

Public Education Commission Meeting

March 24, 2023

Open Public Meeting via Zoom Webinar and in person at
the Jerry Apodaca Education Building, 300 Don Gaspar Ave., Santa Fe, NM 87501

[Meeting Transcript](#)

Summary Minutes

<p>Members Present</p> <p>Alan Brauer, Chair Rebekka Burt, Vice Chair Melissa Armijo, Secretary Timothy Beck Steven J. Carrillo Sharon Clahchischilliage Patricia Gipson Stewart Ingham KT Manis Michael Taylor</p> <p>Meeting began at 9:01am</p>	<p>Members Absent</p>
<p>Agenda Item 1. CALL TO ORDER PLEDGE OF ALLEGIANCE & SALUTE TO NEW MEXICO FLAG</p>	<p>Commissioner Armijo called roll and confirmed a quorum. Chair Brauer asked Commissioner Beck to lead the Pledge of Allegiance and the Salute to the New Mexico Flag.</p>
<p>Agenda Item 2. APPROVAL OF AGENDA</p>	<p>MOTION</p> <p>Commissioner Burt moved to approve the Consent Agenda without Item 13.</p> <p>Commissioner Manis seconded the motion.</p> <p>Motion passes unanimously, 10-0</p>

<p>Agenda Item 3. OPEN FORUM</p>	<p style="text-align: center;">NO ACTION TAKEN</p> <p style="text-align: center;">Recorded comments are available in full transcript.</p>
<p>Agenda Item 4. CONSENT AGENDA</p> <p>Notifications and Request to Amend the Charter School Contract</p> <p><u>Governing Board Membership Changes</u></p> <ol style="list-style-type: none"> 1. 21st Century Public Academy 2. ACES Technical Charter School 3. Albuquerque Bilingual Academy 4. Alma d’arte Charter High School 5. Estancia Valley Classical Academy 6. Mission Achievement and Success 7. Monte del Sol 8. North Valley Academy 9. School of Dreams Academy 10. Southwest Preparatory Learning Center 11. The GREAT Academy 12. Vista Grande High School 	<p style="text-align: center;">MOTION</p> <p>Vice Chair Burt moved to approve the Consent Agenda without Item 13. Commissioner Manis seconded.</p> <p style="text-align: center;">Motion passed unanimously, 10-0</p>
<p>Agenda Item 5. DISCUSSION AND POSSIBLE ACTION ON ITEM(S) REMOVED FROM THE CONSENT AGENDA</p>	<p style="text-align: center;">MOTION</p> <p>Vice Chair Burt moved to accept the head administrator change for La Tierra Montessori School for the Arts and Sciences. Commissioner Manis seconded the motion.</p> <p style="text-align: center;">Motion passed unanimously, 10-0</p>

<p>Agenda Item 6. INTRODUCTION OF NEW HEAD ADMINISTRATORS</p> <p>a. Theresa Archuleta, South Valley Prep Head Administrator</p>	<p style="text-align: center;">NO ACTION TAKEN</p> <p style="text-align: center;">Recorded comments are available in full transcript.</p>
<p>Agenda Item 7. DISCUSSION AND POSSIBLE ACTION ON AMENDMENT REQUEST TO ADD GRADE LEVELS AT EXPLORE ACADEMY – LAS CRUCES</p>	<p style="text-align: center;">MOTION</p> <p style="text-align: center;">Commissioner Burt moved that the PEC approve the grade-level amendment request for Explore Academy-Las Cruces.</p> <p style="text-align: center;">Commissioner Taylor seconded the motion. Motion passes unanimously, 9-0</p>
<p>Agenda Item 8. DISCUSSION AND POSSIBLE ACTION ON AMENDMENT REQUEST TO INCREASE THE ENROLLMENT CAP OF EXPLORE ACADEMY – LAS CRUCES</p>	<p style="text-align: center;">MOTION</p> <p style="text-align: center;">Commissioner Gipson moved that the PEC approve the amendment request for Explore Academy-Las Cruces to increase its enrollment cap from 700 to 1,200 starting in FY24.</p> <p style="text-align: center;">Commissioner Burt seconded the motion. Motion passes unanimously, 9-0</p>
<p>Agenda Item 9. DISCUSSION AND POSSIBLE ACTION ON AMENDMENT REQUEST TO INCREASE THE ENROLLMENT CAP OF MIDDLE COLLEGE HIGH SCHOOL</p>	<p style="text-align: center;">MOTION</p> <p style="text-align: center;">Chair Burt moved that the PEC approve the amendment request for Middle College High School to increase its enrollment cap from 140 to 150 starting in FY24.</p> <p style="text-align: center;">Commissioner Gipson seconded the motion. Motion passes unanimously, 9-0</p>
<p>Agenda Item 10. DISCUSSION AND POSSIBLE ACTION ON CONTRACT DOCUMENTS</p> <p>a. Performance Framework b. Contract c. Rule Draft to move forward on rulemaking and process to approve the rule</p>	<p style="text-align: center;">MOTION</p> <p>A. Commissioner Gipson moved that the PEC, when entering into any rulemaking process in cooperation with the Public Education Department, be completed as follows: 1. Once a proposed rule has been approved by the PEC, the Chair will request that the Public Education Department start the rulemaking process by submitting a Notice of Proposed Rulemaking and reference and post</p>

the proposed rule approved by the PEC.

2. The Chair will request that the PED set a date and time for the hearing and provide direction to the public about the process to provide comments and manage the rulemaking process.
3. The Chair will request that any comment received be provided to the PEC and will direct that the PEC webpage have a link to the proposed rule and comments received.
4. That the PEC will hold a meeting during the time and at the location that the Public Education Department conducts the hearing so that the PEC can hear all comments made.
5. That a PEC subcommittee and Public Education Department discuss revision and modifications to the rule based on those comments and the subcommittee provide a recommendation to the full PEC.
6. That if the PEC determines that it will move forward to finalize the rule, the PEC will vote in a public meeting to approve a final rule;
7. That the Secretary of the Public Education Department and the Chair -- of the Chair? It should be "the Chair of the Commission" -- the Chair of the Commission jointly provides the finalized rule approved by the PEC to be published in the State Registry.

Commissioner Burt seconded the motion.

Motion passes unanimously, 9-0

MOTION

B. Commissioner Burt made the motion that the PEC approve the proposed draft rule identified as Document 10.b. in the Meeting Materials folder, the Chair move forward to ask the Public Education Department to start the process to promulgate the proposed rule

	<p>consistent with the rulemaking process just adopted, and that the proposed final rule be considered for a vote at a later PEC meeting after public comment and hearing.</p> <p>Commissioner Beck seconded the motion. Motion passes unanimously, 9-0</p>
<p>Agenda Item 11. DISCUSSION AND POSSIBLE DIRECTION PROVIDED TO PEC CONTRACT NEGOTIATION SUBCOMMITTEE(S)</p>	<p>NO ACTION TAKEN Recorded comments are available in full transcript.</p>
<p>Agenda Item 12. DISCUSSION AND POSSIBLE ACTION ON PROCESS TO IDENTIFY AREAS OF CONCERN CONTAINED IN FY22 ANNUAL REPORTS, INCLUDING ACTION UNDER THE INTERVENTION LADDER</p>	<p>NO ACTION TAKEN Recorded comments are available in full transcript.</p>
<p>Agenda Item 13. DISCUSSION AND POSSIBLE ACTION ON ADDING A WORK SESSION EACH MONTH FOR THE PURPOSE OF REVIEWING THE INDIVIDUAL CSD ANNUAL REPORTS ENABLING THE PEC TO REACH OUT TO SCHOOLS IN A TIMELY FASHION WHERE THERE MAY BE CONCERNS</p>	<p>NO ACTION TAKEN Recorded comments are available in full transcript.</p>
<p>Agenda Item 14. DISCUSSION AND REVIEW OF BUDGET FOR THE PEC FOR FY23</p>	<p>NO ACTION TAKEN Recorded comments are available in full transcript.</p>
<p>Agenda Item 15. REPORT FROM CHARTER SCHOOLS DIVISION</p> <ul style="list-style-type: none"> a. FY22 Audit Results and schools of concern b. Funding and training for schools transferring to PEC from district c. Data Platform Procurement d. Update on Cesar Chavez Community School 	<p>NO ACTION TAKEN Recorded comments are available in full transcript.</p>

<p>Agenda Item 16. REPORTS FROM PEC LIAISONS</p> <ul style="list-style-type: none"> a. Legislative Education Study Committee (LESC) b. Legislative Finance Committee (LFC) c. NM Indian Education Advisory Council d. NM Public School Capital Outlay Council (PSCOC) e. NM Public School Insurance Authority (NMPSIA) f. NM School Boards Association (NMSBA) g. NM State Library Commission h. NM Coalition of Educational Leaders 	<p style="text-align: center;">NO ACTION TAKEN</p> <p style="text-align: center;">Recorded comments are available in full transcript.</p>
<p>Agenda Item 17. REPORT FROM THE CHAIR</p> <ul style="list-style-type: none"> a. Support by CSD to transferring schools to provide information, training for transferring school on limitation of funding, and other possible funding source b. Report on new or updated PEC/school issues c. Report from Charter School Advisory Committee 	<p style="text-align: center;">NO ACTION TAKEN</p> <p style="text-align: center;">Recorded comments are available in full transcript.</p>
<p>Agenda Item 18. REPORT FROM PUBLIC CHARTER SCHOOLS OF NEW MEXICO</p>	<p style="text-align: center;">NO ACTION TAKEN</p> <p style="text-align: center;">Recorded comments are available in full transcript.</p>
<p>Agenda Item 19. PEC COMMENTS (NO DISCUSSION OR ACTION TAKEN)</p>	<p style="text-align: center;">NO ACTION TAKEN</p> <p style="text-align: center;">Recorded comments are available in full transcript.</p>
<p>Agenda Item 20. DISCUSSION OF NEW BUSINESS TOPICS FOR THE NEXT AGENDA</p>	<p style="text-align: center;">NO ACTION TAKEN</p> <p style="text-align: center;">Recorded comments are available in full transcript.</p>
<p>Agenda Item 21. ADJOURN</p>	<p style="text-align: center;">MOTION</p> <p style="text-align: center;">Commissioner Burt moved to adjourn. Commissioner Gipson seconded the motion. Motion passes unanimously, 9-0</p>

