



LA TIERRA MONTESSORI SCHOOL OF THE ARTS AND SCIENCES

GOVERNING COUNCIL BOARD

P.O. Box 1399 Espanola, NM 87532

659 Roadrunner Rd., Ohkay Owingeh, NM 87566

phone 505-852-0200

email ltmas@montessorilatiera.org

Governing Council Board

Isaac Dakota Casados, President

Brenda Atencio, Vice President

Delisha Gordon-Brown, Secretary

Charlie Riddick, Member

Jacqueline Martinez-Vigil, Member

March 1, 2023

Violation of The New Mexico Open Meetings Act

Dear Chairman Brauer and members of the Public Education Commission:

We, the Board of La Tierra Montessori School of the Arts and Sciences “LTMAS” are writing in regards to the recent Public Education Commission Meeting which was held on February 17, 2023, where the Open Meetings Act was violated.

LTMAS was on the Agenda for the following items: ***#8 – Discussion and possible Action on Corrective Action Plan for La Tierra Montessori School as completed by the School and CSD.***

During the Public Education Commission Meeting, there was limited to no discussion regarding the Corrective Action Plan submitted by the School and the Charter School Division (CSD). The PEC immediately went into discussion and Patricia Gipson “motioned” for the “Notice of Intent to Revoke the LTMAS Charter” which was seconded by Steven Carrillo.

This is in Violation of the Open Meetings Act whereas the “Revocation of the School’s Charter” was not listed on the PEC Agenda as an Action item.

Under the 2018 New Mexico Statute, Chapter 10, Article 15, Section 10-15-1:

D. Any meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public.

Reasonable notice was not given nor was the “Revocation of the LTMAS Charter” listed on the PEC Agenda.

F. Meeting notices shall include an agenda containing a list of specific items of business to be discussed or transacted at the meeting or information on how the public may obtain a copy of such agenda.

The Agenda released by the PEC did not list “specifically” the “Revocation of the LTMAS Charter” and only stated Discussion and possible Action on Corrective Action Plan for La Tierra Montessori School as completed by the School and CSD. Of which no discussion was held.

The PEC during this time took short breaks to deliberate off the record (which could be considered a rolling quorum) to discuss and when they came back on the record, Gipson once again motioned for the “Notice of Intent to Revoke the LTMAS Charter” citing several Sections and Paragraphs in her motion. This “Action” by the PEC seemed to have been “pre-deliberated” prior to the PEC meeting – “pre-planned.”

#9 – Discussion and possible Action on Amendment requests for La Tierra Montessori School – **This item was Tabled by the PEC**

- Mission Statement
- Mission-Specific Goals

Conversely, state law also dictates that you must inform the New Mexico Attorney General within 10-days from the date of your meeting that you “took action on an emergency matter, concerning the action taken and the circumstances creating the emergency,” if the Open Meetings Act statute was not followed.

Sanctions for violating the Open Meetings Act include invalidation of the agency action, award of attorney fees and costs to plaintiffs, and criminal penalties and fines.

We, the Board of LTMAS are hereby filing this Violation of the Open Meetings Act and await your response.

Sincerely,

Isaac D. Casados, President

Brenda Atencio, Vice President

Delisha Gordon Brown, Secretary

Charlie Riddick, Member

Jacqueline Martinez-Vigil, Member

CC: Raul Torrez, Attorney General, State of Mexico; Julia Barnes, Attorney for the Public Education Commission, and the Secretary of Education, Public Education Department