

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS  
OPEN PUBLIC MEETING

April 8, 2022

9:00 a.m.

Via Zoom Webinar Video Teleconference

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

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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, Secretary</p> <p>6 STEVEN CARRILLO, Member</p> <p>7 GEORGINA DAVIS, Member</p> <p>8 PATRICIA GIPSON, Member</p> <p>9 KT MANIS, Member</p> <p>10 DAVID ROBBINS, Member</p> <p>11</p> <p>12 PED STAFF:</p> <p>13</p> <p>14 CORINA CHAVEZ Director</p> <p>15 Charter School/Options for</p> <p>16 Parents and Families Division</p> <p>17</p> <p>18 BRIGETTE RUSSELL Deputy Director, Options for</p> <p>19 Parents and Families</p> <p>20 MISSY BROWN Technical Assistance and Support and</p> <p>21 Training Administrator</p> <p>22 Charter School/Options for</p> <p>23 Parents and Families Division</p> <p>24</p> <p>25 BEVERLY FRIEDMAN, Custodian of Record</p> <p>Liaison to PEC</p> <p>COUNSEL TO THE PEC:</p> <p>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
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3	<p>1 THE CHAIR: All right. It is 9:00 a.m.</p> <p>2 I'm going to call this meeting to order. We can</p> <p>3 start with roll call from Secretary Armijo.</p> <p>4 COMMISSIONER ARMIJO: Good morning.</p> <p>5 Melissa Armijo. Here.</p> <p>6 Rebekka Burt.</p> <p>7 THE CHAIR: Here.</p> <p>8 COMMISSIONER ARMIJO: Steven Carrillo.</p> <p>9 COMMISSIONER CARRILLO: Present.</p> <p>10 COMMISSIONER ARMIJO: Michael Chavez.</p> <p>11 COMMISSIONER CHAVEZ: (No response.)</p> <p>12 COMMISSIONER ARMIJO: Georgina Davis.</p> <p>13 COMMISSIONER DAVIS: Here.</p> <p>14 COMMISSIONER ARMIJO: Pattie Gipson.</p> <p>15 COMMISSIONER GIPSON: Here.</p> <p>16 COMMISSIONER ARMIJO: KT Manis.</p> <p>17 COMMISSIONER MANIS: Here.</p> <p>18 COMMISSIONER ARMIJO: David Robbins.</p> <p>19 COMMISSIONER ROBBINS: Present.</p> <p>20 COMMISSIONER ARMIJO: Michael Taylor.</p> <p>21 COMMISSIONER TAYLOR: (No response.)</p> <p>22 COMMISSIONER ARMIJO: And Glenna Voigt.</p> <p>23 COMMISSIONER VOIGT: Here.</p> <p>24 COMMISSIONER ARMIJO: Madam Chair, we have</p> <p>25 a quorum.</p>	5

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1 THE CHAIR: Thank you. If I can ask  
 2 Commissioner Manis to lead us in the Pledge of  
 3 Allegiance.  
 4 (Pledge of Allegiance and Salute to the  
 5 New Mexico Flag conducted.)  
 6 THE CHAIR: All right. Item No. 2 is  
 7 Approval of the Agenda.  
 8 The only change I'm going to make is I'm  
 9 going to ask to just switch 6 and 7, because we do  
 10 have schools that are coming for that, for No. 7,  
 11 that I told we would get to them first.  
 12 COMMISSIONER VOIGT: I'll move that we  
 13 approve the agenda, with the exception of switching  
 14 Item No. 6 and Item No. 7.  
 15 COMMISSIONER ROBBINS: Second.  
 16 THE CHAIR: Thank you.  
 17 Roll call, Secretary Armijo -- oh. Any  
 18 discussion?  
 19 (No response.)  
 20 THE CHAIR: No response. All right. Roll  
 21 call, Secretary Armijo.  
 22 COMMISSIONER ARMIJO: Okay. Chair Burt.  
 23 THE CHAIR: Yes.  
 24 COMMISSIONER ARMIJO: Commissioner  
 25 Carrillo.

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1 COMMISSIONER CARRILLO: Yes.  
 2 COMMISSIONER ARMIJO: Commissioner Davis.  
 3 COMMISSIONER DAVIS: Yes.  
 4 COMMISSIONER ARMIJO: Commissioner Gipson.  
 5 COMMISSIONER GIPSON: Yes.  
 6 COMMISSIONER ARMIJO: Commissioner Manis.  
 7 COMMISSIONER MANIS: Yes.  
 8 COMMISSIONER ARMIJO: Commissioner  
 9 Robbins.  
 10 COMMISSIONER ROBBINS: Yes.  
 11 COMMISSIONER ARMIJO: Commissioner Voigt.  
 12 COMMISSIONER VOIGT: Yes.  
 13 COMMISSIONER ARMIJO: And Commissioner  
 14 Armijo votes yes.  
 15 That passed.  
 16 THE CHAIR: Thank you. We'll now move to  
 17 Item No. 3, Open Forum.  
 18 Ms. Brown, if you could.  
 19 MS. MISSY BROWN: We have Sara Fitzgerald  
 20 here for Open Comments.  
 21 Sara, I will move you to the panel.  
 22 So please state your name and who you're  
 23 with, and welcome.  
 24 FROM THE FLOOR: Good morning. Thank you.  
 25 I'm Sara Fitzgerald. I'm senior vice president of

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1 the Greater Albuquerque Chamber of Commerce.  
 2 We want to offer our support to The ASK  
 3 Academy for their enrollment cap increase today.  
 4 I've actually had the opportunity to spend  
 5 a little time at The ASK Academy with a few of our  
 6 board members, and we're really pleased to offer our  
 7 support today. Not only is The ASK Academy's  
 8 leadership team and teachers getting great results  
 9 for kids; but it's really important for employers in  
 10 the area, whether it's Intel or the Labs or any  
 11 number of others, to be able to offer a number of  
 12 high quality education options for parents and  
 13 students as they recruit and attract new workers.  
 14 The ASK Academy is a really strong option  
 15 for parents who are seeking that uniquely  
 16 STEM-focused option for their students, and we urge  
 17 your support.  
 18 Thank you.  
 19 THE CHAIR: Thank you.  
 20 Are there any others?  
 21 MS. MISSY BROWN: No.  
 22 THE CHAIR: Okay. All right.  
 23 With no others, we will go on to Item  
 24 No. 4, the Consent Agenda. I will move to approve  
 25 the Consent Agenda.

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1 COMMISSIONER VOIGT: Second.  
 2 THE CHAIR: Thank you.  
 3 I have a motion and a second.  
 4 Any discussion?  
 5 (No response.)  
 6 THE CHAIR: All right. Secretary Armijo.  
 7 COMMISSIONER ARMIJO: Thank you.  
 8 Commissioner Carrillo.  
 9 COMMISSIONER CARRILLO: Yes.  
 10 COMMISSIONER ARMIJO: Commissioner Davis.  
 11 COMMISSIONER DAVIS: Yes.  
 12 COMMISSIONER ARMIJO: Commissioner Gipson.  
 13 COMMISSIONER GIPSON: Yes.  
 14 COMMISSIONER ARMIJO: Commissioner Manis.  
 15 COMMISSIONER MANIS: Yes.  
 16 COMMISSIONER ARMIJO: Commissioner  
 17 Robbins.  
 18 COMMISSIONER ROBBINS: Yes.  
 19 COMMISSIONER ARMIJO: Commissioner Voigt.  
 20 COMMISSIONER VOIGT: Yes.  
 21 COMMISSIONER ARMIJO: Commissioner Armijo  
 22 votes yes.  
 23 Chair Burt.  
 24 THE CHAIR: Yes.  
 25 COMMISSIONER ARMIJO: That passes.

<p style="text-align: right;">10</p> <p>1 THE CHAIR: All right. Thank you.  2 So that'll move us to the new Item No. 6,  3 which is Discussion and Possible Action to Support  4 Funding for School Staff Salary Increases.  5 This is a continuation of yesterday. So  6 if we can start by bringing Matt Pahl onto the  7 panel. And then I believe there are several school  8 leaders.  9 I think there's one other.  10 And Matt can let us know, too. Trey  11 Smith. Yes. Yes, please.  12 All right. So as they're coming on,  13 yesterday, we did have Mr. Pahl come on. He brought  14 several schools to come talk to us based off of the  15 conversation that was started last month about the  16 new salary increases for staff, which is much  17 appreciated, but the possible and likely and  18 for-sure budget shortfall that schools will be  19 experiencing in trying to meet that mandate.  20 And so, Mr. Pahl, we asked him to come  21 back this month with some schools, and he is  22 delivering on that.  23 Yesterday, we had multiple schools, and  24 today, I know we have more school leaders. So I  25 want to thank you first for coming back again today,</p>	<p style="text-align: right;">12</p> <p>1 And so today we have three school level --  2 leaders -- excuse me. Trey Smith from East Mountain  3 Charter High School, Rachael Sowards from Solare  4 Collegiate, and Wayne Sherwood from Aldo Leopold in  5 Silver City. We're really excited to hear from  6 them.  7 I'll let them speak and show kind of what  8 their considerations are and what this all looks  9 like on their end, and just close with a couple of  10 comments and will be open for questions.  11 Trey, do you want to kick us off?  12 MR. TREY SMITH: I sure can. Can you hear  13 me?  14 Great. Thank you so much. Thank you,  15 Commissioners, for taking the time today, and thank  16 you for all you do for schools in New Mexico.  17 My name is Trey Smith. I'm the charter  18 director at East Mountain High School. We are one  19 of the first charter schools actually chartered in  20 the State of New Mexico. We were first authorized  21 in 1999.  22 We have a long history of success, an "A"  23 rating from PED every year, National Blue Ribbon  24 designation from U.S. Department of Education, state  25 championship athletics, internationally ranked</p>
<p style="text-align: right;">11</p> <p>1 and thank you to our school leaders for giving your  2 time this morning.  3 Mr. Pahl, if you want to -- I'm going to  4 hand it off to you if you want to continue our  5 discussion yesterday and introduce the school  6 leaders that you brought today.  7 MR. MATT PAHL: Yeah. Thanks, Madam Chair  8 and members of the Commission. Really appreciate  9 the opportunity just to show you what this looks  10 like on the ground.  11 Yesterday, I mentioned that, you know, the  12 teacher salary increases are really robust. And I  13 think we all agreed it was a good thing. In our  14 legislative platform, we noted that we were very  15 much in favor of this, as long as we had a  16 sustainable funding source and that they were fully  17 funded.  18 As you'll hear from our schools today, the  19 picture on the ground is -- is complicated. And  20 it's complicated by many factors, both the funding  21 that was put into the formula, as well as some of  22 the changes that are happening in the funding  23 formula and other local factors. It doesn't change  24 the fact that we have a tough picture right now on  25 the ground level.</p>	<p style="text-align: right;">13</p> <p>1 extracurriculars.  2 And two weeks ago, we just held our  3 lottery drawing, where 100 ninth graders were  4 admitted, and we have 40 students on the waiting  5 list.  6 I start with those basic facts just  7 because enrollment is not our concern. My main  8 point of advocacy today would be I want to challenge  9 the perspective that the only schools struggling  10 with school budgets are the schools with declining  11 enrollment. That is simply not the case. Our  12 enrollment has not changed, and, in fact, we have  13 opportunities to grow enrollments with a healthy  14 waiting list.  15 But the two main factors that are making  16 next year's plans challenging and making one of the  17 toughest budgets we've ever been faced with:  18 First is the minimum salary increases, and  19 second is the shift in the unit value calculations.  20 It's all kind of coming to a head at the same time.  21 On those minimum salaries, of course,  22 we're super appreciative, and we love that for  23 educators. But for our school, Fiscal Year '23  24 salaries represent over a 20 percent increase over  25 this year's salaries. Over 20 percent. And this is</p>

<p style="text-align: right;">14</p> <p>1 after only employing the minimum raises for both 2 faculty and staff of an ELTP school.</p> <p>3 One example I can give is that a Level I 4 teacher who is going to increase to Level II next 5 year will move from a little over \$42,000 to over 6 \$63,000, an increase of about 50 percent.</p> <p>7 We've done the math. And the difference 8 between our fiscal year this year and next year, 9 it's -- it's over \$475,000 that just salary 10 increases will cost.</p> <p>11 And that increase of unit value, the 12 increase of unit value of about \$587 only represents 13 an increase of about \$316,000 for East Mountain High 14 School.</p> <p>15 So that unit value is going to leave us 16 about \$158,000 short for salaries and employer 17 costs.</p> <p>18 We have been told about additional funding 19 coming for ELTP schools, and so if that comes 20 through, that's going to help. But it still leaves 21 us about \$70,000 short. And, again, that's just on 22 the salary side.</p> <p>23 The other part of the SEG that I want to 24 draw attention to is the shifts in the unit value 25 calculation. Because on top of minimum salaries,</p>	<p style="text-align: right;">16</p> <p>1 I was planning to be able to hire 2 additional staff related to curriculum and 3 instruction and improving our assessments. I wanted 4 to expand our career technical education program. I 5 was hoping to pay athletic coaches more, start even 6 more extracurricular programs.</p> <p>7 But I definitely can't do any of that now. 8 The restrictions in SEG is going to have a direct 9 impact on student outcomes.</p> <p>10 So to get by, it looks like we're going to 11 have to dip into our federal relief funds probably 12 to the tune of \$300,000 about. But I'm hoping that 13 advocacies from the Legislature for the 60-day 14 session can begin now; that's what I'd really like 15 to push for. We need an equal increase to SEG out 16 of the next session, just to -- just to scrape by, 17 just to get the minimum of what we need to operate a 18 school.</p> <p>19 And it's hard to talk about new programs 20 and being innovative if you're just trying to meet 21 the bare minimum.</p> <p>22 So that's my -- those are my remarks 23 today, and I thank you again for your time, and 24 happy to stick around for any questions. 25 MR. MATT PAHL: Thanks, Trey. I think,</p>
<p style="text-align: right;">15</p> <p>1 that's going to have an additional decrease for our 2 school to the tune of \$213,000.</p> <p>3 That comes in three buckets: First is the 4 Small School Size Adjustment. So with that going 5 away for our school, that's a reflection of \$94,000.</p> <p>6 Second is the TCI reduction, the Teacher 7 Cost Index. That change reflects \$101,000 for our 8 school. And that's just from a pretty minor shift, 9 where we had two teachers last year. Both were 10 Level III; both were nationally board certified. 11 One retired, and, unfortunately, one passed away. 12 And that impacted our TCI index to the tune of 13 \$101,000.</p> <p>14 So that -- that's a big hurt as well, and 15 it coming on top of those salary increases.</p> <p>16 And, finally, just the change in District 17 At-Risk Index as well; not as big of a number, but 18 still another close to \$20,000 hit to our overall 19 budget.</p> <p>20 So I can give you those numbers and put 21 them in the chat or share a spreadsheet. But, 22 really, I just -- in this presentation, I didn't 23 even cost -- factor in the cost of rising cost of 24 insurance, rising cost of utilities, anything like 25 that.</p>	<p style="text-align: right;">17</p> <p>1 Madam Chair, last time we went through the schools, 2 and then we asked questions.</p> <p>3 Same thing. I'm seeing you nod your head. 4 Okay.</p> <p>5 Wayne, you're my next picture. Do you 6 mind going next?</p> <p>7 MR. WAYNE SHERWOOD: No. Thank you, Matt, 8 and good morning, Commissioners, and thank you for 9 everything you're doing for schools in New Mexico 10 and especially charter schools.</p> <p>11 I believe I'll start out with, during 12 COVID, charter schools were the schools that really 13 highlighted the excellence that they support 14 students and families. And our kids, I believe, 15 were less impacted than the regular public schools.</p> <p>16 And I still feel that although we did such 17 a great job during COVID and ended up being able to 18 transition quickly to online and meet the needs of 19 our students, the State still is not funding charter 20 schools appropriately.</p> <p>21 And I'll just back up what Trey said about 22 Small School funding. The Small School funding for 23 Aldo -- and let me just introduce myself. 24 I'm Wayne Sherwood. I'm the director at 25 Aldo Leopold Charter School in Silver City. We have</p>

<p style="text-align: right;">18</p> <p>1 been a charter school -- this is our 17th year. We 2 are an outdoor, experiential ed school. And we have 3 a lot of parents that choose to move to Silver City 4 just because our school is located here next to the 5 Gila National Forest of 3.3 million acres that we 6 kind of use as our outdoor playground. 7 So we have a unique position that we're in 8 as a school and as part of the county, of Grant 9 County. 10 But we are -- we're opposite of some of 11 the charter schools who are asking for an increase 12 in number of students. Our population has 13 stabilized. This year, it's gone down just a little 14 bit. But it's just a little blip. And I think 15 we'll recover next year. We're doing some 16 recruiting as -- as the year goes on. And we are 17 seeing a good number of students going through the 18 lottery right now. 19 But if you don't mind, I would like to 20 share screen and show you what our numbers look 21 like, if that would be okay. 22 THE CHAIR: Yes, please. 23 MR. WAYNE SHERWOOD: Okay. 24 So this first spreadsheet I want to show 25 you, this is our salaries. And we start out</p>	<p style="text-align: right;">20</p> <p>1 Trey said. 2 This year is \$145,000, and it's going to 3 go up to \$190,000. And a lot of this cost is 4 because we have teachers going from one level to the 5 next. 6 And I'll show you that the big differences 7 is our overall funding right here, the difference 8 between -- sorry to move that so quickly -- \$845,000 9 currently to \$1,043,000. 10 And when you see, like this 50 right here, 11 1.5, this is a 50 percent increase, a teacher going 12 from a Level I to a level II. And we actually have 13 three of those teachers moving from a Level I to a 14 Level II this year. 15 So it's great, and I love to see this for 16 the teachers. It's well-deserved. It's just the 17 State is not giving us the money that we really need 18 to bring up these -- the salary increases to meet 19 these minimums. 20 And it's really the 50, 60, 70 -- these 21 are our ancillary staff, our custodians. And you 22 see everything is based on a 7 percent raise here. 23 All of these are 7 percent raise. And the only 24 reason this isn't a 7 percent raise is because this 25 individual has a separate salary from -- they do</p>
<p style="text-align: right;">19</p> <p>1 administrative. And I'll just start and just tell 2 you. I redacted the names of everybody. But this 3 is myself right here. 4 This is my current salary after the 5 3 percent raise. So right here, updated Fiscal '22 6 salary. This is the 3 percent raise that we are 7 currently giving by the end of this fiscal year, 8 this column. And then this will be next year. 9 So this is my salary increase, this here. 10 And so it's about a 13 percent increase is what mine 11 will be. 12 And then we can go through and look at the 13 increases. It's basically just the last two numbers 14 is the increase in what everybody is getting. 15 This one -- 16 THE CHAIR: Mr. Sherwood, could you expand 17 it a little bit more for us? 18 MR. WAYNE SHERWOOD: Yes. 19 THE CHAIR: Thank you. 20 MR. WAYNE SHERWOOD: I sure can. Does 21 that help right there? 22 THE CHAIR: That is better, yes. 23 MR. WAYNE SHERWOOD: Okay. So -- and we 24 could go down and look -- and look at the difference 25 in what our numbers are. It's very similar to what</p>	<p style="text-align: right;">21</p> <p>1 more than one job here at the school. So that is 2 the reason for that. 3 So our total rate right now is, at 4 minimum, 17 percent. And that is without adding any 5 of the different costs of ERB, of NMPSIA, anything 6 like that that is going up. And so it's going to 7 probably be more like 22, 23 percent is going to be 8 our final adjustment that we are going to need to be 9 able to make these salaries. 10 Now, I just want to show you our budget 11 right here. So this is our -- this is our current 12 budget, Fiscal Year '22, Fiscal Year '23. And I 13 don't want to make anybody sick. But I'm just going 14 to scroll down to the bottom to show you what the 15 difference is for the whole -- okay. 16 So this is our total expenditures here. 17 This year, \$2.3 million. Next year will be \$2.645 18 million. 19 We do have a little bit of a carryover, a 20 cash balance of \$262,000. But even after we pay the 21 2- -- use the \$262,000 and carry over, we are still 22 going to be short almost \$300,000. 23 Most of this is due to the loss of Small 24 School adjustment, because now we are on our fourth 25 year of losing Small School funding. And once we</p>

<p style="text-align: right;">22</p> <p>1 are completed next year, it will be over \$600,000.  2 This was predicted by looking at and making the  3 calculations when we figured out how much we get for  4 Small School funding. We -- at this school, we have  5 about 170 students. Our cap is 210. But because  6 we're located in Grant County and our county is a  7 stabilized population, we don't have new families  8 with children moving into our county. Our school is  9 not going to increase in the number of students. So  10 we stabilize at about 170.  11 So we could calculate almost exactly what  12 we would be losing through Small School funding.  13 That's about \$600,000 a year after the five-year  14 period.  15 So that is -- that's where we're at right  16 now, losing this much money. I'm going to have to  17 make a lot of tough decisions on staffing in the  18 next couple of days.  19 And, with my new business manager, we're  20 trying our best to keep our school open. We provide  21 a great service for our community and our children.  22 And I'm just -- I'm going to need a lot of support  23 next -- we're all going to need a lot of support.  24 I'm already talking to our State Legislator about  25 coming up with some funding formula that is</p>	<p style="text-align: right;">24</p> <p>1 back on, I think you'll hear it from her.  2 Rachael, I'll kick it over to you --  3 actually, yeah. Go ahead. Jump in.  4 MS. RACHAEL SEWARDS: I am so sorry. Of  5 course, today of all days, our school internet would  6 be acting up, so I'm trying to go off of my phone.  7 So good morning. And Commissioner --  8 Chair Burt and the rest of the Public Education  9 Commission, thank you so much for taking the time to  10 listen to us, and it's great to see everybody's  11 faces.  12 My name is Rachael Sowards. I'm the  13 founder and head of school for Solare Collegiate  14 Charter School here in Southwest Albuquerque.  15 We are what I have affectionately named a  16 pandemic school. We opened in 2019-2020. So we had  17 about four or five months of relative normalcy, and  18 then we went into online school our first year of  19 operation.  20 We're also a school that's currently  21 actively growing. One of the areas of strength that  22 Solare Collegiate has had is really strong initial  23 enrollment as a school. We were able to have close  24 to 150 students our first year of operation, which  25 is right on target for our enrollment goals.</p>
<p style="text-align: right;">23</p> <p>1 different for smaller schools.  2 And I don't want to use the term "Small  3 School Adjustment," because the Legislators don't  4 want to hear that. But there needs to be some type  5 of sliding scale is what I think for schools that  6 have -- more students get -- you know, less money  7 per student in the unit value. And when the  8 small -- when there is less population -- I hate to  9 use the word "Small School" -- this sliding scale  10 goes, and that increases the unit value of the  11 students.  12 So that's what I'll be working on next  13 year during the 60-day session. And I hope to get  14 more support so we can -- we can stay running here  15 at Aldo and along with the other small schools  16 throughout the state.  17 So thank you. If you have any questions,  18 please let me know.  19 MR. MATT PAHL: Thanks, Wayne. Don't know  20 if -- did we lose Rachael? Appears we may have.  21 Maybe we'll get her back on in a moment.  22 Just to -- just a couple of comments; I'll  23 just jump in real quick here -- is, this is a  24 multifaceted problem. I think you've heard that  25 from both Trey and Wayne. And when Rachael jumps</p>	<p style="text-align: right;">25</p> <p>1 I bring this up, because one of the  2 impacts of the teacher pay increases, which we're  3 very excited about, is that we had to make the  4 decision to grow at a little bit slower of a pace  5 than what we planned for for the new -- for the next  6 school year.  7 We originally anticipated growing to  8 364 students for the next school year. And we  9 reduced that down to 338, just because, as a school  10 in its growth phase, as we grow, certain years,  11 payroll ends up taking a more significant cost,  12 because you don't have fully complete positions  13 because of the staggered growth.  14 We had decided to take in less students  15 going into this next school year to help to manage  16 some of the budget issues we're anticipating.  17 Additionally, we are cutting three roles  18 for the next -- planned roles for the next school  19 year. We -- that includes two teacher roles and one  20 support staff member role.  21 And that was to ensure that we could,  22 number one, honor the teacher pay increases, as well  23 as ensure that we were -- that we were able to honor  24 the teacher pay increases, as well as providing our  25 support staff with pay increases.</p>

<p style="text-align: right;">26</p> <p>1 Our business manager, when we became aware 2 of the pay increases and developed our proposed pay 3 scale, she -- she predicted that we needed somewhere 4 between a 15 to 19 percent SEG increase. 5 As you all know, the increase is 6 11.9 percent. So we were -- we're being a little 7 bit underfunded. 8 In addition, Albuquerque -- we just 9 learned two days ago that Albuquerque's at-risk 10 multiplier went down. We were under the impression 11 that the at-risk multiplier would go up. But it 12 went from .0- -- excuse me -- .203 down to a .19. 13 That, for us, as a smaller school -- we have 14 300 students currently -- that's about a \$20,000 15 decrease in our budget. It's not a huge decrease. 16 But when we're already grappling with having a 17 shortfall, it definitely is impactful. 18 The other thing that I wanted to share out 19 since we are in a weird situation with our being in 20 a growth mode and adding on more teachers than when 21 we might otherwise if we are stable in our 22 enrollment, I wanted to share -- and I'm going to 23 share screen here on my phone if I can figure this 24 out and pull up a picture. We are -- let's see -- I 25 don't know if I have -- I don't think I have share</p>	<p style="text-align: right;">28</p> <p>1 challenge. We like the fact that teachers are 2 getting paid more, and we're happy to figure out 3 this challenge. But there is a challenge. 4 There's a myriad of factors at play, not 5 just the money that was put into the SEG. There are 6 some changes in the SEG that are impacting more 7 charter schools than school districts and other 8 factors that are impacting everybody. 9 Some of those are decisions we made a few 10 years back. Some of those are -- such as the "at 11 risk" changing, that's really a function of the 12 pandemic, you know. APS has a different -- has a 13 couple of thousand students that are not 14 re-enrolling in the district, and the demographics 15 are showing that that at-risk factor is different. 16 Those are -- you know, those would be the 17 system working as it was intended as the policy is 18 currently laid out. 19 I think if we -- and then I'll just say 20 there's a couple of other factors that are by 21 choice. I think that -- that element that Rachael 22 mentioned, where we have 7 percent increase, you've 23 seen -- I think Wayne did a good job of showing, and 24 Trey, articulating what some of these increases look 25 like for teachers.</p>
<p style="text-align: right;">27</p> <p>1 options. 2 But, essentially, what we're looking at is 3 this past fiscal year, salaries and benefits was 4 about 49 percent of our operational cost. Going 5 into next year, with the reduction of staff as well 6 as all the other factors, that's going to increase 7 to 66 percent of our operational cost. 8 So we're seeing a huge increase in our 9 benefits and salary impact. So that's where we are. 10 In addition -- and this is something, I 11 think, more of an aside. I do worry that we're 12 creating a two-tiered system when we have 13 significant pay increases for our teachers, about 14 20 percent, and then our support staff is getting 15 7 percent pay increases. But that may be a 16 conversation for another day. 17 My business manager was able to get our 18 budget balanced. But, as mentioned previously, the 19 way that we are doing that is that we're reducing -- 20 we're increasing our operational cost dedicated to 21 staffing and benefits. 22 MR. MATT PAHL: Thanks, Rachael. 23 Just to -- just to kind of wrap it up 24 before questions -- and I know there will be a good 25 set of them -- you know, our schools are up for the</p>	<p style="text-align: right;">29</p> <p>1 You know, our schools feel the pressure to 2 do the right thing for support staff. Where they 3 may not be in line for a 20, 30, or 40 percent 4 increase, 7 percent kind of pales in comparison. 5 And so trying to do the best we can for that support 6 staff, which is just kind of the right thing to do 7 for people, is a pressure point for our schools as 8 well. That is by choice. But we think it's pretty 9 defensible, given the scenario. 10 I think the -- so there's just a number of 11 factors at play. We're -- the other thing is just 12 these federal funds. I think we're all very 13 thankful that we can use these to bridge some gaps. 14 But they are finite, and they're not going to be 15 recurring. 16 So, in looking forward, you know, we kind 17 of started talking about the budget a little bit 18 differently, as Public Charter Schools of 19 New Mexico, about having more caring adults in the 20 classroom, more caring adults in schools. 21 The way we do SEG increases doesn't really 22 allow for that. These salary increases are great. 23 We -- I talked to a superintendent last night at the 24 Spring Budget Conference. He said -- I mean, his 25 recruitment is amping up in Arizona, because we</p>



<p style="text-align: right;">30</p> <p>1 really are -- I mean, Oklahoma -- Texas, I think  2 it's -- there's a little more just parity going on.  3 But there's some real good things that can come out  4 of paying teachers this month.  5 But when we do these categorical  6 injections of funding that are only for one thing,  7 it really doesn't leave us the flexibility to -- I  8 mean, I don't think you heard anybody saying they're  9 adding support staff in an era where kids need more.  10 We need more caring adults in the  11 classroom. The way we get that is by providing  12 funding in the SEG that is not named funding  13 associated with a (inaudible). We need to allow our  14 schools additional operational funding that allows  15 them the flexibility to figure out what they need at  16 the school.  17 And that's just something I'd encourage  18 the PEC to -- to consider as well in their advocacy  19 coming up for the upcoming 60-day.  20 Again, lots of factors here. I'll just  21 highlight a couple of district issues as well,  22 because this is not just a charter school issue.  23 You may have read the article in the  24 Albuquerque Journal about Albuquerque Public  25 Schools. They have an additional kind of funding</p>	<p style="text-align: right;">32</p> <p>1 an organizational lens, it's a necessary part of  2 what has to happen.  3 And there is administrative rule that has  4 a multiplier for (inaudible) that most of our  5 schools don't meet. They fall short of it. But  6 they -- in order to be competitive with even just  7 a -- a regular high school, a high school principal  8 makes \$112,000 under that rule. You'll see a lot of  9 our charter schools making less than that. And this  10 is no -- no critique on a traditional high school  11 leader. They have a tough job to do. But I don't  12 think they have as many duties assigned as a charter  13 school leader, who also has to play that  14 superintendent role.  15 So I'll stop there. Really appreciate the  16 PEC jumping in on the issue and just willing to  17 learn from our schools, and we'll just stand for  18 questions.  19 THE CHAIR: Thank you. We're going to go  20 to Commissioner questions and comments. And we'll  21 start with Commissioner Voigt and then Commissioner  22 Carrillo.  23 I just want to remind those of you online  24 to raise your digital hand, and I'll call you in  25 order.</p>
<p style="text-align: right;">31</p> <p>1 cliff because of their enrollment going down.  2 There's been a "hold harmless," and that's going  3 away. So they actually, like, realize that in this  4 year's budget. Big challenge there. And to the  5 point where they're going to have to, you know, cut  6 some positions. Maybe not people, because, you  7 know, a district that big will have to churn to be  8 able to kind of get creative with that. Not as much  9 the case with our schools.  10 Another superintendent I spoke to at the  11 Spring Budget Conference noted that, you know, the  12 salary increases mean that -- that their high school  13 principal is going to make more than them, and not  14 really expressing a lot of eagerness to give  15 themselves a pay increase, but also recognizing  16 that, "Hey. If -- if I'm the lowest paid  17 superintendent in the state, how are they going to  18 recruit another one that's going to shepherd this  19 school, you know? It's not really about me getting  20 a raise, but it is about the organization being set  21 up in a way that it can be successful."  22 And I think our charter leaders feel a  23 little bit of that pinch too. It's the last thing  24 they want to do is give themselves a raise when  25 budget is tight. Bud if you think about this from</p>	<p style="text-align: right;">33</p> <p>1 COMMISSIONER VOIGT: Oh. I'm going to  2 turn it on now.  3 Good morning, everyone. I want to thank  4 our administrators for being here. Thanks so much,  5 Mr. Smith, Ms. Sowards, and Mr. Sherwood, for your  6 presentation.  7 You know, this -- and then hearing from  8 the administrators yesterday, this has been very  9 informative to hear the facts behind the funding  10 facade.  11 There needs to be support, obviously, for  12 this mandate. But hearing things like the unit  13 value is only going up 9 percent while the salary  14 increase is 20, things like the at-risk index going  15 down, the Small School size, the -- the ESSER is  16 only holding up for -- I think it's one more year, I  17 really feel the action needed.  18 And I know some of you are already doing  19 this. It's great to hear that you are reaching out  20 to your legislators and have your communities reach  21 out as well.  22 I think the PEC is -- needs to be more  23 involved. And I believe that is going to be in the  24 manner of an -- at least an editorial at this point.  25 But we need to be able to hear from you,</p>

<p style="text-align: right;">34</p> <p>1 like we just did, about these -- these small pieces 2 that are leading to this big catastrophe. There has 3 always been threats to the Small School Size 4 funding. And I know, Mr. Sherwood, you hit the nail 5 on the head when, you know, people don't -- 6 legislators don't like to hear that, those three 7 words chained together, "Small School Size" funding. 8 But it's always been a threat.</p> <p>9 This is a direct threat, though, to 10 charter school existence in New Mexico. That's how 11 I see it. And so I think that we need to be getting 12 ahead of this before next year's session and plan 13 our action accordingly to get behind the schools 14 that are doing great work for our kids in 15 New Mexico.</p> <p>16 So thank you for your presentation. And 17 we, on our end, will be working a strategy to help 18 support. Thanks again.</p> <p>19 THE CHAIR: Commissioner Carrillo.</p> <p>20 COMMISSIONER CARRILLO: Thank you for 21 being here this morning. And we heard from other 22 school leaders yesterday. So for those of you that 23 I haven't met, I'm Steve Carrillo. I'm District 10, 24 which is kind of Santa Fe all the way north to the 25 Colorado border, Rio Arriba, Taos and such.</p>	<p style="text-align: right;">36</p> <p>1 That's what's happening here, and that's 2 what always happens here.</p> <p>3 There's not a salary increase. There is 4 this mandate, and to you, as administrators, to move 5 money around to further enable a completely 6 incompetent legislature that does not fund public 7 education the way they need to.</p> <p>8 And by saying that they want to do this 9 and mandating it, they're not funding it, that's 10 completely incongruent.</p> <p>11 And it -- you can tell it makes me crazy, 12 and all of a sudden -- I mean, if you could be in my 13 body you'd feel the red, the thermometer coming up, 14 like in cartoons.</p> <p>15 And I'm going to use phrases like, "We're 16 happy to meet the challenge." And I know that other 17 district leaders have said that. "We're happy to 18 meet the challenge."</p> <p>19 To hell with meeting the challenge. All 20 we're doing is enabling them. Every time we do 21 this, we meet the challenge by shortchanging kids 22 and staff and teachers and support; right? Every 23 time we do it, that's what we're doing. We're 24 enabling them.</p> <p>25 So the fact that they were here earlier</p>
<p style="text-align: right;">35</p> <p>1 So a couple of things: 2 Is there any -- first off, is there anyone 3 that's even remotely surprised by this, given -- 4 this is rhetorical -- given the number of unfunded 5 mandates we have to suffer through year after year 6 after year, that they simply take your operational 7 money and make you find other places to be able to 8 pay your bills? Does this come as a surprise to 9 anyone?</p> <p>10 I've lived here 31 years, and it does not 11 to me at all. And, Matt, I'm not picking on you, 12 because your friend -- how is Van doing?</p> <p>13 MR. MATT PAHL: Life is good in the world 14 of Van.</p> <p>15 COMMISSIONER CARRILLO: Good. How old is 16 he now?</p> <p>17 MR. MATT PAHL: Seven months.</p> <p>18 COMMISSIONER CARRILLO: Ay-yai-yai. so 19 fun.</p> <p>20 You said salaries are great. But there is 21 no salary increase because there is no money. It's 22 like if somebody in the private sector went to a 23 department and said, "You have to develop this new 24 product. This is what you have to do, but I'm not 25 giving you any money to do it." Right?</p>	<p style="text-align: right;">37</p> <p>1 this week in order to argue for their pork -- which 2 I believe there really should be the pork for the 3 districts. You bring something home, you build the 4 park, you know, you do what you -- new furniture or 5 whatever it is in the day care center. You do what 6 you do to help your constituents.</p> <p>7 But to come back for that? But what about 8 our kids? What about our 330,000 kids that are in 9 public schools? Will they come back for us?</p> <p>10 And I have a question. Because in my 11 31 years, I don't believe there ever being a second 12 callback to a session. Has there ever been -- oh, 13 good. Glenna is nodding yes; so -- I mean Vice 14 Chair Voigt is nodding yes.</p> <p>15 But it needs to be -- we need to find 16 legislators that will organize to call in another 17 special session, because this is just not okay. We 18 can't wait till next year. We can't tell support 19 staff, "You're not getting anything, you're getting 20 a lot less."</p> <p>21 It's just simply morally repugnant. And 22 it's the reason we're No. 50 in child well-being in 23 New Mexico, not to mention education.</p> <p>24 And so my suggestion would be kind of a 25 you know, Pork, yes; Pay, No. Or Pay, Yes; Pork,</p>

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1 No. However you want to do it. But really organize  
 2 around the fact that you've now funded your park.  
 3 That's really great. But what about the kids in  
 4 your school district?  
 5 You know, it's really great you're going  
 6 to have new playground equipment, but you're not  
 7 going to have the EA you need in kinder; right?  
 8 And so we meet and we meet and we meet,  
 9 and nothing changes. I've been here 31 years.  
 10 That's why I have platinum-colored hair. This  
 11 doesn't run in my family. It's because of the  
 12 education system here.  
 13 So my sense is -- okay. And this next  
 14 part is going to sound -- first off, organizing the  
 15 Legislature to have another session and put this on  
 16 to give us the money, period.  
 17 But next suggestion -- and don't fall out  
 18 of your chair, and people that are watching, if  
 19 you're a teacher or an administrator or if you're  
 20 the press, please don't take it out of context. But  
 21 the way you get -- there's a -- there's a community  
 22 leader in Washington, D.C., years ago. He ran -- I  
 23 mean 40 years ago -- Community for Non-Violence.  
 24 And he fasted until Washington, D.C., gave the city  
 25 it needed -- the funding it needed to take care of

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1 homeless; right? And he fasted almost to the verge  
 2 of death.  
 3 And -- but he was successful. And what he  
 4 said to me one time in my life was, "What are you  
 5 willing to do to get what you want? What are you  
 6 willing to risk to meet your goal?"  
 7 And so just popping into my head this  
 8 morning -- because this really frustrates me that we  
 9 do this every year is -- don't open school. Either  
 10 don't open school in the fall. Say, "Look, we don't  
 11 have the money to open school," okay? Flat out.  
 12 Get 89 districts and all the charters to say, "We  
 13 cannot open school. We're terribly sorry. You have  
 14 not done your work in funding public ed."  
 15 The next thing would be -- and I -- just  
 16 an idea, because this is what we have to do  
 17 sometimes. And teachers, please, know that I  
 18 support you more than a support, like, anything else  
 19 on the planet, because without teachers there are no  
 20 other professions; right?  
 21 I would say to the administrators who run  
 22 these schools, "No raises for anybody. And then the  
 23 raises, when they come, will be retroactive."  
 24 Because this will make the teachers,  
 25 however many thousands and thousands there are in

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1 New Mexico, and their unions, which typically are  
 2 impotent in New Mexico, it would require them to  
 3 start to think about how do we take action, because  
 4 this is going to affect my family as a teacher;  
 5 right?  
 6 And it'll probably -- it'll bleed out into  
 7 their legislative districts.  
 8 But, you know, extreme circumstances  
 9 require extreme responses. And I've never  
 10 understood, in my time in New Mexico, why this  
 11 doesn't happen.  
 12 So I don't know if you remember this three  
 13 years ago when all the students -- not all; many --  
 14 several hundred students left Santa Fe High School  
 15 and Capital High School during lunch one year to  
 16 come down to this building when -- to protest PARCC.  
 17 And it was incredible. It was a great  
 18 learning lesson for them to come down to their State  
 19 Office of Education and say, "Look, this is not fair  
 20 to us."  
 21 And, you know, they got written up and the  
 22 attention and all the different things. But, you  
 23 know, these extreme circumstances deserve an extreme  
 24 response.  
 25 And, you know, and I can see eyes rolling

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1 on the participant page and different people that  
 2 are listening. But you look at American history.  
 3 It serves as your guide, okay? Serves as your  
 4 guide.  
 5 So think about that. Let's organize.  
 6 Let's organize with the New Mexico School Boards  
 7 Association. Everyone, all of us is feeling the  
 8 same pain and going through the same thing. So it's  
 9 not a charter issue. This is a kid issue and an  
 10 attack-on-public-schools issue.  
 11 I don't have questions for y'all because I  
 12 just see the numbers, and it just makes my -- just  
 13 makes me boil. I appreciate what you're doing. And  
 14 I would consider the two options that I just said.  
 15 They are extreme. But, heck, I'm just beside myself  
 16 on this. So thank you very much for letting me do  
 17 my thing here.  
 18 THE CHAIR: Commissioner Robbins?  
 19 COMMISSIONER ROBBINS: I also appreciate  
 20 your comments and input. And I said this yesterday.  
 21 The Legislature did adjust the lease assistance to  
 22 remove the term of "classrooms."  
 23 So now your lease assistance will be based  
 24 upon your -- the lower of your per MEM or your  
 25 actual lease cost.

<p style="text-align: right;">42</p> <p>1 So for many of the charter schools, that 2 will be an increase.</p> <p>3 Now, for another thing, I've pressed for a 4 couple of years to get the lease assistance more in 5 line with the intent and with the cost of living 6 over the last 15 years.</p> <p>7 Last year, they did a whopping 2 percent 8 increase. And I'm hoping that this year that we can 9 get something more in line with where I think it 10 should be.</p> <p>11 I think it should be over \$900 per student 12 instead of \$762. That will help charter schools 13 that have leases. Because right now, many of the 14 charter schools are having to dip into their SEG 15 funds, their operating funds, to pay their leases.</p> <p>16 So I hope that that will help also. So 17 consider that in your budget formulation.</p> <p>18 We won't know that probably until the 19 August or September time frame. But I will push for 20 at least a 9 percent since that's what the 21 Legislature provided in terms of the regular -- 22 overall SEG. I think that would be a minimum. I 23 would like it to be higher and getting up over \$900 24 per MEM.</p> <p>25 So thank you for your work, and we'll</p>	<p style="text-align: right;">44</p> <p>1 and the service that they do provide, in addition to 2 the quality education. So that, you know, we've 3 always been the definition of community schools, and 4 now there's this push for community schools.</p> <p>5 So I really think it's -- it's on us to 6 create this unified message by the PEC that goes out 7 to legislators and to coordinate with the schools to 8 work on that messaging, and with -- and with Matt's 9 group, to make sure that we've got this fine-tuned 10 and consistent message that is going out.</p> <p>11 THE CHAIR: Mr. Pahl.</p> <p>12 MR. MATT PAHL: Yeah. Madam Chair, I just 13 wanted to share that -- because I think a couple of 14 different numbers were shared on the SEG increase.</p> <p>15 And it was 11.9 percent this year on the 16 unit value increase. I know Rachael put that in the 17 chat. And I know not everybody can see that, so I 18 just wanted to say that.</p> <p>19 I do want to be clear, though, because I 20 know that -- you know, we're all passionate about 21 our kids. And I appreciate Commissioner Gipson 22 mentioning, you know, the service -- the level of 23 service that we provided during the pandemic.</p> <p>24 I wouldn't anticipate us -- we're not a 25 group who's interested in using our kids and not</p>
<p style="text-align: right;">43</p> <p>1 continue to work on that.</p> <p>2 THE CHAIR: Commissioner Gipson.</p> <p>3 COMMISSIONER GIPSON: Thanks. And, 4 really, thanks for all that information.</p> <p>5 Unfortunately, I don't think it's new news 6 for a lot of us that have been involved with this 7 for a long time. We saw a little bit of this with 8 the last salary increase when it went through. But 9 it's just -- you know, it just keeps building.</p> <p>10 And there's got to be, you know -- there's 11 got to be the fix. And I absolutely agree that we 12 have to be coordinated in our effort and our message 13 to legislators for a fix for this.</p> <p>14 I know in my area, I have a number of 15 legislators who often say, "I don't have a charter 16 school in my district, so what difference does it 17 make?" You know? So that apathy is always -- you 18 know, it cycles around.</p> <p>19 And I think it's -- you know, it's on us 20 to make sure that the narrative is going out to all 21 the legislators. And, you know, even those that are 22 on the fence about charter schools, I think through 23 these two years, the best message we show is how 24 well -- as Wayne put it, how well the charter 25 schools serve their communities during this pandemic</p>	<p style="text-align: right;">45</p> <p>1 serving them to make a political statement. So I 2 wouldn't anticipate that from our schools.</p> <p>3 However -- and I'll just say that it is 4 upsetting what's going on. But I didn't talk to one 5 legislator who -- who -- who doesn't have the best 6 intentions about getting money to kids. There is 7 not an overt, you know, "Oh, it really costs this 8 much? Well, let's cut it down a little." That's 9 not what's happening here.</p> <p>10 And so it's -- it's disappointing, and we 11 have seen it in previous salary increases. But this 12 one is so big that there's a big multiplier 13 between -- behind the -- the -- the issues at hand.</p> <p>14 And so, you know, as the Public Education 15 Commission thinks about their course of action 16 moving forward, I know our first step is to -- just 17 to educate. I mean, like, this has been really 18 enlightening for me that when somebody puts a 19 spreadsheet up, and you can just see it, that's 20 helpful for folks.</p> <p>21 And I think people just need to understand 22 what the reality is on the ground and understand 23 that there are a lot of factors at play, and get a 24 better awareness of -- of what these -- these issues 25 are in a push to expand funding in the future.</p>

<p style="text-align: right;">46</p> <p>1 But I do want to just note that I don't 2 think there's anybody in the Roundhouse who is -- 3 who is, you know, crafting a plan to underfund 4 teacher salaries. I think they were working with 5 the information that they had, and they were -- they 6 were -- you know, they have -- they have pressure to 7 get as much out of that money as possible. 8 And so I don't know that we have bad 9 actors. I think there's just an education element 10 that really needs to take place here, and a big 11 push, as the fall comes, to really work towards 12 funding schools a little bit differently. Not 13 changing the SEG radically. Looking at ways where 14 we can support smaller schools in rural communities 15 is important, as well as, again, let's just get some 16 discretionary funds in those SEGs so school leaders 17 can do their job, which is solve problems for kids, 18 not solve budget problems, and try to, you know, do 19 this -- this kind of -- it's not a shell game. But 20 there's just kind of like a lot of -- a lot of 21 figuring out on the funding side to, like, make 22 these things work. 23 A different problem, a better problem, 24 would be, "Hey. I got enough for a new staff 25 member."</p>	<p style="text-align: right;">48</p> <p>1 innovative on your budget. I mean -- and I know you 2 will. I know you will. I know our -- I know 3 charter schools will be very innovative with their 4 budget. But to not have any space to really be 5 innovative anywhere else is disheartening. 6 So I'm going to support action on the 7 PEC's part to support this education piece. I think 8 getting the word out, making sure folks know -- 9 making sure -- and I'm okay of thinking there's good 10 intention. But then once the schools start putting 11 together their budget, then that intention kind 12 of -- it comes out differently; right? 13 And so just making sure legislators know 14 that that's an issue that needs to be considered and 15 dealt with the next time they meet, I think is an 16 important way that the PEC can support schools and 17 take action as well. 18 So I'm very supportive in joining in that 19 education piece and maybe even utilizing, you know, 20 one of your spreadsheets. And we won't put your 21 name on it. But just to really show, I mean, those 22 shortfalls, and to see that you're going from a 23 budget surplus to a budget deficit, that means 24 program or people cuts. I mean, that's what it 25 equals.</p>
<p style="text-align: right;">47</p> <p>1 Is it going to be a reading 2 interventionist? Is it going to be a social worker? 3 Is it going to be someone to cover all those extra 4 duties that teachers do so they can get their full 5 preps? 6 That's the problem we want to be able to 7 solve. And I don't know that we're going to be in a 8 world where we get all of those things. But we'd 9 love to be figuring out that challenge, rather than 10 how we move everything around to -- to fulfill the 11 salary increases. 12 THE CHAIR: Thanks. I do have some who 13 are wanting to speak for a second time. Before we 14 go to that, I want to be sure that the Commissioners 15 who have not yet spoken have the opportunity, if you 16 would like. 17 (No response.) 18 THE CHAIR: The only thing I'll say is, 19 you know, I think they -- we often say we want 20 charter schools to be innovative; right? That's, 21 like, the big key word for charter schools. We want 22 charters to be innovative. We want you to be unique 23 and different. 24 And it is a little disheartening that all 25 your innovation efforts are going to go to being</p>	<p style="text-align: right;">49</p> <p>1 So I think seeing it is very educational. 2 And I think that's something that I would be very 3 supportive of the PEC moving forward to do. 4 So with that, I'm going to move to 5 Commissioner Voigt, then Commissioner Robbins. 6 COMMISSIONER VOIGT: Thank you, 7 Madam Chair. Thank you, Matt, for putting on your 8 teacher's hat and talking about -- let me turn my 9 camera on -- and talking about what people might not 10 know. 11 And I think that's really what this is. I 12 know that everybody's intentions are in the right 13 spot. But, unfortunately, this always filters down 14 to affect the most marginalized of populations. And 15 we know that a lot of our students who go to charter 16 schools have been in environments where they haven't 17 been best served. 18 So thank you for that. 19 I think that this does need to be an 20 educational piece. We need to inform in order to 21 welcome change, and in a positive light, most 22 definitely. 23 So -- and I want to thank Rachael for that 24 11.9. I think yesterday, I think I just heard the 25 ".9" coming off the audio. So -- but, yeah let's</p>

<p style="text-align: right;">50</p> <p>1 collaborate about this next action and do a -- you 2 know, a really stellar presentation so that we can 3 change some minds and change some thinking around 4 this. 5       Thanks. 6       THE CHAIR: Commissioner Robbins. 7       COMMISSIONER ROBBINS: Thank you. One 8 other point that I failed to bring up that I had 9 mentioned yesterday is the use of the 2 percent 10 within PED beyond what Charter School Division and 11 PEC uses. 12       And last year 900- -- over \$900,000 was 13 reverted to the General Fund. I would like to see 14 statute changed to limit the amount that is drawn 15 from the charter schools, State charter schools, to 16 parallel districts where it's up to. And I think we 17 can do that through our MOU. And I think 18 legislative change would help also. 19       You know, another thing that hasn't even 20 been touched on -- and this is the thing I talked 21 with a couple of legislators when they were talking 22 about this large increase -- I said, "You haven't 23 addressed the unfunded liability in the teacher 24 retirement." 25       Whenever you go in with such a large</p>	<p style="text-align: right;">52</p> <p>1 passenger car vehicle pays several hundred dollars a 2 year into road repairs through their gasoline taxes. 3 Large semis, which are going electric, pay thousands 4 of dollars in road use taxes; primarily, the 5 gasoline tax. And in New Mexico, they have a -- an 6 additional tax for those commercial vehicles. 7       So, you know, these are things that, as we 8 go to this economy, if the Legislature isn't 9 addressing that, we're actually -- we're ever 10 switching, you know, sources, but we're losing 11 funding on the one side, and we're not replacing it 12 on the other side. And that's going to put a 13 greater and greater strain on the State budget to 14 fund education, to fund other necessary programs, 15 unless they start looking at those areas to pay 16 their fair share. 17       So, you know, this is a thing I think the 18 Legislature has to address next year also, the 19 shortfall that they didn't fund this year because of 20 the salary increase and the future shortfalls to the 21 retirement. That's going to really face future 22 legislatures and the future citizens of this state. 23       THE CHAIR: Commissioner Carrillo. 24       COMMISSIONER CARRILLO: So, first, I don't 25 believe there's anybody that's in the Roundhouse</p>
<p style="text-align: right;">51</p> <p>1 increase, think of all -- when you're talking about 2 a 15 to 20 average increase in salaries, that means 3 your unfunded mandate -- or unfunded liability on 4 retirement probably grew by 30 percent, if not more. 5       So we're talking about hundreds of 6 millions of dollars of unfunded future liabilities 7 that the Legislature did not fund. 8       And so that's another reason why, you 9 know, large increases are nice for the individual, 10 but they have a huge negative impact on the system. 11 And it's better to phase in -- this would have been 12 better if we had done it over a two-year or 13 three-year period of time. 14       I know people like that 20 percent 15 increase or 10 percent increase, whatever they're 16 getting. But the thing is there's a negative impact 17 on the financial position of the State going forward 18 because of those increases and trying to maintain 19 it. 20       You know, if we phase out oil and gas in 21 the next, say, ten years, how are we going to make 22 up the billions of dollars? Right now our electric 23 vehicles, they pay nothing towards road repairs, 24 other than a very small amount towards their 25 registration fees. But you figure the average</p>	<p style="text-align: right;">53</p> <p>1 that has bad intentions. I just don't. I just 2 don't think they know how to get things done. 3       The -- and nor do they make things a real 4 priority, regardless of what is said. So it would 5 seem to me that it stands to reason that if we want 6 to get anything done prior to the next legislative 7 session, there's going to need to be another special 8 session -- right? -- because, the Governor can't 9 just arbitrarily say, "Okay, here's another" -- 10 whatever the millions of dollars is -- "to fund 11 these increases." And it's going to have to be the 12 Legislature that does that. 13       And so if we agree that we want to have 14 anything done before the next legislative session, 15 then we have to agree that we need to have a special 16 session. And if we agree that we have to have a 17 special session, then that's what needs to be 18 organized around with this issue. 19       So that's what I would encourage our 20 charter administrators and also the NMSBA and the 21 teacher unions, to -- to come to grips with. If we 22 want money, it's going to be for the next fiscal 23 year, okay? So that's kind of the -- kind of the 24 first step there. 25       You know -- and also it just kills me</p>

<p style="text-align: right;">54</p> <p>1 sometimes, because we think we're making such 2 strides in the way we're funding it and more here 3 and there. It's, like, 8 to 9 percent less of the 4 general budget than it was 10, 15 years ago, and 5 it's considerably less of our general overall 6 budget, education, than it is in many of the states 7 that we look to to look for success, like 8 North Carolina, Vermont, Massachusetts, Wisconsin, 9 Minnesota, as a percentage of budget. 10 So when we get a little bit more money, 11 and we're so happy we're like lapdogs getting a 12 bone, it's, like, "Why are we so incredibly happy? 13 They've made all these massive cuts, and we haven't 14 even come close to making up for it." 15 So the term "innovative with their 16 budgets," Matt, I'm totally not picking on you. And 17 I know that you can't be as kind of confrontational 18 in your speech as I am, because of the role that you 19 play and the great job that you do in corralling all 20 the different forces together on behalf of charters. 21 But that's -- you know, but I don't have 22 to have -- I don't have to -- and you can tell I 23 don't have much of an internal gatekeeper. So I do 24 applaud all of you for being very innovative with 25 your budgets, just as innovative as all of the</p>	<p style="text-align: right;">56</p> <p>1 priority. And that's what I would encourage people 2 to organize around. 3 And I'm going to -- for me, being -- 4 living in New Mexico, for 31 years on this issue, 5 it's like beating a dead horse. So I'll stop right 6 now. I applaud you so much for what you do for our 7 kids, you don't even know. And teachers also. So 8 let's confront this with the urgency that it 9 warrants. Thank you. 10 THE CHAIR: All right. 11 Commissioner Voigt? 12 COMMISSIONER VOIGT: Yes. If there's no 13 further discussion, I'd like to make a motion. 14 I move that the Executive Committee, on 15 behalf of the Public Education Commission, craft a 16 letter and editorial to State government leadership 17 in collaboration with Public Charter Schools of 18 New Mexico and the school leaders to educate and 19 provide solutions to our educational budget 20 shortfalls. 21 THE CHAIR: Second. 22 Any discussion? 23 Commissioner Carrillo. 24 COMMISSIONER CARRILLO: Friendly, but 25 albeit maybe controversial, friendly amendment, that</p>
<p style="text-align: right;">55</p> <p>1 people that don't make what they need to do in their 2 household budgets, and they have to decide, "Okay, 3 am I paying for prescription drugs this month, or am 4 I paying for food or rent or a roof leak," or 5 whatever it may be. 6 Philosophically, the idea of the 10 -- of 7 all these big increases, every superintendent could 8 have done this all along. They just would have had 9 to cut everything from operational; right? I mean, 10 the money that's in an overall budget or the money 11 that these schools may have in their cash reserves, 12 sure, they could have used that to give people -- I 13 know in Santa Fe, the union wanted us to give 14 everybody a lot of money. 15 And we said, "Well, you can't take it from 16 cash, because this is a recurring expense." 17 And we'd try to just tell them, "Do your 18 homework. Look at Oakland. Oakland is a great 19 example for how to mismanage your money and your 20 budget just because you want to give somebody a 21 raise." Right? 22 So -- but I applaud you for the innovation 23 in getting through this. Special session needs to 24 be -- if we want the money now -- right? -- for the 25 next fiscal year, special session needs to be a</p>	<p style="text-align: right;">57</p> <p>1 said letter must include -- or shall -- include the 2 need for calling a special session to address the 3 budget shortfall. 4 THE CHAIR: So I'll say I can't support 5 that. I think it -- I don't think that's something 6 that I would be willing to make a call on at this 7 time. 8 COMMISSIONER CARRILLO: That's cool. 9 Well, there you go. 10 THE CHAIR: Commissioner Gipson. 11 COMMISSIONER GIPSON: I don't know if you 12 want a comment on the friendly amendment. But I 13 can't -- it's not on the table, and I can't support 14 the call for a special session at this point in 15 time. I don't see it being a fruitful or productive 16 conversation at this point in time. 17 THE CHAIR: Commissioner Voigt. 18 COMMISSIONER VOIGT: Right. I wouldn't be 19 inclined to accept the friendly amendment. 20 THE CHAIR: All right. So any further 21 discussion on the motion? 22 Commissioner Carrillo. 23 COMMISSIONER CARRILLO: Today is 24 April 8th, 2022. One year from now, I'll still be 25 on this Commission, and we'll be having this</p>

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1 discussion, and nothing will have changed. Nothing  
 2 will have changed. I'll support the letter and  
 3 everything else. Editorials are great. But action  
 4 is better.  
 5 THE CHAIR: Any further discussion?  
 6 (No response.)  
 7 THE CHAIR: All right. Seeing none,  
 8 Secretary Armijo, if you would take roll.  
 9 COMMISSIONER ARMIJO: Commissioner Davis.  
 10 COMMISSIONER DAVIS: Are we voting on the  
 11 original motion?  
 12 THE CHAIR: Yes, on the original motion to  
 13 submit a letter, an editorial in collaboration with  
 14 the school leaders and Public Charter Schools of  
 15 New Mexico.  
 16 COMMISSIONER DAVIS: Okay. I vote yes.  
 17 COMMISSIONER ARMIJO: Commissioner Gipson.  
 18 COMMISSIONER GIPSON: Yes.  
 19 COMMISSIONER ARMIJO: Commissioner Manis.  
 20 COMMISSIONER MANIS: Yes.  
 21 COMMISSIONER ARMIJO: Commissioner  
 22 Robbins.  
 23 COMMISSIONER ROBBINS: Yes.  
 24 COMMISSIONER ARMIJO: Commissioner Voigt.  
 25 COMMISSIONER VOIGT: Yes.

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1 COMMISSIONER ARMIJO: Commissioner Armijo  
 2 votes yes.  
 3 Chair Burt.  
 4 THE CHAIR: Yes.  
 5 COMMISSIONER ARMIJO: Commissioner  
 6 Carrillo.  
 7 COMMISSIONER CARRILLO: Yes.  
 8 COMMISSIONER ARMIJO: We -- that motion  
 9 passes.  
 10 THE CHAIR: All right. Thank you.  
 11 And thank you, Mr. Pahl, Ms. Sowards,  
 12 Mr. Smith, Mr. Sherwood. Thank you so much for your  
 13 time this morning. We're very grateful. We know,  
 14 as charter leaders, you had a lot of things that you  
 15 just gave up in order to come talk to us this  
 16 morning. So we're extremely grateful. Enjoy your  
 17 weekend, and thank you for joining us today.  
 18 MR. MATT PAHL: Thanks, everyone.  
 19 COMMISSIONER VOIGT: Thank you.  
 20 THE CHAIR: All right. So that will move  
 21 us to new Item No. 7, which is Discussion and  
 22 Possible Action on The ASK Academy Request for  
 23 Enrollment Cap Increase.  
 24 And I do see Dr. Boyd. Thank you.  
 25 So, Director Chavez, I will pass this over

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1 to you.  
 2 DIRECTOR CORINA CHAVEZ: Thank you,  
 3 Chair Burt. Good morning. Good to see people in  
 4 the audience, and thank you to the -- to the people  
 5 who are attending virtually.  
 6 As you know, the Public Education  
 7 Commission votes on amendments to a charter school's  
 8 contract. And, in this case, we have a school that  
 9 is asking to increase the school's enrollment cap.  
 10 We did an analysis that you'll see in  
 11 your -- your materials. It's No. 6. And this talks  
 12 about the school. It introduces the school's  
 13 mission, discusses the school's academic  
 14 performance, and it talks about the school's  
 15 performance to date. And then the enrollment cap  
 16 amendment request form, and all the information  
 17 provided by the school is also there.  
 18 So the current enrollment cap is 600. The  
 19 school is asking to increase the enrollment to 850.  
 20 We held a meeting with The ASK Academy and  
 21 Dr. Boyd and her colleagues to discuss the  
 22 enrollment cap, and we feel that we would recommend  
 23 approval.  
 24 Thank you.  
 25 THE CHAIR: Thank you, Director Chavez.

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1 Dr. Boyd, I'm going to go ahead and have  
 2 you introduce yourself first. And then if you can  
 3 talk to us a little bit about why you're asking for  
 4 this increase.  
 5 DR. ALEXANDRA BOYD: Yes, thank you.  
 6 Thank you, Madam Chair. My name is Alexandra Boyd.  
 7 I am the CEO of The ASK Academy. I do have a  
 8 presentation to share with you all, if that's okay.  
 9 THE CHAIR: Yes, please. That's --  
 10 DR. ALEXANDRA BOYD: I have it so I can  
 11 share it with the -- I'm on the Zoom, so I can show  
 12 my screen.  
 13 THE CHAIR: Yeah. You should be able to.  
 14 DR. ALEXANDRA BOYD: But while we're  
 15 waiting on it to happen, I just want to -- I can  
 16 just go ahead and give you a quick summary of the  
 17 school.  
 18 The ASK Academy currently serves scholars  
 19 in grades 6 through 12. We are a STEM-focused  
 20 charter school that uses a project-based learning  
 21 model.  
 22 We currently serve about 560 scholars.  
 23 Our enrollment cap is 600.  
 24 And let me go ahead and share my screen  
 25 with you all. All right.



<p style="text-align: right;">62</p> <p>1 As you see here, this is a picture of our 2 beautiful main campus building. In this building, 3 we have -- we serve our scholars in 7th through 12th 4 grade. The building is beautiful, and it's -- it's 5 very conducive to our needs. But it's also packed. 6 So I will talk about that a little bit later. 7 As Ms. Chavez said, we have our mission 8 here for you all. For those of you who aren't 9 familiar with The ASK Academy, "The ASK Academy will 10 emphasize science, technology, engineering, and 11 mathematics curricula though creating a learning 12 culture through project-based learning experiences, 13 21st century technology, research programs, 14 relationship building, and partnership program 15 engaging scholars in the learning process. The ASK 16 Academy will provide multiple opportunities for 17 scholars to demonstrate attitudes, skills, and 18 knowledge of the core standards through independent 19 learning experiences." 20 And our vision is that, "Building 21 relationships to create self-directed learners." 22 Here is a little milestone timeline for 23 you all. These are major milestones. 24 The ASK Academy opened in fall of 2010. 25 When the academy first opened, we were serving</p>	<p style="text-align: right;">64</p> <p>1 Deloitte -- it's a very impressive project. 2 Essentially what they did was they built a 3 3D printer that was able to print basically, like, 4 an adobe mixture to create temporary housing. 5 And you also see some of our students 6 doing some of their project-based learning here as 7 well. 8 And the next slide, you'll see our 9 scholars participating in Research in Action, doing 10 project-based learning in the classroom, also our 11 scholars competing at the Model UN, State 12 competition. 13 And then these are some of our younger 14 scholars. You can see right behind them is our 15 Sixth Grade Academy in that picture. 16 So my -- my team would be disappointed if 17 I didn't share these highlights with you all. 18 We have had three National Merit Scholar 19 finalists in the past two years. 20 I want to say a special thank-you to all 21 of our project managers, specifically Ms. Shimada 22 and Ms. Pierce for their work that they do with 23 our -- preparing our scholars for those exams and 24 actually administering those exams. 25 We graduate scholars with disabilities on</p>
<p style="text-align: right;">63</p> <p>1 grades 7 through 12. In 2014, we added grade 6 to 2 that, because we felt we needed a little bit more 3 running ground to get our scholars ready for our 4 high school programming. 5 In 2016 is when we moved into the 6 beautiful building you saw on the first slide. 7 In 2019, we added the Sixth Grade Academy, 8 which is a smaller building located just in front of 9 the main campus. 10 And then in -- we hope to, in 2023, to 11 complete our campus design. To complete our campus 12 design, we need one additional building. 13 I wanted to share with you -- Ms. Chavez 14 asked for me to share with you some of the recent 15 successes for The ASK Academy. 16 I have these images for you so you will 17 have a picture of who we're working with and what 18 we're doing as I go through those recent 19 celebrations. 20 And these pictures, you'll see pictures of 21 our scholars participating in our Research in 22 Action, which is our school-wide science fair. We 23 also have our Governor's STEM Challenge team at the 24 top in the middle. They did win this year. They 25 got -- they were recipients of awards from</p>	<p style="text-align: right;">65</p> <p>1 a traditional diploma. This is really important to 2 me. Sometimes it takes us five or six years to do 3 it. And our graduation rate takes a dip. But it's 4 a meaningful dip, and I'm comfortable with that, and 5 I'm proud of that. 6 So I usually use these first two points to 7 give people a picture of the scholars we serve. We 8 serve everyone who shows up, and we serve them well. 9 We also have three Eagle Scouts this year, 10 which is pretty amazing. One of the Eagle Scouts 11 provided the school with sensory kits for our 12 scholars who need to fidget quietly during class. 13 And that was -- that was a really special gift to 14 our campus. 15 Also one of our Eagle Scouts is one of the 16 first female Eagle Scouts in New Mexico and possibly 17 the nation. 18 We talked about Governor's STEM Challenge. 19 Not only was our Governor's STEM Challenge 20 recognized in 2021, they were also recognized in 21 2019 by RS21. 22 Our school is the current recipient of the 23 Near-Peer Tutoring Grant. Through that tutoring 24 grant, we employ 20 of our own scholars to provide 25 tutoring services to over 30 students each week.</p>

<p style="text-align: right;">66</p> <p>1 Some of our students who have participated 2 and received tutoring have been -- their grades have 3 jumped significantly, like 20-, 30-point grade -- 4 20-, 30-point jumps. 5 I don't know if you all have had the 6 chance to come out. But our seventh graders hosted 7 a living map tour on our campus. On our campus, the 8 scholars have created a 100 by 100 -- 100 by 9 100-foot map of New Mexico, where they recreated it 10 to learn about New Mexico history. 11 So they built the borders; they built the 12 rivers; they built the mountains, the caves. They 13 even have White Sands represented. 14 This is still a part of our campus. So if 15 you ever get the chance to come out to The ASK 16 Academy in Rio Rancho, please come down, and we'll 17 be happy to get you a tour of our New Mexico Living 18 Map. 19 I want us to give a special thank you to 20 our project managers, Jessica Gallegos, and Daveed 21 Korup for their work on this really wonderful 22 project. 23 One of your project managers, Janisse 24 Vasquez, has been representative of ASK Academy as a 25 teacher ambassador and also on the social studies</p>	<p style="text-align: right;">68</p> <p>1 all know how hard it is to organize events during 2 COVID. 3 And our community, our student leaders and 4 our parent support, have taken it upon themselves to 5 ensure that our scholars have a full robust year, 6 even in the face of COVID. 7 And I couldn't be -- I couldn't be more 8 thankful to our parent support committee president, 9 Cheryl Kemnitz. 10 Our Model United Nation scholars won best 11 delegate and best opposition paper at the State 12 competition this year. I would like to thank 13 Ms. Krista Pink for her support of those scholars 14 and that program. 15 And our very own Dr. Jeanne Forrester has 16 been named Governing Council Member of the Year by 17 the Public Charter Schools of New Mexico. So thank 18 you to Dr. Forrester and all of our board members 19 for their service, and to the Public Charter Schools 20 of New Mexico for supporting us and recognizing high 21 quality board membership. 22 Our recent audit came back with no 23 findings. I'll just say that for a minute, just set 24 that out there, because that's a really big deal. 25 Yes. Thank you.</p>
<p style="text-align: right;">67</p> <p>1 standards team. And we're really grateful for 2 Ms. Vasquez for her engagement, not only in our 3 school and our community, but also in the state. 4 You saw earlier pictures of our Research 5 in Action. This is a school-wide event that didn't 6 happen during the first year of COVID. 7 I'm very proud of my team for pulling all 8 these components together, all the people together. 9 We had outside judges come and work with our 10 scholars on their Research in Action. And we did 11 have some scholars who participated in the State 12 science fair and were -- had the option to do so at 13 a national level as well. 14 We have a VEX Robotics team. This year 15 they did place locally. We're very proud of them. 16 I'd like to thank Ms. Nevelyn Headrick for her work 17 with our VEX Robotics team. 18 We also recently started a Future Health 19 Professionals of New Mexico club; it's called HOSA. 20 And they participated for the very first time this 21 year in that competition, and they placed 1st, 2nd, 22 and 3rd in several categories. 23 Our student government, National Honor 24 Society, and parent support committee offer monthly 25 programming. And I just point this out because you</p>	<p style="text-align: right;">69</p> <p>1 And, recently, two of our scholars also 2 placed in the Creative New Mexico art poster 3 contest. And we're very proud of those scholars as 4 well, and our art teacher, Bonnie Smith, who 5 supported their entries. 6 All right. So as I was speaking earlier 7 about our current campus, how our plan is to add an 8 additional building to our current campus. So 9 everything you see here, like, from this wall to 10 this wall and this back wall right here, this -- we 11 own all of this land. 12 This is the main campus here. 13 This is our sixth grade building here. 14 Our long-term plan is to put a building 15 here so that we can serve more scholars. Also, just 16 in case you want to know when you come to campus, 17 our New Mexico Living Map is right here in this 18 corner. 19 We're also going to place a -- I'm 20 sorry -- a -- I'm going to wrap up really soon -- a 21 basketball court here and a maintenance building 22 here. So that's just to give you a visual of what 23 we're working with. 24 Our request for you all is to increase our 25 enrollment cap from, currently, 600 to 850 scholars.</p>

70	<p>1 We will phase in scholars over a five-year period.</p> <p>2 With the coming school year, we would like</p> <p>3 to serve 645 students, which is why I'm bringing</p> <p>4 this request to you now. We can serve that many</p> <p>5 students with the current facilities and staffing</p> <p>6 that we have. So that would be an addition of about</p> <p>7 70 students to what we currently have.</p> <p>8 And then we'll -- we will continue to</p> <p>9 build up to 850 by retaining more students through</p> <p>10 the high school years and by continuing to recruit</p> <p>11 students in middle school.</p> <p>12 Here are the enrollment projection</p> <p>13 numbers. I believe you have these in your packet.</p> <p>14 Similarly, here are the staffing</p> <p>15 projection numbers, which I believe you also have in</p> <p>16 your packet so I won't belabor that point.</p> <p>17 The main thing I think that you need to</p> <p>18 know is that for this first year, we're essentially</p> <p>19 at one project manager, or teacher, and one support</p> <p>20 staff person. If we're able to get the enrollment</p> <p>21 cap increase today, we can do that for next year.</p> <p>22 So I'm happy to answer any questions you</p> <p>23 may have.</p> <p>24 THE CHAIR: Great. Thank you, Dr. Boyd.</p> <p>25 Commissioner Voigt.</p>	72	<p>1 kids stay (inaudible) high school?</p> <p>2 DR. ALEXANDRA BOYD: Yes. That's actually</p> <p>3 noted on that sheet. We have about a 15 percent</p> <p>4 attrition rate. And that does take place pretty</p> <p>5 heavily from eighth to ninth grade.</p> <p>6 We do have scholars who leave us to go to</p> <p>7 other schools because they may be a better fit for</p> <p>8 them because they may have sports or other</p> <p>9 extracurricular activities that we don't have, as</p> <p>10 kind of like we're a STEM-focused school. That's</p> <p>11 what we do.</p> <p>12 COMMISSIONER VOIGT: I know that Charter</p> <p>13 School Athletics League used to be in existence.</p> <p>14 They're still around; right?</p> <p>15 DR. ALEXANDRA BOYD: And we do plan to</p> <p>16 participate in the upcoming year. We haven't</p> <p>17 participated in the past two years though.</p> <p>18 COMMISSIONER VOIGT: There are so many</p> <p>19 other charter schools that have extracurricular</p> <p>20 activities after school or clubs that do Minecraft</p> <p>21 or robotic stuff. There should be an activities --</p> <p>22 a Charter School Activities Association; not just</p> <p>23 athletics but activities. I don't know if he would</p> <p>24 talk to -- if that same guy is still heading up the</p> <p>25 athletics or not. But they could certainly bring in</p>
71	<p>1 COMMISSIONER VOIGT: Thanks, Madam Chair.</p> <p>2 Good morning. Thanks for being here.</p> <p>3 DR. ALEXANDRA BOYD: Good morning.</p> <p>4 COMMISSIONER VOIGT: And zero findings.</p> <p>5 That's just --</p> <p>6 COMMISSIONER CARRILLO: Bravo.</p> <p>7 DR. ALEXANDRA BOYD: Thank you. Thank</p> <p>8 you. Yes. And hats off to my COO, Constance Dove</p> <p>9 Castilleja, and Vigil Group, Ashley Woodard, and our</p> <p>10 in-house business assistant, Mackenzie Woods.</p> <p>11 They're an excellent team, and I couldn't be</p> <p>12 happier.</p> <p>13 COMMISSIONER VOIGT: One is -- two is</p> <p>14 outstanding. But zero.</p> <p>15 So I had a question. But the property, I</p> <p>16 mean, that's a lot of property. Any thoughts about</p> <p>17 an equestrian ring? I'm just kidding. But...</p> <p>18 COMMISSIONER CARRILLO: Why not?</p> <p>19 COMMISSIONER VOIGT: So with that 250</p> <p>20 increase -- and I was looking at that enrollment</p> <p>21 chart. So it's pretty well spread through all the</p> <p>22 grade levels, which is good, because you see that</p> <p>23 balance matriculating from grade to grade.</p> <p>24 What is your matriculation rate from,</p> <p>25 like, your eighth grade to your ninth grade? Do</p>	73	<p>1 more program, because I know so many charter schools</p> <p>2 are doing activities, not just athletics. Some are</p> <p>3 doing both.</p> <p>4 But -- so that's awesome. Thanks for the</p> <p>5 presentation. Very informative. Thanks.</p> <p>6 DR. ALEXANDRA BOYD: You're welcome. And</p> <p>7 to your points, Commissioner Voigt, I would just</p> <p>8 like to say -- you all may not know this. I've only</p> <p>9 been here two years. I came here in 2020. And</p> <p>10 speaking about the collaboration between charter</p> <p>11 leaders, I would say here in New Mexico, it has been</p> <p>12 excellent. And I would not have been as successful</p> <p>13 as I have been if it weren't for the support of Matt</p> <p>14 Pahl. His group and my fellow charter leaders,</p> <p>15 they're outstanding.</p> <p>16 And I continue to try to get them into our</p> <p>17 schools, get them into my school so we can build</p> <p>18 that collaboration.</p> <p>19 COMMISSIONER VOIGT: Super. Did you get</p> <p>20 my e-mail for that invite of charter leader</p> <p>21 visitations?</p> <p>22 DR. ALEXANDRA BOYD: I did not. I'll make</p> <p>23 sure I get it before I leave.</p> <p>24 COMMISSIONER VOIGT: Yeah. It's going to</p> <p>25 be at Albuquerque School of Excellence.</p>

74	<p>1 DR. ALEXANDRA BOYD: I'm sending my 2 principal there -- oh, no. We are going to that, 3 yes. 4 THE CHAIR: It's going to be Commissioner 5 Carrillo, Commissioner Gipson, and Commissioner 6 Robbins. 7 COMMISSIONER CARRILLO: Thank you. Thank 8 you very much for being here and not being on Zoom. 9 It means a great deal to us when people come, and 10 it's just also nice to just see you and meet you. 11 DR. ALEXANDRA BOYD: Yeah. Thank you for 12 your service. 13 COMMISSIONER CARRILLO: It's my pleasure. 14 Not during last discussion, but, no, it's totally my 15 pleasure. 16 So I know that the CSD has recommended 17 approval. I'm just looking at the performance -- 18 the information from the last couple of years. And 19 I know we don't have anything right now. But it 20 just looks like there were some challenges, you 21 know, in 2018-'19 relative to financials and 22 business management. And I trust that all that's 23 been -- you've been working with CSD and with our 24 team and -- terrific. 25 DR. ALEXANDRA BOYD: Uh-huh.</p>	76	<p>1 No, I saw her hand. And I just wanted to 2 make sure that there was nothing that -- 3 THE CHAIR: Do you want her to answer 4 that? Do you want her to answer your question? 5 Dr. Chavez? 6 COMMISSIONER CARRILLO: Yeah, when I'm 7 done talking. 8 THE CHAIR: Okay. 9 COMMISSIONER CARRILLO: But is -- a 10 question about precluding a State charter. 11 DIRECTOR CORINA CHAVEZ: Absolutely 12 nothing would preclude them from participating in 13 those programs. And some charters do. 14 COMMISSIONER CARRILLO: Swell. 15 DR. ALEXANDRA BOYD: Thank you for that 16 information. I was unaware. Thank you so much. 17 COMMISSIONER CARRILLO: If I could finish? 18 I'm just going to go ahead. I know 19 there's going to be more discussion. But I'm going 20 to go ahead. And I didn't look at the motions that 21 Ms. Barnes did. 22 I'm going to make a motion to accept the 23 request for the enrollment cap increase. 24 THE CHAIR: I think if -- before we start, 25 I want to make sure we can ask questions of</p>
75	<p>1 COMMISSIONER CARRILLO: I'm very 2 impressed, super-duper impressed with your 3 presentation. So thanks for taking the time to do 4 that. 5 I have a question -- my understanding is 6 the NMAA is not the New Mexico Athletics 7 Association, but the New Mexico Activities 8 Association. Is there anything that prevents State 9 charters from being a part of them and having them 10 as a resource to -- 11 DR. ALEXANDRA BOYD: Yeah. I think I 12 could help. So I think I understand this correctly. 13 If I don't, please correct me. 14 So the law provides, or allows for, 15 scholars who attend charter schools to participate 16 in sports with their home district or where they 17 would normally -- outside of that, I'm not aware of 18 any of our participation in anything. 19 COMMISSIONER CARRILLO: I know they can do 20 that, but I was thinking about all the different 21 act- -- because there are so many things now -- 22 that's why they are now the "activities" association 23 and not the "athletics," because there are so many 24 things going on in all of our public schools that 25 require the support in this way.</p>	77	<p>1 Dr. Boyd. 2 COMMISSIONER CARRILLO: We can always ask 3 questions. But once -- 4 THE CHAIR: After a motion is made, we 5 can't ask questions of Dr. Boyd. 6 COMMISSIONER CARRILLO: That's right. I 7 forget that part. 8 THE CHAIR: So I'll come back to you, 9 though, after we finish questions and answers. 10 COMMISSIONER CARRILLO: I just totally -- 11 I forget that. 12 DR. ALEXANDRA BOYD: I appreciate the 13 zeal, Commissioner Carrillo. 14 THE CHAIR: All right. So Commissioner 15 Gipson. 16 COMMISSIONER GIPSON: Thanks. And thanks 17 for being here today and everything that you do. 18 It's always a pleasure when we hear from 19 The ASK Academy, because we know how robust a 20 program that you do have. 21 And I was really happy to see that 22 you're -- looks like you're on the way of getting 23 money from the New Mexico Finance Authority, and 24 that you also got in some capital money, and that 25 your -- you've got that little bit of money that's</p>

<p style="text-align: right;">78</p> <p>1 coming out of the junior bill.</p> <p>2 But could you talk a little bit about the</p> <p>3 financing and how important it is that the</p> <p>4 enrollment increase happens to help secure the</p> <p>5 funding for the new building?</p> <p>6 DR. ALEXANDRA BOYD: Yes. Thank you for</p> <p>7 that question, Commissioner Gipson. I will do my</p> <p>8 best to answer that question.</p> <p>9 I will say I do have an expert on the</p> <p>10 issue who does most of those details for me, but I</p> <p>11 will try to give you a high level response.</p> <p>12 So recently -- let's see -- so, yes. So</p> <p>13 having carryover leading into a new building build</p> <p>14 is really important. It's important to lenders.</p> <p>15 It's important to us for our sustainability and</p> <p>16 perpetuity.</p> <p>17 And so that is why we're asking for an</p> <p>18 enrollment cap increase at this point, so that we</p> <p>19 can get just slightly above 600 so that we will have</p> <p>20 the numbers and the money in the bank that will not</p> <p>21 only make the lenders happy, but will also make me</p> <p>22 happy, comfortable, and safe moving forward.</p> <p>23 It is a challenge securing -- securing</p> <p>24 lending, especially when we are only, at the current</p> <p>25 time, able to get five-year charter contracts. It's</p>	<p style="text-align: right;">80</p> <p>1 you say, "Wait. There's no room for improvement."</p> <p>2 I think there's always a little room for</p> <p>3 improvement.</p> <p>4 DR. ALEXANDRA BOYD: I would very much</p> <p>5 agree with you. There's always room for</p> <p>6 improvement.</p> <p>7 COMMISSIONER ROBBINS: And the trend over</p> <p>8 the last couple of years I think has been remarkable</p> <p>9 in your management and financial management. You</p> <p>10 coming on in 2020 I think was a good move, because,</p> <p>11 again, the school is moving forward. And some of</p> <p>12 the direction that the school is going in right now</p> <p>13 with the expansion and this enrollment cap increase</p> <p>14 request, I think it's positive.</p> <p>15 It's positive for your students, it's</p> <p>16 positive for the community. And I did get a -- and</p> <p>17 I think we saw a letter of support from the</p> <p>18 Albuquerque Chamber of Commerce. I didn't see</p> <p>19 anything from the community in Rio Rancho</p> <p>20 letter-wise supporting that, which is disappointing.</p> <p>21 Since The ASK Academy is one of the</p> <p>22 highest performing schools in the state, it's</p> <p>23 unfortunate that there's not more support that, you</p> <p>24 know, is -- you know -- upfront.</p> <p>25 DR. ALEXANDRA BOYD: Commissioner Robbins,</p>
<p style="text-align: right;">79</p> <p>1 hard to go to a lender and say, "Hey. Can you give</p> <p>2 me a really long lease," when I'm only guaranteed to</p> <p>3 be in operation for five years.</p> <p>4 So all of those things very much go into</p> <p>5 the decisions that need to be made to move forward.</p> <p>6 But, yes, you're exactly right, Commissioner Gipson.</p> <p>7 That's why we want to start the slow, steady growth</p> <p>8 now, so that the dollars won't be a huge issue</p> <p>9 moving forward.</p> <p>10 COMMISSIONER GIPSON: Thank you.</p> <p>11 THE CHAIR: All right.</p> <p>12 Commissioner Robbins, then Commissioner</p> <p>13 Armijo.</p> <p>14 COMMISSIONER ROBBINS: Thank you,</p> <p>15 Ms. Boyd. I congratulate you on your audit</p> <p>16 findings.</p> <p>17 I would say one thing to your auditor.</p> <p>18 And I tell people this. If they didn't find</p> <p>19 anything, they didn't look very hard. Not that</p> <p>20 you're not doing a good job. But there's always</p> <p>21 something, you know, a transposition or -- so, you</p> <p>22 know.</p> <p>23 Because, again, auditor- -- I don't look</p> <p>24 at auditors as punitive. They are consultants to</p> <p>25 help you improve. If they don't find anything, then</p>	<p style="text-align: right;">81</p> <p>1 I will take the blame for that. That was not</p> <p>2 anything to do with the Rio Rancho Chamber of</p> <p>3 Commerce. I just, most recently, have been in</p> <p>4 contact with Ms. Fitzgerald, and she was actually</p> <p>5 attentive enough to realize that we were coming</p> <p>6 here, and she asked me if she could provide support,</p> <p>7 and, of course, we welcomed it.</p> <p>8 This is my first time coming before the</p> <p>9 PEC. And I -- I could have been more prepared and</p> <p>10 provided our community supporters with the</p> <p>11 information that we were coming forth to ask for</p> <p>12 that.</p> <p>13 I will say that pretty -- pretty</p> <p>14 confidently that the only reason we don't have a</p> <p>15 letter from the Rio Rancho Chamber of Commerce is</p> <p>16 because I did not make it known to them, and I did</p> <p>17 not do that networking.</p> <p>18 COMMISSIONER ROBBINS: Right.</p> <p>19 DR. ALEXANDRA BOYD: We do work with them,</p> <p>20 and they do support us.</p> <p>21 COMMISSIONER ROBBINS: I don't count it</p> <p>22 against you, because a lot of times what we see is</p> <p>23 maybe not a huge outpouring of support. But there's</p> <p>24 no negative comments coming in, either. No one -- I</p> <p>25 haven't seen anything where anyone is in opposition</p>

<p style="text-align: right;">82</p> <p>1 to that. And that is a tribute to the school and 2 the involvement you have with the community. 3 So thank you. Thank you for coming, and I 4 look forward to voting on this. 5 DR. ALEXANDRA BOYD: Oh. Thank you so 6 much, Commissioner Robbins. And I just would like 7 to make one point. Last night I got to spend the 8 evening at the new Career and Technical Education 9 building for the Rio Rancho Public Schools. 10 Dr. Cleveland and her team have done a tremendous 11 job in securing that facility for their scholars. 12 And we were there with the Rio Rancho 13 Chamber of Commerce and the community, and it was a 14 fabulous event. And I look forward to future 15 collaborations with Dr. Cleveland so that we ensure 16 that all of the scholars in our community get placed 17 in the best school for them. 18 THE CHAIR: Commissioner Armijo. 19 COMMISSIONER ARMIJO: Thank you, 20 Chair Burt. And, Dr. Boyd, thank you for coming. I 21 wish I could have been there in person, too, because 22 it looks like we have a lot of people there. 23 I think I answered my own question. But 24 my question was sort of geared to the growth piece 25 and your support position. So I see that you're --</p>	<p style="text-align: right;">84</p> <p>1 level through maybe professional development for my 2 project managers. 3 Moving forward, you know, I would be 4 remiss if I didn't say it is a concern with having 5 to -- the social workers, from my understanding, 6 were not included in the calculation for the teacher 7 raises. But they're professional, licensed people 8 who also need to -- they do incredible, important 9 work, and they need to be correctly compensated for 10 that work. 11 I will have to be more creative moving 12 forward in the way we provide those supports if the 13 teacher raises kind of push out and inch out that 14 additional support person I was able to hire this 15 year. 16 I do want you to know that we take this 17 very seriously. If our students are not -- if 18 they're not calm, if they're not relaxed, if they 19 don't feel fulfilled, validated, if they don't feel 20 like human beings, it's really hard for them to 21 learn. 22 And we understand that very deeply at The 23 ASK Academy. Thank you for asking that question, 24 and I hope I answered it to your satisfaction. 25 COMMISSIONER ARMIJO: I think you did.</p>
<p style="text-align: right;">83</p> <p>1 will be increasing at approximately 50 percent per 2 year, including positions in special ed and 3 counseling, as needed. So, yeah, that was more my 4 question. 5 Yeah. Increasing from 600 to 850, I 6 thought was -- I just wanted to make sure that you 7 were taking the necessary steps to ensure that the 8 social-emotional learning of your students is 9 addressed. 10 And so can you just speak a little bit 11 more about that? 12 DR. ALEXANDRA BOYD: Yes, I can. And 13 thank you for bringing up that point, Commissioner 14 Armijo. 15 So we have been -- we have been 16 approaching a social-emotional support for our 17 scholars very aggressively. This year, because of 18 the additional federal funding, I was able to hire 19 an additional social worker. So for my close to 600 20 students, I have two social workers and a counselor. 21 I would love to have more. If I could 22 afford more, I would get more. 23 I have been networking with some community 24 providers for social-emotional health to possibly 25 get some in-kind donations, or maybe at the high</p>	<p style="text-align: right;">85</p> <p>1 Thank you so much. I appreciate that. 2 THE CHAIR: All right. If there's no 3 other Commissioners who have not yet spoken, I would 4 like to give you that opportunity now. 5 (No response.) 6 THE CHAIR: All right. So before we go to 7 a motion, I'll just say I'm so -- I'm -- ASK Academy 8 has an impeccable reputation in the community, and 9 which can sometimes be a tough community to garner 10 that kind of reputation. And so I do know that 11 that's something that is very well known around 12 Rio Rancho. 13 But I have -- I have multiple friends who 14 live well across Albuquerque and drive the 15 45 minutes, or 30, you know, to drop their kids off 16 at ASK Academy in Rio Rancho. So I do -- I 17 understand that, you know, the Albuquerque Chamber 18 of Commerce is invested as well, because there are 19 many students that are outside of Rio Rancho that 20 are served by ASK Academy as well. 21 When I was a teacher, I -- a middle school 22 teacher, I loved having the opportunity to talk to 23 my students about, "Hey, you know, you're really 24 great at science. Like, there's this school that -- 25 like, you can really get some intense education in</p>

86	<p>1 science. It would be great for you," you know. So 2 having that option is awesome.</p> <p>3 I know ASK Academy waitlists are always a 4 very real thing, which is, once again, a sign of the 5 reputation of the -- of the Academy and of what's 6 been built and moving into what is going to be 7 built.</p> <p>8 So I'm amazed, happily supportive of an 9 increase. I like that it's gradual over time as 10 well. Always a big fan of responsible growth and 11 not just -- you know, I actually do think you 12 probably could very quickly add to -- if there's 13 that many students who want to come to your school. 14 But doing it responsibly, making sure you have all 15 the supports for all of your students is really 16 important.</p> <p>17 I also know I've always been very 18 appreciative of The ASK Academy. I've met many 19 families who have students who have -- they struggle 20 in school. And ASK Academy, once again, is one of 21 those places where, like -- it's known as a high 22 achieving school. But it's also a school that 23 parents and families know that their students are 24 going to get the support to achieve high 25 achievement.</p>	88	<p>1 THE CHAIR: Love it. Thank you. 2 All right. Well, with that, I'll go -- 3 Commissioner Carrillo, would you like to propose a 4 motion now? 5 COMMISSIONER CARRILLO: Of course. Thank 6 you. Pleasure to do so. 7 I move that the PEC approve the amendment 8 request for The ASK Academy to increase their 9 enrollment from 600 to 850. 10 COMMISSIONER ROBBINS: Second. 11 THE CHAIR: There is a motion on the table 12 and a second. Any discussion? 13 (No response.) 14 THE CHAIR: All right. Seeing none, 15 Secretary Armijo, if you could take the votes. 16 COMMISSIONER ARMIJO: Thank you. 17 Commissioner Gipson. 18 COMMISSIONER GIPSON: Yes. 19 COMMISSIONER ARMIJO: Commissioner Manis. 20 COMMISSIONER MANIS: Yes. 21 COMMISSIONER ARMIJO: Commissioner 22 Robbins. 23 COMMISSIONER ROBBINS: Yes. 24 COMMISSIONER ARMIJO: Commissioner Voigt. 25 COMMISSIONER VOIGT: Yes.</p>
87	<p>1 So I just am really happy to have you in 2 my district. And you're actually just very close, 3 right by my house, and I drive by you all the time.</p> <p>4 The other thing I know, and I know this 5 from personal experience, is a lot of community 6 partners use your buildings. And I've taken my kids 7 to choir. The community choir goes to ASK Academy, 8 and they use the building.</p> <p>9 So just having the community partners is 10 very embedded in your school. So having more space, 11 I'm sure you could serve more parts of the community 12 in the future. But, yeah, I'm just really grateful 13 that you're coming and allowing for more students to 14 be served by an excellent school option in 15 Rio Rancho.</p> <p>16 DR. ALEXANDRA BOYD: Thank you so much for 17 those kind comments, Commissioner Burt. I really 18 appreciate it.</p> <p>19 I would also -- I wouldn't miss the moment 20 to plug the fact that we have been hosting the Black 21 Education Ed Council Committee meetings at The ASK 22 Academy. That has been a really great partnership 23 in working with Nicole Bedford, who is just an 24 amazing community leader. So we grow by helping our 25 friends grow. So we grow together.</p>	89	<p>1 COMMISSIONER ARMIJO: Commissioner Armijo 2 votes yes. 3 Chair Burt. 4 THE CHAIR: Yes. 5 COMMISSIONER ARMIJO: Commissioner 6 Carrillo. 7 COMMISSIONER CARRILLO: Yes. 8 COMMISSIONER ARMIJO: And Commissioner 9 Davis. 10 COMMISSIONER DAVIS: Yes. 11 COMMISSIONER ARMIJO: That motion passes. 12 THE CHAIR: Congratulations. 13 DR. ALEXANDRA BOYD: Thank you very much. 14 Thank you very much. And I just want to say one 15 more time that the work is easy to do because I have 16 an amazing team. From our janitor all the way up to 17 my COO, my team is excellent. And I appreciate your 18 support in our ability to build on the dream that 19 the founders created for The ASK Academy to continue 20 to create in the future and affect more families in 21 the Rio Rancho community and the Northwest 22 Albuquerque community. So thank you so much for 23 your time and your confidence. 24 THE CHAIR: Thank you. 25 All right. So, we do have -- I know</p>

<p style="text-align: right;">90</p> <p>1 Commissioner Armijo is sad to see all the people 2 that she's missing here, but we do have other 3 schools that are present here, and they're not until 4 much later on the agenda.</p> <p>5 So I'm wondering if it would be amenable 6 to everyone to go ahead and move Item No. 13. And 7 if Director Chavez -- if that's also -- I want to 8 make sure that's okay with you. That way they don't 9 have to wait here all day to get to their item.</p> <p>10 Is that okay? All right. 11 Director Chavez?</p> <p>12 DIRECTOR CORINA CHAVEZ: We have 13 representatives here from THRIVE. And I let RioGafa 14 know that I would let them know when they were 15 coming up. So I would ask that you give me a minute 16 to -- to make a text.</p> <p>17 THE CHAIR: And we have -- it sounds like 18 they might be online and have their hands up right 19 now. So...</p> <p>20 DIRECTOR CORINA CHAVEZ: Okay. Great. 21 Terrific. So absolutely. Let's move to the 22 Implementation Year Checklist discussion.</p> <p>23 THE CHAIR: Awesome. Thank you, Director 24 Chavez. And I guess the only thing that would 25 hinder it is if Jordan -- if you had your hand up to</p>	<p style="text-align: right;">92</p> <p>1 needed and that will be really helpful to have in 2 place are in place.</p> <p>3 And so, at this point, we asked that -- 4 that you all come to the Public Education Commission 5 meeting, understanding that this is a snapshot in 6 time, okay? So far there's been the submissions 7 in -- in November and the submissions in March.</p> <p>8 And as I explained to the Commission, 9 there is not an expectation on my part that 10 everything is perfect. So this is an iterative 11 process where you have submitted things, and maybe 12 staff had asked you to add more detail or something 13 might be needed to be fixed. And that is expected.</p> <p>14 That said, they have a draft in their 15 materials of the current snapshot. And I just 16 wanted this to be an exchange more than anything, as 17 people who have gone through this experience 18 firsthand, as newly approved schools, to just be 19 able to interact with PEC members should they have 20 any questions.</p> <p>21 We -- we intentionally created this item 22 on the Public Education Commission agenda such that 23 there is not any actions that will occur. This is a 24 discussion.</p> <p>25 But I just want to recognize all the hard</p>
<p style="text-align: right;">91</p> <p>1 say you're not ready. No. You're ready. Okay. 2 All right.</p> <p>3 All right. So, Mr. Duncan and team, if 4 you all -- you're more than welcome to come up here.</p> <p>5 DIRECTOR CORINA CHAVEZ: Okay. Do you 6 want me to introduce the item?</p> <p>7 THE CHAIR: Please.</p> <p>8 DIRECTOR CORINA CHAVEZ: Okay. So good 9 morning, everyone.</p> <p>10 Yesterday at the Public Education 11 Commission's work session, we -- we'd looked at a 12 template of the Implementation Year Checklist, and 13 we had a discussion that just shared with 14 Commissioners the Charter Schools Division's process 15 for working with schools that are newly approved in 16 order to prepare them to open their doors.</p> <p>17 At yesterday's work session, we discussed 18 the rigor that is part of the Implementation Year 19 Checklist work and the -- all the training and 20 opportunities to engage with both our staff within 21 the Charter Schools Division, but also a larger 22 subset of -- of staff members at the Public 23 Education Department so that they know you and you 24 know them, and you know who to reach out to and all 25 of the policies and procedures and plans that are</p>	<p style="text-align: right;">93</p> <p>1 work on your part, THRIVE, and RioGafa, and also on 2 the part of my staff, Ms. -- Ms. Missy Brown and 3 Samantha and Barb, who are working closely with the 4 schools to really support this process.</p> <p>5 And with that, I'll just turn it over to 6 you, Chair.</p> <p>7 THE CHAIR: All right. So the first thing 8 I'd like to do is just go ahead and have you all 9 introduce yourselves.</p> <p>10 So I'm going to start with the online 11 folks, and that way I can point to you in a second.</p> <p>12 So, Jordan, if you want to go ahead and 13 start with introducing yourself and Michele and Dan.</p> <p>14 MR. JORDAN FRANCO: Thank you, 15 Madam Chair, members of the Commission. Jordan 16 Franco, cofounder for Rio Grande Academy of Fine 17 Arts. I'm very excited to see you all again.</p> <p>18 MS. MICHELE PLATIS: Yes. Thank you, 19 Madam Chair. I am Michele Platis, and we are very 20 excited to be here with you again. It's been a 21 little bit. We were hoping to be in person. But 22 with the conference and things, we had some things 23 to take care of.</p> <p>24 MR. DAN HILL: Hello, Madam Chair, members 25 of the Commission. I'm Dan Hill. I'm the school's</p>



<p style="text-align: right;">94</p> <p>1 attorney. And thank you for having us.  2 THE CHAIR: Thank you. All right. And  3 then we'll go over to THRIVE and ask you to  4 introduce yourselves, and then I'm going to have you  5 all start by kind of giving us what you've been up  6 to.  7 MR. SEAN DUNCAN: Thank you, Madam Chair,  8 members of the Commission. It's great to be here  9 with you in person. My name is Sean Duncan, and I'm  10 one of THRIVE'S cofounders.  11 MS. JULIE LUCERO: Good morning,  12 Madam Chair and members of the Commission. I'm very  13 glad to be here. My name is Julie Lucero, and I am  14 one of the cofounders of THRIVE as well.  15 MS. AMY CHACON: Good morning,  16 Madam Chair, members of the Commission. I'm Amy  17 Chacon, one of the THRIVE cofounders.  18 THE CHAIR: All right. If you want to  19 give us a little update from you.  20 MR. SEAN DUNCAN: Sure. Well, just, again  21 just want to emphasize how appreciative we are of  22 the opportunity to be with you in person. There's  23 been a lot going on. We have been working hard at  24 getting all of the requirements of our  25 Implementation Checklist satisfied since it was</p>	<p style="text-align: right;">96</p> <p>1 we'll do the same thing for RioGafa next. That way,  2 we keep you compartmentalized as much as possible.  3 Comments and questions?  4 Commissioner Carrillo.  5 COMMISSIONER CARRILLO: Welcome. Great to  6 have you guys here. Excited about the school.  7 The -- so I notice on, actually, Page 1 of  8 this, as I'm looking through everything. Is the  9 plan at this point to be at 70- at the old Desert  10 Academy at 7200 (verbatim).  11 MR. SEAN DUNCAN: Yes, at this point, it  12 is.  13 COMMISSIONER CARRILLO: Okay. I know it  14 was extremely challenging finding any kind of space  15 in the New Mexico area.  16 If you'll remind me, please. What is your  17 plan for transportation?  18 MR. SEAN DUNCAN: So we have written  19 into -- it was -- it was identified in our CSP  20 application for the grant to provide transportation  21 to and from school to families who elect to  22 participate in transportation, and that the plan is  23 to sort of follow similar successful models that  24 Monte del Sol, Turquoise Trail, other local charter  25 schools have used with community-centric hubs to</p>
<p style="text-align: right;">95</p> <p>1 issued sort of late -- late in the summer, early  2 fall. And.  3 We've done a lot of work on student  4 recruitment, further refining and defining the  5 different operational and academic pieces of our  6 model, just to make sure we're really delivering  7 that information to students and families and  8 community members in a way that is a little bit more  9 digestible than maybe what was in the technical  10 aspects of our charter application.  11 And we've also done a lot of work on  12 outreach in general, just to continue to connect  13 with our community supporters, our families that are  14 interested in sending their children to our school,  15 and the fun work of connecting with educators who  16 are interested in becoming part of this team.  17 And then on top of that, we've also worked  18 really hard to make sure we have the -- the funding  19 available to get the word out about the school and  20 to make sure we are in a position to open our doors  21 in an actual school building come August.  22 THE CHAIR: All right. Thank you.  23 So I'm going to -- before we go to -- I  24 think we'll take care -- we'll do questions and  25 comments from Commissioners on THRIVE, and then</p>	<p style="text-align: right;">97</p> <p>1 make the transportation to and from school  2 efficient.  3 COMMISSIONER CARRILLO: Great. I'm happy  4 to hear you say that. I know ATC does that also,  5 where they used the old Capshaw as a hub to take  6 people out. So especially because the emphasis, as  7 I understand it -- and I don't think it's changed --  8 in serving kids on the south side of town, really  9 important maybe to even -- I don't know where you'd  10 have your hub. But a couple of buses. You know,  11 that's what we're hoping for, to take them there.  12 And the plan still is to locate the school  13 eventually in that part of town; is that correct?  14 MR. SEAN DUNCAN: Yes, absolutely.  15 Obviously, our most immediate need was to figure out  16 how we were going to open our doors in August. But  17 we are going to turn our attention to figuring out  18 where we can either locate in an existing facility,  19 or if we'd have the opportunity to build something  20 new in close proximity or directly in the south-side  21 part of town.  22 COMMISSIONER CARRILLO: Terrific. All  23 right. That's what I have for now. Because, I  24 mean, you and I had discussed that that could have  25 been -- like, the transportation piece is what seals</p>

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1 that for me, because that could have been a huge  
 2 obstacle. You're just diagonally on the fully  
 3 opposite end of Santa Fe. But I'm glad that that  
 4 has been considered and is being taken care of.  
 5 MR. SEAN DUNCAN: If I might also throw  
 6 in, we've done a lot on community outreach, hosting  
 7 events and trying to have as many touchpoints with  
 8 potential families as possible, and students as  
 9 well. And we have hosted all those on the  
 10 south-side part of town, primarily, because that's  
 11 where we did all of our initial outreach.  
 12 I know families have still been very  
 13 excited and not at all turned off by where we'd be  
 14 located. We haven't actually had anybody decline a  
 15 seat because of proximity.  
 16 COMMISSIONER CARRILLO: Fantastic. Has  
 17 there been a lot in your community outreach of, you  
 18 know, positive input and excitement around the  
 19 school? Just from the other sides of town, some  
 20 people that are just looking for a school like  
 21 THRIVE because the District isn't necessarily  
 22 offering that.  
 23 MR. SEAN DUNCAN: Yeah. I'd say  
 24 emphatically yes. There's been a good amount of  
 25 interest, I'd say geographically, all across

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1 Santa Fe. And it's great to have those folks sort  
 2 of reach out to us or be informally connected to  
 3 them.  
 4 But, yeah, we realized that there would be  
 5 folks who would reach out on their own to learn more  
 6 about the school. But we wanted to make sure that  
 7 where we were pouring our time and energy into sort  
 8 of meeting folks where they are was where we had  
 9 sort of initially done all the outreach on the south  
 10 side.  
 11 COMMISSIONER CARRILLO: Terrific. Thank  
 12 you.  
 13 THE CHAIR: Commissioner Gipson.  
 14 COMMISSIONER GIPSON: Thanks. And thanks  
 15 to both schools. I've sat through Implementation  
 16 Year Checklist, Implementation Year trainings. So I  
 17 know the amount of time and effort, not only through  
 18 those actual trainings, but everything that you're  
 19 asked to do during this year. It's a lot. So I  
 20 appreciate all the time and effort.  
 21 For THRIVE, I know one of the challenges  
 22 with the -- with the facility that you're most  
 23 likely going to go into was the high cost of the  
 24 lease. And we've heard about the challenges with  
 25 the salaries and the funding.

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1 So could you talk a little bit about any  
 2 additional challenges you might be having? And if  
 3 you could just give me a rough sense of what your  
 4 current enrollment looks like.  
 5 MR. SEAN DUNCAN: Yeah. Absolutely. So  
 6 we have -- just to start with the enrollment  
 7 question, we have -- we've received just about  
 8 100 applications for seats. Based on the size of  
 9 the facility that we're going to have in our first  
 10 year, we are building our budget around 105 students  
 11 in Year One at this point.  
 12 We've had about 60 seats accepted at this  
 13 point, 10 declined, and we have about 30 who we are  
 14 still sort of following up with to figure out if  
 15 they have questions or just need technical support  
 16 with accessing the system to officially accept a  
 17 seat.  
 18 Each week, we've had about eight to ten  
 19 more seats accepted. So we feel really encouraged  
 20 by the amount of interest that we've seen and the  
 21 number of seats accepted at this point.  
 22 To the question regarding the -- the costs  
 23 and concerns related to 7300 Old Santa Fe Trail, we  
 24 did go back and forth and express that directly to  
 25 the owners. And they have worked with us pretty --

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1 pretty closely to figure out what works based on our  
 2 funding and what will work for them as owners of a  
 3 private piece of property.  
 4 And the first two years for us, we see as  
 5 the most critical just because there's the potential  
 6 for the greatest level of variability in enrollment.  
 7 And they met us on the terms that we asked to be  
 8 included in the draft lease that we're still working  
 9 a couple of details out on.  
 10 So our first two years of operation is  
 11 very much within what we budgeted during the charter  
 12 application process. So we feel we're in a good  
 13 spot in (inaudible) into that, if we can get into a  
 14 place where all the final details are worked out in  
 15 the next week or so.  
 16 COMMISSIONER GIPSON: All right. Thanks  
 17 so much.  
 18 THE CHAIR: All right. Commissioner  
 19 Voigt, then Commissioner Armijo.  
 20 COMMISSIONER VOIGT: Hi. Good to see you  
 21 all. I was just talking with Ms. Barnes about where  
 22 your facility is geographically located. And I know  
 23 that facility. And it has an equestrian ring. It  
 24 does.  
 25 MR. SEAN DUNCAN: I know.

<p style="text-align: right;">102</p> <p>1 COMMISSIONER VOIGT: It does.  2 Anyway --  3 MR. SEAN DUNCAN: It does.  4 UNIDENTIFIED SPEAKER: Is that where you  5 got the idea?  6 COMMISSIONER VOIGT: I thought it would be  7 a cool -- you guys have one. That's awesome.  8 So that community, I know your -- you want  9 to serve under- -- under- -- underserved youth and  10 students that haven't had exceptional opportunities  11 in their previous public ed. So, yeah, you would  12 need transportation in that remote area.  13 Is that a temporarily planned space? Or  14 is that -- did you say it was?  15 MR. SEAN DUNCAN: Yes, it is a temporary  16 sort of option for us.  17 COMMISSIONER VOIGT: Okay. Yeah, it's a  18 great space and very underutilized.  19 When you've been doing your community  20 mapping for your enrollment and recruitment, what  21 kind of feedback have you gotten back from -- are  22 you community mapping that area? Or the areas like  23 south Santa Fe near the airport?  24 MR. SEAN DUNCAN: Great question. Do you  25 want to take this one, Amy?</p>	<p style="text-align: right;">104</p> <p>1 quality of space than the proximity to the space.  2 And we realize that proximity does make  3 life a lot easier. Transportation can help ease  4 with that. But the informal feedback that we've  5 gotten specifically is that because there's so much  6 outdoor space there and because this year has been a  7 roller coaster with COVID coming and going, that it  8 really did position us to ease a lot of families'  9 concerns if they're sending their child to school  10 and they might have a family member at home that is  11 higher risk, just because of the flexibility to  12 bring learning outside or spread out within its  13 existing space.  14 Whereas, other spaces we had been trying  15 to find solutions for in terms of occupying would  16 have been much less of a traditional space and a  17 little bit more crammed.  18 MS. JULIE LUCERO: Madam Chair and members  19 of the Commission, if I could, you know, the events  20 that we've been having, it's exciting to see the  21 diversity of families that are attending, and just  22 seeing the engagement amongst this diversity of  23 families. It's just very exciting, and, you know, I  24 actually get emotional thinking about the students  25 that we're going to serve and how wonderful that's</p>
<p style="text-align: right;">103</p> <p>1 MS. AMY CHACON: We can jump in.  2 So we are mapping -- we are mapping the  3 center of the city and into the south side of Santa  4 Fe. So a lot of the phone banking, canvassing, and  5 the current community events that we've done have  6 been on the south side and extending a little bit  7 into the center of Santa Fe.  8 Much of that had to do with the fact that  9 until we had decided about the property, we wanted  10 to make sure we were hitting those areas where we  11 were hoping to be able to locate, either now or in  12 the future.  13 I think that, as we move forward, we will  14 be looking to expand where we are doing our outreach  15 so that people that are closer to the facility as  16 well will know about all of our efforts.  17 However, what I have found, and what we've  18 been finding as we're reaching out to the community  19 and people showing up, we're getting people from all  20 over Santa Fe.  21 MR. SEAN DUNCAN: And I would also just  22 add, in some of the feedback that we've gotten  23 regarding the -- our location that we're hopefully  24 again about to have a lease on in the next week or  25 so, is that families were more concerned with the</p>	<p style="text-align: right;">105</p> <p>1 going to be.  2 COMMISSIONER VOIGT: I'll just respond by  3 saying, you know, I think that's -- typically, what  4 happens, when you start a new school, you are going  5 to draw from everywhere. I mean -- and not to  6 diminish it. But you are the new shiny object in  7 Santa Fe that everybody is interested in; right?  8 And then the factor comes later and all that stuff.  9 But I think that -- I think because of  10 your mission, too, is why you're drawing the -- the  11 interest that you are, because I don't know that a  12 school like that currently exists in Santa Fe. So I  13 wish you all the best going forward. And you have a  14 great temporary facility. Thanks.  15 MR. SEAN DUNCAN: Thank you.  16 THE CHAIR: Commissioner Armijo.  17 COMMISSIONER ARMIJO: Thank you very much,  18 Madam Chair. And thanks, Commissioner Voigt, for  19 that segue, because my question has to do with your  20 mission.  21 So I -- I was learning -- or looking a  22 little bit about the social and emotional learning  23 that you plan to incorporate into your curriculum.  24 And I want to just -- I want you to walk through or  25 talk me through a little bit more of the restorative</p>

106	<p>1 justice practices that you plan on incorporating</p> <p>2 into -- into the school.</p> <p>3 MR. SEAN DUNCAN: Absolutely. Thank you.</p> <p>4 This is the fun stuff that we have gotten to focus</p> <p>5 on this year.</p> <p>6 There's been a lot of important, but,</p> <p>7 arguably, tedious tasks that go into developing</p> <p>8 policies and practices. But our work around SEL and</p> <p>9 how restorative justice sort of being a component of</p> <p>10 our broader framework for social and emotional</p> <p>11 learning is something that we have really enjoyed</p> <p>12 collaborating on as a team.</p> <p>13 Our -- I'd say there's a couple of key</p> <p>14 things that when we think about how restorative</p> <p>15 justice practices are going to be working at THRIVE</p> <p>16 that have been informed and will continue to be</p> <p>17 informed by a training organization in Colorado,</p> <p>18 Restorative Justice Education.</p> <p>19 A lot of our -- a handful of our local</p> <p>20 public schools have also worked with this</p> <p>21 organization, and we're excited as we move forward</p> <p>22 to be able to collaborate with them on what's</p> <p>23 working and what's not.</p> <p>24 Two big things that we have built into the</p> <p>25 structure of our school day to help make sure we're</p>	108	<p>1 talk to any more specifics if I can.</p> <p>2 COMMISSIONER ARMIJO: No. That was very</p> <p>3 helpful. Thank you very much.</p> <p>4 THE CHAIR: All right. I do have</p> <p>5 Commissioners who want to speak for their second</p> <p>6 time, so I want to go to anyone who hasn't spoken</p> <p>7 yet and see if anyone would like to speak before I</p> <p>8 go back around.</p> <p>9 (No response.)</p> <p>10 THE CHAIR: Okay. Commissioner Carrillo.</p> <p>11 COMMISSIONER CARRILLO: Quick question.</p> <p>12 Has there been any contact or comment that you know</p> <p>13 of from Rio Grande school?</p> <p>14 MR. SEAN DUNCAN: Regarding our --</p> <p>15 COMMISSIONER CARRILLO: Just regarding</p> <p>16 that you're -- to me, you're owning a totally</p> <p>17 natural competitor for them, even more for the</p> <p>18 district.</p> <p>19 MR. SEAN DUNCAN: Not specifically. Quite</p> <p>20 honestly, we haven't had much contact with any of</p> <p>21 the private schools outside of Santa Fe School for</p> <p>22 the Arts and Sciences.</p> <p>23 COMMISSIONER CARRILLO: I'm sure that</p> <p>24 there are families that would love to save \$20,000 a</p> <p>25 year and attend a public school that has the model</p>
107	<p>1 not just talking about how we do restorative</p> <p>2 justice, but making the time and the space for that</p> <p>3 to happen, is through our morning meeting, or</p> <p>4 morning advisory, and our afternoon meeting and</p> <p>5 afternoon advisory. Advisory is sort of the middle</p> <p>6 school version of the primary school sort of morning</p> <p>7 meeting, where we sort of touch base.</p> <p>8 And it's through those two structures that</p> <p>9 we really believe we're going to have the time and</p> <p>10 space to proactively address concerns that sometimes</p> <p>11 take away from students' ability to feel successful,</p> <p>12 happy, and safe at school.</p> <p>13 And then, most importantly, is that</p> <p>14 afternoon meeting. You know, we've reviewed a lot</p> <p>15 of different schedules in thinking about how to make</p> <p>16 our school day work. And it's typically a mad rush</p> <p>17 to buses or the pickup line. And we want to end our</p> <p>18 day in a way that is calm and creates space for</p> <p>19 students to really be able to talk about what they</p> <p>20 did well, where they need help, and to honestly</p> <p>21 clear the air if something has occurred so that</p> <p>22 they're not leaving school in a way that will create</p> <p>23 anxiety for returning to school the next day.</p> <p>24 So those are two structures that, you</p> <p>25 know, I'm excited to sort of highlight and happy to</p>	109	<p>1 you're speaking of.</p> <p>2 The -- curiously -- and probably,</p> <p>3 Ms. Voigt, you'd know more about this than I</p> <p>4 would -- do people -- schools that generally have</p> <p>5 restorative justice programs, do they also, as a</p> <p>6 precursor to that, have conflict resolution</p> <p>7 programs?</p> <p>8 MR. SEAN DUNCAN: Would you like me to</p> <p>9 talk -- yeah.</p> <p>10 COMMISSIONER CARRILLO: I mean, I don't --</p> <p>11 yeah.</p> <p>12 MR. SEAN DUNCAN: So that -- the sort of</p> <p>13 concept of conflict resolution is, it's -- from our</p> <p>14 experience and how we're structuring, it's</p> <p>15 definitely built into the restorative justice</p> <p>16 training and how that gets sort of built into the</p> <p>17 fabric of what adults do, so that it is a natural</p> <p>18 sort of transition to what -- how students can</p> <p>19 develop tools to -- to be supportive of one another</p> <p>20 and be able to work through conflicts.</p> <p>21 It's also a really big component of our --</p> <p>22 more of our formalized, evidence-based social and</p> <p>23 emotional learning program, so that students are</p> <p>24 being able to identify emotions and work through the</p> <p>25 conflict that may have arisen because of the -- the</p>

<p style="text-align: right;">110</p> <p>1 emotions and the behaviors associated with the 2 emotions.</p> <p>3 COMMISSIONER CARRILLO: Cool. Thank you. 4 And addressing what Ms. Voigt has said 5 about not being a school like this in Santa Fe, I 6 mean, there isn't. If there was, I wouldn't be as 7 supportive, because if the District's already doing 8 something -- but, you know, when you talk to the 9 District, as much as I love the District -- my 10 heart's with -- a lot of ways with Santa Fe Public 11 Schools -- you're not offering the PED, the pub- -- 12 you know, you're not offering all of these things 13 that this school is offering kids, not just the 14 Santa Fe Public Schools, but to New Mexico School 15 Boards Association and all of the districts.</p> <p>16 Get creative, get innovative, you know, 17 and you're going to keep more kids. That's the 18 argument: "You're taking our kids." 19 They're not your kids, okay? They're all 20 of our children. And if you recognize the 21 competition within public education, you would start 22 creating things to draw kids to your schools in 23 district. So I'm super happy to have you as part -- 24 none of this is done yet. But I hope we're able to 25 have you, for me, as part of -- of Northern</p>	<p style="text-align: right;">112</p> <p>1 positioned on day one with teachers to execute high 2 quality development, and then day one with students, 3 to execute a really phenomenal first day of school.</p> <p>4 And it all does really go back to the 5 money. And the CSP grant is a wonderful opportunity 6 for us to be able to utilize funds to cover start-up 7 costs that really allow us to focus on your kids and 8 not whether or not we're going to have buses or 9 lunch at the school.</p> <p>10 And I'd say, like, my biggest concern is 11 that -- to access the CSP grant, you have to have 12 money in the bank to be able to do the request for 13 reimbursements. So some of this is just cash flow 14 in the beginning of the year. Even, you know, if 15 there is a way -- and I don't know if this is the 16 Legislature, or if the PEC has any ability to say, 17 like, "Hey, you've got a very small grant if you're 18 awarded a charter, so that you can actually start to 19 access some of those grant funds," it would make the 20 whole process of just tapping into the CSP grant 21 more -- because right now, it's very, very slow 22 going, which just gets in the way of us getting the 23 materials we need and the training and development 24 lined up for teachers that we know is super critical 25 to our mission.</p>
<p style="text-align: right;">111</p> <p>1 New Mexico and schools.</p> <p>2 MR. SEAN DUNCAN: Thank you, Commissioner 3 Carrillo.</p> <p>4 THE CHAIR: All right. Well, thank you 5 for being here. I know it made me happy to hear, 6 when you're like -- when you are, like, engaging 7 with the families; right? You wrote this plan, and 8 it is so conceptual. You have all these words about 9 what you're going to do. And then you actually get 10 to go see these students and get your first 11 acceptance.</p> <p>12 Now, it's real. I'm jealous of that 13 feeling, like, the amount of serotonin that must be 14 giving to you all; right? So it's really super 15 exciting, and it -- the only -- I did have one 16 question.</p> <p>17 What -- is there anything -- or do you 18 see -- what is your biggest challenge moving towards 19 opening? What do you see as maybe something that -- 20 is there anything that you're worried about 21 overcoming before opening?</p> <p>22 MR. SEAN DUNCAN: Would you like to start? 23 Okay. Some of this is just a reflection 24 on how the -- the key things that go into the 25 planning year and how we make sure we are truly</p>	<p style="text-align: right;">113</p> <p>1 But outside of that, we feel pretty good.</p> <p>2 MS. JULIE LUCERO: Now, if I could, I 3 would say my biggest fear or challenge that I, of 4 course, don't want to get us in a place, because we 5 are, and we commit to this at our weekly meetings, 6 about how we are student-focused. And with all the 7 demands and the requirements of compliance, 8 sometimes you tend to redirect your attention to 9 those things.</p> <p>10 And I want to make sure that we never 11 waver from the fact that we are here to meet the 12 needs of our students and to serve them. And I 13 think that's just a reminder as a team that we 14 always want to keep that in mind.</p> <p>15 THE CHAIR: Yeah. There's a lot of items 16 that have to -- that go into a school -- right? -- 17 like, a lot of little things that make up -- I mean, 18 that no one else would even know, like, that have to 19 be followed. So I can understand that being 20 overwhelming to get that started and being, like, 21 "Okay, this..." -- and then there's kids, like, you 22 know. So it's just to keep it on the forefront of 23 your mind.</p> <p>24 All right. So thank you. Appreciate you 25 all for coming, and look forward to next time we see</p>

<p style="text-align: right;">114</p> <p>1 you all.</p> <p>2 MR. SEAN DUNCAN: Thank you, Madam Chair.</p> <p>3 Thank you, Commissioners.</p> <p>4 THE CHAIR: With that, we'll go ahead and</p> <p>5 move over to Mr. Franco, Ms. Platis. We'll have you</p> <p>6 just do the same thing.</p> <p>7 Give us an update, and, once again, we'll</p> <p>8 allow for Commissioner comments and questions after</p> <p>9 your update.</p> <p>10 MR. JORDAN FRANCO: Awesome. Thank you,</p> <p>11 Madam Chair, members of the Commission. I think</p> <p>12 Commissioner Burt, you hit it right on the head.</p> <p>13 Like, it is such a rewarding process that we're</p> <p>14 going through, and we meet a challenge every day.</p> <p>15 And that's something that we love.</p> <p>16 This process has made us think so much.</p> <p>17 And I think -- Michele and I spoke. We were at the</p> <p>18 Spring Budget Workshop yesterday. We were speaking</p> <p>19 about, like, if you would have asked us a year ago,</p> <p>20 we would not have been as focused as we are today.</p> <p>21 Like, I feel like our vision is so big, and through</p> <p>22 this process we've been able to narrow down and,</p> <p>23 like, "This is the true plan, this is what we're</p> <p>24 going to do." And it's been really rewarding.</p> <p>25 So updates for you all. We do have a</p>	<p style="text-align: right;">116</p> <p>1 an update, you know, you're getting our IY checklist</p> <p>2 of where we're at. We've been plugging away on that.</p> <p>3 And that's been -- it's really been a good tool for</p> <p>4 us to kind of focus and know where we need to focus</p> <p>5 our attention, because it can be very easy for us to</p> <p>6 fly all over the place and figure out, you know,</p> <p>7 what we need to do next.</p> <p>8 But it's kind of grounded us and just</p> <p>9 keep -- you know, checking off that list of policies</p> <p>10 and procedures, working on curriculum, just so that</p> <p>11 we have, you know, a strong program and building</p> <p>12 when our students walk in.</p> <p>13 THE CHAIR: All right. Thank you. So we</p> <p>14 will go to Commissioner comments and questions.</p> <p>15 We'll start with Commissioner Voigt, and</p> <p>16 then Commissioner Carrillo.</p> <p>17 COMMISSIONER VOIGT: Hello. Good to see</p> <p>18 you, Jordan. Hi, Michele.</p> <p>19 I have a couple of questions about, first,</p> <p>20 I just want to say congratulations on your facility.</p> <p>21 That is huge. Where -- where are you going to be</p> <p>22 located at?</p> <p>23 MR. JORDAN FRANCO: Thank you,</p> <p>24 Madam Chair, Commissioner Voigt.</p> <p>25 We will be located at 1401 Old Coors which</p>
<p style="text-align: right;">115</p> <p>1 facility. We did have a board meeting that they</p> <p>2 approved the facility. We're moving forward with</p> <p>3 that. There's paint going on the walls that is</p> <p>4 matching our colors, that is the craziest thing to</p> <p>5 think about, that we have a school that matches our</p> <p>6 colors.</p> <p>7 We have our first lottery pool tomorrow at</p> <p>8 12:00, and that's just very, very exciting. Michele</p> <p>9 and I got -- were honored to be on the news this</p> <p>10 past week and got a lot of interest because of that.</p> <p>11 And we're just so blessed and so excited for this</p> <p>12 process. And there's just -- I wish I had five</p> <p>13 hours with you all because then I could truly give</p> <p>14 you the updates of what we're doing.</p> <p>15 But that's just, like, the 30,000-foot</p> <p>16 update of what's going on in the RioGafa world. But</p> <p>17 it's a blessing every day. So we're just excited to</p> <p>18 be here and excited to continue this journey.</p> <p>19 THE CHAIR: I don't know if Ms. Platis</p> <p>20 wants to speak or if you want me to go to --</p> <p>21 MS. MICHELE PLATIS: Sure. I'll -- just</p> <p>22 to be -- just echoing what Jordan said. We've</p> <p>23 definitely learned a lot. I think there is a much</p> <p>24 steeper learning curve than we anticipated, but it's</p> <p>25 been a great challenge for us. And we -- I mean, as</p>	<p style="text-align: right;">117</p> <p>1 is the old Academia de Esperanza building.</p> <p>2 COMMISSIONER VOIGT: Okay. Super. That</p> <p>3 was on your punch list, wasn't it, a while back? So</p> <p>4 that came through. That's awesome.</p> <p>5 MR. JORDAN FRANCO: Yes.</p> <p>6 COMMISSIONER VOIGT: How many applicants</p> <p>7 do you have for your lottery tomorrow?</p> <p>8 MR. JORDAN FRANCO: We have 120 applicants</p> <p>9 for tomorrow's lottery. And because of this week,</p> <p>10 we get so many more every day. It's blowing up.</p> <p>11 It's really crazy to us. But it's very exciting.</p> <p>12 COMMISSIONER VOIGT: That's super. And</p> <p>13 that's for how many spots?</p> <p>14 MR. JORDAN FRANCO: We projected 176.</p> <p>15 COMMISSIONER VOIGT: Okay. Great. So in</p> <p>16 looking at this Implementation Year Checklist and</p> <p>17 just going through all the different things, it's so</p> <p>18 exciting and it's so reminiscent for me in just</p> <p>19 getting all those things done and being able to</p> <p>20 check those things off and just know that it's not</p> <p>21 35 pages long, but it's -- but you're getting it</p> <p>22 done.</p> <p>23 And kudos to you. I'm excited for you. I</p> <p>24 hope you have a ribbon cutting ceremony.</p> <p>25 MR. JORDAN FRANCO: We do. We're planning</p>

<p style="text-align: right;">118</p> <p>1 a big one. It'll be in June. We actually got early 2 occupancy written in the lease -- thank you, 3 shout-out to Dan Hill. He's been incredible working 4 with the lease. 5 So we'll be planning a big event, and you 6 are all obviously going to be personally invited. 7 So once we release that date, it'll be in June. 8 COMMISSIONER VOIGT: Cool. Great. Good 9 work. Congratulations. 10 MR. JORDAN FRANCO: Thank you. 11 MS. MICHELE PLATIS: Thank you. 12 THE CHAIR: All right. Commissioner 13 Carrillo, then Commissioner Armijo. 14 COMMISSIONER CARRILLO: Thank you very 15 much. It was very nice meeting with you both last 16 week and very glad that you're here with us this 17 morning. 18 This is the exciting stuff about being on 19 the Commission, isn't it? I'm looking right at 20 Chair Voigt trying to -- this is exciting stuff 21 being on the Commission when people are opening new 22 exciting schools and everything else. 23 Sometimes there's so much that we do -- 24 ¡Hijole -- with contracts and the work sessions 25 where it's just procedural and language and</p>	<p style="text-align: right;">120</p> <p>1 different things. 2 And I know it's a different model than 3 NMSA -- right? -- as opposed to, you know, their 4 having two hours after school and stuff like that. 5 But these kids, man, they're just so 6 inspiring. And even though there were a few that 7 made little mistakes here and there, it doesn't 8 matter. 9 The -- the -- the -- one of them, the way 10 he had mastered the flute, I mean mastered the 11 flute, was just mind-boggling to everyone. 12 But all of them, in their excitement about 13 whatever -- their art and the instruments they were 14 playing. And I know that that's just something 15 that's going to be happening at your school and I 16 can't wait to be able to attend recitals and 17 openings and plays and all the different things that 18 you have going on. 19 So I'm just echoing what Vice Chair Voigt 20 said. Excited for you all. I'm excited for the 21 kids. 22 MR. JORDAN FRANCO: Thank you. 23 THE CHAIR: Commissioner Armijo. 24 COMMISSIONER ARMIJO: Thank you, 25 Madam Chair. Hello, Jordan and Michele. It's so</p>
<p style="text-align: right;">119</p> <p>1 legislators, it starts to grate on one's nerves. 2 But to know what you guys are doing for these kids 3 is great. 4 So I'm not as familiar with Albuquerque as 5 probably everyone else in this room. Where is your 6 school? Like, what's it near? So, like -- I know 7 where Cibola is, like, on the edge of Rio Rancho. 8 Where is it? 9 MR. JORDAN FRANCO: Right. Madam Chair 10 and Commissioner Carrillo, we are actually neighbors 11 to Commissioner Armijo's school, Mark Armijo. We're 12 right down the street from there. So in that area, 13 if you know where that one is. It's near the 14 intersection of Coors and Central. 15 COMMISSIONER CARRILLO: That helps me. 16 Coors and Central helps me. Honestly, I love it up 17 here. I don't go down La Bajada unless I have to. 18 It just is what it is. And I know Las Cruces, 19 Pattie, is really beautiful, and I don't really get 20 down there often at all. 21 So thank you for that. And I just -- I'm 22 very excited for what you're doing, and I'll tell 23 you, part of the reason why is -- so last night, I 24 had the pleasure of going to NMSA for a recital. It 25 was the juniors, and it was strings and horns and</p>	<p style="text-align: right;">121</p> <p>1 great to see you guys again. I'm so excited. 2 So I have a few things. Well, just, first 3 of all, I'm just so happy. 4 I want to ask you a question about the -- 5 the -- your lottery, and if you've had a chance to, 6 like, look over and see where some of the applicants 7 have been from, what areas of town. 8 MR. JORDAN FRANCO: Okay. Madam Chair, 9 Commissioner Armijo, where we are finding a lot of 10 our applicants from -- and, Commissioner Burt, you 11 were so right -- is a lot of the Rio Rancho area. 12 And so we're finding a lot of that. 13 And so we've actually focused and shifted 14 our attention to those communities surrounding the 15 school. And so we have started doing community 16 events near the school at the West Mesa Community 17 Center, which I'm sure you're familiar with, 18 Commissioner Armijo. 19 And we did a mailing surrounding the 20 school. So we want to focus on primarily that 21 location. That's the demographic we want to serve. 22 But, Commissioner Burt, it reminds me of a 23 conversation we had of you were talking about the 24 power of parents. When they want to access a 25 school, they're going to find a way to do that.</p>

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1           And I made a promise to you all that we  
 2 would get in there in these communities and make  
 3 sure that we provided access to these students.  
 4           And so we're making good on that promise,  
 5 because I am tracking that with every application.  
 6 I'm looking to see where that ZIP Code is, where  
 7 that building -- where that house is and figuring  
 8 out how I can get more of the students on the  
 9 Westside where we want to focus on to access our  
 10 school.  
 11           COMMISSIONER ARMIJO: All right. Westside  
 12 and the South Valley, for sure, because you guys are  
 13 right there entering into the South Valley area as  
 14 well.  
 15           My other -- my other question that I  
 16 wanted to ask was about -- you guys are, like,  
 17 basically down the road from MAS, even closer to MAS  
 18 than you are to the Mark Armijo Academy.  
 19           MS. MICHELE PLATIS: Yes.  
 20           COMMISSIONER ARMIJO: And I'm just  
 21 wondering if there has been any tension or anything  
 22 along those lines.  
 23           But you guys are starting with the younger  
 24 grades; correct? And their school is actually  
 25 younger ones, too. Yeah, I guess just wondering if

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1           there's been any -- I mean, not that you have to say  
 2 if there's been anything weird. I'm just wondering,  
 3 because they're very close to each other.  
 4           MR. JORDAN FRANCO: Great question.  
 5 Madam Chair and Commissioner Armijo. Our board  
 6 president actually still helps work at MAS in the  
 7 capacity of training people. So we really have a  
 8 great relationship with MAS. Michele and I both  
 9 worked there. We have the utmost respect for JoAnn  
 10 and the work that she does.  
 11           The school is incredible, and we credit a  
 12 lot to what we have learned from what we learned  
 13 underneath her supervision.  
 14           So she was aware, and is aware, that we  
 15 are taking that building. And it's -- it's a  
 16 relationship where she understands -- and she's  
 17 always been this way -- that it is about the  
 18 students and it's about the kids, and we feel the  
 19 same way.  
 20           So there is no tension. We have nothing  
 21 but respect for that building. We will be amicable  
 22 neighbors to them and collaborate in ways that we  
 23 can, and that's our hope for Mark Armijo as well.  
 24 We've met with Monica multiple times, and she's  
 25 welcomed us to the neighborhood and told us to reach

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1           out if we need anything. So we're about kids and,  
 2 we are about being together in this and about doing  
 3 what's right for kids. So we want to keep it that  
 4 way always.  
 5           COMMISSIONER ARMIJO: Great. And you  
 6 already have been collaborative. You guys support  
 7 the Mark Armijo Academy, and you've been there for  
 8 our school as well, so I want to thank you for that.  
 9           And the last thing I guess I wanted to  
 10 just ask about was, you know, being a performing  
 11 arts sort of focused school and, you know, my  
 12 question is always about social-emotional and  
 13 restorative justice, if you have any of those  
 14 components and how much is it going to fit into your  
 15 curriculum.  
 16           MS. MICHELE PLATIS: Yeah. I can answer  
 17 that question, Commissioner Armijo.  
 18           Absolutely. The arts naturally lend  
 19 themselves to that social-emotional piece. We also  
 20 will be incorporating a curriculum around  
 21 social-emotional. It's called "Choose Love." We've  
 22 used it in the past, and it's really a beautiful  
 23 program. And it -- it collaborates well with the  
 24 arts.  
 25           We also will be having an advisory time

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1           and a morning meeting for your littles, which will  
 2 be using that curriculum during that time. But  
 3 we'll integrate visual and performing arts with it.  
 4           And we are very strong believers in  
 5 restorative justice as well. We see that that is a  
 6 very important tool to teaching our kids how to  
 7 react to situations, being proactive instead of  
 8 reactive. And we are committed to really training  
 9 our teachers in that.  
 10           We're committed to building relationship  
 11 with our students. We think that that is the most  
 12 important way to help with behaviors. And so that  
 13 is a training and an encouragement we will be  
 14 working with our teachers around to make sure that  
 15 they are building those relationships so that  
 16 students know that they are in a safe, trusted area.  
 17 And we know that when that happens, those behaviors  
 18 are often diminished -- or lessened.  
 19           COMMISSIONER ARMIJO: Okay. Thank you so  
 20 much. Appreciate you guys.  
 21           MS. MICHELE PLATIS: You, too.  
 22           THE CHAIR: Any other questions or  
 23 comments?  
 24           I think you all should know that's a good  
 25 sign; right? You know, the absence is also a



<p style="text-align: right;">126</p> <p>1 good -- a good thing.</p> <p>2 But -- so I would -- I just have my one</p> <p>3 question as well. I know you all are full of the</p> <p>4 serotonin boost as well. So grateful for you all to</p> <p>5 start -- starting to get the fruit of all the work.</p> <p>6 You know, like, I know when you work in</p> <p>7 administration or even as a teacher, like, you --</p> <p>8 it's not until you, like, work with the students</p> <p>9 that it's, like, "Okay, this is why I do it. That's</p> <p>10 right."</p> <p>11 Like, it's not all bad, because you get</p> <p>12 that gratification from the kids.</p> <p>13 But my question will be what's your --</p> <p>14 what are you most concerned about before opening?</p> <p>15 MR. JORDAN FRANCO: Madam Chair, I'd like</p> <p>16 to respond to that first piece with a story I just</p> <p>17 want to share.</p> <p>18 We had a community mentor at our first</p> <p>19 event. And there was this student that did not --</p> <p>20 and you could tell -- just did not fit in in the</p> <p>21 school he was in. And he was so excited about</p> <p>22 meeting us and doing this art project with us, and,</p> <p>23 like, he was so full of wonder and imagination.</p> <p>24 He kept me talking to him for about</p> <p>25 20 minutes about, like, the evolution of dinosaurs</p>	<p style="text-align: right;">128</p> <p>1 making our purchases, because we don't have a wealth</p> <p>2 of money in the bank where we can submit a</p> <p>3 reimbursement.</p> <p>4 I think that was a harsh reality that we</p> <p>5 have had to learn was there's a process for getting</p> <p>6 this money, and we need to make sure that we meet</p> <p>7 the deadlines on our end.</p> <p>8 But I think that's just been the biggest</p> <p>9 thing, and still becoming the biggest concern, is</p> <p>10 just, like, the money and making sure that we have</p> <p>11 everything that we need to successfully open these</p> <p>12 doors, because that kiddo that made our lizard, he's</p> <p>13 counting on it. And I cannot be the one to say, "We</p> <p>14 don't have the things we need for you."</p> <p>15 I won't be. That's very motivating to me.</p> <p>16 So to answer your question, it goes back to the</p> <p>17 money.</p> <p>18 MS. MICHELE PLATIS: And now I'll</p> <p>19 answer -- thank you, Madam Commissioner. And my</p> <p>20 Internet is kind of going wonky, so I'm sorry if I'm</p> <p>21 going in and out.</p> <p>22 I just -- I want to build what Jordan was</p> <p>23 talking about are our events first. I have been</p> <p>24 working from home. We both have. And I forgot how</p> <p>25 much energy I get from being around kids.</p>
<p style="text-align: right;">127</p> <p>1 and, like, his theory of what should happen to</p> <p>2 dinosaurs in the future. And he ended up creating</p> <p>3 our logo through these paint swatches that we</p> <p>4 provided, and he cut them out and created this</p> <p>5 lizard -- this -- our mascot.</p> <p>6 And it just -- that filled me and Michele</p> <p>7 with so much joy to be able to connect to a student.</p> <p>8 And his mother was just, like, in tears with us and</p> <p>9 just saying, like, "This is the place he's meant to</p> <p>10 be, and this is the program he's meant to be at."</p> <p>11 And it was so invigorating. Like, we left</p> <p>12 that meeting so -- like, just filled with joy and</p> <p>13 motivation to make this happen.</p> <p>14 So I just wanted to share that with you</p> <p>15 and share that, yes, these serotonin boosts, they</p> <p>16 come, and it's so amazing. This process is so</p> <p>17 incredible for us. And just thought I'd share that</p> <p>18 with you.</p> <p>19 Now on to the not-serotonin stuff, the</p> <p>20 challenges. I think the biggest challenge -- I want</p> <p>21 to echo what Sean said -- is just everything comes</p> <p>22 down to money. And that's unfortunate. But I think</p> <p>23 the challenge has been just the funding for this</p> <p>24 year and just kind of making that a streamlined</p> <p>25 process and making sure that we're strategic about</p>	<p style="text-align: right;">129</p> <p>1 And when we started getting around kids</p> <p>2 and having these events, it just brought so much joy</p> <p>3 to my heart. I cannot wait to get back into a</p> <p>4 building to be around kids, which is what leads me</p> <p>5 to the challenges.</p> <p>6 And I'm really echoing what Julie said. I</p> <p>7 told Jordan, "I will stay till the day I die." That</p> <p>8 is a bottom line about kids, and he will probably</p> <p>9 get sick of me saying it. And told him, "If I stop</p> <p>10 saying it, then it's time for me to go."</p> <p>11 So it's really easy to get bogged down by</p> <p>12 all the different things that we have to do and are</p> <p>13 important to open a school. But I don't want to</p> <p>14 lose sight about opening doors for kids, because</p> <p>15 that is what we're doing.</p> <p>16 And I'm getting emotional. It's about</p> <p>17 them. And we are doing this for them. It is our</p> <p>18 dream, because we love kids. And so we just want to</p> <p>19 open the doors of this amazing place so that we can</p> <p>20 give kids what they need and deserve here in</p> <p>21 New Mexico, because our kids deserve this.</p> <p>22 THE CHAIR: Thank you. And your -- the</p> <p>23 building that you're going into, that is going to be</p> <p>24 your -- as far as plans are now, that will be the</p> <p>25 permanent building? You're moving in and staying</p>

130	<p>1 there? Or is that also a temporary building?</p> <p>2 MR. JORDAN FRANCO: Madam Chair, so the</p> <p>3 plan is -- we dream big, you know. We dream big.</p> <p>4 We want to build our own space, and we want to build</p> <p>5 a space that is a true arts-integrated space.</p> <p>6 So that is a short term solution to our</p> <p>7 dream. And so we've signed that lease. But we</p> <p>8 don't necessarily have the intention of staying</p> <p>9 there. There is a plot of land next to it where we</p> <p>10 could develop and build the space that we want to.</p> <p>11 But we want to kind of explore different areas on</p> <p>12 the Westside to build a really accessible space to</p> <p>13 everybody.</p> <p>14 THE CHAIR: Yeah. I mean -- and I'm -- I</p> <p>15 think, you know, one of the things I just was super</p> <p>16 supportive about this school is it being dedicated</p> <p>17 to staying on the Westside? Because the Westside</p> <p>18 just has such massive growth of homes and families</p> <p>19 and, just, does not have -- I mean, we know</p> <p>20 resources follow well after people need them.</p> <p>21 And so I know the schools are just</p> <p>22 massively overcrowded all over the Westside. And so</p> <p>23 providing some relief, not for the Westside families</p> <p>24 in this option; right? Because there is an</p> <p>25 east-side performing arts school, not K to 12. I</p>	132	<p>1 THE CHAIR: All right. Wonderful. Well,</p> <p>2 thank you so much for joining. Thanks to Missy,</p> <p>3 Director Chavez, and the team for getting the</p> <p>4 schools -- I know it's a lot of support as well</p> <p>5 that's being given. So thank you all for that.</p> <p>6 Commissioner Carrillo, did you have --</p> <p>7 COMMISSIONER CARRILLO: No. Thank you.</p> <p>8 Great to see you all.</p> <p>9 THE CHAIR: Thank you.</p> <p>10 MR. JORDAN FRANCO: Great to see you all.</p> <p>11 Great to see you.</p> <p>12 THE CHAIR: All right. So that will move</p> <p>13 us to -- I think -- I'm open, Commissioners. I</p> <p>14 think, like, Items 8, 9, 10, like, all the rest are</p> <p>15 kind of all along the same lines. So I'm wondering</p> <p>16 if you all want to stop right now, take a quick</p> <p>17 lunch break, come back at noon, and go through all</p> <p>18 the rest of this, instead of starting something and</p> <p>19 then cutting it off.</p> <p>20 COMMISSIONER CARRILLO: You know me and</p> <p>21 lunch.</p> <p>22 THE CHAIR: Okay. We'll go ahead and</p> <p>23 do -- let's plan until noon. We'll go ahead and</p> <p>24 take a break. Thank you.</p> <p>25 (A recess taken at 11:33 a.m., and</p>
131	<p>1 know you are the first K to 12. I keep saying that,</p> <p>2 first K to 12.</p> <p>3 But there is another option on the other</p> <p>4 side. And a lot of Westside families choose to not</p> <p>5 go there. They don't even believe that's an option</p> <p>6 for them, because it's so far away, and because it's</p> <p>7 difficult to drive their kids there.</p> <p>8 So I'm very grateful for the dedication to</p> <p>9 you committing to the Westside and serving as many</p> <p>10 families as possible over there.</p> <p>11 MR. JORDAN FRANCO: Thank you. And to</p> <p>12 your point, Madam Chair, after the news of our</p> <p>13 school aired this week, we got so many parents that</p> <p>14 had already accepted spots at another school across</p> <p>15 town that they couldn't access. And, to your point,</p> <p>16 that was, like, their saving grace. We offered the</p> <p>17 grade that they wanted, and we were able to serve</p> <p>18 them, because they had to turn that seat down.</p> <p>19 So we're, again, going to make good on</p> <p>20 that promise to stay on the Westside, and these kids</p> <p>21 deserve it.</p> <p>22 THE CHAIR: Great.</p> <p>23 Any other questions or comments from</p> <p>24 Commissioners?</p> <p>25 (No response.)</p>	133	<p>1 reconvened at 12:01 p.m., as follows:)</p> <p>2 THE CHAIR: All right. We're going to go</p> <p>3 ahead and get started again.</p> <p>4 I do want to make sure we have a quorum.</p> <p>5 So if any Commissioners that are online, if you</p> <p>6 could just -- if you could turn on your camera for a</p> <p>7 second or put your hand up, because we do need those</p> <p>8 folks online in order to have a quorum.</p> <p>9 If you aren't able to turn on your camera</p> <p>10 and you just want to say that you're here, that's</p> <p>11 also fine. But we just need some recognition of</p> <p>12 folks online, besides Commissioner Davis. Thank you</p> <p>13 for being there. We know you're there.</p> <p>14 All right. Commissioner Voigt is stepping</p> <p>15 back in. So we will have a quorum of six right now.</p> <p>16 Okay. So we're going to go ahead and get</p> <p>17 started now.</p> <p>18 All right. So that'll take us to Item --</p> <p>19 we're on Item No. 8, Discussion and Possible Action</p> <p>20 on Timeline and Process to Review Draft Plans for</p> <p>21 Meeting Conditions for Identified Renewing Schools.</p> <p>22 And then you can see the four schools that</p> <p>23 do have conditions for this renewal cycle.</p> <p>24 So, Ms. Barnes, if you can lead us off on</p> <p>25 this?</p>

134	<p>1 MS. JULIA BARNES: Thank you.</p> <p>2 Commissioners, I do have a draft motion</p> <p>3 document in -- in Folder No. 4 for this next group</p> <p>4 of the -- the next group of discussions.</p> <p>5 So yesterday, we had a good conversation</p> <p>6 about the timeline. The conversation was that</p> <p>7 the -- there's four schools that have conditions,</p> <p>8 McCurdy, Walatowa, Alma, and Pecos, and that the PEC</p> <p>9 negotiating teams would continue throughout the</p> <p>10 month, that the schools would provide a draft</p> <p>11 assurance document no later than May 2nd.</p> <p>12 CSD and the negotiating team will kind of</p> <p>13 keep -- stay on there, will provide comments no</p> <p>14 later than May 12th so that the document can be</p> <p>15 posted the Friday before the meeting on May 13th.</p> <p>16 And that is the timeline. So it's -- the</p> <p>17 condition timeline is drafted in that Agenda No. 8.</p> <p>18 There's not another document for it. But that</p> <p>19 language is there. Unless there's further</p> <p>20 discussion, I'm happy to --</p> <p>21 THE CHAIR: All right. So any discussion</p> <p>22 from -- or, Director Chavez, also. If you have any</p> <p>23 comment, you're more than welcome at this time.</p> <p>24 Any further discussion or comments on Item</p> <p>25 No. 8?</p>	136	<p>1 COMMISSIONER ARMIJO: Commissioner Voigt.</p> <p>2 COMMISSIONER VOIGT: Yes.</p> <p>3 COMMISSIONER ARMIJO: Commissioner Armijo</p> <p>4 votes yes.</p> <p>5 Commissioner Burt.</p> <p>6 THE CHAIR: Yes.</p> <p>7 COMMISSIONER ARMIJO: Commissioner</p> <p>8 Carrillo.</p> <p>9 COMMISSIONER CARRILLO: Yes.</p> <p>10 COMMISSIONER ARMIJO: Commissioner Davis.</p> <p>11 COMMISSIONER DAVIS: Yes.</p> <p>12 COMMISSIONER ARMIJO: Commissioner Gipson.</p> <p>13 COMMISSIONER GIPSON: Yes.</p> <p>14 COMMISSIONER ARMIJO: And Commissioner</p> <p>15 Manis.</p> <p>16 COMMISSIONER MANIS: Yes. Thank you.</p> <p>17 COMMISSIONER ARMIJO: You're welcome.</p> <p>18 Thank you. That motion carries unanimously.</p> <p>19 THE CHAIR: Thank you. That moves us to</p> <p>20 Item No. 9, Discussion and Possible Action on</p> <p>21 Technical Changes to Performance Framework for</p> <p>22 Schools Undergoing Contract Negotiations in 2022.</p> <p>23 So we started talking about this</p> <p>24 yesterday, and I think there's still a couple of</p> <p>25 things that need to be looked at that there may be a</p>
135	<p>1 Okay. So I will move that the PEC</p> <p>2 negotiation teams for each of the schools with a</p> <p>3 condition of renewal, McCurdy Charter School,</p> <p>4 Walatowa High Charter School, Alma d'Arte Charter</p> <p>5 School, and Pecos Connections/Cyber Academy work</p> <p>6 with these schools to develop an assurance document</p> <p>7 showing their compliance with the condition.</p> <p>8 The schools are directed to provide a</p> <p>9 draft assurance document no later than May 2nd. CSD</p> <p>10 and the negotiation team will provide comment to the</p> <p>11 negotiating team no later than May 12th. And the</p> <p>12 document is to be added to the main meeting</p> <p>13 documents no later than May 13th.</p> <p>14 COMMISSIONER VOIGT: I'll second.</p> <p>15 THE CHAIR: Any discussion?</p> <p>16 (No response.)</p> <p>17 THE CHAIR: All right. Seeing none,</p> <p>18 Commissioner Armijo, if you could take vote?</p> <p>19 COMMISSIONER ARMIJO: All-righty. Okay.</p> <p>20 Let's go with Commissioner Manis.</p> <p>21 COMMISSIONER MANIS: Could you come back</p> <p>22 to me, please? I'm still thinking over my vote.</p> <p>23 COMMISSIONER ARMIJO: Okay.</p> <p>24 Commissioner Robbins.</p> <p>25 COMMISSIONER ROBBINS: Yes.</p>	137	<p>1 couple of options, even after yesterday.</p> <p>2 So, Ms. Barnes, do you want to walk us</p> <p>3 through what those -- pieces that are missing?</p> <p>4 MS. JULIA BARNES: Yes. If there's</p> <p>5 options, I think I was able to finalize the</p> <p>6 document.</p> <p>7 Also, Chair, there might be some comment</p> <p>8 from counsel on some of these documents. So I don't</p> <p>9 know if Patty Matthews, Sue Fox, or Dan Hill are</p> <p>10 wanting to make any comments on this.</p> <p>11 Yes.</p> <p>12 (Conversation off mic conducted.)</p> <p>13 MS. JULIA BARNES: All right. Do you want</p> <p>14 me to just go over the document?</p> <p>15 So the document is under Item No. 9 under</p> <p>16 the Performance Framework.</p> <p>17 I am -- I am -- just before we move on, I</p> <p>18 just want to make sure none of that -- none of the</p> <p>19 counsel -- I don't know -- maybe on the conditions?</p> <p>20 I don't know if they want to make any comment on --</p> <p>21 not the timeline, but the conditions itself. But</p> <p>22 maybe we'll let them make comments during the</p> <p>23 section about that.</p> <p>24 So on the Performance Framework, I made</p> <p>25 the changes that I thought were discussed yesterday.</p>

<p style="text-align: right;">138</p> <p>1 And that -- there's not too many of those changes.  2 On Page 5, Indicator 1 -- remember there's  3 two indicators on the New Mexico System of School  4 Support and Accountability.  5 COMMISSIONER CARRILLO: Excuse me,  6 Madam Chair. Shall we share for the people that may  7 not have the document in front of them?  8 THE CHAIR: Yeah, I think that would be  9 awesome if we could.  10 MS. JULIA BARNES: Missy, you've done a  11 great job all day yesterday and today.  12 (Off-mic discussion conducted.)  13 MS. JULIA BARNES: Thank you, Missy. It's  14 on Page 4, Indicator 1.  15 So yesterday, there was a box with yellow  16 highlight that I've moved down through the  17 documents.  18 What we've done on Indicator 1 is  19 eliminated the point system of -- that might end up  20 being different to the State scoring system. And  21 I've just identified how points are going to be  22 assigned in that top box that shows pink up there,  23 but on mine, it shows blue, but I've been having  24 arguments with Google Documents all day.  25 So this -- so if the State scoring -- it's</p>	<p style="text-align: right;">140</p> <p>1 second-to-last line, "if required."  2 That would allow you to take the action to  3 ask for a Corrective Action Plan, but not make it  4 read as if it's always required.  5 So that, I think we can follow your  6 typical process where CSD would want to know if  7 something is -- you know, that she can bring -- that  8 the Director can bring it to you if she feels it's  9 required.  10 Then just below that, there are two  11 paragraphs. The one that says the word, "NOTE."  12 And, actually, I did want to check this,  13 particularly -- and maybe Commissioner Robbins. The  14 schools listed in the lowest 40 percent of school  15 rankings, I had a question as to whether that was  16 the correct number or not.  17 And then we put in, "that are not  18 identified or eligible to be identified as a SAM  19 school designation shall prepare an improvement plan  20 to improve any deficiencies," and then identified  21 the organization allocator that Director Chavez  22 highlighted for us yesterday.  23 I will tell you that you can't find  24 anything about SAM school designations online  25 anywhere. It's not on the PED website. I -- you</p>
<p style="text-align: right;">139</p> <p>1 just going to be scored the way the State scores it,  2 because these are the State indicators the way that  3 they do it. Therefore, if they change something, we  4 don't have to change anything, because we'll follow  5 that.  6 On Indicator 2, if you go down the same  7 thing, same type of language was added. It's  8 actually the second sentence.  9 So, again, there is no scoring except for  10 saying that the points will be assigned using the  11 State scoring allocation.  12 There's also a statewide student number  13 here for -- as compared to all State -- statewide,  14 all students statewide. We'll do -- we'll just  15 follow what the State has provided for this  16 indicator.  17 The next change is on the Organizational  18 Framework. And that is the -- the blue, yellow, and  19 red. I can't quite tell -- Page 10. Thank you. I  20 know that Chair Burt does not argue with Google Docs  21 nearly as much as I do.  22 So we have put in, on Working to Meet, the  23 next-to-bottom line, the phrase "if required." And  24 we've repeated that same phrase after Corrective  25 Action Plan and Does Not Meet the standards at the</p>	<p style="text-align: right;">141</p> <p>1 just can't find it.  2 So I -- you can't find it anymore. I  3 don't know. Because I thought maybe I was -- had  4 the acronym wrong or something. But I couldn't find  5 it.  6 But I think it's clear what you all are  7 intending. But it's --  8 THE CHAIR: I think -- it seems weird that  9 it's there under the Organizational Performance  10 Framework.  11 MS. JULIA BARNES: Well -- because it's  12 going to be a requirement under 1.f. So if you go  13 down now, we have to require it somewhere. And then  14 the Organizational Framework doesn't require  15 anything; it assesses things. So if there's a  16 better place --  17 THE CHAIR: I feel like it should just go  18 under the Academic Performance Framework. So -- on  19 Page 4, I feel like it should have --  20 COMMISSIONER CARRILLO: Will you remind me  21 what "SAM" stands for again?  22 THE CHAIR: Supplemental Accountability  23 Measure.  24 MS. JULIA BARNES: So you would want to  25 put it before Indicator 1?</p>

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1 THE CHAIR: Because it's really referring  
 2 to that piece. And that's where the bottom  
 3 40 percent comes from is from Indicator 1.  
 4 MS. JULIA BARNES: Okay. I was struggling  
 5 with where to put it. We need to put it  
 6 somewhere -- the schools are going to have to be  
 7 told that they need to do it.  
 8 And then Indicator 1.f. is in the  
 9 Organizational Framework. So that's -- I'm happy to  
 10 move that. Let me move that right now then.  
 11 COMMISSIONER CARRILLO: Well, while we're  
 12 on Page 10 -- whoops -- uh-oh. What did I just do  
 13 to my screen here? Oh, darn it.  
 14 I don't recall us agreeing on 40 percent  
 15 as the number. I recall --  
 16 THE CHAIR: We did yesterday.  
 17 COMMISSIONER CARRILLO: Agreeing on 40?  
 18 COMMISSIONER ROBBINS: It's a 60/40.  
 19 COMMISSIONER CARRILLO: Was I asleep at my  
 20 own wheel?  
 21 THE CHAIR: You said "yes," too. We  
 22 literally had a consensus yesterday.  
 23 COMMISSIONER CARRILLO: Literally.  
 24 THE CHAIR: Literally.  
 25 MS. JULIA BARNES: That's why I was

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1 referencing Commissioner Robbins, because he came  
 2 back with the designation about the SAM school  
 3 designation and the lowest 40 percent; right?  
 4 COMMISSIONER ROBBINS: Yes. So the  
 5 conversation was actually the 50/50.  
 6 MS. JULIA BARNES: Yes.  
 7 COMMISSIONER ROBBINS: And Commissioner  
 8 Voigt said she could go with a 60/40. And I said I  
 9 could go with a 60/40, provided we excluded  
 10 SAM-designated or SAM-eligible schools.  
 11 MS. JULIA BARNES: Yeah. So there's no --  
 12 I mean, there's 60 because there's 40. But 60 is  
 13 not referenced anywhere now.  
 14 COMMISSIONER ROBBINS: It's the lower 40.  
 15 That's what we basically agreed to.  
 16 MS. JULIA BARNES: I go back to my --  
 17 okay.  
 18 THE CHAIR: No, the wording is correct.  
 19 That actually is exactly right. I just think it  
 20 should be in a different spot.  
 21 MS. JULIA BARNES: I just moved it. I  
 22 agree with you.  
 23 Okay. And then the last thing I need to  
 24 show you is 1.f. And then I think we need to make  
 25 sure that the school attorneys -- another argument.

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1 Good lord. what is flipping around?  
 2 COMMISSIONER CARRILLO: Oh, yeah. Now I'm  
 3 all --  
 4 COMMISSIONER GIPSON: So can I ask a  
 5 question on that statement before we move on to  
 6 something else?  
 7 THE CHAIR: Please. Commissioner Gipson,  
 8 go ahead.  
 9 COMMISSIONER GIPSON: Thanks. I agree it  
 10 shouldn't be in that spot. That's a really wonky  
 11 spot. But the -- the statement that says, "or  
 12 eligible to be identified," they aren't identifying  
 13 SAM schools any longer. So I think that piece -- we  
 14 have about five schools that are designated -- or  
 15 had been designated as SAM schools. We don't have a  
 16 lot.  
 17 But I think the statement to say "or  
 18 eligible to be identified" should be taken out,  
 19 because they're not doing it any longer. So it  
 20 would be hard to say -- how does a school say, "I'm  
 21 eligible to be a SAM school"? Because I'm, like,  
 22 this school? Or -- you know, there is no  
 23 criteria -- there never really was a criteria for  
 24 eligibility. But right now, there isn't at all,  
 25 because they've stopped doing that designation.

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1 THE CHAIR: Director Chavez.  
 2 DIRECTOR CORINA CHAVEZ: Thank you,  
 3 Chair Burt.  
 4 Commissioner Gipson, I restarted a  
 5 conversation with folks who are in the  
 6 Accountability office and working on revising our  
 7 plan with the federal government and have raised the  
 8 question about SAM schools.  
 9 People know that that is something that  
 10 New Mexico needs to do. I don't know what the  
 11 timeline for having an approved revised plan with  
 12 the Feds. So I would think that there would be a  
 13 working definition at the PED level that we could  
 14 rely on. And so I think that that's why -- that's  
 15 why that wording would be okay.  
 16 COMMISSIONER GIPSON: But if we don't have  
 17 it, and we don't have a timeline for when we're  
 18 going to get a working definition, how do we -- how  
 19 do we work with this right now with that statement  
 20 there?  
 21 Because we don't know when that work --  
 22 honestly, I appreciate the conversation. But  
 23 there's been SAMs conversations going on for, like,  
 24 five years. So we've not gotten a successful  
 25 answer. So I hesitate to have that there until

<p style="text-align: right;">146</p> <p>1 there is a working definition.</p> <p>2 DIRECTOR CORINA CHAVEZ: So if we think --</p> <p>3 if we plan backwards, when would this document be in</p> <p>4 effect? When is the first time?</p> <p>5 COMMISSIONER VOIGT: Madam Chair, if I</p> <p>6 may?</p> <p>7 THE CHAIR: Yeah. Commissioner Voigt.</p> <p>8 COMMISSIONER VOIGT: Yeah, Commissioner</p> <p>9 Gipson, I really appreciate that. I understand what</p> <p>10 you're saying about that, because it's neither, at</p> <p>11 this time, here nor there.</p> <p>12 However, what Corina was saying, that PED</p> <p>13 is now opening up the conversation around SAMs,</p> <p>14 every charter school knows what a SAMs is. And I</p> <p>15 think we are going to be looking at incorporating</p> <p>16 language around SAMs -- and correct me if I'm wrong,</p> <p>17 project team -- in our Performance Framework</p> <p>18 possibility for metrics around SAM schools.</p> <p>19 So I think it's better to have it here,</p> <p>20 and it will become relevant, rather than not have it</p> <p>21 and then push it in after SAMs becomes reality.</p> <p>22 COMMISSIONER GIPSON: And I appreciate</p> <p>23 that. My concern is two things:</p> <p>24 We've had -- we've had multiple charter</p> <p>25 schools who are designated as SAM schools come</p>	<p style="text-align: right;">148</p> <p>1 know, if -- I wonder if we could change the</p> <p>2 language -- in order to accomplish what we want --</p> <p>3 basically, what we're trying to do is if you were</p> <p>4 ever designated as a SAM school; right?</p> <p>5 If you were a SAM school before, we're</p> <p>6 trying to make it to where they're not, then, a part</p> <p>7 of this lower 40 percent with this improvement</p> <p>8 plan -- right? -- that they're excluded from that.</p> <p>9 And that's the point of it.</p> <p>10 So I wonder if we know -- I mean -- and we</p> <p>11 can maybe word it in here to where schools</p> <p>12 previously identified as SAMs are excluded from</p> <p>13 this. And that way, those five schools or so that</p> <p>14 are in our portfolio that have been identified</p> <p>15 previously, that if they do come in the 40 percent,</p> <p>16 then they would be excluded.</p> <p>17 And I think that's the goal of what we</p> <p>18 were trying to do anyway. And I think we've done --</p> <p>19 since SAM schools were ever identified, I don't</p> <p>20 think we've added any to our portfolio that would</p> <p>21 qualify as a SAM school.</p> <p>22 Maybe I'm wrong about that. Maybe</p> <p>23 Commissioner Gipson can correct. But since they</p> <p>24 were ever identified, there haven't been any new</p> <p>25 schools added to the PEC portfolio that would likely</p>
<p style="text-align: right;">147</p> <p>1 before us and say, "I don't even know how I got the</p> <p>2 designation, and we don't know what a SAM school</p> <p>3 really is."</p> <p>4 So there is not a good, right now, working</p> <p>5 definition of that. And if there is a new working</p> <p>6 definition, there could be any number of schools</p> <p>7 that are no longer those SAM schools.</p> <p>8 So -- and I didn't think -- and, for me,</p> <p>9 from my perspective for the project team, I've never</p> <p>10 had an understanding that we're specifically looking</p> <p>11 at SAM schools and not all -- for want of a better</p> <p>12 word, alternative types of schools, but not</p> <p>13 specifically SAM schools. Because, once again, we</p> <p>14 only have about five.</p> <p>15 COMMISSIONER VOIGT: Right. Sorry. Just</p> <p>16 real quick.</p> <p>17 Yeah, it hasn't come to the project team</p> <p>18 agenda yet, because we've taken about 38 steps</p> <p>19 backwards now that we've expanded our project team,</p> <p>20 not to -- and not because of any reason; it's just</p> <p>21 the work that needs to be done. So -- but it is on</p> <p>22 the horizon.</p> <p>23 THE CHAIR: I -- as I'm listening and</p> <p>24 thinking about what may be a solution to that would</p> <p>25 be, because I do understand the concern, is, you</p>	<p style="text-align: right;">149</p> <p>1 fall under that designation as well.</p> <p>2 COMMISSIONER GIPSON: Correct. Because</p> <p>3 we've had schools that applied. But they stopped --</p> <p>4 they stopped doing the designation; so...</p> <p>5 THE CHAIR: I wonder if we can use the</p> <p>6 historic designation to exclude them from this.</p> <p>7 COMMISSIONER GIPSON: Yeah.</p> <p>8 THE CHAIR: And then be able to move</p> <p>9 forward.</p> <p>10 COMMISSIONER GIPSON: Right.</p> <p>11 MS. JULIA BARNES: How about that are not</p> <p>12 identified or --</p> <p>13 THE CHAIR: No, not --</p> <p>14 MS. JULIA BARNES: The "not" is getting me</p> <p>15 twisted up now.</p> <p>16 THE CHAIR: "Schools listed in the lowest</p> <p>17 40 percent of school ranking by the PED that</p> <p>18 have..." --</p> <p>19 Yeah, there's some weird language in</p> <p>20 there.</p> <p>21 COMMISSIONER CARRILLO: What page are you</p> <p>22 on?</p> <p>23 THE CHAIR: We're on -- it kind of got a</p> <p>24 little wonky. There's some -- I think something got</p> <p>25 moved around. But it's Page 4.</p>

150	<p>1 MS. JULIA BARNES: No, it was later. I've 2 moved it.</p> <p>3 THE CHAIR: Yeah. It's on Page 4 now, and 4 it's the last paragraph of Page 4. It says, "NOTE." 5 And that's the wordsmithing on there. Because I 6 agree with Commissioner Robbins' concern from 7 yesterday, that these schools -- and especially -- 8 Director Chavez brought this up. If they're going 9 to historically keep being in the bottom 40 percent, 10 then to not include them as part of this, because 11 they're serving, you know, a special population. 12 Commissioner Carrillo.</p> <p>13 COMMISSIONER CARRILLO: I know this is 14 kind of going backward. But I think perhaps, if 15 they want, for KT -- for Commissioners Manis and 16 Davis, for us to go over why we have it at 40 17 instead of the 50?</p> <p>18 Well, I know. But it's -- okay. I'm 19 joking -- I'm warning if there's any -- if anybody 20 that wasn't here yesterday has a question about it, 21 now's the time to ask. That's all I got. I 22 totally -- I wish I -- I know. I just totally see 23 your head shaking. It's all good.</p> <p>24 THE CHAIR: Okay. So, actually, I do -- 25 I'm sure everyone can see this on your document.</p>	152	<p>1 out of the document and come back. When mine was 2 wonky, that's what I did.</p> <p>3 THE CHAIR: So formatting can be fixed 4 later. But it's on Page 4. It's also up on the 5 screen.</p> <p>6 COMMISSIONER CARRILLO: It's on the 7 screen.</p> <p>8 THE CHAIR: Commissioner Robbins, do 9 you -- I can't tell. I can't read your official 10 expressions as to how you feel about if this follows 11 the spirit of what you were intending.</p> <p>12 COMMISSIONER ROBBINS: I think it follows 13 the spirit. I'm just wondering if what's in the 14 parentheses, "either identified or identified in the 15 past as a SAM school," I'm wondering if it maybe 16 should read, "or identified using a previous 17 definition for a SAM school," because that covers 18 current or past definitions. And so if the 19 definition changes --</p> <p>20 THE CHAIR: Right. Then they're still 21 covered.</p> <p>22 MS. JULIA BARNES: Was it always 23 identified by PED?</p> <p>24 THE CHAIR: Yes.</p> <p>25 MS. JULIA BARNES: Okay.</p>
151	<p>1 Like, Julia is updating it in realtime. So I think 2 this is going to be -- Commissioner Robbins, I'm 3 definitely interested if you think this kind of 4 follows the, you know, spirit behind what you were 5 suggesting yesterday.</p> <p>6 So, "Schools listed in the lowest 7 40 percent of school ranking by the PED that are not 8 a SAM school, either identified or identified in the 9 past as a SAM school, shall prepare an improvement 10 plan to improve any deficiencies."</p> <p>11 And then I think, once again, this is also 12 a topic that the project team needs to explore 13 further and deeper as we move into the revised 14 Performance Framework and out of this placeholder 15 Performance Framework.</p> <p>16 Director Chavez.</p> <p>17 DIRECTOR CORINA CHAVEZ: I'm not sure why, 18 but I am not seeing where the changes are being made 19 in the document. I'm on the page that is -- by 20 the -- the indicator; right?</p> <p>21 THE CHAIR: It's Appendix A, and then 22 Academic Performance Framework on Page 4.</p> <p>23 COMMISSIONER ROBBINS: Near the top of 24 Page 4.</p> <p>25 MS. JULIA BARNES: Director Chavez, get</p>	153	<p>1 COMMISSIONER ROBBINS: That would be good.</p> <p>2 THE CHAIR: I think so, too. That makes 3 sense. Because, once again, we're trying to make 4 this where if things change down the road, this 5 stays in effect and --</p> <p>6 COMMISSIONER ROBBINS: And, you know, just 7 again to summarize our conversation from yesterday, 8 the intent is to not require those -- we'll use the 9 term "SAM schools" -- to do the additional plan 10 development that other schools in the lower 11 40 percent would be required to do.</p> <p>12 THE CHAIR: Right.</p> <p>13 MS. JULIA BARNES: So what I'd like to do 14 is it -- someone highlighted it in yellow. That's 15 fine with me. And same thing. This is the language 16 here on Indicator 2.</p> <p>17 And then the last thing to point out, 18 which -- and then I'd like to see if counsel for the 19 schools wants to speak.</p> <p>20 It's wonky again, but it's 1.f., if I -- 21 so 1.f. is on Page 13. This is how it would be 22 assessed. It would be an Organizational Framework 23 item that the CSD checked.</p> <p>24 So I just added -- and I need to change 25 this language. "Schools in the bottom 40 percent of</p>

<p style="text-align: right;">154</p> <p>1 the State ranking..." -- I'll change that as a SAM  2 school by PED. So I'll use the same language as up  3 top. So it's just showing how it's going to be  4 assessed. It's not going to be a new Academic  5 Framework issue. It's an Organizational Framework.  6 THE CHAIR: Commissioner Carrillo.  7 COMMISSIONER CARRILLO: You just started  8 shaking your head now.  9 Okay. So my recollection of the  10 conversation yesterday is that it was lowered to 40  11 because of the criteria of SAM schools, making sure  12 that those schools that really had, we'll say,  13 exceptional needs in one way or another were not  14 held to a standard that was unreasonable.  15 And -- because there are -- I know that I  16 mentioned, you know, there's the Free and Reduced  17 Lunch and things, but there's also schools that we  18 add that specialize in different, you know,  19 alternate abilities or disabilities and stuff like  20 that. My understanding was that's why we lowered it  21 to the 40.  22 I'm not comfortable with the 40 at all.  23 But that was -- you know, because I think that's so  24 New Mexico to put the bar that low, okay?  25 And I know there's people rolling their</p>	<p style="text-align: right;">156</p> <p>1 in that. And the state bar at 25 percent is to be  2 laughably bad.  3 THE CHAIR: That's the federal --  4 COMMISSIONER CARRILLO: It's laughably  5 bad, and we all wonder in this country why we are  6 where we are.  7 So I'm not going to hold anything up. But  8 I still believe that it should be at 50, making sure  9 the criteria relative to some schools is taken into  10 consideration.  11 THE CHAIR: I'm glad you can live with it.  12 COMMISSIONER CARRILLO: Touché.  13 THE CHAIR: All right. Is that the  14 changes --  15 MS. JULIA BARNES: Those were the changes.  16 So I didn't hear yesterday any options, Option A or  17 Option B. I heard that you would finalize the  18 document. I would like to, if you are all right  19 with that, see if counsel wants to --  20 THE CHAIR: Sure. And I just want to make  21 sure this Organizational Framework -- this one is  22 not marked up. It's because it included all the  23 recommendations from Director Chavez in the  24 original.  25 Okay. Director Chavez.</p>
<p style="text-align: right;">155</p> <p>1 eyes, anybody that's participating, in my saying  2 that.  3 But it's -- I think it should -- I'm  4 sorry. If we could say that -- we could say  5 something like, "It could be 50 percent, and then  6 maybe 40 for those schools that meet SAM criteria,"  7 something to acknowledge that we realize the  8 challenges that certain schools and populations  9 face, but not letting those schools that are just  10 perhaps not very good schools skate on their  11 coattails.  12 THE CHAIR: So I think right now, the  13 State requires the bottom 25 percent to do this  14 improvement plan. So the PEC, what we're doing is  15 saying 25 percent is not enough, and, actually, we  16 want -- if any of the State charters fall in the  17 bottom 40 percent, you need to do this additional  18 academic improvement.  19 COMMISSIONER CARRILLO: Understand. I  20 think this is also a state that didn't require  21 people to be on their Zoom cameras all during the  22 pandemic for kids; right? And this is also the same  23 state that didn't have any end-of-year exams  24 requirements.  25 So I'm sorry. I don't hold a lot of stock</p>	<p style="text-align: right;">157</p> <p>1 DIRECTOR CORINA CHAVEZ: Thank you. So  2 there were several changes made to this document  3 since I last touched it. And we've done a thorough  4 review of that. And so I'm going to ask Dr. Russell  5 to walk through, because I think that it needs to be  6 cleaned up.  7 And I don't know about your version, but I  8 can't even read the indicators.  9 So we'd like to offer to do a final  10 cleanup. And, also, I'd like for Dr. Russell to  11 walk through the various areas that are either  12 questionable or that would like to make changes to.  13 DR. BRIGETTE RUSSELL: Thank you,  14 Madam Chair and Commissioners. So CSD would  15 recommend moving the overview of the Performance  16 Framework back to the beginning of the document  17 where it was before. Somehow it got moved to the  18 end after the detail and breakdown of the  19 Performance Framework.  20 Okay.  21 MS. JULIA BARNES: Which -- we were trying  22 to make the table readable now, but we can't -- I  23 can't --  24 DR. BRIGETTE RUSSELL: There is an  25 overview of the Performance Framework. It's a</p>



<p style="text-align: right;">158</p> <p>1 one-page or one-and-a-half-page overview on Page 24 2 of the document. And it used to be up on Page 4 or 3 5, and it got moved. And I think that the overall 4 summary should come before the detailed breakdown. 5 MS. JULIA BARNES: It starts with 6 "Performance Framework"? 7 DR. BRIGETTE RUSSELL: Yes. It says 8 "Performance Framework Overview." 9 DIRECTOR CORINA CHAVEZ: This is to keep 10 our documents consistent. We always provide an 11 overview before getting into the details. So I 12 don't know how it moved or how that was decided to 13 move it down. 14 MS. JULIA BARNES: That's consistent with 15 what I tried to do. So I tried to keep the least 16 amount of information at the top and then a lot of 17 the extra information at the bottom; so -- 18 DR. BRIGETTE RUSSELL: So maybe that move 19 was unintentional. But we'll fix that. 20 Additionally, there's a possible -- I know 21 that the Indicator 2.a. through f. were pulled out 22 and put into a separate financial framework. Our 23 concern is that we have Indicator 1.a. in the 24 Organizational Framework and Indicator 1.a. in the 25 Financial Framework.</p>	<p style="text-align: right;">160</p> <p>1 MS. JULIA BARNES: No, I don't think so. 2 I'll talk to you about it. 3 DR. BRIGETTE RUSSELL: Okay. 4 MS. JULIA BARNES: What we need to 5 negotiate is already in the document, and then we 6 can create a new document after the negotiation. 7 DR. BRIGETTE RUSSELL: I can have it done 8 by Monday. 9 MS. JULIA BARNES: Okay. I don't have a 10 problem with -- I'll talk to you about that. 11 So I think we're ready to see if counsel 12 wants to my make any comments. 13 (Off-mic discussion.) 14 THE CHAIR: Ms. Matthews, if you would 15 like to make a comment on this, you can raise your 16 digital hand and Missy will move you. Otherwise, 17 we're going to keep moving. 18 MS. JULIA BARNES: Okay. Oh. There she 19 goes. Okay. Thank you. 20 MS. PATTY MATTHEWS: Good afternoon, 21 Commissioners and Ms. Barnes. Since I've been on 22 the call since 9:00 this morning, I will say 23 something, but it's going to be very brief. 24 I've just sat through listening to 25 multiple changes on the Performance Framework which</p>
<p style="text-align: right;">159</p> <p>1 When communicating with schools they might 2 get mixed up between one and the other. So if 3 the -- if the PEC has no objections, we could 4 renumber the Financial Framework indicators as 5.a. 5 through f. 6 MS. JULIA BARNES: I agree with that. 7 DR. BRIGETTE RUSSELL: Okay. 8 MS. JULIA BARNES: Because when I was 9 trying to search for 1.f., I ended up in the wrong 10 spot. So I agree with that. 11 DR. BRIGETTE RUSSELL: Okay. All right. 12 I believe that is -- oh. And then there's 13 just formatting -- there's extra spaces and periods, 14 and we'll clean all that up, if that's -- 15 MS. JULIA BARNES: I said this yesterday. 16 Brigitte, these documents really need your touch, 17 because, man, they've got a bunch of stuff in here 18 that I was, like, I've never even seen it. So, 19 seriously, I was, like -- I think those are all 20 excellent points. We should allow them to do that. 21 We are using -- we were starting to use it 22 on Monday. But I think that -- actually, I don't 23 think that's a problem. 24 DR. BRIGETTE RUSSELL: So it needs to be 25 done over the weekend.</p>	<p style="text-align: right;">161</p> <p>1 the Commissioners were in the process of 2 renegotiating, restating, reorganizing. 3 CSD weighed in as to needing to reorganize 4 the document. 5 So I have no idea whether or not what I've 6 seen before and sent to my clients for their 7 feedback or concerns will have changed. So I cannot 8 agree or -- I don't have any comments, really, other 9 than to say until I see the final version, can 10 present it to my clients and get their feedback, 11 we're going to reserve the right to make comments 12 about the Performance Framework in the context of 13 the contract negotiations. 14 As to the conditions, it sounds like a 15 plan for us to move forward and get those plans in 16 place for the Commission. 17 And we didn't get to the amendment, 18 Ms. Barnes. I didn't know -- that's the next item; 19 correct? 20 MS. JULIA BARNES: I just wanted to give 21 you an opportunity on the conditions as well, 'cause 22 kind of went too fast on that and -- 23 MS. PATTY MATTHEWS: Well, that's all - 24 those are the only comments I have on the 25 conditions, just because it sounds like we're moving</p>

<p style="text-align: right;">162</p> <p>1 forward to negotiate the conditions. And what that 2 will look like, that makes sense to me. 3 But I don't know that there's any action 4 item on the conditions just yet, other than that 5 we're going to move forward on it on a timeline to 6 do that; very compressed timeline, but we'll do what 7 we can. 8 THE CHAIR: Okay. Thank you. Any other 9 discussion or questions from Commissioners on this 10 Performance Framework? 11 Okay. Commissioner Voigt. 12 COMMISSIONER VOIGT: Thank you, Madam 13 Chair. If there's no further discussion, I'd like 14 to make a motion. 15 I move that the Public Education 16 Commission adopt the Performance Framework, 17 Document 9 in the Meeting Document folder, for use 18 in the 2022 contract negotiations. 19 COMMISSIONER ROBBINS: Second. 20 THE CHAIR: Any discussion or comment? 21 So the one thing I'll say is I'm going to 22 vote to approve it. But knowing that formatting and 23 any of those minor changes that need to be made are 24 completely acceptable and encouraged, and that it's 25 just the content is what I'll be voting on.</p>	<p style="text-align: right;">164</p> <p>1 COMMISSIONER ARMIJO: Commissioner Voigt. 2 COMMISSIONER VOIGT: Yes. 3 COMMISSIONER ARMIJO: Commissioner Armijo 4 votes yes. 5 Chair Burt. 6 THE CHAIR: Yes. 7 COMMISSIONER ARMIJO: Commissioner 8 Carrillo. 9 COMMISSIONER CARRILLO: Yes. 10 COMMISSIONER ARMIJO: Commissioner Davis. 11 COMMISSIONER DAVIS: Yes. 12 COMMISSIONER ARMIJO: Commissioner Gipson. 13 COMMISSIONER GIPSON: Yes. 14 THE CHAIR: And Commissioner Manis. 15 COMMISSIONER MANIS: Yes. 16 COMMISSIONER ARMIJO: That is approved 17 unanimously. 18 THE CHAIR: All right. That'll move us to 19 Item No. 10, which is Discussion and Possible Action 20 to approve Contract Forms for Schools Undergoing 21 Contract Negotiations, 2022, and there's a contract 22 form and amendment form. 23 Ms. Barnes. 24 MS. JULIA BARNES: Thank you. There are 25 two documents in the meeting minutes. One is a 2018</p>
<p style="text-align: right;">163</p> <p>1 Commissioner Davis. 2 COMMISSIONER DAVIS: Yeah. I'm not sure 3 about voting on something that we don't have a 4 finished copy. 5 THE CHAIR: So we do have a finished copy. 6 It's Document 9. There's just some formatting 7 things that happened that got -- the table got 8 expanded. It's just the table needs to be pushed 9 back in and the contents need to be moved to 10 different pages. 11 But the content has been done yesterday 12 and was uploaded last night for review and for vote 13 today. 14 COMMISSIONER DAVIS: Okay. Well, I 15 thought the conversation just now indicated that 16 there were discrepancies on what happened yesterday 17 and what's there today. Maybe I misunderstood. 18 THE CHAIR: All right. Any other 19 discussion or comments? Questions? 20 (No response.) 21 THE CHAIR: All right. Hearing none, 22 Commissioner Armijo, could you take a vote, please? 23 COMMISSIONER ARMIJO: Yes. 24 Commissioner Robbins. 25 COMMISSIONER ROBBINS: Yes.</p>	<p style="text-align: right;">165</p> <p>1 contract form, and the other one is the amendment 2 form. There are -- there are just a few things to 3 discuss with you on the contract form. 4 The amendment form, there was no -- there 5 was no change. 6 I would like to address a comment by 7 Director Chavez with a possible suggestion. 8 She had indicated yesterday that some 9 schools might not -- with an amendment might not 10 execute a new contract in the fall, and that it 11 would be hard to go look for those schools that 12 all -- you know, we'd have a contract, an amendment, 13 and maybe other amendments. 14 So rather than executing only a contract 15 rather than an amendment for those seven schools, my 16 proposal is to use this amendment form. And if any 17 school doesn't enter into a new contract in 18 September, that, at that point, we do one contract. 19 So CSD, moving forward for that one 20 school, would have one document, but that for the 21 seven schools -- because it's actually a substantial 22 amount of work to do it for all seven, and many may 23 enter into that -- enter into a new contract. 24 So that's sort of an overarching proposal 25 I have. The -- because I think that her point is</p>

<p style="text-align: right;">166</p> <p>1 very valid, if that contract is going to exist for 2 five years.</p> <p>3 I just have two things. We went over a 4 lot of the changes yesterday. And those are all 5 accepted. There are -- I'm now on Document 10B, as 6 in "boy." And there are just two points.</p> <p>7 Again, I'll just identify that there's a 8 comment by the Matthews Fox Law Firm about -- boy, 9 I'm not doing -- under Section 5, that they are 10 reserving any objection to that provision.</p> <p>11 The -- I think it's Page 7 is the next 12 one. Sorry. I'm just in such an argument with 13 this.</p> <p>14 Okay. I -- this was raised in a -- 15 previously by Patty Matthews on discretionary 16 waivers. And I actually agree with her suggestions, 17 but I skipped over it yesterday.</p> <p>18 Her point is that nondiscretionary waivers 19 are nondiscretionary. You can do them anytime. You 20 don't have to ask anybody about them.</p> <p>21 So the way this reads is as if somehow the 22 PEC is getting permission or something. But nobody 23 gives permission. They're nondiscretionary. So her 24 suggestion is to eliminate the words, "the 25 nondiscretionary waivers the school is utilizing,"</p>	<p style="text-align: right;">168</p> <p>1 those to identify all the nondiscretionaries, but if 2 they don't do that, there may be a reason why they 3 didn't. And if they didn't want to opt to have, you 4 know, a nondiscretionary waiver, I think 5 notification is necessary so CSD is not, you know, 6 doing work that's unnecessary.</p> <p>7 THE CHAIR: Commissioner Gipson.</p> <p>8 COMMISSIONER GIPSON: You know, this is a 9 vexing problem since the beginning of contract 10 negotiations. We tried to make it easy by just 11 saying just say yes to all of them and we populate 12 it in.</p> <p>13 I just think it's easier -- they get them. 14 If they have to -- we didn't even realize that there 15 wasn't some sort of application that has to go in to 16 PED, which is outside of us. I think it's just 17 easier, because they're not going to be evaluated on 18 whether they're using or not using the 19 nondiscretionary waivers.</p> <p>20 I think it's just easier to pull it out at 21 this point in time 'cause it's -- it's never -- it's 22 never worked well. We've tried to make it easier, 23 and it's not easier, because there's a -- there's 24 steps in there that we, I think, are still somewhat 25 unaware of with PED.</p>
<p style="text-align: right;">167</p> <p>1 and just identify the discretionary waivers.</p> <p>2 To me, a school can move in and out of the 3 nondiscretionary waivers. You can use them; you 4 cannot use them.</p> <p>5 And that would eliminate also Bullet B. 6 And I'm sorry that I skipped over that yesterday. 7 Realized it when I was doing that. I suggest that 8 those are good changes. I suggest that that's what 9 happens anyway.</p> <p>10 Can we make them now? 11 Yes. I just didn't want to delete them 12 until --</p> <p>13 COMMISSIONER ROBBINS: Well, if I could, I 14 thought we wanted it specified, because if they are 15 utilizing a nondiscretionary waiver, okay, we want 16 CSD to be aware of that when they're evaluating on 17 school visits and things like that.</p> <p>18 If they haven't said, "Oh, you know, we're 19 utilizing this," or, "We're not utilizing it," they 20 could be evaluating things as, like, "Oh, no, we 21 have a waiver on that. We decided to do the 22 waiver."</p> <p>23 But I think if they want -- unless they've 24 identified all the nondiscretionaries, which we've 25 recommended in the past that they select all of</p>	<p style="text-align: right;">169</p> <p>1 So it's just easier. The discretionary 2 waivers are, in fact, something that if they were -- 3 if they hadn't applied and been granted, that would 4 be something they would be evaluated on if they were 5 using it and they -- and they had not been granted 6 that discretionary waiver. That would be a 7 significant concern.</p> <p>8 But the nondiscretionary waivers are not a 9 concern of our -- I mean, the schools are just 10 basically granted them.</p> <p>11 THE CHAIR: Director Chavez.</p> <p>12 DIRECTOR CORINA CHAVEZ: Thank you. So we 13 will keep track at the PED, because that's what we 14 do. That's our work at the PED. So this takes PEC 15 out of the mix, and I'm okay with eliminating it 16 from the contract.</p> <p>17 COMMISSIONER ROBBINS: So I'll remove 18 the -- any objection I had to removing it. If CSD 19 tracks it, you know, for PED anyway, PEC doesn't 20 need to have it tracked separately.</p> <p>21 MS. JULIA BARNES: Okay. Additionally, 22 there was an amendment requirement that I just 23 thought was going to be more administrative work for 24 CSD that they didn't need. So -- okay. I'm 25 eliminating that right now.</p>

<p style="text-align: right;">170</p> <p>1 And then there's just this last -- and I 2 believe it's on Page 14. And then, Brigitte, I'm 3 just going to need your help again. I keep deleting 4 this line of Zs. It's weird formatting. There's a 5 line of Zs and a line of Ms, and it just keeps 6 coming back. I did break it. I swear. 7 Then the last one, on Page 14, is the 8 Director had just asked to highlight this: "30 days 9 prior for the procedures to follow a renewal 10 process." 11 I think it needs to be 30, but I just 12 highlighted it because it was a question from 13 yesterday. 14 THE CHAIR: So if we could pause on that. 15 And, Director Chavez, if you're kind of willing to 16 talk about that. So bottom of Page 14, Item B right 17 there. And "30" is highlighted. 18 DIRECTOR CORINA CHAVEZ: Correct. So this 19 is Section 5 under Charter Renewal Process. And it 20 is talking about the timeline which needs to align 21 with other documents we have that talk about the 22 timeline. 23 I believe that in 2.b. -- correct me if 24 I'm wrong, Ms. Barnes. But I believe you changed 25 this number; is that correct?</p>	<p style="text-align: right;">172</p> <p>1 Alternatively -- and this is one of my 2 problems -- is that things are in too many places. 3 So we're trying in the fall to pull everything out 4 into one spot so that you don't have to go find it 5 in four spots. 6 So we could eliminate and just say, "The 7 Commission's authorized representatives will provide 8 the school with a preliminary analysis and 9 recommendation," and not say the time, because, 10 again, we're putting into numerous places something 11 that should be in one. 12 DIRECTOR CORINA CHAVEZ: I would recommend 13 removing the days. Thank you. 14 MS. JULIA BARNES: Just put, "The 15 Commission's authorized..." 16 Is everyone okay with that? They need to 17 all be consistent, but I think deleting it keeps -- 18 okay. 19 That's -- that is it. 20 Again, seeing -- at this point, I would 21 think if any lawyer wants to make a suggestion. 22 THE CHAIR: All right. So I'll invite 23 Ms. Matthews. If you'd like to comment on -- or 24 would you like to go over the template as well, and 25 I can have her comment on both? The amendment?</p>
<p style="text-align: right;">171</p> <p>1 MS. JULIA BARNES: It was "20." 2 DIRECTOR CORINA CHAVEZ: It was "20" and 3 now it's saying "30." So, again, the time gets 4 compressed, and I think it could end up boxing us in 5 in ways that may be unintended. So I would think 6 that -- 7 MS. JULIA BARNES: Well, 30 days prior to 8 the Commission's meeting -- 9 DIRECTOR CORINA CHAVEZ: Right. 10 MS. JULIA BARNES: -- my thinking is, back 11 to the court order, is that 30 days prior to the 12 Commission meeting, the PEC is going to need to take 13 action to send a letter out. 14 So I think you beat this deadline by a 15 long shot, already, because it's your preliminary 16 one. So that's why I changed it from 20 to 30. 17 So I -- I think, based on the conversation 18 yesterday, you're closer to, like, 45 days or even 19 more, because your preliminary comes out. Thank 20 you. Then they have the two weeks to consider it, 21 and then you do your final. 22 But if we leave it at 20 days, I believe 23 it's going to be inconsistent with the court's -- 24 PEC's not going to be able to provide notice to the 25 schools and give them 30 days to respond.</p>	<p style="text-align: right;">173</p> <p>1 MS. JULIA BARNES: Sure. 2 THE CHAIR: Ms. Matthews, as soon as we go 3 over the amendment as well, then I will provide an 4 opportunity for you to comment on both the contract 5 and the amendment together. So now we're looking at 6 10.a. Question? Sorry. Commissioner Robbins. 7 COMMISSIONER ROBBINS: I have a quick 8 question. I believe -- because I can go into this 9 document and add things -- I believe it's editable 10 by all of us. So if someone has their finger on 11 their keyboard, I think that's why things are 12 getting added. 13 I -- I put a cursor, and I put in a 14 letter, and I took it out, and the letter appeared, 15 and then I took it out. 16 So we -- apparently, the way this is set 17 up in Google Docs, we all have edit ability. That's 18 probably not a good way -- but we have to keep our 19 fingers away from the keyboard, other than up and 20 down arrows. 21 MS. JULIA BARNES: Thank you, Commissioner 22 Robbins. I don't know if I should be given editing 23 abilities, given my arguments with this. 24 The amendment was posted last Friday in 25 the draft working documents. It was reviewed</p>

<p style="text-align: right;">174</p> <p>1 yesterday without changes. It's here today with no 2 changes.</p> <p>3 Just to reiterate, that it would be -- it 4 will be used by seven schools with existing 5 contracts.</p> <p>6 Similar language is also in the other 7 contract to get everyone to renegotiate in the fall. 8 This document was reviewed -- and I mentioned it 9 yesterday -- but extensively by Patty Matthews, and 10 I thank her very much for that.</p> <p>11 And then just to reiterate, I'd like to 12 use this amendment document for the seven schools to 13 not have to go add in all of the other amendments, 14 but, in the event that that contract is going to 15 continue past the fall, at that point, for those 16 schools to create one document, because I think 17 that's a reasonable request.</p> <p>18 THE CHAIR: Before I ask for Patty 19 Matthews, I'm going to go to Director Chavez just to 20 make sure you have the opportunity to comment first.</p> <p>21 DIRECTOR CORINA CHAVEZ: I commented 22 yesterday that this creates an additional document 23 to review rather than a single document. We are 24 reviewing the old contract and this amendment. And 25 anytime that we're toggling between two documents,</p>	<p style="text-align: right;">176</p> <p>1 So then you have this amendment; right? 2 And that's what the concern is, looking over two 3 different documents over the course of the next five 4 years.</p> <p>5 If, in our motion, we include that any 6 school who does, in October, say, "No, we're going 7 to keep this contract," that then it just becomes 8 one new contract for just those schools.</p> <p>9 DIRECTOR CORINA CHAVEZ: All right. Then 10 it's short-term pain, not long-term pain.</p> <p>11 THE CHAIR: Yes, yes. Is it more -- yeah, 12 more -- is it less disagreeable to have it for a 13 shorter term?</p> <p>14 DIRECTOR CORINA CHAVEZ: Yes, it's less 15 painful. Yes.</p> <p>16 THE CHAIR: Okay.</p> <p>17 MS. JULIA BARNES: Can I just raise one 18 point? The PEC amends all the time without redoing 19 the contract and re-executing the signatures and all 20 of that. You did it this morning. You do it all 21 the time.</p> <p>22 So if you were going to not do amendments 23 anymore, or you were going to redo a contract every 24 time, in my view, you should -- you should eliminate 25 the contract -- the amendment tracker and redo the</p>
<p style="text-align: right;">175</p> <p>1 there's challenges.</p> <p>2 So I don't like this. And I understand 3 that Ms. Barnes says that it's more work to create a 4 contract from scratch. And I get it. All of this 5 is a lot of work.</p> <p>6 And I also want to just say that relative 7 to the amendments to any existing contract, we have 8 a tracker. I believe Ms. Brown mentioned that 9 yesterday. I have staff that do a really careful 10 job of -- of documenting any amendment to the 11 charter contracts. And that could be provided as 12 well.</p> <p>13 So it's -- I know it's up to the 14 Commission. But in terms of this in lieu of a 15 revised contract I think complicates things.</p> <p>16 THE CHAIR: Does it help -- is it more 17 reasonable or not as daunting to only have the 18 amendment no more than October, that by October, no 19 matter what, it's just the one -- like, is it 20 reasonable to be able to just have the amendment to 21 just the next six months?</p> <p>22 Because one of the suggestions in part of 23 our motions would be if a school -- because I know 24 the concern yesterday was there could be schools who 25 say, "No, I want to keep this contract"; right?</p>	<p style="text-align: right;">177</p> <p>1 contract every time.</p> <p>2 So this is no different than any other 3 amendment. So what we have right now is a contract 4 and a contract amendment tracker that shows -- for 5 example, I'll just use -- one of the schools that, 6 during this contract term, got a second location and 7 you approved it, well, you didn't redo the whole 8 document. You have a contract and an amendment.</p> <p>9 And so this is no different than that. So 10 I think it would be a massive issue to do it every 11 single time.</p> <p>12 So, to me, it's -- this is no different 13 than any other amendment request form. It's just -- 14 says that. I -- and I think you could look later as 15 to whether you posted those amendments somehow 16 online. Other than the -- the amendment tracker, I 17 don't know any way to know what you guys have done. 18 I mean, there's too many months. So it would raise 19 a bigger problem for me.</p> <p>20 But I think what Director Chavez is saying 21 is, you know, every time there's a new contract, you 22 could start with a new good document. So I agree 23 with that as a point.</p> <p>24 But we would go and pull any amendments 25 from that tracker for School X, put them in here,</p>

<p style="text-align: right;">178</p> <p>1 put these things in here so we would combine three 2 or four documents. 3 THE CHAIR: Commissioner Voigt. 4 COMMISSIONER VOIGT: Thank you. So I just 5 wanted to ask Director Chavez. 6 Is there maybe a way to think about this 7 as this amendment is something as a placeholder of 8 something that's going to happen to said school? 9 Once it's entered into said school, then the 10 amendment dissolves? So it's basically kind of like 11 that. 12 DIRECTOR CORINA CHAVEZ: I know that the 13 intentions for this is that it is a placeholder. I 14 also know that we're holding up an option to allow 15 schools to keep this contract. And also with the 16 other contract, I think that, partially, it was 17 designed so that everything was an attachment so 18 that they could be replaced with the updated 19 information. So I don't know if that answers your 20 question. 21 COMMISSIONER VOIGT: Yeah. I was just 22 wondering as far as thinking about the work that 23 might be involved with this, versus not doing it 24 this way, you know, because I would hope that it's 25 more streamlined.</p>	<p style="text-align: right;">180</p> <p>1 schools in theory. 2 I mean, I think many of you understand the 3 concept of a contract, and then you just extend it, 4 which I think is actually what the law says, and 5 that having a brand new contract every five years is 6 a burden for the Commission. 7 And it seems to me -- and I've always had 8 this position -- that if we can get a solid contract 9 that we have vetted by both sides, we've negotiated 10 everything in that contract in good faith, that it 11 shouldn't be that every time you have a new cycle of 12 renewals that you have to rewrite a contract. 13 It should be a matter of amending, for 14 example, amending what the school's program is, or 15 amending what the school's -- who's the notice 16 provisions, et cetera. 17 And that could be -- that is a simple 18 amendment. And that's effectively what Ms. Barnes 19 and I did with this amendment was to take the 20 existing contract, do what we thought were necessary 21 material amendments, just -- actually, just changing 22 things to correct it, with the intent to get a 23 better working document for long term so that you 24 don't have to do this every five years. 25 It -- I mean, it just shouldn't have to</p>
<p style="text-align: right;">179</p> <p>1 THE CHAIR: All right. If we could ask 2 Ms. Matthews. 3 MS. MISSY BROWN: She's made a comment in 4 the Chat. 5 THE CHAIR: We'll need that -- she'll have 6 to -- we can't use Chat. 7 MS. MISSY BROWN: The comment from 8 Ms. Matthews is, "I reserve comment on the contract 9 changes made today until I see them in the final 10 document. I have no objection to the form of the 11 amendment, but will object to the form of the 12 Performance Framework that is to be incorporated by 13 reference until I have seen the final Performance 14 Framework and been able to get comments from my 15 clients." 16 THE CHAIR: Okay. All right. Thank you. 17 MS. PATTY MATTHEWS: Ms. Burt? I'm sorry. 18 THE CHAIR: Oh, yes. 19 MS. PATTY MATTHEWS: Julia has an excuse 20 with Google. I just don't have an excuse for 21 unmuting. 22 I want to support Ms. Barnes in this 23 endeavor with regard to this contract. She is new 24 to the Commission. We tried to work with the form 25 of the contract together to make it work for the</p>	<p style="text-align: right;">181</p> <p>1 be -- or deal with different versions every time you 2 have a cycle of renewals. 3 And so I understand Ms. Chavez's concerns. 4 But from my perspective of representing over 5 50 charter schools, the form of this document is 6 substantially deficient, and, you know, the way it 7 was drafted, the lack of input -- although we were 8 allowed to redline, most of it was rejected. 9 And so I really applaud the Commission for 10 allowing us to go back and have a process over the 11 summer to take another look at this thing. And I 12 think that Ms. Barnes and I and other attorneys will 13 have more success at having a document that 14 everyone, both sides -- because it is two sides of a 15 contract here -- and as Julia said -- or Ms. Barnes 16 said -- pull things out that don't need to be in 17 there or put things in there that need to be 18 consistently, over time, part of the agreement. 19 And so I appreciate the opportunity to 20 make a comment. But I do support Ms. Barnes on 21 this. It's very important that we get a better 22 working document. Thank you very much. 23 THE CHAIR: Thank you, Ms. Matthews. 24 Thanks for -- and thanks for the collaboration. 25 We're really grateful for all the charter leader</p>

182	<p>1 attorneys that are taking their time to do this, 2 because, you know, we don't -- I -- that was one 3 thing Commissioner Carrillo and I were reminiscing 4 about our first negotiations last year and how every 5 school had to -- kind of had to read, like, a little 6 statement that they weren't happy with the contract, 7 but they still just kind of did it because it wasn't 8 there.</p> <p>9 So moving away from that into a space 10 where it's good for both parties, but also have 11 longevity is the goal of what we're looking to do. 12 So we're grateful for that.</p> <p>13 All right. Any other discussion on -- so 14 we're at Item No. 10. So on the contract form and 15 amendment form, any other discussion or questions 16 from Commission?</p> <p>17 (No response.)</p> <p>18 THE CHAIR: Okay. So I'm going to make a 19 motion.</p> <p>20 I move that the Public Education 21 Commission adopt the contract amendment -- it's 22 Document 10A in the Meeting Document folder -- and 23 contract, Document 10B -- for use in the 2020 24 (verbatim) contract negotiations. If a school using 25 an amendment does not adopt a new contract in the</p>	184	<p>1 COMMISSIONER MANIS: Yes. 2 COMMISSIONER ARMIJO: And Commissioner 3 Robbins. 4 COMMISSIONER ROBBINS: Yes. 5 COMMISSIONER ARMIJO: Okay. That passes 6 unanimously. 7 THE CHAIR: All right. That takes us to 8 Item No. 11. 9 I'm just going to ask if there's any 10 discussion by Commissioners on this item. And if 11 there is not discussion, we are going to move past 12 it. 13 (No response.) 14 THE CHAIR: All right. Seeing none, that 15 moves us to Item No. 12, Discussion and Possible 16 Action on Renewal Timelines and Options. 17 Ms. Barnes. 18 MS. JULIA BARNES: Thank you. This one, 19 there are some options. This is Document 12 in the 20 folder. This is the chart that Director Chavez 21 presented. 22 And what I suggest is before you vote, if 23 we get a solid option, we make all the dates in the 24 Column 1 -- or Proposed Change 1 or Proposed Change 25 2, so that it reads all the way down the line.</p>
183	<p>1 fall of 2022, I move that the Public Education 2 Commission prepare a substitute contract for that 3 school which incorporates all contract terms and 4 amendments into one document.</p> <p>5 COMMISSIONER GIPSON: Second. 6 THE CHAIR: All right. There's a motion 7 and a second. 8 Any further discussion? 9 (No response.) 10 THE CHAIR: Seeing none, Secretary Armijo. 11 COMMISSIONER ARMIJO: All-righty. 12 Commissioner Voigt. 13 COMMISSIONER VOIGT: Yes. 14 COMMISSIONER ARMIJO: Commissioner Armijo 15 votes yes. 16 Chair Burt. 17 THE CHAIR: Yes. 18 COMMISSIONER ARMIJO: Commissioner 19 Carrillo. 20 COMMISSIONER CARRILLO: Yes. 21 COMMISSIONER ARMIJO: Commissioner Davis. 22 COMMISSIONER DAVIS: Yes. 23 COMMISSIONER ARMIJO: Commissioner Gipson. 24 COMMISSIONER GIPSON: Yes. 25 COMMISSIONER ARMIJO: Commissioner Manis.</p>	185	<p>1 Right now, I have it -- I've only populated if 2 there's a date change. 3 So the -- I've added a line to the 4 previous form, which says that, "CSD will prioritize 5 the renewing school's annual reports. And the PEC 6 will review the annual reports and send out notices 7 of concern." 8 That will be for all schools. 9 We talked about an August 1 day. And 10 Director Chavez indicated that that may be delayed 11 by data availability. You know, I think she was 12 saying that's a pretty hopeful date. 13 But I think -- so if you want to add more 14 language, we're not -- I don't think we're asking 15 CSD to provide something they can't provide if the 16 data is not there. And I think several 17 Commissioners indicated that the State 18 Accountability data was important. 19 So the next one, the existing date 20 right -- at least for this year -- but it's right 21 around the 1st of October. I think this date is 22 October 3rd. It's probably a Monday. 23 And then both Options 1 and 2 would push 24 it back by two weeks. 25 We talked about kind of splitting the</p>

<p style="text-align: right;">186</p> <p>1 difference between the school and what CSD could do 2 and when PEC could act. 3 The next thing along the timeline is just 4 CSD then has this opportunity to start to work on 5 the analyses. 6 COMMISSIONER CARRILLO: Sorry. Quick 7 question regarding dates. 8 So if this is going to be something that 9 lasts several years, when we say that something's 10 October 3rd, and October 3rd ends up being a 11 Saturday, what's the protocol for having something 12 be due either the Friday or the Monday? Or where is 13 that stated if it is -- 14 MS. JULIA BARNES: Or we could say 15 "approximately" or something, so we don't have to 16 come back to this document. 17 COMMISSIONER CARRILLO: Yeah. Or you 18 could say "first Monday in October" or -- I'm just 19 curious as -- 20 MS. JULIA BARNES: Yes. Director Chavez. 21 DIRECTOR CORINA CHAVEZ: So the law 22 actually states 270 days prior to the expiration, 23 which is approximately October 1. And when we 24 revised the renewal application, the Monday, or the 25 next business day, was the 3rd. That's why it says</p>	<p style="text-align: right;">188</p> <p>1 the -- like, the renewal application. We don't put 2 this timeline with these dates in the renewal 3 application, because we want the renewal application 4 to hopefully stay year after year, and let's not 5 change it all the time. 6 But these calendars, I think, are very 7 helpful -- what I remember hearing from CSD -- these 8 calendars are very helpful to the schools to have 9 the exact dates, exactly when they have it, not 270 10 before, not the Monday before this or the Friday 11 before. The exact dates are super helpful to the 12 schools. 13 I think these need to live outside and be 14 done individually each year. 15 MS. JULIA BARNES: What we might do then 16 on the title, instead of saying "2022 Renewal 17 Process and Timeline," we could say, "Renewal 18 Process and Timeline. Specific dates may be, you 19 know, modified by CSD," or something. 20 THE CHAIR: I think 2022 says it's this 21 year. 22 COMMISSIONER CARRILLO: Needs the word 23 "Annual." 24 DIRECTOR CORINA CHAVEZ: Because these 25 have the specific dates for Calendar Year 2022, it</p>
<p style="text-align: right;">187</p> <p>1 the 3rd. 2 Typically, we do that every year. So 3 setting this in stone with specific dates, to me, 4 doesn't make sense. It seems like every year, you 5 do want to look at the calendar, knowing that 6 approximately, you are -- you are seeking to meet 7 what's required in statute, and you're looking at 8 the year's calendar. 9 That's how we typically do it. We don't 10 expect schools to submit something on a weekend, if 11 that's your question. 12 COMMISSIONER CARRILLO: My question is why 13 is there specific dates? 14 THE CHAIR: So what I see is this. So the 15 documents that are to live forever that we're trying 16 to not change as often should not -- what we were 17 also trying to do is take these timelines out of 18 those documents. 19 So this isn't part of a -- we're trying to 20 make it to where this isn't part of a bigger 21 document. These are kind of living outside of it. 22 And it should be each year for these schools, they 23 should be given specific dates based off of those 24 things. 25 But I agree that we need to make sure, in</p>	<p style="text-align: right;">189</p> <p>1 seems reasonable to entitle it "2022." 2 COMMISSIONER ROBBINS: We don't want 3 people to pick up an old copy and start using it. 4 So I think if we have the date -- I mean, we can 5 even put as a footnote, "Effective for," if you 6 don't want it in the title. But some way or 7 another, I think we need to identify this is the 8 current timeline. 9 MS. JULIA BARNES: Well, and it sounds 10 like -- although the Chair's mic is not on -- that 11 this is something you might want to have CSD bring 12 to you each year. "This form. Here are the dates. 13 This is what we're going to do." 14 So then the blue and the brown or the pink 15 and the brown or whatever colors are there, those 16 are two options. I just tried to highlight them. 17 The first, as I understood it, is -- I'm 18 sorry. Something got -- gosh, I'm in such an 19 argument. 20 There should be -- and there was in the 21 document I tried to upload -- an October meeting. 22 The blue option is to have the PEC in 23 October basically give authority to the Chair to 24 renew the analyses and get out a letter. 25 The brown option is to hold a November</p>



190	<p>1 meeting immediately after the analysis goes out.</p> <p>2 So the brown one reads correctly, that</p> <p>3 November 1, CSD would have a preliminary analysis,</p> <p>4 Commissioners would look very carefully at those</p> <p>5 analyses for a meeting in November, which would be</p> <p>6 added to your calendar, because right now, you don't</p> <p>7 meet in November. And then at that meeting, the --</p> <p>8 the PEC members could add additional concerns, also</p> <p>9 tell them, "I'm concerned about finances," or</p> <p>10 whatever.</p> <p>11 Do -- do you want me to -- do you want to</p> <p>12 take questions? Do you want to get to the bottom of</p> <p>13 the document? How do you want to --</p> <p>14 THE CHAIR: I think we should stop there</p> <p>15 on that.</p> <p>16 Director Chavez.</p> <p>17 DIRECTOR CORINA CHAVEZ: So I took the</p> <p>18 dates that were suggested there and added additional</p> <p>19 dates, because this was not fully populated in terms</p> <p>20 of what needed to occur when. So if the column to</p> <p>21 the furthest to the right, which is what is</p> <p>22 currently in the renewal application is edited to</p> <p>23 this, and we are moving the dates by which the</p> <p>24 preliminary analysis is done, I moved the response</p> <p>25 to the preliminary analysis so that it maintains the</p>	192	<p>1 that 30-day, and I don't think PEC needs to follow</p> <p>2 the other deadline.</p> <p>3 In the past, it has been the case that PEC</p> <p>4 has negotiated with schools to extend the timeline</p> <p>5 rather than to compress a process that might very</p> <p>6 well be beneficial if you have more time. Thank</p> <p>7 you.</p> <p>8 THE CHAIR: All right. I'm going to</p> <p>9 Commissioner comments and questions.</p> <p>10 Commissioner Gipson.</p> <p>11 COMMISSIONER GIPSON: Yeah. I have big</p> <p>12 pause with saying, "Just ignore the statute that</p> <p>13 says we have to make the decision by -- by the end</p> <p>14 of December, January 1st," and say, "Well, we</p> <p>15 haven't done the contract negotiations."</p> <p>16 We do get extensions for that. No school</p> <p>17 is really going -- it won't be held up in court. If</p> <p>18 we decide to not renew a school and we did not make</p> <p>19 that decision by the statutory mandated date, that's</p> <p>20 going to be the first item in that appeal, that the</p> <p>21 PEC did not follow the statutory guidelines, and,</p> <p>22 therefore, everything else is moot.</p> <p>23 I understand compressing it earlier. But</p> <p>24 I don't think we have any choice. The court made it</p> <p>25 clear that 30 days, we have to do whatever we have</p>
191	<p>1 two-week time period for the school.</p> <p>2 So that's why it's moved to November 25th,</p> <p>3 which happens to be a holiday. Not ideal, but I</p> <p>4 think that because Charter Schools Division work</p> <p>5 continues to be compressed, every day counts.</p> <p>6 So I also added the extra days for our</p> <p>7 final analysis to PEC to be added to that.</p> <p>8 I also just want to comment that both of</p> <p>9 these proposed changes move the calendar such that</p> <p>10 everything happens sooner rather than later.</p> <p>11 And I know there's arguments as to why.</p> <p>12 But in my opinion, these two proposed changes are</p> <p>13 basically the same. It's just one option is that</p> <p>14 there's an extra PEC meeting.</p> <p>15 And so I don't feel like this is an</p> <p>16 accurate representation of what the full options are</p> <p>17 to the PEC position. And I don't think that the</p> <p>18 months between January, February, March, and leading</p> <p>19 up to the April contract negotiations are times when</p> <p>20 we could be moving the timeline in that direction.</p> <p>21 I understand that in statute, it says the</p> <p>22 PEC must make a decision by January. It also says</p> <p>23 in statute that the PEC must enter into a contract</p> <p>24 with an approved charter within 30 days of approval.</p> <p>25 We don't follow that. PEC does not follow</p>	193	<p>1 to do, which also includes, unfortunately, on the</p> <p>2 Charter School Division in being a little more</p> <p>3 flexible and making sure that we are in compliance</p> <p>4 with the guidelines that are established by that</p> <p>5 court order.</p> <p>6 And the court order clearly didn't say,</p> <p>7 "Well, you've just extended your decision and not</p> <p>8 made the decision until January and given yourself</p> <p>9 the 30 days," because the law is clear as to what we</p> <p>10 have to do.</p> <p>11 THE CHAIR: Any other Commissioners?</p> <p>12 (No response.)</p> <p>13 THE CHAIR: Ms. Barnes.</p> <p>14 MS. JULIA BARNES: Going -- looking at</p> <p>15 options for when the PEC weighs in, two of the</p> <p>16 conversations we had, one was October, before you</p> <p>17 get a preliminary -- preliminary recommendation from</p> <p>18 CSD or after. And I view my primary job for you is</p> <p>19 to keep all of your options open for any way you</p> <p>20 might want to vote as a Commission.</p> <p>21 And, in particular, this is a huge thing</p> <p>22 that you do. So I want to -- I want to say that I</p> <p>23 think that doing a new meeting in November makes a</p> <p>24 lot of sense to me immediately after the preliminary</p> <p>25 recommendations come forward.</p>

<p style="text-align: right;">194</p> <p>1 And the reason that I think that that is a 2 really good time -- and it's really clear to me that 3 I only get to talk to you guys once a month, and 4 sometimes not -- once every two months. And this is 5 important for you to be able to say, you know, "I 6 think we're going to put everything that CSD puts in 7 a recommendation, that's going to go in a letter," 8 period, because you're not going to determine 9 whether you accept or reject the CSD's 10 recommendation. Everything in there is going to go 11 in there. 12 But sometimes individual Commissioners 13 have another opinion. And they'll say, "I also 14 think that we ought to add this." 15 And I think a lot of you review -- or all 16 of you, I'm going to say -- review these contract -- 17 these renewal applications very carefully, and 18 you'll have your own opinion. 19 So if that preliminary comes out, and 20 we're going to put everything in a letter to the 21 school that just gives them notice to be ready, 22 that's all the judge asked you to do. 23 I also really like just seeing if any of 24 you have anything else you want to add, because then 25 we're going to preserve your opportunity to discuss</p>	<p style="text-align: right;">196</p> <p>1 created a new condition that got sprung on them that 2 day that wasn't identified until that day. So I 3 think there still does need to be some kind of 4 solution for that. 5 But I'm also wondering -- I -- I don't 6 necessarily also like, because of the meeting, that 7 then the preliminary analysis -- right now, it shows 8 on this it would go out November 1st. 9 So it feels very fast to be able to turn 10 that around. Even if it's a preliminary analysis, 11 they're going to do further, you know -- they're 12 going to do more after that, knowing that. 13 I still -- it seems like it's six weeks. 14 And that's very, very fast for CSD to be able to do 15 that. 16 So I guess my -- my wondering, a solution 17 that -- I wonder if this could possibly be a 18 solution. 19 If, instead of doing the meeting -- 20 because I hear the meeting is to preserve having 21 more options than what CSD might be initially 22 recommending, to be able to have more options than 23 that. 24 So could it also -- if we didn't do the 25 meeting, we give till November 10th for the</p>
<p style="text-align: right;">195</p> <p>1 that in December. 2 So between the two options of a meeting 3 before the preliminary and after, I really feel that 4 you can -- you can keep your options open with a 5 November meeting. 6 So I'm just going to give -- and that's 7 what I think about it. And, actually, when I was 8 looking at this document, I kind of really formed an 9 opinion about that, that I -- that I can help you 10 keep your options open better that way. 11 The other thing I want to say is that 12 meeting is really limited. It's not to say, "Well, 13 I agree with CSD." It's not to rule on the merits. 14 You're still going to do that in December. It's 15 simply to add. So that's my comment on that. 16 THE CHAIR: So I -- I hear that. And I 17 guess I understand that that is something that could 18 possibly help. But I can be very self-assured that 19 the -- so the situation that happened last year, 20 where a condition was added that was not under CSD's 21 recommendation, was not even a part of the analysis, 22 either. It happened upon conversation at the 23 hearing. 24 So I don't know if an additional meeting 25 would have solved that. I think it still would have</p>	<p style="text-align: right;">197</p> <p>1 preliminary analysis. I'm looking at that blue 2 option. 3 The preliminary analysis goes out 4 November 10th. November 11th, the PEC letter goes 5 out that has -- that does mimic the CSD 6 recommendations. 7 So the automatic -- if CSD recommends a 8 condition, if they recommend nonrenewal, it's going 9 to exactly mimic the CSD preliminary analysis. 10 But could we also just include a grace of 11 when we get to that, that, you know, "X school, we 12 are putting you on notice that upon your renewal, 13 you may be -- you may have a condition placed on 14 you," could we put, "including, but not limited to," 15 and then list CSD's. And that way, it's giving them 16 notice, but doesn't -- I mean, it doesn't 17 preclude -- 18 MS. JULIA BARNES: And I appreciate the 19 struggle. And I'm going to say no, that -- because 20 they're already on notice that there can be terms of 21 nonrenewal. 22 And what the court was pretty clear 23 about -- and I just go back to recent hearings, 24 where we've given a school an opportunity, and a 25 school came prepared and actually convinced you to</p>

<p style="text-align: right;">198</p> <p>1 act differently than you acted.  2 So it's an important process. And several  3 of you commented that day, "Wow, I'm so glad we got  4 this additional information."  5 That is precisely what's in the law and  6 what's in the court order, which is, look, it's fair  7 to stay, "Please come prepared," because I think  8 these documents are hundreds of pages long.  9 So to say, "I want more information about  10 that."  11 And I do want to clarify that we're not  12 talking about kind of a December, "I'm thinking  13 about this now" issue. But we need to talk about  14 that in a minute.  15 You could do it potentially a different  16 way than a letter -- I mean, than a meeting, which  17 is whatever date. And it doesn't have to be  18 November 1. If you moved it to November 5th,  19 whatever, whatever moves up to 30 days. It's just  20 that hard 30-day deadline, so I think that's a  21 different issue, too.  22 We could have a hard requirement that  23 Commissioners sent to counsel anything you wanted  24 added to those letters. That would achieve the same  25 purpose.</p>	<p style="text-align: right;">200</p> <p>1 bring it up for me. I had that concern. So I --  2 that is something that could have been addressed at  3 that time.  4 There's certainly still something -- I  5 still think we need that clause that says, "This  6 isn't everything. Something can come up at the  7 meeting."  8 But it's less likely that something's  9 going to pop up. And it's our due diligence to make  10 sure that we read the applications and provide that  11 input.  12 But I'm far more supportive of being able  13 to provide the input to counsel for the addition  14 into the letter.  15 THE CHAIR: Commissioner Robbins.  16 COMMISSIONER ROBBINS: Well, I appreciate  17 the comments. But I think, you know, we don't want  18 to have a rolling quorum. But if counsel is the  19 only one receiving this information, the rest of us  20 are blindsided till December. I don't like that,  21 either. And unless we're all included in that  22 communication, which would constitute a rolling  23 quorum, violating OMA, I think we need to have a  24 brief meeting.  25 And we can do it virtually. We don't have</p>
<p style="text-align: right;">199</p> <p>1 So CSD would do their recommendations  2 everything would go in that they've identified.  3 Then you would have the opportunity, as an  4 individual, to say, "Julia, please also add this."  5 And then we would add it. It's just notice.  6 THE CHAIR: Commissioner Robbins -- oh,  7 sorry. No. Actually, Commissioner Robbins,  8 Commissioner Gipson's hand has been up. Then I'll  9 call on you next.  10 COMMISSIONER GIPSON: Thanks. So I like  11 that opportunity to provide that additional  12 information to counsel. I think that could -- I'm  13 not trying to purposely eliminate a November  14 meeting. But if that's the only thing that the  15 November meeting is going to be for -- and I do  16 have -- as Ms. Barnes mentioned, I have some  17 concerns about the discussion that would take place  18 at that November meeting, because I don't want to go  19 down the rabbit hole of someone saying, "I can't  20 support this," or, "I'm not going to support that,"  21 and digging deep into the application.  22 I can say for myself, after reading the  23 application for the one school that we're  24 referencing, I had that concern from the moment I  25 read the application, so that that hearing didn't</p>	<p style="text-align: right;">201</p> <p>1 to have a physical meeting.  2 But I -- I really -- there are things  3 where I may want to ask for it, but someone has a  4 better way of addressing it, so we're not asking for  5 the same information in three or four different  6 formats.  7 I may want it one way; someone wants it a  8 different way.  9 So I think having that brief meeting,  10 whether it's a virtual meeting or not, helps to  11 simplify and give a clear communication to the  12 school of what they should be responding to and  13 being prepared.  14 And, again, with what Ms. Barnes was  15 addressing, if we -- we cannot say, "Oh, there may  16 be other things," because we haven't given them  17 30 days' notice at that point.  18 We need to include everything in that  19 letter. And I think that meeting, virtual or  20 physical, could help us finalize that. That's my  21 view.  22 THE CHAIR: Commissioner Carrillo.  23 COMMISSIONER CARRILLO: I agree. I like  24 the idea of having the information in advance, just  25 not being at risk anymore of people coming back to</p>

<p style="text-align: right;">202</p> <p>1 us and saying, "You blew it." So --</p> <p>2 THE CHAIR: And I guess my -- my concern</p> <p>3 was moving the preliminary analysis up enough in</p> <p>4 order to do it. But I guess if we're having the</p> <p>5 application submission be two weeks earlier, then</p> <p>6 the preliminary analysis being two weeks earlier</p> <p>7 evens out to where it was going to be the same</p> <p>8 amount of time no matter what.</p> <p>9 But it is what we are asking the schools</p> <p>10 to put in their applications two weeks earlier in</p> <p>11 order for us to do this.</p> <p>12 So that's -- I do want to make sure that's</p> <p>13 known by everyone, that that's kind of the -- that's</p> <p>14 what we're giving up, or that's what the schools are</p> <p>15 giving up in order for us to do it.</p> <p>16 MS. JULIA BARNES: I'm just wanting to</p> <p>17 look at the calendar to see if we can -- because</p> <p>18 it's this year.</p> <p>19 So if you held a meeting on the 7th --</p> <p>20 well, I don't know how many days. I still think</p> <p>21 you're going to be close to the 1st.</p> <p>22 THE CHAIR: It would be the 1st, because</p> <p>23 we would need the time to read through them. It</p> <p>24 would be the 1st, regardless of when the meeting</p> <p>25 was. Commissioner Robbins.</p>	<p style="text-align: right;">204</p> <p>1 work.</p> <p>2 There's more to talk about unless -- if</p> <p>3 you're done talking about this issue.</p> <p>4 THE CHAIR: Yeah. It seems like it. So</p> <p>5 we can keep going.</p> <p>6 MS. JULIA BARNES: Okay. Then, Director</p> <p>7 Chavez has just indicated that she maybe added a</p> <p>8 line or changed the dates. That seems fine.</p> <p>9 And then the final analysis -- so this is</p> <p>10 a little -- this is a little bit later than it</p> <p>11 originally was in the first one. Again, once we've</p> <p>12 given notice to the school, the rest of the process</p> <p>13 feels fine to me, because we've given them notice.</p> <p>14 And then the final authorization within</p> <p>15 the first three weeks of December. So that's the</p> <p>16 PEC meeting, I guess.</p> <p>17 THE CHAIR: Before -- so that those dates</p> <p>18 changing, they actually don't have to go earlier</p> <p>19 now -- right? -- because if the preliminary analysis</p> <p>20 is going to go out on the 1st instead of the 14th,</p> <p>21 and then you're giving them -- typically, they get</p> <p>22 two weeks.</p> <p>23 So we're actually able to do those things</p> <p>24 earlier; right? The response to preliminary</p> <p>25 analysis can be -- it could be earlier. And then so</p>
<p style="text-align: right;">203</p> <p>1 COMMISSIONER ROBBINS: Just a quick note.</p> <p>2 November 11th is a Federal holiday.</p> <p>3 THE CHAIR: No, it is. We're not going to</p> <p>4 meet then.</p> <p>5 COMMISSIONER ROBBINS: What mail would be</p> <p>6 postmarked on that date, though? You would not have</p> <p>7 a postmark on that, though, because it's not a mail</p> <p>8 day.</p> <p>9 MS. JULIA BARNES: We have been e-mailing,</p> <p>10 and that has been how we've been giving people</p> <p>11 notice.</p> <p>12 COMMISSIONER ROBBINS: And that's fine.</p> <p>13 But it's also a State holiday.</p> <p>14 MS. JULIA BARNES: Yeah. Well, let's put</p> <p>15 the 10th then.</p> <p>16 COMMISSIONER ROBBINS: Just as a -- you</p> <p>17 know, from Federal for postal, but also it's a State</p> <p>18 holiday. So State workers that have to work on</p> <p>19 that, they get overtime, you know. So just a note.</p> <p>20 THE CHAIR: This would go out -- that one</p> <p>21 wouldn't actually be -- so that wouldn't be from</p> <p>22 CSD. That would be Ms. Barnes, and then the Chair,</p> <p>23 sending it out on behalf of the PEC.</p> <p>24 MS. JULIA BARNES: So I'm just thinking</p> <p>25 we'll do the 7th and the 10th, and we can make that</p>	<p style="text-align: right;">205</p> <p>1 the CSD final renewal could still be December 1st?</p> <p>2 DIRECTOR CORINA CHAVEZ: If we ask for the</p> <p>3 response to the preliminary analysis with one-week</p> <p>4 review from the school, then we could move up the</p> <p>5 final renewal analysis.</p> <p>6 I chose December 5th because that's one</p> <p>7 week prior to the PEC's meeting. But, yeah, I don't</p> <p>8 know how the schools are going to feel about it.</p> <p>9 But it sounds like we're separating out, identifying</p> <p>10 concerns before you even see the preliminary</p> <p>11 analysis; so...</p> <p>12 THE CHAIR: No, it's after the</p> <p>13 preliminary. So the preliminary analysis comes out.</p> <p>14 Then we hold the meeting. Everything in the</p> <p>15 preliminary analysis will go in the notice to the</p> <p>16 schools. That's, 100 percent, that will happen.</p> <p>17 But, additionally, that meeting after</p> <p>18 November 1st, after the preliminary analysis, would</p> <p>19 allow Commissioners to add items that could be an</p> <p>20 item -- could possibly maybe be thought of as an</p> <p>21 item of concern that could also be -- then schools</p> <p>22 would know then, early November, instead of at the</p> <p>23 meeting.</p> <p>24 DIRECTOR CORINA CHAVEZ: Yeah. So I think</p> <p>25 setting the date for the preliminary analysis as the</p>

<p style="text-align: right;">206</p> <p>1 same day that PEC is considering meeting; right?  2 THE CHAIR: No. So November 1st.  3 DIRECTOR CORINA CHAVEZ: That hasn't been  4 added. Maybe we could add the potential date to --  5 THE CHAIR: So if you look at the orange  6 box, that's the one that it sounded like  7 predominantly the Commissioners were wanting to go  8 with. So it is that the November 1st, the  9 preliminary analysis goes out to the schools and to  10 PEC. So November 14th is the current column.  11 So we want to do November 1st. And then  12 if you scroll down a little bit more, that the  13 November PEC meeting would be held on or about  14 November 7th, around that time. And then the letter  15 would go out on November 10th, after time to  16 consider that meeting.  17 So the preliminary analysis, instead of  18 going out November 14th, we're actually doing it  19 November 1st. So they'll actually have additional  20 time to respond.  21 DIRECTOR CORINA CHAVEZ: Okay. So if the  22 preliminary analysis is going out on the -- on the  23 1st, then we give schools two weeks. So that could  24 be changed to the 15th.  25 THE CHAIR: And then can we still do CSD</p>	<p style="text-align: right;">208</p> <p>1 now."  2 Well, you have the right to revoke a  3 charter at any time. You don't have to -- it  4 doesn't have to be in a renewal. And you could  5 do -- so something super alarming, you have another  6 remedy. And you would start that process, and it  7 has nothing to do with the renewal timeline; it has  8 nothing though do with renewal. You could, right  9 then -- and I would probably suggest you do, right  10 then, a Notice of Intent to Revoke the charter, and  11 you set dates, and you move forward, and you give  12 the time.  13 So very alarming things, we have other  14 tools.  15 If -- if -- if someone, after all of this  16 work that we've done, just -- at the December  17 meeting just wants to, for the first time, vote to  18 non-renew, I think it's going to be super hard to  19 support that decision.  20 So I'm not positive that we're going to  21 worry about that. You know, either we can do it a  22 different way, or to -- that's that kind of  23 fundamental unfairness. Like, for the first time,  24 all of a sudden, over a five-year charter, they've  25 never gotten notice, and all of a sudden somebody</p>
<p style="text-align: right;">207</p> <p>1 final December 1st?  2 DIRECTOR CORINA CHAVEZ: Then, CSD final  3 could be December 1st.  4 THE CHAIR: Perfect.  5 MS. JULIA BARNES: Okay. So there's a  6 last issue. And I have just put an option in  7 yellow. But let me kind of outline where I think  8 you are, which is what the Chair has raised and  9 which several of you have raised.  10 Let's say we've given them notice of  11 95 percent of the things, anything we could think of  12 in November.  13 You get to the December meeting, and  14 something comes up with what somebody says at the  15 table. And, as a Commissioner, it's the first time  16 you've thought about it and you want to put a  17 condition on.  18 I believe the law allows you to do that.  19 And then we need to grapple with what happens with  20 the -- with the court order.  21 So let me take a couple of -- let me take  22 a couple of things.  23 So let's say, in December, somebody says,  24 "I've been stealing from the school, and I've stolen  25 a million dollars, and I'm just disclosing it to you</p>	<p style="text-align: right;">209</p> <p>1 says, "I want to close the school," and every other  2 Commissioner agrees. So I'm not sure we need to  3 deal with that too much, because I'm not sure it's  4 going to happen.  5 The issue, though, is back to what the  6 Chair just suggested, which was for the first time,  7 it did occur to her. It may be able to be taken  8 care of by another Commissioner raising something.  9 But, again, it's not a problem. We could either  10 just not worry about it because it's a small  11 situation, it's kind of a complicated process, and  12 see if it gets raised.  13 It would probably be a condition.  14 Conditions can be appealed. The record is what  15 you're going to make of it that day. Of the  16 Secretary is either going -- and then all that is  17 appealed is the condition. They almost are never  18 appealed, but that's -- you know, we can't even rely  19 on that.  20 If -- so that's one option. Let's just  21 say that we're good, that we're pretty good, and let  22 it go to appeal, and you can change it if you  23 keep -- start losing appeals on conditions.  24 If you wanted to fix it right now, though,  25 say, "Yeah, let's fix it," this is my best option.</p>

<p style="text-align: right;">210</p> <p>1 And it's kind of -- I'm just going to say it makes 2 sense to a lawyer, but maybe not to anybody else. 3 So lawyers, in court cases, if you get a 4 cockamamie ruling from a judge, there is a provision 5 where you can say, you know, "Wow, Judge, I think 6 you were really wrong. Please reconsider." 7 So rather than appealing, you -- and I 8 want to say, in my career, I've maybe done it once 9 or something. I mean, it's not frequently used. 10 But it's not infrequently used. And, basically, it 11 says, "Give me the chance to tell you more." 12 So what happens is, in December, you would 13 make a final ruling. You would meet the December 14 deadline. You would make a final ruling. And then 15 what I've proposed here is, you say to the school, 16 in this rare situation, "If you want us -- if you 17 want to ask us to reconsider, you have to ask us by 18 December 31. We are going to hear that limited 19 reconsideration in January, and we -- as long as the 20 Secretary will agree to push the Notice of 21 Appeal..." -- I've put "15 days further." 22 So it's not an extensive one. 23 COMMISSIONER VOIGT: I think that's a good 24 idea, Ms. Barnes, to have that paragraph in yellow 25 at the very end there, because it's also just</p>	<p style="text-align: right;">212</p> <p>1 to holding it to the information that was available 2 when we made the original decision, and not for the 3 school to be able to bring in new information. I 4 don't think it's fair to the other schools either. 5 MS. JULIA BARNES: I really hear what 6 Commissioner Gipson is saying. I want to say that 7 the point of reconsideration would be to allow them 8 to say, "Wait, you took me by surprise. There's 9 more that I have back in the office." Or, "This 10 other person at my school has this information." 11 So I -- if you -- I think we should either 12 not do it or allow the additional information. I 13 don't see a way consistent with the purpose of the 14 court order to do those. But I think it could limit 15 it to that condition. 16 17 THE CHAIR: Commissioner Voigt? 18 COMMISSIONER VOIGT: Thank you. I think 19 it would come out in the wash, you know, either way. 20 Whether they're given that immediate second chance 21 to show new information, or during the length or the 22 life of their condition, it's going to come out in 23 the wash, either way. 24 THE CHAIR: Commissioner Robbins? 25 COMMISSIONER ROBBINS: Yeah. And I --</p>
<p style="text-align: right;">211</p> <p>1 another step. And schools often-time think of 2 something else that is really, really pertinent to 3 their existence. 4 So if we're ready for a motion, I'd like 5 to make a motion. 6 THE CHAIR: Okay. We'll do discussion, 7 and then I'll come back to you, Commissioner Voigt. 8 Commissioner Gipson. 9 COMMISSIONER GIPSON: Yeah. My only 10 comment is with the reconsideration, if the school 11 appeals a condition, the only information that is 12 allowable in the appeal is information that was 13 available at the December hearing and through the 14 application. 15 I have some difficulties with, if in a 16 reconsideration, a school gets to bring in new 17 information, because I think they have to do their 18 due diligence and do their application and do their 19 hearing as appropriately as they can, and not say, 20 "Oh, if I muck this up a little bit, I can ask for a 21 reconsideration and bring in that information now." 22 They take a substantial amount of time, or 23 should be, in doing the application and in 24 preparation for the hearing. And I -- I could 25 support the reconsideration if there's a limitation</p>	<p style="text-align: right;">213</p> <p>1 hear what everyone's saying. But I agree, because 2 we wouldn't be making a further detrimental 3 determination after the determination we make in 4 that early December meeting. It would -- if 5 anything, we would lessen; we would not add any 6 severity to any condition. We could possibly 7 remove -- move for revocation or nonrenewal, or we 8 could lessen or remove the condition. 9 But that would be the only thing that we 10 would be addressing in that January meeting. It 11 would not when adding conditions or moving from a 12 conditional renewal to a nonrenewal. We wouldn't be 13 able to do that. 14 So I think the restriction would be on us. 15 We can lessen the requirements on the school, but we 16 could not increase them. We're just giving the 17 school a little more time. So I like the language, 18 and I like the opportunity it gives the school. 19 THE CHAIR: I think I also like it as 20 well. And I like it, because 30 days before the 21 meeting, they'll have been given a notice of, "These 22 are the possible conditions that we could be looking 23 at." So they'll have that time between that notice 24 and their hearing to prepare on all those things -- 25 right? -- to be, like, "No, we don't want this</p>

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1 condition. Look at all these things we've done,"  
 2 you know.  
 3 If -- and the only reason I do support it  
 4 is that first sentence, "If, for the first time, a  
 5 decision to renew with conditions..." -- so if, for  
 6 the first time, they hear this condition at the  
 7 hearing, then they should be given the same  
 8 diligence of being able to provide information just  
 9 as if we had given it to them in November.  
 10 Now we're basically doing it in December.  
 11 So they should get till January to come back and  
 12 say, "Hey, actually, look at all these things."  
 13 And I agree with Commissioner Robbins. I  
 14 think we have to impose the restriction on ourselves  
 15 to say, "Either the condition, that one condition,  
 16 stays, or is removed."  
 17 That's the two options. There's nothing  
 18 else to be done or considered.  
 19 But I do think it's imperative to actually  
 20 allow this to have a possibility, just in case there  
 21 is something where the Commission does need to do  
 22 something like this, but not -- it shouldn't be  
 23 harmful towards the school.  
 24 And I think this allows us the flexibility  
 25 to be able to make an action in December that we

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1 were not aware of, for some reason before. But  
 2 still it gives the notice and opportunity to the  
 3 school to defend themselves or have that back and  
 4 forth as well.  
 5 MS. JULIA BARNES: I just tried to add  
 6 that as a sentence. Right here. The PEC -- to make  
 7 it clear that that's not -- because part of what a  
 8 motion for reconsideration is is a decision was  
 9 made. So you made a decision in December. You  
 10 can -- and exactly as Commissioner Robbins says, you  
 11 either back up a little bit or a lot, that's all, on  
 12 that one thing.  
 13 And I think there could be a concern of,  
 14 like, this will happen all the time. Not -- I don't  
 15 think so. And if we limit it --  
 16 THE CHAIR: Yeah. If we give them notices  
 17 properly, like with CSD's recommendation plus the  
 18 Commission has looked -- the notices are actually --  
 19 that's -- we need to do our due diligence in  
 20 ensuring that we're noticing as much as possible in  
 21 November so that this isn't -- this is very rare,  
 22 hopefully, rare to never that this is implemented  
 23 and used.  
 24 MS. JULIA BARNES: We're ready for a  
 25 motion.

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1 THE CHAIR: Director Chavez.  
 2 DIRECTOR CORINA CHAVEZ: I will suspect  
 3 that this will get used quite frequently, every time  
 4 there is an authorizing decision that the schools  
 5 don't like, just like there is an appeal every time  
 6 there is an authorizing decision to close a school.  
 7 It just happens.  
 8 THE CHAIR: Well, it can only be used if  
 9 we didn't notice it in November. That's what the  
 10 first part says, that if we noticed it in November,  
 11 this is not an option to be used. So it can only  
 12 come up if we put something on them.  
 13 It's -- once again, it's based off of the  
 14 PEC doing something in December, not off the school,  
 15 and definitely not off CSD.  
 16 But I think that's what that notice in  
 17 November is going to be very important. Because  
 18 this only applies if something gets sprung on them  
 19 in December. It actually protects the school from  
 20 that.  
 21 All right.  
 22 MS. JULIA BARNES: Let me fix that  
 23 language, though. Let me make sure that it is --  
 24 THE CHAIR: All right. I'm going to make  
 25 a motion to -- I move that the PEC approve the 2022

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1 Renewal Process and Timeline, as in Item No. 12  
 2 under Proposed Change No. 2.  
 3 Do I need to read all these dates into the  
 4 motion?  
 5 MS. JULIA BARNES: No.  
 6 THE CHAIR: Okay. So Proposed Change  
 7 No. 2, and to include the -- Proposed Change No. 2  
 8 on Document No. 12, which is the 2022 Renewal  
 9 Process and Timeline, to include the highlighted  
 10 portion for first-time conditions or nonrenewal.  
 11 COMMISSIONER ROBBINS: Second.  
 12 THE CHAIR: There's a motion and a second.  
 13 Any discussion?  
 14 (No response.)  
 15 THE CHAIR: Hearing none,  
 16 Secretary Armijo.  
 17 COMMISSIONER ARMIJO: All-righty.  
 18 Commissioner Armijo votes yes.  
 19 Chair Burt.  
 20 THE CHAIR: Yes.  
 21 COMMISSIONER ARMIJO: Commissioner  
 22 Carrillo.  
 23 COMMISSIONER CARRILLO: Yes.  
 24 COMMISSIONER ARMIJO: Commissioner Davis.  
 25 COMMISSIONER DAVIS: Yes.

218	<p>1 COMMISSIONER ARMIJO: Commissioner Gipson.  2 COMMISSIONER GIPSON: No.  3 COMMISSIONER ARMIJO: No?  4 COMMISSIONER GIPSON: No.  5 COMMISSIONER ARMIJO: Got it. Thank you.  6 Commissioner Gipson.  7 COMMISSIONER GIPSON: Sorry, that was me  8 that voted. I thought you called me.  9 COMMISSIONER ARMIJO: I'm sorry. I  10 thought I said "Davis." Sorry.  11 THE CHAIR: She voted, yeah.  12 COMMISSIONER ARMIJO: Sorry. Sorry. It  13 was me on my timeline here. Sorry. Thank you.  14 Commissioner Manis.  15 COMMISSIONER MANIS: Yes.  16 COMMISSIONER ARMIJO: Commissioner  17 Robbins.  18 COMMISSIONER ROBBINS: Yes.  19 COMMISSIONER ARMIJO: And Commissioner  20 Voigt.  21 COMMISSIONER VOIGT: Yes.  22 COMMISSIONER ARMIJO: Oh, thank you.  23 Okay. So that -- there are seven yeses  24 and one no. That passes.  25 THE CHAIR: Thank you.</p>	220	<p>1 meeting. That's what I'm saying is in a December  2 meeting, you could say we're going to revoke your  3 charter.  4 COMMISSIONER CARRILLO: It's so  5 egregious --  6 MS. JULIA BARNES: We're going to do it  7 January 1. We're going to do it right away. So  8 they don't get to continue necessarily till the end  9 of the year.  10 COMMISSIONER CARRILLO: With all of these  11 different --  12 MS. JULIA BARNES: There is still an  13 appeal. There always is an appeal and that kind of  14 thing. But it often comes from a very -- from an  15 emergency situation.  16 COMMISSIONER CARRILLO: Okay.  17 THE CHAIR: All right. That takes us to  18 Item No. 14, Report from Charter Schools Division.  19 Director Chavez.  20 DIRECTOR CORINA CHAVEZ: I'd like to  21 request a ten-minute break.  22 THE CHAIR: I'm go- -- I'm going to move  23 forward to Public Education Commission Liaison  24 Reports and Public Education Commission Comments and  25 we'll come back, because we're so close to done. I</p>
219	<p>1 Commissioner Carrillo.  2 COMMISSIONER CARRILLO: I have a question.  3 When is a nonrenewal not a revocation?  4 COMMISSIONER GIPSON: Always.  5 MS. JULIA BARNES: A nonrenewal is -- a  6 revocation can happen at any time.  7 COMMISSIONER CARRILLO: And revocations  8 are usually for things that are extreme.  9 MS. JULIA BARNES: And the processes  10 allowed in law are very quick.  11 COMMISSIONER CARRILLO: Right.  12 MS. JULIA BARNES: So you do have to have  13 a hearing. They do need an opportunity. But it  14 often happens, and has often happened in your  15 history, for financial malfeasance. And often  16 someone from PED comes forward and -- you know,  17 they've shut down the school or whatever, or they've  18 taken away the Board of Finance. It's an emergency  19 issue with public funds.  20 COMMISSIONER VOIGT: Basically, the  21 nonrenewal comes around in a cyclical renewal time  22 frame. The revocation can come around any time.  23 COMMISSIONER CARRILLO: Right. Right.  24 Okay.  25 MS. JULIA BARNES: Including a December</p>	221	<p>1 don't want to -- I want to keep moving forward.  2 All right. So we're going to go to Item  3 No. 15, Reports from PEC Liaisons.  4 First is LESC and LFC has not met yet.  5 Next, Indian Education Advisory Council.  6 Secretary Armijo.  7 COMMISSIONER ARMIJO: Ah, yes. We have  8 not met yet, either. We're meeting on the 19th of  9 April.  10 Thank you. Sorry.  11 THE CHAIR: All right. The next is NMCEL.  12 Vice Chair Voigt?  13 COMMISSIONER VOIGT: Yeah. Okay. So  14 there's some potential here. I've received an  15 e-mail back from Traci Filiss, principal of the Taos  16 school. And she is on the board of NMCEL. So it's  17 looking hopeful that I'll be attending a meeting  18 soon, and I'll have something to report.  19 THE CHAIR: Good job on that.  20 COMMISSIONER VOIGT: You know.  21 THE CHAIR: PSCOC. Commissioner Robbins.  22 COMMISSIONER ROBBINS: We -- PSCOC has  23 gone from every month to meeting about every six  24 weeks or so. This gives the staff more time to work  25 on actual construction projects. So I don't have a</p>



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1 PSCOC update.  
 2 THE CHAIR: All right. The next one is  
 3 NMPSIA.  
 4 Commissioner Manis.  
 5 COMMISSIONER MANIS: Sure. We had our  
 6 NMPSIA board meeting actually yesterday. So I was  
 7 only able to attend parts of it because it was in  
 8 the morning and wasn't the same time that we had our  
 9 meeting. But I can discuss some of the things that  
 10 we covered that I think are pretty high-level items,  
 11 because I was also able to attend our Benefits  
 12 Advisory Committee meeting on Wednesday.  
 13 So most of the things that we talked  
 14 about, we will be having our annual meeting in  
 15 Ruidoso in July in person. So that's one thing that  
 16 we're planning to do, and kind of flesh out some of  
 17 the -- some of the things. Like we're trying to  
 18 update some of our rules and regulations and some  
 19 other committees that have been meeting.  
 20 So, hopefully, in July, we're planning to  
 21 get some of those things sorted out in a more  
 22 streamlined fashion.  
 23 We also had the Attorney General meet with  
 24 us as part of some of our -- our risk matters that  
 25 have recently happened, some court cases that have

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1 involved some individuals that work in the school  
 2 systems around New Mexico.  
 3 I believe one of the cases was in Santa Fe  
 4 County, where the individual was -- was on trial for  
 5 abuse of one of the school children.  
 6 And so one of the things the Attorney  
 7 General talked to us about was to -- the desire to  
 8 partner with NMPSIA to analyze the exposure to risk,  
 9 and that would be in the form of the schools not  
 10 having enough training, and to see where there's  
 11 lacking in that regard; and also the issues with  
 12 potential reporting of -- of those incidences and  
 13 training in that regard.  
 14 So with that, the Attorney General was  
 15 wanting to try to partner with us to kind of spot  
 16 potential risks and help these schools navigate  
 17 handling some of the risk issues that may come  
 18 about; not saying that they will, but that if they  
 19 do come about, that they're ready to be able to  
 20 navigate those issues.  
 21 And one of the things that was discussed  
 22 before I had to hop off the meeting was that  
 23 there's -- within NMPSIA, there's been talk about  
 24 holding the schools accountable through fines if  
 25 they -- they are not in compliance with some of

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1 these training and reporting requirements that are  
 2 set forth by the State.  
 3 But right now, it's kind of unclear as to  
 4 how that may come about. So we're really just  
 5 talking about that as of now and something that I  
 6 think is going to take a longer time to figure out  
 7 where that may -- may end up.  
 8 So other than that, most of the other  
 9 things that we did in the Benefits Advisory  
 10 Committee meeting were standard routine things.  
 11 We're requesting quotes for lacking a disability  
 12 benefits manager. We agreed to some participation  
 13 from other schools, and we approved some  
 14 pharmaceutical services contracts.  
 15 So some of those things were done in  
 16 committee. And because of our meeting, I wasn't  
 17 able to see if those were approved in the full  
 18 NMPSIA board.  
 19 But other than that, I think the only  
 20 other thing that we did is we recognized the loss of  
 21 a previous board member, Lowell Irby. And while I  
 22 didn't have the pleasure to meet Lowell before his  
 23 passing, everyone on the board spoke highly of him  
 24 and made a few remarks.  
 25 So that's my report for this month. Thank

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1 you.  
 2 THE CHAIR: Thank you, Commissioner Manis.  
 3 Next is New Mexico School Boards  
 4 Association.  
 5 Commissioner Carrillo.  
 6 COMMISSIONER CARRILLO: No meetings to  
 7 report on, but I'm going to reach out with Joe  
 8 relative to the conversations we had today and  
 9 see -- and we really should be doing this together  
 10 for all public school kids. Thanks.  
 11 THE CHAIR: Thank you. Before I move on  
 12 to the next agenda item, do you want me to do a  
 13 quick check-in with Director Chavez? Or are you  
 14 ready? Or do you want me -- you're ready?  
 15 We're going to go back to Item No. 14,  
 16 Report from Charter Schools Division.  
 17 DIRECTOR CORINA CHAVEZ: Thank you,  
 18 Chair Burt. And I'm going to ask my colleagues to  
 19 help me on this who are here today.  
 20 So in terms of staffing updates:  
 21 So the Charter Schools Division currently  
 22 has two positions that are posted. Send good people  
 23 our way. We have a position for the administrative  
 24 assistant and for the business operations.  
 25 We -- actually, we have three, because we

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1 have the CSP -- the CSP director also posted.  
 2 So we will be interviewing for that  
 3 position soon.  
 4 The other two, we're just collecting  
 5 applications.  
 6 We also have two job-creates for  
 7 additional positions within the Charter Schools  
 8 Division.  
 9 Otherwise, staff continue to work hard, as  
 10 you know, in multiple ways, to -- to move forward on  
 11 our work plans.  
 12 So, in particular, I'd like to talk about  
 13 our -- our school site visits. Since we last met,  
 14 we visited with -- we've gone to do site visits to  
 15 Monte del Sol, Turquoise Trail, Taos Academy,  
 16 Explore Academy-Albuquerque, Roots & Wings Community  
 17 School, Horizon Academy West, Tierra Adentro of  
 18 New Mexico, and ACES Technical Charter.  
 19 Our calendars continue to be filled with  
 20 multiple visits each week. And so the team is  
 21 working really hard to walk through the schools --  
 22 walk through the Performance Framework with the  
 23 schools and really look at everything at the school.  
 24 They've done well. And I've asked staff  
 25 to take pictures when we're at the schools. And so

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1 I'm going to turn it over to Ms. Brown who will  
 2 present another slide presentation of the schools  
 3 that we visited in the past month.  
 4 (Slide show presented.)  
 5 COMMISSIONER CARRILLO: Very sweet.  
 6 DIRECTOR CORINA CHAVEZ: Thanks, Missy.  
 7 It's been great getting to know the schools better,  
 8 getting to talk to the kids, teachers, head  
 9 administrators, governing boards, business managers,  
 10 and visiting the classrooms and just checking in on  
 11 how things are going.  
 12 You have a very diverse portfolio,  
 13 Commissioners.  
 14 So I'm going to ask Dr. Russell to give an  
 15 update on the Charter Schools Conference. She's on  
 16 that planning team.  
 17 DR. BRIGETTE RUSSELL: So the Charter  
 18 Schools Conference is June 9th and 10th. It will be  
 19 a virtual conference. But there will be an  
 20 in-person reception on the second day, June 10th,  
 21 from 4:00 p.m. to 6:00 p.m. at Tierra Adentro  
 22 School.  
 23 We have a call for presentations out. I  
 24 believe it's posted on the SWREC website. If you  
 25 have questions, please contact Lucy Valenzuela, who

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1 is the head of the conference planning team.  
 2 Thanks.  
 3 COMMISSIONER CARRILLO: Quick question on  
 4 that.  
 5 DR. BRIGETTE RUSSELL: Yes.  
 6 COMMISSIONER CARRILLO: Why aren't we  
 7 doing it in-person?  
 8 DR. BRIGETTE RUSSELL: Why aren't we?  
 9 COMMISSIONER CARRILLO: Yeah. Just have  
 10 people show a vax card and do it in person. My own  
 11 thing is I'm just kind of over this already. If  
 12 people are vaccinated and boosted and everything  
 13 else, they can be admitted to an in-person; and if  
 14 they're not, they're not.  
 15 But I just feel like there's just  
 16 something -- like, people coming to our meeting,  
 17 there's just something to be said about sitting  
 18 around a table in sessions with people.  
 19 DR. BRIGETTE RUSSELL: Madam Chair and  
 20 Commissioner Carrillo, we would have liked to have  
 21 done the conference in person. Back in February  
 22 when we started planning, there had been a  
 23 resurgence of COVID, so we weren't sure we would  
 24 have to cancel.  
 25 But the most important reason is that our

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1 primary responsibility is to conduct monitoring  
 2 visits. And because we didn't start the visits  
 3 until spring this year -- we'll be starting them  
 4 right after renewal visits and next fall -- we had  
 5 to schedule all of the visits in March, April, and  
 6 May. And pretty much most of the team is in the  
 7 field in schools every day. And we just didn't have  
 8 the manpower, with our staffing vacancies, to plan  
 9 an in-person conference and to do a conscientious  
 10 job for the PEC reporting on schools in terms of the  
 11 Performance Framework.  
 12 DIRECTOR CORINA CHAVEZ: However, there  
 13 will be one day, at one moment, for everybody to be  
 14 together. Because we did feel like it was important  
 15 for people to see each other face to face.  
 16 So I hope you marked your calendar for  
 17 that date and time, and we look forward to everybody  
 18 actually being there and seeing each other in  
 19 person.  
 20 I have to say that I -- on Wednesday, I  
 21 went to the Spring Budget Workshop. That was the  
 22 first time in three years that that workshop  
 23 occurred, because it was canceled when COVID first  
 24 hit in 2020.  
 25 And it was -- it was wonderful in a lot of

<p style="text-align: right;">230</p> <p>1 ways. I saw many people that I hadn't seen. And I  2 heard people running into each other and greeting  3 each other, saying, "How wonderful to see you" face  4 to face after not seeing each other.  5 And it was also a little strange. So  6 people -- maybe not you, Commissioner Carrillo --  7 but people are easing back to in-person. And I --  8 we felt like there was a nice compromise.  9 All right. So the final item in my report  10 is to give some highlights and appreciation.  11 And what I wanted to do was talk about the  12 high school graduation rate. That information was  13 released to the public. And I know that the  14 Secretary recognized some district graduation rates.  15 What I want to talk about is charter  16 schools and the four-year graduation rates that are  17 above State average.  18 So we have two sets of data, one with  19 schools that have over 40 students enrolled. And we  20 have the set of data that talks about students that  21 are -- that -- schools that have under 40, fewer  22 than 40.  23 So just going in order of high school  24 graduation rates, New Mexico School for the Arts  25 graduated 97 percent of their students in -- in four</p>	<p style="text-align: right;">232</p> <p>1 The only thing I have to say is that, you  2 know, based off of the PEC direction for -- I'm  3 trying to think of how to -- for what was the  4 procedure that was in rule, and we decided to take  5 it out of rule but still implement the procedure,  6 that is something that I'm directing Julia and  7 Rachel to start reviewing.  8 So I think in the next coming months,  9 you'll start seeing some of these documents, and  10 they'll start doing some research and working with  11 CSD to really look at what all these policies and  12 forms are and start bringing them forward.  13 It's a lot. I don't know if Corina has  14 ever said it here. But when -- when we looked at  15 it, and I know when Director Chavez looked at the  16 list of all of them, there's a lot. Like, there's a  17 lot, a lot.  18 So it's going to be -- it's going to be  19 some work. But we're going to take it -- we're  20 going to do it in phases and steps and really take  21 the time to look at them and bring them forward in a  22 palatable way.  23 The next is Report from Public Charter  24 Schools of New Mexico.  25 I feel like Matt Pahl has gotten a lot of</p>
<p style="text-align: right;">231</p> <p>1 years.  2 Albuquerque Institute of Math and Science  3 had a 96.8 percent graduation rate.  4 MAS had a 95 percent graduation rate.  5 84.3 percent at The ASK Academy; we should  6 have mentioned this when Dr. Boyd was here, because  7 that's a huge improvement.  8 And then The MASTERS Program had an  9 83 percent graduation rate.  10 So congratulations to those schools.  11 The schools that had -- with fewer  12 students that are also above State average is Taos  13 Academy with 93.4 percent.  14 Middle College High School with 93.3.  15 Tierra Adentro with 91.9 -- yay, we'll be  16 able to tell them in person how proud we are of  17 them.  18 And Aldo Leopold in Silver City with  19 83.3 percent.  20 So thank you.  21 THE CHAIR: That is awesome.  22 All right. That brings us to Item No. 16,  23 Report from the Chair.  24 Report on new or updated PEC/school  25 issues.</p>	<p style="text-align: right;">233</p> <p>1 face time lately. But I would like to bring him  2 back on so he can give his report.  3 And I'll say once again, I talked to -- I  4 talked to Mr. Pahl last week and asked him to, "Hey,  5 we're going to follow through with what we said.  6 You know, Commissioners said they wanted to hear  7 from schools. So can you go ahead and do that?"  8 And he was very quickly able to round up  9 what a -- now we know, some amazing examples of  10 this. Once again, thank you so much, Matt, for  11 organizing to where we were able to get that kind of  12 robust experience over what was discussed, but then  13 to actually get it in -- you know, to see what it  14 actually looked like was really meaningful.  15 MR. MATT PAHL: Yeah. Appreciate the  16 opportunity. And just know that we're early in the  17 budget cycle. A lot of the schools that had done  18 those analyses, they have their hearing pretty soon,  19 and they run through June. So we'll have more  20 information about the impact as we move forward.  21 If you want, Madam Chair, I can turn off  22 my camera, since the face time seems to be hitting  23 a --  24 THE CHAIR: It's fine, I guess. You can  25 leave your camera on. You can go ahead and give</p>

<p style="text-align: right;">234</p> <p>1 your normal report.</p> <p>2 MR. MATT PAHL: Okay. Great. Yeah. Just</p> <p>3 a few things.</p> <p>4 One is our conference. We are planning on</p> <p>5 bringing it back live. It will be December 8th and</p> <p>6 9th at Tamaya. And we're really -- you know, one</p> <p>7 thing about the School Budget Conference, it's</p> <p>8 really great. It was earlier this week. And we</p> <p>9 actually got a really good opportunity to talk with</p> <p>10 the Secretary yesterday afternoon and just some --</p> <p>11 just some good opportunity for us to have some</p> <p>12 exchange about -- about what's going on.</p> <p>13 I think one of the things that is coming</p> <p>14 out of that is just kind of like an opportunity,</p> <p>15 where we want to just share some of the funding</p> <p>16 hurdles that we have as charter schools.</p> <p>17 And it's -- we know that PED doesn't</p> <p>18 necessarily have the magic wand to end these things.</p> <p>19 But, you know, something that gets taken for granted</p> <p>20 is the 2 percent, you know. We get equally funded,</p> <p>21 but then 2 percent gets taken off the top.</p> <p>22 And, you know, that's part of the charter</p> <p>23 deal. And I know Commissioner Robbins has some good</p> <p>24 ideas about how that can change in the future. But</p> <p>25 I think we forget about that sometimes, that we're</p>	<p style="text-align: right;">236</p> <p>1 innovative approaches to student learning and bring</p> <p>2 in our colleagues from traditional public schools as</p> <p>3 well as, of course, the amazing things that our</p> <p>4 charter schools are doing, and really be a home for</p> <p>5 that conversation.</p> <p>6 So December 8th and 9th.</p> <p>7 I mentioned last month our Director of</p> <p>8 School Quality and Support, that is up and out</p> <p>9 there. We're getting great applications so far.</p> <p>10 But if you know anybody, we really want somebody</p> <p>11 who's got some charter school administrative</p> <p>12 experience to be able to provide support in that</p> <p>13 way.</p> <p>14 We're providing technical assistance</p> <p>15 through the Charter School Program Grant, which has</p> <p>16 been -- it's been a challenge, just because I think</p> <p>17 a lot of the assistance people have wanted</p> <p>18 (inaudible) around things related to COVID. And</p> <p>19 that just wasn't something that fell into CSP.</p> <p>20 But, recently, we've kind of found a</p> <p>21 little niche that I think can be helpful. And that</p> <p>22 is helping, particularly the newer schools, with</p> <p>23 communications plans for themselves, how they want</p> <p>24 to pitch themselves in their recruiting, and even</p> <p>25 providing some video for them, which really hits a</p>
<p style="text-align: right;">235</p> <p>1 operating with 98 percent of the normal operational</p> <p>2 funds.</p> <p>3 So it's one of many examples. And a few</p> <p>4 examples of local authorizers that have maybe more</p> <p>5 invasive policies on intercepting funds that we just</p> <p>6 want to make sure people know about. And it's --</p> <p>7 it's an education piece. That was something that</p> <p>8 kind of came out of the meeting.</p> <p>9 We talked about data systems and</p> <p>10 administrative burden. We feel it a lot. So do</p> <p>11 small school districts, and working together to</p> <p>12 craft something there. Really good stuff and really</p> <p>13 good to see everybody.</p> <p>14 I'll say that, you know, I always have</p> <p>15 this same reflection after Spring Budget. And</p> <p>16 it's -- it's probably the biggest gathering of</p> <p>17 public education in the state, with the exception of</p> <p>18 the School Boards' annual conference.</p> <p>19 And I always just kind of say, "Where is</p> <p>20 the big gathering around student learning and what</p> <p>21 we're doing for kids?"</p> <p>22 And not to say that Spring Budget isn't</p> <p>23 that. But it just has a different purpose. It's</p> <p>24 about the money and how we use that resource for</p> <p>25 students. We really want to focus on, you know,</p>	<p style="text-align: right;">237</p> <p>1 sweet spot of what a new school needs.</p> <p>2 We've been -- we're in touch with both</p> <p>3 RioGafa and with THRIVE in helping them produce</p> <p>4 content and just having a strategy for how they will</p> <p>5 move forward.</p> <p>6 So I want to give a shout-out to Corina</p> <p>7 and Brigitte. We have kind of went back and forth</p> <p>8 to make sure that was a good expense with those</p> <p>9 funds, and it really seemed to hit a sweet spot. So</p> <p>10 really appreciate it of them.</p> <p>11 I know that you all had the meeting on the</p> <p>12 Performance Framework. And I did want to share just</p> <p>13 two broad things that we think about when we think</p> <p>14 about that Performance Framework.</p> <p>15 One -- and I know you're revisiting the</p> <p>16 process.</p> <p>17 But one thing that is really important to</p> <p>18 us -- and Commissioner Gipson, and probably others</p> <p>19 will remember this well, because we've been saying</p> <p>20 it for a long time -- it's really important that we</p> <p>21 can keep score at home. It shouldn't necessarily</p> <p>22 take a site visit to know how we will be viewed in</p> <p>23 the eyes of the Performance Framework.</p> <p>24 And that kind of clarity and being able to</p> <p>25 understand, like, "Hey, it's a random Wednesday</p>

<p style="text-align: right;">238</p> <p>1 night, and I'm worried about my renewal next year.  2 Oh. But I know how I stand right now. I know the  3 factors that go into that Performance Framework, and  4 I can make my own interpretation about it on any  5 given night," because the information, the  6 requirements are so clear that the school just knows  7 where they will stand. They don't have to wait for  8 the annual report.  9 That is something that's really, really  10 key for our schools. And that really comes down to  11 transparency and clarity.  12 So as you move forward on the process, I  13 hope you keep that in mind, as well as -- and,  14 sorry, Commissioner Gipson. You're right up here on  15 the corner of my screen, and for whatever reason  16 I'll reference you again. But you've been around  17 for a little bit.  18 And the other thing that I'll note is when  19 we make these Performance Frameworks, we have to  20 think about it in terms of any staff being at the  21 Charter School Division. We love our partnership  22 with Corina and Brigitte. We hope they'll be there  23 for five, six, seven, eight, nine years.  24 But the policy itself has to be agnostic  25 to the people. Like, there's this weird balance</p>	<p style="text-align: right;">240</p> <p>1 know. We seem to update this more than we need to.  2 And sometimes it is rooted in personnel. A lot of  3 times, it's not.  4 I know this one, Commissioner Voigt,  5 you've been talking about it for some time. I don't  6 think this is personnel-related, necessarily, this  7 recent revisit. But in cases in the past, it has  8 been. But just something to keep in mind as you all  9 move forward.  10 That's it for me right now. Yeah. That's  11 it for me right now.  12 Thank you. And thanks for the opportunity  13 yesterday and today to bring schools forward to just  14 show you what they're saying.  15 THE CHAIR: Thank you. We checked a  16 little bit ago, and it didn't look like anyone was  17 here from Charter School Advisory Committee. Can  18 you check real quick, Ms. Brown?  19 (Off-mic discussion.)  20 THE CHAIR: All right. So that takes us  21 to Item No. 17, PEC Comments.  22 And we're going to go through -- just a  23 reminder. We kind of changed the procedure. So if  24 you would like to make a comment at this time, you  25 just have to raise your digital hand or your real</p>
<p style="text-align: right;">239</p> <p>1 that we have to acknowledge their strengths and make  2 sure we leverage those, but recognize that the  3 history of the Charter School Division is not one  4 that is -- has necessarily that had our staff there  5 all along.  6 And, again, our hope is that we work with  7 this team for a long time. But the policy can't --  8 can't be rooted too much into people.  9 And I don't know that I saw that in the  10 last version. But it's just something that's worth  11 saying out loud.  12 And if you are a Commissioner who's been  13 here through a number of different Charter School  14 Division directors, you should really think about  15 how this policy would interact with each one of  16 those directors and each one of those different  17 staff, again, while also acknowledging that we have  18 a team right now that we should leverage their  19 strengths.  20 We should also be thinking about these  21 policies in terms of them spanning across different  22 team members and, potentially, leadership at CSD.  23 I think that's what an enduring policy  24 would do. And I do think that we -- we often get  25 caught in a bit of a -- I don't want -- I don't</p>	<p style="text-align: right;">241</p> <p>1 hand, and I will call on you. Otherwise, you will  2 not be called for PEC comments.  3 Commissioner Robbins.  4 COMMISSIONER ROBBINS: Real quick. A  5 mention was made about the opening for the CSP  6 coordinator. The Education Department, under  7 President Biden, is making some changes, or proposed  8 changes, to reporting requirements for CSP Grant  9 recipients, making it very onerous, and they're  10 making requirements in some of the educational  11 things that they don't even place on district  12 schools throughout the country.  13 I think it's unfair. It's unbalanced, and  14 it's going to actually stifle, greatly stifle  15 schools from being able to, one, receive, and being  16 able to meet the requirements.  17 So if you have the opportunity, they are  18 trying to move through these changes in an expedited  19 manner. So they're limiting the time frame for  20 comments. But some of the changes, they would  21 prohibit any -- any for-profit entity providing  22 services.  23 Now, you know, it's one thing for the  24 management of a charter school. I think it's  25 something else if they say, "Oh, you can't even have</p>

242	<p>1 a for-profit food service company providing your 2 services."</p> <p>3 If you contract out to a local 4 delicatessen or something like that, you can't even 5 do that; whereas, you know, schools are buying most 6 of their goods and services from for-profit.</p> <p>7 So then -- if they actually go to that 8 extreme, which it doesn't restrict management -- if 9 they go to that extreme, it could basically shut 10 down charter schools throughout the country.</p> <p>11 So I think that's something we need to be 12 very, very cognizant of and comment on and push back 13 on that.</p> <p>14 So that's a concern that I have. And I 15 hope we all have that concern, because it could 16 affect not only current, but any future charter 17 school and the expansion of charter schools.</p> <p>18 Thank you.</p> <p>19 THE CHAIR: Commissioner Carrillo. Oh, 20 no. Never mind.</p> <p>21 COMMISSIONER CARRILLO: I was going to say 22 no comment.</p> <p>23 THE CHAIR: Not Commissioner Carrillo. 24 Commissioner Gipson, you got out just in 25 time from being Chair. I pity you for the year you</p>	244	<p>1 COMMISSIONER ARMIJO: Commissioner Manis. 2 COMMISSIONER MANIS: Yes. 3 COMMISSIONER ARMIJO: Commissioner 4 Robbins. 5 COMMISSIONER ROBBINS: Yes. 6 COMMISSIONER ARMIJO: And Commissioner 7 Voigt. 8 COMMISSIONER VOIGT: Yes. 9 THE CHAIR: Commissioner Voigt -- she said 10 yes. 11 COMMISSIONER ARMIJO: Thank you. We are 12 adjourned. 13 THE CHAIR: Thank you, everyone. And for 14 those coming to negotiations virtually or in person, 15 we'll see you then. 16 Good week in advance. All of the 17 documents for negotiations are in the -- are in the 18 Google Drive. They've been there for a while now. 19 They're in Folder No. 3, Renewals. And then in 20 2021, Contracts and PF. And you can see each school 21 for next week. So just want to make sure that 22 Commissioners know about that. 23 COMMISSIONER ROBBINS: I know we're 24 technically adjourned, but I want to give thanks to 25 Brigitte Russell. She helped me get reconnected to</p>
243	<p>1 had to spend as Chair with Commissioner Carrillo and 2 his comments.</p> <p>3 Oh, yeah. You can hear his comment. He 4 was being snippy.</p> <p>5 COMMISSIONER GIPSON: I'm shocked.</p> <p>6 THE CHAIR: All right. Well, that -- that 7 will bring up a vote to adjourn. So I move to 8 adjourn.</p> <p>9 COMMISSIONER ROBBINS: Second.</p> <p>10 THE CHAIR: Thank you. Motion and a 11 second. 12 Commissioner -- Secretary Armijo, vote, 13 please. 14 COMMISSIONER ARMIJO: Thank you. Melissa 15 Armijo votes yes. 16 Chair Burt. 17 THE CHAIR: Yes. 18 COMMISSIONER ARMIJO: Commissioner 19 Carrillo. 20 COMMISSIONER CARRILLO: No. Yeah, I vote 21 to adjourn. 22 COMMISSIONER ARMIJO: Commissioner Davis. 23 COMMISSIONER DAVIS: Yes. 24 COMMISSIONER ARMIJO: Commissioner Gipson. 25 COMMISSIONER GIPSON: Yes.</p>	245	<p>1 the Google Drive. She spent about -- what? -- 2 45 minutes, something like that, the other day. 3 She's an IT sleuth, it seems. So she should get an 4 extra stipend for that. 5 But thank you very much, Ms. Russell. You 6 know, I wouldn't have been able to be up to speed on 7 things if it wasn't for you. Thank you. 8 DR. BRIGETTE RUSSELL: You're welcome. 9 (Proceedings adjourned at 2:28 p.m.) 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

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STATE OF NEW MEXICO

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16  
17                                   *Cynthia Chapman*

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