

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

OPEN PUBLIC MEETING

September 24, 2021

9:00 a.m.

VIA ZOOM WEBINAR VIDEO TELECONFERENCE

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

Bean & Associates, Inc.

Professional Court Reporting Service

201 Third Street, NW, Suite 1630

Albuquerque, New Mexico 87102

JOB NO.: 5658N (CC)

2	<p>1 APPEARANCES</p> <p>2 COMMISSIONERS:</p> <p>3 PATRICIA GIPSON, Chair</p> <p>4 GLENNA VOIGT, Vice Chair</p> <p>5 REBEKKA BURT, Secretary</p> <p>6 STEVEN CARRILLO, Member</p> <p>7 MICHAEL CHAVEZ, Member</p> <p>8 KT MANIS, Member</p> <p>9 DAVID ROBBINS, Member</p> <p>10 MICHAEL TAYLOR, Member</p> <p>11</p> <p>12 PED STAFF:</p> <p>13</p> <p>14 CORINA CHAVEZ Director</p> <p>15 Charter School/Options for</p> <p>16 Parents and Families Division</p> <p>17</p> <p>18 MISSY BROWN Technical Assistance and Support and</p> <p>19 Training Administrator</p> <p>20 Charter School/Options for</p> <p>21 Parents and Families Division</p> <p>22 BEVERLY FRIEDMAN, Custodian of Record</p> <p>23 Liaison to PEC</p> <p>24</p> <p>25 COUNSEL TO THE PEC:</p> <p>26</p> <p>27 JULIA HOSFORD BARNES, ESQ.</p> <p>28 Barnes Mediation and Law, PC</p> <p>29 200 W. DeVargas Street, Suite 7</p> <p>30 Santa Fe, New Mexico 87501</p> <p>31</p> <p>32</p> <p>33</p> <p>34</p> <p>35</p>	4
3	<p>1 INDEX TO PROCEEDINGS</p> <p>2 PAGE</p> <p>3 1 Call to Order, Roll Call, 5</p> <p>4 Pledge of Allegiance, and</p> <p>5 Salute to the New Mexico Flag</p> <p>6 2 Approval of Agenda 7</p> <p>7 3 Open Forum 8</p> <p>8 4 Consent Agenda 8</p> <p>9 5 Discussion and Possible Action on 12</p> <p>10 Rio Grande Academy of Fine Arts</p> <p>11 Board of Finance Application</p> <p>12 6 Discussion and Possible Action on 14</p> <p>13 The GREAT Academy</p> <p>14</p> <p>15 7 Discussion and Possible Action on 19</p> <p>16 The GREAT Academy Corrective Action Plans</p> <p>17 8 Discussion and Possible Action on the 137</p> <p>18 Letter of Concern Regarding Responsiveness</p> <p>19 of Albuquerque Institute of Math and Science</p> <p>20 A.I.M.S.)</p> <p>21</p> <p>22 9 Discussion and Possible Action on Written 140</p> <p>23 Guidance for All Charter Schools' Lottery</p> <p>24 and Enrollment Process</p> <p>25</p> <p>26 10 Discussion and Possible Action on 150</p> <p>27 Renewal Site Visit Protocol and MOU</p> <p>28 with Renewing Schools</p> <p>29</p> <p>30 11 Discussion and Possible Action to Approve 165</p> <p>31 2020-2021 Modified Annual Site Visit Reports</p> <p>32 12 Report from Options for Parents and 167</p> <p>33 Families Division - Discussion and</p> <p>34 Possible Action</p> <p>35 13 Discussion and Possible Action on 173</p> <p>PEC Liaison Reports</p> <p>14</p> <p>15 14 Report from the Chair 183</p>	5
4	<p>1 INDEX TO PROCEEDINGS, Continued</p> <p>2 PAGE</p> <p>3 15 PEC Comments 197</p> <p>4 16 Adjourn 207</p> <p>5 REPORTER'S CERTIFICATE 208</p> <p>6</p> <p>7 ATTACHMENTS:</p> <p>8 1 Attendees List</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	4

6

1 COMMISSIONER BURT: Commissioner Manis.
 2 COMMISSIONER MANIS: Here.
 3 COMMISSIONER BURT: Commissioner Robbins.
 4 COMMISSIONER ROBBINS: Here.
 5 COMMISSIONER BURT: Commissioner Taylor.
 6 COMMISSIONER TAYLOR: Here.
 7 COMMISSIONER BURT: Commissioner Voigt.
 8 COMMISSIONER VOIGT: Here.
 9 COMMISSIONER BURT: Oh, I see her.
 10 Commissioner Davis.
 11 THE CHAIR: She has someone working at the
 12 house that's coming. So we'll wait for her.
 13 We won't wait for her. She'll -- we'll
 14 recognize that she's here.
 15 COMMISSIONER BURT: She is here. So there
 16 is -- yeah. So there's eight Commissioners here.
 17 THE CHAIR: Here she comes.
 18 COMMISSIONER BURT: We're doing the roll,
 19 Commissioner Davis.
 20 Commissioner Davis.
 21 COMMISSIONER DAVIS: Yes.
 22 COMMISSIONER BURT: All right. Thank you.
 23 COMMISSIONER DAVIS: I am here.
 24 THE CHAIR: So we have eight Commissioners
 25 present. Thank you.

7

1 So I'm going to ask Commissioner Voigt to
 2 lead us in the Pledge and Commissioner Burt to lead
 3 us in the Salute to the New Mexico Flag.
 4 (Pledge of Allegiance and Salute to
 5 the New Mexico Flag conducted.)
 6 THE CHAIR: So we are on to Item No. 2,
 7 Approval of the Agenda.
 8 Does anyone have any changes to the
 9 agenda? If not, I'll entertain a motion for
 10 approval.
 11 COMMISSIONER CARRILLO: You know what? No
 12 changes, Chair Gipson. But just want to do a
 13 comment on Consent Sent item 4 -- B-4, the Taos
 14 Academy, when it comes up. Just a comment.
 15 THE CHAIR: Oh, sure.
 16 COMMISSIONER CARRILLO: Thank you. Okay.
 17 COMMISSIONER DAVIS: I move we approve the
 18 agenda.
 19 COMMISSIONER CARRILLO: I'll second.
 20 THE CHAIR: There's a motion by
 21 Commissioner Davis, a second by Commissioner
 22 Carrillo.
 23 If there's no further discussion,
 24 Commissioner Burt?
 25 COMMISSIONER BURT: Commissioner Voigt.

8

1 COMMISSIONER VOIGT: Yes.
 2 COMMISSIONER BURT: Commissioner Taylor.
 3 COMMISSIONER TAYLOR: Yes.
 4 COMMISSIONER BURT: Commissioner Robbins.
 5 COMMISSIONER ROBBINS: Yes.
 6 COMMISSIONER BURT: Commissioner Manis.
 7 COMMISSIONER MANIS: Yes.
 8 COMMISSIONER BURT: Commissioner Gipson.
 9 THE CHAIR: Yes.
 10 COMMISSIONER BURT: Commissioner Davis.
 11 COMMISSIONER DAVIS: Yes.
 12 COMMISSIONER BURT: Commissioner Carrillo.
 13 COMMISSIONER CARRILLO: Yes.
 14 COMMISSIONER BURT: And Commissioner Burt,
 15 yes.
 16 That passes unanimously.
 17 THE CHAIR: Thank you. Sorry. This is
 18 one of those mornings that my dog keeps -- in and
 19 out. So sorry.
 20 We are on to Item No. 3, Open Forum. Bev,
 21 did anyone sign up? Or Missy.
 22 MS. MISSY BROWN: (Indicates.)
 23 THE CHAIR: Okay. Thanks.
 24 MS. BEVERLY FRIEDMAN: No.
 25 THE CHAIR: We are now on to Item No. 4,

9

1 which is the consent agenda. So I don't believe we
 2 have any changes to the consent agenda; correct?
 3 (No response.)
 4 THE CHAIR: Okay. Thank you.
 5 So I will entertain a motion for approval
 6 of the consent agenda. And, Commissioner Carrillo,
 7 you can make your comment after the motions, okay?
 8 COMMISSIONER CARRILLO: Sure. So a motion
 9 to approve.
 10 THE CHAIR: Second.
 11 COMMISSIONER ROBBINS: Second.
 12 THE CHAIR: There's a motion by
 13 Commissioner Carrillo. There's a second by
 14 Commissioner Gipson.
 15 Discussion?
 16 COMMISSIONER CARRILLO: Is that when you
 17 want me to --
 18 THE CHAIR: Yeah.
 19 COMMISSIONER CARRILLO: Well, on the Taos
 20 Academy, I was able to go up there a couple of weeks
 21 ago and visit with Traci Filiss as I want to try to
 22 do with all the schools in the north.
 23 And I was just kind of blown away with
 24 their program, because I know she does a lot of
 25 online and distance learning, and I had never had a

10	<p>1 lot of confidence in that.</p> <p>2 But in seeing what they were doing in Taos</p> <p>3 Academy, she really did kind of open my mind to a</p> <p>4 lot of different ways it can be super effective.</p> <p>5 Their campus is amazing. Their staff -- I was just</p> <p>6 so impressed with that school. So it's no wonder</p> <p>7 that it gets the accolades that it does.</p> <p>8 And I'm just very grateful. And I just</p> <p>9 wanted -- you know, to me visiting the schools is</p> <p>10 the absolute best part of this work and being around</p> <p>11 kids and everything. So just want to do a shout-out</p> <p>12 to Ms. Filiss, completely support of course the</p> <p>13 expansion, and they've just done an amazing job up</p> <p>14 there.</p> <p>15 THE CHAIR: Yeah. It looks like -- sorry,</p> <p>16 I thought you were done. Sorry.</p> <p>17 COMMISSIONER CARRILLO: Yeah.</p> <p>18 THE CHAIR: It looks like an exciting</p> <p>19 expansion when we looked at the plans. We were</p> <p>20 fortunate to have them let us hold a meeting up</p> <p>21 there when we were doing community input hearings.</p> <p>22 So we got a tour of the campus and -- yeah, they are</p> <p>23 one of the best examples of how you can do it in a</p> <p>24 hybrid manner very successfully. So thanks for</p> <p>25 that.</p>	12	<p>1 THE CHAIR: Okay. Thank you. We are on</p> <p>2 to Item No. 5, Discussion and Possible Action on the</p> <p>3 Rio Grande Academy of Fine Arts Board of Finance</p> <p>4 Application.</p> <p>5 And as was actually spoken about</p> <p>6 yesterday, when we're looking at the charter school</p> <p>7 program's funding, the school needs to have a Board</p> <p>8 of Finance in order to be able to start accepting</p> <p>9 those funds and be able to hopefully successfully</p> <p>10 carry out their implementation year, or whatever we</p> <p>11 want to call it, going forward.</p> <p>12 So this is actually remarkably early for</p> <p>13 schools. I'm glad they were able to get this</p> <p>14 together so quickly. So it's nice to see that</p> <p>15 they're moving forward so quickly. So</p> <p>16 congratulations to them on that.</p> <p>17 So -- oh, Commissioner -- Director.</p> <p>18 DIRECTOR CORINA CHAVEZ: Chair Gipson,</p> <p>19 members of the Public Education Commission, good</p> <p>20 morning. And, yes, I agree, this was very quick on</p> <p>21 the part of the school.</p> <p>22 Just after your meeting to approve the</p> <p>23 school, we provided them with the application so</p> <p>24 they could get it in and start to receive the</p> <p>25 federal Charter Schools Program grant, and I was</p>
11	<p>1 COMMISSIONER CARRILLO: Thank you.</p> <p>2 THE CHAIR: I'm glad that they can do this</p> <p>3 for that community.</p> <p>4 COMMISSIONER CARRILLO: Yeah.</p> <p>5 THE CHAIR: Yeah. Okay.</p> <p>6 So if there's nothing else, Commissioner</p> <p>7 Burt?</p> <p>8 COMMISSIONER BURT: Commissioner Davis.</p> <p>9 COMMISSIONER DAVIS: Yes.</p> <p>10 COMMISSIONER BURT: Commissioner Gipson.</p> <p>11 THE CHAIR: Yes.</p> <p>12 COMMISSIONER BURT: Commissioner Carrillo.</p> <p>13 COMMISSIONER CARRILLO: Yes.</p> <p>14 COMMISSIONER BURT: Commissioner Manis.</p> <p>15 COMMISSIONER MANIS: Yes.</p> <p>16 COMMISSIONER BURT: Commissioner Taylor.</p> <p>17 COMMISSIONER TAYLOR: Yes.</p> <p>18 COMMISSIONER BURT: Commissioner Robbins.</p> <p>19 COMMISSIONER ROBBINS: Yes.</p> <p>20 COMMISSIONER BURT: Commissioner Burt,</p> <p>21 yes.</p> <p>22 Commissioner Voigt.</p> <p>23 COMMISSIONER VOIGT: Yes.</p> <p>24 COMMISSIONER BURT: All right. That</p> <p>25 passes, eight-zero, unanimously.</p>	13	<p>1 very happy that the school got it in for this month.</p> <p>2 So this is one of the things that</p> <p>3 distinguishes the State charters from the local</p> <p>4 charters. State charters are their own Board of</p> <p>5 Finance. And so you'll see all the paperwork that's</p> <p>6 associated with it. And any time there is a change</p> <p>7 in board membership, they have to submit some</p> <p>8 documents to -- to change the Board of Finance so</p> <p>9 that all the current members of their board are</p> <p>10 listed in the Board of Finance documentation.</p> <p>11 THE CHAIR: Thank you. So I will move</p> <p>12 to -- that the Public Education Commission approve</p> <p>13 the application for Rio Grande Academy of Fine Arts</p> <p>14 Board of Finance.</p> <p>15 COMMISSIONER BURT: Second.</p> <p>16 THE CHAIR: There's a motion by</p> <p>17 Commissioner Gipson, a second by Commissioner Burt.</p> <p>18 If there's no further discussion,</p> <p>19 Commissioner Burt.</p> <p>20 COMMISSIONER BURT: Commissioner Manis.</p> <p>21 (No response.)</p> <p>22 COMMISSIONER BURT: I'll come back.</p> <p>23 Commissioner Voigt.</p> <p>24 COMMISSIONER VOIGT: Yes.</p> <p>25 COMMISSIONER BURT: Commissioner Burt,</p>

<p style="text-align: right;">14</p> <p>1 yes.</p> <p>2 Commissioner Taylor.</p> <p>3 COMMISSIONER TAYLOR: Yes.</p> <p>4 COMMISSIONER BURT: Commissioner Carrillo.</p> <p>5 COMMISSIONER CARRILLO: Yes.</p> <p>6 COMMISSIONER BURT: Commissioner Robbins.</p> <p>7 COMMISSIONER ROBBINS: Yes.</p> <p>8 COMMISSIONER BURT: Commissioner Davis.</p> <p>9 COMMISSIONER DAVIS: Yes.</p> <p>10 COMMISSIONER BURT: Commissioner Gipson.</p> <p>11 THE CHAIR: Yes.</p> <p>12 COMMISSIONER BURT: Commissioner Manis.</p> <p>13 Commissioner Manis is not --</p> <p>14 COMMISSIONER MANIS: Yes.</p> <p>15 COMMISSIONER BURT: All right. Yes. All</p> <p>16 right. Great. So that passes, eight-zero,</p> <p>17 unanimously.</p> <p>18 THE CHAIR: Thank you. And</p> <p>19 congratulations to them once again for getting it in</p> <p>20 so quickly.</p> <p>21 So we are on to Item No. 6, which is</p> <p>22 discussion and possible action on The GREAT Academy.</p> <p>23 And as Commissioners are aware, there's</p> <p>24 been a lot of work that is done. It is a profound</p> <p>25 amount of work that has been done by the Charter</p>	<p style="text-align: right;">16</p> <p>1 all the participants. But I think Sue Fox and Meg</p> <p>2 Meister are both probably online and would need to</p> <p>3 be promoted. I think we're going to -- you were</p> <p>4 going to call on them.</p> <p>5 THE CHAIR: If they wish, yeah. Yeah.</p> <p>6 Sorry.</p> <p>7 MS. JULIA BARNES: No, that's okay. And</p> <p>8 then I wanted to remind Commissioners that, in your</p> <p>9 folder, there are sample motions on these variety of</p> <p>10 topics if you care to take a look at that, under</p> <p>11 the -- my folder to you.</p> <p>12 THE CHAIR: Okay. Hold on.</p> <p>13 Commissioner Robbins?</p> <p>14 You're muted.</p> <p>15 COMMISSIONER ROBBINS: Sorry. Quick</p> <p>16 question. Does The GREAT Academy receive any</p> <p>17 federal funds?</p> <p>18 THE CHAIR: Oh. In terms of --</p> <p>19 COMMISSIONER ROBBINS: In terms of their</p> <p>20 operation.</p> <p>21 THE CHAIR: Any federal monies?</p> <p>22 COMMISSIONER ROBBINS: Any federal monies.</p> <p>23 Are they receiving any federal monies, grants, or</p> <p>24 otherwise?</p> <p>25 THE CHAIR: I would assume so. But the</p>
<p style="text-align: right;">15</p> <p>1 School Division, Melissa Sanchez, in particular,</p> <p>2 certainly the oversight by the Director, Julia, and</p> <p>3 Nathan, with this.</p> <p>4 And there's been meetings by the Executive</p> <p>5 Committee in looking at this. We've had discussions</p> <p>6 at our meetings regarding this. And, you know,</p> <p>7 the -- the conclusion that most have come to is that</p> <p>8 the concerns are around the foundation of the</p> <p>9 school. And the Commission at this point in time</p> <p>10 has little to no authority over the foundation.</p> <p>11 So that looking at the -- the concerns --</p> <p>12 and they're profound -- the recommendation is that</p> <p>13 the -- these concerns be sent over to those agencies</p> <p>14 that do, in fact, have greater authority and ability</p> <p>15 to do investigations.</p> <p>16 We're not an investigative agency. But</p> <p>17 the Attorney General and the Auditor's Office are,</p> <p>18 so that that is the recommendations that are being</p> <p>19 put forward here, is that the Public Education</p> <p>20 Commission give the direction to me to forward the</p> <p>21 concerns to those appropriate agencies, the Attorney</p> <p>22 General's Office, the Auditor's Office, and also the</p> <p>23 Office of the General Counsel and Licensure.</p> <p>24 Julia?</p> <p>25 MS. JULIA BARNES: I think -- I can't see</p>	<p style="text-align: right;">17</p> <p>1 Director can certainly answer that. But I would</p> <p>2 assume so.</p> <p>3 DIRECTOR CORINA CHAVEZ: Commissioner</p> <p>4 Robbins?</p> <p>5 COMMISSIONER ROBBINS: Yes.</p> <p>6 DIRECTOR CORINA CHAVEZ: The school is</p> <p>7 eligible for federal funds. It does not receive</p> <p>8 Charter School Program grants for expansion or</p> <p>9 start-up. However, they may have received some</p> <p>10 distance learning funds. I would need to do the</p> <p>11 research to confirm that.</p> <p>12 COMMISSIONER ROBBINS: That should be in</p> <p>13 their financial audit, and a quick review of that</p> <p>14 would reveal that. If there are any federal funds</p> <p>15 received for any programs, I would add to that into</p> <p>16 your referral to respective agencies to include the</p> <p>17 FBI.</p> <p>18 DIRECTOR CORINA CHAVEZ: Commissioner</p> <p>19 Robbins, I just wanted to confirm I heard back from</p> <p>20 Melissa Sanchez that they are receiving special ed</p> <p>21 funds and CARES funds as well.</p> <p>22 THE CHAIR: So I would -- I would also --</p> <p>23 and I could be wrong on this. But when the referral</p> <p>24 goes out to the AG's Office, in particular, based on</p> <p>25 the information and the investigation they did, they</p>

18	<p>1 would then refer it out to, potentially, the FBI.</p> <p>2 Correct, Julia?</p> <p>3 MS. JULIA BARNES: I haven't looked at</p> <p>4 that. I would assume -- I was just looking, too,</p> <p>5 that this is appropriate under the -- under the</p> <p>6 agenda. I think it is, because it says to</p> <p>7 appropriate enforcement agencies --</p> <p>8 THE CHAIR: Okay.</p> <p>9 MS. JULIA BARNES: -- including the</p> <p>10 Attorney General and the State Auditor.</p> <p>11 So I think the conversation, Commissioner</p> <p>12 Robbins, is acceptable under the agenda.</p> <p>13 I think we can find out what would be the</p> <p>14 appropriate way to do that, either to put that in a</p> <p>15 letter to -- in the letter to the Attorney General,</p> <p>16 and we can get back to you on what is the</p> <p>17 appropriate thing.</p> <p>18 And then, Commissioner -- Chair, I was</p> <p>19 just going to offer, if we wanted to kind of go over</p> <p>20 all of where the issues are, kind of a global</p> <p>21 overview, we can do that. But I saw Commissioner</p> <p>22 Carrillo's hand was up, too.</p> <p>23 THE CHAIR: Right. Commissioner Carrillo.</p> <p>24 COMMISSIONER CARRILLO: Thank you. I</p> <p>25 would concur with Commissioner Robbins. And even</p>	20	<p>1 I did want to also add, Chair, that the</p> <p>2 school and the foundation put in a tremendous amount</p> <p>3 of time as well providing us all this information.</p> <p>4 So while the CSD staff worked very hard, they also</p> <p>5 worked in close communication and were provided a</p> <p>6 great deal of information from -- from the school</p> <p>7 and the foundation.</p> <p>8 So just to give everybody an overview that</p> <p>9 was in my memo, which also went out to counsel that</p> <p>10 are on -- on the Zoom right now, as everybody knows,</p> <p>11 there is a court case. You already acted as a</p> <p>12 Commission to non-renew the charter. That went to</p> <p>13 the cabinet secretary, who upheld your decision, and</p> <p>14 it has been appealed to district court.</p> <p>15 That is a path that every school has on</p> <p>16 these high-stakes decisions, and they opted to take</p> <p>17 that path to district court. Many of these issues,</p> <p>18 not in as great detail as we have right now, but</p> <p>19 have been outlined for the court. So that decision</p> <p>20 is there and pending. It's been fully briefed and</p> <p>21 argued, and the court has taken it under advisement,</p> <p>22 and we don't know when it will come back. It's up</p> <p>23 to the court.</p> <p>24 We're hopeful that it will be sooner</p> <p>25 rather than later, but I don't think that anyone has</p>
19	<p>1 though the AG might very well be the agency that</p> <p>2 refers it to the FBI, I would want somehow that</p> <p>3 included in the letter, you know, the seriousness of</p> <p>4 all of this. I'm not sure how the others feel, but</p> <p>5 I would agree with Mr. Robbins, Commissioner</p> <p>6 Robbins, on that.</p> <p>7 When you started -- I know that we're</p> <p>8 going to get to this in the next agenda item. You</p> <p>9 had said that most of the troubles -- or the</p> <p>10 challenges, we'll say -- with The GREAT Academy had</p> <p>11 to do with the foundation. I, here, just want to</p> <p>12 state for the record -- and this will come up later,</p> <p>13 of course -- that there are a lot of challenges also</p> <p>14 on the academic side.</p> <p>15 THE CHAIR: But this agenda item,</p> <p>16 particularly, is about --</p> <p>17 COMMISSIONER CARRILLO: Just what you</p> <p>18 said, that we're looking at the found- -- I just</p> <p>19 wanted to make that clear for myself for the record.</p> <p>20 Thank you.</p> <p>21 THE CHAIR: Sure. Julia, do you want</p> <p>22 to --</p> <p>23 MS. JULIA BARNES: Yeah. If it would be</p> <p>24 helpful to Commissioners, I think we can kind of</p> <p>25 start.</p>	21	<p>1 any control over that. So I just wanted to start</p> <p>2 with you have already taken actions.</p> <p>3 The -- there is a pending stay for this</p> <p>4 year. And if the court rules in a timely fashion,</p> <p>5 either the -- your ruling -- your decision will be</p> <p>6 upheld, and that could be further appealed so they</p> <p>7 could still move forward to exhaust that -- move</p> <p>8 forward to close the school.</p> <p>9 Or, I'm anticipating, because you extended</p> <p>10 the existing contract for one year, that if the</p> <p>11 school was allowed to reopen, or the renewal -- the</p> <p>12 nonrenewal decision being overturned would be</p> <p>13 requiring you to renew the school, you would do a</p> <p>14 new contract.</p> <p>15 So you are in a short window of time to --</p> <p>16 where I don't see that there is much to do that you</p> <p>17 can do more than you have done with the school right</p> <p>18 now; although, we are moving forward with the</p> <p>19 proposed academic CAP, and there is a proposal right</p> <p>20 now that you're looking at to refer out some of the</p> <p>21 financial concerns.</p> <p>22 So there is a short-term financial CAP</p> <p>23 that Attorney Fox often says is not exactly a</p> <p>24 corrective action plan; it was more an investigative</p> <p>25 document. We are recommending that you close that</p>

22

1 out if you refer out to other entities.
 2 We've gotten a lot of the information.
 3 They have an ability -- other entities have an
 4 ability to get more information if they need it. So
 5 to close it out, not to say that your concerns are
 6 satisfied, but that the information has been
 7 received.
 8 That is the next agenda item, one of two
 9 financial CAPs. There's one for academics, and
 10 there's one to close out the short-term one.
 11 We put on the agenda so you have all
 12 options available to you to do another financial
 13 CAP; although, if the Commission decides to do that
 14 we will need to negotiate that. There is not one
 15 presently pending, with the decision instead to go
 16 to other entities that have more authority.
 17 The actions -- there's two actions related
 18 to the foundation. Both are referrals out. One is
 19 to the Attorney General's Office. As Commissioner
 20 Robbins has stated, he may as well also want to
 21 include another enforcement agency in that, either
 22 as an addition or through that agency. We can
 23 certainly look at that.
 24 The next one is the State Auditor, because
 25 foundations are a component part of the school's

23

1 audit. We would send that information to the
 2 Auditor to see if they wanted to take action.
 3 Finally, the two referrals out potentially
 4 to the Ethics Commission and/or the Office of
 5 General Counsel, which oversees the Licensure
 6 Bureau, those are ethics referrals out. Those
 7 are -- I think they both ultimately lead to the
 8 Office of General Counsel Licensure Bureau.
 9 So I -- I -- I'm thinking that that is a
 10 more direct referral, and those are related to
 11 school employees.
 12 So there's a variety of things, referrals
 13 out right now. Again, proposed memos are in --
 14 there's a -- are in that -- in a document in my
 15 folder for you. So there could be three or four,
 16 AG, State Auditor, the Ethic -- the Office of
 17 General Counsel at PED Licensure Bureau, and then if
 18 Commissioner Robbins and others wanted to add to it.
 19 So that's where I think we are on Item 6.
 20 And, Chair, I know that -- I don't know if
 21 you would like to hear now from Sue Fox or Meg
 22 Meister at this point, or if they would like to
 23 speak. I -- however you'd like to address that.
 24 Now you're on mute, Chair.
 25 THE CHAIR: I think it's fine if they want

24

1 to speak now.
 2 MS. SUE FOX: Shall I go ahead?
 3 THE CHAIR: Yes.
 4 MS. SUE FOX: All right. Madam Chair and
 5 members of the Commission, I'm going to read a
 6 prepared statement on behalf of the school.
 7 The GREAT Academy has been transparent
 8 throughout the CAP process, has provided all the
 9 information requested by it from the -- from it by
 10 the PEC and the Charter Schools Division, and has
 11 responded to numerous questions posed by the PEC,
 12 the CSD, and their legal counsel.
 13 We don't believe further discussion of the
 14 information provided in the memo will resolve
 15 anything, and our silence regarding that should not
 16 be viewed as acquiescence in it. The school firmly
 17 believes that it has operated and continues to
 18 operate in accordance with all laws and ethical
 19 requirements applicable to charter schools and
 20 charter school employees, and it does not oppose
 21 review of any concerns by appropriate review
 22 authorities with appropriate due process.
 23 We hope that such review will result in
 24 increased trust, confidence, and mutual respect
 25 between the parties to the charter contract and a

25

1 better working relationship in the future.
 2 Thanks.
 3 THE CHAIR: Thank you.
 4 MS. MEG MEISTER: Thank you. Meg Meister
 5 with Modrall Sperling. And I have just a brief
 6 statement on behalf of the foundation.
 7 On behalf of The GREAT Academy Foundation,
 8 we appreciate the opportunity to address the
 9 Commission with regard to the school's financial
 10 Corrective Action Plan. The foundation -- as
 11 Ms. Barnes noted, the foundation participated in the
 12 CAP process and voluntarily provided a huge amount
 13 of detailed information, because the foundation
 14 takes transparency and its support of The GREAT
 15 Academy very seriously.
 16 And we certainly appreciate the
 17 opportunity to have reviewed Ms. Barnes' memo to the
 18 Commission. Again, as Ms. Fox said, we don't
 19 believe it would be fruitful to provide a detailed
 20 rebuttal here to the matters in that memo, that our
 21 decision to do so should not be viewed as an
 22 agreement with the statements set therein or the
 23 conclusions set forth there.
 24 We recognize the Attorney General's role
 25 under the Charitable Solicitations Act. We

26	<p>1 recognize the Auditor's role with regard to the 2 foundation being a component unit.</p> <p>3 Should the Commission choose to 4 communicate with the Attorney General's Office or 5 the Auditor regarding GREAT Foundation, we would 6 expect that the items laid out in Ms. Barnes' memo 7 would be the foundation of what's referred. To 8 include matters not noticed to the foundation with 9 specificity or giving the foundation an opportunity 10 to respond to those would be a violation of the 11 foundation's fundamental right to due process by 12 this Commission.</p> <p>13 Thank you for your time.</p> <p>14 THE CHAIR: Thank you. So, Commissioners, 15 we have several items that are included in the 16 motion. So I guess the first order is if it -- if 17 the Commission wishes to also include in the motion 18 the Attorney General, the State Auditor, and the FBI 19 in that motion. So that would be the one change in 20 the -- in the suggested motion that would be there. 21 Julia, and then Glenna.</p> <p>22 MS. JULIA BARNES: I just -- not to refute 23 what Meg Meister just said. But I do want to be 24 clear what I think the intention is, is to send over 25 the concerns, which the legal counsel's concerns are</p>	28	<p>1 out. So where it would go from then, I believe they 2 would have, you know, all due process presented to 3 them.</p> <p>4 So it's possible that Ms. Meister and I 5 don't completely agree, but I think we largely do on 6 the process; so...</p> <p>7 THE CHAIR: Thanks. 8 Commissioner Voigt?</p> <p>9 COMMISSIONER VOIGT: Thank you. If 10 there's no further discussion, I'm ready to make a 11 motion.</p> <p>12 COMMISSIONER CARRILLO: Are we 13 including -- I'm sorry --</p> <p>14 COMMISSIONER VOIGT: I understand the 15 motion, and I'll include what needs to be included.</p> <p>16 COMMISSIONER CARRILLO: Okay. Thank you.</p> <p>17 THE CHAIR: I guess -- I'm assuming so. I 18 don't see anyone else's hand up, so I think we're 19 good.</p> <p>20 COMMISSIONER VOIGT: Okay. Thank you. 21 I move that the Chair of the Public 22 Education Commission send a letter regarding The 23 GREAT Academy and The GREAT Academy Foundation, with 24 supporting data and an outline of concerns regarding 25 the finances of these organizations, to the State</p>
27	<p>1 in this memo.</p> <p>2 I believe if Commissioners have additional 3 ones, you can raise them. It is our intention, 4 which I've discussed, I think, with both counsel -- 5 for sure with Ms. Sue fox -- that we would include 6 the written answers from the school and the 7 foundation as they have presented it to us. We are 8 going to present it in an organized way so that 9 someone can understand it more quickly and more 10 easily.</p> <p>11 I do not believe that we are going to edit 12 out any information that was provided. But there's 13 so much provided, we are going to organize it. And 14 then we are going to do a more detailed issue of our 15 concerns that were generally put out here.</p> <p>16 So I just wanted to make sure that counsel 17 understood what we are intending, because there will 18 be an attachment. And I -- and I'm happy to send 19 counsel for both The GREAT Academy and The GREAT 20 Academy Foundation copies of what we send.</p> <p>21 I believe, then, that the agencies that 22 we're referring it out to will do what they want, 23 which will be a process that the school will 24 participate in. If they need more information from 25 us, we can get it to them; but we are referring it</p>	29	<p>1 Attorney General and the State Auditor and the 2 Federal Bureau of Investigation for their review and 3 possible action.</p> <p>4 COMMISSIONER CARRILLO: I'll second that.</p> <p>5 THE CHAIR: There's a motion by 6 Commissioner Voigt, a second by Commissioner 7 Carrillo.</p> <p>8 Is there any further discussion? 9 (No response.)</p> <p>10 THE CHAIR: If not, Commissioner Burt.</p> <p>11 COMMISSIONER BURT: Commissioner Davis.</p> <p>12 COMMISSIONER DAVIS: Yes.</p> <p>13 COMMISSIONER BURT: Commissioner Voigt.</p> <p>14 COMMISSIONER VOIGT: Yes.</p> <p>15 COMMISSIONER BURT: Commissioner Gipson.</p> <p>16 THE CHAIR: Yes.</p> <p>17 COMMISSIONER BURT: Commissioner Carrillo.</p> <p>18 COMMISSIONER CARRILLO: Yes.</p> <p>19 COMMISSIONER BURT: Commissioner Taylor.</p> <p>20 COMMISSIONER TAYLOR: Yes.</p> <p>21 COMMISSIONER BURT: Commissioner Manis.</p> <p>22 COMMISSIONER MANIS: Yes.</p> <p>23 COMMISSIONER BURT: Commissioner Robbins.</p> <p>24 COMMISSIONER ROBBINS: Yes.</p> <p>25 COMMISSIONER BURT: Commissioner Burt,</p>

<p style="text-align: right;">30</p> <p>1 yes.</p> <p>2 That passes unanimously, eight-zero.</p> <p>3 THE CHAIR: Eight-zero. Thank you.</p> <p>4 Commissioner Carrillo.</p> <p>5 COMMISSIONER CARRILLO: You know, I just</p> <p>6 want to say that, as we're doing this particular one</p> <p>7 thing, there's this, like, pit in my stomach right</p> <p>8 now in terms of our even having to go here. I just</p> <p>9 think it's all very unfortunate.</p> <p>10 Thank you.</p> <p>11 THE CHAIR: Thank you. And I</p> <p>12 wholeheartedly share your agita.</p> <p>13 So I will also move that the Public</p> <p>14 Education Commission send a letter regarding</p> <p>15 possible ethics violations of The GREAT Academy</p> <p>16 employees, with supporting data and an outline of</p> <p>17 concerns, to the Public Education Department Office</p> <p>18 of General Counsel, and Licensure Bureau within that</p> <p>19 office, and, if appropriate, to the State Ethics</p> <p>20 Commission, for their review and possible action.</p> <p>21 COMMISSIONER ROBBINS: Second.</p> <p>22 THE CHAIR: So a motion by Commissioner</p> <p>23 Gipson, a second by Commissioner Robbins.</p> <p>24 If there's no further discussion,</p> <p>25 Commissioner Burt.</p>	<p style="text-align: right;">32</p> <p>1 with The GREAT Academy entered into on July 23rd,</p> <p>2 2021, be considered closed, with no further data</p> <p>3 being requested by the Public Education Commission</p> <p>4 at this time.</p> <p>5 However, the closure of this Corrective</p> <p>6 Action Plan does not affect other actions of the PEC</p> <p>7 to address its concerns regarding the finances of</p> <p>8 the school and the foundation at this or a future</p> <p>9 meeting of the PEC.</p> <p>10 COMMISSIONER TAYLOR: Second.</p> <p>11 THE CHAIR: There's a motion by</p> <p>12 Commissioner Voigt, a second by Commissioner Taylor.</p> <p>13 COMMISSIONER BURT: So does that mean</p> <p>14 we've moved on to the next agenda item?</p> <p>15 THE CHAIR: No. This is all still part of</p> <p>16 the --</p> <p>17 MS. JULIA BARNES: I believe that's</p> <p>18 technically correct. 7-A.</p> <p>19 COMMISSIONER BURT: We're on 7?</p> <p>20 THE CHAIR: Oh, I'm sorry. I thought this</p> <p>21 was still under -- I wasn't looking at my agenda. I</p> <p>22 thought the -- sorry. I'm sorry.</p> <p>23 COMMISSIONER VOIGT: Sorry. I withdraw.</p> <p>24 MS. JULIA BARNES: This isn't the next</p> <p>25 agenda item. It's just under 7.</p>
<p style="text-align: right;">31</p> <p>1 COMMISSIONER BURT: Commissioner Burt,</p> <p>2 yes.</p> <p>3 Commissioner Voigt.</p> <p>4 COMMISSIONER VOIGT: Yes.</p> <p>5 COMMISSIONER BURT: Commissioner Gipson.</p> <p>6 THE CHAIR: Yes.</p> <p>7 COMMISSIONER BURT: Commissioner Manis.</p> <p>8 (No response.)</p> <p>9 COMMISSIONER BURT: I'll come back.</p> <p>10 Commissioner Manis.</p> <p>11 COMMISSIONER MANIS: Yes.</p> <p>12 COMMISSIONER BURT: Commissioner Davis.</p> <p>13 COMMISSIONER DAVIS: Yes.</p> <p>14 COMMISSIONER BURT: Commissioner Taylor.</p> <p>15 COMMISSIONER TAYLOR: Yes.</p> <p>16 COMMISSIONER BURT: Commissioner Robbins.</p> <p>17 COMMISSIONER ROBBINS: Yes.</p> <p>18 COMMISSIONER BURT: Commissioner Carrillo.</p> <p>19 COMMISSIONER CARRILLO: Yes.</p> <p>20 COMMISSIONER BURT: All right. That</p> <p>21 passes unanimously, eight-zero.</p> <p>22 THE CHAIR: Okay. Thanks.</p> <p>23 Commissioner Voigt?</p> <p>24 COMMISSIONER VOIGT: Yes. I'd like to</p> <p>25 also move that the financial Corrective Action Plan</p>	<p style="text-align: right;">33</p> <p>1 THE CHAIR: Yeah. Yeah, sorry.</p> <p>2 COMMISSIONER VOIGT: Thanks, Secretary</p> <p>3 Burt.</p> <p>4 THE CHAIR: Because in our motions, it's a</p> <p>5 7-C. We were on 6. Got you.</p> <p>6 COMMISSIONER VOIGT: Thanks.</p> <p>7 THE CHAIR: Sorry. There is a motion by</p> <p>8 Commissioner Gipson and a second by Commissioner</p> <p>9 Taylor.</p> <p>10 Commissioner Burt -- I'm sorry.</p> <p>11 Commissioner Carrillo?</p> <p>12 COMMISSIONER CARRILLO: Okay. So I'm</p> <p>13 sorry. I heard the motion and everything. But I</p> <p>14 want to be clear that right now we're on 7-A; is</p> <p>15 that correct?</p> <p>16 THE CHAIR: Yeah, it's the existing CAP</p> <p>17 from July.</p> <p>18 COMMISSIONER CARRILLO: Got it. So if you</p> <p>19 wouldn't mind, Ms. Barnes, I'm not clear enough as</p> <p>20 to why we want to withdraw our financial CAP, why</p> <p>21 all of these things can't happen concurrently.</p> <p>22 MS. JULIA BARNES: I think all of these</p> <p>23 things are happening concurrently. The existing</p> <p>24 financial CAP -- and there is a very large</p> <p>25 spreadsheet in the meeting materials that shows all</p>

1 of the data that was requested and all of the data
 2 that was received.
 3 We -- and I can check with Director
 4 Chavez; although, I believe we have all of the
 5 information we need to send your concerns forward to
 6 the entities that you just identified in the
 7 previous agenda item.
 8 So we don't need more data. Other people,
 9 if they need more data, can get it. They can do
 10 what they need to do. But I think we are completing
 11 the existing financial Corrective Action Plan, which
 12 asked for information. That's basically what it
 13 did.
 14 So that portion, in my view, is complete.
 15 There's not more that staff is going to do. If you
 16 felt more comfortable just leaving it there -- you
 17 tend to close out Corrective Action Plans -- I mean,
 18 this is a little bit different, because we probably
 19 should have called and requested information or
 20 something.
 21 THE CHAIR: Yeah.
 22 MS. JULIA BARNES: So by closing this out,
 23 we're just telling the school and the foundation
 24 that the PEC and CSD staff are not going to be
 25 seeking more financial data from the school. But if

1 you wanted to leave it there, I'm okay with it.
 2 We're not doing anything with it.
 3 COMMISSIONER CARRILLO: Okay. I
 4 understand your explanation. It does seem like this
 5 should have been called more a request for
 6 information than a Corrective Action Plan, which
 7 then leads me to why don't we have a financial
 8 Corrective Action Plan?
 9 And I -- hold on. I understand the need
 10 for the data. But I also think there's the need for
 11 making sure that, in these coming weeks and months,
 12 that whatever procedures, financial procedures
 13 they're using, and whether -- and withdrawals and
 14 compensa- -- all these different things that have to
 15 do with finances, why is there no plan to go forward
 16 with that, since that's one of our biggest concerns?
 17 THE CHAIR: That's 7-C.
 18 MS. JULIA BARNES: 7-C. You could propose
 19 that we negotiate an additional -- in my mind, it
 20 would be kind of a new financial Corrective Action
 21 Plan. So we could do it there. And then we could
 22 bring that back to you.
 23 I'm -- you know, a Corrective Action Plan,
 24 like the academic one, we're looking to correct
 25 something. And I think there is a shorter list of

1 items from the review of the information on the
 2 school side that the CSD is going to follow up with
 3 the school on.
 4 That -- we were -- the proposal right now
 5 is to do that outside of a Corrective Action Plan.
 6 It could -- they were just going to follow up and
 7 say, "Please correct these things that we saw."
 8 One, I know, for example, is that -- is
 9 that a couple of years ago, maybe three years ago,
 10 the school entered into both -- Jasper Matthews had
 11 both a -- he was an employee of the school and he
 12 also got a contract back in 2017.
 13 Well, you shouldn't -- you know, the CSD
 14 is saying that that -- they shouldn't have even done
 15 it that way, so they're going to go back to the
 16 school and just confirm that they don't do that.
 17 So there is a small number of things on
 18 the school side and how they're running it.
 19 Your larger concerns, first, are being
 20 referred out to others. And, second -- but that --
 21 I think we tried to draft a draft motion so that we
 22 don't stop you from taking further action. But
 23 maybe it isn't needed right at this moment. There's
 24 not more data I think we can get or that we want.
 25 And it's not -- others are going to look at your

1 issue and concerns.
 2 But you are not precluded, even today,
 3 that's why we added it to the agenda item --
 4 COMMISSIONER ROBBINS: I see, yeah.
 5 MS. JULIA BARNES: -- to do it any way you
 6 want. So we wanted to preserve all of your options.
 7 And we certainly could negotiate an
 8 additional financial Corrective Action Plan. My
 9 personal opinion is we still are no longer seeking
 10 additional information from the school. We've
 11 gotten a lot. We've gotten, I think, what we're
 12 going to get. There is some missing data that is
 13 missing. There was a QuickBooks file that was
 14 deleted, and that's not small; it's large.
 15 But, you know, you know, at this point,
 16 I'm not hearing CSD staff wanting to try to recreate
 17 that general ledger or whatever. These are -- to
 18 refer it out was appropriate.
 19 So you're correct. We should really make
 20 sure that we're leaving open what you want to leave
 21 open or moving forward on what you want to move
 22 forward, and you have those options in front of you.
 23 This is just how it appears to us.
 24 COMMISSIONER CARRILLO: I see. As Chair
 25 Gipson said, we can address that in 7-C. I want to

38

1 be clear if we're dropping this at this point on
 2 7-A. Okay. Thank you.
 3 MS. JULIA BARNES: Or next month. Or the
 4 following month, you know. You can come back if you
 5 want to.
 6 COMMISSIONER CARRILLO: As quickly as
 7 possible, this is all -- yeah, I hear you. Thank
 8 you.
 9 THE CHAIR: Okay. Thanks.
 10 So -- and you're right. We probably
 11 should have named it something differently than a
 12 Corrective Action Plan. But it happened quickly,
 13 and we learn our lessons.
 14 But we did say, when we started the
 15 conversation about that Corrective Action Plan, that
 16 it was more for fact-finding than it was to set up a
 17 plan to -- we needed to do that in order to figure
 18 out whether we needed another financial Corrective
 19 Action Plan at the school, because we didn't have
 20 enough information. We needed to know what we knew
 21 and what we didn't know.
 22 So I think, at this point in time, it is
 23 more appropriate to end this and move forward, if
 24 the Commission wants to, now, or sometime in the
 25 future, with something that would be more

39

1 prescriptive. "These are the problems. This is how
 2 you have to fix it, and you have to fix it by..."
 3 COMMISSIONER CARRILLO: Right. Okay.
 4 Thank you.
 5 THE CHAIR: Okay. So just to remind
 6 Commissioners, there is a motion on the table to --
 7 that the financial Corrective Action Plan with The
 8 GREAT Academy entered into in July '21 -- July 23rd,
 9 2021 -- be considered closed with no further data
 10 being requested by the Public Education Commission
 11 at this time. However, the closure of the
 12 Corrective Action Plan does not affect other actions
 13 of the PEC to address its concerns regarding the
 14 finances of the school and the foundation at this or
 15 future meetings of the PEC.
 16 And there was a second by Commissioner
 17 Taylor.
 18 If there's no further discussion,
 19 Commissioner Burt.
 20 COMMISSIONER BURT: All right.
 21 Commissioner Voigt.
 22 COMMISSIONER VOIGT: Yes.
 23 COMMISSIONER BURT: Commissioner Burt,
 24 yes.
 25 Commissioner Taylor.

40

1 COMMISSIONER TAYLOR: Yes.
 2 COMMISSIONER BURT: Commissioner Carrillo.
 3 COMMISSIONER CARRILLO: Yes.
 4 COMMISSIONER BURT: Commissioner Robbins.
 5 COMMISSIONER ROBBINS: Yes.
 6 COMMISSIONER BURT: Commissioner Davis.
 7 COMMISSIONER DAVIS: Yes.
 8 COMMISSIONER BURT: Commissioner Gipson.
 9 THE CHAIR: Yes.
 10 COMMISSIONER BURT: Commissioner Manis.
 11 COMMISSIONER MANIS: Yes.
 12 COMMISSIONER BURT: All right. That
 13 passes, eight-zero.
 14 THE CHAIR: Thank you.
 15 We are now on to 7-B, which is the
 16 academic and organizational Corrective Action Plan,
 17 which --
 18 MS. JULIA BARNES: Chair, I would suggest
 19 that we promote Sue Fox again. She's the attorney
 20 on this issue as well.
 21 THE CHAIR: Sure. Sure.
 22 So Commissioners have the cleanest version
 23 of the Corrective Action Plan. There was a
 24 subcommittee -- a small group that did meet with The
 25 GREAT Academy. I think we shared yesterday the

41

1 frustrations that were there. It was long. It was
 2 longer than anyone ever -- it took way too -- it
 3 took way too long to get to what we got to.
 4 And that was uncomfortable. It was -- it
 5 was discouraging and beyond frustrating. And that's
 6 all I'm going to say about it.
 7 But Commissioners have -- and I want to
 8 thank Commissioner Taylor, Commissioner Voigt, and
 9 Commissioner Carrillo, who participated with us,
 10 Julia, Corina, for -- and the school for coming.
 11 But all of the time and effort and energy
 12 that went in from our side with this.
 13 So, Commissioners, any questions?
 14 COMMISSIONER CARRILLO: Well, sure.
 15 THE CHAIR: Sure. Commissioner Carrillo.
 16 COMMISSIONER CARRILLO: Well, I'd be
 17 curious. I mean, I have some stuff I want to go
 18 over. But I would be curious as to those that were
 19 not able to be in the meeting what their thoughts
 20 are on this plan. I mean, I just -- just because we
 21 had the subcommittee meeting and came up with this,
 22 I don't want to just move it through without more
 23 discussion, because I think it definitely requires
 24 that.
 25 THE CHAIR: That's why I asked if there

<p style="text-align: right;">42</p> <p>1 were any questions so the Commissioners that weren't 2 here could ask questions that they may have. 3 COMMISSIONER CARRILLO: All right. Since 4 I'm not hearing any, let's just take and start on 5 Page 1. 6 Under the -- first off, I want to have a 7 preface, if you will, saying that it was -- the 8 information that we originally needed we requested 9 to have for our meeting on August 27th; all right? 10 So -- and it was at that meeting that The GREAT 11 Academy was supposed to bring to us, you know, a 12 good deal of information upon which we could make -- 13 we could work on the Corrective Action Plan. 14 And, yeah, that was on the 27th. 15 And then they had asked at that time -- 16 they didn't bring anything. They asked at that 17 time, because there was a lot of information, if we 18 could give them more time and then have a 19 subcommittee meeting and do the work. 20 We did that. You know, I'm not 21 remembering the date of the subcommittee meeting. 22 And, again, much to our dismay, they came with no 23 information. And that just -- I think that 24 really -- well, for me, anyway, and from what I 25 observed from the other people on the -- in the</p>	<p style="text-align: right;">44</p> <p>1 entire process. 2 And, you know, the school -- our meeting 3 was to have the plan, not to have the school develop 4 a plan and then give it to us as a later date, which 5 it says here, October 12th. This plan was supposed 6 to be on -- I think it was the 13th. That was when 7 we were supposed to have had this. And we didn't. 8 And now it's Friday, you know -- what is 9 today's date? -- the 24th. So I have a real -- I'm 10 very challenged by that, the inability to actually 11 get this done in a timely, efficient manner with all 12 the information that we needed. 13 And then the other -- if you look down 14 again, "Improvement needs," "Professional 15 development," could we be more vague? And I know 16 this was negotiated down to the point where we could 17 just get something done, evidence needed of relevant 18 and meaningful. 19 You know, I've got to tell you. It's, 20 like -- we need specificity, okay? If there is 21 actually areas especially relative to math 22 proficiency or English proficiency, there are very 23 specific professional development plans that we 24 could have requested to make sure that the students 25 were getting the instruction that they needed.</p>
<p style="text-align: right;">43</p> <p>1 subcommittee, that was a source straightaway of a 2 great deal of frustration. 3 And, actually, it really felt like the CSD 4 and the PEC were being, I would say, horribly 5 disrespected, that we had taken the time to put 6 together this meeting, and, again, the school 7 offered no information. 8 And so toward the end of the meeting -- I 9 do need to say that I did have to leave at 5:30. It 10 started at 3:00. I really thought that by -- I 11 thought two and a half hours would be plenty of 12 time. I had to leave at 5:30. So I apologize for 13 that. 14 And so now that I look at what's before 15 us, I'm looking right now in -- I believe it would 16 be Column B -- I don't see the heading -- under DASH 17 Plan, there's a lot of phrases like, "Increased 18 student academic growth and proficiency." 19 I don't know if we could be more vague. I 20 don't know if we could be less -- if that phrase 21 could have less accountability in it. 22 And I know that a great deal of this 23 frustration that we had was we were tied to the 24 contract -- I believe it was from 2016. And it 25 really -- that kind of muddied the waters on the</p>	<p style="text-align: right;">45</p> <p>1 And -- and in going further down -- and 2 the date of completion on those, you know, 40th day, 3 10/13/21; 80th day to the check-in and make sure -- 4 you know, as far as I'm concerned -- this is one of 5 my biggest challenges with TGA -- is every day we 6 don't -- every day that this school doesn't have its 7 academic act together is a day that the children are 8 falling further and further behind. It's a day that 9 we have -- that the taxpayer money is not being 10 spent judiciously, because the kids aren't learning 11 the way they need to learn. And one just has to 12 look at the graduation rate and proficiency rates 13 for the school to learn that. 14 If we look at governing board training -- 15 no, that wasn't the one that really got to me, 16 because I -- there's specificity there. 17 On EL services, falls far below the 18 improvement needed. Evidence of student support -- 19 we need to show improvement. 20 I'm very, very grateful for everyone that 21 was able to stay to 7:45 to finish this. But, you 22 know, for me, personally, there's absolutely no way 23 I'm going to vote for this particular CAP, because 24 it really is -- it's too milquetoast, doesn't work 25 for me. This school needs to be held accountable, I</p>

<p style="text-align: right;">46</p> <p>1 believe at this point, at a very severe level. And 2 so there you have it. There are my thoughts on this 3 performance plan. 4 THE CHAIR: Okay. Julia? 5 MS. JULIA BARNES: I want to just say a 6 couple of things. 7 One is the contract has performance 8 indicators in it. And those remain. So just -- I'm 9 actually not trying to do a counterpoint to you at 10 all, Commissioner Carrillo. I just want to have 11 kind of an overall understanding as I see it. 12 So those remain. There was lots of 13 conversation as to whether we would also add 14 something else in here on math and reading growth 15 and proficiency and decided to rest on the existing 16 performance framework. So this doesn't change the 17 contract. It doesn't change that requirement for 18 them to report on that. 19 There is another mission-specific goal in 20 the contract as well. So the goal as written 21 remains. I just want to make that clear. 22 And then I think Sue Fox and I had quite a 23 few conversations about how we communicate well. 24 And the school, before your meeting, had come to me 25 and said that they had some questions. They wanted</p>	<p style="text-align: right;">48</p> <p>1 But we're here because none of that's been 2 adhered to. And the school, on its performance 3 levels, is very, very poor. 4 And I'm looking here at the history in 5 improvement needed. There is a history of 6 non-compliance in so many different areas. There's 7 a point at which -- and I often -- you know, I go 8 back to the experience I had in the private sector. 9 And, specifically -- I won't name it -- but a resort 10 up in Santa Fe. 11 And there, when you -- you know, I had -- 12 they set goals -- we agreed on goals for me in my 13 position as a food and beverage manager. And then 14 if the goals weren't met, there needed to be a 15 darned good reason why they weren't met. 16 And then there was my plan for meeting 17 those goals. And if they still weren't met, I'd be 18 out of a job. 19 And that's the concern I have here. We 20 keep just kind of kicking the can down the road 21 without anything having been met over the course of, 22 you know, five years. 23 And I completely understand what you're 24 saying, Julia, that all these mechanisms are already 25 there, but they've not been adhered to in the past.</p>
<p style="text-align: right;">47</p> <p>1 to know what the background that the -- the base for 2 the academic and organizational Corrective Action 3 Plan was. 4 And so I think -- I'm just going to say 5 that they did come forward saying they had some 6 questions. And then when they came forward with 7 those questions, I think that -- I don't know. I 8 think that the school and the PEC and me and Corina 9 are committed to try to have as clear communication 10 as we can. So I know there's a point-counterpoint 11 to a lot of this. 12 I did want to tell you that they did come 13 forward with that. And I think that's a little bit 14 more of a complete picture. And I'm not trying to 15 negate anything that you were saying. I'm just 16 trying to also add some. 17 THE CHAIR: Commissioner Burt, and then 18 Commissioner Carrillo. 19 COMMISSIONER CARRILLO: I mean, I'm not 20 done. Because now Julia brought up some other 21 issues. 22 And, you know, I know that the performance 23 plan is in place -- or the -- there are so many 24 acronyms and everything else. The plan is in the 25 contract. I know that all of that is in place.</p>	<p style="text-align: right;">49</p> <p>1 So it's like the old, "Fool me once, shame 2 on..." -- whatever. It's that phrase; right? And 3 I'm good for now. And if something comes up as a 4 result of other comments, then I'll raise my hand. 5 Thank you. 6 THE CHAIR: Commissioner Burt? 7 COMMISSIONER BURT: Thank you. So in my 8 review of the -- of the documents, I actually was 9 alarmed by the lack of kind of S.M.A.R.T. goals, if 10 you will. And I think that that's something that I 11 would propose just updating, not -- and so I think, 12 for me, what I would like to see is, when we talk 13 about, for example, the DASH Plan, the improvement 14 needed, you know, that's fine. 15 But I think we need to say that 16 100 percent of DASH Plans -- or sorry, not DASH 17 Plans; I was thinking of Next Step Plans. 18 So the Next Step Plans is one of the -- on 19 the CAP. 100 percent of Next Step Plans should be 20 completed by students by October 12th. You know, I 21 think we need to have what our -- what our 22 expectation is by that date in percentages and make 23 those be attainable, like to where it's not -- I 24 mean, I think -- and maybe, Corina, could you let me 25 know?</p>

<p style="text-align: right;">50</p> <p>1 What is the enrollment of the GREAT 2 Academy this year? I mean, I know we haven't -- 3 40th day isn't done and all that kind of stuff. Do 4 you know the current enrollment? 5 DIRECTOR CORINA CHAVEZ: Commissioner 6 Burt, let me look that up. I did want to say, 7 though, that part of the lack of specificity is also 8 around the -- the request for the school to create a 9 plan with a lot of specificity. 10 COMMISSIONER BURT: Yeah, I did notice 11 that in some of them, that it was, like -- that the 12 goal was to have the plan by that date. But I'm 13 also -- I'm thinking of specific ones. I hear you, 14 Corina. 15 But for Next Step Plans, it just -- 16 there's no -- it's not about a plan. It just says, 17 "The improvement needed is to repeat non-compliance 18 with fully implementing Next Step Plans for 19 students." 20 And data completion, 10/12, and 4/30. 21 So, to me, that's, like, one that we can 22 make specific. And in their plan, they can put 23 that, you know, in order to get to 100 percent. 24 But I think our expectations in that 25 improvement needed, or who -- needs to be a little</p>	<p style="text-align: right;">52</p> <p>1 And I know that DASH Plan is actually 2 what's going to give a lot of those -- The GREAT 3 Academy will have that opportunity to develop a lot 4 of those S.M.A.R.T. goals. 5 But there are certain pieces that I would, 6 like today, September 24th, to kind of dictate a 7 little bit more, just because of the severity of how 8 I feel this is needing to be really looked at, and 9 including those academic -- I'm trying to see -- I'm 10 going back and looking at it right now again -- like 11 when it talks about academic goals, I mean, I would 12 like it -- I would like us to put baselines of -- 13 and I guess what's difficult is I guess we don't 14 know what The GREAT Academy is starting off with 15 this year and then growing from. 16 But I just would like to see an 17 increase -- you know, I want to see quarterly 18 reporting for academics. I don't want to wait until 19 the end of the year. And I would like to see a, you 20 know, 4 percent increase across the board each 21 quarter or something, you know, some kind of 22 increase that's manageable that can be done. 23 And where The GREAT Academy is starting at 24 and where their students are starting at with such 25 low proficiency and graduation rates, I think</p>
<p style="text-align: right;">51</p> <p>1 bit more clear in several of these cases. 2 I hear what you're saying, though, because 3 I did see -- I saw -- so I can give you my 4 perspective as a person who did not attend the 5 meetings. Okay. Thank you. 110 students. Okay. 6 So from my perspective as someone who did 7 not attend the CAP negotiation and then looked at 8 this, I saw it as a baseline that from 9 September 24th until October 12th, there was going 10 to be a lot of work to be done as far as developing 11 a plan. 12 So my expectation was that by our October 13 meeting, we're going to be reviewing this CAP with a 14 lot more detail in going over it and possibly having 15 another vote on some of those specifics that maybe 16 aren't there right now. We'll have them and be able 17 to review them by the October meeting. So that was 18 kind of my -- what I saw behind it. 19 But I still agree with Commissioner 20 Carrillo that there's this lack of specifics that I 21 think it still can be put in right now as to some of 22 these items. 23 The DASH Plan, for example, I saw that 24 that was one that there needs to be a plan. The 25 DASH Plan needs to be created; right?</p>	<p style="text-align: right;">53</p> <p>1 increasing them significantly each quarter and doing 2 that, from us, is imperative. 3 I mean, to go from a 33 percent graduation 4 rate to a 70 percent graduate rate, we're going to 5 need to take some drastic measures. I mean, because 6 I -- I am ashamed of New Mexico's graduation rate. 7 It's abysmal. It's really sad, as a state. And so 8 to see The GREAT Academy's graduation rate be so, so 9 much lower than what our State average is, I mean, 10 we have to take drastic measures in this year in 11 order to ensure that these students are receiving 12 the education they need to graduate and succeed. 13 So I would like to look at some of these 14 items that we can put actual goals on today. And 15 then I would like to see The GREAT Academy 16 incorporate those into their DASH Plan. 17 And so I would start with the Next Step 18 Plans. 19 THE CHAIR: Okay. Can I just say? 20 COMMISSIONER BURT: Uh-huh. 21 THE CHAIR: If we're putting this in now, 22 the school's not here to weigh in on this. I think 23 we would have to have the subcommittee negotiate, to 24 have the school there. The school's not here to do 25 this. So I have a little concern with that.</p>

1 But I want to make clear that there's
2 also -- they have academic goals in their
3 performance framework. And that's why the
4 additional wasn't put in, because we would then be
5 renegotiating the contract, which was what we were
6 not doing.

7 So those academic goals already exist for
8 the school, that they are accountable for.

9 So those -- that specific, we did not do
10 because we weren't renegotiating the contract. If
11 that's what we want, then we have to go to the
12 school and renegotiate the contract with them.

13 COMMISSIONER BURT: So my question -- my
14 question is, the performance framework, from my
15 understanding, gets rated once a year. And I do not
16 think that is substantial enough for now.

17 THE CHAIR: I get that.

18 COMMISSIONER BURT: So I do not want to
19 rely solely on the performance framework for
20 academic standards, because it is only looked at
21 once a year.

22 THE CHAIR: I got it. But if you're doing
23 that and requiring additional, you are renegotiating
24 that contract.

25 COMMISSIONER BURT: We can use the

1 academic standards in there. But I would like to
2 see measurements towards that throughout the year.

3 THE CHAIR: I fully understand. But we're
4 renegotiating that contract, then, because they
5 already have those goals. That's what we fleshed
6 out at the subcommittee.

7 If I'm wrong, someone -- because we tried
8 this. And we -- that's what we tried to do. And we
9 kept circling back to, "We're renegotiating the
10 contract."

11 So that's where we kept getting into that
12 block. And I fully understand the desire, the
13 frustration, and shared it when we were doing this.
14 But that's where we kept ending up, that if we
15 placed those additional requirements and reporting,
16 then we are renegotia- --

17 COMMISSIONER BURT: I'm confused what a
18 CAP is. I thought a CAP is to add additional pieces
19 that people have to report or have to, like, get to
20 additional goals.

21 THE CHAIR: It is. And outside of what's
22 already in their contract. This would be tied to
23 something that's already in their contract. And
24 they have the old contract.

25 COMMISSIONER VOIGT: Director Chavez's

1 hand was up.

2 THE CHAIR: We were just trying to finish.

3 DIRECTOR CORINA CHAVEZ: I just wanted to
4 clarify one thing for Commissioner Burt. And that
5 is that I also -- I agree with you. I think that it
6 would be great to have some academic information
7 provided before the end of the school year.

8 I want to be clear that the school's
9 performance framework and mission-specific goals
10 include NWEA as a tool that is used to gauge
11 academic performance.

12 So the school could have brought forth
13 another tool besides NWEA so that we would not be
14 doing what Chair Gipson is so accurately concerned
15 about, and that is basically rewriting what is in
16 the contract that exists, was not brought forth, and
17 we did not discuss it.

18 There were no other academic measurements
19 that were discussed as a possibility. So I just
20 wanted to clarify the reason why we didn't set the
21 goals, the academic goals utilizing NWEA, is because
22 that is already in the contract.

23 COMMISSIONER BURT: So I -- and I guess
24 I'm confused why we -- can we not ask to receive
25 that information that's in the contract earlier than

1 just at the one time at the performance framework
2 time reporting? That's what I'm so confused by.

3 MS. JULIA BARNES: We could. There is
4 a -- Corina, correct me. There is a midyear test --
5 or Commissioner Voigt. There's a midyear test.
6 They are doing the baseline, I think, this week and
7 maybe last week or this week and next week. So
8 they're going to have baseline data.

9 They have already done a different
10 assessment to put students where they thought they
11 wanted them to be. They're doing this, the NWEA
12 assessment, right now. They will do a winter test
13 and could bring that data back to you for sure. And
14 then there's an end of the year, did they meet or
15 exceed that goal.

16 So I think that that is possible for sure.
17 And they are coming back -- there's an agreement to
18 come back in January of '22. We would need to have
19 Sue Fox check with her client as to whether that
20 winter assessment would be done by the January
21 meeting or not.

22 COMMISSIONER BURT: Okay. I think that --
23 I feel like that's one of the items that I think
24 would help with, you know, my concerns. And I think
25 looking at their academic goals, if we look at it

<p style="text-align: right;">58</p> <p>1 and say, okay, we would like to see, you know, that 2 midyear -- and whatever their percentage is, you 3 know, I don't know exactly what it is. 4 If it's "70 percent of students will meet 5 their target growth" or whatever it is, let's see if 6 they got, you know, 40 percent to have met their 7 target growth. Or how many students have met their 8 target growth by midyear? There's a midyear growth 9 target. 10 So let's just look at that before waiting 11 until the end of the year. 12 And, once again, I think it's really 13 imperative for a lot of these items -- sorry, my CAP 14 keeps going off my screen every time I click on 15 it -- there are a lot of these items that are about 16 the students that I feel like have to have some -- I 17 don't know if it's going to be part of this plan 18 that they're creating. 19 But I just -- I do have concerns when I 20 see the CAP requirement is SpEd services, that 21 there's a history of repeated -- and then to 22 "Contract by August a plan to address SpEd item." 23 So, I mean, that's -- it -- it's a little 24 confusing about -- that it's a date in the past. 25 And, like, what -- what does that goal look like?</p>	<p style="text-align: right;">60</p> <p>1 have those -- the Next Step Plans completed by those 2 dates; and then also adding a midyear reporting 3 requirement for their NWEA, and then how that aligns 4 with their academic performance goal. 5 THE CHAIR: Commissioner Carrillo. 6 COMMISSIONER CARRILLO: So a couple of 7 things. If I heard Ms. Barnes correctly, there's 8 some reporting that would happen in January, and in 9 terms of results of academic assessments. And to 10 which I immediately thought to myself, great, that's 11 five months. That's five months that have gone by 12 before we really kind of see anything from this 13 school. 14 And I -- again, that's why I'm not going 15 to vote for this. That's shameful. I think, for 16 us, we're just letting them off the hook. This 17 whole year is going to go by, and, you know, yeah, 18 you can have -- in terms of what Ms. Burt was 19 saying, sure, you can have a child that, you know, 20 is supposed to be reading at the seventh-grade level 21 and is reading at the fourth-grade level, and 22 they've now gone to fifth grade. But, terrific. 23 They're going to be -- we're not making the 24 substantial growth these kids are going to need by 25 the time they leave a school.</p>
<p style="text-align: right;">59</p> <p>1 How do they close out that CAP requirement; right? 2 The SpEd services. How does -- what does that look 3 like? How do they close that out? How do they show 4 that they've had success in that area? 5 That's what I've seen through some of 6 these is, like, how do they do that? 7 THE CHAIR: We didn't have the specifics 8 from SpEd services as to what the concerns were. 9 Jasper was meeting with them after we -- after we 10 met. Corina was arranging the meeting. So we don't 11 have specifics about that. Corina brought this 12 forward to us that there were concerns about SpEd 13 services, and that's all we knew. 14 COMMISSIONER BURT: That makes sense that 15 that's why -- what is this? What is this one about? 16 Okay. Yeah. 17 And then so I would say, for me, I would 18 just like to add, to the Next Step Plans, percentage 19 of completion by those dates. And I think that's -- 20 that was a big one that I saw that really doesn't 21 have the -- and then the academic one, being able to 22 see those academics, that midyear reporting being 23 added to this as well, would be my two suggestions 24 then, concrete suggestions: adding a percentage of 25 folks -- or the percentage of students that need to</p>	<p style="text-align: right;">61</p> <p>1 And then, from what I heard Ms. Gipson 2 say, is that we can't really add anything right now 3 because the school's not here to weigh in, to which 4 I wrote down in my notes, "Why the hell is the 5 school not here?" Because my understanding of this 6 meeting today is that we were going over the CAP 7 that the subcommittee did. We were going to tweak 8 it, fine-tune it, and then approve it. 9 And what I'm hearing now is that we can't 10 really do any tweaking, because the school is not 11 here. And the things that we want to tweak, I'm 12 hearing that we can't tweak from Ms. Fox, because, 13 you know, it violates the contract, to which I have 14 to wonder is why are we having a CAP to begin with? 15 Because by the time all is said and done, April and 16 May are going to roll around. We'll have a decision 17 from the district court hopefully before December, 18 which I feel they're really dropping the ball, given 19 that this is a timely issue. I would have to say 20 the judge is really dropping the ball on this. 21 And so I think, like, why are we even 22 going through this exercise if all of this is going 23 to be drawn out so long and the kids are going to 24 have been cheated out of another year of a quality 25 academic education?</p>

62

1 THE CHAIR: Well -- and I want to make it
 2 clear. I didn't say we can't make any changes
 3 unilaterally. I said I have a level of discomfort
 4 because the school isn't here.
 5 COMMISSIONER CARRILLO: Okay.
 6 THE CHAIR: So I -- you know, that's all
 7 I'm saying. I can't answer. But I can say that I
 8 don't think the intention was that there was going
 9 to be public negotiations of this. I'm not talking
 10 about tweaking.
 11 We have not accepted contract negotiations
 12 and CAPs, initially, and gone back and reworked them
 13 and come back with what the -- what a subcommittee
 14 and the school was more comfortable with after input
 15 from Commissioners; we've done that.
 16 So nothing is ever final until there's a
 17 vote. So the vote could be, "I'm not..." -- we've
 18 voted at times, "I'm not comfortable with this.
 19 This still needs to be worked on. Come back with
 20 something better."
 21 We've done that; so...
 22 COMMISSIONER BURT: Chair Gipson?
 23 THE CHAIR: Yeah.
 24 COMMISSIONER BURT: So I'm wondering -- I
 25 did see Jasper Matthews is in our audience. And I'm

63

1 just wondering -- I know we have Ms. Fox. But I
 2 think -- from an administrator's point of view, I
 3 just am wondering if there would be a willingness to
 4 be agreeable about, you know, looking at this NWEA
 5 data after they do their midyear reporting and just
 6 to see if Mr. Matthews would be willing to add that
 7 into here and to allow that to be a part of this.
 8 (Commissioner Chavez enters meeting.)
 9 COMMISSIONER BURT: I think it's good
 10 for -- they're going to be looking at that data
 11 anyway. I know, as a school -- as a teacher, when
 12 we did NWEA, we're looking at those midyears, and
 13 we're trying to make adjustments based off of them.
 14 So I know the school is going to be looking at them
 15 anyway.
 16 I'm just wondering if you would be willing
 17 to negotiate that now, so we could add that as well
 18 as maybe just looking at, you know, can we have
 19 90 percent of those Next Step Plans done by October
 20 and 100 percent by April and be able to move
 21 forward?
 22 I don't know if anyone else has any other
 23 concrete recommendations other than that, or if no
 24 one even likes those. I don't know. But I do think
 25 I -- it would make me feel more comfortable. I know

64

1 unless the school is doing some kind of assessment
 2 that's more frequent, I know NWEA, it's beginning of
 3 year, middle of year, end of year. I'll be
 4 interested to see their beginning of year; so, you
 5 know, providing that information over to CSD and
 6 allowing us to review their beginning of year,
 7 taking a look and really analyzing their midyear
 8 with them, I think is a -- I think it's a really
 9 beneficial step for us and for the school.
 10 And I'm just wondering if you would be
 11 agreeable to letting him join and maybe figure that
 12 out now.
 13 THE CHAIR: It's not up to me. It's up to
 14 the Commission. It's not -- I do not --
 15 COMMISSIONER BURT: Do you want me to make
 16 a motion to allow him in?
 17 THE CHAIR: We can just ask the
 18 Commissioners if that's what they want to do, and
 19 Commissioners can say yes or no. But it is not up
 20 entirely to me.
 21 COMMISSIONER ROBBINS: Well, Dave has his
 22 hand up, too, now.
 23 THE CHAIR: Yeah, Dave.
 24 COMMISSIONER ROBBINS: And Michael just
 25 arrived.

65

1 Thank you. I agree with what you said,
 2 Chair Gipson, that we should not be negotiating this
 3 CAP or renegotiating it in public at this public
 4 meeting. That's not the purpose of this meeting.
 5 And it defers other actions and other activities
 6 that are on the agenda, and I don't think that's
 7 right. We could spend the next three hours
 8 renegotiating this. That's not right.
 9 I would be in favor of tabling this at
 10 this time, asking the Commission subgroup to go back
 11 and renegotiate the CAP with specifics, S.M.A.R.T.
 12 goals for each and every item with specific time
 13 deadlines for reporting and review.
 14 COMMISSIONER DAVIS: I am in agreement
 15 with Commissioner Robbins.
 16 COMMISSIONER VOIGT: Madam Chair?
 17 THE CHAIR: Yes, Commissioner Voigt.
 18 COMMISSIONER VOIGT: Thank you. I agree
 19 also that this is not the time or place. But I
 20 understand everyone's concerns. But I just have to
 21 say that what I'm really uncomfortable with is
 22 public shaming of a school, regardless of what their
 23 actions were. Public shaming is not the way to
 24 resolve anything.
 25 THE CHAIR: Thanks. And can the record

66

1 please reflect that Commissioner Chavez has joined
 2 us? Thanks.
 3 THE REPORTER: (Indicates.)
 4 THE CHAIR: So I think the -- correct me
 5 if I'm wrong. But I think the way to move is we
 6 either make the motion to accept the CAP and it
 7 fails, and then someone makes a motion for the
 8 subcommittee to go back, or someone makes the motion
 9 for the subcommittee to go back and continue
 10 negotiations with the school.
 11 COMMISSIONER ROBBINS: Madam Chair, I'd be
 12 willing to make a motion.
 13 THE CHAIR: Sure.
 14 COMMISSIONER ROBBINS: I move that Item --
 15 my note here --
 16 THE CHAIR: 7-B, I think it is.
 17 COMMISSIONER ROBBINS: -- that 7-B be
 18 tabled and that the Commission, a subgroup of the
 19 Commission, renegotiate the CAP with specific goals
 20 and timelines to bring back to the Commission at
 21 their October meeting.
 22 COMMISSIONER VOIGT: I'll second that.
 23 THE CHAIR: There's a motion by
 24 Commissioner Robbins, a second by Commissioner
 25 Voigt.

67

1 Commissioner Burt?
 2 COMMISSIONER BURT: Thanks. I think I'm a
 3 little frustrated and disappointed that this school
 4 will go a month without a CAP and some clear
 5 direction within the next month. So I am -- I'm
 6 frustrated to kick this down the road.
 7 It didn't sound like we were far off
 8 from -- I mean, I -- once again, I don't -- I think
 9 the changes that I suggested are pretty minimal.
 10 They make -- I think they make sense. I think it's
 11 pretty minimal. I didn't hear any other
 12 suggestions, concrete, by any other Commissioners.
 13 I think if it's those two items, I think
 14 it could be a really simple five-minute
 15 conversation. If the -- if the Director -- if
 16 the -- if Mr. Matthews joins and is, like, you know,
 17 we're going to have to have a further conversation,
 18 then I'd be open to it. But it seems like it would
 19 be a really simple thing to be able to start moving
 20 this process forward, getting support to the school
 21 that needs it, starting them on a pathway, getting
 22 the direction, going with CSD. And I'm a little
 23 frustrated to kick the can down the road right now.
 24 THE CHAIR: Commissioner Taylor?
 25 COMMISSIONER TAYLOR: Yeah. Thank you.

68

1 Commissioner Burt, I agree with you in that regard,
 2 because I think what it also does is it continues to
 3 extend deadlines by which the school has obligations
 4 to, you know, to really report. The DASH Plan is
 5 something that, by October 12th -- well, first of
 6 all, let me say that I feel like the onus of this --
 7 the burden is on the school to have -- to establish
 8 a plan that's acceptable to raise the academic
 9 standard and to reach those performance goals. That
 10 is -- that's -- the burden is on the school to do
 11 that.
 12 That DASH Plan is the -- is one of those
 13 steps in making that happen. And that's an
 14 October 12th deadline.
 15 So if we do table this and push it down
 16 the road some more, then we go to our October
 17 meeting, again, which will have deadlines for them
 18 to establish their plans and so forth, which, in my
 19 mind, just, is -- in my mind, kicks it down the
 20 road.
 21 I think what we do is we allow them to
 22 come to us on this October 12th deadline with their
 23 best -- with their best, you know, effort to
 24 establish a plan. Then, in our October meeting, if
 25 we need to, we can look at that and say, "Yeah, this

69

1 is good," or, "No, this is not acceptable. We're
 2 going to -- this is how -- this is how we need to
 3 proceed."
 4 So I agree. I liked your changes,
 5 Commissioner Burt. I think they just held some --
 6 you know, and I don't know that we need any approval
 7 from the school itself to implement those. We just
 8 say, "This is part of the Corrective Action Plan to
 9 date."
 10 We can review this down the road; is that
 11 correct?
 12 THE CHAIR: Yeah. And let me make it
 13 clear. They're doing the DASH Plan. Our acceptance
 14 of this, whether we accept it or not, does not --
 15 the school has already indicated to us they have had
 16 the meetings. They are in preparation of doing the
 17 DASH Plan. So this is included in there, because
 18 they're already in the process of doing it.
 19 They did not have one before. But they
 20 just -- as we met that week, they had their training
 21 on creating the DASH Plan. So this will not
 22 interfere or affect in any way -- what we do here
 23 affect their fulfilling that DASH Plan. So I just
 24 want people to know that.
 25 I'm not weighing in one way or the other

70	<p>1 on what we should do. But I want people to know 2 that, yes, they would report, and we would see the 3 plan. And we can certainly do that by that October 4 date, because it will be done. Right now, it's 5 not --</p> <p>6 COMMISSIONER TAYLOR: So is it -- they 7 could -- they could decide, you know, they get into 8 this DASH Plan process and decide they don't want to 9 do it because it's not required of them to do it.</p> <p>10 THE CHAIR: No.</p> <p>11 COMMISSIONER TAYLOR: This actually gives 12 them a date of completion. October 12th. Be done.</p> <p>13 THE CHAIR: So correct me if I'm wrong, 14 because my understanding is -- and I could be wrong 15 on this -- that based -- that the -- because the 16 DASH Plan is something that certainly comes out of 17 PED. And without the assessment -- the State 18 assessment last year, PED is to require schools, 19 when they reach -- when they had certain growth 20 level and so on, that they had to do a DASH Plan. 21 So I guess I just need a little clarification.</p> <p>22 COMMISSIONER CARRILLO: KC has had his 23 hand up.</p> <p>24 THE CHAIR: Okay. I'm not finished. I 25 needed clarification from Corina on the DASH Plan.</p>	72	<p>1 COMMISSIONER MANIS: I'm in agreement with 2 Commissioner Taylor and Commissioner Burt. I guess 3 my -- the lack of clarity, for me, is that whenever 4 we develop these Corrective Action Plans, if we as a 5 Commission decide that we want additional 6 requirements, these, to me, should not be really a 7 negotiation point, where they can say, "Well, we 8 really don't like that, so, you know, we should do 9 this instead," or, "We're offering you a 10 counterpoint to this."</p> <p>11 To me, if we want these requirements in a 12 Corrective Action Plan, I'm not exactly sure why we 13 would even need to go back or even would want to. 14 These are things that the Commission wants. So why 15 can't we go ahead and put it in there and move 16 forward with the changes that the Commission wants 17 to include in this Corrective Action Plan?</p> <p>18 THE CHAIR: Okay. Thank you.</p> <p>19 Commissioner Carrillo, I'm sorry. Did 20 you -- yeah, I thought you had your hand up before.</p> <p>21 COMMISSIONER CARRILLO: That's okay. I 22 understand. It's hard to see everybody.</p> <p>23 I agree completely with KT. We're the 24 chartering authority. If we want something in the 25 CAP, then it needs to go in the CAP. It's not as</p>
71	<p>1 Is this something that they can just, at 2 some point in time, say no to, "We're not going to 3 do it?" Or now that they've committed to it, they 4 have to complete it? Because I do not know. So I 5 just need clarity on that.</p> <p>6 DIRECTOR CORINA CHAVEZ: I think that the 7 reason why it's included in this plan is so that you 8 all could review and track it, because that has not 9 happened in the past.</p> <p>10 THE CHAIR: No, that's not my question. 11 My question was, because they've indicated 12 that -- because they've started the process, could 13 they just say, "No, we're not going to do it"? That 14 was my question.</p> <p>15 DIRECTOR CORINA CHAVEZ: I think that that 16 is possible, if somebody is not monitoring it. And 17 I could not tell you exactly how it happens at the 18 PED side. But what this does is it transfers some 19 of the monitoring, or it adds some of the 20 monitoring, to this body.</p> <p>21 THE CHAIR: Okay. Thanks. Okay. Sorry.</p> <p>22 COMMISSIONER CARRILLO: KT had his hand 23 up.</p> <p>24 THE CHAIR: I'm sorry. You moved on my 25 screen. I'm sorry. KT.</p>	73	<p>1 though, you know, this is the first time there's 2 been a challenge. We're at that point where this is 3 the way it's going to be. This is where the rubber 4 hits the road.</p> <p>5 And while I completely understand 6 Commissioner Robbins' idea to table, what I hear is 7 what I think I heard others hear, the can being 8 kicked down the road.</p> <p>9 And -- you know, and I'll say it again 10 that every time we kick that can, I believe that 11 we're cheating kids.</p> <p>12 THE CHAIR: Thank you. Well, there is a 13 motion on the table, so we will have to take a vote 14 on that motion, if no one else has further 15 discussion of it.</p> <p>16 COMMISSIONER DAVIS: Can we read the 17 motion again?</p> <p>18 COMMISSIONER VOIGT: That's what I was 19 going to ask.</p> <p>20 THE CHAIR: Cindy, could you read that 21 motion, please. (The record was read as requested.)</p> <p>22 THE CHAIR: Thank you. 23 Commissioner Burt. 24 25 COMMISSIONER MANIS: I would like to make</p>

74	<p>1 a motion to amend.</p> <p>2 THE CHAIR: I don't think you can.</p> <p>3 COMMISSIONER ROBBINS: Robert's Rules does</p> <p>4 not allow that unless I want to amend it.</p> <p>5 COMMISSIONER CARRILLO: Robert's Rules</p> <p>6 allows for him to propose an amendment. But you</p> <p>7 have to accept the amendment, Commissioner Robbins.</p> <p>8 So he needs to make the amendment first, and then</p> <p>9 Commissioner Robbins can decide whether or not to</p> <p>10 accept it as a friendly amendment.</p> <p>11 COMMISSIONER ROBBINS: Go ahead.</p> <p>12 COMMISSIONER MANIS: I make the motion to</p> <p>13 amend this to approve Item No. 7-A, with the</p> <p>14 additional requirements set forth by Secretary Burt.</p> <p>15 COMMISSIONER CARRILLO: So that would have</p> <p>16 to be -- that's not a friendly amendment.</p> <p>17 THE CHAIR: That's not a friendly</p> <p>18 amendment. We're on 7-B. We're on 7-B. But that's</p> <p>19 not a friendly amendment. That's a separate motion.</p> <p>20 COMMISSIONER MANIS: Understand. Thanks.</p> <p>21 THE CHAIR: So we're back to Commissioner</p> <p>22 Burt.</p> <p>23 COMMISSIONER BURT: Thanks. I would just</p> <p>24 like to say, before we vote on this, I think it's</p> <p>25 imperative that we do not table this today. I</p>	76	<p>1 month," that's a month of a student going through</p> <p>2 school.</p> <p>3 So I'm a going to really push for you all</p> <p>4 to not approve -- to not table this amendment -- to</p> <p>5 not table this. Let's talk through it. Let's</p> <p>6 figure it out, and let's get a CAP in place today</p> <p>7 that is workable and then look at it again in</p> <p>8 October.</p> <p>9 THE CHAIR: Okay. So...</p> <p>10 COMMISSIONER DAVIS: Is this discussion</p> <p>11 appropriate at this time?</p> <p>12 THE CHAIR: Yeah, yeah. It's open for</p> <p>13 discussion, because we got the second -- oh, no.</p> <p>14 Actually -- yeah, it's discussion only by those who</p> <p>15 can vote.</p> <p>16 So I guess my -- so now I've got even more</p> <p>17 questions, because I'm not sure exactly what we're</p> <p>18 doing here. We're either voting and making some</p> <p>19 minor changes. But this notion that, "Oh, in</p> <p>20 October, we're going to open it back up again, and</p> <p>21 if there's things that we're still not comfortable</p> <p>22 with, we're going to have that discussion in</p> <p>23 October," I'm really uncomfortable with that.</p> <p>24 This is either what we stick with and</p> <p>25 whatever we vote on today, and the school's clear on</p>
75	<p>1 really believe Director Chavez. It's a really</p> <p>2 good -- to push this a whole month down -- there</p> <p>3 were a lot of things that I saw in the CAP that were</p> <p>4 due by October 12th. To push this back to</p> <p>5 October -- past October 12th, I mean, all those</p> <p>6 dates get pushed back to November.</p> <p>7 And I think, as far as the school and as</p> <p>8 far as CSD and the collaboration between them to</p> <p>9 improve outcomes for our students, it's imperative</p> <p>10 that we start that process now. And we can come</p> <p>11 back to it in October. We can -- let's talk about</p> <p>12 this CAP; let's figure it out; let's get it started.</p> <p>13 And then if there are certain things that</p> <p>14 the Commission is not willing to be specific about</p> <p>15 today, you know, let's talk about that, and let's</p> <p>16 look at it and figure it out and come back to it in</p> <p>17 October.</p> <p>18 But I think the baseline of what has been</p> <p>19 negotiated already, it's imperative that it gets</p> <p>20 started. I mean, our school years are only nine</p> <p>21 months. And for these students, this is their only</p> <p>22 freshman year. This is their only senior year.</p> <p>23 Like, we don't -- a month in your senior year is</p> <p>24 huge. I mean -- so for us, I know it sounds easy to</p> <p>25 be just, like, "Okay, let's talk about this next</p>	77	<p>1 that. But I'm uncomfortable with any indication</p> <p>2 that in October, when we look at this, if there's</p> <p>3 more things we want to put in, then we're -- we'll</p> <p>4 do it then in October, because I don't think those</p> <p>5 October 12th deadlines are necessarily gone.</p> <p>6 I think we can get -- because those are --</p> <p>7 I think, for our October meeting, we could request</p> <p>8 information from the school. So I don't think it's</p> <p>9 completely gone.</p> <p>10 Well, I have a concern that this is</p> <p>11 becoming an open-ended and a never-ending process,</p> <p>12 based on what Commissioner Burt said that, "Well, in</p> <p>13 October, we can come back, and if there's things we</p> <p>14 want to change..." -- I'm not -- I am not</p> <p>15 comfortable with that at all.</p> <p>16 Commissioner Carrillo?</p> <p>17 COMMISSIONER BURT: Can I respond?</p> <p>18 Because you just -- just because --</p> <p>19 COMMISSIONER CARRILLO: Well, there's just</p> <p>20 a motion right now to table. And I would say once</p> <p>21 we vote on this motion, we can move forward in any</p> <p>22 direction we want to. But there is this motion kind</p> <p>23 of setting here.</p> <p>24 So if the discussion is not relative to</p> <p>25 the motion, specifically, we should vote and then</p>

78	<p>1 move on to the next motion.</p> <p>2 THE CHAIR: Well, it was, because my vote</p> <p>3 on the tabling is contingent.</p> <p>4 COMMISSIONER CARRILLO: No, I understand</p> <p>5 what you said. Yeah.</p> <p>6 THE CHAIR: Okay. Sorry. Commissioner</p> <p>7 Burt?</p> <p>8 COMMISSIONER BURT: So I definitely did</p> <p>9 not mean that we should just leave -- like, vote on</p> <p>10 something, get it in there, and just, like, open it</p> <p>11 back up. That was not my intention. Don't want</p> <p>12 that to be misconstrued.</p> <p>13 I just mean if there's something -- if</p> <p>14 there's some specifics -- like, I know -- I think</p> <p>15 from what I'm hearing is the concern to go back to</p> <p>16 is to create some specifics.</p> <p>17 What I am saying is they are going to have</p> <p>18 a plan that, if we vote this CAP, they're supposed</p> <p>19 to have a plan in October that we should be</p> <p>20 reviewing in our October meeting. We can review</p> <p>21 that at that time and ensure there's specifics in</p> <p>22 the plan and look at those.</p> <p>23 But I think the CAP needs to get started</p> <p>24 now, because we don't have teeth behind. We can ask</p> <p>25 all we want. But Corina doesn't have a -- a backing</p>	80	<p>1 started sending data towards.</p> <p>2 COMMISSIONER CARRILLO: Commissioner</p> <p>3 Gipson?</p> <p>4 THE CHAIR: Yeah.</p> <p>5 COMMISSIONER CARRILLO: This would be that</p> <p>6 moment where I call the question.</p> <p>7 THE CHAIR: Yes.</p> <p>8 COMMISSIONER CARRILLO: Because this</p> <p>9 motion has been on the table as long as it has been.</p> <p>10 THE CHAIR: And I think everyone's had an</p> <p>11 opportunity to speak at least once that wanted to</p> <p>12 speak. So I think that's fair as well, and</p> <p>13 weaponizing it, as our rules indicate.</p> <p>14 Okay. Commissioner Burt?</p> <p>15 COMMISSIONER BURT: All right.</p> <p>16 Commissioner Burt, no.</p> <p>17 Commissioner Voigt.</p> <p>18 COMMISSIONER VOIGT: Yes.</p> <p>19 COMMISSIONER BURT: Commissioner Carrillo.</p> <p>20 COMMISSIONER CARRILLO: No.</p> <p>21 COMMISSIONER BURT: Commissioner Taylor.</p> <p>22 COMMISSIONER TAYLOR: No.</p> <p>23 COMMISSIONER BURT: Commissioner Chavez.</p> <p>24 (No response.)</p> <p>25 COMMISSIONER BURT: Commissioner Chavez?</p>
79	<p>1 behind it, other than -- I will say my hope would be</p> <p>2 that the school, in good faith, would follow through</p> <p>3 with all these things and just do it. But they</p> <p>4 don't have to.</p> <p>5 So I do think it's imperative that we get</p> <p>6 it started and that we have these deadlines in place</p> <p>7 and that we have the things in place to make our</p> <p>8 October meeting a more productive meeting than doing</p> <p>9 what we're doing today in October.</p> <p>10 COMMISSIONER VOIGT: Madam Chair?</p> <p>11 THE CHAIR: Commissioner Voigt?</p> <p>12 COMMISSIONER VOIGT: Thank you. We have</p> <p>13 things in place that are due October 12th so that we</p> <p>14 can have teeth in our October meeting. I think</p> <p>15 those were started a week and a half -- two weeks</p> <p>16 ago.</p> <p>17 So -- and the school is aware. So there</p> <p>18 are some academic expectations in place for the</p> <p>19 school, and they've already started. I know they've</p> <p>20 sent data forwarded -- academic data forwarded</p> <p>21 already.</p> <p>22 So it seems that what you're requesting,</p> <p>23 Secretary Burt, is already happening, with that</p> <p>24 academic -- the academic improvements that we</p> <p>25 proposed for the school, which they've already</p>	81	<p>1 COMMISSIONER CHAVEZ: Yes.</p> <p>2 COMMISSIONER BURT: Commissioner Robbins.</p> <p>3 COMMISSIONER ROBBINS: We're actually</p> <p>4 voting on calling the question. We're not voting on</p> <p>5 the motion. You have to take a vote on the calling</p> <p>6 of the question. I don't think people understood</p> <p>7 that.</p> <p>8 COMMISSIONER BURT: Nope.</p> <p>9 COMMISSIONER VOIGT: I didn't. Sorry.</p> <p>10 COMMISSIONER ROBBINS: When you call the</p> <p>11 question, you're taking a vote to close discussion.</p> <p>12 THE CHAIR: I'm sorry. That's my fault.</p> <p>13 I thought people understood that. Sorry.</p> <p>14 COMMISSIONER VOIGT: Call again.</p> <p>15 THE CHAIR: Sorry. And I apologize. I</p> <p>16 thought people were familiar with it. So I</p> <p>17 apologize. That's my fault.</p> <p>18 So the vote is on calling the question.</p> <p>19 COMMISSIONER BURT: All right.</p> <p>20 Commissioner Burt, yes.</p> <p>21 Commissioner Voigt.</p> <p>22 COMMISSIONER VOIGT: Yes.</p> <p>23 COMMISSIONER BURT: Commissioner Carrillo.</p> <p>24 COMMISSIONER CARRILLO: Yes.</p> <p>25 COMMISSIONER BURT: Commissioner Taylor.</p>

82

1 COMMISSIONER TAYLOR: Yes.
 2 COMMISSIONER BURT: Commissioner Chavez.
 3 COMMISSIONER CHAVEZ: Yes.
 4 COMMISSIONER BURT: Commissioner Robbins.
 5 COMMISSIONER ROBBINS: Yes.
 6 COMMISSIONER BURT: Commissioner Davis.
 7 COMMISSIONER DAVIS: Yes.
 8 COMMISSIONER BURT: Commissioner Manis.
 9 COMMISSIONER MANIS: Yes.
 10 COMMISSIONER BURT: And Commissioner
 11 Gipson.
 12 THE CHAIR: Yes.
 13 COMMISSIONER BURT: All right. That
 14 passes unanimously, nine-zero.
 15 THE CHAIR: All right. So we are now back
 16 to the motion on tabling.
 17 COMMISSIONER BURT: All right.
 18 Commissioner Voigt.
 19 COMMISSIONER VOIGT: Yes.
 20 COMMISSIONER BURT: Commissioner Burt, no.
 21 Commissioner Davis.
 22 COMMISSIONER DAVIS: Yes.
 23 COMMISSIONER BURT: Commissioner Chavez.
 24 COMMISSIONER CHAVEZ: Yes.
 25 COMMISSIONER BURT: Commissioner Manis.

83

1 COMMISSIONER MANIS: No.
 2 COMMISSIONER BURT: Commissioner Carrillo.
 3 COMMISSIONER CARRILLO: No.
 4 COMMISSIONER BURT: Commissioner Taylor.
 5 COMMISSIONER TAYLOR: No.
 6 COMMISSIONER BURT: Commissioner Robbins.
 7 COMMISSIONER ROBBINS: Yes.
 8 COMMISSIONER BURT: Commissioner Gipson.
 9 THE CHAIR: Yes.
 10 COMMISSIONER BURT: That passes,
 11 five-four.
 12 THE CHAIR: Okay. Thank you.
 13 And right now, I need to ask for the
 14 Commissioners that are going to serve on the
 15 subcommittee if it's the same Commissioners -- and I
 16 know a lot depends on dates -- but for Commissioners
 17 that wish to so that we can contact them and keep us
 18 under the six.
 19 So I'll just solicit names, and then, for
 20 when we get the dates, some of you may not be able
 21 to participate. I think that's the best we can do
 22 now. But just so that we know that we're contacting
 23 only up to five. Okay?
 24 COMMISSIONER CARRILLO: May I recommend,
 25 Pattie -- excuse me, Chair Gipson -- that we do that

84

1 part offline, through Bev?
 2 THE CHAIR: Well, I wanted the names -- it
 3 was requested of me to get the names for the record.
 4 COMMISSIONER CARRILLO: Okay. Fine.
 5 THE CHAIR: So that's what I'm doing. But
 6 the offline is the dates and whether you're
 7 available, okay?
 8 COMMISSIONER ROBBINS: Madam Chair, for
 9 the record, I was unable to participate. I was
 10 going to, but we had a death of a family friend so I
 11 was not able to participate. But I would like to
 12 participate in the next negotiations.
 13 THE CHAIR: Yes. And I did express that
 14 to the subcommittee that was there, Commissioner
 15 Robbins; so I appreciate that.
 16 COMMISSIONER CARRILLO: May I ask a
 17 procedural-only question to Julia? That would be --
 18 this is not on the agenda -- the choosing of a
 19 subcommittee to do the Corrective Action Plan is not
 20 on the agenda.
 21 COMMISSIONER VOIGT: We're not choosing.
 22 THE CHAIR: We're not choosing. We're
 23 just listing names.
 24 COMMISSIONER CARRILLO: This particular
 25 thing is not on the agenda, because I would like

85

1 Julia to weigh in because I don't see it there.
 2 THE CHAIR: But it's on the motion for the
 3 subcommittee. It was in the motion.
 4 COMMISSIONER CARRILLO: That's why I'm
 5 asking Julia.
 6 MS. JULIA BARNES: Well, the
 7 Academic/Organizational Corrective Action Plan is on
 8 the agenda. I guess you've tabled that. I'm okay,
 9 Chair, if you solicit the names otherwise. We're
 10 just back to the issue of, if more than five people
 11 want to do it, we're back to an Open Meeting
 12 question.
 13 COMMISSIONER VOIGT: Madam Chair, put me
 14 down.
 15 THE CHAIR: Yeah. I want to be down.
 16 COMMISSIONER BURT: I would like to,
 17 depending on date and time.
 18 THE CHAIR: Right. I got it.
 19 COMMISSIONER TAYLOR: And me.
 20 THE CHAIR: Yeah. So there's six of us,
 21 potentially. I got it. Five -- only five of us
 22 will attend, and a lot will depend on the day and
 23 time; so -- but we've got --
 24 COMMISSIONER TAYLOR: Can we -- can't we
 25 just hold a Special Meeting if other Commissioners

<p style="text-align: right;">86</p> <p>1 would like --</p> <p>2 THE CHAIR: We're not doing it in public.</p> <p>3 We don't do the CAP negotiations in public. And,</p> <p>4 honestly, a Special Meeting for this would be very</p> <p>5 costly, and I don't know what the purpose to spend</p> <p>6 that money would be.</p> <p>7 COMMISSIONER MANIS: What's the cost?</p> <p>8 THE CHAIR: Transcript. It's a Special</p> <p>9 Meeting. So there's the...</p> <p>10 COMMISSIONER MANIS: Well, we can always</p> <p>11 use those other things that we've talked about that</p> <p>12 we haven't implemented yet that's the -- that we</p> <p>13 don't need to pay for a transcriber.</p> <p>14 THE CHAIR: Well, honestly, we've done</p> <p>15 this that we have indicated that we don't do the</p> <p>16 contract negotiations and CAP negotiations in</p> <p>17 public. So that's -- that's why we're trying to</p> <p>18 keep it under the quorum. We've parsed this out</p> <p>19 through this.</p> <p>20 Commissioner Carrillo?</p> <p>21 COMMISSIONER CARRILLO: I'll respectfully</p> <p>22 disagree, Chair Gipson. I don't know that the</p> <p>23 Commission has ever officially decided, in policy,</p> <p>24 not to do a CAP or a contract negotiation in public.</p> <p>25 I believe the contract negotiations shouldn't be</p>	<p style="text-align: right;">88</p> <p>1 that this is what is happening. If there wants to</p> <p>2 be a further discussion about it, you know, fine.</p> <p>3 COMMISSIONER MANIS: I just don't think</p> <p>4 past practice necessarily makes future precedent.</p> <p>5 THE CHAIR: I understand that. And I</p> <p>6 didn't say I was disagreeing with you. I'm just --</p> <p>7 there was -- I simply stated that agreeing with the</p> <p>8 fact that there is no policy regarding it. I'm</p> <p>9 going to go back to what -- last week, you know.</p> <p>10 I don't think the public -- I don't think</p> <p>11 any of us -- that was productive. We don't take a</p> <p>12 vote. There are no firm decisions that are made</p> <p>13 there. And I do believe that the public is fully</p> <p>14 informed about the use of the public dollars through</p> <p>15 what the school is doing when the CAP is presented</p> <p>16 at the public -- at the public meeting.</p> <p>17 But I'm going to -- I think I'm going to</p> <p>18 have to ask Julia in regards to our rules of</p> <p>19 procedure in terms of it does say our meetings are</p> <p>20 transcribed. So any Special Meeting that we have</p> <p>21 ever called, we've also said we may use those other</p> <p>22 means. And the work session is an example.</p> <p>23 But the work session has never -- there's</p> <p>24 no requirement for the work session to have been</p> <p>25 transcribed. Our meetings, there is. So I don't</p>
<p style="text-align: right;">87</p> <p>1 public, because they're contract negotiations.</p> <p>2 But a CAP, I would have to agree with</p> <p>3 that if there are people -- if there are more than</p> <p>4 five that want to serve, we should be allowed to</p> <p>5 serve. The fact that this is in public -- you know,</p> <p>6 sometimes -- I take to heart what Vice Chair said</p> <p>7 about, you know, shaming. And I don't mean to</p> <p>8 shame; I know it's all uncomfortable.</p> <p>9 I'm just kind of -- to me, it's just</p> <p>10 calling it out. And we're a public body. This is a</p> <p>11 public school. These are public tax dollars, and to</p> <p>12 me, we're accountable to the public and the kids.</p> <p>13 So I would agree with KT that if this ends up being</p> <p>14 a meeting at which there's a quorum, that it ends up</p> <p>15 being an open meeting and those people that want to</p> <p>16 watch us work -- because I think that's valuable to</p> <p>17 us when people watch us work and do kind of the</p> <p>18 nitty-gritty stuff.</p> <p>19 And I don't think the meeting should</p> <p>20 necessarily have anyone able to participate except</p> <p>21 the school's representatives or the Commissioners</p> <p>22 that want to take part.</p> <p>23 THE CHAIR: Okay. And I'm going -- and I</p> <p>24 wholeheartedly agree that there is no policy. It</p> <p>25 has been -- it has been the past practice, always,</p>	<p style="text-align: right;">89</p> <p>1 know whether we can simply do a -- a recording of it</p> <p>2 in whatever fashion and include that in the context</p> <p>3 of a -- of a called Special Meeting.</p> <p>4 And you know what? We may not need the</p> <p>5 called Special Meeting, simply because we may only</p> <p>6 have five. We don't know that we're going to have</p> <p>7 six there. We won't know until we get a date and</p> <p>8 time.</p> <p>9 So I think we're spending a lot of time on</p> <p>10 a what-if right now.</p> <p>11 MS. JULIA BARNES: Chair, just in partial</p> <p>12 response, looking at the Attorney General's Open</p> <p>13 Meetings Act, there's a requirement on an Open</p> <p>14 Meeting to have all persons so desiring shall be</p> <p>15 permitted to attend and listen to the deliberations</p> <p>16 and proceedings. That's back to what one of the</p> <p>17 other Commissioners said, I think Commissioner</p> <p>18 Carrillo.</p> <p>19 "Reasonable efforts shall be made to</p> <p>20 accommodate the use of audio and video recording</p> <p>21 devices." I don't -- I don't know that it would be</p> <p>22 a Special Meeting. It would need to be an Open</p> <p>23 Meeting.</p> <p>24 THE CHAIR: Okay. We've never -- we've</p> <p>25 never done that. So I think we would just need to</p>

<p style="text-align: right;">90</p> <p>1 know how to post it, because we've never just -- 2 we've never just posted an Open Meeting without it 3 being, you know, the monthly meeting. 4 MS. JULIA BARNES: I would need to go back 5 and look at your procedures. 6 COMMISSIONER VOIGT: Madam Chair, we can 7 figure that out later. 8 THE CHAIR: Yeah. 9 COMMISSIONER VOIGT: Okay. 10 THE CHAIR: I agree. Like I said, I think 11 we're spinning our wheels about something that we 12 don't know we're going to have to actually deal 13 with, because right now, there's only six people 14 total that have indicated they want to participate, 15 and we don't know if they all can. 16 COMMISSIONER VOIGT: For reference, we can 17 figure it out later. 18 THE CHAIR: Can we take a ten-minute 19 break? 20 COMMISSIONER VOIGT: I was just going to 21 ask that. 22 (Recess taken, 10:48 a.m. to 11:02 a.m.) 23 THE CHAIR: Okay. So we are on to Item 24 No. 7-C, Possible Additional Financial Corrective 25 Action Plan.</p>	<p style="text-align: right;">92</p> <p>1 the Director, from Melissa Sanchez and the work that 2 was done in the finances that we could put into -- 3 once again, being specific, I think is most 4 important. 5 And if we don't think we're going to get 6 something specific from the financials, you know, I 7 think the referral to the folks to do that 8 investigative piece is probably the more appropriate 9 part. 10 But if there's any -- I don't know if 11 there's any specific concerns that maybe, Director 12 Chavez, you can inform us of that might lead us to 13 go this route for this year. 14 COMMISSIONER VOIGT: Madam Chair, I do 15 have a concern. 16 THE CHAIR: Okay. 17 COMMISSIONER VOIGT: Unless Director 18 Chavez is ready to respond to Commissioner Burt. 19 THE CHAIR: Okay. I think she indicated 20 no. 21 COMMISSIONER VOIGT: Okay. So I have a 22 concern about the administrative spending in 23 relation to spending for student support. The 24 administrative spending seems exuberant 25 proportionate to the student spending. I have a</p>
<p style="text-align: right;">91</p> <p>1 And this was placed in there in -- as a -- 2 in case, if Commissioners felt that there was a need 3 to put into place a financial Corrective Action Plan 4 for The GREAT Academy, that would then, you know, 5 have reporting dates throughout this year. 6 So open for discussion from Commissioners, 7 if that's -- because I know Commissioner Carrillo 8 sort of touched on it a while back. So looking for 9 input from Commissioners as to whether they feel 10 this is necessary at this point in time. 11 Commissioner Burt? 12 COMMISSIONER BURT: I guess I just don't 13 know, because it seemed like a lot of the concerns 14 are more from the foundation side. And that's not 15 something that we can put in this CAP. It's not 16 something that we have oversight over. 17 And so I guess I would need some direction 18 from Director Chavez and maybe Melissa Sanchez to 19 see if -- 20 THE CHAIR: Hold on. I hate to interrupt 21 you. But there's feedback coming from someone 22 that's really interfering. There's, like, this -- 23 it's gone, whatever it was. It's gone. Sorry. 24 COMMISSIONER BURT: That's okay. I just 25 don't know if there's some specific concerns from</p>	<p style="text-align: right;">93</p> <p>1 concern about -- they have audit findings. I think 2 that's something that would be relevant to a 3 Corrective Action Plan. 4 I think, also, SEG funds, public dollars 5 being somehow transitioned towards private dollars 6 is a concern. So, yeah, I think there's a need for 7 a financial Corrective Action Plan. 8 THE CHAIR: Okay. Commissioner Taylor, 9 and then Commissioner Carrillo. 10 COMMISSIONER TAYLOR: So my question would 11 be -- I mean, obviously, I think those are 12 absolutely valid, valid concerns, Vice Chair. And I 13 have some of the same. 14 My question would be is this something 15 that, I guess, maybe to Julia, is this something 16 that is covered in our Letter of Concern to the 17 agencies that we did earlier? I mean, that we sent 18 earlier? Or is this going to be sort of a separate 19 matter? 20 Will they investigate those areas that we 21 have concern over? Or do we need to express those 22 so that they have direction? 23 MS. JULIA BARNES: I think, given what 24 Vice Chair was just raising, that might be 25 appropriate in a financial CAP that you all would</p>

<p style="text-align: right;">94</p> <p>1 do. I don't think we are precluded from putting a 2 concern about the finances. I think that that -- 3 the payment to the staff is certainly in there. So 4 it could also be included in those letters.</p> <p>5 Director Chavez would need to weigh in 6 here. My understanding about the administrative 7 amount versus student spending is I'm not sure that 8 that's anywhere in statute. But, you know, we would 9 need to discuss that.</p> <p>10 So I think you -- just looking at what 11 Vice Chair Voigt just raised, I'm -- I think it 12 could be included. But it -- but it could also be a 13 financial Corrective Action -- or discussion of a 14 financial Corrective Action Plan.</p> <p>15 THE CHAIR: Commissioner Taylor -- I'm 16 sorry. Commissioner Carrillo.</p> <p>17 COMMISSIONER CARRILLO: Yes. Thank you. 18 I agree with Vice Chair Voigt. So I would like a 19 little more information today. I didn't know where 20 to find it.</p> <p>21 I do have the sheet that has the salary 22 schedule for the school. And it is alarming that 23 the two key administrators -- you know, together, 24 it's over \$230,000. And this is for 110 kids, all 25 right? I mean, we have high schools with 14- --</p>	<p style="text-align: right;">96</p> <p>1 I don't think this should be negotiated. 2 I think -- I want to be able to tell the school, "We 3 want monthly reporting on your entire -- we want you 4 to send us your general ledger once a month," 5 period. "And we're going to match that general 6 ledger with income that we know you're receiving and 7 also with the foundation." 8 And that's a directive. It's not a 9 question. 10 And then other directives around, you 11 know, receipts, all these different things that, 12 really, just people do in the private sector when 13 they run a business. And -- but we want to see it. 14 And we actually, at this point in time -- 15 as Vice Chair Voigt was saying, we have a right to 16 see it. And I would remind -- because we are the 17 chartering authority, okay? And I don't like the 18 idea of schools thinking they can run all over us 19 and that we're somehow toothless. 20 So I'd like there to be a financial 21 directives program. Thank you. 22 THE CHAIR: Can I just ask if they're on 23 monthly reporting now, to Budget? 24 DIRECTOR CORINA CHAVEZ: Yes, Chair 25 Gipson. They are on monthly reporting to School</p>
<p style="text-align: right;">95</p> <p>1 well, in Las Cruces, you have high schools with, 2 like, 2,600 kids, and people aren't making -- people 3 don't get into education to -- 4 THE CHAIR: Make money. 5 COMMISSIONER CARRILLO: -- to get wealthy. 6 They get into education because they love kids and 7 public education. 8 So what I'd like to know, because my 9 understanding from past conversations is that the 10 compensation package for the two key administrators, 11 the total compensation package, is significantly 12 more. And this actually goes into what Vice Chair 13 Voigt was saying. Because, as I understand it -- 14 and this is where, if Ms. Chavez has this 15 information and can tell me where to get it for this 16 meeting -- I understand there's car allowance, phone 17 allowance. There's been a great deal of travel, all 18 things we really don't expect from a charter school 19 and the use of public money. 20 And so I would definitely want to have a 21 CAP. But my challenge with having a CAP is going 22 through what we went through on the academic CAP. I 23 don't want there to be, like, a CAP, per se, as the 24 Commission does. I want there to be a directive, 25 okay?</p>	<p style="text-align: right;">97</p> <p>1 Budget. 2 THE CHAIR: Okay. Thanks. Commissioner 3 Robbins, and then Commissioner Voigt. 4 COMMISSIONER ROBBINS: Yes. When I was on 5 the APS Board, one of the problems we had with a 6 charter school was the business officer was the only 7 one who was getting bank account statements. And 8 they were getting it from the bank, and then they 9 were fraudulently preparing those to give to the 10 Board of Finance or the governance. 11 I would like to ensure -- and I think this 12 is within our purview -- to require independent 13 receipt and review of the bank statement and 14 comparing that. 15 Now, it doesn't have to be CSD. It could 16 be an outside individual, or to ensure that someone 17 on the board is actually getting -- board of 18 governance -- is getting a copy of that bank 19 statement. Because this is where a lot of possible 20 financial mistakes, or -- I have to be very careful 21 what I'm saying, because I don't want to imply 22 anything. 23 But this is where you can double-check. 24 They write a check, but in their ledger, they record 25 it in a different way. And so when you see the</p>

<p style="text-align: right;">98</p> <p>1 actual checks going through the bank account -- it's 2 not that they just get a copy. They get a copy 3 directly from the bank. Since everything is 4 electronic these days, banks can send multiple 5 copies of your bank statement to more than one 6 individual.</p> <p>7 And this was what was happening at this 8 one charter that -- and I think it happened at some 9 public schools. Only one person was getting that 10 from the bank. They would actually alter it and 11 then give that back copy to the superintendent and 12 things like that.</p> <p>13 So, again, I would -- in a CAP that's 14 being discussed, I think that's one thing that you 15 could put in there to ensure the proper spending. 16 Yeah, the Budget group, you know, can look at the 17 budget and make sure the dollars are being spent 18 from their general ledger. But the bank account is 19 what gives you the double-check on the general 20 ledger.</p> <p>21 THE CHAIR: Commissioner Voigt.</p> <p>22 COMMISSIONER VOIGT: Okay. Thanks. So 23 will we need another subcommittee for a financial 24 CAP, or can we work this into the other -- this CAP 25 in with the other CAP subcommittee meeting?</p>	<p style="text-align: right;">100</p> <p>1 compliance. Without that fact-finding, we have no 2 teeth.</p> <p>3 And I think that's -- I just want to 4 comment back on the reason why we postponed the last 5 CAP is because we really need those people at the 6 table to have, you know, some legitimacy and 7 fidelity behind our work.</p> <p>8 THE CHAIR: Right. And I think -- I think 9 part of the concern, when we're looking at the total 10 salaries, is that total salaries? Is that the 11 monies that are also obtained through foundation 12 monies? Because if it is, then that piece goes into 13 the complaint, and we can't -- you know, we -- you 14 know.</p> <p>15 So that's -- and I think it is -- I think 16 Julia indicated, it's like 20 percent has to -- no 17 more than 20 percent for administrative salaries. 18 Is that what the --</p> <p>19 COMMISSIONER VOIGT: It was 20-something. 20 It's like -- I think it's between 25 and 30 percent, 21 something in there.</p> <p>22 THE CHAIR: Yeah.</p> <p>23 MS. JULIA BARNES: My understanding, 24 Chair, is that that is in a legislative -- it's a 25 performance measure from 2020 in HB 2.</p>
<p style="text-align: right;">99</p> <p>1 THE CHAIR: Well, you know, I think we 2 have to look at a couple of things. I think -- I 3 wholeheartedly agree with the concern over how much 4 money is being spent by salary. However, I -- I 5 have a concern over our capacity to have the ability 6 to place restrictions on that.</p> <p>7 COMMISSIONER VOIGT: Right.</p> <p>8 THE CHAIR: I don't think we have 9 authority to do that.</p> <p>10 COMMISSIONER VOIGT: Right.</p> <p>11 THE CHAIR: And I think Julia can weigh in 12 a little bit more on that.</p> <p>13 We had this discussion with an applicant. 14 And it was -- we do -- we shouldn't do that. So 15 now, we're looking at a school and saying, "Hey, you 16 know..." -- so that's a concern I have.</p> <p>17 COMMISSIONER VOIGT: Well, you know, there 18 is -- somewhere it's written -- I don't know if it's 19 in statute or if it's a rule. But there is a 20 percentage that is proportionate to spending on 21 students.</p> <p>22 But my other point is, too, that for these 23 CAPs, the academic one and this financial CAP, 24 moving forward, we really need to have, at the 25 table, the bureaus from PED that can speak to the</p>	<p style="text-align: right;">101</p> <p>1 THE CHAIR: Right. But I thought it was 2 also tied to certain funding monies, I thought. I 3 could be wrong on that. But I thought when that was 4 put in there, it was, "This money is going to the 5 schools, and no more than that bucket of money can 6 be spent toward the -- no more than 20 percent can 7 be spent." I --</p> <p>8 COMMISSIONER VOIGT: It's under 9 operational, I believe.</p> <p>10 MS. JULIA BARNES: Sorry. I'm just trying 11 to find it. I'm not finding it quickly. I thought 12 I had highlighted it.</p> <p>13 THE CHAIR: But I wholeheartedly agree. I 14 think, unless we have the other bureaus, the 15 entities that can provide the best information to 16 us, we know what's being provided on a monthly 17 reporting. If there's something else that we want 18 additionally, we can then ask for that and 19 automatically get whatever is being provided through 20 the monthly reporting.</p> <p>21 So is the -- are we -- I'm fine with 22 rolling it into the -- whatever that next meeting 23 is, rolling it all in and getting it all done at one 24 time. That would be the -- I think the best use of 25 everyone's time and energy.</p>

<p style="text-align: right;">102</p> <p>1 COMMISSIONER VOIGT: Do we need a motion? 2 THE CHAIR: Commissioner Voigt? 3 COMMISSIONER VOIGT: Do we need a motion? 4 THE CHAIR: Yeah. 5 COMMISSIONER VOIGT: If we're ready, I'll 6 make one. Commissioner Carrillo has his hand up. 7 COMMISSIONER CARRILLO: I need to 8 reiterate that I don't want this to be a CAP. I 9 want these to be directives. I don't want this to 10 be negotiated. We're at the time and place where, 11 at least for this -- and I'm trying to look this up, 12 also, Corina -- I can't find it to save my life on 13 the docs, the total compensation package. Because I 14 understand it's significantly more than just, you 15 know, salary. 16 And I believe, also, just in terms of what 17 was said earlier -- and I know that with districts, 18 it's like 83 percent of the money is supposed to be 19 going to operational. It's supposed to be going to 20 classrooms. And you could tell, with this school, 21 it's significantly out of whack. 22 But, I mean, just another -- just another 23 CAP. That's kind of how I'm doing this. And I'm 24 sorry I'm taking that att- -- no, I'm not sorry. I 25 am taking that attitude for reasons that I feel very</p>	<p style="text-align: right;">104</p> <p>1 school side with the finances, before I could move 2 forward even on a directive. That's where I'm -- 3 you know, I'm not clear. 4 COMMISSIONER CARRILLO: I would agree, 5 Chair Gipson, that it's not up to us to tell them 6 how to spend their money. We have no purview there 7 in terms of what they pay each other and everybody 8 else. We do -- the only thing we have is the 9 ability to be able to want to see it. For all we 10 know, you know, next month they could easily cut 11 some salaries or cut one of the key administrators 12 and then end up bringing them back as a contractor. 13 There's all sorts of ways to massage 14 things. And that's why I think we need a directive 15 of more intensive reporting than they're doing. 16 THE CHAIR: I understand that. I'm 17 just -- I just need to be clear as to what the 18 concerns are, so that when we're doing a directive, 19 we're getting a directive that the school is doing 20 what? And that's -- 21 COMMISSIONER CARRILLO: (Indiscernible due 22 to simultaneous speaking) greatest concern. And I 23 hear what you're saying, that most of the challenges 24 have been with the foundation. Totally understand. 25 Totally agree.</p>
<p style="text-align: right;">103</p> <p>1 strongly about. 2 But I think this is at the point where we 3 need to have directives around different financial 4 matters. 5 And somebody had mentioned -- oh, it was 6 Commissioner Robbins -- mentioned you having their 7 board check things as well. I don't mind being -- I 8 think their board is implicit in all this. Who do 9 you think has been doing all this for the last five 10 years? 11 So, absolutely, I wouldn't allow their 12 board to touch any of this. An outside person is 13 great. Let's get all the info we need, and let's 14 have it monthly, you know, because if we have it 15 monthly, it's also public. So there you have it. 16 Thank you very much. 17 THE CHAIR: And it's been my 18 understanding -- and I could be wrong -- it's been 19 my understanding that the 99 percent of the 20 financial issues are on the foundation side and not 21 on the school side, that there hasn't been certainly 22 as much or as egregious on the school side. 23 So I think I need -- I think I need 24 clarity on what -- before I even do a directive, I 25 need confirmation of what the concerns are on the</p>	<p style="text-align: right;">105</p> <p>1 But the biggest challenge I see, you know, 2 it's -- is the amount going to the admin versus the 3 amount going in the classroom, and then how that 4 admin has been doled out, in what I would say is a 5 very unorthodox way relative to running a school. 6 COMMISSIONER VOIGT: Corina's hand is up. 7 THE CHAIR: Okay. And -- okay. I'm 8 sorry. Director Chavez? 9 DIRECTOR CORINA CHAVEZ: Thank you, 10 Commissioners. 11 I am happy to ask us to bring Melissa 12 Sanchez from my office to the panel, if you would 13 like to ask her questions. She did the deep dive 14 into what -- what is happening with the school. 15 And it is true that there were prepayments 16 made to -- to the foundation for lease payments, but 17 then the funds were used for more than just paying 18 off the lease. So that's one concern. 19 We are on monthly reporting. So Melissa 20 can collaborate with School Budget to review the 21 monthly reports that are submitted to the school. I 22 think that the -- the indicator of 68 percent of 23 funds going towards the classroom, you know, the 24 question is, how is that calculated? And if it's 25 separated out from the regular school budget,</p>

106	<p>1 because there's contracts that are coming from 2 another source, not just the school, you know, 3 there's -- there's ways that I think salaries have 4 been supplemented.</p> <p>5 I think the school has already put into 6 place some provisions that correct some of the extra 7 payments that folks were getting.</p> <p>8 But Melissa is here, and she could be a 9 lot more articulate about the details, if that's 10 what we're discussing right now.</p> <p>11 THE CHAIR: Okay. Thanks. And before we 12 move forward any further, I want to remind 13 Commissioners that the only thing on the agenda is a 14 Corrective Action Plan. And in the school's 15 contract, the prescriptive measure for concerns is a 16 Corrective Action Plan. So that a directive is not 17 on the agenda; a directive is not considered a 18 prescriptive plan in what we contracted with the 19 school.</p> <p>20 So I just wanted to let Commissioners -- 21 make the Commissioners aware of that. And we can 22 move forward on that later with some comments from 23 Julia.</p> <p>24 Melissa, thanks.</p> <p>25 So, Commissioners, do you want Melissa to</p>	108	<p>1 would like a very brief overview, if she knows, what 2 Budget is doing in terms of their review, what 3 additional she might be able to do within the 4 construct of her duties and authority that is not or 5 cannot be done by Budget.</p> <p>6 Maybe if we just had that as a very 7 quick -- that would help us in determining how we go 8 forward. Thank you.</p> <p>9 THE CHAIR: Okay. Thanks.</p> <p>10 MS. MELISSA SANCHEZ: Okay. Thanks. Good 11 morning, Commissioners. Thank you for the 12 opportunity to speak.</p> <p>13 So right now, what School Budget is doing 14 is meeting with the school going over their current 15 obligations and looking at any potential service 16 contracts that they have and meeting with their 17 business managers.</p> <p>18 I know that the concern was about sharing 19 the banking information, that sort of thing. These 20 school business managers are independent. They are 21 not school employees. So I feel very confident in 22 their ability to report accurately and correctly.</p> <p>23 When it comes to current contracts, there 24 are three teacher contracts this year. The two 25 administrator contracts for Mr. and Mrs. Matthews</p>
107	<p>1 just simply give you an overview of what the 2 concerns are? And we're focusing right now only on 3 school's finances, not on the foundation, because 4 we've already moved forward with the concerns 5 regarding the foundation. Or is it our preference 6 to just simply ask her questions?</p> <p>7 DIRECTOR CORINA CHAVEZ: And may I ask you 8 to be clear about if we're talking about a CAP for 9 this school year, we're not necessarily talking 10 about the historical set of events? Or you want to 11 know what has happened in the past, because --</p> <p>12 THE CHAIR: We're looking for a CAP for 13 this school year.</p> <p>14 DIRECTOR CORINA CHAVEZ: Right. So we're 15 talking about this particular school year and how 16 the school was set up this year.</p> <p>17 THE CHAIR: We would be identifying a 18 financial concern that the school has and how they 19 would be correcting it during this school year.</p> <p>20 DIRECTOR CORINA CHAVEZ: Thank you.</p> <p>21 COMMISSIONER ROBBINS: Chair Gipson?</p> <p>22 THE CHAIR: Sorry. I thought Melissa was 23 coming on. Sorry.</p> <p>24 COMMISSIONER ROBBINS: Well, I think, 25 rather than just her, just, you know, giving -- I</p>	109	<p>1 are less than in prior years, and there is none of 2 the extras that you've seen in prior years, such as 3 car allowance and additional retirement.</p> <p>4 So that's -- that's going forward.</p> <p>5 Unfortunately, there are minimums that can 6 be paid to teachers and principals, but there aren't 7 maximums. So that's where we are -- that's where we 8 are.</p> <p>9 You know, one of -- my greatest concern is 10 to a change in the lease that would require a higher 11 lease payment, because, as it is, there -- 12 Ms. Barnes was able to make sure that there were no 13 additional prepayments. There were agreements to 14 that, so that concern is alleviated. And so my only 15 concern is to increase the already high lease 16 payment.</p> <p>17 But, you know, we are -- School Budget has 18 its limits as well. We do have that House Bill 19 requirement of 68 percent. But I don't know that 20 there's necessarily teeth behind that to support it. 21 That does say "budget," not actual expenses. So you 22 can certainly put your budget forward to meet that. 23 But it's after the fact.</p> <p>24 So, you know, if you do make any 25 recommendations about restrictions, it would be in</p>

110	<p>1 the actuals, not in the -- not in the -- in the</p> <p>2 budget, per se, and to stay close to any sort of</p> <p>3 contracts they have. That would be, you know,</p> <p>4 involve anyone outside of -- outside of providing</p> <p>5 instruction and instructional supports.</p> <p>6 That's my recommendation, and I hope that</p> <p>7 answers questions.</p> <p>8 THE CHAIR: Thanks. Commissioner</p> <p>9 Carrillo, and then Commissioner Voigt.</p> <p>10 COMMISSIONER CARRILLO: So I'm looking</p> <p>11 at -- I assume that FTGA is Foundation of the TGA,</p> <p>12 when I'm looking at the spreadsheet; is that</p> <p>13 correct?</p> <p>14 MS. MELISSA SANCHEZ: That's correct.</p> <p>15 COMMISSIONER CARRILLO: Okay. Thank you.</p> <p>16 And this is all Fiscal Year 2021. What do we have</p> <p>17 for '21-'22, so that we can see current numbers in</p> <p>18 terms of what contracts are and what other</p> <p>19 compensation is included?</p> <p>20 MS. MELISSA SANCHEZ: I've been told that</p> <p>21 they don't have any contracts at this point with --</p> <p>22 the foundation doesn't have any contracts at this</p> <p>23 point. I don't know anything further other than</p> <p>24 that statement that was provided to me.</p> <p>25 COMMISSIONER CARRILLO: Okay. So just --</p>	112	<p>1 payment versus the rent payment, there's -- you</p> <p>2 know, they make the difference between that.</p> <p>3 THE CHAIR: Right. Right. But the chunk</p> <p>4 of the monies that was able to be used was the</p> <p>5 prepayment -- the bulk -- the big bulk sums that</p> <p>6 went with the prepayment. The foundation still</p> <p>7 leases the building to -- to the school. So, yes,</p> <p>8 the monthly lease payments go to it.</p> <p>9 Do we have -- well --</p> <p>10 COMMISSIONER VOIGT: I had questions after</p> <p>11 Commissioner Carrillo.</p> <p>12 THE CHAIR: Thanks. Commissioner Voigt.</p> <p>13 COMMISSIONER CARRILLO: I'm through, thank</p> <p>14 you.</p> <p>15 COMMISSIONER VOIGT: Okay. Thanks a lot.</p> <p>16 The agent -- the K-12 business managing</p> <p>17 firm that's providing services -- I know they're</p> <p>18 very competent; they provide service to a lot of</p> <p>19 schools -- have they been fully transparent in</p> <p>20 providing every --</p> <p>21 MS. MELISSA SANCHEZ: (Indicates.)</p> <p>22 COMMISSIONER VOIGT: Okay. Perfect. And</p> <p>23 you have full confidence in their --</p> <p>24 MS. MELISSA SANCHEZ: (Indicates.)</p> <p>25 COMMISSIONER VOIGT: Okay. Perfect.</p>
111	<p>1 I want to rattle that around in my brain. So right</p> <p>2 now, what I'm hearing is that the administrators and</p> <p>3 teachers are not working with contracts?</p> <p>4 MS. MELISSA SANCHEZ: I'm sorry. With the</p> <p>5 foundation.</p> <p>6 COMMISSIONER CARRILLO: Got it. Okay.</p> <p>7 MS. MELISSA SANCHEZ: They are working</p> <p>8 with contracts, absolutely, within the school.</p> <p>9 COMMISSIONER CARRILLO: Okay. So at some</p> <p>10 point, Chair Gipson, I would want us to be able to</p> <p>11 update this spreadsheet that's '20-'21 and have it</p> <p>12 be the information that we have for '21-'22, so we</p> <p>13 can get kind of a more accurate read.</p> <p>14 THE CHAIR: Right.</p> <p>15 COMMISSIONER CARRILLO: A more current</p> <p>16 read. Okay. Thank you.</p> <p>17 THE CHAIR: And just so it's my</p> <p>18 understanding on that topic, that because the school</p> <p>19 has made the agreement that they are not going to do</p> <p>20 any more lease prepayment, the monies going to the</p> <p>21 foundation has basically dried up. Foundation -- am</p> <p>22 I wrong with that?</p> <p>23 MS. MELISSA SANCHEZ: They're no longer</p> <p>24 getting prepayments. However, the school lease</p> <p>25 payment versus the school -- the foundation lease</p>	113	<p>1 And I think that a lot of the egregious</p> <p>2 financial activity has been corrected. Looking</p> <p>3 historically to now, a lot of those things have been</p> <p>4 corrected due to the simple fact that they've been</p> <p>5 under the radar.</p> <p>6 So -- so that's good. I mean, that's what</p> <p>7 we want is a correction and to support a school to</p> <p>8 make these changes so that they're in better</p> <p>9 standing.</p> <p>10 I think that for framing of a discussion</p> <p>11 around any type of Corrective Action Plans that we</p> <p>12 do for schools, it's to support their high-quality</p> <p>13 functioning, not a "gotcha," okay? I think if we</p> <p>14 can think of this in a way that we really want to</p> <p>15 support schools towards high-quality operation,</p> <p>16 supporting students, doing an outstanding job,</p> <p>17 that's what -- that's our purpose, not to go out</p> <p>18 with a white glove.</p> <p>19 And so it looks like -- that's great.</p> <p>20 They are -- they're on the road. But I do still</p> <p>21 think that we should implement a financial CAP to</p> <p>22 make sure that they stay on that high road.</p> <p>23 THE CHAIR: I guess my -- I guess what</p> <p>24 would be important for me going forward is knowing</p> <p>25 what is in the monthly reporting, and then what --</p>

<p style="text-align: right;">114</p> <p>1 as I think Commissioner Robbins indicated, some 2 other things. What do we get from the monthly 3 reporting from Budget, and what else might we want 4 to see so that we could move forward and say -- I 5 know Commissioner Carrillo asked for an update on -- 6 I think it was the salaries and contracts. 7 COMMISSIONER CARRILLO: Expenses for the 8 years '21-'22. 9 THE CHAIR: An update on that. So if 10 that's part of the monthly reporting, are we getting 11 that information? If not, that would be something 12 that we would additionally request or require. 13 Okay. So can we move this forward to 14 include this with the meeting that's going to take 15 place for the academic and organizational? 16 COMMISSIONER VOIGT: Julia's hand is up. 17 THE CHAIR: I was trying to see if I could 18 see other people's heads nodding. But -- Julia? 19 MS. JULIA BARNES: I just wanted to go 20 back to the contract. So there's a Section 11.2 on 21 corrective action, which is what's on the agenda. 22 And it says, "If, based on a performance review 23 conducted by the authorizer, the school's financial 24 performance appears unsatisfactory or the authorizer 25 believes there to be a breach of this contract not</p>	<p style="text-align: right;">116</p> <p>1 something of immediate revocation. Can you repeat 2 that sentence? I'm curious as to what does meet. 3 MS. JULIA BARNES: Sure. So I'm going to 4 first start and say that the only thing on the 5 agenda is corrective action. So if there's a 6 different action, you may not be able to do that 7 today. I'm just reading from Section 11.2 of the 8 contract. 9 "If, based on a performance review 10 conducted by the authorizer, the school's 11 organizational, academic, or financial performance 12 appears unsatisfactory, or the authorizer believes 13 there to be a breach of this contract not warranting 14 immediate revocation, the authorizer may initiate 15 the process to implement a corrective action plan." 16 COMMISSIONER CARRILLO: Oh, got it. Thank 17 you. Thank you. 18 MS. JULIA BARNES: But, I'm just going to 19 add one more thing that is implicit in your 20 question, potentially. You all have already moved 21 to non-renew this school. That, obviously, has gone 22 through the process and is in district court, and 23 the district court has issued a stay that the school 24 will remain open. 25 I believe if there are new grounds for</p>
<p style="text-align: right;">115</p> <p>1 warranting immediate revocation, you may implement 2 the process -- initiate the process to implement a 3 corrective action plan." 4 You have ten days to provide -- you have 5 to provide them written notice, with ten business 6 days after determining that there's an 7 unsatisfactory performance related to the financial 8 performance, and that you believe it to be a breach 9 of the contract. Then they have ten days to 10 respond. 11 So if you -- and that's the process of 12 starting this out. 13 So we would need to indicate to them what 14 you believe to be a deficiency starting the 15 corrective action process. And then -- and then 16 that kind of launches everything out there. 17 I think you can add that to what you're 18 already doing. But we need to follow the process in 19 the contract. 20 THE CHAIR: Okay. Thanks. 21 Commissioner Carrillo. 22 COMMISSIONER CARRILLO: Ms. Barnes, in the 23 beginning of what you were saying, you said 24 something -- the sentence was something-something 25 not immediate, where it doesn't meet the standard or</p>	<p style="text-align: right;">117</p> <p>1 immediate revocation, you could take those action -- 2 that action. I guess my question -- and may- -- is 3 that is there new information that would warrant 4 immediate revocation? And I don't believe that has 5 been on the agenda. 6 So what is on the agenda is a Corrective 7 Action Plan. And implicit in that is that it's less 8 than immediate revocation. That's what the contract 9 reads. 10 I also have it and could share my screen, 11 if that's helpful, Commissioner Gipson. I mean, I 12 can walk you through this section if you'd like to 13 see that. 14 COMMISSIONER CARRILLO: For me, it was 15 pretty clear. You were reading it. So I don't know 16 how others feel. 17 THE CHAIR: I mean, it's clear for me. 18 But I've been around here a while. So -- and 19 it's -- you know, I can give you examples of what 20 immediate revocation was; but -- 21 COMMISSIONER CARRILLO: Yeah. 22 THE CHAIR: -- you know, I think there -- 23 well -- 24 COMMISSIONER VOIGT: I have another 25 question for Melissa. Hi, Melissa.</p>

<p style="text-align: right;">118</p> <p>1 So do you have -- do you have adequate 2 credit card expenditure receipts? 3 MS. MELISSA SANCHEZ: I have adequate 4 credit card statements. 5 COMMISSIONER VOIGT: Okay. 6 THE CHAIR: But just to be clear, the 7 credit card was the foundation's credit card. 8 COMMISSIONER VOIGT: Okay. Never mind. 9 Thanks. Because I thought they were in Jasper's 10 name. 11 THE CHAIR: Yeah. But it's from the 12 foundation. 13 COMMISSIONER VOIGT: Oh. Huh. 14 MS. MELISSA SANCHEZ: There's three credit 15 cards issued under three names, and they're all TGA 16 employees: Mr. Matthews, Mrs. Matthews, and 17 Ms. Garcia. 18 THE CHAIR: But it's not the school that 19 holds the credit cards; it's the foundation. So 20 it'll go into that concern. 21 COMMISSIONER VOIGT: Okay. Thanks. 22 THE CHAIR: I know. It's a mess. 23 COMMISSIONER VOIGT: Thank you all. Okay. 24 COMMISSIONER CARRILLO: I'm sorry. 25 THE CHAIR: I'm sorry. Yeah?</p>	<p style="text-align: right;">120</p> <p>1 using -- or who knows who's using the card, I mean, 2 how -- I give my card to my son sometimes, and he 3 uses it. So you really do kind of need receipts. 4 And -- 'cause these are so conflated, these whole 5 things. This is so -- yeah. 6 THE CHAIR: I get that. But that's going 7 to be taken care of through the concern from the 8 Attorney General's Office. 9 COMMISSIONER CARRILLO: I hear you. But 10 going forward from this day, we can request physical 11 receipts. 12 THE CHAIR: From the foundation? 13 COMMISSIONER CARRILLO: From both. 14 THE CHAIR: No. The credit card is from 15 the foundation. The credit card is not from the 16 school. 17 COMMISSIONER CARRILLO: It has to do with 18 an expenditure. I would say anything that has to do 19 with an expenditure where they're using the credit 20 card. I don't know how we do it or get around it or 21 whatever language there is, that doesn't matter to 22 me. What matters to me is there's some kind of 23 record on where this money is being spent and on 24 whom. 25 COMMISSIONER ROBBINS: Madam Chair,</p>
<p style="text-align: right;">119</p> <p>1 COMMISSIONER CARRILLO: Commissioner -- I 2 think it was just Commissioner Robbins that asked 3 about the credit cards? 4 THE CHAIR: No. It was Commissioner 5 Voigt. 6 COMMISSIONER CARRILLO: You were next to 7 get on on my screen. You look so much alike. 8 Do -- I think it's -- I think it's 9 important to -- I mean I know that when I've worked 10 for companies, I mean, it's great that there's a 11 ledger for my credit card. But they usually like to 12 see my credit card receipts. 13 Who do I take to lunch? Where was I? Was 14 there alcohol included on the check? I mean, all 15 these different things. 16 So I would say something that is involved 17 with -- I'd like it more to be a directive, but 18 since we can't do that, a Corrective Action Plan, 19 that it includes receipts for things and reasons for 20 expenditures. I don't think that's too much to ask. 21 THE CHAIR: But, once again, the credit 22 card isn't the school's credit card. It's the 23 foundation's. 24 COMMISSIONER CARRILLO: I know that. But 25 when you have the two administrators of the school</p>	<p style="text-align: right;">121</p> <p>1 Melissa had her hand up. 2 THE CHAIR: Yeah. Melissa? 3 MS. MELISSA SANCHEZ: I've got two 4 statements for you on the credit card. Right now, 5 the -- the credit card max is \$50,000. When the 6 foundation ended last school year -- or as of 7 June 30th, 2021, they were at \$46,000. So there's 8 really no -- nowhere for there -- for them to go. 9 One of the statements that had been made 10 by the head administrator a few times in regards to 11 the credit card was that schools weren't allowed to 12 have them. True, they aren't allowed to have credit 13 cards. But they are allowed to have procurement 14 cards. And if the school had a procurement card, 15 then, absolutely, that would be under our -- and it 16 would be under the New Mexico procurement code and 17 DFA travel policies. 18 THE CHAIR: Yeah. I think at least some 19 of us, when we were -- early on, we used P-cards for 20 NACSA. So -- yeah. P-cards are more like a prepaid 21 debit card. 22 MS. MELISSA SANCHEZ: They're -- where 23 they -- sets them apart from credit cards is that 24 you have to pay them off monthly. And how you work 25 with a P-card -- it's a procurement card -- is you</p>

<p style="text-align: right;">122</p> <p>1 predesignate that it will be used for certain items. 2 And they come up with -- and probably Commissioner 3 Robbins would be able to speak to this better than 4 anyone in the room, because you do get -- it's like 5 a four- or five-digit expense code to it. 6 So you only open up certain types of 7 expenses for that card. And so any time you use it, 8 it has to fall within that, or it will reject and 9 not allow you to follow. 10 THE CHAIR: Yeah. Thanks. 11 Commissioner Robbins? 12 COMMISSIONER ROBBINS: Right. And just to 13 add on to what Melissa was saying, yes, a 14 procurement card, you can restrict so you can't buy 15 clothing. You can restrict so you can't buy 16 alcohol. There are certain things that you can put 17 restrictions on, and that's where -- you set that up 18 with the card issuer. 19 The one thing I wanted to mention is with 20 the discussion that we've had here and what Melissa 21 has shared with us. And the concerns that we have 22 tend to -- I believe, tend to be mostly addressed in 23 our referral to these investigative agencies. 24 And I believe, at this point, since there 25 is budget review every month and Melissa could also</p>	<p style="text-align: right;">124</p> <p>1 COMMISSIONER VOIGT: I have a question. 2 THE CHAIR: Sure. 3 COMMISSIONER VOIGT: It's a clarifying 4 question about -- Melissa, when you said "service 5 contracts," those are just their regular 6 contracts -- right? -- for teaching. 7 MS. MELISSA SANCHEZ: (Indicates.) 8 COMMISSIONER VOIGT: No. Okay. So these 9 are additional contracts, like scope-of-work 10 contracts? Additional duty contracts? 11 MS. MELISSA SANCHEZ: So there's the 12 teacher contracts, and then there's contractor 13 contracts. 14 COMMISSIONER VOIGT: Okay. 15 MS. MELISSA SANCHEZ: So that's my concern 16 is that -- 17 COMMISSIONER VOIGT: Yeah, because it's 18 not a scope of work for additional duties they're 19 providing as a contractor. Okay. So that's 20 interesting. So that seems like that would be a 21 conflict for an administrator and teacher to have a 22 separate outside contracting business that they're 23 contracting to the school, which, you know, to make 24 it so much more legitimate, they could just have an 25 additional scope-of-work contract, you know.</p>
<p style="text-align: right;">123</p> <p>1 be taking a secondary view to maybe support Budget's 2 review, I don't know that there would be a need, a 3 clear need, as spelled out by Ms. Barnes, for us to 4 have a separate financial CAP at this point. 5 THE CHAIR: Thanks. I -- I tend to agree. 6 I think I would like to see -- and I don't know how 7 we do this within this motion, or what -- I think it 8 would set probably more Commissioners at ease if 9 they had their monthly -- if they got to see the 10 monthly report that Budget was doing. If we could 11 just -- you know, can we just ask for that and not 12 have the CAP, if that would satisfy people? 13 And then based on what people saw in that 14 report, if they felt -- if we felt uncomfortable 15 with something, then we could move forward with some 16 other action. 17 COMMISSIONER ROBBINS: And if I could add 18 to what Ms. Barnes said, is we would have to 19 identify something that's a violation of the 20 contract or a statute to even call for a financial 21 CAP, which I think without more information, that 22 would be difficult. But I think, you know, we could 23 request from PED and Melissa to get those submitted 24 to the Commission. 25 THE CHAIR: Yeah.</p>	<p style="text-align: right;">125</p> <p>1 So that's a concern, I think, that is -- 2 that warrants a financial CAP. 3 THE CHAIR: So I guess I need a little 4 clarification on that, because I kind of see where 5 you're going. But I guess my question is, are those 6 contracts with a contractor, or as the contractor, 7 is it the school making those contracts, or is it 8 the foundation making the contracts? 9 MS. MELISSA SANCHEZ: So in -- in FY17, 10 the school had a contract for the head 11 administrator, as that salary and as a contractor 12 for the school. Okay? So that it did happen in the 13 past. 14 THE CHAIR: But we're looking for this 15 year. 16 MS. MELISSA SANCHEZ: So for future. So 17 you're right. So to ask that that not be 18 additional, you know, there's -- I believe there's 19 one that's on the table -- or at least at the last 20 board meeting with this particular school -- that an 21 administrator was -- had -- was going to be leaving 22 and then -- but coming back as a contractor. So 23 there's no overlap with that, that, from my, you 24 know, bird's-eye view of it. 25 So my concern, though, is that, you know,</p>

126

1 we were talking about spending in the classroom. So
 2 at this stage, there are three teacher contracts,
 3 two administrator contracts; so...

4 COMMISSIONER VOIGT: Outside of their
 5 school contract, these are contractor service
 6 contracts.

7 MS. MELISSA SANCHEZ: Yes. That's my
 8 concern, is to -- is to look at other contracts
 9 moving forward.

10 COMMISSIONER VOIGT: Okay.

11 THE CHAIR: Okay. So I -- once again, I'm
 12 not as clear. Currently, are there -- so moving
 13 forward, do those -- do any of the employees,
 14 current, administrative, or teacher, have an
 15 additional contract as a contractor?

16 MS. MELISSA SANCHEZ: Not that I'm aware
 17 of, other than there will be for the administrator,
 18 as she is leaving --

19 THE CHAIR: She won't be an employee any
 20 longer.

21 COMMISSIONER VOIGT: Okay, then, Melissa.
 22 So there's no employees at the school that have a
 23 separate contractor contract with the school.

24 MS. MELISSA SANCHEZ: At this point, no,
 25 ma'am.

127

1 COMMISSIONER VOIGT: Okay. All right.
 2 They fixed it.

3 COMMISSIONER TAYLOR: Is there an issue
 4 that the -- that that person that -- the former head
 5 administrator, now contractor, is still married to
 6 the head administrator? And is that a conflict of
 7 interest if we're contracting with a spouse or a
 8 family member of the head administrator?

9 THE CHAIR: I'm going to tell you what my
 10 personal answer to that is; so -- but I think -- so
 11 correct me if I'm wrong.

12 I think in other -- with other schools
 13 when this has been raised as a concern -- and I know
 14 it's come up a number of times; and I know it's come
 15 up through audits and through the Auditors Office,
 16 when they've looked at it -- as long as the
 17 governance council has, in minutes, identified the
 18 conflict and has agreed to -- I don't know if the
 19 word is correct -- "waive" it -- that the Auditor
 20 has been -- has identified it as not an issue,
 21 because they've identified it officially through the
 22 governance council.

23 That's my understanding, that in the past,
 24 what has been okay.

25 COMMISSIONER VOIGT: Also, you just need

128

1 to look at their anti-nepotism policy.

2 COMMISSIONER TAYLOR: Sure. Okay.

3 COMMISSIONER VOIGT: Have you looked at
 4 their anti-nepotism policy, Melissa? You might want
 5 to take a look at that.

6 MS. MELISSA SANCHEZ: Ms. (indiscernible
 7 due to simultaneous speaking) is the expert.

8 THE CHAIR: I understand, and I agree with
 9 the concern. But I don't think there's a whole lot
 10 we can do with it if the governance council is doing
 11 their job appropriately. That's the only thing we
 12 can check on is to make sure that that's -- you
 13 know, that's been signed off on.

14 I personally have a concern about being
 15 able to have the opportunity to waive something like
 16 that, you know? I don't think you should. But I
 17 think that is not within our control.

18 COMMISSIONER TAYLOR: It's -- like you
 19 said --

20 THE CHAIR: It's troubling, yeah.

21 COMMISSIONER TAYLOR: -- it's troubling to
 22 me just because of the history. We're not just
 23 talking about going forward as much as we are going
 24 forward with a pretty substantial history. So --
 25 anyway...

129

1 THE CHAIR: You're right. And, you know
 2 what? If we look at most of our financial
 3 revocations, that issue is probably somewhere
 4 embedded in the concerns that have been raised, you
 5 know. So it's -- you know, it's -- it's not a good
 6 practice. But if we don't have any control over
 7 it -- Commissioner Voigt?

8 COMMISSIONER VOIGT: Yeah. I think we
 9 should look at their nepotism policy. There have
 10 been schools closed in the past. CATA, back in
 11 2005 -- it was an APS charter school -- was closed
 12 because of the head administrator providing monies
 13 to her son for a contract of items or services. But
 14 I think we should just look at their -- refer back
 15 to their nepotism policy. Is that handy that we can
 16 pull up?

17 MS. MELISSA BROWN: I'm looking to see if
 18 I have it now, Commissioners.

19 COMMISSIONER VOIGT: Okay. Thanks.
 20 But I think, Ms. Fox, is there something
 21 that the school can do in their policies that goes
 22 beyond the Charter Schools Act?

23 THE CHAIR: Okay. I'm going to ask that
 24 whatever was put in the chat -- because the chat
 25 doesn't become part of the public record. So that

130

1 we don't use the chat ourselves. If Ms. Fox wants
 2 to ask a question or say something, fine, glad to do
 3 it. But it needs to be put on the record.
 4 COMMISSIONER VOIGT: Okay. Let me ask --
 5 I can ask our attorney then.
 6 Julia, is there something that a charter
 7 school can do, a governing board and school
 8 policies, that would go beyond the Charter Schools
 9 Act in the NMSA 22-8B-10?
 10 THE CHAIR: Julia is soon going to have
 11 all of these tabbed so she can go right to it.
 12 "Here's the most common ones."
 13 MS. JULIA BARNES: I don't know,
 14 Madam Chair, if you would like -- I wasn't sure if
 15 you were willing to call on Sue Fox. We were just
 16 saying not to put it in the chat.
 17 THE CHAIR: Yeah. No. No. Both.
 18 MS. JULIA BARNES: Well, it's not a long
 19 section. So the citation is 22-8B-10, "Charter
 20 schools and employees."
 21 "A charter school shall hire its own
 22 employees. The provision of the school personnel
 23 shall apply. The head administrator of the school
 24 shall employ, fix the salaries, assign, terminate,
 25 and discharge all employees. The head administrator

131

1 of a charter school shall not initially employ or
 2 approve the initial employment in any capacity of a
 3 person who is a spouse, father, father-in-law,
 4 mother, mother-in-law" -- so I'm sure spouse is
 5 there -- "of a member of the governing board or the
 6 school administrator. The governing board may waive
 7 the nepotism rule for family members of a head
 8 administrator."
 9 And then I believe that -- well, she's now
 10 a contractor of the foundation is my understanding
 11 reviewing the documents. She has resigned as an
 12 employee of the school. The contract, which
 13 actually is in your -- in the folder of the
 14 contracts where we put all contracts for
 15 Mr. Matthews and Ms. Matthews, it reads to me that
 16 it is with the foundation.
 17 So, Vice Chair, I'm not sure I've answered
 18 your question. It feels like another one of these
 19 that I can't quite put my finger on -- on a law.
 20 I did just want to back up, though, just
 21 to remind you of the various things that -- and
 22 you've already taken this action that is available
 23 to you.
 24 The Governmental Conduct Act and the
 25 Ethics Code for Educators are the ethics laws that

132

1 we are going to send the complaint to the Office of
 2 General Counsel Licensure Bureau on.
 3 So the action you took under 6 is one of
 4 those related to specific employees. And it is --
 5 they are -- my opinion of them is that they are
 6 broad, and they are comprehensive, and they can look
 7 at any action of an educator in the past up to the
 8 current time.
 9 So I'm not trying to ask -- tell you which
 10 way to go on a Corrective Action Plan for finance
 11 right here. I just want to let you know that that
 12 is in the ethics violations.
 13 COMMISSIONER VOIGT: Okay. Thanks.
 14 MS. JULIA BARNES: And then I don't know.
 15 Sue has more that she wanted to -- based on that
 16 citation or not.
 17 MS. SUE FOX: I just wanted to point out
 18 that there is an actual statute relating to the
 19 employment of a spouse of a head administrator, if
 20 waived.
 21 DIRECTOR CORINA CHAVEZ: I would like to
 22 point out that Ms. Brown flashed up the bylaws for
 23 the school. And it does have a statement in there
 24 that talks about the board being able to waive a
 25 contract such as that.

133

1 We also say that it -- we're talking about
 2 what is allowable and what is good practice. I
 3 think you all are identifying what is good practice.
 4 One of the things I was surprised to find
 5 was that there was not some sort of evaluation
 6 process that allowed an external entity to provide
 7 evaluation of the spouse. There was no evaluation,
 8 as I recall from the renewal process, that would
 9 typically be in place whenever such arrangement
 10 happens. So that is a concern moving forward.
 11 THE CHAIR: Right. Except for the fact
 12 that that individual is, by the end of this month,
 13 my understanding, no longer going to be an employee
 14 and is going to be a contractor. So I don't know
 15 how much of a -- I think the overarching concern is
 16 still there. But the concern about the evaluation
 17 piece will go away.
 18 COMMISSIONER VOIGT: Right. Yeah.
 19 THE CHAIR: And as I stated, you know, it
 20 does come up in the audit. And the Auditor will
 21 identify that they have documentation of the
 22 governance council board voting on the waiver.
 23 So...
 24 COMMISSIONER VOIGT: Going back to that,
 25 the audit for this last -- this last audit, Melissa,

<p style="text-align: right;">134</p> <p>1 how did they come out with their audit? Were there 2 repeat findings? How did that look? 3 MS. SUE FOX: Has that been released yet 4 by the State Auditor? 5 THE CHAIR: No. 6 MS. MELISSA SANCHEZ: The audit is still 7 underway. I think they're still in the beginning 8 stages. I spoke to Matt Bone yesterday about that. 9 They're still gathering documents. 10 But I'd like to address something that 11 Ms. Barnes had mentioned. When it came to 12 Mrs. Matthews and her professional services 13 contract, although it did read on the foundation 14 letterhead, I believe -- and maybe Ms. Fox can -- 15 can correct me here -- but I was told that it was 16 accidentally put on the foundation letterhead, and 17 it should have been on the school letterhead. So 18 the contract will be with the school. 19 MS. SUE FOX: I'm not able to comment on 20 that. I don't know. 21 MS. JULIA BARNES: The signature line was 22 for the foundation. So there would be more than one 23 error, then. 24 THE CHAIR: But let me ask you. Was that 25 for prior contracts or for the new contract that's</p>	<p style="text-align: right;">136</p> <p>1 end of the year and say -- you know. 2 And, hopefully, hopefully, by our October 3 meeting, the audit may be unembargoed. You know, 4 I'm very aspirational with this. Don't shake your 5 head no. You know, whenever. 6 Okay. I'll rephrase that. 7 Whenever the audit is unembargoed we also 8 will be able to see that. But I'd be really more 9 comfortable in seeing the monthly reporting. 10 COMMISSIONER VOIGT: So can the Charter 11 School Division just implement that going forward? 12 THE CHAIR: That's what -- I think so. 13 COMMISSIONER VOIGT: Okay. Super. 14 THE CHAIR: As part of reporting to us; 15 correct? Yeah. 16 COMMISSIONER VOIGT: Great. 17 THE CHAIR: Okay. 18 COMMISSIONER VOIGT: Then I retract the 19 motion that I had proposed. 20 THE CHAIR: That's right. You did, it's 21 been so long. Sorry. So did you just say you are 22 removing? 23 COMMISSIONER VOIGT: I'm retracting the 24 motion I proposed. 25 THE CHAIR: Okay. Thanks.</p>
<p style="text-align: right;">135</p> <p>1 being initiated? So it's for the one that's going 2 to start, like, October 1 or whatever? That's with 3 the foundation? 4 MS. JULIA BARNES: All I can tell you, 5 Chair, is, first, it's in your documents, so you can 6 look at it. It has the foundation letterhead, and 7 it has a signature line for the foundation. But it 8 appears to be with the school. 9 THE CHAIR: The school. Right. So is 10 there any way -- can we get clarification on that? 11 COMMISSIONER VOIGT: Yeah. Well, 12 regardless, the school can waive that within their 13 nepotism policy. So that's neither here nor there. 14 And in flushing (verbatim) this out through this 15 discussion, it doesn't look like we really have any 16 facts that we can go with for a financial Corrective 17 Action Plan, in my view, looking at the facts. 18 THE CHAIR: Right. I agree. I don't 19 think there's a lot of teeth to be able to put into 20 it at this point in time. I would still like to 21 see -- somehow I would like to see the monthly 22 reporting that's done. I think that's information 23 that would be important for us to see so that we do 24 stay on top of this and know if there's something 25 that we need to take action on, not wait until the</p>	<p style="text-align: right;">137</p> <p>1 Okay. So we are moving on -- well, I'm 2 going to ask. Before we move on, do you want a 3 lunch break? 4 So I'm directly looking at Commissioner 5 Carrillo, who -- you know, who may not know I'm 6 directly looking at him. 7 COMMISSIONER CARRILLO: We can do another 8 item if you want to before lunch, since we just had 9 another break at 11:00. 10 THE CHAIR: I'd be fine working completely 11 through. 12 COMMISSIONER VOIGT: I like that idea, too 13 because I would like to be finished by 5:00. 14 COMMISSIONER CARRILLO: Oh, my gosh. We 15 totally will be. 16 THE CHAIR: Let's continue to move forward 17 and see where we get. And if your stomach starts to 18 growl, just let us know, and we'll have a 19 discussion. Or stay on mute so we don't hear it, 20 one or the other. 21 Okay. We're on to Item No. 8, which is 22 Discussion and Possible Action on the Letter of 23 Concern Regarding Responsiveness of Albuquerque 24 Institute of Math and Science. 25 And do we have folks from the school here</p>

138	<p>1 to move in, Missy?</p> <p>2 MS. MISSY BROWN: No, ma'am.</p> <p>3 THE CHAIR: Okay. Wow. Okay.</p> <p>4 COMMISSIONER CARRILLO: It's like déjà vu</p> <p>5 here.</p> <p>6 THE CHAIR: Oh, please. I know. I know.</p> <p>7 It's almost like this gets pre-populated. And it's</p> <p>8 like -- you know.</p> <p>9 MS. MISSY BROWN: What's the name of their</p> <p>10 attorney again?</p> <p>11 THE CHAIR: Martin Esquivel.</p> <p>12 MS. MISSY BROWN: No.</p> <p>13 THE CHAIR: What -- so Director Chavez has</p> <p>14 had a meeting with the school, so she's going to</p> <p>15 give us an update as to where she feels they are in</p> <p>16 regards to this specific concern that was in the</p> <p>17 letter and whether we can move the school to good</p> <p>18 standing or continue with the concern.</p> <p>19 So Director Chavez?</p> <p>20 DIRECTOR CORINA CHAVEZ: Thank you,</p> <p>21 Commissioners. So in regards to AIMS, I feel like</p> <p>22 the -- the Letter of Concern has been satisfied. I</p> <p>23 scheduled the part two of the modified site visit.</p> <p>24 And Brigitte Russell from my office and I met with</p> <p>25 Director Kathy Sandoval-Snider and some of her team</p>	140	<p>1 COMMISSIONER BURT: Commissioner Chavez.</p> <p>2 COMMISSIONER CHAVEZ: Yes.</p> <p>3 COMMISSIONER BURT: Commissioner Manis.</p> <p>4 COMMISSIONER MANIS: Yes.</p> <p>5 COMMISSIONER BURT: Commissioner Carrillo.</p> <p>6 COMMISSIONER CARRILLO: Yes.</p> <p>7 COMMISSIONER BURT: Commissioner Robbins.</p> <p>8 COMMISSIONER ROBBINS: Yes.</p> <p>9 COMMISSIONER BURT: Commissioner Burt,</p> <p>10 yes.</p> <p>11 Commissioner Taylor.</p> <p>12 COMMISSIONER TAYLOR: Yes.</p> <p>13 COMMISSIONER BURT: Commissioner Voigt.</p> <p>14 COMMISSIONER VOIGT: Yes.</p> <p>15 COMMISSIONER BURT: All right. That</p> <p>16 passes unanimously, nine-zero.</p> <p>17 THE CHAIR: Thank you very much. We are</p> <p>18 on to Item No. 9, which is the Discussion and</p> <p>19 Possible Action on Written Guidance for All Charter</p> <p>20 Schools' Lottery and Enrollment Processes, which we</p> <p>21 did have a good discussion about yesterday.</p> <p>22 In the suggested motions are the two</p> <p>23 pieces of guidance that came out of the discussion</p> <p>24 yesterday.</p> <p>25 My understanding is no one else forwarded</p>
139	<p>1 from AIMS, so we were able to complete the visit.</p> <p>2 They also submitted the signed assurances and an</p> <p>3 analysis of their school goals.</p> <p>4 There have been other issues that have</p> <p>5 come up that have requested a response from the</p> <p>6 school as it relates to COVID reporting. And the</p> <p>7 school was quick to respond.</p> <p>8 So I feel like the concerns that were</p> <p>9 identified in your letter have been satisfied for</p> <p>10 now.</p> <p>11 THE CHAIR: Okay. Thank you.</p> <p>12 COMMISSIONER CARRILLO: Good.</p> <p>13 THE CHAIR: I move that the Public</p> <p>14 Education Commission move Albuquerque Institute of</p> <p>15 Math and Science back to a status of good standing.</p> <p>16 COMMISSIONER ROBBINS: Second.</p> <p>17 THE CHAIR: Motion by Commissioner Gipson,</p> <p>18 a second by Commissioner Robbins.</p> <p>19 Any discussion?</p> <p>20 (No response.)</p> <p>21 THE CHAIR: Commissioner Burt?</p> <p>22 COMMISSIONER BURT: Commissioner Davis.</p> <p>23 COMMISSIONER DAVIS: Yes.</p> <p>24 COMMISSIONER BURT: Commissioner Gipson.</p> <p>25 THE CHAIR: Yes.</p>	141	<p>1 any additional to Ms. Barnes. So want to make sure</p> <p>2 that -- I guess the only concern I have is yesterday</p> <p>3 we did have that discussion about how this is being</p> <p>4 posted so that there's not confusion that a State</p> <p>5 charter might look at the FAQs and think that's all</p> <p>6 that is -- will we be able to put a notation there</p> <p>7 on that FAQ that State charters need to also</p> <p>8 reference the PEC website for additional guidance?</p> <p>9 Or can it be embedded in the FAQs?</p> <p>10 That's the only thing I want to make sure,</p> <p>11 that there's not that -- that State charters are</p> <p>12 clear that they either see it there in the FAQs or</p> <p>13 they know that they have to go to the website for</p> <p>14 that additional guidance.</p> <p>15 COMMISSIONER VOIGT: Can I make a</p> <p>16 suggestion? Thank you. I would put it on the FAQ</p> <p>17 sheet, because that is a document everybody is</p> <p>18 reading.</p> <p>19 THE CHAIR: Yeah. I would, too. That</p> <p>20 would be my -- my first choice. But I think we need</p> <p>21 to be clear as to how it's going -- we're going to</p> <p>22 also provide written guidance. So in that written</p> <p>23 guidance, we need to be able to indicate to the</p> <p>24 schools, it's either in the FAQs, or they need to</p> <p>25 access the website.</p>

<p style="text-align: right;">142</p> <p>1 COMMISSIONER VOIGT: I think it should be 2 both places. Redundancy is a good thing. 3 THE CHAIR: It will. 4 COMMISSIONER VOIGT: It should be on the 5 FAQ sheet and on the website, and on the billboard 6 at I-40. 7 THE CHAIR: Is there some grant money for 8 billboards? 9 Commissioner Carrillo? 10 COMMISSIONER CARRILLO: Didn't we also 11 have a concern about addresses? How did we address 12 the address concern? 13 THE CHAIR: It's in there that, "No State 14 charter may request address information for a 15 student at the lottery stage unless the parent 16 specifically requests." 17 COMMISSIONER CARRILLO: Oh, okay. 18 THE CHAIR: Because we do have to be 19 sensitive to the fact that some folks may not have 20 web access and some people may not have text; so... 21 COMMISSIONER CARRILLO: That's cool. 22 Thank you. 23 THE CHAIR: So in order to be able to 24 provide the best guidance, Director Chavez, can you 25 enlighten us? 'Cause we need a lot of</p>	<p style="text-align: right;">144</p> <p>1 Taylor? 2 COMMISSIONER TAYLOR: Yeah. I just -- I 3 have a point of clarification. So the lottery is 4 all statutorily mandated; correct? I mean, is all 5 of that pretty much spelled out in the State statute 6 on how that has to run, the criteria? Or just all 7 up to -- really. Okay. Wow. All right. 8 THE CHAIR: Yeah. I mean, I think I've 9 said this before. There was talk from PED a couple 10 of years back that they were going to do rule-making 11 on lottery. So there wasn't a lot of work that was 12 done because we were waiting for the rule to come 13 out to see what that was going to look like. 14 And then administrations changed, and 15 things got -- so -- but I think there's -- I think 16 there's an identified need to look at the lottery 17 processes. 18 Director? 19 DIRECTOR CORINA CHAVEZ: Yes. Thank you, 20 Chair. 21 Commissioner Taylor, where the law is -- 22 mentions lottery is cited in the FAQ. And it 23 doesn't provide nearly as much detail. However, 24 because charter schools must be nondiscriminatory, 25 the FAQ seeks to interpret ways in which charter</p>
<p style="text-align: right;">143</p> <p>1 enlightenment. But can you enlighten us on can it 2 be embedded as a -- you know, asterisk or whatever 3 for State charters? 4 DIRECTOR CORINA CHAVEZ: Chair Gipson, I 5 can create a section in the FAQ for State charters. 6 And I think we should post something on the PEC 7 website -- 8 THE CHAIR: Absolutely. 9 DIRECTOR CORINA CHAVEZ: -- that also 10 links back to the FAQ. 11 THE CHAIR: Absolutely. Absolutely. So 12 that there's absolutely no way that someone could 13 say, "I didn't know. I didn't see it." 14 But I think it's best if it's in those 15 FAQs. And so in our guidance that we're going to 16 send out, we will indicate that it's in the FAQs. 17 It is also on the website, and there's a link on our 18 web to the FAQs so that there's no -- there's no 19 confusion. 20 Commissioner Voigt? 21 COMMISSIONER VOIGT: Do we need a motion 22 to approve the guidance? 23 THE CHAIR: As long as no one else has 24 additional -- wants anything else added, which I 25 don't think they indicate- -- oh. Commissioner</p>	<p style="text-align: right;">145</p> <p>1 schools have to be careful so that there is no real 2 or perceived issues of discrimination. 3 COMMISSIONER TAYLOR: Right. 4 DIRECTOR CORINA CHAVEZ: And there have 5 been some complaints of discrimination when some of 6 the practices were not followed. So this is really 7 guidance that's coming directly from the PED and 8 which will come directly from the PEC. 9 COMMISSIONER TAYLOR: Okay. Thank you. 10 THE CHAIR: So I -- Commissioner Voigt? 11 COMMISSIONER VOIGT: Excuse me. Are we 12 ready for that motion? 13 THE CHAIR: I think so. 14 COMMISSIONER VOIGT: I just want to thank 15 Corina and her team for doing the work on this. 16 It's going to provide clarity for everyone going 17 forward. 18 So I move that the Public Education 19 Commission accept the written guidance for all 20 charter schools' lottery and enrollment process. 21 THE CHAIR: But you need to include in the 22 motion the additional guidance. That's in the 23 motion. 24 COMMISSIONER VOIGT: I said "on written 25 guidance."</p>

146	<p>1 THE CHAIR: No, no, no. We added two 2 additional pieces to the guidance that's part of the 3 suggested motion. We need to -- 4 COMMISSIONER VOIGT: Okay. So I move that 5 the Public Education Commission accept the written 6 guidance and additional guidance for all charter 7 schools' lottery and enrollment process. 8 THE CHAIR: I think you need to identify 9 what that additional guidance is. It's in the 10 motion. 11 COMMISSIONER VOIGT: Okay. Someone else 12 do it. I don't have it up. 13 THE CHAIR: Okay. Bekka? 14 COMMISSIONER BURT: All right. I have it 15 up. Here you go. I move that the lottery guidance 16 document be adopted as guidance for State charter 17 schools for the following additional guidance added: 18 First, that no State charter may request address 19 information for a student at the lottery stage 20 unless the parent specifically requests that they be 21 contacted by mail; and, that in order to ensure that 22 the lottery process is separate from the enrollment 23 process, the school must ensure that no student or 24 family has access to enrollment forms until the 25 student has been accepted.</p>	148	<p>1 passes unanimously, nine-zero. 2 THE CHAIR: Thanks. So we are on to Item 3 No. 10, which is Discussion and Possible Action on 4 the Renewal Site Visit Protocol and the MOU with 5 Renewal Schools. 6 MS. JULIA BARNES: Chair, could I 7 interrupt for a minute? 8 THE CHAIR: Sure. 9 MS. JULIA BARNES: I believe there's a 10 second possible motion directing to -- back on 9. 11 THE CHAIR: Oh, sorry. Sorry. 12 COMMISSIONER BURT: I'll make that motion, 13 Chair. 14 THE CHAIR: All right. Thanks. 15 COMMISSIONER BURT: I'll make that motion. 16 Whoops. 17 I move that the Chair provide State 18 charters with a copy of lottery guidance and request 19 that they review and update their lottery policies 20 and websites in compliance with the guidance 21 document prior to their next lottery, and confirm 22 that compliance with the lottery guidance will be 23 scored within the organizational performance 24 framework. 25 COMMISSIONER CARRILLO: Second.</p>
147	<p>1 COMMISSIONER TAYLOR: Second. 2 THE CHAIR: There's a motion by 3 Commissioner Burt and a second by Commissioner 4 Taylor. 5 If there's no further discussion, 6 Commissioner Burt? 7 COMMISSIONER BURT: Commissioner Robbins. 8 COMMISSIONER ROBBINS: Yes. 9 COMMISSIONER BURT: Commissioner Taylor. 10 COMMISSIONER TAYLOR: Yes. 11 COMMISSIONER BURT: Commissioner Voigt. 12 COMMISSIONER VOIGT: Yes. 13 COMMISSIONER BURT: Commissioner Davis. 14 COMMISSIONER DAVIS: Yes. 15 COMMISSIONER BURT: Commissioner Gipson. 16 THE CHAIR: Yes. 17 COMMISSIONER BURT: Commissioner Manis. 18 COMMISSIONER MANIS: Yes. 19 COMMISSIONER BURT: Commissioner Burt, 20 yes. 21 Commissioner Carrillo. 22 COMMISSIONER CARRILLO: Yes. 23 COMMISSIONER BURT: Commissioner Chavez. 24 COMMISSIONER CHAVEZ: Yes. 25 COMMISSIONER BURT: All right. That</p>	149	<p>1 THE CHAIR: There's a motion by 2 Commissioner Burt, a second by Commissioner 3 Carrillo. 4 If there's no further discussion, 5 Commissioner Burt? 6 COMMISSIONER BURT: Commissioner Chavez. 7 COMMISSIONER CHAVEZ: Yes. 8 COMMISSIONER BURT: Commissioner Carrillo. 9 COMMISSIONER CARRILLO: Yes. 10 COMMISSIONER BURT: Commissioner Burt, 11 yes. 12 Commissioner Manis. 13 COMMISSIONER MANIS: Yes. 14 COMMISSIONER BURT: Commissioner Gipson. 15 THE CHAIR: Yes. 16 COMMISSIONER BURT: Commissioner Davis. 17 COMMISSIONER DAVIS: Yes. 18 COMMISSIONER BURT: Commissioner Voigt. 19 COMMISSIONER VOIGT: Yes. 20 COMMISSIONER BURT: Commissioner Taylor. 21 COMMISSIONER TAYLOR: Yes. 22 COMMISSIONER BURT: Commissioner Robbins. 23 COMMISSIONER ROBBINS: Yes. 24 THE CHAIR: All right. That passes 25 unanimously, nine-zero.</p>

150	<p>1 Thank you. I had the motions tab closed, 2 so sorry I missed that.</p> <p>3 So we are now on to Item No. 10, which is 4 the Discussion and Possible Action on the Renewal 5 Site Visit Protocol and a MOU with Renewing Schools.</p> <p>6 And there were changes that were made as a 7 result of the discussion yesterday regarding the 8 MOU. But I think we'll address the site visit 9 protocol first.</p> <p>10 So the site visit protocol was presented 11 yesterday. Commissioners, have any additional -- 12 especially Commissioners that may not have been 13 there yesterday -- have any additional questions 14 regarding the site visit protocol for the renewing 15 schools.</p> <p>16 Director Chavez?</p> <p>17 DIRECTOR CORINA CHAVEZ: Thank you, Chair 18 Gipson. I just want the Commissioners to know that 19 I made one slight change to what was presented to 20 you yesterday. It's currently uploaded into your 21 materials folder in Google, but also on the website. 22 And that is that I added -- the table of contents 23 was updated so that there's a more detailed table of 24 contents. Otherwise, the document is exactly as you 25 saw it yesterday.</p>	152	<p>1 COMMISSIONER BURT: Commissioner Carrillo. 2 COMMISSIONER CARRILLO: Yes. 3 COMMISSIONER BURT: And Commissioner Burt, 4 yes.</p> <p>5 That passes unanimously, nine-zero. 6 THE CHAIR: Thanks. And we are on to the 7 MOU for the renewing schools.</p> <p>8 You know, just, once again, this is -- you 9 know, no one ever anticipated any of this happening, 10 especially what's happened over the past year and a 11 half, you know, the changes that took place with 12 the -- with the State Accountability System, 13 although the State Accountability System still being 14 there, but the changes from A-to-F and the 15 designations that were created, there's a variety of 16 things that occurred over the past couple of years 17 that just made this very challenging.</p> <p>18 So the intent here was just to be sure 19 that schools were clear as to what was going to be 20 considered at renewal. And much of that language 21 where there was concern about potential maybe 22 changes to the contract itself were moved into the 23 "Whereas" language.</p> <p>24 But this just, to me, clarifies it for 25 both us and the schools in regards to the renewal</p>
151	<p>1 THE CHAIR: Thank you. 2 So are there any questions regarding that? 3 (No response.)</p> <p>4 THE CHAIR: Okay. So I move that the 5 Public Education Commission adopt the site visit 6 protocol for renewing schools.</p> <p>7 COMMISSIONER BURT: Second.</p> <p>8 THE CHAIR: There's a motion by 9 Commissioner Gipson, a second by Commissioner Burt. 10 If there's no further discussion, 11 Commissioner Burt.</p> <p>12 COMMISSIONER BURT: Commissioner Voigt. 13 COMMISSIONER VOIGT: Yes. 14 COMMISSIONER BURT: Commissioner Taylor. 15 COMMISSIONER TAYLOR: Yes. 16 COMMISSIONER BURT: Commissioner Robbins. 17 COMMISSIONER ROBBINS: Yes. 18 COMMISSIONER BURT: Commissioner Manis. 19 COMMISSIONER MANIS: Yes. 20 COMMISSIONER BURT: Commissioner Gipson. 21 THE CHAIR: Yes. 22 COMMISSIONER BURT: Commissioner Davis. 23 COMMISSIONER DAVIS: Yes. 24 COMMISSIONER BURT: Commissioner Chavez. 25 COMMISSIONER CHAVEZ: Yes.</p>	153	<p>1 process. 2 And I don't -- and I think Julia wants to 3 say something.</p> <p>4 MS. JULIA BARNES: I'd like to walk you 5 through and show you where the changes are in -- for 6 the concerns that you all raised.</p> <p>7 But I do want to start first -- I believe 8 that Patty Matthews was going to try to be on right 9 now.</p> <p>10 Missy, you'll need to tell me if she's 11 there. She's traveling. But I think she -- so I 12 would like her to be moved up just for the 13 discussion if we can.</p> <p>14 I want to tell you that these changes have 15 been approved by Patty Matthews and Sue Fox. They 16 have not been sent out to their schools until you 17 took action.</p> <p>18 I think that they -- the schools are busy 19 with a lot of things, other renewals, and I think 20 that they will move them forward. But I did want 21 you to know that this draft has been approved 22 specifically by both.</p> <p>23 It is my recommendation that you enter 24 something like that -- like this. And I want to 25 tell you why.</p>

<p style="text-align: right;">154</p> <p>1 I think that there are more schools that 2 we are going to need to address data gaps or things 3 with -- maybe with A-through-F. And it is our 4 intention to be proactive on that and to move 5 forward, in particular because Director Chavez is 6 just providing you with -- all of the site visits 7 from last year will start to be proactive. 8 I would like to handle schools similarly. 9 So my thinking is that when you're moving forward, 10 it's my opinion that that's a reasonable thing to 11 do, to go to the board under the contract, say, 12 "These things," whatever they are, "are different 13 than we expected when we originally went into. 14 (Verbatim.) What is a fair and reasonable way to 15 address this?" 16 These schools are coming out first. So 17 we've had to do that quickly. I haven't been on 18 board that long with you and -- however, it appeared 19 to me that the parties were in agreement on 20 important things, because the parties -- and, in 21 particular, in working with Director Chavez, kind of 22 came up with a solution. And I just want to 23 memorialize that. 24 If you don't enter something like this, 25 and later -- I don't know if you will want to take</p>	<p style="text-align: right;">156</p> <p>1 renewal information. I really want to let her be 2 able to address anything, though, that she has a 3 difference of what I'm -- of opinion or how I've 4 articulated it. 5 The next thing is that we moved to -- I 6 think there was a really good discussion on 7 COVID-19. The next-to-last "Whereas" clause at the 8 bottom identifies the action that you took two 9 meetings ago to welcome the schools to discuss COVID 10 and that that information is also in the site visit 11 reports so that it is something that you are 12 considering and that you continue to welcome them. 13 Commissioner Robbins -- and I believe 14 Commissioner Carrillo -- raised the comment about 15 wanting to make it be something that is in the 16 renewal process. This, to me, indicates clearly to 17 the schools that it is something that is in those -- 18 the site visit reports that you are reviewing, that 19 you have welcomed that, that you have allowed them 20 to not have to do it in six days, but to be able to 21 bring that to you in December. 22 My concern is to say to them, "You have to 23 do it now," could come close to being an amendment 24 to the contract that no one wanted. So my view is 25 this -- this gives you what you were looking for and</p>
<p style="text-align: right;">155</p> <p>1 any action on any of these schools other than to 2 approve them. I would like to preserve for you a 3 clear -- as clear a record as we can have of an 4 understanding of how people are going to be 5 assessed. 6 So one is transparent. One, it feels, in 7 my view, to be reasonable and fair to both sides so 8 that everyone tries to understand what you're going 9 to do now. 10 And then I would like the clearest record 11 possible for whatever actions you might take. So 12 I'm not predetermining that you will take that. I 13 just -- it's my job to give you as many options to 14 move forward. 15 Let me just show you what we did. 16 The third "Whereas" clause is, "Assessment 17 data was made available through New Mexico Vistas 18 following repeal of the A-through-F grading system." 19 So that is Commissioner Burt's concern 20 that that be in there. Although Patty Matthews is 21 certainly able to speak for herself, I believe that 22 she indicated to us yesterday that the schools do 23 not -- that they realize that New Mexico Vistas is 24 there and that that has been something that has been 25 looked at by the schools. And I believe it's in the</p>	<p style="text-align: right;">157</p> <p>1 it's clearly something -- and I think the Chair 2 articulated -- that in the last 18 months this is 3 everybody's world. And I -- additionally, I think 4 that they're prepared to do that. 5 So that is my putting that in there in 6 that way, particularly, Commissioner Robbins, so 7 that -- so that you -- the schools know that this is 8 something that is in the renewal documentation and 9 that they are invited to add more. 10 I think that it doesn't score it. So it 11 doesn't change it. It doesn't add a new term. 12 Again, Patty Matthews is here to articulate if she 13 views this a different way. 14 And then there's three things. I was 15 persuaded by Commissioner Carrillo's sentence that 16 there's going to be site visits, why do we have to 17 have it in there? But, basically, what this says is 18 that the Memorandum of Understanding is that the 19 renewal kit has available data, given the 20 extraordinary situation. 21 So it allows them to be held accountable, 22 but recognizes the extraordinary circumstances that 23 everyone has been in. 24 It does not -- in number two -- does not 25 penalize the school for data that's unavailable.</p>

<p style="text-align: right;">158</p> <p>1 But it does allow you to come forward where data is 2 or should be available. So if something was missing 3 that every other school could collect, that's 4 something that they could bring forward. Again, I 5 don't know if that's true for any individual school. 6 And then this legal citation to 12J is the 7 section of law that requires a renewal application. 8 Everything after that section, which is what happens 9 during the renewal, your own decisions and their 10 ability to take action based on your decisions, are 11 preserved. 12 So I think Patty Matthews is available to 13 answer any questions. I can as well. 14 I want to say one thing, which is some 15 schools have mission-specific goals and some things 16 that may cause them, on this Memorandum of 17 Understanding, to tweak it and come back with it 18 being factually correct based on their school. 19 So the proposed language in the motion, if 20 you choose to accept it, allows them to come back 21 with a slightly modified version. We're not saying 22 "Sign this or not." 23 But we would be sending them a template. 24 Their boards would consider it before your October 25 meeting, and they would bring back the specific</p>	<p style="text-align: right;">160</p> <p>1 COMMISSIONER CARRILLO: I would just ask 2 Director Chavez just for her view of this piece and 3 as we move forward. 4 DIRECTOR CORINA CHAVEZ: Thank you, 5 Commissioner Carrillo. I personally feel like the 6 pandemic has been -- has had a tremendous impact on 7 schools and on the Public Education Department's 8 ability to collect student academic performance 9 data. 10 I feel like the renewal application, as 11 written, includes Part B, which suggests that 12 schools should be able to provide a range of 13 information, additional information to what is in 14 the charter contract already. I appreciate this 15 MOU. I appreciate the spirit in which it was 16 created. 17 I am not a fan of revocation hearings, 18 denials of charter schools that result in -- in 19 battles that go on and on with courts and that sort 20 of a thing. So I think getting ahead of any sort of 21 opportunity for a school to appeal a decision that 22 you make is a good move. 23 I also think that the schools will 24 appreciate that there's clarification, and that it 25 will help my team also to take a look at your stance</p>
<p style="text-align: right;">159</p> <p>1 Memorandum of Understanding for each school. 2 And I'll stop there. 3 THE CHAIR: Thanks. Thanks, Ms. Matthews, 4 for joining us. So if there's anything you wish to 5 add or address? 6 MS. PATRICIA MATTHEWS: Thank you, 7 Ms. Gipson. I believe the document speaks for 8 itself. I don't really want to go paragraph by 9 paragraph and provide an external interpretation. 10 That was the intent, to memorialize our 11 intent in writing as it's written. So I think I'll 12 just sit back and let the Commission vote. And if 13 my clients want to take it back, have questions or 14 ask for clarification, we'll move forward with that. 15 But as I said, I think the document speaks for 16 itself. 17 THE CHAIR: Okay. Thanks. 18 MS. PATRICIA MATTHEWS: I'm here for any 19 questions. 20 THE CHAIR: Thanks. Before we do 21 anything -- oh, okay. I was just going to say, 22 Commissioner Manis appears to have dropped off. But 23 he's now dropped back in. So thanks. 24 Commissioners, any questions? 25 Commissioner Carrillo.</p>	<p style="text-align: right;">161</p> <p>1 in regards to this, moving forward as we go into the 2 phase of the renewal process where we will be 3 evaluating the school applications and conducting 4 site visits. 5 So I do appreciate this document. 6 THE CHAIR: Okay. Commissioner Voigt? 7 COMMISSIONER VOIGT: Thank you. 8 Madam Chair. I just want to resonate on that, that 9 the foresight in which this was created, the good 10 intentions and the proactivity behind the purpose of 11 this MOU is notable. I think it's good to see that 12 type of work being done. So thanks a lot. 13 THE CHAIR: Yeah. Thanks. 14 Okay. Are we ready for a motion? 15 All right. So I move that the Memorandum 16 of Understanding be adopted by the Public Education 17 Commission as a template to propose to each State 18 charter that's applying in October 2021 to renew its 19 charter. 20 I further move that the Chair transmit the 21 Memorandum of Understanding to each of the governing 22 boards for those schools, with a request that prior 23 to October 15th of 2021, they consider entering into 24 a Memorandum of Understanding substantially similar 25 to this template, and that the Public Education</p>

162	<p>1 Commission put adoption of the Memorandum of 2 Understanding on the October 22nd, 2021, agenda. 3 COMMISSIONER ROBBINS: Second. 4 COMMISSIONER BURT: Second. 5 THE CHAIR: There's a motion by 6 Commissioner Gipson, a second by Commissioner 7 Robbins. 8 If there's no further discussion, 9 Commissioner Burt? 10 COMMISSIONER BURT: All right. 11 Commissioner Chavez. 12 COMMISSIONER CHAVEZ: Yes. 13 COMMISSIONER BURT: Commissioner Carrillo. 14 COMMISSIONER CARRILLO: Yes. 15 COMMISSIONER BURT: Commissioner Gipson. 16 THE CHAIR: Yes. 17 COMMISSIONER BURT: Commissioner Davis. 18 COMMISSIONER DAVIS: Yes. 19 COMMISSIONER BURT: Commissioner Robbins. 20 COMMISSIONER ROBBINS: Yes. 21 COMMISSIONER BURT: Commissioner Manis. 22 (No response.) 23 COMMISSIONER BURT: I'll come back. 24 Commissioner Taylor. 25 COMMISSIONER TAYLOR: Yes.</p>	164	<p>1 lunch break? 2 COMMISSIONER CARRILLO: Can this be a 3 lunch break actually so I can actually eat a meal? 4 COMMISSIONER BURT: It seems like we're so 5 close to the end -- 6 COMMISSIONER VOIGT: We're so close. So 7 close. How about 15 minutes? Can we do 15 minutes? 8 THE CHAIR: I don't think Steve can get a 9 delivery in that time. 10 COMMISSIONER CARRILLO: It's not a 11 delivery. I have to go get it. You guys just want 12 to scarf down. Mealtime is, like, a sacred time. 13 COMMISSIONER BURT: I know. But we're 14 almost done. 15 THE CHAIR: You need to have worked in a 16 school and only had 20 minutes to eat, if you were 17 lucky. So that you learn that you just -- lunch was 18 not something you enjoy; it's something you did. 19 COMMISSIONER CARRILLO: Well, I ate with 20 the kids. I really loved it when I did at the 21 school that I was at. 22 How about 20? 23 COMMISSIONER BURT: Twenty minutes. 24 COMMISSIONER CARRILLO: Is that okay? 25 Chair? Glenna?</p>
163	<p>1 COMMISSIONER BURT: Commissioner Voigt. 2 COMMISSIONER VOIGT: Yes. 3 COMMISSIONER BURT: Commissioner Manis. 4 (No response.) 5 COMMISSIONER BURT: I'll try one more 6 time. 7 Commissioner Burt, yes. 8 Commissioner Manis. 9 (No response.) 10 COMMISSIONER BURT: All right. 11 Commissioner Manis is not available. So that is -- 12 COMMISSIONER MANIS: I'm here. 13 COMMISSIONER BURT: All right. 14 Commissioner Manis. 15 COMMISSIONER MANIS: Yes. I had trouble 16 with my (indiscernible due to simultaneous 17 speaking). 18 COMMISSIONER BURT: All right. That 19 passes, nine-zero, unanimously. 20 THE CHAIR: We are on to Item No. -- 21 Director? 22 DIRECTOR CORINA CHAVEZ: I would like to 23 request that we take a break before we move on to 24 the next item. 25 THE CHAIR: Do you want a break? Or a</p>	165	<p>1 COMMISSIONER VOIGT: 1:00? 2 THE CHAIR: Twenty or thirty? 3 COMMISSIONER CARRILLO: I would prefer 30. 4 THE CHAIR: I'm fine with whatever; so 20 5 minutes. 6 COMMISSIONER VOIGT: Okay. 1:00. 7 THE CHAIR: Okay. 8 COMMISSIONER CARRILLO: All right. 9 (Recess taken, 12:40 p.m. to 1:05 p.m.) 10 THE CHAIR: We are on to Item No. 10, 11 which is Discussion and Possible Action on 12 Renewal -- no, no. Sorry. 13 We're on to 11, Discussion and Possible 14 Action to Approve the 2020-2021 Modified Annual Site 15 Visit Reports. 16 So had a discussion with the Director, and 17 there hasn't been really adequate time for the 18 schools to be able to, you know, process this and to 19 be able to respond back. So there's a possibility 20 that some of these reports need to be modified, 21 based on information that the school would provide 22 to the Charter School Division, and they would then 23 look at it. 24 So I'm going to make the recommendation 25 that we table this until the October date so that</p>

<p style="text-align: right;">166</p> <p>1 the reports that the Commissioners are looking at 2 are the most updated, so that we're not looking at 3 this and then getting -- saying, "Now you have to go 4 back and look at this one, this one, and this one." 5 We just get to look at all the revisions, 6 whatever they are, in October. 7 COMMISSIONER BURT: I agree. 8 THE CHAIR: Okay. So I'll make a motion 9 to table Item No. 11, Discussion and Possible Action 10 to Approve the 2020-2021 Modified Annual Site Visit 11 Reports to our October meeting. 12 COMMISSIONER BURT: Second. 13 THE CHAIR: So motion by Commissioner 14 Gipson, a second by Commissioner Burt. 15 If there's no further discussion, 16 Commissioner Burt. 17 COMMISSIONER BURT: All right. 18 Commissioner Davis. 19 COMMISSIONER DAVIS: Yes. 20 COMMISSIONER BURT: Commissioner Gipson. 21 THE CHAIR: Yes. 22 COMMISSIONER BURT: Commissioner Robbins. 23 COMMISSIONER ROBBINS: Yes. 24 COMMISSIONER BURT: Commissioner Taylor. 25 COMMISSIONER TAYLOR: Yes.</p>	<p style="text-align: right;">168</p> <p>1 Charter Schools Division. 2 Currently, there are six positions out of 3 twelve that are open -- or unfilled, I should say, 4 including the Deputy Director. That position has 5 not yet been posted; although, paperwork is in place 6 at the PED. 7 There is an Ed Admin A in Authorizing 8 Practices that should be posted any day now, an Ed 9 Admin B, and an Executive Assistant position also 10 that should be posted any day. 11 There's another Ed Admin B in the works. 12 And, hopefully, we're able to provide an offer on 13 one of the positions that we have interviewed for. 14 So you all heard from Secretary Steinhaus 15 yesterday that we have really struggled at the PED 16 to move forward on some of the position postings 17 within our HR department, who is also functioning to 18 support licensure. I do feel like we have put into 19 place some actions forward and hired a staff person. 20 So almost immediately after Dr. Steinhaus 21 was in recognition of the grave need, I was 22 contacted by HR. And I feel like that process 23 started again after -- after stopping for a couple 24 of months. 25 So I am hopeful that when we meet in</p>
<p style="text-align: right;">167</p> <p>1 COMMISSIONER BURT: Commissioner Carrillo. 2 COMMISSIONER CARRILLO: Yes. 3 COMMISSIONER BURT: Commissioner Voigt. 4 COMMISSIONER VOIGT: Yes. 5 COMMISSIONER BURT: Commissioner Burt, 6 yes. 7 Commissioner Chavez is not present right 8 now. 9 And Commissioner Manis. 10 COMMISSIONER MANIS: Yes. 11 COMMISSIONER BURT: All right. So that 12 passes unanimously, eight-zero. 13 THE CHAIR: Eight-zero. Thank you very 14 much. 15 So we are on to Item No. 12, which is the 16 Report from Options for Parents, Discussion and 17 Possible Action. 18 DIRECTOR CORINA CHAVEZ: Thank you. Thank 19 you, Commissioners. 20 So I wanted to just start off by 21 expressing my appreciation for you all and the work 22 that you do, the attention to detail, the support 23 that you've shown, the graciousness that you've 24 shown with me as I am working with you all and the 25 schools with half the staff in place within the</p>	<p style="text-align: right;">169</p> <p>1 October, there will be at least one additional staff 2 person on our team and several that are -- that have 3 been interviewed. 4 So fingers crossed that that happens. And 5 also just know that I am continuing to work with the 6 Secretary, with the Deputy Secretaries and others at 7 the PED to move it forward. 8 If you ask our HR department, they will 9 say, "Yes, Corina bugs us every day," because my 10 team deserves a little bit of a break. Wow. 11 So my -- my team within the Charter 12 Schools Division has just really stepped up and 13 taken on additional responsibilities. 14 Missy Brown, as you know, really heads up 15 the training and technical assistance work alongside 16 with Dylan. They do a tremendous job working with 17 governing boards and also preparing applicants, 18 schools that are in their planning year, et cetera. 19 They just do a tremendous job. 20 But they've also stepped into the role of 21 doing a lot of the authorizing work. And that's how 22 they're getting cross-training within the division. 23 That was one of my goals, that everybody within the 24 division knows how things function. 25 But folks have been asked to do a lot of</p>

<p style="text-align: right;">170</p> <p>1 information -- a lot of work beyond what is in their 2 scope of work, which is why I think that I want for 3 us to be absolutely certain that these reports are 4 as accurate as possible and that we have time to 5 meet with the schools in the next two weeks that 6 have questions about their annual reports and make 7 sure that they're as in good shape as possible. 8 So, meanwhile, we are also contracting 9 with a few external contractors who have helped us 10 do the inventory, for example, of the lottery 11 processes, and who will be part of the renewal teams 12 moving forward. 13 So that's the update on the Division. 14 I'd like to provide an update on renewal 15 information to schools. 16 We already provided schools with Part A. 17 If you're looking at the application kit, Part A is 18 where the PED provides information that we have on 19 record for the school that we hope helps them with 20 Part B, which is what is their largest lift in terms 21 of narrative that is associated with the renewal 22 applications. 23 Each of the schools have been assigned a 24 liaison, who -- within the Charter Schools Division, 25 who has reached out to the school to determine</p>	<p style="text-align: right;">172</p> <p>1 Any questions about the renewal? 2 (No response.) 3 DIRECTOR CORINA CHAVEZ: No? 4 My highlights and appreciations are for, 5 again, my team, who is all stepping up and working 6 extra hard for you all, for the folks that attended 7 the -- had negotiations for Julia for being a 8 bridge-builder and a strong support for you and for 9 us, and, especially, appreciations for the schools, 10 because I know that this is a difficult time with 11 kids getting used to being back in school again and 12 TikTok videos that go viral that influence them and 13 teachers every day show up and help guide students 14 in the right way for the administrators that are 15 dealing with a barrage of information that is coming 16 their way, writing ESSA reports, writing whatever 17 reports and applications that the PED is putting 18 out, and managing this within the COVID protocol. 19 So I think that this is, again, a 20 difficult time in education, a real opportunity for 21 us to think about what it means to help accelerate 22 learning. Students really need it to build 23 relationships with students and families. And I see 24 our head administrators of charter schools doing 25 that every day.</p>
<p style="text-align: right;">171</p> <p>1 potential dates for a site visit. 2 We have a draft schedule of site visits 3 set up. And the review teams are in the process of 4 creating the teams that will go on site. It will 5 include CSD staff and potentially some contractors 6 or PED colleagues who will join with the liaison to 7 the schools. 8 With the passage of the site visit 9 protocol, I think that our next steps for setting up 10 the visits are clear; they're clearly defined for 11 both the school and for the teams. And we are 12 looking forward to the applications that arrive 13 October 1st. At that point, we'll be reading them 14 carefully and determining what areas of inquiry we 15 have. 16 And, at the same time, we are also 17 connecting with PED colleagues to get any other 18 additional information and data that exists at the 19 PED. 20 For example, the 40th-day count has not 21 yet occurred for this school year. We had to create 22 the Part A prior to that. So we will have more 23 updated information when we go into the school and 24 as we spend October and the first part of November 25 writing the preliminary analyses.</p>	<p style="text-align: right;">173</p> <p>1 And, also, right now, thinking about this 2 in terms of equity, identity, and what it means to 3 be a student in New Mexico, where your unique 4 identity, your history, your language, is valued and 5 expected to be part of your experience in school 6 settings, I think it's an unprecedented time right 7 now, and I think that there's a lot of people that 8 are trying to figure it out. 9 And so my appreciations are for all of 10 that. Thank you. 11 THE CHAIR: Thank you. We are on to Item 12 No. 13, which is Discussion and Possible Action on 13 the Liaison Reports. 14 The LFC just met. Secretary Steinhaus 15 mentioned it. I was able to listen in to some of 16 it. There was a report to the LFC in regards to 17 PED. I would encourage Commissioners on the PED 18 website, there is a link to see how schools -- how 19 much of the ESSA monies that schools have spent. 20 So if you're interested in, you know, 21 whatever schools, charters, schools in your 22 district, there is -- if you go on the PED website, 23 there is a link for that. So it is important 24 information, and you can parse it down to the -- to 25 the district and, I believe, the school.</p>

<p style="text-align: right;">174</p> <p>1 So just for your information, because that 2 is something the LFC is focusing on is how those 3 monies are being spent, because we are in a somewhat 4 unprecedented time for right now, that there's going 5 to be a substantial amount of money, it looks like, 6 that's going to be available for education, and 7 making sure that it's spent wisely outside of the 8 ESSA monies that's also there.</p> <p>9 So you can see how much monies the schools 10 had and where they are in terms of the spending of 11 that money. So if you want to check that out.</p> <p>12 The LESC met in September in Socorro. 13 Unfortunately, I had several other meetings, and I 14 was not able to get up there. There wasn't anything 15 that was high-ticket that was on that agenda.</p> <p>16 I anticipate I might go to the one the 17 first week in October. The LESC director has 18 resigned, and they have an interim director right 19 now; so -- but as I've mentioned, there are two on 20 the work project calendar -- not with any particular 21 dates or time frames, two items in particular that 22 are related to charters. But to my knowledge, 23 there's not been any work moved forward on that.</p> <p>24 So -- and there hasn't been any reports 25 out regarding that. But I'll keep you updated on</p>	<p style="text-align: right;">176</p> <p>1 Commissioner Robbins? 2 You're still muted. No -- there you go.</p> <p>3 COMMISSIONER ROBBINS: I know. Could I 4 defer for just a couple of minutes? I'm working on 5 a calculation that I wanted to talk to you about, 6 okay? Just about two or three minutes.</p> <p>7 THE CHAIR: Sure. No problem. Okay. 8 Thanks.</p> <p>9 Commissioner Manis, NMPSIA.</p> <p>10 COMMISSIONER MANIS: I don't have anything 11 significant to report. Most of the action items 12 that we voted on were mainly just procedural things 13 that we have to do, like our financial reports, and, 14 really, nothing related to the Public Education 15 Commission or public ed matters.</p> <p>16 THE CHAIR: I wanted to say thanks for 17 sending out to us that clarification after the 18 question from last month. So I appreciate that 19 information.</p> <p>20 COMMISSIONER MANIS: Of course. Thanks.</p> <p>21 THE CHAIR: Thanks.</p> <p>22 Commissioner Carrillo.</p> <p>23 COMMISSIONER CARRILLO: Okay. I wrote 24 out -- actually, today is kind of extensive -- a 25 report.</p>
<p style="text-align: right;">175</p> <p>1 that.</p> <p>2 Commissioner Davis, has the Indian 3 Education Advisory Committee met?</p> <p>4 COMMISSIONER DAVIS: Well, I -- so I have 5 an invitation to a Zoom meeting on Tuesday, 6 September 28th at 11:30 p.m., Wednesday, 7 September 29th, to 1:00 a.m.</p> <p>8 And I sent out two e-mails asking, "Is 9 this really what you meant?"</p> <p>10 And I'm waiting to find out, but I'm not 11 meeting at midnight.</p> <p>12 THE CHAIR: You're being so picky. But 13 I'm glad you at least heard from them. That's a 14 step in the right direction.</p> <p>15 Okay. Thanks. We look forward to finding 16 out how that all worked out.</p> <p>17 COMMISSIONER DAVIS: Yeah, if they met at 18 midnight? It's not Halloween even.</p> <p>19 THE CHAIR: Okay.</p> <p>20 Commissioner Burt.</p> <p>21 COMMISSIONER BURT: No new report.</p> <p>22 THE CHAIR: Coalition of Education 23 Leaders.</p> <p>24 COMMISSIONER BURT: I have no new report.</p> <p>25 THE CHAIR: Okay. Thanks.</p>	<p style="text-align: right;">177</p> <p>1 THE CHAIR: Holy cow.</p> <p>2 COMMISSIONER CARRILLO: No, I'm just -- I 3 got nothing. I just wanted to see Chair Voigt shake 4 her head. No, I got nothing. The only thing I'm 5 planning on doing is I'm going to call Joe Guillen 6 and ask them when their group is putting together 7 their legislative agenda. Where we should partner, 8 we should partner. They've got to drop that 9 attitude they have against charters and realize they 10 need to learn from us.</p> <p>11 So, anyway, I've got nothing except for 12 that today. Thank you.</p> <p>13 THE CHAIR: Okay. Great. Thanks. And 14 Commissioner Armijo is not here.</p> <p>15 So Commissioner Robbins.</p> <p>16 COMMISSIONER VOIGT: If he's not ready, I 17 just have something to say. I just want everyone to 18 know that Chair Gipson and I check in with each 19 other and tag-team the Legislative Liaison meetings, 20 just so everyone knows that I'm not slacking.</p> <p>21 COMMISSIONER CARRILLO: Golfing.</p> <p>22 COMMISSIONER VOIGT: Thanks.</p> <p>23 THE CHAIR: Okay. Commissioner Voigt gave 24 you a couple more seconds.</p> <p>25 COMMISSIONER ROBBINS: Okay. Well, I</p>

<p style="text-align: right;">178</p> <p>1 appreciate that. I -- yeah. I have a couple of 2 things.</p> <p>3 I mentioned the lease assistance is going 4 from \$747.29 up 2 percent to \$762.24. So that's a 5 2 percent increase. I did stress how I felt that 6 several years, when there were some budget issues 7 and things like that, that no increase was given 8 whatsoever, even though inflation is still there and 9 things are going on.</p> <p>10 You know, they -- they tend to point out, 11 "Well, this is an optional program." And so, as we 12 mentioned yesterday, one of our legislative things 13 should make this a regular permanent thing.</p> <p>14 Currently, it's about \$17 million in lease 15 assistance. You know, taking it up to \$900, which 16 would have been the inflation rate since 2007, would 17 have brought it up to about \$20 million.</p> <p>18 There's plenty of funds available. I 19 don't know that there would have -- should have been 20 a restriction on that.</p> <p>21 The other thing that I pointed out 22 yesterday is how your typical charter school really 23 doesn't get the full benefit of the square footage. 24 Right now, the average charter school is only 25 covered, on a square-footage basis, about 60 percent</p>	<p style="text-align: right;">180</p> <p>1 help them flesh that out a little bit more in terms 2 of the design.</p> <p>3 The education network obviously is very 4 important, obviously, for the charter schools in 5 their far-flung areas, but for all of education. So 6 this would be something that would be eligible.</p> <p>7 It ties into the E-Rate that has been 8 available and will continue to be hopefully 9 available for several more years.</p> <p>10 Teacher housing is a big thing. And the 11 Legislature appropriated \$10 million for teacher 12 housing. You say, "Well, why does a teacher need 13 housing?"</p> <p>14 Well, some of the remote areas, they 15 cannot hire teachers because there's no affordable 16 housing, or even not affordable. There's just no 17 housing available in their areas. So in some of 18 these more remote areas or high-cost areas, the 19 schools actually build and operate housing for them.</p> <p>20 Sometimes they're single units. Other 21 times, they're like duplexes, things like that. But 22 there are many, many schools around the state where 23 some of these buildings are 30, 40, 50 years old. 24 They're not even of the quality of a mobile home 25 right now, and, you know. An old mobile home. New</p>
<p style="text-align: right;">179</p> <p>1 of their square footage is included. And that's 2 across all of the charter schools.</p> <p>3 The average charter school has about 4 80 square feet per student. The typical district 5 school has about 120 square feet for an elementary; 6 150, 160 for a middle school; and about 180 for a 7 high school. Albuquerque is even higher than that 8 at about 200 to 210 square feet per student in a 9 high school.</p> <p>10 So you can see that charters are -- not 11 only do they have a low lease rate, but they have a 12 very low square footage that they allow, even though 13 the square footage per student is very low.</p> <p>14 Some of the schools actually have square 15 footage of less than 40 square feet per student. 16 Again, they may be outdoors some and everything. 17 But there's times they have to be inside so, you 18 know, that's -- that's just not, in my mind, a very 19 reasonable measure. So I'll keep pushing on that.</p> <p>20 We talked also about IT infrastructure. 21 PSFA, Public School Facilities Authority, is working 22 on a state education network. They have a 23 blueprint. It's very -- it's conceptual at this 24 point. But they have authorization to spend up to 25 \$300,000 to get some professional consultants to</p>	<p style="text-align: right;">181</p> <p>1 mobile homes are probably nice. So they're putting 2 money into that.</p> <p>3 Demolition, the Legislature appropriated 4 funds, up to \$10 million a year, for demolition. 5 There are a lot of buildings on school property that 6 are not being used and should be demolished.</p> <p>7 One of the issues in demolishing some of 8 these buildings is you may have your basic 9 infrastructure tied to that building and the rest of 10 the building. Let's say the school is located where 11 all the infrastructure comes from, say, the main 12 street, through that now vacant building; and then 13 from there, it goes on to the other buildings 14 because it's just the location on the campus.</p> <p>15 Well, you can't just say, "We're going to 16 demolish this building, take out everything," 17 because your plumbing and electrical may run through 18 that building. So there's another issue.</p> <p>19 They have one school -- and I think it's 20 in Clovis; it may be up in Clayton. But there's one 21 school where they're not even using a big portion of 22 their campus. It's a multi-story building. They 23 cannot actually demolish that, because the boiler 24 for the entire school is in the basement of that 25 building, and it could cost millions of dollars to</p>

<p style="text-align: right;">182</p> <p>1 retrofit and move the heating/cooling system out of 2 that basement. So it's an interesting -- 3 interesting thing. 4 For this year, they will accept 5 applications on the systems-based awards for 6 demolition. 7 For the first year, they will only 8 consider stand-alone buildings. They're a little 9 bit simpler, so you don't have these problems where 10 they're connected, and you're, like, demolishing a 11 building and having to maybe fix your alarm systems 12 and electrical and things like that. 13 After that, stand-alone buildings will 14 still receive priority. 15 Jonathan Chamblin, at the end of this 16 month, will leave as executive director of PSFA. He 17 has taken a position with Sandia National Labs. As 18 you may know, they have a \$5 billion construction 19 program slated, and he will be an architect working 20 with them on that. So it's a good move for him and 21 his family, I think. 22 Unfortunately, we're going to lose out on 23 the four to five years of experience that he's 24 provided up till now. 25 Also Rachel Gudgel, LESC, resigned, and</p>	<p style="text-align: right;">184</p> <p>1 forward in a collaborative manner, as the Secretary 2 mentioned yesterday, and, as we move toward 3 legislative priorities, to be able to work together 4 on a number of issues that we certainly find in 5 common. 6 I want to also congratulate -- there were 7 91 National Merit semifinalists in New Mexico. And 8 six of them did come from charter schools. So I 9 want to congratulate all teachers that get their 10 kids to a place where they can take the SATs. 11 That's -- you know, that's a lot of work. 12 But the fact that there were 91 that are 13 from New Mexico and that I want to recognize that 14 Albuquerque Institute of Math and Science actually 15 had two, and that Explore Academy-Albuquerque, 16 Southwest Secondary, the ASK Academy, and Taos 17 Academy each had one. 18 So congratulations to all of those 19 schools, and, hopefully, those students will move 20 forward, because it means -- it means a lot -- it 21 means a chunk of money to help out toward college. 22 So that support is really important. 23 I want to thank -- I did send a message 24 but want to thank, once again, everyone who 25 participated in the CAP negotiations, although</p>
<p style="text-align: right;">183</p> <p>1 she was a member of the PSCOC. She resigned a 2 couple of weeks ago. 3 So that's my report. 4 THE CHAIR: Thanks so much. 5 We're on to Report from the Chair. I want 6 to thank Corina and Julia for all the work that went 7 into -- and I've said Melissa as well, and Nathan -- 8 for all of the work in trying to get the issues 9 regarding The GREAT Academy so that we could be 10 clearer and cleaner in what we're doing with it. 11 It took a lot of work. It took a lot of 12 work. I know I was the victim of a number of those 13 conversations, and not even nearly -- certainly not 14 as many as Corina and Julia and Nathan and Melissa. 15 So just thanks so much for that, because 16 it's really -- we're moving forward in a much better 17 manner. And I really do appreciate that 18 collaborative effort, because I think the end result 19 always is going to be better for the schools. And 20 that's what -- that's ultimately what we're here 21 for, and that's what we want to be able to do. 22 I mentioned yesterday that I did have a 23 short conversation with the -- with Secretary 24 Steinhaus. Corina was kind enough to help 25 coordinate that. So also hoping to be able to move</p>	<p style="text-align: right;">185</p> <p>1 incredibly frustrating, and, as I told people, I 2 like to share my angst. So I'm really glad that 3 other people were able to feel that, because that's 4 what I thought it was going to be. 5 I didn't want to tell other people that. 6 So it's kind of a self-fulfilling prophecy there. 7 But I really want to thank everyone for the time and 8 effort and energy that went in before it and during 9 it, and hope you enjoyed whatever you did afterwards 10 that evening; so -- you know, because that's the 11 best that can come out of it. 12 The Budget Committee, we have not gotten 13 our final numbers yet from the Director. And I know 14 there's been -- you know, there's been some losses 15 in the Office of Finance. Marian has been doing, 16 you know, triple duty, so that, hopefully, the 17 Budget Committee will be able to meet soon and we'll 18 have those clearer numbers for that. 19 I don't -- I haven't looked -- oh. And 20 you know what? I always need to do -- thanks to Bev 21 for managing, you know, a lot of this getting the 22 phones that we'll be getting to Commissioners soon 23 and helping to manage these meetings, and Missy for 24 wrangling all this. You know, always -- always 25 appreciate that.</p>

<p style="text-align: right;">186</p> <p>1 I don't know if there's anyone here from 2 the Advisory Council. 3 MS. MISSY BROWN: Who might I be looking 4 for? 5 THE CHAIR: Mike Ogas. 6 MS. MISSY BROWN: No. Matthew Pahl is 7 here; but... 8 THE CHAIR: Okay. So that's the next on. 9 If Mike isn't here, then we're on to Public Charter 10 schools, and that would be Matt. 11 MS. MISSY BROWN: I'm promoting him now. 12 THE CHAIR: Okay. Thanks. 13 Oh. And I also wanted to say my morning 14 was easier. So I, apparently, was ghosting the 15 Director, so I wasn't getting her calls and 16 messages, so my morning ended up a whole lot easier. 17 I told her if I'm going to ignore her, 18 she's -- she's going to know it. I like to -- you 19 know. So, well, welcome, new dad. 20 MR. MATT PAHL: Thanks, Madam Chair. 21 Yeah. You might try that turn-off-your-phone 22 strategy. It seems to have really helped make 23 things easy. 24 I just have a few announcements over here. 25 And thanks for that, Madam Chair. Our son</p>	<p style="text-align: right;">188</p> <p>1 leaders within equity, and also just helping 2 ourselves progress in the larger conversations and 3 process that's involved there. 4 And, of course, you'll see all the good 5 charter stuff about facilities, you know, just the 6 stuff we just can't help but talk about. 7 So really hoping you all can make it in 8 one -- in one way, shape, or form, whether it's just 9 joining us online or at one of our community events. 10 And just an apology for Commissioner Davis, Taylor, 11 and Manis. I know these regional spots are still 12 pretty far away from you. But we do hope you can 13 make it, and I would be happy to see you virtually 14 as well. So thanks for that. 15 Next month, we are going to be posting 16 our -- our sample board policies for our membership. 17 The board polic- -- this is a long time in the -- 18 well, it started as a long time in the asking from 19 our members, and we finally got the capacity to 20 really start embarking on the project. 21 And I want to share just two things with 22 you. One is, they'll be available online, and we 23 will take submissions from charter schools that feel 24 like they have a good policy. We are calling these 25 policies "sample policies," meaning they're not a</p>
<p style="text-align: right;">187</p> <p>1 is a month old and doing really well, so feeling 2 really good about that. 3 We have a conference coming up on December 4 1st and 2nd. We had a heck of a time figuring out 5 how we were going to do this. And we're going to do 6 it in a hybrid way, where there are in-person, 7 regional events that will be held in Taos, Santa Fe, 8 Albuquerque, and Las Cruces. One will be a school 9 visit, and the other will be a reception. We may be 10 able to extend that out to Gallup as well. 11 But December 1st, the morning of December 12 1st, we'll start the conferences with a school 13 visit, and then that evening, we'll have a 14 reception. 15 During the day, there will be sessions 16 that will be held over Zoom. So we're going to find 17 safe ways to have smaller groups together throughout 18 the state. And then for the broader sessions that 19 can have upwards of 50 people in them, we'll just do 20 those virtually. 21 So trying something a little bit 22 different. Each and every one of you will get the 23 formal invite and registration link. 24 And we're focused on equity, both equity 25 that -- the ways in which our charter schools are</p>	<p style="text-align: right;">189</p> <p>1 template that you can just put your school's name 2 in. 3 However, the hope is that the policy gets 4 you about 85 percent of the way there, something 5 that provides some good bones, but you'll need to 6 think about it, about that policy and how it 7 interacts with your campus. 8 We think that process is really important 9 for boards to go through. But we have just received 10 overwhelming feedback from charter schools that 11 putting together a new policy sometimes can be quite 12 arduous, especially with all the other things they 13 have going on. We're hopeful that this catalog of 14 policies that will start off with just a couple 15 steps, but will continue to expand as time moves on 16 here, can really save time. 17 And, of course, you know, as those 18 policies get implemented, and as we launch this, 19 we'd love to be sharing them with the CSD and PEC, 20 in case there are elements that they want to -- that 21 they have thoughts on. You know, the idea, again, 22 is to save people time and give them the bones of 23 something good so they can work with their legal 24 counsel and their boards to ensure that a good 25 policy is in place.</p>

<p style="text-align: right;">190</p> <p>1 So we're really excited about it, and 2 we're happy to provide the service and hopeful that 3 it saves -- really, I mean what it's about is saving 4 administrator time. You know, every ten minutes 5 saved is -- I don't know if it's ten minutes earned. 6 I think I'm using the wrong analogy there. But it's 7 something good for our leaders, because there's 8 enough to fill up those ten minutes. 9 We're excited about that. I wasn't able 10 to hear the conversation on the lottery guidance, 11 but I want the Public Education Commission to 12 know -- and that was yesterday. I heard today's 13 conversation. 14 I want the PEC to know that we're going to 15 work to be very supportive on ensuring that that's 16 implemented, both in giving schools time to talk 17 amongst each other about how their lottery and 18 enrollment processes may change. 19 I don't know if the PEC knows this. But 20 in, you know, charter school association land, we 21 know that that's the most -- the lotteries are the 22 most complicating factors for families. It's the 23 thing that -- you know, we are public schools. We 24 know we're public schools. You manage governmental 25 entities.</p>	<p style="text-align: right;">192</p> <p>1 A number of people, including a couple of 2 Commissioners here, showed up in opposition to that, 3 and they pulled that resolution immediately, which, 4 to me, I think kind of underlines that, like, for 5 them to pull it so quickly made me think that 6 that -- that really meant that they -- I don't know 7 if they know why that's what they want. It's just 8 been hanging around for a long time. 9 And, of course, there was plenty of really 10 great testimony that gave great reasons why charter 11 schools are an added benefit, and, you know, a 12 partner of APS, which we feel, as charter schools, 13 just like we feel that the PEC is a partner of ours, 14 both entities have the right to hold us accountable. 15 It doesn't mean that that's not in play. 16 But I think partnership is important, and 17 I think we have it with APS. And so the resolution 18 was disappointing, but the outcome was something we 19 appreciated, that they pulled that. 20 So I'm not sure if APS Board meetings fly 21 under the radar. But I wanted to make sure I let 22 folks know that that did happen. And that was, I 23 think, three weeks ago -- or, no, a month ago, 24 somewhere around those lines. 25 So that did happen. It's kind of an FYI.</p>
<p style="text-align: right;">191</p> <p>1 The lottery confuses parents sometimes. 2 And when we don't do it right and without 3 transparency, we're really attacking the foundation 4 of what makes us who we are. 5 So I appreciate the path forward, or the 6 guidance to create a path forward, and we look 7 forward to working with our schools and with CSD to 8 make sure this is -- this is as clean and as 9 transparent as possible for families. So thanks for 10 the action. 11 Of course, if there's, like, an issue, 12 we'll bring it up with you. But from what I read, I 13 didn't -- doesn't mean that it's going to be easy. 14 But I believe that it's something we can work with 15 to move forward. 16 So just want to thank you for that and let 17 you know you have a willing partner in Public 18 Charter Schools of New Mexico to move that forward. 19 The -- the other two things that I'll 20 mention, one was just if you didn't catch it, the 21 Albuquerque Public School Board was considering a 22 resolution to approve a charter moratorium, which 23 the timing was just really interesting. I think the 24 idea was to pass that resolution and to forward it 25 on to -- to the School Boards Association.</p>	<p style="text-align: right;">193</p> <p>1 And then, lastly, the facility bill, the 2 one we've been talking about for some time, really, 3 there's some new life that's been breathed into that 4 bill due to all the money that's available right 5 now. 6 And we've had conversations with the LFC. 7 We have a new slate of expanded sponsors for the 8 bill. We'll be running it both in the Senate and 9 the House. The Senate sponsors are Jerry 10 Ortiz y Pino, Siah Correa Hemphill, and Crystal 11 Diamond. Both Senator Diamond and Senator Correa 12 Hemphill are on Senate Finance, and they represent a 13 bipartisan pairing of supporters for this. 14 On the House side, we have Representative 15 Joy Garratt and Representative Meredith Dixon, and 16 we're working on another Republican sponsor that 17 also sits on House Appropriations and Finance. 18 We feel like, between the conversations 19 we've had recently -- actually, I missed part of 20 today's meeting because I was in conversations with 21 PSFA about some of the technical aspects of that 22 bill -- just be -- just be ready for more updates on 23 that. 24 I really think it's something we can get 25 done this year. So I -- and to the extent it's</p>

<p style="text-align: right;">194</p> <p>1 possible for the PEC to be helpful there, we'd love 2 for that to be something that we partner on. 3 And the last thing I'll mention to that 4 point is October is PCSNM's month to really get our 5 legislative platform together. So I'm not sure how 6 this will align with -- with PEC meeting dates, 7 whether we'll have a complete one for your October 8 meeting. I'm sure I'll be able to provide a 9 progress update at the very least. 10 But by your November meeting -- and 11 probably much earlier than that, a couple of weeks 12 or so -- we'll be able to share a policy platform of 13 what our interests are moving into the session, 14 which will, of course, include facilities, and also 15 figuring out how we -- how we direct funds towards 16 the SEG that provide for new flexibility, and, you 17 know, not just the fulfillment of mandates. 18 And there's always a balance in those kind 19 of things. And I think we -- it's on -- the burden 20 is on us to be thoughtful about -- rather than just 21 saying, "Pump up the SEG," thinking of ways in which 22 that can be directed, but not so much so that 23 schools are kind of boxed into just doing what is in 24 statute in a -- like, a mandate-type way. 25 So that's it for me on updates. I want to</p>	<p style="text-align: right;">196</p> <p>1 we're saying and who we're saying it to. So that is 2 really important. So just keep us posted on that. 3 And excited about that change in the 4 conference. I think that's -- you know, that'll be 5 interesting to be able to participate in it in both 6 fashions, hopefully. 7 MR. MATT PAHL: Madam Chair, just real 8 quick. What I will do on the platform is I will 9 plan -- do you think you'll talk legislative 10 platform at your next work session? You might not 11 be able to totally say yet. 12 But I would imagine -- because then I'd 13 plan on going to the work session. 14 THE CHAIR: I think it'll be on the list, 15 because this will probably be the last work session 16 before -- because we've got renewals in December. 17 So I would -- probably. 18 MR. MATT PAHL: I'll just plan -- I'll 19 look at the agenda. But I'll plan on being at that 20 work session so I can at least share what we have at 21 that point, to the extent it's helpful. 22 THE CHAIR: Okay. Great. Appreciate it. 23 Thanks. 24 Okay. See? We didn't need that lunch 25 break.</p>
<p style="text-align: right;">195</p> <p>1 thank you, Madam Commissioner and the rest of the 2 Commissioners, for your time. 3 THE CHAIR: Thanks. And you know we 4 did -- we talked -- we had a conversation yesterday 5 on our legislative priorities. So we did talk about 6 the APS resolution, you know. It's that walking on 7 eggs. How much do you really talk about moratorium? 8 Because you don't want to say, "Oh, yeah, let's -- 9 let's..." -- you know, it raises to the top again, 10 so, "Oh, yeah, I forgot about that." 11 So it's -- you know, you put your feelers 12 out. Where is it? It did seem a little odd, the 13 timing of it. So that's what concerned me. And I 14 had sent a message -- Matt and I had messaged back 15 and forth a little bit when it was up there. 16 So, yeah, we just have to keep on top of 17 that just to see where that goes. 18 We do not have a November meeting. But we 19 do have a December meeting, and, certainly, the 20 October meeting, you know, just so that we're -- 21 yeah, you know, anywhere where we can support in 22 terms of the facilities. 23 And, you know, I think we've mostly 24 aligned 99.9 percent of the time. But we want to 25 have that conversation so that we're clear with what</p>	<p style="text-align: right;">197</p> <p>1 COMMISSIONER CARRILLO: Sure, we did. 2 THE CHAIR: We are on to PEC Comments. So 3 Commissioner Taylor, we're getting out before you 4 actually have to get out. 5 COMMISSIONER TAYLOR: I know. Good work. 6 Good work, everyone. But I'm probably going to take 7 about 45 minutes with my comments. So I might 8 extend -- no. 9 I would like to say that it was -- it was 10 surely a pleasure for me yesterday to listen to 11 Dr. Steinhaus. And the fact that he showed up to 12 our meeting, and it seems like -- it was encouraging 13 that we -- that we may have a collaborative person 14 in office to kind of -- to work together with. So I 15 really, really did appreciate that. 16 You know, the other thing that I really 17 have appreciated this last month or so is the work 18 of Ms. Barnes. Again, I appreciate the fact that 19 she called me to get my input on -- after that 20 meeting that we had concerning The GREAT Academy and 21 just asked for more insight on certain things and 22 asked if there was anything else that I had concerns 23 about. I really -- I mean, a lot of 24 behind-the-scenes efforts on her part. 25 So thank you very much, Ms. Barnes, for --</p>

<p style="text-align: right;">198</p> <p>1 again, I'm looking forward to working with her in 2 the upcoming future.</p> <p>3 Also kind of want to echo some of the 4 things you commented on earlier, Chair Gipson. You 5 know, you look up on the Zoom screen, you see Missy. 6 She looks like a mission commander at NASA. She 7 keeps everything -- she keeps everything in working 8 order and just is on the ball.</p> <p>9 So thank you, Missy, for that.</p> <p>10 And, Bev, also behind the scenes, working 11 like crazy to get meetings in order and materials to 12 us.</p> <p>13 Director Chavez, I think her job is to -- 14 is Director; but, man, I think it's her -- it seems 15 like it's her life as well, and she goes above and 16 beyond in her efforts and works tirelessly, it 17 seems, on getting things together. So I know that 18 her -- she's -- if she's -- she's salaried, she's 19 getting ripped off, no matter what they're paying 20 her.</p> <p>21 Not really. But I just -- my point is 22 thank you for your efforts, you know. I really -- I 23 really do appreciate that. I appreciate the spirit 24 of cooperation that I see and looking forward to the 25 future. So thank you, guys.</p>	<p style="text-align: right;">200</p> <p>1 No, that's just a picture I pulled off the 2 Internet, one of my backgrounds that I like to use.</p> <p>3 I also want to appreciate the CSD staff 4 and Corina, the Director. She helped me out a lot 5 with the Google Docs. She sent that link, and it 6 didn't work for me, so she sent me another link 7 which did work. Maybe I need some help on getting 8 to the motions sheet, because I couldn't find it 9 anywhere. So maybe some of you can give me help on 10 that. But I do appreciate all the work that folks 11 are doing.</p> <p>12 Real quick, because I did another 13 calculation. The average rate -- at the rate that 14 they pay per square foot, okay, in total, looking at 15 the total square feet a school has and the average 16 rate per square foot that PSFA covers is less than 17 \$7.00 a square foot.</p> <p>18 Now, I don't know where you can find 19 decent buildings for \$7.00 a square foot. But 20 that's what they're paying.</p> <p>21 And, you know, it's -- it goes to the 22 disparity, continued disparity. And since charters 23 do serve an awful lot of at-risk students compared 24 to many district schools, we need to work on that. 25 I do appreciate all the work and time that</p>
<p style="text-align: right;">199</p> <p>1 THE CHAIR: Thanks. Safe travels. 2 COMMISSIONER TAYLOR: Thank you. 3 THE CHAIR: Commissioner Carrillo. 4 COMMISSIONER CARRILLO: I would just echo 5 what Mike said, just grateful for all the support we 6 have. Corina, Staff, Missy, Melissa, everybody, 7 just everybody, have a wonderful weekend, and that's 8 all I got.</p> <p>9 THE CHAIR: Okay. Thanks. 10 Commissioner Voigt? 11 COMMISSIONER VOIGT: Thank you, 12 Commissioner Taylor, for all of that. I ditto that. 13 And I just -- it's so wonderful to be in a -- such a 14 collaborative working environment. And I appreciate 15 all the Commissioners' input as well. The 16 discussions we have are really rich and respectful. 17 So that's huge. And thank you, everyone, for 18 everyone's work.</p> <p>19 THE CHAIR: Thanks. 20 Commissioner Robbins, who is, I think, 21 in -- where are you? In Germany? 22 COMMISSIONER ROBBINS: This over here -- 23 that's my castle. You know, that's my castle, and 24 so, you know, I'm going to go enjoy that and 25 everything.</p>	<p style="text-align: right;">201</p> <p>1 Commissioners put in as well, and I appreciate being 2 able to serve with you. Thank you.</p> <p>3 THE CHAIR: Thanks. Commissioner Burt. 4 COMMISSIONER BURT: Thanks. I don't want 5 to belabor the same points. But I think exactly 6 what Commissioner Taylor said is spot-on. From 7 Corina and -- I mean, if you have 12 positions, and 8 six of them are vacant, that means all of you are at 9 least doing double the work. At least. At least. 10 So -- so thank you, you and your team.</p> <p>11 You guys are just so great. It's like -- 12 and, Ms. Barnes, thank you so much. I just think, 13 like, the -- I'm so grateful for the -- the 14 collabora- -- the demeanor in which you go about 15 your work is very supportive of our schools and very 16 collaborative.</p> <p>17 And I love to watch you work with -- with 18 schools and with other attorneys of schools you 19 should be opposing, but we're, like, working 20 together somehow. And it's really a breath of flesh 21 air. And it's best -- that's what's best for our 22 kids.</p> <p>23 So, everyone, have a great weekend. And 24 everything that Mike Taylor said, spot on. And I 25 agree.</p>

<p style="text-align: right;">202</p> <p>1 THE CHAIR: Commissioner Chavez. 2 COMMISSIONER CHAVEZ: Good afternoon, 3 everyone. 4 Gosh. I'm sorry I'm always late for 5 things. So my apologies. It seems like the last 6 month or so has just been just insane. 7 But to that, I want to just bring 8 attention to everybody and just let everybody know 9 and -- that, you know, there seems to be a lot of 10 focus on -- and it's definitely happening at the 11 legislative breakouts, groups and committees, that 12 this idea, a lot of focus on learning slide that 13 happened last year and whatnot. And there tends to 14 be an idea that we're all back -- we're back to 15 normal; we're face-to-face; we're all back to 16 normal. 17 And we're not. And, you know, there seems 18 to be this idea that, you know -- you know, we've 19 got to focus on the academics of things. But, you 20 know, after the most difficult year that we dealt 21 with last year, our kids are not back emotionally 22 and socially. And to have that expectation that, 23 you know, we're back to normal, you know, let's 24 focus on academics, let's start focusing on the 25 learning loss or learning slide or whatever you want</p>	<p style="text-align: right;">204</p> <p>1 unrealistic. 2 And if you're talking to people out in the 3 field, please encourage them, because we're all 4 working really hard. And we're working in a time 5 where, I think it's -- there's some unrealistic 6 goals that are out there. And everybody is working 7 hard to try to make up that gap. But it's just 8 going to take some time. 9 And so that's all I have to say. Thank 10 you. 11 THE CHAIR: Thanks. And I think you're 12 right. I think those that aren't in it have this 13 perception that, "Oh, school's back. Everything is 14 normal and everything" -- you know. And it's -- you 15 know, those that are still involved in whatever 16 fashion understand that, you know, "I don't know 17 what normal will ever be again." You know? That's 18 the bottom line. 19 And, yeah, you're absolutely right. You 20 have to thank -- we should still continue those 21 parades like they had last year for the staff 22 because I worry that, you know, we've got staff 23 shortages already. This year is not going to help. 24 And I think it's going to help inform some people to 25 leave when they may have been able to stay a year or</p>
<p style="text-align: right;">203</p> <p>1 to call it, is a little unrealistic. 2 And I just want to bring attention to 3 that, because making up for last year is not going 4 to happen overnight. It's not going to happen in 5 one year. And, as I stated, it's not normal. This 6 is not normal. 7 If you look at it, every school had to do 8 an enhanced plan or a mitigation plan to the 9 toolkit, the COVID response toolkit. And if you 10 look at that, if you look just at the toolkit 11 itself, you'll see that all the things that have to 12 happen, we're not back to normal, guys. 13 And so schools are still having to deal 14 with COVID. And contact tracing and the amount of 15 time that that takes is just -- it's tremendous. 16 And the stress that is still there from our 17 teachers -- our teachers are still stressed. Our 18 administrators are stressed. There's a lot going 19 on. And I'm hearing it statewide, that people are 20 really feeling the stress. 21 And to have the added stress and having 22 the Legislature then also draw on top of the 23 pressure of trying to just make up for all of last 24 year, it's going to take two or three years to get 25 back to normal. And I think it's just a little</p>	<p style="text-align: right;">205</p> <p>1 two more. But it's, like, "I just -- I just can't." 2 And I can't imagine starting as a new 3 teacher in this environment. I can't, you know. So 4 I don't know if there is a good spot for -- you 5 know, for some. And at least the seasoned ones have 6 a better ability to adapt a little bit. But it's 7 stressful. It is. And, you know, I hope the 8 supports are there for them. 9 Commissioner Manis. 10 COMMISSIONER MANIS: I just want to say 11 thanks for the great meeting, everyone, and to echo 12 what most other Commissioners said, and have a great 13 weekend. Thanks. 14 THE CHAIR: Thanks. My only one add is I 15 really am happy that Secretary Steinhaus mentioned 16 yesterday that they're looking at the -- how we 17 address Yazzie-Martinez and asking for input from 18 all stakeholders, including us. 19 So I look forward -- you know, as the 20 Director said, how culture and identity is so 21 important, so that, hopefully, we can help with that 22 initiative. So I'm looking forward to that 23 opportunity. 24 So that being said, I'll entertain a 25 motion to adjourn.</p>

1 COMMISSIONER ROBBINS: So move.
 2 THE CHAIR: Nobody wants to leave.
 3 There's a motion by Commissioner Robbins.
 4 Oh, sorry. Director?
 5 DIRECTOR CORINA CHAVEZ: Yes. I'm sorry,
 6 also. But I forgot to give you guys a reminder that
 7 we are having a roundtable. And I certainly hope
 8 that you all will be able to make it.
 9 It is next Wednesday, the 29th. And at --
 10 I believe it's -- it's in the morning, like at 9:30
 11 or -- I have it at 9:30, but it might start at
 12 10:00.
 13 And so I hope that you all will make it.
 14 I'll make sure that you get an invitation if you
 15 haven't already seen it. But I wanted to remind
 16 you. I hope you can come.
 17 THE CHAIR: Okay. Thank you. So, once
 18 again, there's a motion to adjourn by Commissioner
 19 Robbins.
 20 I think there was a second by Commissioner
 21 Burt.
 22 Commissioner Burt.
 23 COMMISSIONER BURT: All right.
 24 Commissioner Burt, yes.
 25 Commissioner Carrillo.

1 BEFORE THE PUBLIC EDUCATION COMMISSION
 2 STATE OF NEW MEXICO
 3
 4
 5
 6
 7 REPORTER'S CERTIFICATE
 8 I, Cynthia C. Chapman, RMR, CCR #219, Certified
 9 Court Reporter in the State of New Mexico, do hereby
 10 certify that the foregoing pages constitute a true
 11 transcript of proceedings had before the said
 12 NEW MEXICO PUBLIC EDUCATION COMMISSION, held in the
 13 State of New Mexico, in the matter therein stated.
 14 In testimony whereof, I have hereunto set my
 15 hand on September 30, 2021.
 16
 17
 18
 19 _____
 Cynthia C. Chapman, RMR-CRR
 New Mexico Certified Reporter #219
 BEAN & ASSOCIATES, INC.
 20 201 Third Street, NW, Suite 1630
 Albuquerque, New Mexico 87102
 License Expires: 12/31/2021
 21
 22
 23
 24
 25 Job No.: 5658N (CC)

1 COMMISSIONER CARRILLO: Yes.
 2 COMMISSIONER BURT: Commissioner Chavez.
 3 COMMISSIONER CHAVEZ: Yes.
 4 COMMISSIONER BURT: Commissioner Davis.
 5 COMMISSIONER DAVIS: Yes.
 6 COMMISSIONER BURT: Commissioner Gipson.
 7 THE CHAIR: Yes.
 8 COMMISSIONER BURT: Commissioner Manis.
 9 COMMISSIONER MANIS: Yes.
 10 COMMISSIONER BURT: Commissioner Robbins.
 11 COMMISSIONER ROBBINS: Yes.
 12 COMMISSIONER BURT: Commissioner Taylor.
 13 COMMISSIONER TAYLOR: Yes.
 14 COMMISSIONER BURT: And Commissioner
 15 Voigt.
 16 COMMISSIONER VOIGT: Yes.
 17 THE CHAIR: All right. That passes
 18 unanimously, nine-zero.
 19 Okay. We are adjourned. Safe travels to
 20 anyone. Have a good weekend. See you all soon.
 21 Thank you.
 22 (Proceedings concluded at 2:02 p.m.)
 23
 24
 25

1 RECEIPT
 2 JOB NUMBER: 5658N CC Date: 9/24/21
 3 PROCEEDINGS: OPEN PUBLIC MEETING
 4 CASE CAPTION: In re: Open Public Meeting of the
 5 Public Education Commission
 6 *****
 7 ATTORNEY: MS. BEVERLY FRIEDMAN - PED
 8 DOCUMENT: Transcript / Exhibits / Disks / Other ____
 9 DATE DELIVERED: _____ DEL'D BY: _____
 10 REC'D BY: _____ TIME: _____
 11 *****
 12 ATTORNEY:
 13 DOCUMENT: Transcript / Exhibits / Disks / Other ____
 14 DATE DELIVERED: _____ DEL'D BY: _____
 15 REC'D BY: _____ TIME: _____
 16 *****
 17 ATTORNEY:
 18 DOCUMENT: Transcript / Exhibits / Disks / Other ____
 19 DATE DELIVERED: _____ DEL'D BY: _____
 20 REC'D BY: _____ TIME: _____
 21 *****
 22 ATTORNEY:
 23 DOCUMENT: Transcript / Exhibits / Disks / Other ____
 24 DATE DELIVERED: _____ DEL'D BY: _____
 25 REC'D BY: _____ TIME: _____

1 BEFORE THE PUBLIC EDUCATION COMMISSION

2 STATE OF NEW MEXICO

3
4
5
6
7 REPORTER'S CERTIFICATE

8 I, Cynthia C. Chapman, RMR, CCR #219, Certified
9 Court Reporter in the State of New Mexico, do hereby
10 certify that the foregoing pages constitute a true
11 transcript of proceedings had before the said
12 NEW MEXICO PUBLIC EDUCATION COMMISSION, held in the
13 State of New Mexico, in the matter therein stated.

14 In testimony whereof, I have hereunto set my
15 hand on September 30, 2021.

16
17
18 *Cynthia Chapman*

19 Cynthia C. Chapman, RMR-CRR
20 New Mexico Certified Reporter #219
21 BEAN & ASSOCIATES, INC.
22 201 Third Street, NW, Suite 1630
23 Albuquerque, New Mexico 87102
24 License Expires: 12/31/2021

25 Job No.: 5658N (CC)

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 843-9492

**BEAN
& ASSOCIATES**, Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com