

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

OPEN PUBLIC MEETING

March 18, 2022

9:00 a.m.

VIA ZOOM WEBINAR VIDEO TELECONFERENCE

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2	<p>1 APPEARANCES</p> <p>2 COMMISSIONERS:</p> <p>3 REBEKKA BURT, Chair</p> <p>4 GLENNA VOIGT, Vice Chair</p> <p>5 MELISSA ARMIJO, Member</p> <p>6 STEVEN CARRILLO, Member</p> <p>7 MICHAEL CHAVEZ, Member</p> <p>8 GEORGINA DAVIS, Member</p> <p>9 KT MANIS, Member</p> <p>10 DAVID ROBBINS, Member</p> <p>11 MICHAEL TAYLOR, Member</p> <p>12 PED STAFF:</p> <p>13 CORINA CHAVEZ Director</p> <p>14 Charter School/Options for</p> <p>15 Parents and Families Division</p> <p>16 BRIGETTE RUSSELL, Deputy Director, Options for</p> <p>17 Parents and Families</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 COUNSEL TO THE PEC:</p> <p>25 JULIA HOSFORD BARNES, ESQ.</p> <p>Barnes Mediation and Law, PC</p> <p>200 W. DeVargas Street, Suite 7</p> <p>Santa Fe, New Mexico 87501</p>	4
3	<p>1 INDEX TO PROCEEDINGS</p> <p>2 PAGE</p> <p>3 1 Call to Order, Roll Call, 4</p> <p>4 Pledge of Allegiance,</p> <p>5 Salute to the New Mexico Flag</p> <p>6 2 Approval of Agenda 5</p> <p>7 3 Open Forum 6</p> <p>8 4 Consent Agenda 6</p> <p>9 5 Discussion and Possible Action on Item(s) 7</p> <p>10 Removed from the Consent Agenda - Tabled</p> <p>11 6 Discussion and Possible Action on 7</p> <p>12 Rulemaking and Joint Action with PED</p> <p>13 7 Discussion and Possible Action on 39</p> <p>14 Draft 2022 Charter Renewal Application</p> <p>15 8 Discussion and Possible Action on 48</p> <p>16 PEC Attorney Contract Extension</p> <p>17 9 Report from Charter School Division 66</p> <p>18 10 Reports from PEC Liaisons 76</p> <p>19 11 Report from the Chair 81</p> <p>20 12 PEC Commissioner Comments - No Discussion 104</p> <p>21 or Action Taken</p> <p>22 13 Adjourn 112</p> <p>23 REPORTER'S CERTIFICATE 115</p> <p>24 ATTACHMENTS:</p> <p>25 1 List of Open Public Meeting Attendees</p>	5

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1 COMMISSIONER ARMIJO: Commissioner Taylor.
 2 COMMISSIONER TAYLOR: Yes.
 3 COMMISSIONER ARMIJO: Commissioner Manis.
 4 COMMISSIONER MANIS: Yes.
 5 COMMISSIONER ARMIJO: Commissioner Davis.
 6 COMMISSIONER DAVIS: Yes.
 7 COMMISSIONER ARMIJO: The motion is
 8 approved.
 9 THE CHAIR: Thank you. All right. And
 10 I'll put into the record that Commissioner Chavez is
 11 now present.
 12 The next item is Open Forum. There are --
 13 is nobody signed up to speak, so we will move
 14 forward to the Consent Agenda.
 15 I will move to approve the Consent Agenda.
 16 COMMISSIONER CARRILLO: Second.
 17 THE CHAIR: Thank you. Motion by
 18 Commissioner Burt and a second by Commissioner
 19 Carrillo.
 20 Any discussion?
 21 (No response.)
 22 THE CHAIR: All right. We're going to
 23 vote. Secretary Armijo.
 24 COMMISSIONER ARMIJO: Commissioner Burt.
 25 THE CHAIR: Yes.

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1 COMMISSIONER ARMIJO: Commissioner Voigt.
 2 COMMISSIONER VOIGT: Yes.
 3 COMMISSIONER ARMIJO: Commissioner
 4 Robbins.
 5 COMMISSIONER ROBBINS: Yes.
 6 COMMISSIONER ARMIJO: Commissioner Taylor.
 7 COMMISSIONER TAYLOR: Yes.
 8 COMMISSIONER ARMIJO: Commissioner Chavez.
 9 COMMISSIONER CHAVEZ: Yes.
 10 COMMISSIONER ARMIJO: Commissioner Manis.
 11 COMMISSIONER MANIS: Yes.
 12 COMMISSIONER ARMIJO: Commissioner Davis.
 13 COMMISSIONER DAVIS: Yes.
 14 COMMISSIONER ARMIJO: And Commissioner
 15 Armijo.
 16 That passes, nine to zero.
 17 THE CHAIR: Thank you. That brings us
 18 forward to Item No. 6, Discussion and Possible
 19 Action on Rule-Making and Joint Action with the PED.
 20 I would like to direct Commissioners to
 21 know that you do have a memo from Ms. Barnes in your
 22 Google Drive under the folder of -- that is
 23 share- -- the -- it's Folder No. 4, JHB Shared with
 24 the PEC. There are draft motions in there.
 25 I would -- would you like to do a summary

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1 of this item, Ms. Barnes, for us?
 2 Thank you.
 3 MS. JULIA BARNES: Thank you, Chair. I
 4 think what I'd like to do is summarize what I think
 5 possible options for you are. And I think you have
 6 a range of them.
 7 I've tried to draft several motions. And,
 8 also, we -- if someone wants to draft a different
 9 motion, we could -- we can take a break and I can
 10 talk to you about what kind of language you want.
 11 Given the conversation over the last
 12 several months, I guess including yesterday, I went
 13 to try to look at what options you have, and,
 14 actually, was looking carefully at the MOU today.
 15 The MOU has a mediation in the event of a dispute.
 16 So I have one motion that -- one possibility, I
 17 think, is that you can move forward with -- there's
 18 two forms of -- of documents in the meeting minutes.
 19 One is a document with language that I
 20 think the PEC or the Chair would have found
 21 acceptable, and we just went ahead and put that
 22 language.
 23 There's a second document that I think,
 24 but don't know, the PED might find acceptable.
 25 So one option would be to conditionally

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1 adopt the PEC draft. The Chair could send a formal
 2 request to have the cabinet secretary sign it
 3 jointly. And if the Secretary didn't, I think you
 4 could move for mediation under the MOU.
 5 There's all kinds of possible iterations
 6 of this. But this is just -- the second would be to
 7 take no action on the rule at all and to request
 8 mediation under the MOU.
 9 The third one that I think is possible is
 10 to adopt the PEC version of the rule, which is 6.a.
 11 in the documents, have the Chair send a formal
 12 request to the Secretary to jointly join, and if the
 13 Secretary does not wish to join, to direct the Chair
 14 to move ahead to finalize alone.
 15 There might be other iterations of the PEC
 16 version of the document that that -- that was kind
 17 of three that I thought might be possible.
 18 The next one is document 6.b., which we --
 19 I'm not sure, but it may be something that's more
 20 acceptable to the PED and to go ahead and adopt that
 21 one. If that is the case, I would suggest that PED
 22 staff and PED counsel finish that, and defend it, if
 23 necessary. And I told you yesterday I have some
 24 concerns.
 25 COMMISSIONER CARRILLO: Where are these?

10	<p>1 COMMISSIONER VOIGT: I can't find them, 2 either. 3 THE CHAIR: So there is -- in your main 4 Google Drive -- 5 COMMISSIONER CARRILLO: The PEC Google 6 THE CHAIR: Sorry. PEC. PEC Google 7 Drive, there is a Folder No. 4 that says, "JHB 8 Shared with PEC." 9 Inside of that is a document for some 10 draft motions for today. And that is where this is 11 coming from. 12 You might need to -- I see that 13 Commissioner Voigt is also having trouble it coming 14 up on hers. I can see it, so I know it's there. So 15 you might need to, like, delete your cookies, delete 16 your cache, and refresh your page so that that 17 folder shows up. 18 MS. JULIA BARNES: I can e-mail it, too. 19 COMMISSIONER CARRILLO: That would be 20 good. 21 THE CHAIR: Maybe e-mail -- I don't know 22 if anyone else online is having trouble opening up 23 this motion. 24 COMMISSIONER ROBBINS: No. 25 THE CHAIR: Everyone else is okay? Okay.</p>	12	<p>1 THE CHAIR: You will receive it in an 2 e-mail from Director Chavez. So look for an e-mail 3 from Director Chavez. Thank you. 4 DIRECTOR CORINA CHAVEZ: Just tell me your 5 e-mail address again, please. 6 THE REPORTER: I can't hear Director 7 Chavez speaking. 8 THE CHAIR: Thank you, Commissioner 9 Carrillo, for bringing this up so we can pause real 10 quick and make sure everyone has this. 11 So I know she's going over a lot right 12 now, and if you all can't see it -- 13 COMMISSIONER CARRILLO: It's my pleasure. 14 THE CHAIR: Thank you. This is when I was 15 a teacher, and I would tell my students, "Someone 16 ask the question, because there might be other kids 17 in the class that have the same question as you. 18 Don't be afraid to ask the question." 19 (Pause in the proceedings to resolve 20 accessibility issue.) 21 MS. JULIA BARNES: Commissioners, would 22 you like me to start from the top again, then? 23 Quickly? Or not? 24 COMMISSIONER CARRILLO: I haven't got it 25 yet.</p>
11	<p>1 COMMISSIONER ROBBINS: No. 2 THE CHAIR: Okay. Thank you. 3 Commissioner Robbins, you cannot find it? 4 COMMISSIONER ROBBINS: No, and I've 5 refreshed. 6 THE CHAIR: Okay. Can you just e-mail it 7 to all Commissioners, just to ensure they have it? 8 MS. JULIA BARNES: I don't have that. Can 9 I send it to you? Shoot. 10 UNIDENTIFIED SPEAKER: Can you see it? 11 UNIDENTIFIED SPEAKER: No, you can't. You 12 can't see it. No, you can't. 13 THE CHAIR: Okay. We're going to work -- 14 DIRECTOR CORINA CHAVEZ: Do you want me to 15 send it to all the Commissioners? 16 MS. JULIA BARNES: Yeah. And then -- 17 THE CHAIR: Thank you, Corina. 18 COMMISSIONER CARRILLO: Thank you, Corina. 19 MS. JULIA BARNES: If someone can then 20 show me how to pull a document off of Google back to 21 your computer, that would be a great thing. 22 THE CHAIR: I can help you with that. So, 23 Commissioners, we're going to go ahead -- 24 DIRECTOR CORINA CHAVEZ: I'm e-mailing it 25 to all Commissioners.</p>	13	<p>1 COMMISSIONER VOIGT: I got mine. 2 THE CHAIR: I think it would be good if 3 you can summarize those first ones. Because I think 4 people might have been looking for this and -- 5 COMMISSIONER ARMILLO: And not listening? 6 THE CHAIR: Yeah. So I think we can go 7 ahead and start over. We're not too far into it. 8 MS. JULIA BARNES: Commissioner Carrillo, 9 you're good? 10 COMMISSIONER ROBBINS: Here it is. 11 Sometimes I'm slow to receive this, so I'm slow on 12 the uptake. 13 COMMISSIONER DAVIS: I don't have the 14 e-mail yet. 15 THE CHAIR: Okay. Thank you, Commissioner 16 Davis. That's what -- I do want to -- I'm checking 17 in with you all online to make sure you all have it 18 before we get started again. So keep refreshing 19 that e-mail, and, hopefully, it'll pop through. 20 DIRECTOR CORINA CHAVEZ: Commissioner 21 Armijo, did you get it? 22 COMMISSIONER ARMILLO: I did. 23 COMMISSIONER DAVIS: There it is. I have 24 it now. 25 THE CHAIR: Great. Thank you,</p>

<p style="text-align: right;">14</p> <p>1 Commissioner Davis. I saw a thumbs-up from 2 Commissioner Robbins and Commissioner Taylor? 3 Oh. Not Commissioner Robbins yet. Okay. 4 Commissioner Chavez, are you -- 5 COMMISSIONER CHAVEZ: (Indicates.) 6 THE CHAIR: Okay. Great. 7 MS. JULIA BARNES: I think, actually, I'll 8 back up just a little bit for Commissioner Chavez. 9 The short version of yesterday is we had 10 hoped to have an agreement with the PED on the rule 11 language, and that did not happen. So we're just 12 looking at what options you want to take today, 13 given that. 14 So I've put two documents in the folder 15 for today. One is language that I think the 16 Executive Committee would have -- it does find 17 acceptable and would have recommended it to you all 18 as a Commission. 19 The second document is slightly changed 20 with what the -- I don't know. But think that PED 21 might find acceptable. 22 So on the first document, I think you have 23 a series of options, and maybe more that you can 24 think of. But these are what I've drafted. 25 First is that you conditionally adopt the</p>	<p style="text-align: right;">16</p> <p>1 of those, so I'm just trying to give you things that 2 came to my mind. 3 The next one moves to the second document, 4 adopting the 6.b. version. And my suggestion is, 5 because I don't agree that they could just move 6 forward to finalize it, that PED staff and PED 7 counsel finalize that and defend any challenge, if 8 there is one. 9 The next one would be just, you know, 10 the -- the -- the timing issue for the rule is we 11 wanted to get through all of the forms in year one. 12 And we're losing that time the longer we wait. 13 And the Executive Committee and the Chair 14 have asked not to move forward with any of the 15 document approvals till the rule was, but -- and so 16 there's a time -- I appreciate that sentiment, and 17 it's starting to put a timing issue on us. 18 So one suggestion would be just -- start 19 the approval process. I'm sorry. (Inaudible) Thank 20 you for that suggestion. 21 The next one -- so this one would be 22 just -- I suggest don't adopt a process -- or just 23 adopt a process for this year, getting documents 24 finalized as quickly as we can. I've put two 25 possible dates: July 1 for as many as can be done;</p>
<p style="text-align: right;">15</p> <p>1 rule and ask the Chair to send a formal request to 2 have the Secretary sign jointly and finalize the 3 rule that the PEC finds acceptable. 4 If the Secretary agrees, we would move -- 5 you would move forward with the rule. If the 6 Secretary didn't, the Chair would be directed under 7 the MOU to request mediation. 8 I've had to do it conditionally adopted, 9 because once you adopt a rule you only have 14 days 10 to move it towards finalizing it. So there's a 11 dealing with the State Rules Act a little bit. 12 A second option, I think, would just be to 13 ask for mediation under the MOU, take no action on 14 any rule but to say, "We're going to trigger the MOU 15 in a more formal way." 16 I will note that the MOU identifies many 17 of the things that we have identified as giving you 18 authority. It's just consistent with what we've 19 been talking about. 20 A third option would be to adopt the rule, 21 ask the Secretary to do it jointly, and, if not, ask 22 the Chair to just move forward. Jointly would be 23 the first preference; singly would be the option if 24 the Secretary didn't decide to do that. 25 Again, I think that you could combine some</p>	<p style="text-align: right;">17</p> <p>1 December for the final date for all documents for 2 the school -- the schools. That would be consistent 3 with our conversations yesterday to do a contract 4 and a Performance Framework and a possible process 5 on decision -- high-stakes decision-making. 6 So we would -- you would just move to move 7 ahead with that process. And then you can request a 8 letter to the Attorney General, because we have so 9 many opinions on so many sides about what we're 10 supposed -- you're supposed to do or not do, and do 11 you have to do it, and you don't have to do it. 12 And so the Attorney General has already 13 been asked once, and you could submit that directly 14 to the Attorney General and request a resolution of 15 it, because I think you're in a position where it's 16 hard to know where you're supposed to go. 17 COMMISSIONER CARRILLO: Just a quick 18 question regarding the AG, Ms. Barnes. What's a -- 19 I mean, what's the timeline on them? They could 20 just -- 21 MS. JULIA BARNES: They could do nothing. 22 They've already done nothing for three years. 23 COMMISSIONER CARRILLO: Yeah. 24 MS. JULIA BARNES: Right. No one has ever 25 responded to the Senator's request previously.</p>

18	<p>1 However, the thinking is -- my thinking on this 2 motion would be you're going to move forward on the 3 thing we wanted to try to do for this first year. 4 We're just going to start doing it. And then -- and 5 then a letter to the Attorney General with a second 6 request.</p> <p>7 And it's even not outside of the realm of 8 possibility to also see if secretary -- Senator 9 Ivey-Soto would also make a request. Chairs can 10 make a request. Senators, Representatives can make 11 a request.</p> <p>12 Does the Attorney General have to act? 13 No.</p> <p>14 Is it an election year with a lot of 15 things going on? Yes.</p> <p>16 So I don't know what the Attorney General 17 would do.</p> <p>18 You are, however, in a position that 19 you've just got a bunch of different lawyers you 20 could pick from. And that was -- I mean, I think 21 it's been clear for months that that's true.</p> <p>22 So that's one of your options, I think.</p> <p>23 I -- I am -- was just asked to try to 24 draft some options for you, and there you go.</p> <p>25 THE CHAIR: Thank you. I'm going to open</p>	20	<p>1 do, and I don't think that they have that authority 2 in this case.</p> <p>3 THE CHAIR: Thank you. 4 Commissioner Davis.</p> <p>5 COMMISSIONER DAVIS: I would like for us 6 to start the approval process and submit a letter to 7 the Attorney General.</p> <p>8 THE CHAIR: Commissioner Voigt. 9 COMMISSIONER VOIGT: Thank you, 10 Madam Chair.</p> <p>11 I like that recommendation, Commissioner 12 Davis. I feel that the rule-making piece has really 13 divulged into a time vacuum, and nothing -- we're 14 spinning our wheels. And I think that because the 15 end game is so that the PEC can make Rules of 16 Procedure, solely that, I do not see how that a 17 rule-making entitlement would leverage any more than 18 what we are solely looking to do.</p> <p>19 So I look at the -- starting the approval 20 process as well. Thanks.</p> <p>21 THE CHAIR: Commissioner Armijo? 22 COMMISSIONER ARMIJO: Yeah. That's how I 23 feel, too. I would like to start the approval 24 process and submit a letter to the Attorney General. 25 THE CHAIR: I do have a clarifying</p>
19	<p>1 up for discussion now. Commissioner Carrillo. Then 2 Commissioner Robbins.</p> <p>3 COMMISSIONER CARRILLO: So there are 4 five -- I'm counting -- five options; is that -- do 5 you have also? -- I mean, to be able to refer to 6 them maybe numerically as 1 through 5.</p> <p>7 For me, based on what you've said so far 8 and what we discussed yesterday. And for anyone 9 paying attention, we discussed this for hours 10 yesterday this topic, so it's not as though we're 11 making a hasty decision today.</p> <p>12 I'm inclined to move forward, ask the AG 13 for their opinion, but move forward with what we 14 believe is the correct thing to do and just get that 15 ball rolling.</p> <p>16 THE CHAIR: Commissioner Robbins. 17 COMMISSIONER ROBBINS: Well, I -- I 18 believe we have the authority. Our counsel has 19 stated previously that she believes we have the 20 authority, absent -- and we do not need a second 21 approval from PED.</p> <p>22 I think -- I'm leery about doing it with 23 the PED's Secretary's approval jointly, because that 24 puts us in a -- in a way, in a subordinate position 25 to the PED that they could overrule things that we</p>	21	<p>1 question for the three of you that just spoke. Do 2 you mean that you want to start the approval process 3 for this rule? Or the approval process outside of 4 the rule process?</p> <p>5 COMMISSIONER VOIGT: That. 6 THE CHAIR: Okay. 7 COMMISSIONER VOIGT: Yeah. Just that. 8 COMMISSIONER CARRILLO: That we promulgate 9 our rule concurrently; right? No? 10 THE CHAIR: Yeah. Yeah. Yeah. Thank you 11 for -- I think this is confusing. 12 COMMISSIONER VOIGT: So I like the idea of 13 starting the approval process, of submitting a 14 letter to the Attorney General that -- to approve 15 all rules and procedures for the 2022 to 2023 school 16 year. Item No. 5, basically on this list. 17 THE CHAIR: Ms. Barnes, can you clarify 18 what No. 5 is asking? 19 MS. JULIA BARNES: I'm sorry. There's a 20 typo in 5. It's a typo in 5. You would have been 21 in the process -- it's all the documents that are on 22 the website. And they're not rules. So please take 23 that word out and replace it with "forms." 24 COMMISSIONER VOIGT: Thank you. Yes. 25 Because I was worrying about that myself.</p>

22	<p>1 MS. JULIA BARNES: I'm sorry. That's</p> <p>2 wrong.</p> <p>3 COMMISSIONER VOIGT: Forms. It was</p> <p>4 documents, basically.</p> <p>5 MS. JULIA BARNES: I'm fine to say "forms,</p> <p>6 policies, and procedures."</p> <p>7 The -- so what -- how this is drafted is</p> <p>8 we're going to start your year -- yearlong</p> <p>9 approval -- your approval that will last a year for</p> <p>10 all the forms, policies, and procedures online.</p> <p>11 There's two dates. The first is to do as</p> <p>12 many as you can by July 1, and all of them by</p> <p>13 December 2022.</p> <p>14 I think there's been a lot of discussion.</p> <p>15 There's a lot of documents on that website.</p> <p>16 And then the second is to the Attorney</p> <p>17 General letter. And I'm sorry for that confusion.</p> <p>18 THE CHAIR: Okay. So I just want to make</p> <p>19 sure. I'm going to clarify one more time,</p> <p>20 Ms. Barnes.</p> <p>21 The Option No. 5, to start the approval</p> <p>22 process and submit a letter to the Attorney General,</p> <p>23 removes this current rule process. It ends that,</p> <p>24 and takes what -- the content of what the rule was</p> <p>25 doing, which was to develop the process of approving</p>	24	<p>1 groups; there's four in one and two in another. So</p> <p>2 we're not all even looking at the same thing.</p> <p>3 Also, I cleared out my cookies, and I</p> <p>4 can't get into the Google Drive now. I tried to get</p> <p>5 back in, and I can't get back into the Google Drive.</p> <p>6 THE CHAIR: Let's go to the last</p> <p>7 underlined option.</p> <p>8 COMMISSIONER ROBBINS: But I'm not looking</p> <p>9 at the same thing you're looking at, because there's</p> <p>10 no No. 5.</p> <p>11 THE CHAIR: It is the same -- there is no</p> <p>12 No. 5. We're just referring to it as No. 5. We</p> <p>13 added numbers ourselves.</p> <p>14 DIRECTOR CORINA CHAVEZ: Chair Burt, if I</p> <p>15 may? Commissioner Robbins, the options are not</p> <p>16 numbered. However, what I just heard Ms. Barnes say</p> <p>17 is that there was a typo. So the final option,</p> <p>18 which is cut and paste into your e-mail, which</p> <p>19 says -- well, so, No. 1 is, "Move forward</p> <p>20 requesting..."</p> <p>21 No. 2 is, "Move to ask for mediation."</p> <p>22 No. 3 is, "Move after requesting..."</p> <p>23 4 is, "Move forward under PED authority."</p> <p>24 And -- and the final one that we're</p> <p>25 talking about right now, which says, "Start the</p>
23	<p>1 documents, forms, takes it out of rule process</p> <p>2 altogether and just moves us to start doing it with</p> <p>3 no rule overseeing it.</p> <p>4 MS. JULIA BARNES: Correct. It suspends</p> <p>5 the rule process. You don't have to remove it. You</p> <p>6 just let it sit there.</p> <p>7 THE CHAIR: Okay.</p> <p>8 MS. JULIA BARNES: And that my suggestion</p> <p>9 is that you just start doing it with no procedure or</p> <p>10 process till you get clarity about what you're</p> <p>11 supposed to do.</p> <p>12 THE CHAIR: Commissioner Robbins, you have</p> <p>13 your hand back up?</p> <p>14 COMMISSIONER ROBBINS: Yes, I do.</p> <p>15 THE CHAIR: Okay. I'm going to ask if</p> <p>16 Commissioner Taylor or Commissioner Chavez would</p> <p>17 like to speak before I go back into -- yeah, you're</p> <p>18 more than welcome to just shake your head; but --</p> <p>19 COMMISSIONER TAYLOR: (Indicates.)</p> <p>20 THE CHAIR: So we're going back into open</p> <p>21 comments again from Commissioners. Commissioner</p> <p>22 Robbins.</p> <p>23 COMMISSIONER ROBBINS: Well, the document</p> <p>24 that Corina sent us, the Director sent us, doesn't</p> <p>25 have a No. 5 on it. There are three different</p>	25	<p>1 approval process."</p> <p>2 I think that has been confusing; right?</p> <p>3 And so I'm wondering if Ms. Barnes cares to reword</p> <p>4 it in the Google Docs. Meanwhile, I can go into the</p> <p>5 Google file and make -- and remove you and then put</p> <p>6 you back in. That should help you to be able to get</p> <p>7 in.</p> <p>8 Just want to confirm, Commissioner</p> <p>9 Robbins, that you're using your Commission e-mail</p> <p>10 address.</p> <p>11 COMMISSIONER ROBBINS: I am.</p> <p>12 DIRECTOR CORINA CHAVEZ: Because that</p> <p>13 gives you access to Google or not.</p> <p>14 COMMISSIONER ROBBINS: I am.</p> <p>15 MS. JULIA BARNES: Director Chavez, I made</p> <p>16 those changes already.</p> <p>17 DIRECTOR CORINA CHAVEZ: Sounds like the</p> <p>18 changes are made. Give me a minute to take you out</p> <p>19 and put you back in.</p> <p>20 THE CHAIR: Director Chavez, I know this</p> <p>21 is also a little burdensome, but can you copy</p> <p>22 number -- that fifth option, as she just changed it,</p> <p>23 and e-mail it out to the Commissioners again? Oh.</p> <p>24 Ms. Barnes is doing that? Okay. No. Thank you.</p> <p>25 Okay. Director Chavez, can you copy --</p>

<p style="text-align: right;">26</p> <p>1 she -- the changes are in the Google Drive. You're 2 going to be able to see them. Can you go ahead and 3 copy and send that updated last option? 4 DIRECTOR CORINA CHAVEZ: It's going to 5 take a minute to do both. 6 THE CHAIR: Take your time. 7 All right. So I'll say I actually would 8 like to also -- I think that we're in a place -- 9 I -- I think I'm not -- I don't feel comfortable 10 moving forward under PED authority as they're 11 requesting. I don't feel fully comfortable with 12 that. 13 I don't feel fully comfortable -- well, I 14 should say I do feel comfortable moving under PEC 15 authority. But I do believe that would then 16 initiate conflict, and we will have to go through 17 that process with the PED of resolving the conflict. 18 I don't think -- from -- from my 19 conversations, I don't think we're in a place where 20 there's going to be movement in the 14 days if we 21 submit it. And so I think it's just going to start 22 a conflict, which we will then have to figure out, 23 and who knows how long and drawn-out that would be. 24 And I'm just not -- I don't feel like that's the 25 right way to move forward as well at this time.</p>	<p style="text-align: right;">28</p> <p>1 make would relate to the PEC and would include 2 "appropriate coordination with and support by the 3 Public Education Department." 4 So the letter would ask the AG, "What's 5 the appropriate relationship between the two 6 parties?" 7 You don't have to say that. That's all 8 I'm -- I'm just saying that I added that, that 9 that -- the Commissioners have to put that in a 10 letter to the Attorney General. 11 THE CHAIR: Commissioner Robbins. And 12 then Commissioner Carrillo. 13 COMMISSIONER ROBBINS: Thank you. You 14 know, I agree with you, Chair, that -- but I don't 15 think suspending or delaying, you know, the rule. 16 What we should do -- because if we just ask for an 17 opinion, because this is -- has been mentioned 18 before. We can ask for an opinion. And we may not 19 have an answer back for months or years. 20 But if we implement the rule, and after 21 that -- implement the rule today -- submit a letter 22 to the AG stating we've implemented this rule, 23 asking for the opinion of whether or not we had the 24 authority -- we can always rescind the rule. But if 25 he says we don't have the authority, then we could</p>
<p style="text-align: right;">27</p> <p>1 So I also would support suspending the 2 rule process as it is, taking this procedure that 3 we've developed as part of this rule, implementing 4 it, right now, today. You know, we can start 5 implementing that. And then I would also like to 6 send a letter to the Attorney General and get a 7 third-party opinion on this and just take it out of 8 the conflict with PED and PEC and get a third-party 9 opinion. 10 I don't think mediation is going to be 11 super fruitful at this time. So that's also -- I 12 just don't think that's the route to go. 13 Ms. Barnes. And then Commissioner 14 Robbins. 15 MS. JULIA BARNES: When you read No. 5, I 16 have put in there the collaboration with the PED. 17 You would need to decide if -- I have indicated, 18 "that would approve appropriate coordination with 19 support by the Public Education Department." That's 20 a judgment call on my part, but you could accept 21 that or not. 22 DIRECTOR CORINA CHAVEZ: I missed that. 23 Could you repeat? 24 MS. JULIA BARNES: So on No. 2, it says 25 that the letter that the Chair would be directed to</p>	<p style="text-align: right;">29</p> <p>1 always rescind it. 2 But, again, trying to work with PED to get 3 their approval just delays things. But we could 4 also be delaying things for months or years. But if 5 we actually have a rule in place, I think that puts 6 a little bit of urgency under the AG to respond, if 7 they feel we do not have authority, which I would 8 like to have, you know -- you know, that opinion 9 would be nice to have. 10 But I think that is the best option is 11 implement the rule and then ask the AG for a 12 opinion. 13 Thank you. 14 THE CHAIR: Thank you. 15 Commissioner Carrillo. 16 COMMISSIONER CARRILLO: Thank you, Bekka. 17 So first thing I just notice is on line -- 18 paragraph 1 on -- start the approval on Section 5, 19 there should be a December -- like, what? -- 31st? 20 11th? 1st? December something. It just says 21 "December 2022." 22 MS. JULIA BARNES: The only thought I had 23 on that. I had put a date of December 31. But you 24 actually only have a meeting on December 11th or 25 something. So we could put that meeting date.</p>

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1 COMMISSIONER CARRILLO: If we had to
 2 change the date. I mean, if you put a "31," at
 3 least it's done by the end of December, if we had to
 4 change dates or whatever.
 5 MS. JULIA BARNES: That's what I put
 6 first. Then I talked myself out of having a date.
 7 COMMISSIONER CARRILLO: All right. There
 8 just seems to be there needs to be a date. When --
 9 this may be a language thing. I tend to -- I hear
 10 what David is saying -- oh, this is a formal
 11 meeting.
 12 I hear what Commissioner Robbins is saying
 13 and tend to agree, that both things can be done
 14 concurrently. Promulgate a rule. We promulgate a
 15 rule ourselves, do what we need to do in the next 14
 16 days, act as though, because we believe we have the
 17 authority, and just continue forward on the other
 18 stuff.
 19 Is that what you mean, Julia, by start the
 20 approval process?
 21 No.
 22 Fine. Fine. Then I would say there is
 23 that sixth option. And I agree with Commissioner
 24 Robbins there. And I think it -- it'll light a
 25 fire. It'll -- by us having our rule, it'll compel,

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1 I believe, those people that don't believe we have
 2 the authority to write their own letters to the AG.
 3 We write a request to the AG, and then I
 4 think we might get answers sooner.
 5 So thank you, Commissioner Robbins.
 6 THE CHAIR: Thank you.
 7 Commissioner Taylor.
 8 COMMISSIONER TAYLOR: Yes, ma'am. Thank
 9 you. I actually like the way No. 5 is written. I
 10 think that what that allows us to do is it allows us
 11 to -- since we've submitted a letter to the AG, it
 12 puts the -- the rule in -- like you said,
 13 suspension, or, like, a -- maybe puts it in limbo
 14 and allows us to continue to operate the way that we
 15 need to operate until we get an opinion maybe from
 16 the Attorney General.
 17 So -- and I like that second paragraph
 18 where Julia added the, you know, "in coordination
 19 and support by the Public Education Department,"
 20 because it includes them. We're not trying to be
 21 adversarial, you know. We're trying to include them
 22 and be cooperative with the PED in this process.
 23 So I really like the way that 5 reads, and
 24 I think it's appropriate for this situation; so...
 25 THE CHAIR: Thank you.

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1 Director Chavez?
 2 DIRECTOR CORINA CHAVEZ: I think the
 3 language -- so I just sent an e-mail. But,
 4 actually, I'm reading, and it might not have been
 5 the right one.
 6 So Commissioners -- no, it is. It's the
 7 current language that's in that document where
 8 they're numbered.
 9 So I think the language that is No. 5,
 10 "Start the approval process..." is confusing. I
 11 don't know that that's been clarified. Because
 12 approval of what? And so I'm wondering if we should
 13 change that language so that it's clear. Approval
 14 not of the rule, but of PEC procedures in regard to
 15 putting out documents -- the content of the rule;
 16 right? Putting out documents ahead of time, giving
 17 time for input before voting on it. That's
 18 basically what we're talking about.
 19 But when it says, "Start the approval
 20 process..." I think that's ambiguous. So I just
 21 want to make sure that Commissioners are clear about
 22 that.
 23 And then because 5 has two parts to it,
 24 one in which Ms. Barnes said was what she believes
 25 needs to happen, which is to prepare the letter for

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1 the Attorney General, I'm wondering -- and I
 2 think -- that it is possible for Commissioners to
 3 leave out one or two of the -- one of the steps for
 4 that two-step language.
 5 So although there's five options listed in
 6 this memo, I actually feel like there's multiple
 7 options; right?
 8 THE CHAIR: Definitely.
 9 Commissioner Davis.
 10 COMMISSIONER DAVIS: I think both of those
 11 steps need to be there. So that's my comment.
 12 THE CHAIR: Thank you.
 13 Commissioner Voigt.
 14 COMMISSIONER VOIGT: If there's no further
 15 discussion, I will make a motion.
 16 Oh, sure.
 17 THE CHAIR: Okay. Ms. Barnes.
 18 MS. JULIA BARNES: I'm not sure what
 19 motion you're going to make, so I did want to
 20 indicate to Commissioner Robbins, who I actually
 21 don't see right this second, if you're going to
 22 promulgate the rule, I want to make sure that
 23 there's not an obligation to send it to the State
 24 Records Act, that you promulgate it with a
 25 condition -- that you promulgate it conditionally

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1 and seek the Attorney General's opinion on that.
 2 And then if I can just say that -- I just
 3 want to go back to what Director Chavez was saying,
 4 because I think it should be clear. I think begin
 5 the process to approve all of the forms, policies,
 6 and procedures for the 2022-2023 school year might
 7 be clearer. It was unclear. But at least I think
 8 that's clear.
 9 And you're right. And I had the word
 10 "rule," so that's gone now. And that was really
 11 unclear.
 12 THE CHAIR: All right. Commissioner
 13 Voigt.
 14 Yeah. Commissioner Voigt.
 15 We will still be able to have discussion
 16 even after a motion is made.
 17 COMMISSIONER VOIGT: Okay. Thank you.
 18 And just for courtesy of the audience -- oh, here I
 19 am. Okay.
 20 I move that the Public Education
 21 Commission start the approval process for PEC
 22 procedures and submit a letter to the Attorney
 23 General to approve all of the forms, policies, and
 24 procedures for the 2022-2023 school year, providing
 25 notice on the website of the documents to be

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1 approved by July 1st, 2022, and that those will be
 2 approved no later than December 31st, 2022, and
 3 providing no less than 30 days for comment prior to
 4 approval, and the Chair prepare a letter to the
 5 Attorney General requesting direction regarding the
 6 process for rule-making related to PEC that would
 7 include appropriate coordination with and support by
 8 the Public Education Department, given the statutory
 9 authority of each, or request that a determination
 10 that PEC rule-making is not needed.
 11 COMMISSIONER TAYLOR: Second.
 12 THE CHAIR: Okay. There's a motion by
 13 Commissioner Voigt and a second by Commissioner
 14 Taylor.
 15 Any discussion?
 16 (Chair consults with Commission counsel.)
 17 THE CHAIR: Commissioner Carrillo.
 18 COMMISSIONER CARRILLO: So based on the
 19 motion, then, we are not promulgating a rule and
 20 sending it to the State rules people in 14 days.
 21 We're not taking that move, but we're taking all the
 22 other moves to just get this off our plate.
 23 THE CHAIR: Correct. I think this motion
 24 would suspend the current rule process, move all the
 25 content of the rule into our processes, start

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1 following --
 2 COMMISSIONER CARRILLO: Which we're doing
 3 anyway.
 4 THE CHAIR: We've been -- I feel strongly
 5 that we've been doing this for a while now, as best
 6 as possible.
 7 It would suspend the rule process,
 8 continue doing the content of the rule, what we're
 9 supposed to be doing.
 10 COMMISSIONER CARRILLO: Yeah. I hear.
 11 THE CHAIR: And then send a letter to the
 12 Attorney General. And then that would be our next
 13 steps.
 14 COMMISSIONER CARRILLO: Okay. Yeah. I
 15 get it. And I would say -- no, I understand. We're
 16 good. Thank you.
 17 THE CHAIR: Any other discussion?
 18 All right.
 19 Secretary Armijo, roll call.
 20 COMMISSIONER CARRILLO: I have a quick
 21 question. How come we only can see three
 22 Commissioners and whoever is speaking, when we used
 23 to be able to see everybody?
 24 THE CHAIR: That is everybody.
 25 COMMISSIONER CARRILLO: Well, where is

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1 David?
 2 THE CHAIR: He's not present right now.
 3 COMMISSIONER VOIGT: I see KT.
 4 MS. MISSY BROWN: If their cameras are
 5 off, you cannot see them.
 6 THE CHAIR: If they're present and their
 7 cameras are off, we cannot see them on our screen.
 8 But we do have -- Commissioner Robbins is no longer
 9 present. But we do have Commissioner Manis; he is
 10 present. But we cannot -- he doesn't have his video
 11 on. So --
 12 COMMISSIONER CARRILLO: Okay. I -- you
 13 know --
 14 THE CHAIR: There he was.
 15 COMMISSIONER MANIS: Yeah. I'm
 16 (inaudible) right now.
 17 COMMISSIONER CARRILLO: This is a
 18 Steveism, maybe. But I think they need to have --
 19 THE CHAIR: You can log into Zoom, and you
 20 can see what you want to see.
 21 COMMISSIONER CARRILLO: Oh, okay. But you
 22 said David is not present.
 23 COMMISSIONER DAVIS: No, I'm here.
 24 COMMISSIONER CARRILLO: No. David -- I
 25 mean Commissioner --

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39	<p>1 THE CHAIR: All right. The motion passes. 2 That moves us to Item No. 7, Discussion 3 and Possible Action on Draft 2022 Charter Renewal 4 Application. 5 I do want to, again, thank Brigitte for 6 all the work in getting this to where it's at. If 7 you-all would like to summarize where we're at, I 8 don't know if Director Chavez -- or if it's 9 Brigitte -- if you would like to summarize this item 10 so we can move forward on it. 11 DR. BRIGETTE RUSSELL: I believe I -- 12 well, no, I actually don't need to be a panelist. 13 So yesterday at the Work Session, we 14 presented the revised application for charter 15 renewal. And the PEC approved another round of 16 edits. 17 Yesterday's edits were cleanup edits; 18 there was nothing substantive. The only -- the 19 only -- the most substantive thing we did was remove 20 the glossary of terms because definitions were 21 embedded elsewhere in the document. Now we have a 22 cleaned-up 2022 application, a Part B that schools 23 submit, Part C that schools submit, and a Part E 24 that schools submit. 25 All the other parts are just appendices or</p>	41	<p>1 to know if you wanted that caveat reflected in the 2 document. 3 THE CHAIR: Yes, I think if -- approving 4 it today, we need to probably make that known to the 5 schools, that next month we would look at those -- 6 the time frame. Not the content. Everything that 7 they need to do in the renewal application will 8 remain the same; just when they need to do it might 9 need to change a little bit. 10 So I'll pass it over to Ms. Barnes to 11 clarify and explain to make sure all the other 12 Commissioners understand as well. 13 MS. JULIA BARNES: Another way to do it 14 would be I've drafted a motion that provides notice 15 to the school as part of the motion. That's another 16 way to do it. 17 The possible deadline issue has to do with 18 The GREAT Academy court decision. It doesn't as 19 much have to do with schools that the -- the schools 20 that CSD recommends a condition or CSD recommends 21 nonrenewal. The issue is more you're at a December 22 meeting, and you-all want to put a condition on a 23 school, or you want to non-renew a school that was 24 not something that was in a CSD recommendation -- a 25 CSD recommendation, we can give notice to the</p>

<p style="text-align: right;">42</p> <p>1 schools that this action might be taken. 2 The issue is what would happen in 3 December -- and, actually, this did happen this 4 December. This December, you-all put a condition on 5 a school based on what you had heard that day. 6 I think the court decision is going to 7 require that the school have time to respond if they 8 want, and it doesn't have to be right there on the 9 spot. 10 So that's the timing issue. 11 There may be a way to give them an 12 opportunity to respond in January. But, if not, 13 we've got to move everything back as one of the 14 possible options. 15 So I think you can talk about it next 16 month. But what I don't want is for you-all to be 17 at a meeting in December with no ability to do 18 anything other than approve a charter. And you 19 sometimes do want to add a condition that day. 20 So we've got to tie the court decision and 21 those requirements into your process. And I think 22 discussing it in April would work. 23 THE CHAIR: Director Chavez. 24 DIRECTOR CORINA CHAVEZ: So in a 25 situation, Ms. Barnes, where the CSD has not made a</p>	<p style="text-align: right;">44</p> <p>1 THE CHAIR: Director Chavez. 2 DIRECTOR CORINA CHAVEZ: If I may, 3 Commissioners, the timeline for renewals is already 4 tight; right? Applications come in October 1. And 5 sometimes school performance data is released after 6 that date, so it's already tight. 7 We do our absolute best to give the most 8 current information. I think pushing it so that 9 schools submit an application sooner, we review and 10 make a recommendation sooner, tightens it even 11 further and provides you with less information. 12 The Commission has a precedent of asking 13 schools to extend a deadline on things. I -- I 14 can't cite exactly how far of a deadline. But there 15 have been times when we've asked schools if a 16 decision that is written in statute could be 17 extended, and the schools have agreed to that, 18 understanding the process and the reason behind it. 19 I think that if this is something that is 20 new because of the judge's decision and something 21 that we have to do, I would ask us to think about 22 all the different options, and potentially pushing 23 it forward might make sense. 24 Keeping in mind that the current timeline 25 for the renewals that occurred -- you know, we're</p>
<p style="text-align: right;">43</p> <p>1 recommendation for a condition of renewal, but PEC 2 feels like there should be a condition of renewal, 3 two things would need to happen: 4 One, the decision would not be made in 5 December; and, two, the school would need to be -- 6 would need to sign off on an agreement that they are 7 delaying the renewal -- their okay with PEC delaying 8 the renewal decision. Right? 9 MS. JULIA BARNES: The attorneys for the 10 school would disagree with what you just said. I 11 think what you just said is one way to go, which 12 is -- all of this is why I think it's good to 13 discuss this in April so that we can flesh out the 14 options. 15 The -- just to tell you what the lawyers 16 were saying that was different than what you just 17 said, the law says the PEC has to make a decision 18 six months before. That's December. So their 19 position was you couldn't not make a decision in 20 December and comply with the law. You couldn't push 21 it into January. 22 I see some other options that we could 23 talk about. But one of them is moving the date of 24 the applications and possibly hearing things in 25 November. I'm just keeping your options open.</p>	<p style="text-align: right;">45</p> <p>1 just getting into contract negotiations here next 2 month. 3 Those applications came in October. The 4 decision was made in December. January, February, 5 March has been a little bit of dead time, if you 6 will, where these sort of things could be worked 7 out. 8 THE CHAIR: Any other discussion? 9 Commissioner Voigt. 10 COMMISSIONER VOIGT: If we're ready for a 11 motion. 12 So I move that the Public Education 13 Commission adopt the 2022 Charter Renewal 14 Application with notice provided to the renewing 15 schools that due to a recent court decision, the 16 PEC, at the April working session and meeting, may 17 consider changing the application due date to an 18 earlier day, and that charter input in this 19 discussion is welcome. 20 THE CHAIR: Second. 21 All right. So there's a motion by 22 Commissioner Voigt and a second by Commissioner 23 Burt. Any discussion? 24 I'll just say I'm very grateful for 25 Director Chavez' comments, because I know that</p>

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1 moving it forward is something that needs a lot more
 2 thought. And so we really do need to, over the next
 3 month, come up with options of how to do this.
 4 And I think involving the -- the charters
 5 and getting their input on it is going to -- I mean,
 6 I think it's going to be -- I know that their
 7 attorneys have said, you know, "Well, you know, you
 8 have to do it by -- you have to make this decision
 9 by December."
 10 I don't know if the charter schools are
 11 going to be happy if the alternative is that they
 12 have to submit their application earlier then. I
 13 don't think they're going to be necessarily happy
 14 with that it, either.
 15 So I think getting the charter schools'
 16 input on it is going to be helpful, Director Chavez
 17 and the team really figuring out options that could
 18 work.
 19 But I also am very concerned -- I mean,
 20 there definitely -- there was a -- for me, a serious
 21 enough conversation that came up during one of the
 22 renewals that did, like -- I felt very compelled to,
 23 you know, recommend a condition that was not there
 24 previously.
 25 So how do we do both things? Comply with

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1 this court order but still have the leverage we need
 2 to do what's right for the schools and their
 3 students at the same time? And so how can we move
 4 forward on that?
 5 So I'm grateful -- I support this motion,
 6 because I definitely think it needs more discussion.
 7 And I don't want to just stop with what we have
 8 today, but I'm definitely going to be very
 9 interested in the conversation next month about
 10 this.
 11 All right. Seeing no other discussion,
 12 secretary Armijo, roll call.
 13 COMMISSIONER ARMIJO: Commissioner Voigt.
 14 COMMISSIONER VOIGT: Yes.
 15 COMMISSIONER ARMIJO: Commissioner Robbins
 16 is not present.
 17 COMMISSIONER ROBBINS: Yes.
 18 THE CHAIR: Yes, he is.
 19 COMMISSIONER ROBBINS: Yes.
 20 COMMISSIONER ARMIJO: I'm sorry. Was that
 21 a "yes"?
 22 COMMISSIONER ROBBINS: Yes.
 23 COMMISSIONER ARMIJO: Thank you.
 24 Commissioner Taylor.
 25 COMMISSIONER TAYLOR: Yes.

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1 COMMISSIONER ARMIJO: Commissioner Chavez.
 2 COMMISSIONER CHAVEZ: Yes.
 3 COMMISSIONER ARMIJO: Commissioner Manis.
 4 COMMISSIONER MANIS: Yes.
 5 COMMISSIONER ARMIJO: Commissioner Davis.
 6 COMMISSIONER DAVIS: Yes.
 7 COMMISSIONER ARMIJO: Commissioner Gipson.
 8 Not present.
 9 Commissioner Armijo, yes.
 10 Commissioner Carrillo.
 11 COMMISSIONER CARRILLO: Yes.
 12 COMMISSIONER ARMIJO: And Commissioner
 13 Burt.
 14 THE CHAIR: Yes.
 15 COMMISSIONER ARMIJO: That passes, nine --
 16 nine -- it's approved.
 17 THE CHAIR: Thank you.
 18 All right. That moves us to Item No. 8,
 19 Discussion and Possible Action on PEC Attorney
 20 Contract Extension.
 21 For those of you not present in the room,
 22 I do want to mention that Ms. Barnes has left the
 23 room and will not be a part of this conversation and
 24 will not be present for this.
 25 But I would like to go ahead and turn over

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1 to Director Chavez, if you can kind of explain what
 2 we're looking at here.
 3 COMMISSIONER CHAVEZ: Thank you,
 4 Chair Burt.
 5 Commissioners, in your Google Doc -- your
 6 Google folder -- let's see. Hold on, because I need
 7 to bring up more than one thing.
 8 What I want you to look at is an excerpt
 9 that I took from the existing contract with
 10 Ms. Barnes. And I want for you to see that it has
 11 the scope of work, and it also has some language
 12 that's in the existing contract that speaks to --
 13 and I want to use the right language, so give me a
 14 minute to open up that.
 15 Okay. This is 08; so it's in your folder
 16 as "08, PEC Attorney Contract."
 17 And, again, this was pulled from the
 18 contract. And it shows that this contract is
 19 actually a professional services contract between
 20 the Public Education Department and Barnes Mediation
 21 and Law, okay?
 22 And so, then, the scope of work is listed.
 23 And I would ask for you to take a look at the
 24 bullets.
 25 Do you have the document?

50	<p>1 COMMISSIONER CARRILLO: I can't find it. 2 Do you have it? Does anyone else have trouble 3 finding it? 4 DIRECTOR CORINA CHAVEZ: Okay. So let's 5 pause a moment while I support Commissioner Carrillo 6 in getting it up. 7 COMMISSIONER CARRILLO: Everybody else 8 have it? Am I the only one? Could be. Okay. 9 COMMISSIONER DAVIS: I would like -- I 10 would like for it to be e-mailed. 11 COMMISSIONER VOIGT: I can e-mail it to 12 her. I can do it. Are you doing it, Brigitte, or 13 do you want me to? 14 DIRECTOR CORINA CHAVEZ: Dr. Russell is 15 going to pull the document from the PEC Google 16 folder and e-mail it to the Commissioners. 17 If you look at the invitation to today's 18 meeting that I sent, there was a link to the Google 19 folder so that you would be able to access it. 20 That's another way that you might be able to find 21 these documents. 22 But the place that you can find it is in 23 today's meeting folder, which has all of the 24 documents that we're talking about on the agenda. 25 COMMISSIONER CARRILLO: Isn't that what I</p>	52	<p>1 Was this -- 2 COMMISSIONER DAVIS: I have also had that 3 problem in the past. 4 THE CHAIR: We'll definitely deal with the 5 Google Drive issues offline. But if you could also 6 send that e-mail to Commissioner Robbins with this 7 document? 8 Okay. So that e-mail should be coming -- 9 Dr. Russell sent it to all Commissioners. So you 10 should get this document that we're discussing in 11 your e-mail. If you can't get into Google Drive, 12 you don't need to. It should be coming through in 13 your e-mail. 14 Thank you, Commissioner Manis. 15 DR. BRIGETTE RUSSELL: Commissioner 16 Robbins, if there's a different e-mail you need me 17 to forward it to? 18 COMMISSIONER ROBBINS: No. I do have the 19 e-mail. I just can't log into the Google Drive. 20 When I connect to the Google Drive, it says my 21 account does not exist. Or District 2, PEC 22 District 2. 23 THE CHAIR: Okay. We're going to get in 24 touch with you, Commissioner Robbins. Dr. -- 25 they'll get in touch with you and do this after this</p>
51	<p>1 have up right now? 2 DIRECTOR CORINA CHAVEZ: No. So you're in 3 the drive. And today's meeting is right here, okay? 4 COMMISSIONER CARRILLO: 'Cause it -- okay. 5 The reason I didn't -- 6 THE CHAIR: Commissioner Carrillo, your 7 microphone is on. 8 COMMISSIONER VOIGT: Your mic is on. 9 THE CHAIR: Thanks. 10 (Pause while document issue is resolved.) 11 THE CHAIR: All right. Is there -- I just 12 want to check in with those of you online and make 13 sure all of you have it. If you could give a 14 thumbs-up -- that's a "yes," Commissioner Chavez, 15 for you? Okay. 16 COMMISSIONER CHAVEZ: (Indicates.) 17 THE CHAIR: Okay. 18 COMMISSIONER ROBBINS: Dave Robbins. I 19 can't get back in the Google Drive. So I still 20 can't -- I can't even log into, you know, the Google 21 Drive. I'm in my e-mail. But when I try to connect 22 to the Google Drive, it says the account does not 23 exist. 24 THE CHAIR: Okay. Thank you, Commissioner 25 Robbins.</p>	53	<p>1 meeting. 2 So just, right now, look for the document 3 in your e-mail. Don't worry about your Google 4 Drive. 5 COMMISSIONER ROBBINS: I have the 6 document. 7 THE CHAIR: Okay. Great. So we can move 8 forward. 9 All right. Director Chavez, are you ready 10 to move forward? 11 No? 12 All right. Director Chavez. 13 DIRECTOR CORINA CHAVEZ: Okay. All right. 14 So, hopefully, everybody has that, and they can see 15 the bullet points that speak to the scope of work 16 that's in the current contract. 17 And then what I pasted at the bottom of 18 that document is some language that talks about 19 term. 20 And Commissioner Carrillo already realized 21 that and turned to me, saying, "Oh, my gosh, this 22 expires June 30th, 2022," which it does, unless we 23 extend the contract, which this contract allows for 24 an extension for four years -- right? -- including 25 this one.</p>

<p style="text-align: right;">54</p> <p>1 So we are at a place right now at the 2 Public Education Department where contracts that we 3 wish to extend beyond this fiscal year, we have a 4 timeline, a pretty tight timeline for needing to put 5 into place the process that would extend the 6 contract. And, again, this contract, although -- 7 although Ms. Barnes is a PEC attorney, it's the 8 contract between the PED and Ms. Barnes. 9 So I just wanted everybody to be super 10 clear about that, about the scope of work. We 11 thought really carefully about the bullets that were 12 included in this. And we have a pretty short 13 timeline. Dr. Russell is bringing up the timeline 14 that -- our internal timeline at the PED for moving 15 forward with this. 16 So hold tight. 17 THE CHAIR: All right. Any discussion 18 from Commissioners? 19 Commissioner Carrillo. 20 COMMISSIONER CARRILLO: Under -- first 21 off, nothing has changed under scope of work, has 22 it, from previous? 23 DIRECTOR CORINA CHAVEZ: This is the 24 existing contract, Commissioner Carrillo. 25 COMMISSIONER CARRILLO: Okay. Got it.</p>	<p style="text-align: right;">56</p> <p>1 contract for four years. But... 2 COMMISSIONER CARRILLO: Just like we do 3 with superintendents; we just add -- okay. Got it. 4 Thank you. 5 DIRECTOR CORINA CHAVEZ: So we wouldn't 6 need to buy out a contract if -- 7 COMMISSIONER CARRILLO: Not unless they 8 became a coach for the Lobos. Okay. 9 DIRECTOR CORINA CHAVEZ: Yeah, right. 10 Additionally, Commissioners, you should be 11 able to find in your e-mail box an e-mail from 12 Dr. Russell that talks about the last day to submit 13 contract extensions is March 21st. So we're running 14 up against the deadline. 15 COMMISSIONER CARRILLO: Kind of got to do 16 it today. 17 DIRECTOR CORINA CHAVEZ: The contract that 18 ends June 30, 2022. 19 COMMISSIONER CARRILLO: Thank you. 20 THE CHAIR: Commissioner Robbins. 21 COMMISSIONER ROBBINS: Yes. I agree that 22 a four-year term, especially since, in January, 23 we'll probably have some new Commissioners. And I 24 think, you know, we should do these for no more than 25 two years, because every two years, we can have new</p>
<p style="text-align: right;">55</p> <p>1 DIRECTOR CORINA CHAVEZ: So I have not 2 proposed any changed language. This is exactly what 3 is current. 4 COMMISSIONER CARRILLO: Okay. And has 5 Ms. Barnes proposed any changes? Or is she -- 6 DIRECTOR CORINA CHAVEZ: There has been no 7 discussion about changing the language. 8 COMMISSIONER CARRILLO: Terrific. So -- 9 line -- "The agreement shall terminate on June 30th, 10 2022, unless..." -- should it say "extended"? I 11 mean unless terminated pursuant to paragraph 4 or 12 paragraph 5, appropriations which we don't have 13 that. 14 And then -- so there's that question of, I 15 mean, by what means do we extend it? 16 And the other question would be is -- what 17 is a normal -- is four -- four years seems excessive 18 in terms of a contract. Is that normal with State 19 contracts or -- you know? Just curious. 'Cause 20 then you have to buy out a contract if you're not 21 happy; right? 22 DIRECTOR CORINA CHAVEZ: So if I may? 23 Commissioner Carrillo, that is why each year, we 24 have to approve it for the next year. So all this 25 is saying is that you can continue to extend the</p>	<p style="text-align: right;">57</p> <p>1 Commissioners. And if we do it for four years, 2 basically any new Commissioners that come on are 3 locked into what was done previously. 4 And, again, I don't see a reason for 5 extending it for four years when a two-year or 6 perhaps even a one-year, and then let the 7 Commissioners next year, any new Commissioners that 8 can -- along with any current Commissioners, can go 9 ahead and extend it for two years at that time. 10 THE CHAIR: Commissioner Robbins, Director 11 Chavez is going to clarify, because that's not the 12 correct information. 13 DIRECTOR CORINA CHAVEZ: So if I may, 14 Commissioner Robbins, we're making a decision to 15 extend for a year. I wanted you to know that. 16 COMMISSIONER ROBBINS: Okay. 17 DIRECTOR CORINA CHAVEZ: The existing 18 contract allows for annual extensions up to four 19 years before we go through the RFP process, which we 20 did prior to Ms. Barnes becoming the PEC attorney. 21 And that's an extensive process. 22 So I'm not anticipating that we are going 23 through that process again. But should you decide 24 that that's what you wanted to do, we would need to 25 start immediately. Otherwise, we would need to</p>

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1 extend the contract for one year. And every fiscal
 2 year, we have to go through the extension process
 3 once again.
 4 COMMISSIONER ROBBINS: And I appreciate
 5 that clarification. I think the one-year extension
 6 is fine.
 7 I do have a concern, as I expressed a year
 8 ago, that this contract is between PED and our
 9 attorney. Again, we're basically subjugating
 10 ourselves under PED authority. They are
 11 administrative support. They are not the governing
 12 authority over PEC.
 13 And I just have a concern, when a
 14 contract -- because we -- we have the ability to
 15 enter into contracts. I mean, every charter school
 16 we have, we have a contract. So we have the ability
 17 to directly contract with the attorney.
 18 It's fine if PED Purchasing wanted to look
 19 at it to make sure everything is in order. But I
 20 have a great concern of everything being done under
 21 the authority of PED, because that subjugates us.
 22 Thank you.
 23 THE CHAIR: Thank you. Commissioner
 24 Voigt. Then Commissioner Davis.
 25 COMMISSIONER VOIGT: Thank you,

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1 Madam Chair.
 2 I just want to say that, you know, our --
 3 our current attorney has been the most -- since I've
 4 been on the Commission -- the most transparent and
 5 collaborative of -- that I've seen thus far. And I
 6 think that in her first year, she has really forged
 7 through to try to build relationships and
 8 congeniality between the Commission and the PED. I
 9 think it can only get better going another year.
 10 And there's not a line around the corner
 11 of attorneys willing to apply for this position. So
 12 I think, you know, we have an experienced attorney;
 13 we have someone who has a history with charter
 14 schools. And I think that Ms. Barnes has done a
 15 stellar job, a lot in this past year.
 16 THE CHAIR: Commissioner Davis.
 17 COMMISSIONER DAVIS: I'm agreeing with
 18 Commissioner Robbins about the contract being
 19 between the PED and the attorney. But also I had a
 20 question about the term. And the Director explained
 21 that. So I'm good with that.
 22 THE CHAIR: Thank you. Any other
 23 discussion?
 24 (No response.)
 25 THE CHAIR: All right. I'll also say I --

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1 I also agree with Commissioner Voigt. I think
 2 Ms. Barnes has done an exceptional job of building
 3 relationships, I think, with PED. But also I think
 4 one of the things that I've noticed is the -- is a
 5 very big change is building the bridge with the
 6 attorneys for the charter schools.
 7 I think they came in -- she came into them
 8 feeling very unheard, unwelcome, not listened to,
 9 and has been able to -- and has been working
 10 diligently to change that demeanor to where it feels
 11 more collaborative to them.
 12 But I do still believe she does an
 13 exceptional job of upholding PEC standards and
 14 representing the PEC and the accountability
 15 authority that we have to exude as well.
 16 So I know this goes both ways. Not only
 17 do we have to, you know, extend it; but she also has
 18 to accept our extension.
 19 So I think that's also -- I do just want
 20 to -- I -- I -- I'm -- I -- I really am looking
 21 forward to, you know, her accepting it and working
 22 out the rest of this year as Chair with her, because
 23 we really are working on trying to figure out
 24 collaborative approaches and time frames and
 25 timelines, and we do have more work to do on that.

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1 So I don't want her to go right now.
 2 Commissioner -- before I go back to
 3 Commissioner Robbins, I want to see if anyone else
 4 who has not spoken would like to speak at this time,
 5 and then I'll go back to Commissioner Robbins.
 6 (No response.)
 7 THE CHAIR: Okay. Thank you.
 8 Commissioner Robbins?
 9 COMMISSIONER ROBBINS: Yes. I -- I didn't
 10 want, in my earlier comments about only having a
 11 one-year and having a contract going, you know,
 12 between PEC and the attorney -- I have been very
 13 pleased with Ms. Barnes' representation and advice
 14 and counsel that she's provided. So I didn't want
 15 my earlier comments to be misconstrued that I didn't
 16 want her or that we should go out and rebid this. I
 17 have been very pleased.
 18 I just think that the contract itself
 19 should be between PEC and Ms. Barnes.
 20 Thank you.
 21 THE CHAIR: Thank you. Any other
 22 discussion? I would entertain -- okay.
 23 Director Chavez, before we do a motion.
 24 DIRECTOR CORINA CHAVEZ: Yes. I actually
 25 feel like there might be a bullet missing in the

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1 scope of work that is posted. So hold on a minute,
 2 because I actually think that I should have provided
 3 the entire contract, which is lengthy and has a lot
 4 of boilerplate language.
 5 However, in reviewing the scope of work
 6 that was shared with you, I think there is a final
 7 bullet point that's not listed there. So if we
 8 could have a minute to identify that contract and
 9 make sure that the Commission has the full scope of
 10 work?
 11 THE CHAIR: Okay.
 12 DIRECTOR CORINA CHAVEZ: Hold on.
 13 THE CHAIR: So we're going to take just a
 14 second.
 15 COMMISSIONER CARRILLO: While we're taking
 16 a minute, KT, that background that you have looks
 17 like you're getting a mug shot done.
 18 COMMISSIONER DAVIS: That's what I
 19 thought, too. The only thing that's missing is the
 20 height marker.
 21 COMMISSIONER CARRILLO: Exactly.
 22 COMMISSIONER MANIS: Yeah. I'm in one of
 23 the extra spaces at my mom's building that she has
 24 in Hobbs that's not being utilized right now. So I
 25 took the space that I could get.

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1 COMMISSIONER DAVIS: Well, we can't see
 2 how tall you are.
 3 THE CHAIR: Okay. So based off the
 4 request of Director Chavez, we're going to take just
 5 a five-minute break so she's not feeling that
 6 everyone is watching her here.
 7 So we're going to take a five-minute
 8 break. So if anybody needs to go refill their
 9 coffee, now would be a time to go. So we'll come
 10 back at 10:20.
 11 (Recess taken, 10:15 a.m. to 10:31 a.m.)
 12 THE CHAIR: I will turn it over to
 13 Director Chavez.
 14 DIRECTOR CORINA CHAVEZ: Thank you,
 15 Chair Burt. Apologies to Commissioners. We are
 16 actually providing you with the signed contract in
 17 its entirety. Somebody asked about paragraph 4, so
 18 you can see -- and, again, there's a lot of
 19 boilerplate language in the contract.
 20 And you'll also note that there was a page
 21 break in the scope of work. So there's two
 22 additional bullet points on the scope of work that
 23 was in the excerpt that was uploaded to your -- and
 24 e-mailed to you to include two additional bullets
 25 that were left out when I cut and paste (verbatim)

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1 into the document.
 2 So I could either share screen, or you can
 3 look it up in the document. I think it might be
 4 easiest just to share screen and show you what I had
 5 originally left out.
 6 So these two bullet points -- if you see
 7 in the contract -- these two bullet points were not
 8 in the excerpt that I had provided, so just want to
 9 make sure that we're clear about the full scope of
 10 work.
 11 And, again, you'll have the entire
 12 contract and the entire scope of work. But these
 13 two additional bullet points, I wanted to let you
 14 know -- I apologize -- I left out of before.
 15 THE CHAIR: Thank you. I will say, just
 16 based off of -- just so Commissioners know, as of
 17 right now, Ms. Barnes is well under the anticipated
 18 budget. Significantly. So I just want to also -- I
 19 think that's one thing that we've discussed before
 20 as PEC is, you know, kind of the budget behind this,
 21 she's well under even the anticipated ending.
 22 There's going to be significant -- there could be
 23 significant amounts of money left in the contract
 24 still.
 25 Any discussion from Commissioners?

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1 All right. Commissioner Voigt.
 2 COMMISSIONER VOIGT: Yeah. If there's no
 3 further discussion, I'd like to make a motion that
 4 the Public Education Commission extend the current
 5 attorney contract for Julia Hosford Barnes, PC,
 6 through June 30th, 2023.
 7 COMMISSIONER DAVIS: I second that.
 8 THE CHAIR: Thank you. That is a motion
 9 by Commissioner Voigt and a second by Commissioner
 10 Davis.
 11 Any discussion?
 12 THE CHAIR: All right. Seeing --
 13 Commissioner Carrillo.
 14 COMMISSIONER CARRILLO: I would just echo
 15 what Commissioner and Vice Chair Voigt said earlier.
 16 It's been really wonderful not to be in conflict
 17 with our counsel. And so it's been really nice that
 18 way for this past however -- eight, nine months. So
 19 thanks.
 20 THE CHAIR: All right. Seeing no further
 21 comment, Secretary Armijo, roll call.
 22 COMMISSIONER ARMIJO: Commissioner Chavez.
 23 COMMISSIONER CHAVEZ: Yes.
 24 COMMISSIONER ARMIJO: Commissioner Davis.
 25 COMMISSIONER DAVIS: Yes.

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1 COMMISSIONER ARMIJO: Commissioner Gipson
 2 is not here.
 3 Commissioner Manis.
 4 COMMISSIONER MANIS: Yes.
 5 COMMISSIONER ARMIJO: Commissioner
 6 Robbins.
 7 COMMISSIONER ROBBINS: Yes.
 8 COMMISSIONER ARMIJO: Commissioner Taylor.
 9 COMMISSIONER TAYLOR: Yes.
 10 COMMISSIONER ARMIJO: Commissioner Voigt.
 11 COMMISSIONER VOIGT: Yes.
 12 COMMISSIONER ARMIJO: Commissioner Armijo
 13 is yes.
 14 Commissioner Burt.
 15 THE CHAIR: Yes.
 16 COMMISSIONER ARMIJO: And Commissioner
 17 Carrillo.
 18 COMMISSIONER CARRILLO: Yeah. That
 19 passes, nine-to-zero.
 20 THE CHAIR: Thank you. All right. So
 21 that -- I -- that moves us to Item No. 9, Report
 22 from Charter Schools Division. And I'll hand it
 23 over to Director Chavez again.
 24 COMMISSIONER CARRILLO: Should one of us
 25 go get -- oh.

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1 DIRECTOR CORINA CHAVEZ: All right. So I
 2 am going to tag-team with Ms. Brown on part of this,
 3 and want to make sure that everybody is here. So
 4 maybe we'll wait for Ms. Barnes to join us also.
 5 I'm not going to start with the CSD
 6 staffing updates quite yet. I will talk about the
 7 Charter Schools Division work.
 8 And I just want to say that our team --
 9 wow. We started site visits to schools. And we
 10 have so many visits, and we're mixing up the
 11 combination of staff people that are attending the
 12 schools.
 13 We are implementing a visit process that
 14 is similar to the past, but we are pretty clear
 15 that, in addition to conducting a desktop monitoring
 16 and having discussions at the school around
 17 compliance issues, that our role is also to provide
 18 technical assistance and support to the schools.
 19 So we started out with visits to some
 20 schools, and we've had many discussions about
 21 calibration.
 22 We've also conducted a training that
 23 included other people at the PED so that they might
 24 join us as team members, and a couple of contractors
 25 who will also be joining us. But just much

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1 gratitude to the Charter Schools Division staff who
 2 have taken lead in arranging for these visits, who
 3 have shown up at some of the schools.
 4 And what Ms. Brown has is a slide show
 5 from the visits that we've made so far.
 6 So I'm going to ask Ms. Brown to share the
 7 slide show with you now.
 8 (Slide show presented.)
 9 DIRECTOR CORINA CHAVEZ: Thank you, Missy.
 10 So that -- in that slide show, you saw
 11 that we visited SABE, Albuquerque Sign Language
 12 Academy, La Academia Dolores Huerta and SAMS. And
 13 through that, we saw really wonderful things
 14 happening in the schools.
 15 Much kudos to the school leaders for
 16 having kids' cooking classes, for having -- the
 17 program at La Academia Dolores Huerta is actually a
 18 community after-school program teaching Ballet
 19 Folklorico.
 20 I understand that Albuquerque Sign
 21 Language Academy showed how much individualized
 22 attention that the students that attend that school
 23 are able to get, and that at SAMS, we saw kids
 24 actually being pilots.
 25 So just wanted to let you know that those

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1 are the first four schools that we visited, that we
 2 are in the process of writing a report that we share
 3 with the schools.
 4 And over time, because we are now in
 5 March -- right? -- and we have until July before all
 6 the data comes in on the schools to be able to
 7 create an annual report, there's a lot of
 8 back-and-forth that is happening with the schools
 9 saying, "This is what we saw. This is where you're
 10 at on some of these indicators. If you have some
 11 evidence contrary to what we saw, let us know."
 12 Some indicators are what they are.
 13 There's no moving the needle, right? But there is
 14 still opportunities for schools to -- to put into
 15 place some things that would help their rating. And
 16 we anticipate that it's not going to be until after
 17 July when all of the data -- and even then, not all
 18 of the data will be in -- that we would have annual
 19 reports. But so we're doing a lot of the
 20 back-and-forth.
 21 This next week, we are visiting Turquoise
 22 Trail and Monte Del Sol. So we -- we're in the site
 23 visit mode and super excited about that.
 24 There's, of course, all the other work
 25 that the Charter Schools Division has been doing. I

70	<p>1 won't go into detail. I'd like to transition to 2 discussing the Charter Schools Division staffing 3 update. And -- 4 COMMISSIONER CARRILLO: Quick question. 5 When are you going to Turquoise Trail and Monte? 6 DIRECTOR CORINA CHAVEZ: Next week on 7 Thursday. 8 COMMISSIONER CARRILLO: They're both on 9 Thursday? Got it. 10 DIRECTOR CORINA CHAVEZ: Okay. So I'd 11 like to transition and talk about the charter school 12 staffing updates. So today I have good news and 13 not-so-good news to share. 14 And I've invited a couple of staff members 15 from upstairs to come down and to be here, because 16 I'd like to -- unfortunately, we are going to say 17 goodbye to Ms. Debbie Dolbow, who has been with the 18 Charter Schools Division for four years and provided 19 such tremendous and wonderful service as a business 20 operations staff person. 21 She helped usher through the process of 22 obtaining the contract with Ms. Barnes. She has 23 processed your travel. She has maintained and made 24 improvements on homeschool database. And those are 25 just a few of the highlights from this past year.</p>	72	<p>1 ditto what Chair Burt said and wish you all the best 2 going forth. It's been a pleasure working with you. 3 You've done just a really efficient job. And I've 4 really enjoyed our conversations, too, that have 5 nothing to do with education. Those are always the 6 best. Thanks very much for everything. 7 DIRECTOR CORINA CHAVEZ: So, Ms. Dolbow is 8 taking a promotion position with the Department of 9 Early Childhood Education. And so we celebrate that 10 great opportunity and wish her well. 11 I'd also like to introduce to you a new 12 team member who just joined -- wow -- last week. So 13 Ms. Trish Mortpadilla, welcome to the Charter 14 Schools Division. When you call our mainline, this 15 is who you will reach. Ms. Trish, we're so glad 16 that you're here, and we welcome you to the 17 division. And meet the Commissioners. 18 THE CHAIR: Commissioner Carrillo. 19 COMMISSIONER CARRILLO: Welcome to 20 Ms. Trish. And we look forward to working with you. 21 And, Debbie, I'm glad to hear you're going on to 22 continue working with kids. So thank you for your 23 years of service and your dedication to the children 24 in the public schools of New Mexico. 25 MS. DEBBIE DOLBOW: (Inaudible.)</p>
71	<p>1 Debbie, we are going to miss you 2 tremendously, and I know the Commission all thanks 3 you and wishes you well. And I just wanted you to 4 be here for us to say that to you. And I don't know 5 if someone wants to say something. 6 THE CHAIR: I know I'll say -- I feel very 7 fortunate that I was a colleague of Debbie's as well 8 when I worked at the PED. She is not just a 9 tremendous staff person, you know, someone who cares 10 deeply about their quality of work, has such pride 11 in their work; she's just an amazing human being as 12 well, like, just an awesome person to be around and 13 to work with. 14 So I -- I am feeling the pain of, you 15 know, people like Debbie are very difficult to 16 replace. Very glad for you for your new 17 opportunity, but -- you deserve all the things -- 18 all the good things in the world. But I do 19 understand the -- the heartbreak that it does cause 20 for CSD. 21 So congratulations in your new role. Wish 22 you all the best. They're going to be -- they're 23 going to be very lucky to have you there. 24 Commissioner Voigt. 25 COMMISSIONER VOIGT: Oh, I just want to</p>	73	<p>1 THE CHAIR: Can you come -- and now you 2 have to start over. 3 MS. DEBBIE DOLBOW: Thank you. I really 4 appreciate the kind words. It's been a pleasure. 5 It's been an interesting journey. I don't come from 6 the world of education. I come from the corporate 7 world. And it's -- so it's been a little different. 8 And -- but it's been exciting for the last four and 9 a half years, and never a dull moment. And I'm 10 hoping that some of the things that I've done will 11 have some lasting -- some -- will have some lasting, 12 positive changes for the PED and for education in 13 New Mexico and for the children of New Mexico. 14 So thank you, and it's been quite the 15 experience. 16 (Applause.) 17 DIRECTOR CORINA CHAVEZ: One final thing 18 about Ms. Mortpadilla. She and I were talking 19 earlier about the fact that we hadn't typically 20 served coffee at the PEC meetings. And 21 Ms. Mortpadilla has formerly worked with the 22 Santa Fe Chamber of Commerce. 23 And she said, "Oh, Ms. Chavez, you need to 24 give the Commissioners coffee." 25 So thank you so much, Trish. I think</p>

<p style="text-align: right;">74</p> <p>1 you're steering us in the right direction already, 2 and we're so glad you're here.</p> <p>3 So that's the staffing update. We have a 4 couple of -- so we are still in the process of 5 trying to fill the Charter Schools Division -- the 6 Charter Schools Program Grant Manager position, the 7 position that Dr. Russell held previously. So 8 that's open.</p> <p>9 Pretty soon we will have a Bus Ops 10 position posted. There are three other positions 11 that are in the works and will be posted. So send 12 people our way, once again. As these positions are 13 posted, I'll circulate them to Commissioners and to 14 folks so that -- publish to -- publish it with the 15 listservs that we have so that people can spread the 16 word and bring us good people.</p> <p>17 The team is fabulous. We do really 18 important work, and we look forward to additional 19 folks joining our team.</p> <p>20 I think I gave an update on the annual 21 site monitoring already. So I'm going to skip that 22 and go on to the 2022 Charter Schools Conference.</p> <p>23 We set the dates for June 9th and 10th. 24 So please, Commissioners, mark your calendars. That 25 conference is -- planning is in the works. So we</p>	<p style="text-align: right;">76</p> <p>1 let's all root for Ms. Porter. I know she does a 2 great job at the school, and I think that's 3 wonderful that she's been nominated.</p> <p>4 The other school that I want to highlight 5 is SODA, Schools of Dreams Academy, where a staff 6 member submitted a \$4.3 million proposal to add a 7 pre-K program to the school. And it was approved 8 by -- by the entity that approves it this past 9 Monday. So the school is awaiting an award letter. 10 They're expanding their services to serve younger 11 kids, and we're thrilled about the fact that our 12 schools continue to meet the needs in the community.</p> <p>13 And so that's my presentation. Thank you.</p> <p>14 THE CHAIR: Thank you. All right. That 15 moves us to Item No. 10, Report from PEC Liaisons. 16 For LESC and LFC, they have not met yet, 17 so I have no new news.</p> <p>18 Commissioner Armijo.</p> <p>19 COMMISSIONER ARMIJO: Yes. So I missed 20 our first meeting of the Indian Education Advisory 21 Council, and I felt really bad about it. But I was 22 able to find out -- they do a very good job of 23 updating all of the members.</p> <p>24 So they are looking for people to fill 25 some positions. And they're looking for consultants</p>
<p style="text-align: right;">75</p> <p>1 are also welcome to ideas. We hope that you will be 2 at the conference. We anticipate that it will be 3 some sort of a hybrid with at least one opportunity 4 for people to be physically in the same space. So 5 stay tuned on more -- on that conference. But 6 please also mark your calendar.</p> <p>7 So that's a Thursday-Friday, June 9th and 8 10th.</p> <p>9 All right. And so, finally, I want to 10 just give a couple of highlights on some charter 11 schools and to thank Ms. Mari for helping me get 12 information in place.</p> <p>13 So one of the schools that I'd like to 14 mention is a school that you recently renewed. New 15 America School-Las Cruces has just a tremendous -- 16 her title is "superintendent," but head 17 administrator in Ms. Margarita Porter. She has been 18 nominated by the National Alliance for Public 19 Charter Schools as a change-maker for making 20 positive impact on public charter education in their 21 communities.</p> <p>22 So the National Alliance will announce 23 their final awards on May 8th. But it's a huge 24 honor to know that one of our charter leaders was 25 nominated for this really prestigious award. And so</p>	<p style="text-align: right;">77</p> <p>1 who will create and develop digital online Diné 2 language and cultural resources for students and 3 teachers. And the resources will be housed at the 4 Navajo Nation website.</p> <p>5 And the requirements are schoolteacher or 6 DL teacher knowledgeable of Navajo culture and 7 capable of reading and writing Diné.</p> <p>8 Let's see. The other one is -- they're 9 looking for consultants who can strategize and plan 10 and develop and create a Diné language instructional 11 guide utilizing the curriculum framework, develop a 12 Diné cultural resource kit for classrooms and 13 students, and prepare a study guide for New Mexico 14 520 license certification program by September 7th, 15 2022.</p> <p>16 So they are seeking some people there. 17 And I will have more information when I attend a 18 meeting.</p> <p>19 Thank you.</p> <p>20 THE CHAIR: Thank you. Commissioner 21 Voigt.</p> <p>22 COMMISSIONER VOIGT: I have e-mailed 23 Mr. Stan Rounds to try to meet and/or attend a 24 New Mexico Coalition of Educational Leaders meeting 25 and have heard nothing back yet. And there's really</p>

<p style="text-align: right;">78</p> <p>1 nothing posted on their website about upcoming 2 events. So at this moment, I am -- I'm holding. 3 THE CHAIR: Commissioner Robbins. 4 COMMISSIONER ROBBINS: I'll be brief. 5 PSCOC is looking at ways to help charter schools. 6 Now, the Legislature did pass authority for the 7 New Mexico Finance Authority to offer loans up to 8 \$10 million in total; not per school, but in total. 9 That's kind of a drop in the bucket, but it is a 10 help. 11 They also -- the Legislature passed and, 12 the Governor signed, the elimination of the wording 13 in terms of classroom space. So now a charter 14 school will receive the whole lease assistance 15 per MEM, per student, up to their lease amount. So 16 if you calculate right now about \$762 per student, 17 so a school that has 100 students would get about 18 \$76,000 a year. 19 But if you have a school that the lease 20 costs \$90,000, you still only get the \$762,000 -- so 21 -- not 700-, but the \$76,000. But there's still a 22 big gap when the average district in the state is 23 spending close to \$3,000 per student per year on 24 capital. And some of the better-off districts -- 25 and that's their own money. That's their own money.</p>	<p style="text-align: right;">80</p> <p>1 THE CHAIR: Thank you. Commissioner 2 Manis. 3 COMMISSIONER MANIS: I do not have an 4 update at this time, as I was unable to attend the 5 last NMPSIA board meeting. The next meeting will be 6 on April 7th. 7 THE CHAIR: All right. Thank you. 8 Commissioner Carrillo. 9 COMMISSIONER CARRILLO: Nothing at this 10 time. However, I guess that means there is 11 something at this time. Have not met with Joe. 12 I'll make sure to call him top of next week. Joe 13 Guillen. 14 One of the things that was occurring to me 15 relative to this -- and I'm seeing this as my kind 16 of former position on the Santa Fe Public Schools 17 board -- I mean, I really think if they were open to 18 it, boards around the state could learn a lot from 19 the work that we do, especially the accountability 20 measures, performance frameworks innovation, if they 21 were open to the idea that someone may have answers 22 other than themselves. I just think they could 23 really learn a lot and elevate the level of 24 innovation, thinking, and performance. 25 But they're such -- my experience, at</p>
<p style="text-align: right;">79</p> <p>1 Better-off districts are spending \$5,000 or \$6,000 2 per year per student. So still working on trying to 3 get a little movement there. 4 Albuquerque Sign Language is proposing a 5 \$23 million building on land that the county owns. 6 It would be a great facility. They'd be able to 7 increase their enrollment to about 200 students; 8 right now, they're capped at about 100, because of 9 their space. But with the match that APS has right 10 now, they'd have to come up with 77 percent of that 11 cost. Next year, the match goes to 85 percent local 12 match. 13 Waivers are not allowed if -- or limited 14 to help out schools, especially as they've been 15 included in the capital bonding of the local school 16 district. So if -- let's just say if APS decided to 17 do a bond and include \$10,000 for Albuquerque Sign 18 Language, by our current rules, they would not be 19 eligible for a waiver. So you couldn't waive that 20 77 percent. 21 So there's some sticking points here. And 22 I think there's more to be done to make things 23 equitable on a capital basis. But we'll continue to 24 push forward on it. 25 Thank you.</p>	<p style="text-align: right;">81</p> <p>1 least the last time at the conference, is there was 2 such close-mindedness. But we'll see. 3 THE CHAIR: All right. Thank you. 4 Commissioner Taylor. 5 COMMISSIONER TAYLOR: Thank you. I -- I 6 have no report as I have not met with the Library 7 Commission as yet. So... 8 THE CHAIR: All right. Thank you. 9 All right. That brings us to Item No. 11, 10 Report from Chair. 11 So the first is Report on Newer Updated 12 PEC School Issues. 13 The only thing that's really come up in 14 the past month, which has come up in the past month 15 and already been resolved, is there was a delay in 16 the CSP Grant funding. And so schools were reaching 17 out -- grasping at anything they possibly could to 18 try to get that money. 19 The Director and Dr. Russell both really 20 stepped up and stepped in to advocate for them. And 21 the PED just has some delays in processing in 22 reimbursements to schools. I am sure Commissioner 23 Chavez experiences that sometimes, too. It's not, 24 you know, an isolated incident. 25 So both -- all of those schools have</p>

<p style="text-align: right;">82</p> <p>1 received -- they started receiving all that funding. 2 That includes -- the ones that felt like they were 3 most impacted were the -- our new schools, the 4 Rio Grande Academy of Fine Arts and THRIVE, because 5 that's the only funding they get. That's the -- you 6 know. And so they've been able to start receiving 7 that, and it seems to be moving forward. But that 8 was really the only thing that came up, and, like I 9 said, has been resolved in the past month with the 10 schools. 11 So next would be the -- if there's -- oh, 12 yeah. Report from Public Charter Schools of 13 New Mexico. So if we could bring Matt Pahl on 14 board. I'm sure he's not used to needing to be 15 available at 11:00 a.m. for his report. 16 Is he there? Okay. 17 MR. MATT PAHL: Madam Chair, members, I'm 18 not sure if you can hear me. 19 THE CHAIR: We can hear you. Go ahead. 20 Hi, Mr. Pahl. 21 MR. MATT PAHL: Hi, Madam Chair. Sorry. 22 I think my computer had some delays, so I wasn't 23 seeing anybody. 24 Because I'm not presenting to you at 4:00 25 after a really long day, and I'm not standing</p>	<p style="text-align: right;">84</p> <p>1 be cut on their lease assistance over time. By 2 eliminating that square footage requirement, we have 3 made it so funding is more predictable, and we 4 should receive those increases to help us afford new 5 leases or lease purchases in the future. 6 On the revolving loan fund. 7 At the Legislature, the hardest thing to 8 do is to get that fund set up. Commissioner Robbins 9 is right. That \$10 million is not a whole lot of 10 money. But each year we can go back and put in a 11 little bit more and advocate for a little bit more. 12 The \$20 million facility for ASLA is 13 really great and amazing. It's also a very 14 expensive charter school facility. Most of our 15 charter facilities are between \$7 million and 16 \$15 million. And what this does is it just provides 17 a refinancing mechanism. NMSA will not be making 18 construction loans. 19 And I have a slide that I'd like to show 20 you, just in case this isn't your -- your world 21 necessarily. I'd just like to share a scenario, 22 that, if you've touched charter school facilities, 23 you'd know that no facility scenario is the same 24 from one another. 25 But in this example, you know, we have</p>
<p style="text-align: right;">83</p> <p>1 immediately between you and lunch, I'll give you a 2 more thorough update than I normally do. That 3 includes, as Commissioner Robbins mentioned -- and I 4 won't pontificate. But I do have some updates. 5 So Commissioner Robbins mentioned House 6 Bill 43. That's a bill we've been working on for 7 three years and really came -- everything came 8 together really in a nice way. 9 As Commissioner Robbins mentioned, don't 10 be mistaken. Facility funding is not equal between 11 traditional public schools and charter schools. 12 What this does is it maximizes the current scenario 13 for charter schools, you know. 14 We had a -- as Commissioner Robbins 15 mentioned, there was this policy regarding square 16 footage that had been damaging to charter schools 17 and was set up to do more damage with each passing 18 year. That per-student allocation that Commissioner 19 Robbins mentioned should be increasing with the 20 consumer price index every year. It hasn't. 21 But this year, we are going to be pushing 22 hard for that. And each year that that distribution 23 mechanism increased, it would put more schools into 24 a square footage scenario. And so we'd find with 25 each passing year that more and more schools would</p>	<p style="text-align: right;">85</p> <p>1 Charter School A in a lease purchase agreement, 2 meaning they're currently making payments to own 3 their facility eventually. An \$8 million facility. 4 They put a million dollars down in this scenario. 5 They have a 20-year financing package at 5 percent 6 interest. And the school serves 440 students. 7 So that's kind of our scenario. 8 In the current scenario, they have a 9 \$46,000 lease purchase payment each -- each year. 10 Their lease assistance covers 59 percent of their 11 annual costs. And they're -- and as a result, they 12 have to dip into their operational funds. 13 And this is very common, and this is 14 really what makes our current funding scenario 15 unequal. In this scenario, which is made up, they 16 spend \$225,000 from their operational funds just to 17 pay for their building. 18 If they were to tap into the revolving 19 loan fund from NMFA, their percent interest is going 20 to be somewhere -- interest rates are increasing. 21 But if, in prior years, a 5 percent rate, that would 22 be pretty hard to get on the private market. NMFA 23 loans are around 2 and a half percent. 24 So under this scenario, their monthly 25 payment goes down by almost \$10,000. By \$9,000. So</p>

<p style="text-align: right;">86</p> <p>1 \$37,000.</p> <p>2 They are paying far more towards</p> <p>3 principal, so paying down this building much faster.</p> <p>4 They're only using \$116,000 in operational.</p> <p>5 And this really underlines the opportunity</p> <p>6 here by allowing that revolving loan fund, because</p> <p>7 at the end of the day, this school has 109,000 extra</p> <p>8 dollars in operational that they can put towards</p> <p>9 something in their school.</p> <p>10 We had a training yesterday that was just</p> <p>11 recapping the Legislative Session. It's a simple</p> <p>12 extrapolation to hope finances, really, a lower</p> <p>13 interest rate really helps you.</p> <p>14 NMFA, because this is a specific loan fund</p> <p>15 for charter schools, they're going to be able to</p> <p>16 create terms that are beneficial to the charter</p> <p>17 school. If you've been following this for a while,</p> <p>18 at one point, we were proposing that this would be</p> <p>19 part of the Public Project Revolving Loan Fund. The</p> <p>20 reason why it's not is because those bondholders in</p> <p>21 the PPRF have certain expectations that may create</p> <p>22 terms that were not advantageous to our school.</p> <p>23 Because it's purpose-built for our</p> <p>24 schools, we'll take advantage of those low interest</p> <p>25 rates and have terms that work for our schools based</p>	<p style="text-align: right;">88</p> <p>1 you read the editorial from Kate Noble in the</p> <p>2 Santa Fe New Mexican, or the article in the</p> <p>3 Albuquerque Journal about future issues around</p> <p>4 staffing at APS and Santa Fe Public Schools, I'll</p> <p>5 just -- I'll just note that this has been a problem</p> <p>6 with every salary increase that we've had over the</p> <p>7 last eight years.</p> <p>8 Charter schools have felt it most harshly</p> <p>9 because we don't have the scale to be able to float</p> <p>10 money, or there's just less flexibility in the way</p> <p>11 that we are -- we are operating. So we've felt the</p> <p>12 pain of past salary increases and not having enough</p> <p>13 money in there.</p> <p>14 This salary increase is so big -- and</p> <p>15 worthwhile; we should be paying our educators this</p> <p>16 much -- it's so big that even large districts are</p> <p>17 going to feel it this time.</p> <p>18 And I'm sure, Commissioner Chavez -- I see</p> <p>19 you nodding your head -- it's going to be a tough</p> <p>20 thing to turn here.</p> <p>21 And I'll just say from the charter -- from</p> <p>22 a charter school advocacy perspective, it's going to</p> <p>23 be helpful that school districts are feeling the</p> <p>24 pinch a little more, too. We've shown that we can</p> <p>25 work together in a lot of ways. And I think in the</p>
<p style="text-align: right;">87</p> <p>1 on realities of lease assistance.</p> <p>2 The lease assistance bill itself will</p> <p>3 increase distributions in lease assistance by 4</p> <p>4 percent next year. Hopefully, we get another</p> <p>5 7 percent on top of that because of CPI.</p> <p>6 And I know Commissioner -- well, whatever</p> <p>7 it is in July when they make the decision. But</p> <p>8 7 percent might be low, based on what's happening</p> <p>9 right now.</p> <p>10 So that's -- that's really encouraging.</p> <p>11 And every time we get an increase in lease</p> <p>12 assistance, many of our schools are locked into</p> <p>13 their lease. So that means an increase in lease</p> <p>14 assistance will provide for more operational funds</p> <p>15 to help them out with -- with achieving their</p> <p>16 mission.</p> <p>17 So with that, while -- during your</p> <p>18 meeting, the unit value just came out. There is an</p> <p>19 increase of 12.09 percent. I will say that is a</p> <p>20 positive surprise. We were prognosticating anywhere</p> <p>21 between 10 and 11 percent, based on what we were</p> <p>22 seeing.</p> <p>23 I still think the salary increases are</p> <p>24 going to be difficult for a number of our schools to</p> <p>25 make. We'll have more information on that soon. If</p>	<p style="text-align: right;">89</p> <p>1 past, some of our school districts are -- you know,</p> <p>2 it's just kind of a blip on the radar.</p> <p>3 But this seems like we're all going to be</p> <p>4 hurting for it. Teachers deserve to be paid more.</p> <p>5 That's not what's at issue here. Funding it</p> <p>6 appropriately is what's at issue here. So I think</p> <p>7 this opens up a larger conversation in the future.</p> <p>8 We -- let's see -- yeah. I mean, I think,</p> <p>9 like, if you're talking to schools right now, that</p> <p>10 is the thing on their mind. We've experienced a</p> <p>11 real sea change in what our reality was once the</p> <p>12 mask mandate was lifted. We're seeing a reduction</p> <p>13 in burden on testing, all of those things.</p> <p>14 It's starting to feel like school again in</p> <p>15 a way that it hasn't in a long time. And I'm really</p> <p>16 hoping that that trends towards really feeling like</p> <p>17 school in August of next year, and I think our</p> <p>18 school leaders are, too. They are worried about</p> <p>19 their budgets. That is just something that --</p> <p>20 that -- the prevailing concern right now is really</p> <p>21 focused on this.</p> <p>22 All of it was worrying, kind of without</p> <p>23 the right information. With a unit value, we can</p> <p>24 now start thinking about what our budget looks like.</p> <p>25 By the time we meet again with you all, we will have</p>

<p style="text-align: right;">90</p> <p>1 gone through the Spring Budget Workshop. Folks will 2 have a much better idea. And I plan on giving an 3 update to you all on just what schools are saying 4 regarding that in the future. 5 Those -- the CSP Grants are not the only 6 thing that we're seeing reduction -- or delays in 7 getting funding for. There are RFRs that are 8 outstanding for months. Again, the larger a school 9 district you are, the easier it is to kind of float 10 money and just make sure you'll be okay when you 11 don't get that money. 12 I think even they're feeling the pain. 13 And we're real small. Small school districts are in 14 the exact same boat as we are. And it's -- it's 15 challenging. And, you know, if we go another month 16 or two on seeing these big delays, I think there's a 17 big question of just how we're going to get all this 18 money by June 30th. 19 So there's a real -- there's just a real 20 question out there about, you know, turning around 21 the funds through the process that moves through 22 PED. And I know there's an analysis happening right 23 now that -- underlying what the problem is as we see 24 it on the ground. 25 So a couple of other items.</p>	<p style="text-align: right;">92</p> <p>1 joining us for this meeting. 2 I know my attendance at PEC meetings has 3 been spottier than I want it to be. And I think 4 that will be a shared duty. So it'll be someone 5 you'll get familiar with. 6 Two other items. 7 Yasmine Armstrong, who's on the governing 8 council of Sidney Gutierrez Charter School in 9 Roswell -- they're locally authorized, but they are 10 in the charter community. She's on our board and 11 recently received the 2022 -- one of the Women of 12 Influence awards, along with Jackie Baldwin, who is 13 a charter school leader in Albuquerque. 14 Just to highlight there that our charter 15 community is getting accolades throughout the state, 16 really cool stuff. 17 And then, lastly, we are set to film a new 18 campaign. We've been doing monthly videos on 19 charter schools and just highlighting what's going 20 on there. 21 Our new campaign is going to focus on 22 parents. And the campaign is called, "The Best From 23 Me" campaign and just exploring why parents send 24 their kids to charter schools, what made it make 25 sense for them, because for every family and every</p>
<p style="text-align: right;">91</p> <p>1 Public Charter Schools of New Mexico is 2 hiring. We are hiring a Director of School Quality 3 and Support. As you all know, and as I probably 4 repeat enough so everybody knows, I've never run a 5 school. I -- I bring certain background and 6 qualities to this work that I think are good for the 7 org to have. But we really want somebody who's been 8 experienced as a charter school administrator to 9 really be that hotline, someone that a charter 10 school can call and say, "Hey, I got this going on 11 with my governing council," or, "I have a staffing 12 issue." 13 And so we're -- we are looking for someone 14 that has administrative experience in a charter 15 school to be our -- our Director of School Quality 16 and Support. They will be our fourth team member 17 and really represent us as a full team at Public 18 Charter Schools of New Mexico. 19 So you'll see that posting floating 20 around. We'll be sending it out through every 21 channel that we have. My goal is to say no to a few 22 people that would be really good in the position, 23 that we've drawn that many quality applicants to 24 this. And so, you know, we're real hopeful that 25 we'll get someone who will be good, and they will be</p>	<p style="text-align: right;">93</p> <p>1 parent, there's a different reason why they end up 2 at the schools they do. 3 I think that's also true for traditional 4 public schools, you know. When you have choice, 5 you're actively choosing your traditional public 6 school in our current environment, different from 7 the way I grew up where we just went to the school 8 that was assigned. 9 And I think the goal of the campaign is 10 just showing how that's empowering families to find 11 the right fit for them. I know we have a number of 12 parents lined up that send -- have multiple 13 students. They send one or two of them to 14 traditional; they send a couple to charter. And we 15 really love that story, because it just shows that 16 value adds to the environment. But there's good 17 options -- the right option exists for your kids. 18 So really excited to show you all videos of that in 19 the future. But, yeah, we're kicking off filming 20 later this month. 21 That's it for my report, Madam Chair. 22 Thank you for having me on the agenda and giving me 23 time. 24 THE CHAIR: Thank you, Mr. Pahl. 25 Is anyone here from the Public Charter</p>

<p style="text-align: right;">94</p> <p>1 School Advisory Committee online? 2 Once again, it's maybe just way too early. 3 MS. MISSY BROWN: I don't see -- 4 THE CHAIR: Okay. All right. 5 Commissioner Carrillo. 6 COMMISSIONER CARRILLO: Matt, it's nice to 7 see you. How's Van doing? 8 MR. MATT PAHL: He's doing really well. 9 COMMISSIONER CARRILLO: Good. 10 MR. MATT PAHL: He's about to start 11 moving, so we're recognizing that this is a special 12 time, because things will change once he's mobile. 13 COMMISSIONER CARRILLO: Neat. 14 So I have a question in maybe -- what are 15 we doing as the Commission, the Public Charter 16 Schools of New Mexico, and the PED, around making 17 sure that we're going to be able to pay these 18 teachers? 19 I've had three letters in this last week, 20 you know, saying, "This is why we voted for you. 21 You need to be our advocate," and, "What are the 22 plans to make sure that districts don't have to cut 23 back -- or charters -- so severely in other areas to 24 meet the pay requirements?" 25 MR. MATT PAHL: Madam Chair and</p>	<p style="text-align: right;">96</p> <p>1 next session. 2 One thing that's going to help folks is 3 they do have federal funds to kind of help bridge. 4 But it's going to be a cliff at some point, whether 5 it's next year or the year after, if you're not -- 6 if you -- if this isn't familiar to you, "hold 7 harmless" goes away next year. So folks that have 8 experienced enrollment drops in the last two years, 9 they'll actually kind of be held accountable for 10 those on the funding side this next year. 11 There are a lot of issues. And I think 12 they are equally hitting school districts and 13 charter schools. 14 So if you ask me, which I think you just 15 did, you know, it really is -- we need to really 16 articulate the problem, because I've been at the 17 Legislature enough hearing general complaints. And 18 the folks who have the -- hold the real strings on 19 the budget, they kind of see it as just complaining 20 if we don't go to them with real data and show them 21 what the sacrifices were. 22 So I think step one is able to happen now 23 with that unit value. 24 COMMISSIONER CHAVEZ: Matt and 25 Commissioner Carrillo, can I pipe in real quick?</p>
<p style="text-align: right;">95</p> <p>1 Commissioner Carrillo, I think step one is let's -- 2 like, figuring out what the problem is so we can 3 articulate it. That unit value gives us the ability 4 to see what we actually have to do with the budgets. 5 But we really need to tell the story of what we 6 sacrifice to pay this. 7 And I'll say, I mean, there's a lot of 8 rumor about a Special Session. There's still a lot 9 of money floating around. You know, if we can 10 really show, across the board -- because I'll tell 11 you. You know, in the past, we've advocated on 12 behalf of, solely, charter schools on this issue. 13 It doesn't work very well, because in the 14 past, people have just said, "Well, I'm not hearing 15 that from my district. You must be mismanaging your 16 money." 17 And that's why I highlight again that I 18 think school districts are feeling this pain, and I 19 think if we get together and just show, "Hey, this 20 is the reality of how" -- how -- I mean, I'll just 21 say. I think they're underfunded. So, you know, of 22 how underfunded they are, and we can articulate what 23 we want to close the gap. There's some real 24 possibilities for advocacy, potentially at a Special 25 Session, should it happen, but really coming back</p>	<p style="text-align: right;">97</p> <p>1 COMMISSIONER CARRILLO: Of course. 2 COMMISSIONER CHAVEZ: I know that the 3 Secretary has given an open invitation to all 4 superintendents and charter school leaders to be in 5 communication with him as we start developing the 6 budget. If they're hitting -- you know, if they're 7 falling short, he's extended an invitation to please 8 notify him. 9 And, you know, we're heading into some 10 uncharted territory here. 11 Matt, you said it really well. The issue 12 is not the salary increases. The issue is did -- 13 was there enough money there to fund all these 14 increases. And that is where a lot of people are 15 just -- they're just freaking out, because we don't 16 know. 17 I mean, you're talking some really, really 18 big increases and the impact to the budget. And, 19 Matt, you said it so well also, in that, you know, 20 the smaller you are, the harder the hit it is for 21 you. 22 And so our charter schools, it'll be 23 interesting to see where they fall with their 24 budgets. But it is going to be a difficult time, I 25 think, and there's a lot of uncertainty. So I think</p>

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1 in the next month, people will have a better idea
 2 of -- of where we stand, I know with the release of
 3 the unit value.
 4 And I think you said 12 percent. But that
 5 really equates to \$587, I believe, is what they said
 6 to the unit value. I don't know if that's enough.
 7 You know, there's a lot of uncertainty of whether
 8 that is enough.
 9 I know you mentioned federal programs.
 10 And some of our schools do receive federal programs.
 11 But a lot of the -- a lot of schools use their
 12 federal programs money for staffing. And they may
 13 not be able to do that as we continue, because there
 14 may not be enough monies in those federal programs
 15 to continue funding staffing.
 16 And so those might have to be shifted over
 17 to operational, which, then, again, it's your
 18 operational account, and really hits that unit
 19 value.
 20 So a lot of uncertainty. I think the next
 21 month is going to be really telling of where -- you
 22 know, was there enough money that was allocated to
 23 make all these increases.
 24 COMMISSIONER VOIGT: Yeah. If I could
 25 just chime in?

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1 Okay. Thanks.
 2 You know, it always befalls to the school
 3 leader to juggle money and move money around. And,
 4 unfortunately, this was an unfunded legislation that
 5 came through for -- as a benefit.
 6 But the bottom's going to fall out unless
 7 there is some creative financing going forward for
 8 the teacher raises, for example.
 9 You know, anytime, with federal money,
 10 there's going to be conditions, typically, with
 11 federal funding. And it's -- I think the best way
 12 to answer your question -- to help answer your
 13 question, Commissioner Carrillo, is to know the
 14 stories of your schools, because every school is
 15 going to have a unique need.
 16 What Turquoise Trail needs for funding for
 17 the following school year is going to be drastically
 18 different than, you know, a school in the
 19 South Valley of Albuquerque.
 20 So it's really good to know what your
 21 school specifically needs and then to address that
 22 very specifically, other than just saying, "Where is
 23 the money coming from, and how can we..." -- you
 24 know. Because that's what legislators hear. They
 25 hear that broad complaint all the time, but they

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1 don't know the specificity of need.
 2 And if you can address those specific
 3 needs to a specific legislator, that even brings it
 4 home more. So that's it. Thanks.
 5 COMMISSIONER CARRILLO: Matt had his hand
 6 up.
 7 MR. MATT PAHL: Madam Chair, just
 8 something I'd offer, because I think Commissioner
 9 Chavez is right, is we'd be happy -- I think the
 10 next month is -- we'll know what the reality is.
 11 And if you like, I'd be happy to work with Corina or
 12 use this agenda item to bring a few schools forward
 13 that help articulate what the issue looks at the
 14 ground level.
 15 So whether the Executive Committee and the
 16 Commission wants to make that a separate agenda
 17 item, I'm happy to bring a couple as part of this
 18 report to just, hey, because this will be here next
 19 month. I mean, we're going to be talking to schools
 20 every day about this very issue. So I'm happy to
 21 just find a few poignant examples.
 22 COMMISSIONER CHAVEZ: Matt, that's a great
 23 idea. I think that would be really good information
 24 for the Commission, to hear from two, three, four,
 25 different schools and see how their budget is

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1 falling.
 2 MR. MATT PAHL: Okay.
 3 COMMISSIONER CARRILLO: So on this -- I
 4 think it's important that we do a good job of
 5 messages. I think most people believe, "Oh, we gave
 6 a big fat raise to teachers. Everything is great
 7 now in public ed in New Mexico, and we're going to
 8 see these incredible turnarounds."
 9 It's, like, they get big fat everything
 10 all the time, but they don't -- they're unfunded
 11 mandates, essentially.
 12 And so I think that we really need to
 13 message it correctly, as, like, "Yes, that was a
 14 great starting point, and now we have to actually
 15 see how that money gets to schools without
 16 schools..." -- you know -- our charters -- because
 17 they're all our kids -- charters and districts,
 18 where they're not sacrificing program. Because the
 19 teachers don't want them to sacrifice program,
 20 either.
 21 Okay. Thank you.
 22 MR. MATT PAHL: Madam Chair, do you mind
 23 if I jump in with one more thing -- or two more
 24 things?
 25 THE CHAIR: Please do.

<p style="text-align: right;">102</p> <p>1 MR. MATT PAHL: One is I do think there is 2 some -- I've been surprised at how much the 3 headlines have been focusing on the 7 percent 4 increase rather than -- I mean, the real -- I mean, 5 it's 15 to 20 percent, which is awesome. We just 6 need to pay for it. 7 But there's something weird about the 8 headlines that's been the 7 per- -- like focusing on 9 the 7 percent. Or maybe it's just easier to say "at 10 least the 7 percent." 11 So, I mean, even just in your 12 conversations, ensuring that people recognize that 13 we're talking about double-digit percentage 14 increases is important. 15 And then it was something I forgot to 16 write down in my notes. 17 We are -- and this goes to Commissioner 18 Carrillo's comment about them being all of our kids. 19 There was an issue down in Las Cruces. 20 The Spaceport dollars had -- and this is for 21 Doña Ana County. And I think it's three counties. 22 Commissioner Chavez will know. 23 But the money for the last two years had 24 not been getting to the charter schools. And I 25 think that was due to some turnover at the</p>	<p style="text-align: right;">104</p> <p>1 and, you know, given our current scenario, everybody 2 is scraping for every cent they can. 3 So really appreciated that mindset from 4 the superintendent down there. And, of course, our 5 schools were amazing in raising the issue of 6 fighting for (inaudible) school district down there. 7 COMMISSIONER CARRILLO: Thank you, Matt. 8 THE CHAIR: All right. Thank you, 9 Mr. Pahl. Appreciate you. 10 All right. That moves us on to Item 11 No. 12, PEC Commissioner Comments. 12 Based off of the conversation yesterday, 13 I'm going to implement the new way of doing 14 comments. So, yeah, please, if you're online, and 15 you would like to say -- have a comment, just raise 16 your digital hand. And those of you down here, 17 raise your real hands, and I'll call on you. 18 So if you don't raise your hand, I will 19 not be calling on you for PEC Comment. 20 All right. Commissioner Robbins? 21 COMMISSIONER ROBBINS: Yes. I just -- I'm 22 getting feedback somehow. 23 THE CHAIR: You may need to mute one of 24 the -- I don't know if you're on two different 25 devices.</p>
<p style="text-align: right;">103</p> <p>1 superintendent level in Las Cruces. Just, you know, 2 new administration, some things change. 3 Margarita Porter, who -- her and the group 4 of charter schools down there really spearheaded an 5 effort to engage with the superintendent and the 6 administrations of -- administration of Las Cruces 7 Public Schools. 8 And I'll just say I was really impressed 9 with the district, because they really had a mindset 10 of, "These are our kids. The money should be going 11 to benefit our kids." 12 And so not only did they, you know, get 13 themselves figured out for future distributions of 14 that Spaceport dollars, but they also offered the 15 schools to retroactively reimburse them for the 16 money that they had been missing. 17 And while, to me, that's just doing the 18 right thing, that doesn't always work when we -- 19 when we engage with our school districts. 20 So hats off to Superintendent Ramos down 21 there in Las Cruces and just really impressed with 22 the work of our charter schools for (inaudible). 23 And the meetings were just really 24 diplomatic and just really good, when, you know, 25 we're talking about tens of thousands of dollars,</p>	<p style="text-align: right;">105</p> <p>1 COMMISSIONER VOIGT: Now we can't hear 2 him. 3 THE CHAIR: Hold on. We can't hear you 4 yet. 5 COMMISSIONER ROBBINS: Okay. I 6 inadvertently turned on my computer mic. 7 I meant to mention the State Education 8 Network broadband. They are implementing the -- 9 PSFA, Public Schools Facility Authority, had an RFP 10 to build out nodes and basically extend the 11 education network, to start building it. 12 So for this next year, schools will not 13 have to contribute anything if they participate in 14 this towards their E-Rate, which, in total, it's 15 only going to be about \$120,000, \$150,000, but 16 that's a savings to the schools. 17 And then going forward, they would only be 18 paying what their -- their E-Rate amount would be, 19 so that the Public School Facility Authority, along 20 with the PSCOC, basically is going to cover, this 21 year, 100 percent of the cost of expanding that 22 network, which they estimate this year is about 23 \$3 million. So they're covering the full cost. 24 In subsequent years, they'll probably 25 cover between 90 and 95 percent of the cost ongoing.</p>

<p style="text-align: right;">106</p> <p>1 And, eventually, the goal is to try to connect all 2 the schools on a unified network so that their costs 3 would be lower, their access and their speeds would 4 be higher. 5 And that would benefit them, because, you 6 know, obviously, you know, if you go into some 7 areas, they have access, but their speeds are very, 8 very slow. So one of the things that this did was 9 actually to set minimum standards on speeds, which 10 will actually improve the broadband connections that 11 schools have. 12 And over the next three to four years, the 13 goal is to probably have all of the public schools 14 connected. 15 Thank you. 16 THE CHAIR: Thank you. Commissioner 17 Voigt. Then Davis. Then Chavez. 18 COMMISSIONER VOIGT: Thank you, 19 Madam Chair. 20 Just wanted to let everyone know, charter 21 school leaders, that the -- the draft of the Revised 22 Performance Framework will be posted on the PEC 23 website by this evening. And so we hope to get a 24 lot of feedback, with suggestions in your feedback, 25 about that revision going forward.</p>	<p style="text-align: right;">108</p> <p>1 post-COVID. And so I'm going to follow through on 2 that to see if we can get some charter school 3 leaders out for tours of each other's campuses. 4 And that's all I have. Thanks. 5 THE CHAIR: Commissioner Davis. 6 COMMISSIONER DAVIS: Hi. So I've been 7 listening to reports from Ukraine all week. And 8 teachers there are holding class every day, and 9 students are showing up every day. And sometimes 10 class has to be interrupted so they can run to the 11 bomb shelter. Then they return to their class. 12 And it makes me think that we, here, are a 13 little bit wimpy. So we can't go to school because 14 we have to wear a mask? But students can go to 15 school with bombs falling on their heads. 16 And so in addition to that, one of the 17 teachers had incorporated media literacy into her 18 classes at all age levels. And I think that's 19 something that we could use here. 20 So, anyway, I thought those reports were 21 inspiring, and we could probably learn something 22 from war-torn Ukraine. 23 That's it. 24 THE CHAIR: Thank you. Commissioner 25 Chavez. Then Commissioner Armijo.</p>
<p style="text-align: right;">107</p> <p>1 The PEC project team has a timeline that 2 we want to incorporate as much feedback and input 3 towards the revised document. 4 So keep a look out for that. 5 And then, also, in talking with Director 6 Chavez yesterday, a great idea came up. And that 7 was to have some type of collaboration with other 8 statewide authorizers of charter schools. And so 9 I'm going to initiate that, because I think it would 10 be a great forum to share our practices with each 11 other, and our challenges, and to see how we can 12 inspire and grow together as we serve the kids 13 around New Mexico that are choosing small schools. 14 And in that vein as well, I am going to 15 reach out to some of the charter schools in 16 Albuquerque, the charter school leaders, to see if 17 they would be interested in hosting peer visits at 18 their site of other charter leaders. There's so 19 much that we can learn from each other. And it's 20 always so inspiring and wonderful to leave a charter 21 school and see what great things are going on there. 22 And so this came about with the visit that 23 I had at the Albuquerque School of Excellence. And 24 it was delightful. The principal there, we 25 discussed doing that as soon as we could,</p>	<p style="text-align: right;">109</p> <p>1 COMMISSIONER CHAVEZ: Thank you, 2 Madam Chair. I just want to just echo a lot of 3 what's already been said. 4 But, Director Chavez, I know that you had 5 mentioned the conference in June. Could you -- 6 could you make sure that that gets put on the e-mail 7 blast that we get from Judy Robinson? That would be 8 really helpful, because it really gets that word 9 out. And I think it might be helpful as far as 10 attendance for that. 11 DIRECTOR CORINA CHAVEZ: Absolutely. 12 COMMISSIONER CHAVEZ: And I also want to 13 just thank you, Director Chavez, for mentioning 14 Margarita Porter over in Las Cruces. And I've known 15 know Margarita for many years. And the work that 16 she does is -- she's such a committed leader. And 17 so it's -- it's so great to hear that she's been 18 nominated for that -- for that recognition. 19 Let's see here. I wanted to say that -- 20 it's been about three weeks back, the Secretary of 21 Ed had these meetings across the state. And the one 22 that was hosted for this region was over in T-or-C. 23 But I wanted to say that we had all -- or 24 close to all -- of all of our charter leaders in the 25 southwest area that attended that. And so it was</p>

<p style="text-align: right;">110</p> <p>1 good to see all of them just come in together and -- 2 and just, almost kind of like a show of force, you 3 know. It was great. It was great to see that they 4 were engaging at that level. 5 And so, again, I think I've heard several 6 people say there's a lot that we can learn from each 7 other. And that's kind of what I felt when we had 8 that meeting with the Secretary. 9 And -- and along those lines, I just want 10 to just say, Commissioner Voigt, that's such a great 11 idea of pulling people together and doing visits. 12 Again, there's a lot that we can learn from each 13 other. 14 I think a lot of times we think we need to 15 go out of state to get those kind of ideas or that 16 kind of exposure. And we have great resources 17 within our state, you know. And I think 18 Commissioner Carrillo had said, you know, we need to 19 just kind of break down those barriers and put our 20 egos aside. 21 I know he didn't say it like that. But we 22 do. We need to break down those barriers and learn 23 from each other, because ultimately they are all of 24 our kids, and that's why we need to do it. So thank 25 you.</p>	<p style="text-align: right;">112</p> <p>1 that this school has been doing that for the past 2 20 years. So I just wanted to mention that. 3 Thank you. 4 THE CHAIR: All right. Seeing no further 5 PEC comments, I would like to move to adjourn. 6 COMMISSIONER MANIS: So moved. 7 THE CHAIR: Thank you. It's, like, no one 8 is going to second? 9 Melissa, if you could -- or 10 Secretary Armijo. Roll call. 11 COMMISSIONER ARMIJO: All-righty. Let's 12 go. 13 Commissioner Davis. 14 COMMISSIONER DAVIS: Yes. 15 COMMISSIONER ARMIJO: Commissioner Manis. 16 COMMISSIONER MANIS: Yes. 17 COMMISSIONER ARMIJO: Commissioner 18 Robbins. 19 COMMISSIONER ROBBINS: Yes. 20 COMMISSIONER ARMIJO: Commissioner Taylor. 21 COMMISSIONER TAYLOR: Yes. 22 COMMISSIONER ARMIJO: Commissioner Voigt. 23 COMMISSIONER VOIGT: Yes. 24 COMMISSIONER ARMIJO: Commissioner Armijo 25 votes yes.</p>
<p style="text-align: right;">111</p> <p>1 THE CHAIR: Commissioner Armijo. 2 COMMISSIONER ARMIJO: Thank you. I just 3 wanted to do a little highlight. Last week at the 4 Mark Armijo Academy, there was an unveiling of a gun 5 violence mural that had been in the works for almost 6 eight weeks. New Mexicans Against Gun Violence had 7 contacted the school and they received a grant to 8 work together with them to create this beautiful 9 mural. And it was unveiled last Thursday. 10 There were many politicians there, and 11 many of them talked about the gun violence in the 12 area, in Albuquerque, across the state. But one of 13 the things that wasn't mentioned was that -- and I 14 wish I would have got up and said this there -- is 15 that this school basically has been preventing gun 16 violence for the past 20 years, because this school 17 has -- was created to help those kids that were 18 falling through cracks and going to gangs or what 19 have you. 20 So I just wanted to say that the school, 21 the staff, all of the teachers who are there have 22 really played a part in preventing more gun 23 violence. And I know it's an issue, and I know it's 24 a really huge topic. And it's hard. And we need to 25 come together around that. But I just wanted to say</p>	<p style="text-align: right;">113</p> <p>1 Commissioner Burt. 2 THE CHAIR: Yes. 3 COMMISSIONER ARMIJO: Commissioner 4 Carrillo. 5 COMMISSIONER CARRILLO: Yes. 6 COMMISSIONER ARMIJO: And Commissioner 7 Davis. 8 COMMISSIONER CHAVEZ: Commissioner Chavez. 9 COMMISSIONER ARMIJO: Chavez. Sorry. 10 COMMISSIONER CHAVEZ: I vote no, because 11 I'm not -- I don't know what I'm going to do with 12 the rest of my day. 13 COMMISSIONER ARMIJO: Okay. That is 14 eight -- 15 THE CHAIR: It passes. 16 COMMISSIONER ARMIJO: Eight to one. 17 THE CHAIR: Yeah. That still passes. I 18 do want Commissioners to know, probably within the 19 next week or so, maybe a little bit later, we'll 20 have that decision about the March 30th work 21 session. Please do keep it as a placeholder on your 22 calendars. I don't think we have a firm yes or no 23 on your calendars right now. Keep checking e-mail 24 and making sure you get the updates on that. 25 All right. Thank you. Bye, everyone.</p>

(Proceedings concluded at 11:38 a.m.)

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1 RECEIPT
2 JOB NUMBER: 6326N CC Date: March 18, 2022
3 PROCEEDINGS: OPEN PUBLIC MEETING
4 CASE CAPTION: In re: Public Meeting of the Public
5 Education Commission
6 *****
7 ATTORNEY: MS. BEVERLY FRIEDMAN - PED
8 DOCUMENT: Transcript / Exhibits / Disks / Other ____
9 DATE DELIVERED: _____ DEL'D BY: _____
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In testimony whereof, I have hereunto set my hand on March 30, 2022.

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2 STATE OF NEW MEXICO
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17
18 *Cynthia Chapman*

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