 17 different, I guess, from the majority of public<br/> 18 schools in the way that things are run and the way<br/> 19 that things are done. But after spending some time<br/> 20 there and adjusting, in hindsight, I honestly think<br/> 21 it was, like, one of the best things for me, because<br/> 22 the school offers so many opportunities towards -- I<br/> 23 guess, just -- they just care about you, and it's so<br/> 24 different.<br/> 25 It's really different from the way other</p> |

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| <p style="text-align: right;">Page 54</p> <p>1 schools, I guess, just treat their kids. It's more<br/>2 a community than a school. And I understand that it<br/>3 is kind of crowded. I'm not going to say it's<br/>4 perfect. There are a lot of things that need to be<br/>5 done in order for us to, I guess, progress if there<br/>6 wants to be an effective change, I guess.<br/>7 Because I -- when is approximate? -- in<br/>8 November of 2019, I was leaving the student parking<br/>9 lot, and I actually was involved in a serio- -- not<br/>10 serious, but kind of serious car accident because of<br/>11 speeding drivers down Yale.<br/>12 And although it's not perfect right now, I<br/>13 think if you give that school a chance, they could<br/>14 really do something for this community. Because<br/>15 they offered me one-on-one, like, attention, I<br/>16 guess.<br/>17 The sizes of the classrooms are, I'd say,<br/>18 perfect, and they let me catch up, and they let me,<br/>19 I guess, just speak, and it felt really personal.<br/>20 And it's a completely different environment.<br/>21 And I've been to multiple, multiple<br/>22 schools all over New Mexico. I can say with<br/>23 100 percent positivity that this school, it's<br/>24 something else. I know it's redundant. I keep<br/>25 saying that, but I feel I can't emphasize how unique</p> | <p style="text-align: right;">Page 56</p> <p>1 those individuals also did not sign up today to<br/>2 speak. Everyone has been given one opportunity to<br/>3 communicate to the Commissioners.<br/>4 So the first e-mail that I have is from<br/>5 Brian Fahey.<br/>6 "I am completely opposed to any increase<br/>7 in MAS student enrollment until a full on-site<br/>8 evaluation is conducted by the PEC, the PED, and a<br/>9 legislative representative to determine the degree<br/>10 of disruptions that the MAS traffic has created for<br/>11 the adjacent neighborhoods, primarily Victory Hills,<br/>12 Loma Linda subdivision, and Clayton Heights.<br/>13 "The agency of oversight for State charter<br/>14 schools should always assess the impact a school<br/>15 have [verbatim] on upon the neighborhood it is<br/>16 embedded in before they grant a charter.<br/>17 "MAS parents and school buses use my<br/>18 street from early morning to evening as a<br/>19 throughfare for drop-off and pickup of students. It<br/>20 is obvious that the MAS administration will continue<br/>21 to do what it wants whenever it wants regardless of<br/>22 the impact upon the quality of life in adjacent<br/>23 neighborhoods unless an administrative authority<br/>24 like the State Department of Education requires the<br/>25 MAS administration to consult with neighborhood</p> |
| <p style="text-align: right;">Page 55</p> <p>1 everyone is.<br/>2 They give you uniforms. Everyone wears<br/>3 the same thing. You wear a red shirt and black<br/>4 pants every day. There are no cliques. There is no<br/>5 drama. Really, you -- you just have a community of<br/>6 peers who you can rely on.<br/>7 And the teachers are, like, exceptional.<br/>8 The teachers actually care. And if they didn't<br/>9 care, they wouldn't be there.<br/>10 And I think that's what motivated me and<br/>11 helped me change my attitude in a lot of different<br/>12 aspects; not just education, but, like, my<br/>13 perspective on the world and everything.<br/>14 I really urge you to reconsider -- or just<br/>15 consider the things that that school can do. And,<br/>16 sorry, I kind of went on a little rant. But that's<br/>17 all I have to say.<br/>18 Thank you.<br/>19 THE CHAIR: Thank you. Give me one<br/>20 second.<br/>21 Okay. So there were a number of e-mails<br/>22 that came in, and they are from folks that did<br/>23 not -- as I mentioned before, they are messages that<br/>24 the Commission has not had an opportunity to read.<br/>25 And they were submitted as public comment. And</p>  | <p style="text-align: right;">Page 57</p> <p>1 association officers prior to implementing their<br/>2 plans for growth or anything else they might have in<br/>3 mind.<br/>4 "Brian Fahey. Resident of Cornell Drive,<br/>5 Southeast."<br/>6 The next is from Barbara Howard.<br/>7 "I respectfully ask that you do not grant<br/>8 MAS Charter School's request to add 465 students. I<br/>9 live on Cornell Drive, and we have multiple problems<br/>10 dealing with MAS in relation to speeding traffic,<br/>11 heavy traffic, teachers and parents parking on our<br/>12 streets, overcrowding of our neighborhood,<br/>13 et cetera.<br/>14 "In the morning it's often dangerous to<br/>15 get out of one's driveway due to speeding cars. My<br/>16 house was broken into last year, and we had mail and<br/>17 packages missing in our neighborhood.<br/>18 "This area cannot support the school as it<br/>19 is now and definitely cannot support its expansion,<br/>20 as its presence has been steadily diminishing the<br/>21 quality of our neighborhood, and it's destroying the<br/>22 quality of our lives.<br/>23 "Our neighborhood was never designed to<br/>24 support such an institution as a school. I believe<br/>25 that in order to support the students of the MAS</p>   |

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| <p style="text-align: right;">Page 58</p> <p>1 school, another location with much more space and<br/>2 better with access should get secured by the<br/>3 school's board.<br/>4 "Further, the alley behind our house is an<br/>5 access alley belonging to the residents. We clean<br/>6 and keep it and it should not be turned into a major<br/>7 road to the school.<br/>8 "Further, it seems that there's an attempt<br/>9 to act in secret and behind our backs. That's not<br/>10 how community works. Please do not grant MAS's<br/>11 request to enroll an extra 465 students. Barbara<br/>12 Howard."<br/>13 The next is from Andrew Dunn.<br/>14 "I have lived in Victory Hills near the<br/>15 MAS Charter School since 2006. I am writing you to<br/>16 express my opposition to MAS's request to add<br/>17 465 students.<br/>18 "The lack of adequate parking and a<br/>19 sensible traffic flow is already a big problem for<br/>20 anyone that enters the neighborhood onto Ross from<br/>21 Yale. "it is my understanding that the enrollment<br/>22 at MAS is nearly double what their original charter<br/>23 states, and their current facility is already<br/>24 inadequate for their needs. Adding 465 students<br/>25 would only exacerbate what is already a significant</p> | <p style="text-align: right;">Page 60</p> <p>1 and create a loop either through the parking lots on<br/>2 Yale or the community center off Yale.<br/>3 "I am concerned for my safety, as I cannot<br/>4 often back out of my driveway safely, and I am<br/>5 concerned for nearby residents who might need an<br/>6 ambulance someday. I would take down license<br/>7 numbers if the cars were going slowly enough to read<br/>8 them.<br/>9 "Please do everything you can to help us<br/>10 address the traffic concerns of my neighborhood. I<br/>11 did not choose to live out my days with this<br/>12 hardship. Sincerely, Michelle Buchanan."<br/>13 The next is from Patty Wilson.<br/>14 "The enrollment of the Yale campus of MAS<br/>15 currently far exceeds the neighborhood's capacity to<br/>16 absorb the problems they have created. More<br/>17 students will only make it worse.<br/>18 "The administration has ignored every<br/>19 request for a traffic plan. Neighbors, staff, and<br/>20 students all are at risk. The whole situation is an<br/>21 accident waiting to happen.<br/>22 "I know that Orese Fahey of the Loma Linda<br/>23 Traffic Coalition has identified many problems and<br/>24 also suggested many solutions, so I will not repeat<br/>25 those. I will just add my voice in opposition to</p> |
| <p style="text-align: right;">Page 59</p> <p>1 problem of traffic flow and safety in my<br/>2 neighborhood.<br/>3 "It would be far more sensible for MAS to<br/>4 find a facility to accommodate their growing needs,<br/>5 as the current situation already causes many<br/>6 problems and concerns for many of us trying to raise<br/>7 our kids in this neighborhood. Thank you. Andrew<br/>8 Dunn."<br/>9 The next is from Tom and Michelle<br/>10 Buchanan.<br/>11 "I cannot find words enough to explain to<br/>12 you the hardship caused by the traffic in my<br/>13 70-year-old neighborhood.<br/>14 "When school is in session and whenever<br/>15 they have a special event, even when it looked like<br/>16 they were passing out school lunches due to the<br/>17 pandemic, I can't get to the main streets from my<br/>18 house. I have to drive significant creative routes<br/>19 just to get to Girard or Gibson and cannot use Ross<br/>20 at all unless it is after 7:00 p.m.<br/>21 "Without Ross, Stanford does not go<br/>22 through. The commissioners of this school need to<br/>23 go back to the drawing board and create a loop of<br/>24 traffic that does not include either residential<br/>25 alleys or narrow old streets. Use some creativity</p>                   | <p style="text-align: right;">Page 61</p> <p>1 the proposed enrollment cap increase.<br/>2 "Even if all those students will attend<br/>3 the westside campus, there are still too many<br/>4 students at the Yale campus. And in these days of<br/>5 COVID-19, to consider packing more students into the<br/>6 old Pioneer Wear factory is unconscionable.<br/>7 Respectfully, Patty Wilson."<br/>8 The next is -- I'm sorry. There's -- this<br/>9 is a second one from Michelle Buchanan, and I just<br/>10 read one from her.<br/>11 The next is from Carolyn McNeil.<br/>12 "I live on Columbia and Thaxton,<br/>13 Southeast, in Albuquerque, just east of MAS Charter<br/>14 School. I strongly oppose increasing student<br/>15 enrollment. Currently, they have no parking and<br/>16 park up and down Ross.<br/>17 "In the hour before dismissal, we can't<br/>18 drive on Ross at all because of parent vehicles<br/>19 blocking the road or stopping in the middle of the<br/>20 road to wait for their student.<br/>21 "Students start out from between parked<br/>22 cars into oncoming traffic. This makes it very<br/>23 challenging to get in and out of our neighborhood.<br/>24 I hate driving down Ross and have to remember to go<br/>25 up Gibson to Girard to get back into our</p>                                 |



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| <p>Page 62</p> <p>1 neighborhood.<br/>                 2 "Especially at drop-off and pickup times,<br/>                 3 there are cars backed up all the way in the<br/>                 4 neighborhood and blocking traffic to our homes. I<br/>                 5 have had to wait upwards of 15 minutes to get past<br/>                 6 waiting vehicles to get up Ross from Yale into my<br/>                 7 neighborhood.<br/>                 8 "I don't know if there is property for<br/>                 9 them to even build a pickup loop because they are<br/>                 10 very landlocked. It wasn't too bad for the first<br/>                 11 few years. But as they have taken over the entire<br/>                 12 facility and increased enrollment, the traffic<br/>                 13 problems for our neighborhood have increased.<br/>                 14 "Please do not increase their enrollment<br/>                 15 unless they come up with a better parking and<br/>                 16 drop-off/pickup process that won't block egress into<br/>                 17 and out of our neighborhood.<br/>                 18 "More students would increase traffic on<br/>                 19 all of the streets in our neighborhood. We try to<br/>                 20 be good neighbors to the school and request they do<br/>                 21 more to be good neighbors to us. The school's<br/>                 22 current enrollment is too much for our neighborhood<br/>                 23 streets to handle safely. Respectfully, Carolyn<br/>                 24 McNeil."<br/>                 25 The next is from Adriann Barboa.</p>  | <p>Page 64</p> <p>1 State for paving an on-campus side road. This<br/>                 2 so-called side road is actually a City alley. MAS<br/>                 3 is already using this alley for some of the traffic.<br/>                 4 This is not an acceptable solution for the<br/>                 5 administration's lack of planning.<br/>                 6 "Instead of requesting permission to<br/>                 7 enroll more students, MAS should be focusing on<br/>                 8 fixing the dangerous mess that their overcrowded<br/>                 9 school has created in our neighborhood.<br/>                 10 Respectfully, Adriann Barboa."<br/>                 11 The next is from Judy Jacobson.<br/>                 12 "Please do not grant MAS Charter School's<br/>                 13 request to add 465 students. I live on Stanford,<br/>                 14 Southeast, one block over from the problem area of<br/>                 15 1500 Cornell, the 1800 block of Stanford and Ross<br/>                 16 Avenue.<br/>                 17 "The problems are never-ending with MAS<br/>                 18 dealing with speeding traffic, heavy traffic,<br/>                 19 blocked streets, and people parking in our already<br/>                 20 overcrowded neighborhood. The neighborhood<br/>                 21 association has tried to work with MAS to no avail.<br/>                 22 "The school has already been allowed to<br/>                 23 double their number of students. Originally, the<br/>                 24 charter for this location was 672. Somehow, they<br/>                 25 have been allowed to enroll 1,120 students without</p> |
| <p>Page 63</p> <p>1 "I live on Cornell Drive, Southeast,<br/>                 2 around the corner from the MAS Yale Boulevard,<br/>                 3 Southeast site. MAS moved into the former Pioneer<br/>                 4 Wear building in 2012. The original charter<br/>                 5 application stated that they would have a maximum of<br/>                 6 672 students.<br/>                 7 "As of 2019, the Yale Boulevard school had<br/>                 8 1,120 students, almost double their projected cap.<br/>                 9 The MAS administration never designed a safe,<br/>                 10 effective traffic and parking plan for their school.<br/>                 11 "The MAS administration has steadfastly<br/>                 12 refused to work with our City Councilor, Pat Davis,<br/>                 13 the City traffic engineers, our neighborhood<br/>                 14 associations, and our traffic coalition, all of whom<br/>                 15 have spent countless hours trying to help the school<br/>                 16 solve the dangerous situation they have created by<br/>                 17 not planning properly for their runaway growth.<br/>                 18 "I am requesting that the PEC do a<br/>                 19 thorough on-site assessment of MAS's physical plant<br/>                 20 and require that MAS create a traffic loop that<br/>                 21 reenters Ross, Southeast, from Yale, Southeast,<br/>                 22 turns into school property for drop-off and pickup<br/>                 23 of students, and then heads west on school property<br/>                 24 to exit back on that to Yale, Southeast.<br/>                 25 "Recently, MAS requested funds from the</p> | <p>Page 65</p> <p>1 coming up with a workable and safe traffic plan for<br/>                 2 their school.<br/>                 3 "Please do not allow them to enroll an<br/>                 4 extra 465 students. This will create more traffic<br/>                 5 problems to our neighborhood. Sincerely, Judy<br/>                 6 Jacobson."<br/>                 7 And this next is from Lorraine Herrera.<br/>                 8 "I strongly object to Mission Achievement<br/>                 9 and Success Charter School enrollment cap increase.<br/>                 10 I live on 1628 Cornell Drive, Southeast, listed as<br/>                 11 why an added population will have an increased<br/>                 12 negative impact on the neighborhood, and now, with<br/>                 13 COVID-19, a dangerous impact.<br/>                 14 "MAS administration has stated that they<br/>                 15 take no responsibility for the students when school<br/>                 16 is out. Students have congregated at the community<br/>                 17 center, sit in groups on neighbors' walls. When we<br/>                 18 were not in the throes of a pandemic, policing<br/>                 19 students after school was impossible.<br/>                 20 "Keep in mind that was with 1,200<br/>                 21 students. Think of the impact of more students<br/>                 22 during a pandemic.<br/>                 23 "Prior to the pandemic shutdown, MAS had<br/>                 24 grossly inadequate measures for dropping off and<br/>                 25 picking up students. After a four-hour meeting with</p>                                       |

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| <p style="text-align: right;">Page 66</p> <p>1 representatives from the City, Loma Linda Community<br/>2 Center, and PEC and concerned neighbors, we were in<br/>3 agreement that the alley that MAS uses as a primary<br/>4 means for student pickup/drop-off would not be<br/>5 paved.<br/>6 "MAS, without notifying neighborhood<br/>7 coalitions, City of Albuquerque, requested funds<br/>8 from the State to pave the alley.<br/>9 "MAS called it an on-campus side road.<br/>10 This alley is City property, not MAS property. This<br/>11 alley is already impacted by lines of parents and<br/>12 idling cars waiting for students. Every evening, it<br/>13 cannot handle more. Think of the impact of more<br/>14 cars waiting in the alley during a pandemic.<br/>15 "MAS, with 1,200 students, does not have<br/>16 adequate parking for students and teachers, much<br/>17 less a place to pick up and drop off students. Side<br/>18 streets are flooded, buses careen down our narrow<br/>19 street. Parents park on the street, often blocking<br/>20 driveways, and, if confronted, threaten neighbors.<br/>21 "Now with COVID-19, what do we do as a<br/>22 neighborhood? Where is the parking for the added<br/>23 staff and the added students? Where is the parking<br/>24 for the added visitors? Where is the parking for<br/>25 added parents? How is social distancing achieved?</p> | <p style="text-align: right;">Page 68</p> <p>1 has held little regard for the surrounding<br/>2 community. When contacted, they ignore, belittle,<br/>3 or harass. It is obvious that they are in the<br/>4 money-making business. More students, more money.<br/>5 Very little effort is spent on safety and proper<br/>6 planning.<br/>7 "Now because of COVID-19, to make it safer<br/>8 to go to schools in other places where people have<br/>9 to go in big groups, these places will have to<br/>10 become less crowded than they used to be.<br/>11 "There are two ways to make that<br/>12 building/school neighborhood less crowded: Either<br/>13 decrease the number of people inside the space or<br/>14 expand the physical space available. To observe the<br/>15 Centers for Disease Control and Prevention<br/>16 recommendations that everyone remain six feet apart,<br/>17 it is suggested that schools aim for density of one<br/>18 student for 113 square feet.<br/>19 "It impossible for MAS to achieve this at<br/>20 the current site with 1,200 students, much less with<br/>21 added enrollment.<br/>22 "Simply stated, MAS has exceeded the<br/>23 physical space available with 1,200 students and<br/>24 without a pandemic. This is evident because they<br/>25 are cunningly -- they have cunningly attempted to</p> |
| <p style="text-align: right;">Page 67</p> <p>1 "MAS uses an unauthorized person directing<br/>2 traffic on Yale. MAS uses students to direct<br/>3 traffic. How will more traffic be controlled? Is<br/>4 MAS expecting the neighborhood residents to police<br/>5 the students and parents?<br/>6 "MAS refused to work with our City<br/>7 Councilor, the City traffic engineers, our<br/>8 neighborhood associations, our traffic coalition.<br/>9 We cannot trust that added enrollment will suddenly<br/>10 make MAS responsible to our community.<br/>11 "During lunchtime, MAS parades lines of<br/>12 students on the sidewalk to and from the cafeteria.<br/>13 How is social distancing going to be implemented<br/>14 with 1,200 students in this small corner? How would<br/>15 social distancing work with added enrollment?<br/>16 Students need to be able to safely enter and exit<br/>17 buildings without bumping into each other.<br/>18 "The MAS site is not an adequate fit for<br/>19 1,200 students and staff. The MAS staff is<br/>20 definitely not adequate for 1,200-plus students. In<br/>21 order for MAS to continue on the corner of Ross and<br/>22 Yale, they must work with the neighborhood and the<br/>23 City of Albuquerque.<br/>24 "They have come to our city to our<br/>25 neighborhood, to recap it. This is a business that</p>                                      | <p style="text-align: right;">Page 69</p> <p>1 make our streets, our yards, our alley part of the<br/>2 campus. Our small neighborhood cannot safely handle<br/>3 MAS, especially with added enrollment and with a<br/>4 pandemic.<br/>5 "MAS has outgrown the space with<br/>6 1,200 students. Adding more will be a disaster. I<br/>7 request that MAS submit to our City Councilor, to<br/>8 traffic engineering, and to my neighborhood<br/>9 associations their plan to address designated staff<br/>10 parking, teacher parking, student parking, student<br/>11 busing, student drop-off and pickup and visitor<br/>12 parking that does not include our side streets, our<br/>13 alley or my curb.<br/>14 "How is MAS going to keep their community<br/>15 and this school safe? Business as usual running<br/>16 rogue will no longer work in this time of a<br/>17 pandemic. I strongly object to MAS' enrollment cap<br/>18 increase. Respectfully, Lorraine Herrera."<br/>19 Excuse me. The next is from Barbara<br/>20 Albright.<br/>21 "I live at 1647 Cornell Drive, Southeast,<br/>22 and want you to stop the increase of students.<br/>23 There continues to be multiple problems with this<br/>24 school as it currently is.<br/>25 "Traffic on my residential street, school</p>  |

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| <p style="text-align: right;">Page 70</p> <p>1 buses barrel and forth on my residential street,<br/> 2 parents illegally parking on my residential street.<br/> 3 Oh. And now they are using the public alley behind<br/> 4 my house.<br/> 5 "I understand the school originally would<br/> 6 only have 672 students, and that has illegally<br/> 7 doubled without any approval. Now they want to take<br/> 8 over an alley I am supposed to be responsible for<br/> 9 behind my house and want to increase student<br/> 10 population, which only mean more buses and private<br/> 11 vehicles on my residential street.<br/> 12 "Please relook your charter process and<br/> 13 school access to vehicles. Barbara Albright,<br/> 14 U.S. Air Force, Retired."<br/> 15 The next is from Allie Sanchez.<br/> 16 "I am" -- I'm sorry.<br/> 17 "I am writing to express my concerns about<br/> 18 the request for enrollment expansion by MAS Charter<br/> 19 School. I strongly object to any enrollment<br/> 20 increase at the Yale Boulevard campus unless and<br/> 21 until MAS has addressed widespread concerns over<br/> 22 inadequate transportation and parking to support the<br/> 23 current student and employment load at the site.<br/> 24 "To be clear, I am a fan of charter<br/> 25 schools. Having worked closely with local charters</p>   | <p style="text-align: right;">Page 72</p> <p>1 experience as a resident and neighborhood<br/> 2 association board member have led me to not trust<br/> 3 assurances by MAS, and I would want to see any plan<br/> 4 enacted in demonstrating a reduction in impact for<br/> 5 at least one semester, as measured by City of<br/> 6 Albuquerque DMD traffic counter tubes or other means<br/> 7 before supporting any increase in students at MAS.<br/> 8 "As a board member involved in traffic<br/> 9 problems surveying and data collection for<br/> 10 Victory Hills..." -- oh.<br/> 11 And she did -- she attached information<br/> 12 that we will put -- it's maps of the area that we'll<br/> 13 put into the public record. But I obviously can't<br/> 14 read maps. "Respectfully, Allie Sanchez."<br/> 15 The next is from Natasha Bogner,<br/> 16 B-O-G-N-E-R.<br/> 17 "I am a concerned parent of three former<br/> 18 students of MAS Charter School. It has come to my<br/> 19 knowledge that they are applying for an occupancy<br/> 20 increase to allow more students to attend their<br/> 21 school locations.<br/> 22 "I strongly suggest that you deny this<br/> 23 request. We began attending MAS in 2018 at their<br/> 24 Old Coors campus. Things were going great until our<br/> 25 youngest son began having problems with the school</p>  |
| <p style="text-align: right;">Page 71</p> <p>1 in their work to obtain funding to support<br/> 2 programming, expansion, replication, and facilities.<br/> 3 In fact, I am currently delivering training sessions<br/> 4 to a group of charters specifically on facilities<br/> 5 development and funding under a two-year U.S.<br/> 6 Department of Education grant.<br/> 7 "The issue with MAS is significant impact<br/> 8 to the surrounding neighborhoods due to negligible<br/> 9 parking and the lack of adequate traffic and<br/> 10 planning enforcement. The surrounding blocks in my<br/> 11 neighborhood, Victory Hills, have seen increased<br/> 12 accidents, significant traffic load increases,<br/> 13 double and triple parking during drop-off and pickup<br/> 14 times, and increasing hostilities between residents<br/> 15 and parents.<br/> 16 "The design would never have flown for<br/> 17 standard public school, and MAS has already expanded<br/> 18 far beyond the enrollment projections included in<br/> 19 their original charter application. The school and<br/> 20 school board have failed to engage in good faith<br/> 21 with the neighborhood City Councilor or State agency<br/> 22 personnel, and are now looking to expand without<br/> 23 first resolving neighborhood concerns.<br/> 24 "While normally I would be satisfied with<br/> 25 having a new plan in place before growing, my</p> | <p style="text-align: right;">Page 73</p> <p>1 and acting out.<br/> 2 "Instead of working with us to try to<br/> 3 figure out why the sudden change in behavior, they<br/> 4 decided it was better to suspend him, call the<br/> 5 police on him, and constantly request I take him to<br/> 6 the UNM Psychiatric Hospital.<br/> 7 "I would like to mention that our son was<br/> 8 five at the time and in their kindergarten program.<br/> 9 Finally, after thousands of dollars in personal<br/> 10 medical bills, JoAnn Mitchell got involved. She<br/> 11 transferred him over to the Yale campus with one of<br/> 12 his older brothers. This seemed to fix the problem<br/> 13 and he was a model student the rest of the year.<br/> 14 "We began this year off with all four of<br/> 15 our sons at the Yale campus, and things were going<br/> 16 great; that is, until mid-October. Our youngest son<br/> 17 began acting out in his first-period class. They<br/> 18 began sending him home. They told me he was not<br/> 19 allowed to return to school unless I sat with him.<br/> 20 They also suspended him over 25 times.<br/> 21 "Needless to say, his handwriting began to<br/> 22 suffer. But, surprisingly, that was the only area<br/> 23 of academic decline, despite all the days he was<br/> 24 absent. We fought hard and finally got him started<br/> 25 on the SAT process for special needs testing.</p> |

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| <p style="text-align: right;">Page 74</p> <p>1 "In the middle of his evaluation process,<br/>2 they sent us a certified letter of an expulsion<br/>3 hearing. We received documentation of our son's<br/>4 behavior. Unfortunately, this written documentation<br/>5 did not line up with the texts and e-mail<br/>6 correspondence between the teachers and myself on<br/>7 dates they had provided in the expulsion hearing<br/>8 evidence. They contradicted each other.<br/>9 "We show up for expulsion hearing and<br/>10 notify the chairman of the board that vice principal<br/>11 Franco is aware that we are going through the SAT<br/>12 process. The chairman of the board suspends our<br/>13 hearing until the results of the SAT process are in.<br/>14 "My son was diagnosed with a developmental<br/>15 delay and required an IEP to help him succeed in the<br/>16 school setting. Within the first week of us getting<br/>17 the IEP, the school did not provide any of the<br/>18 services promised and outlined in their IEP.<br/>19 "We realize that the school was completely<br/>20 inept to help a child with special needs. So we<br/>21 removed him from the school along with his brothers.<br/>22 During this entire process, we began speaking to<br/>23 lawyers about our rights. We found out that this is<br/>24 MAS's usual course of action with difficult<br/>25 students. They suspend and make life hard on</p> | <p style="text-align: right;">Page 76</p> <p>1 And it's -- it's lengthy, but it's the<br/>2 last one.<br/>3 "To the Honorable Members of the Public<br/>4 Education Commission. I am writing in regard to a<br/>5 notice discussion and action item on your May 22nd,<br/>6 2020, agenda Request for Enrollment Cap Increase,<br/>7 Mission Achievement and Success Charter School.<br/>8 "I apologize for not reaching out sooner,<br/>9 but my office just learned of this item on Wednesday<br/>10 of this week. I did not want to miss the<br/>11 opportunity to provide local insight into this<br/>12 application.<br/>13 "MAS is an outstanding school with an<br/>14 amazing staff. Their flagship campus located in our<br/>15 Southeast Albuquerque community began as a small<br/>16 charter school with approximately 100 students.<br/>17 Today it is authorized for more than 1,100.<br/>18 "While that growth speaks volumes for<br/>19 their education success and parent popularity, such<br/>20 exponential growth has failed to address or mitigate<br/>21 impacts on neighborhood uses and residential areas.<br/>22 "Simply put, it has been a challenge for<br/>23 the City and neighborhoods who must absorb the<br/>24 impact of a 100 percent increase in activity to and<br/>25 from the school campus, which is squeezed between a</p> |
| <p style="text-align: right;">Page 75</p> <p>1 parents, putting illegal demands on them. If they<br/>2 do not take their child out, they concoct grounds<br/>3 for expulsion. They wait for 120 days into school,<br/>4 because that is when they are fully funded and have<br/>5 received all their money for the students.<br/>6 "Our lawyer explained that they already<br/>7 had one lawsuit against them this year. We also<br/>8 have filed a lawsuit, but, unfortunately, our lawyer<br/>9 would not have been able to file until next school<br/>10 year, which we would have had to keep our child --<br/>11 our children in that school.<br/>12 "We decided it was not worth the stress<br/>13 and that we would go back to APS. I hope this<br/>14 e-mail finds the right people. Please do more<br/>15 research on MAS and talk with other families who<br/>16 have had similar experiences and those that have had<br/>17 a broader range of experience than just those that<br/>18 only have a small bit of success.<br/>19 "I believe that if these other parents<br/>20 knew about what happened to families like mine at<br/>21 the school, they would not allow this behavior to<br/>22 continue. Sincerely, Natasha Bogner."<br/>23 The next letter is from the City of<br/>24 Albuquerque, and it's from City Council -- I believe<br/>25 it's Pat Davis. Pat Davis.</p>  | <p style="text-align: right;">Page 77</p> <p>1 major four-lane City street and tightly clustered<br/>2 neighborhood on a small two-lane neighborhood access<br/>3 street not designed for large-scale commercial<br/>4 activity.<br/>5 "In spite of our best efforts, MAS has<br/>6 failed to comply with any of the informal traffic<br/>7 mitigation agreements we have negotiated over the<br/>8 past two years. We are concerned that their failure<br/>9 to manage the impacts of their growth at their<br/>10 current cap will be exaggerated by additional<br/>11 enrollment unless the PEC mandates the school<br/>12 implement a traffic management, pedestrian safety,<br/>13 and neighborhood impact mitigation plan.<br/>14 "There are two major issues which cause<br/>15 the City great concern: Pedestrian safety,<br/>16 especially that of younger children who attend MAS,<br/>17 and neighborhood disruption caused by excess<br/>18 traffic.<br/>19 "We have discussed these at length and in<br/>20 depth with school leadership, but for brevity, I<br/>21 will summarize the most pressing of those here.<br/>22 "Ross Avenue, Southeast, on which the<br/>23 school is sited, is not rated for intense commercial<br/>24 traffic. It is a neighborhood access street.<br/>25 During school drop-off and pickup times, buses queue</p>     |

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| <p style="text-align: right;">Page 78</p> <p>1 on the north curb of Ross while parents queue on the<br/>2 south curb.<br/>3 "Students are frequently observed running<br/>4 between buses, across east and westbound lanes of<br/>5 traffic, and between parked and maneuvering cars on<br/>6 the south curb.<br/>7 "Our traffic engineers and common sense<br/>8 have raised serious concerns about any school<br/>9 traffic plan that allows students to dart from<br/>10 between large parked buses and across two active<br/>11 lanes of busy traffic to access their pickup or<br/>12 drop-off point.<br/>13 "The school has not increased for staff<br/>14 and visitors in proportion to growth. This has<br/>15 necessitated staff and visitors to park in the<br/>16 nearby neighborhood, where curbside parking is<br/>17 already limited for neighbors.<br/>18 "The school lacks an enforceable plan to<br/>19 accommodate the mix of traffic and transit options<br/>20 for so many vehicles converging on one city block of<br/>21 a small two-lane road. As a result, parents<br/>22 frequently enter from Yale and conduct illegal<br/>23 U-turns through pedestrian crossings in control by<br/>24 stop sign intersections nearest the schools where<br/>25 other parents are dropping off children.</p>   | <p style="text-align: right;">Page 80</p> <p>1 schools in the City of Albuquerque.<br/>2 "For example, roadway crossings for<br/>3 student routes to elementary schools are required to<br/>4 have staffed crossing guards, and when crossing<br/>5 major roadways, flashing lights and 15 mile-per-hour<br/>6 school speed zones. Middle and high school<br/>7 crossings have a minimum lowered speed school zone,<br/>8 and on busy roadways, they may also have flashing<br/>9 beacons.<br/>10 "Just four blocks north of MAS on Yale<br/>11 Boulevard, those safety precautions are in place for<br/>12 students crossing Yale Boulevard to and from Lowell<br/>13 Elementary, a flashing beacon, school speed zone,<br/>14 and manned trained crossing guards must be present<br/>15 during morning and afternoon student transit.<br/>16 "MAS students cross the same four-lane<br/>17 roadway without the benefit of any of those safety<br/>18 enhancements.<br/>19 "To remedy this, in 2019-2020, MAS<br/>20 inexplicably hired a private armed security guard to<br/>21 serve as a crossing guard. The crossing is not<br/>22 designated as a school zone, which is required by<br/>23 City law in order to allow crossing guards to<br/>24 enforce traffic controls.<br/>25 "On multiple occasions when I visited in</p>     |
| <p style="text-align: right;">Page 79</p> <p>1 "The school has apparently commandeered<br/>2 the entire north curb of the public street, which is<br/>3 designated for single-passenger vehicle parking.<br/>4 Perfect for parent drop-off and visitor parking to<br/>5 use as the school's private bus parking spots, the<br/>6 curb was privately marked as a bus parking zone,<br/>7 removing legal on-street parking for others.<br/>8 "The school allows students to cross a<br/>9 busy four-lane major city roadway without trained or<br/>10 certified crossing guards, and without any safety<br/>11 equipment or warnings to vehicular traffic.<br/>12 "The school has never requested for the<br/>13 area to be designated as a school zone for safety,<br/>14 which is the only way in City ordinance for a<br/>15 crossing guard to be installed or lawfully obeyed.<br/>16 The school did not temporarily employ an armed<br/>17 security guard to assist, but, as noted below, that<br/>18 was more equally problematic.<br/>19 "The last issue is the most concerning, so<br/>20 I will attempt to explain. As MAS has grown, it had<br/>21 grown downward, meaning it has mostly added younger<br/>22 grades, including elementary grades. However, when<br/>23 approved enrollment additions for younger grades,<br/>24 the PEC has not required MAS to comply with traffic<br/>25 and safety rules followed by other elementary</p> | <p style="text-align: right;">Page 81</p> <p>1 the early mornings in the dark, the armed guard's<br/>2 large black SUV was observed parked in the middle<br/>3 turn lane, where it obstructed the view of oncoming<br/>4 traffic and crossing pedestrians. The armed guard<br/>5 wore an all-black uniform and had no safety<br/>6 equipment, front-facing lights, traffic vest, stop<br/>7 sign, et cetera.<br/>8 "He was apparently acting under direction<br/>9 of the school. But neither he nor the school<br/>10 appears to have legal authority to direct traffic or<br/>11 serve as crossing guards.<br/>12 "I recently spoke to the principal about<br/>13 this concern, and I understand the guard has<br/>14 recently been relieved of that job, though no new<br/>15 plan is in place.<br/>16 "As is noted above, City ordinances only<br/>17 allow for the use of crossing guards in designated<br/>18 school zones. This area is not designated as such,<br/>19 and it does not appear that MAS has ever requested<br/>20 that designation.<br/>21 "Absent that designation, I have serious<br/>22 concerns about the safety of MAS students crossing a<br/>23 busy four-lane street in the dark under the<br/>24 direction of untrained persons, who apparently lack<br/>25 the authority to act as crossing guards.</p> |

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| <p>1 "As we became more aware and concerned<br/>2 about these issues in the 2017-'18 school year, my<br/>3 office reached out to MAS to arrange for a meeting<br/>4 with neighborhood residents, nearby businesses, and<br/>5 the school to address these concerns.<br/>6 "The school's board chair attended and<br/>7 committed to directing parents to avoid using the<br/>8 neighborhood. He also directed to those in<br/>9 attendance that he, not staff, would be the point<br/>10 person for these issues.<br/>11 "After agreeing to enforce more strict<br/>12 standards on parents, no change was noted.<br/>13 "In the spring of 2019, I again met with<br/>14 the school board president and our City traffic<br/>15 engineer in our City Council office to review our<br/>16 concerns and offer solutions, including offering the<br/>17 use of the abutting community center as a safe<br/>18 pickup/drop-off location and/or paving a new access<br/>19 road for buses to provide for safer parent and staff<br/>20 parking and access on Ross Avenue.<br/>21 "The board president rejected both offers,<br/>22 saying he could not control the actions of parents<br/>23 or staff coming to or from the school. He did,<br/>24 however, agree to create a one way drop-off and<br/>25 pickup route through the under-utilized parking lot</p> | <p>1 "After learning of the PEC's pending<br/>2 hearing on this matter I reached out this morning to<br/>3 Mrs. JoAnn Mitchell, MAS principal, to learn about<br/>4 the pending request. We also took the opportunity<br/>5 to discuss these concerns.<br/>6 "From our conversation, it is clear to me<br/>7 that Mrs. Mitchell shares our concerns for school<br/>8 and student safety. It is also clear that she was<br/>9 not informed of the numerous outreaches to school<br/>10 leadership through the board and neighborhood leader<br/>11 visits regarding these issues.<br/>12 "The City is committed to helping MAS<br/>13 develop a traffic plan and, within the limits of<br/>14 available funding, to assist with restriping,<br/>15 signage and traffic flow design for the area.<br/>16 "We also believe new plans are required<br/>17 for off-site storage of buses during the day so that<br/>18 parent and visitor parking spaces can be available<br/>19 on the north curb, where students can access them<br/>20 without illegal and unsafely crossing two lanes of<br/>21 traffic.<br/>22 "The school should be required to provide<br/>23 enough parking spaces for all staff and visitors,<br/>24 just as every other development and business in<br/>25 Albuquerque is required to do by the City zoning</p> |
| Page 83  | Page 85  |
| <p>1 in the east side of the school.<br/>2 "This was part of the 2019-2020 school<br/>3 year. When we visited to inspect the plan, we found<br/>4 the school had instead installed modular trailers in<br/>5 that lot and failed to implement the agreed-upon<br/>6 plan.<br/>7 "While I realize that this letter is<br/>8 lengthy, let me assure you that it is only a brief<br/>9 summary of the more than ten meetings, mediations,<br/>10 and site visits conducted with MAS, the<br/>11 neighborhood, and City officials to resolve these<br/>12 issues over the past four years.<br/>13 "Were MAS operating as an APS school, they<br/>14 would be required to have a traffic plan and<br/>15 implement the basic safety requirements to ensure<br/>16 that parents, students, staff, and visitors can all<br/>17 access the school safely together.<br/>18 "Were MAS a City-licensed business, it<br/>19 would not be permitted to operate without<br/>20 demonstrating adequate parking and would not be<br/>21 permitted to commandeer City streets for private<br/>22 use.<br/>23 "It is my opinion that the PEC should not<br/>24 approve any charter or enrollment expansion for any<br/>25 campus without a traffic management plan.</p>  | <p>1 code.<br/>2 "Because MAS is regulated by the State's<br/>3 PEC, MAS is not required to comply with those codes<br/>4 unless required to do so by the PEC.<br/>5 "Mrs. Mitchell and I also believe we<br/>6 should revisit the City's offer..." -- sorry.<br/>7 Sorry.<br/>8 "Mrs. Mitchell committed to meeting with<br/>9 the City's traffic engineers and our staff to<br/>10 evaluate these concerns and develop a traffic plan<br/>11 to be implemented in the upcoming 2020-2021 school<br/>12 year. I am confident we are finally on the right<br/>13 path.<br/>14 "I respectfully request PEC approves MAS's<br/>15 enrollment cap adjustment request, it do so as a<br/>16 conditional approval, requiring MAS to participate<br/>17 with the City of Albuquerque in the development of a<br/>18 Traffic Safety and Neighborhood Impact Mitigation<br/>19 Plan prior to the 2021-'22 school year.<br/>20 "I realize that this letter may reach you<br/>21 at some late hour, but I will make myself available<br/>22 by phone to answer any questions.<br/>23 "Finally, let me reiterate that<br/>24 Mrs. Mitchell and MAS have [inaudible] impressive<br/>25 outcomes for students, and it is no surprise that</p>   |

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| <p>1 more students want to join the MAS team. I remain a<br/>2 supporter of their approach. But like any new or<br/>3 expanded development in an urban setting,<br/>4 investments in growth require equal investments to<br/>5 manage the impacts on neighborhood uses.<br/>6 "It's a simple neighborhood policy that is<br/>7 long overdue in the neighborhood and MAS community.<br/>8 In service, Pat Davis, President, Albuquerque City<br/>9 Council, City Councilor, District 6."<br/>10 And that is it. So thank everyone. And<br/>11 thanks, everyone, for your patience with the time.<br/>12 And we were happy that we were able to accommodate<br/>13 everyone. So we appreciate this.<br/>14 COMMISSIONER VOIGT: Madam Chair?<br/>15 THE CHAIR: Is --<br/>16 COMMISSIONER VOIGT: It's me. Hi.<br/>17 Could I request that we take a five- to<br/>18 ten-minute brief break and give us time to also<br/>19 process some of the information that's been<br/>20 presented?<br/>21 THE CHAIR: And I'm more than willing to<br/>22 do that. But could we just get through at least the<br/>23 approval of the Consent Agenda and quick things,<br/>24 just so that we kind of have a more natural break?<br/>25 Can we do that?</p> | <p>1 Ruiz?<br/>2 COMMISSIONER RUIZ: Yes.<br/>3 COMMISSIONER ARMBRUSTER: Commissioner<br/>4 Crone?<br/>5 COMMISSIONER CRONE: Yes.<br/>6 COMMISSIONER ARMBRUSTER: I can hardly<br/>7 hear you, Commissioner Crone, by the way.<br/>8 Commissioner Raftery?<br/>9 COMMISSIONER RAFTERY: Yes.<br/>10 COMMISSIONER ARMBRUSTER: Commissioner<br/>11 Gipson?<br/>12 THE CHAIR: Yes.<br/>13 COMMISSIONER ARMBRUSTER: Commissioner<br/>14 Chavez?<br/>15 COMMISSIONER CHAVEZ: Yes.<br/>16 COMMISSIONER ARMBRUSTER: Commissioner<br/>17 Davis?<br/>18 COMMISSIONER DAVIS: Yes.<br/>19 COMMISSIONER ARMBRUSTER: Commissioner<br/>20 Armbruster votes "Yes."<br/>21 Commissioner Voigt?<br/>22 COMMISSIONER VOIGT: Yes.<br/>23 COMMISSIONER ARMBRUSTER: Commissioner<br/>24 Robbins?<br/>25 COMMISSIONER ROBBINS: Yes.</p>  |
| Page 87   | Page 89   |
| <p>1 COMMISSIONER VOIGT: Sure. I didn't know<br/>2 where we were on the agenda. I thought you guys<br/>3 took everything up to No. 6.<br/>4 THE CHAIR: No, we're still on -- oh,<br/>5 shoot. Sorry. I just -- my screen goes blank.<br/>6 No. We're only on No. 3. So now, we're<br/>7 on to No. 4, which is the Consent Agenda.<br/>8 And I do not believe there's any changes<br/>9 to that. There's been no request to remove anyone<br/>10 off.<br/>11 MS. KAREN WOERNER: That's correct,<br/>12 Madam Chair.<br/>13 THE CHAIR: Okay. So I will entertain a<br/>14 motion to approve the Consent Agenda.<br/>15 COMMISSIONER DAVIS: I so move.<br/>16 THE CHAIR: There's a motion by<br/>17 Commissioner Davis.<br/>18 COMMISSIONER RAFTERY: I second.<br/>19 THE CHAIR: There's a second by<br/>20 Commissioner Raftery. But there needs to be a<br/>21 roll-call vote. Commissioner Armbruster?<br/>22 COMMISSIONER ARMBRUSTER: Commissioner<br/>23 Caballero?<br/>24 COMMISSIONER CABALLERO: Yes.<br/>25 COMMISSIONER ARMBRUSTER: Commissioner</p>  | <p>1 COMMISSIONER ARMBRUSTER: Ten to one.<br/>2 Passes.<br/>3 THE CHAIR: The motion passes, ten-zero.<br/>4 Thank you.<br/>5 So now we'll take a short break. No more<br/>6 than ten, okay?<br/>7 COMMISSIONER VOIGT: Thank you.<br/>8 THE CHAIR: Thank you.<br/>9 (Recess taken, 11:00 a.m. to 11:15 a.m.)<br/>10 THE CHAIR: Okay. So we're all back.<br/>11 Thanks for the break.<br/>12 So we are on to Item No. 5, which is<br/>13 Report from Options for Parents and the Charter<br/>14 School Division.<br/>15 MR. ALAN BRAUER: Madam Chair, members of<br/>16 the Commission, good to be here with you today. Can<br/>17 you hear me okay?<br/>18 COMMISSIONERS: Yes.<br/>19 MR. ALAN BRAUER: I'll be fairly brief.<br/>20 I -- the first part of my report, I wanted to<br/>21 apologize to all the Commissioners for the Zoom<br/>22 issues that we had last week. That was an internal<br/>23 departmental issue. We solved it. But I know that<br/>24 that puts you all in a bind, and we had to postpone<br/>25 and reschedule for this week. And so I wanted to</p> |

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| <p style="text-align: right;">Page 90</p> <p>1 first apologize and atone for that.<br/> 2 And Beverly, Karen, and myself are working<br/> 3 with the Department to make sure that we have a PEC<br/> 4 Zoom [inaudible] as we move forward. So, hopefully,<br/> 5 we will no longer have the issues that we<br/> 6 experienced last week that would happen anymore.<br/> 7 The second thing I wanted to share is just<br/> 8 a few updates from -- one is -- [inaudibility due to<br/> 9 connectivity issues].<br/> 10 (A discussion was held off the record.)<br/> 11 MR. ALAN BRAUER: Okay. I turned my video<br/> 12 off. Is that better?<br/> 13 MS. KAREN WOERNER: Much better.<br/> 14 MR. ALAN BRAUER: Okay. Sorry you won't<br/> 15 see my face when I'm talking. I wanted to share<br/> 16 that there was a -- there is a hiring freeze in<br/> 17 place [inaudibility due to connectivity issues].<br/> 18 Still having a hard time?<br/> 19 THE CHAIR: Alan -- yeah, we are.<br/> 20 COMMISSIONER RUIZ: Alan, can you just use<br/> 21 the call-in number and call, because that seems to<br/> 22 work. It worked earlier for one for me. And then<br/> 23 Pattie had to do it yesterday. Perhaps you can just<br/> 24 call in on the call-in number, and that'll solve all<br/> 25 the Internet issues.</p> | <p style="text-align: right;">Page 92</p> <p>1 sooner than later, we'll be able to complete those<br/> 2 hires.<br/> 3 The second thing I wanted to share is I<br/> 4 think you all were noticed through me that Extended<br/> 5 Learning Time and K5-Plus and K12-Plus pilot<br/> 6 programs have been discontinued for next year. That<br/> 7 will have implications for our charter schools, for<br/> 8 sure, with their budgets.<br/> 9 The program -- anything that's happening<br/> 10 between now and June 30th of this year is going to<br/> 11 continue in the appropriate virtual learning<br/> 12 processes that the schools put into place with their<br/> 13 Continuous Learning Plans.<br/> 14 The other item I wanted to share is that<br/> 15 the Secretary has authorized a Reentry to School<br/> 16 Task Force. I'm pleased say the Chair is part of<br/> 17 that task force. She'll likely share some more<br/> 18 information during her comments. But I just wanted<br/> 19 to acknowledge that the PEC is part of that group,<br/> 20 and that it's really important for you all to have a<br/> 21 voice as we develop our plan for reentering into<br/> 22 school for next year.<br/> 23 We are planning to meet weekly with the<br/> 24 Secretary and the other task force members. I was<br/> 25 privileged to be part of the group as kind of like</p>                                       |
| <p style="text-align: right;">Page 91</p> <p>1 MR. ALAN BRAUER: Great idea. Let me do<br/> 2 that now.<br/> 3 THE CHAIR: Unfortunately, Pattie's<br/> 4 problems were Pattie yesterday. So...<br/> 5 COMMISSIONER RUIZ: That -- but I can tell<br/> 6 you that I experienced that, too. I know you and I<br/> 7 have discussed that. And it was your own -- but<br/> 8 it's just easier if you call in if you're getting<br/> 9 all warbled like that.<br/> 10 MR. ALAN BRAUER: Okay. I'm going to do<br/> 11 that right now. Can you hear me right now?<br/> 12 THE CHAIR: We can.<br/> 13 MR. ALAN BRAUER: Okay. If it gets bad, I<br/> 14 will -- let me see here -- you know what? I'm just<br/> 15 about ready to log in here.<br/> 16 COMMISSIOENR VOIGT: You know, I think<br/> 17 it's -- when you're further away from your device,<br/> 18 it's clearer.<br/> 19 MR. ALAN BRAUER: I'll keep on going. If<br/> 20 we do have another issue, I'll stop. But I was<br/> 21 saying that we do have a hiring freeze right now in<br/> 22 place. And we have -- we have two other positions<br/> 23 within our Charter School Division that we were in<br/> 24 the process of hiring. But at this stage, we're on<br/> 25 a holding pattern on those. But we're hoping,</p>   | <p style="text-align: right;">Page 93</p> <p>1 an observer and a partner as part of the leadership<br/> 2 team with the PED.<br/> 3 So more to come around that as we move<br/> 4 into June, I'm sure, with our upcoming meetings on<br/> 5 some of the planning that's going to be in place.<br/> 6 One other item that I wanted to share is<br/> 7 that I just got an e-mail from the Department that<br/> 8 the New Mexico Vistas website is now back up. So I<br/> 9 think that's something that we have been working on,<br/> 10 for sure, and I know that the PEC has been<br/> 11 anticipating seeing the results.<br/> 12 Though, now, when you go onto<br/> 13 NewMexicoschools.com, you should be able to see each<br/> 14 of the schools' interfaces. There may still be some<br/> 15 bugs that are in there, as with any new program.<br/> 16 But as of right now, it is fully launched, and you<br/> 17 can view that for sure.<br/> 18 One last thing in terms of -- in terms of<br/> 19 an update before I move into the other agenda items,<br/> 20 I wanted to share that Dr. Gwen Perea-Warniment, the<br/> 21 Deputy Secretary of Teaching, Learning and<br/> 22 Assessment, put together a [inaudible] to review<br/> 23 Continuous Learning Plans and to learn from the<br/> 24 schools, charters, and districts on what's working<br/> 25 well and how do we lift up those bright spots as we</p> |



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| <p style="text-align: right;">Page 94</p> <p>1 move into the next phase of next year in our<br/>2 learning processes.<br/>3 And so as I -- we just started that this<br/>4 week. So I am -- I will have more information in<br/>5 June in terms of what we're learning from our<br/>6 [inaudible] review of large sample size of those<br/>7 Continuous Learning Plans. And I can share more of<br/>8 that today in our agenda.<br/>9 And with that, I'll wait for my -- I have<br/>10 a highlight and appreciation that I wanted to do.<br/>11 But at this stage, Madam Chair, I can move into<br/>12 Part B, which is Schools of Concern.<br/>13 (All "inaudibles" due to<br/>14 connectivity issues.)<br/>15 THE CHAIR: Absolutely.<br/>16 MS. KAREN WOERNER: Madam Chair, if<br/>17 there's anyone from the school here, should I be<br/>18 adding them?<br/>19 THE CHAIR: Yes. Yeah. Yeah.<br/>20 MS. KAREN WOERNER: I see Kathy Sandoval.<br/>21 So let me add her and see if there's anyone else<br/>22 that needs to be added.<br/>23 THE CHAIR: Okay.<br/>24 MS. KAREN WOERNER: Kathy, you have been<br/>25 added as a panelist for this discussion and you can</p>   | <p style="text-align: right;">Page 96</p> <p>1 MS. KATHY SANDOVAL: Marty's having<br/>2 trouble getting his mute off.<br/>3 MS. KAREN WOERNER: He's unmuted now.<br/>4 Marty, can you speak?<br/>5 MS. KATHY SANDOVAL: Oh, is he? Marty?<br/>6 Uh-oh. A lawyer we can't hear. That's not a good<br/>7 sign.<br/>8 MS. KAREN WOERNER: I don't hear him. But<br/>9 he is unmuted. Marty?<br/>10 The other option, Marty, would be to call<br/>11 in on the phone line in --<br/>12 MS. KATHY SANDOVAL: Oh, he says he's --<br/>13 Marty, can you hear us now? Martin?<br/>14 MS. KAREN WOERNER: He appears to be<br/>15 there, but we cannot hear him.<br/>16 MS. KATHY SANDOVAL: Okay. He needs the<br/>17 phone number.<br/>18 THE CHAIR: Actually, the easiest thing to<br/>19 do is to go to the audio settings by the mute<br/>20 button. And if you click on "Join by Phone," the<br/>21 phone numbers all pop up.<br/>22 MS. KATHY SANDOVAL: Okay. Chairwoman<br/>23 Gipson, say that again.<br/>24 THE CHAIR: So go to the mute -- go by the<br/>25 mute button, and then there's that arrow right there</p>        |
| <p style="text-align: right;">Page 95</p> <p>1 unmute yourself. Is there anyone else?<br/>2 MS. KATHY SANDOVAL: Yes, our lawyer,<br/>3 Marty Esquivel.<br/>4 MS. KAREN WOERNER: Okay. And is that all<br/>5 from the school, Kathy?<br/>6 MS. KATHY SANDOVAL: That's all.<br/>7 MS. KAREN WOERNER: Thank you. Marty is<br/>8 coming in. Marty, you've been added as a panelist<br/>9 and you would need to unmute to speak.<br/>10 THE CHAIR: So are those the three hands<br/>11 that were raised, Karen?<br/>12 MS. KAREN WOERNER: They are not.<br/>13 THE CHAIR: Okay. So I think I should<br/>14 just let individuals who are here participating know<br/>15 that we do not take questions and/or comments from<br/>16 the participants during a -- during a meeting. So I<br/>17 don't want you to get frustrated if you have your<br/>18 hand raised and there's an expectation that you're<br/>19 going to be recognized to speak.<br/>20 Public comment is over, and the only other<br/>21 individuals that the Commission will hear from<br/>22 during the rest of this meeting is from schools and<br/>23 individuals that are on the agenda and are part of<br/>24 any school's presentation.<br/>25 Okay.</p> | <p style="text-align: right;">Page 97</p> <p>1 to the right of the mute button. When you go to<br/>2 that, you'll see a list, and you click on Join Audio<br/>3 by Phone. And when you click on that, the phone<br/>4 numbers automatically populate on the screen.<br/>5 MS. KATHY SANDOVAL: Okay. I'll tell him<br/>6 that.<br/>7 MS. KAREN WOERNER: Yeah. It says,<br/>8 "Switch to Phone Audio."<br/>9 COMMISSIONER ARMBRUSTER: Madam Chair?<br/>10 THE CHAIR: Yes.<br/>11 COMMISSIONER ARMBRUSTER: While we're<br/>12 waiting for that to occur, on mine, I keep seeing,<br/>13 like e-mails coming across my screen. Where are<br/>14 those going?<br/>15 THE CHAIR: Are those chats?<br/>16 COMMISSIONER ARMBRUSTER: Some say, "To<br/>17 All Panelists."<br/>18 THE CHAIR: That's your chat. Those are<br/>19 chats; they're not e-mails.<br/>20 COMMISSIONER ARMBRUSTER: Oh. I just<br/>21 wondered were they for me to read? Okay.<br/>22 MR. MARTY ESQUIVEL: Hello. It's<br/>23 Mr. Esquivel. I apologize for the problem.<br/>24 THE CHAIR: There you go. That's okay.<br/>25 We're just glad you got in.</p> |

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| <p style="text-align: right;">Page 98</p> <p>1 MR. MARTY ESQUIVEL: Okay. Trying to<br/>2 catch up with technology here.<br/>3 THE CHAIR: I know. So thanks for being<br/>4 here and thanks for giving us this time.<br/>5 I'm going to turn it to Alan, to the<br/>6 Director, for a moment, because he has a little more<br/>7 information about the background of why we're here.<br/>8 Just so that you know, the Director and I<br/>9 have had -- had several conversations about concerns<br/>10 that had been brought in to the -- to the Charter<br/>11 School Division. So we just felt it would be best<br/>12 to be able to clear the air and find out what's<br/>13 going on, and the Director would then be able to<br/>14 communicate back to folks that have called him as<br/>15 well.<br/>16 So, Alan, do you want to jump in if you're<br/>17 there?<br/>18 MR. ALAN BRAUER: Chairwoman and<br/>19 Commissioners, can you hear me okay?<br/>20 THE CHAIR: Yes, we can.<br/>21 MR. ALAN BRAUER: I just did the swap to<br/>22 the phone just to make things a little bit easier,<br/>23 so I wanted to make sure.<br/>24 Commissioners and members of the school<br/>25 team, there have been a couple -- starting back in</p>   | <p style="text-align: right;">Page 100</p> <p>1 take part in.<br/>2 And so I thought it would be helpful for<br/>3 the school, Ms. Sandoval, to clarify those two<br/>4 things; first, the CNM partnership and what's<br/>5 possible and feasible for students to continue to<br/>6 choose that school for some of their coursework, and<br/>7 then also clarifying the school's policy around<br/>8 reimbursing coursework, including textbooks.<br/>9 MS. KATHY SANDOVAL: Okay. Thank you,<br/>10 Alan. So I'll take those in that order.<br/>11 Back in March, I was informed by CNM that<br/>12 they were going to electronic textbooks. The<br/>13 textbooks kind of evaporate into the vapor at the<br/>14 end of the semester.<br/>15 And, in the past, we've always had<br/>16 something tangible. Though this was not done with<br/>17 any kind of information from CNM, I told them that I<br/>18 could not do the textbook -- the electronic<br/>19 textbook, that I would need to have a hard copy,<br/>20 that the students, then -- we -- they turn it in and<br/>21 we can give it to another student.<br/>22 That's not true with this situation. The<br/>23 students had to go set up a -- what is -- in<br/>24 essence, is a charge account with CNM. And, you<br/>25 know, those little monkeys, they weren't just --</p> |
| <p style="text-align: right;">Page 99</p> <p>1 early March, there were a couple of constituents<br/>2 that reached out to the Department or to the Charter<br/>3 School Division regarding the CNM partnership that<br/>4 you all have had.<br/>5 I think that the school has -- did not<br/>6 continue their partnership through an MOU with CNM,<br/>7 from what I understood.<br/>8 I did reach out to Ms. Sandoval in early<br/>9 March to learn a little bit more. But I also know<br/>10 that that's when the world changed for all of us.<br/>11 And I know there were lots of things that took a lot<br/>12 of our prioritized time for sure.<br/>13 And so I think the first concern item<br/>14 that's been raised is some family members of<br/>15 students that go to AIMS wanted to continue to take<br/>16 courses at CNM. And they just had concerns around<br/>17 what that process could potentially look like while<br/>18 also staying on the -- on track with AIMS's course<br/>19 of study.<br/>20 The other thing that was raised for us was<br/>21 also -- and I think this is a discussion item for<br/>22 AIMS to share and to clarify -- is that a few folks<br/>23 raised the concern that AIMS only reimburses<br/>24 coursework that receives a passing grade and not<br/>25 reimbursing all dual credit coursework that students</p> | <p style="text-align: right;">Page 101</p> <p>1 they weren't just getting the textbook. They were<br/>2 also getting some snacks and other things.<br/>3 So, I mean, it wasn't good custodianship<br/>4 of public funds.<br/>5 So I talked to Kate and I said, "I can't<br/>6 do this. What you need to do is kind of do what UNM<br/>7 does." UNM rocks on that, and we have an MOU with<br/>8 them.<br/>9 And what they do is they say to the<br/>10 professors, "Okay, here's the deal. If you want to<br/>11 use an electronic textbook, that's great. But you<br/>12 will also have, in the bookstore, a copy of -- a<br/>13 hard-copy book that the kids can use. They can go<br/>14 onto Amazon; they can go wherever they want to go<br/>15 and try to get the best price for that textbook.<br/>16 They can share it with other people.<br/>17 So I was not -- with CNM, I did not have<br/>18 the ability to do that. So that's where that came<br/>19 from.<br/>20 They have a signed agreement with me. But<br/>21 I had to strike out the electronic textbook. To me,<br/>22 that's a violation of law, okay? And Marty will<br/>23 talk more about that.<br/>24 As far as the policy, no. You guys have<br/>25 my policy handbook. I have to turn it in every</p>  |

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| <p style="text-align: right;">Page 102</p> <p>1 year. I do not have a policy that you have to pass<br/>2 a course with a particular grade.<br/>3 I do have a policy -- and I'll tell you<br/>4 how we got to that -- that -- that students figured<br/>5 out pretty darn quick, when we first started this<br/>6 back in 2008 -- that's how long -- that's how far<br/>7 back this policy goes -- students were getting the<br/>8 hard-copy book -- because there was no such thing as<br/>9 an E-book at that time -- and they were dropping the<br/>10 class, turning the book in, and pocketing the money.<br/>11 That's a violation of law.<br/>12 So what we have was -- verbally, we tell<br/>13 the students, "You can't drop that class, you've got<br/>14 to keep going with the class, you've got to use that<br/>15 textbook and then turn it in at the end of the<br/>16 year." That's what they've done. That's what we've<br/>17 done for 14 years.<br/>18 And that particular thing was in place<br/>19 before I even got there. I'm not the founder of<br/>20 that school; but it was in place at that time. And<br/>21 the board, that's what the board wanted. And it<br/>22 made -- it made good sense, particularly when we had<br/>23 an audit, as all charter schools do. And that was<br/>24 an audit finding, that I violated the anti-donation<br/>25 law. That's a big deal. So that's how we came to</p> | <p style="text-align: right;">Page 104</p> <p>1 say that the school will contract with the bookstore<br/>2 on the book.<br/>3 So this has kind of vaulted -- this new<br/>4 requirement for the electronic text, if you will,<br/>5 has kind of vaulted this into a pretty major expense<br/>6 for the school and some -- you know, some liability,<br/>7 expense anywhere from, you know, five figures, over<br/>8 10,000 bucks.<br/>9 So what we had hoped a couple of months<br/>10 ago was that, you know, we could sit down and have a<br/>11 face-to-face with CNM and see if we could reach some<br/>12 kind of compromise. And, certainly, I cannot<br/>13 imagine that an electronic textbook cannot be<br/>14 reduced down to -- or that there has to be some form<br/>15 of an actual textbook. But we just simply have not<br/>16 had, given the COVID-19, the opportunity to do so.<br/>17 But those are legitimate legal issues,<br/>18 and, obviously, some practical issues as articulated<br/>19 by Ms. Sandoval.<br/>20 THE CHAIR: Okay. Thank you. Alan, do<br/>21 you have any questions? And you're back live.<br/>22 MR. ALAN BRAUER: Yeah. Madam Chair,<br/>23 members of the Commission, no, I don't at this<br/>24 stage. One question I guess I do have --<br/>25 THE CHAIR: Sure.</p>  |
| <p style="text-align: right;">Page 103</p> <p>1 be there.<br/>2 It was CNM that told me that they would<br/>3 not accept my MOU because there was a strike-out on<br/>4 the electronic textbooks. And so, as a result, I<br/>5 had an organization that was charging and availing<br/>6 themselves of my funds without me really knowing<br/>7 about it until I got this humongous bill.<br/>8 And the bill was -- was about 70 percent<br/>9 of the total funds that I get for dual credit. So I<br/>10 only had 30 percent left over for UNM.<br/>11 So if they were going to be difficult to<br/>12 work with and they insisted on having these<br/>13 electronic books, then we'll just go with UNM, which<br/>14 is probably what we ought to do anyway.<br/>15 So, Marty, do you want to jump in here?<br/>16 MR. MARTY ESQUIVEL: Yeah, a couple of<br/>17 things, is I did look at Kathy's concern about<br/>18 potential violation of the anti-donation clause.<br/>19 And it's completely legitimate in terms of the<br/>20 purchase.<br/>21 And when you look at the regulation, which<br/>22 speaks to the dual credit, you know, it talks -- it<br/>23 does talk about textbooks. And I think that was<br/>24 written back in the day when we talked about<br/>25 textbooks being a true tangible item. It goes on to</p>   | <p style="text-align: right;">Page 105</p> <p>1 MR. ALAN BRAUER: -- is, Ms. Sandoval,<br/>2 some parents have reached out to express that they<br/>3 understand the reasoning why, and they -- I know<br/>4 that you sent out a letter and communicated the<br/>5 change in partnership with CNM. Some parents<br/>6 expressed that, for instance, if trigonometry isn't<br/>7 offered up at, like, UNM over the summer, but a<br/>8 child needs to take trigonometry over the summer to<br/>9 stay on track with their program of study with AIMS,<br/>10 like, are they able to take coursework at CNM to<br/>11 qualify for that?<br/>12 I think those are the things that I think<br/>13 are coming up from the constituents that reached out<br/>14 to me.<br/>15 MS. KATHY SANDOVAL: Well, I can't imagine<br/>16 that there is a class that CNM would have that UNM<br/>17 doesn't. And you need to understand that both CNM<br/>18 and UNM closed down their campuses for dual credit,<br/>19 period, this summer. And so they just said, "No<br/>20 more dual credit." So that's what the parents were<br/>21 having issues with.<br/>22 Now, what I had issue with with CNM is<br/>23 that CNM called my students -- because they were<br/>24 dual credit, they had their number -- they called<br/>25 them and said, "You know what? If you want to take</p> |

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| <p style="text-align: right;">Page 106</p> <p>1 a course at CNM, you can pay tuition..." -- they<br/> 2 charge those children tuition, or their parents --<br/> 3 "...you can pay tuition, and/or you can go to this<br/> 4 great partnership that we have with APS College and<br/> 5 Career Readiness school."<br/> 6 So they started to poach my students. And<br/> 7 I was, like, "What? Am I the only school in<br/> 8 New Mexico that they" -- they told me in an e-mail<br/> 9 that they would not accept the MOU, and then they<br/> 10 went and started charging tuition.<br/> 11 I had a parent come in yesterday<br/> 12 absolutely livid because he had to pay about \$500 in<br/> 13 tuition that CNM -- that's what they broker. And<br/> 14 that was done behind my back. I did not know<br/> 15 anything about it. That is -- I don't think that's<br/> 16 a fair playing field that CNM used.<br/> 17 COMMISSIONER DAVIS: So I'm not<br/> 18 understanding this E-book issue. I'm an instructor<br/> 19 at San Juan College in Farmington. We have dual<br/> 20 credit students. And it's the publisher that<br/> 21 provides the access card. And then when the<br/> 22 students buy the access card they have the option to<br/> 23 buy a hard-copy book for \$30, which is quite a lot<br/> 24 cheaper than it would be anywhere else.<br/> 25 And so it's up to the students then to buy</p> | <p style="text-align: right;">Page 108</p> <p>1 COMMISSIONER VOIGT: Madam Chair, if I<br/> 2 could --<br/> 3 MS. KATHY SANDOVAL: And, of course, the<br/> 4 kid would drop the class. But if you open up that<br/> 5 E-book, that book is yours, whether you drop the<br/> 6 class or not.<br/> 7 MR. MARTY ESQUIVEL: Madam Chair,<br/> 8 Commissioner Davis, this is Mr. Esquivel. Can you<br/> 9 hear me? Can I be rec- --<br/> 10 COMMISSIONER DAVIS: Yes.<br/> 11 MR. MARTY ESQUIVEL: Yeah. And just to<br/> 12 further add to that, you know, again, the regulation<br/> 13 on this does require the purchase through a<br/> 14 bookstore. So I think that Commissioner Davis's<br/> 15 experiences certainly is something that does present<br/> 16 a better option. But if we're, you know, forced to<br/> 17 go to the bookstore and do it their way, it becomes<br/> 18 a very costly venture.<br/> 19 COMMISSIONER DAVIS: Well, the access card<br/> 20 is purchased through the bookstore. And you have<br/> 21 access to Pearson, and Pearson gives you the option,<br/> 22 or McGraw-Hill, they give you the option to do this<br/> 23 other thing, because not everybody wants an E-book.<br/> 24 MS. KAREN WOERNER: Yeah. But they have<br/> 25 to pay for both.</p>  |
| <p style="text-align: right;">Page 107</p> <p>1 from the publisher. So I don't know why your<br/> 2 students don't have that same opportunity.<br/> 3 MS. KATHY SANDOVAL: That option is not<br/> 4 made available by CNM.<br/> 5 COMMISSIONER DAVIS: No. It's the<br/> 6 publisher on the access card. So the students buy<br/> 7 the access card so they have access to all of the<br/> 8 information. And then within the access card,<br/> 9 there's a little place that says, "Do you want a<br/> 10 hard-copy book?"<br/> 11 MS. KATHY SANDOVAL: Okay. That option is<br/> 12 not available to my students. So they're using Ed<br/> 13 Learn. And that's the publisher.<br/> 14 COMMISSIONER DAVIS: Okay. All right. So<br/> 15 it's a publisher issue, then. McGraw-Hill and<br/> 16 Pearson, both, I know do that.<br/> 17 MS. KATHY SANDOVAL: It was a deal they<br/> 18 worked out with Ed Learn [verbatim].<br/> 19 Not only that, but if the kids -- so the<br/> 20 children, they do what I did as a kid. If you go<br/> 21 and you need Algebra 1, and you sign up for maybe<br/> 22 four different offerings hoping you at least get<br/> 23 one, well, what the bookstore was doing is they were<br/> 24 charging four times for that E-book. That's --<br/> 25 that's not right.</p>  | <p style="text-align: right;">Page 109</p> <p>1 COMMISSIONER DAVIS: Right. So you're<br/> 2 buying the E-book, but then you have the option to<br/> 3 buy a hard-copy book at a lesser cost than it would<br/> 4 be to buy it anywhere else.<br/> 5 MS. KATHY SANDOVAL: That is -- like I<br/> 6 said, that's not an option that I was given. This<br/> 7 was a deal that was worked out between CNM and the<br/> 8 publisher.<br/> 9 COMMISSIONER DAVIS: Yeah. Okay.<br/> 10 THE CHAIR: Okay. Commissioner Voigt?<br/> 11 COMMISSIONER VOIGT: Thank you. So I just<br/> 12 want to say that, you know, Commissioner Davis, it<br/> 13 sounds like -- this is a CNM policy that is<br/> 14 adversely affecting their dual-credit students.<br/> 15 And I remember reading also about -- in<br/> 16 the press, that CNM and UNM both, the first line of<br/> 17 enrollees that they decided to basically dump when<br/> 18 COVID hit were their dual-credit students, because<br/> 19 they were probably the less profitable for both<br/> 20 institutions.<br/> 21 But I wanted to say, also, normally -- and<br/> 22 I know in other charter schools and other high<br/> 23 schools, traditional high schools, the text<br/> 24 typically does become the property of that school,<br/> 25 of that high school. And they can build a really</p> |

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| <p style="text-align: right;">Page 110</p> <p>1 nice library for their dual-credit students going<br/>2 forward.</p> <p>3 And so for CNM to take on this policy of<br/>4 E-books, I'm sure they're making some profit.</p> <p>5 But I'm curious. What is the cost -- I<br/>6 don't know, Kathy if you have this -- the cost<br/>7 difference between the hard-copy textbook and the<br/>8 same book in E-book? Do you know what that cost<br/>9 difference --</p> <p>10 MS. KATHY SANDOVAL: Commissioner Voigt,<br/>11 that's actually an excellent question. And the --<br/>12 the way -- this is what I understand. There's a<br/>13 huge class action suit right now --</p> <p>14 COMMISSIONER VOIGT: I bet.</p> <p>15 MS. KATHY SANDOVAL: -- against electronic<br/>16 books and the forcing of having to use an electronic<br/>17 book.</p> <p>18 And what has happened is my cost is \$100 a<br/>19 book, okay, that I don't get to use ever again. It<br/>20 just disappears.</p> <p>21 If I had a -- a textbook, generally, they<br/>22 were about \$150; but I could use it again with other<br/>23 students. And we'd get about three years out of it.</p> <p>24 Now, here is the deal, is that the<br/>25 textbook -- the electronic textbooks -- or</p>   | <p style="text-align: right;">Page 112</p> <p>1 feather in their cap.</p> <p>2 And for them to be imposing this type of<br/>3 expense, I think, is downright greedy. So thanks<br/>4 for sharing that, your situation; because -- we<br/>5 really need to be -- we really need to start being<br/>6 vigilant, all of us, all educators, about the<br/>7 corporate wedge that's going to change and coming<br/>8 in, especially with electronic learning.</p> <p>9 And, to me, this hugely is an equity<br/>10 issue.</p> <p>11 THE CHAIR: Commissioner Robbins?</p> <p>12 COMMISSIONER ROBBINS: Yes. Yeah. I'm<br/>13 concerned that it appears that CNM and APS have gone<br/>14 into partnership to question and to silence charter<br/>15 schools' access to dual credit through their<br/>16 program, and they're doing this end run, not only to<br/>17 AIMS, but probably other schools that offer dual<br/>18 credit also.</p> <p>19 You know, the district schools, for a long<br/>20 time -- for decades had a monopoly on public<br/>21 education. Now that they don't have that monopoly,<br/>22 they're trying to use other means, which I think is<br/>23 antitrust.</p> <p>24 You know, it's a government entity. And<br/>25 we're saying that we don't like the corporate</p>   |
| <p style="text-align: right;">Page 111</p> <p>1 electronic books -- they're going up in price. And<br/>2 that, again, is set by -- by the publisher. That's<br/>3 not anything -- I mean, that's an automatic thing.</p> <p>4 So when we go -- when my kids go -- and my<br/>5 kids have to have 30 credit hours in order to<br/>6 graduate from AIMS; so they must have dual credit.<br/>7 And we have -- we have that outlined what kind of --<br/>8 you know, they have to take one science course and<br/>9 one math course and one English course. And that's<br/>10 why they're so college-and-career-ready is because<br/>11 we've already sent them out there.</p> <p>12 In essence, I don't put a cap on how many<br/>13 hours they can take. I've had students take<br/>14 100 hours. We talk a lot about free college. We've<br/>15 been doing it for 14 years.</p> <p>16 COMMISSIONER VOIGT: You know, I think<br/>17 reality is changing for everybody. And I know that<br/>18 we need to be super-vigilant and super-aware of<br/>19 exploitation by corporate entities that are going to<br/>20 try to edge into education to make money.</p> <p>21 Now, I know the -- and I'm glad to hear<br/>22 that there's a class action lawsuit, because<br/>23 dual-credit students -- I mean, they should be a<br/>24 value. And institutions -- post-secondary<br/>25 institutions should see this as a value and also a</p> | <p style="text-align: right;">Page 113</p> <p>1 entities. But we have government entities acting<br/>2 like a monopoly and trying to exercise market<br/>3 control over education of our students when their<br/>4 own results are horrible.</p> <p>5 APS is one of the worst school districts<br/>6 in the state. It is one of the largest, and it has<br/>7 an awful lot of issues. But for APS to apparently<br/>8 work with CNM or any other institution to sidestep<br/>9 what charters are trying to do, I think is just a<br/>10 continuation of what started a year-and-a-half ago<br/>11 when the Legislature decided to cut Small School<br/>12 Size and to impact charters. I think it is just<br/>13 continuing.</p> <p>14 We have to press the Legislature when they<br/>15 come into session and work with the committees,<br/>16 because this is going to continue. And unless we<br/>17 take a strong voice in the PEC, these type of<br/>18 problems are going to continue. And schools such as<br/>19 AIMS are going to suffer as a consequence.</p> <p>20 It is an economic issue for CNM; but it is<br/>21 also an education equity issue for the students.<br/>22 And I think we need to be looking out for them.</p> <p>23 THE CHAIR: Okay. Thanks. And, Kathy,<br/>24 I'm sorry. I just need a little clarification, and<br/>25 I'm sorry if I missed it.</p> |

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| <p style="text-align: right;">Page 114</p> <p>1 But did PED not reimburse for the cost of<br/>2 the E-books because they weren't able to be saved?<br/>3 MS. KATHY SANDOVAL: No. Actually, PED --<br/>4 I think we get our money actually from Higher Ed for<br/>5 dual credit. They do reimburse, but they don't<br/>6 reimburse the whole amount. I usually get about<br/>7 \$9,000 from -- for textbooks.<br/>8 So what that does is it puts a limit -- I<br/>9 have to choose, "Yes, you can go to UNM, but you<br/>10 can't."<br/>11 So this became a problem very quickly.<br/>12 And I was a little irritated that, as a -- as a<br/>13 principal, I didn't feel like I had -- I had control<br/>14 over my budget, because I had an entity that could<br/>15 just charge against it, and I would get this huge<br/>16 bill at the end of the semester.<br/>17 THE CHAIR: Right. So then just one more<br/>18 thing.<br/>19 When the -- when the kids purchase the<br/>20 cards, do they have to purchase those cards up<br/>21 front, and then they get reimbursed? 'Cause -- and<br/>22 I apologize if I didn't hear.<br/>23 MS. KATHY SANDOVAL: Right. I do have<br/>24 some students that choose to do that because I<br/>25 wasn't available. And my -- so they'll just go</p>                          | <p style="text-align: right;">Page 116</p> <p>1 or at least movement -- to try to prevent students<br/>2 in charter schools to participate.<br/>3 COMMISSIONER CABALLERO: Along with that,<br/>4 Madam Chair, can we somehow look into the<br/>5 possibility, either for the Director or our<br/>6 attorneys, to see if there's a possible waiver that<br/>7 our schools can go to with PED, or allow PED or PEC<br/>8 to issue waivers so that charter schools have the<br/>9 option of complying 100 percent with statute or be<br/>10 allowed to go elsewhere for books and school<br/>11 material?<br/>12 THE CHAIR: Oh, they do have that.<br/>13 Because in the -- you remember in the checklist for<br/>14 waivers, there is instructional materials waivers<br/>15 that charter schools, in particular, are<br/>16 automatically given. They just simply have to check<br/>17 off and fill out the form to the -- to the<br/>18 Secretary.<br/>19 But it's one of those forms that unless<br/>20 the school was violating it somehow, the charter<br/>21 schools are automatically granted that waiver for<br/>22 instructional materials. So that, they do have.<br/>23 COMMISSIONER VOIGT: So I have a question.<br/>24 THE CHAIR: Sure.<br/>25 COMMISSIONER VOIGT: So, Kathy, on that</p> |
| <p style="text-align: right;">Page 115</p> <p>1 ahead, and, "I paid for this, can you please<br/>2 reimburse me?" That's a choice that they have.<br/>3 And we do that if they want. Usually, we<br/>4 just pay them up front.<br/>5 THE CHAIR: Okay. All right.<br/>6 MS. KATHY SANDOVAL: Now, this whole<br/>7 change -- I always felt like we were a good partner<br/>8 for CNM because our kids do very well and they take<br/>9 a lot of classes. And so this whole change occurred<br/>10 not through change in the law; they did it through<br/>11 rule.<br/>12 THE CHAIR: Right.<br/>13 MS. KATHY SANDOVAL: And so I knew nothing<br/>14 about it until I got this bill.<br/>15 THE CHAIR: Right. And I think, moving<br/>16 forward, I think Commissioner Robbins brought up a<br/>17 really good point, and I think it would be behoovant<br/>18 [verbatim] on us, Alan, to check and see what other<br/>19 charter schools -- because we have any number of<br/>20 charter schools that do have some form of<br/>21 partnership with CNM -- to see if or how many other<br/>22 schools have been adversely impacted by that.<br/>23 Because it may then be something that, you<br/>24 know, on a broader scale, that we have to address to<br/>25 make sure that this isn't some sort of a policy --</p> | <p style="text-align: right;">Page 117</p> <p>1 class action lawsuit, I mean, do we know -- and not<br/>2 to name them -- but do we know how many of those<br/>3 participants are charter schools?<br/>4 MS. KATHY SANDOVAL: You know, I don't<br/>5 know that, that information. I can get it for you.<br/>6 COMMISSIONER VOIGT: Well, I'm just<br/>7 curious. But if the CSD wants him to do the<br/>8 research on the adverse effects for charter schools<br/>9 in dual-credit enrollment at CNM, that probably will<br/>10 feed into the same information.<br/>11 MS. KATHY SANDOVAL: Correct.<br/>12 THE CHAIR: Right. Yeah.<br/>13 MS. KATHY SANDOVAL: I agree.<br/>14 COMMISSIONER ARMBRUSTER: I'm -- I don't<br/>15 know. I'm not even on this picture. Okay.<br/>16 THE CHAIR: You are. We can -- I can see<br/>17 you.<br/>18 COMMISSIONER ARMBRUSTER: I have, like,<br/>19 nine people on -- whatever.<br/>20 I just wanted to know, just as a<br/>21 comparison, for traditional public schools, is that<br/>22 a different -- you know, is it different from what<br/>23 they do? As opposed to what they're doing with our<br/>24 charters? Or is it the same? So does everyone have<br/>25 this problem, or only charters, I guess maybe simply</p>                                   |

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| <p style="text-align: right;">Page 118</p> <p>1 said.</p> <p>2 MS. KATHY SANDOVAL: Well, I would</p> <p>3 suggest, Commissioner, that it probably is more of a</p> <p>4 problem for AIMS students, because there is the</p> <p>5 requirement for graduation. And I think regular</p> <p>6 public school students, charter or otherwise, do</p> <p>7 have -- I think they have a requirement that you</p> <p>8 take one dual credit or one AP course or something</p> <p>9 like that. There's an option.</p> <p>10 COMMISSIONER ARMBRUSTER: True.</p> <p>11 MS. KATHY SANDOVAL: Now, of course, their</p> <p>12 money that they're given, APS, is much more than</p> <p>13 what I am given because they have a bigger</p> <p>14 population.</p> <p>15 But they don't necessarily need to spread</p> <p>16 that out evenly. They can put that into, for</p> <p>17 example, college-and-career readiness that is an</p> <p>18 alternative school with CSD, actually on CNM campus.</p> <p>19 So I think their money -- I think they got a bigger</p> <p>20 pot to draw from than I do.</p> <p>21 THE CHAIR: Okay. I think -- Commissioner</p> <p>22 Armbruster, are you trying to talk? Okay.</p> <p>23 COMMISSIONER ARMBRUSTER: I did talk, and</p> <p>24 then I muted myself.</p> <p>25 THE CHAIR: Okay. I thought I saw your</p> | <p style="text-align: right;">Page 120</p> <p>1 THE CHAIR: So, Alan, I guess we're back</p> <p>2 to highlights and appreciations.</p> <p>3 MR. ALAN BRAUER: Okay, Madam Chair,</p> <p>4 members of the Commission. Thank you.</p> <p>5 In terms of highlights and appreciations,</p> <p>6 I have some highlights today. First off, the CARES</p> <p>7 Act funding application has gone live with a memo</p> <p>8 that's provided guidance as well. So I know the</p> <p>9 Department is working as quickly as possible to get</p> <p>10 the funding approved and out to schools so that we</p> <p>11 can do the -- so that we can support schools in</p> <p>12 becoming whole during this response to the COVID-19</p> <p>13 crisis.</p> <p>14 Another thing I wanted to share, as a</p> <p>15 highlight and an appreciation for our newest team</p> <p>16 member on our team, Dr. Brigette Russell -- she's</p> <p>17 been doing an outstanding job with the Charter</p> <p>18 School Program grant -- one of the first things that</p> <p>19 we did as she -- it might have been her second day</p> <p>20 on the job with us, which was all virtual.</p> <p>21 So we -- we got an opportunity to put in a</p> <p>22 request for waivers to use the Charter School</p> <p>23 Program funding to support the current crisis for</p> <p>24 all of our schools.</p> <p>25 So instead of having the traditional CSP</p>   |
| <p style="text-align: right;">Page 119</p> <p>1 mouth moving when you were muted. So, sorry. Just</p> <p>2 wanted to make sure.</p> <p>3 COMMISSIONER ARMBRUSTER: Could have been.</p> <p>4 THE CHAIR: So do any other Commissioners</p> <p>5 have questions or concerns?</p> <p>6 I really appreciate this time. And I know</p> <p>7 it's easier in some respects to be able to do this</p> <p>8 virtually so that you don't have to drive up to</p> <p>9 Santa Fe. So I guess there's a piece of us that</p> <p>10 feels less guilty by asking you of your time.</p> <p>11 But I do appreciate you coming and</p> <p>12 spending the time with us and clearing these up and</p> <p>13 highlighting maybe a bigger problem that is out</p> <p>14 there.</p> <p>15 So we're always not glad to hear there's</p> <p>16 problems, but we're -- we like to know that they</p> <p>17 might be out there to see if there's something we</p> <p>18 can do to help fix it. So I appreciate this.</p> <p>19 MS. KATHY SANDOVAL: Thank you,</p> <p>20 Chairwoman.</p> <p>21 MR. MARTY ESQUIVEL: Thank you.</p> <p>22 THE CHAIR: Thanks. If there's nothing</p> <p>23 else, have a great day, and continue to stay safe.</p> <p>24 MR. MARTY ESQUIVEL: Okay. Thank you.</p> <p>25 MS. KATHY SANDOVAL: Thank you.</p>                       | <p style="text-align: right;">Page 121</p> <p>1 RFA process for expansion of schools or for new</p> <p>2 schools, we put in a waiver a couple of weeks ago</p> <p>3 after a couple of rounds of feedback to request that</p> <p>4 we can get up to \$180,000 for a one-year-only grant</p> <p>5 to all charter schools who meet the criteria for</p> <p>6 this funding. This would be based on the quality of</p> <p>7 the application, but also the needs that each of our</p> <p>8 charter schools have.</p> <p>9 The needs are, you know, the students in</p> <p>10 which you are supporting -- you know, if you do have</p> <p>11 more students who come from one of the</p> <p>12 Yazzie-Martinez indicators or from the more</p> <p>13 traditional at-risk index that the school -- that</p> <p>14 the Department uses, you would be able to give</p> <p>15 preference to those schools.</p> <p>16 And, then, secondly, and even more</p> <p>17 important, our schools that are within areas of --</p> <p>18 of deep impact by the COVID crisis, such as schools</p> <p>19 in McKinley County, that are authorized through --</p> <p>20 through the PEC, we would give preference to those</p> <p>21 schools as well, so that they are provided devices,</p> <p>22 sanitation -- supports for virtual learning and any</p> <p>23 professional development or staffing needs that they</p> <p>24 might have in order to continue to build upon their</p> <p>25 virtual learning models.</p> |

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| <p style="text-align: right;">Page 122</p> <p>1 Now -- so, in June, we're hoping to get<br/>2 the approval by our waivers within the next few<br/>3 weeks. And then we'll use the month of June to do<br/>4 our -- our rapid RFA process for this funding. And<br/>5 then as soon as we can in the early part of the<br/>6 fiscal year get this pushed out to our schools so<br/>7 they can support their efforts in virtual learning<br/>8 or hybrid learning models, that will likely be part<br/>9 of our experience next school year.<br/>10 THE CHAIR: So, Alan, let me ask you. Is<br/>11 this money for whatever going forward? Or can they<br/>12 use any of this money to offset costs that they<br/>13 already had?<br/>14 MR. ALAN BRAUER: You know, Madam Chair,<br/>15 members of the Commission, the intention of what we<br/>16 would -- what we would like to do is to -- similar<br/>17 to the CARES Act funding, which can be -- schools<br/>18 will be able to reimburse back to March 13th when<br/>19 the initial school closure was put into place by the<br/>20 Governor, that's what we provi- -- that's what we<br/>21 indicated in our waiver request was to go back to<br/>22 that stage.<br/>23 Now, the one issue that we may experience<br/>24 is the fiscal year shift. So that's the thing that<br/>25 we've been working with the Fiscal Grants Management</p> | <p style="text-align: right;">Page 124</p> <p>1 virtual training -- sorry -- virtual learning. So<br/>2 building up, you know, the resources and curriculum<br/>3 that schools may need, staffing or professional<br/>4 development that they might need, as well as the<br/>5 devices that would help support students, especially<br/>6 in areas that have more of a deprivation of Internet<br/>7 access.<br/>8 The CARES Act can be used a lot more<br/>9 broadly for, you know, purchasing PPEs and other<br/>10 things -- phones, for instance -- as well as to<br/>11 support the learning experiences. So we think that<br/>12 the CSP funding is -- what was permissible was to<br/>13 provide additional resources for charters,<br/>14 specifically around anything virtue learning, to get<br/>15 that going. So I think that's going to be kind of<br/>16 like the lines of -- of differences there.<br/>17 THE CHAIR: Okay. All right. Thanks.<br/>18 And, you know, unfortunately, that's just a little,<br/>19 little tiny piece of the money that's in that CSP<br/>20 grant money. And we know there's a lot of it that's<br/>21 going to go back. So it's a shame we couldn't get a<br/>22 bigger chunk of it. But anything is better --<br/>23 MR. ALAN BRAUER: Yeah, for sure, Chair.<br/>24 And we want to make sure that -- just so I didn't<br/>25 misspeak, we've created the application for -- and</p> |
| <p style="text-align: right;">Page 123</p> <p>1 team to kind of figure out what that would<br/>2 potentially look like, so that, you know, any of the<br/>3 expenses that may have been accrued for virtual<br/>4 learning prior to -- prior to the new fiscal year,<br/>5 we're going to work to see if we can get that<br/>6 reimbursed as well.<br/>7 That might be an area where maybe the<br/>8 CARES Act funding might be better used for that,<br/>9 since that can, for sure, cross over the fiscal<br/>10 years. And this funding may -- although I'm not<br/>11 sure completely -- may be utilized, you know, in a<br/>12 forward-thinking way, to support any other gaps that<br/>13 they may have as a school to do virtual learning and<br/>14 provide access to the resources that kids need for<br/>15 that.<br/>16 THE CHAIR: Okay. Thanks. And would any<br/>17 money that a school may get from the CARES money,<br/>18 will that be taken into consideration, and this<br/>19 money subtracted in any way? Or can it duplicate<br/>20 what a school received with the CARES money?<br/>21 MR. ALAN BRAUER: Madam Chair, members of<br/>22 the Commission, we need to coordinate that with the<br/>23 schools. And we'll likely see that within their<br/>24 applications.<br/>25 The CSP funding can only be used for</p>  | <p style="text-align: right;">Page 125</p> <p>1 we still need to get approval from the Department of<br/>2 Ed. But each school would be eligible up to<br/>3 \$180,000 for this.<br/>4 THE CHAIR: Oh, okay.<br/>5 MR. ALAN BRAUER: Not just \$180,000<br/>6 across. But we have ample funding, where many of<br/>7 our schools will be able to do some really good work<br/>8 with that.<br/>9 THE CHAIR: That's great. That makes it a<br/>10 whole lot better; so -- so thanks for that.<br/>11 And when did the CARES application go up?<br/>12 MR. ALAN BRAUER: Oh, gosh. I think it --<br/>13 Commissioner Chavez may know that off his head<br/>14 better than I do. I think it went out -- last week,<br/>15 I believe, is when it went out, early last week.<br/>16 COMMISSIONER CHAVEZ: Yes, that's correct.<br/>17 It was late last week.<br/>18 THE CHAIR: Okay. Thanks. Okay.<br/>19 Anything else?<br/>20 MR. ALAN BRAUER: Madam Chair, I'm all<br/>21 finished. Thank you.<br/>22 THE CHAIR: All right. Thank you. So we<br/>23 are now on to Item No. 6, which is Discussion and<br/>24 Possible Action on Amendment Request for Enrollment<br/>25 Cap Increase for MAS.</p>   |



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| <p style="text-align: right;">Page 126</p> <p>1 So, Commissioner Robbins?<br/> 2 COMMISSIONER ROBBINS: Yes. I liked what<br/> 3 City Councilor Pat Davis had to say. He recognizes,<br/> 4 and I recognize the success --<br/> 5 THE CHAIR: One second. We have to get<br/> 6 the school in. So thanks.<br/> 7 COMMISSIONER ROBBINS: Okay. Sure.<br/> 8 THE CHAIR: We need to get the school in<br/> 9 first.<br/> 10 MS. KAREN WOERNER: So I'm adding JoAnn<br/> 11 Mitchell.<br/> 12 JoAnn, can you unmute yourself and tell me<br/> 13 who else I should add from your school as part of<br/> 14 your presentation?<br/> 15 MS. JoANN MITCHELL: Hi. So -- good<br/> 16 morning. So I'm JoAnn Mitchell. And then I have<br/> 17 Bruce Langston, our board chair with us, Patty<br/> 18 Matthews, our school attorney, with us. And I have<br/> 19 Jordan Franco, our VP of Operations with us.<br/> 20 MS. KAREN WOERNER: So they're with you in<br/> 21 the room, or I need to add them from the --<br/> 22 MS. JoANN MITCHELL: Yeah, they're with me<br/> 23 in the room, and I can spin you around and you can<br/> 24 kind of see them. If it looks weird, we're looking<br/> 25 up, it's because the little camera system is up</p>   | <p style="text-align: right;">Page 128</p> <p>1 findings, and that one finding was not a material<br/> 2 weakness or significant deficiency."<br/> 3 Page 69 has their ratings for their<br/> 4 organizational framework from our site visits<br/> 5 showing lots of green and some yellow.<br/> 6 There's also a comment there that the<br/> 7 school did have the insurance provider assess the<br/> 8 school's traffic and pedestrian safety procedures,<br/> 9 and the letter is contained within the packet. If<br/> 10 you'd like to see directly to that letter, it's on<br/> 11 Page 131.<br/> 12 Then follows, on Page 70 is the enrollment<br/> 13 form itself, the governing board approval. And then<br/> 14 the narrative from the school starts on Page 74.<br/> 15 And the only other thing is -- to mention<br/> 16 is that the other attachments are included here and<br/> 17 as is the petition -- the petition is Pages 82 to<br/> 18 130. And after that is the insurance letter.<br/> 19 There's a letter from the Chamber and then<br/> 20 several supporting documents that the school<br/> 21 submitted around crossing guards, NMAC rules on<br/> 22 hazardous walking conditions, and the school site<br/> 23 and safety access in NMAC, student drop-off and<br/> 24 pickup information, as well as the NMPED traffic and<br/> 25 pedestrian guide from their Safe Schools Plan.</p> |
| <p style="text-align: right;">Page 127</p> <p>1 here. But the computer is here; so...<br/> 2 MS. KAREN WOERNER: Thank you, JoAnn. So<br/> 3 there's no one else I need to add from our attendees<br/> 4 on line from Zoom.<br/> 5 MS. JoANN MITCHELL: No. Thank you for<br/> 6 asking.<br/> 7 THE CHAIR: Thank you for being here this<br/> 8 morning and thanks for giving us this time. So we<br/> 9 have all the information in our booklet that's been<br/> 10 populated. I don't know if the CSD team wishes to<br/> 11 say anything before I turn it over to the school for<br/> 12 whatever remarks they might have.<br/> 13 MS. KAREN WOERNER: Madam Chair,<br/> 14 Commissioners, just as Chairwoman Gipson said, it's<br/> 15 all in your packet. I would just like to point you<br/> 16 to the right section. It's Page 68 -- it starts on<br/> 17 Page 68, and you're looking at the full, complete<br/> 18 packet. Or it's referred to as Section 6.1, and all<br/> 19 the supporting documents are Section 6.2, if you're<br/> 20 looking at the individual documents in SharePoint.<br/> 21 So on 68, you have the analysis from our<br/> 22 team. You can see that their current standing in<br/> 23 school improvement has remained pretty constant, "A<br/> 24 letter grade for the last four years, only one<br/> 25 finding in the last three years on their audit</p> | <p style="text-align: right;">Page 129</p> <p>1 So their packet goes from Page 68 all the<br/> 2 way to 170. So just wanted to make sure you're<br/> 3 seeing all those pieces of what the school has<br/> 4 submitted.<br/> 5 And that's all.<br/> 6 THE CHAIR: Okay. Thank you. And good<br/> 7 morning, once again, JoAnn. So thanks for coming.<br/> 8 And my screen keeps going blank. Sorry.<br/> 9 So thanks for coming. And time is yours now for<br/> 10 whatever the school wants to provide for us to hear<br/> 11 right now.<br/> 12 MS. JoANN MITCHELL: Thank you. So I want<br/> 13 to start off by, as much as everybody wants to talk<br/> 14 more about traffic, I'm going to start off by why<br/> 15 we're doing this. And then we certainly can<br/> 16 address, I think, many things that were just, I had<br/> 17 hoped not intentionally misrepresented, but just not<br/> 18 represented properly.<br/> 19 But I would like to get back to that at<br/> 20 the end, and I would like to start with why we're<br/> 21 doing this.<br/> 22 So to -- again, I'm going to take you back<br/> 23 in history a little bit. And we started as a<br/> 24 secondary charter school, and we were going to be<br/> 25 grades six to seven -- sorry -- six to twelve.</p>  |

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| <p style="text-align: right;">Page 130</p> <p>1 Sorry. We started with grades six to seven.<br/> 2 And the intention was to scale it to high<br/> 3 school. About two years in, it was beyond obvious,<br/> 4 with over 90 percent of our kids not proficient in<br/> 5 reading and math when they arrived at MAS, that it<br/> 6 was imperative that we go backwards.<br/> 7 And Chairwoman Gipson and Commissioner<br/> 8 Armbruster, I think you were the only two on the<br/> 9 Commission at the time. And you both -- that was, I<br/> 10 think, your first meeting when we approved our<br/> 11 elementary to go backwards. And so it was really<br/> 12 helpful. So let me explain.<br/> 13 When we went backwards -- so we've had<br/> 14 about, on average, 120 students for grades six<br/> 15 through twelve; not attending, but that's how many<br/> 16 we kind of self-designed and said, "Hey, this is<br/> 17 what our cap will comprise of."<br/> 18 When we went backwards and asked for the<br/> 19 elementary, we asked for -- I can't remember the<br/> 20 exact number. But whatever the number was, it was<br/> 21 in our heads. We were thinking, "Well, we'll do<br/> 22 about 60 per grade level."<br/> 23 And part of our rationale for that is<br/> 24 because we felt like -- one, the wait list, we don't<br/> 25 find, in New Mexico, that the wait lists are</p> | <p style="text-align: right;">Page 132</p> <p>1 because we want to serve, and we want to help and we<br/> 2 want to do that." And we still do.<br/> 3 But it really became evident that we were<br/> 4 just working harder rather than working smarter.<br/> 5 So that's -- I just want you to understand<br/> 6 why. We're not coming to you just saying, "Hey, let<br/> 7 us have more." What we're trying to do is go<br/> 8 backwards and now let it be the number, the 120 all<br/> 9 the way up through.<br/> 10 Even if you were to deny this request, it<br/> 11 would not stop us from reversing the numbers. We<br/> 12 have the cap to reverse the numbers. What it would<br/> 13 do is it would phase out -- not meaning the grades,<br/> 14 we don't serve them anymore; but we serve<br/> 15 significantly less students.<br/> 16 I think that's where why saw so much of a<br/> 17 reaction from the MAS community about wanting to<br/> 18 have their letters read; because most of them were<br/> 19 parents of secondary students and students in our<br/> 20 secondary that came to our school late, and tell, I<br/> 21 think, pretty tremendous tales of what we've done.<br/> 22 That's why we're seeing so much emotion<br/> 23 from staff, students, parents, and, you know, other<br/> 24 members of our community, because they wanted the<br/> 25 Commission to understand, "Hey, this is not just</p> |
| <p style="text-align: right;">Page 131</p> <p>1 exorbitant for the lower grades. I can't tell you<br/> 2 that that's the national trend. I've found in other<br/> 3 school systems that I've worked in charters that<br/> 4 [inaudible/connectivity]. But we did not find it<br/> 5 here.<br/> 6 So our original rationale when we came to<br/> 7 you was, one, let's make sure that we serve the<br/> 8 younger kids, because we can fix those gaps before<br/> 9 they exist. And then, two, our thinking was we<br/> 10 don't need as many seats for them because there's<br/> 11 just not as much a demand. I want to explain the<br/> 12 history a little because it helps to put all this in<br/> 13 context.<br/> 14 So, anyhow, we did that. And then a<br/> 15 number of people along the lines were telling us,<br/> 16 like, that's kind of not the smartest decision,<br/> 17 because as you roll up, you get your fifth-graders<br/> 18 to sixth grade. And, theoretically, if they've been<br/> 19 with you from kindergarten, you'll show pretty<br/> 20 remarkable results.<br/> 21 But the problem is going to be they reach<br/> 22 fifth grade, they go into sixth grade, and half of<br/> 23 your sixth-graders are brand new to the school<br/> 24 community. And so you have those gaps again.<br/> 25 We still argued, "Well that's okay,</p>                              | <p style="text-align: right;">Page 133</p> <p>1 about getting bigger; this is about the fact that if<br/> 2 we don't do this, that we literally -- we will no<br/> 3 longer backfill..." -- and I'm assuming you all know<br/> 4 what that means.<br/> 5 Just in case. So backfilling obviously<br/> 6 refers to filling those open seats. There are some<br/> 7 schools -- it tends to be some of the really high<br/> 8 performing networks around the country -- they're<br/> 9 known for not backfilling. So what that means is<br/> 10 you'll take kids in your first grades, K through 3.<br/> 11 But you don't take them after fourth, fifth, sixth,<br/> 12 and so on.<br/> 13 The upside to that for a school is your<br/> 14 data can look really good. You've had those kids<br/> 15 since kindergarten. You did remarkable work, and<br/> 16 they don't ever show those gaps; not ever, but less<br/> 17 likely.<br/> 18 When you backfill, you take kids in ninth<br/> 19 grade who have abysmal academic skills.<br/> 20 So, anyhow, we've always backfilled.<br/> 21 We've been advised many times not to backfill<br/> 22 because it would help us not to have those big gaps.<br/> 23 We feel that like that is -- I mean, it's complete<br/> 24 opposite of what we're trying to do if we talk about<br/> 25 equity in education. It's very contrary to our</p>   |

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| <p style="text-align: right;">Page 134</p> <p>1 mission of truly saying we serve all kids.<br/> 2 So that's why we don't want to be in a<br/> 3 position to not backfill. So we want to be able to<br/> 4 have the 120 in kinder, 120 in first, 120 -- and<br/> 5 then they naturally keep moving up.<br/> 6 We know we will have empty seats that open<br/> 7 up here and there, and we'll backfill those seats.<br/> 8 I can tell you that despite the fact that we asked<br/> 9 you for an increase of whatever that number is --<br/> 10 463 -- it's a very strong likelihood we would never<br/> 11 hit that full number, because in high school, it's<br/> 12 not that we don't backfill; a lot less kids are<br/> 13 looking for spots in tenth, eleventh and twelfth<br/> 14 grade.<br/> 15 Generally, when the influx of secondary<br/> 16 kids come to us is in sixth, seventh, eighth, and<br/> 17 ninth grade. Those are the grades that our wait<br/> 18 list are exorbitant, like kids are clamoring to get<br/> 19 those seats.<br/> 20 So, again, I really felt like it was<br/> 21 important to give you a little bit of that back.<br/> 22 And the last thing I'll tell you on the back story,<br/> 23 I think, before we get to, like, some of the<br/> 24 issues -- because I'm assuming there's not concern<br/> 25 about our academic performance. MAS has</p>   | <p style="text-align: right;">Page 136</p> <p>1 outperformance is, again, one of the reasons we've<br/> 2 been pushed, encouraged by experts in this field, to<br/> 3 really reconsider our model and be able to start<br/> 4 serving the equal number at the lower grades and let<br/> 5 them advance through the upper grades.<br/> 6 So that's the back story a little bit on<br/> 7 the academic piece and why we're coming before you.<br/> 8 And I really think that it's important<br/> 9 this year -- because I don't want you to think we're<br/> 10 just looking to keep growing and when are we going<br/> 11 to come again.<br/> 12 This has nothing to do with that. This is<br/> 13 just a decision that we felt like made more sense<br/> 14 with time, okay? So that's that part.<br/> 15 So shifting gears now, because unless<br/> 16 there's any questions specific about the academic<br/> 17 part -- I'm happy to answer those. Now, otherwise,<br/> 18 I'll keep rolling and I'll talk about I think<br/> 19 probably what your predominant concern is right now,<br/> 20 which is probably the traffic issue.<br/> 21 Okay. I'll keep moving. So then with the<br/> 22 traffic stuff, I just -- I could be here -- we spent<br/> 23 two hours on public comment this morning. And it<br/> 24 could have been three hours if we read all the<br/> 25 letters and all the e-mails that our staff and</p>  |
| <p style="text-align: right;">Page 135</p> <p>1 outperformed -- I don't have the slide in front of<br/> 2 me. But MAS has outperformed the Rio Rancho Public<br/> 3 Schools, the Albuquerque Public Schools, and the<br/> 4 State of New Mexico by almost 30 percent in early<br/> 5 literacy, kindergarten literacy, first-grade<br/> 6 literacy, second-grade literacy.<br/> 7 Our results are pretty profound. And you<br/> 8 all I know are educated to know what the research<br/> 9 says about if kids are not reading on grade level by<br/> 10 third grade what the research says.<br/> 11 We've been able to defy that research and<br/> 12 make remarkable gains for kids. But it's -- it's a<br/> 13 battle to do it. Sometimes it takes us four or five<br/> 14 years, six years, to catch a child up.<br/> 15 So, again, that's our rationale for<br/> 16 starting at the younger grades and really working to<br/> 17 not fill gaps all the time. Certainly, we'll still<br/> 18 take kids. But instead of having 100 percent of our<br/> 19 population in secondary where we have to go<br/> 20 backwards and fill gaps, our hope is that starting<br/> 21 them in the younger grades, we avoid a lot of that<br/> 22 academic frustration that happens for kids and that<br/> 23 work. We can start accelerating kids rather than<br/> 24 constantly being in the mode of remediation.<br/> 25 So as I shared, the significant</p> | <p style="text-align: right;">Page 137</p> <p>1 students and parents and everybody else sent in.<br/> 2 So there's no way, within a practical<br/> 3 amount of time, I will be able to address every<br/> 4 piece of misinformation that was presented today.<br/> 5 And I want to share, because I really come from a, I<br/> 6 like to think, a positive energy type place, where I<br/> 7 don't want to spew negativity into this meeting.<br/> 8 I don't want this to be a contentious<br/> 9 meeting. I want this to be a factual meeting based<br/> 10 on facts and that we make a decision that's in the<br/> 11 best interests of children and with equity in mind.<br/> 12 So with that said, a few things that I<br/> 13 think are imperative that the Commission is aware<br/> 14 of -- and some of this, you may be aware, so this<br/> 15 may be redundant. But I don't know exactly when<br/> 16 everybody started and things of that nature, so I<br/> 17 wanted to make sure you're aware.<br/> 18 So taking you guys back a little bit in<br/> 19 history, we -- on May 31st of last school year -- so<br/> 20 just about one year ago -- we met with Ms. Bobroff,<br/> 21 Mr. Brauer, Commissioner Voigt, Chairwoman Gipson,<br/> 22 and PEC's legal counsel, Ami Jaeger, on a number of<br/> 23 issues. There was a meeting right here in this<br/> 24 conference room that we're sitting in, and addressed<br/> 25 with those individuals slides all the things that</p> |

1 we've done to address the traffic concerns.

2 That meeting was followed up in writing  
3 with all of the things that we had done. I'm  
4 assuming you all have that documentation, so I don't  
5 need to go through point by point what was done. If  
6 you don't, I'm happy to forward that document to  
7 you. But I'm assuming you have that on the record.

8 And I think it's important to put that out  
9 there. I don't want this to be -- it felt very  
10 negative, you know, this morning to hear all that.

11 And I hate that there's that much feeling of  
12 hostility, because it's not -- I don't feel like, on  
13 our part, that we want the animosity. We want  
14 peaceful relations, you know, with the neighbors and  
15 stuff, and we want it to be safe for kids as well.

16 But I think hearing over and over that  
17 we've refused to meet with people, that we've done  
18 nothing, is an absolute 100 percent  
19 misrepresentation -- and, again, I say  
20 misrepresentation, because I refuse to believe that  
21 people would outwardly lie about things. So I'm  
22 assuming that people just don't have all the facts.

23 You should all have that. But if you  
24 don't, I'm happy to forward that. I just, in the  
25 interest of time, feel like you don't want me to

1 to come to some resolution on some of the issues.

2 And, again, I think that there was a lot  
3 of misrepresentation today. But I just have to  
4 really adamantly tell you that, to, like, make it  
5 sound like we've never sat at the table, we've never  
6 tried to come to solutions, or that we've never done  
7 anything, is just absolutely not factual.

8 So that mediation happened. There really  
9 hasn't been any follow-up from the mediation on the  
10 mediator's part. These are the things that happened  
11 subsequent to the mediation.

12 First, we did pave the back as the result  
13 of the mediation. We were asked to use the alley as  
14 part of the mediation, and we did it. We absolutely  
15 did not use City money for that. That came straight  
16 out of our educational foundation money. We paid  
17 for that. We were not told that we had to pave the  
18 road; we were asked to use the road.

19 MS. PATRICIA MATTHEWS: And, JoAnn, I just  
20 want to make a point to Commissioner Gipson and the  
21 rest of the Commission.

22 And that road was -- it was permitted by  
23 the City. So if it was not a permissible use to  
24 pave it or to gravel it or whatever they've done  
25 back there, the City would not have permitted it.

1 read through a four-page letter and go bullet by  
2 bullet. But we can forward if that's helpful, and  
3 somebody will just have to let me know afterwards.

4 So that was followed by a mediation on  
5 October 4th that -- and I don't -- if I'm wrong on  
6 this -- but I'm almost positive, Chairwoman Gipson,  
7 that you had shared with me that -- I can't remember  
8 if you said that you had called for it or if it was  
9 the PED that called for it because of complaints  
10 from the neighborhood, which we willingly  
11 participated in.

12 So that was attended -- and so, again, you  
13 guys are probably -- some of this is redundant. But  
14 just in case you weren't on the Commission at the  
15 time or if you didn't get the information, you  
16 didn't read it, because I'm sure you get a lot of  
17 information, I'm sharing this because I'm not sure  
18 who knows what -- but that Commissioner Voigt was  
19 present, Chairwoman Gipson was present, and your  
20 legal counsel, Ms. Jaeger, attended as well.

21 That was attended -- I know it was shared  
22 that I attended that. I didn't personally attend  
23 that, but our board chair attended that, Patty  
24 Matthews, our school's attorney attended that. And  
25 it was all in the interest of really helping to try

1 So I think that was the impression given  
2 by a number of the speakers. I just want to make  
3 sure that, as she's talking about that, you're aware  
4 that it was properly permitted by the City.

5 MS. JoANN MITCHELL: Thank you, Patty.

6 THE CHAIR: Okay. I'm sorry. I didn't  
7 catch the last piece of what Ms. Matthews said. So  
8 I'm just a little unclear. Did you say it wasn't or  
9 was permitted by the City? It was hard to hear.

10 MS. JoANN MITCHELL: Yeah, it was  
11 permitted by the City. We received a permit before  
12 we did the work. And the City -- not that it  
13 would -- we would have happily had the City pay for  
14 it.

15 We paid for that. We paid for it out of  
16 our educational foundation. And it was not required  
17 to pave the road. We did that, because that road --  
18 the mediation asked us to use the road. The road  
19 had nails, potholes; it was just very -- I can show  
20 you countless e-mails from our parents who were  
21 really outraged that we were asking them to use that  
22 road, because we had a parent get a flat tire.

23 We had a lot of complaints, nails in their  
24 tire, things like that. So we felt like, hey, we  
25 have no problems complying with a request from the

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| <p style="text-align: right;">Page 142</p> <p>1 mediation. But it's not really -- we have to do<br/>2 something for our parents. So out of our own<br/>3 expense, we paid for that.<br/>4 And, again, it was absolutely permitted by<br/>5 the City. We couldn't have done that if it wasn't<br/>6 permitted by the City. So I would just like to put<br/>7 that fact out there that was not shared today.<br/>8 And then I also want to add -- well,<br/>9 there's a couple of other things, and I'll get to<br/>10 that.<br/>11 So then we had -- on January 15, the<br/>12 Public Education Department Transportation Bureau,<br/>13 with Antonio Ortiz, Luis Sierra, who's the<br/>14 transportation director, and Consuelo -- and I don't<br/>15 know her last name -- visited as a result of the<br/>16 complaints and the mediation requests, came and<br/>17 visited to see our arrival and dismissal procedures.<br/>18 They not only told us that it was one of<br/>19 the safest arrivals and dismissals they'd seen -- we<br/>20 are under the number of cars that could access and<br/>21 come through -- they had zero recommendations. I<br/>22 was there, Mr. Langston was there, Mr. Franco was<br/>23 there, specifically verbally asked, "Is there<br/>24 anything you would like us to do to change or<br/>25 improve?"</p> | <p style="text-align: right;">Page 144</p> <p>1 dropoff/pickups. They reference the -- the<br/>2 different codes and the requirements for the Public<br/>3 Education Department. And they reference no<br/>4 concerns whatsoever, okay?<br/>5 But I want -- I put this out there again,<br/>6 not to dispute that other people have concerns or<br/>7 other people's perception, or there's not more we<br/>8 can do; but what I'm trying to demonstrate is that<br/>9 to be represented that we won't work with people,<br/>10 we've done nothing, we refuse to take this serious,<br/>11 is just an absolute, complete misrepresentation.<br/>12 And it makes it look like we're careless. And we're<br/>13 not.<br/>14 So then the final thing that I would like<br/>15 to bring up before -- I know Mr. Langston and<br/>16 Ms. Matthews just have a couple of small things that<br/>17 they would like to bring up -- is that we had --<br/>18 yesterday I had a conversation with Councilman<br/>19 Davis. And it was kind of impromptu and<br/>20 spontaneous, because I was cc'd on a number of those<br/>21 letters that were read, you know, that the<br/>22 Commission received and that Ms. Chairwoman Gipson<br/>23 read at the end. I was cc'd on some of those<br/>24 complaints.<br/>25 And Councilman Davis was referenced in a</p> |
| <p style="text-align: right;">Page 143</p> <p>1 We were told, "No, there's nothing you<br/>2 need to do. This looks great to us."<br/>3 I reached out to Mr. Ortiz to ask if I --<br/>4 not that I needed permission to share this, but if<br/>5 it was okay that I shared it. He said, absolutely,<br/>6 I could share who was there, who was present.<br/>7 We hoped to have something from PED. And<br/>8 I'm assuming PED must have written something as a<br/>9 result of this visit to document their visit. But<br/>10 that did happen. And, again, as a result of the<br/>11 mediation, we requested, "Is there anything we can<br/>12 do?"<br/>13 We were told nothing.<br/>14 So then on our own, partly as a result of<br/>15 the mediation -- but it was not requested by the<br/>16 mediator. Instead it was our attorney's<br/>17 recommendation to have our insurance carrier, Poms &amp;<br/>18 Associates who covers the insurance for all of the<br/>19 schools, to have them come out on our own to have<br/>20 them assess the situation.<br/>21 And in your packet, you received a letter<br/>22 that essentially -- and I won't read it to you<br/>23 because I know you have it. But, essentially, it<br/>24 shows that there was smooth vehicle flow,<br/>25 single-direction vehicle, separate parent and bus</p>      | <p style="text-align: right;">Page 145</p> <p>1 couple of those. And so I reached out to him,<br/>2 because I felt like it was really important -- like,<br/>3 again, just some of the misinformation that I was<br/>4 reading.<br/>5 So we set up a phone call yesterday. And<br/>6 I had a great conversation. And Councilman Davis,<br/>7 one, was not present at the mediation. Two,<br/>8 Councilman Davis is unaware of many of the things<br/>9 that we've done.<br/>10 We had an excellent conversation<br/>11 yesterday, not about everything in his letter,<br/>12 because had I seen that letter before our<br/>13 conversation, I could have avoided many of the<br/>14 bullet points for being in that letter, because,<br/>15 again, they're just not accurate.<br/>16 And by no means am I suggesting he's<br/>17 intentionally misrepresenting everything; he's just<br/>18 not aware of everything. There's just a number of<br/>19 things we talked about on the phone.<br/>20 And the conclusion of the phone call was<br/>21 that we -- me, I was the only one on the phone<br/>22 call -- told Councilman Davis that I was absolutely<br/>23 happy to work with them. We were happy -- he<br/>24 referenced using the community center, paving a road<br/>25 there. Obviously that's not a decision I can make</p>              |

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| <p style="text-align: right;">Page 146</p> <p>1 on my own just to drop pavement on the community<br/>2 center, City property.<br/>3 There's, I think, some misinformation.<br/>4 And even in his letter -- and, again, I want to be<br/>5 very clear that I'm not suggesting that he's<br/>6 intentionally misrepresenting. But I think that<br/>7 some of the stuff he put the letter is based on the<br/>8 stuff he's being told.<br/>9 But he and I did agree that we would<br/>10 happily meet next week, and, with confidence, he and<br/>11 I together, with our school, with our board, could<br/>12 resolve this. There's no resistance on our part to<br/>13 do a traffic study to work with him. And his words<br/>14 to me were, a good traffic study would allow the<br/>15 flow of 100 more kids or 1,000 more kids, as long as<br/>16 we had a good study and we followed it.<br/>17 There has never been resistance on the<br/>18 school's part to do that. So it's very unfortunate<br/>19 that public comment ended with the last 15 minutes<br/>20 of letters from the community that suggest that we<br/>21 did anything other than try to work diligently with<br/>22 folks.<br/>23 I'll close before I give this to Bruce and<br/>24 Patty, just in case if there's anything, that I'm<br/>25 sure, again, Commissioners, that you guys are aware</p>        | <p style="text-align: right;">Page 148</p> <p>1 We are very happy to have a conditional approval<br/>2 that we do the traffic study with the City.<br/>3 I have no issue with that. There's never<br/>4 been an issue with that. But we are asking for an<br/>5 approval. And if it needs to be with the condition,<br/>6 we fully concede to that, no problem whatsoever.<br/>7 But I think it would be borderline unethical for the<br/>8 Commission not to consider the 2,117 petition<br/>9 signatures, all the letters that were not read that<br/>10 adamantly support the school and will give you a<br/>11 compelling story that put a face to the vote.<br/>12 Because this is not just about numbers of<br/>13 students; it's not just about traffic. It is<br/>14 literally stories about children's lives that will<br/>15 be affected positively or negatively as the result<br/>16 of the decision that's made today.<br/>17 Ms. Matthews?<br/>18 MS. PATRICIA MATTHEWS: Mr. Langston will<br/>19 go first.<br/>20 MS. JoANN MITCHELL: Oh, I'm sorry.<br/>21 MS. PATRICIA MATTHEWS: Can you hear me,<br/>22 Madam Chair?<br/>23 MS. JoANN MITCHELL: Sorry. We just have<br/>24 to switch around.<br/>25 MR. BRUCE LANGSTON: Madam Chairman,</p>   |
| <p style="text-align: right;">Page 147</p> <p>1 of our demographic and who we serve. And you heard<br/>2 a lot of passionate students and parents and<br/>3 teachers and different folks saying how awesome we<br/>4 are and what great things we do.<br/>5 But if we're talking equity here, I would<br/>6 be remiss not to remind you who we serve, what we<br/>7 do, and how detrimental a decision would be not to<br/>8 grant this.<br/>9 So we serve -- over 50 percent of our kids<br/>10 are first-generation high school graduates. Over<br/>11 90 percent of our kids will be the first in their<br/>12 families to go to college. We've graduated now<br/>13 three classes with only about 50 kids in each class.<br/>14 I told you high school tends to be smaller. It has<br/>15 nothing to do with the cap. They phase out.<br/>16 So 50 kids in each graduating class,<br/>17 approximately. Every single kid had a commitment<br/>18 letter to college. Every single kid graduated.<br/>19 Over 90 percent of our students are minority<br/>20 students. Over 30 percent of our kids are English<br/>21 Language Learners. Over half of our parent<br/>22 population are monolingual Spanish-speakers.<br/>23 I could go on and on. Over about<br/>24 18 percent of our students are students with<br/>25 disabilities. We serve a very high-need population.</p> | <p style="text-align: right;">Page 149</p> <p>1 Commissioners, I'm going to be really, really brief.<br/>2 I don't think there's much I could do other than to<br/>3 echo what I heard from Ms. Mitchell.<br/>4 There is one thing that I do want to bring<br/>5 up. I think it was very unfortunate to the young<br/>6 man and his family that was in the accident at 4:00<br/>7 in the morning on his way to be a security screener<br/>8 to protect our safety in the airport that was<br/>9 involved in an accident to attribute that to MAS<br/>10 traffic at 4:00 a.m. in the morning.<br/>11 I just want to make sure everybody is<br/>12 aware that we don't do any of these things in a<br/>13 vacuum. We have worked accordance to the guidance<br/>14 and the regulations provided to us from the Public<br/>15 Education Department.<br/>16 As you know, Madam Chairman and several of<br/>17 the Commissioners, you know that we have faithfully<br/>18 met with you during the meeting that was referenced<br/>19 by Ms. Mitchell. You know that we sat down and we<br/>20 participated in the mediation.<br/>21 As far as I could see through this<br/>22 mediation MAS is the only entity, including the<br/>23 mediator and the neighborhood association, that has<br/>24 faithfully fulfilled everything that was listed for<br/>25 us to go back and complete. And we're the only ones</p> |

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| <p style="text-align: right;">Page 150</p> <p>1 that have done so and have reported back to you,<br/>2 Madam Commissioner, as well as to the PED on that.<br/>3 We have not heard anything else from any of the<br/>4 other entities that are there.<br/>5 I want to again echo Ms. Mitchell in that<br/>6 we've had the New Mexico Public School Insurance<br/>7 Authority come out and review not only our site<br/>8 plan, our egress, our exit plans; but they have<br/>9 agreed that they are not only adequate but safe and<br/>10 secure.<br/>11 We have had the Albuquerque Police<br/>12 Department, the Southeast Subdivision for the City<br/>13 of Albuquerque, come out and look and concur.<br/>14 We have had the Bernalillo County<br/>15 Sheriff's Department -- it was actually Sheriff<br/>16 Gonzales himself -- had come out, looked at our<br/>17 procedures and what we had in place and found them<br/>18 to be sound.<br/>19 We have had the New Mexico State Police,<br/>20 under the District 5 command, come out and look at<br/>21 what we do here. And, again, the feedback that we<br/>22 got is that we are taking not only appropriate, but<br/>23 good, precautions in our egress and exit from the<br/>24 school.<br/>25 I have met personally with Commissioner</p>   | <p style="text-align: right;">Page 152</p> <p>1 every person that is brought into this building,<br/>2 every wall that has been made here has gone through<br/>3 City Planning review, has been approved, is<br/>4 appropriately permitted, and we are operating within<br/>5 the bounds and the constraints of the law.<br/>6 It has also been approved by the<br/>7 Corrections [verbatim] Industries Division by the<br/>8 State of New Mexico.<br/>9 I want us all to be very cognizant of the<br/>10 fact that we are appropriately permitted. That<br/>11 includes the counting of parking spaces; that<br/>12 includes egresses and exits; it includes the total<br/>13 number of students that are there.<br/>14 We've also had the Public Schools<br/>15 Facilities Authority come out and look. We are all<br/>16 in agreement that Mission Achievement and Success<br/>17 Charter School is appropriately permitted, even with<br/>18 the increase that our exits and egresses are<br/>19 appropriate.<br/>20 I don't know -- these are the authorities<br/>21 of the State. These are the individuals that are<br/>22 charged with our protection. These are the<br/>23 individuals that are the learned people that are<br/>24 supposed to be able to guide us in making these<br/>25 decisions. And each of these entities has come back</p> |
| <p style="text-align: right;">Page 151</p> <p>1 Davis. I am somewhat surprised at his letter. I do<br/>2 understand the concerns of trying to pull this all<br/>3 together. But I, personally, met with Commissioner<br/>4 Davis. A representative of the Albuquerque Planning<br/>5 was there, and also a representative -- their<br/>6 traffic engineering people were there.<br/>7 We seem to forget that the -- there is no<br/>8 actual City engineering study that's done. The<br/>9 study that's being passed around is a study that was<br/>10 done by the neighborhood association. They were --<br/>11 we were all told that there would be a three-,<br/>12 five-, and ten-year track in planning that would be<br/>13 taken care of, and that is where our conversation<br/>14 ended until we had the mediation.<br/>15 We have had the Bernalillo County Fire<br/>16 Marshal come and assess what we are doing, as well<br/>17 as we have had the State Fire Marshal from the State<br/>18 of New Mexico come and review what we are doing.<br/>19 And, again, we have not heard, other than the<br/>20 complaints that are being generally raised without<br/>21 any actual basis, had they been brought to our<br/>22 attention.<br/>23 We don't do any of this stuff in a vacuum.<br/>24 So I want to make sure that each Commissioner is<br/>25 aware that everything that -- bit of construction,</p> | <p style="text-align: right;">Page 153</p> <p>1 and said that this is appropriate.<br/>2 I don't know what other argument we can<br/>3 make for you. Appreciate your time, Madam Chairman,<br/>4 Commissioners.<br/>5 THE CHAIR: Thank you. Ms. Ma- --<br/>6 Ms. Matthews, do you want to say something?<br/>7 MS. MATTHEWS: I'm going to tag on the<br/>8 back of him, but very briefly, because that was<br/>9 essentially what I wanted to make just a global<br/>10 statement, is, first of all, you know, Mr. Davis<br/>11 references in his letter -- or at least he alludes<br/>12 to, essentially, violations.<br/>13 And many of the folks that spoke on behalf<br/>14 of the neighborhood also made comments that infer<br/>15 that the school is doing something illegal or that<br/>16 hasn't been properly approved, even brought in the<br/>17 name of Commission saying that you didn't do<br/>18 something you were supposed to do.<br/>19 And I just would reiterate what<br/>20 Mr. Langston said in the summary statement. And had<br/>21 we -- had the school been doing something wrong,<br/>22 they'd either have been cited -- they'd have been<br/>23 cited by the City, by the Transportation Division of<br/>24 the State -- Public Education Department; Mr. Ortiz<br/>25 would have cited them, he's in charge of that and</p> |

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| <p style="text-align: right;">Page 154</p> <p>1 oversees the bus to-from routes, and configuration<br/>2 of drop-off and pickup; that's under his purview.<br/>3 So I just want to make sure the<br/>4 Commissioners know that, as Mr. Langston said, they<br/>5 are doing everything they have been asked to do<br/>6 according to law.<br/>7 So what I think you can take away from<br/>8 what you heard from the neighborhood is they really<br/>9 just don't want MAS here. And so that was that.<br/>10 And one more thing about the crossing<br/>11 guard, because I think some folks perked their ears<br/>12 up about that, perhaps.<br/>13 The school has gone to the City to ask to<br/>14 have an official school crossing at this -- at the<br/>15 Ross and Yale crossing and been denied. And they've<br/>16 been told, "Well, just up the street just north of<br/>17 here on Yale is a school crossing. So we don't need<br/>18 another official school crossing."<br/>19 My guess is -- and I don't know for sure,<br/>20 but it is my guess -- that an official school<br/>21 crossing guard only has jurisdiction to do what he<br/>22 or she will do in that crosswalk if it's an official<br/>23 school crosswalk. That is why the school retained,<br/>24 a security-type person to make sure people were safe<br/>25 on that corner.</p>                                | <p style="text-align: right;">Page 156</p> <p>1 And I will say it once again, because I<br/>2 don't know why it's not understood. There were<br/>3 eleven letters that were attached to the e-mails<br/>4 that went to every Commissioner. So those<br/>5 individuals did not go unheard.<br/>6 And I am personally insulted that someone<br/>7 is representing that I turned people's voice off,<br/>8 because every Commissioner has a copy of each and<br/>9 every one of those letters. And it would be unfair<br/>10 if someone had their letter read and also got to<br/>11 speak.<br/>12 So we gave the voice -- a single voice to<br/>13 everyone. And I'm disappointed that it gets<br/>14 misrepresented that way. And I thought I explained<br/>15 myself once. I thought I explained myself a second<br/>16 time that way.<br/>17 So I'm genuinely disappointed that the<br/>18 message that's going out is that we stopped some<br/>19 people from being heard, because every one of us had<br/>20 an opportunity to read the e-mail. And there were<br/>21 only eleven of them. And I'm not diminishing eleven<br/>22 people's voices. But this couching that there were<br/>23 "all" -- there were eleven that were attached, and<br/>24 those were the only ones that were not read.<br/>25 So that's all I have to say about that.</p>                              |
| <p style="text-align: right;">Page 155</p> <p>1 So I just want to dispel that idea that<br/>2 the school didn't do what they needed to do to have<br/>3 a safe crosswalk there.<br/>4 I think that's all I would like to say.<br/>5 But I do think it's important to sort of settle down<br/>6 and really pull out what was actually factually<br/>7 stated today. And it wasn't a lot, I will say.<br/>8 It's unfortunate that -- as Ms. Mitchell<br/>9 said, is that the tail end of the public comment<br/>10 ended the conversation so negatively, because there<br/>11 were a lot of people in favor of this cap.<br/>12 THE CHAIR: Okay. So let me tie in on<br/>13 that for a second, because the -- the agreement that<br/>14 we made was that the public comment initially was<br/>15 opened just by e-mail. And then when we had the<br/>16 capacity to take it orally live, I felt, in<br/>17 particular, that it would be unfair, because we<br/>18 changed the process, to not accept the e-mails.<br/>19 And as a result of that, we allowed all<br/>20 the live comment to go first. The only e-mails that<br/>21 were received by Beverly -- not by me, but by our<br/>22 liaison -- were those e-mails that I read. So there<br/>23 was certainly no intent on my part or any of our<br/>24 part to end or begin. Those were the e-mails that I<br/>25 had to print off.</p> | <p style="text-align: right;">Page 157</p> <p>1 I'm going to say that there's -- there's<br/>2 obviously a lot of passion on both sides here. I<br/>3 mean, we've seen it. I let -- back when I did<br/>4 attend that mediation -- and I did inform the<br/>5 Commission at the time that we went. And I guess<br/>6 maybe I have to give a little back story on that.<br/>7 When Secretary Trujillo was still the<br/>8 cabinet secretary, she had sent me a message. She<br/>9 had received a number of concerns. She asked, "What<br/>10 can we do about this?"<br/>11 And, yes, it was me that said, "Why don't<br/>12 we try to bring a third party in to see if we can<br/>13 settle this."<br/>14 And that's how that mediation came about.<br/>15 And I will voice my disappointment as well<br/>16 that there has been nothing that has come from the<br/>17 mediator. It is way too long. I let the Commission<br/>18 know that I had attended. But we don't have<br/>19 anything -- we don't -- in fact, I've asked several<br/>20 times, "Why haven't we heard? Where is it?" And I<br/>21 share the frustration and disappointment that there<br/>22 wasn't a final resolution that came out of that.<br/>23 Because that was never the intent. The<br/>24 intent was we'd get there, we'd hash it all out, and<br/>25 we can -- we can move on with solutions that</p> |



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| <p style="text-align: right;">Page 158</p> <p>1 everyone can be somewhat satisfied with.<br/> 2 As you know, when you go into any kind of<br/> 3 mediation, not everyone is going to come out as a<br/> 4 winner. But, hopefully, not everyone comes out as a<br/> 5 loser. That's the intent, to help to foster good<br/> 6 partnership.<br/> 7 And I think what it ended up doing was<br/> 8 continuing that sense that there's not a good<br/> 9 partnership, because it's -- everyone has this sense<br/> 10 that, "Oh, my gosh. Nothing happened. Why did we<br/> 11 do that? Why weren't we heard?" And that was<br/> 12 absolutely not the intention.<br/> 13 So I want to say I am equally as<br/> 14 disappointed about what didn't happen as a result of<br/> 15 that.<br/> 16 And anything that the school has done, I<br/> 17 do appreciate that. I don't think the -- I think<br/> 18 the unfortunate part is I don't think the wider<br/> 19 community of the school really sees that.<br/> 20 And I do see that at this point in time<br/> 21 for a lot of folks -- and it's expressed -- that the<br/> 22 best thing to do would be for that school to<br/> 23 magically poof and go somewhere. And that's<br/> 24 certainly not what we're looking for. Because you<br/> 25 actually wouldn't be sitting here eligible to apply</p>        | <p style="text-align: right;">Page 160</p> <p>1 say -- I think.<br/> 2 I think, to a great extent, the timing is<br/> 3 quite challenging for me personally with this, in<br/> 4 light of the pandemic that we're going through. We<br/> 5 don't know what school's going to look like. We<br/> 6 don't know how schools are going to open.<br/> 7 And I am really challenged with the idea<br/> 8 of putting almost 500 more bodies -- and I know you<br/> 9 said we're probably not going to have that. But<br/> 10 that's the increase that's being asked for. So the<br/> 11 potential for putting 500 more bodies into a<br/> 12 building is truly challenging for me when we don't<br/> 13 know what that all is going to look like, including<br/> 14 buses and lunches and passings and how many kids can<br/> 15 be in a classroom. There are so many unanswered<br/> 16 questions. That is -- a big challenge for me.<br/> 17 MS. JoANN MITCHELL: May I address that<br/> 18 real quick?<br/> 19 THE CHAIR: Hold on. Let me just finish,<br/> 20 and then you can --<br/> 21 MS. JoANN MITCHELL: Of course.<br/> 22 THE CHAIR: I'm also challenged because I<br/> 23 know what the sentiment of the community is. But it<br/> 24 doesn't appear -- and you can answer this. But it<br/> 25 doesn't appear that there was any reach-out by the</p> |
| <p style="text-align: right;">Page 159</p> <p>1 for an amendment cap increase if you weren't a good<br/> 2 school, let alone a great school.<br/> 3 MS. JoANN MITCHELL: Thank you so much.<br/> 4 THE CHAIR: And you are a great school.<br/> 5 And no one -- and I certainly don't want to diminish<br/> 6 that. Because you do. You serve an underserved<br/> 7 population.<br/> 8 I do -- I think I share the school with<br/> 9 appreciating with a question mark Commissioner<br/> 10 Davis's letter, because it -- as I was reading it --<br/> 11 and as I went through it -- because I read through<br/> 12 most of them before, so I could get a sense and I<br/> 13 wasn't just flubbing over everything.<br/> 14 And it's, like, "Oh, oh, oh." And it's,<br/> 15 like, "Oh." So it ebbed and flowed through the<br/> 16 letter.<br/> 17 But I will say that we unfortunately can't<br/> 18 offer an amendment cap increase with a condition<br/> 19 that the school go forward and do something. So<br/> 20 it's unfortunate that that's not a possibility. We<br/> 21 can't put a condition on a cap increase. So I sort<br/> 22 of appreciated his suggestion there; but that's not<br/> 23 within the possibilities for us to do. So I just --<br/> 24 I kind of want to make that clear.<br/> 25 And this is the final thing I'm going to</p> | <p style="text-align: right;">Page 161</p> <p>1 school to engage in the community to say, "Hey, this<br/> 2 is what we're planning on doing."<br/> 3 And I know it would have been like being<br/> 4 in front of a firing squad. But it doesn't appear.<br/> 5 I absolutely know that everything that the school<br/> 6 has done in terms of construction and growth has<br/> 7 been aboveboard, legal, that there has never been an<br/> 8 issue that the school certainly grew illegally, has<br/> 9 done any construction illegally or anything like<br/> 10 that, because that would have come before us. I'm<br/> 11 clear on that, and I have no issue with anything<br/> 12 regarding that.<br/> 13 MS. JoANN MITCHELL: Okay. Thank you.<br/> 14 Okay now?<br/> 15 THE CHAIR: Yeah.<br/> 16 MS. JoANN MITCHELL: Okay. Thank you so<br/> 17 much. So I want to clarify just a couple of points.<br/> 18 One, as far as the increase, just to be<br/> 19 clear -- and it's in your packet, or it should be --<br/> 20 is our growth program. We are not growing by<br/> 21 whatever that number is -- 463 -- this year. The<br/> 22 projections for this year would be under -- about<br/> 23 100 at max; but probably closer to, like, 40, 50<br/> 24 kids this year. That is all laid out in that<br/> 25 document. It is not all this year.</p>     |

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| <p style="text-align: right;">Page 162</p> <p>1 And that has nothing to do with the<br/>2 pandemic. It's just how we planned it to grow,<br/>3 because that's too many kids for us to handle<br/>4 without having, like, a real -- when you phase kids<br/>5 in -- and I know you all know this, so I apologize<br/>6 if I'm talking down like you don't know.<br/>7 But you do it very strategically. So<br/>8 there's a plan that this would phase in over a few<br/>9 years, not a one-year plan.<br/>10 Chairwoman Gipson, I completely understand<br/>11 your concern about the pandemic. I would ask that<br/>12 that not be a concern. Because there's 3,000 kids<br/>13 in this building or 500 kids, we would not be able<br/>14 to safely bring any child back without following<br/>15 whatever guidance is in place.<br/>16 And we would do that. One, we would be<br/>17 out of compliance. Two, it would completely defy<br/>18 what we do, which is ensure safety and support. And<br/>19 I'm sure you guys probably lost half the public<br/>20 comment that was made because there was so much.<br/>21 But I think one of our folks spoke early<br/>22 on about having 100 percent high school engagement.<br/>23 We've really -- I mean, I think our staff has been<br/>24 commendable in how they handle things and engaging<br/>25 students. So whether we continue online, we do</p>                                  | <p style="text-align: right;">Page 164</p> <p>1 have absolutely done things. We are happy to sit in<br/>2 front of folks and, like, explain things further.<br/>3 But I think at some point in time, just<br/>4 not wanting us here is not a strong enough reason.<br/>5 We are happy -- and if you can't, Chairwoman Gipson,<br/>6 approve this with a condition -- the only reason I<br/>7 put that out there is because Councilman Davis had<br/>8 mentioned that. And I said, "Happy to do that."<br/>9 I can still attest to the Commission that<br/>10 we are meeting next week, Councilman Davis and I.<br/>11 There's no resistance on our part. There has never<br/>12 been resistance on our part to work with the City.<br/>13 Working with the neighbors, if it means just<br/>14 leaving, we can't do that. Like, we're just not<br/>15 simply going to go.<br/>16 But as far as doing things that we're<br/>17 asked, I think we've proven, in everything that<br/>18 we've shared with you and in the documentation that<br/>19 we had prior to the mediation, that we have more<br/>20 than done things, and we will continue to do things.<br/>21 So I would ask when you think about the<br/>22 voices of people, I am not saying their voices<br/>23 count. I am asking you to consider what is the<br/>24 community? Is it literally just the neighbors<br/>25 around us? Or is it the 2,117 signatures, the</p> |
| <p style="text-align: right;">Page 163</p> <p>1 social distancing in the school, I would ask you not<br/>2 to make that part of your decision and think about<br/>3 this more long-term. Because if we brought kids in,<br/>4 we would still comply. We would absolutely comply<br/>5 with the requirements, and that shouldn't make a<br/>6 difference in how many kids.<br/>7 And the last thing about the engage in the<br/>8 community, I just want to address. I would say we<br/>9 did engage the community. You might say, "You<br/>10 didn't go down to those neighbors."<br/>11 Well, one, there was some difficulty in<br/>12 how we communicated because of this venue.<br/>13 Two, it was very obvious what was going to<br/>14 happen as far as trying to engage in any other way.<br/>15 But what I don't think is represented, and I think<br/>16 you all need to look at this document that we sent<br/>17 with the petition with 2,117 signatures, we included<br/>18 ZIP codes so that you could see how many 87106 ZIP<br/>19 codes there are that are right here in the same<br/>20 community. The same people you heard speak out,<br/>21 there are far more that are speaking up for.<br/>22 While I don't dispute that those folks<br/>23 don't represent members of the community, and we<br/>24 continue to say we are happy to try to accommodate.<br/>25 And I think that we have adequately proven that we</p> | <p style="text-align: right;">Page 165</p> <p>1 1,300 students who attend our school, the<br/>2 1,000 students who are on this wait list, and all<br/>3 the other people you have heard from? Are they not<br/>4 the community?<br/>5 COMMISSIONER VOIGT: Madam Chair?<br/>6 MR. BRUCE LANGSTON: I just wanted to echo<br/>7 something. I really want the -- Madam<br/>8 Commissioner -- or Madam Chairwoman, Commissioners,<br/>9 I really want you to look at the geographic location<br/>10 from the signatures that were sent to you. We did<br/>11 make sure we did engage the committee. We did open<br/>12 up for public comment on this before we even took<br/>13 the first steps of considering this.<br/>14 But I really want you to take a look at<br/>15 the individuals living in the Mountain View<br/>16 apartment building that is located in the Victory<br/>17 Hills Association, if you would look at the<br/>18 brownstone community that is in the Sierra -- I<br/>19 think it's Sierra Hills Community Association. And<br/>20 you will see that there is a large representation of<br/>21 this very community that you're speaking of that's<br/>22 in support of this action.<br/>23 THE CHAIR: Commissioner Robbins? I know<br/>24 you've had your hand up for a long time.<br/>25 COMMISSIONER ROBBINS: Thank you.</p>  |

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| <p style="text-align: right;">Page 166</p> <p>1 I don't think anyone on this Commission --<br/>2 and I definitely do not question the academic<br/>3 success that this school has had. So I want to<br/>4 dismiss that completely.<br/>5 I'm on the PSCOC as the liaison from the<br/>6 PEC to the Public School Capital Outlay Council.<br/>7 I visited the school several months back<br/>8 when the PSFA had a site visit. I was very<br/>9 impressed by the physical condition of the school,<br/>10 the classrooms and things like that.<br/>11 I was very concerned at the lack of<br/>12 on-site parking. You have a large parking lot<br/>13 across Gibson. That means employees and any other<br/>14 students that have to park have to cross a busy<br/>15 four-lane street. I am concerned about that.<br/>16 And if you have students coming in, other<br/>17 than the time when you have a crossing guard, that's<br/>18 a concern. I had difficulty parking because there<br/>19 was not any parking available on the street.<br/>20 THE CHAIR: Commissioner Robbins, you're<br/>21 breaking up.<br/>22 COMMISSIONER ROBBINS: I'm sorry. I'll<br/>23 try to get closer then. I was very concerned -- can<br/>24 you hear me now? I think we're having bad<br/>25 connections overall. I'll try calling again.</p>   | <p style="text-align: right;">Page 168</p> <p>1 concern that I have in increasing this at this site.<br/>2 We approved, about a year ago, the new<br/>3 site on the west side of town. I'm not sure why<br/>4 you're trying to increase the capacity at this site<br/>5 and not at the site over on Coors, because you have<br/>6 limited parking; you have limited ability to provide<br/>7 proper traffic. You may be meeting all the laws and<br/>8 all the requirements of permitting and things like<br/>9 that.<br/>10 I worked at the Highway Department over<br/>11 40 years ago. And I understand, PEC and PED do not<br/>12 have traffic engineers. I worked with traffic<br/>13 engineers. I was a highway planner for several<br/>14 years. I'm not a traffic engineer.<br/>15 But a lot of times people get permits, and<br/>16 the traffic layout is horrible. So just because<br/>17 we're meeting the rules and meeting the requirements<br/>18 that someone places does not mean that it is safe<br/>19 for the neighborhood or safe for all the students<br/>20 and the parents.<br/>21 When you have so many cars on a very<br/>22 narrow street, Ross, students are having to cross<br/>23 that street back and forth. And I was not aware<br/>24 that I saw any marked crosswalks for the students<br/>25 walking across the streets for their parents to pick</p> |
| <p style="text-align: right;">Page 167</p> <p>1 I was very concerned that I saw buses<br/>2 parked on the street. Buses are not supposed to be<br/>3 parked on the street. They're supposed -- they<br/>4 should have off-street parking.<br/>5 You have over 1,000 students on a site<br/>6 that is about three acres, three-and-a-half acres.<br/>7 That's a very small site for the number of students<br/>8 you have. And although the building can accommodate<br/>9 that, I am concerned, because the -- there is only<br/>10 one road going in, and that's Ross Avenue. And that<br/>11 road, if you're going east on it, you exit into a<br/>12 large residential area.<br/>13 And I think -- you know, we can't put<br/>14 conditions. But I'm concerned, because you cannot<br/>15 control what students and parents are doing. And I<br/>16 think that's the issue that people who live in the<br/>17 neighborhood, people who have lived there for 50,<br/>18 60, 70 years, they have to deal with that traffic<br/>19 every morning. They have to deal with that traffic<br/>20 in the afternoon.<br/>21 And you're looking at expanding your<br/>22 elementary grades, basically. And those parents are<br/>23 going to be driving the students and dropping them<br/>24 off. That's a huge -- traffic problems in the<br/>25 morning and in the afternoon. That's my biggest</p> | <p style="text-align: right;">Page 169</p> <p>1 up in the afternoon.<br/>2 I'm very impressed with your academics.<br/>3 That's not a question. But I do think this school<br/>4 needs to consider other sites for the expansion<br/>5 rather than continuing to grow at this site, even<br/>6 though the building can accommodate the capacity. I<br/>7 don't know that this is the best site for such<br/>8 growth.<br/>9 Thank you.<br/>10 THE CHAIR: Okay. Thanks. Hold on just a<br/>11 second. I'm trying to condense so that you're not<br/>12 having to come and go and come and go.<br/>13 So Commissioner Ruiz and Commissioner<br/>14 Voigt have had their hands raised for quite a while.<br/>15 So let's try to get them in, and then we can --<br/>16 hopefully, your answer -- you can answer all of it<br/>17 at one time.<br/>18 So Commissioner Ruiz?<br/>19 COMMISSIONER RUIZ: Yes. Thank you and<br/>20 good morning -- well, not good morning. Good<br/>21 afternoon.<br/>22 And I -- I have to tell you I do commend<br/>23 you on your academics. And we all agree that that<br/>24 is not in question right now. We all are aware that<br/>25 you all have got, you know, an excellent educational</p>  |

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| <p style="text-align: right;">Page 170</p> <p>1 program.</p> <p>2 My concern -- a couple of them. We had a</p> <p>3 student -- you all had a student that spoke earlier;</p> <p>4 I didn't write her name down. But she said that one</p> <p>5 of her -- you know, one of the things that she did</p> <p>6 think was that it was a really overcrowded school.</p> <p>7 And the biggest thing that's here, I</p> <p>8 think, that we need to figure out is school safety.</p> <p>9 And I know that -- you know, I was reading some of</p> <p>10 the e-mails that we've been getting.</p> <p>11 As we've been on, we've been -- my e-mail</p> <p>12 has been flooded with, you know, e-mails from -- you</p> <p>13 know, from people that support you. And I fully</p> <p>14 understand that.</p> <p>15 But the thing is -- and, you know, the</p> <p>16 contention is that we are putting education -- and</p> <p>17 I'm not saying that's you, specifically, but I'm</p> <p>18 talking about some of the e-mails we have received,</p> <p>19 some of the comments on the chat, some of the things</p> <p>20 that were said this morning -- that we are actually</p> <p>21 putting -- you know, making a traffic issue more</p> <p>22 important than a child's education.</p> <p>23 And for me, it's not one or the other.</p> <p>24 I'm an educator, and I'm going to tell you that for</p> <p>25 me, it's always going to be student safety first. I</p> | <p style="text-align: right;">Page 172</p> <p>1 there.</p> <p>2 And it was a cul de sac. And they would</p> <p>3 still park in the neighbors' yards, and they would</p> <p>4 still come and go and litter in the neighborhood and</p> <p>5 create what I considered to be safety concerns for</p> <p>6 the other kids that were there. They were driving</p> <p>7 really fast.</p> <p>8 And the neighborhood association, the</p> <p>9 Eagle Park association, approached the school, and</p> <p>10 within 30 days, Hobbs High School had that -- that</p> <p>11 issue addressed.</p> <p>12 They, you know, hired somebody. They made</p> <p>13 sure they were ticketing people. But the point is</p> <p>14 they addressed it.</p> <p>15 And and so I have a concern that, you</p> <p>16 know, it appears that, you know, this has been</p> <p>17 something that's been here for a while, and we're</p> <p>18 just now saying, "Okay. Well, you know what? I</p> <p>19 agree with Commissioner Davis, and we're going to do</p> <p>20 this. We have a meeting, and we're going to do</p> <p>21 this."</p> <p>22 But you can't do that as an afterthought,</p> <p>23 because that is, to me, not signifying that student</p> <p>24 safety is first.</p> <p>25 And I'm all about educating. I'm still an</p> |
| <p style="text-align: right;">Page 171</p> <p>1 don't feel like I can educate a child fully if I</p> <p>2 can't ensure that that child's safety is first and</p> <p>3 foremost and paramount in everything that we do.</p> <p>4 And I don't feel that if you're crowded --</p> <p>5 you're already crowded. That was stated from one of</p> <p>6 your very own supporters, that the school is</p> <p>7 crowded.</p> <p>8 I agree with Commissioner Robbins. You</p> <p>9 know, I think it's really going to be difficult for</p> <p>10 you to try to grow at your current facility because</p> <p>11 there are issues there, the parking issues. And I</p> <p>12 know that you made a comment, JoAnn, about a lot of</p> <p>13 hostility. And I can tell you personally, I don't</p> <p>14 see hostility on this end. It's not a hostile thing</p> <p>15 for me.</p> <p>16 For me, it's always going to be about kids</p> <p>17 first, students' safety. And in this case it</p> <p>18 actually involves also the neighboring community</p> <p>19 there. And it is -- and I will give you a personal</p> <p>20 example.</p> <p>21 Before we moved to this house ten years</p> <p>22 ago, we lived in a cul de sac that was very close --</p> <p>23 like, three blocks away from the main campus, the</p> <p>24 traditional public school, high school. And I</p> <p>25 guarantee you that we had kids that would park</p>                                 | <p style="text-align: right;">Page 173</p> <p>1 educator, an educator at heart and lifelong. But I</p> <p>2 still think we need to put them and their safety</p> <p>3 issues first.</p> <p>4 And I do not think that by putting more</p> <p>5 kids in there, it's going to be a safe issue. And</p> <p>6 so, you know, I just think that that's something</p> <p>7 that you all need to consider.</p> <p>8 And -- you know. And then the other issue</p> <p>9 that I have -- and it's not really an issue, but</p> <p>10 just -- so it sounds like you have a really good</p> <p>11 marketing team. You know, you have put up</p> <p>12 billboards to attract students, to recruit students.</p> <p>13 And I understand that.</p> <p>14 But then there's still that factor of that</p> <p>15 campus and that parking and those facilities do not</p> <p>16 truly support that.</p> <p>17 Anyway, just a few things to consider.</p> <p>18 Thank you, Commissioners.</p> <p>19 MS. JoANN MITCHELL: Do you want me to go</p> <p>20 yet, Chairwoman?</p> <p>21 THE CHAIR: Commissioner Voigt? No.</p> <p>22 We've got Commissioner Voigt. Then we should be</p> <p>23 good. Sorry.</p> <p>24 COMMISSIONER VOIGT: That's okay. Thanks</p> <p>25 a lot. So, hi, JoAnn.</p>                                      |

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| <p style="text-align: right;">Page 174</p> <p>1           So I was at that mediation meeting last<br/>2 year. And I just want to say that it didn't feel --<br/>3 I mean, in addition to the moderator never following<br/>4 through afterwards, during the meeting it just felt<br/>5 there was a disconnect and a void between the<br/>6 neighborhood community and the school.<br/>7           And I believe your governing board chair<br/>8 was the only person there representing the school,<br/>9 if I'm right. But there was definitely a<br/>10 disconnect, and there was definitely no openness<br/>11 from either side to engage in conversation.<br/>12           I think that charter schools, especially,<br/>13 have the biggest opportunity to be community<br/>14 stewards. And sometimes that might involve you<br/>15 being the first one to extend your hand, you know.<br/>16           And I think you have a really -- you<br/>17 obviously have a really engaged neighborhood<br/>18 community. You have a very passionate faculty.<br/>19 And, of course, your parents are going to stand up<br/>20 for your school, because any charter school parent<br/>21 who loves their school is going to speak for their<br/>22 school.<br/>23           But I think it would really behoove you to<br/>24 extend the hand first, you know, to your community,<br/>25 JoAnn. And that would be you, not your governing</p> | <p style="text-align: right;">Page 176</p> <p>1           mean, it's just, like, student safety is huge. And<br/>2 I know you would not be able to live with yourself<br/>3 if a kid got gravely injured because of a traffic<br/>4 incident.<br/>5           There was a speaker, Adriann Barboa, who<br/>6 lives on Columbia, she said, in your community. I<br/>7 know she spoke about the paving of the alley. She<br/>8 probably doesn't understand that it was paid for by<br/>9 the school and you did get a permit, obviously.<br/>10           But I do empathize with what she was<br/>11 saying about the impact your school, intentionally<br/>12 or not, that it's had on that neighborhood<br/>13 community.<br/>14           So as a member -- and, hopefully, a<br/>15 leading member of that geographic community -- not<br/>16 your enrollment community, but your geographic<br/>17 community -- it would really behoove you to become a<br/>18 leading steward for that community.<br/>19           You have a lot of partners. You're got<br/>20 the City. You've got Loma Linda Community Center.<br/>21 You've got neighborhood associations, that I hope<br/>22 the school would be attending those neighborhood<br/>23 meetings. That's the best way to build advocacy for<br/>24 your school and to hopefully break down some of<br/>25 these barriers.</p>   |
| <p style="text-align: right;">Page 175</p> <p>1           board chair, not your assistant principals, but you<br/>2 as the face behind the school, that you be the one<br/>3 to step up and engage in your community.<br/>4           I think they would really appreciate it.<br/>5 I think it could really be a big ice-breaker, and it<br/>6 would help bridge some of the misunderstandings.<br/>7           Now, I really agree that this is a safety<br/>8 issue. And as a former charter school principal,<br/>9 safety, before academics, was my priority. You<br/>10 know, student safety is key. And if school buses<br/>11 are indeed parking on the street, that's -- that's<br/>12 kind of dangerous.<br/>13           I just got visualization pictures in my<br/>14 mind of little kids darting between school bus<br/>15 bumpers, you know, going across the street. And<br/>16 then Yale Boulevard -- and I know this community. I<br/>17 know that area of town.<br/>18           If kids are crossing Yale with no<br/>19 crosswalk and no blinking light, what's going to<br/>20 happen is something that happened that was very<br/>21 similar to what happened at Cleveland Middle School<br/>22 on Louisiana. A kid got hit and killed by a car.<br/>23 That's a busy street, too.<br/>24           So this should be at the forefront of your<br/>25 mind, JoAnn, not increasing your enrollment. I</p>              | <p style="text-align: right;">Page 177</p> <p>1           But I can't -- when I look at the<br/>2 enrollment of MAS, the numbers, and I look at Valley<br/>3 High School, very similar enrollment numbers, and<br/>4 then I look at the site and the acreage, there's a<br/>5 big gap. So -- and I know charter schools are not<br/>6 going to ever strive to have, you know, 13 hectares.<br/>7           But there's a big difference -- one of the<br/>8 questions and something that came up also out of<br/>9 that mediation meeting, was your preschool. And I<br/>10 know there was an issue about traffic driving right<br/>11 next to that pre-K portable. And I'm hoping the<br/>12 three-foot chain-link fence got erected so there's<br/>13 protection for the pre-K kiddos and the asphalt.<br/>14           So, hopefully, there's a barrier to keep<br/>15 those pre-K kiddos off the asphalt. You can address<br/>16 that. But I just want to say going forward, I know<br/>17 we can't approve this amendment with conditions.<br/>18 But I would like to see a traffic plan enacted by<br/>19 the school in collaboration with the -- a City<br/>20 traffic study and a PED traffic study. Hopefully,<br/>21 the PED and the City are talking to each other;<br/>22 probably not. But that's where the school can be<br/>23 the steward for that conversation.<br/>24           Have that traffic plan in place and<br/>25 approved by the PED traffic folks and the City</p> |

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| <p style="text-align: right;">Page 178</p> <p>1 folks. Then apply for your enrollment increase.<br/> 2 THE CHAIR: Okay, JoAnn, we've got one<br/> 3 more Commissioner who had their hand up.<br/> 4 So Commissioner Armbruster?<br/> 5 COMMISSIONER ARMBRUSTER: I do want to<br/> 6 probably speak. I think I want her to answer those<br/> 7 concerns, so that I can not add on to those. Is<br/> 8 that okay with you?<br/> 9 THE CHAIR: No. I would prefer that<br/> 10 everyone that wants to speak, speak, and then JoAnn<br/> 11 can have the last word.<br/> 12 COMMISSIONER ARMBRUSTER: Okay.<br/> 13 THE CHAIR: But we're trying to --<br/> 14 COMMISSIONER ARMBRUSTER: Okay. That's<br/> 15 fine. Am I on? Yes. I don't see me; so it's hard<br/> 16 on this iPad.<br/> 17 So I think that there are a bazillion<br/> 18 valid points. We're looking at a school who could<br/> 19 serve more kids, and they can do well. We look at<br/> 20 issues with traffic.<br/> 21 I understand Commissioner Ruiz's -- her<br/> 22 comments, because when I want to get off this mesa<br/> 23 where I live, there's a school. And I have --<br/> 24 there's one road and this school of 500 kids. And<br/> 25 it's a pain. And it's 12 acres, by the way. But</p>   | <p style="text-align: right;">Page 180</p> <p>1 I'm really not going to address the COVID<br/> 2 issue, because it's everything. So I don't think<br/> 3 that should be the reason I say yes or no. That may<br/> 4 happen, just -- we all may be going half-days to<br/> 5 school. I don't really know that answer. I don't<br/> 6 think anybody does at this point.<br/> 7 But I'm thinking that it really isn't a<br/> 8 traffic versus education. I think it's a safety. I<br/> 9 think that they can come up with a plan. My<br/> 10 understanding is she was meeting with Councilman<br/> 11 Davis next week.<br/> 12 They will -- whether it's increase the<br/> 13 number of staff who are outside with the kids and<br/> 14 crossing with them and stationed here or stationed<br/> 15 there, I think that's a reasonable thing.<br/> 16 In terms of parking, I thought the parking<br/> 17 lot for teachers -- not for children, but for -- at<br/> 18 least for teachers -- was just directly across Yale,<br/> 19 which is a pain, by the way, of course. But there<br/> 20 was parking.<br/> 21 I think someone mentioned something about<br/> 22 the community center, and I'm not exactly sure where<br/> 23 that is. I think it's on the same side, however, as<br/> 24 you are. So we're not -- that wouldn't involve<br/> 25 crossing streets. So I think that we haven't --</p> |
| <p style="text-align: right;">Page 179</p> <p>1 the parents always have to go in from that street so<br/> 2 it's always a problem. It's a problem for everybody<br/> 3 who lives on this side of the school. It just is.<br/> 4 But it's not all day long. It's really<br/> 5 just during the morning, and it's at -- when they<br/> 6 get out at the end.<br/> 7 So I guess I'm feeling that -- I don't<br/> 8 know what law does it say that we can't put on -- I<br/> 9 don't know. Ami, are you on? I think they are.<br/> 10 What law is that that says that we can't<br/> 11 put conditions on a cap? Because I would like that<br/> 12 to be, just so we know that it's done. Maybe you<br/> 13 can address that in a second, because I would say,<br/> 14 yeah, this is -- I think it's important to increase<br/> 15 what they have.<br/> 16 I was, as was Commissioner Gipson, there<br/> 17 when -- one of the very first meetings when they<br/> 18 asked for -- to go down to K-to-5 to meet their<br/> 19 sixth grade to twelfth grade. I think they've done<br/> 20 a lot for safety. I think they have people out and<br/> 21 doing that.<br/> 22 I think with our -- our recommendations<br/> 23 of, "This better happen," it will happen. I think<br/> 24 this year, they weren't taking 465 kids; they were<br/> 25 taking 100.</p> | <p style="text-align: right;">Page 181</p> <p>1 what happened? I just hit something. Sorry.<br/> 2 I haven't heard all of what can be done.<br/> 3 And I think that Ms. Mitchell was willing to put a<br/> 4 cap on, which, of course, we've never heard -- I've<br/> 5 never heard in six years -- "Well, yeah, put a cap<br/> 6 on me."<br/> 7 But I think that she would also go ahead<br/> 8 and do that. And I think that's an important thing.<br/> 9 I think we have that opportunity with this school.<br/> 10 We don't know that Old Coors won't grow. I don't<br/> 11 even know where that school is. But right now,<br/> 12 they're okay. And right now, we're dealing with<br/> 13 Yale.<br/> 14 And I think part of the issue of is, for<br/> 15 me, one, is the siblings not being able to enter.<br/> 16 And, number two, I know parents want all of their<br/> 17 kids at the same school. So if they have a<br/> 18 sixth-grader and a twelfth-grader, they want their<br/> 19 third-grader at the same school rather than taking<br/> 20 their third-grader to another school.<br/> 21 Those are important things. I can't think<br/> 22 of a reason I wouldn't vote for the school to<br/> 23 improve and have more kids. I understand that<br/> 24 they're going to do it.<br/> 25 And you know what? If they take 100 this</p>  |

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| <p style="text-align: right;">Page 182</p> <p>1 year and they can't handle it, I'm going to say they<br/>2 maybe would think, maybe we're not going to do that<br/>3 next year. But I don't know. Did Mark or Ami find<br/>4 that law?<br/>5 MS. AMI JAEGER: So, Commissioner<br/>6 Armbruster, you know, I think it's very clear -- I<br/>7 think there's two things that are going on.<br/>8 It's very clear the statute says that the<br/>9 PEC can consider conditions on renewal. So we're<br/>10 looking at an amendment. So part -- we do have some<br/>11 flexibility in the amendment.<br/>12 But we've never done a kind of condition<br/>13 like this, because I am not sure how we could come<br/>14 up with a clear definition of what the condition is<br/>15 that would really allow the school to know what they<br/>16 need to do before the enrollment cap would be in<br/>17 place.<br/>18 What? Have the community like them? Have<br/>19 a plan that's conditioned upon third parties, like<br/>20 the City of Albuquerque, granting an approval? How<br/>21 could -- so then you've got people outside of the<br/>22 contractual relationship holding responsibility for<br/>23 a condition to be resolved before we could move<br/>24 forward.<br/>25 So I just think, in this particular case,</p>   | <p style="text-align: right;">Page 184</p> <p>1 And I will say there will be people on<br/>2 that Ross Street, I think it's called, who are never<br/>3 going to be happy. I mean, if they only had 25 kids<br/>4 in the school, I don't think they would be happy.<br/>5 But those are -- us old folks, we just get grumpy.<br/>6 So I think that they proved to do<br/>7 everything that we've really been happy.<br/>8 Academically. They're looking at safety. They have<br/>9 the parking lot. They're talking about the<br/>10 community center.<br/>11 So it looks to me like there's lots of<br/>12 options. And they have a City Councilor working<br/>13 with them to do this. And I see that they have<br/>14 everything in place. I don't know what else we<br/>15 could really ask of them that we can do this.<br/>16 Having more people out is a possibility.<br/>17 I think another thing is they could write letters to<br/>18 parents and say to them, "You must not be here, you<br/>19 must be there," and really get on it. Or have the<br/>20 police there. I don't know.<br/>21 We had this -- I live in this little<br/>22 community, and we have the same issue with parents<br/>23 dropping off kids in the middle of the teachers'<br/>24 parking lot. I don't know the answer to this. We<br/>25 couldn't figure out an answer to it. I'll tell you</p> |
| <p style="text-align: right;">Page 183</p> <p>1 it would be complicated both for the school and for<br/>2 the Commission to be able to define what the<br/>3 condition would be. It's better to have these<br/>4 issues resolved and then just come in with an<br/>5 enrollment cap request.<br/>6 COMMISSIONER ARMBRUSTER: So we could just<br/>7 have the -- grant the enrollment cap and trust that<br/>8 she's going to meet with whoever, that she's met<br/>9 with Poms and all of these other people who said it<br/>10 was okay. PED, I guess that's the Department that<br/>11 they were talking about, came and looked at the<br/>12 school and thought it was okay, very organized, very<br/>13 reasonable.<br/>14 We could add in things like -- and I think<br/>15 Commissioner Robbins was talking about not having<br/>16 the buses parked on the street. I don't know how<br/>17 big these buses are. But buses are big. I think<br/>18 that's a reasonable thing to ask.<br/>19 And, again, I think we -- is you're right.<br/>20 We can't -- I understand what you're saying now.<br/>21 Thank you. But it may be just things that we would<br/>22 want to say. And if we granted the cap, and then we<br/>23 saw that it was really terrible, do we have to<br/>24 continue with it if these things don't get resolved<br/>25 in some manner?</p> | <p style="text-align: right;">Page 185</p> <p>1 that.<br/>2 And I almost hit a child. I do understand<br/>3 how important that is. Fortunately, I was only going<br/>4 about a mile an hour. It's a continual problem with<br/>5 parents and teachers.<br/>6 But in my mind, we have a charter school<br/>7 who's one of the top ones who have not the creme de<br/>8 la creme children. So we should increase their<br/>9 thing. So my vote will be for increasing.<br/>10 THE CHAIR: Well, we don't have a motion<br/>11 yet. But thanks.<br/>12 COMMISSIONER ARMBRUSTER: I know. I'm<br/>13 just saying.<br/>14 THE CHAIR: Commissioner Caballero? Did<br/>15 you --<br/>16 COMMISSIONER CABALLERO: Yes. A few<br/>17 words, Madam Chair. This is a very difficult -- I<br/>18 don't really want to deny. But I held back because<br/>19 I wanted to hear from my fellow Commissioners. I<br/>20 learn a lot. There's some of you there that have a<br/>21 lot of expertise.<br/>22 And I really wanted to, as a Commissioner,<br/>23 just to postpone until a later date because I wasn't<br/>24 quite sure if I could vote one way or another or not<br/>25 vote at all.</p>   |

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1 But I am concerned about safety. I love  
2 the school because it does things we don't see at  
3 all in the state. We just don't. This is  
4 exceptional.

5 But -- and I'm sitting here trying to  
6 figure out what they could do. And I think when a  
7 Commissioner said, "Come up with a plan and bring it  
8 back and leverage whatever you have and talk to  
9 other folks and make it work," I know that when I  
10 lived in El Paso County, I took my son to a magnet  
11 school.

12 And that magnet school got ridiculously  
13 heavy traffic in a road that shouldn't have that  
14 kind of traffic, standing-still traffic. So they  
15 initiated drop-off and pickup bus routes for parents  
16 in the different areas where parents -- most of the  
17 parents lived. And that reduced the traffic flow at  
18 the school by 60 percent. And they were able to  
19 stay within the bounds.

20 But I was amazed that nobody looked at  
21 that traffic flow and anticipated what would happen,  
22 and they just built the school.

23 And, again, it wasn't built where they  
24 were supposed to build; so maybe that's why it never  
25 got that. So I'm at the point of saying no to --

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1 THE CHAIR: Okay. Thank you. And I'm  
2 just going to say -- we're still waiting for that  
3 mediator.

4 MS. PATRICIA MATTHEWS: Madam Chair, this  
5 is Patty. Could I respond to Ami?

6 THE CHAIR: It's hard to hear you.

7 MS. PATRICIA MATTHEWS: I'm sorry. Can  
8 you hear me now?

9 THE CHAIR: Yes.

10 MS. PATRICIA MATTHEWS: Can I respond to  
11 Ami? Because I think she kind of hit on something.  
12 And I would like to bounce something around with her  
13 that would address this question of the condition,  
14 'Cause I think that some of the Commissioners are  
15 sort of on the fence. But I think part of what you  
16 want is a solution that might work for -- to answer  
17 the neighborhood questions.

18 And Ami touched on it and -- and I think  
19 she's right -- that we've got to -- that it would be  
20 hard to formulate the condition. I agree with her.  
21 We want it to be clear and specific to satisfy.

22 I mean, overall, I think what's coming out  
23 of this is we're not hearing that there's really  
24 legal issues, because they've done what they were  
25 supposed to do.

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1 not saying no to the increase, but maybe -- maybe  
2 they can plan out how they can best be able to  
3 utilize their space.

4 And if they're going to be incremental,  
5 bring that incremental -- I'm not one, like  
6 Commissioner Armbruster, that will trust. I'm one  
7 to trust, but verify. But a lot of what we do is by  
8 contract. And so I'm hoping that somehow the  
9 committee that started the mediation maybe come up  
10 with a plan with all the interest groups at play and  
11 come up with something. Probably not for next year.

12 But if MAS has room to grow, I hate to see  
13 them -- or they could start some of the early  
14 schools in their -- the school they called "Old  
15 Coors," and then bring in the other grades right  
16 before middle school and high school incrementally  
17 into the picture, within the bounds of traffic and  
18 safety.

19 And Commissioner Voigt is right on point.  
20 It has to be safety. I hate to be a Commissioner  
21 that votes yes and then something happens. I'll be  
22 the first one to point a finger at me, that I was  
23 responsible -- partly responsible for that.

24 So that's what I have to say, Madam Chair.  
25 And I hope we come up with a good solution.

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1 So I'm just wondering, Ms. Jaeger, do you  
2 think that we could -- it seems to me that you're  
3 right, that there isn't a prohibition that an  
4 amendment couldn't be with a condition on it. It's  
5 just a matter of drafting it in a clear way; right?

6 And I think that's what we're talking  
7 about here.

8 Now, Councilman Davis suggested that the  
9 school participate in a traffic study. And then  
10 maybe -- I would assume, out of a traffic study --  
11 and maybe I don't know the answer to this  
12 question -- there would be recommendations that come  
13 out of a traffic study? Requirements? And I think  
14 that's pretty -- that's correct.

15 If the City does a traffic study, there  
16 are things that have to happen out of it. And I  
17 wonder if we couldn't look at how to word the  
18 condition on the traffic study is completed and that  
19 a plan for all of those things that are recommended  
20 in the traffic study be developed and finalized as  
21 the condition.

22 Because then that would address the  
23 traffic issues, which I really think is the meat of  
24 the question.

25 What do you think about that?



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| <p style="text-align: right;">Page 190</p> <p>1 MS. AMI JAEGER: Well, I mean, so in just<br/>2 kind of thinking through that -- so that the<br/>3 enrollment cap would not -- the increase would not<br/>4 go into effect until the prior conditions were met.<br/>5 Is that what you're saying?<br/>6 MS. PATRICIA MATTHEWS: Well, I think -- I<br/>7 know we're getting into the weeds here. But, yes, I<br/>8 think that's the idea. But I'm wondering, because<br/>9 the concept of her cap is to phase in -- where did<br/>10 you go, Ami? I lost you. Okay.<br/>11 MS. AMI JAEGER: I'm still here. Things<br/>12 move around.<br/>13 MS. PATRICIA MATTHEWS: So maybe we could<br/>14 track what we do with the traffic study with the cap<br/>15 increases, particularly for Yale campus. I don't<br/>16 think Coors is -- Coors, it seems to me, is a<br/>17 non-issue. It should just go, because there's two<br/>18 campuses we're talking about.<br/>19 But you said roughly 45 to 60, JoAnn, this<br/>20 next year?<br/>21 MS. JoANN MITCHELL: 45 to 100 max.<br/>22 MS. PATRICIA MATTHEWS: 45 to 100 max for<br/>23 this coming school year. I think after we have met<br/>24 with Commissioner Davis, we will know essentially<br/>25 the time frame. I think if we could maybe do a</p> | <p style="text-align: right;">Page 192</p> <p>1 address some of the safety, because there's been<br/>2 lots of Commissioners have talked about it, but we<br/>3 have yet to address it.<br/>4 THE CHAIR: I understand that. But I want<br/>5 to address the question about the issue of tabling,<br/>6 because I don't have a clear answer for that. So I<br/>7 guess I need some clarification on that, because I'm<br/>8 not 100 percent sure if, at this point in time, we<br/>9 could, in fact, table it. So I just -- I think we<br/>10 could. But I'm just putting it out there because I<br/>11 want clarification on this.<br/>12 MS. AMI JAEGER: So, you know, if<br/>13 Commissioner Davis chooses to bring a tabling<br/>14 motion, that's a non-debatable motion. And then<br/>15 there would be a vote to table. If the tabling<br/>16 motion passes, that's the end of the discussion. If<br/>17 the motion fails, then we're back on discussion, and<br/>18 a vote could be taken based on a different motion.<br/>19 So it's really a little bit up to the<br/>20 Chair if she feels there's been full discussion.<br/>21 But you can have a tabling motion utilized without a<br/>22 full discussion.<br/>23 But once the tabling motion is made,<br/>24 there's no further discussion. You just vote on the<br/>25 tabling motion.</p> |
| <p style="text-align: right;">Page 191</p> <p>1 stepped cap?<br/>2 MS. AMI JAEGER: I still think a big part<br/>3 of the problem is by doing a condition like that,<br/>4 there's no privity of contract. In other words,<br/>5 you've got to get a third party, like the City of<br/>6 Albuquerque or like --<br/>7 MS. MATTHEWS: That happens a lot.<br/>8 MS. AMI JAEGER: -- the traffic or<br/>9 whatever conditions that the PEC would impose, that<br/>10 you would have to clear those in order to have an<br/>11 inquiry.<br/>12 And how would the PEC enforce that? Or<br/>13 how would the school -- how would you force somebody<br/>14 to come to resolve these issues?<br/>15 So I just think it gets awfully<br/>16 complicated in terms of enforcement.<br/>17 THE CHAIR: Can I interrupt just for a<br/>18 second? Commissioner Davis had her hand up, so I<br/>19 think she's got a question.<br/>20 COMMISSIONER DAVIS: Yeah. So I was just<br/>21 wondering. Would it be possible to table the<br/>22 request until the school has resolved the safety<br/>23 issues, and that we can look at it again?<br/>24 MS. JoANN MITCHELL: Can I --<br/>25 Commissioner -- Chairwoman Gipson, I'd like to</p>  | <p style="text-align: right;">Page 193</p> <p>1 COMMISSIONER DAVIS: Then is there another<br/>2 word that is "table" in my mind, but it just means<br/>3 "postpone"? Is there --<br/>4 THE CHAIR: No. It's tabling or moving<br/>5 forward. There isn't a -- tabling is basically<br/>6 postponing it.<br/>7 COMMISSIONER DAVIS: Well, it is to me.<br/>8 But I thought maybe there was a different word<br/>9 that --<br/>10 THE CHAIR: No, no, there isn't.<br/>11 COMMISSIONER DAVIS: Thank you.<br/>12 THE CHAIR: All right. JoAnn?<br/>13 MS. PATRICIA MATTHEWS: But if you're<br/>14 going to -- I'm muted. Oh, I'm not, am I?<br/>15 If you're going to table until safety<br/>16 issues are rectified, then we need to articulate<br/>17 them.<br/>18 But I'll stop there. I'm going to let --<br/>19 I guess we're waiting for what to do next.<br/>20 MS. JoANN MITCHELL: Am I good now,<br/>21 Chairwoman Gipson, now to talk?<br/>22 THE CHAIR: I believe so, because I don't<br/>23 think anyone's moving forward with a motion.<br/>24 MS. JoANN MITCHELL: Thank you. Okay.<br/>25 So many things to address. I'll try to be</p>   |

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| <p style="text-align: right;">Page 194</p> <p>1 concise, because I'm sure everybody has got to be<br/> 2 tired of this yet.<br/> 3 First, where do I begin?<br/> 4 Somebody had brought up about the drop-off<br/> 5 and that we were going to have more elementary kids<br/> 6 and there's more drop-off on Yale.<br/> 7 I want to clarify that the whole -- out of<br/> 8 the whole mediation, I want to share with you that<br/> 9 we were asked to use the alley to drop off. And we<br/> 10 do use the alley for elementary, K-to-5. So the<br/> 11 elementary kids are not dropped off, they don't<br/> 12 cross Yale. They're dropped off in the parking lot<br/> 13 right in front of the gymnasium where they walk in<br/> 14 for breakfast, K through 5, and they're picked up<br/> 15 there. So I just wanted to clarify that.<br/> 16 Now, that does not mean a parent will not<br/> 17 drop off the sixth- or seventh-grader and they've<br/> 18 got the little sister with them. We try to work<br/> 19 with those things. But I just wanted to clarify<br/> 20 that. Just a couple of points of clarity. So<br/> 21 that's that part.<br/> 22 Then Old Coors came up. And I wanted to<br/> 23 clarify that because we have one charter, our<br/> 24 understanding, and the way we wrote the amendment,<br/> 25 is this would apply to both charters; this would not</p>      | <p style="text-align: right;">Page 196</p> <p>1 discouraging people from parking there. But at the<br/> 2 end of the day, it's not illegal parking. And one<br/> 3 of the things that we approached the City about is<br/> 4 that if you want to alleviate the congestion on Yale<br/> 5 with parking, you have to set the rule.<br/> 6 I do not have any authority to enforce<br/> 7 that. I can't tell people to park there. And it's<br/> 8 the same thing. If a car is parked, and it's<br/> 9 partially blocking somebody's driveway, that is<br/> 10 really not my jurisdiction.<br/> 11 I can do everything I can, and we have,<br/> 12 sent e-mails and such discouraging these things. I<br/> 13 don't have control over this. That was one of my<br/> 14 suggestions with Councilman Davis is that have the<br/> 15 City make that illegal parking. We're happy to call<br/> 16 the police ourselves if people are parked there. I<br/> 17 don't have the jurisdiction to make people not park<br/> 18 there.<br/> 19 So then moving to the buses. The buses,<br/> 20 the plan for the buses, has always been for them to<br/> 21 start parking in the parking lot across the street.<br/> 22 Part of what we had to do is we had to put gates.<br/> 23 Those of you who are familiar with this area,<br/> 24 there's a lot of car theft, a lot of car theft and a<br/> 25 lot of vandalism.</p> |
| <p style="text-align: right;">Page 195</p> <p>1 just apply to Yale.<br/> 2 And you might say, "JoAnn, why wouldn't<br/> 3 you just ship the kids over there?"<br/> 4 Again, that goes back to the 120 all the<br/> 5 way up, looping all the way up. We would do it at<br/> 6 both schools. We're not close to our cap at Old<br/> 7 Coors, because we're -- we only phase in -- this<br/> 8 year, we phase in -- we're K to 4 and then Grade 6.<br/> 9 Next year, meaning the 2021-'22, we become K through<br/> 10 7, and we keep phasing up.<br/> 11 So it's going to take us a while. So even<br/> 12 if the cap were approved, it's a while before Old<br/> 13 Coors gets there. But, again, that's why I kind of<br/> 14 gave you the history of why would we even ask for<br/> 15 this. Those are just a couple of those issues.<br/> 16 I really have to bring up, too, that --<br/> 17 one other little thing, and then I'll kind of get to<br/> 18 the theme of my whole point here. The parking on<br/> 19 the street, you know, that's come up numerous times.<br/> 20 A couple of things. Let's just talk about<br/> 21 the cars parking on the street. I know this has<br/> 22 been a huge source of contention, particularly with<br/> 23 the neighborhood. But I want to remind people that<br/> 24 that's legal parking.<br/> 25 And so it's -- we send communications</p> | <p style="text-align: right;">Page 197</p> <p>1 We were looking to put gates, gated, like<br/> 2 where you have to, like, have a little code-type<br/> 3 thing to get into the gate. It was a \$30,000<br/> 4 project. It was supposed to be done over spring<br/> 5 break. But because of the COVID issue, we've<br/> 6 postponed it till summer.<br/> 7 But that is the intention was that those<br/> 8 buses would come off. The reason we kept them there<br/> 9 is because it's so close to visibility that we can<br/> 10 see them, because the buses have been vandalized.<br/> 11 And I'm sure you can appreciate the cost of things<br/> 12 like that, not to mention the operational issue that<br/> 13 when your bus is vandalized, it's not like you just<br/> 14 have a few spares to use.<br/> 15 So just to kind of address a few of those<br/> 16 things, because we have no problem parking over<br/> 17 there. And that was part of, again, our solution,<br/> 18 one of the things that we were doing completely on<br/> 19 our own. We just wanted that area gated. And that<br/> 20 also helps staff, like, to have their cars.<br/> 21 But, again, I point out that is legal<br/> 22 parking, one of the suggestions I had with<br/> 23 Councilman Davis.<br/> 24 So now to the big thing. I want to -- you<br/> 25 know, the word "safety" keeps coming up -- one more</p>          |

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| <p style="text-align: right;">Page 198</p> <p>1 thing. Sorry. The blinking light.<br/>                 2 From my understanding, that's about a<br/>                 3 half-a-million-dollar project. It was brought up by<br/>                 4 somebody in our little group here that we had<br/>                 5 already gone to the City. We went to the City our<br/>                 6 third year of operation to request this. We were<br/>                 7 told no, we could not have a light.<br/>                 8 I put that out there because I feel like<br/>                 9 that a lot of this is we're not being safe. but I<br/>                 10 feel like I'm being asked to do things that I do not<br/>                 11 have control over doing. I cannot stop people from<br/>                 12 parking there.<br/>                 13 The neighborhood issue. I really want to<br/>                 14 separate, because we are using two terms<br/>                 15 synonymously. We are using the word "safety" and<br/>                 16 "traffic" as synonyms. They are not synonyms. They<br/>                 17 do not even mean the same thing.<br/>                 18 Now, I am not saying that traffic could<br/>                 19 link to safety issues. I'm saying that there's<br/>                 20 never a safety issue. But we are really confusing a<br/>                 21 concern by the neighborhood of traffic on their<br/>                 22 streets, an inconvenience of traffic, and we're<br/>                 23 calling it in the name of "safety."<br/>                 24 And I get every one of your concerns. And<br/>                 25 to even suggest that as the leader of this school</p> | <p style="text-align: right;">Page 200</p> <p>1 Department out. "We don't see anything."<br/>                 2 The State Fire Marshal: "We don't see<br/>                 3 anything."<br/>                 4 The County Fire Marshal: "We don't see<br/>                 5 anything."<br/>                 6 The Albuquerque Police Department: "We<br/>                 7 don't see anything."<br/>                 8 So I feel like this is becoming a very<br/>                 9 feeling-based conversation. And please don't think<br/>                 10 for a second I am downplaying the concern of safety,<br/>                 11 because I absolutely would never do that. We have<br/>                 12 never had a safety issue with a student as far as<br/>                 13 somebody being injured or something. We put all<br/>                 14 types of safeguards in place.<br/>                 15 And, again, to have a decision considered<br/>                 16 of a vote of "no" because we're not safe, somebody<br/>                 17 needs to tell me what I need to do to fix it.<br/>                 18 Because if you're asking me to get the<br/>                 19 neighbors to say, "We think you're safe," it's not<br/>                 20 going to happen, folks. Like, their concern is<br/>                 21 traffic. If I could get the traffic off their<br/>                 22 street and not have anybody drive down Cornell, down<br/>                 23 Gibson -- no -- Ross -- they would -- you would<br/>                 24 never hear a complaint again.<br/>                 25 But you're hearing the word "safety" when</p>   |
| <p style="text-align: right;">Page 199</p> <p>1 that I would compromise one child's safety, I --<br/>                 2 that -- I'm not taking offense, because I know you<br/>                 3 don't mean it that way. But there's no way I or any<br/>                 4 person on this staff would do it.<br/>                 5 So, furthermore, with that comment, you've<br/>                 6 all referenced -- pretty much everyone who spoke has<br/>                 7 referenced safety, and I get it. But you are making<br/>                 8 these two words synonyms.<br/>                 9 And I do not have control of being able to<br/>                 10 drive through the community center until the City<br/>                 11 says, "JoAnn, we can put a road down," or, "We will<br/>                 12 let you pay for a road." And I'm happy to do that.<br/>                 13 But I feel like if this decision is going to come<br/>                 14 to, "Hey, JoAnn, if you guys -- you guys aren't<br/>                 15 safe," tell me what I violated. Because I have<br/>                 16 had -- who is the authority on safety?<br/>                 17 Because we have had Poms come out, assess<br/>                 18 and say, "No violation, you're safe from everything<br/>                 19 we see."<br/>                 20 PED came out. The Public Education<br/>                 21 Department's Transportation Bureau came out. "You<br/>                 22 are safe. Nothing you can do to improve what you're<br/>                 23 doing."<br/>                 24 We asked.<br/>                 25 We've had the Bernalillo County Sheriff's</p>  | <p style="text-align: right;">Page 201</p> <p>1 the word is really "traffic."<br/>                 2 And so I want to emphasize that, because I<br/>                 3 think it's an unfair ask to say, "Hey, JoAnn, until<br/>                 4 you address safety, we're going to say no."<br/>                 5 Somebody needs to know. Somebody needs to<br/>                 6 tell me what it is that I'm supposed to do, because<br/>                 7 you're basing this on the perception of the<br/>                 8 complaints you got from people saying, "JoAnn,<br/>                 9 you're not safe, you're not safe."<br/>                 10 But who is the authority on safety if all<br/>                 11 of these people have been brought here by us,<br/>                 12 proactively, to not only address the community<br/>                 13 concerns, to address the concerns that are being<br/>                 14 brought to you all, but for us? We would never want<br/>                 15 to compromise somebody's safety.<br/>                 16 But somebody has got to pinpoint, besides<br/>                 17 perception, what rule am I breaking? What am I not<br/>                 18 doing that I need to do, and I can do? Because if<br/>                 19 you say, "JoAnn, get traffic off of Cornell," tell<br/>                 20 me where I can drive them. I do not control the<br/>                 21 City streets and stuff.<br/>                 22 Unless they're going to open up -- this is<br/>                 23 something that Councilman Davis had mentioned:<br/>                 24 "JoAnn, we're open to having you guys put a little<br/>                 25 path down the community center so that you can drive</p> |

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1 right by the side of the fence and do that."

2 That's not up to me. JoAnn and MAS do not  
3 have control over this. I just want to put that  
4 out, because I'm very concerned that the word  
5 "safety" and "safety" and "safety" keep coming up.  
6 But nobody can tell me who else do I bring to MAS to  
7 show my due diligence of not just appeasing people,  
8 but assuring my students, my staff and my community  
9 are safe?

10 THE CHAIR: Thanks. Commissioner Ruiz.

11 COMMISSIONER RUIZ: Yes. Thank you.

12 JoAnn, thank you so much for your  
13 comments. I appreciate it.

14 And, again, I want to tell you that -- let  
15 me just say something to what you said. So, to me,  
16 it's -- but what I'm saying is it's a precursor. It  
17 is a precursor to student success. It's not  
18 synonymous with that.

19 And I get what you're saying that. But,  
20 you know, the bottom line for me is, and it's always  
21 going to be, is that I have to -- my vote has to  
22 ensure that when I actually, you know, voice that  
23 motion, that vote, whatever it is, that I feel I'm  
24 doing it for the right reasons.

25 And, to me, the right reason at this

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1 there, we don't ask questions of the school. So the  
2 only -- the only people that can respond now are  
3 Commissioners. Sorry.

4 COMMISSIONER VOIGT: I would have liked to  
5 have had some more discussion before the motion was  
6 made. So that's okay.

7 THE CHAIR: That's not up to me. It's up  
8 to -- you know. We didn't have any timing. The  
9 motion was made.

10 COMMISSIONER CABALLERO: That's procedure,  
11 Madam Chair.

12 THE CHAIR: Correct.

13 So, Commissioner Armbruster?

14 COMMISSIONER DAVIS: You're muted.

15 COMMISSIONER ARMBRUSTER: Sorry. Sorry.  
16 I think that we're looking at a school who does due  
17 diligence and probably overdoes it. I think we're  
18 looking at the number of students they have right  
19 now, and they're handling it.

20 The issue is absolutely right, between  
21 traffic and safety. So if they're looking at  
22 increasing the safety, they've talked to Poms,  
23 they've talked to PED, they've talked to the City  
24 Councilor, they're to be working together, and all  
25 of these things are going to be occurring.

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1 minute -- and that's not to say at some point in the  
2 future I wouldn't support that. But under the  
3 circumstances, my concern is with safety. My  
4 concern is also with the fact that, you know, moving  
5 them into that location that's crowded.

6 I'm ready to make the motion, and I move  
7 that the Public Education Commission deny the  
8 enrollment cap increase for Mission Achievement and  
9 Success by 500 students to a total of 1,581.

10 COMMISSIONER DAVIS: Second.

11 COMMISSIONER VOIGT: Madam Chair? Madam  
12 Chair?

13 THE CHAIR: Hold on.

14 COMMISSIONER DAVIS: I second.

15 THE CHAIR: Hold on. There's a motion by  
16 Commissioner Ruiz, there's a second by Commissioner  
17 Davis.

18 Now we're open for discussion.

19 Commissioner Voigt?

20 COMMISSIONER VOIGT: Thank you. I just  
21 had a follow-up question. Thank you, JoAnn, for  
22 compartmentalizing safety and traffic, because they  
23 are getting commingled here. But I just have a  
24 question. This is a yes-or-no answer.

25 THE CHAIR: Hold on. Once a motion is out

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1 I think we're talking about 100 kids. It  
2 doesn't mean we can't intervene if something really  
3 terrible happens. But nothing has happened to this  
4 school that hasn't been above and beyond every  
5 single thing we've ever asked them to do, or they've  
6 been asked to do, or, in fact, they just did in  
7 general.

8 But if PED thought it was okay, and Poms  
9 thinks it's okay, and the City is going to work  
10 together, and they already have 1,000 kids, or  
11 1,100 kids who seem to be okay, there's been no  
12 accidents, there's been no problems, they're going  
13 to look at some alternatives for doing this, I don't  
14 see any reason not to vote for them to have this so  
15 they could open the school, start this growing  
16 process, and help these kids.

17 THE CHAIR: Okay. Thank you.

18 COMMISSIONER ARMBRUSTER: I think that  
19 they can do it.

20 THE CHAIR: Thank you.

21 COMMISSIONER CABALLERO: Madam Chair?

22 THE CHAIR: Commissioner Caballero?

23 COMMISSIONER CABALLERO: Yes. I didn't  
24 hear anything that talked about PED or the City or  
25 traffic for the future increase. What you heard was

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1 things are okay as they stand. And you can't take  
2 that, Commissioner Armbruster, to mean that future  
3 increase is going to be okay.

4 That's why I was having a hard time. And  
5 I wasn't sure whether to vote for or deny, because  
6 even though I do believe that the school is doing  
7 everything that they have to do in existence now,  
8 there's nothing right now that I've heard that says  
9 increasing by 500 students is going to be okay in  
10 the future.

11 I also heard the community. And I'm not  
12 going to discount that, either.

13 Are they lying?

14 No. I have to trust that they're saying  
15 the truth, and I have to trust that they're telling  
16 the truth.

17 And so that's why I believe, like some  
18 Commissioners, make a plan, come back, and present  
19 it. I was all for the -- doing it later.

20 But, again, Commissioners, there was  
21 nothing -- nothing was presented that said bringing  
22 in another 500 students -- and Commissioner Ruiz is  
23 correct. It's too uncertain to say yes and be  
24 responsible. Traffic promotes -- if the traffic is  
25 unbearable -- promotes an environment of unsafe to

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1 And I know that kind of goes along the  
2 lines with what Commissioner Robbins was talking  
3 about here. And that's something that the school  
4 has been asking, "Well, what more could we have  
5 done?"

6 Well, you know, even Poms & Associates are  
7 recommending a traffic engineering study. And I  
8 think that could easily get done.

9 THE CHAIR: Sorry. Commissioner Voigt?

10 COMMISSIONER VOIGT: Thank you. I would  
11 have liked to look at some conditional language.  
12 But since we have moved beyond that, I just want to  
13 weigh in that a traffic study -- City traffic study  
14 in collaboration with a PED traffic study would be  
15 ideal.

16 I think that the school could be proactive  
17 and possibly move forward with that anyway,  
18 regardless of vote. But at this time, because I  
19 can't ask the school a question and get some more  
20 definitive answer due to a motion being made, I'm  
21 probably going to abstain from this.

22 THE CHAIR: I'm sorry. I didn't even -- I  
23 couldn't hear the last part of what you said.

24 COMMISSIONER VOIGT: I said because I  
25 can't -- I can't get more information from the

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1 some extent. And that is my concern.

2 I'm not saying that they can't handle it.

3 But I did not hear any of that. What is the plan?

4 How are you going to do it? And, yes, blinking  
5 lights are expensive. The Legislature keeps giving  
6 money, and very few blinking lights are even fixed  
7 because this is expensive.

8 And -- but, again, the future is  
9 uncertain. Thank you, Madam Chair.

10 THE CHAIR: Thank you.

11 Commissioner Chavez?

12 COMMISSIONER CHAVEZ: Thank you. In some  
13 of the comments that have been made -- can you hear  
14 me?

15 THE CHAIR: It's a little garbly, but it  
16 got better at the end there.

17 COMMISSIONER CHAVEZ: I just -- several  
18 people have mentioned the Poms & Associates letter  
19 that was submitted with the amendment -- with the  
20 request. And I just want to point out that even in  
21 that letter, the second to the last paragraph, the  
22 last statement says, "If a more detailed analysis of  
23 pedestrian activity and traffic control were  
24 desired, I would recommend a traffic engineering  
25 study be done."

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1 school because a motion is already on the table, I'm  
2 probably going to abstain.

3 THE CHAIR: Okay. Thanks.

4 Commissioner Armbruster, do you have  
5 something additional to say? Or is it something  
6 similar to what you've already said? Because we  
7 need to, I think, move on, if it's just a repeat of  
8 something you've already said.

9 COMMISSIONER ARMBRUSTER: No, it isn't. I  
10 wanted to know if I could make a friendly amendment  
11 to this to allow MAS to take 60 children. I don't  
12 know that the school wants that, by the way. I'm  
13 just --

14 THE CHAIR: I don't think we have the --  
15 and I'll double-check. But I don't think we have  
16 the capacity to put that limit on the school. If we  
17 do, it would be up to Commissioner Ruiz to accept  
18 the friendly amendment. But I'm not -- and Ami will  
19 have to answer that. I don't think we have the  
20 ability to place that limit.

21 COMMISSIONER CABALLERO: Madam Chair, it's  
22 more clean to vote up or down the motion and do a  
23 subsequent motion than to amend any motion that's  
24 pending and seconded. It's already hard-and-fast.

25 Nothing can be done about it. Either vote

| Page 210  | Page 212  |
|---|---|
| <p>1 up or down. And if it's voted down, then you can do<br/>2 another motion, Commissioner.<br/>3 THE CHAIR: I agree. And I think my -- I<br/>4 think my bigger question was I didn't know whether<br/>5 we even have the ability to place a restriction on<br/>6 our own to the cap -- to the enrollment request.<br/>7 But I agree with you on that.<br/>8 So with that said, I'll ask for roll call,<br/>9 please.<br/>10 COMMISSIONER ARMBRUSTER: Commissioner<br/>11 Voigt abstains, is that correct?<br/>12 COMMISSIONER VOIGT: I abstain.<br/>13 COMMISSIONER CRONE: Could we have the<br/>14 motion repeated, please.<br/>15 COMMISSIONER VOIGT: Yeah. Thank you.<br/>16 (A discussion was held off the record.)<br/>17 COMMISSIONER RUIZ: I move that the Public<br/>18 Education Commission deny the enrollment cap<br/>19 increase for Mission Achievement and Success by<br/>20 504 students to a total of 1,691 students.<br/>21 THE CHAIR: Okay. Roll call, please?<br/>22 COMMISSIONER ARMBRUSTER: Okay.<br/>23 Commissioner Davis?<br/>24 COMMISSIONER DAVIS: Yes. So it's the<br/>25 negative language. So we're voting -- so a "yes"</p> | <p>1 THE CHAIR: We can't hear you.<br/>2 COMMISSIONER ARMBRUSTER: Commissioner<br/>3 Raftery?<br/>4 COMMISSIONER RAFTERY: Yes. Yes.<br/>5 COMMISSIONER ARMBRUSTER: Commissioner<br/>6 Ruiz?<br/>7 COMMISSIONER RUIZ: Yes.<br/>8 COMMISSIONER ARMBRUSTER: Commissioner<br/>9 Caballero?<br/>10 COMMISSIONER CABALLERO: Yes. And to<br/>11 explain "yes," because I know the school can come<br/>12 back and request again their increase once the<br/>13 plan -- their plan is in place. I know that this<br/>14 school never gives up on what they want to do.<br/>15 So I'll be ready when they come back. But<br/>16 at this point, I have no other choice. Thank you,<br/>17 Madam Chair.<br/>18 COMMISSIONER ARMBRUSTER: I hope I'm<br/>19 recording this correctly, but our attorneys will<br/>20 tell me. There were eight votes for the motion, one<br/>21 vote against the motion, and one abstention.<br/>22 The motion passes.<br/>23 THE CHAIR: The motion passes. Thank you.<br/>24 Thank you. And, JoAnn, I think we've made<br/>25 it clear that it's not for lack of support for the</p>   |
| <p>Page 211</p> <p>1 vote is to deny the request; is that correct?<br/>2 THE CHAIR: Correct.<br/>3 COMMISSIONER ARMBRUSTER: Correct.<br/>4 COMMISSIONER DAVIS: So that's a "yes"<br/>5 vote.<br/>6 COMMISSIONER ARMBRUSTER: Okay.<br/>7 Commissioner Gipson?<br/>8 THE CHAIR: Yes.<br/>9 COMMISSIONER ARMBRUSTER: Commissioner<br/>10 Chavez?<br/>11 COMMISSIONER CHAVEZ: Yes.<br/>12 (Cell phone rings.)<br/>13 COMMISSIONER ARMBRUSTER: Pardon me just<br/>14 one second. Sorry.<br/>15 Commissioner Crone? I'm sorry. I<br/>16 couldn't hear.<br/>17 THE CHAIR: Could you say that just a<br/>18 little bit louder, please?<br/>19 COMMISSIONER CRONE: Yes. Yes.<br/>20 COMMISSIONER ARMBRUSTER: Commissioner<br/>21 Armbruster votes "No."<br/>22 Commissioner Robbins?<br/>23 COMMISSIONER ROBBINS: Yes.<br/>24 COMMISSIONER ARMBRUSTER: Commissioner<br/>25 Raftery?</p>  | <p>Page 213</p> <p>1 school. I hope we've made that clear. It's just --<br/>2 there's just still some genuine overarching concerns<br/>3 that we have with the timing of this more than<br/>4 anything.<br/>5 MS. JoANN MITCHELL: So, Commissioner --<br/>6 or Chair- -- Chairwoman Gipson, I have two<br/>7 questions. One, I really would like to hear<br/>8 specifically what it is you want me to do. Because<br/>9 there's no -- we've been on this call since 9:00<br/>10 this morning, which I'm grateful for the time. But<br/>11 thank you so much, Commissioner Caballero, for<br/>12 recognizing the persistence and the resilience on<br/>13 our part, because we will be back; you're right<br/>14 about that.<br/>15 But it's a waste of all of our time for me<br/>16 to come back just to get a "no." I need to know<br/>17 what you want from me.<br/>18 THE CHAIR: So, JoAnn, at this moment in<br/>19 time, it's not particularly appropriate for us to<br/>20 engage in that conversation right now. But I think<br/>21 we could probably do that at a later date.<br/>22 But, honestly, you know, I don't think<br/>23 right now, after this, it's appropriate for us to<br/>24 engage in that now.<br/>25 COMMISSIONER VOIGT: Can I just second</p> |

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1 that? I just want to echo off of the Chair. I  
2 think if you go back and read the transcripts,  
3 there's going to be a lot of information there to  
4 glean.

5 THE CHAIR: Yeah.

6 MS. JoANN MITCHELL: I'll leave it -- it's  
7 just hard, because there's a lot of -- again, I say  
8 "perception" out there. I don't mind doing stuff.  
9 I feel like I did a lot. But it's really hard to  
10 come back before the group without some clear,  
11 definitive, "JoAnn, do this and we'll feel better."

12 COMMISSIONER DAVIS: Well, Commissioner  
13 Chavez offered up, two things, that you get traffic  
14 studies from two different entities. That would be  
15 a place to start.

16 COMMISSIONER CABALLERO: We do have a  
17 division that is friendly to charter schools. We  
18 have a wonderful staff that helps charters.

19 THE CHAIR: And I will reiterate. I think  
20 that was a great suggestion by Commissioner Voigt  
21 to -- that there are any number of guiding  
22 statements that have been made through this lengthy  
23 discussion as to the concerns that Commissioners  
24 have. So I think the transcript can -- can be, at  
25 the very least, a good stepping stone for what

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1 that you asked here that we have it in writing,  
2 because it kind of nudges us.

3 MR. BRUCE LANGSTON: Thank you very much,  
4 Madam Chairman. We appreciate -- and Commissioners.  
5 We truly appreciate -- well, first, let me just, on  
6 behalf of the school board and just the school  
7 personnel, we really do appreciate the amount of  
8 time and effort that you guys put into taking this  
9 request. It shows that you do care and that you are  
10 involved and that you know some of the difficulties  
11 that we're going through. So we just want to openly  
12 thank you guys for giving us this opportunity to  
13 comment.

14 THE CHAIR: Okay. Thank you all and  
15 continue to stay safe.

16 So, Commissioners, I think without a  
17 doubt, Cindy probably needs a break. And I know I  
18 need a short break. So do we want to take, like,  
19 15 minutes?

20 COMMISSIONER VOIGT: Sure. That sounds  
21 great.

22 COMMISSIONER RUIZ: Twenty. Twenty sounds  
23 better.

24 THE CHAIR: Okay. So we'll take 20. All  
25 right. Thanks.

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1 you -- what you need to look at.

2 So thanks. And we truly do appreciate  
3 your time, and we do appreciate, truly, everything  
4 that you do every day, especially in light of  
5 everything that's been going on. We more than  
6 understand the difficult task of educating every  
7 day, and now with all the unknowns.

8 And as we move forward into this next  
9 school year -- and we don't even know what it looks  
10 like yet -- we understand the struggles that we  
11 have, and we absolutely recognize the more than  
12 great job that your school does to meet the needs of  
13 your -- of your students.

14 So we do appreciate that.

15 MR. BRUCE LANGSTON: We truly appreciate  
16 the opportunity to present here, Madam Chairman.  
17 And is this the avenue that we request addition to  
18 the June agenda?

19 THE CHAIR: Sure, you can. When we have  
20 the agenda setting meeting that we do -- I would --  
21 I would actually appreciate it if the school did  
22 forward a simple request to our liaison so that we  
23 do have that in writing as well. That would just be  
24 helpful for us, more as a reminder for our addled  
25 minds than anything else, so that we don't forget

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1 (Recess taken, 1:59 p.m. to 2:30 p.m.)

2 THE CHAIR: So now I think we're back.

3 MS. KAREN WOERNER: Then I shall add Rafe  
4 to the panel?

5 MS. BEVERLY FRIEDMAN: And, Madam Chair,  
6 can I ask, if you're not speaking, if you would mute  
7 your microphone?

8 MS. KAREN WOERNER: And, Rafe, hi. Good  
9 afternoon.

10 MR. RAFA MARTINEZ: Hello, everyone.

11 MS. KAREN WOERNER: Rafe, I don't see  
12 anyone else in the call that looks like they're from  
13 your school.

14 MR. RAFA MARTINEZ: No. Kim Moya, our  
15 board president, is -- she had cleared her morning,  
16 and this went a little longer. So she's trying to  
17 get out of some work stuff and hopefully be jumping  
18 back in with us. We'll roll with it.

19 MS. KAREN WOERNER: I'll watch for her.  
20 But, otherwise, we're ready to go, Madam Chair.

21 MR. RAFA MARTINEZ: We just had our  
22 drive-by graduation -- drive-through graduation.  
23 Sorry. Drive-by graduation is different.

24 So it was good. We were able to conduct  
25 that and still -- I could still jump on this

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| <p style="text-align: right;">Page 218</p> <p>1 meeting; so...</p> <p>2 THE CHAIR: Good. Congratulations and</p> <p>3 thanks for this. Just so folks know, we are on to</p> <p>4 Item No. 7, which is Discussion and Possible Action</p> <p>5 on PED Exceptions and Waivers for Albuquerque Sign</p> <p>6 Language Academy. And I spent just a short bit of</p> <p>7 time yesterday during our work session letting</p> <p>8 Commissioners know kind of what's -- has or hasn't</p> <p>9 happened. I think it's more the "hasn't" than</p> <p>10 "has."</p> <p>11 We were hoping today, truly, that we could</p> <p>12 have a full discussion on what, if any, changes need</p> <p>13 to be done to the performance framework so that Rafe</p> <p>14 could take it back to his governance council and</p> <p>15 they could have a discussion and look at it and vote</p> <p>16 on it and we would be good to go for June.</p> <p>17 So, Rafe, you want to take us through a</p> <p>18 little bit about what's gone on or hasn't gone on?</p> <p>19 MR. RAFA MARTINEZ: Commissioner and</p> <p>20 members of the Commission, absolutely. Yeah. So --</p> <p>21 and I don't even know where to start, because this</p> <p>22 has been a ten year journey, as to where -- how</p> <p>23 we've gotten to this point.</p> <p>24 But for those of you that were able --</p> <p>25 were part of our contract negotiation, we gave a bit</p>                          | <p style="text-align: right;">Page 220</p> <p>1 in the range between 63 and 70 percent special ed</p> <p>2 with, again, 25 percent of the entire population</p> <p>3 being special needs.</p> <p>4 All that is to be said is to set the</p> <p>5 backdrop for when the school grading system came out</p> <p>6 with Pete Goldschmidt and Cindy Gregory years ago.</p> <p>7 We knew the formula -- not that it was conducive to</p> <p>8 any other school, but it really did not fit our</p> <p>9 school at all, especially the way the growth factors</p> <p>10 were configured against cohorts, the way kids were</p> <p>11 put into cohorts upon their initial test and then</p> <p>12 growth was measured against those statewide cohorts</p> <p>13 for the hereafter. Right? Our kids just -- it was</p> <p>14 not a fair thing.</p> <p>15 Pete Goldschmidt and Cindy Gregory both</p> <p>16 realized that when we talked to them. And that's</p> <p>17 how we got our TBD. So for the longest time, we</p> <p>18 were I think the only nongraded school in the state.</p> <p>19 And it wasn't because they felt sorry for us; it was</p> <p>20 because mathematically, we just didn't fit.</p> <p>21 So when you look at -- that formula, there</p> <p>22 were two negligible populations. One was considered</p> <p>23 the 1-percenters, and those are the kids on ability</p> <p>24 pathway, special needs. And the 2-percenters. And</p> <p>25 the 2-percenters are those special ed kids who, even</p> |
| <p style="text-align: right;">Page 219</p> <p>1 of a background history. But for those of you that</p> <p>2 weren't, I guess we could be as quick around that as</p> <p>3 possible.</p> <p>4 So the school is majority special ed. So</p> <p>5 we're -- I mean, our mission is built around serving</p> <p>6 the deaf community. But what makes us nationally</p> <p>7 unique and what's giving us some real credibility</p> <p>8 nationally around what we're doing is we're</p> <p>9 inclusive of the hearing community within the --</p> <p>10 within the population of people who can sign to one</p> <p>11 another, not just making it a deaf thing.</p> <p>12 So we -- we really operate as a</p> <p>13 dual-language school, serving both hearing and deaf,</p> <p>14 through a common language of sign language. And on</p> <p>15 top of that, we also welcome a lot of multiple-need</p> <p>16 kids as well. So about 25 percent of our total</p> <p>17 population, our kids would be considered special</p> <p>18 needs or kids who are on the ability pathway.</p> <p>19 And, then, in total, we're pushing --</p> <p>20 officially, I think we're around 60 percent. But we</p> <p>21 have a number of kids who come to us who have never</p> <p>22 been around an IEP. So we start the SAT process</p> <p>23 because they've been counseled out of other schools,</p> <p>24 so to speak.</p> <p>25 So we push -- we're going to be somewhere</p> | <p style="text-align: right;">Page 221</p> <p>1 with accommodations, the standardized tests are not</p> <p>2 appropriate.</p> <p>3 Most of our kids were either 1-percenters</p> <p>4 or 2-percenters. Not that we don't serve -- we do</p> <p>5 serve regular kids and gifted kids and all that kind</p> <p>6 of thing. But they comprised such a small</p> <p>7 population. So we were having cohorts of two and</p> <p>8 three kids. So if one of those kids didn't fare</p> <p>9 well on a test, it sunk the entire cohort.</p> <p>10 We were a TBD school, because</p> <p>11 mathematically, we just didn't fit the formula. So</p> <p>12 at the end of the last administration, we were kind</p> <p>13 of force-fed our grade. They quit hearing the logic</p> <p>14 behind why we were TBD, and that's just how we ended</p> <p>15 up in the last administration.</p> <p>16 So fast-forward to now. Contract nego- --</p> <p>17 I mean contract renewal and sitting with</p> <p>18 Commissioner Gipson and everyone else who kind of</p> <p>19 know our history, their accountability framework</p> <p>20 still -- there are parts of us that don't fit us</p> <p>21 well in comparison to other cohorts across the</p> <p>22 state.</p> <p>23 Well -- on top of that -- I should back up</p> <p>24 just a bit and say we've also been engaged with some</p> <p>25 really powerful partners nationally in creating new</p>   |



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| <p style="text-align: right;">Page 222</p> <p>1 assessments for deaf kids and kids with special<br/>2 needs, namely the University of Minnesota and Penn<br/>3 State. We've been working with them in beta-testing<br/>4 and helped them create a reading assessment that is<br/>5 specifically normed to deaf students on top of some<br/>6 really exciting social-emotional data collection and<br/>7 intervention, kind of data-driven interventions,<br/>8 with Harvard.<br/>9 So, like, we haven't stopped working.<br/>10 It's just that for a lot of reasons, the traditional<br/>11 accountability system, as it's kind of seen in the<br/>12 larger sense with all the state schools, don't fit<br/>13 us.<br/>14 So we talked about this. And I felt<br/>15 really -- and I really just wanted to say I thank<br/>16 the Commission for the contract negotiation, and the<br/>17 PED, Alan, Karen, and everyone else who really<br/>18 understands where our journey has taken us, right,<br/>19 how we are here.<br/>20 So after that meeting, we sent an e-mail<br/>21 to the Secretaries, including Secretary Stewart -- I<br/>22 think -- I hope -- I included everybody I needed to<br/>23 include on that. There was a long 'cc' list, boy.<br/>24 And so we laid our case down, both<br/>25 historically -- we had all the documentation about</p> | <p style="text-align: right;">Page 224</p> <p>1 So the framework is really divided into<br/>2 three different sections. And I can't, off the top<br/>3 of my head, remember how they're quite weighted.<br/>4 But it's academic performance kind of unto itself, a<br/>5 growth factor in comparison to cohorts, and then<br/>6 mission-specific.<br/>7 The mission-specific, to us, is distinct.<br/>8 And it's also relevant in the world of academia in<br/>9 the deaf context; right? So our mission-specific<br/>10 goal is built on the acquisition of sign language.<br/>11 Now, for a deaf community that is<br/>12 extremely relevant. But for our hearing community<br/>13 that is connected to the deaf community, it is also<br/>14 relevant.<br/>15 And I've got to tell you the thing that<br/>16 makes us -- that is getting us national attention in<br/>17 the deaf ed world is this idea that we're leveraging<br/>18 hearing and deaf to connect through a peer-assisted<br/>19 learning model, to connect and rise together, right,<br/>20 which is distinctly and historically different than<br/>21 anything that's ever been attempted, really.<br/>22 That whole idea that in order for a deaf<br/>23 child to achieve higher, that they can be connected<br/>24 to their hearing peers, but through a common<br/>25 language that both have access to -- that's American</p>  |
| <p style="text-align: right;">Page 223</p> <p>1 the waivers, that kind of thing, and then going into<br/>2 the -- to the rationale as to why a waiver would be<br/>3 appropriate for a school like ours with such an<br/>4 anomaly in the makeup of the larger public ed<br/>5 system.<br/>6 I hope -- I hope I was able to say<br/>7 everything I needed to there.<br/>8 THE CHAIR: So maybe you want to walk<br/>9 folks through just a little bit about how you<br/>10 envision what this waiver would look like. We don't<br/>11 know what it's going to be. But you have an idea of<br/>12 what you would like it to be.<br/>13 Because I know -- not necessarily from us,<br/>14 and not necessarily -- certainly not from anyone who<br/>15 knows anything about the school -- but I think when<br/>16 people are, "Oh, they want a waiver from the<br/>17 accountability, they don't want to be held<br/>18 accountable."<br/>19 And that's not the message I know you want<br/>20 folks to know. So what -- how do you see this<br/>21 waiver, if you got it, work?<br/>22 MR. RAFE MARTINEZ: Commissioner and<br/>23 members of the Commission, thank you for --<br/>24 Madam Chair, members of the Commission, thank you<br/>25 for that.</p>  | <p style="text-align: right;">Page 225</p> <p>1 Sign Language -- it's -- people are interested. And<br/>2 it's somewhat of an experiment on our side. But<br/>3 we're seeing some really cool things. So that's the<br/>4 mission-specific part of it, the ASL piece, which,<br/>5 again, has ties to academic goals.<br/>6 The academic goals, in and of themselves,<br/>7 is an interesting conversation, because the reason<br/>8 Pete Goldschmidt and Cindy Gregory were able to back<br/>9 off using the summative year-end assessments for us<br/>10 is because most of our population don't fare well on<br/>11 end-of-year, high-stakes tests.<br/>12 They grow. They're -- in fact, in<br/>13 connection to their IEP goals, you know, which is a<br/>14 hugely litigious kind of piece of education which we<br/>15 adhere to, our kids are doing great. But in<br/>16 connection to the statewide summative assessment,<br/>17 their growth is not -- because of all the special ed<br/>18 issues -- isn't -- isn't appropriate, right?<br/>19 So when we went to Cindy and Pete<br/>20 Goldschmidt back in the day, Cindy Gregory and Pete<br/>21 Goldschmidt, they allowed us to go back to using our<br/>22 short cycles, because they were able to catch more<br/>23 nuanced growth. And it was more frequent than once<br/>24 a year.<br/>25 So the problem -- that was at least a</p> |

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1 start. But the problem was that those -- even those  
2 tests weren't particularly normed to deaf needs and  
3 special needs, if that makes sense.

4 So that's how would we kind of got  
5 connected to Penn State and University of Minnesota  
6 around this idea that the progress monitoring  
7 tool -- it's called "Avenue: PM," which is the new  
8 assessment, which, by the way, we vetted through  
9 Deputy Secretary Warniment and Director Lynn Vasquez  
10 in it being an accepted for statewide use for  
11 students who it would appropriately fit.

12 So -- but all that to say is shorter --  
13 short cycle -- like more frequent snapshots and  
14 tests that actually do capture nuanced growth,  
15 particularly for our deaf program, our deaf students  
16 and special needs students, is actually a really  
17 strong indicator of the work that we're doing as far  
18 as education, which leads us now to that third  
19 piece.

20 That third piece is that growth module,  
21 which is really unfair to us, in that it's  
22 comparative to the rest of the state. That's the  
23 request that we've asked of the Secretaries, to take  
24 a look to see if -- one, allow us to use our more  
25 frequently administered short cycles to demonstrate

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1 be the thing, right? And, again, as always, I'm  
2 always open for people to come and review our  
3 program.

4 I'm proud of what we're doing. I mean,  
5 both of my boys come here. My daughter, by the way,  
6 goes to the Air Force Academy, which I'm proud of  
7 her for that.

8 THE CHAIR: Oh, wow.

9 MR. RAFA MARTINEZ: So academia is  
10 important to our family. One boy is deaf; the other  
11 one is not. I would not send him here if I did not  
12 think we weren't doing the job we should be doing.

13 THE CHAIR: That's right. And I think  
14 we're trying to figure out now that the meeting  
15 isn't going to take place till next week. The  
16 concern is the challenges with -- with being able to  
17 get this finalized so that your governance council  
18 is clear with whatever modifications need to be  
19 made, the Commission is closer, and that we would be  
20 able to vote on it at our June meeting, still, which  
21 was the -- you know, the goal that we all had.

22 And I think if it's the fix we all want, I  
23 think it's simple for that accommodation or  
24 performance framework. I do.

25 MR. RAFA MARTINEZ: I hope.

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1 academic growth and achievement, of course, keep our  
2 mission-specific in there, and then remove that  
3 middle growth pattern.

4 A big part of that is connected to  
5 growth -- growth is already denoted in each of our  
6 children's IEPs, which is the majority of our  
7 population. So that was -- that's the basic request  
8 of it. I hope I -- I hope, again, I represented  
9 that well -- well enough.

10 THE CHAIR: Let me just check. So in  
11 the -- in the best of all worlds, if you took that  
12 academic piece of the performance framework and the  
13 piece that is directly tied to the State  
14 accountability system and the point values that go  
15 with that, we would be able to drop in your  
16 short-cycle assessment information.

17 We could drop that in, and then,  
18 potentially, if there was that waiver for the growth  
19 model on the State accountability, we could -- we  
20 would drop that out, and whatever points would be to  
21 that, we could redistribute someplace else.

22 MR. RAFA MARTINEZ: Exact -- Madam --  
23 yes. Madam Chair, members of the Commission, yes.  
24 It could be either redistributed or removed; it  
25 probably works out the same. But, yeah, that would

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1 THE CHAIR: I think it's easy. But until  
2 we know exactly what -- what the agreement is going  
3 to be, it's still a little bit of a gray area.

4 So I mentioned to Commissioners yesterday  
5 that there's a slight possibility, after next week's  
6 meeting -- hoping that next week's meeting actually  
7 comes with a decision, you know.

8 That's -- and I know -- I know CSD is  
9 committed to it. We're committed, that, you know --  
10 and committed to push, that -- you know -- we --  
11 there's -- there's a time limit that we have.

12 And we've talked -- Ami talked a little  
13 bit yesterday with us about, well, what would happen  
14 if there can't be that final solution done by July  
15 1, you know, because we certainly don't want you to  
16 lose your charter.

17 And we're -- you know, there is a lot --  
18 even not having a July 1, there is, you know, your  
19 lease reimbursement -- there are so many things that  
20 are tied to having that contract in hand. So we  
21 have had discussions about what short-term fix we  
22 could have, executing the contract and going back  
23 and doing an amendment to your contract to fix the  
24 performance framework, if that's what needs to be  
25 done.

|  |   |
|--|---|
| <p style="text-align: right;">Page 230</p> <p>1 If we can't do it before, we would do it<br/>2 after. You know, it's -- that's not the -- that's<br/>3 not what we want. But that is -- it's still a<br/>4 fairly simple solution to try to move forward. But<br/>5 the best hope is we can get a resolution next week<br/>6 or shortly after that and still be able to move<br/>7 forward at the June meeting with the -- with clarity<br/>8 as to what this is going to look like.<br/>9 So I don't know if Commissioners have any<br/>10 other -- ooh. I just made everyone very big.<br/>11 COMMISSIONER VOIGT: I'd like to jump in,<br/>12 Madam Chair.<br/>13 THE CHAIR: Sure.<br/>14 COMMISSIONER VOIGT: Thanks. So I support<br/>15 this. I just -- I'd like to find out what's the<br/>16 most expedient way we can get this done? And, you<br/>17 know, what protocol would need to happen?<br/>18 So, I mean, would this be an amendment to<br/>19 the contract negotiation goals we just did? Or<br/>20 would this be a separate set-aside waiver that would<br/>21 be injected into the current contract?<br/>22 THE CHAIR: It's a waiver that would be<br/>23 attached.<br/>24 COMMISSIONER VOIGT: Okay.<br/>25 THE CHAIR: But based on what that waiver</p> | <p style="text-align: right;">Page 232</p> <p>1 details will pan out.<br/>2 So we have heard. We just haven't had a<br/>3 decision, as Chairwoman Gipson said. So, yeah,<br/>4 we're -- I think we've done everything -- "we,"<br/>5 meaning we, the school, and you the PEC --<br/>6 everything has -- in accordance with the process to<br/>7 get it looked at.<br/>8 And I -- and, look. And I appreciate the<br/>9 slippery slope the State is in, in not -- you know,<br/>10 in really being careful around not opening the door<br/>11 for one -- one school and let the whole, you know,<br/>12 herd follow. I totally get that.<br/>13 So we just need to make sure -- but we<br/>14 also know we're pretty distinct and pretty unique in<br/>15 our own right. So we'll do whatever we need to do<br/>16 to get that point across.<br/>17 COMMISSIONER VOIGT: So did you offer any<br/>18 metrics when you submitted that waiver, as far as<br/>19 percentages going to different categories?<br/>20 MR. RAFA MARTINEZ: Yeah. And it's in<br/>21 line with what our old contract was. The difference<br/>22 is the numbers changed a little bit because the<br/>23 assessments are different.<br/>24 But let me clarify, too, that we're<br/>25 still -- for all the kids where it's appropriate, we</p>                               |
| <p style="text-align: right;">Page 231</p> <p>1 says, if the waiver -- as Rafe mentioned, ideally,<br/>2 that waiver would release it from the Statewide<br/>3 assessment, allow him to drop in the short-cycle.<br/>4 So that would go into that piece of the -- our<br/>5 performance framework that addresses the State<br/>6 accountability system.<br/>7 COMMISSIONER VOIGT: Okay.<br/>8 THE CHAIR: In addition, either remove --<br/>9 or, if the school felt that -- if you removed the<br/>10 growth and you take the points away from that, it<br/>11 might help the school to add them to some other<br/>12 piece that you shine at.<br/>13 COMMISSIONER VOIGT: Okay. I got that,<br/>14 yeah.<br/>15 THE CHAIR: But without the waiver.<br/>16 COMMISSIONER VOIGT: Right. So -- so the<br/>17 waiver -- Rafe, have you already submitted a waiver<br/>18 request to the Secretary?<br/>19 MR. RAFA MARTINEZ: (Indicates.)<br/>20 COMMISSIONER VOIGT: Okay. And have you<br/>21 heard back yet?<br/>22 MR. RAFA MARTINEZ: No. Well, kind of.<br/>23 We're going to be -- we're meeting next Wednesday to<br/>24 go over, I think, the nuances of the request and<br/>25 probably some clarification of what -- how the</p>                                       | <p style="text-align: right;">Page 233</p> <p>1 are still going to give regular short-cycles and<br/>2 regular end-of-year summative tests, right? We have<br/>3 a cohort of kids where that is an appropriate<br/>4 assessment, and our kids traditionally have done<br/>5 very well on those, because, like I said, I think we<br/>6 do a really good job.<br/>7 But that's not the majority of our school.<br/>8 So we're not trying to get out of anything. But we<br/>9 are trying to leverage kind of the weight of pieces<br/>10 in accordance with the -- what is the real makeup of<br/>11 the student population.<br/>12 COMMISSIONER VOIGT: Yeah. I got that.<br/>13 Sure.<br/>14 THE CHAIR: Right after we met for the<br/>15 contract negotiations, I called Deputy Secretary<br/>16 Bobroff. And I was really excited, because I<br/>17 thought that this going to be -- we were almost on a<br/>18 sled, we were going so fast that this was going to<br/>19 move well. And I know Alan was kind of very<br/>20 optimistic that we were going to be able to move<br/>21 forward relatively quickly. And then things kind<br/>22 off started to devolve again.<br/>23 So, you know, I think it's one of those<br/>24 needles that I keep at with Alan. Have we heard<br/>25 about this? Are we doing this? How is this going?</p> |

1 So, hopefully, next week, through that  
2 meeting, Rafe can get a solution for this and that  
3 it doesn't get stalled, because, like I said,  
4 we've -- CSD, the PEC, we've committed ourselves to  
5 having the cattle prod to make sure that this  
6 continues to move forward, and as quickly as it can.

7 MR. RAFA MARTINEZ: Yeah. And the only  
8 thing I'll add, Madam Chair and the members of the  
9 Commission, is that I really do -- really do  
10 appreciate that the group that sat around were --  
11 with our negotiation was looking at this as a  
12 long-term solution, so that it's not -- it's not  
13 something that we have to revisit every time faces  
14 change, either as a new administration or a new  
15 Commission, right?

16 And I completely appreciate that  
17 sentiment, because, yeah, I think we're -- you know,  
18 we're only ten years old. I think in some ways that  
19 feels like forever; but in other ways, it feels  
20 like -- we've done some things to, I think, carve  
21 out a place for ourselves in the New Mexico  
22 educational landscape, if not the national  
23 educational landscape, especially with regard to  
24 deaf ed.

25 So I really do appreciate the effort to

1 MR. RAFA MARTINEZ: Right.

2 COMMISSIONER ROBBINS: And it's very  
3 different. And I think -- it's similar to the  
4 School for the Deaf in Santa Fe, or the School for  
5 the Blind, totally different makeup of their student  
6 population. It's not even flipped, you know,  
7 where -- it's more than flipped of what an APS -- I  
8 mean, it's not double or triple; it's four to five  
9 times the number of students that are in this  
10 category.

11 So normal assessments do not apply. And  
12 to hold a school to that standard, I think -- and,  
13 Ami, if you don't mind chiming in, if it would --  
14 or, Rafe, I don't know if it's appropriate that I  
15 attend. But I would attend as a concerned parent  
16 and citizen rather than as a Commissioner, if they  
17 feel that it's appropriate to do so, and if you want  
18 me to be there.

19 MR. RAFA MARTINEZ: Commissioner Robbins,  
20 members of the Commission, I -- yes. I think any  
21 support in that forum is -- for this idea is  
22 welcome.

23 I don't know if it's allowable. That's a  
24 question I don't -- I mean if, it's allowable, I  
25 would love to have as much support as we could

1 get this -- give it a more permanent solution.

2 THE CHAIR: Yeah, 'cause, you know  
3 everyone said, "Oh, you've got a waiver." And  
4 everyone referred to it always a waiver. But there  
5 was nothing in writing.

6 So -- and it's unfortunate, as easily as  
7 it came, it also went away just as easily, so that  
8 that shouldn't be able to happen.

9 Commissioner Robbins?

10 COMMISSIONER ROBBINS: Yes. And I don't  
11 know if it would be appropriate for a Commissioner  
12 to attend your meeting. But given my son's  
13 situation -- he'll be 37 this July. He went to APS;  
14 he's deaf ed; he's D-level, he's developmentally  
15 delayed. You kind of throw him into a Heinz 57 of  
16 various disabilities.

17 I would be happy, if it's appropriate, to  
18 attend to give my two-cents' worth in as a parent of  
19 a child who would have benefited had this program  
20 been available when he was in public school.

21 He left public school 15 years ago. But I  
22 really strongly -- you know, the schools that have  
23 typically a 10 to 15 percent number of students with  
24 IEPs. You're looking at a school that's 60 to  
25 65 percent, right?

1 possibly have.

2 COMMISSIONER ROBBINS: Ami, do we need to  
3 check with PED if I would be allowed to attend?  
4 Or -- I would not attend with a voice for PED. I  
5 would be doing it as an individual and a parent who  
6 sees that this school is providing a valuable  
7 education to those very special-needs student.

8 MS. AMI JAEGER: I mean, it's kind of a  
9 simple answer. As long as we don't have a quorum,  
10 where we don't have to comply with OMA, then, of  
11 course. From a legal perspective, it's absolutely  
12 fine.

13 I know that Mark is planning on attending,  
14 because I have a conflict that morning. But PED  
15 Legal has been involved; so I think it's appropriate  
16 for Legal to be there.

17 COMMISSIONER ROBBINS: If someone could  
18 send me the information, e-mail it to me as to the  
19 time and where at PED it's going to be, I would be  
20 happy to participate.

21 THE CHAIR: It's a Zoom meeting.

22 COMMISSIONER ROBBINS: It's a Zoom  
23 meeting. Okay. If you could send me that  
24 information, I would be --

25 THE CHAIR: And, Rafe, I've got it, so I

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1 can forward it, too. So I can -- I've got the link,  
 2 so I will certainly send it to you sometime today.  
 3 COMMISSIONER ROBBINS: I'll remind you if  
 4 I don't hear from you by Monday.  
 5 THE CHAIR: It's not -- and I'm just going  
 6 to caution. It's not our meeting.  
 7 COMMISSIONER ROBBINS: I understand that.  
 8 THE CHAIR: So...yeah.  
 9 COMMISSIONER ROBBINS: The Albuquerque  
 10 Sign Language. But, again, you know, as an  
 11 interested party to see that this proceeds.  
 12 THE CHAIR: Right. No, I totally  
 13 appreciate that. But, you know -- and I appreciate  
 14 the time that you've given this, Rafe.  
 15 Unfortunately, we couldn't come to the solution we  
 16 thought we were going to be able to today. That was  
 17 the intent for today.  
 18 But I think it's, once again, always good  
 19 for people to be reminded of -- of what you do,  
 20 because it's what we're all about, and I think it  
 21 goes unnoticed.  
 22 MR. RAFA MARTINEZ: Thank you.  
 23 THE CHAIR: I really do. And I think, as  
 24 much as it takes of your time, I love to hear from  
 25 you. So you could be a regular panelist and I

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1 wouldn't mind.  
 2 MR. RAFA MARTINEZ: I don't know.  
 3 Madam Chair, members of the Commission, I watched  
 4 the old -- what just happened. I don't know if I  
 5 want to be a regular panelist. Sorry.  
 6 Anyway -- look. I just -- I thank you for  
 7 that. And, you know, I just -- I do think there is  
 8 a solution at the end of this. I do. And I think  
 9 everyone, both at the CSD and at the Secretary level  
 10 and the PED, I think you all, I think -- I feel we  
 11 are -- people know us now, right?  
 12 I think people understand what we've been  
 13 doing. And, again, we're always open -- obviously,  
 14 this is a different time in our own history. But if  
 15 we ever get back up to running again, I would love  
 16 to have you all come visit, just see what we do, see  
 17 the kids. That's where the power of what we do is  
 18 really witnessed, right, is the way the kids  
 19 interact and the way the whole community kind of  
 20 works; so...  
 21 THE CHAIR: So thank you for your time,  
 22 and, hopefully, it all works out next week.  
 23 MR. RAFA MARTINEZ: All right. Thank you  
 24 all.  
 25 THE CHAIR: All right. Thanks.

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1 We are now on to Item No. 8, Discussion  
 2 and Possible Action on Renewal Application Criteria.  
 3 And we did have a discussion at the work session  
 4 about this, and that it's really just -- it's not  
 5 something that we have to vote on; it's a guidance  
 6 document that's going to be sent out to the schools.  
 7 Ami's going to work on some language as  
 8 kind of a heading for that document. But that as  
 9 suggestions for schools on what they might add in to  
 10 that "Progress" section of the renewal application  
 11 so that it best highlights what data is not going to  
 12 show.  
 13 And that we made those suggestions  
 14 yesterday about the Continuous Learning Plans and  
 15 highlight their successes in that and challenges,  
 16 and if they did, in fact, have challenges, how they  
 17 worked through those challenges. Because capacity  
 18 is important for us to see, that they met these  
 19 challenges and this is how they worked it out. And  
 20 that shows us a lot as well.  
 21 And any short-cycle assessment info that  
 22 they might have and what they have done to check on  
 23 the learning gaps and identify them, and what their  
 24 plan has been since the start of the school year to  
 25 work on bridging those learning gaps.

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1 And those are important -- those are at  
 2 least three really important elements that we  
 3 identified yesterday. So there will be some  
 4 guidance document, just as a suggestion, that goes  
 5 out to the schools to help them, because they do  
 6 have some trepidation as to what renewal is going to  
 7 look like in light of this year that just closed  
 8 out.  
 9 But for most schools, they have another  
 10 three years to show us. So that it's not just a  
 11 one-year journey that they're showing us; it's a --  
 12 last year is simply a piece of the bigger story.  
 13 And that's the four years that they're bringing  
 14 forward.  
 15 So there is nothing to vote on there.  
 16 So we will move on to Item No. 9, which we  
 17 did spend a lot of time with yesterday. And that's  
 18 Discussion and Possible Action on the New  
 19 Application Criteria.  
 20 And I want to thank Commissioners for all  
 21 the time and the robust discussion yesterday.  
 22 That's the great thing about the work sessions. And  
 23 had we not hit a little speed bump this morning,  
 24 this probably would have been a whole lot quicker  
 25 today.

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1 And that's what the goal often is with the  
2 work sessions. We can iron everything out on  
3 Thursday, and then when we get here, it's really  
4 just, "Let's make the motion," because we know what  
5 this is.

6 So many of us were there, so that we did  
7 do a lot of work, and we -- our work was -- the goal  
8 in that work was to try to preserve, ensure the vote  
9 of the Commissioners, that it's independent and not  
10 corralled by a given number on -- score on a rubric,  
11 that Commissioners have the opportunity to take that  
12 information that's provided by the independent  
13 reviewers, by the schools, by CSD, and -- and the  
14 public -- the community input hearings and the  
15 public hearing that we have.

16 And we take all of that information, and  
17 we come to that time where it's our decision. And  
18 we're doing whatever we can to support the  
19 independent voice of all Commissioners.

20 So I appreciate all the work and the  
21 opinions that were offered yesterday.

22 So is there -- Commissioner Voigt?

23 COMMISSIONER VOIGT: If we're ready, I can  
24 make the motion.

25 THE CHAIR: Sure.

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1 which -- well, never mind, Cindy -- all greens, it  
2 would be the same as having 100 percent. It doesn't  
3 matter.

4 So you and I and everyone here has the  
5 ability to vote to make considerations on, you know,  
6 how the capacity interview went, how the -- the  
7 community meeting went.

8 But I -- and I get that, I do. But I  
9 think that doing it now, it looks very suspicious.  
10 I just think it looks like why did we do this right  
11 before this, when we could have done it any time  
12 during the year? And when before have we really  
13 changed something right before the event?

14 So, for me, I believe that it's just a  
15 little iffy, and I just don't see it as ready to go.  
16 I don't think we've looked at all the parts of it  
17 and exactly how we would do it, because that takes a  
18 long time.

19 I mean, doing the other one took forever;  
20 we worked on it for months. And this one well  
21 did -- we did spend a long time; it was a couple of  
22 hours. But I think it needs a subcommittee. I  
23 think it needs to have a lot more input. I think it  
24 needs to look at what are we looking at, does  
25 something have more value than another, is my

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1 COMMISSIONER VOIGT: So I move that the  
2 Public Education Commission adopt the criteria  
3 revisions to the new application.

4 COMMISSIONER RUIZ: Second.

5 THE CHAIR: There's a motion by  
6 Commissioner Voigt and a second by Commissioner  
7 Ruiz.

8 Is there any further discussion?

9 (No response.)

10 THE CHAIR: Commissioner Armbruster?

11 COMMISSIONER ARMBRUSTER: I've been  
12 spending a long, long time thinking about this, and  
13 getting further explanation. I will ask that part  
14 as well. I could possibly live with this.

15 I think it's very questionable that we are  
16 doing this right now before we do these new apps,  
17 when we've had a whole year to do that if we wanted  
18 to.

19 I'm not against doing it for next year. I  
20 definitely think it should not be part of this year.  
21 I think it needs to go, as we've always done it, as  
22 what the schools are expecting to see.

23 And, at the same time, we can vote "no" on  
24 anything we want. It doesn't matter what the score  
25 is, because if a person had all greens, and --

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1 decision based on them presenting in front of me at  
2 the PEC meeting where we vote, does that have some  
3 particular amount of value more than if they have  
4 all greens or reds or yellows.

5 And I just don't feel that it should  
6 happen now. I just think we should continue on with  
7 what we have for this year.

8 THE CHAIR: Okay. Thank you. I appreciate  
9 it. But I'm going to simply say I think we hashed  
10 that out all yesterday. So --

11 COMMISSIONER ARMBRUSTER: Whatever.

12 THE CHAIR: -- you know, I'm not  
13 comfortable in engaging in that whole conversation  
14 again.

15 Commissioner Raftery?

16 COMMISSIONER RAFTERY: Yeah. I -- I'm for  
17 the change. I am. I'm just questioning and  
18 wondering -- you know, it's going to be really  
19 difficult for the readers to determine their  
20 decision on the rating the proposals without a  
21 numeric value.

22 And how are we going to train the readers  
23 as to how they are going to rate?

24 And those are just two comments and  
25 questions that I had. But I think it's a good idea

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|---|---|
| <p>1 to change it. Thank you.<br/> 2 THE CHAIR: Okay. And I think it's -- and<br/> 3 I'm going to say that I think it goes to any piece<br/> 4 that we have where the judgment is they're meeting<br/> 5 the standard, they're not meeting the standard,<br/> 6 they're falling far below, exceeds the standard --<br/> 7 we have -- that mechanism is in a lot of pieces of<br/> 8 our assessments.<br/> 9 So I think that's clear enough to<br/> 10 identify. And if you look at the ratings -- even<br/> 11 though the numbers went away, the components that<br/> 12 are looked at are still identified there.<br/> 13 Did the school address this? Did the<br/> 14 school address this? Did the school address this?<br/> 15 So that I think that those identifying<br/> 16 pieces make it -- that did the school do most of it?<br/> 17 If they did, then they're approaching. If they did<br/> 18 all of it, they've met it. If they didn't do -- if<br/> 19 they only did three of the ten, they didn't -- they<br/> 20 didn't meet the standard.<br/> 21 So I don't think that's going to be that<br/> 22 big a challenge. And the fact that schools haven't<br/> 23 submitted their applications yet, I don't think is<br/> 24 truthfully a big game-changer, because the<br/> 25 applications haven't dropped. And I clearly</p> | <p>1 Robbins?<br/> 2 COMMISSIONER ROBBINS: Yes.<br/> 3 COMMISSIONER ARMBRUSTER: Commissioner<br/> 4 Crone?<br/> 5 COMMISSIONER CRONE: Yes. Did you hear<br/> 6 me?<br/> 7 COMMISSIONER ARMBRUSTER: I'm sorry. I<br/> 8 can't hear him.<br/> 9 COMMISSIONER RUIZ: He said "Yes."<br/> 10 COMMISSIONER CRONE: I said "Yes."<br/> 11 COMMISSIONER ARMBRUSTER: Okay.<br/> 12 Commissioner Ruiz?<br/> 13 COMMISSIONER RUIZ: Yes.<br/> 14 COMMISSIONER ARMBRUSTER: Commissioner<br/> 15 Voigt?<br/> 16 COMMISSIONER VOIGT: Yes.<br/> 17 COMMISSIONER ARMBRUSTER: Commissioner<br/> 18 Armbruster votes "No."<br/> 19 So it would be a nine-to-one vote, and it<br/> 20 passes.<br/> 21 COMMISSIONER RAFTERY: I vote "Yes."<br/> 22 COMMISSIONER CHAVEZ: So do I.<br/> 23 COMMISSIONER RAFTERY: You didn't call on<br/> 24 me.<br/> 25 COMMISSIONER ARMBRUSTER: Oh, Sonia, I'm</p>   |
| <p>Page 247</p> <p>1 remember doing the renewal applications over in<br/> 2 July.<br/> 3 So -- I do to remember that.<br/> 4 So, there -- Commissioner Ruiz?<br/> 5 COMMISSIONER RUIZ: Yes. And I do think<br/> 6 we need to make the change. And I think that we<br/> 7 spent hours discussing this yesterday. So I call<br/> 8 the vote, please.<br/> 9 THE CHAIR: Okay.<br/> 10 Commissioner Armbruster?<br/> 11 You're muted.<br/> 12 COMMISSIONER ARMBRUSTER: Okay. Sorry, I<br/> 13 kept hitting the button; it won't move. Okay. So<br/> 14 we're approving the new grading for the application,<br/> 15 right? A "yes" vote is a "yes."<br/> 16 Okay. Commissioner Davis?<br/> 17 COMMISSIONER DAVIS: Yes.<br/> 18 COMMISSIONER ARMBRUSTER: Commissioner<br/> 19 Gipson?<br/> 20 THE CHAIR: Yes.<br/> 21 COMMISSIONER ARMBRUSTER: Okay. Looking<br/> 22 up and down at the same time here.<br/> 23 Commissioner Caballero?<br/> 24 COMMISSIONER CABALLERO: Yes.<br/> 25 COMMISSIONER ARMBRUSTER: Commissioner</p>   | <p>Page 249</p> <p>1 sorry.<br/> 2 COMMISSIONER RAFTERY: I vote "Yes."<br/> 3 THE CHAIR: Karyl Ann, you didn't call on<br/> 4 Commissioner Chavez either.<br/> 5 COMMISSIONER ARMBRUSTER: Oh, I'm so<br/> 6 sorry. My pages are kind of funny. I'm sorry.<br/> 7 Commissioner Chavez?<br/> 8 COMMISSIONER CHAVEZ: I vote "Yes."<br/> 9 COMMISSIONER ARMBRUSTER: I can barely<br/> 10 hear those people. Sorry. Sorry.<br/> 11 THE CHAIR: The motion passes now<br/> 12 nine-to-one.<br/> 13 COMMISSIONER ARMBRUSTER: Correct.<br/> 14 THE CHAIR: Correct. Okay. Thanks.<br/> 15 We are on to Item No. 10, which is<br/> 16 Discussion and Possible Action on Charter Contract<br/> 17 Amendment Request Policies, Timelines, and Forms.<br/> 18 We spent quite a bit of time on this<br/> 19 yesterday. There are a lot of pieces of it. And<br/> 20 thanks to Ami and Karen working together and<br/> 21 hopefully getting this all clear, we've -- this has<br/> 22 been moved into just one single motion, so that<br/> 23 we're not making separate motions on every little<br/> 24 change that we made.<br/> 25 So that -- I don't know if it makes it</p> |

| Page 250  | Page 252  |
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| <p>1 cleaner. But it makes -- I think people understand<br/>2 what we did yesterday, anyway. And a lot of them<br/>3 were simple changes, so that it's not like we're<br/>4 changing the substance of what the amendment was.<br/>5 It's more the time frame of it.<br/>6 So I will do the motion.<br/>7 I move that the Public Education<br/>8 Commission adopt the following changes to the<br/>9 Charter Contract amendment request policies and<br/>10 forms, subject to proofreading changes.<br/>11 COMMISSIONER DAVIS: I second.<br/>12 THE CHAIR: There's a motion by -- and,<br/>13 Ami, I'm sorry. Before we continue, on my motion<br/>14 paper, it says "List." I don't have a list.<br/>15 MS. AMI JAEGER: Let me see.<br/>16 MS. KAREN WOERNER: Page 401 has the --<br/>17 MS. AMI JAEGER: Go ahead, Karen.<br/>18 MS. KAREN WOERNER: I'm sorry. Page 401<br/>19 in the packet has the revised language updated from<br/>20 yesterday's discussion, and --<br/>21 THE CHAIR: I just need a list. I'm not<br/>22 calling off -- I just -- the motion says "list," and<br/>23 I don't have the list.<br/>24 MS. AMI JAEGER: Actually, Madam Chair, I<br/>25 mean, if you look -- are you looking in the -- it's</p> | <p>1 has the list.<br/>2 MS. AMI JAEGER: It's complicated,<br/>3 Commissioner Voigt, because it switches between Word<br/>4 and Apple. And that's why these documents get kind<br/>5 of turned around.<br/>6 THE CHAIR: Okay.<br/>7 MS. AMI JAEGER: Madam Chair, you can say,<br/>8 "adopt the changes," and you can reference the<br/>9 updated list of the materials that Karen posted.<br/>10 But, you know, it is the changes to the charter<br/>11 contract amendment request policies and forms. You<br/>12 don't have to list it. It's only if you wanted to<br/>13 adopt certain changes and not adopt others.<br/>14 THE CHAIR: Oh, got you. Okay. Correct.<br/>15 MS. AMI JAEGER: That would be my<br/>16 suggestion.<br/>17 THE CHAIR: So then that's the motion I<br/>18 made.<br/>19 COMMISSIONER VOIGT: I'll second.<br/>20 THE CHAIR: I think Commissioner Davis<br/>21 actually did.<br/>22 COMMISSIONER DAVIS: Yeah. I did second<br/>23 it earlier.<br/>24 THE CHAIR: Okay. So that motion still<br/>25 stands. That's exactly what I said.</p> |
| <p>Page 251</p> <p>1 on Page 2, No. 10, the top part of that. It<br/>2 actually says -- I'm -- "I move the Public Education<br/>3 Commission... ."<br/>4 THE CHAIR: I got you. Sorry, I thought<br/>5 that went with No. 9.<br/>6 MS. AMI JAEGER: Yeah. Sorry.<br/>7 THE CHAIR: That's my fault. So can I do<br/>8 this over?<br/>9 COMMISSIONER CABALLERO: Take a Mulligan.<br/>10 THE CHAIR: No, mine says "not" -- my top<br/>11 one says "not adopt."<br/>12 COMMISSIONER VOIGT: On No. 10, there's<br/>13 two motions. And the top one is the language<br/>14 without "subject to proofreading the list."<br/>15 Do you want me to read it?<br/>16 THE CHAIR: No, because I don't have that.<br/>17 It's not on -- I don't have that here.<br/>18 COMMISSIONER VOIGT: It came out on mine,<br/>19 on No. 10.<br/>20 THE CHAIR: So I apologize. But that's --<br/>21 my first one is "not adopt," and I started to read<br/>22 that. And I thought, no, that's what I want.<br/>23 COMMISSIONER VOIGT: It's three different<br/>24 ones.<br/>25 THE CHAIR: I've got it. But none of them</p>  | <p>Page 253</p> <p>1 So -- and Commissioner Davis seconded it.<br/>2 So if there's no further discussion, we can take a<br/>3 vote.<br/>4 COMMISSIONER ARMBRUSTER: Ready?<br/>5 THE CHAIR: I think so.<br/>6 COMMISSIONER ARMBRUSTER: Okay.<br/>7 Commissioner Ruiz?<br/>8 COMMISSIONER RUIZ: Yes.<br/>9 COMMISSIONER ARMBRUSTER: Commissioner<br/>10 Crone?<br/>11 I can't hear him.<br/>12 THE CHAIR: He's on the phone.<br/>13 COMMISSIONER ARMBRUSTER: So did he say<br/>14 "Yes"?<br/>15 COMMISSIONER CRONE: Yes.<br/>16 COMMISSIONER ARMBRUSTER: I'm sorry, guys.<br/>17 It's hard.<br/>18 Commissioner Robbins?<br/>19 COMMISSIONER ROBBINS: Yes.<br/>20 COMMISSIONER ARMBRUSTER: Commissioner<br/>21 Armbruster votes "Yes."<br/>22 Commissioner Davis?<br/>23 COMMISSIONER DAVIS: Yes.<br/>24 COMMISSIONER ARMBRUSTER: Commissioner<br/>25 Voigt?</p>  |



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1 COMMISSIONER VOIGT: Yes.  
 2 COMMISSIONER ARMBRUSTER: Commissioner  
 3 Chavez?  
 4 COMMISSIONER CHAVEZ: Yes.  
 5 COMMISSIONER ARMBRUSTER: Commissioner  
 6 Gipson?  
 7 THE CHAIR: Yes.  
 8 COMMISSIONER ARMBRUSTER: Commissioner  
 9 Caballero?  
 10 COMMISSIONER CABALLERO: Yes.  
 11 COMMISSIONER ARMBRUSTER: Commissioner  
 12 Raftery?  
 13 COMMISSIONER RAFTERY: Yes.  
 14 COMMISSIONER ARMBRUSTER: That is a  
 15 ten-to-zero vote, and it passes.  
 16 THE CHAIR: The motion passes, ten-zero.  
 17 Commissioner Ruiz, I'm sorry. I didn't  
 18 see your hand up.  
 19 COMMISSIONER RUIZ: No, that was from a  
 20 while ago. I guess it didn't get -- I don't know.  
 21 Does it not go down?  
 22 THE CHAIR: Oh. That was -- okay.  
 23 COMMISSIONER RUIZ: That was the last  
 24 time.  
 25 THE CHAIR: Okay. All right. Thanks.

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1 So you can kind of see the -- I won't say  
 2 checking the box, but more of a compliance kind of  
 3 focus. Because, as you can imagine, all of our  
 4 schools are thinking about all the things that they  
 5 had to do immediately to respond to students' and  
 6 families' needs. And so we didn't want them to  
 7 paper-push too much.  
 8 And then others had a lot of -- a little  
 9 bit more creativity and opportunity to really put  
 10 pen to paper and really think through and reimagine  
 11 what education could look like through this virtual  
 12 lens during this emergency.  
 13 I think I did include APS's in there as  
 14 well, just because some of their resources, such as  
 15 the PSB Channel resources were made available to  
 16 everyone, obviously. And I think some of our  
 17 schools did adapt -- or adopt -- those as part of  
 18 their Continuous Learning Plans.  
 19 I mentioned this yesterday. But we are --  
 20 I'm privileged to be part of a small PED group that  
 21 is charged with reaching out to a large sample size  
 22 of CLPs, both including charter schools, district  
 23 and State, as well as district CLPs, to really learn  
 24 about the implementation and what we can do in the  
 25 next phase, which is really thinking about how do we

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1 So now we are on to Item No. 11, which is  
 2 Briefing and Discussion on the Continuous Learning  
 3 Plans for the schools.  
 4 I want to thank CSD for getting them into  
 5 the SharePoint. It's been interesting to read  
 6 through them and to see how very different they are.  
 7 And some schools really took that opportunity to be  
 8 super-creative and really think way outside the box,  
 9 and how -- you know, you could see some were the  
 10 left-brain people -- I forget -- that it's, like,  
 11 "This is what I have to do, and that's exactly what  
 12 I'm going to do," and it very mathematical more --  
 13 and scientific more than it is creative. So it's  
 14 interesting to see how schools approached it.  
 15 I don't know if Alan wants to say anything  
 16 else, because I know he mentioned it earlier, if  
 17 anyone remembers earlier.  
 18 MR. ALAN BRAUER: Madam Chair, members of  
 19 the Commission, I'll be brief for sure. But I would  
 20 stand for any questions that you all had, either  
 21 today or in follow-up conversations for sure.  
 22 But, yeah, as you mentioned, Chair, there  
 23 is -- there is a variance within the CLPs in terms  
 24 of how -- how clear and clarifying some are. And  
 25 others were kind of more straight-to-the-point.

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1 reenter into the -- the upcoming school year and  
 2 utilize the resources and knowledge that our schools  
 3 are using right now to close out this year and lift  
 4 them up for everyone to learn from, for sure.  
 5 So we're doing a bit of a -- of a review  
 6 of the -- of the language within the CLPs to kind of  
 7 lift up some good examples. But, more importantly,  
 8 reaching out to a small group of leaders to really  
 9 get an informal understanding through our  
 10 conversation about the implementation is going to be  
 11 really important for us.  
 12 And so, yes. So as we move forward  
 13 through that, I should have more information about  
 14 that process by our June meeting, and I'll include  
 15 that within my report, for sure.  
 16 But we do have some really good bright  
 17 spots, I think, from our -- our State-authorized  
 18 charter schools that I think are leading the efforts  
 19 around a virtual and eventually blended and then  
 20 reentry back into a more regular school day setting  
 21 for sure.  
 22 THE CHAIR: Okay. Thanks. I appreciate  
 23 it.  
 24 Commissioners, do you have any questions?  
 25 Commissioner Voigt?

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| <p style="text-align: right;">Page 258</p> <p>1 COMMISSIONER VOIGT: Yeah, I just wanted<br/>2 to comment. You know, as far as the CLPs go, it's<br/>3 really interesting to see the focus on the<br/>4 social-emotional learning piece and how that support<br/>5 is pivoting in a bigger way going forward.<br/>6 And I think that's something that should<br/>7 be considered, too, in this reentry discussion, is<br/>8 about how -- how to support students in that aspect<br/>9 of their personal growth and their social-emotional<br/>10 growth; you know, not just academic, because things<br/>11 are -- things are changing, and the students are<br/>12 going to need a lot of support, you know, in that<br/>13 area.<br/>14 That's all.<br/>15 MR. ALAN BRAUER: Madam Chair, members of<br/>16 the Commission, Commissioner Voigt, that's a really<br/>17 great point to bring up for sure. I think that we<br/>18 oftentimes think about, you know, getting<br/>19 Chromebooks in every child's hand for academic<br/>20 reasons, but also for the social-emotional<br/>21 connections that, frankly, our students and our<br/>22 families were stripped of during this moment, and we<br/>23 all were stripped of during this moment.<br/>24 I think that to amplify the<br/>25 social-emotional learning needs for our students was</p> | <p style="text-align: right;">Page 260</p> <p>1 obviously. I'm talking about all the children. But<br/>2 I hope they think about some way of catching up.<br/>3 I'm way less concerned about sixth, seventh, and<br/>4 eighth grade, other than maybe math.<br/>5 But I am very concerned about special ed<br/>6 kids, in particular, and certainly even all of the<br/>7 younger kids who are not getting that instruction.<br/>8 And I know they're getting instruction. I<br/>9 shouldn't say it that way. They are, but it's still<br/>10 not the same. Because if it were, we'd have K-12<br/>11 virtual schools. Just saying. And we don't.<br/>12 So, anyway, I just hope you all are<br/>13 working on that.<br/>14 MR. ALAN BRAUER: Madam Chair,<br/>15 Commissioner Armbruster, absolutely. We share that<br/>16 concern. I think that, you know, we all, as<br/>17 educators have heard of the summer slide that<br/>18 naturally occurs.<br/>19 This is, like, such a different<br/>20 experience, if we date back to March 13th when<br/>21 school was initially closed. And so we all are very<br/>22 sensitive toward that, and we know our students are<br/>23 going to raise up for the challenge, for sure.<br/>24 But we have to prepare our teachers and<br/>25 our schools for additional supports for our</p> |
| <p style="text-align: right;">Page 259</p> <p>1 really intentional. And I think we can always build<br/>2 off of that, especially as we think about the<br/>3 reentry. So thank you very much for bringing that<br/>4 up, Commissioner Voigt.<br/>5 COMMISSIONER VOIGT: Sure. Thanks.<br/>6 THE CHAIR: Commissioner Armbruster?<br/>7 COMMISSIONER ARMBRUSTER: This is for kind<br/>8 of a future thing, Alan, is that I hope that brain<br/>9 trust that is at PED will really kind of think about<br/>10 how these testings will occur, assuming the kids<br/>11 even go back to school, but I'm going to just assume<br/>12 that. Because the children I'm most concerned about<br/>13 are probably the pre-K, the pre-K 3Y4Y kids, and the<br/>14 regular pre-K, and then that K1-2 group, because<br/>15 that's when they're learning to read, they're<br/>16 learning to do all of that.<br/>17 And I see that the K teacher is going to<br/>18 have to go back to what the pre-Ks were doing, and<br/>19 the first-grade teacher is going to have to redo a<br/>20 lot of the kindergarten stuff.<br/>21 So I don't know that they're going to be<br/>22 able to take those tests with the degree of<br/>23 certainty when we look at those scores. You know<br/>24 what I mean?<br/>25 It's not just for charter schools</p>                    | <p style="text-align: right;">Page 261</p> <p>1 students, knowing that that's going to be key as<br/>2 they come back in, both academically and socially<br/>3 and emotionally as well.<br/>4 THE CHAIR: Thank you so much. Appreciate<br/>5 it.<br/>6 We are now on to Item No. 12, which is<br/>7 Report from the Chair. I'm try to make this really<br/>8 quick.<br/>9 We've been busy in trying to help in any<br/>10 way we can in terms of making sure that kids are<br/>11 heard and not left out during this time period and<br/>12 making sure that the delivery of foods and so on is<br/>13 going fairly seamlessly down in our district. So<br/>14 that's always important.<br/>15 Spent a little bit of time since<br/>16 negotiations trying to iron out, as we talked<br/>17 before, Albuquerque Sign Language, and make sure<br/>18 that they land in a good place.<br/>19 I don't want to leave without saying thank<br/>20 you to everyone for the yeomen's work during<br/>21 contract negotiations in May. It wasn't that long<br/>22 ago, and it seems like it was forever ago.<br/>23 So I kind of forgot that, you know, we<br/>24 actually did that. And, of course, we spent a lot<br/>25 of time last week dealing with the Zoom issue. I'll</p>  |

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1 not get into the fact that there was almost a Zoom  
2 issue again this week. So I spent a little bit of  
3 time with that little glitch.

4 So thanks to Karen and Alan and Beverly  
5 for putting up with my discourse about it, because  
6 it was more challenging than it needed to be. So I  
7 do appreciate that.

8 As Alan mentioned before, I do have the  
9 opportunity to serve on the Reentry committee. And  
10 we did meet last Wednesday for the first time.

11 We've been broken into little groups with tasks.

12 And I will say it is the first time I've  
13 been transported in time out of one Zoom meeting  
14 into another Zoom meeting without having to do  
15 anything. So it was quite exciting to go from one  
16 meeting and then be plopped into another.

17 So that was -- and I didn't know you could  
18 do that, so I have to figure out how I can do that,  
19 because that -- that was interesting.

20 So I will also offer to Commissioners, if  
21 there's anything that you want to offer in terms of  
22 suggestions or concerns in regards to reentry,  
23 please forward them to me, because this is -- this  
24 is an ongoing process. It is an enormous task, and  
25 it's something that we also know is not a

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1 the progress of the group. But we have -- I think  
2 it's four more meetings scheduled. And the  
3 intention is to be done by the middle of June. So  
4 with that being said, I think -- oh.

5 I'm just going to make this comment. And  
6 Alan took the brunt of this from me the other day.  
7 But I'm going to publicly say that I was very  
8 disappointed that CSD made a site visit. In light  
9 of what's going on -- and I did not understand that  
10 there were site visits going on.

11 But when we have teachers that can't go  
12 into a building to clean out their classroom, I find  
13 it quite problematic that we have staff going  
14 into -- I don't care how many. I don't care how  
15 many were in the school.

16 I just don't think it looks like we're  
17 being supportive of the Governor's order. And it's  
18 most important that we set the example.

19 So I'm expressing my disappointment there,  
20 and I'm going to move on from it, because Alan knows  
21 exactly what I said. So I think I'm done with my  
22 comments.

23 And I think Matt is still on. Is he not,  
24 Karen?

25 MS. KAREN WOERNER: Let me check. I

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1 one-size-fits-all.

2 And that's -- you know, that's really  
3 important for people to realize, remember. And I  
4 think that's been acknowledged, that there's  
5 guidance that's being offered, and -- there is.  
6 There's -- every time you start into a conversation,  
7 you realize how many other things you have to try to  
8 figure out. And the task is enormous.

9 I spent some time, as I think I mentioned  
10 yesterday, with charter groups from California,  
11 Colorado, and Florida in a discussion about renewal.  
12 So that was -- it's always interesting to see how  
13 other schools do things or don't do things. And the  
14 challenges more often with us, how we are confined  
15 by statute and many other charter authorizers aren't  
16 as constrained by statute, most importantly, the  
17 timelines.

18 Because I think I mentioned yesterday that  
19 a number of the charters are saying, "Well, we're  
20 just not going to do renewals this year. We're  
21 going to turn them over till the following year."

22 And we don't -- that can't even be a  
23 fabric of our conversation. So it does make it a  
24 little challenging.

25 So I'm excited. I will keep you posted on

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1 stopped watching the attendees. Hold on. Yes, he  
2 is.

3 THE CHAIR: Yeah. So if you want to check  
4 if Matt wants to say anything?

5 MS. KAREN WOERNER: Matt Pahl, are you  
6 there?

7 You can unmute yourself.

8 THE CHAIR: Wow. There's a stranger for  
9 us.

10 MR. MATT PAHL: I know. It's good to be  
11 here. Thanks for having me.

12 Just a couple of quick comments. I know I  
13 missed the last meeting, and so this will go back a  
14 little further than a month.

15 But some of the stuff has already been  
16 said. But, you know, Madam Chair and members of the  
17 Commission, you know, charter schools have really  
18 shown the advantage of being small, nimble  
19 organizations during this pandemic.

20 A number of our schools only missed their  
21 spring break that was already scheduled and were  
22 able to engage in remote learning very quickly  
23 thereafter. It was a cool thing to see.

24 Also, just some of the things that our  
25 charters were able to figure out for their students

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| <p style="text-align: right;">Page 266</p> <p>1 and ways that they figured out how to engage was<br/>2 just really cool to see.</p> <p>3 I know that up in Red River, Kimberly up<br/>4 there, she -- they were trading jump drives with<br/>5 students because they have bad connections, but they<br/>6 often-time have devices there. It's not the gap<br/>7 that we always think of of what's missing. So some<br/>8 of their students don't even have the cell phone<br/>9 reception for a good hotspot.</p> <p>10 So they found a good solution to it and<br/>11 continued on with that through the rest of the<br/>12 school year.</p> <p>13 One of your newer charters, Gallup Middle<br/>14 College, really found ways to get students connected<br/>15 in a part of our state that doesn't have a lot of<br/>16 connectivity. And Dr. Hunter really helped some of<br/>17 the other schools in the area problem-solve, and<br/>18 they worked together.</p> <p>19 We're seeing more of that right now, more<br/>20 of schools wanting to connect with each other to<br/>21 work on problem-solving.</p> <p>22 And, you know, it's a cool story, just<br/>23 from the last handful of weeks here. And along with<br/>24 that, I'll just say a shout-out to the school<br/>25 districts that said, "I don't care if these students</p>   | <p style="text-align: right;">Page 268</p> <p>1 considered for closing the technology gap for<br/>2 students at locally authorized charters.</p> <p>3 Everything I've heard so far is that a<br/>4 number of school districts that the locally<br/>5 authorized charter schools were worried about,<br/>6 whether their district would be helpful or not,<br/>7 they're finding that they are.</p> <p>8 I don't think that's going to be the case<br/>9 for every charter school. But I do think that<br/>10 three-quarters of them or more are going to find it<br/>11 easier than not, to gain access to some of the funds<br/>12 to make sure that students are connected and that<br/>13 they can buy the appropriate PPE necessary for<br/>14 whatever reopening looks like in August or<br/>15 September.</p> <p>16 So I really appreciate the Secretary and<br/>17 his staff hearing us out on that. And I'm hopeful<br/>18 that our school districts recognize once again that<br/>19 for those charter schools that this is about kids<br/>20 and not about our divisions within the bureaucracy<br/>21 and that they continue to see that, you know,<br/>22 students -- any student in need is a student that's<br/>23 worthy of ensuring they get those funds.</p> <p>24 So thanks to the Secretary and the school<br/>25 districts that are working on that. And I'll just</p>                      |
| <p style="text-align: right;">Page 267</p> <p>1 go to a charter school or one of our schools. We<br/>2 just want to make sure they're fed."</p> <p>3 Let's not forget that when we have --<br/>4 something feels a little closer to normal and we<br/>5 feel that division again. I think that's a big way<br/>6 that the school district stepped up. And I think a<br/>7 number of our charter schools were just really,<br/>8 really thankful for that.</p> <p>9 On the flip side from the school district<br/>10 perspective, I flagged for Alan and the Secretary<br/>11 and Deputy Secretary Tim Hand that the CARE Act<br/>12 funds that are coming to the state as part of one of<br/>13 the stimulus packages, they're not necessarily<br/>14 guaranteed to go to locally authorized charters.</p> <p>15 It's not something in your guys'<br/>16 bailiwick. All of our State-authorized charter<br/>17 schools will get a direct distribution. I want to<br/>18 give a thank you to the Secretary, to Alan, to<br/>19 Deputy Secretary Hand. While they didn't mandate<br/>20 that the districts share their funds with their<br/>21 locally authorized charters, I think they did some<br/>22 small encouragement.</p> <p>23 In fact, the Secretary, on his call<br/>24 earlier this week, mentioned it again to<br/>25 superintendents to make sure that those funds are</p> | <p style="text-align: right;">Page 269</p> <p>1 note, too, if you have any questions about that -- I<br/>2 know that they are not your charter schools, but you<br/>3 all live in areas with different school districts.<br/>4 If you have any questions on just how it's going,<br/>5 feel free to shoot me an e-mail. I can let you know<br/>6 what I'm hearing from certain school districts and<br/>7 whether they're helping out.</p> <p>8 You, as Commissioners, while, again, it's<br/>9 not your jurisdiction, I know you all know people<br/>10 within those school districts. So anything we can<br/>11 do to advocate for those kids and make sure<br/>12 everybody's arrival to school is safe and/or<br/>13 equitable in terms of their access to online<br/>14 learning would be really helpful. So thanks for<br/>15 that in advance, if you dig in.</p> <p>16 One thing that -- along those lines of<br/>17 banding together that has been really helpful, I<br/>18 think, in this -- in these last two months has been<br/>19 we've been hosting collaboration calls with charter<br/>20 schools across the state. And we do them on a<br/>21 weekly basis.</p> <p>22 And we're having -- just whatever the hot<br/>23 topics are, we're just providing a platform for our<br/>24 school leaders to talk to one another. Some of<br/>25 these calls have had 60 or 70 people on them. That</p> |

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| <p style="text-align: right;">Page 270</p> <p>1 represents a little over 50 schools that are<br/>2 interested in connecting with other school leaders,<br/>3 because we've had to make a lot of quick decisions.<br/>4 And I think everybody is interested in how<br/>5 others are thinking about these things. It pales in<br/>6 comparison to the hundreds of people that were on<br/>7 today's call. But we've had a lot of good<br/>8 engagement with the schools.<br/>9 And it been a -- it's been a real<br/>10 positive. And I think after people kind of were<br/>11 exposed to this as a result of this emergency,<br/>12 they're interested in continuing on with this,<br/>13 moving forward.<br/>14 So on Thursday's call, yesterday's call<br/>15 that we just had, we did talk about just what people<br/>16 were thinking about on the reopening side of things.<br/>17 And so, Chairwoman Gipson, because you're<br/>18 on the task force, I'll share these out loud, but I<br/>19 think it's useful for everybody.<br/>20 They all -- and, just, first, like we all<br/>21 recognize we're waiting for guidance from PED. But<br/>22 I think that it's also useful to note that, you<br/>23 know, you probably have to prepare for three or four<br/>24 different ways to open up at this point. And so it<br/>25 doesn't hurt to think through some of the opening</p> | <p style="text-align: right;">Page 272</p> <p>1 think it's good food for thought as something for us<br/>2 to think ahead on.<br/>3 Subsequently, around the student<br/>4 attendance, and I think just in the accountability<br/>5 system in general, how do we make adjustments for<br/>6 next year given the reality that we enter in?<br/>7 One realization we made on the call is<br/>8 we're a little less than three months away from<br/>9 school opening. And three months ago, this wasn't<br/>10 even a thing.<br/>11 So, I mean, things are changing so fast<br/>12 right now. So to prepare for something in August is<br/>13 just so challenging. I think that's where the idea<br/>14 of the flexibilities came from with the idea we keep<br/>15 it broad. And as we know what we're actually<br/>16 walking into in August when we open, we can narrow<br/>17 these things down. I think people are comfortable<br/>18 with that.<br/>19 And one thing that I think is very -- I<br/>20 think what of our most school leaders are saying<br/>21 will be echoed by superintendents. I do want to<br/>22 note that for charter schools, as we create<br/>23 guidance, particularly guidance for students that<br/>24 are on campus in a world in which we actually<br/>25 welcome them on campus, we just want to remind</p>   |
| <p style="text-align: right;">Page 271</p> <p>1 logistics.<br/>2 I think at the conclusion of the call, I<br/>3 recapped with folks. And I think, Chairwoman<br/>4 Gipson, your note about -- to the extent<br/>5 flexibilities exist on timelines, things like that,<br/>6 that was really where they went, is it's not that<br/>7 they don't want guidelines; but they want<br/>8 flexibility for the things they know are going to<br/>9 experience stress in this.<br/>10 So they are eagerly awaiting some guidance<br/>11 from the PED. But they did mention that, you know,<br/>12 maybe we should be considering flexibility around<br/>13 student hours, again, you know, just knowing that<br/>14 the amount of on-site time may look different.<br/>15 They noticed -- noted that attendance,<br/>16 both from teachers and from the student perspective,<br/>17 is going to look really different. And absence and<br/>18 COVID is not like your normal flu, where a teacher<br/>19 might be gone from two or three days; they might be<br/>20 gone for two or three weeks.<br/>21 So how can we anticipate making sure that<br/>22 we have substitute teachers available and meet the<br/>23 criteria beforehand. Is there any flexibility<br/>24 that's appropriate for the substitute teachers?<br/>25 No proposals were given there. But I</p>                           | <p style="text-align: right;">Page 273</p> <p>1 members of the task force, and just anyone who's<br/>2 doing brainstorming on this, that charter school<br/>3 facilities just don't often behave like a facility<br/>4 at a district high school or middle school.<br/>5 And so we just need to check our<br/>6 assumptions when we're thinking about guidance and<br/>7 recommendations about certain things. And I thought<br/>8 that was a really good point and something we'll<br/>9 share with Charlotte Trujillo as well, who I know is<br/>10 on the task force and is kind of representing<br/>11 charters there, along with you, Chairwoman Gipson,<br/>12 it's just something that in all the things we have<br/>13 to consider, it might not come to mind that, "Oh,<br/>14 yeah, these buildings don't quite operate that way."<br/>15 So is one-way flow through a campus really<br/>16 possible at all of our schools? It may not be. so<br/>17 it's just something to consider.<br/>18 And we'll continue to ask these questions<br/>19 and brainstorm together. But I think we -- you<br/>20 know, in addition to all of those elements there, I<br/>21 do think that schools have really liked that we've<br/>22 been following the recommendations of the Department<br/>23 of Health and the Governor and making that the first<br/>24 order of business, everybody's safety first, and<br/>25 then we cascade down from there.</p> |

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| <p style="text-align: right;">Page 274</p> <p>1 I think we've seen that from the<br/>2 administration. Everybody said they appreciated<br/>3 that and hope that continues, and that while<br/>4 everybody's missing their students, you know, that<br/>5 we don't rush that in an effort to return back to<br/>6 something normal.<br/>7 So those were items just from the last<br/>8 ones and just from the last collaboration call we<br/>9 had.<br/>10 The last thing I'll just note is two items<br/>11 recently came out: Graduation rates and Vistas, as<br/>12 Alan mentioned earlier. And just look for<br/>13 highlights from us also at PCSNM. We'll be<br/>14 highlighting some schools on our Facebook page.<br/>15 I'll probably send an e-mail out to you all of you.<br/>16 There's a lot to celebrate out there. And<br/>17 I know times are tough, and we're all worried about<br/>18 the health and safety of our kids. But, you know,<br/>19 we need something to celebrate right now. So just<br/>20 know that you'll be getting some information from us<br/>21 soon, in the next week or two, just highlighting<br/>22 some of the things that we've seen in that data,<br/>23 because I think there's a lot that shows that our<br/>24 charter schools are really leading the way in how<br/>25 they're serving students.</p> | <p style="text-align: right;">Page 276</p> <p>1 paper, but every day, we get this map of New Mexico<br/>2 where there are COVID cases, more and less of them.<br/>3 So are we -- are we thinking that some --<br/>4 two things: One is some counties who have very,<br/>5 very low COVID -- of course, we haven't tested, so<br/>6 we don't really know -- would open up before others<br/>7 that have high -- for example let's just say ours in<br/>8 Navajo is DEAP. That's a pretty scary opening, or<br/>9 maybe even Middle College -- is that what it's<br/>10 called? Middle College? Yeah.<br/>11 Those are higher-risk places than<br/>12 someplace like -- I don't know where one is. And,<br/>13 as well, the thing that's going to concern me is,<br/>14 that, number one, there will be enough teachers,<br/>15 because there's a number of teachers who are -- I<br/>16 don't know. Let's just say they're 65 and they're<br/>17 still working. Or teachers who are 55 and had<br/>18 pneumonia last winter. Those are not necessarily<br/>19 people who are going to want to go back to school.<br/>20 And then I think about kids, maybe yours,<br/>21 David, if he were younger now, who are very, very<br/>22 susceptible to any kind of virus or infections.<br/>23 Would we then continue with them on some other kind<br/>24 of a plan to provide education for them? I mean, is<br/>25 that kind of where we're going on this?</p> |
| <p style="text-align: right;">Page 275</p> <p>1 So thank you, Madam Chair. Thanks,<br/>2 members of the Commission, for your time<br/>3 THE CHAIR: Thanks. I actually had a<br/>4 friend recommend to me, "Oh, if you need<br/>5 substitutes, the State should release that<br/>6 requirement that you have to sit out for whatever it<br/>7 is after you retire so that people can come back."<br/>8 And it's, like, you do realize those are<br/>9 the people that probably least want to be in a<br/>10 building if the likelihood is that someone is out<br/>11 because they've been near, or are, unfortunately,<br/>12 sick with COVID, that you're not going to get a<br/>13 retiree to say, "Oh, please, you know, me. I want<br/>14 to go in there," you know.<br/>15 So it's -- I think -- I think we need to<br/>16 start calling the colleges.<br/>17 MR. MATT PAHL: Yeah. Anybody with a<br/>18 bachelor's degree can be a sub.<br/>19 THE CHAIR: Well, yeah. And I'm going to<br/>20 say I think that's where some changes need to be<br/>21 made, you know. But that's for a later discussion.<br/>22 Commissioner Armbruster?<br/>23 COMMISSIONER ARMBRUSTER: Yeah. I wanted<br/>24 to thank you for that, Matt. And I also -- just<br/>25 thinking about this, because I'm sure it's in every</p>                                   | <p style="text-align: right;">Page 277</p> <p>1 THE CHAIR: I'm going to say that all of<br/>2 that is on the table with the -- with the group.<br/>3 COMMISSIONER ARMBRUSTER: Okay.<br/>4 THE CHAIR: We just met for the first time<br/>5 on Wednesday. And it's pages of what you have to<br/>6 think about. And like I said, when you go to these<br/>7 groups, it just started to balloon as to, "Oh, now<br/>8 we have to think about this, and now we have to<br/>9 think about this."<br/>10 So it is all absolutely out there on the<br/>11 table, and not even close to actually coming to a<br/>12 decision as to what the guidance needs to be.<br/>13 There's still a lot that needs to be talked about in<br/>14 terms of what needs to be looked at before there's<br/>15 actual -- you know, the guiding document comes out.<br/>16 But that is absolutely all part of the conversation.<br/>17 So thanks, Matt. Appreciate it.<br/>18 And I guess we're not going to have a<br/>19 conversation about the -- about any charter<br/>20 conference yet, huh?<br/>21 MR. MATT PAHL: I'll say that we are<br/>22 hoping for a hybrid conference, where we can do some<br/>23 in-person things according to whatever the health<br/>24 order is in November. But we're anticipating some<br/>25 more virtual than we had planned for before.</p>  |

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| <p style="text-align: right;">Page 278</p> <p>1 THE CHAIR: Because I was reminded on my<br/>2 calendar, I think we're actually missing the law<br/>3 conference yesterday and today. And that was -- I<br/>4 always enjoyed that. I got so much out of the law<br/>5 conferences.<br/>6 And it's unfortunate that they didn't<br/>7 even -- I guess entertain the thought, like they did<br/>8 with the school budget, of having some of it virtual<br/>9 to offer some guidance. Because I think there's a<br/>10 lot that could be talked about and communicated out<br/>11 to schools in light of all of this.<br/>12 Glenna?<br/>13 COMMISSIONER VOIGT: Yeah. I was just<br/>14 going to tell Matt, you know, the golf courses are<br/>15 open.<br/>16 THE CHAIR: You could all congregate on a<br/>17 different hole.<br/>18 MR. MATT PAHL: Point well-taken,<br/>19 Commissioner Voigt.<br/>20 COMMISSIONER VOIGT: Just throwing that<br/>21 out there.<br/>22 THE CHAIR: So if no one else has anything<br/>23 for Matt, thanks, and, truly, thanks for hanging in<br/>24 there with us.<br/>25 MR. MATT PAHL: Lots of excitement today.</p> | <p style="text-align: right;">Page 280</p> <p>1 THE CHAIR: Okay, thanks.<br/>2 Commissioner Armbruster?<br/>3 COMMISSIONER ARMBRUSTER: I'm glad that<br/>4 we're all here and not sick. So hoping to stay that<br/>5 way.<br/>6 THE CHAIR: Commissioner Robbins?<br/>7 COMMISSIONER ROBBINS: I want to thank<br/>8 Woody -- Elwood -- yesterday, for giving us the<br/>9 preview of DocuSign and things. It was enlightening<br/>10 to realize that they have four levels of approval<br/>11 within PED, which as a former CFO, I think that's<br/>12 excessive, because you're not putting very much<br/>13 faith in Beverly that she did it right and correctly<br/>14 in submitting everything.<br/>15 I think that's one of the roadblocks in<br/>16 getting our per diems approved is they have four<br/>17 levels of approval within PED. And then it goes to<br/>18 DFA, and they have three more levels of approval<br/>19 over there.<br/>20 You know, one of the things that I worked<br/>21 on in my almost eight years in State government that<br/>22 ended a year and a half ago was to get rid of the<br/>23 bureaucracy, to cut down on the levels on how long<br/>24 it takes to get approvals.<br/>25 One of the things that we're seeing with</p>   |
| <p style="text-align: right;">Page 279</p> <p>1 THE CHAIR: It was. It was. So stay<br/>2 safe. It's good to see you.<br/>3 MR. MATT PAHL: And you. Thanks.<br/>4 THE CHAIR: Thanks. I'm assuming that<br/>5 there's no one here from the School Boards. So I'll<br/>6 just move on.<br/>7 We're going to do PEC Comments, because we<br/>8 do have an Executive Session that we do have to get<br/>9 to.<br/>10 So we're going to quickly run through and<br/>11 do PEC Comments so that the only thing we'll need to<br/>12 come back is to adjourn.<br/>13 So Commissioner Davis?<br/>14 COMMISSIONER DAVIS: Hi.<br/>15 THE CHAIR: Hi.<br/>16 COMMISSIONER DAVIS: It's been a very long<br/>17 day. And I'm so much looking forward to figuring<br/>18 out how to do the electronic signature tomorrow.<br/>19 That's all I have to say.<br/>20 THE CHAIR: Thanks.<br/>21 Commissioner Voigt?<br/>22 COMMISSIONER VOIGT: I just want to give a<br/>23 big shout-out to the 2020 graduates, wishing them<br/>24 all the best at going forward in life and learning.<br/>25 Woohoo!</p>   | <p style="text-align: right;">Page 281</p> <p>1 people who are trying to collect unemployment,<br/>2 sometimes it's taking three, four, five weeks before<br/>3 they get through the bureaucracy. And as public<br/>4 servants, we should be looking at ways to cut down<br/>5 the bureaucracy.<br/>6 I think we've done a very good job with<br/>7 that with the applications and renewals and things<br/>8 trying to look at how to streamline, do things to<br/>9 expedite renewals for schools that are doing very<br/>10 well, to not require the extensive amount of<br/>11 documentation when we know that they're doing well<br/>12 and they've demonstrated that.<br/>13 You know, I'll give a very quick report.<br/>14 PSCOC, they are looking at cuts in funding for<br/>15 capital. Some of the schools have withdrawn some of<br/>16 their requests simply because of what's happening<br/>17 with COVID and things like that. They're not ready<br/>18 to move forward with some of their projects. That<br/>19 will help.<br/>20 What we're probably going to see is a<br/>21 reduction over a couple of years of \$200 or<br/>22 \$300 million less of public school money being<br/>23 available for capital projects. And that's just<br/>24 what the State was putting in. They're putting in<br/>25 between \$150 and \$250 million a year.</p> |

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| <p style="text-align: right;">Page 282</p> <p>1 That's going to impact not only the<br/>2 district schools -- to a large extent that money<br/>3 goes there -- but also charter schools and what's<br/>4 going to happen with charters.<br/>5 So I think we need to kind of stay aware<br/>6 of what is going on there. And these cuts<br/>7 sometimes -- and what we saw in the last two<br/>8 years -- charters are sometimes looked at as being<br/>9 stepchildren, and they take a bigger percentage cut<br/>10 of their funding than maybe the district schools.<br/>11 We need to be champions for our charter schools.<br/>12 THE CHAIR: Thank you. And interesting<br/>13 that through that DocuSign, that we can actually<br/>14 track whose desk it's sitting on. So that's an<br/>15 interesting piece.<br/>16 Commissioner Raftery?<br/>17 COMMISSIONER ROBBINS: I'm sorry.<br/>18 THE CHAIR: Oh, I'm sorry.<br/>19 COMMISSIONER ROBBINS: I was just going to<br/>20 say, through that, you can -- you can go into the<br/>21 mail book -- if you're signed in, you can go into<br/>22 the address book, and you can send those individuals<br/>23 an e-mail saying, "Hey, would you maybe push this<br/>24 along a little bit," now that you know where it's<br/>25 sitting. Thank you.</p> | <p style="text-align: right;">Page 284</p> <p>1 was Glenna's birthday.<br/>2 So happy birthday.<br/>3 And then the other thing I just want to<br/>4 say is man, I sure like Beverly's backdrop. I think<br/>5 she wins the award for the most creative backdrop.<br/>6 COMMISSIONER RAFTERY: Yeah.<br/>7 THE CHAIR: Thanks. I don't think<br/>8 Commissioner Crone is actually there.<br/>9 Commissioner Caballero?<br/>10 COMMISSIONER CABALLERO: Thank you. And<br/>11 thank you, Commissioner Robbins, for pointing out<br/>12 all that. Now I know why it takes forever to get<br/>13 reimbursed. Now I can see and track it. I won't be<br/>14 satisfied, but I'll have the answers and won't have<br/>15 to call Beverly.<br/>16 "Where is it? Where is it? What's<br/>17 happening?"<br/>18 But, yeah, it's too much bureaucracy. And<br/>19 I thought that the new head of PED would be --<br/>20 changes. But it got more cumbersome, I think.<br/>21 But, anyway, I'm just trying to anticipate<br/>22 what changes are coming. And I know that we are on<br/>23 track, staying ahead of the game. And I want to<br/>24 shout out to everyone, our Chair -- and I think we<br/>25 have the best staff in Charter School Division in</p>  |
| <p style="text-align: right;">Page 283</p> <p>1 THE CHAIR: Thanks.<br/>2 Commissioner Raftery?<br/>3 COMMISSIONER RAFTERY: Yeah. I want to<br/>4 give a shout-out to Karen. Thank you, Karen. I<br/>5 just don't know how you do all this. Thank you.<br/>6 And another thing I want to say is happy<br/>7 birthday to Glenna Voigt.<br/>8 THE CHAIR: Oh.<br/>9 COMMISSIONER ROBBINS: We should sing<br/>10 Happy Birthday.<br/>11 THE CHAIR: You don't want me singing<br/>12 Happy Birthday.<br/>13 MS. KAREN WOERNER: We need a big<br/>14 "Hurrah," because did you hear how the Pledge<br/>15 sounds? I'm sure singing Happy Birthday would be<br/>16 worse than that.<br/>17 THE CHAIR: I know.<br/>18 COMMISSIONER ROBBINS: Happy birthday.<br/>19 COMMISSIONER CHAVEZ: Commissioner Raftery<br/>20 beat me to the punch. I saw on my Facebook feed<br/>21 that it was Glenna's birthday today.<br/>22 Can you hear me?<br/>23 COMMISSIONER RAFTERY: What did you say?<br/>24 COMMISSIONER CHAVEZ: You beat me to the<br/>25 punch. Because I saw on my Facebook feed that it</p>   | <p style="text-align: right;">Page 285</p> <p>1 the nation.<br/>2 I don't know of anybody -- but I'm very<br/>3 satisfied with the existing staff. I know they're<br/>4 short a little. And our attorneys, I think that we<br/>5 are on track to do a lot of things in the most<br/>6 unlikely and unpredictable future. And I'm looking<br/>7 forward, if elected, to look for you. Thank you.<br/>8 THE CHAIR: Thank you. Commissioner Ruiz?<br/>9 COMMISSIONER RUIZ: Happy birthday,<br/>10 Glenna. I hope you had a wonderful birthday and you<br/>11 have a wonderful evening.<br/>12 And the other thing I want to say is this<br/>13 is probably one of the hardest years I've ever had<br/>14 in education. And I'm so thankful for educators --<br/>15 and I am sorry. I am emotional.<br/>16 This is the first year since 1993 that I<br/>17 have not got to say goodbye to my students. And<br/>18 that has been the hardest thing to deal with. And,<br/>19 I'm sorry. I usually don't get emotional. But it's<br/>20 been a really -- really hard do. And I'm just --<br/>21 really hard couple of weeks.<br/>22 And I just -- you know, know that we've<br/>23 all had some really challenging times through this.<br/>24 And I know the PED, Alan, Beverly, Karen, I know you<br/>25 all have your own things that you're dealing when.</p> |



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| <p style="text-align: right;">Page 286</p> <p>1 I know the Commission, we've had things<br/>2 that we're dealing with. And I'm going to tell you.<br/>3 The fact that we can get through this proves how<br/>4 resilient we are. And, you know, just pray for our<br/>5 kids. That's all I got to say.<br/>6 THE CHAIR: Okay. Thanks. Bev, just one<br/>7 question now that we've circled around<br/>8 reimbursements a bit. That April 7th reimbursement,<br/>9 is that traveling, or has it -- is it -- has it<br/>10 died?<br/>11 MS. BEVERLY FRIEDMAN: I have not received<br/>12 any final okay or approval on it.<br/>13 COMMISSIONER VOIGT: I heard that it was<br/>14 killed, that April 7th. That was the training for<br/>15 the [inaudible] training.<br/>16 THE CHAIR: Just so the Commissioners were<br/>17 aware of those, the Commissioners that did put in<br/>18 for the reimbursement, Ami called DFA and had a<br/>19 conversation with DFA. And as a result of that<br/>20 conversation, I then forwarded a request to PED to<br/>21 move it along, and I cited the rationale by DFA as<br/>22 to why it should be paid.<br/>23 And that's the last I've heard of it. So<br/>24 I just wanted to double-check to see, because I<br/>25 never even got an acknowledgment.</p> | <p style="text-align: right;">Page 288</p> <p>1 working on those ISTE's, and we'll get them out to<br/>2 you as soon as possible. And as we become<br/>3 proficient at getting them done, there should be a<br/>4 very quick turnaround.<br/>5 And people have been signing the DocuSign<br/>6 a lot faster than the actual pieces of paper.<br/>7 THE CHAIR: Right. Because it doesn't<br/>8 require going to the mailbox, period.<br/>9 MS. BEVERLY FRIEDMAN: Right. And I think<br/>10 that most of the Commissioners have sent in their<br/>11 April 7th claim form. And once we have most of that<br/>12 information in, as soon as that's approved, you'll<br/>13 be seeing that come through also. But I need that<br/>14 approval from PED.<br/>15 THE CHAIR: For the April 7th.<br/>16 MS. BEVERLY FRIEDMAN: April 7th.<br/>17 Correct.<br/>18 THE CHAIR: All right. Thanks.<br/>19 MS. BEVERLY FRIEDMAN: Thank you.<br/>20 THE CHAIR: All right. So --<br/>21 MS. BEVERLY FRIEDMAN: May I say one more<br/>22 thing?<br/>23 THE CHAIR: Sure. Sure.<br/>24 MS. BEVERLY CRUZ: Someone mentioned about<br/>25 the claim forms. And what I'm suggesting is that</p>   |
| <p style="text-align: right;">Page 287</p> <p>1 COMMISSIONER VOIGT: I got an e-mail<br/>2 saying -- from Beverly -- saying that it was not<br/>3 going to be reimbursed.<br/>4 THE CHAIR: My e-mail went out after we<br/>5 found out what the "No" was. So then I contacted<br/>6 Ami, and she then contacted DFA. So then I<br/>7 forwarded the e-mail. But I didn't even get a<br/>8 response to the e-mail, period.<br/>9 MS. BEVERLY FRIEDMAN: My latest<br/>10 conversation with them has been that they have a<br/>11 meeting with DFA -- "they," being the financial<br/>12 people, have had a meeting with DFA, and that they<br/>13 would let me know if it was approved.<br/>14 I've been waiting for that approval, and<br/>15 I'll follow up with it on Tuesday when we get back<br/>16 in the office.<br/>17 THE CHAIR: Thanks. Because that should<br/>18 be one of those little pieces of paper we should be<br/>19 able to track.<br/>20 MS. BEVERLY FRIEDMAN: Well, true. Let me<br/>21 just say that David's -- Commissioner Robbins' ISTE<br/>22 and everything was approved, and it's in procurement<br/>23 today because of the whole system. And so it works<br/>24 very rapidly.<br/>25 And so I hope that Debbie Dolbow is</p>  | <p style="text-align: right;">Page 289</p> <p>1 I'm going to talk to Woody on Tuesday also, to see<br/>2 if we can get that template for the claim form<br/>3 completed. And as rapidly as we can get that<br/>4 completed, I'll send those out to you so you have<br/>5 your own template for the claim form, and you can<br/>6 DocuSign that instead of, you know, signing it and<br/>7 sending it to me.<br/>8 THE CHAIR: Okay. All right. Thanks.<br/>9 Appreciate it.<br/>10 Okay. So I move that the Public Education<br/>11 Commission enter into --<br/>12 COMMISSIONER ARMBRUSTER: Karen has<br/>13 something to say, Madam Chair. She had her hand up.<br/>14 THE CHAIR: I'm sorry.<br/>15 MS. KAREN WOERNER: Don't worry. Thank<br/>16 you, Commissioner Armbruster. I just wanted to<br/>17 comment a little bit on Bev -- tapping onto Bev's<br/>18 comment about the template. Debbie has been working<br/>19 on those also. As you know, Debbie processes the<br/>20 travel forms for you.<br/>21 The templates will allow you to complete<br/>22 the form, not just sign the form in DocuSign. So<br/>23 that's going to be very useful.<br/>24 And also, I just wanted a procedural, how<br/>25 we're going to handle this exiting of this meeting</p> |

| Page 290   | Page 292  |
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| <p>1 and going into the closed session before you take a<br/>2 vote so that I don't lose somebody.<br/>3 So the intention is that I will -- if I<br/>4 understand correctly, we will leave this meeting,<br/>5 and, Bev and Alan, if you can stay there till I get<br/>6 back, at least, I will go start the other meeting<br/>7 that you-all have the link to for Closed Session,<br/>8 turn it over to Chairwoman Gipson and exit and come<br/>9 back to this meeting.<br/>10 And then when you are done, you will come<br/>11 back to this meeting.<br/>12 Are there any questions before we go on?<br/>13 (No response.)<br/>14 MS. KAREN WOERNER: Okay. Thank you. I<br/>15 just get nervous about running the show on this<br/>16 technology piece; so...<br/>17 THE CHAIR: Okay. Thank you.<br/>18 So I move that the Public Education<br/>19 Commission enter into a Closed Session, pursuant to<br/>20 NMSA Section 10-15-1(H)(7). The subject to be<br/>21 discussed is attorney-client privileged issues<br/>22 pertaining to threatened or pending litigation in<br/>23 which the public body is or may become a<br/>24 participant; specifically, Explore Academy<br/>25 Las Cruces, Rio Rancho School District vs. PED and</p> | <p>1 Commissioner Gipson?<br/>2 THE CHAIR: Yes.<br/>3 COMMISSIONER ARMBRUSTER: Commissioner<br/>4 Ruiz?<br/>5 COMMISSIONER RUIZ: Yes.<br/>6 COMMISSIONER ARMBRUSTER: Commissioner<br/>7 Caballero?<br/>8 COMMISSIONER CABALLERO: Yes.<br/>9 COMMISSIONER ARMBRUSTER: Commissioner<br/>10 Chavez?<br/>11 COMMISSIONER CHAVEZ: Yes.<br/>12 COMMISSIONER ARMBRUSTER: Commissioner<br/>13 Robbins?<br/>14 COMMISSIONER ROBBINS: Yes.<br/>15 COMMISSIONER ARMBRUSTER: Commissioner<br/>16 Davis?<br/>17 COMMISSIONER DAVIS: Yes.<br/>18 COMMISSIONER ARMBRUSTER: Commissioner<br/>19 Armbruster votes "Yes."<br/>20 Commissioner Voigt, the birthday girl?<br/>21 COMMISSIONER VOIGT: Yes.<br/>22 COMMISSIONER ARMBRUSTER: That would be<br/>23 ten-to-zero. The motion passes to go into session.<br/>24 THE CHAIR: Okay. So we're going to leave<br/>25 this meeting. You have the link for the Closed</p>   |
| <p>Page 291</p> <p>1 PEC; PED Memorandum of Understanding, and Notice of<br/>2 Proposed Rule-Making 6.80.5.<br/>3 COMMISSIONER VOIGT: I'll second.<br/>4 THE CHAIR: There is a motion by<br/>5 Commissioner Gipson, a second by Commissioner Voigt.<br/>6 Roll, please?<br/>7 COMMISSIONER ARMBRUSTER: Commissioner<br/>8 Raftery?<br/>9 COMMISSIONER RAFTERY: Yes.<br/>10 COMMISSIONER ARMBRUSTER: That's a "yes,"<br/>11 I'm assuming.<br/>12 Okay. Is Commissioner Crone still here,<br/>13 because I can never hear him?<br/>14 THE CHAIR: He's back. I just saw him.<br/>15 COMMISSIONER ARMBRUSTER: Okay. Did you<br/>16 say something, Tim, like "Yes"?<br/>17 COMMISSIONER CRONE: (Indicates.)<br/>18 COMMISSIONER ARM: I can't hear him. Can<br/>19 someone hear him?<br/>20 THE CHAIR: No. But I think what --<br/>21 Cindy's --<br/>22 COMMISSIONER CRONE: Can you hear me now?<br/>23 I voted "Yes."<br/>24 COMMISSIONER ARMBRUSTER: I'm sorry. I<br/>25 just can't hear at all.</p>   | <p>Page 293</p> <p>1 Session, so we'll see you in a minute or so.<br/>2 COMMISSIONER ARMBRUSTER: Hopefully.<br/>3 (Closed Session conducted off the record.)<br/>4 THE CHAIR: Well, there's a quorum here;<br/>5 so -- looks like Alan changed.<br/>6 COMMISSIONER VOIGT: I make a motion that<br/>7 we end Closed Session.<br/>8 THE CHAIR: I have a script for it.<br/>9 Sorry.<br/>10 COMMISSIONER CABALLERO: I make a motion<br/>11 that the Chair read the script.<br/>12 THE CHAIR: Okay.<br/>13 So I move that the Public Education<br/>14 Commission end Closed Session. The matters<br/>15 discussed in the closed meeting were limited only to<br/>16 those specified in the motion for closure, and no<br/>17 vote was taken during the Closed Session.<br/>18 COMMISSIONER VOIGT: I'll second.<br/>19 THE CHAIR: There's a motion by<br/>20 Commissioner Gipson, a second by Commissioner Voigt.<br/>21 COMMISSIONER ROBBINS: Karyl Ann is not<br/>22 on.<br/>23 THE CHAIR: Oh, she's not.<br/>24 COMMISSIONER ROBBINS: Our Secretary.<br/>25 COMMISSIONER VOIGT: Can Trish do roll</p> |

1 call?  
 2 THE CHAIR: I mean, I can do roll call. I  
 3 can see who's here.  
 4 So let's do this.  
 5 Commissioner Ruiz?  
 6 COMMISSIONER RUIZ: Yes.  
 7 THE CHAIR: Commissioner Davis?  
 8 COMMISSIONER DAVIS: Yes.  
 9 THE CHAIR: Commissioner Voigt?  
 10 COMMISSIONER VOIGT: Yes.  
 11 THE CHAIR: Commissioner Caballero?  
 12 COMMISSIONER CABALLERO: Yes.  
 13 THE CHAIR: Commissioner Robbins?  
 14 COMMISSIONER ROBBINS: Yes.  
 15 THE CHAIR: Commissioner Crone?  
 16 COMMISSIONER CRONE: Yes. Yes.  
 17 THE CHAIR: Commissioner Chavez?  
 18 COMMISSIONER CHAVEZ: Yes.  
 19 THE CHAIR: Commissioner Gipson votes  
 20 "Yes."  
 21 And that covers everyone. So the motion  
 22 passes one, two, three, four, five, six, seven,  
 23 eight. Eight-zero.  
 24 Okay. So now I will entertain a motion to  
 25 adjourn.

1 BEFORE THE PUBLIC EDUCATION COMMISSION  
 2 STATE OF NEW MEXICO  
 3  
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 5  
 6  
 7 REPORTER'S CERTIFICATE  
 8 I, Cynthia C. Chapman, RMR, CCR #219, Certified  
 9 Court Reporter in the State of New Mexico, do hereby  
 10 certify that the foregoing pages constitute a true  
 11 transcript of virtual proceedings had before the said  
 12 NEW MEXICO PUBLIC EDUCATION COMMISSION, held in the  
 13 State of New Mexico, County of Santa Fe, in the  
 14 matter therein stated.  
 15 In testimony whereof, I have hereunto set my  
 16 hand on May 30, 2020.  
 17  
 18  
 19  
 20 \_\_\_\_\_  
 21 Cynthia C. Chapman, RMR-CRR, NM CCR #219  
 22 BEAN & ASSOCIATES, INC.  
 23 201 Third Street, NW, Suite 1630  
 24 Albuquerque, New Mexico 87102  
 25 Job No.: 3817N (CC)

1 COMMISSIONER VOIGT: A motion to adjourn.  
 2 COMMISSIONER ROBBINS: Second.  
 3 THE CHAIR: All in favor?  
 4 (Commissioners so indicate.)  
 5 THE CHAIR: The meeting is closed.  
 6 Thanks, everyone.  
 7 (Proceedings in recess at 5:33 p.m.)  
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1 RECEIPT  
 2 JOB NUMBER: 3817N CC Date: May 22, 2020  
 3 PROCEEDINGS: VIRTUAL OPEN PUBLIC MEETING  
 4 CASE CAPTION: In re: Public Meeting of the Public  
 5 Education Commission  
 6 \*\*\*\*\*  
 7 ATTORNEY: MS. BEVERLY FRIEDMAN - PED  
 8 DOCUMENT: Transcript / Exhibits / Disks / Other \_\_\_\_\_  
 9 DATE DELIVERED: \_\_\_\_\_ DEL'D BY: \_\_\_\_\_  
 10 REC'D BY: \_\_\_\_\_ TIME: \_\_\_\_\_  
 11 \*\*\*\*\*  
 12 ATTORNEY:  
 13 DOCUMENT: Transcript / Exhibits / Disks / Other \_\_\_\_\_  
 14 DATE DELIVERED: \_\_\_\_\_ DEL'D BY: \_\_\_\_\_  
 15 REC'D BY: \_\_\_\_\_ TIME: \_\_\_\_\_  
 16 \*\*\*\*\*  
 17 ATTORNEY:  
 18 DOCUMENT: Transcript / Exhibits / Disks / Other \_\_\_\_\_  
 19 DATE DELIVERED: \_\_\_\_\_ DEL'D BY: \_\_\_\_\_  
 20 REC'D BY: \_\_\_\_\_ TIME: \_\_\_\_\_  
 21 \*\*\*\*\*  
 22 ATTORNEY:  
 23 DOCUMENT: Transcript / Exhibits / Disks / Other \_\_\_\_\_  
 24 DATE DELIVERED: \_\_\_\_\_ DEL'D BY: \_\_\_\_\_  
 25 REC'D BY: \_\_\_\_\_ TIME: \_\_\_\_\_

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