

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS
OPEN SPECIAL PUBLIC MEETING

January 30, 2023

9:00 a.m.

Mabry Hall, Jerry Apodaca Education Building

300 Don Gaspar

Santa Fe, New Mexico

AND

Via Zoom Webinar

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

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1 APPEARANCES
 2 COMMISSIONERS:
 3 ALAN BRAUER, Chair
 4 REBECCA BURT, Vice Chair
 5 MELISSA ARMIJO, Secretary
 6 TIMOTHY BECK, Member
 7 STEVEN CARRILLO, Member
 8 PATRICIA GIPSON, Member
 9 STEWART INGHAM, Member
 10 K.T. MANIS, Member
 11
 12 PED STAFF:
 13
 14 CORINA CHAVEZ Director
 15 Charter School/Options for
 16 Parents and Families Division
 17
 18 BRIGETTE RUSSELL, Deputy Director, Charter School/
 19 Options for Parents and Families
 20 Division
 21
 22 LUCY VALENZUELA, Technical Assistance and
 23 Training Specialist
 24 Charter School/Options for Parents
 25 and Families Division
 MISSY BROWN Technical Assistance and Support and
 Training Administrator
 Charter School/Options for
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1 THE CHAIR: So I'm going to call the
 2 meeting to order. Welcome, everyone. It is
 3 9:06 a.m. on Monday, January the 30th.
 4 Madam Secretary, can you go ahead and take
 5 roll, please?
 6 COMMISSIONER ARMIJO: I can if I can
 7 figure out how to unmute.
 8 Okay.
 9 Secretary Armijo is present.
 10 Vice Chair Burt.
 11 COMMISSIONER BURT: Here.
 12 COMMISSIONER ARMIJO: Commissioner
 13 Carrillo.
 14 COMMISSIONER CARRILLO: Here.
 15 COMMISSIONER ARMIJO: Commissioner Ingham.
 16 COMMISSIONER INGHAM: Here.
 17 COMMISSIONER ARMIJO: Commissioner
 18 Clahchischilliage.
 19 COMMISSIONER CLAHCHISCHILLIAGE: (No
 20 response.)
 21 COMMISSIONER ARMIJO: Commissioner Gipson.
 22 COMMISSIONER GIPSON: Here.
 23 COMMISSIONER ARMIJO: Commissioner Manis.
 24 COMMISSIONER MANIS: (No response.)
 25 COMMISSIONER ARMIJO: Commissioner Beck.

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1 COMMISSIONER BECK: Here.
 2 COMMISSIONER ARMIJO: Commissioner Taylor.
 3 COMMISSIONER TAYLOR: (No response.)
 4 COMMISSIONER ARMIJO: And Chair Brauer.
 5 THE CHAIR: Here.
 6 COMMISSIONER ARMIJO: We have a quorum of
 7 seven.
 8 THE CHAIR: Thank you, Madam Secretary.
 9 Now it's time for the Pledge. Vice Chair
 10 Burt, can you lead us in the Pledge, please?
 11 (Pledge of Allegiance conducted.)
 12 THE CHAIR: Commissioner Carrillo, can you
 13 lead us through the New Mexico Salute, please?
 14 COMMISSIONER CARRILLO: Yeah. Sure thing.
 15 (Salute to the New Mexico Flag conducted.)
 16 THE CHAIR: Thank you. So now let's move
 17 into the approval of our agenda.
 18 COMMISSIONER CARRILLO: I'll move to
 19 approve.
 20 COMMISSIONER BURT: Second.
 21 THE CHAIR: Let's go ahead and take a
 22 roll-call vote.
 23 COMMISSIONER CARRILLO: Ask for
 24 discussion, if there's any.
 25 THE CHAIR: I apologize. Are there any

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1 discussion items for our agenda?
 2 (No response.)
 3 THE CHAIR: Since I'm not hearing any,
 4 let's go ahead and make our vote.
 5 COMMISSIONER ARMIJO: Vice Chair Burt.
 6 COMMISSIONER BURT: Yes.
 7 COMMISSIONER ARMIJO: Commissioner
 8 Carrillo.
 9 COMMISSIONER CARRILLO: Yes.
 10 COMMISSIONER ARMIJO: Commissioner Ingham.
 11 COMMISSIONER INGHAM: Yes.
 12 COMMISSIONER ARMIJO: Commissioner Gipson.
 13 COMMISSIONER GIPSON: Yes.
 14 COMMISSIONER ARMIJO: Commissioner Beck.
 15 COMMISSIONER BECK: Yes.
 16 COMMISSIONER ARMIJO: Commissioner --
 17 Chair Brauer.
 18 THE CHAIR: Yes.
 19 COMMISSIONER ARMIJO: And Commissioner
 20 Armijo votes yes.
 21 That passes, seven to zero.
 22 THE CHAIR: Great. Thank you, Secretary.
 23 The third item on our agenda is the Public
 24 Comments.
 25 Lucy, could you just share with us how

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1 many -- how many people have signed up for Public
 2 Comment?
 3 MS. LUCY VALENZUELA: Good morning. Yes,
 4 Chair Brauer. There are eight speakers signed up.
 5 THE CHAIR: Great. Thank you. And each
 6 speaker will get three minutes to -- Julia, go
 7 ahead.
 8 MS. JULIA BARNES: I was just going to
 9 mention that we did receive one written public
 10 comment, and that that is in the Google Drive.
 11 THE CHAIR: I was going to mention that in
 12 a second. Each of our in-person folks today will
 13 get three minutes each.
 14 Lucy, you are you okay to take the timer
 15 on that?
 16 MS. LUCY VALENZUELA: Yes.
 17 THE CHAIR: And I will -- folks who are
 18 going to be sharing today, like, we will -- when you
 19 hear the timer or you hear from either me or from
 20 Lucy that your time is up, we just politely ask you
 21 to wrap it up a little bit so that we can move
 22 forward through other people's time.
 23 I did want to just direct the Commission
 24 to a -- another -- as Julia mentioned, there is
 25 letter that we received, either directly or was sent

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1 to you from Sharyn this morning, that shares
 2 information from both parents and teachers at
 3 La Tierra as well.
 4 And so we wanted to share that. We're not
 5 going to read that. It's a pretty lengthy document,
 6 but we can peruse that, and I think there may be
 7 some good information in there for us as well.
 8 So with that, Lucy, go ahead and --
 9 Commissioner Ingham.
 10 COMMISSIONER INGHAM: Yes, sir. I'm just
 11 looking in the Google Drive, and I could be
 12 ignorant, but I don't see that letter.
 13 THE CHAIR: Let's see here.
 14 COMMISSIONER BECK: It's the bottom one.
 15 It's the very last one, I think.
 16 THE CHAIR: It's 6.e. in the Google Drive,
 17 commissioner Ingham. Are you seeing that? It's in
 18 the Folder 1.a., January 30th.
 19 COMMISSIONER INGHAM: Okay. Let me go
 20 try. Thank you.
 21 THE CHAIR: No problem.
 22 Lucy, go ahead and begin with the
 23 in-person comments.
 24 MS. LUCY VALENZUELA: Okay. The first
 25 speaker will be Amy Bowers.

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1 Amy, once I move you over, please state
 2 your name and spell it out for the court reporter.
 3 You will have three minutes. Those three minutes
 4 will begin after you state your name.
 5 FROM THE PUBLIC: Hello. My name is Amy
 6 Bowers. It's A-m-y B-o-w-e-r-s.
 7 My name is Amy Bowers, and I've been a
 8 social worker for over 26 years. I have been
 9 providing psychotherapy services to children,
 10 adolescents, and families as a clinical social
 11 worker for over 19 years. I'm a Licensed Clinical
 12 Social Worker, Licensed School Social Worker, and I
 13 am certified to be a social work supervisor in
 14 New Mexico.
 15 I also have maintained a private practice
 16 for psychotherapy for over ten years.
 17 I have been working as a school social
 18 worker at Cesar Chavez Community School for almost
 19 four years, since February 2019. I've had the
 20 opportunity to work with students both when we were
 21 in person and since we have been doing online
 22 learning. This includes before and during COVID.
 23 As a school social worker, I provide
 24 individual, group, and family counseling to students
 25 and their families at our school. I also assist in

<p style="text-align: right;">10</p> <p>1 connecting students and families to resources in our 2 community. I also provide clinical supervision to 3 social workers on staff at our school. 4 I've seen tremendous growth and success of 5 our students with our school online. We have 6 developed creative ways to help our students at 7 Cesar Chavez, and our students notice these 8 supports. They are so grateful for the love and 9 caring our staff show them each day. This is why 10 our students often refer their friends and family to 11 our school. It's become a community school they 12 really trust. 13 Our students say that they feel people 14 believe in them at our school, and that has helped 15 them believe in themselves. Many students I have 16 worked with never thought they could graduate from 17 high school, yet, after attending our school and 18 obtaining support found that they could indeed 19 graduate. In fact, many of our students found that 20 they could both graduate and take steps towards 21 their future by taking dual credit, college classes, 22 or other training courses while at our high school. 23 And many students, for the first time in 24 their lives, believed that they could create a life 25 and a future that they wanted to live.</p>	<p style="text-align: right;">12</p> <p>1 Was that a timer button for me to wrap up? 2 MS. LUCY VALENZUELA: That was, 3 Ms. Bowers. 4 THE CHAIR: That was, Ms. Bowers. If you 5 could wrap up for us, please. 6 FROM THE PUBLIC: Yes. 7 Cesar Chavez is a school our students 8 trust, and they are so grateful to have a space in 9 this world where they feel loved, respected, and 10 supported to accomplish their goals and their 11 academic successes. 12 Thank you so much. 13 THE CHAIR: Thank you, Ms. Bowers. 14 Lucy, feel free to bring in the next 15 person. 16 MS. LUCY VALENZUELA: Okay. The second 17 speaker is Melissa Salazar. 18 Melissa, once you are moved over, please 19 state your full name and spell it out for the court 20 reporter. Your three minutes will begin after you 21 have finished providing your full name. 22 FROM THE PUBLIC: Good morning. My name 23 is Melissa Salazar. It's M-e-l-i-i-s-s-a 24 S-a-l-a-z-a-r. 25 Good morning, Commission. My name is</p>
<p style="text-align: right;">11</p> <p>1 Being online has helped our students build 2 connections with staff and find support they need in 3 safe ways. 4 In particular, I want to tell you about 5 how being online at Cesar Chavez has helped make 6 life-changing successes for our students. It's 7 allowed social work services to be consistent 8 social-emotional support for our students. This has 9 included Zoom and phone counseling sessions, as well 10 as text and chat support. 11 Many of my students have never missed a 12 session or missed very few counseling sessions since 13 coming online. 14 When we were in person, family crisis, 15 lack of transportation, duties at work, and 16 childcare issues got in the way of coming to school 17 in person. 18 Students have found that by having the 19 availability of the sessions online, they're more 20 willing to build a connection, open up, meet 21 consistently, and, therefore, the therapeutic work 22 has become deeper. 23 In approximately 4,000 sessions I've had 24 with students over the past four years, I've 25 witnessed deep healing for many of our students.</p>	<p style="text-align: right;">13</p> <p>1 Melissa Salazar. I'm a parent at La Tierra 2 Montessori School of Arts and Sciences here north of 3 Española. 4 And no offense, but I wish I wasn't here 5 today. I had to take off work for the third time to 6 come speak to you and the Commission, so I guess I'm 7 getting pretty good at signing up in the chat for 8 public comment. 9 I couldn't go to work today because my 10 son's school, La Tierra, is under such duress that I 11 felt the need again to speak on behalf of removing 12 our general -- our governing council. And, like I 13 said, I wish I wasn't here, and I wish we were at a 14 very different place. 15 When we first started dialing in -- when I 16 first started dialing in to your PEC meetings, they 17 received a Letter of Breach. And I had hoped that 18 that would have been a signal that our governing 19 council would go to teachers and parents and have 20 real dialogue about what was going on at the school. 21 It's really unfortunate for me to report 22 that that has not happened, from my perspective as a 23 parent and a member of the PTA. 24 I have attended all of the governing 25 council meetings since the Letter of Breach, and I</p>

<p style="text-align: right;">14</p> <p>1 have seen no recourse or no reconciliation happening 2 from our governing council, and they have instead 3 doubled down and moved forward by submitting to you 4 a Corrective Action Plan that had absolutely zero to 5 do with what parents and teachers of students have 6 been asking them for.</p> <p>7 So I can only surmise that they are 8 unwilling, after all this time, to take the Letter 9 of Breach as a signal that what they're doing is not 10 working and that they have broken their oath to 11 serve the school and need to resign.</p> <p>12 We have a group of community members, 13 educators, including myself, and parents who are 14 willing to serve on the council if you can pressure 15 them to resign.</p> <p>16 I know that that is outside of your scope, 17 but I also know what's within your scope is to 18 threaten to suspend and threaten to revoke. And if 19 you have those tools at your disposal, what we are 20 asking today is if you could help us by asking them 21 to resign, because this Corrective Action Plan is 22 not what you asked for. It is also what I'm telling 23 you is not what parents and teachers want.</p> <p>24 So I ask you today, while you're in 25 dialogue with our governing council, can you please</p>	<p style="text-align: right;">16</p> <p>1 council and Commissioners. My name is Benjamin 2 Pearce. B-e-n-j-a-m-i-n P-e-a-r-c-e. And I'm 3 another parent at La Tierra Montessori School.</p> <p>4 I -- again, to reiterate what the previous 5 speaker said, I'm disheartened and sad to come 6 before you all a third time to ask for help with our 7 school.</p> <p>8 Our governing council has stated that 9 they've held open -- have -- I'm sorry -- have held 10 public meetings to address the breach and the 11 letter. That is not true.</p> <p>12 The governing council stated that they 13 have formed a committee that -- including parents. 14 We have not seen -- we do not know who's on the 15 committee to address the breach. None of us have 16 been brought forth in the governing council 17 meetings.</p> <p>18 At the current governing council meeting, 19 the governing council had stated that, in complete 20 disregard of the council's bylaws, they are starting 21 a new committee to review governing council 22 membership and will not vote on this.</p> <p>23 According to the governing council's 24 bylaws, they've had seven days, or the next board 25 meeting, to vote on members of the governing</p>
<p style="text-align: right;">15</p> <p>1 ask them why they are unwilling to share the Letter 2 of Breach with our school community. No parents who 3 have not been attending governing council meetings 4 even know that this has happened.</p> <p>5 This is serious, serious business. The 6 school may close, and I think they have an 7 obligation to tell the parents and the teachers what 8 is going on and have a dialogue with us.</p> <p>9 So I would like you to ask them why they 10 cannot dialogue with us about what changes they're 11 planning to make, which we found out in the 12 Corrective Action Plan when they submitted this to 13 you on January 20th, and why all of the changes are 14 even necessary.</p> <p>15 So thank you very much for your time. 16 I'll finish up.</p> <p>17 Thank you.</p> <p>18 THE CHAIR: Thank you, Ms. Salazar.</p> <p>19 MS. LUCY VALENZUELA: Okay. Our next 20 speaker is Benjamin Pearce.</p> <p>21 Benjamin, once you are moved over, go 22 ahead and state your full name for the court 23 reporter. And your time will begin after you have 24 stated your full name.</p> <p>25 FROM THE PUBLIC: Good morning, honorable</p>	<p style="text-align: right;">17</p> <p>1 council. I myself have put forth an application way 2 back in July to join the governing council, only to 3 be told that it was moved to a different address and 4 not forwarded by the previous president of the 5 council.</p> <p>6 There are two other parents since that 7 have applied for the governing council and one in 8 November. The meeting to approve or deny that 9 parent has not been put forth to governing council 10 as in regards to the bylaws. In fact, it was stated 11 by a member of the governing council that they do 12 not monitor the e-mail on a regular basis where the 13 applications are to be sent through.</p> <p>14 And, finally, there's one last parent that 15 has applied for the governing council and is -- was 16 ignored and told that it would be on this past 17 January's meeting. It has not. Instead, a 18 committee will be formed to review applications.</p> <p>19 We have been told numerous things by this 20 current governing council. As a final note -- I 21 apologize for the child.</p> <p>22 As a final note, according to the LTMAS 23 bylaws for the governing council, as of January 25th 24 of this year, Isaac Casados' term has ended. There 25 have been no annual meetings and no properly</p>

<p style="text-align: right;">18</p> <p>1 notified annual meetings or properly notified 2 amendments to the bylaws. 3 Thank you, honorable Commissioners for 4 your time, and thank you. 5 THE CHAIR: Thank you, Mr. Pearce. 6 MS. LUCY VALENZUELA: Okay. The following 7 speaker is Prairie. Prairie, I will be moving you 8 over. Please state your full name for the court 9 reporter. 10 FROM THE PUBLIC: Thank you. Can you hear 11 me? 12 THE CHAIR: Yes. 13 FROM THE PUBLIC: All right. My name is 14 Prairie Boulmier. P-r-a-i-r-i-e B-o-u-l-m-i-e-r. 15 And I'll start my timer. 16 Thank you, Commissioners, for allowing me 17 to speak this morning. My name is Prairie Boulmier. 18 And for those of you who are new on the Commission, 19 thank you for your work. Congratulations and 20 condolences. 21 I am the person who began the journey of 22 writing the charter for La Tierra back in 2005. I 23 was a parent and a -- assisted in a Montessori 24 school, and seven years later, after dragging my 25 kids down to Albuquerque, you know, for three, four</p>	<p style="text-align: right;">20</p> <p>1 The work that they are doing is not 2 directly related to the charter in its original or 3 newly amended form. This is very clear from their 4 decisions to hold off on writing the comprehensive 5 training plan for Montessori, to disregard offers 6 for help from organizations such as the National 7 Center of -- what is it called? -- the Center for -- 8 National Center for Public Montessori Education, 9 whose board president attended a recent governing 10 council meeting. 11 It's also very clear that the school is 12 now preparing to throw away a shedfull of Montessori 13 materials or donate them to a Montessori school. 14 So, again, I want to ask you to please 15 find us some route, our working group of educators 16 and parents, to either form a new governing council, 17 reapply for reauthorization (inaudible due to cell 18 phone ringing) planning year, or ask the current 19 governing council (inaudible due to cell phone 20 ringing). And I know my time is up. Thank you so 21 much. 22 THE CHAIR: Thank you, Ms. Boulmier. 23 MS. LUCY VALENZUELA: Okay. The next 24 speaker is Chanda. Chanda, please go ahead and 25 state your full name for the court reporter. Your</p>
<p style="text-align: right;">19</p> <p>1 years, I submitted, along with Roger Montoya, the 2 initial charter school application that was 3 approved. 4 I'm a Montessori educator. I have been 5 for 20 years. I'm a teacher, researcher, 6 consultant, teacher trainer, former teacher training 7 center director, and author. 8 What I'd like to say today is that I have 9 tried for the last ten years to see what I could do 10 to help La Tierra. Every couple of years I put 11 feelers out with my CV. Never been answered. 12 This past year, a lot of things have 13 happened that I won't go into. But I did apply to 14 be on the governing council. And I was -- there 15 wasn't even a discussion in the meeting. The 16 discussion was about how terrible of an idea that 17 is. 18 What I'm coming to ask you today is to 19 please find some route to save the school. It's 20 clear that the governing council has their own plans 21 for a school that they would like to see. And I 22 would like to see them go through the process of 23 applying for a charter school with the mission 24 and -- you know, all the documents that they would 25 like to have.</p>	<p style="text-align: right;">21</p> <p>1 time will begin after. 2 FROM THE PUBLIC: Can you hear me? 3 THE CHAIR: Yes, we can hear you. 4 FROM THE PUBLIC: Hello. My name is 5 Chanda Harcourt. C-h-a-n-d-a H-a-r-c-o-u-r-t. 6 Good morning. I'm Chanda. I'm a 7 Cesar Chavez parent. 8 Our daughter was a student here in 9 Albuquerque at a private school. She's gifted, and 10 has been very conventionally academically successful 11 her entire academic career until this September, 12 where it became very clear that she could no longer 13 attend conventional school due to health reasons. 14 And the only place that could really help us was 15 Cesar Chavez. 16 They met us with open arms. They worked 17 tirelessly to remove obstacles to her learning. It 18 was amazing; that is, Cesar Chavez is the only 19 reason that our child is enrolled in school. She 20 was unable to do any other sort of more conventional 21 methods. 22 And she's doing well. And as her health 23 improves, she's doing more and more. 24 One in 20 of people that get COVID 25 experience long COVID symptoms. That's just the</p>

<p style="text-align: right;">22</p> <p>1 truth. And increased and repeated infections make 2 it more probable that you'll experience long COVID. 3 There are thousands of families in the 4 situation that we are in where they need a different 5 model. They need something a little less 6 conventional, a little more creative. 7 What we found -- not everyone wears the 8 same size shoes. Sometimes you need something 9 really different to be successful, and Cesar Chavez 10 provides that. 11 It's hard not to get emotional about this, 12 how important this was. Hybrid is just amazing, and 13 online the way that they provide it is amazing for 14 kids with health issues. The days that you have 15 more energy, that you're feeling better, you can do 16 more. And the days that you can't, you can still 17 participate and still be there. 18 We've just been amazed by how supporting 19 and everything it is. There was nowhere else in 20 town for us to go. And they were here. 21 New Mexico has a terrible attendance 22 problem. New Mexico has a problem with providing 23 kids in the most vulnerable areas with what they 24 need to be successful, and Cesar Chavez does. 25 So we love it here. Please support our</p>	<p style="text-align: right;">24</p> <p>1 last -- in the last seven to eight months, I have 2 watched the school decline. At the moment, our 3 board is being run by businessmen, politicians, and 4 people who do not currently have children at 5 La Tierra Montessori. 6 They have approved prison food for lunches 7 for our children without having tried it themselves. 8 They are making decisions for our children 9 that they have not informed us of. 10 I was part of the ad hoc parent group that 11 President Isaac Casados spent a lot of time 12 disparaging, attempting to discredit, by claiming 13 that we were censored by the PEC at the last 14 meeting. He has not provided parents the full 15 truth; nor has he provided anything to back up his 16 claims. 17 He has claimed all along that he has had 18 parental support in the form of e-mails flooding his 19 inbox in changing La Tierra Montessori into a feeder 20 school for Santa Fe School of the Arts. 21 And I have been incredibly disappointed 22 with the board's reactions and inactions. They have 23 blatantly stated that, as a council, they have 24 ultimate power. They have stated that on more than 25 one occasion that parental concerns or issues are</p>
<p style="text-align: right;">23</p> <p>1 school. Thank you. 2 THE CHAIR: Thank you. 3 MS. LUCY VALENZUELA: Okay. The next 4 speaker is Catherine. Catherine, please state your 5 full name for the court reporter. 6 FROM THE PUBLIC: Good morning. My name 7 is Catherine Davis-Sparks Pearce. I am the wife of 8 Benjamin Pearce. I am the mother of four children 9 currently attending La Tierra Montessori. I am the 10 child of an educator. 11 I spent 15 years of my life following my 12 mother as she taught in APS schools and as she 13 became an administrator at Polk Middle School and as 14 she was eventually treated like crap by APS. I know 15 what a preschool looks like, and I know that the 16 Montessori method is one of the better educational 17 modes that New Mexico can offer. 18 But it is rare and unique, and it is 19 usually only restricted to preschools in 20 Albuquerque, that I have seen. 21 I was so excited when I found a Montessori 22 school up here. I cannot tell you how excited I 23 was. 24 My kids, when I got them into La Tierra, 25 were promised a Montessori education. In the</p>	<p style="text-align: right;">25</p> <p>1 not relevant to council meetings, and that's why we 2 are being muted when we bring up instances as 3 what -- as several parents have done, including 4 Forrest, whose son was attacked and hurt badly by a, 5 hopefully, former sub of La Tierra. 6 There have been reports that that same sub 7 has reappeared on campus which has led to that 8 entire family leaving the school in fear for their 9 child. I am scared for my kids, because they've 10 introduced a new pet policy the last week that was 11 retroactive that removes all Montessori pets from 12 classrooms, despite the fact that pets in the 13 classroom are a verified Montessori educational 14 tool. 15 They have told us to remove -- I'm sorry, 16 just two more things. 17 They have removed Montessori from the 18 school. They have fed my children food that makes 19 them sick. And they are unrepentant, and I really 20 hope that you decide to do something. I cannot 21 stand by anymore and watch this. Thank you very 22 much for your time. 23 THE CHAIR: Thank you, Ms. Davis-Sparks. 24 MS. LUCY VALENZUELA: Okay. The next 25 speaker is Mateo. Mateo, please state your full</p>

26	<p>1 name for the court reporter.</p> <p>2 FROM THE PUBLIC: Good morning. My name</p> <p>3 is Mateo Peixinho. It's M-a-t-e-o. Peixinho is</p> <p>4 P-e-i-x-i-n-h-o.</p> <p>5 Commissioners, chair Brauer, thank you for</p> <p>6 your time. I am so sorry it's just -- this is</p> <p>7 really just sad, you know. We're just sad to have</p> <p>8 to be here again.</p> <p>9 And I get a little jealous, because I hear</p> <p>10 other parents speak on behalf of their school and</p> <p>11 how excited they are. I want to be that parent</p> <p>12 again, believe me.</p> <p>13 I've been there -- over the last ten years</p> <p>14 my family has been a part of the school. My</p> <p>15 daughter is 21, and she was the first graduating</p> <p>16 class of eighth-graders, and she's now in</p> <p>17 Albuquerque, and she teaches at an after-school</p> <p>18 program while she finishes her education.</p> <p>19 And the skills that she learned being a</p> <p>20 Montessori kid and also participating in Moving Arts</p> <p>21 next door has been just a godsend, you know.</p> <p>22 And I -- my 13-year-old is going to</p> <p>23 graduate this year. When he was in kindergarten or</p> <p>24 first grade, he kicked the head learner in the shins</p> <p>25 because she had called him out on some actions he</p>	28	<p>1 such as Northern (verbatim) New Mexico School of the</p> <p>2 Arts, like another parent mentioned, would be a good</p> <p>3 thing.</p> <p>4 And I understand where that could be good,</p> <p>5 because my daughter and my son, and now my youngest,</p> <p>6 hopes to go to New Mexico School of the Arts. It's</p> <p>7 a great way for them to get a great education.</p> <p>8 But this school is a Montessori school.</p> <p>9 And I don't think the New Mexico School of the Arts</p> <p>10 model will provide the educational experience that</p> <p>11 our community needs, our kids need.</p> <p>12 The academics are very rigorous. And they</p> <p>13 have a lot of, you know, arts and so on. It's just</p> <p>14 a lot.</p> <p>15 So our school is a Montessori school, and</p> <p>16 our governing council president, in their letter of</p> <p>17 response to you all, was confounding. I mean, they</p> <p>18 just -- in meetings, they'll say, you know, "The</p> <p>19 Montessori aspect of the school may be lagging, but</p> <p>20 we're really trying to build the sciences and arts."</p> <p>21 Seems like they just can't --</p> <p>22 THE CHAIR: Mr. Peixinho, can you go ahead</p> <p>23 and wrap up, please?</p> <p>24 FROM THE PUBLIC: Sorry. I've got a lot</p> <p>25 more to say. They don't seem to understand that</p>
27	<p>1 had been in. And that head learner talked him down.</p> <p>2 And he kicked her again and said, "You will not call</p> <p>3 my parents."</p> <p>4 And she still worked with him over the</p> <p>5 years. And we had social workers in the school.</p> <p>6 And my son is thriving now. He's spoken to you all</p> <p>7 before, so maybe some of you Commissioners have</p> <p>8 heard him. He is so, just, compassionate and</p> <p>9 caring. And I feel that the school is why he didn't</p> <p>10 fall through the cracks.</p> <p>11 I volunteer a lot at our homeless shelter</p> <p>12 here locally, and I see kids that I know -- since</p> <p>13 they're little, and I know if they're in an</p> <p>14 environment where they're being called out all the</p> <p>15 time and being told they'll never succeed, it leads</p> <p>16 to, you know, behavioral health issues that often</p> <p>17 leads to substance use disorder.</p> <p>18 And it's rampant in our community, and,</p> <p>19 you know, it's just sad, because we're in such a</p> <p>20 beautiful place and such a rich, culturally, place.</p> <p>21 It's just -- this school is just a bright light, but</p> <p>22 it's been severely dimmed and almost feels like it's</p> <p>23 being extinguished right now.</p> <p>24 In recent meetings, the governing council</p> <p>25 president has said that maybe a different model,</p>	29	<p>1 Montessori is the umbrella and arts and sciences,</p> <p>2 agriculture, all the parents coming in, like my wife</p> <p>3 used to do with her sewing machine, fit under the</p> <p>4 umbrella of Montessori. It is not just one aspect.</p> <p>5 It is the model.</p> <p>6 Thank you so much, and I'm so sorry to</p> <p>7 have to bother you all with this. Please help us.</p> <p>8 Whatever action you have to take, it has to be</p> <p>9 taken. I'm so sorry.</p> <p>10 THE CHAIR: Thank you, sir.</p> <p>11 MS. LUCY VALENZUELA: And our final</p> <p>12 speaker is Forrest. Forrest, please state your full</p> <p>13 name for the court reporter.</p> <p>14 FROM THE PUBLIC: Good morning. My name</p> <p>15 is Forrest Verde Dudek. F-o-r-r-e-s-t V-e-r-d-e</p> <p>16 D-u-d-e-k.</p> <p>17 Thank you, Commissioners, Chairman Brauer.</p> <p>18 I really appreciate your giving us this opportunity</p> <p>19 to share our experience with La Tierra.</p> <p>20 I was a first-year parent at La Tierra</p> <p>21 Montessori. My son is now about to turn 20 years</p> <p>22 old. At that time, there was a feeling of</p> <p>23 excitement and joy and just, like, a wonderment of,</p> <p>24 okay, this is the future here in the Española</p> <p>25 Valley. We can do this.</p>

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1 And in November, my seven-year-old son,
 2 this past November, was assaulted by a staff member
 3 at the school. And the way that the head learner
 4 handled it was unsatisfactory.
 5 So I took that to the governing council,
 6 and I explained to them the situation as best as I
 7 could. And I called for help and asked, "Can we do
 8 something to ensure the safety of not just my
 9 seven-year-old son but his siblings as well and his
 10 classmates?"
 11 And the governing council and President
 12 Casados silenced me over and over again in meetings.
 13 We had a town hall meeting where these
 14 items - the other parents have been bringing up, as
 15 well as my son's assault, were supposed to be
 16 discussed, and most of that meeting was spent
 17 listening to President Casados blather on and on and
 18 on and talk himself up as if he is the savior of
 19 this school.
 20 And, honestly, in May, I started -- I was
 21 attending these governing council meetings, and I
 22 saw the collapse of this school happening in real
 23 time as there was a coup that took place when this
 24 president took power of the governing council.
 25 And now this -- this culture, this toxic

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1 culture of the governing council has become
 2 cancerous. It's affecting the students. It's
 3 affecting the teachers.
 4 And right here, I come to you today
 5 because it might close the school down, which I
 6 don't want the school to close. I want the tumor to
 7 be removed. I want the school to thrive again and
 8 to have that hope for the Española Valley that we
 9 once had, and I want the students to feel safe when
 10 they go to school.
 11 And right now, speaking with -- with this
 12 president of the governing council, all he does is
 13 silence, and he's leading with an iron fist, and
 14 that's not how you lead a school, let alone a
 15 Montessori school. And his lies in the Corrective
 16 Action Plan regarding my son's assault and the
 17 investigation that's taken place -- I'll just finish
 18 up, thank you -- his lies regarding the Sheriff's
 19 investigation, it's continuing. The investigation
 20 is not closed.
 21 And when he was speaking in those
 22 meetings, the governing council meetings, and
 23 silencing me, he was saying, "We cannot speak about
 24 this. There's an open investigation. We cannot
 25 speak about it."

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1 But when he came in front of you, he spoke
 2 about it, and he lied about it, and he
 3 misrepresented what took place.
 4 And my son's testimony and his interview
 5 with the forensic interview is protected.
 6 THE CHAIR: Thank you, sir. If you could
 7 go ahead and finish up, please? Thank you.
 8 FROM THE PUBLIC: Absolutely. And the
 9 witnesses that were there were children witnesses,
 10 and they are protected.
 11 So I would like you to do your best to
 12 please protect all of the students at the school and
 13 remove this governing council, if that is possible.
 14 Thank you.
 15 THE CHAIR: Thank you, sir. I believe
 16 that was our final speaker for the day. Is that
 17 right, Lucy?
 18 MS. LUCY VALENZUELA: Yes, that was.
 19 THE CHAIR: Great. So let's move on to
 20 Section 4, which is Approval of the PEC Work Session
 21 Minutes for the January 19th, 2023, Meeting.
 22 COMMISSIONER CARRILLO: I'll do a motion
 23 to approve.
 24 COMMISSIONER BURT: Second.
 25 THE CHAIR: Okay. Let's move into

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1 discussion.
 2 Any discussion items?
 3 (No response.)
 4 THE CHAIR: Seeing none, Secretary Armijo,
 5 go ahead and take a roll-call vote.
 6 COMMISSIONER ARMIJO: Thank you.
 7 Commissioner Carrillo.
 8 COMMISSIONER CARRILLO: Yes.
 9 COMMISSIONER ARMIJO: Commissioner Ingham.
 10 COMMISSIONER INGHAM: Yes.
 11 COMMISSIONER ARMIJO: Commissioner Gipson.
 12 COMMISSIONER GIPSON: Yes.
 13 COMMISSIONER ARMIJO: Commissioner Beck.
 14 COMMISSIONER BECK: Yes.
 15 COMMISSIONER ARMIJO: Chair Brauer.
 16 THE CHAIR: Yes.
 17 COMMISSIONER ARMIJO: Secretary
 18 Commissioner votes yes.
 19 Vice Chair Burt.
 20 COMMISSIONER BURT: Yes.
 21 COMMISSIONER ARMIJO: That motion passes,
 22 seven to zero.
 23 THE CHAIR: We're going to move on to
 24 Part 5 of our agenda, Discussion and Possible Action
 25 Relating to Cesar Chavez Community School Pursuant

<p style="text-align: right;">34</p> <p>1 to the Intervention Ladder, Which May Include Notice 2 of Intent to Suspend or Revoke the Charter Due to 3 Contract Violations for Failure to Return to 4 In-Person Instruction.</p> <p>5 I wanted to highlight just a few processes 6 that we'll be doing today.</p> <p>7 Ms. Barnes is going to open up and share a 8 few details about some of the process that we had. 9 We're going to really center on the conversation for 10 today, which is to make -- make the decision based 11 on the -- the action item that I just read. We're 12 not going to have a deeper debate around other -- 13 other aspects of this school.</p> <p>14 The school is also going to get the chance 15 to share some updates as well that are relevant to 16 our decision for today.</p> <p>17 And the Charter School Division will also 18 have a chance to weigh in as well.</p> <p>19 Then we'll move in to our regular process 20 for motions and debate.</p> <p>21 Ms. Barnes, go ahead and begin the 22 process.</p> <p>23 And Lucy, at some point, will also invite 24 in Ms. Arness and any other relevant people from her 25 team that she would like to join into the -- into</p>	<p style="text-align: right;">36</p> <p>1 It's -- it's my opinion -- although I 2 think we could talk about it -- and, Lucy, if you 3 can cut off the chat, please? Thank you.</p> <p>4 It's my opinion that the entire PEC needs 5 to vote about whether you want to move down to the 6 revocation or suspension pathway.</p> <p>7 If you wanted to discuss whether an 8 executive committee could send out that notice, I 9 think that that could be kind of a discussion of a 10 larger -- larger process. But I think that it -- it 11 certainly, right now, and possibly will be my 12 opinion always, that this Commission needs to decide 13 if you're going to move down a revocation path. You 14 need to provide a school notice of the things that 15 you believe warrant revocation or suspension.</p> <p>16 And then the Chair, based on your vote if 17 you move forward, would then send a letter to the 18 school that they were going to be on a second 19 meeting. And at that meeting, you would debate 20 whether you want to move to a revocation hearing. 21 And then you would -- or suspension hearing. You 22 would then set Step 3, which is an actual revocation 23 or suspension hearing.</p> <p>24 So the actual merits of what you think 25 come in particularly at a revocation or suspension</p>
<p style="text-align: right;">35</p> <p>1 the panelists as well. But we'll have Ms. Barnes 2 start first, and then we'll do that.</p> <p>3 But I just wanted to share that that will 4 likely be the case for the next step.</p> <p>5 MS. JULIA BARNES: Thank you very much.</p> <p>6 What I wanted to do was just let you know 7 where I think we are in the process and to try to 8 have the conversation today be around the step where 9 we are.</p> <p>10 There is a history of kind of this issue 11 for Cesar Chavez that is there. The most relevant 12 parts of that are that the school presented an 13 amendment to their charter school application that 14 was part of an out -- that process was agreed upon 15 in a mediation that was held with the Executive 16 Committee. That motion did not pass, so there is 17 not an amendment to the charter.</p> <p>18 The -- then, as Director Chavez indicated 19 to you in her update last meeting, she had followed 20 up with the school twice, indicating and asking them 21 when they were returning to in-person instruction, 22 and that we are here now to have you-all discuss the 23 next steps.</p> <p>24 Steps towards revocation or suspension 25 take a few steps. We are at step one.</p>	<p style="text-align: right;">37</p> <p>1 hearing, and then if you set that today, you're 2 looking at a more limited topic, which is you want 3 to move down that path, and, if so, what should go 4 in the letter that would go out from the Chair.</p> <p>5 Commissioner Gipson, I see your hand is 6 raised. Did you want me to pause?</p> <p>7 COMMISSIONER GIPSON: Thanks. I just need 8 a clarification because you mentioned suspension.</p> <p>9 To my knowledge, we've never suspended a 10 charter except when the school had not commenced 11 operation. So we suspended the charter, and the 12 school had an additional planning year that was 13 imposed.</p> <p>14 So can you just clarify what suspension 15 would look like in terms of a school that's 16 currently in operation?</p> <p>17 MS. JULIA BARNES: Let me -- yes. Let me 18 finish just where we are kind of procedurally --</p> <p>19 COMMISSIONER GIPSON: Sure.</p> <p>20 MS. JULIA BARNES: -- because I do think 21 that that is a bigger conversation.</p> <p>22 Today I think you're looking to see if you 23 want to move down a path -- this -- so I -- I think 24 that there will be two opportunities at -- if you 25 made a decision to move forward with a revocation or</p>

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1 suspension hearing at your February meeting and at a
 2 revocation or suspension hearing.
 3 That means that I don't think you should
 4 be debating those merits now. You basically need to
 5 give the school an opportunity to know what your
 6 concerns are, an opportunity to get that -- be able
 7 to discuss that with you at later meetings.
 8 So we're not -- we are going to -- you
 9 would have that conversation, just not today.
 10 It's a little bit similar, to me, when you
 11 give schools notice of questions that you have for
 12 revo- -- you know, for renewal, or a new school
 13 application that says, "Next meeting we want you to
 14 be ready to talk about this."
 15 So the school needs enough time. And
 16 there will be time; it's just not today. So today
 17 is, as an entity, you are saying, or voting, "Yes,
 18 we want to move down this path," or, "No, we don't,"
 19 it's up to you, and then give notice to the school.
 20 So that's where I think we are.
 21 I'm happy to outline the conversations
 22 around revocation or suspension. And the law allows
 23 you to take this action. It allows you to revoke or
 24 suspend.
 25 There's more clarity around revocation,

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1 and you've done that more frequently. And in a
 2 revocation proceeding, you can also decide if a
 3 revocation is immediate or at the end of the school
 4 year.
 5 I do not have a full list of all the
 6 revocation proceedings that you've done in the past;
 7 however, my understanding is that generally you
 8 have, in the past, on those facts, you've taken
 9 action by the end of the year. But you could
 10 immediately revoke as well.
 11 Suspension comes up in a couple of
 12 different ways, like you just raised, Commissioner
 13 Gipson, that -- that it's more temporary.
 14 Suspension is a more temporary thing. You're not
 15 terminating, revoking, closing. I view revocation
 16 as more permanent.
 17 Suspension -- and there is an ability only
 18 for the Secretary of PEC -- of PED -- excuse me --
 19 to suspend a Board of Finance. You don't have that
 20 power. And it is a defined power in that law given
 21 to the Secretary of PED.
 22 You are given the ability to suspend a
 23 charter. So, Commissioner Gipson, that's a good
 24 example, that you kind -- I view it as a little bit
 25 of a pause.

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1 You would -- and it is more uncharted
 2 territory. So you would be working through it, and
 3 I think you would need to put the school on notice
 4 of which one you're thinking of doing and then be
 5 clear about the process and procedure that you're
 6 going to use.
 7 My -- my opinion, which is only one -- but
 8 you just asked for mine, and then -- is that you
 9 could suspend this charter until the school took the
 10 action that you believed they had to take. So in
 11 this case, it could be return to in-person
 12 instruction.
 13 And it would be more of a pause, and it
 14 would be more immediate, and the suspension could be
 15 lifted when that action was taken that you felt was
 16 needed.
 17 Suspension and revocation and nonrenewal,
 18 I believe, are all appealable to the Secretary. So
 19 there's no difference there.
 20 And I think that the difference between an
 21 immediate revocation and a suspension is an
 22 immediate revocation, you would be intending the
 23 school to be permanently revoked, and a suspension
 24 would be more of a pause.
 25 So just to go back to where I think you

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1 are today, you are, as a body, determining if you
 2 want to take that next step to tell them that you
 3 are going down a revocation or suspension path, and
 4 you are looking to be as clear as you can be in that
 5 letter to tell them what to prepare for in February.
 6 And if we went down -- let me just say
 7 we're going down that path, if you went down the
 8 path of a revocation or suspension, in February, you
 9 would vote to set a revocation or suspension hearing
 10 at a later date.
 11 THE CHAIR: Commissioner Carrillo.
 12 COMMISSIONER CARRILLO: Yes. I'll have
 13 more questions later. But the first one I have is
 14 you said early on that the entire PEC needed to vote
 15 on either one of these, suspension or revocation.
 16 So when I hear that, I think all ten of us must --
 17 MS. JULIA BARNES: I don't mean that. I
 18 mean the Public Education Commission, at a public
 19 meeting, which is with a quorum, which is what you
 20 have here and what you have now. Thank you for
 21 that. And, Commissioner Carrillo, I mean that as
 22 opposed to the Executive Committee.
 23 COMMISSIONER CARRILLO: Got it. Okay.
 24 MS. JULIA BARNES: That I just don't
 25 see -- and I'm not sure that I would advise -- I

<p style="text-align: right;">42</p> <p>1 don't see that the Executive Committee, without you 2 voting in a public meeting like today, could send a 3 letter that said, "The Executive Committee thinks 4 we're going to -- that we're going to revoke or 5 suspend." 6 So I believe that you need this type of 7 meeting with a quorum of this Commission rather than 8 the Executive Committee. 9 COMMISSIONER CARRILLO: Okay. Thank you 10 for that clarity. That's super duper important. 11 Now, if you could just -- did we -- you 12 know, there are so many meetings in this -- have we 13 done a breach yet for this school? Because I know 14 we were going to but then we went and did that 15 Monte- -- 16 MS. JULIA BARNES: Let me just walk you 17 through the history, because I -- and I put it in 18 here, because I think that it was confusing where 19 we've been. So let me just walk you through that 20 quickly. 21 COMMISSIONER CARRILLO: All right. 22 MS. JULIA BARNES: January of 2022, a year 23 ago, you did put the school on Notice of Breach for 24 failure to return to in-person instruction. And the 25 school came forward at the next meeting to address</p>	<p style="text-align: right;">44</p> <p>1 notice, mediation was held -- just to get to the end 2 of it. Sorry. 3 So at that mediation, there was no 4 agreement on -- the Executive Committee went in with 5 some understanding of what the PEC might agree as a 6 body. And it was -- nothing came out of that, 7 except that the school was -- there was an agreement 8 that the school would come back under a regular 9 process and provide an amendment, request an 10 amendment. 11 And the school did present that in 12 December. There was a motion to -- I could read 13 it -- but a motion to approve the amendment, and 14 that motion failed. 15 Finally, after that, it's my opinion that 16 we are at the end of that process, and that the 17 school, after the amendment failed, needs to return 18 to in-person instruction. 19 Director Chavez indicated in two separate 20 e-mails to the school attaching the same letter that 21 the school needed to get back into in-person 22 instruction. And they're -- and here we are today. 23 COMMISSIONER CARRILLO: Okay. So my -- 24 aye yi yi. So one of my biggest concerns is that 25 all of this sets us up for a lawsuit. It just --</p>
<p style="text-align: right;">43</p> <p>1 the breach, provided you with additional 2 information, that it was staying virtual due to 3 COVID and it was not a permanent decision, and you 4 all took a vote to put the school back in good 5 standing because at that point any school, due to 6 COVID, you were taking the position at that point 7 that that wasn't what you all were addressing. That 8 was a PED issue. 9 So you put them on Notice of Breach. You 10 restored them to good standing. 11 And then in September, the school was not 12 returning to in-person instruction, and you put the 13 school on Notice of Intent to take Action on Breach 14 of Contract, and you set for a September 27th 15 meeting. 16 What you're recalling, Commissioner 17 Carrillo, is that we then received a Notice of 18 Dispute saying that the contract was unclear. And 19 the school triggered the mediation provision. 20 So the September 27th meeting, where you 21 would have actually put them on Notice of Breach, 22 was canceled. So, no, you did not put them on a 23 second Breach of Contract. 24 COMMISSIONER CARRILLO: Okay. 25 MS. JULIA BARNES: Pursuant to that</p>	<p style="text-align: right;">45</p> <p>1 right? 2 I just see District Court -- a lawsuit 3 coming, and then District Court taking over a year, 4 as they almost did with GREAT Academy, to make some 5 sort of decision. 6 My thought on this, as it has been the 7 last two years, is that so often -- I'm banging my 8 pen on the desk right now -- I feel like we're an 9 impotent body, that people can do whatever they want 10 to do. Things take so long, it'll wear us out. 11 Who knows how many -- we'll probably have 12 four new members, or five, by the time this is 13 settled because -- and that's because we did the 14 mediation thing, and we -- I don't want to say we 15 skipped the breach step, because we did have that 16 Notice of Breach a year ago, and that should come 17 into play, you know, should we, you know, move the 18 direction of suspension or revocation. 19 I don't know if any of us have any feel at 20 all for the Interim Secretary and where they may 21 fall on issues like this. So that, unfortunately, 22 you know, makes a lot of this a craphoot. 23 You know, my inclination is -- my 24 inclination is revocation. You have breached this 25 contract for over a year. And you just are --</p>

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1 you're defiant, and openly defiant. And the -- the
 2 director of CSD has asked for you to return. And
 3 the many times that she's asked in e-mails, you
 4 simply don't even respond, okay, and which is truly
 5 unprofessional of your board and of your head
 6 learner.

7 So I would be in favor of moving down the
 8 path of -- and I -- of moving down the path toward
 9 revocation.

10 I'm very cognizant of the -- and taking
 11 into account the comments from Ms. Bowers and as
 12 well from Ms. Harcourt. But I also know --

13 THE CHAIR: Commissioner Carrillo, my
 14 apologies for the interruption. I want to make sure
 15 we get a chance to hear from the school as well as
 16 the CSD team before we start to have discussion. I
 17 want to make sure you can wrap that up and make sure
 18 we get a chance to hear from others, especially with
 19 new information, before we start discussing
 20 potential actions.

21 COMMISSIONER CARRILLO: Huh. All right.
 22 I'll wrap this up, and I'll talk again later. Kind
 23 of odd. Whatever. But okay, sure.

24 THE CHAIR: Not odd, because the process
 25 that I laid out earlier, I just want to make sure --

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1 COMMISSIONER CARRILLO: I know I'll have
 2 my say eventually. That's cool.

3 THE CHAIR: Yes, Commissioner. We'll all
 4 have a chance to have discussion during that
 5 discussion part.

6 Ms. Barnes, any other items before we hear
 7 from CSD and the school relevant to today's action?

8 MS. JULIA BARNES: Thank you. Not unless
 9 there's any other questions on the process.

10 THE CHAIR: Okay. Commissioner Gipson, I
 11 saw your hand up, but I think it went back down.
 12 Sorry. Great.

13 I wanted to also ensure Commissioners,
 14 there were two documents that were e-mailed to you
 15 and also put into the Google Drive that were very,
 16 very timely today. So we -- we know we normally get
 17 things out prior to meetings so that we all have a
 18 chance to review those with as much possible time as
 19 possible for us.

20 5.a. is a letter from Tani Arness, the
 21 head -- executive director of the school that she
 22 sent this morning to us. And then there is also a
 23 document from the attorney of the school, which is
 24 5.b. within the Google Drive. So I just wanted to
 25 make sure that you all had those readily accessible

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1 and had a chance -- and are able to access those.

2 With that, CSD Chair Chavez, I wanted to
 3 give you -- give you a chance also to weigh in and
 4 provide any information at this stage.

5 DIRECTOR CORINA CHAVEZ: Thank you, Chair
 6 Brauer, Commissioners.

7 I think that this is a really difficult
 8 case in ways, because Cesar Chavez has been a
 9 school -- one of the earlier charter schools in
 10 Albuquerque that stepped in to address the needs of
 11 a certain population of students in Albuquerque that
 12 really need a community school that is wrapping
 13 around the students to support them in multiple
 14 ways.

15 Many years ago, they had an on-site day
 16 care center for the students who are young parents.
 17 And that was one of the first that I had seen in the
 18 state.

19 There's also multiple ways that the school
 20 is addressing the needs of students to help them
 21 eventually graduate. When you compare their
 22 four-year versus five-, six-year graduation rate,
 23 you see that they are graduating students. And the
 24 parents that spoke today to talk about the value to
 25 online, I appreciate that.

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1 My concern with this school is that there
 2 are a population of students that were in attendance
 3 pre-pandemic, and when polled, said they wanted to
 4 be in person. And the fact that there is no in
 5 person at all and that the school continues to
 6 assert that they can make that choice for all
 7 students despite not having a portion of their
 8 charter educational plan describing a hybrid model
 9 or an online model, is bothersome.

10 And, indeed, in questions that I have
 11 posed to the school as far back as spring of 2021
 12 about, "When will you be in person, What was the
 13 discussion when the board decided to remain online,
 14 What are the families and students saying," some of
 15 those answers have gone -- some of those questions
 16 have gone unanswered.

17 So it feels like this is a tough decision,
 18 because, indeed, the school has learned some things
 19 about providing online instruction, and to some
 20 degree of success, they have addressed some of the
 21 special ed issues that we raised with them when we
 22 did a site visit, and so they are making progress.
 23 But I don't know why it has to be an either/or, why
 24 it has to be all online or all in person.

25 To me, it seems like there is room for the

<p style="text-align: right;">50</p> <p>1 school to meet the needs of all students by 2 listening to the students and families, including 3 those that wanted to be in person. 4 Furthermore, I would like to say, in terms 5 of going down the path of revocation or suspension, 6 absolutely right. I keep saying, "What is the 7 definition of suspension?" And it is unprecedented 8 with a school that is in operation. 9 My concern is, first and foremost, the 10 students. And I would say that whatever the PEC 11 decides, that there is enough time for any sort of 12 transition that students might need to make. I 13 would really think that it's not something you want 14 to do is have the school suddenly not be open to 15 students. 16 And, finally, I just wanted to confirm to 17 the Commission that the school has one more year. 18 They're facing renewal in the fall. They should 19 submit a renewal application at that point. They 20 have a choice of renewing with the PEC or with the 21 local district. 22 So their charter expires. Their charter 23 agreement expires with you in 2024. Thank you. 24 THE CHAIR: Thank you, Director Chavez. 25 At this point, I'd like to -- Lucy, if we could</p>	<p style="text-align: right;">52</p> <p>1 is yours. 2 MS. TANI ARNESS: Thank you so much, Chair 3 Brauer. Can everybody hear me okay? 4 THE CHAIR: Yeah. 5 MS. TANI ARNESS: Okay, great. Excellent. 6 Thank you for your time today and, yeah, 7 my name is Tani Arness, if I haven't met you yet. 8 And I have been at Cesar Chavez Community School for 9 18 years. And that is a testament to how much -- 10 how beautiful the school really is and how it 11 changes lives every day for students in our 12 community. So I'm glad to be able to be here today 13 to try to work through this. Thank you. 14 We were scrambling to try and get some of 15 the details hammered out in our proposal today. So 16 that's why it came to you late, and I appreciate you 17 bearing with us on the timelines. 18 And we have been giving a lot of thought 19 to how to meet the student needs, and we have 20 gathered a 360-degree view of input and data into 21 this really unprecedented situation where this did 22 grow out of COVID, and we wanted to keep things very 23 stable. 24 So last year, a year ago, when we met was 25 the largest COVID surge that had happened thus far.</p>
<p style="text-align: right;">51</p> <p>1 bring in Director Arness into the room -- or into 2 the panel -- so that she can share some updates from 3 her end. The biggest update from her is the 4 document that's 5.a. within our context. 5 So as she discusses this with us, 6 Commissioners, and presents this to us, that's what 7 will be most relevant for this conversation. 8 I do want to share that Ms. Arness and I, 9 we have talked on two different occasions over the 10 last week, once on Thursday and once on Saturday, to 11 discuss the school's planning. And we had our last 12 conversation on Saturday afternoon, as Ms. Arness 13 was working with her team to address a plan that 14 she's putting in place. 15 And so, Ms. Arness, I also wanted to share 16 that I know that there are other items within your 17 plan around the justification potentially of 18 revocation or suspension. I would love, if you can, 19 to really focus in on, you know, the plan itself 20 with the Public Education Commission and the 21 mechanics behind what you and your team have put 22 together over this past weekend. But I'm not going 23 to -- I'm going to give you a chance to share, for 24 sure, with the Public Education Commission, the 25 relevant updates on -- on your work. So the floor</p>	<p style="text-align: right;">53</p> <p>1 And we were really not wanting to shift students in 2 the middle of that, and so we were still at that 3 point trying to figure out what the future was going 4 to hold and navigate with stability and integrity 5 through the COVID situation. 6 As we came into this year, we again looked 7 at everything, weighed what we thought was available 8 in our contract and what we thought would be the 9 best way to move forward. 10 Our plan has always been to hopefully find 11 a way to expand our in-person piece. We have had 12 our campus open, but in limited ways, not doing 13 on-campus classes, per se, doing more of on-campus 14 supports. And while 84 percent of our students are 15 preferring that, we do realize that there's possibly 16 some who might want to be on campus, and we've been 17 trying to figure out a way logistically, with a 18 small staff, to maintain the integrity of what we've 19 built that people have expressed they prefer, and 20 then also build out as much possibility and options 21 as possible with the on-campus piece. 22 So what we are presenting today -- and 23 it's toward the end of the document that I sent 24 you -- is a proposal that we think could work moving 25 forward that we think is a really nice bridge to be</p>

<p style="text-align: right;">54</p> <p>1 able to sort of do all of that. And so in that 2 proposal, there are nine action steps, and I will go 3 through those.</p> <p>4 One of the things I just want to highlight 5 as we go into the proposal is that we -- we really 6 value community input and giving everybody in our 7 community a voice. And we do not want to -- what we 8 feel like would be a betrayal of our community by 9 just saying, "We're going to now force you to do 10 something totally different."</p> <p>11 So we want to build in a reasonable 12 timeline for having discussions, sending out another 13 new survey with specific details of the proposal in 14 it so that we can get feedback from students and 15 families about which pieces of this they may be 16 interested in or what their feedback or ideas are in 17 terms of what they're wanting as well.</p> <p>18 And then we need to work with our team. 19 We think this is going to require hiring at least 20 one new position to be able to keep the integrity of 21 all aspects of this program, which would truly be a 22 very, very diverse program that would offer students 23 the opportunity to be on campus for classes, or from 24 home for classes, and would continue with the 25 integrity of the Zoom online curriculum we've been</p>	<p style="text-align: right;">56</p> <p>1 the very first step would be to create and 2 disseminate these new surveys requesting feedback 3 and interest in specific proposal points.</p> <p>4 We would do that. We would begin that 5 right away and could have that completed within the 6 next one to two -- well, one and a half weeks, I 7 guess, is what we gave ourselves on that.</p> <p>8 Then we would be -- during that time we 9 would be meeting with staff, students, and parents. 10 We will open up -- we'll be scheduling meetings and 11 opening up verbal feedback as well.</p> <p>12 We know that people are eager for us to 13 get people back on campus as soon as possible. So 14 we want to honor the immediacy of this by doing it 15 in two phases.</p> <p>16 So phase one would be opening on-campus 17 classes as soon as February 16th. And then 18 phase two would have the full implementation 19 happening by the first day of quarter four, which is 20 March 14th.</p> <p>21 In that interim, we would be gathering and 22 analyzing all the feedback and interest, creating 23 schedules for -- for on campus, engaging in budget 24 analysis and feedback regarding adding positions, 25 working with students and staff to shift their</p>
<p style="text-align: right;">55</p> <p>1 using, as well as offering our continued wraparound 2 supports.</p> <p>3 So in our proposal, you'll see we're 4 looking at opening classrooms on campus Monday 5 through Thursday from 10:00 a.m. to 2:00 p.m., with 6 support services available from 10:00 a.m. to 7 3:00 p.m. We would work with students and staff and 8 get student interest and schedule the students, and 9 then staff according to the schedule of students. 10 Then we would also open up for a walk-in component, 11 where students who maybe can't commit to being on 12 campus every day, but may want to walk in and have 13 that option available to them to some extent as 14 well.</p> <p>15 And -- let's see. Am I missing -- I think 16 that's -- I think that's the overall umbrella of the 17 plan.</p> <p>18 Friday classes would remain online with 19 the possibility of creating certain hybrid courses 20 that could also meet on campus.</p> <p>21 So on-campus classes and supports would be 22 open to all students. And health and safety 23 protocols would continue to factor into on-campus 24 structures and decisions as needed moving forward. 25 So what this would involve is making sure</p>	<p style="text-align: right;">57</p> <p>1 schedules to accommodate the new program parameters, 2 and revising and preparing classroom spaces and 3 technology to accommodate altered learning 4 structures; for example, setting up extended 5 computers and stand-up desks, working to inspect and 6 improve our filtering and air quality in the 7 building, and then, again, leading to full 8 implementation on March 14th, and collecting 9 feedback about the program a month later to get some 10 really early feedback about what needs to be 11 tweaked, what's working, not working, that kind of 12 thing.</p> <p>13 Again, I just want to wrap this in what I 14 think is the key part here is that we want to honor 15 what is working for students and families and what 16 students and families are wanting, and we want to 17 offer as much flexibility as humanly possible, given 18 the staff that we have available to do it, and 19 possibly looking for ways, like I said, to increase 20 that staff.</p> <p>21 We realize, as has been spoken, that our 22 school provides a need in our community that is not 23 filled in any other way. And in terms of online, 24 there are thousands of students attending online 25 schools across New Mexico, but those are very</p>

<p style="text-align: right;">58</p> <p>1 independent programs that do not tend to work well 2 for at-risk students.</p> <p>3 And so the program that we have created, 4 we think fills a very unique niche that is in 5 demand. And, again, we are really interested in 6 wanting to bridge this -- our intention has never 7 been to defy anybody. We have simply been trying to 8 walk through a process that was not always clear to 9 us how to best walk forward through it.</p> <p>10 And, again, this did come out of a strange 11 time in our history with the pandemic. And we 12 really want to get things bridged and corrected; 13 however, we need to make sure that we're moving 14 forward in integrity.</p> <p>15 Our heart is really with our students and 16 families. And that is -- we want to do right by 17 them. We think we have a history that shows that we 18 have always kept that integrity in mind in the way 19 that we run our school.</p> <p>20 We are -- we've been fully in compliance. 21 We have clean audits. We -- zero audit findings. 22 We have a strong staff. We have a strong community. 23 So we would like to find a pathway forward to 24 continue doing that.</p> <p>25 THE CHAIR: Thank you, Ms. Arness, for</p>	<p style="text-align: right;">60</p> <p>1 exactly clear on the picture of what opening up the 2 campus means.</p> <p>3 If I went to the school in May, would I 4 see all of the classrooms operational? Or would I 5 only see students -- what happens if one student 6 said, "I want to come in for my history," or 7 whatever, is there only going to be one teacher in 8 there?</p> <p>9 So I just appreciate some clarification on 10 that first.</p> <p>11 MS. TANI ARNESS: Yeah. Thank you for 12 that question. And we're still working out some of 13 the details.</p> <p>14 We -- we're envisioning that it may look a 15 little bit like a Southwest Secondary, Albuquerque 16 Charter Academy, Gordon Bernell structure, where 17 students go into the campus if they choose to, and 18 they would work on their Zoom classes on campus with 19 a human in person that could support them and offer 20 any additional supports as needed.</p> <p>21 COMMISSIONER GIPSON: So let me -- because 22 as you know, one of the concerns that has been a 23 constant raise is the lease purchase and the size of 24 the building and the monies that are going in for 25 leasing that building and if the school is using the</p>
<p style="text-align: right;">59</p> <p>1 your presentation.</p> <p>2 I want to open some questions from the 3 Commissioners as well. And I think if we can -- we 4 don't have to limit completely to the plan. But 5 since that's the most relevant thing for us to gain 6 more insight in, I think I'd love the Commissioners 7 to kind of focus as much of our attention around the 8 ins and outs around the plan.</p> <p>9 Commissioner Gipson.</p> <p>10 COMMISSIONER GIPSON: Sorry. Thanks so 11 much, Tani, for all of this. Just a couple of 12 questions.</p> <p>13 When you're referring to opening the 14 classrooms, what exactly does this mean when you're 15 saying, "We're opening up our classrooms," because I 16 know you -- and I read, quickly this morning, the 17 plan. And you're talking about the surveys and 18 getting students' interests; although, I -- I need 19 to acknowledge the fact that no other public school 20 was -- was offered the opportunity to survey their 21 students to see if they wanted to come back in 22 person. That was the directive, and that's what 23 schools did.</p> <p>24 And I -- you know, I've always appreciated 25 what you do for your school community. But I'm not</p>	<p style="text-align: right;">61</p> <p>1 square footage that they're receiving the lease 2 money for.</p> <p>3 So that's where I'm struggling with this 4 concept of, you know, on one hand, you're saying 5 you're going to open up, but then, on the other 6 hand, it's not necessarily going to be open. And 7 that's where I'm honestly struggling with seeing how 8 this vision is going to be in light of what the 9 school is also being -- I mean, we have to be good 10 stewards of our public money as well.</p> <p>11 So, you know, I'm just not that confident 12 that the school is -- it's going to be used as -- 13 you know, as it was initially chartered, as it was 14 initially intended.</p> <p>15 I'm also going to say that, you know, as 16 much as you offer supports for students -- and I 17 recognize the challenges of the students that you do 18 serve. But part of our responsibility is to get 19 these young adults ready to go out into the work 20 environment.</p> <p>21 And the work environment is more and more 22 a live environment, you know. I'm not -- I'm not 23 missing the irony of this all being on Zoom here. 24 So -- but, you know -- but -- but the transition -- 25 more and more businesses are eliminating their</p>

<p style="text-align: right;">62</p> <p>1 online options for people to work. 2 So don't we have that responsibility to 3 teach our young adults how to be active and valuable 4 participants in society, and be able to go out there 5 and to work and fit into a work environment that 6 requires that social interaction? 7 So that's -- you know, that's where I get 8 challenged as well. 9 And also I think our other online schools 10 have explained to us how they provide services. So 11 I think there's significantly larger options for 12 students to seek appropriate online servicing. So 13 I'm not sure if adding one more is what really is 14 necessary right now. 15 So I think -- 16 MS. TANI ARNESS: Can I respond to those? 17 COMMISSIONER GIPSON: Sure. 18 MS. TANI ARNESS: Okay. Thank you. 19 So I think those are all legitimate things 20 to be thinking about. And I really appreciate that 21 you are thinking about what's going to be best for 22 our students. And we are thinking about that also. 23 In terms of -- I'll just address, in terms 24 of the building, we think that we are aligned with 25 all legal requirements for our building. We are</p>	<p style="text-align: right;">64</p> <p>1 needs of students. 2 And then in terms of the -- the other 3 online schools, I know a lot of online schools are 4 saying, "Yes, we do, you know, synchronous, 5 face-to-face, Zoom meetings," and that kind of 6 thing. I think the difference is other schools do 7 it for -- they offer it maybe an hour a week. 8 Whereas, we are offering daily 70-minute-long Zoom 9 with the teacher so that students are getting -- for 10 our students, consistency and stability is really 11 important. 12 They need -- they need to know what's 13 available to them, because oftentimes things outside 14 of school are very unstable. And so they -- by 15 having that Zoom at the same time every day, and we 16 ask that. We require them to log in. You know, 17 attendance can be an issue, but they are required to 18 log in every day in those classes. 19 And they talk with the teacher; they get 20 realtime feedback; they get one-on-one coaching, 21 discussion, conversation, group activity. I mean, 22 it's -- it really is significantly different than 23 what the other online schools that we have looked at 24 are offering. 25 And then just also small supports that do</p>
<p style="text-align: right;">63</p> <p>1 utilizing the building, and we want to continue 2 looking at ways to best utilize our building. 3 Our lease payments have been cut in half 4 this year, which is really great. So we've saved a 5 lot of expense there. And so we are continuing to, 6 you know, look at that. 7 And we have not received any -- we haven't 8 had any issue with PSFA. We will continue to work 9 with PSFA, and if, at any point, any issue arises, 10 we will certainly do anything that needs to happen 11 to make sure that we're in compliance with the use 12 of our building. That's -- you know, that's 13 important to us to be responsible stewards. 14 In terms of the -- you know, the idea of 15 is the school -- how many -- is the school going to 16 be, quote, really open, right, how many students and 17 that kind of thing, I think that we -- if we are 18 opening the school up to all students to come onto 19 campus each day, then that provides an important 20 link for them. 21 As the parent shared earlier, for some of 22 our students, it may be that there is some days that 23 they want to come in and some days that they don't. 24 So, yes, this wouldn't look like a traditional 25 school setting. But I think it would meet all the</p>	<p style="text-align: right;">65</p> <p>1 take away barriers. For instance, being able to 2 come into the building and register. That sounds 3 like a small thing. But if you're a parent who 4 doesn't have technology at home and isn't good with 5 technology, that stops you from registering at that 6 school. 7 So they need that one-on-one. And our 8 parents really need us to help them walk through 9 that registration process. 10 And that brings me to your last point, the 11 workplace. 12 I would respectfully disagree that the 13 workplace -- I know that -- compared to COVID, yes, 14 some of the workplace is going back in person, 15 right? But the workplace is actually really using a 16 lot of technology, even if it's just you work in 17 that Home Depot, and you do all your training 18 online, and you do your application online. And, 19 you know, there's a lot of online activity now, to 20 where if students are not technologically fluent, 21 they have a huge, huge barrier in getting into the 22 workplace. 23 And what we've noticed is that it makes a 24 big difference that they are actually having a class 25 online where they're online for a significant amount</p>

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1 of time. And we're watching their computer skills
 2 grow out of just the -- the amount of time they're
 3 using those skills is really -- we've seen a huge
 4 shift in technological growth.
 5 We've also seen that students are taking
 6 more responsibility for their learning, because
 7 instead of somebody always over them, going, "You
 8 have to do this, you have to do this, you have to do
 9 this," we're saying, "Well, I can't force you. It's
 10 up to you. Here's how I can help you."
 11 And they kind of go, "Oh, okay, I guess I
 12 want to," right? Because the choice becomes theirs,
 13 and they're starting to take more -- take more
 14 initiative in -- in advocating for themselves, which
 15 I think is a really great soft skill that's needed
 16 in the workplace as well.
 17 COMMISSIONER GIPSON: Okay, thanks. I
 18 appreciate that.
 19 I just want to be clear. I'm not saying
 20 students shouldn't be experienced with technology.
 21 That is not what I'm saying at all.
 22 But I think being a live worker in a
 23 building, it's those skills of teaching and helping
 24 students navigate that.
 25 But I do have one more just quick question

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1 about the plan, because the last part of your -- one
 2 of the last parts of the plan was getting the
 3 building ready and doing the ventilation and getting
 4 computers and so on.
 5 That was supposed to be done. My
 6 understanding, through PED and, slash, public health
 7 guidance back, like, two years ago, I remember, you
 8 know, multiple conversations about being short on
 9 the MERV filters and schools being -- having to send
 10 an assurance, I believe. The director can probably
 11 expand on that.
 12 MS. TANI ARNESS: Let me address that.
 13 COMMISSIONER GIPSON: But I believe there
 14 were assurances that had to be made that the
 15 ventilation systems were up to what the public
 16 health code or guidance was, and there was money
 17 available, and there was money available to upgrade
 18 classrooms for technology.
 19 So I just have a concern that some of that
 20 wasn't done, and there's a loss, if it's the
 21 technology upgrades. There's lost opportunities
 22 there. But I have a real concern if the ventilation
 23 isn't up to what it should be at this point in time.
 24 MS. TANI ARNESS: Yeah. No, rightfully
 25 so. No. Our ventilation, we did do that back

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1 whenever that was, two years ago, a year and a half
 2 ago, whatever, I think, when it was -- first came
 3 out. We went in and we had all the MERV-13 filters
 4 put in and upgraded everything up to the standards
 5 that were required. So that has been done.
 6 What we want to do now -- one of the
 7 issues with our building is the classrooms don't
 8 have windows or doors. So there's -- it has poor
 9 circ- -- poor airflow through the building, which is
 10 a huge issue.
 11 So what we want to do now is install
 12 portable HEPA filters, which we have put a couple of
 13 those into the building already, into, like, the
 14 lobby area that's most used. And we would like to
 15 get some for all the classrooms to have plenty of
 16 HEPA filters.
 17 Eventually, our ideal would be to get it
 18 renovated so that our HVAC only -- the best practice
 19 is for your HVAC to only be attached to one room at
 20 a time, rather than shared rooms. So we'd like to
 21 update that at some point if we can.
 22 And we'd also like to put in more windows
 23 and doors to allow for more airflow. So that's, of
 24 course, a longer-term structural thing that we're
 25 looking at renovations moving forward.

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1 But, yeah, we do have MERV-13 filters. We
 2 do have bare minimum. We would like it to be better
 3 than what it is.
 4 COMMISSIONER GIPSON: Okay. And my
 5 understanding was that the portable filters were
 6 also part of that process, and there was -- I think
 7 that was part of -- there was funding available for
 8 that.
 9 But I appreciate the longer-term
 10 structural plan that you do have. I do appreciate
 11 that. Thanks.
 12 MS. TANI ARNESS: Yeah. Yeah. Thank you.
 13 THE CHAIR: Thank you, Commissioner.
 14 Thank you, Ms. Arness.
 15 Commissioner Beck.
 16 COMMISSIONER BECK: Hello, Principal
 17 Arness. I taught in a classroom for 13 years
 18 through the pandemic at Sandia with no door -- with
 19 no windows. So I can feel for the teachers that are
 20 doing that.
 21 On your hybrid plan, I just have some
 22 clarifying questions.
 23 I'm looking at your staff on your website.
 24 And you have ten certified teachers, it looks like,
 25 and four EAs. Are they in your facility every day

<p style="text-align: right;">70</p> <p>1 now, teaching from your facility to the students? 2 Or are they at home? 3 MS. TANI ARNESS: Teachers have the choice 4 of being on campus or from home. The majority are 5 choosing from home. We have, I think right now, one 6 or two that are going on campus. 7 COMMISSIONER BECK: When you move to this 8 hybrid that you've just put in, will that require 9 them now to be on campus, so the students -- so, for 10 example, Gabriel Little -- because I was a 11 department chair for social studies for about six 12 years. So social studies is near and dear to my 13 heart. Will she be -- or Gabriel is -- will that 14 teacher be on campus to be able to allow the 15 students to come in if they so choose? 16 MS. TANI ARNESS: So what we want to do on 17 that is see how many students pick which days that 18 they want to go in and schedule accordingly. 19 So we would schedule staff to meet student 20 need. 21 COMMISSIONER BECK: Okay. So I'm going 22 back to my time when we moved from fully online into 23 the option of being in the classroom or online. So 24 the teacher, Gabriel Little, if she has a class 25 Monday, Wednesday, and Friday, from 10:00 to 11:00,</p>	<p style="text-align: right;">72</p> <p>1 with a teacher present with them. So you might have 2 different students working on different courses in 3 the same classroom. 4 COMMISSIONER BECK: Okay. For 5 professional development for teachers, if they're 6 all teaching from home, how do you conduct your 7 professional development? 8 MS. TANI ARNESS: Just like this. We do a 9 lot of Zoom. We've gotten really creative in 10 using -- in using Zoom. And we do most of our PD on 11 Zoom. 12 We've -- occasionally, we'll do meetings 13 in the building for various things. But those tend 14 to be smaller group meetings if we do that. So 15 we've found the Zoom to be pretty effective. 16 COMMISSIONER BECK: Okay. Last question, 17 because I experienced this, even though I taught AP. 18 I had some students who would check in, and, since 19 they weren't required to have their cameras on, kind 20 of check out. 21 Is there a means by which -- I know new 22 technology now, we can fuzz in the background, 23 because a lot of our complaints were students felt 24 self-conscious about showing their background. 25 Is there a possibility that that can</p>
<p style="text-align: right;">71</p> <p>1 will students be allowed to be in the classroom or 2 online? 3 And my experience was I was in the 4 classroom and some students were in the classroom 5 and some students were online. Is that what that's 6 going to look like? 7 MS. TANI ARNESS: We are waiting, again, 8 to see what the numbers -- how we can best staff the 9 numbers. 10 One of the things that we're trying to 11 consider on this -- and you may know this, having 12 done this -- is that we don't feel it's ideal to 13 have a teacher teaching the Zoom at the same time as 14 they're having students sitting in their classroom 15 in front of them. It's -- what happens is the 16 attention gets split, and it's hard to do either 17 group justice. 18 So we were looking at how we can best do 19 that so that the students really get quite a bit of 20 one-on-one attention on Zoom. However, it's 21 different than when there's a person standing right 22 next to you, right? 23 So for those who want to have a person 24 standing right next to them, we're thinking we'll 25 have them participating in their Zoom course and</p>	<p style="text-align: right;">73</p> <p>1 happen, that you could supply that? Or is that just 2 off limits? I don't know. 3 MS. TANI ARNESS: So, yeah, there are 4 equity issues that get debated a lot around the 5 cameras issues. 6 A lot of people -- I think the sort of 7 general consensus at this point that I've been 8 reading is that it's seen as more of a video 9 surveillance and an unnecessary thing for 10 classrooms. 11 However, what we have found -- because you 12 are exactly right. The issue is you don't want 13 students to check in and then check out, right? 14 So what we have found for that is we as 15 part of our student orientation, we let them know 16 teachers will be talking with you and working with 17 you throughout the class period. If at any point 18 you are non-responsive, you will be counted absent. 19 And so we make sure that we're interacting 20 with students in real time. And the great thing 21 about it, as you know, is that with the Google Docs 22 and the Google Suite, you are actually sitting there 23 watching students working, and you're seeing the 24 work happen right in front of you for all of the 25 students just with a click of the tab.</p>

<p style="text-align: right;">74</p> <p>1 So you can really tell if a student is 2 participating or not, and you can pull them into a 3 breakout room or chat with them or however you want 4 to address that. But if a student is not 5 participating, they're counted absent. 6 COMMISSIONER BECK: Last question. Just 7 roughly, how many students per classroom are there? 8 So how many students do the teachers usually teach 9 at one point? 10 MS. TANI ARNESS: So we have that -- this 11 is one of the things that makes our school work 12 really well and actually works -- I think it's a 13 necessity on Zoom, if you want it to be 14 interactive -- is when we were on campus, we had a 15 maximum of 17 students per class. We've now brought 16 that down to more like 14 or 15 on Zoom. 17 And so -- and we'll have a class sometimes 18 as small as, you know, six kids -- or students, I 19 should say. 20 So it really varies, but we -- we find 21 that it's important. The students really need a lot 22 of one-on-one coaching. So we try to keep classes 23 as small as possible. 24 COMMISSIONER BECK: So you didn't have 25 32 to 35 students like I did.</p>	<p style="text-align: right;">76</p> <p>1 that they're quoting there and does that affect our 2 actions today. And don't hesitate to tell me I 3 should have known that from what your previous 4 conversation -- 5 MS. JULIA BARNES: I don't think that. I 6 think -- I'm sorry. 7 MS. TANI ARNESS: Yeah. No. Please. 8 MS. JULIA BARNES: Do you want me to 9 address it? Sorry. Thank you. 10 So the timelines that she just went over, 11 is that what your question is? Does that impact 12 your action? 13 COMMISSIONER INGHAM: Well, the fact that 14 it said that we had not followed our own procedures 15 to give them a notification for this meeting and for 16 what we're doing. At least that's the way I read 17 it. 18 THE CHAIR: The Commissioner is asking 19 about 5.b., the other letter, not Ms. Arness's. 20 MS. JULIA BARNES: And there's likely a 21 disagreement between me and counsel on this. 22 What I did respond to Dan Hill about was 23 that this kind of multi-step process, I think the 24 intervention ladder is a little bit concerning. 25 So what would happen today is you would</p>
<p style="text-align: right;">75</p> <p>1 MS. TANI ARNESS: No. I feel for you. 2 The way -- and I have to say, Commissioner Beck, 3 honestly -- and I say this from the bottom of my 4 heart -- the way that the pandemic happened for 5 teachers was brutal in the sense of, like -- and 6 it's nobody's fault, right? It was just people 7 scrambling to try to figure out what would work. 8 But, yeah, it's -- I don't think it's a 9 great representation of the potential of online. 10 Because the way it happened during the pandemic was 11 it was thrown together, and everybody was trying to 12 build it while it was in the air kind of thing. 13 COMMISSIONER BECK: Yes. 14 MS. TANI ARNESS: So thank you for your 15 work in that situation. 16 COMMISSIONER BECK: Thank you. 17 MS. TANI ARNESS: Yeah. 18 THE CHAIR: Thank you, Commissioner. 19 Thank you, Ms. Arness. 20 Other questions -- I don't see any other 21 hands raised right now, but I wanted to make sure -- 22 oh. Commissioner Ingham. 23 COMMISSIONER INGHAM: Yeah. I just was 24 looking at the 5.b. letter and was going to ask 25 Ms. Barnes about the timeline and the constraints</p>	<p style="text-align: right;">77</p> <p>1 issue a notice of whatever action you were going to 2 take. That letter would go out from Chair Brauer 3 tomorrow or today. That gives them 18 days before 4 you would have a further in-depth conversation on 5 all of those issues. 6 So I don't -- I'm not speaking for 7 Mr. Hill. But what I think is is that the intent is 8 to give the school notice, and then a later meeting 9 where you talk about all of the -- where you talk 10 about all of the issues. 11 It is my intent to have you give them 12 18 days' notice before you're going to have that 13 whole dispute. 14 And I pushed back just to fully -- I don't 15 think you have to give ten days' notice of a notice 16 to give 18 days' notice for another thing to give 17 another 30 days' -- I mean, at some point -- at some 18 point, you get to move forward. 19 So my opinion is that this was properly 20 noticed. It is step one. And step two is going to 21 be a full conversation on whatever action you decide 22 to take. So you -- on the intervention ladder. 23 So if you decide to take action on a 24 breach of contract, there's a provision to talk 25 about, you know, a CAP, for example.</p>

<p style="text-align: right;">78</p> <p>1 If you decide to issue a Notice of Intent 2 to Suspend, they'll get notice of the grounds. 3 There will be a full discussion in February if you 4 do a Notice of Intent to Revoke. 5 I do agree it is -- we're trying to fix 6 the steps in that intervention ladder. But I 7 believe that Mr. Hill wanted his clients to have an 8 opportunity to know what you're talking about and to 9 talk about it later. We are giving them that 10 option. 11 MS. TANI ARNESS: If I may, could our 12 counsel, Dan Hill, be admitted so that he could 13 comment on that as well? 14 THE CHAIR: Yes, I'm okay with that. 15 Lucy, can you go ahead and let in -- there 16 we go. 17 MR. DAN HILL: Hey. Good morning, 18 Mr. Chair, members of the Commission. 19 I won't spend a lot of time on this. 20 Just, the letter that was sent to Ms. Barnes quotes 21 the contract, which says, "The Commission shall use 22 the following revocation process: Notify the school 23 at least seven days prior to a regularly scheduled 24 meeting that it will be on the agenda for 25 consideration and whether to issue a notice of</p>	<p style="text-align: right;">80</p> <p>1 MS. TANI ARNESS: Thank you. Yeah. 2 THE CHAIR: Ms. Arness, one second. Madam 3 Secretary, just note that Commissioner K.T. Manis 4 joined us just now. 5 (Commissioner Manis joins the meeting 6 virtually.) 7 THE CHAIR: Ms. Arness, if you had any 8 other -- 9 MS. TANI ARNESS: No. I just wanted to 10 follow that up by saying -- this is -- I know 11 there's all the legal fine-tunings of reading 12 contract language from the school's perspective. 13 Our hope is really to be able to just find a pathway 14 forward to be able to continuing what we think is in 15 the best interest of students. 16 And, again, we're really trying to find 17 that bridge to where we're bringing students on 18 campus, offering them the on-campus class option, 19 and then also maintaining the benefits that we've 20 seen from offering that online flexibility. 21 THE CHAIR: Thank you, Ms. Arness. 22 If there are any other questions for 23 Ms. Arness right now, we'll take those. Or we will 24 move into discussion of -- of our next steps. 25 Any other final questions for this school?</p>
<p style="text-align: right;">79</p> <p>1 intent to revoke the charter." 2 My understanding is that's what you're 3 doing today. And, you know, we've outlined that 4 there wasn't seven days' notice. 5 I think we wanted to be really clear that 6 we're still coming -- the school is still coming to 7 the meeting, and, you know, wants to present and 8 wants to really get to a resolution of the issues, 9 and we don't want to be -- certainly don't want to 10 be having to file an appeal or go to District Court. 11 I don't think that's in anyone's interest. 12 But the contract says what it says, and so 13 we've pointed that out to you. 14 Also just want to point out the -- you 15 know, the statute requires that you have -- that the 16 Commission develops processes for suspension. You 17 know, my understanding is there's no process or rule 18 that's been developed for suspension. 19 If there is, please provide it to us. But 20 I would just caution that, you know, our position is 21 that there's not really an available option in terms 22 of suspension at this time. 23 But happy to answer questions, but I think 24 it's more important that Director Arness, you know, 25 presents the educational plan of the school.</p>	<p style="text-align: right;">81</p> <p>1 Commissioner Carrillo. You might be on 2 mute, sir. 3 COMMISSIONER CARRILLO: Here we go. Of 4 course. 5 So it sounds like, based on what your 6 answers to Ms. -- to Commissioner Gipson, teachers 7 may or may not be in school. 8 So I'm wondering, you know, if I may -- I 9 don't know. I have a history class, and my teacher 10 has been doing things on Zoom, but I want to go into 11 school. Who's going to be there in that classroom? 12 Is my teacher then going to be there in that 13 classroom if I want to be in class that day, but 14 she's at home? 15 MS. TANI ARNESS: So, yeah. How it would 16 work is students -- this is -- again, we're 17 fine-tuning some of this, and it's going to rightly 18 depend on feedback and student interest, et cetera. 19 But the idea is that students would be in the 20 classroom at the school with a teacher working on 21 whatever Zoom class they're working in. 22 And if there's any, you know, difficulty 23 or anything like that, the person who's in the 24 classroom can help assist that student in person. 25 It's like many schools do, where students come into</p>

<p style="text-align: right;">82</p> <p>1 a -- a classroom and work on, you know, various 2 computer things in their classroom. A lot of 3 schools have students working on Edgenuity and et 4 cetera in a school classroom. A teacher is there to 5 help them as needed.</p> <p>6 In terms of the subject expertise -- so 7 say you're in a social studies class. The social 8 studies teacher is there, like I'm here now with 9 you, able to talk with either the teacher in the 10 classroom and/or the student in the classroom.</p> <p>11 So it becomes a truly hybrid experience of 12 being able to navigate the course.</p> <p>13 COMMISSIONER CARRILLO: Okay. It sounds 14 like that social studies teacher -- my teacher -- 15 let's say my teacher is Mr. Smith -- may very well 16 not be there. He'll be at home. And there will be 17 somebody in the classroom or at the school. But, 18 honestly, that sounds like more of a proctor than a 19 teacher.</p> <p>20 It sounds like someone, you know, just 21 making sure that maybe work is being done on E2020, 22 but really not necessarily knowing that student and 23 what they're working on in their social studies 24 class.</p> <p>25 And, you know, my concern also is, working</p>	<p style="text-align: right;">84</p> <p>1 a Zoom classroom, the teacher is actually -- and 2 many students have expressed this to us -- the 3 teacher is more accessible, actually, than in a 4 brick-and-mortar classroom, because you're front and 5 center -- I can see you right in front of me. Every 6 student in the class has a front-row seat.</p> <p>7 I can talk with you privately by using the 8 chat. I can talk with you verbally.</p> <p>9 So there's really a lot of teacher access 10 that happens in Zoom.</p> <p>11 So I -- I want to just stress that in 12 visualizing this -- I know that it's hard if you 13 haven't experienced it -- but the teacher is there 14 with the student through the Zoom, and then the 15 issue being if a student doesn't want to be at home 16 for some reason, is, you know, finding distraction 17 or that kind of thing, they also have an in-person 18 teacher in the room with them that can also assist 19 them.</p> <p>20 So I -- there is no proctoring of subjects 21 happening. The subject teacher is front and center 22 with the student going through the curriculum.</p> <p>23 And we did provide 85 pages of curriculum 24 sample showing the types of things that we're doing. 25 I do think, logistically, that - from everything we</p>
<p style="text-align: right;">83</p> <p>1 on E2020 or any sort of a computer thing in class, 2 that's not live teaching. That's still -- that's 3 computer teaching. That's kids on E2020. And -- 4 which I don't have a lot of faith in, given some 5 different challenges we had at Santa Fe Public 6 Schools, sharing of information, things of that 7 nature.</p> <p>8 So I'm just -- you know, my sense is for 9 this to work for me in my way, teachers need to come 10 to school. They need to be in their classrooms, and 11 so that when kids show up, the teacher for that kid 12 is there.</p> <p>13 And whether -- and then if there's kids at 14 home that want to access that teacher, they can. I 15 know that it's complicated to do both. But, I mean 16 that would be my feeling on - having teachers come 17 back.</p> <p>18 MS. TANI ARNESS: Can I respond to that, 19 please?</p> <p>20 COMMISSIONER CARRILLO: Of course.</p> <p>21 MS. TANI ARNESS: So I definitely hear 22 what you're saying. I know this is a 23 non-traditional way, and it's hard to imagine how 24 this works.</p> <p>25 So I just want to stress the idea that in</p>	<p style="text-align: right;">85</p> <p>1 have experienced and have seen, this logistically 2 makes the most sense.</p> <p>3 THE CHAIR: Okay. I would -- I hear what 4 you're saying. And I understand what you're trying 5 to do. I still have that concern. I -- you know.</p> <p>6 MS. TANI ARNESS: Okay.</p> <p>7 COMMISSIONER CARRILLO: I don't think it's 8 going to change.</p> <p>9 You had mentioned that the option -- they 10 have the option to have camera on or off. And this 11 was related to some of the things that Commissioner 12 Beck had brought up.</p> <p>13 So this is a simple yes-or-no question. 14 Are they required to have their cameras on 15 or not?</p> <p>16 MS. TANI ARNESS: They are not required. 17 It's decided in classrooms, where students get 18 choices as to how they are wanting to be seen and 19 heard in different classes.</p> <p>20 I will just say -- I know this has come 21 up, and this is near and dear to your heart, and I 22 respect that.</p> <p>23 I just will say that this is best practice 24 that I've seen. It's what universities are doing. 25 It's what schools are doing. And there are ways to</p>

<p style="text-align: right;">86</p> <p>1 make sure that students are participating without 2 having to force video.</p> <p>3 COMMISSIONER CARRILLO: All right. I 4 respectfully disagree.</p> <p>5 The -- it's a concern of mine, because as 6 I'm recalling from one of the discussions I think we 7 had in September, given that students even have the 8 option to do virtual as opposed to in-school, they 9 didn't have a very good attendance rate.</p> <p>10 And I'm trying to bring up those numbers, 11 and I can't right now. I just remember being kind 12 of appalled, where kids, you know, wanted to do 13 online, but they still didn't attend.</p> <p>14 So I don't have those numbers. I'd have 15 to -- I'm not able to have three screens going at 16 once and bring stuff up.</p> <p>17 So, I mean, that's a concern of mine.</p> <p>18 A concern of mine also, you know, I look 19 at the -- I'm happy to see that when we look at the 20 five- and six-year graduation rate, where kids -- 21 students -- need more time, that that graduation 22 rate goes up.</p> <p>23 My concern is mostly about proficiencies. 24 And -- because the proficiency rates for your 25 school -- I mean, this is all combined, right? And</p>	<p style="text-align: right;">88</p> <p>1 Oh. You said about -- there's two other 2 things. The survey. I remember the last time we 3 discussed survey, I was looking at your numbers, and 4 I don't think you had the answer to -- you know, 5 people use surveys all the time. But if you're 6 surveying 100 people but only 20 people respond, and 7 you can say out of the 20, you know, 15 supported 8 something, and then you say 75 percent have 9 supported this issue, that's completely 10 disingenuous, because it's only 15 people out of the 11 100.</p> <p>12 So if you're going to do any surveys, and 13 you plan on presenting them to us, I think they have 14 to have the pool size, everyone that's available to 15 be given the survey, how many people actually 16 respond and take the survey, and then how many 17 respond a certain way, because that really gives a 18 much better idea of numbers.</p> <p>19 So no response required. But if you're 20 going to do a survey, that's the way it needs to be 21 done if I'm going to take it seriously at all.</p> <p>22 The mention of at-risk students. You 23 know, I believe -- well, I know -- that people at 24 Pecos -- at Pecos Academy and New Mexico Connections 25 would take kind of a great dispute with you in</p>
<p style="text-align: right;">87</p> <p>1 I know that really what we were discussing today is 2 whether or not to move down a path.</p> <p>3 But that's a big concern of mine, and it 4 was the same thing at SFPS, is you didn't graduate 5 and get a diploma with a D average. But are people 6 learning the skills that they need?</p> <p>7 And Ms. Gipson brought this up relative to 8 if there's -- doing everything online, part of work 9 skills is with people, just -- I imagine you 10 experience this in your life, or someone -- you 11 just -- people don't know how to interact. They 12 don't know how to write and shake hands, to look you 13 in the eye, or talk in front of a classroom, or give 14 an oral report, or any of these things that are soft 15 skills.</p> <p>16 And I'm just -- I'm very concerned about 17 the school. And then also the thing about -- I 18 appreciate that you weren't defying the wishes of 19 PED and everything. But I think that a lot of us, 20 that's the way -- there's no other way to see it 21 when you won't respond over and over and over again 22 to requests for information.</p> <p>23 And this is not just PEC. PED was 24 requiring that people go in person. I don't know. 25 Those are the things that I have.</p>	<p style="text-align: right;">89</p> <p>1 saying they don't provide the students with the same 2 kind of at-risk. Because they do.</p> <p>3 I mean, I'm not a huge supporter of a 4 massive online school with 1,000 kids. But, I mean, 5 they come to us, and they do say that they are very 6 cognizant of equity issues, of Yazzie/Martinez, in 7 providing kids the at-risk services that they need.</p> <p>8 So I'm glad you're doing that, but it's 9 not that they're not doing that.</p> <p>10 So that's all for now.</p> <p>11 MS. TANI ARNESS: Thank you, Commissioner 12 Carrillo. I appreciate you putting thought into 13 some of these issues. And I would -- I would like 14 to point out that, as was discussed in December, 15 there has also been -- there's qualitative and 16 quantitative data supports this.</p> <p>17 And the quantitative data I think that's 18 most compelling is this: Students are voting with 19 their feet, and our mobility has gone down. Our 20 retention has gone up. And so I think that's an 21 important piece of this puzzle as well.</p> <p>22 And we are integrating soft skills into 23 what we're doing. Sometimes -- there's a wide range 24 of different soft skills, including self-regulation, 25 self-advocacy, and, you know, different ways of</p>

<p style="text-align: right;">90</p> <p>1 socializing.</p> <p>2 So I think we're just really trying to see</p> <p>3 that there's a lot of room for different things in</p> <p>4 terms of what we can build.</p> <p>5 And -- yeah. And I would just -- in terms</p> <p>6 of the at-risk, again, I think that some of the</p> <p>7 subtle differences that aren't always obvious make a</p> <p>8 big difference for at-risk students. And we are</p> <p>9 aware.</p> <p>10 We have seen that our students have not</p> <p>11 been able to be successful in more traditional</p> <p>12 online programs in past years. Some of them have</p> <p>13 wanted to try that route. And the amount of</p> <p>14 independence that's required doesn't suit a lot of</p> <p>15 our students.</p> <p>16 So, you know, it's -- it's all on a</p> <p>17 relative scale. But I do appreciate your comments.</p> <p>18 THE CHAIR: Thank you, Commissioner</p> <p>19 Carrillo.</p> <p>20 Thank you, Ms. Arness.</p> <p>21 Commissioner Beck. Then Commissioner</p> <p>22 Gipson.</p> <p>23 COMMISSIONER BECK: Yeah. Just a comment.</p> <p>24 I agree with Commissioner Carrillo a lot that I</p> <p>25 think if you would move into this hybrid model, that</p>	<p style="text-align: right;">92</p> <p>1 to stay online," I'm going to use Commissioner</p> <p>2 Carrillo's expression of kicking the can down the</p> <p>3 road again. We're kicking it to, you know, two</p> <p>4 months down the line.</p> <p>5 So I have a concern about accepting the</p> <p>6 plan with the surveys, and a similar concern about</p> <p>7 how many surveys would constitute a valid survey. I</p> <p>8 think there would have to be parameters set on that</p> <p>9 if that was going to be a plan that was adopted.</p> <p>10 But I have -- I do have those concerns of</p> <p>11 accepting that plan and now waiting for those</p> <p>12 surveys to come back, and we could be sitting here</p> <p>13 once again in the exact same place.</p> <p>14 MS. TANI ARNESS: May I comment?</p> <p>15 THE CHAIR: Yes, you can, Ms. Arness.</p> <p>16 MS. TANI ARNESS: So I just have to say</p> <p>17 that one of the things that I've learned over the</p> <p>18 past three years is that I think it's important for</p> <p>19 us to break out of some overly rigid structures that</p> <p>20 sometimes prevail in our traditional education</p> <p>21 system.</p> <p>22 We also didn't think -- going into this</p> <p>23 three years ago, we weren't sure that this was</p> <p>24 possible or that it could work. And we have really</p> <p>25 had our eyes opened over the past three years to a</p>
<p style="text-align: right;">91</p> <p>1 you do have to have the teachers at the</p> <p>2 18,000-square-foot facility you have so that when</p> <p>3 the students do come in and have a question for</p> <p>4 the -- regarding social studies, that the actual</p> <p>5 expert, the social studies teacher, is there to be</p> <p>6 able to give them the information.</p> <p>7 And I think from my experience -- I mean,</p> <p>8 during the whole pandemic, I taught from my</p> <p>9 classroom. So I taught when the kids weren't even</p> <p>10 there from my classroom. And I was able to utilize</p> <p>11 the whiteboard or the SMART Board or whatever -- all</p> <p>12 that stuff.</p> <p>13 So I agree a lot with Commissioner</p> <p>14 Carrillo on the idea that the teacher should be</p> <p>15 there. So that's just my comment.</p> <p>16 THE CHAIR: Thank you, Commissioner Beck.</p> <p>17 Commissioner Gipson.</p> <p>18 COMMISSIONER GIPSON: Yes. Thanks for</p> <p>19 that. That was my concern with that plan of opening</p> <p>20 up the classrooms. I couldn't see what that really</p> <p>21 was going to look like.</p> <p>22 And now, you know what? I'm going to say</p> <p>23 I forgot what my -- oh. Surveys.</p> <p>24 My concern is if we accept the plan and</p> <p>25 the surveys come back and the surveys say, "We want</p>	<p style="text-align: right;">93</p> <p>1 lot of potential.</p> <p>2 And I think if -- if students and families</p> <p>3 are voicing that it's working better for them to</p> <p>4 participate in a Zoom class from home, we need to</p> <p>5 honor that and -- and be open to what works best for</p> <p>6 students.</p> <p>7 THE CHAIR: Commissioner Manis.</p> <p>8 COMMISSIONER MANIS: Thank you. The only,</p> <p>9 I guess, statement -- because I've heard from</p> <p>10 Commissioner Carrillo and Commissioner Beck. And I</p> <p>11 agree with them, and I think that what Commissioners</p> <p>12 have stated is that being in a hybrid format, that</p> <p>13 teachers being in a classroom, it's not an</p> <p>14 unreasonable request.</p> <p>15 And it's not an unreasonable expectation</p> <p>16 that teachers are in the classroom if the students</p> <p>17 need it. Students can choose whether or not they</p> <p>18 come to the school. But the teacher should be there</p> <p>19 regardless.</p> <p>20 And that's not an unreasonable request or</p> <p>21 expectation that they're in the building for the --</p> <p>22 whether it's 8:00 a.m. to 3:30 p.m., whatever it is,</p> <p>23 that they're available. And it's the student's</p> <p>24 choice whether they come or not, still, whether</p> <p>25 they're completely online, whether they spend half</p>

<p style="text-align: right;">94</p> <p>1 the day online, half the day in the school, it's the 2 student's choice, whatever it ends up being. 3 And I don't think that that's an 4 unreasonable request. Nobody is -- I don't think 5 it's stated that hybrid is bad or any of this. It's 6 just that the expectation or the thought is that 7 teachers should be in the classroom and available 8 when students need it and if they need it in person. 9 Thank you. 10 THE CHAIR: Thank you, Commissioner Manis. 11 Any other -- any other questions for Ms. Arness 12 before we move into discussion, where the Commission 13 will be discussing -- but we also -- we can also ask 14 additional questions, if necessary, to either 15 Director Chavez, Ms. Barnes, or Ms. Arness as we sit 16 and discuss. 17 So I wanted to see if we are okay. We can 18 move into -- move into discussion if we are finished 19 with our questions at this stage. 20 (No response.) 21 THE CHAIR: Let's move into our discussion 22 then. 23 Commissioner Gipson. 24 COMMISSIONER GIPSON: I don't know whether 25 I really need discussion, you know, to say anything</p>	<p style="text-align: right;">96</p> <p>1 But it can't be a menu of, "You get 2 everything that you want." We're just -- we are a 3 bureaucracy. We can only be so flexible. And we 4 have to answer to -- you know, to our constituents 5 in terms of monitoring and public funding. 6 So I'll end it at that. 7 THE CHAIR: Thank you, Commissioner 8 Gipson. 9 Commissioner Carrillo. 10 COMMISSIONER CARRILLO: Okay. Sorry. 11 Okay. 12 Negotiating -- I'm having a Zoom problem, 13 where I only get a half a screen, and I don't know 14 what the deal is. It's me not having the technical 15 skills, right? 16 So I was able to look up information. The 17 attendance rate is around 52 percent. 52 percent. 18 I hope everyone is, like, not literally 19 falling out of their chair, but kind of falling out 20 of their chairs. 21 So that -- to me, that does not bode well 22 for -- I don't know -- the success, or even the 23 potential of success for kids. 24 How many times does PED say -- and 25 district say -- "Can't learn if you're not there,"</p>
<p style="text-align: right;">95</p> <p>1 more. I think what I said through my questions has 2 made it fairly apparent what my thoughts are. So I 3 don't personally feel that I need to add anything 4 more to this. 5 I firmly agree staff should be on campus. 6 Students should be on campus as much as possible. 7 I firmly agree that there are a small 8 number of students that not being on campus may work 9 really well for them. But that the vast majority of 10 students can be on campus. 11 But, absolutely, staff has to be on 12 campus. That building has to be utilized to its 13 full potential. The staff has to be utilized to its 14 full potential. 15 And just reiterate my concern over if a 16 survey goes down the road and everyone says, "No, we 17 want to be online," and staff wants to be online, 18 you know, I think we've all become kind of 19 Gumby-ish. 20 I think we're fairly flexible. But 21 it's -- this is our kids' education. And there is a 22 point in time when the parents and the children 23 don't run the educational system. And as much as 24 I -- we're here because of choice. And we want 25 parents to have as much choice as possible.</p>	<p style="text-align: right;">97</p> <p>1 okay? You know, I have a problem with that. 2 I want to see, you know, "Teachers, get 3 into your classrooms. Get into the school. Utilize 4 the facility. That's what you were doing." 5 And I don't believe there's any reason 6 teachers cannot be at the facility in school ready 7 to go, teaching the classes from their classrooms. 8 And if kids show up, then they show up. 9 And so we -- getting back to the kind of 10 technical issue, we did not approve a hybrid or a 11 virtual school. We didn't. And that, to me, is a 12 black-and-white issue. And all the ways we try to 13 fit the square peg into the round hole, you know, 14 that's what we seem to do in New Mexico with 15 virtually everything. 16 When Chair Brauer said, "Now it's time for 17 discussion," I said to myself -- I'm being -- I'm, 18 like, what have we been doing? Are you asking for a 19 motion? Or what is it that you think is next, and 20 we go there, and -- I'd be curious to maybe hearing 21 from Commissioners we haven't heard from. 22 I'm just -- yeah, I'm troubled by this and 23 that it's gone on for two years. 24 THE CHAIR: Thank you, Commissioner 25 Carrillo.</p>

<p style="text-align: right;">98</p> <p>1 Ms. Arness, I saw that you responded in 2 the chat as well. And I did have a few questions as 3 well and, Commissioner Beck, I'll send the ropes 4 over to you in a moment.</p> <p>5 COMMISSIONER CARRILLO: Hold on a second. 6 Responding in the chat to something that we're 7 saying is against the Open Meetings Act. So the 8 chat -- I mean, it's a useful tool for public forum, 9 but not for each other, and certainly not for any of 10 the attendees.</p> <p>11 THE CHAIR: All right. Commissioner 12 Carrillo, thank you for that clarification. I 13 appreciate that.</p> <p>14 I just shared that she did write something 15 in there. And I think it would be -- after I get a 16 chance to ask my question, if you are so moved, if 17 you feel like it's appropriate for her to respond 18 to -- and also could we -- Lucy, I just realized 19 that I think we usually disable chat as well during 20 this time as well; is that correct, Missy?</p> <p>21 MS. MISSY BROWN: We do, and I just did.</p> <p>22 THE CHAIR: Okay. Thank you.</p> <p>23 Ms. Arness, I just have a question. I 24 believe that you heard from multiple Commissioners 25 around potentially amending the plan that you</p>	<p style="text-align: right;">100</p> <p>1 snapshot, I think in part due to the extended 2 learning piece that many of the students weren't 3 interested in attending that's added now to that 4 snapshot.</p> <p>5 However, in general, our attendance 6 remains around 70 percent. And that's been steady 7 over the entire history of the school. It 8 fluctuates a few points up or down.</p> <p>9 Attendance is an ongoing focus for at-risk 10 students who have a lot of things happening in their 11 lives that make it very difficult to get to class. 12 So one of the ways that we work with that is we use 13 a mastery-based learning model, so even if they miss 14 class, they are held to having to make up, go to the 15 study hall time and make up what they missed and 16 work with teachers to make sure that they are 17 completing all work.</p> <p>18 In terms of the plan, we -- yeah, I think 19 to clarify, the intent was not to say we're not 20 going to open classrooms because nobody wants 21 classrooms, even if that's what the surveys show. 22 Our intention is to have classrooms open for 23 students to be able to come on campus, as many of 24 you have said. And they may not want to use it, but 25 it's there for them. So that's the goal of that.</p>
<p style="text-align: right;">99</p> <p>1 brought in today for us.</p> <p>2 I am hearing potentially amendments to 3 ensuring that all teachers report to the school is 4 one large clarification that I think is part of some 5 of the conversation that we've had so far.</p> <p>6 And I think the other thing that I've 7 heard from multiple Commissioners is that although I 8 think it is prudent to send another survey out to 9 discuss opportunities for student learning as you 10 all move into in-person, it probably should preclude 11 any big decisions around, you know, everything is 12 saying that we need to stay in online mode.</p> <p>13 So I was wondering, Ms. Arness, if you 14 would be willing to make any amendments to the plan 15 that you brought to us today.</p> <p>16 MS. TANI ARNESS: Thank you. And I 17 apologize for using the chat. I didn't snap.</p> <p>18 So thank you, Commissioner Carrillo, for 19 pointing that out. That's an important protocol.</p> <p>20 And, yeah. So in -- let me address what I 21 put in chat so that it's on open record. I was just 22 saying that the overall attendance rate is 23 incorrect.</p> <p>24 There was one snapshot where our 25 attendance rate was that low at end-of-year</p>	<p style="text-align: right;">101</p> <p>1 THE CHAIR: Commissioner Beck. Then 2 Commissioner -- Vice Chair Burt.</p> <p>3 COMMISSIONER BECK: The -- you know, one 4 of the things -- whoa. What just happened? I don't 5 even know.</p> <p>6 One of the issues of this particular 7 situation is I think this school is kind of a last 8 option for a lot of the students that are having 9 major issues, somewhat like the person that was in 10 the public forum. So I think there's a valid place 11 for this in terms of something innovative, something 12 unusual, something we're not used to.</p> <p>13 And as I said, for the whole two years, I 14 did deal with this kind of online learning. So I 15 know what she's saying, where you have a lot of 16 tools within Google to be able to interact with 17 students, through the classroom, through the chat 18 areas -- I don't remember what the terms are for 19 them -- but you can absolutely be very interactive 20 with the kids.</p> <p>21 I think it's critical that the teachers 22 are on campus. And I think it's critical that the 23 students feel welcome to be able to go in there and 24 talk to their teachers face-to-face. I think 25 that's -- that's critical.</p>

<p style="text-align: right;">102</p> <p>1 I'm fuzzy as to how that would work. And 2 maybe - because we've brought it up now, they don't 3 really know exactly how that would work. But I 4 think it's really important that the students have 5 the option and ability on a weekly basis, almost 6 daily basis, if they so choose, to be with that 7 teacher and learn from that teacher person to 8 person. And that's truly what a hybrid is, is the 9 ability for the student to determine. 10 And I get there are a lot of students that 11 have issues. I saw it in my two years. My daughter 12 is a special ed teacher. I dealt, as a department 13 chair, with a lot of special ed teachers. And there 14 are kids that just can't get into school for a 15 myriad of reasons. And this gives them the 16 innovation to be able to do that. 17 But it's got to be done correctly. And 18 I'm fuzzy as to how that would work if, in fact, 19 you're not doing the same class for the kids in 20 class and online. Possibly staff hours, hours where 21 the kids could come in and get clarification 22 personally from the teacher. 23 But I see a place for this. I see a place 24 for this. 25 THE CHAIR: Thank you, Commissioner Beck.</p>	<p style="text-align: right;">104</p> <p>1 campus and are always available in those schools. 2 So it may just be a good use of time for the school 3 to reach out to those hybrid schools that have been 4 in existence for a while and just see how they do 5 things, because they've shown success over the 6 years, both academically, attendance, doing it to 7 where, you know, it's successful for both the 8 students and the teachers. 9 And so that's where I agree with 10 Commissioner Beck. I just think that -- I think 11 that a true hybrid is that the teachers are there, 12 that they're accessible at all times. And the 13 students are the ones that get the flexibility. 14 And I -- once again, I agree with 15 Commissioner Beck. I think this school should have 16 that flexibility, should be able to provide that for 17 its students. 18 I think that's what you've seen work for 19 your students is having that flexibility for them to 20 do it. 21 What maybe could work better is the 22 accessibility on campus for when the students need 23 that as well. 'Cause I -- I mean, I know -- we 24 talked about this when we did your amendment. Your 25 re-enrollment rates are going up. But I just wonder</p>
<p style="text-align: right;">103</p> <p>1 Commissioner Burt. And then Commissioner Armijo. 2 COMMISSIONER BURT: Thanks. I actually -- 3 I'll say I think -- I don't have any questions. 4 It's just going to be comments. 5 And I think I'm, like, along the same -- I 6 don't see Commissioner Gipson anymore. But I think, 7 you know, basically what she was saying in her 8 questions is kind of what my feelings are. 9 I feel like this plan isn't complete 10 enough to be able to approve it right now. Like, 11 the idea that there still needs to get more 12 information gathered from the community in order to 13 actually decide what it needs, to me means it's not 14 ready right now. 15 So I'm not anywhere near ready to, like, 16 be, like, "Okay, yeah, just approve with this 17 amendment about the teacher." Like, I don't feel 18 like it's ready yet for -- for that. 19 And also I do agree as well. I think 20 there's a couple of hybrid -- very successful hybrid 21 schools that have been around long before the 22 pandemic, that this school would maybe want to 23 consider reaching out to and how that works. 24 And the teachers are on a campus. Even 25 though it's a hybrid school, the teachers are on</p>	<p style="text-align: right;">105</p> <p>1 how many students you could be serving better, or 2 you could be serving, if they did have the option to 3 go meet with a teacher. 4 Maybe you have a lot of students who, you 5 know, they're doing well in this model that you've 6 created so far from the pandemic. But what if you 7 could be serving them better? Or what if you lost 8 some students who needed the in-person that you did 9 not -- that you refused to provide even when it was 10 supposed to come back to the in-person learning? 11 So I think those are kind of the kiddos 12 that I'm thinking you may -- you may have lost or 13 you may not be serving in a way that you would want 14 to. 15 So I agree. I think, for me, a hybrid 16 model could be a great solution for continuing to 17 pull in your educational program and still 18 fulfilling your contract obligations. 19 I think I'm -- the thing I'm frustrated 20 about this is, to me, this is a piece that was lost. 21 And I'm really frustrated that the process wasn't 22 followed starting last year. I think a lot of this 23 could have been resolved well before we were here 24 today, and I think that's what I'm frustrated by. 25 And so I feel like we're doing all of this</p>

<p style="text-align: right;">106</p> <p>1 backwards. All of this that's in the plan, I feel 2 like should have happened last year. Like, this -- 3 everything that you're doing in this idea right now 4 should have happened whenever the PED said, "Hey, 5 everyone needs to come back in person." All of this 6 should have happened then. 7 So it's a little frustrating that it's, 8 like -- as a Commissioner and as the Commission, I 9 don't think we want to try to control the school in 10 how they're doing things. But when it's blatantly 11 just disregarding directives, that's frustrating to 12 have to get to this point and, to me, waste our time 13 and resources doing something that should have been 14 done at the beginning. 15 The paperwork should have been filed 16 correctly. You know, there's just a lot of things I 17 think that could have prevented this. 18 So for me, I think -- I don't want to 19 limit the Commission's options moving forward. And 20 so for me, I feel like the way that I'm kind of 21 seeing this move forward is going to be -- you know, 22 we do have -- I think the -- the process that we 23 are -- I don't really want to skip the breach 24 process is where I'm at right now, because I don't 25 want to -- I don't think -- I'm not ready to go down</p>	<p style="text-align: right;">108</p> <p>1 to see their teacher, they can go on campus to see 2 their teacher. That's what hybrid is. 3 I don't know if that's -- I know that's 4 not contemplated in the plan right now that the 5 teachers are just there all the time. But I 6 actually do think that's what would make most sense 7 for what the contract says, what's in the education 8 program, and what's in the plan as well, and provide 9 the most support to the students. So that's going 10 to be where I'm going to head with the next step. 11 THE CHAIR: Thank you, Vice Chair Burt. 12 I wanted to also just make mention that 13 Commissioner Gipson is back with us, and I believe 14 she is online, as opposed to -- sorry -- on phone as 15 opposed to being online. 16 Commissioner Gipson, if you need to, you 17 can just come off if you aren't unable to raise your 18 hand at this stage as well. 19 Ms. Barnes. And then we'll go to 20 Commissioner Armijo and Commissioner Carrillo. 21 MS. JULIA BARNES: Just Chair Brauer, I'm 22 wondering if we can't promote her. And maybe we're 23 working on that. 24 MS. MELISSA BROWN: She's been promoted. 25 THE CHAIR: She's in the Zoom.</p>
<p style="text-align: right;">107</p> <p>1 a revocation yet with this school, and especially 2 with the openness to -- you know, looking at the 3 plan that was presented, deploying the plan that was 4 presented, I feel like that could -- it could be a 5 solution. 6 So I feel like -- what I feel like the 7 best thing for me would be to go ahead and -- I'm 8 ready to make a motion on Notice of Breach; 9 although, I won't do that yet, until we're ready to. 10 But what I think would be the best thing to do is 11 issue the Notice of Breach, allow the school to have 12 the opportunity for the time that they need to fix 13 this plan, to show that they did the community 14 outreach they want to do, that they get the input 15 that they were wanting, and we do have the 16 opportunity -- like, I like the language that 17 Ms. Barnes gave us that says if the school is able 18 to, you know, solve this issue by the meeting, that 19 it could be remo- -- you know, we could go back into 20 good standing at any time should the school present 21 a complete plan that addresses all these things. 22 And I think also it really does need to be 23 a true hybrid. And I do agree with the 24 Commissioners. That means that the teachers should 25 be available on campus, that anytime a student needs</p>	<p style="text-align: right;">109</p> <p>1 MS. JULIA BARNES: Okay. Super. 2 COMMISSIONER GIPSON: Yeah, I'm here. I 3 don't know whether you can see me, but I'm here. 4 THE CHAIR: Thank you, Commissioner. 5 Commissioner Armijo. And then 6 Commissioner Carrillo. 7 COMMISSIONER ARMIJO: Yes. So almost 8 everything that Vice Chair Burt said is exactly what 9 I was going to say. The only thing I would add is 10 that I -- my biggest concern is for the impact on 11 the community and the students. And I don't want to 12 negatively impact that community and those students, 13 because as we know, those students are basically the 14 marginalized community that we need to serve the 15 most. 16 So I would agree that I would like to go 17 the route that Vice Chair Burt presented. I am -- 18 I'm also thinking that -- you know, I heard Director 19 Chavez say that in 2024, the school is going to have 20 the option to -- to renew their contract either with 21 us or with the district. And so I would, you know, 22 strongly advise them to also renew -- you know, add 23 all this language into their charter so it is clear 24 what they want to do as a school and who they want 25 to serve and how they want to serve them.</p>

<p style="text-align: right;">110</p> <p>1 This model they want to follow is 2 extremely full of options for students. And I think 3 that is what that community needs. And so I -- 4 yeah, I also feel that it is -- they're trying to 5 catch up to something that was, like, rolling 6 downhill really quickly, and we -- I really wish 7 that it had been put in place before. 8 But we're here now, and I think that's 9 sort of the best way we'd like to go. 10 I do not want to see a school into 11 revocation -- I'm not ready for revocation right 12 now. So the option that Vice Chair Burt outlined, I 13 think is the best way to go. 14 Thank you. 15 THE CHAIR: Thank you, Commissioner 16 Armijo. Commissioner Carrillo. And then I just 17 want to share -- just giving a quick time check. I 18 know that we've been discussing this for quite a 19 bit. 20 And so I -- if you are -- if the -- the 21 Commission is ready after Commissioner Carrillo's 22 comments or questions, I think it would be best for 23 us to move into a potential motion. 24 Commissioner Carrillo. 25 COMMISSIONER CARRILLO: Thank you. So --</p>	<p style="text-align: right;">112</p> <p>1 maybe could have been avoided if the leadership team 2 had taken all this -- I'm going to say taken all 3 this seriously to begin with. Not the attitude of, 4 "Hey, we're just going to do what we feel like and 5 see what comes down the pike." Maybe, "This is 6 serious and we should respond." 7 And what that makes me think is that 8 perhaps any kind of plan going forward -- and we're 9 not -- we are not the people that can do this, this 10 has to be done with you guys -- maybe you need to 11 look at changes in your leadership team. And that 12 would be including the board and any faculty 13 leadership. Because I think that's what's brought 14 us to this point. 15 And that doesn't -- that gives me pause in 16 terms of saying -- if I could find a football team 17 staying with the same head coach when we're just not 18 doing well. 19 I would support the idea -- I'm going to 20 back off this idea of revocation, because that's a 21 trip to District Court, too. There are just too 22 many things that I think that Dan and -- would find, 23 and we would just be in trouble again. 24 So I'd be supporting the breach process 25 more.</p>
<p style="text-align: right;">111</p> <p>1 whoops. Oh, I'm here. Thank you. 2 So first note I have is I'm very 3 uncomfortable that you all just continue to govern 4 by survey. And that, for me, what that does is it 5 tells me that the board and leadership of the school 6 don't have a lot of confidence in themselves and 7 their own decision-making. You're constantly going 8 back to others to try to find out what to do. And 9 I'm just not comfortable with that. 10 The -- let's see. There's a note here I 11 have from Dan Hill regarding suspension. I think 12 suspension is completely off the table. And Dan 13 makes a great point. There's nothing in our rules 14 that says anything about a suspension. So if we try 15 to do that, that's just inviting an appeal or a 16 reversal from the Secretary and/or a trip to 17 District Court, which is a colossal waste of time 18 and money. 19 Let's see. Still concerned with the 20 refusal to come back. 21 Bekka -- I'm sorry -- Chair Burt makes a 22 number of great points, and I share them, around 23 frustration, where, you know, when I said two years 24 in -- because it has been two years since the 25 Governor has wanted to come back. And a lot of this</p>	<p style="text-align: right;">113</p> <p>1 And then in terms of, you know, timelines, 2 you know -- and, again, I don't know if anybody here 3 read a Think New Mexico report on New Mexico -- on 4 New Mexico public schools. If you haven't, I 5 suggest you do, and you get it online. 6 One of the biggest things that they found 7 is closing -- the difficulty in closing 8 non-performing schools, basically bad schools. And, 9 I mean, just from my time on the Commission, there's 10 a number of schools that absolutely should not be 11 open based on what's going on with their kids and 12 the lack of learning and the lack of growth. But, 13 you know, it seems like all of this will just go on 14 forever. 15 If there was going to be a breach, I would 16 like to see, following that, in terms of making -- 17 if they want to be kind of a hybrid coming back with 18 some sort of amendment, I'd almost -- I would 19 require it to almost be like a new application. 20 What is it you're doing? What kind of 21 charter do you want? All those different questions 22 answered for us to consider a hybrid model. 23 And I would echo with the others that said 24 is hybrid means teachers in school. Kids have the 25 choice of whether or not they're going to be at</p>

<p style="text-align: right;">114</p> <p>1 home. And I'll leave it at that. I would imagine 2 Chair Burt or someone is going to make a motion 3 relative to breach. 4 Also if we also went right to revocation, 5 it would be one of the issues that Dan would 6 probably bring up, is that somehow we have skipped a 7 level and didn't allow the school to respond. 8 Thank you. 9 THE CHAIR: Thank you, Commissioner 10 Carrillo. Ms. Arness, I see your hand. I'm going 11 to let Commissioner Beck share, and then it'll be 12 your turn, and then I'm going to pass it over to 13 Vice Chair Burt. 14 COMMISSIONER BECK: I just want a 15 clarification from Ms. Barnes what a -- for the new 16 Commissioners, what a vote for breach is so I know 17 what I'm voting for. 18 MS. JULIA BARNES: Thank you. You have an 19 intervention ladder. And it's a step-by-step 20 process. 21 It is intended that you could -- I just 22 lost you there. You moved on my screen. I couldn't 23 find you. 24 It's intended that you take a step, and if 25 the school complies, they're put back in good</p>	<p style="text-align: right;">116</p> <p>1 So you're now a little bit back to square 2 one, that you could go the lowest level of concern, 3 a second level of breach, or justifying a revocation 4 or suspension action -- and we can -- we can discuss 5 that. 6 So you could take any action on the 7 intervention ladder. 8 COMMISSIONER BECK: Thank you. 9 THE CHAIR: Thank you, Ms. Barnes. Thank 10 you, Commissioner Beck. 11 Ms. Arness. And then, Vice Chair Burt, 12 I'm going to pass things over to you. 13 MS. TANI ARNESS: Thank you so much. I 14 really want to thank everybody for your time and 15 consideration today. 16 I think that it's important to point out 17 that I think one of the key issues here in terms of 18 breach being -- breach being a breaking a material 19 term of the contract, right, is that we have 20 received different legal counsel. And we have had 21 two independent legal opinions that we are within 22 our contract. 23 So I think that's part of where all this 24 originated is a difference of opinion and legal 25 opinion about the contract in terms of -- and that</p>
<p style="text-align: right;">115</p> <p>1 standing. If they don't, you move on. 2 You do not have to go in order. There are 3 times when an action is egregious enough that you 4 can. It's Notice of Concern, Notice of Breach, 5 or -- Concern, Breach of Contract, Revocation, and, 6 you know, Suspension, as allowed by statute. 7 The statute does -- and I could read it -- 8 I can read it directly. But it does look to go step 9 by step unless something really egregious has 10 happened and you need to be able to justify jumping 11 to something. 12 So you do not have to follow it. But in 13 order not to follow it, it has to be quite extreme, 14 and you have to justify that. So I'm just going to 15 go back to where -- the history for a minute -- is 16 you put them on a breach of contract, not the 17 lowest, but the second step. And then they were -- 18 a year ago. And then they were put back in good 19 standing because they provided a COVID rationale. 20 In September, you acted again on breach of 21 contract; again, the second step not the first step. 22 And that was superceded, or put aside, due to the 23 mediation provision for a contract dispute. That 24 has been resolved. In my opinion, you followed that 25 process.</p>	<p style="text-align: right;">117</p> <p>1 really helped feed our decisions in doing this, is 2 that in reviewing our contract, we felt like this 3 fits perfectly with what we have committed to in the 4 contract and, in fact, enhances our mission in the 5 contract. 6 So I did just want to highlight that, 7 that, again, this has never been intended as any 8 kind of disrespect. I think it's a genuine 9 difference of opinion on terms of that. 10 So thank you again for your time. And we 11 are open to -- I also want to highlight that we are 12 open to amending our plan going forward. We really 13 are trying, again, to find the best way, and we 14 think there's a ton of potential here, and we think 15 that if we can really pin down a strong structure -- 16 and I think we're well on our way to that -- we're 17 going to have a really excellent outcome. 18 So thank you. 19 THE CHAIR: Thank you, Ms. Arness. 20 Vice Chair Burt. 21 Also, if there is potential to move to a 22 motion, that would be appropriate as well. 23 COMMISSIONER BURT: Yeah. That's what -- 24 I'm going to make a motion. So just making sure 25 everyone knows. Okay. Great.</p>

<p style="text-align: right;">118</p> <p>1 Okay. So the motion I'm making is going 2 to be based off the idea that the -- I think the 3 plan that was presented to us today does get us 4 closer to the contract being fulfilled and there 5 being in-person learning to the greatest -- to the 6 greatest extent possible. 7 I think it is not ready today. And so for 8 me, that's -- it has not been implemented today, 9 which means to me that the school is in breach of 10 their contract as of right now. 11 And so my hope is by making this motion 12 and bringing it forward very quickly next month, we 13 can -- I would love to see the school get into good 14 standing very quickly. 15 And I think the plan that was presented 16 today starts getting you on that path. And I'm 17 hoping within the next 18 days from now that we can 18 get further down the road and actually get to where 19 the kids have access to people in person. 20 All right. So I move that the Chair send 21 a Notice of Breach of the charter contract of 22 Cesar Chavez Community School due to the following 23 failures: 24 No. 1. Failure of the school to return to 25 in-person instruction as directed by the Governor</p>	<p style="text-align: right;">120</p> <p>1 students. 2 I further move that this item be placed on 3 the February 17th, 2023, agenda of the PEC to 4 provide the school an opportunity to present its 5 position to the PEC on the breach of contract, and 6 for the PEC to take action on the breach of 7 contract, including approval of the Corrective 8 Action Plan presented by the school. 9 COMMISSIONER ARMIJO: I second. 10 THE CHAIR: Thank you. Thank you, 11 Secretary Armijo. Thank you, Vice Chair. 12 And now we're open for discussion for the 13 Commission on this motion. 14 Commissioner Carrillo. 15 COMMISSIONER CARRILLO: Oh, thanks. I was 16 trying to raise my hand and -- okay. 17 I have a question. So we're -- if we pass 18 this motion, we are find- -- we have found them in 19 breach and are giving them the opportunity in 20 February to get out of breach and in good standing, 21 is that correct? 22 I'm seeing your head nod yes. 23 THE CHAIR: Yes. Yes, Commissioner 24 Carrillo. Yes. 25 COMMISSIONER CARRILLO: Okay. Okay.</p>
<p style="text-align: right;">119</p> <p>1 and the PED to follow guidelines as set forth from 2 the Public Health Order of August 12, 2022, in 3 violation of the contract, including Section 4.8.3. 4 No. 2. Failure to provide in-person 5 instruction as the primary form of instruction at 6 the facility as required by the contract, 7 Section 4.6 and 11, as that educational instruction 8 was described to the PEC in the renewal hearing held 9 on December 11, 2018. 10 No. 3. Failure to address the needs of 11 its student population, such as those identified in 12 the 2020-to-2021 annual report, when the school 13 failed to return to in-person instruction in the 14 2022-2023 school year, impacting the mission and 15 comprehensive instructional program as set forth in 16 the contract, Section 4.2 and 4.6; and 17 No. 4. Possible fiscal violation 18 regarding acceptance of funds for the building as an 19 educational facility if the school is not -- or if 20 the school is providing primarily online instruction 21 and not fully utilizing the facility for 22 instruction. 23 And that the school provide a Corrective 24 Action Plan within ten days to return to in-person 25 instruction that allows for a hybrid option for</p>	<p style="text-align: right;">121</p> <p>1 Okay. I just wanted to make sure I was clear on the 2 motion. Thank you. 3 THE CHAIR: Thank you, Commissioner. Any 4 other questions? 5 If not -- I see none, unless, Commissioner 6 Gipson, I see you -- I see your finger right now. I 7 don't know if you're trying to come off. Go ahead. 8 COMMISSIONER GIPSON: Thanks. I was 9 looking for my raise hand. Sorry. 10 Yeah. I mean I'm in support of this. But 11 I just need to make it really clear for me. The 12 school can't be coming back with, "We're still in a 13 plan in motion and a plan in progress." 14 There has to be clear-cut steps that have 15 been taken. And I -- I need to know how many 16 students are coming back on campus and what their 17 implementation looks like. 18 You know, it seems like every time we have 19 this school here, it gets imperative to the school, 20 and they create a plan. And that's -- you know, 21 that's not what we can do at this point in time. 22 We need to know that the plan is being 23 implemented and what it looks like. 24 THE CHAIR: And I will just share -- 25 Vice Chair Burt, would you take -- I think this is a</p>

<p style="text-align: right;">122</p> <p>1 friendly amendment. If we -- and Ms. Barnes, 2 correct me if I'm wrong -- but given that we -- the 3 school will be on a Corrective Action Plan in order 4 to be in good standing again, like, using this plan, 5 essentially, and buffing that up a bit based on some 6 feedback that they received. And then is it prudent 7 for us to have this enacted by the next meeting? Or 8 would it make more sense for us to see action on a 9 Corrective Action Plan extended through March or 10 April? 11 COMMISSIONER BURT: So I think -- what's 12 going to be difficult for me is I don't -- I 13 actually -- so it's 18 days from right now. And I 14 don't know if it is prudent for us to tell the 15 school to give us a plan and already have started 16 implementing it if we didn't approve the plan. 17 For me, I think it's important that at the 18 next meeting, we do as I said, that it's a CAP, and 19 it's their plan, and that we approve it. 20 If they start -- if they make a plan, 21 start implementing it, say, "Oh, we have 20 kids 22 coming. We did this." 23 And we're, like, "Wait. This isn't what we 24 approved." Now they started doing something, 25 disrupting the community, disrupting the students</p>	<p style="text-align: right;">124</p> <p>1 said earlier around there's definitely a place and a 2 need for a school such as this in Albuquerque. And 3 I -- definitely. 4 I agree with Commissioner Gipson. When we 5 receive this plan and go over it, when we receive 6 the plan -- so we all get a chance to read it and go 7 over it thoroughly and then it's discussed in the 8 February meeting, I don't want -- I don't want this 9 plan to include another plan, okay, and another 10 survey and another thing that's going to go on to 11 March and April and May, so by the end of the term 12 it's like, what the heck. 13 And this speaks exactly to what THINK 14 New Mexico was saying, the inability for action. 15 So I would say at this point, you know, 16 this is -- this is the phrase, like -- this is the 17 Come to Jesus. Come with us. What's -- with what 18 you're going to do, and then we'll approve the CAP 19 or we won't, and then that's that. We're not going 20 to draw this on forever. It's been two years. And 21 I -- 22 THE CHAIR: Thank you, Commissioner 23 Carrillo. Thank you. 24 Commissioner -- I saw Commissioner Gipson 25 there, and I don't see her right now. We're going</p>
<p style="text-align: right;">123</p> <p>1 and have to change it because it wasn't what we 2 approved. 3 So I guess I am not going to require that 4 they have to have started implementing a CAP before 5 we approve it. 6 So my -- I'm going to keep my motion as 7 is, that they present the CAP and that we approve 8 the CAP at the next meeting. And then that CAP 9 should have dates in which those things get 10 implemented. 11 So -- and I would look for, in the CAP -- 12 so to what Commissioner Gipson was saying is there's 13 some urgency after that. If it gets approved on the 14 18th, then by the next week, the -- things are 15 already moving at that point. So that's what I 16 would like to see to solve the urgency part. 17 But I don't think it's appropriate to tell 18 the school to start enacting a plan that we have not 19 yet approved. 20 THE CHAIR: Thank you. Thank you for 21 clarifying that. 22 Commissioner Carrillo. Then Commissioner 23 Gipson. 24 COMMISSIONER CARRILLO: First I want to 25 say that I agree with Commissioner Beck, what he</p>	<p style="text-align: right;">125</p> <p>1 to come back to her. 2 Commissioner Manis. 3 COMMISSIONER MANIS: I appreciate 4 Commissioner Carrillo's view, because I've been 5 thinking, for the last probably 15, 20 minutes, 6 there's a great difference in intention versus 7 action. 8 And I think that we need to see, instead 9 of, "Okay, we intend to do this, we intend to do 10 that," "We are going to do this, we are going to do 11 that." 12 And that's all I have to say as well. 13 THE CHAIR: Thank you, Commissioner Manis. 14 Commissioner Ingham? Oh, sorry. 15 Ms. Barnes? 16 MS. JULIA BARNES: Commissioner Gipson 17 is -- is -- needs to be promote -- oh, she's there. 18 I'm sorry. 19 THE CHAIR: She's in there. Welcome back, 20 Commissioner Gipson. 21 Commissioner Ingham, you're on mute, sir, 22 or you -- or we're not hearing you right now. Still 23 not hearing you. Sounds like maybe your -- that's 24 not working maybe. 25 COMMISSIONER INGHAM: Can you hear me at</p>

126	<p>1 all now?</p> <p>2 THE CHAIR: You're coming out loud and</p> <p>3 clear now.</p> <p>4 COMMISSIONER INGHAM: Okay. My concern is</p> <p>5 that -- hearing from the school that they really did</p> <p>6 not commit to the idea of having the teachers back</p> <p>7 to the school.</p> <p>8 And I would like, just, that -- what</p> <p>9 they're -- that they take to heart what the -- the</p> <p>10 conditions that the board has put to them, that,</p> <p>11 really, that is one of the primary things that</p> <p>12 they're going to have to have within their plan.</p> <p>13 And to come back with another plan that doesn't</p> <p>14 include that would be kicking the can down the road.</p> <p>15 So I just want to make sure that the</p> <p>16 school understands that there are conditions that</p> <p>17 we've -- we've spoken to that they need to comply</p> <p>18 with, and that in their plan, if they don't include</p> <p>19 that, then we're going to go straight to the next</p> <p>20 level.</p> <p>21 Thank you.</p> <p>22 THE CHAIR: Thank you, Commissioner</p> <p>23 Ingham. And I think as the motion stands, I believe</p> <p>24 that would be -- that is clear enough for us to make</p> <p>25 this -- but correct me if I'm wrong, any</p>	128	<p>1 It's, like, what happened? And what -- you know,</p> <p>2 I'm frustrated as to why we're sitting here now,</p> <p>3 because we shouldn't have been. But that's water</p> <p>4 under the bridge, as they say.</p> <p>5 THE CHAIR: Thank you, Commissioner</p> <p>6 Gipson.</p> <p>7 All right. So I see no other hands raised</p> <p>8 right now. I think we should do a roll-call vote on</p> <p>9 the motion that Vice Chair Burt put in front of us.</p> <p>10 COMMISSIONER ARMIJO: Thank you.</p> <p>11 Vice Chair Burt.</p> <p>12 COMMISSIONER BURT: Yes.</p> <p>13 COMMISSIONER ARMIJO: Commissioner</p> <p>14 Carrillo.</p> <p>15 COMMISSIONER CARRILLO: Yes.</p> <p>16 COMMISSIONER ARMIJO: Commissioner Ingham.</p> <p>17 COMMISSIONER INGHAM: Yes.</p> <p>18 COMMISSIONER ARMIJO: Commissioner Gipson.</p> <p>19 COMMISSIONER GIPSON: Yes.</p> <p>20 COMMISSIONER ARMIJO: Commissioner Manis.</p> <p>21 COMMISSIONER MANIS: Yes.</p> <p>22 COMMISSIONER ARMIJO: Commissioner Beck.</p> <p>23 COMMISSIONER BECK: Yes.</p> <p>24 COMMISSIONER ARMIJO: Chair Brauer.</p> <p>25 THE CHAIR: Yes.</p>
127	<p>1 Commissioner, on that.</p> <p>2 Commissioner Gipson?</p> <p>3 COMMISSIONER GIPSON: Yeah. Thanks, and</p> <p>4 sorry. I was in transition in my garage. So I just</p> <p>5 want to be clear. I want to make sure that -- yeah,</p> <p>6 I don't want a school to be implementing a plan</p> <p>7 before we've approved it.</p> <p>8 But I'd like clearer information about,</p> <p>9 you know, "We've talk- -- we've got 40 kids that are</p> <p>10 going to be coming back, and this is -- this is the</p> <p>11 schedule we've created."</p> <p>12 If -- if -- you know, if approved, they</p> <p>13 have to have the schedule already created so that</p> <p>14 they know how they're going to transition this by</p> <p>15 mid-March, or -- because it's only two weeks down</p> <p>16 the road. So I don't want this to still be a plan</p> <p>17 in transition when we come here in February. And</p> <p>18 that's -- you know, that's my frustration. Every</p> <p>19 time we come here and a letter is sent, we've got a</p> <p>20 new plan. And, hopefully, this will address it.</p> <p>21 And I do share the concerns that the</p> <p>22 governance council -- you know -- I'm not exactly</p> <p>23 sure. And I absolutely -- we've said this before.</p> <p>24 The -- I think part of the ball was dropped when</p> <p>25 those assurances and plans came in two years ago.</p>	129	<p>1 COMMISSIONER ARMIJO: And Vice Chair -- or</p> <p>2 excuse me -- Secretary Armijo votes yes. That</p> <p>3 passes, eight to zero.</p> <p>4 THE CHAIR: Thank you, Secretary Armijo.</p> <p>5 We finished up No. 5 of our section.</p> <p>6 Let's take a five-minute break. My</p> <p>7 apologies that I'm not able to give more, because I</p> <p>8 know that we just -- we want to try to stay as</p> <p>9 diligent as possible on the time that we allotted</p> <p>10 here for all our Commissioners and the public. So</p> <p>11 let's take a five-minute break, and then we'll come</p> <p>12 back to Item 6. Thank you.</p> <p>13 (Recess taken, 11:53 a.m. to 12:00 p.m.)</p> <p>14 THE CHAIR: Ready to go. All right.</p> <p>15 We have a quorum that's back now. So</p> <p>16 let's reopen our meeting.</p> <p>17 The next item on our agenda is Item No. 6,</p> <p>18 Discussion and Possible Action on La Tierra</p> <p>19 Montessori School of the Arts and Sciences, Pursuant</p> <p>20 to the Intervention Ladder, Including Accepting or</p> <p>21 Modifying the Corrective Action Plan or Issuing a</p> <p>22 Notice of Intent to Revoke the Charter.</p> <p>23 In similar fashion as we did in the last</p> <p>24 item, I'd like to provide Ms. Barnes an opportunity</p> <p>25 to share any information with the Commission as she</p>

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1 sees, and then Commissioner -- sorry -- Director
 2 Chavez, you'll have a chance to share information.
 3 And then the school will also have a chance to share
 4 information as well.
 5 MS. JULIA BARNES: Thank you, Chair. So
 6 let me just orient you where I think you are.
 7 This school was issued a Breach of
 8 Contract. They were directed to do a Corrective
 9 Action Plan that met each of the elements of --
 10 excuse me -- of the breach.
 11 There are quite a few documents in there.
 12 You will see the Notice of Letter of Breach. You
 13 will see two site reports by Director Chavez's
 14 office. You will also see her response, Director
 15 Chavez's response, to the adequacy of the Corrective
 16 Action Plan.
 17 And then the -- I think the last document
 18 that we have in there -- excuse me -- is the written
 19 public comment you received today.
 20 The chart -- the question for you here is
 21 I think it starts with whether or not to approve the
 22 Corrective Action Plan.
 23 So the chart in there tries to take each
 24 element, indicate what the school has proposed. And
 25 the far -- the far column -- and I've tried to put

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1 it in bold -- is where the Charter Schools
 2 Division -- what the Charter Schools Division feels
 3 as to whether they've adequately provided
 4 information or not.
 5 So you -- and the way the Letter of Breach
 6 read is that they were to present a complete CAP
 7 that addressed all of the concerns of the breach,
 8 and, if they did not, you could move on past the --
 9 on to the next step of the Intervention Ladder,
 10 which I think would be an intention to provide a
 11 Notice of Intent to Revoke.
 12 So let me just go through what I think
 13 your choices are.
 14 One is to really fully understand the
 15 issues surrounding the completeness of the
 16 Corrective Action Plan. I think you could say that
 17 it was complete.
 18 I think another thing that you could do is
 19 not accept it and go through kind of an amendment
 20 process.
 21 And then I think it's further possible, if
 22 Director Chavez still indicates that there are
 23 things that are incomplete, that you could do a
 24 process to allow CSD to complete that CAP with them.
 25 You should end up, if you accept the

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1 Corrective Action Plan with a clear and concise
 2 Corrective Action Plan that the Charter Schools
 3 Division can monitor and report back to you.
 4 If you feel like they did not adequately
 5 respond to the Corrective Action Plan, you could
 6 move down the -- providing them with a Notice of
 7 Intent to Revoke, and you would, again, just be
 8 asking the Chair to provide that notice.
 9 You would have a much fuller discussion of
 10 a revocation process at the next meeting. The
 11 school can respond to what goes into the letter from
 12 the Chair. And then the final step, if you went all
 13 the way there, would be to set a revocation hearing
 14 after the February meeting with a date and time and
 15 procedure to use.
 16 So I think that there are several
 17 different pathways that you could choose. And
 18 unless there are questions, I don't have anything
 19 further to describe this process of where we are.
 20 I'm sorry. Just going to -- you can take
 21 action on the CAP today. If you move down the
 22 revocation path, you're in a multi-step process.
 23 But you can move forward on the -- at the breach of
 24 contract level and the CAP acceptance.
 25 THE CHAIR: Thank you, Ms. Barnes. And

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1 then, if we could, if there are any questions about
 2 the process that we just talked about, and then
 3 we'll have a chance to have discussion later on.
 4 Commissioner Carrillo.
 5 COMMISSIONER CARRILLO: I'm looking
 6 here -- do they have counsel present today? And if
 7 so, should we eventually move them into panelist?
 8 Question.
 9 MR. ISAAC CASADOS: I don't see Patty
 10 Matthews on this afternoon. I don't see her on the
 11 list.
 12 THE CHAIR: I'm not seeing her, either,
 13 actually.
 14 MS. JULIA BARNES: I have nothing further,
 15 unless there's further questions for me.
 16 THE CHAIR: Okay. Thank you, Ms. Barnes.
 17 Director Chavez, I want to have you get a
 18 chance to share any information, any updates
 19 regarding the Corrective Action Plan or any process
 20 that you've done in terms of reviewing it.
 21 DIRECTOR CORINA CHAVEZ: Yes. Thank you,
 22 Chair Brauer, Commissioners.
 23 So I know that there's multiple documents.
 24 And one that you have not seen prior to today was
 25 due to the fact that the team revisited the school.

<p style="text-align: right;">134</p> <p>1 So just -- just to recap what has happened 2 since 2023, on January 9th, we conducted a site 3 visit. There's a site visit report there. 4 On January 20th, for the PEC meeting, we 5 had two separate documents that came from the 6 school. One was several attachments and a 7 Corrective Action Plan that had a lot of text. 8 And on the 25th, the team from the Charter 9 Schools Division returned to La Tierra Montessori. 10 And the takeaway from that is that they were able to 11 see that the school had acted quickly on some of the 12 measures to implement safety concerns. The doorbell 13 still is not working, but the -- the student pickup 14 and drop-off process was much improved, and there 15 were indeed staff available to supervise students. 16 Please note that the school was unaware of 17 exactly when my staff was going to show up, because 18 the notification to the school was rather vague. So 19 they did show up and they noted that. 20 The part that was less addressed since the 21 previous site visit was implementing some of the 22 special ed concerns that were identified in the 23 report from the 9th; although there were some IEP 24 transition meetings happening the day that the staff 25 were on site.</p>	<p style="text-align: right;">136</p> <p>1 have with regard to your Corrective Action Plan. 2 MR. ISAAC CASADOS: Thank you so much, 3 Mr. Chair. I appreciate it. I do want to dive into 4 some of the comments that were made, public 5 comments. 6 And I know this is kind of one of those 7 things where it gives us some clarity to be able to 8 provide where the Corrective Action Plan kind of 9 moved, how it came about. 10 This was a Corrective Action Plan that was 11 put forth and put together by the head 12 administrator, by the board and other members of the 13 community because we felt it was really necessary to 14 address kind of the mis/untruths or the mistruths 15 that we were removing Montessori from this 16 perspective. 17 It has a never been this board's ideology 18 to remove Montessori from this discussion. We've 19 reached out to the Indigenous Montessori Learning 20 Center. We're now going to look to providing that 21 training to our teachers. 22 So there's a lot of different things that 23 we, as a new board who only came in in July, had to 24 really get our hands on and get a good grasp on 25 this.</p>
<p style="text-align: right;">135</p> <p>1 And the other update that I wanted to 2 share with you-all, that the board had a meeting on 3 January 24th, and at that time, they approved an 4 action to increase the FTE for Ms. Herrera as head 5 administrator from the .1 -- less than .2 -- to a 6 .5. So that's an increase in the amount of time to 7 focus on being the head administrator in addition to 8 the special ed director. 9 I also want to report to the PEC that 10 Poms & Associates visited the school this week to do 11 an audit, a safety audit, and should have a report 12 that comes out in regards to that soon. 13 The document that has the CAP overview 14 indeed has our response, and there was a separate 15 document that talked about that. I think that 16 there's additional information that was covered on 17 the bottom that has the dates of completion. So as 18 long as we have dates of completion, I think the 19 oversight on the Charter Schools Division end of 20 things is -- is fine. 21 Thank you. 22 THE CHAIR: Thank you so much, Director 23 Chavez. 24 Ms. Herrera and Mr. Casados, the floor is 25 yours to provide any additional updates that you</p>	<p style="text-align: right;">137</p> <p>1 What we also know is a lot of this 2 aggression and the challenges is really coming 3 from -- it started with a nonrenewal of a former 4 head learner. 5 And I need to state this over and over. 6 The small group of parents that are there represent 7 about 6 percent of our entire school base. And a 8 number of other parents have said, "Listen, we're 9 not going to get involved in this because we know 10 that this is a personal issue. We know that this is 11 something that is complicated. We enjoy that our 12 students are here. We enjoy that our students are 13 learning for the first time." 14 And while I agree that there are many 15 tenets of Montessori that are very important, the 16 elements of saying, "Well, when a child determines 17 he or she is prepared now to read or write, or they 18 want to read or write, is when we now need to 19 strike." 20 Well, unfortunately, as a public school 21 that has Montessori ideologies and believes we still 22 have to adhere to those State standards, that 23 includes testing and ensuring that our children are 24 reading at a specific proficiency level. It doesn't 25 give us the opportunity to be a private school,</p>

<p style="text-align: right;">138</p> <p>1 where, in essence, we're able to kind of be 2 willy-nilly in that regard.</p> <p>3 I know that there were kind of a couple of 4 questions as far as how this board engages. We've 5 had two town hall meetings. And this has probably 6 been in the duration of time that we've been in 7 office for six months, to have two when we've never 8 had any in the course of eleven years over the 9 history of the school's founding I think is pretty 10 profound.</p> <p>11 We have discussed the PEC issues from 12 Breach of Contract four times: On December 10th, the 13 20th, January 17th, and January 24th. And every 14 single time, we share what documentation has come 15 about. We share what the challenges and the 16 remedies are. And then we now go back as a board 17 and we try to figure out, okay, how do we address 18 this from a community perspective.</p> <p>19 You know, for me, it's always -- it's very 20 challenging, because we as a board are very limited 21 in certain things we can and cannot do. We are not 22 free to just willy-nilly do whatever we so choose. 23 There are certain statutes and requirements that we 24 must adhere to.</p> <p>25 And our main key area is fiduciary</p>	<p style="text-align: right;">140</p> <p>1 brought up that we address it correctly and quickly. 2 Last meeting, safety concerns were brought 3 up about a rock propping open a door and potentially 4 doors being opened up. We addressed that 5 immediately, and we gave clear directive to 6 Ms. Herrera at our next board meeting that she 7 needed to do X, Y, and Z. And she did.</p> <p>8 And I think that's the part that we, as a 9 board, are able to provide oversight. When an issue 10 is addressed, we quickly try to address those needs 11 and concerns and not kind of kick the can down the 12 road.</p> <p>13 I think Commissioner Manis said it 14 correctly. It's not the idea of we intend to do it, 15 but we are doing it. And those are the things we 16 think are important for us as we move through this 17 process is we are doing those things.</p> <p>18 Mindful, I mean, our Corrective Action 19 Plan has not been approved. But it was important 20 for us to begin addressing some of these key issues 21 and placing directive to the head learner to make 22 sure that the Montessori components were in place, 23 ensuring that the safety requirements were in place, 24 ensuring that our policies and procedures, if they 25 needed to be rebuilt or redrafted, had that</p>
<p style="text-align: right;">139</p> <p>1 responsibility.</p> <p>2 And what I really want to speak about is 3 when the first letter -- when we were first called 4 back into the PEC in August, we addressed every 5 single concern at that point. Those are issues of 6 open meetings; there were issues of fiduciary 7 responsibility. But it always seems to me that 8 we're always being tacked with some new issue.</p> <p>9 And it really stems from this small group 10 having communication with the Commission when, in 11 essence -- we, as -- me as a board president, 12 Patricia as the head learner, are not engaged, or 13 those questions have not been asked to us directly.</p> <p>14 I am so thankful that Director Chavez has 15 been a conduit. Missy Brown has been a conduit. 16 And thank you so much for Vice Chair Burt in her 17 capacity as chair has been a resource of helping to 18 kind of answer some of those key questions and 19 provide that documentation as we were moving through 20 this challenge.</p> <p>21 If I look at kind of the prior discussion, 22 the idea of not having a response has not been 23 something that -- that -- it doesn't sit well with 24 me. I think it's best to communicate. I'm very 25 versed in the idea of ensuring that if an issue is</p>	<p style="text-align: right;">141</p> <p>1 opportunity, to ensure that the special education 2 needs of our students were not being challenged.</p> <p>3 And it is one of those things where -- it 4 was one of those areas where it was important for us 5 for somebody who had a background in special 6 education. Thank God for Ms. Herrera. But she also 7 brought on another educator, who is now in fifth and 8 sixth grade, who is doing that exact same thing and 9 has a career of over 20 years in special education.</p> <p>10 So because we are from a marginalized 11 community, because the issues are prevalent, because 12 the issues are concerning, because IEPs are at a 13 record number, it's important for us to ensure that 14 those resources are being met and that the services 15 that we placed inside of the Corrective Action Plan 16 have an opportunity to kick up.</p> <p>17 And Ms. Herrera has taken on a lot. 18 She -- she was hired on in a temporary capacity, as 19 you know. And for some of those Commissioners 20 prior, we've gone through three head learners. We 21 had a head learner who was there prior, two years 22 ago. The board decided not to renew the contract in 23 June.</p> <p>24 And then we brought on a temporary head 25 learner, who was -- by the name of Mr. Cliff</p>

<p style="text-align: right;">142</p> <p>1 Tompson. Mr. Tompson was there for about two 2 months.</p> <p>3 And then Ms. Herrera stepped in and has 4 been there and has really been an integral part of 5 getting the engine started again and ensuring that 6 we correct some of the key issues that happened well 7 before this board had an opportunity to take its 8 place.</p> <p>9 One of the things that I think we -- we 10 always want to ensure is that there is ample 11 communication. But we also need to be aware that 12 there are certain things we can and cannot do.</p> <p>13 I know the assault of the student has been 14 brought up multiple times. There are very few 15 things that we as a board can do in those regards. 16 Specifically, when other State agencies are called 17 in, we have to allow that process to play out.</p> <p>18 The good information is that Ms. Herrera 19 is in constant communication with those entities. 20 She did her due diligence. She moved through the 21 process that she needed to do to ensure that -- that 22 the teacher was placed on paid administrative leave, 23 that an investigation was conducted.</p> <p>24 And when information is then presented to 25 the board to say, "Listen, we can't corroborate this</p>	<p style="text-align: right;">144</p> <p>1 It's not caviar; it's not filet mignon. But it's 2 still meeting the benchmark of where that food 3 process comes in.</p> <p>4 But the board took it upon ourselves to 5 ensure that Ms. Herrera looked at another purveyor. 6 Are there other potentials to look at vegetarian 7 meals and other areas where now we're looking at it 8 from a different perspective.</p> <p>9 Going back to our Corrective Action Plan. 10 When we sat down and we started drafting this, 11 Ms. Brenda Atencio who's actually in our panel -- 12 she wasn't elevated up; she's the vice president of 13 our board. And, Mr. Chair, if that's a possibility 14 to bring her up, she's the attorney of our board.</p> <p>15 And when we started looking at the key 16 areas of this document, we needed to be able to 17 present the facts, and we needed to ensure that we 18 removed any innuendo from it.</p> <p>19 And what I really want to state to 20 everybody here is there's this misconception that 21 this board has removed Montessori, or is trying to 22 remove Montessori from the initiative.</p> <p>23 That has never been the case. We have not 24 modified the instruction. Our former head learner, 25 who is a Montessori certified educator, who was the</p>
<p style="text-align: right;">143</p> <p>1 story," or, "We cannot find anything that supports 2 or substantiates this information," then that 3 teacher then has an opportunity to return back, 4 because in this area, accusations are accusations.</p> <p>5 The other part is a standard-bearer, that 6 if someone commits an offense, well, we need to go 7 through that process and ensure that if action needs 8 to be taken, we have that opportunity.</p> <p>9 The meals. Our meals are provided by 10 McCurdy Charter School. We are in a small 11 community. We are not Albuquerque; we are not 12 Santa Fe. We don't have purveyors in multiple 13 areas.</p> <p>14 And so we have to work with either two 15 purveyors: It's either the Española Public School 16 system or McCurdy Charter School, which the PEC is 17 in control of McCurdy Charter School.</p> <p>18 And if McCurdy's students are not rising 19 up and saying that their food is a challenge or an 20 issue, then I have to come back and say, "Okay. 21 Well, then, what is the real issue at hand?"</p> <p>22 I've eaten that food. I've been there. 23 And -- and, listen, I -- I come with a more advanced 24 epicurean palate. But it is food. And it's 25 sustenance that these children are being provided.</p>	<p style="text-align: right;">145</p> <p>1 only one there prior, two years ago, is still back 2 in the classroom.</p> <p>3 All Montessori material still resides in 4 all of the classrooms. We as a board, and 5 Ms. Herrera, have not modified that process at all, 6 because it's important to us to ensure that that 7 Montessori creative opportunity continues to 8 flourish in this community where our students either 9 have this, they have McCurdy, or they have the 10 Española Public School system.</p> <p>11 We have a -- as I said before, a vast 12 number of parents who tell us on a daily cycle that 13 are not part of the five or the six that, "Listen, 14 things are moving in a direction where we now 15 appreciate the engagement. We now appreciate that 16 our children are learning something within their 17 classrooms. We appreciate that our children are 18 being pushed in an academic resiliency element. My 19 students want to go to class now. My students want 20 to go to school now, and that's important to us."</p> <p>21 So I want to be able to present those key 22 issues and then really focus in on where can we go 23 with this Corrective Action Plan to ensure that we 24 continue to provide success for the students within 25 the school environment and ensure that their</p>

146	<p>1 opportunity to thrive has its best benefit. 2 So with that, I will move it over to 3 Ms. Herrera, and Ms. Herrera can continue this 4 conversation, if that's okay with you, Mr. Chair. 5 THE CHAIR: Thank you, Mr. Casados. And I 6 didn't catch the name of the person that you wanted 7 to have in as well. 8 MR. ISAAC CASADOS: Ms. Brenda Atencio. 9 THE CHAIR: Lucy or Missy, if you could 10 let Ms. Atencio in, that would be great. 11 And then I would say, just in terms of, 12 like, time limits and things of that nature, if we 13 can focus any additional information, Ms. Herrera 14 and Ms. Atencio, on new information that maybe we 15 haven't heard in the last -- especially in the last 16 15 days when we saw you-all most recently. 17 MS. PATRICIA HERRERA: Good morning, all, 18 Chair Brauer. 19 THE CHAIR: Ms. Herrera, you're really 20 breaking up. 21 MS. PATRICIA HERRERA: Okay. I'm sorry. 22 (Inaudible) computer (inaudible). Can you hear me 23 now? 24 DIRECTOR CORINA CHAVEZ: You might try 25 turning your camera off.</p>	148	<p>1 be possible -- 2 MS. PATRICIA HERRERA: Okay. 3 THE CHAIR: Would it be possible for you 4 to find another way to maybe connect with us? And 5 maybe we'll give Ms. Atencio a chance to -- 6 MS. PATRICIA HERRERA: I apologize. Okay. 7 (Inaudible) let me try to call in. Let me get 8 that -- (Cell phone rings.) 9 MR. ISAAC CASADOS: Okay. Go ahead. Can 10 you hear her now, Mr. Chair? 11 THE CHAIR: I'm not hearing anything right 12 now from her. It looks like she dropped, I believe. 13 MS. PATRICIA HERRERA: Can you hear me 14 now? I'm just going to go through Mr. Casados. 15 Okay. 16 So the materials that were referenced 17 earlier is -- was referenced by somebody who hasn't 18 even been in the building. 19 We were visited by Poms & Associates last 20 week. 21 Let me mute my computer. My apologies. 22 And in this -- during this visit, piles, 23 stacks of old and unused Montessori materials are -- 24 have been stored in our multipurpose room. I was 25 pretty much told that, you know, "What is it for,</p>
147	<p>1 MS. PATRICIA HERRERA: Okay. Is that 2 better? Or maybe I can call in on my phone. 3 THE CHAIR: That's a lot better, 4 Ms. Herrera. 5 MS. PATRICIA HERRERA: Can you hear me? 6 THE CHAIR: Yes. 7 MS. PATRICIA HERRERA: Okay. There we go. 8 So I think Mr. Casados touched on all the 9 key points. And I must say that my daughter is at 10 Española Valley High School. And the RFP for 11 Española Valley High School was picked up by the 12 McCurdy Schools. They eat the same food. 13 I asked her how it is. She said it's 14 fine. Española Valley High School is not in an 15 uproar over the food. I just wanted to also touch 16 on that. 17 The classroom (inaudible due to audio 18 distortion) is still allowed in the school. They 19 have not been removed. And no Montessori supplies 20 from (inaudible due to audio distortion) is being 21 taken out and (inaudible). There is a pile of old 22 unused Montessori materials in our multipurpose 23 room. And (inaudible due to audio distortion) -- 24 THE CHAIR: Ms. Herrera. I'm sorry to cut 25 you off. You're breaking up quite a bit. Would it</p>	149	<p>1 and it probably needs to be moved." 2 It's in the multipurpose room, and it's 3 not a storage room. That is space that should be 4 utilized by the students and by us as a learning 5 community, not as a storage room. So they need to 6 be moved. 7 We have ordered a doorbell, a new door 8 system, and we ordered door alarms. And I think 9 that that might be in the report that was recently 10 submitted, so we can know that if anybody has opened 11 any of the side doors. 12 I'll just go back to Mr. Casados's 13 conversations so as not to use up any more time. 14 Special ed students are being visited. 15 They are seeing their ancillary providers and 16 actively going through IEPs. 17 There are some that need even maybe some 18 updating, even if they were done, you know, if 19 they're not in need of annual review as of yet. 20 I've met with some parents, and we're going to start 21 going through some of those IEPs as well. 22 I am doing everything that I can here. 23 And I met -- you know, I met my daily challenges, as 24 administrators are in every building. And I'm doing 25 the best that I can. And I really hope that this --</p>

<p style="text-align: right;">150</p> <p>1 like I keep saying, I want this little train to keep 2 going.</p> <p>3 THE CHAIR: Thank you, Ms. Herrera. 4 Mr. Casados.</p> <p>5 Ms. Atencio, I'm going to make sure you 6 have a chance to share. And, again, we really want 7 to focus in on the Corrective Action Plan and any 8 items that would be relevant for us at this stage.</p> <p>9 MS. PATRICIA HERRERA: Well, I don't have 10 it right here in front of me. If anybody has any 11 specific questions about it, maybe we can go that 12 route.</p> <p>13 MR. ISAAC CASADOS: I think he was asking 14 about Ms. Atencio, Patricia.</p> <p>15 MS. PATRICIA HERRERA: Okay. So can I get 16 off now?</p> <p>17 THE CHAIR: Ms. Atencio, are you with us 18 right now? If you are, you're on mute if you are 19 talking. I'm not sure if she's --</p> <p>20 COMMISSIONER GIPSON: I think she said 21 could she get off now. So I think she wanted off.</p> <p>22 THE CHAIR: I think that was Ms. Herrera, 23 Commissioner Gipson, who said that.</p> <p>24 COMMISSIONER GIPSON: Oh, okay.</p> <p>25 THE CHAIR: Well, we'll move into</p>	<p style="text-align: right;">152</p> <p>1 you see what's in your contract?"</p> <p>2 So this conversation that, "We didn't 3 know, no one knew we were supposed to do this," has 4 no validity to me at all, because it's -- it's been 5 out there in the public realm.</p> <p>6 And Missy does this through training as 7 well for governance council members. "Here's your 8 contract. This is what you need to -- to be 9 adhering to."</p> <p>10 So it's concerning.</p> <p>11 What's also concerning to me is that there 12 appears to be just a culture of disrespect that's 13 been developed in this school.</p> <p>14 I have serious concerns about the safety, 15 and I have serious concerns that the safety issues 16 may have been temporarily, some of them, addressed, 17 when a site visit was going to happen. Those of us 18 that have been in schools all know what happens all 19 too often when someone's going to get an 20 observation.</p> <p>21 So -- and there was not clear 22 identification that doors weren't still being 23 propped open and that, even though there may have 24 been individuals at the drop-offs, there was not an 25 indication that children may or may not be being</p>
<p style="text-align: right;">151</p> <p>1 discussion and questions from the -- from the 2 Commission.</p> <p>3 And, again, we're thinking about, you 4 know, any questions relevant to the CAP or any 5 discussion relevant to the CAP.</p> <p>6 Commissioner Gipson.</p> <p>7 COMMISSIONER GIPSON: Mine are less 8 questions and more comments. But I'll -- you know, 9 and I'm trying to keep it to the CAP.</p> <p>10 You know, I'm frustrated by the fact that 11 the -- we keep circling around. "We didn't know 12 this was in the contract."</p> <p>13 "This was done in violation of the Open 14 Meetings Act."</p> <p>15 The Attorney General is the only entity 16 that can provide a determination that something was 17 a violation of the Open Meetings Act, and I don't 18 see anything from the Attorney General's Office that 19 there was a violation of the Open Meetings Act.</p> <p>20 But the director, months ago, indicated 21 accurately that the contract is online, should be in 22 the school.</p> <p>23 When Charter School Division does site 24 visits, one of the first questions, if not the first 25 question, is, "Have you looked at your contract? Do</p>	<p style="text-align: right;">153</p> <p>1 left alone unsupervised within the school.</p> <p>2 To me, the fact that that situation 3 occurred is a serious problem. And that's where I 4 see the culture of disrespect that's been created in 5 this school. There isn't a single adult that 6 doesn't understand you don't leave children alone in 7 a classroom. The fact that individuals from outside 8 the school still have somewhat easier access to that 9 building and putting children's safety at stake, as 10 simple -- and I know it's not simple -- but those of 11 us that have been in schools, we've dealt with those 12 nasty child custody cases.</p> <p>13 So the -- you know, the opportunity for 14 someone to be able to enter the building and engage 15 a student, the fact that faculty are willing to 16 endanger themselves, their children, and their 17 community by propping the doors open is a concern. 18 And even though the problems may be being addressed, 19 my question is where were people for the past six 20 months that this situation was allowed to happen?</p> <p>21 Yes, you have to fix it.</p> <p>22 Oh. Now we're fixing it.</p> <p>23 But the fact that that -- that that 24 happened is appalling to me in this day and age. 25 There's been money made available for upgrading</p>

<p style="text-align: right;">154</p> <p>1 safety systems in schools. And the fact that the 2 school opened and a governance council would know 3 that doorbells don't work, keys aren't working, 4 teachers can't appropriately lock, to me, that's -- 5 that's a serious root problem.</p> <p>6 The Corrective Action Plan indicates 7 that -- and I know the school has said that the 8 Indigenous Montessori agency has been -- has been 9 contacted. And then Mr. Casados made a statement 10 today that said, "We have contacted, and now we're 11 looking into -- looking into providing that 12 training."</p> <p>13 Well, once again, it's February, for all 14 intents and purposes, and we're still just looking 15 into -- to me, that's not -- that's not enough in 16 the Corrective Action Plan.</p> <p>17 I want to see a problem -- I'm sorry. I 18 want to see an outline of the training that's going 19 to take place, not just, "Now we're in the process 20 of having that serious conversation."</p> <p>21 You know, to me -- also in the Corrective 22 Action Plan, "We're going to fix the fact that we 23 didn't abide by our educational programming and our 24 Mission-Specific Goals by now coming back and 25 changing the contract."</p>	<p style="text-align: right;">156</p> <p>1 finish.</p> <p>2 And if you look at Page 3 of the document 3 that we supplied to the PEC, it specifically says, 4 "Even though we've had these challenges, these are 5 the issues that we addressed, and we still are 6 adhering to all elements of our contract, and have 7 done so." So I do want to be sure of that.</p> <p>8 As far as the security issues and the 9 security concerns, these were just brought up to our 10 attention at the last meeting. So this idea of a 11 rock propping open a door, that just happened 12 recently, and immediately, Ms. Herrera sent out an 13 e-mail to staff essentially directing them that they 14 are not to prop open any door and/or keep any door 15 open, or allow a student to go and open a door. And 16 that was a directive from the board to Ms. Herrera. 17 So she carried that out. That's the first part.</p> <p>18 As far as the Montessori training, our 19 Mission-Specific Goals are two: Number one, that 20 teachers who have been at the school for more than 21 three years will seek Montessori training.</p> <p>22 The unfortunate circumstance is we have 23 not had one teacher who is at that school for more 24 than three years. So are we out of compliance with 25 our Mission-Specific Goal? No. But we are going to</p>
<p style="text-align: right;">155</p> <p>1 Well, your job was to follow the ed 2 program in the contract and outlined and the 3 Mission-Specific Goals, whether you agreed with them 4 or not. That was the job of the governance council 5 to follow that.</p> <p>6 So it's not -- to me that's not sufficient 7 in the Corrective Action Plan to say, "Oh, we're 8 going to fix it by basically getting rid of it and 9 changing it."</p> <p>10 That's -- that's not sufficient for me. 11 I think that's it for now for the 12 Corrective Action Plan. I'm still kind of going 13 back to my notes. So thank you.</p> <p>14 THE CHAIR: Thank you, Commissioner 15 Gipson.</p> <p>16 Ms. Herrera and Mr. Casados, I see your 17 hands raised.</p> <p>18 MS. PATRICIA HERRERA: Can you hear me 19 now?</p> <p>20 Oh. Go ahead, Mr. Casados. Can you hear 21 me now?</p> <p>22 MR. ISAAC CASADOS: Yes -- yes, we can. 23 One of the things that I do want to be 24 very clear is the two Mission-Specific Goals. We 25 have adhered to our entire contract from start to</p>	<p style="text-align: right;">157</p> <p>1 start providing that service, because it's important 2 to us so that we didn't kick the can down the road 3 to say, "Well, we don't have any staff that's here 4 longer than three years, so we're just not going to 5 train them."</p> <p>6 To me it's important to ensure that 7 there's continuity of service and that the elements 8 of professional development are upheld. That's 9 important to me.</p> <p>10 We went back as a board and said, "We need 11 to know about all of the training that occurred in 12 the last segment under the last board and this 13 former head administrator."</p> <p>14 And we could not find one area of 15 Montessori education and training, even though we 16 had a Montessorian that was at the head of our 17 school.</p> <p>18 So are we rectifying that issue and 19 ensuring that there's clarity of purpose in that? 20 Definitely.</p> <p>21 Is it important to me that, because this 22 school sits on an indigenous reservation, that there 23 is a connection to another Montessori entity? And 24 it's the Indigenous Montessori Learning Center that 25 is helping to create that programmatic overview and</p>

<p style="text-align: right;">158</p> <p>1 oversight so that all of our educators, all of our 2 teachers and own our board have an opportunity to 3 pursue that educational development, because it's 4 important for us to ensure that that happens. 5 So I just wanted to ensure that I cleared 6 up a couple of those statements, because it's 7 important to us to ensure that when we took this 8 over, I said, "Listen, we have challenges, but we 9 have to adhere to a specific document." 10 And Page 3 has dedicated where we have not 11 modified from our charter contract, and we've 12 continued to uphold all of those elements of the 13 contract moving forward. 14 So if I didn't -- if I didn't hit anything 15 else, Ms. Herrera, you can fill in. Thank you. 16 MS. PATRICIA HERRERA: Hello. Are you 17 able to hear me now? 18 THE CHAIR: You need to turn off one of 19 your -- 20 MS. PATRICIA HERRERA: Okay. Let me turn 21 off this -- 22 THE CHAIR: Ms. Herrera, go ahead, if you 23 can hear us. 24 Ms. Herrera, you're on right now. 25 MS. PATRICIA HERRERA: Yes, I apologize.</p>	<p style="text-align: right;">160</p> <p>1 opportunity. We've kind of stated all the different 2 areas that we need issues rectified and areas of 3 training. 4 So they're creating a program and should 5 be submitting a document for us to approve for us to 6 fulfill that end of the contract moving forward. 7 THE CHAIR: Commissioner Manis, and then 8 Commissioner Carrillo. 9 COMMISSIONER MANIS: Thank you very much. 10 I had a few -- I guess, some questions. 11 And it relates to Commissioner Gipson's points of 12 the April training. 13 You know, we've been going on with this 14 for a while now, this -- these issues. And it's 15 just interesting that it's taking so long to 16 implement the training. 17 What -- what steps, or what has been done 18 to try to get this training organized? Do you 19 actually have a set date for when the trainings will 20 occur? 21 Surrounding this training, it's just -- 22 it's surprising to me that trainings couldn't have 23 been done earlier and been offered. Because in 24 here, it says "offering"; it's not requiring 25 trainings.</p>
<p style="text-align: right;">159</p> <p>1 I'm trying to get in on my phone. I'm going to get 2 off the -- 3 THE CHAIR: Okay. We're going to move on. 4 We'll get you back. 5 Commissioner Manis. Then Commissioner 6 Carrillo. I'm going to ask just a real quick point 7 of clarification. 8 Mr. Casados, when you say the Indigenous 9 Montessori Learning Institute, are you talking about 10 Keres Children's Learning Center in Cochiti Pueblo? 11 MR. ISAAC CASADOS: Correct. So they have 12 two different programs. So the -- 13 THE CHAIR: I'm very aware of them. I 14 just want to make sure that you got -- the 15 Indigenous Montessori Institute -- 16 MR. ISAAC CASADOS: (Inaudible due to 17 simultaneous speaking) based in Albuquerque, 18 correct, yes. 19 THE CHAIR: The Indigenous Montessori 20 Institute is what the name of that is. 21 And have you talked to the staff already 22 at that school? Have you talked to Trisha Moquino 23 or Tracey Cordero? 24 MR. ISAAC CASADOS: Corina Chavez was very 25 helpful in setting up that communication and that</p>	<p style="text-align: right;">161</p> <p>1 So it just -- it seems a little confusing 2 to me that -- about this whole training aspect. And 3 it's not really a concrete plan. It's just, 'Okay, 4 we're going to offer these, and they can take them, 5 but they don't have to take them.' 6 What's the -- the actual plan? And what's 7 been done? 8 MR. ISAAC CASADOS: So if you would allow 9 me. So the first thing that the board has to do is 10 we had to reallocate some funds. 11 As I stated before, we're dealing with 12 about \$120,000 deficit at the moment. And so with 13 that deficit, we're not just able to issue a 14 purchase order and -- and Montessori training, in 15 its overall view, can cost anywhere from \$3,500 to 16 \$7,000 a teacher, or educator. It's not a program 17 where you just kind of go in pay \$300 and call it a 18 day. It's pretty rigorous and intensive. 19 So that was the first thing, to make sure 20 the funding was available to look at that. 21 The second part is to ensure -- this is 22 where the Mission-Specific Goal process was -- our 23 teachers were only required to receive this training 24 under the new contract that you-all approved if they 25 were there for more than three years.</p>

<p style="text-align: right;">162</p> <p>1 So we had to go back as a board and say, 2 "Listen, we don't agree with that. We believe that 3 any educator that has been at that school or is at 4 that school needs to receive this valuable education 5 or this continuing education, has that opportunity 6 to participate." 7 So we have modified our processes to 8 ensure that that occurred. 9 Number three. Being that this is an 10 indigenous program, Ms. Feathers, our former head 11 learner, and another teacher, took that training 12 course last year. They decided not to move forward 13 with that training for our teachers at last year's 14 opportunity. 15 COMMISSIONER MANIS: Can you clarify which 16 training you're referring to? 17 MR. ISAAC CASADOS: The same exact 18 training, the Montessori training from the 19 Indigenous Montessori Training Center. They took 20 that training course and were to become certified in 21 that program so that they could now come back and 22 train our teachers how to do the exact same thing. 23 Why that didn't occur, I wasn't involved 24 in those discussions, so I can't speak to that. 25 But this is a mending of an issue that</p>	<p style="text-align: right;">164</p> <p>1 COMMISSIONER MANIS: Could you clarify for 2 me what -- you had mentioned that it costs between 3 \$2,500 to \$3,000 per teacher for the training. 4 Is that what the Indigenous Montessori 5 Team Center is going to be charging you? Or is that 6 some other Montessori program? Or what is that? 7 MR. ISAAC CASADOS: We're looking about 8 \$2,300 per educator right now is what the cost will 9 be. 10 COMMISSIONER MANIS: Okay. And you had 11 mentioned that before, Ms. Feathers and another 12 teacher, they were -- essentially, it was kind of 13 like a train-the-trainer type program? 14 MR. ISAAC CASADOS: Right. 15 COMMISSIONER MANIS: For that, that's -- I 16 think that's a great opportunity for the school if 17 someone could be a trainer. But has any discussion 18 been made with Ms. Feathers or that other teacher 19 about actually becoming a trainer relative to that? 20 Because you would think that your costs could then 21 be lowered significantly if you have a paid staff 22 member that maybe they get extra funding to provide 23 that training to all the staff. 24 So to me, it's, like, I understand. But 25 has that conversation come up?</p>
<p style="text-align: right;">163</p> <p>1 should have been rectified last year. And so that 2 is what we're doing right now is -- is ensuring that 3 all staff, regardless of the three-year requirement 4 in the Mission-Specific Goals, now have that 5 opportunity to participate. 6 The second component of it, in the 7 Mission-Specific Goals it requires a specific level 8 of engagement. Those engagements sometimes are out 9 of country. We don't have \$11,000 per teacher to 10 send these individuals out of state or out of 11 country to receive Montessori training. It just 12 can't happen that way. 13 But we know with what the Indigenous 14 Montessori Learning Center, what their success has 15 been. We now understand what the programmatic 16 elements are. And it's important for us to ensure 17 that they create a program that can help La Tierra, 18 because it's very different. 19 It's not language-based; whereas the Keres 20 Learning Center is. So they're kind of helping us 21 to kind of create that programmatic element. This 22 is something we're moving forward on, and we've 23 given directive to the head learner to engage and to 24 carry out and sign that contract as soon as 25 possible.</p>	<p style="text-align: right;">165</p> <p>1 MR. ISAAC CASADOS: That's a great 2 question. Well, one of the things that I must 3 clarify is Ms. Feathers is a Montessorian. So she 4 is credentialed; she is certified; she has that 5 background. 6 The unfortunate thing is that training 7 wasn't occurring when she was in that position. And 8 so the board had to -- that was a key (inaudible due 9 to audio distortion) that this board had for two 10 years is where is a Montessori certification of our 11 teachers. 12 You can go back to our minutes for over 13 two years, and even my comments on that issue, is we 14 need to address this issue. If we're claiming to be 15 a Montessori school, where are our other certified 16 teachers? 17 So in order for a teacher to become 18 certified, it's important that they go through a 19 program, and that certification is issued through 20 that certified Montessori entity. 21 One of the other teachers that took it is 22 no longer at the school right now. And we alluded 23 to that issue inside the Corrective Action Plan as 24 to why that person is not there. But it's important 25 to us to ensure that if everybody is going to get</p>

<p style="text-align: right;">166</p> <p>1 the training, I want everybody to be on the same -- 2 on the same foundation instead of having just one 3 person say, "Okay, now I'm going to drive the ship." 4 I want eight, nine educators who are all 5 in step with the board and with our head learner 6 that understand, okay, here are the tenets of 7 Montessori, here's how you're going to implement 8 that programmatic opportunity within our classrooms. 9 COMMISSIONER MANIS: Okay. Thank you for 10 that. And I think that that's probably important to 11 have that strong foundation. 12 With the Indigenous Montessori Team 13 Center, what is the -- because you -- in the 14 Corrective Action Plan, it says, "begin offering," 15 or "offer" that or -- as a board, are you going to 16 make that a requirement that they attend those 17 sessions if you pay for it? Or -- 18 MR. ISAAC CASADOS: Correct. So one of 19 the things in professional development, every other 20 Friday our staff gets half the day. So that's what 21 we're trying to coordinate is to ensure that that 22 process plays out. 23 And in the way that our contracts are 24 written with our teachers, they are to carry out 25 that expectation of learning and professional</p>	<p style="text-align: right;">168</p> <p>1 \$24,000/\$25,000 to complete this training? 2 The good news is we had some ESSER III as 3 well as some professional development funding that 4 was available to us in a planning grant, and so 5 that's where that modification of funds -- we had to 6 make those changes first in our budget, ensure that 7 there was a BAR assessment that was done, and then 8 from there, we were able to bring up some of those 9 funds to get that done. 10 So the goal is by next month to have that 11 training in place so that those teachers, over the 12 course of three to six months, have the opportunity 13 to take it. 14 COMMISSIONER MANIS: So do you have a set 15 date or not yet? 16 MR. ISAAC CASADOS: Not yet. We're still 17 working with them to get that done and get that 18 contract signed. 19 COMMISSIONER MANIS: Thank You. That was 20 the majority of my questions. Thank you. 21 THE CHAIR: Commissioner Carrillo. I see 22 your hand. 23 I have one clarifying question again. 24 Mr. Casados, I'm pretty familiar with the 25 Keres Children's Learning Center team. I know they</p>
<p style="text-align: right;">167</p> <p>1 development. And that's where that process comes 2 in. So, yes, this has been a directive of the board 3 to ensure that every staff member takes this 4 training. It is not an option; it is a requirement. 5 COMMISSIONER MANIS: And when will the 6 training start? Has there been an official set on, 7 "Okay, we're going to start offering that"? And 8 given that it's so close to the end of the school 9 year and not really knowing which teachers may or 10 may not come back, how long is this program? 11 MR. ISAAC CASADOS: So they told us that 12 the program can be anywhere from an intensive 13 two-month all the way up to a five-month program. 14 So being that if we start -- our goal is 15 to start in February. So that gives us a key ample 16 time period where our staff is on staff the entire 17 time. Their contracts run all the way up to June of 18 2023. 19 So that gives us an opportunity to be able 20 to ensure that whichever program we decide to move 21 forward on -- and that's been where our business 22 manager and others have been looking at -- okay, how 23 do we add just the budget to ensure that if it's 24 going to cost us \$2,500 or \$3,000 per person -- we 25 have eight individuals -- where do we pull that</p>	<p style="text-align: right;">169</p> <p>1 have two different pathways. They have the 2 philosophy and indigenous education, which is a 3 ten-course study that individuals or organizations 4 can kind of go through, and, you know, ensuring that 5 their educational experiences for their children are 6 connected through indigenous wisdom and ways of 7 living. 8 And then there is also the AMI, the 9 American Montessori Institute training that they do 10 as well. 11 Which ones are you all doing? It sounds 12 like it's probably the philosophy and indigenous 13 education based on how much the price is. But I 14 wanted to clarify with you. Is it the AMI training 15 or is it the philosophy and indigenous education? 16 MR. ISAAC CASADOS: So Povi Mitchell was 17 able to kind of provide us some clarity. 18 So it will be the Indigenous Leadership 19 Development track, And so that's the modules that 20 look at federal Indian policies, anti-racist 21 approaches, Indian education policy, funding 22 sources, educational models, strategic school 23 framework, strength-based approach, and internal 24 infrastructure elements. 25 So those are the kind of key areas that</p>

<p style="text-align: right;">170</p> <p>1 we're looking at in that program to be able to 2 provide to our staff.</p> <p>3 THE CHAIR: And I believe that's a cohort 4 model. So, Commissioner Manis, and thank you, 5 Commissioner Carrillo, for bearing with me. I 6 wanted to tie this up. I believe there is probably 7 a cohort style -- unless they're doing a completely 8 separate schedule for your school, it sounds like 9 you will probably be part of (inaudible due to audio 10 distortion).</p> <p>11 Commissioner Carrillo.</p> <p>12 COMMISSIONER CARRILLO: Thank you. So the 13 overarching concern that I have, beyond the ongoing 14 miscommunication and conflict between the board -- 15 and when I say that, I mean specifically to you, 16 Mr. Casados, and parents and teachers -- you've said 17 a number of times that, you know, everything is 18 built on solid communication and -- and having town 19 hall meetings and having, you know, involving 20 everybody in decision-making.</p> <p>21 But that -- so it's hard, because I hear 22 conflicting things. I hear you talking. And then I 23 hear parents and teachers -- you know, I forward 24 everything to -- to the CSD director any time 25 someone sends me letters or anything.</p>	<p style="text-align: right;">172</p> <p>1 And I just -- it -- it -- what that does 2 is it diminishes my faith in the leadership team of 3 the school to be able to effectuate the positive 4 changes that need to happen. And this would be -- 5 so I have a couple of questions.</p> <p>6 Well, first, is, as I understand IMI, it 7 is -- and I think this was clarified just a second 8 ago by Chair Brauer -- it's not an accredited 9 Montessori program the way other trainings are. The 10 focus is more around indigenous and cultural issues. 11 And then it veers quite a bit away from kind of 12 traditional Montessori.</p> <p>13 So I'll give you an opportunity to speak 14 to that in a minute. Happy to hear that.</p> <p>15 But IMI -- it's not my understanding of -- 16 if you -- that they add -- what's the word? -- with 17 fidelity, the fidelity to a true Montessori program. 18 That was the word I was looking for.</p> <p>19 A couple of questions I have. And maybe 20 what we can do is answer them, and I'll continue 21 with the next one, whatever (inaudible).</p> <p>22 What steps does the board take to include 23 the public and teachers in their meetings and in its 24 decision-making?</p> <p>25 MR. ISAAC CASADOS: So great question. So</p>
<p style="text-align: right;">171</p> <p>1 And there's just a lot of conflicting 2 information about the way the board -- and as I 3 understand that, the other four members, like, 4 barely even talk -- interacts with everybody else at 5 the school.</p> <p>6 I'm not meaning to say this is anything 7 personal. But this is -- you know, this is -- I've 8 only met you a couple of times, you know. You seem 9 like a perfectly likeable fellow. But it just -- 10 that's a huge concern.</p> <p>11 And I believe a couple of meetings ago, 12 because it seems to have gone on forever and ever, 13 that this is like the adults just having a lot of 14 challenges with communicating and clarity with one 15 another.</p> <p>16 So -- and even based on the Corrective 17 Action Plan, I would -- I would agree with 18 Commissioner Gipson. And what I hear so much of is, 19 "We're taking steps to do this," or, "We're doing 20 this to ensure that." "We have this in place in 21 order to start this in the future." "We're, you 22 know, looking at preparing funds over here."</p> <p>23 All of this is -- to me, is it sounds to 24 me very nebulous, nothing concrete after so much 25 time.</p>	<p style="text-align: right;">173</p> <p>1 the first thing we did was, as I said, the two town 2 hall meetings are very informative, because it 3 provides us key areas that we can focus in on from 4 safety, Montessori education, special education. 5 We'll prompt specific questions, and then from there 6 we are able, then, to pull in data and information. 7 And that's how we've been able to frame kind of some 8 of the key areas that we've addressed within our 9 board. That's the first part.</p> <p>10 Second part is every single meeting has an 11 opportunity for us to hear public comment. And 12 we've done that religiously. I mean, that was a 13 change that this new board made because it was 14 important for us to ensure that that process played 15 out.</p> <p>16 Ms. Herrera, through her professional 17 development and through her staff meetings, has 18 those conversations with staff, and then that 19 information is then passed on to the board from 20 Ms. Herrera.</p> <p>21 We have been very -- we do make site 22 visits. But we've been very -- we've been very 23 apprehensive to have engagement with staff directly. 24 And we've allowed the channel process to play out 25 through Ms. Herrera.</p>

<p style="text-align: right;">174</p> <p>1 And as I've said, our engagement 2 process -- and when we're talking about the small 3 cluster -- it's a small cluster of folks. You may 4 be getting e-mails, and they're all from the same 5 people. You're getting responses; they're from the 6 same people. 7 COMMISSIONER GIPSON: Respectfully, I can 8 tell if they're from the same people. They're not. 9 MR. ISAAC CASADOS: What I really wish, 10 Mr. Carrillo -- and this is not a hit at you -- is 11 that you would have called me and had that 12 conversation. Or Ms. Herrera. Not once have we 13 gotten a call from you. Not once have I gotten an 14 e-mail back from you. 15 And as our Commissioner, I think it's 16 important for us to have those communication lines 17 so that we aren't at this point. 18 "Hey, Isaac, there's an issue. A parent 19 brought up this issue. How are we rectifying that? 20 Well, here's what we've done." 21 And we immediately -- when an issue is 22 brought to your attention, Ms. Chavez immediately 23 calls me and said, "Hey, Isaac, this issue was 24 brought up. How are you guys addressing that?" And 25 we'll immediately provide a response within minutes</p>	<p style="text-align: right;">176</p> <p>1 same things. 2 And, listen, if food or child safety or 3 all of those other issues are a constant narrative, 4 we have addressed those issues. 5 I can understand if we said, "Listen, it's 6 not really a big issue, not something we're too 7 concerned about." 8 It is something we're very concerned 9 about. And we make all the effort in the world to 10 address those issues and those concerns. 11 If I can go back to our first engagement 12 with you-all back in August, none of the issues that 13 we are discussing today were even in our discussion. 14 They had to do with the Open Meetings Act, and they 15 had to do with the issue of the head learner. 16 We addressed those issues quickly. We 17 took care of them. 18 Then we got called back in. And now it 19 was special education. And then from special 20 education, then it moved to child safety. 21 So it was an issue of just continual 22 issues that we're had to address, and we've done 23 every single one of them. 24 It's important to me to ensure that 25 there's a safe and secure environment. As I've said</p>
<p style="text-align: right;">175</p> <p>1 to her specific need or concern. 2 Because it's important to me to ensure 3 that that line of communication continues to occur. 4 Now, as far as the -- the comment that 5 it's my communication mishaps between me and the 6 parents, I don't -- I'm one person on the board. 7 All five members participate greatly. And I'm 8 thankful for Jacqueline, for Brenda, for Delisha, as 9 well as Charlie. Every single one of them speaks 10 wholeheartedly at these meetings, engages with those 11 parents. 12 Heck, the parents and Delisha, because I 13 wanted to ensure that they were not placed in a 14 position where they felt that they couldn't express 15 themselves, she went and had a meeting with former 16 Commissioner Robbins to speak about some of the 17 considerations and needs and concerns. 18 And Robbins was very clear with them in 19 specific areas. These are the areas the board has 20 responsibility over; these are areas where they 21 cannot engage; these are things that the PEC can and 22 cannot do. 23 And instead of us really focusing on the 24 discussion of what the breach of contract and what 25 the challenges were, it was the same gripes and the</p>	<p style="text-align: right;">177</p> <p>1 before on this board, my mother was an educator for 2 35 years. She was not only an educator, but she was 3 also a principal. I understand the world that she 4 had to deal with. I understand that process. 5 And it's important to me to ensure that 6 that process is safe and secure for all students and 7 that we're not stuck in an environment where we're 8 having issues later on. 9 So we are trying to address everything. 10 And it does take time for us, because there are some 11 challenges with finances. And we are trying to 12 rectify those issues, and we have for the most part. 13 But it's being thrown into a snake pit, a 14 lot of the times that we have to try to figure out, 15 "Okay, how do we do this?" 16 And it's not an easy task when I'm a 17 volunteer and I have four other volunteers. It's a 18 daunting task that I spend hours and hours and hours 19 on, because I care about the students, and I care 20 about how this school has an impact in this 21 community. 22 Thank you. 23 COMMISSIONER CARRILLO: Thank you for your 24 response. 25 The first thing I have to say is that</p>

<p style="text-align: right;">178</p> <p>1 you've only e-mailed me once, and that was to tell 2 me that you were going to bring me up on ethics 3 charges, that I use incredibly foul language -- and 4 there was something else. And it wasn't even signed 5 by the board or by you. But that was the only 6 e-mail that I've ever received from you. So I'm 7 still awaiting those ethics charges, okay? And good 8 luck finding any of that on video or anywhere else.</p> <p>9 Relative to my contact with you, it's 10 inappropriate. There's a reason that I send 11 everything to Director Chavez. Because it's 12 inappropriate. We don't get involved, you know, in 13 the day-to-day.</p> <p>14 I'm not going to talk to you about issues 15 at your school. It's not appropriate. You and 16 Patricia and the others, you run your school, and 17 we're -- we're the oversight body. And that's why 18 we're here today.</p> <p>19 The -- you had said -- I have trouble 20 actually really believing your commitment to 21 Montessori. Because as far -- I don't know what 22 date it was. But I believe you also have something 23 coming before us to change your name, to change 24 your -- I just forgot the term that we use -- your 25 purpose -- mission.</p>	<p style="text-align: right;">180</p> <p>1 that we focus in on: The arts, which has been 2 integral. Sixty of our students have gone on to 3 New Mexico School for the Arts, and it's because of 4 the program that they get from La Tierra -- from 5 La Tierra as well as Moving Arts of Española that 6 they are able to have that opportunity.</p> <p>7 And so the idea is is trying to figure out 8 how that even came in.</p> <p>9 When we presented a potential change of 10 our mission statement, it was a "Montessori-inspired 11 environment." "Montessori-inspired" is the entire 12 essence. I can -- hold on one second. I'll pull 13 this book. If any of you have not read that book, 14 that is exactly what it says is that we should be 15 inspired by the Montessori elements.</p> <p>16 And when we talk about fidelity to 17 Montessori, Maria Montessori said it directly. "I 18 may not know everything, and my process may be 19 modified to the specific environment and community 20 that those students and that community actually 21 has."</p> <p>22 And that's what we've done. We've taken 23 the arts and sciences as a key component of this, 24 because it allows that expansion of those students 25 to be able to look at the world in a completely</p>
<p style="text-align: right;">179</p> <p>1 And, you know, to -- it actually, as I 2 understand it, is to kind of incorporate other 3 elements and to lessen the aspect of Montessori. 4 And, you know, when that comes before us, we'll 5 address that issue.</p> <p>6 But it makes me feel like the board -- 7 your board is disingenuous around the commitment to 8 being -- to adhering to the fidelity of the 9 Montessori program.</p> <p>10 So that's a concern.</p> <p>11 So I would ask you or Ms. Herrera around 12 the idea of wanting to be like NMSA or a 13 theater-related school? What's that about? Is that 14 something that I guess you and Mr. Montoya are 15 working on?</p> <p>16 MR. ISAAC CASADOS: I really would like 17 clarity as to where you're getting this information.</p> <p>18 Once again, like I said, this wasn't a 19 communication that you had with me or Ms. Herrera or 20 the board. It seems like this is communication from 21 maybe our former head learner or other individuals. 22 We have never, in any retrospective, ever spoken 23 about that. That's number one.</p> <p>24 Number two, it is the Montessori School of 25 the Arts and Sciences. So there are three elements</p>	<p style="text-align: right;">181</p> <p>1 different way, to get them moving, to get them to 2 look at the arts in a way to heal the generational 3 trauma that many of those children have gone 4 through, and to ensure that we have that support of 5 science behind it, because we are in a community 6 where 60, 70 percent of these individuals, when they 7 finally get out of school, will go on to go work at 8 LANL or other areas within their community. That's 9 an important aspect.</p> <p>10 So where this idea that we're going to 11 become a performing arts school, I don't know where 12 that has come from. Have we, in private 13 discussions, looked at, okay, how best can we 14 provide a relevant course, opportunity for our 15 students? Of course.</p> <p>16 But those conversations have never been 17 had in our board meetings. Those conversations have 18 never been had within our overall view.</p> <p>19 This is a narrative coming from a group of 20 individuals that have it out for former 21 Representative Roger Montoya. And listen. That's 22 fine. But he is also a 2019 CNN Hero. This is an 23 individual who runs a profound organization that 24 started at the exact same time as La Tierra 25 Montessori school, and they've been in unison the</p>

182	<p>1 entire time in providing service.</p> <p>2 So I don't know where that comes from.</p> <p>3 And I'm also caught off guard every single time I</p> <p>4 hear that we're going to move this into a performing</p> <p>5 arts school. That has never been the case and never</p> <p>6 been the issue.</p> <p>7 THE CHAIR: Commissioner -- Commissioner</p> <p>8 Carrillo, I just wanted to share that -- like, I</p> <p>9 want to make sure that we are continuing to kind of</p> <p>10 center on the rigor of the Corrective Action Plan as</p> <p>11 well. So just a subtle reminder that we want to</p> <p>12 make sure we're focusing in on any clear questions</p> <p>13 around the -- the CAP that we've received from the</p> <p>14 school.</p> <p>15 COMMISSIONER CARRILLO: Okay. Well, I</p> <p>16 just -- I had had a question, and I just -- I mean,</p> <p>17 your interruption just made me lose my question and</p> <p>18 my train of thought; so...</p> <p>19 THE CHAIR: I apologize, Commissioner.</p> <p>20 COMMISSIONER CARRILLO: So the -- oh, I</p> <p>21 can tell you with 100 percent certainty -- and</p> <p>22 probably Ms. Chavez could corroborate it -- no one's</p> <p>23 ever expressed any concern or dislike or distrust to</p> <p>24 me about Mr. Montoya, ever. Not once. Ever.</p> <p>25 So -- all right. Then I guess -- I mean,</p>	184	<p>1 feeling heard.</p> <p>2 And I would express the -- I would ask you</p> <p>3 about your bylaws. What in your bylaws allows for</p> <p>4 anyone to join the board or to -- are there steps to</p> <p>5 recall a board member? How does that work within</p> <p>6 your bylaws?</p> <p>7 MR. ISAAC CASADOS: So great question. So</p> <p>8 any individual within the community can join the</p> <p>9 board. There are provisions within our bylaws that</p> <p>10 specifically state that unless a member is leaving</p> <p>11 and we open up that spot, then a new board member</p> <p>12 can be admitted.</p> <p>13 We really wanted to ensure that the last</p> <p>14 debate that we had about a board member joining the</p> <p>15 board was contentious. It wasn't productive, and it</p> <p>16 was something that we wanted to alleviate.</p> <p>17 So we have developed a subcommittee. That</p> <p>18 subcommittee is looking at all the different</p> <p>19 individuals that have gone out and presented their</p> <p>20 letter of participation in that process. And then</p> <p>21 that committee will then send it to the board and</p> <p>22 say, "Okay, these are the individuals, these are the</p> <p>23 backgrounds that these individuals have, and they</p> <p>24 fall within our provisions of our bylaws."</p> <p>25 And then we have the debate, and we have</p>
183	<p>1 I have some notes here, and I'll get back to kind of</p> <p>2 the train of things.</p> <p>3 This came up in the last -- it just</p> <p>4 seems -- you know, I wish -- I don't know. I don't</p> <p>5 know what to say. I don't know what to say, because</p> <p>6 the school has gone from being -- like, when we</p> <p>7 renewed you a year ago December to now, the decline</p> <p>8 in the culture of the school, it's just very, very</p> <p>9 concerning.</p> <p>10 I'll say relative to public forum. So I'm</p> <p>11 glad you have public forum. And that's something</p> <p>12 you and I discussed -- I think you were in the</p> <p>13 meeting when we were in Ruidoso. That's what's</p> <p>14 coming to mind.</p> <p>15 And it had to do with how you lay out</p> <p>16 agendas and things like that.</p> <p>17 It's one thing to allow comment. And it's</p> <p>18 really important that the people who are commenting</p> <p>19 know you can't comment on their comments, because</p> <p>20 it's not an agenda item.</p> <p>21 But in my experience with Santa Fe Public</p> <p>22 Schools, it generally becomes an agenda item the</p> <p>23 following meeting so that people feel heard.</p> <p>24 And I guess, overall, the things that I</p> <p>25 understand from people that reach out is people not</p>	185	<p>1 the vote.</p> <p>2 Number two under provision of our bylaws,</p> <p>3 there is a recall provision. So 33 percent of our</p> <p>4 population, specifically, parents, must provide a</p> <p>5 recall petition.</p> <p>6 That recall petition must lay out the</p> <p>7 specific facts, specific issues. It goes before the</p> <p>8 board, and the board votes that person either to</p> <p>9 stay on or out.</p> <p>10 And what I want to inform this Commission</p> <p>11 about is that was tried the first time. The first</p> <p>12 time that was tried was three days after we did not</p> <p>13 renew the head learner's contract, by the same</p> <p>14 individuals that had been sending you e-mails.</p> <p>15 And so it's the same four or five</p> <p>16 individuals that continually do the exact same</p> <p>17 thing.</p> <p>18 And, you know, the board has to continue</p> <p>19 to do work. We have to ensure that there is fiscal</p> <p>20 responsibility, that there is fiduciary</p> <p>21 requirements, that there's testing and accounting</p> <p>22 information that we're providing to PED.</p> <p>23 We have to continue to do that. And we're</p> <p>24 continually trying to alleviate ourselves from</p> <p>25 daggers. And that's the challenge. You can have</p>

<p style="text-align: right;">186</p> <p>1 multiple conversations with a small pocket of 2 parents. But at the end of the day, if they're not 3 going to hear something that they want, it's going 4 to continue to permeate over and over. 5 And that's what we're in right now. We're 6 in that cycle of five or six parents that represent 7 6 percent of the entire population that continue to 8 drop the exact same thing over and over and over. 9 Listen. Every parent is important. But 10 at the end of the day, I also have to say, okay, 11 what are 97 percent or 94 percent of the other 12 parents actually saying in this process? And when 13 they sit down with myself, or they sit down with 14 Ms. Herrera, they're saying thank you. 15 "Thank you for finally addressing some of 16 the key concerns that we've had, from special 17 education, to ensuring that the safety and 18 well-being of our children are being met, and that 19 our students are finally learning something." 20 That, to me, is important, because I can't 21 go upon observation. I can't go upon somebody 22 saying "we may have" done this. I want to look at 23 data. And I'm a data-driven individual. If I can't 24 see data, well, then, it doesn't make any sense. 25 So those are the provisions. And we've</p>	<p style="text-align: right;">188</p> <p>1 provide training, Montessori training." 2 Never got the stipend back. 3 I went into personnel files. I looked for 4 evidence of past training. I didn't find any. I 5 don't know if any occurred last year. I started in 6 October. 7 I'm not blaming. I'm just saying -- I'm 8 picking up on things that were handed to me, and I'm 9 constantly putting out, you know, stomping all over 10 to put out little fires. I am working on it. 11 I couldn't get into the ESSER account 12 until recently. I've been asking for assistance 13 from PED since before the semester's end so that we 14 could get into that funding. 15 Finally, this last week, I was able to get 16 in, and we are working on moving some of that 17 funding around. 18 As far as, you know, the security and the 19 lack of supervision in this building, Commissioner 20 Gipson, I'd like to answer your question. 21 I -- I had never seen a staff that would 22 come in at 8:20. I finally had to put my foot down 23 and say, "Enough is enough. You're supposed to be 24 here on time." 25 It was myself and a few of my staff</p>
<p style="text-align: right;">187</p> <p>1 asked them multiple times. You have the provision 2 under 3.7 to recall any member at any time. And 3 we've asked them to provide a petition multiple 4 times. They've told us that they are working on it. 5 They've been working on it for four months now. 6 So that leads me to believe that the 7 33 percent of the parents that are there aren't 8 available to sign that document, or not willing to. 9 COMMISSIONER CARRILLO: Okay. I'm good. 10 Thank you, Isaac, for your time and commitment. 11 THE CHAIR: Thank you, Commissioner 12 Carrillo. 13 Commissioner -- sorry -- Head Learner 14 Herrera, if you have additional context, please feel 15 free to share that. 16 MS. PATRICIA HERRERA: I profusely 17 apologize. My (inaudible) doesn't work well with 18 the audio. I was using one of the kids' 19 Chromebooks. So I apologize profusely. 20 Okay. Yes. There was a question that was 21 asked about why Mrs. Feathers is not offering or 22 providing training. I -- before -- I believe it was 23 in November, I offered a stipend to her. I gave her 24 the stipend. I even signed it. 25 I said, "Please, I need you to help</p>	<p style="text-align: right;">189</p> <p>1 members that were watching the door, getting 2 children in the building, moving, you know, them 3 around, having them eat and get ready for class, 4 which is supposed to start at 8:15. 5 If you have a staff that shows up at 8:20 6 consistently, 8:20, 8:25; so -- and I was glad for 7 the surprise visits. It really gladdened me, 8 because I wanted others to see what I was 9 experiencing. 10 And I was asked, "Well, why are they 11 coming in now?" 12 I said, "You know what? Ask them. I 13 don't know." 14 We did have a staff meeting. I have 15 talked about the rocks in the doors. No more. So 16 that is a big no-no. 17 There is somebody here at the doors. And 18 I believe that for the first scheduled visit, my 19 office manager, Mrs. Maitai Lopez and I were both at 20 the door that day. But the rock in the door was a 21 back door that had been propped open for some reason 22 or another. I don't know. 23 So I just constantly feel like -- like, 24 man, it's like I'm constantly on trial here. And if 25 it's not one thing, it's, like, we start to put out</p>

<p style="text-align: right;">190</p> <p>1 that little fire, and it's, like, "Oh, well, now the 2 food, now this, now that." You know, it's been one 3 constant thing after another. 4 And I would just like to get into the 5 classroom more. And I've been here since 9:00 this 6 morning, and I worked with some students a little at 7 a time while I kind of listened to see if it was 8 time for us to get on. 9 I don't know what else to say at this 10 point. I think Mr. Casados touched on all the -- I 11 was taking notes, and he was answering the questions 12 as we went. But that's -- that's all that I have 13 for right now, unless anybody has any questions for 14 me. 15 THE CHAIR: Thank you, Ms. Herrera. 16 Commissioner Gipson, and then Commissioner 17 Beck. 18 COMMISSIONER GIPSON: Yeah, thanks. You 19 know -- so with the Corrective Action Plan, I do 20 have a level of concern with the special ed 21 servicing. And if we were to go forward with this, 22 I would need some, certainly, clarifying information 23 from the PED Special Ed Bureau, because the comments 24 that were made by the Director was that as a result 25 of -- I think them going in with them -- there was</p>	<p style="text-align: right;">192</p> <p>1 are. And I'm not trying to disrespect him and say I 2 don't believe him. 3 But Special Ed has come in. They did do 4 an audit. I'd appreciate the information from the 5 experts, from Special Ed, on where the -- where the 6 problems still are. 7 And I know that there were -- you know, 8 and here we go. There's issues with, you know staff 9 coming in late, staff not - staffing properly. 10 So we up the hours of Ms. Herrera, which 11 as a head -- as the head administrator -- and I 12 appreciate that. But then that diminishes her time 13 as the special ed provider. And we're saying 14 there's concerns over special ed providing. 15 And I do -- I did read that, you know, 16 there is a staff member that can do it. But if 17 you're behind, it's -- and my contention always is, 18 when you're behind with servicing of students, just 19 providing now all of these extra hours, the 20 frustration level of those students when they 21 haven't been provided the services that they -- you 22 know, that they need and deserve, and to say now the 23 onus becomes on the student, so now we're going to 24 pile all these extra hours on so we can get our 25 servicing in -- and I don't think it's quality</p>
<p style="text-align: right;">191</p> <p>1 an audit. 2 And what was indicated by the school as a 3 result of the feedback, I believe, from PED Special 4 Ed, I don't believe their response is sufficient and 5 that more information is necessary. 6 I would need the information from PED 7 Special Ed as to what is missing, you know. Just to 8 put something in the Corrective Action Plan that 9 they, you know, need to be servicing or it's not 10 being serviced, I need the specifics from PED 11 Special Ed from that visit as to what's not being 12 done. It is very concerning. 13 And I -- you know, I appreciate what has 14 been laid on the lap of the head learner, 15 Ms. Herrera. I mean, I do. She walked into the 16 fire. And now she's trying to put it out while 17 she's around. And, yes, unfortunately, we keep 18 finding more little fires. And that's really 19 worrisome. 20 It's like, gee, every time, we find 21 something else. So I'm at a point where what else 22 don't I know, because I don't think it's going to be 23 good, because it never appears to be. 24 But if there -- if students are not being 25 serviced -- and I know Mr. Casados has said they</p>	<p style="text-align: right;">193</p> <p>1 servicing of the student. We're not taking care of 2 that student the way we should be. 3 And, you know, we've seen with some 4 schools, oh, we're making the kids come in on 5 Saturday so we can get their hours in. That's -- 6 you know, you're punishing the child for what the 7 adults didn't do appropriately. And, ultimately, 8 that's what we're here for, to make sure that those 9 students are being serviced properly. 10 So I'd appreciate, if this CAP was going 11 to be accepted, that there be a detailed report from 12 the Special Ed Bureau as to what should be -- what 13 we should be looking for in the future. 14 THE CHAIR: Thank you, Commissioner 15 Gipson. 16 Commissioner Beck. Then Director Chavez. 17 COMMISSIONER BECK: Thank you, Chair. 18 I'll make this pretty specific. 19 I'm looking at the Corrective Action Plan, 20 and I'm a pretty simple guy. 21 And Section 4, where it says, "The 22 governing board breached the contract by failing to 23 institute a Montessori program with trained 24 Montessori staff to provide documentation to the CSD 25 to be implemented," my -- I guess one of my</p>

<p style="text-align: right;">194</p> <p>1 concerns -- I'm a financial guy, and this kind of 2 stuck out to me -- is you said you have a deficit of 3 \$120,000.</p> <p>4 I don't want to go into that now. But 5 does that negatively impact your ability -- you kind 6 of alluded to it -- to train your staff?</p> <p>7 And the way I read that is not necessarily 8 training from a trainer at your school, but to have 9 them actually certified. And it says the 10 implementation -- to "fully implement the mission." 11 So I guess my question is, when do we get 12 back? Here's my staff. Here's how they're going to 13 be able to be funded. Here's when they're doing the 14 training. Here's when the training is going to be 15 complete.</p> <p>16 And does that negatively impact -- if it's 17 a three-month program or a five-month program, does 18 that negatively impact them being in school? Or is 19 this an online-type thing that is outside the 20 parameters of them teaching the kids?</p> <p>21 How does that all get -- I mean, it seems 22 pretty -- a pretty large thing to accomplish. And 23 I'll just listen.</p> <p>24 MR. ISAAC CASADOS: So thank you, 25 Commissioner Beck. Thank you for that question.</p>	<p style="text-align: right;">196</p> <p>1 process played out last week, and as soon as the 2 contract is signed. So that's why we put inside of 3 our Corrective Action Plan our goal is to have 4 everything set up and ready to go by February 15th.</p> <p>5 THE CHAIR: Okay. Director Chavez. 6 DIRECTOR CORINA CHAVEZ: Thank you. This 7 is in response to Commissioner Gipson's concern 8 about special ed. That is one of the largest 9 concerns I have about the school, aside from the 10 fact that I believe that the adults just aren't 11 working with one another. And as long as they are 12 attacking one another, I don't -- it gives me little 13 hope for the school.</p> <p>14 But I wanted to just say that in the site 15 visit report from the January -- prepared for the 16 January 20th meeting, from our visit on January 9th, 17 on the final page is a bulleted-out set of concerns 18 that were identified by the Special Ed Division 19 staff that accompanied our team on that visit.</p> <p>20 And I have since been in touch with 21 Special Ed. It is unclear to me whether the school 22 will receive a Corrective Action Plan or not. They 23 don't work as quickly as my team after a site visit 24 in turning around a report. 25 But I have reached out to get that</p>
<p style="text-align: right;">195</p> <p>1 That's actually a great question. 2 So, yes, with the \$120,000 deficit, as I 3 said before, we had two specific programmatic areas 4 where monies were -- or funding was specifically 5 tied that we had to move around.</p> <p>6 And so that required an ESSER III change 7 as well as a planning or professional development 8 grant change that had to go through PED.</p> <p>9 Those funds have been modified. So we've 10 spent the last month and a half with our office -- 11 our business manager to get that process done. So 12 that does help free up some of those funds where the 13 deficit now isn't choking us as more challenging as 14 it was.</p> <p>15 And then as far as professional 16 development, that will occur on Friday afternoons. 17 So the staff isn't required to spend a weekend or 18 instruction time going through this training 19 program. So that's what we're trying to do is 20 ensure that that Friday afternoon from 12:00 on, 21 where they have the four hours, we're able to 22 accomplish those training modules as well.</p> <p>23 COMMISSIONER BECK: When does that start? 24 MR. ISAAC CASADOS: As soon as that 25 contract -- we have to move those funds. So that</p>	<p style="text-align: right;">197</p> <p>1 information and can certainly let the Commission 2 know as soon as I find out. I believe we have will 3 have confirmation on that prior to the next Public 4 Education Commission meeting.</p> <p>5 THE CHAIR: Thank you, Director Chavez. I 6 also want to mention that Secretary Armijo has left 7 us as well. So I just want to make sure that was on 8 the record.</p> <p>9 I'm going to go to Vice Chair Burt, and 10 then we'll come back to you, Ms. Herrera, just in 11 case there are other questions that might come from 12 Vice Chair Burt.</p> <p>13 COMMISSIONER BURT: Okay. I'll start by 14 saying -- I think someone else said this too -- I 15 think this situation is so difficult because you can 16 read something and hear something, and then there's, 17 like, the opposing side, so you have to discern 18 these two different sides. And I think that makes 19 things more difficult in this scenario than it has 20 to be.</p> <p>21 But when I look at the situation, just as 22 I have for the past six months or so, I just look at 23 what's on black and white and the data that can be 24 presented to me that I can look at that's more 25 tangible, that's not necessarily hearsay as much as</p>

<p style="text-align: right;">198</p> <p>1 what is actually there.</p> <p>2 So I do -- I mean, I -- President Casados</p> <p>3 knows this. I've had concerns about this school</p> <p>4 right from the beginning. As soon as all this</p> <p>5 transition and turmoil started, it's been a</p> <p>6 challenging process to get it back on track.</p> <p>7 I do think it can. Like, this is what's</p> <p>8 so frustrating is it's -- it's the people. And, I</p> <p>9 mean, to me, when I got that site visit report</p> <p>10 saying that teachers just weren't showing up on</p> <p>11 time, like, that is -- I mean, I -- I don't know</p> <p>12 what to say other than I was a teacher.</p> <p>13 I would be embarrassed. I would be so</p> <p>14 embarrassed to have -- be a part of a group of -- a</p> <p>15 team of colleagues responsible for children and just</p> <p>16 not care about my -- I mean, it's embarrassing.</p> <p>17 And so I do think this isn't a one-person</p> <p>18 issue. This isn't a personality issue, even. I</p> <p>19 mean, this is a team of people at this school that</p> <p>20 everyone needs to come together. I've said this</p> <p>21 before. It's so frustrating. Everybody needs to</p> <p>22 put their arms down and just come together and do</p> <p>23 what's right by the kids.</p> <p>24 Just going back and forth and, like, the</p> <p>25 head butting constantly, it's not going to get</p>	<p style="text-align: right;">200</p> <p>1 I do appreciate that. That has not been</p> <p>2 my experience that, you know, like -- I think that</p> <p>3 has been the experience with some other schools.</p> <p>4 And -- you know. And the PEC says, "Hey, we see</p> <p>5 these issues at your school."</p> <p>6 Sometimes we don't get a great response</p> <p>7 from a school. They're like, "Okay," or there's</p> <p>8 just, like, no regard. That's not the case we see.</p> <p>9 I'm going to be succinct just for time. I</p> <p>10 don't think this CAP is ready today. I just don't.</p> <p>11 I don't think it's complete. I think there needs to</p> <p>12 be some more work on it.</p> <p>13 I also -- once again, I don't -- and I</p> <p>14 think even the -- even the families who are here who</p> <p>15 are frustrated with the school, nobody wants to see</p> <p>16 this school closed, right? Nobody wants to see this</p> <p>17 school closed.</p> <p>18 So for me, when I think about, okay, what</p> <p>19 do we do in order to support the school, I don't --</p> <p>20 I don't -- I do -- I would -- I still believe -- I</p> <p>21 remember when this school came up for renewal and me</p> <p>22 really getting that intimate learning of it that we</p> <p>23 get when we get renewals from schools.</p> <p>24 I just remember thinking what a great</p> <p>25 opportunity for this community. Montessori schools</p>
<p style="text-align: right;">199</p> <p>1 anyone anywhere.</p> <p>2 Okay. So that being said, it's just so</p> <p>3 frustrating. It's so frustrating. Because I hear</p> <p>4 what Mr. Casados says. I do feel like it's true.</p> <p>5 Every time this school comes back on our agenda,</p> <p>6 something else gets tacked on.</p> <p>7 The reason is something new keeps</p> <p>8 happening. Like, we get more information. Oh, now</p> <p>9 this is happening. Oh, now this is happening.</p> <p>10 And I know that -- I imagine that being</p> <p>11 frustrating for the school. That's frustrating for</p> <p>12 us. It's super frustrating for us.</p> <p>13 We feel like these are the issues. Now</p> <p>14 there's more issues. Come back. Now there's this</p> <p>15 other.</p> <p>16 It's this frustrating, consistent cycle</p> <p>17 of, okay, we're going to fix the issues we heard</p> <p>18 about, which, once again, I'm going to say. I am</p> <p>19 grateful for the governing board, whichever head</p> <p>20 learner is there at the time, but Ms. Herrera, too.</p> <p>21 I do still think that every time we have set out</p> <p>22 something to this school, they do it. We're not</p> <p>23 getting non-response; we're not getting no effort;</p> <p>24 we're not getting disregard for what the PEC is</p> <p>25 putting out there.</p>	<p style="text-align: right;">201</p> <p>1 cost thousands of dollars in Albuquerque, I mean,</p> <p>2 thousands and thousands of dollars to family.</p> <p>3 What a great opportunity for the community</p> <p>4 of Española to have a great Montessori arts school</p> <p>5 that's sending kids off to -- to really great</p> <p>6 success. I mean, I love hearing the parents come</p> <p>7 and talk about the kids who went there when they</p> <p>8 were little, and now they're in their 20s and just</p> <p>9 highly successful and deploying some of the methods.</p> <p>10 Like, the things they learned in elementary from</p> <p>11 this school are creating success for them later in</p> <p>12 life. That's how it's supposed to be.</p> <p>13 So for me, I want to see this school</p> <p>14 succeed and see it get on the right track. To me,</p> <p>15 that's deploying a CAP and holding the school</p> <p>16 accountable to the CAP.</p> <p>17 So that's where I'm going through -- when</p> <p>18 I go through the CAP, I agree. I think it was</p> <p>19 Commissioner Gipson that said, like, there just</p> <p>20 needs to be more specifics.</p> <p>21 I don't think it's specific enough; it's</p> <p>22 not detailed enough. It's a little too idealistic</p> <p>23 and not contextual.</p> <p>24 So I think there needs to be some</p> <p>25 collaboration with CSD. I think Director Chavez and</p>

<p style="text-align: right;">202</p> <p>1 her team can support the school in creating a CAP 2 that's going to lead them to -- and my hope would be 3 that, you know, by the end of this school year, the 4 train has turn- -- the train is back on the tracks, 5 you know. Like, we're on -- we have dates in mind, 6 we have actions being taken, and we're back -- the 7 train is on the tracks. 8 But I don't think this CAP right now is 9 going to get us there. 10 So I think what I'm going to support today 11 would be that the school get back -- go to CSD, 12 like, work collaboratively with CSD, and develop a 13 CAP that -- and Director Chavez has a really great, 14 like, template, basically, that, like, it allows for 15 responsibility. Who's responsible for it? What's 16 the date? 17 I mean, she does a really great job in 18 keeping things very organized and succinct and clear 19 as to what the goal -- what the mission -- the goal 20 is that needs to be accomplished, who's responsible 21 for it, when it needs to be done by. And it's -- 22 just, like, tangible. Every single one of the items 23 is tangible. 24 And I think right now, it's just -- I 25 think that's what Commissioner Gipson says. It's</p>	<p style="text-align: right;">204</p> <p>1 come together to work hand in hand on it and not 2 have all the conflict going on, I mean, it's just -- 3 like I said last time, too, the only other option we 4 have is to close the school. 5 That's the other path. We either work to 6 correct this, or we close. That's kind of our 7 options. 8 So right now, I'm still -- I do think -- I 9 don't like the idea that -- you know, I don't think 10 the PEC -- I'm -- this is what I was going to say. 11 I guess we could take the time to work to 12 amend the CAP and try to get it to a place where we 13 can approve it today. I just don't feel like we 14 should be doing that. It just feels like we're 15 telling the school what to do then. There's no -- 16 then there's a lack of ownership from the school and 17 the community. 18 And I'd rather the school own it. I want 19 the school to be the ones to say, "This is what we 20 are doing," not, "This is what the PEC is making us 21 do." 22 So that's kind of where I'm coming from as 23 far as, like, I know it's pushing it two weeks again 24 to get this right. But I don't want to spend all 25 day amending it, because I think there's too much</p>
<p style="text-align: right;">203</p> <p>1 just not specific enough yet. So I don't feel right 2 approving the CAP today. I would like to see it on 3 this next agenda. 4 So I don't want to prolong it. So I do 5 think by the February meeting, I would like to see 6 it revised and back to us already, because I do 7 think there's an urgency in it. And, ideally, maybe 8 there's also some -- if we can get information from 9 Special Ed or anything else to help us out, it gives 10 us kind of that -- I don't think it's a long time. 11 I mean, it's not a long time. 12 Between now and the next meeting is -- 13 it's a pretty short time. So that's kind of where 14 I'm at. I'm not -- I don't -- it's just 15 frustrating, because I don't know if there's 16 anything that I can touch on that is a continued, 17 like, just blatant disregard of the contract and 18 blatant, just, you know, purposefully doing 19 something that is, you know, not for the best of the 20 kids. 21 I do believe a lot of the issues have been 22 adult issues. And my -- I mean, I really do hope 23 that this school and the staff and the families 24 and -- like, the kids are the ones that are going to 25 end up being the most affected. And if you can't</p>	<p style="text-align: right;">205</p> <p>1 work to do to amend it, honestly. I think the 2 school and CSD need to have the time to work 3 together and get this in the way that Commissioner 4 Gipson was describing. 5 THE CHAIR: Thank you, Vice Chair Burt. 6 Commissioner Gipson. 7 COMMISSIONER GIPSON: Yeah. And thanks 8 for those thoughts, Commissioner Burt. You know, my 9 concern with that is the school had said last 10 meeting that they didn't want to use that template, 11 that they didn't like it. They saw that, and they 12 didn't like it. So that's what concerns me about 13 going back and starting over again, but -- because 14 it is the template that we've used and used 15 successfully. 16 And I firmly agree. The school has to own 17 this Corrective Action Plan. We do have the 18 authority to impose a Corrective Action Plan. But 19 that's just not -- you know, it's not great 20 business, because then the school doesn't -- you 21 know, we don't want to be forcing schools to -- you 22 know, we are, through this Corrective Action Plan, 23 yes, we are guiding the school in a direction. 24 But the school needs to acknowledge what 25 needs to be fixed, and they need to create the plan</p>

<p style="text-align: right;">206</p> <p>1 that's going to work best for them and still fall 2 into compliance. 3 And that has to be a conversation with the 4 head learner and governing council. And I do hate 5 moving this to -- I am -- I am completely unwilling 6 to start doing that today, because I think there's 7 too much -- and I don't think we have all the 8 information that we need to fill in the blanks at 9 this point in time. 10 And I hate to move it to two weeks from 11 now, because I -- I have a level of concern that two 12 weeks from now, we're still going to be at the -- 13 "Oh, we've already done that," or, "We didn't," you 14 know. And I -- you know. And I said this at the 15 last meeting. The adults in the room need to get 16 their act together, and they need to -- you know. 17 And this is -- I'm the only one here on 18 the screen that's done revocations. And they are 19 devastating. They truly are. And I never want to 20 get to that point. But I have to be honest. I'm 21 pretty close at this point in time, because it's 22 frustrating that we're still having these -- and 23 many of them are the same conversations. 24 Some of them have added, and I get it. 25 But that's -- you know, that's what happens.</p>	<p style="text-align: right;">208</p> <p>1 sounds like there's a cultural issue between the 2 adults. I know that you've heard that a lot, 3 Ms. Herrera and Mr. Casados. I imagine you feel it 4 every single day, and you hear individuals that are 5 connected to your school speak about it in certain 6 ways. 7 And so I don't know what CAP could help 8 that, you know. I think a cultural issue, that's on 9 you-all to kind of figure out how are you going to 10 bring people together to get to the root cause of 11 whatever that is. 12 And I know that sometimes anger is anger 13 or upsetness is upsetness. But I'm a very 14 optimistic person, that if you dig deep enough, you 15 can figure out how to get the six individuals that 16 spoke today, who obviously love the school, but have 17 some big grievances, how to sit down and kind of 18 break it down and figure out how do we move forward 19 together in ways that are going to be really 20 helpful. Especially in this small community, that 21 always is difficult, and it's painful. 22 But I just really -- I hope that today 23 behooves you to figure out what that great -- what 24 that good pathway is to finally put to rest some of 25 those grievances, for sure.</p>
<p style="text-align: right;">207</p> <p>1 So I don't know what I want to do. So I'm 2 just going to leave it at that for a second and take 3 a breath. 4 THE CHAIR: Thank you, Commissioner 5 Gipson. 6 I just wanted to weigh in real quick, 7 Director Chavez, and just a point of clarification 8 because I do think that the safety audit from Poms 9 is going to be an important artifact for us to 10 review. And, most importantly, Mr. Casados and 11 Ms. Herrera, it's going to be important for you all 12 to see and to see how you're going to respond to 13 that. 14 So I do think there should be some ample 15 time. I don't know what the timeline is for 16 receiving that information, Director Chavez, or 17 Mr. Casados or Ms. Herrera. But if you do have 18 ideas about what that is or an understanding, that 19 would be helpful. 20 But I do see that as, like, an important 21 aspect of our next-step planning, so that we can 22 really not continue to add on additional things once 23 we get information, but to really be diligent about 24 that at this stage. 25 I do also just want to reiterate. It</p>	<p style="text-align: right;">209</p> <p>1 Director Chavez, and then Commissioner 2 Carrillo. 3 DIRECTOR CORINA CHAVEZ: Thank you. I am 4 happy to work with the school or have a staff member 5 work with the school to provide more specificity to 6 the objectives that they set for themselves. I 7 don't think that's a big lift. 8 In response to the question about when 9 Poms & Associates might have the report, my 10 understanding was they were hoping to get it out 11 this week. So I think that that would be an 12 artifact that we could use. 13 And I also have helped close down schools. 14 And it is excruciating; it's expensive; it's time 15 consuming. And I -- I know how to do it. We have a 16 plan. 17 So if the Commission decided that they 18 wanted to close the school, we would know exactly 19 the checklist that we would need to go down. 20 And I don't know that -- all of the 21 complaints -- I kind of feel like the adults are 22 using the PEC as a sounding board for complaining 23 to -- and then defending themselves. And it's a 24 terrible strategy for dealing with conflict that 25 should be addressed at the school level.</p>

210	<p>1 So I really appreciated your comments, 2 Chair Brauer and Vice Chair Burt. And if there is a 3 way that the school could spend some time bringing 4 the adults together, recognizing that every time 5 there's a complaint that has to make its way to the 6 PEC, it's digging a larger hole for the school. 7 And that's not, I think, what people want. 8 Or if it is, if it is, maybe those people need to 9 leave the community and move on. I'm not sure. 10 But this is -- this has been very 11 difficult and I think we're all wary. 12 Thank you. 13 THE CHAIR: Thank you, Director Chavez. 14 Commissioner Carrillo, and then 15 Commissioner Gipson. 16 COMMISSIONER CARRILLO: Quick question 17 that requires a quick answer, to either Board 18 President Casados or to Ms. Herrera. 19 Why do the doors keep getting propped 20 open? Why? 21 MR. ISAAC CASADOS: I think teachers who 22 are looking at creating another narrative. That's 23 the only reason. They have been directed not to. 24 And they continually do it. 25 COMMISSIONER CARRILLO: Okay. Our</p>	212	<p>1 end of the school. And I think so that they didn't 2 have to walk all the way around to the front door, 3 which they've been directed to do from now on. Most 4 of the teachers do, but there was a couple of 5 classes that were using that back door. So that's a 6 no-no. 7 COMMISSIONER CARRILLO: Okay. Well, I 8 mean, somehow it's got to be impressed upon them, 9 it's a grave safety issue, access to any school, 10 nationally. 11 So in terms of what others have said -- 12 because I'm kind of -- I got to tell you. This dead 13 horse has been beaten beyond dead. 14 So one thing I have. We've mentioned the 15 six speakers. I don't know if these are rhetorical 16 questions or not. But, typically, when a school is 17 at this point, there are going to be other speakers, 18 other people that come and say, "Hey, don't even 19 consider closing our school, because we're doing 20 this, we're doing this, we're doing this." 21 I don't recall hearing from anyone 22 defending -- I don't need comment on this. These 23 are comments, and then I'm done. 24 I don't recall hearing anyone in public 25 forum honestly defending the board at any point,</p>
211	<p>1 experience with -- you know, we have, like, 30 2 schools up here. It was mostly because people who 3 wanted to take smoke breaks, or if they wanted to go 4 to their car or do something, they wanted to come 5 back in instead of going all the way around the 6 property. 7 I don't know if that's the case there. 8 But if it is smoke breaks, you know, in the State of 9 New Mexico, you're not allowed to smoke on school 10 property. 11 MR. ISAAC CASADOS: We're on federal 12 property, because that's where the reservation is. 13 COMMISSIONER CARRILLO: I know that. But 14 you would hope no smoking on federal property. It 15 was just in the back of my head. Why? Because it 16 does create an unsafe condition for everybody when 17 people have access. 18 Sometimes it has to do with the card 19 swiping and whether or not a system -- a security 20 system is working appropriately. So if people who 21 are card swiping to get back in, they constantly 22 can't. Ms. Herrera. 23 MS. PATRICIA HERRERA: Yes. Thank you for 24 that question. Well, because also the playground -- 25 one of the playgrounds is toward the -- that back</p>	213	<p>1 since I can remember, in the last however long it's 2 been. That's telling to me. 3 Yes, it's the adults. This is what we 4 said the last meeting and the meeting before that, 5 the idea of how can we get people together. 6 And, you know, for organizations to be 7 effective, we have to bring in dissenting viewings, 8 even those views and/or people that we may find 9 disagreeable, because they might find you 10 disagreeable, too. But it's the idea of regardless 11 of all of that, as Vice Chair Burt said, putting the 12 kids first, sitting around the table, and getting 13 this done. 14 And what I have heard over time is that 15 whether it's these six or others -- because my 16 understanding is -- and it's very fortunate that 17 they have the opportunity and the time to be able 18 to -- they've been listening to Zoom now, either in 19 the background or on, since 9:00 this morning. And 20 there's not a lot of people that can do that. 21 And so people need to be heard. They need 22 to be included. And if there are challenges, I 23 would just think out of -- oh, there's that school, 24 Aldo, down south -- Aldo -- tell me, Pattie. 25 THE CHAIR: Leopold.</p>

<p style="text-align: right;">214</p> <p>1 COMMISSIONER GIPSON: Not Alma d'Arte. 2 THE CHAIR: Aldo Leopold. 3 COMMISSIONER CARRILLO: It's time for you 4 at La Tierra to think outside the desk, okay? 5 Something's holding you guys back. The adults. 6 Something's holding you back from getting together. 7 And there's no -- I mean, there's no law 8 against people not getting along, okay? And 9 there's -- I don't recall ever hearing a charter -- 10 Ms. Gipson may know -- closing or revoking a charter 11 simply because people can't work out their issues. 12 It's usually because of something grave, like safety 13 or financial improprieties or things like that. 14 It's never because we can't get adults to agree with 15 one another. 16 So I would encourage -- I don't want to -- 17 you know, believe it or not I got calls from people 18 to revoke. They said they're tired of all of this. 19 They don't see an end in sight. 20 I said, "No, no, no, no, no. Let's not 21 put that on the table right now." 22 I would just ask -- maybe there's just a 23 couple of people that -- Mr. Casados, maybe just 24 two, initially, you can meet with and say, "How can 25 we, together" -- maybe it's just you and</p>	<p style="text-align: right;">216</p> <p>1 THE CHAIR: Thank you, Commissioner 2 Carrillo. Mr. Casados. 3 MR. ISAAC CASADOS: Yeah, so some of the 4 kind of the key areas -- and I think we have tried 5 to have these conversations multiple times. And 6 it's rooted in five individuals that want the former 7 head learner restored back in her former capacity. 8 COMMISSIONER CARRILLO: I'm sorry to 9 interrupt here. That's blame. Get past all that. 10 MR. ISAAC CASADOS: I need to tell you 11 where the issues are coming from and how we're 12 getting there. 13 So the idea is, to me, it's a challenge, 14 because we can't keep litigating the idea of a 15 former head learner. We have a new head learner. 16 We have somebody who's in that capacity right now. 17 That's how we're moving forward. 18 As far as the parents and staff or other 19 individuals, we've had to deal with these issues 20 personally at this school, where members of that 21 group have threatened other parents and they are 22 fearful to step forward. That, for us, is a 23 challenge. 24 So it's not that it's -- it's a small 25 group just presenting whatever they want to present.</p>
<p style="text-align: right;">215</p> <p>1 Ms. Herrera. Do a retreat, a retreat on a weekend 2 day -- and I know that's hard to ask of people -- 3 where we go someplace from 9:00 in the morning to 4 3:00 in the afternoon and lunch is provided. We 5 have a professional -- and I know that former 6 Commissioner Robbins tried -- have a professional do 7 what they can to bring you guys together. 8 Ultimately, it's for the children, right? 9 And so, hopefully, you would agree to do this. If 10 this doesn't happen, and if we keep beating -- this 11 can is so far down the f'ing road -- that doesn't 12 count, "f'ing," by the way. It's not bad language. 13 It's so far down the road, how long are we 14 going to keep hearing these plans and amendments to 15 plans? It's all adults. 16 Just get together. Be open to the other 17 side and what they have to say. Everybody let down 18 their armor and try to work this out. Because, 19 honestly, I know -- I don't know about others. I'm 20 growing very tired of this, all of the same issues. 21 And I know you are, too, Mr. Casados, and I know 22 Ms. Herrera is. 23 Get help. It's like couples counseling. 24 For God's sake, if you want the marriage to work, 25 get help. Thank you.</p>	<p style="text-align: right;">217</p> <p>1 Yes, the former founder of this group, Prairie 2 Boulmier, came out multiple times and said, "Just 3 close the school. I want the school closed. I want 4 the charter revoked." Multiple times. That's who 5 we're dealing with. 6 And it's very difficult for us to try to 7 find out ways on how we can have communication when 8 the first statement is, "We want the former head 9 learner back," or, "Just close -- close the school." 10 It's inherent of all of us to ensure that 11 there's a productive environment. 12 And, listen. I'm involved in multiple 13 boards all across the United States. This is the 14 first one I've ever had a major concern on. And it 15 is deeply troubling to me, because I sit on some 16 very large boards. And this has never happened in 17 my career and in my background. 18 I mean, I would venture to say I'm a 19 pretty good communicator. I try to be as 20 forthright. I try to be as concise as possible. 21 But it is deeply troubling when it's the 22 same group over and over that is saying, "Oh, well, 23 special education is not happening," or, "This is 24 not happening," or, "There's a security issue." 25 And then the PEC moves into a different</p>

218	<p>1 direction. That's where the challenges are coming 2 from.</p> <p>3 And I would hope that there aren't 4 personal phone calls coming from parents to 5 Commissioners. I would hope that there are not 6 personal calls instead of the Commissioner calling 7 the school and saying, "Hey, we got an issue. 8 What's happening here?" Or directing Chavez -- 9 Director Chavez -- to help carry that, be that 10 conduit of information.</p> <p>11 We didn't see today's response from this 12 ad hoc group of parents. We just saw it on the 13 website this morning.</p> <p>14 So there's no communication happening at 15 all. And the challenge is is we're -- you're using 16 that as a baseline to -- to react.</p> <p>17 And I agree. Would it be unfortunate that 18 we closed down the school? It would be. Would it 19 be detrimental to me or to any of those parents? 20 Probably not. At the end of the day, it's going to 21 be detrimental to those students, because now where 22 do they go?</p> <p>23 We're going into February. And I do 24 appreciate Chair Burt -- I mean, Vice Chair Burt -- 25 in her statement. We have tried to address every</p>	220	<p>1 THE CHAIR: Any discussion, Commissioners? 2 Commissioner Carrillo, I saw you come off mute. I 3 wasn't sure if you had a -- go ahead. I see your 4 hand up.</p> <p>5 COMMISSIONER CARRILLO: Bekka can go 6 first.</p> <p>7 THE CHAIR: Vice Chair? 8 COMMISSIONER CARRILLO: Sorry. 9 Commissioner Burt.</p> <p>10 COMMISSIONER BURT: I'm definitely going 11 to support this. I think this is a really good 12 opportunity for everyone in that school community to 13 support the board right now, support Ms. Herrera, 14 and get the work done.</p> <p>15 And what comes of this -- I think we need 16 to -- what I'm hearing from folks is that, you know, 17 they're worried that the CAP is being done by the 18 governing board alone.</p> <p>19 This is very directive from the PEC, very, 20 very -- there's things that have to happen on it. 21 There's not going to be an enormous amount of 22 freedoms from the board to do whatever they want.</p> <p>23 So I do hope, through this process, that 24 the whole community can -- you know, at some point 25 just let things go and start working on these goals.</p>
219	<p>1 single issue. I've spent hours, hours, dealing with 2 this. And, I mean, I had to cancel a meeting with 3 the Attorney General because I had to be here this 4 morning. But it's because --</p> <p>5 THE CHAIR: Thank you. Sorry to cut you 6 off. I just wanted to be sure we're being cognizant 7 of time and space and really focusing on the duties 8 we have here today, which is discussing and taking 9 action on the Corrective Action Plan.</p> <p>10 Thank you very much. I'm going to pass it 11 over to Commissioner Gipson, please.</p> <p>12 COMMISSIONER GIPSON: Thanks. So I move 13 that the Public Educa- -- I move that, number one, 14 the Charter School Division continue to work with 15 the school to rework the Corrective Action Plan and 16 include all elements that the CSD finds are 17 inadequate.</p> <p>18 Two, that the Charter School Division 19 obtain a report from the PED Special Education 20 Bureau and the safety audit from Poms regarding the 21 school, and the Corrective Action Plan incorporate 22 any deficiencies identified there.</p> <p>23 And, three, that the term -- that the item 24 be put on the agenda for the February 2023 meeting. 25 COMMISSIONER BURT: Second.</p>	221	<p>1 And I think through this process, I have a lot of 2 confidence in Director Chavez and her team to be 3 able to really support making this very clear, very 4 concise.</p> <p>5 And I really hope this school community is 6 able to get behind the board, get behind 7 Ms. Herrera, stop giving everyone a hard time, and 8 get these goals taken care of and in place, because 9 that's -- at some point, that's what's going to need 10 to happen.</p> <p>11 There's people who are wanting to see the 12 school close. My hope is, like Director Chavez 13 said, "Please go to a different school. Go 14 somewhere" -- like, that's what's so great about 15 school choice. It's so amazing that you do not have 16 to go to a place where you are not happy.</p> <p>17 I'm not going to send my kids to any 18 school where I'm unhappy and where they're unhappy. 19 So, you know, I'm a firm believer in school choice, 20 and I do think this school should be an asset to the 21 community. And I hope by going through this process 22 and getting this work taken care of, that it can 23 become that asset again to the kids and to the 24 community for Española. 25 So I'm fully going to support this motion,</p>

<p style="text-align: right;">222</p> <p>1 and I'm very much looking forward to seeing a 2 very -- and, Mr. Casados, please, I hope you're 3 going to be open to the template and really working 4 with CSD and, like, creating this. Because I think 5 we all have, like, an expectation in our mind of 6 what it should look like. 7 You're going to have more success with us 8 if you do it the way that, you know, she's going to 9 help support you in. So try to be open to what it 10 looks like and agreeable to the collaboration with 11 CSD on that. 12 THE CHAIR: Thank you, Vice Chair Burt. 13 Commissioner Carrillo. 14 COMMISSIONER CARRILLO: I admire 15 Vice Chair Burt's optimism. There's no way I'm 16 going to support this. At this point, I'm very -- 17 you know, it's funny. It's -- or it's not funny at 18 all. 19 For me, I think if a revocation came along 20 that had to do with finances or safety or some of 21 these extreme things that happen at schools, or if 22 they were just consistently an incredibly bad school 23 and kids were not learning there and there was no 24 progress, I -- I'd have no problem. I wouldn't lose 25 sleep at all about closing a school like that.</p>	<p style="text-align: right;">224</p> <p>1 Chair Burt, are you going to take roll call for us? 2 In one moment? 3 COMMISSIONER BURT: Yeah, I'm pulling it 4 up right now, and I will do the vote. 5 Okay. Here we go. 6 All right. Commissioner Gipson. 7 COMMISSIONER GIPSON: Yes. 8 COMMISSIONER BURT: Commissioner Manis. 9 COMMISSIONER MANIS: Yes, reluctantly. 10 COMMISSIONER BURT: Commissioner Ingham. 11 COMMISSIONER INGHAM: Yes. 12 COMMISSIONER BURT: Commissioner Beck. 13 COMMISSIONER BECK: Yes. 14 COMMISSIONER BURT: Commissioner Carrillo. 15 COMMISSIONER CARRILLO: No. 16 COMMISSIONER BURT: Commissioner Brauer. 17 THE CHAIR: Yes. 18 COMMISSIONER BURT: And Commissioner Burt, 19 yes. 20 That is five for, one against, and the 21 motion passes. 22 THE CHAIR: Thank you. 23 All right. We're going to Item No. 7. 24 COMMISSIONER BURT: Yeah. There's seven. 25 Six for, one against.</p>
<p style="text-align: right;">223</p> <p>1 And it wouldn't be excruciating; it 2 wouldn't be painful. I would know I was doing the 3 right thing by taxpayers, by kids in the community. 4 The tough thing about this school is it 5 all has to do with their leadership. 6 So I don't have the confidence. And I've 7 got to tell you, Mr. Casados, just -- I was trying 8 to present something, like, totally conciliatory. 9 And the first thing that happened was blaming the 10 people that want Ms. Feathers back, telling people 11 about threats. 12 If there were threats, I'm sure that the 13 district -- not the district. I'm sure the CSD 14 would have known about them. Things like this don't 15 go just kind of under the mat. I don't have the 16 confidence at all, zero, in the leadership team at 17 this school to be able to operate a school. And 18 it's because the adults in the room just can't get 19 together and/or just refuse to get together. 20 So I will not support this motion. 21 THE CHAIR: Thank you, Commissioner 22 Carrillo. 23 Any other comments before we go to vote? 24 (No response.) 25 THE CHAIR: All right. I believe,</p>	<p style="text-align: right;">225</p> <p>1 THE CHAIR: I'm sorry. All right. We'll 2 go to Item No. 7, Adjourn. 3 And forgive me, Vice Chair. I can't 4 remember. Do we -- we have to get a motion, right, 5 and then a second, but we don't vote on that; is 6 that correct? 7 COMMISSIONER BURT: No. So you have a 8 motion and a second, no discussion, vote. 9 THE CHAIR: I knew it was different. So 10 thank you very much. 11 Do we have a motion to adjourn? 12 COMMISSIONER BECK: I'll motion to 13 adjourn. 14 COMMISSIONER BURT: Second. 15 All right. Commissioner Burt, yes. 16 Commissioner Carrillo. 17 COMMISSIONER CARRILLO: Yes. 18 COMMISSIONER BURT: Commissioner Ingham. 19 COMMISSIONER INGHAM: Yes. 20 COMMISSIONER BURT: Commissioner Gipson. 21 COMMISSIONER GIPSON: Yes. 22 COMMISSIONER BURT: Commissioner Manis. 23 COMMISSIONER MANIS: Yes. 24 COMMISSIONER BURT: Commissioner Beck. 25 COMMISSIONER BECK: Yes.</p>

1 COMMISSIONER BURT: Commissioner Brauer.
 2 THE CHAIR: Yes.
 3 COMMISSIONER BURT: It passes unanimously,
 4 seven-zero.
 5 THE CHAIR: All right. We are adjourned.
 6 Thank you so much, you-all.
 7 (Proceedings adjourned at 2:05 p.m.)
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