

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

OPEN PUBLIC MEETING

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CONDUCTED VIA VIDEO TELECONFERENCE

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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 PED STAFF:</p> <p>14 MS. KAREN WOERNER, Deputy Director</p> <p>15 Options for Parents and Families</p> <p>16 MS. BEVERLY FRIEDMAN, Custodian of Record,</p> <p>17 Liaison to the PEC</p> <p>18 PEC COUNSEL:</p> <p>19 AMI JAEGER, ESQ.</p> <p>20 MARK CHAIKEN, ESQ.</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	4
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2	<p>1 THE CHAIR: Okay. I am going to call to</p> <p>2 order this meeting of the Public Education</p> <p>3 Commission. It is Friday, October 23rd, 2020, and</p> <p>4 it is 9:04 a.m.</p> <p>5 So, Commissioner Ruiz, would you do roll,</p> <p>6 please?</p> <p>7 COMMISSIONER RUIZ: Yes.</p> <p>8 Commissioner Voigt?</p> <p>9 COMMISSIONER VOIGT: Present.</p> <p>10 COMMISSIONER RUIZ: Commissioner Gipson?</p> <p>11 THE CHAIR: Here.</p> <p>12 COMMISSIONER RUIZ: Commissioner Davis?</p> <p>13 COMMISSIONER DAVIS: Here.</p> <p>14 COMMISSIONER RUIZ: Commissioner Crone?</p> <p>15 COMMISSIONER CRONE: Here.</p> <p>16 COMMISSIONER RUIZ: Commissioner Raftery?</p> <p>17 Commissioner Raftery, I think you're muted.</p> <p>18 COMMISSIONER RAFTERY: Sorry. I'm here.</p> <p>19 COMMISSIONER RUIZ: Commissioner Chavez?</p> <p>20 COMMISSIONER CHAVEZ: Present.</p> <p>21 COMMISSIONER RUIZ: Commissioner</p> <p>22 Caballero?</p> <p>23 COMMISSIONER CABALLERO: Presente.</p> <p>24 COMMISSIONER RUIZ: Commissioner Ruiz is</p> <p>25 here.</p>	5

6	<p>1 take a moment and pause.</p> <p>2 I was notified earlier this week of the</p> <p>3 passing of former Commissioner and Chair of the</p> <p>4 Public Education Commission, Vince Bergman. So I</p> <p>5 would just like to extend the condolences to Vince</p> <p>6 and Vince's wife and two sons.</p> <p>7 Vince was an incredibly hard worker. He</p> <p>8 was on the Executive Committee when I started on the</p> <p>9 Commission, and I certainly learned a tremendous</p> <p>10 amount from my experience of being able to spend</p> <p>11 time with him. So I want to recognize all the work</p> <p>12 that Commissioner Bergman did for the children in</p> <p>13 New Mexico.</p> <p>14 So that being said, we're moving on to</p> <p>15 Item No. 2, which is the Approval of the Agenda.</p> <p>16 And the -- I have two changes to make: to remove,</p> <p>17 off of 5-B, No. 2; we do have all the paperwork in</p> <p>18 from them; and also remove Item No. 7.</p> <p>19 COMMISSIONER RUIZ: Madam Chair, I make a</p> <p>20 motion to approve the agenda with the removal of</p> <p>21 Item 5-B, Item 2, and No. 7.</p> <p>22 COMMISSIONER CHAVEZ: Second.</p> <p>23 THE CHAIR: There's a motion by</p> <p>24 Commissioner Ruiz, a second by Commissioner Chavez.</p> <p>25 All in favor?</p>	8	<p>1 Robbins?</p> <p>2 COMMISSIONER ROBBINS: Yes.</p> <p>3 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>4 Voigt?</p> <p>5 COMMISSIONER VOIGT: Yes.</p> <p>6 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>7 Caballero?</p> <p>8 COMMISSIONER CABALLERO: Yes.</p> <p>9 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>10 Armbruster votes "Yes."</p> <p>11 Commissioner Crone?</p> <p>12 COMMISSIONER CRONE: Yes.</p> <p>13 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>14 Davis?</p> <p>15 COMMISSIONER DAVIS: Yes.</p> <p>16 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>17 Raftery?</p> <p>18 COMMISSIONER RAFTERY: Yes.</p> <p>19 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>20 Chavez?</p> <p>21 (Dog barks.)</p> <p>22 COMMISSIONER CHAVEZ: Yes.</p> <p>23 COMMISSIONER CABALLERO: That's a "Yes."</p> <p>24 COMMISSIONER ARMBRUSTER: I'm sorry,</p> <p>25 Michael.</p>
7	<p>1 (Commissioners so indicate.)</p> <p>2 THE CHAIR: Hearing no opposition, the</p> <p>3 motion passes.</p> <p>4 We are on to Item No. 3, which is Open</p> <p>5 Forum. And I'm not sure -- I don't think anyone</p> <p>6 signed up.</p> <p>7 MS. FRIEDMAN: No one has signed up.</p> <p>8 THE CHAIR: No. Okay.</p> <p>9 So we are now on to Item No. 4, which is</p> <p>10 the Consent Agenda -- approval of the Consent</p> <p>11 Agenda.</p> <p>12 And I am going to ask for two changes on</p> <p>13 that; and that is to remove 4-B-1-b and also 5-A.</p> <p>14 THE CHAIR: Madam Chair, I move that we</p> <p>15 approve the Consent Agenda with removal of 4-B-1-b,</p> <p>16 5-A.</p> <p>17 COMMISSIONER CHAVEZ: Second.</p> <p>18 THE CHAIR: There's a motion by</p> <p>19 Commissioner Ruiz and a second by Commissioner</p> <p>20 Chavez.</p> <p>21 Roll, please?</p> <p>22 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>23 Ruiz?</p> <p>24 COMMISSIONER RUIZ: Yes.</p> <p>25 COMMISSIONER ARMBRUSTER: Commissioner</p>	9	<p>1 Commissioner Gipson?</p> <p>2 THE CHAIR: Yes.</p> <p>3 COMMISSIONER ARMBRUSTER: Ten-zero. The</p> <p>4 motion passes.</p> <p>5 THE CHAIR: Motion passes, ten-zero.</p> <p>6 Thank you.</p> <p>7 We are now on to Item No. 5, which is</p> <p>8 Report from Options for Parents and the Charter</p> <p>9 School Division.</p> <p>10 MS. KAREN WOERNER: Thank you,</p> <p>11 Madam Chair. Good morning, Commissioners.</p> <p>12 So is it okay if I share my screen for the</p> <p>13 reentry status update?</p> <p>14 THE CHAIR: Sure.</p> <p>15 MS. KAREN WOERNER: So I think the big</p> <p>16 item, of course, on everyone's mind is what's</p> <p>17 happening with reentry to the schools. So in your</p> <p>18 packet on Page -- I'm sorry; lost it -- Page 169 --</p> <p>19 are you seeing my Excel spreadsheet with the colors?</p> <p>20 Okay. So, basically, what I've been</p> <p>21 tracking is with all the charter schools what county</p> <p>22 they're located and what grade levels they serve and</p> <p>23 when they anticipate opening in hybrid.</p> <p>24 We also collected small groups with</p> <p>25 students with disabilities that are coming in on a</p>

<p style="text-align: right;">10</p> <p>1 five-to-one ratio and small groups for the 2 pre-K-to-3 students in a five-to-one ratio. 3 So on Page 169 your packet, you will see 4 that the green colors are the schools that have 5 opened in hybrid. And I have been color-coding the 6 county colors as it changes. And as you know, most 7 recently, we had a drastic increase across the 8 state; so many of our counties are orange or red. 9 And then in the grade levels served, as 10 you know, middle and high school are not yet allowed 11 to open in hybrid. Those are red here. This is a 12 date they anticipate opening. So you can see that 13 many of them have decided to wait until January, if 14 we're able at that time. 15 Others that are in yellow, I'm still 16 waiting to see. They kind of want to open, but it's 17 dependent on the gating criteria and the 18 circumstances. 19 You may know, Commissioners, that the 20 guidance is that if you were in a green county at 21 the time of the start of September, you were able to 22 open. So in some cases, schools are open that are 23 now in orange. I don't think we have any that are 24 open in a red county at this time. 25 But if the school -- the guidance was that</p>	<p style="text-align: right;">12</p> <p>1 MS. KAREN WOERNER: I know the Commission 2 likes colors. But it does help me track and see 3 that schools that have the red or orange are not 4 really able to open if they haven't already. So it 5 helps me to track what's going on. And as I said, 6 it's in your packet. 7 The other things I wanted to discuss, as 8 you know, is the renewal hearings are coming up. We 9 just -- the Commission, at the work session 10 yesterday, discussed this. But I will be e-mailing 11 all of the schools with their assigned day and 12 approximate time for their renewal hearings in 13 December, and, of course, the plan and the number of 14 minutes allowed for their hearing itself. 15 So I did make the adjustments as shared at 16 the work session yesterday and just wanted that to 17 be here in your packet. That's Page 171. 18 We also talked about all of our 19 State-authorized schools and the various contract 20 versions that they're on. And that's also here on 21 Page 172. All of these schools on the former 22 contract will be renewing or up for renewal this 23 year. So I'm looking forward to having everyone on 24 the newer version of the contract, or the latest 25 versions of the contract.</p>
<p style="text-align: right;">11</p> <p>1 they didn't want schools to open and close and open 2 and close. So once opened, barring any extenuating 3 circumstances, they're allowed to stay open in 4 hybrid mode. 5 And you can see here that we have one, 6 two, three, four, five, six, seven, eight, nine, 7 ten, eleven schools now open in hybrid model, all of 8 them serving elementary grades. 9 I just wanted the Commission to be aware 10 of that. And as the colors change for counties, I 11 update this chart. There is a link at the bottom of 12 the page if you want to look at it at any time. But 13 this is how it stands as of today. 14 Do the Commissioners have any questions 15 about the reentry or anything on this Page 169 and 16 170? 17 THE CHAIR: Sorry to interrupt. We need 18 the report to reflect that Commissioner -- wait -- 19 just got back in. Thanks. 20 Commissioners, any questions? 21 COMMISSIONER RUIZ: No questions. Just a 22 comment. 23 Thank you, Karen, for the work on this. 24 And thank you for the color coding. Boy, that's 25 helpful. Thank you. Love the color coding.</p>	<p style="text-align: right;">13</p> <p>1 I do want to share with you that we have 2 been conducting -- the team has been conducting the 3 renewal site visits and the stakeholder interviews. 4 The renewal -- we finished six schools and have 5 three -- no, sorry. Finished five. One is 6 happening today, and we'll be finishing next week on 7 the other two. 8 We're doing in-person visits initially and 9 doing the annual visit at the same time, which is 10 our normal practice. But due to the changes in the 11 State circumstances and some requests from schools, 12 the last three schools will be doing everything 13 virtually. 14 To be clear, the stakeholder interviews, 15 which could have been large groups, were all done 16 virtually for large schools. We scheduled those 17 through Zoom. So we had two team members working 18 from their offices doing the stakeholder interviews 19 with the parents, students, staff, and the governing 20 board members for every school. 21 And the -- and two members were either 22 visiting the team -- visiting the school to go 23 through all the files and the things that we needed 24 to check on in person, except for the last three 25 schools which will be done virtually.</p>

<p style="text-align: right;">14</p> <p>1 That does mean that we will have to 2 visit -- see what happens in the spring. We do have 3 to visit those other three schools again to do an 4 annual visit. We are planning that annual visit for 5 spring semester as if we were doing them in person, 6 hoping that we'll be able to.</p> <p>7 If that is not -- able to do that, we'll 8 have to come up with a plan as to how we will 9 conduct a good site visit virtually for the annual 10 visits for all the schools.</p> <p>11 And I also wanted to share -- the other 12 news, I wanted to share a big project that's going 13 on. I know Commissioner Robbins is certainly 14 familiar, because PSCOC has supported this project.</p> <p>15 But last year, I shared with you all that 16 the PSFA, through the Broadband -- Broadband 17 Deficiency Correction Program, BDCP, was working 18 with a charter school pilot last year to get more 19 charter schools to take advantage of what's called 20 E-Rate.</p> <p>21 For those of you who aren't familiar with 22 E-Rate, it's education rate for discounts on 23 technology, infrastructure, internet connectivity. 24 And, basically, it's cents on the dollar for 25 connectivity and upgrade to your infrastructure for</p>	<p style="text-align: right;">16</p> <p>1 of the charter schools that -- I guess it spilled 2 over onto another page; sorry about that -- but the 3 charter schools that took advantage and received 4 funding for what's called Category 1, which is the 5 Internet access piece, and the Category 2, which is 6 the network equipment. So you can see that the work 7 last year was pretty successful in getting several 8 State charter schools, the ones in yellow, to get 9 some better access and better equipment at a reduced 10 price.</p> <p>11 And we do already have -- we've started 12 now -- due to that success, we are working on this 13 year's group. We had a kickoff earlier this month 14 and invited all charter school leaders. It was 15 attended by 50 different charter schools; so that's 16 both State and local.</p> <p>17 And so far, these are the schools that 18 have been -- reached out to PSFA to participate this 19 year. And you can see that there are several State 20 charter schools on that list as well.</p> <p>21 So I'm really pleased and appreciative of 22 PSFA and the PSCOC for making this available to our 23 charter schools. And for those charter schools who 24 haven't yet gotten on board and would like to have a 25 free technology needs assessment, they need to just</p>
<p style="text-align: right;">15</p> <p>1 connecting to the Internet.</p> <p>2 So it's a difficult -- it's not difficult; 3 but it is -- has a lot of requirements and deadlines 4 and forms that have to be submitted and a certain 5 process that has to be followed, and it's a lot of 6 work. So charter schools haven't really 7 participated in the past, partly due to the amount 8 of work maybe wasn't deemed to be worth the effort.</p> <p>9 But what's happening now is the PSFA, and 10 funded with monies from the PSCOC, are providing -- 11 they did an RFP for an E-Rate consultant, and they 12 are working with DoIT also. And what's available to 13 the schools is a free needs assessment, a review of 14 their Internet bills and what they're paying and 15 what kind of connection they have, how much 16 bandwidth they have, as well as a needs assessment 17 at the school of their equipment.</p> <p>18 And then from there, the E-Rate consultant 19 helps them to do the forms and do the appropriate 20 procurement to get improved Internet connection, 21 sometimes even at a lesser cost than they were 22 paying for a less service, as well as upgraded 23 equipment, routers, switches, access points, 24 et cetera.</p> <p>25 So last year, what you see here is a list</p>	<p style="text-align: right;">17</p> <p>1 contact PSFA, Ruth Bingham, and they will conduct a 2 meeting. And Chris Martinez is going out to all the 3 schools and reviewing their equipment and helping 4 them.</p> <p>5 So I really just wanted to share that with 6 all of you and am really pleased with this project; 7 so...</p> <p>8 COMMISSIONER ROBBINS: Madam Chair, could 9 I just add?</p> <p>10 THE CHAIR: Yes.</p> <p>11 COMMISSIONER ROBBINS: I just wanted to 12 add, in the past, there was a misconception of the 13 type of equipment if you were in a leased facility; 14 because, obviously, you can't make capital 15 improvements to the building to provide the service. 16 But there's a lot of equipment that's portable that 17 you can move, servers, routers, things like that, 18 things that will amplify your signal so that you can 19 spread it out throughout the building. Those things 20 are portable, so those things are eligible for this.</p> <p>21 So I think what Karen has mentioned with 22 the access and the ability of this consultant to 23 come in, they can assess what can be done. And, 24 like she said, it's cents on the dollar to buy this 25 equipment, to make these upgrades, to provide this</p>

<p style="text-align: right;">18</p> <p>1 service in these charter schools.  2 So I would encourage those that haven't to  3 take advantage and to contact PSFA.  4 Thank you.  5 MS. KAREN WOERNER: Yes. And when  6 Commissioner Robbins says "cents on the dollar," the  7 discount rate is based on your Free and Reduced  8 Lunch counts and can be as much as 90 percent of the  9 amount. So it is worthwhile, and especially with  10 support to help learn the system and how to process  11 the forms and get it all completed legally. So very  12 appreciative of that.  13 So also I think you may have noticed in  14 our newsletter. We shared this -- October  15 newsletter from the division, we shared some  16 information on technology. One of them is this what  17 I was just discussing and that kickoff meeting we  18 had at the beginning of the month.  19 The other one is another service I wanted  20 to share with you, that schools can get free Wi-Fi  21 extenders in their parking lots that's beyond -- you  22 know, a lot of schools, especially now with the  23 remote learning, some folks were -- with limited  24 access are going to libraries or to the school to  25 use their access -- wireless access at the facility.</p>	<p style="text-align: right;">20</p> <p>1 license. It's now been issued. So we now have  2 everything that we need.  3 In the interim, they did have Al Martinez,  4 which, some of you may know, serves another school.  5 He was filling in to help them as they transition.  6 But everything is all set now.  7 For DEAP, I did -- as you know, this has  8 been on the agenda for several months. I did speak  9 to the head administrator yesterday, who said that  10 the board was meeting last night and that they are  11 working on improving their processes and were going  12 to get all the forms in to us. But we have not yet  13 received those. Do you want me to --  14 THE CHAIR: Right.  15 MS. KAREN WOERNER: -- discuss that?  16 THE CHAIR: So I think at this point in  17 time, just to keep the school on task in making sure  18 that they move quicker in developing these better  19 processes and that they understand that there is  20 really this critical timeline, we've held other  21 schools accountable in the meantime with letters  22 because they haven't provided their paperwork in a  23 timely fashion. And we've extended for months a  24 little bit more grace to DEAP.  25 And I think at this point in time, just to</p>
<p style="text-align: right;">19</p> <p>1 This project here is available to all  2 schools. Just need to fill out a form online, and  3 they'll come out and put in, free of charge, a Wi-Fi  4 outdoor Wireless Access Point that will make it  5 easier for folks to connect.  6 They install it. They connect it to your  7 existing service. And, as I said, it's free. It's  8 available -- this group is basically technology  9 experts who are responding to crisis situations.  10 And due to the COVID, we have disaster recovery  11 needed everywhere.  12 So they're here to do this work, and then  13 they move on to other states. If schools need this  14 or haven't taken advantage of it, I encourage them  15 to do so and wanted the Commission to be aware of  16 this option available to folks, particularly given  17 the technology challenges we're having with remote  18 learning.  19 And I think with that, I think that covers  20 the update for me for today.  21 And moving on to the amendment concerns,  22 as Chairwoman Gipson shared earlier, Monte del Sol  23 did get all of their business manager paperwork  24 submitted to us. Part of it had to do with their  25 business manager they selected did not yet have her</p>	<p style="text-align: right;">21</p> <p>1 make sure that their feet are to the fire a little  2 bit more, I think it is appropriate for a Letter of  3 Concern to go to them so that they know they need to  4 respond within that more timely fashion.  5 MS. KAREN WOERNER: So, Madam Chair, Ami  6 will take care of the Letter of Concern; is that  7 correct?  8 THE CHAIR: I do believe we have to  9 vote --  10 MS. KAREN WOERNER: Oh, sorry.  11 THE CHAIR: -- to send the Letter of  12 Concern.  13 MS. KAREN WOERNER: I see.  14 MS. AMI JAEGER: So this is Ami. I just  15 want to maybe remind people that on the intervention  16 ladder, in order to send a Letter of Concern and  17 Notice of Concern, it has to be properly noticed at  18 a meeting. And so what we did last month, remember,  19 we had provided a notice to a school, and then we  20 sent them interim documents; but we gave them time  21 to appear to present their side of the story.  22 So I'm just wondering if the Commission  23 wants to acknowledge that it raises -- the issue  24 raises to the point of Notice of Concern, but that  25 we should put it on the agenda for next month for</p>

<p style="text-align: right;">22</p> <p>1 proper notice.</p> <p>2 THE CHAIR: I thought when we -- when we</p> <p>3 discussed this when we were doing the agenda, that</p> <p>4 it was okay, because it says, "Discussion and</p> <p>5 Possible Action" in the -- on the agenda for the</p> <p>6 concerns.</p> <p>7 MS. AMI JAEGER: All right. I'm fine with</p> <p>8 that.</p> <p>9 THE CHAIR: You know, I think Karen has</p> <p>10 communicated with them. And Karen actually did</p> <p>11 communicate to them the fact that a letter may be</p> <p>12 coming.</p> <p>13 MS. AMI JAEGER: Okay.</p> <p>14 THE CHAIR: So -- and, Karen, let me just</p> <p>15 double-check. Did you also mention that if they're</p> <p>16 having any difficulties with the notary, that Ami</p> <p>17 had offered to try to work that out for them?</p> <p>18 MS. KAREN WOERNER: Madam Chair, yes, I</p> <p>19 did, and that was sent via e-mail --</p> <p>20 THE CHAIR: Okay.</p> <p>21 MS. KAREN WOERNER: -- a week -- or</p> <p>22 earlier this week after our discussion at the</p> <p>23 executive -- our check-in last week. And so I did</p> <p>24 offer that and gave Ami's e-mail and phone number.</p> <p>25 I did not hear back from the school till,</p>	<p style="text-align: right;">24</p> <p>1 THE CHAIR: It's been on the agenda for</p> <p>2 several months as well.</p> <p>3 COMMISSIONER CABALLERO: Yes, it's in the</p> <p>4 agenda, Madam Chair. And to me, that's not enough.</p> <p>5 THE CHAIR: Okay.</p> <p>6 COMMISSIONER CABALLERO: Still, just</p> <p>7 conversations, "I said," "She said," "I called,"</p> <p>8 "They said yes." She did mention right now she has</p> <p>9 an e-mail, well, let's see it. That's all I'm</p> <p>10 saying. I want to see something so that we're</p> <p>11 standing on solid ground to some extent, other than</p> <p>12 just "I converse" and all this stuff. Thank you.</p> <p>13 COMMISSIONER VOIGT: Madam Chair, I agree,</p> <p>14 because I think maybe that's why this has been so</p> <p>15 prolonged is we haven't had anything verifiable.</p> <p>16 But I think, also -- would it be -- I think because</p> <p>17 this has extended for so many months, there's some</p> <p>18 refresher that's needed about this whole situation,</p> <p>19 at least for me.</p> <p>20 I need more follow-up about what are the</p> <p>21 exact items that are of concern and what are --</p> <p>22 what's Karen waiting for from the school?</p> <p>23 THE CHAIR: They're waiting for the</p> <p>24 paperwork for the changes in the governance council.</p> <p>25 And I do believe that Dolores has -- you know,</p>
<p style="text-align: right;">23</p> <p>1 like I said, last night. And I did share with her</p> <p>2 that it was possible that the Commission could vote</p> <p>3 for a Letter of Concern and explained what that</p> <p>4 meant to them, that, really, it would mean that</p> <p>5 she -- the school needs to get that documentation</p> <p>6 in, and then it would go back to good standing after</p> <p>7 that.</p> <p>8 COMMISSIONER CABALLERO: Madam Chair?</p> <p>9 So the e-mail is the only thing that we</p> <p>10 can show besides the conversations that -- that</p> <p>11 there's been dialogue back and forth. I don't want</p> <p>12 to get caught in, "No, she didn't say that," "No,</p> <p>13 that wasn't the conversation."</p> <p>14 So if there is some e-mails, I think we</p> <p>15 need to see them before we vote on sending them a</p> <p>16 Letter of Concern, because that's -- that's the step</p> <p>17 that we need to make sure that it's not just</p> <p>18 conversations.</p> <p>19 And back in the day, when we were --</p> <p>20 before we had this new staff, Division staff, we</p> <p>21 would get a lot of stuff, just conversations, and</p> <p>22 charter schools would come back and say, "No, that</p> <p>23 never happened."</p> <p>24 So I want to make sure we have something</p> <p>25 in writing, some -- something so that --</p>	<p style="text-align: right;">25</p> <p>1 that's not Karen's job to make sure that all that</p> <p>2 paperwork -- it goes to another Charter School</p> <p>3 Division staff member; I believe it's Dolores.</p> <p>4 So I know they've been communicated to</p> <p>5 that they're -- that they're missing that paperwork</p> <p>6 and they've been missing that paperwork literally</p> <p>7 for -- for months now. But it is -- it is the</p> <p>8 complete notification packet for the change in</p> <p>9 governance council membership that's been missing.</p> <p>10 COMMISSIONER VOIGT: That's the only</p> <p>11 thing?</p> <p>12 THE CHAIR: And I'm not going to diminish</p> <p>13 it by saying that's the only thing.</p> <p>14 COMMISSIONER VOIGT: Oh, okay.</p> <p>15 THE CHAIR: All the schools are asked --</p> <p>16 are required to provide the same notification.</p> <p>17 COMMISSIONER VOIGT: Right. Right. Okay.</p> <p>18 MS. KAREN WOERNER: So, Madam Chair --</p> <p>19 THE CHAIR: So we have sent letters to</p> <p>20 other schools because they've been seriously late</p> <p>21 in -- in that notification.</p> <p>22 But I'll leave it to the Commission if</p> <p>23 they wish to wait until -- it's going to be December</p> <p>24 now, because we don't have a November meeting.</p> <p>25 COMMISSIONER RUIZ: Madam Chair, just a</p>

26	<p>1 couple of things. So this has been an issue for 2 many, many, many months. And it has been discussed, 3 and we keep rolling it back, and we keep rolling is 4 it back, and we keep rolling it back.</p> <p>5 My concern is that we are setting a 6 precedent that these are the established guidelines; 7 this is what we're requiring of schools. And if we 8 continue to let this go back and just keep rolling 9 on and rolling -- like you said, we don't even meet 10 in November. So now we're pushing it to a December 11 vote.</p> <p>12 I -- personally, I know that Karen has 13 communicated that, whether we've seen the e-mails 14 offer not. I have no reason to doubt that those 15 communications have taken place. And I do not think 16 that by moving that back another month, it is doing 17 justice to the Commission, nor to the school: To 18 the Commission, because it's setting a precedent 19 that we're going to bend; you know, we're going to 20 keep moving declines. And, for the school because, 21 you know, everybody has deadlines. We all have 22 deadlines we have to meet.</p> <p>23 I -- I think that we should proceed.</p> <p>24 COMMISSIONER ARMBRUSTER: Madam Chair? 25 COMMISSIONER ROBBINS: I agree.</p>	28	<p>1 COMMISSIONER VOIGT: Real quick, before we 2 go into the motion, I just want to be clear that the 3 only document Karen is waiting on is their governing 4 board notification documents about membership 5 change; is that it?</p> <p>6 THE CHAIR: Correct.</p> <p>7 COMMISSIONER VOIGT: Okay.</p> <p>8 MS. KAREN WOERNER: Madam Chair? 9 THE CHAIR: I'm sorry. Karen?</p> <p>10 MS. KAREN WOERNER: I just wanted to 11 respond to Commissioner Caballero. I am happy to 12 share the e-mails. I don't know that we should 13 share them here. But I'm happy to e-mail them to 14 the governing board -- I mean to the Commissioners.</p> <p>15 But I want you to know that Chairwoman 16 Gipson described the process accurately. Dolores 17 e-mails, regularly, many schools to get the 18 documents submitted in time and repeatedly 19 e-mails -- I don't have those handy. But I did 20 look. I e-mailed the school -- I usually step in 21 only when it becomes a repeat problem.</p> <p>22 And I did e-mail the school -- I found 23 two. One was September 11th -- no, excuse me -- 24 September 10th regarding the meeting in September, 25 that they -- about this issue and what they needed</p>
27	<p>1 THE CHAIR: Commissioner Armbruster? 2 COMMISSIONER ARMBRUSTER: I'm sorry. I 3 can't see anything with this screen.</p> <p>4 But, yes, I want to agree with 5 Commissioner Ruiz, in that we're not closing the 6 school. We're not taking some drastic action. 7 We're simply following up with a letter that's been 8 in the minutes for several months, because we've 9 talked about it. And I think Ms. Jaeger has already 10 offered to do the notary, which is we had great 11 concern about that, in that area, to be able to find 12 someone.</p> <p>13 So I think that this is just a letter. 14 This is not closing your school; this is not taking 15 away your money. It's not doing anything like that. 16 It's just basically putting it on paper to do it.</p> <p>17 And I think it needs to be done sooner 18 rather than later. And you know what? If the 19 letter comes in, and they go through the notary 20 process next week, it's done. It's over. It's not 21 lingering on.</p> <p>22 So my vote would be for us to get it over 23 with and not let things just drag on and -- 24 THE CHAIR: We need a motion. 25 COMMISSIONER ARMBRUSTER: Okay. So --</p>	29	<p>1 to submit.</p> <p>2 I got a response about their new process. 3 And then I submitted an e-mail on Tuesday with a 4 list and links to everything, again saying that we 5 needed the governing board change form, the 6 statement to consult, the affidavit, the assurances 7 document, the evidence that they were -- the member 8 was voted on back in May or June, the resignation 9 that happened last February.</p> <p>10 And so I just think it's a lack of 11 follow-through and appreciate your concerns here.</p> <p>12 COMMISSIONER CABALLERO: Well, you know, I 13 have to say that we've gone through many appeals, 14 and we've lost because it's just talk, talk, talk, 15 and nothing in writing, and it's just a letter -- 16 it's just a little issue.</p> <p>17 Well, I can say it's just a little bit of 18 time. I think that we have to be more cognizant of 19 showing and confirming what we're saying, especially 20 when we're issuing out Letters of Concern.</p> <p>21 And in the steps that we set up, we set up 22 those steps in recognition of the problems we've had 23 in the past.</p> <p>24 MS. KAREN WOERNER: I can't hear, 25 Commissioner. Can you --</p>

30	<p>1 COMMISSIONER CABALLERO: It's not right 2 now, "Well, we've been talking about it for many 3 months." Well -- 4 MS. KAREN WOERNER: I can't hear 5 Commissioner Caballero -- 6 COMMISSIONER ARMBRUSTER: I can. 7 COMMISSIONER CABALLERO: -- get us some 8 hard evidence and e-mails to back it up, and all 9 those funds. Here we are -- 10 THE CHAIR: Commissioner Caballero? 11 COMMISSIONER CABALLERO: -- give that 12 evidence. And so I'm not going to -- I'm not going 13 to vote for it, Commissioners. I think it's -- it's 14 a mistake to not wait for -- for whatever we're 15 waiting for and because we're anxious. 16 There is no precedence that we're setting. 17 This is a time of COVID. And that's -- that's my 18 position. I just need to be comfortable. 19 And in the past, we had to take in a lot 20 of what was said as -- as the gospel truth. And it 21 turned out not to be so. 22 And I'm not accusing this present staff of 23 anything. But I can only remember the past and say, 24 "No, that's not right." 25 And so that's where I stand.</p>	32	<p>1 least will be a lawyer's eye on it from a due 2 process perspective. 3 COMMISSIONER VOIGT: Madam Chair, I want 4 to say -- thanks for that request to include 5 documents in our SharePoint pre-meeting. I think 6 that would be helpful. 7 I think -- this is just a procedural step. 8 And I think it will help, given that this has been 9 drawn out for so long. I think that procedurally 10 this is something that needs to be done. And it's 11 nothing that -- I don't think it's a high-stakes 12 step. It's something that really is supporting and 13 encouraging the school just to -- to remain 14 excellent. So that's how I see it. 15 THE CHAIR: Yeah. If this is the little 16 nudge that someone needs, then, you know, we're 17 giving them that little nudge; so... 18 COMMISSIONER ROBBINS: Madam Chair, I'd 19 like to make a motion that the legal representative 20 for the Commission review correspondence and draft a 21 Letter of Concern to DEAP. 22 COMMISSIONER VOIGT: I'll second. 23 THE CHAIR: There's a motion by 24 Commissioner Robbins, a second by Commissioner 25 Voigt.</p>
31	<p>1 THE CHAIR: In the future, if we could, 2 when this is an issue, is there some way that you 3 could just easily populate a checklist that would 4 simply outline the communications that have occurred 5 with the school regarding this, and that can go into 6 our packet so that Commissioners are clearer on how 7 many touches have been made with the school before 8 it's come to this? 9 MS. AMI JAEGER: Madam Chair? 10 COMMISSIONER VOIGT: Madam Chair? 11 MS. AMI JAEGER: Madam Chair, could I -- 12 THE CHAIR: Hold on. Hold on. Ami? 13 MS. AMI JAEGER: Could I please offer that 14 since I will be tasked with drafting the letter, 15 that CSD send me all the e-mails, regardless of who 16 sent it, on this issue so that I can review it 17 first. 18 I mean, I was unaware -- while Karen had 19 my permission to offer my staff services around 20 remote notary, which I'm happy to facilitate, I 21 didn't -- I was not copied on those e-mails. I had 22 no idea what happened. 23 So why don't I get all of the e-mails? I 24 will look them over as part of this process for 25 preparing the Letter of Concern so that there at</p>	33	<p>1 Any further discussion? 2 If not, roll, please? 3 COMMISSIONER ARMBRUSTER: Commissioner 4 Davis? 5 COMMISSIONER DAVIS: Yes. 6 COMMISSIONER ARMBRUSTER: Commissioner 7 Chavez? 8 COMMISSIONER CHAVEZ: Yes. 9 COMMISSIONER ARMBRUSTER: Commissioner 10 Robbins? 11 COMMISSIONER ROBBINS: Yes. 12 COMMISSIONER ARMBRUSTER: Commissioner 13 Gipson? 14 THE CHAIR: Yes. 15 COMMISSIONER ARMBRUSTER: Commissioner 16 Armbruster votes "Yes." 17 Commissioner Voigt? 18 COMMISSIONER VOIGT: Yes. 19 COMMISSIONER ARMBRUSTER: Commissioner 20 Crone? 21 COMMISSIONER CRONE: Yes. 22 COMMISSIONER ARMBRUSTER: Commissioner 23 Caballero? 24 COMMISSIONER CABALLERO: No. 25 COMMISSIONER ARMBRUSTER: Commissioner</p>

<p style="text-align: right;">34</p> <p>1 Ruiz?</p> <p>2 COMMISSIONER RUIZ: Yes.</p> <p>3 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>4 Raftery?</p> <p>5 COMMISSIONER RAFTERY: Yes.</p> <p>6 COMMISSIONER ARMBRUSTER: It's a</p> <p>7 nine-to-one vote, and the motion passes.</p> <p>8 THE CHAIR: Thank you. The motion passed,</p> <p>9 nine-one.</p> <p>10 MS. KAREN WOERNER: And so the last thing</p> <p>11 on my report is highlights and appreciations.</p> <p>12 I think I've already given one</p> <p>13 appreciation that is really for PSFA this month, a</p> <p>14 video who directs that group that's working on this</p> <p>15 project, Ruth Bingham, Jerry Smith, Chris Martinez.</p> <p>16 I'm just really thankful for the work they're doing.</p> <p>17 They're meeting hour-long meetings with the charter</p> <p>18 schools that are interested and following up with</p> <p>19 those needs assessments for technology. I'm very</p> <p>20 thankful for that project and that group.</p> <p>21 And also I neglected to mention earlier</p> <p>22 that another thing PED is doing is some virtual site</p> <p>23 visits with the schools that are doing hybrid</p> <p>24 learning. So some of our schools, as you saw on the</p> <p>25 chart earlier, are open in hybrid learning; so we're</p>	<p style="text-align: right;">36</p> <p>1 Commission, in making it clear that, really, it's</p> <p>2 those compliance issues, health and safety concerns,</p> <p>3 students' rights issues, those are the -- those are</p> <p>4 the areas that fall within the performance</p> <p>5 framework, academic, organizational, that come to</p> <p>6 us.</p> <p>7 And, unfortunately, it is impossible to</p> <p>8 filter out all the other complaints. I mean, they</p> <p>9 come. Anyone who's been involved with the school in</p> <p>10 any capacity knows that people call board members;</p> <p>11 they call the administrative offices. People just</p> <p>12 feel -- sometimes they just need to do that to do</p> <p>13 that.</p> <p>14 And there's very little that we can do,</p> <p>15 and it is unfortunate that it is often very</p> <p>16 unsatisfying for the caller.</p> <p>17 But the bottom line is schools have the</p> <p>18 authority and should be handling -- 99.9 percent of</p> <p>19 the concerns, they should be handling in-house.</p> <p>20 And I think perhaps if there's too many</p> <p>21 concerns being reraised to them, maybe it'll make --</p> <p>22 make them reflect on their own process, and maybe</p> <p>23 there's something wrong with their process that</p> <p>24 they're not hearing people appropriately and people</p> <p>25 don't feel like they're being heard.</p>
<p style="text-align: right;">35</p> <p>1 doing virtual site visits for one hour with all</p> <p>2 schools in the state that are open in hybrid.</p> <p>3 So I think there's about 80 schools that</p> <p>4 are actually open. And different PED staff are</p> <p>5 assigned to do a one-hour virtual site visit to</p> <p>6 follow up on how things are going, how they're</p> <p>7 adjusting to the new challenges instructionally as</p> <p>8 well as safety-wise, and just check on all the</p> <p>9 safety issues and trying to gather data to inform us</p> <p>10 as we move forward in expanding the hybrid model.</p> <p>11 So I want to thank our team. Several of</p> <p>12 them volunteered to help with this. We're doing</p> <p>13 charter schools first, but we have 134 other</p> <p>14 traditional schools to visit as well in helping with</p> <p>15 that project. So I appreciate the team for doing</p> <p>16 that, too.</p> <p>17 And thank you, Madam Chair.</p> <p>18 THE CHAIR: Thanks. We are on to Item</p> <p>19 No. 6, which is Discussion and Possible Action on</p> <p>20 the Complaint Process and Procedures.</p> <p>21 And as you all know from yesterday, it was</p> <p>22 the determination that we're not going to have any</p> <p>23 formal process, just had, I think, a really good</p> <p>24 discussion to just simply reaffirm what should and</p> <p>25 should not raise to the level of concern of the</p>	<p style="text-align: right;">37</p> <p>1 So thanks for the work yesterday. And I</p> <p>2 don't know if it's going to help. But we'll try.</p> <p>3 We took 7 off the list.</p> <p>4 On to Item No. 8, Discussion and Possible</p> <p>5 Action on School Improvement Plans.</p> <p>6 And the determination yesterday was in</p> <p>7 light of the continuing lack of data, the</p> <p>8 requirement for schools in the contracts for them to</p> <p>9 have to do a School Improvement Plan for last year</p> <p>10 is simply going to be given a pass for this year.</p> <p>11 And I'm not honestly sure if we need to</p> <p>12 take actual action on that. I don't think so.</p> <p>13 MS. AMI JAEGER: (Indicates.)</p> <p>14 THE CHAIR: Okay. No.</p> <p>15 So we are on to Item No. 9, Discussion and</p> <p>16 Possible Action on the Notice of Intent and the New</p> <p>17 Charter School Application.</p> <p>18 So, yesterday, Karen did put the newer</p> <p>19 version of the NOI, which is on the PEC letterhead.</p> <p>20 So that's on there. And that was the only -- the</p> <p>21 only change on the NOI was the date.</p> <p>22 And we did look at the charter application</p> <p>23 and made just a couple of minor changes, which,</p> <p>24 Karen, thank you so much for getting that up into</p> <p>25 SharePoint early last evening so that Commissioners</p>

<p style="text-align: right;">38</p> <p>1 could take a look at the work that was done 2 yesterday. 3 Most of it was just simple updates. We 4 took one statement out that really wasn't 5 applicable, because it's an application, and we're 6 just dealing with the application and not contract 7 negotiations. But there wasn't any substantive 8 changes to the new application. 9 So if there's no further discussion, I do 10 believe we'll need two separate motions, one for the 11 NOI and one for the new application. 12 So I will move that the Public Education 13 Commission adopt the changes to the Notice of -- to 14 the -- well, to the Notice of Intent and the new 15 application. 16 COMMISSIONER RUIZ: Second. 17 THE CHAIR: So motion by Commissioner 18 Gipson, a second by Commissioner Ruiz. 19 Commissioner Armbruster, roll, please? 20 You're muted. 21 COMMISSIONER ARMBRUSTER: Sorry. 22 Commissioner Davis? 23 COMMISSIONER DAVIS: Yes. 24 COMMISSIONER ARMBRUSTER: Commissioner 25 Robbins?</p>	<p style="text-align: right;">40</p> <p>1 passes. 2 THE CHAIR: Motion passes, ten-zero. 3 Thank you so much. 4 We are now on to Item No. 10, which is 5 Discussion of the 2021 Calendar. And I want to 6 thank Commissioner Ruiz for working on this and Bev 7 for sending it out to all of the Commissioners. 8 Karen, is there any way you can put it up 9 on the screen real quick? 10 MS. KAREN WOERNER: Absolutely. 11 THE CHAIR: Thanks. 12 COMMISSIONER VOIGT: Madam Chair, I just 13 had one little edit on the calendar that I just 14 noticed. On the very bottom footnote, if we could 15 change -- I think it's under the holiday listings. 16 If we could change Columbus Day to Indigenous 17 People's Day. 18 THE CHAIR: Yeah. And I think it's 19 because it's listed as -- these are U.S. federal 20 holidays. And it's -- 21 COMMISSIONER VOIGT: Oh, okay. 22 THE CHAIR: That's why it's still listed 23 as a federal. 24 COMMISSIONER VOIGT: All right. Thank 25 you.</p>
<p style="text-align: right;">39</p> <p>1 COMMISSIONER ROBBINS: Yes. 2 COMMISSIONER ARMBRUSTER: Commissioner 3 Caballero? 4 COMMISSIONER CABALLERO: Yes. 5 COMMISSIONER ARMBRUSTER: Commissioner 6 Voigt? 7 COMMISSIONER VOIGT: Yes. 8 COMMISSIONER ARMBRUSTER: Commissioner 9 Ruiz? 10 COMMISSIONER RUIZ: Yes. 11 COMMISSIONER ARMBRUSTER: Commissioner 12 Raftery? 13 COMMISSIONER RAFTERY: Yes. 14 COMMISSIONER ARMBRUSTER: Commissioner 15 Crone? 16 COMMISSIONER CRONE: Yes. 17 COMMISSIONER ARMBRUSTER: Commissioner 18 Armbruster votes "Yes." 19 Commissioner Gipson? 20 THE CHAIR: Yes. 21 COMMISSIONER ARMBRUSTER: Commissioner 22 Chavez? 23 COMMISSIONER CHAVEZ: Yes. 24 COMMISSIONER ARMBRUSTER: Good. 25 That is a ten-to-zero vote. Motion</p>	<p style="text-align: right;">41</p> <p>1 COMMISSIONER RUIZ: That's exactly -- I 2 pulled it off the federal holidays. I will tell 3 you, Madam Chair, that when I mailed the calendar, I 4 pulled the one from last year, and it pretty much 5 mirrors it. 6 I think you and I discussed adding one 7 day -- I don't know where that was. We added an 8 extra day into it. I think -- I don't know if it 9 was for contract negotiations or -- 10 THE CHAIR: Yeah. And if we could -- I'm 11 sorry. Karen, could you flip to March? Yeah. 12 So it was brought to my attention late 13 last night that that -- that week in March is the 14 last week of the Session. And I wasn't paying that 15 much attention to it. 16 So that last week in March for contract 17 negotiations, 'cause it's also possibly the last 18 week of the Session, we might have to look at moving 19 it. But I'm going to ask if we want to leave it as 20 it is now, and if we have to move it in March, we 21 can move the contract negotiations. 22 Because we do -- we kind of arrange those 23 individually with the schools anyway. So -- and 24 because Session might be a little disjointed, it may 25 not be the last week of Session.</p>

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1 COMMISSIONER VOIGT: When is the spring  
 2 break for the schools? Do we know yet?  
 3 THE CHAIR: What did you say?  
 4 COMMISSIONER VOIGT: When is the spring  
 5 break for most schools? Do we know yet?  
 6 COMMISSIONER RUIZ: It's usually the last  
 7 week of March. But that varies. I mean, it varies.  
 8 So with March, it was going to be a hard time to  
 9 work in. Because I looked at a lot of different  
 10 spring break calendars.  
 11 And so along with the Legislative Session  
 12 ending that last week in March, there's a lot of  
 13 spring breaks that are that time. And there's not  
 14 going to be a way, Commissioner Voigt, to not  
 15 interfere with at least some school spring break,  
 16 because...  
 17 COMMISSIONER VOIGT: Oh, yeah. Right.  
 18 THE CHAIR: I mean, fortunately we only  
 19 have eight schools that we have to negotiate with.  
 20 So I think it'll be easier to maneuver around folks'  
 21 spring break schedules and fit in negotiations a  
 22 little bit easier.  
 23 So if -- maybe so that it would be easier  
 24 for schools -- because these aren't formal PEC  
 25 meetings; they're contract negotiations. So if we

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1 want to just flip that down to the week of  
 2 March 22nd, just so that schools have a little bit  
 3 of an idea and Karen has a little bit of an idea of  
 4 one we're sort of targeting for it, you know, I  
 5 don't think that's a big change, because we're not  
 6 blocking out for formal meetings that whole week.  
 7 And if the week -- you know, first week in  
 8 April works out better for one or two schools for  
 9 contract negotiations, that's fine. You know, like  
 10 I said, we try to do it as best we can around school  
 11 schedules.  
 12 COMMISSIONER RUIZ: Madam Chair, I would  
 13 recommend that we leave it as is, just having that  
 14 flexible, knowing that the Legislative Session and  
 15 possibly spring break is going to, you know, maybe  
 16 change those dates. But that would be my  
 17 recommendation.  
 18 THE CHAIR: Okay. All right. We're not  
 19 voting on this today anyway.  
 20 COMMISSIONER VOIGT: As long as there's  
 21 that flexibility.  
 22 THE CHAIR: Yeah. Because it's not our  
 23 formal meetings, you know. And even though we can  
 24 change those, there's a lot -- a little bit more  
 25 that goes into changing the -- you know, our

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1 official meeting dates.  
 2 So I'm fine with this. So we will vote on  
 3 this -- if someone else -- when you look at this  
 4 again, if something just really big pops out, just  
 5 send a note to Bev so that we can take a look at it.  
 6 But we will vote on this in December.  
 7 So thanks once again, Commissioner Ruiz,  
 8 for working on this.  
 9 COMMISSIONER VOIGT: Yes. Thank you.  
 10 THE CHAIR: Okay. We are on to Item  
 11 No. 11, which is Discussion and Possible Action on  
 12 our legislative priorities.  
 13 So what -- I think what I'm going to try  
 14 to do is work with Ami, and we'll get a document  
 15 together that we can send out to the Commissioners.  
 16 And that way, in December, we can take a vote on it,  
 17 with the reflection of things that we talked about  
 18 yesterday.  
 19 Okay? Are we good with that?  
 20 All right. So, wow. We are moving on to  
 21 Item No. 12, which is the Report from the Chair.  
 22 So I just have a couple of things. I  
 23 mean, obviously, I think we're all dealing with  
 24 calls about, you know, openings and concerns. And I  
 25 want to thank everyone in PED that responds to

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1 questions and gets back to things quickly and  
 2 everything that's being done there to try to keep  
 3 everyone on top of things in a world that's changing  
 4 all the time, you know.  
 5 And that's the -- that's, unfortunately,  
 6 the world we're living in right now. And to  
 7 everyone who's in those buildings every day dealing  
 8 with the multitude of issues that come up, I can't  
 9 imagine. I applaud everyone that's going in and  
 10 working literally in the trenches every day.  
 11 I am going to express my personal  
 12 disappointment in the fact that we were unaware that  
 13 the Charter School Division was going out and doing  
 14 in-person site visits. I was not made aware until  
 15 the concern was highlighted to me by schools.  
 16 And that was not something that we were  
 17 aware of. I don't think it's something that we  
 18 would have supported. So, once again, I'm just  
 19 really disappointed in the fact that we did not know  
 20 that was occurring.  
 21 I was made aware that we did have one  
 22 school that OSHA went out to. I'm not going to name  
 23 the school publicly, because I don't want to get  
 24 into a -- you know, "You did wrong," anything like  
 25 that.

<p style="text-align: right;">46</p> <p>1 But I wanted the Commission to be made 2 aware that OSHA did go out to one of our schools. 3 There was a concern about the number of students in 4 classrooms. They did a follow-up visit, did some 5 interviews. There will be a fine that is going out 6 to the schools. I don't think it was malicious or 7 there was a, you know, an explicit intent. But as 8 we all know, these are guidelines that sometimes 9 people are still unclear about.</p> <p>10 But just so that the Commission is aware, 11 that people are monitoring when the schools are 12 open. And we appreciate that, and we appreciate all 13 efforts to keep schools safe.</p> <p>14 The search committee did meet. We have, 15 once again, sent a name up to the Governor's Office. 16 That's all I know. I don't know where it -- 17 actually, I can't even say that I know that the name 18 has actually made it all the way to the Governor's 19 Office yet. I know background checks were being 20 done the last I heard. And that was a week or so 21 ago.</p> <p>22 But, you know, we're hoping that this can 23 be done quickly. I know you've heard that before. 24 And we'll see.</p> <p>25 But, you know, I'm -- I am hoping that by</p>	<p style="text-align: right;">48</p> <p>1 So kudos to all of you for being there for 2 the kiddos.</p> <p>3 And thank you, Commissioner Ruiz, for the 4 calendar again. It's always lovely.</p> <p>5 And that's all I have, other -- unless 6 anyone wants to hear about my golf handicap.</p> <p>7 COMMISSIONER CABALLERO: I do. 8 THE CHAIR: Commissioner Davis? 9 COMMISSIONER DAVIS: All right. Well, I 10 went to my wedding, and it was lovely. But I 11 learned that -- well, so the Cincinnati airport is 12 actually in Kentucky, and my motel was in Indiana. 13 So in three days, I visited three states.</p> <p>14 But everything was very nice. The wedding 15 party came from many states. And the -- there was a 16 church wedding, but the minister came from 17 Minnesota.</p> <p>18 So it was an interstate wedding. 19 Other than that, I'm happy that things are 20 moving along in the Commission. I think we're doing 21 good work.</p> <p>22 THE CHAIR: Thanks. 23 Commissioner Ruiz? 24 COMMISSIONER RUIZ: Sorry. I had to 25 unmute myself.</p>
<p style="text-align: right;">47</p> <p>1 the time we meet in December, we've got a charter 2 school director in place. So -- you know. My glass 3 is going to be half-full, at least on that, for a 4 while.</p> <p>5 I think that's all I have at this point in 6 time.</p> <p>7 And I didn't see Matt in the participants 8 list before. And I didn't see Mike. So neither one 9 of them are here, as far as I know. It's still 10 not -- okay.</p> <p>11 MS. KAREN WOERNER: Yeah, I don't see 12 either of them. Mike did text me, and he's at a 13 meeting. But he's trying to get on now. So I don't 14 know if you want to give him a chance if he gets in. 15 But neither one are here.</p> <p>16 THE CHAIR: Why don't we go around and do 17 PEC Comments? And if he can get on in the meantime, 18 then we can come back to that.</p> <p>19 Okay? Okay. 20 Commissioner Voigt? 21 COMMISSIONER VOIGT: Just kudos, again, 22 out to the Commissioners that are still currently 23 involved in educating our kids: Commissioner Ruiz, 24 Commissioner Chavez, and Commissioner Raftery, for 25 doing that "home school" job.</p>	<p style="text-align: right;">49</p> <p>1 Well, you're welcome, Commissioner Voigt. 2 And thank you to everybody, because I'm telling you, 3 it's not just the educators, yeah, you know some of 4 us are working on the frontline.</p> <p>5 But I'm going to tell you, this thing has 6 impacted everybody. We've got parents, 7 grandparents, siblings that have become educators, 8 and they're doing that all after hours. It's like 9 become their second job.</p> <p>10 And so just a shout-out to everybody for 11 putting up with what is quite possibly for me in my 12 lifetime one of the most challenging times I've ever 13 lived through.</p> <p>14 The other thing, I was going to give you a 15 NMPSIA update. And so I don't know if you remember, 16 but we had gone up to ask for a 9 percent increase 17 on benefits. And, of course, we were shot down, and 18 it was down to a 6 percent.</p> <p>19 Then we didn't even know, at that point, 20 right, that COVID was going to come into play. And 21 so we kind of thought that that would mean that we 22 would have to look at double-digit increases in 23 premiums for the next year. That was prior to COVID 24 as well. 25 And so I will tell you that we met. The</p>

<p style="text-align: right;">50</p> <p>1 executive committee met with the LFC and the LESC  2 over the last two weeks trying to figure out what we  3 were going to do, because, of course, we know  4 budgets and funding for schools is going to be  5 extremely tight. And so we know that off the bat,  6 and so we won't know what that means for us.  7 I will tell you that the discussion has  8 been made that if we cannot recoup the loss that we  9 had made in premiums -- and, of course, we don't  10 want to do that to damage our members -- but there  11 still has to be premiums that are paid.  12 So we'll either get the approval to go up  13 on the premium increases, which, right now, they're  14 wanting to hold us at 6 percent, which will just not  15 work for the NMPSIA. I will tell you that. So the  16 next option available is to actually have a change  17 in benefits. And that is not in stone.  18 I will tell you those are meetings that  19 we've had in the last two weeks with LFC and LESC,  20 and we're going to continue in talks with that. But  21 just FYI that, you know, the impact of COVID-19  22 cannot be stressed enough. It's just going to be  23 detrimental to school budgets next year and possibly  24 even further than that. And, of course, that  25 impacts everything.</p>	<p style="text-align: right;">52</p> <p>1 meetings, which is nice. But then we'll have that  2 much more to catch up on.  3 I do want to thank all of you. It's a  4 pleasure to serve with you. Trish, you're so  5 knowledgeable about everything that's going on.  6 Thank you for informing us.  7 That E-Rate, I haven't heard that word in  8 a long, long time. Know all about it. Did apply  9 for it back in the day. Thank you, all of you  10 people. You're just wonderful, just full of  11 knowledge, and I'm proud to serve.  12 Thanks.  13 THE CHAIR: Thanks. Commissioner  14 Caballero?  15 COMMISSIONER CABALLERO: Thank you,  16 Madam Chair. I have to admit that I have grown  17 weary of being set at home. And I miss being with  18 you all in-person. But the -- the upsurge right now  19 just blows me away, because even if I had tried to  20 suggest we meet somewhere, it is so dumb to even do  21 that.  22 But the other is for those of you that are  23 educators, I know that things are tough and things  24 are going to get tougher. The Legislature is going  25 to have to decide to dip into those rainy day</p>
<p style="text-align: right;">51</p> <p>1 So, anyway, that's my NMPSIA update.  2 Thank you all.  3 THE CHAIR: Thanks. Commissioner Crone?  4 COMMISSIONER CRONE: Thank you. Yeah,  5 I -- I agree with everything that Trish just said.  6 I hope you guys can hear me. We have a bad -- we  7 need some of that technology up here that you were  8 talking about before.  9 But I did want to highlight McCurdy  10 School. One of my former students, Camilla Martin,  11 is the art teacher at McCurdy Charter. And, well,  12 you know, in fact, half of Northern New Mexico are  13 my former students, including Valerie Lopez.  14 But if you go to the New Mexican or the  15 Rio Grande Sun, the McCurdy kids are doing a -- they  16 have a Facebook page. They're doing a NASA Mission  17 Chile Badge. So -- yeah. Absolutely. So check it  18 out.  19 All right. That's all I have. Thank you.  20 THE CHAIR: Thank you. Commissioner  21 Raftery?  22 COMMISSIONER RAFTERY: Yes. I do want to  23 comment that I am no longer "Grandma." I'm "Miss  24 Meanie." The kids are delighted that they don't  25 have school today and tomorrow because of these</p>	<p style="text-align: right;">53</p> <p>1 savings, which everybody disagrees to dip into. But  2 a pandemic is sure a reason to get into it; and  3 especially for education and health, we're going to  4 have to. I just can't see how we can operate  5 without paying the insurance, as it was said  6 earlier.  7 But I will say that what's going to make  8 us different in this state is our creativity. How  9 do we do things creative with what we have? And  10 those of you that are educators, that's going to be  11 the name of the game: Creativity.  12 My concern with all of this is that our  13 children will be lagging behind in about three  14 years, three years behind what they should be. And  15 at some point, we're going to have to decide what  16 are we going to do.  17 And one of the things that we're going to  18 have to wrestle with, those of us who are in  19 education, is how do we bring our kids to par where  20 they should be. And that may be year-round  21 schooling. I don't know if people are with it or  22 the money is with it.  23 But I just want to do a shout-out for  24 those of you that are still active, even as parents,  25 trying to educate our children.</p>

<p style="text-align: right;">54</p> <p>1 And my -- what my other concern is, 2 parents like my parents that just couldn't help me 3 in school. I was fortunate to have older brothers. 4 But how do we help parents like mine be able to 5 help, to some extent, their children? 6 And that's going to take some creativity. 7 That's going to take us having to do something that 8 we've never tried before. I don't know what it is. 9 But without that at home, our children are going to 10 be lagging. 11 A friend of mine lost his job in Northern 12 New Mexico. Had to go to another state. And he had 13 the unfortunate situation where most of the kids 14 were very, very poor. They had no connection. 15 Parents all worked. They were all minimum wage, 16 probably under minimum wage. 17 So he had about three or four students 18 that would always show up. He even went door to 19 door dropping off things in writing so that the kids 20 could stay up, and they didn't. 21 So at the end of the year, the district 22 decided not to keep him because his kids did 23 terrible. And so the poor guy had to look for 24 another job. 25 And so that brings me to that problem.</p>	<p style="text-align: right;">56</p> <p>1 stated. 2 But this has been extremely challenging. 3 It's been an extremely challenging year, situation. 4 And so, you know, I ask that everybody think about 5 our charter school leaders and our governing council 6 members, you know, because there's a lot of 7 challenges that have to -- that you have to 8 overcome. 9 And kind of just echoing what Commissioner 10 Caballero just said, you know, I think, as 11 educators, you know, we're so student-focused, and 12 we're so -- always worried about our kids, where 13 they are academically, and -- but, you know, 14 sometimes we get focused on the academic piece and 15 don't always focus on the emotional piece. 16 And so that's just equally important, that 17 we think about our kids and the emotional effects 18 that this thing is having on them. And there's no 19 easy answers, and we're not always equipped to be 20 able to provide what we need to be able to do. But, 21 you know, we do the best we can. 22 And as far as kids getting behind, you 23 know, I keep saying this to different people that I 24 talk to. Let's get this out of the way right now 25 and say they are going to get behind. But, you know</p>
<p style="text-align: right;">55</p> <p>1 What do I do to help parents like my parents when I 2 was young? How do we bridge the disconnect with the 3 Internet? And so I leave that to some of you to be 4 creative. 5 I think one of those creative persons is 6 Commissioner Voigt. Put your head on -- start 7 thinking about it. Come up with some idea. Pass it 8 on, because that's what we're going to need. That's 9 why my suggestion to encourage the charter schools 10 to record their best practices and share them, 11 because that's what the State is going to need in 12 the time of COVID, in the time of low income and 13 budgeting. 14 And so, again, I'd like to thank my 15 Commissioners. I miss being in-person with you; but 16 cannot do. 17 And so that's all I have for now, 18 Madam Chair. Thank you. 19 THE CHAIR: Thank you. 20 Commissioner Chavez? 21 COMMISSIONER CHAVEZ: Sorry. Couldn't hit 22 the unmute button fast enough. 23 I just want to start by, again, 24 recognizing Commissioner Voigt and your kind words. 25 And I echo some of what Commissioner Ruiz has</p>	<p style="text-align: right;">57</p> <p>1 what? I also know the kids are resilient. And I 2 know that when we're back in school, they're going 3 to bounce back. 4 And we have committed educators; we have 5 committed education leaders that are going to make 6 that happen. And so in the meantime, we've just got 7 to really, really make sure that we're tending to 8 the needs of our kids, the emotional needs, the 9 social-emotional needs of our kids, because that is 10 so, so important and should be the focus at this 11 time as we're dealing with the spread of the virus. 12 Thank you. 13 THE CHAIR: Thank you. 14 Commissioner Armbruster? 15 COMMISSIONER ARMBRUSTER: Hello. Yes. 16 Pretty much I would agree with what everyone's been 17 saying. You know, it's really horrible to say I'm 18 so glad I've retired from 39 years of teaching. I 19 think I can retain the knowledge, but I don't even 20 know what I would do. 21 As you noted, I had trouble getting on 22 this Zoom today. I can't even imagine what it's 23 like in the schools right now, even if they're 24 in-person, because they're only half in-person and 25 they're having to do both.</p>

<p style="text-align: right;">58</p> <p>1           So I commend both Commissioner Chavez and 2 Commissioner Ruiz for sticking with it, because it 3 would be easy to say, "I'm going to retire," or, 4 "I'm going to take a year off." 5           The issue Commissioner Ruiz was talking 6 about with NMPSIA, you know, that is the same 7 problem, by the way, that retirees have who have 8 this insurance, because they changed different 9 plans. Medical was pretty okay. But dental plans 10 are great, except there's no dentists where I live. 11 And I don't live in a rural area, so it seemed a 12 little unusual. 13           So I -- you know, it's -- things are 14 just -- just, we need some help. We need help all 15 over. And I appreciate all that everyone here has 16 done and is doing to help kids, because in the end 17 it's not about anything except knowing what to do to 18 help kids. 19           So I thank everybody. 20           THE CHAIR: Thank you. Commissioner 21 Robbins? 22           COMMISSIONER ROBBINS: Thank you. I want 23 to thank Karen for the -- updating the overview of 24 the E-Rate for the schools. I think that's very 25 important that schools take advantage of it.</p>	<p style="text-align: right;">60</p> <p>1           communities. 2           Allowing one or two people or five people 3 at a time to have access in a remote area really 4 doesn't solve the education problem. 5           So PSFA is working to do it, and PED, on 6 that. And it's not going to be an easy, but it 7 doesn't have to be a very expensive, solution. 8           USDA, they've made several announcements 9 about improving broadband in Eastern New Mexico. 10 And that will be broadband that's available not only 11 to the agricultural community, but to the 12 communities that are in those agriculture areas on 13 the east side of the state. I think they're putting 14 in something like \$24 million in broadband support. 15           And so people, they'll have to pay for 16 service, perhaps. But it would be a minimal amount 17 because of that. 18           The other thing I wanted to touch base on 19 was PSCOC did approve the continuation of the 20 charter school variances for facility requirements. 21 You know, large high schools and middle schools, 22 they have to have gym, things like that, libraries, 23 all those things. 24           Charter schools are not -- they can ask 25 for, and they receive, variances on a lot of these</p>
<p style="text-align: right;">59</p> <p>1           One thing that that doesn't do -- and this 2 is one of the big issues with online learning. It 3 doesn't solve the problem of access in remote areas. 4 It only solves -- is working on the problem of 5 access within schools. 6           Once you get home, though, we have, you 7 know, at least 25 percent of the State children do 8 not have access to broadband. And, you know, the 9 technology, a lot of times we can ask to, you know, 10 go at record speed to try to do something. 11           Kansas -- I think it was Kansas or 12 Nebraska -- PSFA was talking with them. And they 13 spent several million dollars putting in some remote 14 towers and things like that, only to find out that 15 there was not sufficient bandwidth to handle even a 16 small number of people. 17           And so, you know, companies can come out 18 there, and, you know, there's opportunities for 19 people to take advantage of situations like this. 20 But they'll, you know, put forth a solution that, 21 really, it doesn't solve the problem. 22           Yes, you can have access, but it may only 23 be access for 20 or 30 people at a time, not access 24 for the hundreds or the thousands that we're really 25 seeking to provide access for in some of these</p>	<p style="text-align: right;">61</p> <p>1           things because of their unique situations. 2           Amy Biehl uses some of the facilities in Downtown 3 Albuquerque. That means they don't have to have 4 those in their facility, as do a lot of charter 5 schools throughout the state. So those were 6 approved by the PSCOC also. 7           One of the things that was somewhat 8 disappointing to me was the budget for PSFA has 9 basically remained flat for the last three or four 10 years. We can sit there and say, "Well, you know, 11 things are going on." 12           But the amount of construction that 13 schools are requesting and that is being done is 14 increasing. And they have limited staff. They have 15 project managers that are supposed to be overseeing 16 these projects. And as we get more and more 17 projects going, the less they are able to hire the 18 proper staff. It's going to put a cramp in being 19 able to get these projects moving -- 20           THE CHAIR: Commissioner Robbins, you're 21 freezing. 22           COMMISSIONER ROBBINS: -- and making sure 23 there's proper oversight. 24           Some of the projects were -- geology and 25 hydrology being done, and so these buildings and</p>

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1 things like that. And we're going to have to  
 2 spend -- the State is going to have to spend tens of  
 3 millions of dollars fixing these schools that  
 4 weren't built right prior to the PSFA being  
 5 established.

6 And, you know, we are seeing improvements  
 7 in new construction, but we don't want to see a  
 8 repeat of what happened by underfunding PSFA. And  
 9 their funding doesn't touch the General Fund. Their  
 10 funding comes from the bucket of money that's --  
 11 that the Legislature sets aside for school  
 12 construction. And it's a percentage of those  
 13 dollars.

14 And so if those dollars go up, their  
 15 budget goes up. If those dollars go down, it goes  
 16 down. But they cap it, because they use a rolling  
 17 average, which can always put them a little bit  
 18 behind. When you have an increase in construction  
 19 happening, they have to use this rolling average.

20 So it can take them two or three years to  
 21 catch up with these increased construction. But  
 22 it's at the early stages of construction that you  
 23 really need to be paying attention, because that's  
 24 when foundations are put in; that's when the initial  
 25 work is being done. If that's not done properly,

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1 the whole facility could have problems later on.

2 The other thing is PED is really focusing  
 3 on air filtration in schools in order for them to  
 4 open up and things like that. That sounds good.  
 5 But, you know, ventilation is required. But a lot  
 6 of our older schools, they don't have central air  
 7 systems. They use evaporative coolers, which are  
 8 great. But, you know, they don't work -- we're not  
 9 going to run those in January and February time  
 10 frames. You need to have heat.

11 They use radiant heat. You don't have  
 12 airflow then. If you're focusing on filters -- and  
 13 one of things they have is a MERV 13 filter. It's a  
 14 high-capacity filter. It's higher -- it's actually  
 15 higher than the HEPA filters.

16 The problem is the amount of airflow that  
 17 has to go through that filter, the force that has to  
 18 be put behind it is so high in order to get airflow  
 19 on the other side. I mean, think of it this way,  
 20 that if you take three or four pieces of fabric and  
 21 try to blow air through it, it's very difficult.

22 That's basically what the MERV filter is  
 23 doing; it's extra layers, and it's denser. The  
 24 older systems can't handle that. They'll break down  
 25 or run so continuously, the motors will burn out.

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1 So rather than focusing just on air  
 2 filtration, I really have stressed that we should be  
 3 focusing on, you know, making sure the schools have  
 4 proper ventilation. And where ventilation is not  
 5 capable, don't worry about filtration, because there  
 6 are systems that are available, portable systems.  
 7 You can put them in the room, and they use  
 8 ultraviolet cleaning systems, and air will flow  
 9 through them. It's self-contained.

10 Some of these systems, you don't even have  
 11 to replace a filter. They don't have a filter, is  
 12 what happens is the particles -- air goes through  
 13 the system. It's sterilized by ultraviolet light,  
 14 which will kill -- 30 seconds of ultraviolet light  
 15 will virtually kill any bacteria or virus, including  
 16 COVID. It destroys it.

17 That's one of the things we say, "Get  
 18 outside and enjoy the sun." It gives you Vitamin D,  
 19 but will also destroy many things on the surface.

20 So we're trying to work with them to not  
 21 be so one-sided in their approach to making the  
 22 schools safe, because there's a lot of different  
 23 things that can be done. Especially in some of  
 24 these older schools, filtration is not going to  
 25 work, because they don't have a forced air system

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1 for their heating.

2 That's about all I have. Again, everyone  
 3 stay safe. I appreciate all the hard work that each  
 4 and every one of you do, and I appreciate the  
 5 support from CSD. Thank you.

6 THE CHAIR: Thanks. Karen, I saw where  
 7 Mike Ogas is in the -- so if you want to bring Mike  
 8 on now.

9 COMMISSIONER RUIZ: Madam Chair, can I say  
 10 something while he's coming in? I just want to add  
 11 one thing really quickly, just to let Bev know that  
 12 we're continuing to pray and lift up Fred and hope  
 13 that he's healing and getting better.

14 And we know you're a caretaker, and the  
 15 caretaking role is just as important as the patient.  
 16 So thank you.

17 THE CHAIR: Thanks. Good morning, Mike.

18 MR. MICHAEL OGAS: Good morning,  
 19 Commissioner. Madam Chair, Commissioners, how are  
 20 you all today?

21 THE CHAIR: We're doing well. Hope  
 22 everything is going okay with you and your school.

23 MR. MICHAEL OGAS: Things are moving  
 24 along. We're making the best of it.  
 25 I apologize for miscalculating the

<p style="text-align: right;">66</p> <p>1 meeting, and I'm sorry. Thank you for letting me 2 on. And I'm just going to be very brief, 3 introducing what we've got going on. 4 Today, Madam Chair and Commissioners, I'm 5 representing the New Mexico Charter Advisory 6 Committee. That committee was put in place last 7 year by former Deputy Secretary Kara Bobroff and 8 former CSD Director Alan Brauer. 9 And they're initial -- basically, our 10 committee was made up of a representative -- a very 11 cross representative of charter schools around the 12 state. We were brought together initially to help 13 give some feedback and some input on things like 14 what was going on with the equity work of the 15 Martinez-Yazzie lawsuit, as well as some other 16 things. You know, we were just kind of moving 17 forward the charter movement in New Mexico. 18 When they left, we were -- there was a bit 19 of a void, and we continued to meet and just to, you 20 know, talk to each other about different things. 21 In September, we were brought back 22 together and had the opportunity to -- to become a 23 part of the Superintendent's panel. And what we're 24 doing, as of September, is we -- we established a 25 group called "Charter Voice New Mexico."</p>	<p style="text-align: right;">68</p> <p>1 extremely talented and very knowledgeable and 2 experienced in the charter world and in education 3 altogether. So we're happy to, you know, to provide 4 whatever feedback and input we can to try to make 5 education a little bit better place here in 6 New Mexico. 7 So that's who we are. And we really 8 appreciate, you know, having a forum to talk to you 9 on a regular basis. Thank you very much for adding 10 us as part of your agenda. 11 THE CHAIR: Mike, thanks. And I apologize 12 that we're kind of remiss in not having your group 13 earlier. So you certainly are welcome. 14 And I'm also going to say that you're more 15 than welcome to also -- if anyone wants to be part 16 of the work sessions, our agendas are out there so 17 that if you've got concerns about something or 18 there's -- we certainly welcome -- the work sessions 19 are an opportunity where we're fairly open. And the 20 opportunity to be able to provide input is always 21 more than welcome. 22 So, please, if you've got any questions or 23 concerns about what might be on that work session, 24 please don't hesitate to reach out. And, like I 25 said, log in and participate in the work sessions as</p>
<p style="text-align: right;">67</p> <p>1 And we hold biweekly meetings with charter 2 leaders around the state, and we discuss several 3 issues and raise questions. And some those 4 questions actually end up on the Secretary's 5 biweekly calls, where he and his leadership team can 6 respond to them. 7 And another thing we do is we meet and 8 discuss issues that are -- that range from, you 9 know, what's going on with the pandemic. And I 10 heard one of the Commissioners talk about the 11 MERV 13 filtration systems; we've been through that 12 entire discussion, as well as, you know, just 13 supporting each other. We have some new charter 14 leaders out there that ask questions, and we try to 15 provide support, you know, for them as well. 16 In the coming months, thank you very much 17 for allowing our group to be a part of the -- of the 18 Commission's meetings. In the coming months we plan 19 on having some representatives come on to give you 20 updates on some specific work that we have, you 21 know, going on that we hope will better, you know, 22 the charter world and, you know, education in 23 New Mexico as a whole. 24 So an active group. We're a group of 25 very -- you know, the people I'm working with are</p>	<p style="text-align: right;">69</p> <p>1 well. Because the more input that we can have for 2 us to be able to make informed decisions, it's 3 really helpful before the fact, as opposed to after 4 the fact and the -- you know, so we're not dealing 5 with the, "What were you thinking," you know? And, 6 hopefully, we can, you know, settle that ahead of 7 time. 8 And it's -- you know, in this virtual 9 world, I think we kind of forget about it, and we're 10 a little remiss in making sure folks are there. 11 So, please, put that out to your group. 12 And if someone wants to, or as many that want to, 13 they're welcome to be there as well. And we look 14 forward to the continued talks with you folks. 15 COMMISSIONER VOIGT: Madam Chair? 16 MR. MICHAEL OGAS: Thank you so much. 17 THE CHAIR: And I apologize -- I guess I'm 18 apologizing, because we were so speedy today. So -- 19 MR. MICHAEL OGAS: No apology necessary. 20 THE CHAIR: It's highly unusual. So 21 Commissioner Voigt? 22 COMMISSIONER VOIGT: Thank you. Hi, Mike. 23 It's great to see you. 24 MR. MICHAEL OGAS: Hi, Glenna. 25 COMMISSIONER VOIGT: I think it's great</p>

70	<p>1 that the charter schools are coming together like 2 this to share. And, you know, there's a lot of 3 changes happening, so it's great you guys are coming 4 together. 5 I wanted to ask if you guys are going to 6 be involved in the Independent Charter Schools 7 conference this year. 8 MR. MICHAEL OGAS: Yes, we are, actually. 9 We are going to be sending out information. A 10 couple of us are probably going to be presenting. 11 It's going to be 100 percent virtual. It was 12 scheduled to be in Denver this year. 13 And CPICS, there's a pretty good 14 New Mexico presence anymore on -- I've been asked to 15 be on the board of CPICS, which has been really 16 cool. There are some really dynamic people across 17 the country. We are -- if you like, I can get you 18 all the information on that. 19 COMMISSIONER VOIGT: I've got it. 20 MR. MICHAEL OGAS: You did. Oh, good. 21 COMMISSIONER VOIGT: I attended last year, 22 and I shared it with the PEC. Because this is 23 really what we're about in New Mexico is independent 24 charter schools. 25 MR. MICHAEL OGAS: Exactly. Yes.</p>	72	<p>1 And thanks once again, Mike. And we're 2 looking forward to seeing you regularly. 3 MR. MICHAEL OGAS: Thank you, 4 Commissioner. Thank you, Commissioners. Appreciate 5 your time. We'll see you later. Bye-bye. 6 THE CHAIR: Bye-bye. 7 MS. KAREN WOERNER: And, Mike, don't be 8 fooled. They don't usually end this early. 9 MR. MICHAEL OGAS: Oh, my gosh. Trying to 10 log in, driving up Main Street in Los Lunas was a 11 trip. I wouldn't recommend it. Thank you for your 12 time. Bye-bye. 13 COMMISSIONER CRONE: Madam Chair? 14 THE CHAIR: Yes. 15 COMMISSIONER CRONE: I just want to end on 16 an upbeat note. We once didn't have electricity. 17 We didn't have television. We didn't have radio. 18 And parents did a really good job of educating their 19 children. And I believe Abe Lincoln studied law by 20 firelight. 21 So it is a hard time. I appreciate 22 everything that all of you are doing. But we come 23 from a rural agricultural background. So let's not 24 be too despairing, okay? 25 THE CHAIR: Thank you. So I am going to</p>
71	<p>1 COMMISSIONER VOIGT: We had a conversation 2 about that yesterday. So I'm hoping that some of us 3 can attend. I know there's a process involved with 4 P.O.'s and things like that; so -- but that's great, 5 Mike, that you're on that board and that you're 6 helping move things forward for us. Great work. 7 MR. MICHAEL OGAS: Thank you for bringing 8 that up. 9 MS. FRIEDMAN: Madam Chair? 10 THE CHAIR: Sorry. I had to let the dog 11 in. 12 MS. FRIEDMAN: Madam Chair? 13 THE CHAIR: Bev? 14 MS. FRIEDMAN: If I might mention, 15 Commissioner Caballero has already said that he 16 would like to attend. If any of the other 17 Commissioners would like to attend, please let me 18 know so that we can get the purchase order in motion 19 so we can have that covered for you. 20 THE CHAIR: Okay. Thanks. 21 So, yes, if Commissioners can do that as 22 quickly as possible, it would just -- it makes Bev's 23 life a little bit easier to be able to do that 24 quickly. So thanks. And thanks for the reminder of 25 that.</p>	73	<p>1 move that the Public Education Commission enter into 2 a Closed Session, pursuant to NMSA Section 3 10-15-1(H)(7). The subject to be discussed is a 4 attorney-client privileged issues pertaining to 5 threatened or pending litigation in which the public 6 body is or may become a participant. 7 Specifically, Open Meetings Act NMSA 8 Chapter 10, Article XV; specifically, Open Meetings 9 Complaint, NMOAG-ECS-20191019-ee79; and PEC Budget 10 Submission. 11 COMMISSIONER RUIZ: Second. 12 COMMISSIONER ROBBINS: Second. 13 THE CHAIR: There is a motion by 14 Commissioner Gipson. And there's seconds by -- I 15 know Commissioner Robbins. 16 Commissioner Armbruster? 17 COMMISSIONER ARMBRUSTER: Yes. 18 Commissioner Robbins? 19 COMMISSIONER ROBBINS: Yes. 20 COMMISSIONER ARMBRUSTER: Commissioner 21 Voigt? 22 COMMISSIONER VOIGT: Yes. 23 And do we have the link? 24 THE CHAIR: We do. It was sent to us. 25 COMMISSIONER CABALLERO: This morning.</p>

74	<p>1 COMMISSIONER VOIGT: Okay. Thanks.</p> <p>2 MS. KAREN WOERNER: And if I may, just to</p> <p>3 clarify, there are two links. Make sure you use the</p> <p>4 first one because it had to do with what time you</p> <p>5 went into Executive Session which account I could</p> <p>6 use.</p> <p>7 COMMISSIONER VOIGT: Okay. Thanks.</p> <p>8 COMMISSIONER ARMBRUSTER: Okay.</p> <p>9 Commissioner Armbruster votes "Yes."</p> <p>10 Commissioner Davis?</p> <p>11 COMMISSIONER DAVIS: Yes.</p> <p>12 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>13 Chavez?</p> <p>14 COMMISSIONER CHAVEZ: Yes.</p> <p>15 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>16 Gipson?</p> <p>17 THE CHAIR: Yes.</p> <p>18 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>19 Raftery?</p> <p>20 COMMISSIONER RAFTERY: Yes.</p> <p>21 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>22 Crone?</p> <p>23 COMMISSIONER CRONE: Yes.</p> <p>24 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>25 Ruiz?</p>	76	<p>1 Public Education Commission end Closed Session. The</p> <p>2 matters discussed in the closed meeting were limited</p> <p>3 only to those specified in the motion for closure,</p> <p>4 and no vote was taken during the closed session.</p> <p>5 COMMISSIONER VOIGT: I'll second.</p> <p>6 COMMISSIONER ROBBINS: Second.</p> <p>7 THE CHAIR: There's a motion by</p> <p>8 Commissioner Gipson, a second by Commissioner Davis.</p> <p>9 Roll, please?</p> <p>10 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>11 Caballero? See, I can't tell if people are here.</p> <p>12 THE CHAIR: He's not here.</p> <p>13 COMMISSIONER ARMBRUSTER: Okay. So not.</p> <p>14 THE CHAIR: Will the record please reflect</p> <p>15 that Commissioner Caballero, Commissioner Crone,</p> <p>16 and -- Commissioner Crone has arrived.</p> <p>17 COMMISSIONER DAVIS: Before you take your</p> <p>18 vote, the second was not by me.</p> <p>19 THE CHAIR: Oh, I'm sorry. It was</p> <p>20 Commissioner Voigt. I'm sorry.</p> <p>21 COMMISSIONER ROBBINS: It was me or Voigt.</p> <p>22 COMMISSIONER ARMBRUSTER: I have</p> <p>23 Commissioner Crone. Do I have Commissioner Raftery?</p> <p>24 THE CHAIR: No. Commissioner Raftery and</p> <p>25 Commissioner Caballero have not returned.</p>
75	<p>1 You're muted.</p> <p>2 COMMISSIONER RUIZ: Yes. Sorry.</p> <p>3 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>4 Caballero?</p> <p>5 COMMISSIONER CABALLERO: Yes.</p> <p>6 COMMISSIONER ARMBRUSTER: Okay. That's a</p> <p>7 ten-to-zero vote to go into session.</p> <p>8 THE CHAIR: Thank you. Motion passed,</p> <p>9 ten-zero.</p> <p>10 COMMISSIONER ARMBRUSTER: Do I have to</p> <p>11 find that other e-mail? Okay.</p> <p>12 MS. KAREN WOERNER: Bev, I've made you</p> <p>13 host, and I'm going to set up the other meeting,</p> <p>14 I'll be back.</p> <p>15 And, Commissioners, make sure you use the</p> <p>16 first link, or you'll be in the wrong meeting.</p> <p>17 (Executive Session conducted</p> <p>18 off the record.)</p> <p>19 THE CHAIR: Commissioner Crone and</p> <p>20 Commissioner Caballero are not here, and Sonia. But</p> <p>21 we have enough to take the vote to leave.</p> <p>22 COMMISSIONER ARMBRUSTER: To come out.</p> <p>23 THE CHAIR: To come out and to leave.</p> <p>24 COMMISSIONER ARMBRUSTER: Okay.</p> <p>25 THE CHAIR: So I am going to move that the</p>	77	<p>1 COMMISSIONER ARMBRUSTER: Okay. I'm just</p> <p>2 erasing. Just one second. I'm ready. We're going</p> <p>3 to start.</p> <p>4 Commissioner Ruiz?</p> <p>5 COMMISSIONER RUIZ: Yes.</p> <p>6 COMMISSIONER ARMBRUSTER: I think you said</p> <p>7 "Yes."</p> <p>8 Commissioner Crone?</p> <p>9 COMMISSIONER CRONE: Yes.</p> <p>10 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>11 Gipson?</p> <p>12 THE CHAIR: Yes.</p> <p>13 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>14 Chavez?</p> <p>15 COMMISSIONER CHAVEZ: Yes.</p> <p>16 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>17 Davis?</p> <p>18 COMMISSIONER DAVIS: Yes.</p> <p>19 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>20 Armbruster votes "Yes."</p> <p>21 Commissioner Voigt?</p> <p>22 COMMISSIONER VOIGT: Yes.</p> <p>23 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>24 Robbins?</p> <p>25 COMMISSIONER ROBBINS: Yes.</p>

1 COMMISSIONER ARMBRUSTER: It's an  
2 eight-to-zero vote to come out of Executive Session.

3 MS. KAREN WOERNER: And is that right?  
4 Madam Chair, I just wanted to share with you that  
5 while you were in Executive Session, Matt Pahl did  
6 come by and was very surprised to learn that you  
7 were already in Executive Session.

8 But he said that he would just send you  
9 some information through Bev about the legislative  
10 priorities that were discussed yesterday, and he is  
11 no longer with us today.

12 THE CHAIR: Okay. Thank you. The motion  
13 passed eight-zero. So I will entertain a motion for  
14 adjournment?

15 COMMISSIONER ROBBINS: So move.

16 THE CHAIR: There's a motion by  
17 Commissioner Robbins.

18 COMMISSIONER VOIGT: Second.

19 THE CHAIR: Second by Commissioner Voigt.

20 All in favor?

21 (Commissioners so indicate.)

22 THE CHAIR: Opposed?

23 (No response.)

24 THE CHAIR: Hearing no opposition, the  
25 motion passes. We are adjourned.

1 (Proceedings concluded at 11:57 a.m.)  
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1 BEFORE THE PUBLIC EDUCATION COMMISSION  
2 STATE OF NEW MEXICO  
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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 proceedings had before the said  
12 NEW MEXICO PUBLIC EDUCATION COMMISSION, held  
13 virtually, in the matter therein stated.

14 In testimony whereof, I have hereunto set my  
15 hand on October 28, 2020.  
16  
17  
18

19 \_\_\_\_\_  
Cynthia C. Chapman, RMR-CRR, NM CCR #219  
20 BEAN & ASSOCIATES, INC.  
21 201 Third Street, NW, Suite 1630  
22 Albuquerque, New Mexico 87102  
23  
24

25 Job No.: 4414N (CC)

1 RECEIPT

2 JOB NUMBER: 4414N CC Date: 10/23/20  
3 PROCEEDINGS: OPEN PUBLIC MEETING  
4 CASE CAPTION: In re: Public Meeting of the Public  
5 Education Commission  
6

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7 ATTORNEY: MS. BEVERLY FRIEDMAN - PED

8 DOCUMENT: Transcript / Exhibits / Disks / Other \_\_\_\_\_

9 DATE DELIVERED: \_\_\_\_\_ DEL'D BY: \_\_\_\_\_

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17

18                                   *Cynthia Chapman*

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