

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS
SPECIAL OPEN PUBLIC MEETING

March 2, 2021

4:00 p.m.

Via Zoom Video Teleconference

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

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1 A P P E A R A N C E S
2 COMMISSIONERS:
3 PATRICIA GIPSON, Chair
4 GLENNA VOIGT, Vice Chair
5 REBEKKA BURT, Secretary
6 MELISSA ARMILLO, Member
7 STEVEN CARRILLO, Member
8 MICHAEL CHAVEZ, Member
9 GEORGINA DAVIS, Member
10 KT MANIS, Member
11 DAVID ROBBINS, Member
12 PED STAFF:
13 CORINA CHAVEZ, Director
14 Charter School/Options for
15 Parents and Families Division
16 KAREN WOERNER, Deputy Director
17 Charter School/Options for
18 Parents and Families Division
19 BEVERLY FRIEDMAN, PED Custodian of Record
20 and Liaison to the PEC
21 PEC COUNSEL:
22 AMI JAEGER, ESQ.

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1 THE CHAIR: I'm going to call to order
2 this special meeting of the Public Education
3 Commission. It is Tuesday, March 2nd, and it is
4 4:02 p.m.
5 Commissioner Burt, will you do roll call,
6 please?
7 COMMISSIONER BURT: Sure.
8 Commissioner Armijo?
9 (No response.)
10 COMMISSIONER BURT: Not here yet.
11 Commissioner Burt. Here. Commissioner
12 Carrillo?
13 COMMISSIONER CARRILLO: Here.
14 COMMISSIONER BURT: Commissioner Chavez?
15 COMMISSIONER CHAVEZ: Here.
16 COMMISSIONER BURT: Commissioner Davis?
17 COMMISSIONER DAVIS: Here.
18 COMMISSIONER BURT: Chairwoman Gipson?
19 THE CHAIR: Here.
20 COMMISSIONER BURT: Commissioner Manis?
21 COMMISSIONER MANIS: I am here.
22 COMMISSIONER BURT: Commissioner Robbins?
23 COMMISSIONER ROBBINS: Present.
24 COMMISSIONER BURT: Commissioner Taylor,
25 not present.

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1 I N D E X T O P R O C E E D I N G S
2 P A G E
3 1 Call to Order, Roll Call, 4
4 Pledge of Allegiance and
5 Salute to the New Mexico Flag
6 2 Approval of Agenda 5
7 3 Approval of Minutes and Transcript
8 of PEC Meetings 6
9 4 Discussion and Possible Action on
10 Legislative Priorities 9
11 5 Adjourn 73
12 REPORTER'S CERTIFICATE 75
13 ATTACHMENT:
14 1 List of Attendees

5

1 And Commissioner Voigt?
2 COMMISSIONER VOIGT: Here.
3 THE CHAIR: Okay. Thank you. So we have
4 eight present at this moment; so we do have quorum.
5 Thank you.
6 So I'm going to ask Commissioner Chavez to
7 lead us in the Pledge of Allegiance and Commissioner
8 Burt to lead us in the Salute to the New Mexico
9 Flag.
10 (Pledge of Allegiance and Salute to the
11 New Mexico Flag conducted.)
12 THE CHAIR: So we are now on to Item
13 No. 2, which is the approval of the agenda.
14 COMMISSIONER CARRILLO: I have a quick
15 question, Pattie.
16 THE CHAIR: Sure.
17 COMMISSIONER CARRILLO: Is there anybody
18 else present in the audience or -- saying that they
19 want to contribute anything like that today?
20 THE CHAIR: We don't have Public Forum on
21 this -- on this.
22 COMMISSIONER CARRILLO: But, I mean, if
23 there's somebody that's not on the panel, is there
24 anyone that wants to speak to the issue? I'm just
25 curious.

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1 THE CHAIR: Not to my knowledge. You can
 2 look at the participants if you want to know who's
 3 there. But we don't have Public Forum.
 4 COMMISSIONER CARRILLO: Oh, that's right.
 5 That's right. Thanks.
 6 Okay. Thank you.
 7 THE CHAIR: Okay. Do I have a motion for
 8 approval of the agenda?
 9 COMMISSIONER CHAVEZ: So moved.
 10 COMMISSIONER CARRILLO: Second.
 11 THE CHAIR: I'm sorry. Who said the "So
 12 moved"?
 13 COMMISSIONER CHAVEZ: That's me. I did.
 14 THE CHAIR: Okay. Thanks.
 15 There's a motion by Commissioner Chavez,
 16 and a second by Commissioner Carrillo.
 17 All in favor?
 18 (Commissioners so indicate.)
 19 THE CHAIR: Opposed?
 20 (No response.)
 21 COMMISSIONER GIPSON: Hearing no
 22 opposition, the motion passes.
 23 We are on to Item No. 3, which is Approval
 24 of the -- I have to check -- it is the Summary
 25 Minutes, February 11th, 2021, and Approval of the

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1 Transcript for the February 12th, 2021, Virtual
 2 Meeting.
 3 Do I have a motion?
 4 COMMISSIONER CARRILLO: Sure. Motion to
 5 approve.
 6 THE CHAIR: There's a motion by
 7 Commissioner Carrillo.
 8 COMMISSIONER ROBBINS: Second.
 9 THE CHAIR: There's a second by
 10 Commissioner Robbins.
 11 We do need roll for this.
 12 COMMISSIONER BURT: All right.
 13 Commissioner Voigt?
 14 COMMISSIONER VOIGT: Yes.
 15 COMMISSIONER BURT: Commissioner Taylor is
 16 not present.
 17 Commissioner Robbins?
 18 COMMISSIONER ROBBINS: Yes.
 19 COMMISSIONER BURT: Commissioner Manis?
 20 COMMISSIONER MANIS: Yes.
 21 COMMISSIONER BURT: Chairwoman Gipson?
 22 THE CHAIR: Yes.
 23 COMMISSIONER BURT: Commissioner Davis?
 24 COMMISSIONER DAVIS: Yes.
 25 COMMISSIONER BURT: Commissioner Chavez?

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1 COMMISSIONER CHAVEZ: Yes.
 2 COMMISSIONER BURT: Commissioner Carrillo?
 3 COMMISSIONER CARRILLO: Yes.
 4 COMMISSIONER BURT: Commissioner Burt,
 5 yes.
 6 And Commissioner Armijo is not present.
 7 So there are eight for and zero against.
 8 Motion passes.
 9 THE CHAIR: Okay. Thank you so much.
 10 So before we move on to the -- the meat of
 11 our meeting, I would like to simply take a moment
 12 and recognize the fact that the education community
 13 had a tragic loss this week with former Secretary of
 14 Education and Las Cruces Superintendent's tragic
 15 death. So I would like to extend to the greater
 16 Las Cruces -- also to the Hatch community, because
 17 she was so embedded, and her husband embedded, in
 18 the Hatch community as well, that it's an extended
 19 family down here. And the loss, it's still hard to
 20 wrap my mind around it, to be honest, to even
 21 recognize that it's true.
 22 So I would like to publicly extend our
 23 thoughts and prayers from the PEC and myself. A
 24 number of us had an opportunity to work with
 25 Secretary Trujillo. I will say there is a

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1 scholarship fund for aspiring teachers that has been
 2 established. So if anyone wishes to honor Karen,
 3 that truly would be the best way to do so.
 4 So thank you very much.
 5 We are on to --
 6 MS. KAREN WOERNER: Madam Chair?
 7 THE CHAIR: Excuse me.
 8 MS. KAREN WOERNER: I'm sorry. I just
 9 wanted to make sure you noticed that Commissioner
 10 Armijo has joined us.
 11 THE CHAIR: Yes. Thank you.
 12 COMMISSIONER CARRILLO: And then KT is on
 13 a hike.
 14 THE CHAIR: So we are on to Item No. 4,
 15 which is Legislative Priorities.
 16 And we, certainly, will be talking about a
 17 number of pieces of legislation. But the one item
 18 that brought us to -- brought the Executive
 19 Committee to the sense that we needed to call this
 20 Special Meeting was the filing of SB 401.
 21 So when that bill was filed and
 22 Commissioners were all sent a copy of it, when that
 23 bill was filed, I did contact Senator Padilla. And
 24 he was more than gracious to offer me the
 25 opportunity to -- we spent the better part of an

<p style="text-align: right;">10</p> <p>1 evening messaging each other back and forth. And 2 then he called me and we spent a little bit of time 3 the next day chatting on the phone. 4 He asked me to give him 48 hours to 5 hopefully be able to touch base with the Cabinet 6 Secretary before the Commission did anything about 7 it. And he did ask me to e-mail him some of our 8 concerns regarding the bill. 9 About four days did go by. And on Friday 10 of last week, the bill actually showed for the 11 Senate Ed Committee on Monday. So I immediately 12 contacted Senator Padilla once again, because I had 13 e-mailed him prior to that, and he had not gotten 14 back to me. I didn't know if he had had an 15 opportunity to talk with the Cabinet Secretary or 16 not. 17 I expressed my concern about the Education 18 Committee hearing this without having any 19 opportunity to touch base with him once again and 20 get a sense of where he was with this piece of 21 legislation. He responded back immediately and did 22 say that he would table the bill, and he was going 23 to table the bill until the Cabinet Secretary and I 24 had an opportunity to talk. 25 So that was probably later afternoon on</p>	<p style="text-align: right;">12</p> <p>1 It is scheduled for tomorrow for Senate Ed 2 once again. But Senator Padilla did ask me to call 3 him after this meeting so that I would be able to 4 give him a sense of where we are with the other 5 pieces of this legislation. 6 So I want to -- I want to thank both 7 Senator Padilla for his openness in talking with us, 8 his willingness to table this permanently and/or 9 temporarily -- I do appreciate that -- and the fact 10 that he was able to facilitate this conversation 11 with the Cabinet Secretary. 12 And I do want to -- the Cabinet Secretary 13 did touch base with me last evening as well, wanting 14 to tell me about his conversation with Senator 15 Padilla. But Senator Padilla already had informed 16 me of that. But I do absolutely appreciate the fact 17 that the Cabinet Secretary did call and we engaged 18 in a conversation. So I want to thank both of them 19 for their willingness to be at least willing 20 participants in this. 21 So that's my update on this. So I -- am 22 opening discussion with Commissioners. I will say 23 that one of the -- I think the next biggest sticking 24 point is the CTE with the bill. 25 COMMISSIONER VOIGT: Yeah.</p>
<p style="text-align: right;">11</p> <p>1 Friday. 2 The weekend went by. Senator Padilla 3 called me yesterday morning and reaffirmed the fact 4 that the bill was tabled until the Cabinet Secretary 5 and I spoke, and that he was going to call the 6 Cabinet Secretary and tell him that, because the 7 Cabinet Secretary had not responded to phone 8 calls -- to the e-mail that Senator Padilla had sent 9 both of us. 10 Not that long after that, the Cabinet 11 Secretary did call me. And we had a -- it was 12 between a lot of meetings. But we did have a 13 reasonably good discussion. I appreciate the fact 14 that the Cabinet Secretary was willing to talk, 15 because this is the first time in quite a while that 16 there's been a willingness to engage with the PEC. 17 The Cabinet Secretary did agree, and my 18 understanding is -- and Senator Padilla also 19 agreed -- that the one item that's in the bill that 20 deals with the AG's Office serving as our legal 21 counsel, that has been pulled from the bill. So we 22 don't have to concern ourselves at this point in 23 time with that item. That is not going to move 24 forward in whatever iteration, if there is an 25 iteration, of 401.</p>	<p style="text-align: right;">13</p> <p>1 THE CHAIR: So, Commissioner Voigt? 2 COMMISSIONER VOIGT: Oh. Thank you. 3 So I think -- first of all, I think that 4 the CTE piece is something that I would feel fine 5 with letting go of, as far as PEC oversight, because 6 that's something that -- I don't know why it was 7 ever assigned to the PEC in the first place back 8 when the PEC was formed. 9 But the Career Technical Education is a 10 pretty independent bureau. They do a great job. I 11 think that's something that we don't really need to 12 take on any longer. 13 And then I had a question about -- on the 14 SB 401, did a companion bill for the House ever 15 surface? 16 THE CHAIR: No. 17 COMMISSIONER VOIGT: Okay. Good. Okay. 18 THE CHAIR: No, not to my knowledge. Let 19 me just give you a little back on the CTE. 20 The CTE was given to the PEC before there 21 were any charter schools. So there was, like, well, 22 what -- so we've got these elected officials. 23 There's no longer a State School Board. What are 24 they going to do? 25 So it was put in there. But you are</p>

<p style="text-align: right;">14</p> <p>1 right. The Commission has never had any oversight 2 of CTE because the funding goes directly to PED -- 3 COMMISSIONER VOIGT: Right. 4 THE CHAIR: -- on that. And we have no 5 funding to be able to administer that, or any 6 authority with the administration of the budget with 7 that. 8 COMMISSIONER VOIGT: Right. 9 THE CHAIR: But, Commissioner Carrillo, I 10 know you had your hand up. 11 COMMISSIONER CARRILLO: Ah, yes. So 12 relative to the Attorney General piece, this is 13 Page 2, line 24, right? Did they agree that we 14 shall get rid of the -- "The commission shall be 15 represented by the Attorney General... ." But then 16 there's the rest of that line, on line 25, "...and 17 shall not contract for legal services." 18 Did they get rid of that whole Section F? 19 THE CHAIR: Yes. 20 COMMISSIONER CARRILLO: Okay. 21 THE CHAIR: Yes, that is my understanding. 22 That is what I was told. I will absolutely make 23 sure that when I touch base -- that's my 24 understanding from my conversation with Senator 25 Padilla and with the Cabinet Secretary. But I will</p>	<p style="text-align: right;">16</p> <p>1 they be the ones to administer this if they get rid 2 of it? Because it was the Legislature that gave it 3 to us, there's no indication that the PED is going 4 to form a board for CTE. And so it seems to be 5 just, in and of itself, contradictory to the law. 6 THE CHAIR: Well -- and the administration 7 of that is speaking directly to the Perkins money. 8 And there's Perkins money, and then there's CTE 9 money. And there's a lot of other funding streams 10 that come in for CTE. 11 But I certainly recognize what you're 12 saying in terms of the Perkins Grant. And the 13 Perkins Grant, by federal rule -- I'm not sure if 14 it's a rule -- but by federal rule, has to be 15 approved by and accepted by a board or commission. 16 The Perkins -- 17 COMMISSIONER CARRILLO: Right. Because 18 that's what this says in the letter. 19 THE CHAIR: Right. 20 COMMISSIONER CARRILLO: And that's -- even 21 though there's other funds from -- going towards 22 CTE, it's not reconciled in this bill. 23 THE CHAIR: You're correct. 24 COMMISSIONER CARRILLO: And, again, part 25 of -- you know, the sloppy, if you will.</p>
<p style="text-align: right;">15</p> <p>1 absolutely make sure, once again, when I speak with 2 Senator Padilla, that that is the way -- I have not 3 seen -- 4 COMMISSIONER CARRILLO: All right. 5 THE CHAIR: -- the new iteration of this. 6 But that's what I was told. 7 COMMISSIONER CARRILLO: Okay. I would 8 imagine they'll have it online tonight with the 9 changes, if they're going to have the hearing 10 tomorrow, so we can all look at the new proposals. 11 Relative to CTE, what's interest- -- well, 12 there's a lot of things to discuss that I'll get 13 back -- that I'll get to later. But my challenge 14 with this bill the way it's written, it's remarkably 15 sloppy relative to definitions, or not, of 16 especially "local school board" in one section and 17 then actually mentions boards of state charters in 18 another section; really not -- not providing, I 19 think, enough definition between the two in the 20 different sections that are here. 21 And then relative to CTE -- and then I'll 22 go back to other parts of the bill. In the letter 23 that we all received on the 20th from our counsel 24 about CTE and how it's required by law to be 25 administered, if the PED is not aboard, then how can</p>	<p style="text-align: right;">17</p> <p>1 And then also, in parts of the bill, like 2 on Page 5 on 12, there's really no distinction 3 sometimes between "school district" or "public 4 school" or -- they're just -- just -- this really 5 needs to seriously be cleaned up. It's like they 6 seriously rushed it, for whatever reason. And we 7 can get into that part later. 8 THE CHAIR: Right. 9 COMMISSIONER CARRILLO: I have no problem 10 with us holding onto, or not, CTE; just making sure 11 that it gets done, and, one way or another, it's 12 administered correctly, and the kids get what they 13 need. 14 THE CHAIR: And I agree with you. 15 Commissioner Robbins? 16 COMMISSIONER ROBBINS: Yes. I agree with 17 the CTE piece. I have major issues -- and I 18 appreciate if Senator Padilla is going to strike out 19 the requirement that we be represented by the AG's 20 Office. I have major problems with the rest of it. 21 Also, if anyone has read the Financial 22 Impact Report, the FIR that was prepared by PED to 23 accompany this bill, it is, I think, very demeaning 24 to the PEC. It basically is stating that the PEC is 25 underneath PED, that we are subservient to them.</p>

<p style="text-align: right;">18</p> <p>1 It takes away our ability to control the 2 2 percent. It totally, totally dismantles the 3 purpose of the PEC in being a partner in education 4 in New Mexico and relegates us only -- only -- to 5 charter schools, having no input with -- with 6 education, and we do not control our own budget. 7 So, in essence, PED would be able to say 8 what we can spend money on, what meetings we can go 9 to, what travel we can do. The 2 percent would be 10 controlled totally by PED rather than, currently, it 11 goes to "the Authorizer," which is the Commission. 12 So I -- you know, striking one or two 13 things in this bill, while it's nice, I think the 14 whole bill needs to be scrapped and tabled, and not 15 just -- you know, "Well, let's make a couple of 16 changes." 17 Because you're really looking at -- what 18 this bill does is it guts the PEC. And I think if 19 you read the Financial Impact Report and you read 20 the accompanying report that the LESC prepared, 21 which basically parrots what PED put in the FIR, 22 it's basically saying we report to PED. Even though 23 we're elected Commissioners, the Secretary would 24 have oversight of what we do, and we would 25 basically -- in my mind, there would be no reason to</p>	<p style="text-align: right;">20</p> <p>1 poorly written. 2 Commissioner Carrillo? 3 COMMISSIONER CARRILLO: Well -- and that's 4 why, if you go to Page 7, line 12, Section (8), why 5 would -- it just seems like it's almost an 6 afterthought that they decided to strike this. It's 7 incongruent with what you just said around the PEC 8 having authority and discretion over how the 9 2 percent is used. 10 First off, I think it's ridiculous to have 11 been in it to begin with, that we have to go to, you 12 know, mama and papa at the PED with a detailed 13 description of, every time we want to spend 14 anything, what we want to spend it on. So that it's 15 gone is good. But then there's no other reference, 16 that I remember anyway, in reading this, or in my 17 markings, of the 2 percent. 18 THE CHAIR: No. 19 COMMISSIONER CARRILLO: And then -- and I 20 agree with David completely on this. And, you know, 21 I was -- Senator Padilla, what a nice guy he is. 22 So, you know, I talked to him this morning. He 23 called me back, which I didn't expect, because I 24 know how busy they are. And I told him, you know, 25 just what I thought.</p>
<p style="text-align: right;">19</p> <p>1 have a PEC. 2 COMMISSIONER CARRILLO: I agree. 3 THE CHAIR: And I agree with you. And 4 it's -- it's odd in the fact that in other LESC 5 analysis with some other bills related to charter 6 schools and funding, it clearly says the 2 percent 7 is held back for the PEC, and it is the PEC's. And 8 in this one, it -- it's completely different, which 9 kind of befuddled me. 10 Because I did want to talk -- I wanted to 11 get through the CTE first. But one of my concerns 12 is striking out that 2 percent piece in our -- in 13 the charter contracts. I don't think that's 14 something that we can -- we can permit. Because by 15 doing that, that's then giving all authority for the 16 2 percent to -- and it takes our ability to take the 17 budget away by striking out that piece, which I 18 think is a critical piece to keep. 19 But that's a little bit later down in the 20 bill. 21 This is the old charter law that was just, 22 you know -- it -- it's not well-written to start 23 with. So this was -- it was just taken, and 24 strikeouts were made where they felt appropriate. 25 And that's why it's -- it was -- it's still so</p>	<p style="text-align: right;">21</p> <p>1 I said, "As always, I want you to know 2 that I'm always speaking for myself, never for the 3 Commission, ever." And I just told him my biggest 4 concern right out of the gate is, "It's like you're 5 trying to emasculate the PEC." 6 "What's the point," like David said, "of 7 having a PEC when you're going to take away our 8 authority in all these ways and our relevance in all 9 these ways," and, you know, and also, basically 10 demeaning state charters as a whole as not being 11 part of the public school community, right, because 12 we are all public schools and we should all be a 13 part of everything. 14 So -- and I guess, at some point, the 15 larger conversation I would like to see us go 16 into -- and this is why I'm super-glad that 17 Ms. Chavez is on the call -- is why is this here? 18 Okay. What happened between the PED and 19 the PEC for them, as I see it, to fire a shot across 20 the bow, basically warning us of something? 21 And what did we do over the last however 22 many years? Where are people upset with one 23 another? 24 And it's coming out, unfortunately, in 25 this way, instead of people just being adults and</p>

22	<p>1 sitting in a conference room and talking about what 2 ails them.</p> <p>3 That's my huge concern with this the first 4 time I read it. It seems vindictive.</p> <p>5 And so my question is -- and maybe, 6 Ms. Chavez, can you shed light on this? -- why is 7 this here? Because Padilla is our friend, as I 8 understand it. He even said on the call, "I'm a 9 huge fan of the PEC" --</p> <p>10 THE CHAIR: Always has been.</p> <p>11 COMMISSIONER CARRILLO: -- "and everything 12 you do."</p> <p>13 THE CHAIR: Yes.</p> <p>14 COMMISSIONER CARRILLO: So why is this 15 here? I'm not asking rhetorically.</p> <p>16 THE CHAIR: And I agree with you. I tried 17 to find three P-words. I couldn't. But to me it's 18 petty, punitive, and vindictive.</p> <p>19 COMMISSIONER CARRILLO: You nailed it.</p> <p>20 THE CHAIR: But -- and my answer to it is 21 writ, letter about the Perkins Grant, in particular.</p> <p>22 COMMISSIONER CARRILLO: So let me ask you 23 a question then. Are they up -- okay. I reread the 24 letter today, because there were folks who had said 25 that they felt there was -- maybe not too strongly</p>	24	<p>1 you know, the feeling -- and I think this is part of 2 it, this is what I've heard from others in the 3 education community -- part of this was 4 vindictive -- the amount of money that we spend on 5 legal, the amount of money that we actually 6 litigate, the number of these litigations that we 7 don't prevail in, that these are all big concerns on 8 the part of PED.</p> <p>9 And I remember several years ago -- and I 10 don't know if it passed or not -- there was a bill 11 going to the Legislature to prevent any school 12 district from using any SEG money for lawsuits 13 against the PED.</p> <p>14 THE CHAIR: Right. They can't.</p> <p>15 COMMISSIONER CARRILLO: It was just 16 stupid, because I'd remind everybody, the Santa Fe 17 Public Schools funded Yazzie-Martinez to the tune of 18 \$300,000, and that lawsuit would not have even 19 happened without Santa Fe Public Schools and the 20 300-grand.</p> <p>21 So there's got to be the ability to be 22 able to, obviously, have -- to be able to take 23 action where action is needed.</p> <p>24 So, yeah. So why is this here?</p> <p>25 THE CHAIR: I think I -- you know, from</p>
23	<p>1 worded, but I can't remember the term they used.</p> <p>2 And I felt it was written fine; I didn't 3 feel like it was aggressive or anything like that. 4 I felt like it was a letter that just stated what's 5 what, you know. And, you know, we can debate the 6 appropriateness, maybe, of going to the Governor. 7 And I'm not for or against that. I'm just talking 8 to the letter.</p> <p>9 The writ seems to be being used as an 10 excuse for all breakdown in communication and any 11 desire to get to -- and I'm going to continue to say 12 this -- to get to an adult level of how we 13 communicate and work out our problems.</p> <p>14 "Oh, can't do it anymore. We've got the 15 writ."</p> <p>16 To me, I know I just got here four -- 17 however many months ago. It seems ridiculous. We 18 can still move on. We can still do what's best for 19 kids, right?</p> <p>20 And so it was the writ, the letter, and 21 the -- I can't remember of the third thing you said. 22 But it would seem as though we can move past all of 23 that, right, and that somehow we have to be able to, 24 in spite of what differences there may have been and 25 whether it's hurt feelings, you know, whether it's,</p>	25	<p>1 the PEC's point of view, we have never turned down 2 an opportunity to have a conversation, ever. And 3 I -- as soon as Senator Padilla sent me the e-mail 4 saying, "I need the two of you to talk," I responded 5 immediately back, "I am available at any time to 6 have that conversation, and that we have always been 7 willing and open to have that conversation."</p> <p>8 So...</p> <p>9 COMMISSIONER CARRILLO: He spoke very 10 highly of you, by the way.</p> <p>11 THE CHAIR: I'm sorry.</p> <p>12 COMMISSIONER CARRILLO: He spoke very 13 highly of you, by the way.</p> <p>14 THE CHAIR: Thank you. 15 Commissioner Robbins?</p> <p>16 COMMISSIONER ROBBINS: Well -- and I just 17 want the new Commissioners to understand that the 18 Commission did not file a writ in a knee-jerk 19 fashion. We had been trying for years to work with 20 them, that our budget would be submitted, that we 21 would get reports that we could then talk with the 22 charters as to how that 2 percent that's going to 23 the authorizer is being spent.</p> <p>24 We kept running into roadblocks. For 25 three years, we've been trying to get the Memorandum</p>

26	<p>1 of Understanding revised and updated, and we have 2 run into roadblocks there also.</p> <p>3 The Secretary, last fall, after the writ 4 was filed, was surprised, thinking everything was 5 fine.</p> <p>6 Well, that, to me, says there's a huge 7 communication problem within the PED that he's being 8 told something that is not true. And, yes, the writ 9 was a very stern action. It was, I don't think, 10 excessive. But I hoped it would have had the 11 Secretary being willing to sit down with us.</p> <p>12 But if their legal counsel says, "Well, 13 wait a minute. We just aren't going to talk with 14 you at all until this gets resolved," and then they 15 go and they get this bill submitted, if that's their 16 form of communication, you can understand why we 17 filed the writ.</p> <p>18 COMMISSIONER CARRILLO: Yeah.</p> <p>19 COMMISSIONER ROBBINS: Because they don't 20 want to talk. They want to control what's going on 21 in education. And, you know, the whole thing -- 22 when the constitutional amendment was passed, taking 23 the board of education, the state board of 24 education, and reverting it to a commission and 25 taking the public education area and making it a</p>	28	<p>1 think would actually be damaging to the children of 2 this state. The people of this state, the people 3 who are paying for education would lose a voice, 4 would lose a diversity of voices. And I think 5 that's very important.</p> <p>6 THE CHAIR: So I guess my question is if 7 we can focus on -- so we've certainly identified 8 that the 2 percent piece that's in there that's 9 stricken out can't -- we can't accept that that gets 10 stricken out, correct?</p> <p>11 COMMISSIONER ROBBINS: Correct.</p> <p>12 THE CHAIR: Okay. So I guess I need a 13 little more clarity on the Commissioners, where they 14 feel those other pieces are that the voice of the 15 PEC is being taken out.</p> <p>16 So let me ask you. Is part of that that 17 area that is focusing on the revoking of the Board 18 of Finance?</p> <p>19 COMMISSIONER CARRILLO: Where are you?</p> <p>20 THE CHAIR: I don't -- you know, I've read 21 this so many times. Let me look.</p> <p>22 COMMISSIONER CARRILLO: Well, you look 23 also -- you were speaking -- I'm sorry, I didn't -- 24 you were speaking of, I believe, paragraph (8) on 25 Page 7, line 12, that line where they cross out, "a</p>
27	<p>1 cabinet level and making a secretary over that, no 2 longer superintendent appointed by the board but now 3 appointed by the governor, once they did that, they 4 actually -- they separated things.</p> <p>5 But the Commission still had a very 6 important role in education in New Mexico. That was 7 recognized in the constitutional amendment, and, I 8 think, the way the voters interpreted it. They were 9 still going to elect people who would have a voice.</p> <p>10 So it wouldn't just be one voice, a 11 secretary at the direction of the governor's office 12 directing all education. You would have other 13 voices coming in from elected officials on the 14 Commission.</p> <p>15 And I think that's been lost over the 16 years. And I think the writ hopefully will help 17 reinstitute that.</p> <p>18 But if this bill moves forward in any 19 fashion, other than just the two things -- or the 20 one thing, really -- the only thing that should be 21 in there -- Commission Voigt said this; you 22 mentioned it, Commissioner Carrillo -- fine, take 23 away CTE, but nothing else should change unless it's 24 clearing up some of the issues.</p> <p>25 But taking authority away from the PEC, I</p>	29	<p>1 detailed description of how chartering authority 2 will use..." --</p> <p>3 THE CHAIR: Okay, Steve. I'm sorry.</p> <p>4 COMMISSIONER CARRILLO: Oh, go on. Go on.</p> <p>5 THE CHAIR: No. Where are you looking?</p> <p>6 COMMISSIONER CARRILLO: Are you referring 7 to Section (8) on Page 7?</p> <p>8 COMMISSIONER VOIGT: That's what it looks 9 like to me.</p> <p>10 THE CHAIR: Yes, yes. Yes.</p> <p>11 COMMISSIONER CARRILLO: Why is this even 12 there? I mean, just --</p> <p>13 COMMISSIONER VOIGT: It was stricken.</p> <p>14 COMMISSIONER CARRILLO: I say, it's 15 stricken, but it seems -- which means it was there 16 to begin with.</p> <p>17 COMMISSIONER VOIGT: It's not anymore.</p> <p>18 COMMISSIONER CARRILLO: Right.</p> <p>19 THE CHAIR: So, Steve, it is -- in every 20 one of our contracts with the charter schools, that 21 that sits as a -- a promise by the Commission that 22 we can report to the schools a detailed spending of 23 their 2 percent holdback. And that's what's been 24 identified -- yes.</p> <p>25 And that's what's been identified by the</p>

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1 State Auditor, that it can't -- that PED can't show
 2 where that 2 percent is going for --
 3 COMMISSIONER CARRILLO: All right. Okay.
 4 THE CHAIR: -- support of the charters.
 5 COMMISSIONER CARRILLO: That needs to be
 6 reinstated, and that's what you're saying. Got it.
 7 THE CHAIR: So by taking that out, it's
 8 saying that the 2 percent isn't a flow-through to
 9 the PEC; it goes to the -- which then disallows our
 10 budget, because we don't have -- we don't have any
 11 funding.
 12 Commissioner Burt?
 13 COMMISSIONER BURT: Thanks. I don't have
 14 too much to say. But, actually, this is the only
 15 part that I even have a -- and I think it's a not
 16 popular opinion.
 17 But I actually think that if the PEC was
 18 able to -- I know -- once again, I know we've talked
 19 about this before, that the PED does keep a line
 20 item for the PEC. That's how we have anything --
 21 that's how we get reimbursed; that's how we're able
 22 to pay for anything. So we do have a line item in
 23 the PED to support, you know, our logistics, I
 24 guess, like, our actual meetings, the basic
 25 functions of the PEC.

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1 And, like I said, I know this is going to
 2 be an unpopular opinion, because I've talked to many
 3 people on the Commission who don't agree. But I
 4 actually think that if this were to -- I actually
 5 don't mind that it's not in there. I think it would
 6 solve a lot of problems for us to not have this in
 7 there. Then we could remove it from the contract,
 8 and it's not something that we have an obligation.
 9 It removes our responsibility from having to put
 10 where this is going and how it's being used.
 11 And that being said, I also think that one
 12 of the good parts to it is, you know, if it comes
 13 down to where the PEC is, you know -- I don't
 14 know -- July 1st -- let's say July 1st. The money
 15 starts flowing through us. We do not have the
 16 infrastructure in order to handle that. I actually
 17 don't think we are the right body to handle that
 18 amount of money and make the strategic staffing
 19 and -- all -- every decision that is entailed in
 20 running CSD and all chartering -- everything to do
 21 with charter schools.
 22 So I do think -- I actually would be fine
 23 with leaving that, because I think it actually
 24 removes us from having that responsibility. It
 25 takes it off of our plates from -- and then if we

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1 can still continue -- I would say we do need, as a
 2 body, to continue to advocate that that money is
 3 transparently known how it's being spent.
 4 But it's not on us to do it. You know, we
 5 don't have full-time staff that are assigned to the
 6 PEC that are -- you know, we don't have an executive
 7 director. We don't have a budget person to run
 8 through all this and get it out to schools. I mean,
 9 we just don't have that -- we don't have the
 10 infrastructure to do it.
 11 So, like I said, I'm aware it's an
 12 unpopular opinion. But I would actually prefer it
 13 stays in. It does get removed, and then we could
 14 actually move on from all of the work on us
 15 controlling the budget, and now we can just move
 16 forward on partnering better and working on actually
 17 getting the services the schools need through CSD.
 18 THE CHAIR: Well, we are the chartering
 19 authority. It is our responsibility to make sure
 20 that that 2 percent money is being spent
 21 appropriately. And if we don't have a budget, how
 22 do we offer support to schools, which is what we're
 23 supposed to be doing without a budget?
 24 We're in the same dilemma with we want to
 25 offer support for a school -- we -- and the Charter

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1 School Division was established by statute to
 2 support the PEC. And I think the budget that
 3 Commissioner Robbins has worked on diligently for
 4 the past three years, I think that budget more than
 5 adequately shows that the PEC has capacity to look
 6 at, to make the staffing decisions -- not in terms
 7 of who's going to do it, but the -- but the -- the
 8 amount of staff that is required, that that has been
 9 thoughtfully discussed over years at work sessions
 10 and budget discussions with the PEC.
 11 We are an independent agency, established
 12 in the Constitution. If we give up that 2 percent,
 13 we have no -- we have no funding, absolutely
 14 positively zero. And so if we give up the
 15 2 percent, we give up everything that is ours, and
 16 we are not an independent agency. We are, in fact,
 17 part of PED, and whatever PED wants to do with us,
 18 they can.
 19 Commissioner Robbins?
 20 COMMISSIONER ROBBINS: Right. The budget
 21 I put together has fully accounted for the IT
 22 support, for the CSD support. And there's
 23 sufficient funds. If it is insufficient funds for
 24 what PED feels that they are supporting us, we are
 25 more than welcome to sit down and talk with them.

<p style="text-align: right;">34</p> <p>1 Right now, at about \$1.9 million, I 2 estimate that only about \$1.5 million of that is 3 being spent on PEC-related stuff, and that includes 4 the full support that PED is providing. 5 That means there's at least \$400,000 that 6 PED is using for things other than the support of 7 the State charters. That's the big problem, that if 8 we take that out, the State charters are funding 9 public schools, and no one else is getting PED extra 10 money for their operations -- they're, like, saying, 11 "Well, the Legislature didn't give us a big enough 12 appropriation, so we're just going to use this 13 2 percent to do what we want with." 14 That's not proper budgeting. And we have 15 to hold the PED accountable fiscally so that we can 16 show the charters how the 2 percent is being used to 17 support them. 18 You know, the Charter School Division 19 supports all charter schools. You know, they have 20 contacts and things with other charter schools that 21 call them and things. And I'm not taking anything 22 away -- our budget doesn't take anything away from 23 CSD for that support, which should come from PED's 24 own funding. 25 But our budget fully accounts for that.</p>	<p style="text-align: right;">36</p> <p>1 independent agency, and we have an obligation to the 2 schools that we authorize to make sure that -- it's 3 a significant amount of money that's being withheld 4 from them, especially from the small schools. 5 For us to simply say, "Oh, yeah, we're 6 just going to give that up, and it's going to go to 7 PED, and you deal with it," that, as far as I'm 8 concerned, is malfeasance on the part of an 9 authorizing entity, which is the bulk of our 10 responsibility. 11 We're heading towards 60 schools. We are 12 the third largest school district in the State, for 13 all intents and purposes. And we can't just turn 14 our back and say, "Oh, yeah," you know, that we're 15 giving up the -- the transparency of that money 16 that -- that you're giving up. 17 Commissioner Carrillo? 18 COMMISSIONER CARRILLO: So I agree with 19 Commissioner Robbins and Commissioner Burt. 20 I think it's more about accountability 21 than anything else. You know, what's-his-name -- I 22 don't know, because you guys are in another part of 23 the state -- Milan Simonich, whatever his name is, 24 who writes the column in the New Mexican -- he was 25 saying the most overused words in government are</p>
<p style="text-align: right;">35</p> <p>1 When we wanted computers, we had to give the 2 justification. Commissioner Carrillo asked and 3 said, "Can we get phones?" 4 You know, we shouldn't be going to beg to 5 PED for things that we feel are legitimate. 6 If we want to hire a contractor to help a 7 school that's struggling, to give professional 8 support to a school that's struggling, rather than 9 revoking their charter, we should be the ones making 10 that decision, not PED. And if we don't have a 11 budget that is controlled by us, administered 12 through the PED, then we don't really exist. 13 And I think it's very important that we 14 maintain that 2 percent coming to the PEC. And the 15 administrative attachment, I don't have a problem 16 with. 17 COMMISSIONER DAVIS: I agree with -- 18 THE CHAIR: I don't know that -- I'm 19 sorry. 20 COMMISSIONER DAVIS: I just agree with 21 what he said. 22 THE CHAIR: I don't know an authorizing 23 entity that doesn't have -- A, that isn't separate 24 from the state agency. Because it makes the appeals 25 process almost impossible. We are a separate,</p>	<p style="text-align: right;">37</p> <p>1 "accountability" and "transparency." 2 It's unfortunate that they have to be 3 misused, because there isn't enough, right? We need 4 our Sunshine Laws. 5 And I hear Secretary Burt's concern about 6 managing the money. It's like the idea of 7 someone -- if a family comes into a big lotto or 8 whatever, it's a huge responsibility to manage money 9 and to -- where it's going, that it's going -- being 10 used pragmatically and everything else. 11 That's for -- and I could be totally 12 wrong, Secretary. But that's more of what I hear 13 you saying, so that this \$2 million doesn't become 14 burdensome. 15 But at the same time, we can't have to ask 16 permission. We have to, as Chair Gipson said, have 17 the authority, as the authorizers, to say, "Hey, 18 we're putting together this program for all of our 19 charters who have scored below 30 to have some 20 really serious and immediate interventions. It's 21 going to cost \$350,000 over the next six months. 22 This is what we're doing." 23 And we shouldn't have to ask anybody for 24 it. 25 In the same way -- because I think of</p>

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1 us -- regardless of what the law says, I think of us
 2 as a school board for the State, right, for all of
 3 these 53, 54 charters. And, you know, when I think
 4 about Santa Fe being one of the larger ones, it's,
 5 like, if we have an initiative we want to do it, we
 6 see if we have the money in the budget and we do it.
 7 We don't ask anybody. That's what we are
 8 there for. We are the board, right? And if our
 9 constituents don't like what we're doing, then they
 10 vote us out, or they show up at a meeting and voice
 11 at a public forum.
 12 So I kind of want it both ways. I mean, I
 13 want there to be some super-accountability on PED's
 14 part, as, "Where is all this?"
 15 We want a monthly reconciliation of where
 16 all of this money is going. And if there's things
 17 in there that we didn't approve, it's like,
 18 "¡Hijole! We never said you could do this with this
 19 money."
 20 And there's got to be recourse for them
 21 taking it out of their own budget instead of taking
 22 it out of ours.
 23 And I agree with Chair Gipson around, you
 24 know, there's a saying somewhere about the one who
 25 controls the purse strings controls outcomes,

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1 controls everything, you know, when you're the
 2 person with the wallet.
 3 THE CHAIR: Well, I truly -- you know, I'm
 4 not going to beat a dead horse. Giving up the
 5 2 percent is submitting that -- submitting all of
 6 our authority and all of our control. Because
 7 that's what -- that's the only piece that, right
 8 now, in terms of funding, helps support the PEC.
 9 And if we directly turn that over to PED, we are
 10 submitting completely, as Commissioner Robbins said,
 11 to PED.
 12 But, you know, this kind of went a little
 13 bit further than I thought we were going to need to
 14 go on this. I think we need a sense, with
 15 Commissioners, at this point in time, if they are in
 16 support of, or not in support of, the removal of
 17 that 2 percent clause.
 18 So I'm going to ask -- so I'm going to --
 19 so let's just do this: We -- 'cause we don't take
 20 official votes on this. I take a sense from a voice
 21 vote, and, hopefully, it will work out.
 22 So I'm going to ask for all Commissioners
 23 who are not in favor of the removing of the
 24 2 percent -- that 2 percent clause to please say,
 25 "Aye."

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1 (Commissioners so indicate.)
 2 THE CHAIR: Not in favor?
 3 COMMISSIONER ROBBINS: Not in favor? I'm
 4 in favor. I mean, I don't want it removed. I don't
 5 want it stricken the way it is right now.
 6 THE CHAIR: Right. My question was in
 7 favor of not removing it. Is that not what I said?
 8 COMMISSIONER DAVIS: Yeah. It's just all
 9 those negatives.
 10 THE CHAIR: All those negatives?
 11 COMMISSIONER CARRILLO: Here. How many
 12 Commissioners want to keep the 2 percent clause in?
 13 Does that make it clearer?
 14 COMMISSIONER ROBBINS: Yes.
 15 THE CHAIR: Sorry if I muddled it.
 16 So all Commissioners that are in favor of
 17 keeping that 2 percent clause in, say "Aye."
 18 (Commissioners so indicate.)
 19 THE CHAIR: Not in favor?
 20 COMMISSIONER BURT: Aye.
 21 THE CHAIR: Okay. So I have a clear sense
 22 that I can communicate to Senator Padilla on that.
 23 COMMISSIONER ROBBINS: Well -- and I'll go
 24 back, Chair Gipson, to -- I mean, the very essence
 25 of the establishment of the Commission under the

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1 Constitution was that the Commission would retain a
 2 voice in education policy, that it would retain a
 3 voice in the education plan that PED puts together;
 4 not that we control it, but that we have a
 5 participation.
 6 I was very disappointed in the FIR that it
 7 was stated, "PEC has not -- has not participated in
 8 this." "PEC has not participated in this".
 9 Only because PED has not allowed us to.
 10 And so they've made it as though we have given up
 11 this authority, we have given it up, when that is
 12 not the fact. PED has excluded us. So the FIR was
 13 misleading.
 14 And, yes, if you read the FIR in face,
 15 well, yeah, it looks like the Commission doesn't
 16 want to be involved in this and this and this;
 17 whereas, that's very disingenuous. Because I think
 18 we should -- as elected officials, should have a
 19 voice in education overall, not just for the State
 20 charters that we work with, but education as a
 21 whole.
 22 Because, again, one of the ideas of having
 23 charters in New Mexico -- and I think we all
 24 understand this -- was to be incubators of
 25 educational change, to try different things, to

<p style="text-align: right;">42</p> <p>1 bring those successful programs into the district 2 schools.</p> <p>3 That's not happening. And I think it's 4 not happening because our voice has been neutered 5 within PED. And I think if we can contribute and 6 participate in the forming of education policy -- 7 not that we dictate it; but I think we can try to 8 work to see that the charters are the incubators and 9 that the best practices are coming into the 10 districts.</p> <p>11 THE CHAIR: Right. Commissioner Carrillo? 12 COMMISSIONER CARRILLO: So I completely 13 agree with you, Commissioner Robbins. And a friend 14 of mine recently -- she used the term "incubators of 15 innovation." And I wrote that down when I was 16 having this conversation; because I do agree, 17 completely with that's the point of charters.</p> <p>18 And that is why -- and no one has 19 mentioned it yet, and maybe I'm -- you know -- maybe 20 it's because it's spread on two pages, the sentence. 21 If you go to the bottom of Page 1, line 25, you 22 know, to lines 1 and 2 on Page 2, they just struck 23 out the guts of what David was talking about. 24 That's why I very intentionally used the word 25 "emasculated."</p>	<p style="text-align: right;">44</p> <p>1 this later."</p> <p>2 But I agree with Commissioner Robbins 3 completely. And I -- for all of us, I'd be more 4 concerned than anything about that sentence on 5 Pages 1 and 2.</p> <p>6 COMMISSIONER VOIGT: Can I just pipe in 7 for a second? 8 THE CHAIR: Sure. 9 COMMISSIONER VOIGT: So I think that, 10 because of this wake-up call -- so when we get ready 11 to circle our wagons, that we need to look at how we 12 are seen as a valued entity. And so that's 13 something that we really need to reflect on, is, you 14 know, what is the value of the PEC? 15 Okay. We might know what it is, 16 individually, even. But as a collective, but as 17 also a public commission, you know, what does the 18 public see as valuable that the PEC does and is? 19 And that's just -- that's just rhetorical 20 and out there for space and time, but for our 21 reflection. 22 So this is -- this bill is an obvious 23 question about our value. So I think that's just 24 something that we need to define. 25 COMMISSIONER CARRILLO: Chair Gipson?</p>
<p style="text-align: right;">43</p> <p>1 They want to make us an impotent body by 2 saying we can no longer advise on policy and other 3 functions. They should just have the -- the 4 chutzpah -- that's the wrong word. They should just 5 be plain and say, "Hey, we want to abolish the 6 Commission." 7 Don't just leave us there with nothing to 8 do. And just have the -- tell us that that's what 9 your plan is. 10 And -- because that's what that line does. 11 And I -- I don't know if that's their intention. 12 Like I said, I think this is a shot across the bow. 13 And that means that, okay, if that's a warning shot, 14 then we need to get together and talk about where 15 do -- where and why do we have these conflicts, so 16 that we don't have to deal with this. 17 I don't think this is going to pass. I 18 think this is -- it's late in the Session. I don't 19 think it's going to get to the number of hearings 20 that it needs. And I think that, all in all, 21 Senator Padilla is going to say, "You know 22 something? This is really flat. Let's maybe work 23 on this, you know, in the summer or work on some of 24 the challenges that we have between the agencies so 25 that we don't even need to approach anything like</p>	<p style="text-align: right;">45</p> <p>1 THE CHAIR: And I completely agree. So -- 2 so I guess -- 3 COMMISSIONER MANIS: I have a question, 4 Chair Gipson. 5 THE CHAIR: Sure. I'm sorry. 6 COMMISSIONER MANIS: Has there ever been a 7 consensus, or, I guess, maybe individually, on what 8 each Commissioner's constituents have -- have 9 thought of as the value of the Commission? Has any 10 Commissioner talked to their constituents about what 11 they see as the value of the PEC? 12 THE CHAIR: Well, I can say for myself -- 13 I can't speak for others. I can say for myself down 14 here, where I am in the southern part of the state, 15 not only have I had pretty deep conversations with, 16 you know, some of my charters, but also through, I 17 guess, about -- I'm going to say two years ago, 18 maybe -- through the League of Women Voters. There 19 was a huge study of charters and the Commission, and 20 I was actively involved with that. And there was a 21 lot of community stakeholders that provided input to 22 that. 23 And I thought it was incredibly 24 productive, because there were so many 25 misunderstandings about what a charter school is,</p>

<p style="text-align: right;">46</p> <p>1 what charter schools do, what we do, our authority, 2 that it proved to be a lot of work. But it was -- 3 it was so well worth it, because it really did -- I 4 think the next -- the next cycle of charter 5 applications, there was so much community input into 6 that application, because people understood it 7 better and were able to provide input, that it 8 was -- it was really well worth it.</p> <p>9 COMMISSIONER MANIS: Well, the reason why 10 I asked is because during the election cycle, a lot 11 of the constituents that I spoke to, as you mention, 12 they had a lot of misunderstandings about the PEC in 13 general. But a lot of the constituents that I spoke 14 to had mentioned the fact of wanting more PEC 15 involvement in those areas of policy recommendations 16 and those things, rather than it just being the PED 17 itself.</p> <p>18 And so that's why I was kind of asking 19 if -- if anybody had -- else had had those same 20 experiences.</p> <p>21 THE CHAIR: Right. And, actually, it 22 maybe goes back a little bit more than two years 23 because I was actually able to say that, yes, we 24 were actually shown the Strategic Plan and offered 25 the opportunity to make input into it; so that that</p>	<p style="text-align: right;">48</p> <p>1 can't -- there are all of these school leaders, 2 they're-- they're superintendents, essentially.</p> <p>3 THE CHAIR: Oh, yeah.</p> <p>4 COMMISSIONER CARRILLO: But they don't 5 necessarily have the resources that a superintendent 6 of a district might have in terms of, you know, 7 bringing in program or access to all of this 8 information that we may have. So they wanted more 9 support.</p> <p>10 And then what I learned from a couple of 11 schools up north, and one particular in Santa Fe, is 12 they felt that over the years -- and I -- I don't 13 see it being that way right this minute because of 14 changes that were made, like Chair Gipson said. But 15 they felt that we were, like, a -- just this 16 gargantuan blob of bureaucracy that just made 17 everything more difficult for everything they wanted 18 to do.</p> <p>19 And this is -- this is when I was on -- in 20 Santa Fe. And I was hearing that, and I was saying, 21 "Well, that's not good."</p> <p>22 But I know that a lot has changed since 23 then.</p> <p>24 But it's just -- it's making us more 25 partners in public ed, not just with PED and all the</p>
<p style="text-align: right;">47</p> <p>1 was a good example of a -- of a positive 2 partnership, where we were able to give that 3 opportunity for advisement.</p> <p>4 Commissioner Carrillo?</p> <p>5 COMMISSIONER CARRILLO: Thank you. And, 6 Commissioner Manis, I would say I'm not sure what 7 other people have done throughout the state. I 8 regularly have been in touch with my school leaders 9 through e-mail.</p> <p>10 There are more -- there are some that 11 participate and get back to me; we talk way more 12 than others. And I would say one of their 13 overarching concerns was having the public 14 understand more what the PEC is.</p> <p>15 And, honestly, what I would tell people 16 is -- just the layperson, you know, at Trader 17 Joe's -- is think of it as a school board for the 18 State's 54 charter schools. Think of it that way, 19 because that's an easy way to think of it. Even 20 though there's all of is rigmarole between us and 21 PED, it's an easy way to think of it. My district 22 has these schools in this part of the state, the 23 same way I was in this part of Santa Fe County.</p> <p>24 And -- but a lot of -- they wanted support 25 on, you know, policy. They wanted ideas. They</p>	<p style="text-align: right;">49</p> <p>1 school districts, but certainly bringing everybody 2 together with all of our charters. That's what I 3 see, KT.</p> <p>4 COMMISSIONER ROBBINS: Commissioner 5 Gipson?</p> <p>6 I've been contacted by many people in the 7 business community for appreciation for my 8 participation on the Commission and the stands that 9 I've taken. You know, I've had individual schools 10 say, "I'm so glad that you've made these points in 11 the PSCOC on the capital, because I think the 12 charter schools get overlooked."</p> <p>13 And if the Commission is not present, they 14 get overlooked on a lot of these things.</p> <p>15 I think the value that we bring from a 16 different point of view is very important. And it's 17 appreciated. My friends, my personal friends, 18 members of our church, they tell me, "David, you may 19 not feel it; but you have a voice that we don't 20 have."</p> <p>21 And the thing is, is we need to take 22 that -- that charge, you know, in a very meaningful 23 way; and not to be mean, not to be arrogant, not to 24 be demanding of the PED, but to work with them 25 collaboratively, because we all have some ideas and</p>

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1 everything how to improve education in New Mexico.
 2 We're at the bottom of the ladder in the
 3 country, you know. And, you know, I'm in
 4 Albuquerque. And Albuquerque is one of the school
 5 districts that's the bottom of the state.
 6 So, you know, they -- they have come to me
 7 many times saying, "Dave, what's going on? What can
 8 we do? How can we help?"
 9 And I think, you know, that's very
 10 important that we maintain that. Otherwise, it's,
 11 just, you're dealing -- you know, if you have a
 12 thousand people trying to get in touch with the
 13 Secretary of PED to voice their voices, they can't
 14 do it. But if you have a Commission that can kind
 15 of channel that and have those constructive
 16 meetings, have weekly meetings with CSD, and then
 17 have meetings periodically with the Cabinet
 18 Secretary to say, "Hey, we want to be a partner in
 19 this, we're not adversaries" -- but we do have a
 20 role.
 21 And I think the people of this state, in
 22 change in the Constitution, saw the value of having
 23 an elected body working with PED -- not over PED,
 24 but working with them -- to improve education in
 25 this state.

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1 COMMISSIONER VOIGT: Can I just say that,
 2 you know, just by throwing that out there, I
 3 wasn't -- that was kind of an internal reflection
 4 question for all of us to look at as a collective,
 5 not to give individual reports about what we feel
 6 our value is on the -- anyway, is there anything
 7 else that we need to cover today?
 8 COMMISSIONER CARRILLO: Yeah. I think so.
 9 THE CHAIR: Are we done with talking about
 10 this bill?
 11 COMMISSIONER ROBBINS: Well, that bill,
 12 maybe. But there's another bill that's --
 13 THE CHAIR: Okay. So I'm sorry. I don't
 14 have a clear sense on this.
 15 COMMISSIONER CARRILLO: No. So --
 16 THE CHAIR: I honestly don't. So --
 17 COMMISSIONER VOIGT: You have got our
 18 verbal --
 19 THE CHAIR: Only on the 2 percent piece.
 20 But the verbal that I received was only on the
 21 2 percent piece.
 22 COMMISSIONER VOIGT: Okay. So I'm asking
 23 what else is there we need to discuss, then?
 24 COMMISSIONER CARRILLO: We need to get rid
 25 of line 25 on Page 1, and line 1 and 2 on Page 2.

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1 Those are the two lines that completely do us in.
 2 My sense is -- they do us in, those three lines.
 3 COMMISSIONER ROBBINS: My sense was, on
 4 the bill on the entirety, the only thing that should
 5 be -- that should remain as a strike-through is the
 6 CTE.
 7 COMMISSIONER VOIGT: Right. That's what I
 8 thought we had --
 9 COMMISSIONER ROBBINS: Take everything
 10 else out and let it go through. But you take out
 11 the fact that we don't have a voice in policy, that
 12 we don't have control of the 2 percent, that we
 13 don't have any other responsibilities or anything;
 14 that's what the bill is doing.
 15 And it's a long bill. But the only thing
 16 that I would say that you leave as a strike-through
 17 is that we would control or direct the CTE. Leave
 18 that in, and everything else, I think, should be
 19 stricken.
 20 COMMISSIONER VOIGT: That's what I thought
 21 we had discussed.
 22 THE CHAIR: Okay. Let me just ask you one
 23 more piece on this, because I -- because I'm not
 24 100 percent sure. One of the strike-throughs that's
 25 in here is that the Cabinet Secretary has to consult

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1 with the PEC when he wants to revoke the board of
 2 finance of a traditional school district.
 3 COMMISSIONER CARRILLO: So that -- that
 4 goes to where -- and it's very apparent on -- on --
 5 well, you know, Pages 4 through 8 and everything,
 6 where they use the word "local school district" as
 7 being synonymous, I guess, with "board of
 8 governance."
 9 THE CHAIR: No. They're talking
 10 specifically about -- this talks -- this is dealing
 11 with a traditional school district. If the -- if
 12 the Cabinet Secretary wanted to revoke the board of
 13 finance and take over a traditional school district.
 14 And it has happened --
 15 COMMISSIONER CARRILLO: Yeah.
 16 THE CHAIR: -- at times.
 17 COMMISSIONER CARRILLO: It happened in
 18 Santa Fe.
 19 THE CHAIR: So that's -- so I'm asking.
 20 Is that something that people want kept in? And I'm
 21 just asking.
 22 COMMISSIONER CARRILLO: But there -- can
 23 you tell me where it is so I can look at the
 24 language?
 25 THE CHAIR: It is --

<p style="text-align: right;">54</p> <p>1 COMMISSIONER VOIGT: It looks like it's 2 Page 4, line 10. 3 THE CHAIR: I had it up before, and then I 4 flipped. 5 COMMISSIONER VOIGT: Item D? 6 THE CHAIR: Yes. It starts, "The 7 secretary (after consultation with the commission) 8 shall suspend from authority and responsibility a 9 local school board, local superintendent or school 10 principal... " 11 It's -- that is not referencing a charter 12 school. That's a -- that's a separate piece. This 13 is dealing solely with traditional school district. 14 COMMISSIONER VOIGT: You know, this looks 15 like whoever wrote this didn't know what the hell 16 they were talking about. 17 COMMISSIONER CARRILLO: I agree 18 completely. 19 COMMISSIONER VOIGT: I'm sorry, because 20 that is so irrelevant to us. 21 THE CHAIR: This is the current law. And 22 all they've done is strike out pieces, and not even 23 add anything, but strike out pieces from the old 24 law. And that's what makes it so wonky, you know? 25 COMMISSIONER VOIGT: I think the whole</p>	<p style="text-align: right;">56</p> <p>1 Padilla carry it? 2 COMMISSIONER VOIGT: I don't know, and I 3 don't care. But as far as now, it should not go 4 anywhere else. I don't want to know why or how. 5 It's just, for now, it should die. 6 THE CHAIR: Why he did it is irrelevant 7 to -- you know, we have to deal with the now, and 8 it's here. 9 COMMISSIONER VOIGT: Yeah. 10 THE CHAIR: So are we -- do we have a 11 consensus that my first ask is for it to be tabled? 12 All in favor, "Aye." 13 (Commissioners so indicate.) 14 THE CHAIR: So -- and that was my 15 understanding. And that was going to be my first 16 ask. I don't know how successful it's going to be. 17 I don't. There's a piece of me that says there's 18 probably a 50-50 chance on this at this point in 19 time. 20 So that's why I needed some clarity on 21 some of the other points, so that if it does get 22 heard tomorrow morning, we know what to target. 23 COMMISSIONER CARRILLO: I would suggest 24 that David's case on the second point, get rid of -- 25 you can get rid of the CTE piece, but everything</p>
<p style="text-align: right;">55</p> <p>1 bill should just be tabled or thrown out. 2 THE CHAIR: Me, too. 3 COMMISSIONER VOIGT: I mean, really, 4 because this bill is just a disaster. The whole 5 thing is just -- 6 THE CHAIR: I agree. But I don't know how 7 successful that's going to be. So I need direction 8 so I know what -- you know, what to -- 9 COMMISSIONER VOIGT: We should strike that 10 for sure, because it's -- 11 COMMISSIONER CARRILLO: Can we agree on 12 asking Chair Gipson to table the entire thing? And 13 then go back -- just as being a primary suggestion 14 to Senator Padilla, our belief is that because of 15 the inconsistencies and incongruities throughout the 16 bill, that it be tabled so that we can come back and 17 really address those things that are at issue, but 18 not -- 19 COMMISSIONER VOIGT: I think, Steve, it's 20 in -- it's lack of understanding of the PEC, that's 21 what this whole bill is -- I mean, just look at it, 22 you know. It's not just inconsistent. Because 23 there's nothing to be consistent about, you know? 24 It's. 25 COMMISSIONER CARRILLO: Then why did</p>	<p style="text-align: right;">57</p> <p>1 else stays. 2 THE CHAIR: Stays. Yeah. Yeah. I got 3 that. 4 COMMISSIONER VOIGT: That's what we had 5 talked about (incomprehensible due to simultaneous 6 speech). 7 COMMISSIONER CARRILLO: But we didn't put 8 that to a hand-up. 9 COMMISSIONER VOIGT: So, anyway, I think 10 that -- I don't think Michael Padilla will want to 11 get into the weeds too much. I don't think he has 12 time to really break through every line item on this 13 bill. I think they're going to look at the big 14 picture. You know, table or move forward. 15 THE CHAIR: Okay. And I agree. 16 COMMISSIONER CARRILLO: That's kind of 17 what he said to me, on the money, Ms. Voigt. He 18 said he wouldn't -- he said, "If this is not looking 19 like it's going to do what we maybe intended it to 20 do, then we'll just pull it." 21 That's what he said, word-for-word, on the 22 phone. 23 THE CHAIR: That's what he told me a week 24 ago. And then it showed up all of a sudden in 25 Senate Committee without any conversation. So</p>

<p style="text-align: right;">58</p> <p>1 that's what worries me. I'll be honest. 2 COMMISSIONER CARRILLO: I hear you. 3 THE CHAIR: So it's -- it's still a little 4 concerning. 5 So I think we're good with 401. I just 6 want to give a couple of updates on some other bills 7 that we have already spoken about. 8 The charter school lottery preference, 9 which is HB 51, that passed the Senate Floor. It 10 got a Do Pass in House Ed, and it's sitting in House 11 Labor right now. 12 It didn't pass House Ed certainly as 13 easily -- I think it was, like, maybe an 8-5 vote. 14 COMMISSIONER CARRILLO: Yeah. 15 THE CHAIR: There was a lot of concern 16 expressed about the bill, and, once again, a 17 misconception with charter schools, this idea of, A, 18 somehow you're going to change the demographics 19 because the wealthier are going to come if you allow 20 teachers' children. 21 You know, I don't know when teachers got 22 into the wealthy piece of it, you know. A retired 23 educator, I'm not exactly sure where that's coming 24 from. 25 But there was a significant pushback in</p>	<p style="text-align: right;">60</p> <p>1 And then there's just about every public 2 school district and so on. But it opens up money 3 for the opportunity to borrow money for some public 4 projects. 5 So just wanted to highlight that for you. 6 The -- the nepotism bill, SB 237, got a Do 7 Pass out of Senate Ed and now is sitting, but 8 doesn't have a hearing scheduled yet, in Senate 9 Judiciary. And it -- as far as I can see, there is 10 not a companion bill on the House side for it. So I 11 don't know how -- how quickly that's going to be 12 able to move; so... 13 COMMISSIONER VOIGT: The graduation 14 requirements bill died. 15 THE CHAIR: Oh, did it? 16 COMMISSIONER VOIGT: Yeah. 17 COMMISSIONER CARRILLO: Yeah. Today. 18 THE CHAIR: Okay. I hadn't -- I hadn't 19 gotten an update on that. 20 Senator Stewart filed SB 406. And that 21 deals with the -- amending the Public School Code to 22 add a new definition for management of a public 23 school or public program. 24 And it -- the -- it prohibits local school 25 board superintendents and charter school governing</p>
<p style="text-align: right;">59</p> <p>1 House Ed, more so than in Senate Ed. But, like I 2 said, it's sitting in House Labor right now. So I 3 don't know how quickly it's going to -- it's not 4 scheduled, the last I looked, yet to be heard in -- 5 in House Labor. 6 The -- 7 COMMISSIONER CARRILLO: Chair Gipson? 8 THE CHAIR: Sure. 9 COMMISSIONER CARRILLO: Are you planning 10 on speaking to that when it is finally scheduled? 11 THE CHAIR: I'm sorry? 12 COMMISSIONER CARRILLO: Are you planning 13 to speak to that bill? 14 THE CHAIR: I am. Because we talked about 15 that the last time. We took a vote on that. So 16 I -- I will. 17 There's certainly SB 165, which is doing 18 the -- oh, I'm sorry -- SB 155 is opening up monies 19 for -- for schools and other public entities to 20 access money for projects. Those projects are 21 listed. 22 And, actually, we have two charter schools 23 that are listed in there. One of them is Media Arts 24 Collaborative, and one of them is 21st Century 25 Public Academy.</p>	<p style="text-align: right;">61</p> <p>1 bodies from contracting with a nongovernmental 2 entity for the management of a public school or 3 school program. 4 And it specifically lists things that 5 can't be contracted for, like providing 50 percent 6 or more of school programs, curricula, authority 7 over extracurricular activities, recruitment of 8 students. There is probably 20 different line items 9 that prohibit -- that a school -- governing council, 10 school board, school district -- would be prohibited 11 from contracting with a nongovernmental. That kind 12 of takes care of -- I'm sorry. 13 COMMISSIONER ROBBINS: Would that 14 effectively prevent a charter school from employing 15 a marketing company to help them recruit students 16 if -- you know, if -- you know, we've had former 17 Commissioners worrying about diversity in a school. 18 If they hire a for-profit marketing firm to help 19 them with their website design, to help them in 20 recruiting more students at risk and things -- I 21 mean, the way it sounds like it's worded, they would 22 be excluded from being able to do that. 23 So it's like it's further hurting those 24 students you're trying to target, because there's 25 not a government entity out there that can do that.</p>

<p style="text-align: right;">62</p> <p>1 THE CHAIR: It would. And it would also 2 prohibit schools, charters, and traditional schools, 3 who perhaps do contract for some after-school 4 activities. So -- and this bill, I can honestly 5 tell you, was not -- did not originate to target 6 charter schools. But it certainly affects charter 7 schools. 8 Commissioner Carrillo. 9 COMMISSIONER CARRILLO: I would agree with 10 both of you. And so -- I mean, I would say we 11 definitely don't want to help Mimi on that one. 12 This would be another case where I would say 13 somebody put a bug in Mimi's ear that all this money 14 is going to outside states and management and all 15 these for-profits. 16 And so they just whipped up a bill just to 17 throw in there at the last minute, really not 18 addressing what their concern may have been, and not 19 really understanding at all the unintended 20 consequences of a bill like that. I think the odds 21 of it going anywhere are slim. 22 THE CHAIR: It's as a result of a school 23 district contracting for a virtual school within 24 their district. And 70 percent of the SEG is going 25 to the -- to the online provider.</p>	<p style="text-align: right;">64</p> <p>1 way it is now. 2 THE CHAIR: Are we in agreement with this? 3 Can we say "Aye"? 4 (Commissioners so indicate.) 5 THE CHAIR: Okay. All right. 6 David, I thought I had the bill for -- 7 COMMISSIONER ROBBINS: 345. It's SB 345, 8 which deals with per diem and mileage. 9 THE CHAIR: Before we get to that one, 10 SB 318, which allows schools to have more access to 11 facility funding, it got a Do Pass in Senate Ed and 12 it's now sitting in Senate Finance. And we had 13 discussed that, because it's going to open up the 14 opportunity, hopefully, for some schools to be able 15 to have greater -- have a little bit more access. 16 It's seed money to hopefully grow as 17 legislative sessions go on. This was, just, let's 18 put a little bit of money into it this year. We 19 came into this session with an economic crisis, so 20 we couldn't ask for a whole lot. 21 But this is the -- you know, priming the 22 pump with this. Let's put this money in, and, 23 hopefully, this will grow so that there will be more 24 access, as years go by, for schools to be able to 25 get into their own buildings, which is really</p>
<p style="text-align: right;">63</p> <p>1 COMMISSIONER CARRILLO: Was this Roswell? 2 THE CHAIR: No, no. No, it's not. 3 COMMISSIONER CARRILLO: All right. 4 THE CHAIR: So there's this -- which is an 5 outrageous amount of SEG money. And so I understand 6 that. But I think you're right. This was a 7 knee-jerk, and there's too much in there. 8 I think we've taken care of it for 9 ourselves in the new contract language and in the 10 new application. So we've handled it, I think, in a 11 better manner, because we -- we're not prohibiting 12 schools from -- from having those -- being able to 13 advertise and being able to get a marketing firm to 14 be able to draw students in and things like that. 15 So I'm going to ask if Commissioners want 16 me to weigh in on this and express our concerns -- 17 COMMISSIONER CARRILLO: A very bad idea. 18 THE CHAIR: -- that this is too broad, and 19 it's going to have too many adverse effects on 20 schools. And that's not -- we're sure that's not 21 intended, but that's going to be the intended 22 consequence, and that we support the concept, and we 23 have, in our own contracts. But it needs to -- it 24 needs a lot of tweaking. 25 COMMISSIONER ROBBINS: It's too broad the</p>	<p style="text-align: right;">65</p> <p>1 critically important. 2 So SB 345 has also been filed. It is -- 3 it's clarifying attendance for per diem and mileage. 4 And what it's doing is it -- if a meeting for a 5 board or commission goes less than four hours, the 6 per diem would be dropped to \$45, not the \$98 or 7 whatever it is. 8 COMMISSIONER ROBBINS: \$95. 9 THE CHAIR: It would be \$45. And any Zoom 10 meeting would be \$45, regardless of its length. 11 COMMISSIONER ROBBINS: And I read today, 12 there's a medical -- a recent medical analysis that 13 was done on Zoom meetings, and they say actually 14 Zoom meetings, even of moderate duration, can 15 actually be more tiring and more demanding on the 16 mind and the psyche of the participants because 17 you're having to pay attention to a lot more. 18 You're -- you know, you're watching facial 19 expressions, and you're not seeing that you do in a 20 live meeting, and so that Zoom meetings are actually 21 more intense than live meetings. 22 And so, you know, I'm against it for a 23 variety of reasons. But, you know, when I -- when I 24 was with Workforce Services -- they're State labor 25 boards around the state. And most of the State</p>

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1 labor boards were not -- all the Commission
 2 positions were not filled, because people could not
 3 see driving for three or four hours, attending a
 4 meeting for two or three hours and getting paid \$95.
 5 It just wasn't worth their time for someone with
 6 knowledge of the labor issues to participate.
 7 And it doesn't affect just this
 8 Commission. It affects all boards and commissions
 9 in the state.
 10 The funny thing is it has absolutely no
 11 impact on legislators. And if they go to a meeting
 12 for two hours, they still get their \$160 or \$170.
 13 They still get that.
 14 So, to me, this is a thing that
 15 Representative Gonzales -- I think it was -- no,
 16 that Senator Bobby Gonzales -- I think it's very
 17 poor.
 18 One of the things that it does do is it
 19 does direct the Department of Finance and
 20 Administration to use GSD numbers in establishing
 21 some things. But it doesn't have anything to do
 22 with other elected officials unless you're
 23 considered to be a commissioner or a board, which
 24 that does affect us.
 25 So I think it's -- it's wrong. So if we

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1 have a three-and-a-half hour meeting, we get \$45;
 2 but if you -- and, again, we're not serving for
 3 that. But it's a nominal thing to offset some of
 4 the time and the effort, you know -- you know, we
 5 have an hour meeting here. I probably spent five or
 6 six hours preparing for this meeting today. And I
 7 think Commissioner Gipson, Chair, you probably spent
 8 multiples of that.
 9 THE CHAIR: Yeah.
 10 COMMISSIONER ROBBINS: You don't get
 11 compensated in any way. So what we get compensated
 12 for in our meetings, I think, is a nominal amount.
 13 I think it's a bad thing the way it's written to
 14 reduce that. It's going to harm boards and
 15 commissions in the state.
 16 THE CHAIR: Commissioner Carrillo?
 17 COMMISSIONER CARRILLO: I agree with
 18 everything that's been said. I would also say it's
 19 just stupid. And I wonder why somebody would even
 20 put this forward. And anytime -- you see people do
 21 these pinche things where they just want to
 22 nickel-and-dime you to death. And it devalues the
 23 position. It's, like, everyone wants everybody to
 24 just volunteer for everything, as if all of us are
 25 just made of time and money.

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1 And you know what? Government wouldn't
 2 work; society wouldn't work. You have to pay
 3 people, value the work they do, show them you value
 4 the work they do.
 5 \$95? That's a pittance for the amount.
 6 You know I did some calls for this. I've easily
 7 probably put in six hours, at least, not including
 8 this meeting, around this bill.
 9 And -- 401.
 10 And the Session. Because it's superduper
 11 important for all of us to do our homework and know
 12 what's what.
 13 And so I -- so, Chair Gipson, I would just
 14 say -- I would make bullet points to everything that
 15 Commissioner Robbins said. You obviously don't have
 16 to tell them it's stupid, because that's just me
 17 being mean.
 18 But you can say that it devalues all of
 19 these people that hold office that maybe are not in
 20 the Legislature, all of these boards and
 21 commissions; it devalues the work that they do. And
 22 you can even point to yourself easily probably
 23 putting in this Session so far over 12 hours, not
 24 just on 401, but other things.
 25 So it's ridiculous. If they need the

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1 money that badly, there's other ways they can get
 2 it.
 3 THE CHAIR: I mean, it's sitting right now
 4 in -- it's been referred to Senate Public Affairs.
 5 It hasn't been scheduled. There's no companion
 6 bill. I don't know if this is honestly going to go
 7 anywhere; I don't. But I will -- I will keep --
 8 I'll -- I will keep looking for it.
 9 COMMISSIONER ROBBINS: And another thing,
 10 this -- this does affect Commissioners when we start
 11 meeting again. It leaves the food allowance at \$30
 12 a day. That's what it's been for over ten years.
 13 THE CHAIR: Right.
 14 COMMISSIONER ROBBINS: And it leaves the
 15 out-of-state food allowance at \$45. Just think. If
 16 you go to Chicago and try to eat -- if you're going
 17 to a conference in Chicago, unless you run down to
 18 the neighborhood McDonald's, try to eat on \$45 a
 19 day. Not saying you get to go have Wagyu steaks
 20 like the Governor. But you can't eat, you know,
 21 reasonably out-of-state at \$45. And it's difficult
 22 to do it in-state at \$30, unless you happen to be at
 23 a restaurant and it gives you a free breakfast.
 24 But even then, you kind of have to shop
 25 around to keep your lunch and dinner down to \$30.

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1 And I know the people who go to Santa Fe, a lot of
 2 times they spend more than \$30 on their daily
 3 amounts. And it's keeping it that level rather than
 4 saying, "Let's just go with what GSD rates are for
 5 food and hotels and everything."
 6 That, to me, would be an easy thing,
 7 because you don't have to set up a whole other
 8 administrative mechanism. GSD publishes their rates
 9 for reimbursement for travel.
 10 THE CHAIR: I know going to St. Louis with
 11 Commissioner Voigt, we didn't pay attention to our
 12 reimbursement.
 13 COMMISSIONER VOIGT: Oh, right.
 14 THE CHAIR: You know. So -- okay.
 15 So does anyone have any other pieces of
 16 legislation they want to bring up?
 17 I highlighted most of the ones that we
 18 have talked about. And then I had been following
 19 345, not that I had to follow it a lot, because it
 20 hasn't moved. But I will continue to follow it, and
 21 I'll keep you apprised of what happens -- you'll
 22 know what happens with 401. You'll see whether it's
 23 on tomorrow or not. But I will let people know as
 24 well.
 25 COMMISSIONER ROBBINS: If I can just

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1 say -- Commissioner Gipson, I appreciate that.
 2 Anyone can go on to the Legislative website, and you
 3 can kind of see the bills.
 4 Again, they don't -- they aren't updated
 5 in real-time, but you can kind of track them at the
 6 end of the day and the next day, see what's going
 7 on, what amendments are being done, which committees
 8 they've been referred to, bills that affect this
 9 Commission. But other bills you may be interested
 10 in.
 11 It actually is a very good web site for
 12 tracking those things. You either need to know a
 13 sponsor, a name that's in the title or the bill, and
 14 which bill number and which chairman it's being
 15 submitted in.
 16 So it's very easy to go through.
 17 THE CHAIR: And you could also check the
 18 committees and -- some are better than others in
 19 updating the schedule. So -- all right.
 20 COMMISSIONER CARRILLO: May I?
 21 THE CHAIR: Commissioner Carrillo?
 22 COMMISSIONER CARRILLO: To speak on what
 23 David just said, isn't the title of SB 401 just
 24 something about CTE?
 25 THE CHAIR: It is.

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1 COMMISSIONER CARRILLO: It's such a
 2 misnomer.
 3 THE CHAIR: It is.
 4 COMMISSIONER ROBBINS: That, in and of
 5 itself, is a problem, because the title is supposed
 6 to clearly state what everything else in it does.
 7 And it really doesn't.
 8 THE CHAIR: Right. Right.
 9 COMMISSIONER CARRILLO: It's a mess.
 10 Yeah.
 11 COMMISSIONER ROBBINS: Constitutionally,
 12 that's an issue, too.
 13 THE CHAIR: Okay. I appreciate everyone's
 14 time and your thoughts on this.
 15 Like I said, we thought it was important
 16 to have this discussion so that I had some official
 17 clear direction.
 18 And I will be in touch, and, hopefully, I
 19 can have a conversation with Senator Padilla this
 20 evening.
 21 So, Commissioner Carrillo?
 22 COMMISSIONER CARRILLO: Before we
 23 adjourn -- because I feel that's where we're
 24 going --
 25 THE CHAIR: Uh-huh.

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1 COMMISSIONER CARRILLO: -- I don't want us
 2 to lose sight of this being a shot across the bow.
 3 What do we need to do to mend the relationship, to
 4 be that specific, to be that separate entity? I
 5 mean, what do we have to do?
 6 Because this -- you know, obviously, it's
 7 a -- it's indicative that there's a real problem
 8 brewing. And if we were a family, we'd be saying,
 9 "Okay, we got to get to the bottom of this, because
 10 we can't function. It's not healthy, and we're not
 11 doing what's best for kids."
 12 So let's give that some thought as to how
 13 we can mend this relationship.
 14 THE CHAIR: Yeah. I appreciate that.
 15 COMMISSIONER VOIGT: We should have a
 16 retreat.
 17 COMMISSIONER CARRILLO: Cocktails go a
 18 long way.
 19 THE CHAIR: And I do, once again, want to
 20 express my gratitude that Commissioner -- that
 21 Senator Padilla has been available for us and that
 22 the Cabinet Secretary also did reach out. So I
 23 think those are important pieces.
 24 So with that being said, I will entertain
 25 a motion for adjournment.

1 COMMISSIONER ROBBINS: So move.
 2 THE CHAIR: There's a motion to adjourn.
 3 COMMISSIONER DAVIS: I second it.
 4 THE CHAIR: Thank you, everyone.
 5 COMMISSIONER ROBBINS: Thank you.
 6 THE CHAIR: See you soon.
 7 COMMISSIONER CARRILLO: You all have a
 8 good night.
 9 (Proceedings concluded at 5:31 p.m.)

1 RECEIPT
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 4 CASE CAPTION: In re: Special Open Public Meeting of
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 6 *****
 7 ATTORNEY: MS. BEVERLY FRIEDMAN - PED
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18 *Cynthia Chapman*

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