

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

OPEN PUBLIC MEETING

March 24, 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

Bean & Associates, Inc.

Professional Court Reporting Service

201 Third Street, NW, Suite 1630

Albuquerque, New Mexico 87102

JOB NO.: 7863N (CC)

2	<p>1 APPEARANCES</p> <p>2 COMMISSIONERS:</p> <p>3 ALAN BRAUER, Chair</p> <p>4 REBEKKA BURT, Vice Chair</p> <p>5 MELISSA ARMIJO, Secretary</p> <p>6 TIMOTHY BECK, Member</p> <p>7 STEVEN J. CARRILLO, Member</p> <p>8 SHARON CLAHCHISCHILLIAGE, Member</p> <p>9 PATRICIA GIPSON, Member</p> <p>10 STEWART INGHAM, Member</p> <p>11 K.T. MANIS, Member</p> <p>12 MICHAEL TAYLOR, Member</p> <p>13</p> <p>14 PED STAFF:</p> <p>15 CORINA CHAVEZ Director</p> <p>16 Charter School/Options for</p> <p>17 Parents and Families Division</p> <p>18</p> <p>19 LUCY VALENZUELA, Technical Assistance and</p> <p>20 Training Specialist</p> <p>21 Charter School/Options for Parents</p> <p>22 and Families Division</p> <p>23 MARTICA DAVIS Authorizing Practices Administrator</p> <p>24 SHARYN PEREA, Liaison to PEC</p> <p>25</p> <p>26</p> <p>27</p> <p>28</p> <p>29</p> <p>30</p> <p>31</p> <p>32</p> <p>33</p> <p>34</p> <p>35</p> <p>36</p> <p>37</p> <p>38</p> <p>39</p> <p>40</p> <p>41</p> <p>42</p> <p>43</p> <p>44</p> <p>45</p> <p>46</p> <p>47</p> <p>48</p> <p>49</p> <p>50</p> <p>51</p> <p>52</p> <p>53</p> <p>54</p> <p>55</p> <p>56</p> <p>57</p> <p>58</p> <p>59</p> <p>60</p> <p>61</p> <p>62</p> <p>63</p> <p>64</p> <p>65</p> <p>66</p> <p>67</p> <p>68</p> <p>69</p> <p>70</p> <p>71</p> <p>72</p> <p>73</p> <p>74</p> <p>75</p> <p>76</p> <p>77</p> <p>78</p> 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4	<p>1 THE CHAIR: Good morning, Commissioners.</p> <p>2 Good morning, public. Thank you for being with us</p> <p>3 all today.</p> <p>4 We're going to go ahead and call this</p> <p>5 meeting to order. It's 9:01.</p> <p>6 Secretary Armijo, can you take the roll</p> <p>7 call, please?</p> <p>8 COMMISSIONER ARMIJO: Good morning.</p> <p>9 COMMISSIONER CLAHCHISCHILLIAGE: Good</p> <p>10 morning.</p> <p>11 COMMISSIONER ARMIJO: Roll call. Chair</p> <p>12 Brauer.</p> <p>13 THE CHAIR: Present.</p> <p>14 COMMISSIONER ARMIJO: Vice Chair Burt.</p> <p>15 COMMISSIONER BURT: Here.</p> <p>16 COMMISSIONER ARMIJO: Secretary Armijo is</p> <p>17 here.</p> <p>18 Commissioner Ingham.</p> <p>19 COMMISSIONER INGHAM: Here.</p> <p>20 COMMISSIONER ARMIJO: Commissioner</p> <p>21 Clahchischilliage.</p> <p>22 COMMISSIONER CLAHCHISCHILLIAGE: Here.</p> <p>23 COMMISSIONER ARMIJO: Commissioner Gipson.</p> <p>24 COMMISSIONER GIPSON: Here.</p> <p>25 COMMISSIONER ARMIJO: Commissioner</p>	4

6

1 Gipson -- I mean Commissioner Manis.  
 2 COMMISSIONER GIPSON: I'm still here.  
 3 COMMISSIONER ARMIJO: Manis, I don't  
 4 believe is here.  
 5 Commissioner Beck.  
 6 COMMISSIONER BECK: Here.  
 7 COMMISSIONER ARMIJO: Commissioner Taylor.  
 8 COMMISSIONER TAYLOR: Here.  
 9 COMMISSIONER ARMIJO: And Commissioner  
 10 Carrillo.  
 11 COMMISSIONER CARRILLO: Here.  
 12 COMMISSIONER ARMIJO: We do have a quorum  
 13 of nine.  
 14 THE CHAIR: Great. Thank you.  
 15 (Off mic comment.)  
 16 COMMISSIONER ARMIJO: He didn't answer. I  
 17 didn't hear him.  
 18 Ten, then; correct? Yes.  
 19 THE CHAIR: Commissioner Beck, could you  
 20 lead us in the Pledge of Allegiance, please?  
 21 (Pledge of Allegiance conducted.)  
 22 (Salute to the New Mexico Flag conducted.)  
 23 THE CHAIR: Thank you. All right. Let's  
 24 move into Item No. 2, Approval of the Agenda.  
 25 COMMISSIONER BURT: Move to approve the

7

1 agenda.  
 2 COMMISSIONER GIPSON: Second.  
 3 THE CHAIR: Let's take a roll-call vote,  
 4 please.  
 5 COMMISSIONER ARMIJO: Vice Chair Burt.  
 6 COMMISSIONER BURT: Yes.  
 7 COMMISSIONER ARMIJO: Secretary Armijo  
 8 votes yes.  
 9 Commissioner Ingham.  
 10 COMMISSIONER INGHAM: Yes.  
 11 COMMISSIONER ARMIJO: Commissioner  
 12 Clahchischilliage.  
 13 COMMISSIONER CLAHCHISCHILLIAGE: Yes.  
 14 COMMISSIONER ARMIJO: Commissioner Gipson.  
 15 COMMISSIONER GIPSON: The first one or the  
 16 second one?  
 17 COMMISSIONER ARMIJO: First one.  
 18 COMMISSIONER GIPSON: Yes.  
 19 COMMISSIONER ARMIJO: Commissioner Manis.  
 20 COMMISSIONER MANIS: Yes.  
 21 COMMISSIONER ARMIJO: Commissioner Beck.  
 22 COMMISSIONER BECK: Yes.  
 23 COMMISSIONER ARMIJO: Commissioner Taylor.  
 24 COMMISSIONER TAYLOR: Here. Yes, I mean.  
 25 COMMISSIONER ARMIJO: Commissioner

8

1 Carrillo.  
 2 COMMISSIONER CARRILLO: Yes.  
 3 COMMISSIONER ARMIJO: Chair Brauer.  
 4 THE CHAIR: Yes.  
 5 COMMISSIONER ARMIJO: That passes, ten to  
 6 zero.  
 7 THE CHAIR: Great. Thank you. Let's move  
 8 to Open Forum. Lucy, how many folks do we have  
 9 today?  
 10 MS. LUCY VALENZUELA: We have 18 people  
 11 signed up to speak this morning.  
 12 THE CHAIR: Great. Thank you.  
 13 You know, since there is 18 people, I'm  
 14 going to ask that we limit the conversation to two  
 15 minutes today.  
 16 MS. LUCY VALENZUELA: Sounds good. Let me  
 17 address my timer here.  
 18 So when I call you up, please state your  
 19 full name, first and last name. Spell it out for  
 20 the court reporter.  
 21 The first speaker is Noemi Hewitt.  
 22 THE CHAIR: Great. And Noemi and the  
 23 other speakers today, please don't take it  
 24 personally when I ask you to wrap it up. But I will  
 25 likely do that at the two-minute mark, just so that

9

1 we can continue to move forward and hear everyone  
 2 during this time. Thank you.  
 3 Noemi, you can go ahead.  
 4 FROM THE PUBLIC: Okay. My name is Noemi  
 5 Hewitt. Spelling, N-o-e-m-i H-e-w-i-t-t.  
 6 And I just wanted to speak on behalf -- I  
 7 have two sons, Robert and Dimitri. And our oldest,  
 8 Robert, we've had him in private school, public  
 9 school, and he's currently in the seventh grade in  
 10 Explore Academy Charter School.  
 11 He is diagnosed with ADHD, and as a  
 12 non-neuro-typical child, he struggled quite a bit in  
 13 both private education and public. And the charter  
 14 school has really allowed him to flourish. It  
 15 really does meet his needs very well.  
 16 And we feel that a charter school is very  
 17 helpful for a family dealing with children who don't  
 18 necessarily fit into the public school mold. You  
 19 know, we feel there's still definitely a need for  
 20 public schools, and, for most children, they are  
 21 excellent. But for our son, especially, it wasn't  
 22 able to meet his needs.  
 23 And the charter school has been such an  
 24 improvement, and he's flourished so well at this  
 25 school. And we feel that our other son would also

<p style="text-align: right;">10</p> <p>1 benefit highly. And he's in the first grade  2 currently. But, unfortunately, there aren't very  3 many charter schools available in the area. And,  4 for example, we tried applying to one other charter  5 school in the area, and he is 21st on the waitlist.  6 So that should tell you a little bit of  7 the demand that there is for a charter school. We  8 just feel that having another available one would  9 just benefit the area.  10 There's a large homeschool community that  11 would like to see more opportunities available for  12 children that do want to be in a school setting but  13 might not necessarily thrive in the public school  14 setting.  15 THE CHAIR: Thank you, Ms. Hewitt. Really  16 appreciate you.  17 FROM THE PUBLIC: Thank you.  18 MS. LUCY VALENZUELA: Okay. The next  19 speaker is Daniela Ponce.  20 FROM THE PUBLIC: Hi. This is Daniela.  21 And I'm a student at Explore Academy. (Inaudible.)  22 And I think this school would be a way to go for a  23 (inaudible).  24 THE CHAIR: Ms. Ponce, it's very hard to  25 hear you. If it's possible for you to get a little</p>	<p style="text-align: right;">12</p> <p>1 right now, we're not hearing you. It looks like  2 you're off mute, but we're still not hearing you.  3 All right. Well, we're really sorry,  4 Chloe. We weren't able to hear your thoughts, but  5 we appreciate you joining us. If you -- if you can,  6 if you can try logging back in, we'll put you back  7 in the lineup, if you're able to do that.  8 MS. LUCY VALENZUELA: Okay. The next  9 person is Yeshua.  10 THE CHAIR: Yeshua, you can go ahead when  11 you're ready. If you don't mind, start with  12 spelling your first and last name, please.  13 We're getting a lot of static from you.  14 We're not hearing anything that you're saying.  15 You know, Yeshua, if you don't mind, why  16 don't you log back out and log back in, and we'll  17 see if we can get you in at the end of the lineup as  18 well.  19 I'm not sure if these are all students at  20 the school. And if they are, I don't know if  21 there's staff here, if you could -- if they're in  22 school or they're working remote. Are they all  23 remote today or -- okay. Okay. Great. Thank you.  24 MS. LUCY VALENZUELA: Okay. The next  25 member is Joanna.</p>
<p style="text-align: right;">11</p> <p>1 bit closer to your phone or your computer so that we  2 can hear you a little bit more clearly.  3 FROM THE PUBLIC: Yeah. Okay. So I'm a  4 student here at Explore Academy. And it has really  5 helped me, and I think it's a really good school.  6 So I think it will help, like, smaller kids  7 (inaudible) smaller kid (inaudible).  8 THE CHAIR: Thank you, Daniela. Really  9 appreciate it. I think she was finished, it sounded  10 like? Okay.  11 MS. LUCY VALENZUELA: Okay. The next  12 speaker is Estrella.  13 FROM THE PUBLIC: So I have three  14 students. I think that they would like to come to  15 the school because of the model. It's really good.  16 And I am definitely all for a elementary school for  17 Explore Academy. I think that the students would be  18 able to get a good learning environment with good  19 teachers. Thank you.  20 THE CHAIR: Thank you, Estrella.  21 MS. LUCY VALENZUELA: Okay. The next  22 speaker is Chloe Ochoa.  23 THE CHAIR: Chloe, you can go ahead when  24 you're ready, okay?  25 Chloe, unfortunately, if you are talking</p>	<p style="text-align: right;">13</p> <p>1 FROM THE PUBLIC: Hello. My name is  2 Joanna Wiseman. I am currently a teacher at Explore  3 Academy. W-i-s-e-m-a-n. And this is my 13th year  4 teaching. Teaching at Explore Academy has been such  5 a wonderful experience. From a teacher's point of  6 view, I can confidently say that the learners  7 attending Explore are getting a high quality  8 education through our seminar and flavor approach.  9 I believe in our Explore model so much  10 that I disenrolled my own child from public school  11 and I enrolled him into our school. I wish I could  12 have enrolled my child when he was in elementary  13 school. She is currently a seventh grader.  14 My colleagues create their courses with  15 flavor that makes lessons meaningful and impactful.  16 We create our curriculum and assessments that are  17 all aligned with the New Mexico Common Core  18 standards. We are able to provide more one-on-one  19 support and meet the needs of all of our students  20 because of the smaller classroom sizes.  21 Last year and this year, our students  22 showed significant growth in their iMSSA  23 beginning-of-year, middle-of-year, and end-of-year  24 scores. Our students are confident and take  25 ownership in their own learning.</p>

14	<p>1 Adding an elementary school to our</p> <p>2 existing campus would benefit our community and give</p> <p>3 parents an alternative option for their children.</p> <p>4 Thank you.</p> <p>5 THE CHAIR: Thank you, Ms. Wiseman.</p> <p>6 MS. LUCY VALENZUELA: Okay. The next</p> <p>7 speaker is Jackson. Jackson, please give your first</p> <p>8 and last name when you begin speaking.</p> <p>9 FROM THE PUBLIC: Can you hear me?</p> <p>10 THE CHAIR: Yes, Jackson, we can. Can you</p> <p>11 go ahead and spell your first and last name for us.</p> <p>12 FROM THE PUBLIC: My name is Jackson</p> <p>13 Tahiri (ph). I go to Explore Academy, and I think</p> <p>14 it's a good idea to add an elementary school.</p> <p>15 COMMISSIONER GIPSON: You know, it's</p> <p>16 always unfair when you bring those tiny voices.</p> <p>17 THE CHAIR: Thank you, Jackson. We</p> <p>18 appreciate you joining us today.</p> <p>19 COMMISSIONER GIPSON: It only makes it</p> <p>20 worse if they're in person.</p> <p>21 MS. LUCY VALENZUELA: Okay. The next</p> <p>22 speaker is Dre Quintero.</p> <p>23 FROM THE PUBLIC: Hello. My name is Dre</p> <p>24 Quintero.</p> <p>25 Well, I have a younger brother named</p>	16	<p>1 morning. My name is Jonathan Morgan. And we have a</p> <p>2 student, first year, sixth grade, at Explore</p> <p>3 Academy, and it's been nothing but great. I ask him</p> <p>4 every day when he comes home. He likes the small</p> <p>5 classes.</p> <p>6 We also have my daughter that's in second</p> <p>7 grade. And we think that she'd benefit from having</p> <p>8 smaller classes. Currently she is one of the COVID</p> <p>9 babies, so you can tell everybody at her grade level</p> <p>10 was at home for kindergarten, so you can tell that</p> <p>11 they're all behind the majority of her classes in</p> <p>12 the red. And I really think if we did open up an</p> <p>13 elementary school here in Las Cruces with Explore</p> <p>14 Academy with the smaller class size, with more one</p> <p>15 on one that my son has been telling me he's been</p> <p>16 getting at school, that she'd really benefit from</p> <p>17 and be able to hopefully get brought up to level</p> <p>18 with all the other kids.</p> <p>19 We love the staff. They're very</p> <p>20 communicative. And you can tell that he gets a lot</p> <p>21 more attention from being in a charter school</p> <p>22 compared to a public school compared to how the</p> <p>23 teachers interact. His grades. I can e-mail right</p> <p>24 away. It's just so much a better environment. I</p> <p>25 think we would benefit a lot having one here in</p>
15	<p>1 Landon Quintero. And he has a little bit of trouble</p> <p>2 at -- at his elementary school. But I think -- I</p> <p>3 think if we make the Explore Academy an elementary</p> <p>4 school, that they'll let -- my younger brother's</p> <p>5 education would get better. Thank you.</p> <p>6 THE CHAIR: Thank you, Dre.</p> <p>7 COMMISSIONER GIPSON: Same.</p> <p>8 MS. LUCY VALENZUELA: Okay. The next</p> <p>9 speaker is Esteban Viramontes.</p> <p>10 FROM THE PUBLIC: Can you hear me?</p> <p>11 THE CHAIR: We can hear you. If you can</p> <p>12 speak as loud as you can so that we can hear you</p> <p>13 very clearly.</p> <p>14 FROM THE PUBLIC: I'm -- my name is</p> <p>15 Esteban Viramontes. I think this school is the best</p> <p>16 school I've ever been to. Explore Academy is a</p> <p>17 great school. I really do think we should have an</p> <p>18 elementary school at Explore Academy. I have a</p> <p>19 little brother, and I 100 percent think he would</p> <p>20 love it here. I love the teachers here at Explore</p> <p>21 Academy.</p> <p>22 THE CHAIR: Thank you, Esteban.</p> <p>23 MS. LUCY VALENZUELA: Okay. The next</p> <p>24 speaker is Jonathan.</p> <p>25 FROM THE PUBLIC: Yeah. Yeah. Good</p>	17	<p>1 Las Cruces.</p> <p>2 THE CHAIR: Thank you, Mr. Morgan.</p> <p>3 FROM THE PUBLIC: Thank you.</p> <p>4 MS. LUCY VALENZUELA: Okay. The next</p> <p>5 speaker is Isaiah Johnson.</p> <p>6 THE CHAIR: Isaiah, can you go ahead and</p> <p>7 start when you're ready?</p> <p>8 Isaiah, we're not hearing you. If your</p> <p>9 teacher is with you, maybe they can help you out</p> <p>10 with the technology issue.</p> <p>11 All right. Isaiah, if you can work with</p> <p>12 your teacher or your parents and see if you can log</p> <p>13 back in and see if your mic will work the next time.</p> <p>14 MS. LUCY VALENZUELA: Okay. The next</p> <p>15 speaker is Cody.</p> <p>16 FROM THE PUBLIC: Hello. My name is Cody</p> <p>17 Larranaga. I have autism, and I think it would -- I</p> <p>18 think it would be good if I -- if -- if people with,</p> <p>19 like, mental health issues -- not mental health, but</p> <p>20 whatever, like, stuff like I have, like -- would</p> <p>21 help a lot -- it would help a lot if they had, like,</p> <p>22 a nice charter school to go to when, you know,</p> <p>23 basically, it's like less big, like, classroom size.</p> <p>24 And I think it would help, personally, myself.</p> <p>25 Thank you.</p>

18	<p>1 THE CHAIR: Thank you, Cody.</p> <p>2 MS. LUCY VALENZUELA: Okay. The next</p> <p>3 person to speak is Stephanie Morgan.</p> <p>4 FROM THE PUBLIC: Okay. Good morning. My</p> <p>5 name is Stephanie Morgan. I actually work for the</p> <p>6 public schools in the DD Pre Department. And I have</p> <p>7 parents actually coming up to me now very, very</p> <p>8 concerned about the class sizes.</p> <p>9 And right now every time I drive to work,</p> <p>10 it's construction, construction everywhere. And</p> <p>11 we're overly packed with students.</p> <p>12 And so their concerns are the same as my</p> <p>13 concerns with my second grader. You know, she</p> <p>14 has -- she was a COVID baby. I get it. But at the</p> <p>15 same time, all these stats saying that she is --</p> <p>16 where they're testing here showing us where she's</p> <p>17 supposed to be versus where she is now, I'm very</p> <p>18 concerned with moving her up to the third grade</p> <p>19 because I don't want to keep pushing her. And we</p> <p>20 keep going back into almost close to like having an</p> <p>21 intervention.</p> <p>22 And I think that's where academy</p> <p>23 (verbatim) will be great for her because it's a lot</p> <p>24 smaller. And, actually, the teachers will actually</p> <p>25 get to know her and us more on one-on-one basis,</p>	20	<p>1 actual kids, being in a building, actually getting</p> <p>2 outside of the house.</p> <p>3 So I think that it would be a good</p> <p>4 opportunity for him to be able to interact with</p> <p>5 people, make actual friends, have fun at school</p> <p>6 instead of being cooped up in a living room learning</p> <p>7 school by himself.</p> <p>8 I think it would be an amazing opportunity</p> <p>9 for him to be able to learn in a good environment.</p> <p>10 And that is why I think that we should add an</p> <p>11 elementary school here. It would definitely help</p> <p>12 him a lot.</p> <p>13 THE CHAIR: Thank you, Robert. And I hope</p> <p>14 your brother gets some fresh air sometimes when he's</p> <p>15 working from home.</p> <p>16 MS. LUCY VALENZUELA: Okay. The next</p> <p>17 speaker is Emma.</p> <p>18 FROM THE PUBLIC: Can you hear me?</p> <p>19 THE CHAIR: We can, Emma. Go ahead when</p> <p>20 you're ready.</p> <p>21 FROM THE PUBLIC: My name is Emma</p> <p>22 Gattengo, and I think Explore Academy should be able</p> <p>23 to add elementary grades because it might be a</p> <p>24 little bit closer to the older siblings and might</p> <p>25 have that support if they're having trouble with</p>
19	<p>1 versus from having 20 to 23 students, and then plus</p> <p>2 behaviors as well.</p> <p>3 So, yeah. And then, of course, I have a</p> <p>4 son who is a sixth grader at Explore Academy, and he</p> <p>5 says nothing but great things about it. He likes</p> <p>6 how he likes to pick his own classes and how he</p> <p>7 wants to learn.</p> <p>8 And I feel like that would be a benefit</p> <p>9 for her as well, instead of just being taught --</p> <p>10 even though they teach different ways, I feel like</p> <p>11 it's kind of the same way how they want to be</p> <p>12 taught -- actually, to be learned. And I think</p> <p>13 this would be -- this would benefit for her. Thank</p> <p>14 you.</p> <p>15 THE CHAIR: Thank you, Ms. Morgan.</p> <p>16 MS. LUCY VALENZUELA: Okay. The next</p> <p>17 speaker is Robert Hewitt.</p> <p>18 FROM THE PUBLIC: Can you hear me?</p> <p>19 THE CHAIR: We can, Mr. Hewitt.</p> <p>20 FROM THE PUBLIC: Okay. So I am a seventh</p> <p>21 grader at Explore Academy. And my mom spoke</p> <p>22 earlier, Noemi Hewitt. And so I did want to say</p> <p>23 that my little brother is homeschooled. He -- it is</p> <p>24 fine for him, because he has the same schedule as</p> <p>25 me. But he doesn't get to experience being with</p>	21	<p>1 anything.</p> <p>2 And they also will have more options for</p> <p>3 classes instead of just being thrown into one at</p> <p>4 random.</p> <p>5 When I was in elementary school, I only</p> <p>6 had PE twice per week, and I only had an art class</p> <p>7 once every two months -- two weeks. And they might</p> <p>8 get a taste of what it's like in middle and high</p> <p>9 school before getting into those higher grades.</p> <p>10 THE CHAIR: Thank you, Emma.</p> <p>11 MS. LUCY VALENZUELA: Okay. The next</p> <p>12 speaker -- which I don't see her on anymore, looks</p> <p>13 like she dropped out -- was going to be Christy.</p> <p>14 Christy, if you're on, please raise your hand.</p> <p>15 FROM THE PUBLIC: Hi. Can you hear me?</p> <p>16 THE CHAIR: We can. If you don't mind</p> <p>17 spelling your first and last name out for us. Oh,</p> <p>18 no -- oh. There we --</p> <p>19 FROM THE PUBLIC: Hang on. Okay. Can you</p> <p>20 hear me?</p> <p>21 THE CHAIR: We can.</p> <p>22 FROM THE PUBLIC: Okay. Great. Christy</p> <p>23 Takacs. C-h-r-i-s-t-y T-a-k-a-c-s.</p> <p>24 And I'm the executive director of the</p> <p>25 Association of Charter School Education Services.</p>

<p style="text-align: right;">22</p> <p>1 I'm certainly thankful for the opportunity to speak 2 in support of the expansion of Explore Academy-Las 3 Cruces to include K through 5. 4 I've been a part of the Las Cruces charter 5 community for almost five years now. I was the 6 charter leader at J. Paul Taylor Academy and served 7 as the interim at Raíces for a brief period. And 8 for the past three years I've been the executive 9 director of ACES, which supports all of the charter 10 schools in New Mexico. 11 Our charter community in Las Cruces is 12 very strong, I believe mostly due to the 13 relationships among the charter leaders who work 14 collaboratively to provide options for our families 15 in our community. 16 But to address the need for K-through-5 17 grades, historically, J. Paul Taylor Academy has had 18 a waiting list of over 100 students each year. And 19 currently they have around 140 that are on their 20 list now. And I believe that Explore Academy offers 21 another unique learning experience that appeals to 22 families outside of traditional schooling. 23 So given the opportunity to expand Explore 24 Academy to include elementary grades will not only 25 help strengthen the charter presence in the</p>	<p style="text-align: right;">24</p> <p>1 years. Since that time homes have continued to be 2 developed with no slowing in growth. 3 Myself and the other potential homeowners 4 were told that there would be a school built 5 eventually for children which would be part of the 6 mainstream school district. That was in 2016. 7 However, when I watched the most recent 8 school board retreat meeting, it was then that the 9 public was made aware that the donated land was 10 going to be used for actually a pre-K school and not 11 an elementary school, which we so desperately need. 12 This area of town is only a portion where 13 the growth is happening. The building is happening 14 all over the city. Our children are being put into 15 countless portables on land of the elementary 16 schools, and they are being separated from the rest 17 of the school. 18 They do not have many of the equal 19 supplies that their peers have. Each time that they 20 have to use the restroom, it is a security issue to 21 have them walk to the main building. It is a 22 security issue to have their portables close to the 23 fences where many of them are placed. 24 Explore Academy is a wonderful school. 25 They offer top-rated curriculum and staff. They</p>
<p style="text-align: right;">23</p> <p>1 Las Cruces community, but, most importantly, meet 2 the demands of families who are seeking alternatives 3 to the local district. 4 So I appreciate your time and your 5 consideration, and thanks for letting me speak. 6 THE CHAIR: Thank you, Ms. Takacs. 7 MS. LUCY VALENZUELA: Okay. The next 8 speaker is Rebekah Shepherd. 9 FROM THE PUBLIC: Good morning. My name 10 is Rebekah Shepherd. I am the founder of Las Cruces 11 Education Advocacy and Awareness, and I sit on the 12 board of FACE, Families Advocating for Change in 13 Education. 14 I am also the parent of five children. 15 Two of my children are of elementary school age, and 16 one child attends Explore Academy. 17 Because of my education advocacy work and 18 having children in public school, I am very aware of 19 the needs of more elementary schools here in 20 Las Cruces. 21 I spoke to you last year about these 22 needs, and these needs have just grown 23 exponentially. When I moved to the area of 24 Las Cruces called Metro Verde in 2016, we knew 25 hundreds of homes would be developed over many</p>	<p style="text-align: right;">25</p> <p>1 have worked hard to ready their building to welcome 2 elementary school students, and they certainly would 3 not be in outside portables. 4 Please allow them to -- the opportunity to 5 do what they do so well which is to teach the 6 children of Las Cruces. 7 And I just want to add. I love the public 8 schoolteachers. I advocate for them and with them, 9 and I support them. I just think that right now we 10 are in a place that we absolutely need more 11 opportunities here in Las Cruces for education. And 12 we have that opportunity in Explore. Thank you so 13 much. 14 THE CHAIR: Thank you, Ms. Shepherd. 15 MS. LUCY VALENZUELA: Okay. And we have 16 one final speaker that is Zoe. 17 FROM THE PUBLIC: Hello. My name is Zoe. 18 I'm a sixth grader at Explore Academy. In my 19 family, I'm actually the youngest. But I know 20 whenever I was younger -- I live in a very small 21 town. And my elementary was full, so I was actually 22 in homeschool for a while. 23 And I believe that in Explore Academy 24 their curriculum is ver stable, and I definitely 25 noticed my growth in my learning experiences since</p>

26	<p>1 I've been here.</p> <p>2 And I was actually supposed to be going to</p> <p>3 Sierra, but then I got transferred here, and I'm --</p> <p>4 it's a very helpful school. And they do one on one</p> <p>5 with their students. That way they get the full</p> <p>6 education that they need.</p> <p>7 And I feel like an elementary school would</p> <p>8 be very necessary. That way kids younger than sixth</p> <p>9 grade would also be able to get the same education</p> <p>10 as us.</p> <p>11 Thank you.</p> <p>12 Oh, yeah. And then I have a classmate</p> <p>13 here that was having technical issues. I was</p> <p>14 wondering if she could maybe speak on my computer</p> <p>15 after I got down.</p> <p>16 THE CHAIR: Absolutely, Zoe.</p> <p>17 FROM THE PUBLIC: Okay. Thank you.</p> <p>18 THE CHAIR: Zoe's friend, if you could</p> <p>19 just share what your name is.</p> <p>20 FROM THE PUBLIC: Hi. My name is Miriam</p> <p>21 Shepherd. I really think that elementary school</p> <p>22 would be helpful because, as my mom said, Rebekah</p> <p>23 Shepherd, there are not many elementary schools</p> <p>24 here. And Monte Vista has, like, seven or eight</p> <p>25 portables. And they're just, like, packing all the</p>	28	<p>1 FROM THE PUBLIC: M-i-r-i-a-m.</p> <p>2 THE CHAIR: Great. Thank you. And, Lucy,</p> <p>3 any of the ones that we dropped early, were they</p> <p>4 able to log back on?</p> <p>5 MS. LUCY VALENZUELA: They have not logged</p> <p>6 back on. But I don't know if they were students and</p> <p>7 they were part of that group that spoke already. So</p> <p>8 if they're still there, you guys, please raise your</p> <p>9 hand, and we can call on you again.</p> <p>10 THE CHAIR: Any hand raisers?</p> <p>11 MS. LUCY VALENZUELA: No, none.</p> <p>12 THE CHAIR: Well, thank you, all. Thanks</p> <p>13 to all of the public comments today.</p> <p>14 Let's move on to Item No. 4. And, Lucy,</p> <p>15 thank you also for rolling with the punches on that,</p> <p>16 too. I know that must be a little bit stressful as</p> <p>17 you move through that.</p> <p>18 Let's move to Item No. 4, Consent Agenda.</p> <p>19 Commissioner Carrillo?</p> <p>20 COMMISSIONER CARRILLO: I'd like to pull 4</p> <p>21 and Item 13, just for -- I just want to take a</p> <p>22 closer look at it. It's the La Tierra</p> <p>23 administrative change. So pull that for discussion</p> <p>24 under 5.</p> <p>25 No? Oh, I saw you going like that. I saw</p>
27	<p>1 fifth graders into portables.</p> <p>2 And I had an experience with a portable,</p> <p>3 and it was not fun. During the lunchtime all the</p> <p>4 kids were, like, outside and, like, yelling and</p> <p>5 everything, and it was very hard to pay attention.</p> <p>6 And during the summer, it would get very hot in</p> <p>7 there.</p> <p>8 So I think that an elementary school would</p> <p>9 be very helpful, and I honestly think my two little</p> <p>10 brothers would like how it's set up, because the</p> <p>11 teachers with the smaller classrooms can do</p> <p>12 one-on-one time with you if you need help with</p> <p>13 something.</p> <p>14 And they kind of add, like, a fun twist to</p> <p>15 the work. Like, on math, I'm in a garden. My kind</p> <p>16 of, like, lesson things are also, like, mixed with</p> <p>17 gardening, so that's made the math more fun.</p> <p>18 So I honestly think that my brothers would</p> <p>19 like how that's set up.</p> <p>20 Thank you.</p> <p>21 MS. LUCY VALENZUELA: Can you give us your</p> <p>22 name one more time?</p> <p>23 FROM THE PUBLIC: Miriam Shepherd.</p> <p>24 THE CHAIR: Can you spell your first name</p> <p>25 please, Miriam?</p>	29	<p>1 Reb- -- okay.</p> <p>2 COMMISSIONER GIPSON: It's the October --</p> <p>3 COMMISSIONER BURT: We need to pull it and</p> <p>4 discuss it.</p> <p>5 COMMISSIONER CARRILLO: Yeah. I'd like</p> <p>6 that, please. Thank you.</p> <p>7 THE CHAIR: Thank you.</p> <p>8 COMMISSIONER BURT: All right. So I'll</p> <p>9 move to approve the Consent Agenda without Item 13.</p> <p>10 COMMISSIONER MANIS: Second.</p> <p>11 THE CHAIR: Roll call, please.</p> <p>12 COMMISSIONER ARMIJO: Secretary Armijo</p> <p>13 votes yes.</p> <p>14 Commissioner Ingham.</p> <p>15 COMMISSIONER INGHAM: Yes.</p> <p>16 COMMISSIONER ARMIJO: Commissioner</p> <p>17 Clahchischilliage.</p> <p>18 COMMISSIONER CLAHCHISCHILLIAGE: (No</p> <p>19 response.)</p> <p>20 COMMISSIONER ARMIJO: I'll come back.</p> <p>21 Commissioner Gipson.</p> <p>22 COMMISSIONER GIPSON: Yes.</p> <p>23 COMMISSIONER ARMIJO: Commissioner Manis.</p> <p>24 COMMISSIONER MANIS: Yes.</p> <p>25 COMMISSIONER ARMIJO: Commissioner Beck.</p>



30	<p>1 COMMISSIONER BECK: Yes.</p> <p>2 COMMISSIONER ARMIJO: Commissioner Taylor.</p> <p>3 COMMISSIONER TAYLOR: Yes.</p> <p>4 COMMISSIONER ARMIJO: Commissioner</p> <p>5 Carrillo.</p> <p>6 COMMISSIONER CARRILLO: Yes.</p> <p>7 COMMISSIONER ARMIJO: Chair Brauer.</p> <p>8 THE CHAIR: Yes.</p> <p>9 COMMISSIONER ARMIJO: Vice Chair Burt.</p> <p>10 COMMISSIONER BURT: Yes.</p> <p>11 COMMISSIONER ARMIJO: And back to</p> <p>12 Commissioner Clahchischilliage.</p> <p>13 COMMISSIONER CLAHCHISCHILLIAGE: Yes.</p> <p>14 COMMISSIONER ARMIJO: That passes,</p> <p>15 ten-zero.</p> <p>16 THE CHAIR: Great. Thank you, Secretary.</p> <p>17 Item No. 5, Discussion and Possible Action</p> <p>18 on Items removed from the Consent Agenda. So we</p> <p>19 moved Item No. 13, Head Administrative Changes at</p> <p>20 La Tierra Montessori School for the Arts.</p> <p>21 Director Chavez.</p> <p>22 DIRECTOR CORINA CHAVEZ: Yes. Thank you,</p> <p>23 Chair Brauer and Commissioner Carrillo. The reason</p> <p>24 why you see this is because we did an inventory of</p> <p>25 actions by the PEC for the last several months to</p>	32	<p>1 COMMISSIONER BECK: Yes.</p> <p>2 COMMISSIONER ARMIJO: Commissioner Taylor.</p> <p>3 COMMISSIONER TAYLOR: Yes.</p> <p>4 COMMISSIONER ARMIJO: Commissioner</p> <p>5 Carrillo.</p> <p>6 COMMISSIONER CARRILLO: Yes.</p> <p>7 COMMISSIONER ARMIJO: Chair Brauer.</p> <p>8 THE CHAIR: Yes.</p> <p>9 COMMISSIONER ARMIJO: Vice Chair Burt.</p> <p>10 COMMISSIONER BURT: Yes.</p> <p>11 COMMISSIONER ARMIJO: And Commissioner --</p> <p>12 excuse me, Secretary Armijo votes yes.</p> <p>13 It passes, ten to zero.</p> <p>14 THE CHAIR: Thank you, Secretary.</p> <p>15 Item No. 6, Introduction of Head</p> <p>16 Administrators. We have one, Theresa Archuleta,</p> <p>17 South Valley Prep.</p> <p>18 Director Chavez.</p> <p>19 DIRECTOR CORINA CHAVEZ: Yes.</p> <p>20 Commissioners. There is Teresa. I'll let her</p> <p>21 introduce herself and talk a little bit about how</p> <p>22 she is the new, I believe, interim head</p> <p>23 administrator at South Valley Prep. You guys know</p> <p>24 her as a familiar face and a successful head</p> <p>25 administrator coming from Tierra Adentro Charter</p>
31	<p>1 make sure that we had not skipped anything.</p> <p>2 And one of the things that the PEC had not</p> <p>3 yet had on their consent agenda was when Ms. Herrera</p> <p>4 moved to become the head administrator at La Tierra.</p> <p>5 So there is not a new head administrator. This is</p> <p>6 old business we're just putting in the record.</p> <p>7 COMMISSIONER CARRILLO: Terrific. Thank</p> <p>8 you.</p> <p>9 THE CHAIR: Can we entertain a motion,</p> <p>10 please? Vice Chair?</p> <p>11 COMMISSIONER BURT: I'll move to accept</p> <p>12 the head administrator change for La Tierra</p> <p>13 Montessori School for the Arts.</p> <p>14 COMMISSIONER MANIS: I second.</p> <p>15 Commissioner Manis.</p> <p>16 COMMISSIONER ARMIJO: Commissioner Ingham.</p> <p>17 COMMISSIONER INGHAM: Yes.</p> <p>18 COMMISSIONER ARMIJO: Commissioner</p> <p>19 Clahchischilliage.</p> <p>20 COMMISSIONER CLAHCHISCHILLIAGE: Yes.</p> <p>21 COMMISSIONER ARMIJO: Commissioner Gipson.</p> <p>22 COMMISSIONER GIPSON: Yes.</p> <p>23 COMMISSIONER ARMIJO: Commissioner Manis.</p> <p>24 COMMISSIONER MANIS: Yes.</p> <p>25 COMMISSIONER ARMIJO: Commissioner Beck.</p>	33	<p>1 School in Albuquerque.</p> <p>2 So I'll turn it over to Teresa.</p> <p>3 MS. THERESA ARCHULETA: Good morning,</p> <p>4 Chairman Brauer and members of the Commission. Very</p> <p>5 nice to see all of you this morning.</p> <p>6 Well, as most of you know, I did retire in</p> <p>7 June. But my grandson happens to attend</p> <p>8 South Valley Preparatory School, and they did have</p> <p>9 the need to have someone come in the interim.</p> <p>10 The head administrator there, Moises</p> <p>11 Padilla, is quite ill, as most of you know. And so</p> <p>12 this was a way to support him and the community and,</p> <p>13 of course, my grandson.</p> <p>14 So I am happy. I've been there for the</p> <p>15 past two weeks. I began officially March 6th. We</p> <p>16 are working on a sort of a month-by-month way of</p> <p>17 looking at how -- you know, however Moises may feel.</p> <p>18 Been working with the board. We had our</p> <p>19 first board meeting -- or I had my first board</p> <p>20 meeting with South Valley Prep board members</p> <p>21 yesterday.</p> <p>22 So very happy, and now we'll hit the</p> <p>23 ground running. It is the end of the year, and most</p> <p>24 of you know how that is.</p> <p>25 THE CHAIR: Thank you, Ms. Archuleta.</p>

34

1 It's good to see you again. I'm glad you had a  
 2 seven-month retirement. And, definitely, our  
 3 thoughts are with Moises, for sure. I just learned  
 4 in a whisper what's happening with him and his  
 5 family. And so definitely sending our thoughts to  
 6 him.

7 MS. THERESA ARCHULETA: Yeah. Very unique  
 8 situation for him in the community, so we want to do  
 9 everything we can to support.

10 THE CHAIR: Great. Thank you.  
 11 Anything else from Commissioners?

12 COMMISSIONER CARRILLO: Just thanks for  
 13 stepping in and stepping up for the kids.

14 MS. THERESA ARCHULETA: Of course.  
 15 Listening to the Explore Academy, Commissioner, when  
 16 you hear those kids speaking, that's why we do it;  
 17 right? All of us.

18 COMMISSIONER CARRILLO: Absolutely. Thank  
 19 you.

20 THE CHAIR: Thank you, Ms. Archuleta, for  
 21 joining us today.

22 THE CHAIR: Let's move on to Item No. 7,  
 23 Discussion and Possible Action on Amendment Request  
 24 to Add Grade Levels at Explore Academy-Las Cruces.  
 25 And then No. 8 will -- I think we

35

1 traditionally discuss both amendments together, if  
 2 the team is okay with that.

3 So we'll -- we'll loop in Item No. 8 as  
 4 well, Discussion and Possible Action on Amendment  
 5 Request to Increase the Enrollment Cap of Explore  
 6 Academy in Las Cruces.

7 What we'll do, we'll hear from Director  
 8 Chavez first, and then we'll hear from the school as  
 9 well.

10 DIRECTOR CORINA CHAVEZ: Thank you, Chair  
 11 Brauer, Commissioners. Good to see you, Team  
 12 Explore-Las Cruces.

13 We received amendment to increase the  
 14 grade levels served at Explore Academy-Las Cruces.  
 15 As you heard from the many constituents, the school  
 16 is seeking to add an elementary school.

17 The school has been in operation for two  
 18 years. And at the time that the application for  
 19 submitting the request went through, we were in the  
 20 process of changing forms. So it was a little rocky  
 21 road that Ms. Woerner navigated well.

22 And so you have the application. You have  
 23 all the attachments that are in your folder. I  
 24 don't know that they've been uploaded to the website  
 25 yet. I think they may have been.

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1 Thank you.

2 And so I think that the school presented  
 3 the information about the community desire to  
 4 increase. The PEC's previous policy was that a  
 5 school was in operation for three years before such  
 6 an amendment could take place, because the PEC  
 7 wanted to see three years' worth of data. And so we  
 8 don't have that for Explore-Las Cruces.

9 What we do have in the record is some  
 10 preliminary assessment results.

11 Again, the assessment results from the  
 12 statewide assessments are not certified. But when  
 13 we look at Explore, they have some -- they have some  
 14 decent -- they have some impressive results; so --  
 15 for their middle school.

16 This is a different population. The  
 17 campus would obviously need to be retrofitted to  
 18 accommodate a younger population of students. The  
 19 school would need to hire additional staff. The  
 20 school would need to be able to put together a  
 21 program that serves elementary.

22 I'm sure that they will speak to the fact  
 23 that the school in Albuquerque has recently added  
 24 elementary. And so the Explore network, if you  
 25 will, has recently gained some experience with

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1 working with elementary school students.

2 When we analyzed the proposal, we went  
 3 back to the first time when the school proposed to  
 4 expand the grade levels and read the transcripts  
 5 from the PEC meeting last year when you were looking  
 6 at this.

7 And several of the analyses points that  
 8 you see in your materials from the CSD material came  
 9 from the issues raised by the PEC when we were  
 10 discussing it. At the time, it was crystal-clear  
 11 that, again, the three years of data was required in  
 12 order for the school to even apply. And we took  
 13 that as still the PEC's policy in making the  
 14 recommendation for this school.

15 So at this point, we don't believe that  
 16 the school is eligible. We don't recommend that the  
 17 school -- that the PEC move forward in increasing  
 18 the grade span until the school has three years'  
 19 worth of experience in operating.

20 We feel like that is what the basis for  
 21 our recommendation was. Thank you.

22 THE CHAIR: Thank you, Director Chavez.  
 23 And now the school has a chance.

24 Ms. Woerner, go ahead. Go ahead.

25 MS. KAREN WOERNER: Sorry. I just wanted

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1 to ask if we could add -- one of our board members  
 2 is here. If we could add to the panel. And if you  
 3 could add me to the panel so I can share a slide  
 4 show. Is that possible?  
 5 The board member is Jenifer Lichtenfels,  
 6 Dr. Jenifer Lichtenfels.  
 7 THE CHAIR: Great. Thank you. If you  
 8 don't mind introducing yourselves and spelling your  
 9 names out for the -- for the -- for Cindy, please.  
 10 MS. LUCY VALENZUELA: Please accept the  
 11 promotion.  
 12 MS. KAREN WOERNER: We also need to  
 13 accept -- to promote Karen Casedy, who's the head  
 14 administrator. She's on campus at the school today.  
 15 But we'd like to have her -- she was going to  
 16 introduce all of us.  
 17 MS. LUCY VALENZUELA: Director Casedy,  
 18 please accept the promotion.  
 19 FROM THE FLOOR: Is Karen on? I don't see  
 20 her.  
 21 MS. LUCY VALENZUELA: Yes, they both are.  
 22 MS. KAREN WOERNER: So, Karen, if you  
 23 would start. Are you there? Maybe we have to start  
 24 whenever --  
 25 COMMISSIONER CARRILLO: (Off mic.)

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1 MS. KAREN WOERNER: That's too smart.  
 2 MS. KAREN CASEDY: Can you hear me?  
 3 THE CHAIR: Yes, we can hear you.  
 4 MS. KAREN CASEDY: Okay. Sorry about  
 5 that. It took me a second to get my mic going.  
 6 Good morning, Chair Brauer, Commissioners,  
 7 and Charter School Division staff.  
 8 As stated, my name is Karen Casedy, and  
 9 I'm the head administrator here at Explore Academy  
 10 in Las Cruces.  
 11 I'd like to introduce members of the team  
 12 that are there with you and virtually.  
 13 First I'd like to introduce Valery  
 14 Ratliff-Parker. She is there in person. She is the  
 15 Explore Academy-Las Cruces principal.  
 16 Hannah Peria, who provides support to us  
 17 in the area of K-5 curriculum instruction is also  
 18 there in person.  
 19 Karen Woerner, in person as well, is the  
 20 individual who provides support to Explore Academy  
 21 in the area of compliance.  
 22 Also I'd like to introduce Jenifer  
 23 Lichtenfels. She is one of our board members, and  
 24 she's attending virtually.  
 25 Thank you so much for allowing us to

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1 present our amendment request for the approval to  
 2 increase our enrollment cap from 700 to 1,200, and  
 3 to add grades K through 5 to our existing charter.  
 4 At this point, Valery, I want to turn it  
 5 over to you so you can present the next item.  
 6 MS. VALERY RATLIFF-PARKER: Good morning,  
 7 everyone, Chair Brauer, Commissioners, Director  
 8 Chavez. I just wanted to introduce myself as well  
 9 before I get started.  
 10 This year Ms. Casedy is the head  
 11 administrator. Next year I will be the head  
 12 administrator overseeing both campuses, should you  
 13 all approve the K through 5. I hope you do. And  
 14 that I am from Las Cruces. I am from the area. I  
 15 was born and raised in El Paso, actually, so I'm  
 16 very familiar with the border community. It's hard  
 17 to claim that, but, yes.  
 18 And I've lived in Las Cruces since 2003.  
 19 So I've been in Las Cruces for 20 years now. I've  
 20 raised both of my children there, and my daughter's  
 21 a Mayfield graduate, and my son is currently going  
 22 to J. Paul Taylor. He's also at a charter school.  
 23 So I -- and I used to work at another  
 24 charter school in Las Cruces for eleven years. Also  
 25 worked at a comprehensive high school in Las Cruces

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1 at Organ Mountain. So I am familiar with both the  
 2 traditional public schools and the charters, and I  
 3 am a huge advocate for charters in general, not just  
 4 Explore Academy, all charters. They're amazing.  
 5 They are wonderful, and I will continue to support  
 6 them forever.  
 7 And so the community input that we've  
 8 received, having worked at another charter school as  
 9 well as having my son at J. Paul Taylor, there is a  
 10 community need in Las Cruces for another charter  
 11 school, for another elementary charter school.  
 12 We did have a K-5 application or an  
 13 interest form, so we did have 113 people show  
 14 interest in the K-5, addition of grades K through 5.  
 15 We also attended the charter fair. And  
 16 like Ms. Takacs had said, the charter schools, us as  
 17 directors and administrators, we get along really  
 18 well, and it's just very collaborative.  
 19 So we were there at the charter fair  
 20 speaking to each other and kind of just networking.  
 21 And it's just a lot of fun. It's a lot of fun to be  
 22 around the other charter directors. At that charter  
 23 fair, we had 15 signatures, unique signatures,  
 24 because there were 50 families that came and spoke  
 25 to us, but as far as, like, one person per family,

42	<p>1 it was 15 signatures.</p> <p>2 We also had a community input hearing at a</p> <p>3 governance council meeting, and we had over</p> <p>4 30 attendees there also, speaking on behalf of</p> <p>5 adding grades K through 5.</p> <p>6 The -- as stated earlier during the</p> <p>7 community -- during the public input, at J. Paul</p> <p>8 Taylor, where my son is currently in the fourth</p> <p>9 grade, there is the waiting list for all grades. So</p> <p>10 before you, there are the numbers again.</p> <p>11 But speaking with Eric Ahner, the head</p> <p>12 administrator over there, we were talking a little</p> <p>13 bit about the waitlist that he has now, and they've</p> <p>14 had traditionally since conception. So this is</p> <p>15 their current number, their current waiting list</p> <p>16 number.</p> <p>17 So we can clearly see, and there is data</p> <p>18 to show the evidence behind needing another</p> <p>19 elementary charter school.</p> <p>20 So we could service those 182 families</p> <p>21 that are currently waiting and will continue to wait</p> <p>22 since they can only have a certain amount of numbers</p> <p>23 per grade level.</p> <p>24 And from here, I'm going to pass it back</p> <p>25 to Ms. Casedy so she can just talk a little bit</p>	44	<p>1 split into these smaller learning modules. I'm</p> <p>2 going to use middle school as an example. So these</p> <p>3 modules would be quarters.</p> <p>4 Every quarter, every student has a choice</p> <p>5 between two seminars, or classes, for every core</p> <p>6 content area.</p> <p>7 For instance, in the first quarter, let's</p> <p>8 say a sixth grader will be able to choose between</p> <p>9 two seminars: two for science, two for English, two</p> <p>10 for math, two for social studies. And each set of</p> <p>11 these core content seminars are themed, or also what</p> <p>12 we call "flavored," and are based on the same set of</p> <p>13 standards.</p> <p>14 Students have a course catalog where</p> <p>15 they're able to view all the flavors, all the</p> <p>16 themes, and their course descriptions.</p> <p>17 So, for instance, let's say in first</p> <p>18 quarter, science, a student might have a choice</p> <p>19 between "Rock Detectives" or "Jurassic Park." Both</p> <p>20 of these seminars are based on the same set of</p> <p>21 standards, but they represent a unique approach to</p> <p>22 delivery and engaging the student with the content.</p> <p>23 So this seminar approach, combined with</p> <p>24 the power of choice, increases students' engagement</p> <p>25 and the likelihood of higher academic success and</p>
43	<p>1 about the Explore model for the new Commissioners.</p> <p>2 MS. KAREN CASEDY: Thank you, Valery.</p> <p>3 Yeah, because we have some new</p> <p>4 Commissioners who might not be familiar with our</p> <p>5 school, I just want to take a moment and give a</p> <p>6 brief overview of our unique learning model.</p> <p>7 I think the teacher that spoke in the Open</p> <p>8 Forum did a great job of also explaining and</p> <p>9 probably giving you a good idea of our unique model,</p> <p>10 but I'll just take a few minutes to expound on that</p> <p>11 a little bit.</p> <p>12 So Explore Academy doesn't follow the</p> <p>13 traditional school system of semester or yearlong</p> <p>14 courses. Rather, our academic year, we split up</p> <p>15 into smaller learning modules that we call seminars.</p> <p>16 Each seminar is standards-based, and it focuses on a</p> <p>17 specific set of state standards.</p> <p>18 Throughout the seminar, in these smaller</p> <p>19 modules, students will work towards mastering the</p> <p>20 standards and will demonstrate mastery of those</p> <p>21 standards on an exit exam or the end-of-course</p> <p>22 exams. And that's reflected in their final grade</p> <p>23 for that semester.</p> <p>24 At the heart of our unique learning model</p> <p>25 is student choice. As I said, the academic year is</p>	45	<p>1 achievement.</p> <p>2 So in a nutshell, hopefully, you can see</p> <p>3 how our unique model is innovative. It allows for</p> <p>4 student choice and how our learning modules are not</p> <p>5 only standards based in the instruction, but also in</p> <p>6 the final grading.</p> <p>7 I'm going to turn it over to Hannah now,</p> <p>8 so she can explain how this will look at the K-5</p> <p>9 level.</p> <p>10 MS. HANNAH PERIA: Thank you, Karen.</p> <p>11 So this visual on the screen gives you</p> <p>12 a -- there's a lot of things up there. But it shows</p> <p>13 you from kindergarten and first grade all the way up</p> <p>14 into our twelfth-graders, how we break down seminars</p> <p>15 throughout the course of the school year.</p> <p>16 So there is choice from the youngest</p> <p>17 years. They get to choose in the summer for a whole</p> <p>18 year what their flavors will be for STEM and</p> <p>19 humanities.</p> <p>20 Once students move into the second and</p> <p>21 third grade, they choose each semester, and then</p> <p>22 from fourth through seventh, you see quarterly</p> <p>23 choice in high schools every 22 days, every term.</p> <p>24 I'm excited to share a little bit more</p> <p>25 about the elementary model. It's very similar to</p>

<p style="text-align: right;">46</p> <p>1 the six-twelve.</p> <p>2 It unites teacher passion and student</p> <p>3 choice for a very creative learning environment.</p> <p>4 And I think the best way is to show the contrast</p> <p>5 between two different flavors.</p> <p>6 So the first flavor you see on the screen</p> <p>7 is -- would be a fourth-grade flavor. So it would</p> <p>8 be addressing specifically a set of standards</p> <p>9 related to fractions and to ecosystems.</p> <p>10 So you could see how a student who's</p> <p>11 really interested in creating and who is very</p> <p>12 artistic would be attracted to an art within STEM</p> <p>13 flavor, where they're learning all of the standards,</p> <p>14 but they're learning about those through much more</p> <p>15 artistic representations.</p> <p>16 In contrast, you might have a kiddo who</p> <p>17 would rather learn about those same fractions and</p> <p>18 ecosystem standards through learning about summiting</p> <p>19 the Organ Mountains, learning about weather,</p> <p>20 learning about the animals out there.</p> <p>21 So if you were walking into these</p> <p>22 classrooms while the actual, like, Common Core</p> <p>23 content that's being delivered is identical, the way</p> <p>24 they're assessing is identical at the end of the</p> <p>25 quarter, you might see in the art classroom students</p>	<p style="text-align: right;">48</p> <p>1 emotional learning structures that help promote</p> <p>2 development of the whole child. So that includes</p> <p>3 classroom meetings at the beginning of the day,</p> <p>4 whole school assemblies that celebrate learning and</p> <p>5 connection, direct instruction, because we're all</p> <p>6 learning how to be humans together, and then using</p> <p>7 restorative practices.</p> <p>8 Just like the middle school, we also have</p> <p>9 multi-age clubs on Fridays. So that would be</p> <p>10 something that all the students in Las Cruces would</p> <p>11 be able to access during the school days, explore</p> <p>12 they're extracurricular interests.</p> <p>13 And last, I want to touch briefly on the</p> <p>14 individualized supports, which you heard a number of</p> <p>15 our students talk about this morning from their</p> <p>16 perspective at the middle-school level.</p> <p>17 We do have a full inclusion model, which</p> <p>18 applies to our students with IEPs. We also have a</p> <p>19 school-wide enrichment model for gifted education</p> <p>20 that we would be looking to implement.</p> <p>21 And students can work at different levels</p> <p>22 in STEM or humanities. They might advance or take</p> <p>23 more time based on a lot of data points.</p> <p>24 We know that kiddos, even in general</p> <p>25 education, can plateau in their academic career.</p>
<p style="text-align: right;">47</p> <p>1 painting visuals of fractions, choosing an animal to</p> <p>2 study, write a research paper on, and to sculpt.</p> <p>3 And then over in summiting the Organ</p> <p>4 Mountains, students might be solving word problems</p> <p>5 about hikes, using fractions and maps and building</p> <p>6 terrariums in their classrooms in order to study</p> <p>7 different animals and insects.</p> <p>8 So regardless of what flavor a student is</p> <p>9 in and regardless of whether they're in K or fifth</p> <p>10 grade, you're going to see a lot of -- you can go to</p> <p>11 the next slide -- a lot of student-led discussion.</p> <p>12 Flavors really come to life through the environment,</p> <p>13 but also through that thematic instruction.</p> <p>14 We see student-created materials on the</p> <p>15 walls, a big buzz in the classroom. We would want</p> <p>16 to see kids in the driver's seat of their education,</p> <p>17 making choices not just about which flavors they're</p> <p>18 picking, but also what they're doing day to day.</p> <p>19 And so we put them in the position of choice early</p> <p>20 on and ensure that they also have that whole child</p> <p>21 development.</p> <p>22 In nurturing the whole child, we want to</p> <p>23 give children time to be little ones. And so we</p> <p>24 carve three recesses daily into the schedule.</p> <p>25 We also have daily and weekly social and</p>	<p style="text-align: right;">49</p> <p>1 And so our model allows for that flexibility for us</p> <p>2 to move ahead or take a little bit more time. And</p> <p>3 just like in the middle and high school grades,</p> <p>4 there's flex time during the school day that allows</p> <p>5 students either free time, tutoring, interventions</p> <p>6 that align with the multilayered system of supports,</p> <p>7 or their English language development, pullouts,</p> <p>8 ancillary services, enrichment, and more.</p> <p>9 I'll turn things over to Valery now to</p> <p>10 talk a little bit more about equity at our school.</p> <p>11 MS. VALERY RATLIFF-PARKER: Again, working</p> <p>12 in Las Cruces and knowing the cultural demographics</p> <p>13 that we have in Cruces, I can't even emphasize how</p> <p>14 amazing it is to be able to provide some opportunity</p> <p>15 to all the students that we have there in Las Cruces</p> <p>16 and the diversity that we have in Cruces, as well as</p> <p>17 on our staff.</p> <p>18 We have a high population of Hispanic in</p> <p>19 Las Cruces, (Spanish spoken.) I love it. So it's</p> <p>20 great to be able to speak with those kids.</p> <p>21 We have 30 English Learner students, and</p> <p>22 to provide them with these opportunities where they</p> <p>23 can excel and just thrive has been amazing to watch.</p> <p>24 The other item that we have, too, is</p> <p>25 building these flavors -- you just had a couple of</p>

<p style="text-align: right;">50</p> <p>1 examples of the flavors that can be developed.  2 These flavors are also developed with those things  3 in mind.  4 So being able to address the cultural  5 relevancy through our demographic as well, through  6 the flavors. Por ejemplo -- for example -- we can  7 do a flavor on the food that's in the area. We can  8 also look into the wonderful enchiladas, that I  9 think are better in the south than in the north.  10 I'm saying. Just sayin'. Red or green? I don't  11 know.  12 And the -- also the transportation and the  13 other food services that we have that are available.  14 And I'd like to pass it over to  15 Dr. Lichtenfels, if she's on the panel, so she can  16 speak to the equity, which is a huge part of some of  17 the equitable opportunities that we provide at  18 Explore.  19 DR. JENIFER LICHTENFELS: Yes. Good  20 morning, Commissioners. Just a little background on  21 myself. I am -- have been with Explore Academy and  22 the governing board for about 18 months now. And I  23 am a pediatrician, recently retired. And it's been  24 really quite an experience to work with the board  25 and with the staff at Explore. They're fabulous.</p>	<p style="text-align: right;">52</p> <p>1 Director Chavez pointed out, too, that the -- it's  2 pretty impressive the academic gains that we've had  3 over the last year.  4 And we've had -- outperforming in the  5 local district in math and reading and proficiency.  6 And we've also had a lot of gains with our special  7 education population as well. So if you were to  8 reference the graphs and the data that has been  9 submitted to you, there were some huge gains with  10 our special education population. So that's  11 something that we're very proud of, and I commend  12 our teachers that are amazing.  13 And our kids are amazing, too. You heard  14 them. They're so cute.  15 MS. KAREN WOERNER: Yes, they are.  16 MS. VALERY RATLIFF-PARKER: For the  17 facilities, last year -- I did sit on the amendment  18 request that happened last year. So I was listening  19 very carefully to the concerns about the facilities  20 and being on a road that was the main artery, or is  21 a main artery, of Las Cruces.  22 And the first day that I had to manage  23 traffic out there, I was a little concerned as well.  24 So rightfully so. And the first day was -- I had no  25 idea how many parents were going to come and pick up</p>
<p style="text-align: right;">51</p> <p>1 Now as the Commissioners know, food and  2 transportation can be two of the largest barriers  3 for equitable access for educational options. And  4 Explore Academy has removed these by participating  5 in the national school lunch program. So our  6 students are able to get their lunch at a free or  7 reduced price.  8 The school also provides bus  9 transportation to and from the school, making it  10 accessible to students who would not otherwise have  11 transportation.  12 According to the CSD site visit, Explore  13 is actually the only charter school in Las Cruces  14 that's providing transportation to and from the  15 school.  16 If you combine waitlist numbers for  17 J. Paul Taylor and those students that are not even  18 able to enter their lottery because of issues with  19 transportation, I don't think there is any doubt  20 that Explore Academy would be filling every  21 available seat and place in a K-through-5 expansion.  22 Thank you very much.  23 MS. VALERY RATLIFF-PARKER: For our school  24 successes, as was noted earlier for our academic  25 achievements thus far, we have significantly -- as</p>	<p style="text-align: right;">53</p> <p>1 and show up. I didn't know how it was going to run  2 into Telshore.  3 And it was interesting the first day.  4 Quickly, after that first day, I figured out a way  5 to fill -- so if you look at the map up there, there  6 are a bunch of lines, a bunch of parking spots that  7 are lined up parallel to Telshore. So that in front  8 of the main building right there -- yeah -- all the  9 way across. So within that spot I was able to  10 create a lane or a turnaround lane.  11 So we have a line of cars going up the  12 parking lot. They turn around, or do a U-turn,  13 create two lanes coming back into the main parking  14 area, and then it goes into three lanes. And then  15 that's where we put all those cars. So there is not  16 a single car, ever, on Telshore during pickup time.  17 Which is really nice.  18 So that was done after day one, and a lot  19 of brainstorming and trying to figure out how I  20 could do this. And that's great.  21 So the traffic is no longer an issue and  22 will never be an issue. So if we were to add grades  23 K through 5, we would have a staggered release and  24 staggered pickup so that we could avoid that  25 congestion.</p>

<p style="text-align: right;">54</p> <p>1 With the facilities as well, we have three 2 separate buildings, as you can see on the map. So 3 it would be quite easy to separate the K through 5 4 from the sixth through twelve and being able to make 5 sure that those -- the kiddos are separated. 6 One of the students said, when we were 7 asking who would speak on behalf of adding grades K 8 through 5 -- and this one student, she raised her 9 hand, and she said, "Well, can we speak against it?" 10 And I said, "Well, why?" 11 And she said, "Well, I don't want my 12 little sister in the cafeteria asking me for..." -- 13 I said, "No, sweetie. She's going to be in a 14 completely separate side. You don't have to worry 15 about her asking you for candy or anything like 16 that." 17 So those concerns are -- are not 18 addressed. 19 MS. KAREN WOERNER: Do you want to speak 20 to the outside areas, too? 21 MS. VALERY RATLIFF-PARKER: Uh-huh. For 22 the outside areas as well -- so there are a lot of 23 plans. Walking on that campus every day and 24 thinking about elementary school kids, and even our 25 middle schoolers and our high schoolers, they need</p>	<p style="text-align: right;">56</p> <p>1 one we would want, and, frankly, one that I don't 2 think is grounded in the data. 3 So, first, for the record, I do want to 4 note that the school was not provided a copy of the 5 CSD analysis in advance, but, rather, we found it 6 posted online yesterday afternoon. 7 The analysis begins with references, and 8 Director Chavez made those references again this 9 morning, to the amendment request that was submitted 10 last year, about a year ago now. 11 The school did not resubmit that request. 12 We submitted a complete new packet in February. And 13 that packet was not posted online and may not have 14 been provided to the PEC until I sent the e-mail 15 yesterday. 16 It is posted online now. I saw it this 17 morning. 18 Regarding the decision last year, though, 19 I do want to thank Commissioners Burt and Carrillo 20 and Taylor for their vote -- and former Commissioner 21 Voigt -- for their vote for approval at that time. 22 For those of you who were not on the 23 Commission then, I know that Commissioner Armijo was 24 not present at that meeting. Commissioner Manis was 25 not -- had to leave before the vote was taken. And,</p>
<p style="text-align: right;">55</p> <p>1 an outdoor area. 2 We have plans in place to extend -- 3 there's a lot of room in the back, plenty of room in 4 the back right up against the levee of the dam to 5 create an outdoor space, and also to be able to 6 fence off an area just for designated playground. 7 And also there are several areas to make 8 little courtyards as well where they can eat 9 outdoors, have outdoor classrooms. 10 So I -- the potential is amazing to be 11 able to add -- it's just a matter of doing it. So 12 we'll just get that done. 13 MS. KAREN WOERNER: So, Chair Brauer, 14 Commissioners, Charter School Division staff, as you 15 know, I'm Karen Woerner. And I want to thank you 16 for allowing us the time to present this school and 17 your attention to the details. 18 I think it's important to understand the 19 model, and I think these ladies have done a 20 phenomenal job. It's very exciting. 21 My part is not quite so fun, but I do want 22 to respond to the CSD analysis and some of the 23 comments made in that analysis. It's just equally 24 as important as what we've just discussed, 25 particularly given the recommendation that is not</p>	<p style="text-align: right;">57</p> <p>1 then, according to the transcript, Commissioner 2 Gipson and others who voted against it, so, 3 primarily, due to the three years of operational 4 data Director Chavez mentioned. 5 However, your amendment request policies 6 were changed by this body in December of 2022, and 7 that requirement is no longer included in the 8 amendment packet at all. So a reference to the 9 three years of operational data is a decision this 10 board made -- this Commission made in December to 11 not include, rather, to look at the whole of the 12 model or the proposal regardless of how many years 13 of data or operation there have been. 14 In your -- in your packet in that 15 analysis, there was comments on projected 16 enrollment. It will say grades 6 through 8 were 17 offered the first year at Explore Academy-Las 18 Cruces, and there were indeed several obstacles that 19 impacted our enrollment that first year. Those are 20 described in the enrollment cap narrative that I 21 sent, No. 4, Document No. 4. And they're also in 22 the analysis for the enrollment cap request copied 23 and pasted from our proposal. 24 I'm more than happy to go over those 25 details with you if you wish. But I do want to</p>

<p style="text-align: right;">58</p> <p>1 point out one important note, and that is that we  2 added grade nine the second year and doubled -- more  3 than doubled our enrollment that year. And we are  4 adding grade ten and increasing seats for grades six  5 through nine this year, and do anticipate  6 300 students in those grades. That's irregardless  7 of the K-to-5 amendment. That's just the  8 six-to-twelve projection we're on.  9 The next thing I want to point out is they  10 mentioned the draft annual report from our first  11 year. CSD mentions the Working To Meet Standard  12 regarding attendance. And yes, the school fell  13 short. We got 92 percent attendance rate, and  14 95 percent is the expectation.  15 Again, Commissioner Carrillo, I know you  16 don't like the COVID excuse. But the fact remains  17 that a lot of our absences at the beginning of the  18 year were due to the pandemic. And I still think  19 92 is pretty good.  20 Regardless, what wasn't mentioned in your  21 analysis is the rest of this chart, which is pretty  22 green, and even blue. So we're pretty proud of our  23 ratings for the first-year school, pretty impressive  24 for a first school operations.  25 Commissioners, the N/A is listed for</p>	<p style="text-align: right;">60</p> <p>1 we were going to go, and we were responding to the  2 community request and weren't sure how we were going  3 to do that last year. But we want to add four and  4 five initially.  5 Staffing was also commented on. There's  6 no potential impact to the existing staff. And it  7 was never pointed out to us that evidence of staff  8 support was required. That is required in a renewal  9 application, but not an amendment request, or we  10 would have certainly petitioned them.  11 I can assure you that the school staff has  12 definitely expressed their support. One was here  13 today, even though the rest are teachers and working  14 on reviews for exit exams. None have expressed  15 opposition, to my knowledge. In fact, I am pretty  16 confident that the starting cohorts at a younger age  17 is going to make life for our secondary teachers  18 easier, because the students will have less learning  19 gaps when they get to the sixth grade.  20 Also we're confident in the school's  21 ability to attract and acquire quality teachers and  22 staff. The form did not request or require a  23 detailed plan for that. We're happy to provide that  24 if you'd like.  25 We would anticipate that we would need at</p>
<p style="text-align: right;">59</p> <p>1 financial areas there, because, as you know, the  2 first year of operations, the school has not had an  3 audit yet. It's a year lag, so we'll have those  4 ratings this year after the audit is reviewed and  5 rated.  6 Also what isn't mentioned in the Working  7 to Meet is that -- oops -- sorry -- in addition to  8 attendance, Indicator 4.b. includes retention and  9 recurring enrollment. And our retention during the  10 school year was 84 percent, which is great for a  11 first-year school. 80 percent is the goal set by  12 PEC in our contract.  13 And the recurring enrollment returned this  14 year was 86 percent. And the goal in our contract  15 was 70 percent. So significantly -- though we  16 didn't quite meet attendance, we did really well in  17 the other areas of that indicator.  18 Other sections of the analysis talk about  19 the preparation for implementation. One was about  20 the clarity.  21 And, again, the reference to last year is,  22 in my opinion, irrelevant. But this year's packet  23 does describe the plan to add grades four and five  24 and then add the lower grades later, where, last  25 year, to be honest, we really weren't sure which way</p>	<p style="text-align: right;">61</p> <p>1 least two fourth-grade teachers and at least two  2 fifth-grade teachers, if approved, and may need to  3 increase our electives teachers, and, of course,  4 EAs, our educational assistants.  5 Next was the facilities. And with the  6 addition of grades four and five, there are little  7 or no facility remodels required. And additions or  8 improvements to the outdoor space were already in  9 our plan, regardless of an amendment request  10 decision today.  11 There was a reference to sprinkler systems  12 made last year. But that was what was happening  13 last summer in order to prepare the building for  14 school, had nothing to do with the elementary grade  15 levels. That's in place. We have to have  16 appropriate fire safety.  17 We anticipate that the current facility  18 will support growth and expansion for the next few  19 years. But, as mentioned in the request packet, the  20 long-range plan is to add another facility and  21 completely separate elementary and middle school --  22 middle-high school grades in the future as we grow.  23 Of course, that would require another  24 amendment about the school building. And we have  25 signed assurances from the board included in the</p>



62	<p>1 packet regarding that.</p> <p>2 I think the traffic and safety concerns</p> <p>3 were addressed by Ms. Ratliff-Parker earlier. And</p> <p>4 the Commissioners are welcome to visit the school to</p> <p>5 see why we do not think these concerns are valid.</p> <p>6 There was a parent comment about small</p> <p>7 school feel. There are many ways to maintain a</p> <p>8 small school feel through the culture and community</p> <p>9 aspects of the school. Most of the state charters,</p> <p>10 including Explore Academy-Las Cruces, are really</p> <p>11 good at this. Parents everywhere say they like the</p> <p>12 smaller feel of the school.</p> <p>13 Also our class sizes, as mentioned, range</p> <p>14 from 14 to 18, which is significantly smaller than</p> <p>15 the local traditional schools.</p> <p>16 There was a quote I want to read to you</p> <p>17 regarding the enrollment cap.</p> <p>18 And I quote, "The school reports having</p> <p>19 the capacity to support increased enrollment but</p> <p>20 specifies the intent to meeting increased enrollment</p> <p>21 numbers only through the enrollment of K to 5."</p> <p>22 I don't understand the point of that</p> <p>23 sentence, or it's simply incorrect. Yes. If the</p> <p>24 school does not add elementary grades, an enrollment</p> <p>25 increase is not needed at this time. And as I just</p>	64	<p>1 Last year, Explore Academy-Las Cruces</p> <p>2 received a very detailed analysis by CSD of the</p> <p>3 amendment request. Yet another school on that very</p> <p>4 same agenda with a request that had the same</p> <p>5 requirements had no analysis by CSD whatsoever.</p> <p>6 Today the CSD analysis for Explore</p> <p>7 Academy-Las Cruces is vastly different than the one</p> <p>8 provided for the next school on your agenda.</p> <p>9 Namely, the next school has two sections -- whoops,</p> <p>10 excuse me, I forgot to show that -- but has two</p> <p>11 sections that were omitted from our analysis. And</p> <p>12 so I took the liberty of adding them for you here on</p> <p>13 the screen. Academic success and organizational</p> <p>14 success data.</p> <p>15 During the '21-'22 school year, Explore</p> <p>16 Academy exceeded standards on its mission goal. And</p> <p>17 in '21-'22, as you see from the chart to the left,</p> <p>18 the green -- all the green, we met standards across</p> <p>19 the board with one exception. So that's a Meet</p> <p>20 Standards overall for the organizational success.</p> <p>21 And with that, the team stands for any</p> <p>22 questions, and we respectfully request that you</p> <p>23 approve adding grades K to 5 for our charter.</p> <p>24 The families in Las Cruces are eager to</p> <p>25 have another high quality educational option for</p>
63	<p>1 mentioned a bit ago, we do anticipate to have</p> <p>2 300 students in grades six through ten, separate</p> <p>3 from our request to add grades K to 5.</p> <p>4 I don't understand that point. That's why</p> <p>5 we submitted both requests simultaneously. All</p> <p>6 honesty, if you don't approve the K to 5, we don't</p> <p>7 need the enrollment cap increase. At full</p> <p>8 enrollment, though, our prediction would be that</p> <p>9 grades K to 12 would serve 1,200 students, and,</p> <p>10 therefore, that's the reason for our request.</p> <p>11 Community and family support, I don't</p> <p>12 understand what's unclear about that. The catalyst</p> <p>13 for us seriously considering this was the</p> <p>14 January 2022 charter school fair, where parents</p> <p>15 repeatedly asked questions about options for their</p> <p>16 elementary-age students, and we had to send them off</p> <p>17 to two of the seven booths that were there.</p> <p>18 That's what really started it last year</p> <p>19 and why we came to you last year. But since then,</p> <p>20 as you've heard, students and families have</p> <p>21 contacted the school, responded to a survey,</p> <p>22 attended a community input hearing. Some are in</p> <p>23 attendance today, all in support.</p> <p>24 In closing, I do want to share an</p> <p>25 observation with this Commission.</p>	65	<p>1 their elementary-aged children.</p> <p>2 Thank you so much for your attention.</p> <p>3 THE CHAIR: Thank you, Explore Team.</p> <p>4 We'll move into discussion.</p> <p>5 Commissioner Carrillo and then</p> <p>6 Commissioner Gipson. And, Lucy, just remind me if</p> <p>7 I'm not seeing a hand online as well. Thank you.</p> <p>8 COMMISSIONER CARRILLO: Thank you. Thank</p> <p>9 you to the team for coming up from Las Cruces.</p> <p>10 You'd be surprised how many people don't make the</p> <p>11 effort, even when they have to come to Albuquerque,</p> <p>12 to come here directly and speak with us in person,</p> <p>13 and we appreciate that very, very much.</p> <p>14 Notes that I have here.</p> <p>15 Karen, it's always a pleasure to see you.</p> <p>16 Clearly, Explore is fortunate to have someone like</p> <p>17 you arguing their case. It is very, very thorough,</p> <p>18 and I appreciate that as well.</p> <p>19 And there are some things I have there --</p> <p>20 I guess the first thing is population going from 700</p> <p>21 to 1,200 means K-5 is going to be 500.</p> <p>22 MS. KAREN WOERNER: Eventually.</p> <p>23 COMMISSIONER CARRILLO: Eventually. Okay.</p> <p>24 Making sure that facilities and staffing</p> <p>25 requirements are met, because that's -- I feel like</p>

<p style="text-align: right;">66</p> <p>1 small school, 450 kids, up to 500 in elementary is a 2 good number. Start getting beyond that, you start 3 stressing the system. 4 And the whole attraction, obviously, to 5 Explore is the 14 to 18 kids per class and that kind 6 of attention. 7 So was there any input at all, or did you 8 solicit any input at all from Las Cruces Public 9 Schools? 'Cause sometimes they -- you know, 10 Rio Rancho is always standing in opposition to 11 everything. So is Santa Fe, for that matter. But 12 nothing from Las Cruces? They're kind of welcome? 13 MS. VALERY RATLIFF-PARKER: Yes, yes. No, 14 we didn't get any opposition from Las Cruces Public 15 Schools. 16 COMMISSIONER CARRILLO: Okay. And then, 17 Valery, relative to your meeting with J. Paul 18 Taylor, do they welcome the idea of another charter 19 and everything else? Or do they see you as -- 20 MS. VALERY RATLIFF-PARKER: They do. As 21 competition? 22 COMMISSIONER CARRILLO: Competition I 23 think is good. I mention that all the time. 24 Competition makes all of us better. And rather than 25 the State of New Mexico, as they tried to do with</p>	<p style="text-align: right;">68</p> <p>1 Because we see success -- and, like, at Rio 2 Grande -- or RioGafa -- the whole idea of 3 arts-embedded education, just seeing so much success 4 with kids. 5 The challenge I have -- not -- I don't 6 know. I have a question, and this was, I guess, 7 both -- it's regarding the three years. 8 So -- well, there's two things: One, that 9 requirement is no longer necessary based on our 10 own -- I have a very short attention span -- 11 something we did in December? 12 MS. KAREN WOERNER: Yes, Chair Brauer, 13 Commissioner Carrillo. In December, you revised, I 14 think, all of the amendment requests and 15 notifications. And at that time, the policy was 16 rewritten, and the form and the outline does not 17 include any mention of three years of data. 18 So Director Chavez mentioned she does not 19 believe the school is eligible. But according to 20 your own policy adopted in December, we are 21 certainly eligible. 22 COMMISSIONER CARRILLO: Okay. Because I 23 remember before that when there were things that 24 came up to you prior to December, that that was a 25 concern. And I can't remember the name of the</p>
<p style="text-align: right;">67</p> <p>1 SB 422, an incredibly lame attempt at trying to have 2 a moratorium on charters, they should be welcoming 3 the competition, because it makes us all better. 4 And that's make J. Paul Taylor's feeling was and -- 5 MS. VALERY RATLIFF-PARKER: They are. I'm 6 actually good friends with Eric. He welcomes it, 7 and he's okay with it. So is Dr. Artiaga at Raíces. 8 COMMISSIONER CARRILLO: There's plenty of 9 room for excellent public schools; right? 10 MS. VALERY RATLIFF-PARKER: Absolutely. 11 COMMISSIONER CARRILLO: Comment is I loved 12 the three recesses for little kids. We all know 13 that little kids need to move around. Also the 14 multi-age club and the flex. 15 There's so many elements of this school 16 and the Explore concept that, boy, do I just wish 17 others in New Mexico would learn from. Not that 18 they have to do flavors, but they could allow, in 19 certain areas, teachers to come up with -- as 20 they're working in their -- what do they call 21 their -- the little groups of teachers that all get 22 together? What is the acronym for it. 23 COMMISSIONER BURT: PLC. 24 COMMISSIONER CARRILLO: That. That they 25 could come up with themes to engage their kids more.</p>	<p style="text-align: right;">69</p> <p>1 school -- was it ACES? There was a school that we 2 approved even though they hadn't been in operation 3 for three years. You're pointing me to -- Julia? 4 Julia. 5 MS. JULIA BARNES: I just wanted to read 6 from the approved form. There's PEC direction. 7 And it indicates, "A school should be in 8 operation for three years prior to seeking an 9 enrollment cap other than requested in the original 10 application. A school requesting an enrollment cap 11 prior to the end of the third year in operation must 12 provide sufficient data demonstrating effectiveness 13 and need, and set forth in 1 and 2 above, data 14 demonstrating the school's educational model is 15 working and data demonstrating the need for 16 increased enrollment in the community." Those are 1 17 and 2. "Identify why the enrollment cap was not 18 requested in the original application and why the 19 enrollment cap is needed at this point." 20 COMMISSIONER CARRILLO: Okay. So based on 21 what you've just said, I think -- I feel 22 comfortable. "Should" is not even "would," "must," 23 or "shall." It's "should." 24 Yeah. So I'm comfortable with this. And 25 I'm clearly -- the blue exceeds standards based on</p>

<p style="text-align: right;">70</p> <p>1 your operational model, we can't really ask for more 2 than that, unless, like, there's a purple category 3 for another time or something. 4 But the -- the transportation is a big 5 deal. So I'm glad you were able to do that, and I 6 think you'll have more applicants. 7 I was concerned -- it's no longer a 8 concern based on what Julia just said -- but like 9 the idea -- if something is super-duper successful, 10 then my feeling is why make kids wait? It's just 11 another year that's gone by where a group of kids 12 are not able to experience something excellent. 13 And that's -- whether it's your school, 14 whether it's -- whatever -- NMSA, whatever somebody 15 is doing, if we have the ability to allow more kids 16 to benefit from that, then I think it's our kind 17 of -- well, it's our moral obligation to do so. 18 So, I mean you've addressed my concerns. 19 And Julia did there. And I just -- you know. And 20 I -- it's going to come up later. And I -- 21 obviously, I can't say I've made up my mind on 22 anything. But I know Explore is coming before us 23 for Santa Fe. And I know that Santa Fe is super 24 threatened by having Explore up here, and also 25 having a Montessori magnet up here.</p>	<p style="text-align: right;">72</p> <p>1 But I know they're looking at -- but that's 2 temporary, and you can't do anything about it. 3 So I know in the -- in the request, it 4 said that the -- the tiny tots will be in a 5 separate -- but that's still in that contiguous 6 area. It's not -- could there -- I was a little 7 confused, because I -- it seemed to indicate that 8 that space might be a distance away, still close 9 enough for transportation. And it was just a little 10 confusing to me. But it's still all a part of that 11 Vista College campus; right? 12 MS. VALERY RATLIFF-PARKER: Right. 13 COMMISSIONER GIPSON: Yeah. It got a 14 little wonky there when I was reading it, I have to 15 say. And it's nothing on you. These decisions are 16 hard to make when we get them the night -- when we 17 get all this information the night before. And 18 that's not on you. 19 You know, because we were here till 5:30 20 last night, and to try to run through this stuff 21 then afterwards -- and, fortunately, you know, I was 22 here for the first one. So I knew -- I knew most of 23 it. And I appreciate the additions that have come 24 since then. 25 But it is -- you know, it's profoundly</p>
<p style="text-align: right;">71</p> <p>1 And makes me -- it hurts my heart that 2 they're just not open to change up here the way they 3 need to be. 4 But I -- thank you very much for your 5 presentation. Appreciate everybody that came to be 6 online, and there you have it. 7 THE CHAIR: Thank you, Commissioner 8 Carrillo. Commissioner Gipson, then Commissioner 9 Taylor, then Vice Chair Burt, then Commissioner 10 Beck. 11 COMMISSIONER GIPSON: Thanks. And hello, 12 everyone. 13 I just need -- when you're looking at 14 making the playground -- when would you begin 15 starting that? 16 MS. VALERY RATLIFF-PARKER: The green 17 space. So when the actual playground will be built 18 will probably happen within the next year. 19 COMMISSIONER GIPSON: Okay. Okay. 20 Thanks. 21 And I've been by at comings and goings. 22 And, yeah, there is no issue with the -- there may 23 be an issue when they decide to redo that 24 intersection there. I don't know how they're going 25 to try to fix that, because there's an overpass.</p>	<p style="text-align: right;">73</p> <p>1 difficult to make a quality decision when -- for 2 me -- when I don't have time, you know, to go 3 through this material beforehand. And it was -- you 4 know, I ran through it last night, but I can 5 honestly say it wasn't with as clear a mind after 6 yesterday, as, if I had -- you know, we've -- we're 7 always asking -- and, you know, Karen can attest to 8 this -- was asking for this, like, ten days before 9 so we can -- so we have that time to look at it. 10 And that's fairest to the school, and it's fairest 11 to the Commission. 12 I have no concern about whether this 13 school qualifies for the -- to put in the 14 application, you know. We cleared that up. The 15 school, I think, went above and beyond in terms of 16 putting the supplemental information in as to why 17 the need is there. So that's not a concern at this 18 point in time. 19 So, you know, thanks for -- thanks for 20 turning up -- and I will say when community people 21 come to me and they're looking to start a school in 22 Cruces, I always say, "You need to start an 23 elementary school," you know. 24 And they -- and they say, "But elementary 25 schools just aren't as sexy as a high school."</p>

<p style="text-align: right;">74</p> <p>1           So it's -- and there's not as much grant 2 money that's available often with elementary 3 schools. So -- "I don't want an elementary school," 4 which I can understand not wanting to spend your 5 life in an elementary school. 6           But that is really where the need is. 7 Both of our elementary schools that are charters are 8 purposefully small. You know, J. Paul Taylor is at 9 the brim, you know, and they made it small. But -- 10 you know, and great that they're successful. But 11 there's -- there's a need. 12           And, you know, the charter community in 13 Cruces is very cooperative. So there really isn't 14 this, "Oh, not another school," and -- so they 15 really work and lift each other up. 16           So I would be shocked if any of them, you 17 know, made any sentiment against another member of 18 the family coming -- coming in. It is. The need is 19 there based on the waiting lists that are there. 20 Absolutely. So thank you. 21           MS. KAREN WOERNER: Thank you. 22           THE CHAIR: Commissioner Taylor. 23           COMMISSIONER TAYLOR: Yeah. Thank you 24 very much. 25           You know, I just want to say that -- that,</p>	<p style="text-align: right;">76</p> <p>1           like the enrollment cap, raising it to 1,200 at this 2 time might be a little premature if it's going to be 3 a five-year or four-year rollout of -- of the 4 grades. Maybe that part of it comes at a later time 5 based on, you know, what transpires. 6           MS. KAREN WOERNER: So may I? Chair 7 Brauer, Commissioner Taylor, thank you for the 8 support, and thank you for the question. 9           We do have that as a separate vote for 10 the enrollment cap increase. We could, of course, 11 lower that for what we actually need in the next few 12 years. But the reality is we would just be back 13 before you again and risking that students and 14 families would feel like we weren't going to meet 15 our cap and not be able to continue the plan to 16 grow. 17           So we are going to expand each year, as 18 you said, ten this year, then eleven, then twelve. 19 At the same time we want to work down with four and 20 five and then work down at the same time till we 21 eventually have K to 12. 22           The reason we requested the full 23 enrollment cap now is just to reassure those 24 families that that's our plan, and we're going to 25 work toward that. But if the Commission so desires,</p>
<p style="text-align: right;">75</p> <p>1           Karen, I am -- based on -- based on the information 2 that we saw today and the presentations by the staff 3 and so forth, that I still am 100 percent in support 4 of -- of expanding your -- you know, expanding your 5 access to these -- to the elementary school. I 6 think it's a -- I think it's great. I love it. 7           I think that anytime you have a collection 8 of just bright, driven, experienced individuals that 9 are unified in their goals, you guys are going to -- 10 you guys are going to overcome the obstacles that 11 come your way. 12           It's just not -- I mean, I just have this, 13 just, confidence in ya'll's ability to manage the 14 issues that arise. So thank you for doing that and 15 thank you for your presentation today. 16           I do want to say that -- I appreciate the 17 information that you sent, Karen. I scanned it. 18 And I may be missing some things. 19           But so right now, you're serving sixth 20 through ninth grade with an expansion to tenth grade 21 next year with an expected enrollment of 22 300 students. 23           So tell me how the rest of that rolls out 24 as far as the high school and the grade school. And 25 the reason I'm asking is because, you know, I feel</p>	<p style="text-align: right;">77</p> <p>1           we obviously don't need that full amount just yet, 2 and we could come back again, if necessary. 3           COMMISSIONER TAYLOR: Okay. Well, thank 4 you. 5           And then another question I had was when I 6 was reading the information, you're hoping to have a 7 soft opening in the fall of 2023. What is a soft 8 opening? 9           MS. KAREN WOERNER: So by "soft opening," 10 I think what was intended there was to add fourth 11 and fifth grade. But maybe just -- we need two, 12 because as you heard from Hannah earlier, there's a 13 STEM and a humanities class. So we would need two 14 classes of fourth- and fifth-graders to make it work 15 for fourth and fifth grade. So soft launch might be 16 only two, two of each grade level, as an example, as 17 a start. But, eventually, we plan to have many more 18 classes of every grade level down the road. 19           It's just growing slowly -- thank you, 20 Hannah -- grow slow to grow fast; right? 21           So we want to be successful in it. So a 22 softer launch, that's what we meant. 23           COMMISSIONER TAYLOR: Okay. Thank you. 24 Thank you very much. And good work. Thank you. 25           THE CHAIR: Thank you, Commissioner</p>

<p style="text-align: right;">78</p> <p>1 Taylor. Commissioner -- Vice Chair Burt and then 2 Commissioner Beck. 3 COMMISSIONER BURT: Thank you. 4 Hello. Thanks for coming again. Yeah, I 5 mean, you all know from the last time that I was 6 supportive of this amendment. But I actually 7 understand the -- I was -- you all know I was very 8 conflicted about the last one because of it. 9 So I am -- it is much more clear. I mean, 10 I'm glad, once again, the PEC did a good job in 11 reviewing all those and, like, clearing up those 12 confusing parts where we had some gray areas maybe. 13 I actually -- and I do think, like, those 14 additional items, like, the reason why we did that 15 is for this specific example. You know, like, there 16 may be a case in which a school could hear from the 17 community and need to be on top of it instead of 18 being delayed. Like we tend to do in education; 19 right? Like, they end up with 500 portables -- 20 right? -- because everything is delayed in growth. 21 So allowing charter schools to have the ability to 22 do it a little bit better is why we're here. 23 I think my only question is starting with 24 fourth and fifth -- I understand conceptually why 25 you would do that. But how hard is it going to be</p>	<p style="text-align: right;">80</p> <p>1 friend said, "If Ty is going, I'm going." 2 So we'll put him there. 3 I think we'll have enough to create the 4 two classrooms. That's why it's a soft start. 5 We'll have enough interest to start small with the 6 fourth and fifth grade and be able to expand from 7 there. 8 But I think the need is great enough and 9 the community has showed interest that they're 10 looking for something now. They're unhappy with the 11 traditional public schools in the fourth and fifth 12 grade and K through 3 as well. But I'm confident 13 that we'll have -- 14 COMMISSIONER BURT: Am I correct in 15 assuming -- and maybe it's in here, and, once again, 16 I'm sorry I didn't get a chance to review this as 17 much as I would have liked. 18 But I saw the data you provided that 19 showed the level in which you're receiving students 20 in sixth grade is significantly below -- they're 21 significantly below grade level. Like, many 22 students are -- I think it was, like, over 23 70 percent in each area was under grade level. 24 And so I assumed that that's why you're 25 doing fourth and fifth is to get them -- like, get</p>
<p style="text-align: right;">79</p> <p>1 to get kids to leave their elementary school and 2 come to your -- I mean, I did like -- I saw that you 3 had family interest. So I imagine families are 4 going to have an easier time, because they're 5 already more -- they understand. 6 But, man, what a hard -- so after you do 7 fourth and fifth, are you doing kinder next year? 8 Okay. 9 MS. KAREN WOERNER: I didn't know what 10 the -- 11 COMMISSIONER BURT: You can do kinder this 12 year, too. I don't know. I'm just conflicted about 13 starting in fourth and fifth. 14 MS. VALERY RATLIFF-PARKER: Chair Brauer, 15 Commissioner Burt, and then I'll address the kids 16 wanting to leave them in elementary school and 17 adding to grades K. 18 My son, like I said, is currently at 19 J. Paul Taylor. Of course he wants to come with 20 Mom; right? Of course, he's going to come for fifth 21 grade. 22 COMMISSIONER BURT: I have middle 23 school/high schoolers that would not want to do 24 that. 25 MS. VALERY RATLIFF-PARKER: His best</p>	<p style="text-align: right;">81</p> <p>1 the -- like, start that, like -- the remediation 2 work, like -- and then get them to where, by sixth 3 grade, ideally -- right? -- and with the level of 4 growth that you're making already in just your first 5 year, that would be great if, like, by sixth grade, 6 now you have kids who are already at grade level or 7 nearing it. Was that a correct assumption? 8 MS. VALERY RATLIFF-PARKER: Yes. 9 COMMISSIONER BURT: Talk to me about 10 adding the little babies. 11 MS. HANNAH PERIA: Chair Brauer, Vice 12 Chair Burt, and Commissioners, thanks, once again, 13 for having us here. 14 Starting with four-five will allow us to 15 provide flexibility even for entering sixth-grade 16 students who might need to spend a little bit more 17 time with fifth-grade standards as they're filling 18 those gaps and accessing grade-level curriculum as 19 well. 20 We also know that there are specific 21 facility modifications that will need to be made for 22 our littlest ones, for our kinder students. This 23 gives us a longer runway to ensure that the physical 24 facility of the plan is ready for those kiddos. 25 Plus, we also thought starting with five-</p>

<p style="text-align: right;">82</p> <p>1 and six- and seven-year-olds and going up to tenth 2 grade, that does become a little more of, like, 3 cross -- I don't want to say cross-contamination, 4 but you know what I mean -- so starting with fourth 5 and fifth grade, also change courses every quarter. 6 So that would be a line from the fourth through the 7 seventh grade, and provide some whole school 8 excitement around those transitions. 9 And then we do believe that the following 10 year, with those facility changes and additional 11 marketing within the community, we would be ready to 12 start with, you know, hopefully, K through that 13 following year. Again, like a slower start, but 14 it'll be largely dictated by community interest and 15 need. 16 COMMISSIONER BURT: And I imagine with not 17 having the playground in the first year, the kinders 18 would be much more upset about it than fourth and 19 fifth. Fourth and fifth, you can throw some balls 20 out and they can figure it out. 21 MS. HANNAH PERIA: We had lots of ideas 22 for younger child recess materials that can be 23 portable that can even close the gap before there 24 are those physical playgrounds, so that it's still 25 really still engaging and offers a lot of choice for</p>	<p style="text-align: right;">84</p> <p>1 that. That means if I know it, that is a big 2 street; right? But that's, like, all I know. 3 So to hear that it's, like, flowing and -- 4 and then, once again, as an Explore Academy mom, I 5 get the traffic e-mails all the time about how 6 concerned they are with, like, how traffic is 7 flowing and how it, like -- very attention-to-detail 8 they are to the traffic flow pattern. 9 So I'm not totally surprised that you guys 10 are figuring it out. But I know that that's just a 11 difficult -- I mean it's -- it's hard for 12 traditional schools. Every school -- I've never -- 13 it's -- I don't know if I've met a school -- I mean, 14 I've been to schools out in the middle of nowhere, 15 and they still have traffic issues. 16 It's not because of the other traffic -- 17 it's the parents. It's the families. They're the 18 problem. 19 MS. VALERY RATLIFF-PARKER: It's the crazy 20 parent drivers. 21 COMMISSIONER BURT: It really is, 22 genuinely. So, now, I appreciate it. I feel even 23 more confident this -- with this approval than I was 24 the last one. And I don't -- I don't feel nearly as 25 conflicted as I was last time. So I appreciate</p>
<p style="text-align: right;">83</p> <p>1 those students, even in their recess times. 2 COMMISSIONER BURT: Okay. And then what 3 other -- I just had the other thing up, because I 4 forgot and talked about playgrounds. 5 Oh. I know in your other models, the 6 administration grows as well. So right now there's 7 one principal -- like, one executive direct- -- is 8 the idea would be to add -- to split the 9 administration into elementary and then six to 10 twelve as well? Okay. 11 MS. KAREN WOERNER: Not in the first year 12 with just adding a few classrooms. But, yes, 13 eventually, there would be an elementary and a 14 middle school principal -- I mean a high school. 15 Excuse me. 16 COMMISSIONER BURT: Okay. Yeah. I mean, 17 I think -- I actually appreciate the level of detail 18 that was provided in the application and that it was 19 addressed, like, all -- I feel like every single 20 point that we have requested on that was addressed 21 in this. 22 And it makes me happy to hear that -- you 23 know, I don't know traffic stuff and, like, the 24 streets. I have been down to Las Cruces. I know 25 the streets. I know Telshore. Most people know</p>	<p style="text-align: right;">85</p> <p>1 that. Thank you. 2 THE CHAIR: Commissioner Beck. Then 3 Commissioner Gipson. 4 COMMISSIONER BECK: Hi. First, I want to 5 say what a great job you did presenting. Really 6 organized. Pretty amazing. 7 I don't know how fair it was to bring the 8 kids in first. But I thought it was really -- 9 you've obviously put a tremendous amount of thought 10 and detail into this. And I will tell you, as a 11 teacher of International Baccalaureate in the 12 Diploma Programme at Sandia High School, with no 13 Middle Years Programme, the learning curve to get 14 them up to speed was -- I had the eleventh-graders, 15 which is the first grade, and it was brutal. 16 So I love your idea of having the same 17 kind of structure in fourth and fifth, so that when 18 they get to sixth, they already are accustomed to 19 what that program is when they get there. 20 So I think that's great. 21 My question is -- first question, I 22 guess -- is fourth grade, you have two teachers. 23 Does one teacher teach STEM and the other teacher 24 teach humanities? So it's -- so you don't have two 25 fourth-grade teachers? You have one that</p>

<p style="text-align: right;">86</p> <p>1 specializes in STEM and one that specializes in 2 humanities? 3 And then the other question I had is you 4 had the two seminars plus electives -- correct? -- 5 in each one of those. And the seminars -- how does 6 that -- just, real quickly, how does that work? 7 MS. HANNAH PERIA: So seminars for fourth 8 and fifth grade are those STEM and humanities 9 flavors. So those are the two seminars. 10 They'll spend half of the day with our 11 STEM teacher and half with humanities. So even with 12 having one teacher in the first year, they will be 13 able to have two different flavors, one in the 14 morning and one in the afternoon. So kiddos still 15 have choice. 16 COMMISSIONER BECK: So when you showed 17 that on the board, the -- the -- what was the first 18 one? 19 MS. HANNAH PERIA: Art within STEM. 20 COMMISSIONER BECK: So art would have been 21 STEM? 22 MS. HANNAH PERIA: And the other one was 23 STEM as well. 24 COMMISSIONER BECK: STEM as well. So they 25 have a choice of those two, and a separate one for</p>	<p style="text-align: right;">88</p> <p>1 great. From the IB perspective, it's pretty cool. 2 So thank you. Thanks for coming all the way up from 3 Cruces. 4 THE CHAIR: Commissioner Gipson, then 5 Secretary Armijo. 6 COMMISSIONER GIPSON: Thanks. I just 7 wanted to offer some support for the grade four-five 8 roll-up. Cruces is probably a little different than 9 many of the other communities. In fact, there was a 10 parent that was on from the Metro Verde development. 11 There's 7,000 homes going in out there. So that 12 there's a lot of folks coming in with kids that 13 aren't even in a school yet, so that I think that 14 helps support. 15 It's not just taking out, necessarily -- 16 because it is hard. You know, a lot of kids don't 17 want to leave. But there's so much transition of 18 folks coming into the community that I think 19 that's -- makes it less, also, you know, any concern 20 by the school district. 21 Because they're right. In the Metro Verde 22 area, they haven't developed the schools yet to 23 accommodate all those -- all the houses that are -- 24 you know. It's like a whole other community, you 25 know. So thanks.</p>
<p style="text-align: right;">87</p> <p>1 humanities. 2 MS. HANNAH PERIA: Separate, two choices 3 for humanities. 4 As it works with electives, once the 5 students are in that fourth-fifth grade, upper 6 elementary band, they actually select their elective 7 every quarter and attend every single day. 8 So in the elementary model, we envision 9 our youngest students getting a more traditional, 10 like, rotation of electives, and getting that 11 exposure to PE, art, music, every single day 12 throughout the course of the week. 13 Our older students, they may say, "You 14 know what? I want to go to art every single day. I 15 want to be in the STEAM lab every day. I want PE. 16 I have a lot of energy and I want to get it out." 17 So we give them that choice. The next 18 quarter they may say, "Hey, I want to do PE again," 19 and they may say, "Hey, I want to slow down and do 20 art this quarter." 21 But they get to build that stronger 22 relationship with the elective teacher into middle 23 school and start seeing those folks every day. 24 They're used to that. 25 COMMISSIONER BECK: That's great. That's</p>	<p style="text-align: right;">89</p> <p>1 THE CHAIR: Secretary Armijo. 2 COMMISSIONER ARMIJO: Thank you. Kind of 3 to build on that somewhat, I think, I'm wondering 4 about -- I didn't see -- and maybe it's because -- 5 maybe it's because I didn't have the great 6 opportunity to look at everything -- but the 7 demographics you all are serving. I want to know 8 about socioeconomic level, English Language 9 Learners. We heard a little about that. But could 10 you speak a little more to who you're serving and 11 how you're getting them and that stuff. Thank you. 12 MS. VALERY RATLIFF-PARKER: Sure. So we 13 provide marketing equitably. So we want to make 14 sure we're reaching all the people we can in Cruces. 15 We currently have 175 students. Of those, 16 like I had mentioned earlier, we have the 30 English 17 Language Learners. And I believe our special 18 education population is -- oh, gosh, can't think off 19 the top of my head. I want to say 30 -- I'm looking 20 at Casedy to see if she can nod or not. 21 MS. KAREN CASEDY: Thirty-two. 22 MS. VALERY RATLIFF-PARKER: Thirty-two. 23 And for our -- 24 MS. KAREN CASEDY: Thirty-two students. 25 Sorry.</p>

90	<p>1 MS. VALERY RATLIFF-PARKER: We have 2 34 Hispanic, 125 Caucasian, 7 African-American, and 3 3 Asian. That's currently our demographic. As 4 stated earlier, I would love to increase our 5 Hispanic population and be able to provide them with 6 the opportunities. 7 COMMISSIONER ARMIJO: That's what I was 8 just going to say was that, I think -- you know, 9 really getting out there. The -- where you're 10 located is -- you know, I think that really needs to 11 be highlighted and drawn into -- because of the 12 different model, and those students sometimes don't 13 have those sorts of options. And, you know, I think 14 that would be the place to start. And other -- 15 other minorities as well. So, yeah. Thank you. 16 MS. VALERY RATLIFF-PARKER: Yes. Yes, I 17 agree. Thank you, Commissioner. We also have 18 50 percent of our socioeconomically disadvantaged. 19 So we have 50 percent of our population is free and 20 reduced lunch. 21 And I agree. Having the transportation is 22 huge, and being able to provide the transportation 23 to the families that are economically disadvantaged 24 when transportation is a struggle. So I think we'll 25 be able to recruit more and more diversity.</p>	92	<p>1 just want to thank all the kids. I know you're 2 rounding them up. You did a pretty good job of 3 rounding up a bunch of people this morning. Really 4 want to thank all the kids for showing up for their 5 school and being willing to speak. 6 THE CHAIR: Thank you, Commissioner 7 Carrillo. 8 Secretary Armijo, if you could go ahead 9 and take a roll call? 10 (Off-mic discussion.) 11 COMMISSIONER ARMIJO: All-righty. We're 12 going to take a vote. 13 Commissioner Gipson. 14 COMMISSIONER GIPSON: Yes. 15 COMMISSIONER ARMIJO: Commissioner Manis. 16 COMMISSIONER MANIS: Yes. 17 COMMISSIONER ARMIJO: Commissioner Beck. 18 COMMISSIONER BECK: Yes. 19 COMMISSIONER ARMIJO: Commissioner Taylor. 20 COMMISSIONER TAYLOR: Very supportive. 21 Yes. 22 COMMISSIONER ARMIJO: Commissioner 23 Carrillo. 24 COMMISSIONER CARRILLO: Yes. 25 COMMISSIONER ARMIJO: Chair Brauer.</p>
91	<p>1 THE CHAIR: Thank you. 2 All right. For Item No. 7, I would 3 entertain a motion from one of our Commissioners. 4 Vice Chair Burt. 5 COMMISSIONER BURT: All right. For Item 6 No. 7, I move that the Public Education Commission 7 authorize -- 8 COMMISSIONER GIPSON: No. Approve the 9 amendment. Does it say approve the amendment? I 10 didn't see a sample. Do we have samples? 11 COMMISSIONER BURT: One second, actually. 12 (Off-the-mic discussion.) 13 COMMISSIONER BURT: Shouldn't it be 14 approve the amendment request? 15 Okay. I move that the Public Education 16 Commission approve the grade-level amendment request 17 for Explore Academy-Las Cruces. 18 COMMISSIONER TAYLOR: Second. Taylor. 19 THE CHAIR: Thank you, Commissioner 20 Taylor. 21 All right. We move into discussion on the 22 motion. 23 (No response.) 24 THE CHAIR: Seeing none, let's go ahead. 25 COMMISSIONER CARRILLO: Just quickly. I</p>	93	<p>1 THE CHAIR: Yes. 2 COMMISSIONER ARMIJO: Vice Chair Burt. 3 COMMISSIONER BURT: Yes. 4 COMMISSIONER ARMIJO: Commissioner Armijo 5 votes yes. 6 Commissioner Ingham. 7 COMMISSIONER INGHAM: Yes. 8 COMMISSIONER ARMIJO: And Commissioner 9 Clahchischilliage. 10 I think she's trying to find her -- a 11 mute -- Commissioner Clahchischilliage? You can do 12 a thumbs-up if you can't -- 13 COMMISSIONER GIPSON: I don't think she's 14 hearing you. It doesn't look like she realizes 15 you're talking to her. 16 COMMISSIONER ARMIJO: Uh-huh. Okay. 17 THE CHAIR: Sharon, can you hear us right 18 now? We're asking for your vote. Doesn't seem 19 like -- 20 COMMISSIONER ARMIJO: Well, that passes 21 nine to zero. Oh. 22 COMMISSIONER CLAHCHISCHILLIAGE: Wait. 23 Wait. 24 COMMISSIONER ARMIJO: Commissioner 25 Clahchischilliage, your vote on this, on the Explore</p>



94	<p>1 Academy to add grade levels to Explore</p> <p>2 Academy-Las Cruces. Do you vote yes or no?</p> <p>3 THE CHAIR: Okay. I think we should go</p> <p>4 ahead and call the vote.</p> <p>5 COMMISSIONER ARMIJO: All right. That</p> <p>6 passes, nine to zero. Great. Thank you.</p> <p>7 COMMISSIONER CLAHCHISCHILLIAGE: Angie,</p> <p>8 wait. (Verbatim.) Oh.</p> <p>9 THE CHAIR: Go ahead, Commissioner. We're</p> <p>10 asking for your vote for Item No. 7 in the motion.</p> <p>11 Can you hear us? Sharyn, give her a call and see if</p> <p>12 there's something going on there and see if she can</p> <p>13 change it on her end.</p> <p>14 Nine to zero. great. But I want to make</p> <p>15 sure I'm doing due diligence on this. I believe we</p> <p>16 discussed Item 8 also to the length that we have</p> <p>17 needed to. If the Commission is ready to make a</p> <p>18 motion on that, I will entertain that.</p> <p>19 Commissioner Gipson.</p> <p>20 COMMISSIONER GIPSON: I move that the</p> <p>21 Public Education Commission approve the amendment</p> <p>22 request -- oops, I'm on the wrong one -- for Explore</p> <p>23 Academy-Las Cruces to increase its enrollment cap</p> <p>24 from 700 to 1,200 starting in FY23.</p> <p>25 COMMISSIONER BURT: Second.</p>	96	<p>1 COMMISSIONER CLAHCHISCHILLIAGE: Yes.</p> <p>2 COMMISSIONER ARMIJO: Commissioner Gipson.</p> <p>3 COMMISSIONER GIPSON: Yes.</p> <p>4 COMMISSIONER ARMIJO: That passes, ten to</p> <p>5 zero.</p> <p>6 THE CHAIR: Thank you. Thank you, Team.</p> <p>7 Congratulations. Best wishes for what's in store,</p> <p>8 for sure. Yeah.</p> <p>9 MS. KAREN CASEDY: Thank you very much.</p> <p>10 (A discussion was held off the record.)</p> <p>11 THE CHAIR: Great. Let's move into Item</p> <p>12 No. 9, please, Discussion and Possible Action on</p> <p>13 Amendment Request to Increase the Enrollment Cap of</p> <p>14 Middle College High School.</p> <p>15 Lucy, if there is somebody from the</p> <p>16 school, Dr. Hunter or somebody else from the school,</p> <p>17 we can let them in.</p> <p>18 And then, Director Chavez, you'll go</p> <p>19 first, and then we'll have the school also share.</p> <p>20 DIRECTOR CORINA CHAVEZ: Chair Brauer, can</p> <p>21 we take a two-minute break?</p> <p>22 THE CHAIR: I would rather go through this</p> <p>23 item first, and then we'll take a break.</p> <p>24 DIRECTOR CORINA CHAVEZ: Okay. So Team</p> <p>25 Gallup Middle College, please let us know if you're</p>
95	<p>1 COMMISSIONER TAYLOR: Second.</p> <p>2 THE CHAIR: Let's move into discussion of</p> <p>3 the motion.</p> <p>4 (No response.)</p> <p>5 THE CHAIR: Seeing none, let's go ahead</p> <p>6 into a roll-call vote.</p> <p>7 COMMISSIONER ARMIJO: Commissioner Manis.</p> <p>8 COMMISSIONER MANIS: Yes.</p> <p>9 COMMISSIONER ARMIJO: Commissioner Beck.</p> <p>10 COMMISSIONER BECK: Yes.</p> <p>11 COMMISSIONER ARMIJO: Commissioner Taylor.</p> <p>12 COMMISSIONER TAYLOR: Yes.</p> <p>13 COMMISSIONER ARMIJO: Commissioner</p> <p>14 Carrillo.</p> <p>15 COMMISSIONER CARRILLO: Yes.</p> <p>16 COMMISSIONER ARMIJO: Chair Brauer.</p> <p>17 THE CHAIR: Yes.</p> <p>18 COMMISSIONER ARMIJO: Vice Chair Burt.</p> <p>19 COMMISSIONER BURT: Yes.</p> <p>20 COMMISSIONER ARMIJO: Secretary Armijo</p> <p>21 votes yes.</p> <p>22 Commissioner Ingham.</p> <p>23 COMMISSIONER INGHAM: Yes.</p> <p>24 COMMISSIONER ARMIJO: Commissioner</p> <p>25 Clahchischilliage.</p>	97	<p>1 in the audience and need to be promoted.</p> <p>2 DR. ROB HUNTER: This is Dr. Hunter. I am</p> <p>3 present.</p> <p>4 DIRECTOR CORINA CHAVEZ: Thank you. All</p> <p>5 right.</p> <p>6 So, Commissioners, this is Item No. 9.</p> <p>7 The CSD analysis is 9.a. The materials provided by</p> <p>8 the school is 9.b.</p> <p>9 This is a much simpler amendment request.</p> <p>10 Gallup Middle College is requesting to increase</p> <p>11 their student population, their enrollment cap, from</p> <p>12 140 to 150 students. Ten additional students is not</p> <p>13 huge, but could have a few impacts on staffing, the</p> <p>14 facilities, the school in the community.</p> <p>15 The school currently maintains an ongoing</p> <p>16 waitlist and is seeking to expand its capacity to</p> <p>17 serve its students for the grades in which it is</p> <p>18 already authorized to serve.</p> <p>19 In terms of academic success data, during</p> <p>20 the '21-'22 school year, the school earned a Meets</p> <p>21 Standards and Exceeds Standards ratings for its two</p> <p>22 mission-specific goals respectively.</p> <p>23 In terms of the enrollment, the school is</p> <p>24 at 97 percent of its enrollment cap. There is not a</p> <p>25 variance in their projected and their enrollment</p>

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1 that is very significant.

2 And the school has organizational success

3 evidenced by Meeting Standards for '21-'22.

4 We recommend that the school -- we

5 recommend that the PEC approve the school for the

6 requested amendment at this time.

7 THE CHAIR: Thank you, Director Chavez.

8 Dr. Hunter, it's good to see you, good to have you

9 here with us. You have the floor.

10 DR. ROB HUNTER: Ya'at'eeh, Chairman

11 Brauer, esteemed members of the board. Thank you

12 for the consideration of this.

13 The reason we want to do it is because

14 we've been trying to get our cohorts relatively

15 balanced.

16 And so we are graduating only 26 students

17 this year. It's one of our smallest graduating

18 classes. What that means is there's only

19 26 openings for incoming students. So we don't want

20 to have another grade matriculating in, a cohort of

21 ninth-graders that's going to be small. If we can

22 adjust by ten additional students, we can get things

23 pretty well balanced.

24 We're over-subscribed, actually, in this

25 year's sophomore and junior classes. So we really

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1 have a waitlist right now -- we have 33 -- yes, we

2 have 33 applications for those 26 openings, and this

3 is only March. So we tend to get more of those

4 toward the tail end of the year.

5 I think most of you probably know we are

6 New Mexico's oldest early college high school. We

7 are in our twentieth year. So we're very pleased to

8 be serving the students who we serve.

9 Most are first generation. We are

10 73 percent Native American in our enrollment.

11 That's up from 19 percent when I came here eight

12 years ago.

13 So we've made great strides there. And we

14 just really feel like this is going to give us an

15 opportunity to really benefit the families in our

16 community who otherwise may not have much

17 opportunity to get a head start in college.

18 So I stand to entertain any questions from

19 anyone, and I appreciate your time this morning.

20 THE CHAIR: Thank you, Dr. Hunter. We'll

21 open it up to the Commission for discussion.

22 Vice Chair Burt.

23 COMMISSIONER BURT: Thank you, Dr. Hunter.

24 I just want to say this is -- for me, it's just a

25 no-brainer. It totally makes sense. It's an easy

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1 one.

2 And thanks for the work that you're doing

3 out there. The college high schools are just such a

4 good option for students in our state.

5 And so it makes sense. It's logical. You

6 could fit within your building. It doesn't require

7 any teachers. It's just a really easy win for you

8 guys. And, hopefully, getting those ten extra kids

9 or ten more students that are going to be better

10 prepared for college than they would if they stayed

11 in their tradition public school. So very

12 supportive. Thank you.

13 THE CHAIR: Commissioner Gipson.

14 COMMISSIONER GIPSON: So, thanks. And

15 sorry you're not here in person, Dr. Hunter. I

16 always enjoy the conversations.

17 So for the rest of the Commission, I

18 believe your school was the first early college high

19 school in the state, was it not? Or am I wrong with

20 that?

21 DR. ROB HUNTER: I believe it was. There

22 may have been another one that opened up around the

23 same time that's no longer in operation. We are the

24 oldest continuously operating one. And this is our

25 twentieth year.

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1 COMMISSIONER GIPSON: Yeah. Yeah. The

2 school has just provided success after success after

3 success, and, for other Commissioners, had a

4 heartbreaking break-up with Gallup-McKinley School

5 District. That was profoundly difficult. It was,

6 you know, really uncalled for.

7 So we were very excited to be able to

8 bring them on board as a -- as a state charter. So,

9 and, yeah, you know we were talking. It's almost,

10 like, if you want to add ten, just add the ten, you

11 know. This is really an easy, easy vote for me. So

12 thanks.

13 THE CHAIR: Thank you, Commissioner

14 Gipson.

15 Dr. Hunter, thank you so much for being

16 here with us. I -- I don't know if -- the

17 Commission may not know this. I was a long-time

18 resident of Gallup for about eight years. I think

19 that's a long time. And when I think about that,

20 that was from 2003 to 2010, around that time.

21 And what I am most profoundly warmed by,

22 just into my bones, that Middle College's literal

23 face and student body has shifted dramatically in

24 the last several years, just shifted dramatically,

25 where there is mostly -- you know, there's 73

<p style="text-align: right;">102</p> <p>1 percent of the students are Native American.  2 That was not -- it was so far from that,  3 given the population of Gallup and the surrounding  4 areas. I'm just really pleased to hear that,  5 Dr. Hunter, and just great work on ensuring that we  6 are serving all of our Native students in the best  7 possible way under your leadership.  8 One -- one question I have -- and  9 apologies if it's in here. I notice that you're  10 adding ten, ten seats, if this is approved today.  11 What is your capacity moving forward? And  12 I know I haven't been in your new facilities and  13 haven't seen the new facilities, I don't think,  14 since my time in the Charter Division.  15 But what is your future capacity, do you  16 think, as you move forward in terms of enrollment?  17 DR. ROB HUNTER: That's a great question.  18 Our E-Occupancy currently is only 159. But we still  19 live on the campus of UNM-Gallup. We are building a  20 brand new facility that's going to be adjacent to  21 the campus. And that is constructed to minimally  22 house 200 students.  23 So it's a gradual -- you know, grow up to  24 that level. But that -- that new facility probably  25 doesn't open the doors until the fall of not the</p>	<p style="text-align: right;">104</p> <p>1 much.  2 DR. ROB HUNTER: And we look forward to  3 your visit.  4 COMMISSIONER CLAHCHISCHILLIAGE: Uh-huh.  5 Okay. Thank you.  6 THE CHAIR: Dr. Hunter, I have another  7 clarifying question. Because one of the things when  8 I was reading this, my first question for you was  9 wondering why not just ask to 100- -- go up to 159  10 students? And your response is when the building is  11 built, you'll have the capacity for 200 students.  12 Just because I haven't been plugged in,  13 where is the building now in terms of being  14 completed?  15 DR. ROB HUNTER: Sure. So the -- the  16 nearly three acres are all fenced off. They've done  17 some moving of earth already. They're waiting for  18 the weather to get better so they can actually start  19 the foundation work and everything.  20 And so we're just -- we don't see a way --  21 the contractors might think they can get it done by  22 the fall, but we're being safe. We're thinking it's  23 probably going to be the following fall.  24 THE CHAIR: Got you. Dr. Hunter, one of  25 the things we've been talking about in the</p>
<p style="text-align: right;">103</p> <p>1 coming school year, but the one following it.  2 COMMISSIONER CLAHCHISCHILLIAGE: Uh-huh.  3 DR. ROB HUNTER: Thank you.  4 COMMISSIONER CLAHCHISCHILLIAGE: Chairman  5 Brauer, I'd like to say a few words.  6 THE CHAIR: Absolutely, Commissioner. Go  7 ahead.  8 COMMISSIONER CLAHCHISCHILLIAGE:  9 Dr. Hunter, I'm Sharon Clahchischilliage, and I'm  10 the Commissioner for District 5, which you're a part  11 of. And I want to say that I'm just very pleased,  12 very happy with all that I've heard about your  13 charter school, all very positive.  14 The only thing -- only negative, which to  15 me isn't really a negative, but a concern that was  16 presented to me was that you really needed help in  17 location.  18 And it sounds like that's what has been  19 indicated. So I intend to come visit you. I intend  20 to see what we can do in partnership in some of  21 these areas.  22 So I'm just very happy at what you've  23 done. And, I mean, it's very telling when the  24 public comes and has nothing but compliments for  25 what you've done for the school. So thank you very</p>	<p style="text-align: right;">105</p> <p>1 background is why just ask for ten seats when you  2 have this plan that you can get the 200? Is there  3 any reason why you would be upset or concerned if  4 we -- if we changed the increase to -- to be  5 200 students today?  6 DR. ROB HUNTER: I wouldn't be, only that  7 we have the E-Occupancy concern at the moment. And  8 I think we'll be operating under that concern next  9 year as well. So the most we could bring on would  10 be 159.  11 Other than that, we're -- we're busting  12 the cap as far as E-Occupancy. When the new  13 building is constructed, we could easily accommodate  14 200 students.  15 THE CHAIR: Thank you for that. I believe  16 it's on how many actual seats you have based on the  17 safety requirements and E-Occupancy. Regardless  18 what your cap is, you can't take more students in.  19 I hope this makes sense to the Commissioners what  20 I'm asking, especially the new Commissioners,  21 entertaining the potential to just increase the  22 enrollment cap to 200, which would not require a  23 school who is in Gallup to drive three hours to talk  24 to us in a year about enrolling -- an enrollment  25 increase that we could potentially entertain</p>

<p style="text-align: right;">106</p> <p>1 shifting the amendment request today to a higher 2 level to just meet the capacity that they will have 3 later on. 4 Commissioner Carrillo? 5 COMMISSIONER CARRILLO: Thank you. And 6 thanks for the work that you're doing. I didn't 7 really know anything about your school until this 8 morning, quite honestly. There's just -- there's 9 just -- there's a lot of schools that are State 10 charters, and I know that I want to come out and see 11 Hózhó at some point, but I want to come see your 12 school as well. So I'm impressed with what you're 13 doing. 14 Is there any reason why you wouldn't 15 entertain having the increase be 19 instead of 10? 16 So if your capacity is 159, just allowing you the 17 opportunity to take on nine more kids than you've 18 planned for here, should that opportunity arise and 19 not having to come back to us. 20 DR. ROB HUNTER: There's no reason we 21 wouldn't do that. We were just looking in the short 22 term until we got the new building to balance out 23 the cohorts. But, yeah, 19 would be doable for us 24 as well. 25 The thing, too, is that we wanted to make</p>	<p style="text-align: right;">108</p> <p>1 COMMISSIONER CARRILLO: Like, if they 2 wanted to amend today to 10, do we have the ability 3 to amend and make it 19 or 200? Because my feeling 4 is, as I said with the last school, if there are 5 kids that can benefit from this, we want them to 6 benefit from this, and we wouldn't want you to hold 7 anybody back because we didn't foresee or project 8 more of an influx. So would you be amenable to us 9 just taking it to 200 today? 10 DR. ROB HUNTER: Yeah, I have a question 11 about that. May I ask a question? 12 COMMISSIONER CARRILLO: You know, I 13 imagine. But if you don't have the E-Occupancy for 14 that right now does -- 15 COMMISSIONER BURT: Then you just -- keep 16 their enrollment 150. That's fine. They're below 17 their cap then. 18 COMMISSIONER CARRILLO: And they can go to 19 the 159 or whatever. Okay. Yes, of course you can 20 ask a question. 21 DR. ROB HUNTER: Thank you so much. I 22 just want to make sure that if we have a cap that 23 says something like 200 -- well, first of all, we 24 wouldn't be able to do that next year. But in the 25 event that we didn't -- we didn't hit that</p>
<p style="text-align: right;">107</p> <p>1 sure that we have the staffing that was adequate to 2 cover it. And we do. I mean, if we went up 19, we 3 could cover that internally with who we presently 4 have on staff. 5 COMMISSIONER CARRILLO: So that would be 6 my suggestion, if the Commission is amenable to 7 that, is just changing the number from 10 to 19. 8 Because, as I said, with -- and we're allowed to do 9 that -- right? -- within this? 10 Well, because he said the capacity of 11 this -- right. But my understanding is the capacity 12 for this particular facility at this time is only 13 159. So they're going to obviously come back to us 14 again. 15 COMMISSIONER BURT: We're saying they 16 don't have to come back to us. 17 COMMISSIONER CARRILLO: But when they have 18 the new facility -- 19 COMMISSIONER BURT: But they don't have to 20 if we vote for 200 today. 21 COMMISSIONER CARRILLO: So I'm just -- 22 yeah, if you want to make it 1,000, that's totally 23 fine, if you have the kids to get -- 24 COMMISSIONER BURT: You don't have to go 25 up to your cap. You can always go below.</p>	<p style="text-align: right;">109</p> <p>1 enrollment cap, would we be penalized for being 2 slightly below? 3 Should we -- I mean, we can advertise -- I 4 don't think we'll have the situation, but it could 5 happen. I just don't want to be penalized if we 6 don't -- 7 COMMISSIONER CARRILLO: My understanding 8 is if you were creating a new school and you had 9 some cap at a certain amount, and you had only met a 10 50 percent projection, that would be a challenge for 11 us. But, no, there would be no penalty. Mostly 12 it's just giving you wiggle room. 13 DR. ROB HUNTER: Got it. Okay. 14 Appreciate that. 15 THE CHAIR: Thank you. I'm going to have 16 Dr. Russell come on real quick for a potential 17 question. 18 DR. BRIGETTE RUSSELL: Thank you, 19 Mr. Chair and Commissioners. Just wanted to point 20 out that increasing the enrollment cap now might 21 negatively impact Middle College if the State is 22 awarded a new CSP grant, and the school wants to 23 increase their enrollment cap at that point and 24 receive federal funding for it. 25 So we're at the end of -- we're at the end</p>

110	<p>1 of the CSP grant period. There's a new call for 2 State applications out. And the PED is looking at 3 writing a new grant proposal. So we would want -- 4 we wouldn't want Middle College not to benefit from 5 that if -- if we have do get that.</p> <p>6 THE CHAIR: Okay. Thank you, Dr. Russell. 7 So I think we should not -- in my opinion, I think 8 maybe -- although this has been a fruitful 9 conversation and, hopefully, that warms your heart a 10 little bit, Dr. Hunter, that we were thinking about 11 saving you time, we don't want to take that risk at 12 this time.</p> <p>13 COMMISSIONER GIPSON: I have a clarifying 14 question.</p> <p>15 THE CHAIR: Go ahead.</p> <p>16 COMMISSIONER GIPSON: So I would 17 understand not increasing the enrollment cap because 18 it could affect his ability to apply for a CSP 19 grant. But if he was moving into a new building, 20 could he not also get a CSP grant for that new 21 building? That expansion? No, you can't?</p> <p>22 DIRECTOR CORINA CHAVEZ: No, it's not 23 about moving to a building. It's about increasing 24 your cap.</p> <p>25 COMMISSIONER GIPSON: Yeah. So I think we</p>	112	<p>1 students even if your cap is already -- Louie would 2 have to get into the weeds of the --</p> <p>3 COMMISSIONER GIPSON: I don't want to put 4 the school in that position of potentially losing 5 \$50,000. That's a substantial amount of money. 6 So I would -- I would support not 7 increasing it to the 200. I don't think it would be 8 in the school's best interest.</p> <p>9 THE CHAIR: Thank you, Commissioner. The 10 best laid plans. I'm glad you brought that up, 11 Dr. Russell.</p> <p>12 Commissioner Carrillo?</p> <p>13 COMMISSIONER CARRILLO: Would increasing 14 it to 159, though, would that make sense?</p> <p>15 COMMISSIONER BURT: That's \$9,000 less 16 later.</p> <p>17 COMMISSIONER GIPSON: That's \$18,000.</p> <p>18 THE CHAIR: If there's no other 19 discussion, I'll entertain a motion.</p> <p>20 Vice Chair Burt.</p> <p>21 COMMISSIONER BURT: I move that the Public 22 Education Commission approve the amendment request 23 for Middle College High School to increase its 24 enrollment cap from 140 to 150 starting in FY23.</p> <p>25 THE CHAIR: Thank you.</p>
111	<p>1 need to back off -- so let me ask you, 'cause with 2 a -- 'cause I'm not -- you know, I'm familiar with 3 the CSP grant. But we don't always see all of the 4 awards.</p> <p>5 So if it's a 50-student increase, what 6 kinds of money are we looking at potentially as the 7 loss? I think you have to mitigate that to some -- 8 I don't know what that would potentially -- can 9 anyone -- I don't -- is Louie around? Just to see.</p> <p>10 DIRECTOR CORINA CHAVEZ: Dr. Russell can 11 answer that question.</p> <p>12 DR. BRIGETTE RUSSELL: So it was -- 13 Mr. Chair, Commissioners, and Commissioner Gipson, 14 the current expiring CSP grant was roughly \$2,000 15 per student.</p> <p>16 COMMISSIONER GIPSON: Okay. So that's 17 substantial.</p> <p>18 DR. BRIGETTE RUSSELL: Yeah, it is. And 19 it's going to depend on the way the grant is 20 written. And I may -- so the way the current grant 21 was written is that the school had to have an 22 enrollment cap increase or a grade-level increase.</p> <p>23 COMMISSIONER GIPSON: Got you.</p> <p>24 DR. BRIGETTE RUSSELL: It could be that we 25 could write the grant in a way that if you're adding</p>	113	<p>1 COMMISSIONER GIPSON: Second.</p> <p>2 THE CHAIR: Thank you. Moving into 3 discussion of the motion?</p> <p>4 (No response.)</p> <p>5 THE CHAIR: Seeing -- seeing none, 6 Brigitte, I saw your hand come up, but you can't be 7 in discussion right now with us.</p> <p>8 Let's go ahead and move into -- to our 9 roll call.</p> <p>10 COMMISSIONER ARMIJO: Thank you. 11 Commissioner Beck.</p> <p>12 COMMISSIONER BECK: Yes.</p> <p>13 COMMISSIONER ARMIJO: Commissioner Taylor.</p> <p>14 COMMISSIONER TAYLOR: Yes.</p> <p>15 COMMISSIONER ARMIJO: Commissioner 16 Carrillo.</p> <p>17 COMMISSIONER CARRILLO: Yes.</p> <p>18 COMMISSIONER ARMIJO: Chair Brauer.</p> <p>19 THE CHAIR: Yes.</p> <p>20 COMMISSIONER ARMIJO: Vice Chair Burt.</p> <p>21 COMMISSIONER BURT: Yes.</p> <p>22 COMMISSIONER ARMIJO: Secretary Armijo 23 votes yes.</p> <p>24 Commissioner Ingham.</p> <p>25 COMMISSIONER INGHAM: Yes.</p>

<p style="text-align: right;">114</p> <p>1 COMMISSIONER ARMIJO: Commissioner 2 Clahchischilliaje. 3 COMMISSIONER CLAHCHISCHILLIAGE: Yes. 4 COMMISSIONER ARMIJO: Commissioner Gipson. 5 COMMISSIONER GIPSON: Yes. 6 COMMISSIONER ARMIJO: And Commissioner 7 Manis. 8 COMMISSIONER MANIS: Yes. 9 COMMISSIONER ARMIJO: That passes, ten to 10 zero. 11 THE CHAIR: Thank you. Let's go ahead -- 12 one thing -- I just got -- I believe, did we say 13 FY23 or FY24 in that motion? 14 COMMISSIONER BURT: Starting FY23. 15 THE CHAIR: And that's correct; right? 16 Great. Thank you. All right. 17 Let's go ahead and do a ten-minute break. 18 Thank you so much. Congratulations, Dr. Hunter, and 19 thank you so much for all your continued work. 20 DR. ROB HUNTER: (Navajo language spoken.) 21 (Recess taken, 11:13 a.m. to 11:29 a.m.) 22 THE CHAIR: Welcome back, Commissioners 23 and the public. We are going to take two quick 24 actions to clarify Item Agenda 8 and Item Agenda 9. 25 In our motions, 7 did not have a date. We</p>	<p style="text-align: right;">116</p> <p>1 amendment request for Explore Academy-Las Cruces to 2 increase its enrollment cap from 700 to 1,200 3 starting in FY24. 4 COMMISSIONER CARRILLO: Second. 5 THE CHAIR: Thank you. Commissioner 6 Carrillo seconds. 7 Any discussion? 8 (No response.) 9 THE CHAIR: Seeing none, let's go ahead 10 and take a roll-call vote. 11 COMMISSIONER ARMIJO: Commissioner Gipson. 12 COMMISSIONER GIPSON: Yes. 13 COMMISSIONER ARMIJO: Commissioner Manis. 14 COMMISSIONER MANIS: Yes. 15 COMMISSIONER ARMIJO: Commissioner Beck. 16 COMMISSIONER BECK: Yes. 17 COMMISSIONER ARMIJO: Commissioner Taylor. 18 Oh, I'm sorry. Taylor had to leave for a 19 little bit. He sent me a text. 20 Commissioner Carrillo. 21 COMMISSIONER CARRILLO: Yes. 22 COMMISSIONER ARMIJO: Chair Brauer. 23 THE CHAIR: Yes. 24 COMMISSIONER ARMIJO: Vice Chair Burt. 25 COMMISSIONER BURT: Yes.</p>
<p style="text-align: right;">115</p> <p>1 learned that Item 8 and Item 9, the last two 2 amendment requests, we used FY23 in our motion 3 versus FY24. 4 So we're just going to go back and redo 5 those two motions. Because we are in FY23 right 6 now. And so these would not go into effect until 7 FY24. And so -- yeah. So we will -- 8 Commissioner -- sorry. Director Chavez. 9 DIRECTOR CORINA CHAVEZ: Thank you, Chair 10 Brauer. And also this is the last month that the 11 PEC entertains amendments that affect the next 12 fiscal year, because now schools and the PED are in 13 budget planning season. And I've provided an update 14 to PED about the charter schools and what their cap 15 is. So they're basing some of the decisions they 16 make around federal funds and other sources of 17 income for schools based on this data. 18 So now this -- this seals it for next 19 school year. 20 THE CHAIR: Great. Thank you. All right. 21 So we're going to go back to Item No. 8, and we'll 22 entertain a motion. 23 Commissioner Gipson. 24 COMMISSIONER GIPSON: Okay. I move that 25 the Public Education Commission approve the</p>	<p style="text-align: right;">117</p> <p>1 COMMISSIONER ARMIJO: Secretary Armijo 2 votes yes. 3 Commissioner Ingham. 4 COMMISSIONER INGHAM: Yes. 5 COMMISSIONER ARMIJO: Commissioner 6 Clahchischilliaje. 7 COMMISSIONER CLAHCHISCHILLIAGE: Yes. 8 COMMISSIONER ARMIJO: That passes, nine to 9 zero. 10 THE CHAIR: Thank you. We're going to 11 move on to Agenda Item No. 9. Vice Chair Burt. 12 COMMISSIONER BURT: I move that the Public 13 Education Commission approve the amendment request 14 for Middle College High School to increase its 15 enrollment cap from 140 to 150 starting in FY24. 16 COMMISSIONER CARRILLO: Second. 17 THE CHAIR: Thank you. All right. Move 18 into discussion. 19 (No response.) 20 THE CHAIR: Seeing none, let's go ahead 21 and take a roll-call vote. 22 COMMISSIONER ARMIJO: So fast. 23 Vice Chair Burt. 24 COMMISSIONER BURT: Yes. 25 COMMISSIONER ARMIJO: Secretary Armijo</p>

<p style="text-align: right;">118</p> <p>1 votes yes. Commissioner Ingham.  2 COMMISSIONER INGHAM: Yes.  3 COMMISSIONER ARMIJO: Commissioner  4 Clahchischilliage.  5 COMMISSIONER CLAHCHISCHILLIAGE: Yes.  6 COMMISSIONER ARMIJO: Commissioner Gipson.  7 COMMISSIONER GIPSON: Yes.  8 COMMISSIONER ARMIJO: Commissioner Manis.  9 COMMISSIONER MANIS: Yes.  10 COMMISSIONER ARMIJO: Commissioner Beck.  11 COMMISSIONER BECK: Yes.  12 COMMISSIONER ARMIJO: Commissioner  13 Carrillo.  14 COMMISSIONER CARRILLO: Yeah.  15 COMMISSIONER ARMIJO: Chair Brauer.  16 THE CHAIR: Yes.  17 COMMISSIONER ARMIJO: That passes, nine to  18 zero.  19 THE CHAIR: Thank you. Thank you, all,  20 for helping us ensure that our vote and decisions  21 are accurate.  22 We're going to move into Item No. 10,  23 Discussion and Possible Action on Contract --  24 Contract Documents.  25 First one up is Performance Framework.</p>	<p style="text-align: right;">120</p> <p>1 Right now, we can't vote -- our  2 recommendation is not voting on this at this point  3 in time until we can run data so that we can make  4 sure that we've effectively put the correct  5 indicators in.  6 So at this moment in time, our  7 recommendation is that there be a contract executed  8 through an REC -- because that's going to be the  9 quickest -- so that we can run the data -- have the  10 data run for us, and that we receive that back no  11 later than June.  12 And that's late, that's -- you know,  13 that's late. But this is March. So no later than  14 June -- preferably May, but no later than June -- so  15 that we can make a vote in July on the Performance  16 Framework. So that's where we sit at this moment in  17 time.  18 And I guess I'll see you all on Zoom.  19 THE CHAIR: Great. Thank you. Any other  20 discussion points from the Commission at large? Any  21 questions?  22 (No response.)  23 THE CHAIR: All right. Let's move into  24 Part "b.," which is the contract. Julia.  25 MS. JULIA BARNES: I suggest that we --</p>
<p style="text-align: right;">119</p> <p>1 I'm going to have the Performance Framework  2 Subcommittee -- what are you all -- kind of talk a  3 little bit about what we've done, and likely -- and  4 hear if there are any actions at this stage. But  5 Commissioner Gipson.  6 COMMISSIONER GIPSON: Well -- and thanks.  7 And so based on the discussion that occurred  8 yesterday, we're not comfortable with moving forward  9 at this moment in time with the Performance  10 Framework because we don't have clarity as to the --  11 we don't have clarity as to the -- I don't want to  12 say categories -- or -- the accuracy of the -- what  13 are we calling them?  14 COMMISSIONER BURT: Performance  15 indicators.  16 COMMISSIONER GIPSON: Indicators. Thank  17 you, that we've highlight- -- that we've effectively  18 established the appropriate criteria for the  19 indicators, because we don't have the data to  20 support it at this moment in time.  21 It's still going to be a little bit of a  22 test run, even when we do approve it, because we  23 won't know how accurate we were until we get that  24 first year. But that's a discussion for down the  25 line.</p>	<p style="text-align: right;">121</p> <p>1 that you let the Commission know when we can do a  2 special meeting to approve that contract. We do  3 want to approve the contract for contract  4 negotiations starting in April.  5 I think something like an April 6th date  6 for a special meeting would likely work. But I  7 think that you could just let the Commission know.  8 I've shared the -- the redline document  9 that Pattie Matthews and I are working through with  10 the subcommittee, and we'll get it to the full  11 Commission when it's finalized.  12 THE CHAIR: So we'll likely be having a --  13 having a special session -- or a special meeting --  14 to review and take action on the contract.  15 COMMISSIONER GIPSON: Can we just have a  16 date on that potential -- or did I miss --  17 MS. JULIA BARNES: April 6th, I think.  18 COMMISSIONER GIPSON: April 6th.  19 MS. JULIA BARNES: That assumes we get  20 that done in time to get it to the full Commission.  21 And we still have -- I think the contract  22 negotiations are not until the 19th. So there's a  23 little bit more time after that.  24 But let's -- it's also Easter Week, and so  25 I'd like to -- I think there will be some possible</p>

<p style="text-align: right;">122</p> <p>1 vacations in there.</p> <p>2 THE CHAIR: Commissioner Carrillo.</p> <p>3 COMMISSIONER CARRILLO: As long as there's</p> <p>4 no danger of that meeting going later, that's also</p> <p>5 Passover, the 5th and the 6th. So it would be in</p> <p>6 the morning, probably?</p> <p>7 THE CHAIR: Yeah. And we can determine</p> <p>8 the date. If it's not in alignment with some</p> <p>9 Commissioners, we can figure that out.</p> <p>10 COMMISSIONER CARRILLO: I don't know very</p> <p>11 many Jews that go to services for Passover. It's</p> <p>12 more in the evening.</p> <p>13 THE CHAIR: Sure. Sure. Absolutely.</p> <p>14 Director Chavez.</p> <p>15 DIRECTOR CORINA CHAVEZ: So just</p> <p>16 clarifying. This would be a Zoom-only meeting?</p> <p>17 THE CHAIR: Yes.</p> <p>18 DIRECTOR CORINA CHAVEZ: And so the</p> <p>19 Commission knows, I will be in school site visits in</p> <p>20 Las Cruces on the 6th.</p> <p>21 COMMISSIONER GIPSON: We could do it</p> <p>22 together by The Belgium.</p> <p>23 THE CHAIR: Let's move on to "c.," under</p> <p>24 10, Draft Rule to Move forward on Rulemaking and</p> <p>25 Process to Approve the Rule.</p>	<p style="text-align: right;">124</p> <p>1 changes throughout that. I was able to accept a lot</p> <p>2 of them.</p> <p>3 There's a third category, which I can go</p> <p>4 over with you if you want to, of suggested changes</p> <p>5 from the PED that I did not accept that I considered</p> <p>6 to be substantive. And I'm happy to walk you</p> <p>7 through those and see if you would like to accept</p> <p>8 them.</p> <p>9 There was an e-mail -- I don't know how</p> <p>10 many people just got it, and I'll show you where</p> <p>11 I've made the change. They sent me -- they sent a</p> <p>12 legal case that I think I've -- I've fixed,</p> <p>13 because -- yes.</p> <p>14 COMMISSIONER BURT: So when I opened up</p> <p>15 10.b., it's not a redline; is that correct?</p> <p>16 MS. JULIA BARNES: Correct.</p> <p>17 COMMISSIONER BURT: So is 10.c. the same</p> <p>18 document but redlined?</p> <p>19 MS. JULIA BARNES: No, 10.c. is the</p> <p>20 redline we got yesterday.</p> <p>21 COMMISSIONER BURT: So 10.c. is the</p> <p>22 exact -- well, it does have some comments on it as</p> <p>23 well.</p> <p>24 MS. JULIA BARNES: So -- so we -- I left</p> <p>25 here at 6:15. And so at 6:30, I went back to my</p>
<p style="text-align: right;">123</p> <p>1 Ms. Barnes.</p> <p>2 MS. JULIA BARNES: Thank you. There is a</p> <p>3 document 10.b. in the draft folder -- not in the</p> <p>4 draft folder -- in the meeting materials for today.</p> <p>5 And it is the rule that I'd like to walk you</p> <p>6 through.</p> <p>7 I think this portion is ready to -- this</p> <p>8 is a draft rule that would be ready to have you vote</p> <p>9 on today. But let me tell you what we've done.</p> <p>10 I took the document from yesterday,</p> <p>11 because the discussion items were wordsmithed as we</p> <p>12 went along. And then yesterday afternoon we</p> <p>13 received a pretty extensive redline from PED, part</p> <p>14 of which was discussed during the meeting.</p> <p>15 I think Director Chavez raised issues that</p> <p>16 were also in a redline we received.</p> <p>17 There was a second group of changes that</p> <p>18 were the technical ones, like to not -- like, that</p> <p>19 you have to do in order to make your rule be</p> <p>20 accepted by the State Registry, like taking the</p> <p>21 number "10" and writing the word "ten."</p> <p>22 I had also received comments from the</p> <p>23 State Registry on technical things about like how to</p> <p>24 cite the statute, how to cite the rule. Made all of</p> <p>25 those changes. And then there were wordsmithing</p>	<p style="text-align: right;">125</p> <p>1 office, took their redline, accepted what I could,</p> <p>2 and put them into this draft.</p> <p>3 COMMISSIONER BURT: Okay.</p> <p>4 MS. JULIA BARNES: I -- and I highlighted</p> <p>5 those in green, even though I accepted them, so that</p> <p>6 if you want -- and I'm happy to walk through that</p> <p>7 document. And if it's red, I put a comment. Either</p> <p>8 I didn't accept it as substance, or I indicated that</p> <p>9 we discussed it during the meeting.</p> <p>10 COMMISSIONER BURT: Okay.</p> <p>11 MS. JULIA BARNES: Because there were</p> <p>12 quite a few of those that were discussed during the</p> <p>13 meeting. So I didn't do a -- you know, because it</p> <p>14 was discussed in the redline, all of those</p> <p>15 resolutions were done potentially in a different</p> <p>16 way, so the redline would have been really hard to</p> <p>17 do.</p> <p>18 COMMISSIONER BURT: Okay. Thanks. I was</p> <p>19 trying to figure out what I was looking at with</p> <p>20 respect to the differences.</p> <p>21 MS. JULIA BARNES: I want to walk you</p> <p>22 through 10.b. and just highlight some of the things.</p> <p>23 They have -- one of the changes we accept</p> <p>24 was the -- was the objective, which I think is</p> <p>25 consistent with the agreement we have with them,</p>



<p style="text-align: right;">126</p> <p>1 that they are promulgating a rule adopted by the 2 Commission for its procedures, protocols, and 3 relations to State charter schools. 4 So I actually think that sentence 5 articulates the agreement that we have; so -- I'm 6 trying to see if there was anything that I want to 7 mention. 8 I think the definitions, there was nothing 9 of -- there was nothing of substance that was 10 changed. 11 There's been some tightening up of things, 12 fixing typos. 13 COMMISSIONER BURT: So they -- and I do 14 think it would be helpful for me -- I don't know 15 about the rest of you, but I know, like, the PED 16 wanted to delete some of the definitions or, like, 17 did have something else -- 18 MS. JULIA BARNES: Let me open that 19 document. I'll walk you through it. 20 COMMISSIONER BURT: That's probably the 21 easiest one to go through first. I do want to see 22 theirs, and then why we -- because I'm also -- I 23 don't know. Are PED attorneys here to -- or Greg or 24 anyone to go through this? 25 COMMISSIONER CARRILLO: (Off mic.)</p>	<p style="text-align: right;">128</p> <p>1 does want to work with the Commission. And I hope 2 that there can be further discussions with the OGC 3 to clarify and reach an agreement on some of these 4 things. 5 Thanks. 6 THE CHAIR: And I just want to share -- I 7 don't think the question, Director Chavez, is 8 whether or not the PED and PEC want to collaborate. 9 I think it's understood that both parties want to 10 collaborate on this. 11 But we also want to move forward and have 12 a rule that's effected, and we're doing that in a 13 way that's timely for both parties, for sure. 14 Julia, go ahead. 15 MS. JULIA BARNES: Some of these changes 16 are very technical. And they're cleanup. And we 17 had asked them for the cleanup. 18 In addition, I had gotten very specific 19 direction from the State Registry, so today I went 20 through and did all those. 21 6.2. I accepted their change. It was 22 very technical. I'm just going to kind of switch 23 back and forth. 24 They used the word -- I changed it to 25 "adopt" order. They had used a different word. But</p>
<p style="text-align: right;">127</p> <p>1 So that's -- that's -- yeah. It feels 2 like they should be -- I mean, honestly, I feel they 3 should have been here every time we discussed the 4 rule. But I don't -- like, for me, it's 5 confusing -- like, when I looked through, it's 6 confusing why they even wanted that. So the why 7 would have been nice from them. 8 I can see yours, Julia. But why they 9 delet- -- why would they delete that definition? 10 Like, it didn't make sense to me why -- some of the 11 things that -- 12 MS. JULIA BARNES: I think I understand 13 some of that. Okay. 14 COMMISSIONER BURT: Okay. So catch me up 15 on it then. 16 MS. JULIA BARNES: So -- 17 THE CHAIR: Director Chavez, I saw your 18 hand. 19 DIRECTOR CORINA CHAVEZ: Yeah. I just 20 want to say this is why, after last month's meeting, 21 I really wanted for Ms. Barnes to meet with our OGC. 22 And she kind of scheduled those sessions, which were 23 a larger group. And I think that some of the things 24 came up then and maybe didn't get to an edited form. 25 I just want to say I think that PED really</p>	<p style="text-align: right;">129</p> <p>1 you are adopting it. You are ruling on it. And so 2 you are voting on it. And so I wanted that clear. 3 But it was a word change. Otherwise, I accepted 4 their change. 5 The statutory authority, that is fine. I 6 had accepted that. Actually, the information I got 7 from the State Registry about how you technically 8 list the statutory authority was more specific. And 9 I believe, because it comes from the State Registry, 10 is more technically correct. So I followed that 11 protocol all the way through. Very technical. You 12 capitalize "S" for "Section," you say "Section" 13 after each one, you put the "NMSA 1978" at the end. 14 You don't say "as amended by." So it's super, super 15 technical. 16 On 6 -- 6.2.9.6, again, I used the word 17 "adopted," not "established," because you don't 18 establish things; you adopt things. 19 Let's see. They wanted a definition under 20 the -- 21 COMMISSIONER CARRILLO: So you're going to 22 change "established" to "adopted" is what -- 23 MS. JULIA BARNES: Yes. 24 COMMISSIONER CARRILLO: Okay. Because 25 "adopted" wasn't there yet. That's why I was -- got</p>

<p style="text-align: right;">130</p> <p>1 it.</p> <p>2 MS. JULIA BARNES: So on 10 -- 10.b., the</p> <p>3 clean document, it has the word "adopted."</p> <p>4 They had -- they had suggested deleting a</p> <p>5 definition. Meaning "acceptance of an annual</p> <p>6 report," they suggested deleting that, because they</p> <p>7 also deleted a later section and, therefore, the</p> <p>8 word wasn't used -- that phrase wasn't used anymore.</p> <p>9 In the conversations yesterday, we did not</p> <p>10 delete that section, so I did not delete the</p> <p>11 definition.</p> <p>12 The annual report notices -- I have</p> <p>13 actually indicated in the definition of "annual</p> <p>14 report notice" that you can issue more than one.</p> <p>15 So, for example -- and I don't -- I'm not</p> <p>16 saying that you're going to do it; I want you to be</p> <p>17 able to do it -- a notice of satisfactory</p> <p>18 performance and a notice of, you know, an</p> <p>19 unsatisfactory performance on a specific item.</p> <p>20 So you may be able to say to a school,</p> <p>21 "You're doing a good job, and there's a couple of</p> <p>22 technical things that you need to fix."</p> <p>23 We may end up doing that in a letter, but</p> <p>24 I just put "and combinations of."</p> <p>25 Let's see. So then I wasn't quite sure</p>	<p style="text-align: right;">132</p> <p>1 technical. The statute uses the phrase,</p> <p>2 "State-chartered charter school." It is not a</p> <p>3 defined term. That's -- in Pattie Matthews' and my</p> <p>4 discussion, that's a really long cumbersome term.</p> <p>5 It's not defined in law, although it's used in law;</p> <p>6 but it's not a defined term.</p> <p>7 So we defined it. We defined it as "State</p> <p>8 charter school." So we used that phrase. So I</p> <p>9 didn't accept that change, but I did go back to the</p> <p>10 law and confirm that the law did not define it.</p> <p>11 Let's see. There were minor changes that</p> <p>12 were good ones on technical stuff on "good standing"</p> <p>13 and "financial reporting," so I accepted all of</p> <p>14 those.</p> <p>15 They wanted us to delete -- on P for head</p> <p>16 administrator, a statutory site for head</p> <p>17 administrator, head administrator is defined in the</p> <p>18 other charter school regulation, and it uses that</p> <p>19 statutory reference. So I kept the statutory</p> <p>20 reference, because that would make the -- the two</p> <p>21 definitions consistent with each other. And,</p> <p>22 actually, that is another place where it's hard to</p> <p>23 find out what head administrator does, because it</p> <p>24 takes you to another section of the law. So we kept</p> <p>25 the reference to the law.</p>
<p style="text-align: right;">131</p> <p>1 why they struck some times that they were going</p> <p>2 to -- where things were in law. So, for example, on</p> <p>3 the Corrective Action Plan, Corrective Action Plan</p> <p>4 is referenced in the statute. It is a thing that</p> <p>5 you are supposed to utilize as a tool, and we</p> <p>6 identified where it was in the statute.</p> <p>7 They wanted to strike it. I don't want</p> <p>8 you to strike it. It actually kind of references</p> <p>9 something that's kind of buried a little bit in the</p> <p>10 State law, and so we wanted to highlight it, because</p> <p>11 it's a required tool. So I didn't accept that.</p> <p>12 "Request an amendment." That was a good</p> <p>13 change. We accepted that.</p> <p>14 The next -- a lot of the things on</p> <p>15 Corrective Action Plans were discussed at the</p> <p>16 meeting, so a lot of the things that they raised</p> <p>17 there were addressed somehow in the document</p> <p>18 already. So that's, I think, already done.</p> <p>19 "Division" and the definition of</p> <p>20 "division" is a very big technical change. There's</p> <p>21 another thing that CSD is required by statute to do,</p> <p>22 which is to review and approve State school budget</p> <p>23 matters. Good change. I accepted it.</p> <p>24 Let's see. Oh. The one thing that I</p> <p>25 changed -- not there -- lots of it is super</p>	<p style="text-align: right;">133</p> <p>1 Under Performance Framework, again, all</p> <p>2 through here, I have fixed, according to the State</p> <p>3 Records -- State Registry -- how you technically do</p> <p>4 that. So in Performance Framework -- so you</p> <p>5 capitalize the "S" in "Section," you put New Mexico</p> <p>6 Administrative Code, NMAC. Fixed all of that.</p> <p>7 I think you guys had fixed yesterday a</p> <p>8 good technical thing in the definition, that it</p> <p>9 should be "academic, organizational, and performance</p> <p>10 frameworks."</p> <p>11 And then there was a comment that somehow</p> <p>12 requiring -- citing that you're requiring elements</p> <p>13 as required by law somehow is limiting, I think you</p> <p>14 have to -- you have to follow -- follow the law.</p> <p>15 So -- let me see if I -- so, for example,</p> <p>16 in that one, I kept it, because you do have to have</p> <p>17 all of the elements required in law.</p> <p>18 Sorry. Let me get back to where I was.</p> <p>19 Most of the technical language was good</p> <p>20 and easy to take. But, for example, a -- we're</p> <p>21 really in the weeds, so I appreciate you being in</p> <p>22 the weeds -- the language that was proposed said</p> <p>23 something like -- it says, "An annual report</p> <p>24 document subsequent to that of the phase one," as if</p> <p>25 it's a different document, but it's not a different</p>

<p style="text-align: right;">134</p> <p>1 document. You're taking a document from draft, and 2 you're finalizing it.</p> <p>3 So I just changed that language a little 4 bit that indicates that it's created from the phase 5 one report. So I think it's more in line with 6 exactly what we're meaning rather than that comment. 7 Bud I consider that the comment was worthy to look 8 at, so I looked at it. But I tried to keep the 9 changes very consistent with what we have been 10 discussing. But if they raised something and said 11 that we should look at it, I did try to look at it.</p> <p>12 The ones in green, I thought were good 13 comments, and I accepted.</p> <p>14 We had a long discussion yesterday on 15 procedure and procedures, AA. So I just indicated 16 that those were discussed at the meeting, because 17 you had already worked all the way through that.</p> <p>18 And I think that we dealt with a lot of 19 the -- the -- all the comments in there.</p> <p>20 "State charter school." I've already 21 identified that I didn't call it a "State-chartered 22 charter school." There's already a lot of words.</p> <p>23 "Uncorrected unsatisfactory performance," 24 I have indicated, again, it has to be in two -- it 25 has to be in two or more consecutive final reports,</p>	<p style="text-align: right;">136</p> <p>1 Let's see. They proposed striking the -- 2 the fact that the Division had to follow the rules. 3 I think the Division has to follow the rules. So I 4 think all the parties are following the rules. So I 5 didn't accept that change.</p> <p>6 Let me see where that is. I want to flag 7 that one for you. It is -- that is in 6.2.9.8 in 8 support of making high-stakes decisions. It says 9 that these will be used by the -- by the Commission 10 and the Division, and they wanted to strike "and the 11 Division." But I think the Division is going to be 12 following these consistent with their authority 13 under the Act.</p> <p>14 That appeared to be looking to change the 15 purpose that this is -- this is affecting all State 16 charter schools, the Commission, and the Division.</p> <p>17 Let's see. We -- another one was 18 discussed at the meeting. A lot of these next 19 sections were discussed at the meeting.</p> <p>20 So on the procedure review, I think I 21 wasn't here the whole time, but you guys went 22 through that in detail. So I started with the 23 document from yesterday.</p> <p>24 There was another technical comment in 25 6.2.9.9B that I accepted. 6.2.9.10 -- yeah. I'm</p>
<p style="text-align: right;">135</p> <p>1 because you get a uncorrected performance, and it's 2 not corrected till the next year. So it will have 3 been in something for two years.</p> <p>4 So the change was trying to clarify. But 5 it was clarified in a way that I didn't think was 6 accurate. So I did clarify it in a way that I 7 thought was accurate, "as reflected in two or more 8 consecutive final annual reports."</p> <p>9 And I do think that you're not 10 ping-ponging around. So something is not 11 unsatisfactory performance in year one, okay in year 12 two, and unsatisfactory in the year three. That's 13 not uncorrected, because it has been corrected.</p> <p>14 There was a technical change to 15 "unsatisfactory performance." I made that.</p> <p>16 On A -- 6.2.9.8A, we're trying to say 17 there, that you've got procedures on making forms. 18 But that can't change these processes that you were 19 doing on high-stakes decisions.</p> <p>20 So I didn't accept it exactly, but I 21 largely accepted the comment.</p> <p>22 Sections C and D were discussed in detail. 23 And so I -- that's already in there. But it's not 24 exactly like -- this document was pre that 25 discussion.</p>	<p style="text-align: right;">137</p> <p>1 sorry.</p> <p>2 COMMISSIONER GIPSON: (Off the mic.) If 3 we go back to 6.2.9.8 and that letter D, did we not 4 change the dates yesterday so that the new 5 application -- we changed that date yesterday so 6 that the new application would not -- any changes in 7 that would not be effective for that application 8 cycle, it would be the following. Did we not?</p> <p>9 MS. JULIA BARNES: It's the September 10 and -- January.</p> <p>11 COMMISSIONER GIPSON: That letter D, that 12 last -- it says, "On December 31st and implemented 13 beginning January..."</p> <p>14 COMMISSIONER BURT: It's removed in the 15 new version.</p> <p>16 COMMISSIONER GIPSON: Okay. Got you.</p> <p>17 COMMISSIONER BURT: If you look at 10.b., 18 that -- D is just gone. So it follows all the rest 19 of them.</p> <p>20 COMMISSIONER GIPSON: Got you. Thanks.</p> <p>21 MS. JULIA BARNES: That -- if you -- look 22 at -- open up 10.b. And what that reads is that -- 23 you can look at "b" if you want, make sure it's 24 right.</p> <p>25 COMMISSIONER BURT: It is right. What we</p>

<p style="text-align: right;">138</p> <p>1 did is we eliminated the allowance or the -- the 2 exception for those documents. 3 MS. JULIA BARNES: It's no longer in here. 4 That's correct. 5 COMMISSIONER BURT: There's no exception 6 for those documents right now. They just follow in 7 line with everything else. 8 MS. JULIA BARNES: I'm happy to walk 9 through the clean one in a minute. 10 Let's see. "Out-of-cycle procedures." 11 So they had -- on 6.2.9.10, we had 12 identified that you guys could make out-of-cycle 13 procedures if there was an exceptional or emergency 14 circumstance. They suggested taking out the word 15 "emergency," which is fine. And then that word 16 "emergency" in the redline is still there under E. 17 The case law they sent us, it says that 18 only the PED can make an emergency declaration. I 19 don't think you're making an emergency declaration, 20 but I didn't mind changing the word "emergency" to 21 "exceptional." 22 COMMISSIONER GIPSON: And the only 23 thing -- I get that overrule. But we have had to 24 call an emergency meeting of the Commission, not a 25 special, but an emergency -- because there's a --</p>	<p style="text-align: right;">140</p> <p>1 I mean, that's -- 2 DIRECTOR CORINA CHAVEZ: Commissioners, as 3 I understand it, that wasn't an official attorney 4 General's opinion. That was a staff person within 5 who sent a letter. 6 COMMISSIONER GIPSON: Which is an official 7 Attorney General's opinion. 8 COMMISSIONER BURT: We're not talking 9 about that specific thing. We're talking about in 10 general. If an Attorney General opinion comes out 11 and it affects the Commission or State charter 12 schools, that we could. 13 DIRECTOR CORINA CHAVEZ: I'm not the right 14 person to talk to about the technical edits. This 15 is why I think that -- 16 COMMISSIONER BURT: The PED should be here 17 working with us to do this right now. 18 DIRECTOR CORINA CHAVEZ: I could have had 19 another meeting, as I suggested after -- 20 COMMISSIONER BURT: They could be in here 21 right now having the discussion. Like, someone who 22 did this could be here right at this moment doing 23 this with us so that we don't have to have another 24 meeting and I don't have to request time off of work 25 and continue having meetings outside of our</p>
<p style="text-align: right;">139</p> <p>1 there's a timing difference on emergency. You can 2 call it quicker. We have had to call an emergency 3 meeting of the Commission for a revocation. So I 4 don't know if that's -- 5 MS. JULIA BARNES: This is an exceptional 6 circumstance for changing your rules. 7 COMMISSIONER GIPSON: Okay. 8 MS. JULIA BARNES: Not your rules -- your 9 processes -- more quickly. So this would be an 10 exceptional reason could be an emergency reason. So 11 I didn't mind not using that word. Actually, I 12 think that word technically came from -- the genesis 13 of this concept is from the Supreme Court. 14 On 6.2.9.10B, we had indicated that one of 15 the reasons that you might consider an exceptional 16 circumstance was because of "new case law or an 17 Attorney General's opinion." They wanted you to 18 strike "an Attorney General's opinion." I think 19 that's substantive, and I didn't change that. You 20 already have indicated in your -- 21 COMMISSIONER BURT: Can we get -- can you 22 explain why that was -- why would the PED not want 23 us -- why would they have an opinion on that for us? 24 COMMISSIONER GIPSON: Why would they not 25 want us to follow the Attorney General's guideline?</p>	<p style="text-align: right;">141</p> <p>1 meetings. 2 We're doing this right now. They could be 3 doing it with us right now. So I -- or this could 4 have been brought up during any of the 20-plus hours 5 that we did talk about this. So I don't want to -- 6 that's not what I'm asking. 7 I'm asking why they did this. And so I 8 don't -- I don't know. Like, it's frustrating if 9 this is something they're going to be, like, "Well, 10 we're not going to post it because you left this 11 in." 12 MS. JULIA BARNES: We've gotten 13 clarification from Director Chavez that there was 14 nothing that was a requirement that they were 15 making. And I -- in order for this rule to move 16 forward, this PEC needs to vote on a proposed rule 17 today. We have an agreed-upon process that -- 18 that -- so I approached it last night as can I 19 accept this? Will I recommend to you all that you 20 accept it? 21 My recommendation on that is no. A lot of 22 these are yes, though. A lot of them are yes, and I 23 thought they were fine. 24 THE CHAIR: Julia, I think that's right. 25 And I think we should hear the sum of all these</p>

<p style="text-align: right;">142</p> <p>1 changes. And if there are things that we feel that 2 we're not able to get to a yes on taking an action, 3 then we can kind of bring those back up. So keep 4 note of things that are that.</p> <p>5 We can continue to discuss. But I also 6 just encourage us to kind of move forward and hear 7 where the other areas of sameness and maybe where 8 there are some dissimilars or disagreements that we 9 need to lift up for sure.</p> <p>10 MS. JULIA BARNES: And everything in 11 orange was either fixed yesterday in discussion or 12 not accepted. So if I put "fixed in discussion," it 13 was fixed in discussion. I believe you got through 14 all the issues yesterday.</p> <p>15 In the next sections, on the record of 16 school performance, they were small good changes. 17 Several "shalls" to "will."</p> <p>18 If I could accept the "shall" to "will," I 19 did. So anything in green, I accepted what they 20 did.</p> <p>21 The Annual Site Visit, I -- I think that 22 we discussed the Annual Site Visit and have 23 discussed the Annual Site Visit in great detail. So 24 I -- either things have been changed, or they've 25 been discussed previously. So I didn't accept any</p>	<p style="text-align: right;">144</p> <p>1 available to the charter school to review at any 2 time."</p> <p>3 And they shall -- oh, wait. 4 "They shall provide the missing 5 information or correct the information to the 6 Division within the time frame agreed by the two." 7 I think that's another one where the 8 proposal was that the Division would just determine 9 the time. 10 You could go back and see if you wanted to 11 make any of those changes. 12 Let's see. I think we fixed yesterday 13 when the school responses would be. I think that 14 was a discussion through the conversation that the 15 Division can do its -- give its -- its intended 16 recommendation, and that they will get better data. 17 And I think you resolved that yesterday. 18 I think you fixed most of the timing 19 issues. So a lot of these were discussed. Many of 20 them, all the way down to -- through 6.2.9.12, I 21 could either accept exactly what they said or made a 22 slightly different change. Almost all of them were 23 kind of wordsmithing kind of things. 24 I didn't know and didn't see -- I think I 25 was gone for part of it -- the Division has raised</p>
<p style="text-align: right;">143</p> <p>1 of those.</p> <p>2 There were a couple of suggestions -- let 3 me just go to 12.</p> <p>4 I don't think that any of these changes 5 were made, and I think that they've been discussed 6 numerous times. More clarifications.</p> <p>7 Some of them -- a couple of in this 8 section is that rather than it being the school and 9 the Division kind of coming up in an agreement 10 about, for example, to change some -- there's a 11 proposal that the Division could just change it and 12 put it in writing to the State charter school.</p> <p>13 I think that that was discussed numerous 14 times. You could discuss it again. But right now, 15 those two entities would have to agree on timing 16 changes, primarily because it felt like the timing 17 changes were kind of a hot topic.</p> <p>18 There were several good ones that were in 19 green that I accepted all the way through on 20 6.2.9.12C. I just was going to C, and then little 21 "(c)", "(1)(c)."</p> <p>22 I don't think it's anything large. 23 "Within 30 days of the meeting, the 24 Division will upload a Phase 1 Annual Report based 25 on the Annual Site Visit findings to a data platform</p>	<p style="text-align: right;">145</p> <p>1 several times that they wanted to be able to give 2 input on the time frame for correcting uncorrected 3 performance. You know, I think that Vice Chair Burt 4 has said a couple of times that that's an unusual 5 situation. But I think the Division really wanted 6 to be able to give input on that. 7 So I didn't put it in the section where it 8 was requested. But I did, when they recommended 9 a -- a performance -- an unsatisfactory performance, 10 that they would also give you a recommendation 11 regarding the time frame for completing the 12 corrective action. 13 So that be part of their recommendation, 14 so it can be part of the discussion. And so I have 15 put that idea in here. I didn't see it yesterday. 16 Okay. So I did -- I -- I put that one 17 in -- I put that concept in. I just put it in a 18 different spot, so that they can be the first one to 19 say "I think this should be in a typical cycle," or, 20 "I think it should be in 30 days," in here, so that 21 their opinion is the first that you see. 22 The -- on the -- on the -- I'm sorry. On 23 the intervention ladder, the ten days, that's 24 actually when we get the letter out. We have to get 25 the letter out ten days before the meeting when it's</p>

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1 scheduled so it doesn't require a special meeting.  
 2 It does require that the Chair get out a timely  
 3 letter.  
 4 I accepted a lot of grammar changes  
 5 throughout.  
 6 You-all -- you-all made changes to the  
 7 good standing and what that -- kind of what that  
 8 impact would be. So I think you discussed that  
 9 yesterday and made those changes.  
 10 So those are the comments that I did not  
 11 accept.  
 12 If you want me to start and kind of walk  
 13 you through the rule, the -- at the top of the rule,  
 14 again, I think that it is the Public Education  
 15 Department that is promulgating the rule. But they  
 16 are doing it -- they are promulgating a rule that  
 17 you have adopted in point 6.  
 18 I kept "Acceptance of Annual Reports"  
 19 because we kept the section that we're using.  
 20 The -- if -- Lucy, if you can go to the  
 21 other document, 10.b.? Or I can share my screen if  
 22 that's easier. I'm not on Zoom, no. Sorry.  
 23 Thank you.  
 24 So if you go to 9.7, Annual Report notice,  
 25 C, this is where I put our combination thereof.

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1 "Annual Report Notice..." -- that's a little bit  
 2 higher. Right there -- "or combination thereof."  
 3 So that that gives you as many options as you want.  
 4 It doesn't require that you do that.  
 5 Corrective Action Plan from an earlier --  
 6 this is largely what it was yesterday. However,  
 7 this has kind of been reworked to be a little bit  
 8 clearer from earlier versions.  
 9 I don't have many other comments on the  
 10 definitions. We've made a lot of technical  
 11 tightening changes to them.  
 12 "Unsatisfactory performance" now reads  
 13 anything that isn't Exceeds or Meets, so that we can  
 14 make different documents work. That's what you want  
 15 is anything that's not in those two categories. And  
 16 you call them different things in different  
 17 documents, so I think that that is kind of said in a  
 18 negative way, but it is said correctly.  
 19 You spent a lot of time yesterday on the  
 20 timing for charter school procedure -- for the  
 21 procedural rulemaking. All of those changes are  
 22 here.  
 23 And we moved -- the two sections were  
 24 confusing. I thought yesterday -- and I thought the  
 25 changes yesterday were good to take everything on

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1 the procedure down to .9. This 9.b. is I think what  
 2 Commissioner Gipson was just asking about. This is  
 3 the September or January public meetings. All of  
 4 those changes would be July 1. And there would be  
 5 two meetings when schools can know that you are  
 6 going to focus on those documents.  
 7 I did want to point out that they are  
 8 all -- they are all effective until they are  
 9 amended. So there is not a requirement to  
 10 annually -- where you have to look at every form  
 11 every year. But you can look at anything that you  
 12 want to.  
 13 But they are not going to require an  
 14 affirmative review. They're going to be there.  
 15 There is also that provision that allows  
 16 the timelines and minor changes. If you'll recall  
 17 last meeting, Dr. Russell brought timelines and  
 18 technical small things. Those could happen at any  
 19 time.  
 20 So if the Division is coming up to about  
 21 to use a form, and they're, like, "Uh, we want to  
 22 make these small changes," your hands are not tied  
 23 for that. And this procedure, this lengthy  
 24 procedure, is not required.  
 25 Out-of-cycle, we went over that. That's

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1 the "exceptional" versus "emergency."  
 2 I just want an opportunity for you to see  
 3 something. I'm on 6.2.10 -- I'm sorry, Lucy. So I  
 4 think that language is now correct. I don't think  
 5 you were ever looking to do emergency procedures.  
 6 And that's fine to clarify that you're not trying to  
 7 do that.  
 8 The record of -- 6.2.9.11 on State Charter  
 9 Performance and the Record of State Charter  
 10 Performance, that concept has been tightened, but is  
 11 a very good base for this.  
 12 I might have combined -- I did combine two  
 13 of them. There was one that said "uncorrected  
 14 performance" and one that said "corrected  
 15 performance." And, basically, the Division is going  
 16 to report back on how a school did, regardless.  
 17 Either they corrected it, or they didn't correct it.  
 18 But that's kind of technical.  
 19 Annual Site Visit and Annual Reports.  
 20 If -- I think that some of the redlines from  
 21 yesterday afternoon still questioned that process.  
 22 I don't know if you want to go back and look at that  
 23 again, who gets to do what between the State --  
 24 between the State charter school and the Division.  
 25 All of the things that require agreement of those

<p style="text-align: right;">150</p> <p>1 parties is still in here, but several of the 2 comments that were not accepted came down to let the 3 Division have that control. 4 Some technical changes, but I don't think 5 much in substance there. 6 I did just want the document to read 7 better, that it's not Document 1 and then a new 8 document, 2, that it's a progressive document, that 9 it just moves forwards towards finalizing. 10 The Corrective Action, the major change 11 you guys discussed pretty extensively yesterday was 12 the idea by Naomi to be able to do that informal 13 thing. All those changes you made yesterday are 14 here. And I, personally, like that for many 15 reasons. I think it's very collaborative with the 16 schools. It's consistent with a school being able 17 to get more information if it wants to. 18 That's on Page 7 at the bottom. And 19 you-all made a lot of good technical changes based 20 on that yesterday. 21 The Intervention Ladder is largely as you 22 use it now. And then you did modify how that -- how 23 that can be used in terms of the Record of 24 Performance. 25 I think if you've -- if the school has</p>	<p style="text-align: right;">152</p> <p>1 So it doesn't say -- and it doesn't matter 2 who that is. But here's the process that's going to 3 be used there. 4 And then I think I've now gone through the 5 document three times, just, really trying to clean 6 up the periods and the sections and the subsections. 7 And so hopefully there will be less of those 8 technical comments next week, which is where I think 9 that you wanted to be. 10 And I'm just going to say again, nothing 11 in red -- anything in red in the other document was 12 either discussed in detail and addressed or not 13 accepted. So a lot of substance was changed 14 yesterday, and you were all here for that. 15 A lot of wordsmithing changes were made. 16 I took as many of them as possible, including if I 17 couldn't accept the exact language, but I could see 18 what I thought they were trying to say, and I wanted 19 to modify it, I did try to modify it consistent with 20 the language-smithing. 21 So let me talk about process. But then I 22 want to turn it back to you, Chair Brauer, because I 23 think you should discuss if you want to add anything 24 that I didn't add. 25 The process that we have discussed with</p>
<p style="text-align: right;">151</p> <p>1 corrected performance, they're going to be found to 2 have corrected the performance. And I don't think 3 you have an intention to say, "In year one, you did 4 this." So I think it's reading correctly. 5 The New School Application, there wasn't 6 much change there. 7 I did add a few provisions between the 8 renewal-type hearing and the revocation-type 9 hearing, so that they more closely match each other. 10 For example, either -- either party presenting can 11 have an attorney. They don't have to. It'll be on 12 the record. Everything you do is on the record. 13 But there will be a transcript. So I just made sure 14 that they were a little bit more consistent. 15 And I will point out on that -- that this 16 document doesn't require who -- doesn't indicate who 17 hires counsel. It doesn't indicate who hires 18 counsel for a school. It could be their founding -- 19 it could be their foundation; it could be their 20 school; it could be anybody. 21 That's the same thing here, whether it's 22 the Office of Attorney -- the Office of General 23 Counsel here at PED, or our office or, you know, a 24 third party. It's just called "counsel presenting 25 the case."</p>	<p style="text-align: right;">153</p> <p>1 PED that I confirmed and did not receive anything in 2 writing back from that is a process where you 3 approve a draft rule, and then the draft rule is 4 posted for 30 days. So it matters what that draft 5 rule is. You can't say, "Oh, I changed it out." 6 You post something for 30 days. 7 I think that -- and the timing is to do 8 that today, authorize the Executive Committee to do 9 minor nonsubstantive changes. 10 I do not ever recommend that you should 11 delegate substantive changes to the Executive 12 Committee. I would prefer you got on Zoom and voted 13 on something. 14 So that's why I think you should talk 15 about whether there's any substantive changes. 16 So -- however, I believe we have gotten a lot of the 17 wordsmithing changes in here already. But that 18 is -- there might be more. 19 On the 31st, a Notice of -- that is the 20 deadline to get it to the State Registry. You have 21 to do a Notice of -- of Intent to Promulgate Rules. 22 It's not exactly the right topic, but, it references 23 a document that needs to be posted, which would be 24 this one. 25 It's posted on your website. There's a</p>

<p style="text-align: right;">154</p> <p>1 whole series of things that you have to do to give 2 notice. PED would give that notice. 3 They had indicated that if it's in on the 4 31st, it'll be published on April 11th. If it's 5 published on April 11th, you can have a hearing on 6 May 15th. 7 The hearing on May 15th would be at a 8 public meeting of the PEC, but would be run by the 9 hearing officer of PED, as they run hearings. But 10 you would be there to hear all -- any comments, hear 11 any of the testimony, hear any comments. You would 12 read all the written comments. 13 At the end of that hearing -- 14 COMMISSIONER CARRILLO: Excuse me. Would 15 that hearing be here? 16 MS. JULIA BARNES: Yes. It typically is 17 here. 18 COMMISSIONER CARRILLO: As opposed to 19 Zoom? Great. 20 MS. JULIA BARNES: It'll be run the way 21 PED runs it. But I think they have a virtual 22 component; but -- 23 COMMISSIONER GIPSON: (Off-mic comment.) 24 MS. JULIA BARNES: However they do it, 25 they do it. Then on the 15th, that will be -- it</p>	<p style="text-align: right;">156</p> <p>1 you want to rework one whole section. You may make 2 a decision that that's too hard to do on the fly. 3 It would be up to you. 4 The thing that's interesting to me, having 5 studied the State Rules Act, is the State Rules Act 6 doesn't actually tell you what you do after the 7 hearing. You can not do the rule. You can make 8 changes. You can -- if you -- the one kind of 9 limitation is you can't take a paragraph rule and 10 turn it into a ten-page rule. You haven't given 11 sufficient notice. 12 But the State Rules Act is more about 13 process than it is about the end things. So you 14 don't have a lot of -- the only end thing is once 15 you have finalized it, you have ten days to submit 16 it to State Registry. You can't finalize a rule and 17 then never publish it. But you can never agree -- 18 you can never do it. There's actually a whole 19 process in there about never doing it. 20 So the last thing I want to say is we 21 have -- this timing fits within the negotiations. 22 We would negotiate in April. There would be a 23 placeholder in the contract that says, "If this 24 process doesn't finish, this document is attached to 25 the contract," but as soon as this process finishes.</p>
<p style="text-align: right;">155</p> <p>1 will need to be a Special Meeting, again, that Chair 2 Brauer has the ability to call. 3 On the 15th, you might have hardly any 4 changes. So you may be able to approve a finalized 5 rule that day. You could do what we're doing right 6 now, "Let's change this and that word," and then you 7 would -- might feel comfortable following your 8 processes. If this isn't huge changes, we can do it 9 on the 15th; otherwise, you need to do it before the 10 18th in order to get it at the end -- once you 11 submit a document to the State Registry -- which is 12 published every two weeks -- once it's published, 13 it's a rule. 14 So that final vote. 15 So the process for you is approval today, 16 attend the hearing, make the changes, and give that 17 final rule to PED to post. 18 COMMISSIONER CARRILLO: So even if there's 19 a substantive change, we should work that out on the 20 15th. 21 MS. JULIA BARNES: Or the 17th, or -- 22 COMMISSIONER CARRILLO: Then there's 23 another meeting. 24 MS. JULIA BARNES: Well, it depends on 25 what it is. Let's say it's massive substantive and</p>	<p style="text-align: right;">157</p> <p>1 So if this process doesn't finish, we will 2 have repeated having one set of people within a 3 contract subject to a whole bunch of different 4 things. So it's important to me that this be 5 finalized for all schools. 6 That is consistent with the approach we're 7 taking on the contract negotiations. 8 Every time we lose a date, you lose two 9 weeks. And if you have two weeks based on two 10 weeks -- you know, it's going to bump out 11 everything. And this is intended to start July 1. 12 So I don't -- I'm not interested in a 13 bunch of bumping out. 14 So, Chair Brauer, I'm going to turn it 15 back over to you to see if you guys want to add 16 anything substantive. 17 THE CHAIR: Thank you, Julia. Questions? 18 Discussion items? 19 Vice Chair Burt. 20 COMMISSIONER BURT: I have a question, 21 Julia, about -- let me go to the right section -- 22 oh, my good- -- the Renewal section. And this is 23 J-3.a. and b. 24 MS. JULIA BARNES: Oh. And I need to tell 25 you one thing about that. They wanted you to take</p>



<p style="text-align: right;">158</p> <p>1 portions of this rule and put it into the other 2 rule. I don't want that. I want everything in this 3 rule, because I don't -- I don't -- but they did 4 suggest starting, I think, with renew- -- maybe -- 5 COMMISSIONER BURT: Let me see on the 6 other one. Let me see. 7 COMMISSIONER GIPSON: (Off-mic comment.) 8 COMMISSIONER BURT: Let me see -- I'm 9 looking at multiple documents. Let me see if I can 10 get the right one. But keep going, Julia. 11 MS. JULIA BARNES: They suggested New 12 Application Renewal and Revocation be moved to their 13 rule. I just -- this is all yours. This is all 14 your rules. So I didn't accept that. 15 COMMISSIONER BURT: Okay. So it is still 16 Renewal section. But it's -- on 10.b., it's H3.a. 17 and b. 18 So in the PED's redline, they really -- 19 like, we have it very specific as to the -- you 20 know, it may present -- these exact things. And it 21 looks like they just -- their recommendation or what 22 they want, it's not as specific. There's a lot of 23 redline in theirs. 24 Is there a reason why we have to be 25 that -- can we accept that? Do we have to be that</p>	<p style="text-align: right;">160</p> <p>1 just -- I couldn't imagine the craziest scenario 2 happening where there's something else that came up 3 and in -- 4 MS. JULIA BARNES: Show me what you think 5 is limiting. This more says -- 6 COMMISSIONER BURT: So it says that 7 they -- well, actually, let me go back to 10.b., 8 make sure I'm reading from the most recent one. 9 "So that they may present witness 10 testimony, documentary evidence, and shall have the 11 opportunity to question the representatives." 12 So what if they want to present something 13 other than witness testimony and documentary 14 evidence? Like, what if there's something else, 15 that, like, because of this -- like, this 16 circumstance for this school at this particular 17 renewal, they need to present something outside of 18 that that we're not thinking of right now, because 19 it hasn't happened. It would be a novel thing. And 20 so -- but now they're limited in what they can 21 present because we wrote it in here. 22 That's what -- and I think -- once again, 23 I don't know why -- what the PED -- I'm just looking 24 at it from my own perspective. I don't know why 25 they want -- like, why they redlined all of it and</p>
<p style="text-align: right;">159</p> <p>1 specific in all these things in here? Or could it 2 be simplified to where it's -- like, how they 3 redlined it. 4 Because I'm in favor of making things 5 specific, when needed; otherwise, leaving things -- 6 I like things to be less specific, if we can. 7 MS. JULIA BARNES: I think that would be 8 an example of something that I believe we would need 9 more input from other people, because that's not 10 just between PED and PEC. That would be, like -- 11 and I don't know if Pattie Matthews -- I think she 12 is actually listening. I can't -- you know, I would 13 like to know. 14 This was negotiated in specificity to give 15 kind of clarity around the process. I think that 16 you don't have to -- 17 COMMISSIONER BURT: Because it's really 18 talking about what can be -- it's not the process as 19 much as it is, like -- I mean, it goes really deep 20 in the process. Like, all these things could 21 happen. 22 But if we -- I think there's two things. 23 Like, maybe there's something that we happened to 24 leave off that should be in here. But then they're 25 limited to this specific list. But, I mean, I</p>	<p style="text-align: right;">161</p> <p>1 wanted it deleted. And nobody's here to help me out 2 with that. 3 So it would be great if there was, like -- 4 if they also had, like, some -- a legal explanation 5 for -- for removing that, like, why they did that. 6 But it -- I mean, for me, it's more just, 7 like, our -- do we have to be that specific there? 8 Or could it be, like -- I mean, they left -- so this 9 is how it would read if we left it the way -- with 10 their redline. 11 So it would be -- let me make sure, 12 because I do like the way that we changed -- "The 13 party proposing nonrenewal will have one hour..." -- 14 it still has that -- "...to present its 15 recommendation and supporting information for 16 renewal or nonrenewal to the Commission." 17 "If..." -- all the next part is removed. 18 And then, "If the Division intends to 19 present written evidence from another department, 20 bureau, or division, it must present a copy of that 21 evidence to the State charter school by five days 22 before the scheduled hearing." 23 Before the scheduled hearing. 24 So it just takes out that, "may present 25 witness..." -- those one -- two -- sentences in the</p>

<p style="text-align: right;">162</p> <p>1 middle, it just removes that to where it allows us 2 to have more -- I mean, to me, yeah, that's what 3 I'm -- 4 COMMISSIONER GIPSON: What if we changed 5 it to "witness testimony and evidence," because then 6 that evidence could be anything. It doesn't have to 7 be documentary evidence -- 8 COMMISSIONER BURT: Do we even need to? 9 Because it just says -- in the first line, it says, 10 "will present its..." -- "...and supporting 11 evidence...", I mean it already says it. So why do 12 we need -- 13 COMMISSIONER GIPSON: Evidence includes 14 testimony. That's just what I'm questioning. 15 COMMISSIONER BURT: Right. 16 COMMISSIONER GIPSON: Because I don't want 17 someone to say, "Well, no, that doesn't mean you can 18 bring witnesses in. That just means you can 19 provide..." -- 20 COMMISSIONER BURT: Instead of having all 21 those other words in between, say "...supporting 22 evidence and testimony." We could eliminate those 23 two sentences and make it more concise. 24 COMMISSIONER CARRILLO: Isn't testimony 25 evidence?</p>	<p style="text-align: right;">164</p> <p>1 intends to present..." -- well, this is what it says 2 in the redline. It's going to be different in 3 yours. 4 But that last sentence: "If the party 5 proposing..." -- so that "party" is still in there. 6 They wanted to leave that. So that includes that 7 other divisions and stuff. It's just those -- from 8 "The party proposing nonrenewal may present..." down 9 to "If the party proposing nonrenewal..." Those 10 are -- is what is -- the PED took out. 11 And, once again, I'm just assuming, 12 because it may be redundant, that, like, that first 13 sentence is the same as the next two sentences? 14 Like, it's just that the next two sentences are just 15 expanding the first, and so why have them? 16 DIRECTOR CORINA CHAVEZ: Vice Chair Burt, 17 I think I might have some insight into this. This 18 section causes a little bit of heartburn. It's the 19 section that I highlighted in its entirety saying 20 that I think that we need to have a lawyer-to-lawyer 21 conversation. 22 Because what this does is it creates a 23 renewal decision -- I believe that's the section; 24 correct? Renewal/Nonrenewal? 25 MS. JULIA BARNES: It's both.</p>
<p style="text-align: right;">163</p> <p>1 COMMISSIONER BURT: That's what we were 2 saying. But maybe if we do need to be more 3 specific, if it's the one word that needs to be in 4 there. We don't need the two sentences of it? 5 COMMISSIONER CARRILLO: I watch a lot of 6 Law and Order. I think that testimony is evidence. 7 COMMISSIONER BURT: I'm just trying to -- 8 once again, I'm trying to -- 9 COMMISSIONER GIPSON: I don't want to 10 wordsmith out something. Because we've had 11 arguments -- we have -- at certain hearings as to 12 whether there was a right to bring in witnesses or 13 whether it was just going to be, like, the report. 14 It's just -- you know, the -- you know, you just 15 present your case on paper, and that's it. 16 MS. JULIA BARNES: The second sentence is 17 more intended to bring in the entity that did the 18 work. So if it's Special Ed Division, there's a 19 request to bring in that Special Ed Department, 20 rather than have the Division say, "Well, the 21 Special Ed Division said this." 22 So that's an intent to get the most direct 23 testimony. 24 COMMISSIONER BURT: That's still in there. 25 That -- they left that part in. "if the Division</p>	<p style="text-align: right;">165</p> <p>1 DIRECTOR CORINA CHAVEZ: Right. And we're 2 about to do this with revocation as well. There is 3 a more formal process that Ms. Barnes has -- has 4 proposed and designed to be like a hearing, because, 5 previously, the hearings were the PEC meetings, the 6 decision-making meetings. 7 COMMISSIONER GIPSON: I'm going to 8 disagree with that. Revocation hearings were never 9 ever, ever at a PEC meeting. They were a separate 10 formal hearing. 11 DIRECTOR CORINA CHAVEZ: And that was the 12 decision for the PEC to revoke. Not an appeal 13 hearing. 14 COMMISSIONER GIPSON: Correct. Appeal 15 hearings occur through -- because you're appealing 16 to the Cabinet Secretary. So that's -- they're not 17 appealing to us. They're appealing to the Cabinet 18 Secretary. 19 DIRECTOR CORINA CHAVEZ: This is why I did 20 ask Ms. Barnes for clarification on how this would 21 occur. 22 My understanding is that the way -- if 23 this is a renewal decision and a renewal hearing 24 that is being proposed, it's being proposed in a 25 more formal hearing way that is saying by rule, that</p>

<p style="text-align: right;">166</p> <p>1 PED staff, some of whom are not staff to the PEC, 2 might be called to give testimony and be 3 cross-examined by somebody else's attorney in a way 4 that I think there could be some -- some -- oh, 5 gosh, what's the word? It just slipped my mind. We 6 have staff at the PED that are under -- no. Like, 7 contract, but it's not contract -- 8 COMMISSIONER GIPSON: (Off-mic comment.) 9 DIRECTOR CORINA CHAVEZ: Right under a -- 10 thank you. A union contract. I couldn't remember 11 those words. 12 So I think that we need to be careful. 13 Because, say, it's someone from Special Ed or it's 14 someone from Safe Schools -- and this is saying one 15 thing that potentially could be in conflict. 16 Again, this is not the area of my 17 expertise. But I do want for the attorneys to talk 18 it through. And the fact that this has created a 19 more formal process, I think is one that we need to 20 be careful with. 21 So that's -- 22 THE CHAIR: I guess for me, Director 23 Chavez -- and I have not watched as much Law &amp; Order 24 as Commissioner Carrillo has. 25 DIRECTOR CORINA CHAVEZ: Neither have I.</p>	<p style="text-align: right;">168</p> <p>1 "require" is very different in my opinion. And so 2 I'm just trying to play this -- what you're saying, 3 Director Chavez, out of -- 4 DIRECTOR CORINA CHAVEZ: I'm just trying 5 to shed some light on what I've heard. So I am not 6 trying to say that I am agreeing or disagreeing with 7 any of your logic. I am letting you know my 8 understanding of the issue. 9 And I, again, will say this again. I 10 think there needs to be a discussion with somebody 11 who can discuss this with you in a way that might 12 provide additional insights. 13 THE CHAIR: Just -- for the record, I just 14 want to beat this to death just a little bit more, 15 because I don't get -- I don't get where, like, the 16 PED's rights and privileges are impacted by 17 determining -- if we say we request that this staff 18 member comes, where does this say that the PED is 19 required to do that? 20 If we have request, the PED can still say, 21 "No, you're not getting this -- you're not getting X 22 staff member to come to this thing." 23 So I just don't see how that is in 24 question. 25 COMMISSIONER BURT: Done. Next topic.</p>
<p style="text-align: right;">167</p> <p>1 THE CHAIR: In my mind, I just think about 2 if there is a hard "no" from any party that says, 3 "You cannot bring a staff member on to the 4 bench..." -- or to the -- wherever, isn't that 5 already -- is that settled in other places? 6 Like, you know, if you have a union -- 7 your union collective bargaining agreement does not 8 allow you to be on the stand somewhere, like, isn't 9 that covered by somewhere else versus this rule? 10 Like, wouldn't the attorney want to say that in 11 terms of witnesses and stuff? 12 MS. JULIA BARNES: This doesn't talk about 13 whether they should come or not. It says they 14 "shall be requested." 15 DIRECTOR CORINA CHAVEZ: I think that 16 "shall be requested" is a little strong. But I do 17 think that that's also -- that's the concern here, 18 that this rule is being directive towards staff at 19 the PED in a way that PED wouldn't put this in the 20 rule. 21 And PEC is requesting it. And I think 22 there's a concern that should be more formally 23 discussed by those that understand the union 24 contract and the rights of PED employers. 25 THE CHAIR: I mean, "request" versus</p>	<p style="text-align: right;">169</p> <p>1 So, like -- 2 COMMISSIONER CARRILLO: May I speak to 3 that directly? 4 COMMISSIONER BURT: Well, I'm -- so I 5 was -- I am. 6 COMMISSIONER CARRILLO: Okay. 7 COMMISSIONER BURT: But I think for me, 8 one of the things that, yeah, makes that -- if 9 that's the reasoning behind it, I'm struggling more 10 now than I was before. 11 I thought it was just, like, because we 12 were being redundant. But if it's that, I'm 13 actually -- feel more secure that it could be in 14 here, because it's also just saying a 15 representative. So if there's -- there's -- in 16 every single division, there are -- there is a 17 manager that is not under the union contract, every 18 single division. There are people that are not 19 under this. 20 And so if that -- if they have to figure 21 out who might come and talk about it, figure it out. 22 Like, we're not prescribing anything to the PED or 23 any division. It's just that someone would -- I 24 mean, that's -- this is, like, a really simple thing 25 to me, because if we're proposing non- -- this is</p>

<p style="text-align: right;">170</p> <p>1 specifically for nonrenewal, which is massive. And  2 if it's based off of something that another division  3 has laid out to the Commission that this is a  4 serious issue at the school, which if it's up for  5 nonrenewal because of it -- it's going to be  6 serious -- asking that somebody from that division  7 or bureau, somebody, anybody, to come and be able to  8 speak on it, that's like a bare minimum.  9 That's, like, the most shallow request to  10 be, like, "Hey, you provided a report that, like,  11 all these special ed students are not being served  12 at this school. Could somebody from Special  13 Education come to this nonrenewal hearing --  14 somebody, anybody from that division -- come to the  15 hearing," and if there's questions, would be able to  16 ask about it.  17 I mean, now I'm -- I'm actually more -- I  18 was trying so -- when I went through this, it felt  19 intimidating to see all the PED comments, because it  20 was a lot. But most of it was just, like, cleanup  21 and touch-ups and really good just, like, working  22 the things out.  23 So I really focused on the things that  24 were -- like, looked more -- looked more substantive  25 or were, like, eliminating large sections.</p>	<p style="text-align: right;">172</p> <p>1 interpreted that way, that we're directing the PED  2 at things.  3 Like, that is -- that's frustrating. I'm  4 actually really sick of being, like, told that kind  5 of stuff, because it's just nonsensical.  6 And so that would be my proposal is  7 eliminate the second sentence, keep the third.  8 And I don't care if -- I don't know about  9 the "shall" to "may." I don't know if it's that big  10 a difference. So I would be open to that. But I'm  11 done -- I'm done with that section.  12 THE CHAIR: Commissioner Carrillo. Then  13 Commissioner Gipson.  14 COMMISSIONER CARRILLO: I think it stays  15 as it is, including the second sentence. Second  16 sentence, I don't think it's superfluous. I think  17 as to the overall intent of the paragraph, the  18 "shall be requested," I think "shall be requested."  19 The problem that PED may have is the difference  20 between "requested" and "required." We can't  21 require them to do anything.  22 We can't go up to the marketing department  23 and say, "Hey, will you do this for us?" They don't  24 work for us. Anything we want to do has to go  25 through the Director.</p>
<p style="text-align: right;">171</p> <p>1 I do think still maybe the first sentence  2 may be not needed, because it really is, like --  3 that's already in the -- the first sentence is  4 there.  5 Then the second sentence of what can be --  6 like, what's there doesn't -- maybe doesn't make  7 sense.  8 But if the party proposing nonrenewal is  9 relying on evidence or opinions from other divisions  10 or bureaus of the department, a representative from  11 that division or bureau -- and I don't care --  12 "shall," maybe -- actually, it should be "shall."  13 There should be someone -- we should request someone  14 from that division, which, once again, "requested"  15 means maybe they have no one that can show up, and  16 it is what it is -- to be at the hearing to answer  17 questions by the division, the school, and the  18 Commission.  19 I mean, that's a -- to me, I'm -- I would  20 be okay with accepting the PED's recommendation of  21 the second sentence being eliminated, because maybe  22 that's redundant. But that is not -- to me, that is  23 the -- that is confrontational from the PED to us of  24 making it seem like we're being bossy. And that is  25 not -- I don't understand why that's being</p>	<p style="text-align: right;">173</p> <p>1 So, I mean, I would -- if that's their  2 concern, it's stupid. And it doesn't hold up to  3 reason. "Shall be requested" is exactly as it shall  4 be.  5 THE CHAIR: Thank you, Commissioner.  6 Commissioner Gipson, and then Julia.  7 COMMISSIONER GIPSON: Yeah. I'm more in  8 agreement to just keeping it as it is. If you want  9 to change that one sentence, I'm not going to hold  10 myself to the fire on that one, because it's -- but  11 the "shall be requested" has to be "shall be  12 requested."  13 These are hearings -- a revocation  14 hearing, witnesses are sworn in. So they are on the  15 record. Every revocation hearing we've had, people  16 who have offered testimony, they are sworn in to  17 that.  18 They're not here. This isn't that kind  19 of -- this is a less formal hearing. I mean, our  20 renewal processes are called "hearings" to start  21 with, and so that every person that comes up  22 technically is a witness. I've negotiated -- I  23 don't even want to count -- how many union  24 contracts. I've never seen a union contract that  25 said you can't provide expert objective information,</p>

<p style="text-align: right;">174</p> <p>1 you know. So that -- and that's all we're asking.  2 And that's what we ask at many meetings.  3 So I am more concerned if the overarching  4 concern was that bringing in the witnesses.  5 That's -- that's really very concerning to me. I  6 mean, let's reflect back to how many hours we spent  7 yesterday on this, so that I'm -- I'm fine with it  8 as it sits.  9 THE CHAIR: Ms. Barnes?  10 MS. JULIA BARNES: So let me back up just  11 a little bit to the -- the law requires that we put  12 in a process for revocation or -- or any of -- or  13 nonrenewal, because they're the same. And -- and as  14 a lawyer, there's not a thing in here that kind of  15 gives me heartburn.  16 It kind of says, "Yeah, this is formal,  17 and we're going to provide the evidence kind of at  18 the best level possible."  19 It's not a court hearing. It's not the  20 rules of evidence. It's, you know, more an  21 administrative thing.  22 I am always wanting the best record that I  23 can get for you. And so if I can get that direct  24 person from Poms, or I can get that direct person  25 who, you know, is very, you know, well versed in</p>	<p style="text-align: right;">176</p> <p>1 see you could certainly make changes to unless you  2 get the whole publication -- unless you threw out  3 the hearing or something like that.  4 I think the lawyers for the Charter  5 Schools feel it's got to be sufficiently in the rule  6 or they're going to want it in the contract. And I  7 want all of this stuff in the rule. You guys are  8 talking about two sentences. I think that is the  9 level of change that -- that can happen.  10 THE CHAIR: Great. Any other discussion  11 points? Are we ready for any motions?  12 MS. JULIA BARNES: So I -- can I just make  13 a point on that?  14 I think you're doing two things. The  15 first thing you're doing is establishing by motion  16 your intention in working cooperatively with PED on  17 rulemaking, overall.  18 There was a conversation that I put in  19 writing and have put in your documents twice as to  20 kind of the specific process we're following through  21 on this rule. And I've put that in the form of a  22 motion, because I want it clear, very clear, that  23 you need to approve this every step of the way.  24 And if you do approve it every step of the  25 way, then the collaboration works really well.</p>
<p style="text-align: right;">175</p> <p>1 audits that's going to give that best testimony on  2 an appeal, I'm going to say, "Blah-blah-blah with 22  3 years of experience in, you know, reviewing state  4 audits, said the following." I mean, that's a good  5 thing, and it's a supportive thing.  6 And it's a -- it comes back to this  7 overall concept that we started with this rule,  8 which is kind of this fairness, which, in law, is  9 notice and an opportunity to be heard.  10 And so this is kind of outlining in a way  11 that doesn't feel excessive to me. I mean, to me,  12 to limit it to one hour is pretty challenging for a  13 very difficult case. You know, you've got to be --  14 you've got to -- you're not going to have somebody  15 that's up there and cross-examine for four hours. I  16 mean, it's fast.  17 So, finally, this is the type of thing  18 that we could clearly get comment on, and that we  19 could clearly be looking on, because it's one  20 paragraph. It's (3)(a) on Page 10. It's not  21 extensive.  22 So, you know, that's the exact kind of  23 thing that we probably will get comment on.  24 COMMISSIONER BURT: (Off-mic comment.)  25 MS. JULIA BARNES: It is something that I</p>	<p style="text-align: right;">177</p> <p>1 And I believe the reverse, which is if you  2 do not have the authority to approve it at every  3 step of the way, I don't see how that works.  4 So there's a motion first on the process  5 overall, and a second motion to adopt this pursuant  6 to that process.  7 COMMISSIONER GIPSON: Are you ready?  8 THE CHAIR: Commissioner Gipson.  9 COMMISSIONER GIPSON: Okay.  10 I move that the PEC, when entering into  11 any rulemaking process in cooperation with the  12 Public Education Department, be completed as  13 follows:  14 1. Once a proposed rule has been approved  15 by the PEC, the Chair will request that the Public  16 Education Department start the rulemaking process by  17 submitting a Notice of Proposed Rulemaking and  18 reference and post the proposed rule approved by the  19 PEC.  20 2. The Chair will request that the Public  21 Education Department set a date and time for the  22 hearing and provide direction to the public about  23 the process to provide comment and manage the  24 rulemaking process.  25 3. The Chair will request that any</p>

178	<p>1 comment received be provided to the PEC and will</p> <p>2 direct that the PEC webpage have a link to the</p> <p>3 proposed rule and comments received.</p> <p>4 4. That the PEC will hold a meeting</p> <p>5 during the time and at the location that the Public</p> <p>6 Education Department conducts the hearing so that</p> <p>7 the PEC can hear all comments made.</p> <p>8 5. That a PEC subcommittee and Public</p> <p>9 Education Department discuss revision and</p> <p>10 modifications to the rule based on those comments</p> <p>11 and the subcommittee provide a recommendation to the</p> <p>12 full PEC.</p> <p>13 6. That if the PEC determines that it</p> <p>14 will move forward to finalize the rule, the PEC will</p> <p>15 vote in a public meeting to approve a final rule;</p> <p>16 and...</p> <p>17 7. That the Secretary of the Public</p> <p>18 Education Department and the Chair -- of the Chair?</p> <p>19 It should be "the Chair of the Commission" -- the</p> <p>20 Chair of the Commission jointly provide the</p> <p>21 finalized rule approved by the PEC to be published</p> <p>22 in the State Registry.</p> <p>23 COMMISSIONER BURT: Second.</p> <p>24 THE CHAIR: Okay. Let's move into</p> <p>25 discussion of the motion.</p>	180	<p>1 COMMISSIONER CLAHCHISCHILLIAGE: Yes.</p> <p>2 COMMISSIONER ARMIJO: That passes, nine to</p> <p>3 zero.</p> <p>4 THE CHAIR: Let's move on to Item No. 11,</p> <p>5 Discussion and Possible --</p> <p>6 COMMISSIONER BURT: It's a different</p> <p>7 agenda item. It's a second agenda item.</p> <p>8 MS. JULIA BARNES: No, it should be part</p> <p>9 of 10. Sorry.</p> <p>10 THE CHAIR: Okay, this next one? Okay.</p> <p>11 So that was the process. And now we're</p> <p>12 going to take a vote on the adoption of the -- and</p> <p>13 correct me if I'm wrong. It's the 10.b. proposed</p> <p>14 rule; is that correct? That's the one we're</p> <p>15 adopting. Can I take a motion? Vice Chair Burt.</p> <p>16 COMMISSIONER BURT: I move that the PEC</p> <p>17 approve the proposed draft rule identified as</p> <p>18 Document 10.b. in the Meeting Materials folder, the</p> <p>19 Chair move forward to ask the Public Education</p> <p>20 Department to start the process to promulgate the</p> <p>21 proposed rule consistent with the rulemaking process</p> <p>22 just adopted, and that the proposed final rule be</p> <p>23 considered for a vote at a later PEC meeting after</p> <p>24 public comment and hearing.</p> <p>25 COMMISSIONER BECK: Second. Beck.</p>
179	<p>1 (No response.)</p> <p>2 THE CHAIR: Seeing none, let's make a</p> <p>3 roll-call vote, please, Secretary Armijo.</p> <p>4 COMMISSIONER ARMIJO: Thank you.</p> <p>5 Commissioner Gipson.</p> <p>6 COMMISSIONER GIPSON: Yes.</p> <p>7 COMMISSIONER ARMIJO: Commissioner Manis.</p> <p>8 Oh, sorry.</p> <p>9 Commissioner Beck.</p> <p>10 COMMISSIONER BECK: Yes.</p> <p>11 COMMISSIONER ARMIJO: Commissioner Taylor.</p> <p>12 COMMISSIONER TAYLOR: Yes.</p> <p>13 COMMISSIONER ARMIJO: Commissioner</p> <p>14 Carrillo.</p> <p>15 COMMISSIONER CARRILLO: Yes.</p> <p>16 COMMISSIONER ARMIJO: Chair Brauer.</p> <p>17 THE CHAIR: Yes.</p> <p>18 COMMISSIONER ARMIJO: Vice Chair Burt.</p> <p>19 COMMISSIONER BURT: Yes.</p> <p>20 COMMISSIONER ARMIJO: Secretary Armijo</p> <p>21 votes yes.</p> <p>22 Commissioner Ingham.</p> <p>23 COMMISSIONER INGHAM: Yes.</p> <p>24 COMMISSIONER ARMIJO: And Commissioner</p> <p>25 Clahchischilliage.</p>	181	<p>1 THE CHAIR: Let's move into a discussion</p> <p>2 by the Commission about this motion.</p> <p>3 (No response.)</p> <p>4 THE CHAIR: Seeing none, let's take a</p> <p>5 roll-call vote, please.</p> <p>6 COMMISSIONER ARMIJO: Vice Chair Burt.</p> <p>7 COMMISSIONER BURT: Yes.</p> <p>8 COMMISSIONER ARMIJO: Secretary Armijo</p> <p>9 votes yes.</p> <p>10 Commissioner Ingham.</p> <p>11 COMMISSIONER INGHAM: Yes.</p> <p>12 COMMISSIONER ARMIJO: Commissioner</p> <p>13 Clahchischilliage.</p> <p>14 COMMISSIONER CLAHCHISCHILLIAGE: Yes.</p> <p>15 COMMISSIONER ARMIJO: Commissioner Gipson.</p> <p>16 COMMISSIONER GIPSON: Yes.</p> <p>17 COMMISSIONER ARMIJO: Commissioner Beck.</p> <p>18 COMMISSIONER BECK: Yes.</p> <p>19 COMMISSIONER ARMIJO: Commissioner Taylor.</p> <p>20 COMMISSIONER TAYLOR: Yes.</p> <p>21 COMMISSIONER ARMIJO: Commissioner</p> <p>22 Carrillo.</p> <p>23 COMMISSIONER CARRILLO: Yes.</p> <p>24 COMMISSIONER ARMIJO: Chair Brauer.</p> <p>25 THE CHAIR: Yes.</p>

<p style="text-align: right;">182</p> <p>1 COMMISSIONER ARMIJO: That passes, nine to 2 zero.</p> <p>3 THE CHAIR: Thank you. All right. Let's 4 move on to Item No. 11, Discussion and Possible 5 Direction Provided to the Public Education 6 Commission Contract Negotiation Subcommittee.</p> <p>7 MS. JULIA BARNES: So in the past, we've 8 followed the same process. We're just following it 9 now, which is a group of five members and then one 10 alternate agree to attend the negotiations.</p> <p>11 We just give an opportunity for the 12 Commission to give any direction you might have to 13 the negotiating teams.</p> <p>14 Last time there wasn't any. But, you 15 know, you are kind of delegating this to the 16 subcommittees.</p> <p>17 What we want that -- those negotiating 18 teams to do is to come back with things that you 19 expected.</p> <p>20 So it's just an opportunity for any 21 Commissioner that will not attend those to provide 22 any comment now.</p> <p>23 THE CHAIR: Great. Excellent.</p> <p>24 So let's move on to -- so I'm hearing, 25 Commissioner Gipson, you want to take a lunch break?</p>	<p style="text-align: right;">184</p> <p>1 hand in hand.</p> <p>2 We really are going to have to work 3 through things that you see in this report that are 4 a year late. I mean, that already happened. We 5 already had a person in the audience who had quit a 6 previous job. And so it's just really late.</p> <p>7 And I was really encouraged by 8 Dr. Russell's comment that you may get this next -- 9 the next set of data in August, which would be 10 awesome, 'cause April is not awesome.</p> <p>11 Anyway, I did want to -- we did put it on 12 here to talk about it. Maybe you did talk about it. 13 But I did want to raise that option you always have 14 under the Intervention Ladder, and that you would 15 need to ask the Division to bring some of that 16 information forth, which might be a lot of work.</p> <p>17 THE CHAIR: Commissioners, any discussion? 18 Any questions?</p> <p>19 Commissioner Gipson.</p> <p>20 COMMISSIONER GIPSON: Just kind of -- 21 yeah. So this is kind of what I'm thinking at this 22 point in time, 'cause it is. It's so late.</p> <p>23 But I don't want schools that have reds to 24 just get a pass for the year. That's a concern. 25 So I think at this point in time -- I</p>
<p style="text-align: right;">183</p> <p>1 Is that what you're saying?</p> <p>2 COMMISSIONER GIPSON: (Off-mic comment.)</p> <p>3 THE CHAIR: All right. We're going to 4 make some -- we're going to make up some time. 5 Item No. 12, Discussion and Possible 6 Action on the Process to Identify Areas of Concern 7 Contained in FY22 Annual Reports, Including Action 8 Under the Intervention Ladder.</p> <p>9 Go ahead.</p> <p>10 MS. JULIA BARNES: The -- there was 11 discussion yesterday about when you might see the 12 FY22 Annual Reports. And it's March 24th. And if 13 you get them in April, it's still really, really 14 late. You've lapped yourself. I mean, the 15 Commission -- the Division is already doing the next 16 year's Annual Site Visit.</p> <p>17 So at some point, I don't know how you're 18 going to take action on any of those annual reports 19 that you get previously, or you might wait.</p> <p>20 At some point, those reports become more 21 and more less and less relevant. And I don't know 22 that if you want to look into them now or not. It 23 actually ties a little bit into what I anticipate 24 Commissioner Carrillo was thinking in terms of 25 putting that on the next agenda item, so it might go</p>	<p style="text-align: right;">185</p> <p>1 mean, when are we looking at potentially seeing 2 these Annual Reports? Are we looking at for the 3 next meeting? For the April meeting? Are we clear 4 on that?</p> <p>5 And it's going to be 57 reports, so -- but 6 I think it has to -- to me, it has to be a given 7 that schools that receive a red, they have to -- 8 they certainly get a notice that their next annual 9 review, which is, like, in ten days, you know, 10 seriously -- that -- and that's where I -- that's 11 where I struggle at this point in time, because 12 we're saying that we want to see that, from schools 13 that are in the red, at their next annual review, 14 they've improved that.</p> <p>15 But now their next annual review is coming 16 up in -- you know, like right now. So schools are 17 going to say, "Well, we didn't know that was a red, 18 so how are we going to fix it? We've struggled with 19 this. How are we going to fix it in a year?"</p> <p>20 And I know schools have seen them.</p> <p>21 DIRECTOR CORINA CHAVEZ: Okay. I have 22 thought you said they hadn't seen, but (inaudible 23 due to simultaneous speaking).</p> <p>24 COMMISSIONER GIPSON: No. But we hadn't 25 seen it. Our notification is coming to them within</p>

<p style="text-align: right;">186</p> <p>1 moments of the next annual review. So the notion 2 that, you know, our process has now been established 3 that the anticipation is that we see that they have 4 a red, and that unless it's something that has been 5 pulled out and sent down the road of the 6 Intervention Ladder, every other red, the 7 anticipation is that they will have worked on it, 8 and we'll see improvement at the next Annual Report. 9 But now we've got this time frame of just 10 a couple of weeks, potentially, of seeing that, so 11 that our notification isn't going out in a timely 12 fashion. And that's where the difficulty is. 13 So I don't know what -- I don't know what 14 a good answer is. But I think every school that has 15 a red, by our processes, have to receive a 16 notification that it's unsatisfactory performance, 17 you know. I don't see how we get around that at 18 this point. And I don't want to get around it. You 19 know, I'm not looking to subvert the system. So I 20 think they have to have that. 21 And, hopefully, schools can provide 22 information to the Charter School Division that they 23 have worked on it, and it has been fixed, and at the 24 next cycle of site visit reviews, that it can be 25 communicated back to us that they have -- you know,</p>	<p style="text-align: right;">188</p> <p>1 it took a long time just to go through the reports. 2 DIRECTOR CORINA CHAVEZ: During the work 3 session, we did walk through -- 4 COMMISSIONER CARRILLO: So the idea of 5 doing 57 of those is simply just not going to work. 6 So the reason I put Item 13 on was -- and 7 now I'm making it two work sessions instead of 8 one -- a month, and maybe it's only for, you know, 9 from 9:00 till 1:00 or from 8:30 till 12:30, where 10 we're only looking at academic things more than 11 anything. 12 My -- my experience on the Commission is 13 that, typically, those things that are in red that 14 have to do with finance or organizational work, 15 those things are usually corrected pretty swiftly 16 when they -- not board stuff. Board stuff, I know 17 sometimes you get a good eye roll. But the other 18 stuff, in my experience, tends to be taken 19 seriously. If it's obviously something super 20 serious, then, yeah, we're going to give it the 21 letter. 22 No, we've lapped ourselves, just exactly 23 what Julia said. So we have to catch up. The way 24 to catch up, in my feeling, is to have a work 25 session, only by Zoom. We're not going to call</p>
<p style="text-align: right;">187</p> <p>1 they have worked on it, or are working on it, and 2 are successful in this. 3 But, you know, we're kind of between a 4 rock and a hard place in terms of timing. 5 THE CHAIR: Commissioner Carrillo. Then 6 Commissioner -- then Vice Chair Burt. 7 COMMISSIONER CARRILLO: So this does tie 8 directly into the -- what I had there. 9 Okay. First, they've all received their 10 annual reports already; correct? The schools. 11 DIRECTOR CORINA CHAVEZ: They have seen 12 draft reports, yes. 13 COMMISSIONER CARRILLO: So they have a 14 good idea of where there's going to be red. 15 DIRECTOR CORINA CHAVEZ: Yes, there's 16 definitely red, green, yellow, and the reasons 17 behind each red. 18 COMMISSIONER CARRILLO: And so we could 19 then, if we had to, use the draft report as a basis 20 for issuing the letter. Because it's not a -- 21 right? We're not on the ladder yet. We're on the 22 letter? Okay. Cool. 23 So given -- let's see. This is some 24 month -- this is March. So last month, the dep- -- 25 the Director presented -- was it three schools? But</p>	<p style="text-align: right;">189</p> <p>1 anybody in. We'll know the schools that we're going 2 to be discussing, so they'll know to be available to 3 answer for the red. 4 And then we're going to say "Look, hey, we 5 just have a concern about this." 6 And this is where we can go through a 7 whole bunch of schools really quickly. I mean, my 8 feeling is this is done in two months and maybe with 9 two work sessions each month and where we're just 10 allowing through this. And then we've played 11 catch-up. Now we're caught up, and now we can start 12 to be a little bit more methodical for next year 13 about when these reports come in and how we address 14 them in a timely fashion. 15 But to have a year pass where we haven't 16 been able to address something, to me, that's 17 unconscionable, not just for us, but for them as 18 well. 19 THE CHAIR: Vice Chair Burt. Then 20 Commissioner Gipson. 21 COMMISSIONER CARRILLO: And Dr. Russell's 22 hand is up. 23 COMMISSIONER BURT: I think, for me, I 24 would be more interested in what to do with this 25 group and then what we should do in the future. So</p>



<p style="text-align: right;">190</p> <p>1 not try to, like, make it to what we're doing right 2 now is the same as what we're going to do in the 3 future. 4 I actually am of the opinion that if we do 5 extensive reviews of this year's Annual Report, it's 6 a bad look on us, and I do not think it's going to 7 be well received by the schools. 8 I mean, if I'm a school leader and we do 9 the kind of review that we should be doing next 10 year, and we do that right now, and then we say, 11 "Oh, you know, we saw this..." -- I don't know -- 12 "...yellow, red, whatever. You need to fix it," I 13 mean, that's so inappropriate. 14 I mean, it's, like, massively 15 inappropriate. It's like going to a teacher and 16 being, like, "Hey, like, last year you did these 17 things wrong, and right now in March..." -- like 18 now, in April of this year -- and telling a teacher, 19 "Hey, I need you to fix it this year for last year's 20 stuff." And it's April of this year. 21 And you're, like, "What? I have literally 22 a month left of school. Like, what do you want me 23 to do with it? Like, what are you..." -- you know. 24 But I also -- I understand Commissioner 25 Gipson's, like -- it's from us -- it's also, like,</p>	<p style="text-align: right;">192</p> <p>1 Gipson said, where we aren't -- we aren't timely 2 with something we would send to the schools at this 3 point. Like, it is so out of touch with reality. 4 It would just be so out of touch with reality to 5 send them something and half of them have actually 6 already had their next year's site visits. 7 I mean, it's just -- if I was a school 8 leader, I would literally laugh at something I got 9 from the Public Education Commission saying, "In 10 '21-'22, you-all had -- you know, you guys got a red 11 in this, make sure you do it better." I literally 12 would laugh. 13 I think it would make us look 14 unprofessional. I think it would make us look out 15 of touch, like, genuinely, we're out of touch with 16 it. 17 So I think for me, it would be that we're 18 going to -- unfortunately, I think we're going to 19 have to do, like, a mass bulk review, do a large 20 acceptance of maybe almost all of them at the same 21 time. And, once again, the one thing I would say is 22 if there's something that CSD uncovered from last 23 year during a site visit that may -- that is 24 serious, like, it is something that we should not, 25 like -- it was -- it has to be a red, number one,</p>
<p style="text-align: right;">191</p> <p>1 we can't ignore it either. 2 So I do think -- I still think we're -- 3 I'm in kind of the same vein that we talked about 4 last month, is I don't think we should -- I think 5 for this year, because of the circumstances that the 6 PED data has put us in, we should go -- like, do 7 a -- I think I would depend on Director Chavez and 8 the staff to highlight serious concerns. 9 Like, anything that is, like, "We saw 10 this, and we think it's a serious concern that does 11 need to be addressed," to the point where maybe it's 12 only things that might need to get, like, a Letter 13 of Concern, like, that's how serious it has to be. 14 Because I think even if they got a red last year and 15 then we tell them, like, "You got a red last year," 16 I don't know. You guys already did start doing site 17 visits already; right, Director Chavez? You-all 18 have been out doing them? 19 DIRECTOR CORINA CHAVEZ: For School Year 20 '22-'23, we're probably more than halfway through 21 all the school visits. And we're looking at the 22 Draft '21-'22 Reports, when we go into those school 23 visits to look for improvement. 24 COMMISSIONER BURT: So, once again, we're 25 in a tough place as the PEC, like Commissioner</p>	<p style="text-align: right;">193</p> <p>1 but also, like, a serious red, like a serious, 2 serious red, not their governing board training, not 3 their -- but, like, a serious red that could lead 4 to, like, student -- that's what I'm thinking -- 5 student performance issue -- like, special -- law, 6 laws, if they're breaking laws, we need to know 7 about that, and have those pulled out and discussed 8 and, like, then let us make that decision if we 9 should carry further down with those. 10 But other than that, I think, for me, 11 it's, like, we're just going to have to do the bulk 12 acceptance. Once again, I hated it. I hated it so 13 much I did not want to ever do that again. But I 14 think for this year that's the position we've been 15 put in. 16 But I would like to do it very differently 17 last year, and I'm very interested in Item 13 for 18 next year's -- as we review renewals of '22-'23, 19 that we do this in a rolling cycle, that we're doing 20 it where it's being looked at and cared for in the 21 way it should be. 22 But I'm disappointed to have just made 23 this -- have this discussion. I, like -- I'm not 24 happy about this at all. But I just -- I don't know 25 what else to do. Imagine giving your staff a review</p>

<p style="text-align: right;">194</p> <p>1 from last year right now. I mean, it's just --  2 it's -- how dumb would you look as a boss --  3 right? -- if you're, like, "Hey, last year you did  4 this, and we need you to fix it, and I'm reviewing  5 you right now, if your performance..." you know  6 like -- we're in a tough situation. So that's kind  7 of where I'm at.  8 THE CHAIR: Commissioner Gipson.  9 Dr. Russell. Then Commissioner Carrillo.  10 COMMISSIONER GIPSON: Yeah. I mean, at  11 this point in time, I wholeheartedly agree. And I  12 think I said that. There's little we can do about  13 this year's. We have to make a notification of an  14 unsatisfactory performance because that's part of  15 our processes.  16 But I think we clear -- I thought we  17 clearly set up this process to start with number  18 one, that we're not going to go through each  19 school's Annual Report through a presentation, that  20 the only ones that we're going to go through are  21 those after -- in the future, in the future, that  22 we're going to take recommendations from the  23 Director as to what schools they have concerns with.  24 And then we have to look at the Annual  25 Reports ourselves. And then we say, "In addition, I</p>	<p style="text-align: right;">196</p> <p>1 DR. BRIGETTE RUSSELL: Thank you, Chair  2 Brauer, Commissioners. Wanted to just respond to  3 Commissioner Carrillo's point about not looking at  4 organizational and financial, reds and yellows, just  5 looking at academic. That's what we don't have.  6 What we do have is the whole  7 organizational and financial framework minus the  8 Indicator 1.b., which is assessment participation.  9 We have all the rest of it. What we don't have is  10 any academic data beyond graduation.  11 So we don't have any reds. And as -- you  12 know, as I reported to the Commission yesterday, we  13 still don't have an ETA on that. So thank you.  14 THE CHAIR: Thank you, Dr. Russell.  15 Commissioner Carrillo.  16 COMMISSIONER CARRILLO: If I had a cowboy  17 boot that you could take off right now, a la  18 Khrushchev, I would slam it on the counter, and I  19 would say -- I don't know what he would say. He  20 would say, "Nyet. This is not okay." He would use  21 other words.  22 So am I hearing for that '21-'22 school  23 year, we do not have the academic data? Simple yes  24 or no.  25 DR. BRIGETTE RUSSELL: Yes. Yes. After</p>
<p style="text-align: right;">195</p> <p>1 would like to see School B, because I have concerns  2 about this."  3 And those are the smaller numbers of  4 schools that we look at in a in-depth meeting,  5 because those are the ones that -- that could result  6 in an Intervention Ladder process because we're  7 going to send a formal Letter of Concern. It's not  8 just going to be that Notice of Unsatisfactory  9 Performance.  10 So, you know, moving forward -- but I --  11 but we will look -- I concur. We will look  12 ridiculous if we're going back at public meetings  13 and saying, "Hey, you know what? Last year..." --  14 and it's, like, "What do you mean? Last year is  15 over with." And we just have to acknowledge, and,  16 yes, if there are schools that are not serving  17 students appropriately, we need to know that now and  18 act on those. But the rest of the schools that are  19 getting reds because they didn't provide  20 notification on time and so on, they get the  21 Notification of Unsatisfactory Performance from us  22 so it's on the record. But then we have to move  23 forward.  24 THE CHAIR: Thank you, Commissioner  25 Gipson. Dr. -- Dr. Russell.</p>	<p style="text-align: right;">197</p> <p>1 you left yesterday, I reported to the Work Session  2 that we thought we had it. When I went out on  3 medical leave, when we sent out all the initial  4 reports to the schools, the draft reports, we  5 thought it was final data.  6 We were then informed that the data are  7 not final. The agency took down the accountability  8 data.  9 If you go to the accountability page on  10 PED's website right now, there are no '21-'22  11 academic outcomes data. And as of yet, Dr. Álvarez,  12 the interim director of research, evaluation, and  13 accountability, told me that his best estimate was  14 mid -- sometime in April for finalizing it.  15 COMMISSIONER CARRILLO: So Ms. Gipson used  16 the term -- and I think Ms. Burt as well -- said  17 something about looking ridiculous. This makes us  18 look ridiculous, okay? No. Not having the data,  19 not the idea of going to last year, because if we  20 had the data from last year, yeah, I think -- yes, I  21 think it's wise to go back.  22 If some of the schools got 12 percent  23 proficiency in math, they've got 22 percent in  24 English, they haven't grown very much, they've got  25 40 percent graduation, and we're not seeing -- we</p>

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1 can say to them, "You know something? This is a  
 2 huge red flag for us. There's no intervention  
 3 letter right now, but we are really going to need  
 4 some super-duper progress in this coming year or  
 5 else."  
 6 When you read the THINK New Mexico report,  
 7 and when you read about people that are critical of  
 8 charters, they are critical of our ability to hold  
 9 ourselves accountable; all right. There are all  
 10 these side conversations which are just wonderful.  
 11 And that's one of the biggest issues that  
 12 people have. With districts, too. Accountability.  
 13 So now another year is going to go by,  
 14 okay? And that's just -- we're cheating kids. And,  
 15 actually, we are cheating administrators and  
 16 teachers by not giving them the information so that  
 17 we could, then, if they need additional tools,  
 18 whatever it may be, helping them with those tools.  
 19 So I don't mind blaming at all,  
 20 Ms. Gipson. When the shoe fits, it fits, and  
 21 somebody up on whatever floor of this building, you  
 22 know, it's just not okay that -- that there's this  
 23 massive lag in data the way there is.  
 24 And it's just like -- I mean, if Fred  
 25 Nathan -- he's the guy that runs THINK New Mexico.

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1 If he were watching this portion of the meeting  
 2 knowing that we don't have data from that long ago,  
 3 he'd be beside himself, too. That is, like, the bar  
 4 people hold us to is being able to hold schools  
 5 accountable.  
 6 When I look through the schools in  
 7 District 10, you know -- and if some of them are  
 8 watching, fine. It is what it is. There are  
 9 schools I wouldn't have sent my son to, not in a  
 10 heartbeat, you know, because I wouldn't believe that  
 11 he would have been receiving the education that his  
 12 mother and I expected from a public school.  
 13 And then when you look at growth over  
 14 years, even if you're looking at 2018 to 2022, and  
 15 you're just not seeing what you need to see, it's,  
 16 like -- when I've talked about before -- and I still  
 17 think something like this could happen, and I'm so  
 18 glad the Secretary came down yesterday.  
 19 And I think he needs to put together some  
 20 sort of a program like the federal program -- the  
 21 federal turnaround program that happened -- we used  
 22 it at Ramirez Thomas at Santa Fe Public Schools,  
 23 where they got a bunch of money to turn that school  
 24 around.  
 25 All the senior administrators were fired.

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1 "Don't think about working for the  
 2 district. You are gone. You failed kids, and you  
 3 failed teachers."  
 4 The only teachers that remained were the  
 5 ones that met or exceeded expectations. The ones  
 6 that didn't, "You're gone. You're cheating kids."  
 7 And that -- it worked. You brought in new  
 8 administration with new expectations and the funds  
 9 to be able to grow this school. And it worked with  
 10 Ramirez Thomas.  
 11 And that's Draconian, but that's what --  
 12 that's what we need in New Mexico, not just some of  
 13 our charters but in New Mexico in general. It's  
 14 like "Put up or shut up," you know, or just send our  
 15 kids off to boarding schools everywhere to get the  
 16 education that they are entitled to as young people.  
 17 So I love raising my voice sometimes when  
 18 I get all excited, but it doesn't mean I'm  
 19 emotional. It just means I'm excited about all of  
 20 this, because it irritates me so to be a part of a  
 21 public body that right now, snip-snip-snip, seems  
 22 impotent. Very frustrating. And thank you for your  
 23 patience in listening to my rant.  
 24 THE CHAIR: Thank you, Commissioner. I  
 25 don't think there's any other action we need to take

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1 on this item.  
 2 If it is okay, we'll move on to Item 13.  
 3 I know that we talked -- that bled into  
 4 the previous conversation. I wanted to make sure we  
 5 were doing diligence on this.  
 6 Commissioner Carrillo, if you had any  
 7 additional information on Item No. 13, or do you  
 8 feel we have covered that enough, given where we are  
 9 from the last item?  
 10 COMMISSIONER CARRILLO: It is what it is.  
 11 We are where we are. Excuses. Excuses.  
 12 Yeah, we're good.  
 13 THE CHAIR: Thank you, sir. Item No. 14,  
 14 Discussion and Review of the Budget for the PEC for  
 15 FY23. Is there any other --  
 16 COMMISSIONER GIPSON: We dealt with that  
 17 yesterday, so there is nothing new. Nothing  
 18 happened since last night.  
 19 THE CHAIR: Nothing in the last 23 hours.  
 20 COMMISSIONER GIPSON: Unless I took the  
 21 \$500,000.  
 22 COMMISSIONER CARRILLO: Wasn't there the  
 23 lunch budget, you wanted to talk about?  
 24 COMMISSIONER GIPSON: No. But I think I  
 25 want new chairs.

<p style="text-align: right;">202</p> <p>1 THE CHAIR: Well, let's move on to Item 2 No. 15, Report from the Charter School Division. 3 Director Chavez. 4 DIRECTOR CORINA CHAVEZ: Thank you, Chair 5 Brauer, Commissioners. I share your frustration on 6 not having the certified data yet. 7 I do want you to know that there's data 8 out there that the schools have had for a while. 9 And it's not going to change dramatically. 10 A school's not going to go from having 11 72 percent proficient to having 25 percent 12 proficient. That's not -- that's not what's going 13 to happen. There will be some small changes in the 14 proficiency. It will be more accurate. 15 I think the schools deserve to have 16 accurate information, and I know that folks at the 17 PED have been working really hard to get the 18 accurate data so that schools feel like they're 19 looking at their actual and correct data. And not 20 holding schools accountable to data that hasn't been 21 scrubbed and cleaned, I think is the right thing to 22 do. 23 But I share your frustration. I wish we 24 could close out those reports. I like the new plans 25 that this Commission is taking to verify that you</p>	<p style="text-align: right;">204</p> <p>1 But before we review this list, I just 2 wanted to share with the Commissioners that the -- 3 the auditor that was working with the PED and all 4 State charter schools raised concerns directly to me 5 in September. And as a result of that, I sent out 6 ten memos to charter schools. 7 You guys did not get cc'd because this is 8 part of that process whereby I work with the schools 9 to see improvement before raising that with you-all. 10 So ten schools got a memo that provided 11 specific information about what the auditors were 12 saying. Maybe the governing board wasn't making 13 themselves available, the governing board members 14 who are on the audit committee, maybe they couldn't 15 make themselves available, maybe materials weren't 16 being made available. 17 But for some reason, they were, like, 18 "Heads-up, we're struggling with the audit." 19 I got some phone calls from head 20 administrators that got that memo and said, "Thank 21 you. I don't sit on the audit committee. I 22 wouldn't have known if you hadn't sent that memo." 23 And some schools then responded -- and I 24 don't see them on the list of schools that are of 25 concern -- they jumped to it and made sure that the</p>
<p style="text-align: right;">203</p> <p>1 have concerns when there's reds. 2 But, previously -- and I know that 3 Commissioner Gipson can attest to this, she was 4 chair for many, many years -- where the PEC did just 5 wholesale accept the annual reports and didn't 6 necessarily go through each one individually, it is 7 really time consuming. So -- and she can provide 8 clarification on how many they pulled out concerning 9 schools. 10 THE CHAIR: Director Chavez, we already 11 talked about that for several minutes. 12 DIRECTOR CORINA CHAVEZ: Yeah, right. 13 Okay. 14 So on my report is to talk about the 15 fiscal audit. So let's start there. 16 So yesterday we gave you an overview of 17 the trends over the past few years in the Work 18 Session. 19 The materials included the Fiscal Year '22 20 document in its entirety. It is over 1,700 pages 21 long. And that is Item No. 2 in the Work Session 22 folder. 23 Okay. So we have since created a summary 24 of the findings. And that's in your folder for 25 today. Item No. 15.a.</p>	<p style="text-align: right;">205</p> <p>1 auditors had what they needed. 2 And some schools unfortunately were unable 3 to satisfy the -- the requirements of the audit. So 4 we have -- we have some schools that resulted in a 5 disclaimer. 6 And so if you look at Document 15.a., 7 you'll see that there is a list of schools that are 8 concerning because of material weakness and 9 significant deficiencies. Some of those include the 10 fact that those schools have foundations. And the 11 foundations who are component units of the school 12 are included in the school's audit. So where that 13 is specific to the foundation, you'll see that in 14 that document. 15 I don't know if you can -- (off-mic 16 discussion). 17 So there are two schools that have 18 disclaimer of opinions: La Tierra Montessori and 19 Las Montañas. 20 And so the disclaimer and the type of 21 opinion are listed at the very top, and then the 22 audit concerns and the summary of the concerns are 23 listed for each school that was in the audit. 24 We're not here to discuss -- especially I 25 understand that during my presentations we aren't</p>

<p style="text-align: right;">206</p> <p>1 talking about specific schools. So at this point  2 I'm not entertaining any questions. This is merely  3 a summary and the actual source document that the  4 summary was pulled from, and this is meant to help  5 you very quickly have an understanding of how  6 schools in your portfolio performed on the Fiscal  7 Year '22 audit, which would be informing the Annual  8 Reports for this school year, which is School Year  9 '22-'23.</p> <p>10 So it would be in the Annual Reports for  11 next year -- or excuse me -- for this year, even  12 though this was last year's audit.</p> <p>13 So the schools have a little bit every  14 time. They had a exit with the auditors in  15 November. And they created management response.  16 You'll find that in the 1,700-page document for each  17 audit finding, there is a management response,  18 which, in essence, is a Corrective Action Plan.  19 What are we going to do to not have the same audit  20 finding?</p> <p>21 Nonetheless, our Performance Framework  22 Indicator -- let's see -- yeah, in Indicator -- is  23 it 2.a.? Hold on a sec. I can be really specific.  24 indicator 2.a. reads, "Is the school meeting  25 financial reporting and compliance requirements?"</p>	<p style="text-align: right;">208</p> <p>1 So that's the level of accuracy that we  2 want to make sure that we are electing in how we're  3 working with the schools. So I am just providing  4 that information to you, because I know that you  5 wanted to be able to know how schools in your  6 portfolio are doing.</p> <p>7 I'm going to move on to Item "b.," which  8 is --</p> <p>9 COMMISSIONER CARRILLO: I'm sorry.  10 Everybody has left, and I had a question for you.</p> <p>11 DIRECTOR CORINA CHAVEZ: My understanding  12 is there's not supposed to be questions during my  13 report.</p> <p>14 COMMISSIONER CARRILLO: I don't recall  15 that ever being a policy or a rule. It's  16 ridiculous. I'm the elected --</p> <p>17 DIRECTOR CORINA CHAVEZ: I'm going to ask  18 the attorney to verify that, because there's been  19 times when the former chair, Burt, did confirm that.  20 So I think it's in the PEC --</p> <p>21 COMMISSIONER CARRILLO: I don't recall us  22 ever passing a policy or procedure that we don't ask  23 questions.</p> <p>24 DIRECTOR CORINA CHAVEZ: During my report.  25 I would remember, because I'm the one that gives the</p>
<p style="text-align: right;">207</p> <p>1 And the sub-bullet on that is that the  2 school submits an audit CAP to the PED Audit Bureau  3 within 30 days of the release of the audit.</p> <p>4 I am yet to receive those, and I don't  5 know that it's been a full 30 days. But this is on  6 our agenda for next week. Ms. Kimberly and Mr. Kyle  7 will be working with me, and Deputy Director  8 Brigitte Russell, to be in contact with the PED  9 Audit Bureau to see if they actually have collected  10 those CAPs.</p> <p>11 I think that it may be the last year that  12 we actually collected those CAPs. And that's why  13 there are some schools in the Annual Report for last  14 year that got a ding, if you will, for not  15 submitting a CAP.</p> <p>16 Now, the beautiful thing about the  17 interaction back and forth with the schools is,  18 like, when we were at Aldo, and we thought the  19 school had not submitted a CAP, and we were talking  20 to the business manager, she said, "Oh, yeah, here  21 it is."</p> <p>22 They hadn't sent it to the PED, but they  23 created it. I don't think she could have created it  24 in two minutes while we're having a discussion. But  25 she had it handy, and she was using it.</p>	<p style="text-align: right;">209</p> <p>1 report. And my understanding is that I can't be  2 asked questions during the report.</p> <p>3 So hold it, Steve, and we can talk later.  4 But I think that as part of the meeting, that's the  5 case. I apologize. I'm not trying to not --</p> <p>6 COMMISSIONER CARRILLO: No, you don't have  7 to apologize. So my question, then, is for Julia,  8 or for the Secretary, because you would have  9 probably taken the vote. Did we ever come up with  10 some sort of policy where we're not allowed to ask  11 the Director a question about her report?</p> <p>12 MS. JULIA BARNES: What I think is that  13 it's under the Open Meetings Act. It's not a  14 discussion and -- of what's in that report. I don't  15 think it's in the Rules of Procedure. And I don't  16 know if --</p> <p>17 COMMISSIONER CARRILLO: I'm asking a  18 question, the same way we can ask a question about  19 anyone's -- if somebody gives a report about LESC,  20 and, you know, Stewart has a question, you know, he  21 can say, "Hey, I have a question. How does that  22 really -- how does that work?"</p> <p>23 DIRECTOR CORINA CHAVEZ: Then the item  24 would say Discussion or Possible Action.  25 COMMISSIONER CARRILLO: We're not</p>

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1 discussing -- you know what? This is a pissy-ant  
2 thing. It's pissing me off, and it's not your  
3 fault.

4 DIRECTOR CORINA CHAVEZ: Thank you.

5 COMMISSIONER GIPSON: So can I just kind  
6 of weigh in? I'm sorry. I needed to take a short  
7 break. But we have always permitted questions  
8 during the Director's Report. We haven't taken any  
9 action on it.

10 But we've always -- if there is a  
11 question, we've certainly -- my experience has been,  
12 you know. So I -- sorry. I'm late to this party.

13 DIRECTOR CORINA CHAVEZ: Let's ask Vice  
14 Chair Burt, because I have thought that during my  
15 presentations, Bekka, that I wasn't supposed to be  
16 asked questions.

17 No?

18 I don't think I'm dreaming that. At one  
19 point, somebody said that. I don't care, but I  
20 thought that that was the case.

21 COMMISSIONER BURT: No, I think -- so I've  
22 only ever said that -- like, when we've talked about  
23 whether to put it on a report, a Director's Report  
24 versus an Item, was that there could be no action  
25 taken.

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1 DIRECTOR CORINA CHAVEZ: Sure. What we  
2 did last year was we held a series of sessions  
3 called, "How to Avoid Audit Findings."

4 And, unfortunately, even though we did  
5 that, the number of audit findings increased this  
6 year, as you saw yesterday.

7 So we provide technical assistance when  
8 possible. But, really, the schools need to be  
9 looking at their audit. They need to be thinking  
10 about their processes.

11 We have a lack of budget managers to go  
12 around in New Mexico, and a lot of schools share the  
13 same business manager, or they work with a firm who  
14 might move the business manager from one school to  
15 another. They bring in a different person  
16 mid-school year. That creates some challenges.

17 I recommend to every person that's getting  
18 ready to go to college to major in accounting and  
19 become a school business manager, because we need  
20 them so bad. I know that Chair Brauer would confirm  
21 that.

22 So we're also talking to the schools to  
23 find out exactly what happened; right? Because it  
24 could be that -- it could be that a report was late  
25 or a payment was late and they didn't get a payment

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1 DIRECTOR CORINA CHAVEZ: And just so you  
2 know, I did tell the schools -- I talked to some of  
3 the schools, including one this morning at 7:00,  
4 that this item was going to be on the agenda, that I  
5 was going to present it to you, that PEC was not  
6 going to make any actions, and they wouldn't  
7 necessarily need to be here to -- to hear about any  
8 of the actions that you all are taking.

9 But I'm happy to entertain a question from  
10 you, Commissioner Carrillo. Go ahead.

11 COMMISSIONER CARRILLO: Forget it. Forget  
12 it. It's got to be levity, because it has to be.

13 So not naming any schools or anything.  
14 But one thing that appears more than others is  
15 Material Weakness, Financial Reporting. So what I  
16 would be asking is what is it procedurally at a  
17 school that prevents them from reporting in a timely  
18 fashion?

19 I mean, your person had that -- that you  
20 mentioned -- had that thing, and they just pulled it  
21 out of their pocket.

22 Is there something that we can do or that  
23 you can do as a division to help them? Because when  
24 we see something repeating itself like this, it's --  
25 you know, it raises a little pink flag.

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1 from the Fed. I mean, that's the level of detail  
2 that we need to take with the schools.

3 The audit is what the audit is, and they  
4 have it. This is a public document. It's on the  
5 State Auditor's website, I believe. Now you-all  
6 have it, and what you're looking at is just the  
7 summary, pulling out those schools that have those  
8 concerns.

9 COMMISSIONER CARRILLO: Thank you.

10 DIRECTOR CORINA CHAVEZ: You're welcome.  
11 Any other questions on this before I move  
12 on?

13 All right. I have -- I see, like, my  
14 wonderful staff here. So if there's any staff  
15 members that wish to come up and support the  
16 presentations, you're welcome to.

17 I think we're eating snacks. And I am --  
18 I am actually not the person that dug as deeply into  
19 the report. So if anybody that dug deeply into the  
20 report wishes to speak, I'm happy to share the  
21 stage.

22 And while you're thinking about that, or  
23 if you don't, I'm going to go ahead and move on to  
24 the next item, "b.," which is "Funding and training  
25 for schools transferring to PEC from the district."

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1 So you know that, Commissioners, that  
 2 New Mexico is unique in that it allows charter  
 3 schools to switch authorizer upon renewal. Not many  
 4 places allow that. But we do.  
 5 And some people have said, "Who should you  
 6 choose as your authorizer? Should it be the  
 7 district? Should it be the PEC?"  
 8 And some schools, like, ping-pong back and  
 9 forth, because, as a former colleague that I used to  
 10 work with here at the PED said, "It's relationship,  
 11 relationship, relationship. Who do you think you  
 12 can have the best relationship with?"  
 13 I also think it's about authorizing  
 14 practices and who's going to be transparent, who's  
 15 going to be supportive, who's going to work with  
 16 you.  
 17 And so I know you all are awesome  
 18 authorizers, because of late, we've had some schools  
 19 switch to you and none switch to the district.  
 20 And last year we had a school that renewed  
 21 with you-all -- this was -- this is their first year  
 22 as a State-authorized charter school after being  
 23 authorized by a local district. And when that  
 24 happens, the school transforms from being a  
 25 component unit of the district to being its own

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1 board of education -- board of finance -- thank  
 2 you -- and LEA.  
 3 When I say "LEA," that means Local  
 4 Education Agency. That's a term that the federal  
 5 government gives to boards of finance at the state  
 6 level, within the state, because they call the PED  
 7 the SEA, and they call districts LEAs. And state  
 8 charters are LEAs, but local charters are not LEAs.  
 9 Is that crystal clear? Okay. All right.  
 10 So switching -- I know it is for  
 11 Commissioner Gipson; right?  
 12 So switching from being a component unit  
 13 of an LEA, where that district has to flow money to  
 14 you, to being your own LEA, you get a different  
 15 number. You get -- like with the Feds, you get a  
 16 different -- you have a different legal status.  
 17 And so at the PED, we got a huge amount of  
 18 money, as you know, from ESSER during the  
 19 pandemic -- oh, I said that word. And we gave money  
 20 to districts. And districts flowed it to locals, or  
 21 maybe it came directly. If Louie was here, I'd  
 22 know. But he's not here, so I don't know exactly  
 23 how the award letters went out.  
 24 But the point is that -- and I think it  
 25 did flow from the district. Because one of the

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1 issues that we're having with a school that is now  
 2 State-authorized is that they had some ESSER funds.  
 3 They were unable to extend all of them while they  
 4 were under the district. And then they became a  
 5 State-authorized charter school. And those monies  
 6 did not follow them.  
 7 Why? Because an LEA, the district, can't  
 8 give money to another LEA, which is the current  
 9 status of that charter that transitioned to be  
 10 State-authorized this year.  
 11 COMMISSIONER CARRILLO: Did the district  
 12 then just get to keep the money?  
 13 (Off-mic responses.)  
 14 COMMISSIONER CARRILLO: Like Vista Grande.  
 15 So the district just -- ¡Hijole!  
 16 DIRECTOR CORINA CHAVEZ: So that's a  
 17 horrible, awful, terrible, no good thing to happen.  
 18 As a result there's been a couple of  
 19 different conversations. This has involved other  
 20 people at the PED. The federals -- the federal  
 21 program grant managers have responded to the school  
 22 and let them know, "We have to follow federal laws,  
 23 and, unfortunately, there's nothing we can do. It's  
 24 against the law for an LEA to give money to an LEA."  
 25 So our response is, okay, we have another

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1 school, Cottonwood Classical, that has transitioned  
 2 from being under APS to being a State-authorized  
 3 charter school. So let's work within this fiscal  
 4 year to ensure that they spend all the money.  
 5 So we're providing a sit-down meeting with  
 6 Cottonwood Classical. We're having this, you know,  
 7 conversation about the tough lesson learned that we  
 8 had with another school and, "Make sure you spend  
 9 all your federal money. Make sure that you're clear  
 10 about your deadlines and when you report data and  
 11 how you get access to this money."  
 12 And it may be that the school, because it  
 13 has a newly established identity, might have to wait  
 14 a little bit of time before they get their first  
 15 award letter.  
 16 So that's something that we're parsing out  
 17 and communicating to the schools that have started  
 18 going down that path, to schools that are going to  
 19 the renewal training as they are making the  
 20 decision, do I stay with the local district, do I go  
 21 with the PED, do I go back to the district, I'm  
 22 already with the PED. But we're incorporating that  
 23 level of training for all schools and gaining in our  
 24 knowledge and capacity to be able to guide them and  
 25 connect them with the right people at the PED so

<p style="text-align: right;">218</p> <p>1 that schools don't end up suffering a loss of funds.  2 So that -- that was Item No. b.  3 Any questions?  4 (No response.)  5 DIRECTOR CORINA CHAVEZ: All right.  6 Anybody want to share additional information about  7 that? I know Missy Brown, if she were here, would  8 be able to tell you exactly what her slide says,  9 because she's -- makes sure to put that in place,  10 and to also create the special session for  11 Cottonwood Classical.  12 And we're seeing that we need a couple of  13 sessions. Any time a school is transferring,  14 similar to -- we do the sessions for the new  15 schools. We do the sessions for the renewing  16 schools. But once you've transferred, I think we  17 need to do a couple of transfer sessions to support  18 those schools.  19 So that's the plan for CSD moving forward  20 in Item b.  21 Okay. In terms of Item c., this is the  22 data platform. And I wanted my staff to be able to  23 have a say into exactly what components it should  24 have and what -- how it might be used within our  25 division.</p>	<p style="text-align: right;">220</p> <p>1 DIRECTOR CORINA CHAVEZ: The current  2 timeline I have is a goal to get that posted by  3 April 10th. And I know we've started to grease the  4 wheels on that. May 8th, look at proposals.  5 May 22nd, choose a contractor.  6 And by June 19th, have a contract in place  7 where we can at least pay for the upfront materials.  8 This will be an ongoing cost if we have this data  9 platform that is online for everybody to access.  10 And we're moving forward with it.  11 Anybody want to add anything? Any  12 questions?  13 (No response.)  14 DIRECTOR CORINA CHAVEZ: We're good to  15 move on. All right. Item d., Update on  16 Cesar Chavez Community School.  17 So you all know that Cesar Chavez has a  18 Corrective Action Plan. And I know that there was  19 supposed to be an update for you on the Corrective  20 Action Plan at this meeting.  21 The school -- so I contacted the school,  22 and they are on spring break and pretty much off the  23 grid. And their phone is undergoing repair. So  24 it's been difficult to connect with them.  25 They did send us a document that is a link</p>
<p style="text-align: right;">219</p> <p>1 And so there is currently a near final  2 scope of work that is in place.  3 And my question -- we need to get it  4 posted. And my question, since we get to talk --  5 and this is -- I see Commissioner Gipson -- I still  6 want to call you "Chair Gipson" -- weigh in on  7 should a subcommittee of the PEC want to take a look  8 at it? Do you want us to run with it?  9 I think that we have a good scope of work,  10 and we could run with it. And I have a projected  11 timeline for posting the scope of work on  12 April 10th, so there's a little bit of time.  13 But between now and then, if there's a  14 subcommittee that wants to work with us on this, I'm  15 happy to engage with whoever on the PEC that wants  16 to take a look at it.  17 THE CHAIR: And we probably can't make any  18 decisions or actions on that right now, Corina -- or  19 Director Chavez -- but something we can start at  20 least with the Executive Committee or the Budget --  21 COMMISSIONER GIPSON: Budget subcommittee  22 can probably do it, because they've discussed it.  23 And two of the three were at the presentation. So,  24 yeah.  25 THE CHAIR: Yeah.</p>	<p style="text-align: right;">221</p> <p>1 to a folder with CAP evidence. But we're having  2 some technical difficulties getting the full scope  3 of CAP item information.  4 We did get some evidence that the school  5 has created a schedule for in-person instruction.  6 So we're happy about that.  7 They are telling us that they are on track  8 for implementing all of the pieces of the plan. And  9 they had staff and a small group of students  10 selected who came to campus last week.  11 I mentioned in the correspondence with the  12 head administrator that we could stop by at the  13 school, that we probably would stop by unannounced  14 just to check in. And she said, "That's great.  15 Please do." And also, "Maybe, please, you know, let  16 me know when you're coming so we can sit down."  17 So I anticipate that before you all meet  18 again in April, we will have a chance to have  19 visited the school and to report out with a more  20 thorough report on Cesar Chavez.  21 Any questions?  22 Yes.  23 COMMISSIONER BECK: Weren't they waiting  24 until the fourth quarter to go live? Right? Was it  25 March? It wasn't April? It was March. Okay.</p>



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1 DIRECTOR CORINA CHAVEZ: I'm going to ask  
 2 one of the staff members, Martica Davis, who knows  
 3 the CAP most to speak to that.  
 4 THE CHAIR: If you have, like, a minute or  
 5 less, I think it would be okay. But we don't want  
 6 to get too much into that process at this stage.  
 7 MS. MARTICA DAVIS: Thank you,  
 8 Commissioners. So the school had originally  
 9 reported during the PEC meeting last week as part of  
 10 their CAP that they plan to return March 14th in  
 11 person.  
 12 THE CHAIR: Great. Thank you. And thank  
 13 you for being succinct on that.  
 14 DIRECTOR CORINA CHAVEZ: Ms. Arness said  
 15 that they did have some teachers and students there.  
 16 THE CHAIR: See? I just want the record  
 17 to state that having a kind soul, Commissioner  
 18 Gipson, sometimes is important so that we can  
 19 clarify some things. Before we move on --  
 20 COMMISSIONER BURT: She didn't give extra  
 21 credit as a teacher, either.  
 22 THE CHAIR: Since we have -- I think --  
 23 yeah. I think we have a large group of the PED  
 24 Charter School Division staff here. So I just want  
 25 to take this moment to thank you all for all that

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1 you do as well before we move on. And --  
 2 DIRECTOR CORINA CHAVEZ: Actually, thank  
 3 you, Chair Brauer. And I actually do think that we  
 4 have a goodbye to make, unfortunately.  
 5 One of our staff members is -- is --  
 6 decided that he is going to stay home with his baby,  
 7 which makes me smile and also makes me very, very  
 8 sad. But Dylan Wilson, we're going to miss you.  
 9 You've been a wonderful member of the CSD. I know  
 10 the PEC has appreciated and benefited from all the  
 11 technical assistance you've provided to governing  
 12 board members and all the accuracy that you've  
 13 ensured with amendments and documents. Thank you so  
 14 much, Dylan. We're going to miss you.  
 15 MS. LUCY VALENZUELA: And, Chair Brauer,  
 16 Deputy Director Russell has her hand up.  
 17 DR. BRIGETTE RUSSELL: Thank you very  
 18 much, Ms. Valenzuela.  
 19 I also wanted to wish a very fond and  
 20 grateful farewell to Samantha Samoiel, who is also  
 21 leaving the Charter Schools Division. Dylan's last  
 22 day will be March 31st, and Sam's last day will be  
 23 April 7th. We will miss both of them. Both of them  
 24 have been invaluable to me personally in doing my  
 25 work and to the Division in general. So all the

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1 best to both.  
 2 THE CHAIR: Thank you, Dr. Russell, and  
 3 thank you, Samantha, and thank you all for all the  
 4 work that you continue to do for us and with us.  
 5 Go ahead.  
 6 COMMISSIONER BURT: I just want to say I'm  
 7 also -- I just want to say I'm going to miss Sam at  
 8 the next conference. I really enjoyed hanging out  
 9 with her at the last one. So I don't even know if  
 10 she's on because I'm not on Zoom. Someone tell her  
 11 I said that, okay?  
 12 And, Dylan, yeah, you're --  
 13 MS. JULIA BARNES: She's on.  
 14 COMMISSIONER BURT: Sam, thank you. I'm  
 15 so sad you're leaving. But I do wish both of you  
 16 the best health and wealth and happiness moving on  
 17 into whatever the next stage of your careers are.  
 18 You guys are -- thanks for the work that you've done  
 19 for charter schools. It does make a difference.  
 20 The kids benefit from the work you do every day. So  
 21 thanks for what you have done and for setting the  
 22 bar high in the Division.  
 23 Very grateful to you all. You two are  
 24 incredible, incredible staff. Very sad to lose you,  
 25 but happy for you guys in your next journeys and

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1 chapters.  
 2 THE CHAIR: Item No. 16, Reports from the  
 3 PEC Liaison Groups.  
 4 Items A and B, the LESC and the LFC.  
 5 Commissioner Gipson.  
 6 COMMISSIONER GIPSON: They haven't been  
 7 meeting because of the Legislative Session, and they  
 8 have not set their schedules yet. But they'll be  
 9 posting them. So they haven't -- they have to  
 10 recreate the committees through members at the  
 11 beginning of the -- at the end of the session. So,  
 12 hopefully, they will -- I anticipate they'll meet  
 13 sometime in February.  
 14 THE CHAIR: Thank you, Commissioner.  
 15 Commissioner Clahchischilliage, the Indian  
 16 Education Advisory Council. Any updates from them?  
 17 You're on mute, I believe.  
 18 COMMISSIONER CLAHCHISCHILLIAGE: Okay.  
 19 Basically, the council have not met for a while.  
 20 They met sometime back. But we're becoming  
 21 reacquainted with the issues, discussions that they  
 22 had had. And so I feel like they're regrouping  
 23 right now and indicated they would let us know when  
 24 the next meeting was going to occur. And  
 25 hopeful- -- they were hoping that at that time

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1 they'd have more current information.  
 2 And so it was a very -- a meeting with a  
 3 lot of questions of each other, asking what had been  
 4 said, what had been done.  
 5 So I am anticipating that the next meeting  
 6 will have more information.  
 7 THE CHAIR: Thank you, Commissioner.  
 8 COMMISSIONER CLAHCHISCHILLIAGE: Uh-huh.  
 9 THE CHAIR: Commissioner Ingham, the  
 10 PSCOC.  
 11 COMMISSIONER INGHAM: Well, they also have  
 12 not met during the session.  
 13 We will have a AMS subcommittee meeting, I  
 14 believe it's next week, and then a PSCOC meeting the  
 15 week after. I have taken the opportunity, though,  
 16 to be -- go through several trainings with PSFA on  
 17 how the funding mechanisms work.  
 18 I'm getting -- I'm making a very good  
 19 relationship with PSFA. I did talk to them a little  
 20 bit about the timeliness of -- of the -- well,  
 21 the -- I just lost it -- their reimbursements for --  
 22 lease reimbursement -- and made that clear that  
 23 they're -- that's a super important thing, and  
 24 charter schools kind of function on a more rigorous  
 25 cash flow schedule than other educational

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1 industry -- indu- -- whatever.  
 2 Any case, it was -- it's been very good  
 3 and I think I'm going to make -- be able to be  
 4 involved with them.  
 5 They're -- also have a -- a process where  
 6 they're going to be doing HVAC recommendations for  
 7 every school, and they're going to let me be a big  
 8 part of that, too. So really interested in it.  
 9 Thank you.  
 10 THE CHAIR: Thank you, Commissioner  
 11 Ingham.  
 12 And you should be legitimately the  
 13 liaison. I filled out paperwork last week. I can't  
 14 remember what they call it. So you're good. Yeah,  
 15 you're all set.  
 16 Commissioner Manis, NMPSIA? Any updates  
 17 from them?  
 18 He's not here, huh?  
 19 Okay.  
 20 Commissioner Carrillo, School Board  
 21 Association. Any updates?  
 22 COMMISSIONER CARRILLO: No, not an update  
 23 per se. But I just made some notes, because I  
 24 mentioned this -- you know, I mentioned it to Joe  
 25 and nothing happened. It's March now. So maybe we

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1 could get something together for their December.  
 2 Usually, it's the -- the last Friday of November,  
 3 first Saturday in December is when they have their  
 4 convention down in Albuquerque.  
 5 And they -- you know, in addition to all  
 6 the different things they do as a body, they  
 7 breakout sessions.  
 8 And I've always felt that -- and this  
 9 isn't to be arrogant. But they have a lot to learn  
 10 from us. We have a lot to offer and ways to share.  
 11 And what I wrote down was "Performance  
 12 Framework." It's -- imagine if they were to use a  
 13 tool like our Performance Framework when they were  
 14 looking at their district schools. They don't have  
 15 to recreate the wheel, you know.  
 16 There's -- a note that I just wrote down:  
 17 You know, "autonomy and innovation." How can a  
 18 superintendent allow a principal and staff to really  
 19 run a different kind of a school?  
 20 It's Explore that makes me think of this,  
 21 right? If somebody wanted to mirror that kind of a  
 22 model, or THRIVE, or any number of things, right?  
 23 And the other thing I wrote down was  
 24 "magnets." If there -- you know, they have a --  
 25 they just seem to turn a deaf ear to this. But if

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1 they were really worried about competition and more  
 2 charters opening up in districts around the state,  
 3 then for God's sakes, man, be innovative and open a  
 4 magnet school.  
 5 It's not rocket science. And they have  
 6 the ability to do it, especially -- and I can speak  
 7 to Santa Fe -- especially when they're looking at  
 8 repurposing different properties that we have.  
 9 Because the population decreased by more than 2,000,  
 10 when I was -- like, let's say, 2014-'15.  
 11 So, anyway, I'll meet with -- what I'll  
 12 tell you is I will meet with Joe Guillen in the next  
 13 month, and I'll say, "Joe, seriously, is this  
 14 something we can do together or not? And if it's  
 15 not, don't humor me. But if there's somebody on  
 16 your executive board that, you know, wants to latch  
 17 on to any of this, then let's get it started,  
 18 because we'll have then time to put together  
 19 something really thoughtful."  
 20 THE CHAIR: Thank you, Commissioner. Is  
 21 there -- is this time for questions? Can we take  
 22 questions?  
 23 COMMISSIONER BURT: I just have a quick  
 24 question. I just wanted to volunteer. If you lead  
 25 the effort, I would be happy to present with you if

<p style="text-align: right;">230</p> <p>1 you want to work together on a Performance Framework 2 presentation this summer.</p> <p>3 COMMISSIONER CARRILLO: You'll be the yin 4 to my yang, the good-cop, bad-cop thing.</p> <p>5 COMMISSIONER BURT: Pattie will definitely 6 be the bad cop.</p> <p>7 COMMISSIONER CARRILLO: I'm sorry. Pattie 8 will what? I missed that.</p> <p>9 COMMISSIONER GIPSON: I'll be the bad cop. 10 I'm flattered.</p> <p>11 COMMISSIONER CARRILLO: That'll work. You 12 have can just sit back and heckle.</p> <p>13 COMMISSIONER GIPSON: Glad to do that.</p> <p>14 THE CHAIR: Commissioner Ingham, I saw you 15 flinch. Go ahead if it's quick and --</p> <p>16 COMMISSIONER INGHAM: Okay. The district 17 charter schools and using the Performance Framework, 18 I saw and witnessed some of the district -- APS 19 district -- schools having a real tough time and 20 their authorizers having a really tough time, 21 because they don't have the time to focus on this 22 like we do. And I watched a really pretty tragic 23 example of that.</p> <p>24 And I wonder if the Charter School 25 Division -- do you make that available to them? Or</p>	<p style="text-align: right;">232</p> <p>1 board. I do.</p> <p>2 COMMISSIONER INGHAM: Yeah. It's just 3 that the board is the authorizer. And they are also 4 hugely involved with a million other things that 5 this becomes a really back-burner issue for them, 6 and then they get caught with not having been 7 well -- it seems to me -- not well advised.</p> <p>8 COMMISSIONER CARRILLO: They should go to 9 the charter conference for authorizers.</p> <p>10 COMMISSIONER GIPSON: I think we should 11 entertain that conversation about --</p> <p>12 THE CHAIR: Director Chavez, do you 13 something else that you want to share?</p> <p>14 DIRECTOR CORINA CHAVEZ: Commissioner 15 Ingham, I'm happy to show you some work we've done 16 wearing our PED hats to strengthen authorizers 17 across the state with our charter schools grant we 18 have got from the Feds. There's a course on Canvas; 19 there's tools. So we do.</p> <p>20 And this year I have sat down with an 21 authorizer of a district where they have authorized 22 one school and walked them through several of the 23 tools we use. So, yeah, we do support authorizers 24 when we can.</p> <p>25 THE CHAIR: Thank you. Commissioner</p>
<p style="text-align: right;">231</p> <p>1 do they -- would they be willing to look at that? 2 Because I think they would really benefit from it.</p> <p>3 Thank you.</p> <p>4 DIRECTOR CORINA CHAVEZ: May I comment on 5 that, too?</p> <p>6 COMMISSIONER GIPSON: When we entered into 7 this the first or second time, we always were very 8 public in the fact that, especially -- I mean, APS 9 is a little different because it's a larger 10 authorizer, so there's a little bit more funding 11 that's available.</p> <p>12 But for anyone, we don't have a copyright 13 on this. We -- you shouldn't have to invent the 14 wheel. It's on our website. Anyone can use any and 15 all part of it, and they don't have to ask 16 permission.</p> <p>17 So that if we're willing to engage in this 18 work and expense, we're not doing it -- we're doing 19 this to benefit students in New Mexico, not just the 20 finite number of students that are in our charters, 21 which it should. But this is for anyone to use. So 22 they can certainly use it.</p> <p>23 They do have an office, an authorizing 24 office, an Office of Innovation, or whatever it's 25 called. But I understand the concern about the</p>	<p style="text-align: right;">233</p> <p>1 Taylor, anything on the State Library Commission.</p> <p>2 COMMISSIONER TAYLOR: No, we have not met 3 since our last meeting, so I have nothing to report 4 today.</p> <p>5 THE CHAIR: Commissioner Beck, anything 6 from there NMCEL?</p> <p>7 COMMISSIONER BECK: No. I'm using 8 Commissioner Carrillo's lovely words, the pandemic 9 and COVID. I will use Commissioner Gipson's, the 10 legislative session has prevented that. So I will 11 get to Stan Rounds here before the next meeting.</p> <p>12 THE CHAIR: Great. Thank you.</p> <p>13 Moving on to No. 17, Report from the 14 Chair.</p> <p>15 I know Director Chavez provided a good 16 update on the transfer of schools from district to 17 state-authorized and discussed some of the trainings 18 that we're going to be working on as well.</p> <p>19 I have -- I just want to let the 20 Commission know, since our last meeting, I did have 21 a meeting with Vista Grande to discuss the 22 situation, mostly for me to understand what's going 23 on. And I feel for them. I really feel for them. 24 They are a school that is smaller. This funding 25 really hurts smaller schools.</p>

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1 It hurts any school. But when you're  
2 talking about almost a couple of hundred thousand  
3 dollars, it's really painful, especially for schools  
4 under 100 kids.

5 So I want to -- Director Chavez, I don't  
6 know what the PEC's role is in working through some  
7 of these pain points, but I think I would make  
8 myself available, where appropriate, to be part of  
9 those conversations and kind of think through how we  
10 can best move forward.

11 I also wanted to just highlight that  
12 what's really painful for me is the equity issue a  
13 little bit. And the students at Vista Grande, by  
14 and large, are the Yazzie-Martinez students. And  
15 our school that is coming up this year in Cottonwood  
16 Classical -- and I don't want to make comparisons.

17 But I do think there are oftentimes optics  
18 that happen where you have Cottonwood Classical  
19 Preparatory School, is, this time, we're going to  
20 learn lessons on potentially a school that came from  
21 last year that we weren't able to figure out. It's  
22 just hard for me. It's hard for me. I've been  
23 struggling with that.

24 And I think that that is through no fault  
25 of the PED. So, Corina, I'm not pushing blame on

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1 parents who did call who have called me over the  
2 last month or so just to kind of get a sense about  
3 what we could potentially do. And oftentimes it's,  
4 "You need to talk to the head administrator and the  
5 governing board." But really just listening to  
6 them.

7 And I know it's just so hard that a lot of  
8 these parents were -- you know, we were just out of  
9 COVID. Kids are back into school, and now I need to  
10 figure out how to go to work and take care of my  
11 child on virtual. And so there's just like pain  
12 points that, like, through no fault of the school,  
13 who would have thought there would be a sinkhole in  
14 Los Ranchos during this time period?

15 So my heart goes out to the North Valley  
16 and their whole school community. I know they're  
17 working hard to figure out what to do.

18 There is no update on the Charter School  
19 Advisory Committee at this stage. I think that's  
20 something maybe that we would like to figure out  
21 what that role could be. I think that advisory  
22 council has not met very frequently. And so I think  
23 maybe that's something we can think about, how to  
24 revise that -- that as an opportunity for the PEC  
25 and the Charter School Division, because I do think

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1 the PED. It's just the reality of, like, there is a  
2 serious equity concern that I have when many  
3 students from Taos Pueblo are receiving something  
4 different than potentially what we would see in one  
5 of our other IB -- you know, an IB school in  
6 Albuquerque. And so that's something that gives me  
7 concern, and I hope that we can figure out how to  
8 support all of our schools in the most equitable  
9 way, for sure.

10 Reports on school issues.

11 I just wanted to highlight -- I think all  
12 Commissioners were included on an e-mail from  
13 North Valley Academy. You probably saw that.

14 They -- I think I mentioned this last  
15 meeting. Their attorney, Dan Hill, was here, and he  
16 gave me a little bit of a heads-up that there is a  
17 significant issue with their building. They were  
18 doing some work on it, and they found, like,  
19 significant sinkholes that made the school just  
20 unsafe to be occupied.

21 And so they made the really hard decision  
22 to go to virtual for the remainder part of the year,  
23 just because it's not -- not safe for them to have  
24 students there.

25 I have taken a few calls from different

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1 there's some good -- I think there's some really  
2 good things that we could take from having a smaller  
3 group of charter leaders, including head  
4 administrators, family members who take their kids  
5 to charter schools, governing council members from  
6 charter schools, so on and so forth.

7 And so I think there's some utility there.  
8 But I would like to work with the Director and  
9 others, including the PEC members, to kind of think  
10 through how we could make that, like, a feasible and  
11 helpful resource for the work that we're doing.

12 So that's all I have. Do we have, Lucy,  
13 Matt Pahl on the -- on the call?

14 MS. LUCY VALENZUELA: No. But I promoted  
15 Wayne.

16 THE CHAIR: Okay. Great. Wayne, the  
17 floor is yours.

18 MR. WAYNE SHERWOOD: Thank you, Chair  
19 Brauer and Commissioners and CSD staff. I  
20 appreciate it. I'm sorry I'm not there in person.

21 DIRECTOR CORINA CHAVEZ: Wayne, I cannot  
22 see you.

23 MR. WAYNE SHERWOOD: My video is on. What  
24 is it showing? What does it look like?

25 MS. LUCY VALENZUELA: It looks like your

<p style="text-align: right;">238</p> <p>1 X-ray.</p> <p>2 MR. WAYNE SHERWOOD: It's my phone. I see</p> <p>3 what's going on. I picked up my phone instead of my</p> <p>4 computer video. Let me do my computer video.</p> <p>5 THE CHAIR: There we go. Now we see you.</p> <p>6 MR. WAYNE SHERWOOD: Here I am. But I</p> <p>7 will be in person next month. And I'm sorry I</p> <p>8 missed this month. I don't like this -- probably --</p> <p>9 as much -- or less -- I probably like this less than</p> <p>10 anybody else. But the way things worked out, I was</p> <p>11 here in Silver City. It's quite a drive, of course.</p> <p>12 But, anyway, I want to thank you guys this</p> <p>13 morning for approving the amendments, you know, on</p> <p>14 both of the schools.</p> <p>15 The Las Cruces school -- you know, being</p> <p>16 here in Silver, I see Las Cruces booming and I see</p> <p>17 the things that are happening down there. And I</p> <p>18 think it's good for the community. I think that</p> <p>19 having that competition with John Paul Taylor and</p> <p>20 some of the other elementary schools is good for the</p> <p>21 community, and it sounds like it's going to fill up</p> <p>22 very, very rapidly.</p> <p>23 And same with the -- the school in Gallup.</p> <p>24 They're going to be growing. I know they're doing a</p> <p>25 great job over there, and thanks for supporting</p>	<p style="text-align: right;">240</p> <p>1 I'll be there in May also. So I want to see this</p> <p>2 through and make sure that we -- that this is done</p> <p>3 right for everybody.</p> <p>4 So I stand for questions if you guys have</p> <p>5 any questions of the PCSNM.</p> <p>6 THE CHAIR: Commissioners, any questions</p> <p>7 at this stage?</p> <p>8 COMMISSIONER CARRILLO: Not a question,</p> <p>9 more of a comment.</p> <p>10 I appreciate -- I think you said something</p> <p>11 like, you know, you've had -- you've been able to</p> <p>12 look at this for the last three months or so. And</p> <p>13 I'm thinking to myself, "No way, man. You've had</p> <p>14 more -- six, seven, eight."</p> <p>15 We've asked -- all along the way you could</p> <p>16 probably look at agendas that we've had, Wayne. And</p> <p>17 I'm not just trying to be contrary. You can look at</p> <p>18 agendas that we've had where we've asked for input</p> <p>19 over and over and over.</p> <p>20 And I can say, what, maybe four or five</p> <p>21 people have regularly chimed in.</p> <p>22 So it's going to be one of those cases,</p> <p>23 I'm pretty certain of it, where we're going to take</p> <p>24 a final vote. And then all of a sudden people are</p> <p>25 going to say, "Well, I didn't get the chance to</p>
<p style="text-align: right;">239</p> <p>1 them.</p> <p>2 To talk about the Performance Framework, I</p> <p>3 know that it seems like, for you guys, you've been</p> <p>4 working on that forever, you know. Bekka, I know</p> <p>5 you're like, "Oh, my God, I'm so tired of this."</p> <p>6 But for us it's fairly new. It's only</p> <p>7 three months old. And we're just really learning</p> <p>8 it. And to be able to put this off a little bit and</p> <p>9 give us a little more time to explain those things</p> <p>10 to our schools -- 'cause it creates a lot of stress.</p> <p>11 When they get -- when the schools have a</p> <p>12 site visit, and even though they know what to</p> <p>13 expect, it still creates a lot of stress for them,</p> <p>14 because it's a disruption in their school day. And,</p> <p>15 you know, they're -- every five years they're having</p> <p>16 to go through this renewal.</p> <p>17 So that's a lot of stress to go through</p> <p>18 that. So when they know the ins and the outs of the</p> <p>19 Performance Framework, I think it'll make a big</p> <p>20 difference for them. So thank you guys for looking</p> <p>21 at that and putting this off for at least another</p> <p>22 couple of months, and we look forward to working</p> <p>23 with you guys. And whatever we need to do to help</p> <p>24 and support, we'll be here.</p> <p>25 And like I said, next month, I'll be here.</p>	<p style="text-align: right;">241</p> <p>1 speak up."</p> <p>2 You know that's going to happen. So don't</p> <p>3 let it happen. The schools listen to you; they</p> <p>4 lesson to Matt, you know. Now is the time. Anyone</p> <p>5 wants to speak up, it's now. It's not in two or</p> <p>6 three months.</p> <p>7 And thank you for everything you do. And</p> <p>8 I hope you're having a fun time in the southern part</p> <p>9 of the state. And I use the phrase from Aldo</p> <p>10 Leopold all the time. "Think outside the desk."</p> <p>11 Brilliant.</p> <p>12 MR. WAYNE SHERWOOD: Yes. Well, thank</p> <p>13 you. Thank you, Commissioner Carrillo.</p> <p>14 THE CHAIR: I see no other questions at</p> <p>15 this stage.</p> <p>16 Wayne, thank you so much for joining us.</p> <p>17 Appreciate the comments and everything that you all</p> <p>18 do. Thank you so much.</p> <p>19 MR. WAYNE SHERWOOD: Bye-bye.</p> <p>20 THE CHAIR: All right. Now we're moving</p> <p>21 into Item 19. We're on the home stretch. PEC</p> <p>22 Comments. This is a reminder that we don't have to</p> <p>23 go. If you have any comments, you will receive the</p> <p>24 floor. But we won't be having a back-and-forth</p> <p>25 discussion or taking any action at this stage.</p>

<p style="text-align: right;">242</p> <p>1 It's just your time. Everyone gets 2 15 seconds. I'm just kidding. Everyone take what 3 you need, and we'll go based on hand raises and 4 requests. So, Commissioner Gipson. 5 COMMISSIONER GIPSON: Yeah, thanks. I 6 will be quick. 7 I wanted to thank everyone who weighed in 8 through the Legislative Session. I want to -- 9 Matt's not on. I want to thank Matt, because he was 10 the recipient of a lot of my frustration, because I 11 could not get recognized in the Senate Education 12 Committee. So, unfortunately -- I was able to 13 provide comment on a number of bills on the House 14 side, but not on the Senate side. 15 In case Commissioners are not aware, the 16 Senate Resolution to create the position of the 17 State School board did not get heard on the House 18 floor, so it died, because it was not heard. 19 But it's -- it's out there. 20 And Commissioners also need to be aware 21 that there was a heavy discussion and not a whole 22 lot of angst against a voucher system during this 23 legislative session. And that was -- that needs to 24 be kept in the back of people's minds and for a 25 later date.</p>	<p style="text-align: right;">244</p> <p>1 struggling now. Right now he and his family are 2 having a difficult time. Just wanted to mention 3 that. Send them positive vibes and love and light. 4 Thank you. 5 THE CHAIR: Thank you, Commissioner. Vice 6 Chair Burt. 7 COMMISSIONER BURT: I'll be quick, too. 8 So I got to -- in the last month I went to 9 go visit Turquoise Trail Charter School, mostly 10 because I have a lot of folks that I used to work 11 with at PED that work over there now, so it was kind 12 of like going and visiting old friends. 13 But one of the cool things they talked 14 about while I was there is that they had their 15 students who are part of their virtual academy start 16 a class project. And it ended up in the Legislature 17 fully funding a playground for them. I thought that 18 was so cool and such a neat, like, civics lesson 19 like, in real life. 20 Those are such massive important lessons 21 for students to learn because how empowering is it 22 to become an adult and understand the legislative 23 process and be successful in it? Super cool. So I 24 just thought that was really, really cool. 25 Also, I know, actually, that day, Director</p>
<p style="text-align: right;">243</p> <p>1 I congratulate Six Directions Indigenous 2 School, because one of their governance council 3 members is the USA Today's Woman of the Year, and 4 that's Wilhelmina Yazzie. So congratulations to 5 her. I think it's very exciting. 6 THE CHAIR: Thank you, Commissioner. 7 Thank you for lifting that up. That's awesome. 8 Commissioner Beck. Then Commissioner 9 Armijo. 10 COMMISSIONER BECK: Yeah. I just wanted 11 to say a real thank you to the existing 12 Commissioners, Director Chavez, Julia. You guys 13 have been so helpful in my steep learning curve 14 becoming a little less steep. It's been really 15 helpful, and you guys have been so welcoming to help 16 us that -- really appreciate it. 17 THE CHAIR: Thank you, Commissioner Beck. 18 Secretary Armijo. 19 COMMISSIONER ARMIJO: Thank you. I just 20 want to thank again Teresa Archuleta, who was here 21 earlier today, from South Valley Prep, for stepping 22 up and helping them come through a really tough 23 time. 24 And I would also like for everybody to 25 help keep Moises Padilla in their prayers. He is</p>	<p style="text-align: right;">245</p> <p>1 Eide said he was going to be leaving the school, and 2 they're going to be hiring someone new. So, you 3 know, if you have -- I think a nonprofit -- are 4 charters somewhere else? So best of luck to him 5 and, hopefully, they'll get someone great to replace 6 him. 7 And then the last thing, just with all the 8 CSD staff here, I wanted to say thank you. You guys 9 do a lot of work for us for the meetings on top of 10 doing site visits and technical assistance, on top 11 of all the other things you do. So we really are 12 appreciative of all the work you do, and it's always 13 reflective in the quality of work we're able to do. 14 We can't do anything without you all. So really 15 appreciative of that. And so thank you. 16 THE CHAIR: Thank you. Anyone on the Zoom 17 that would like to share? 18 COMMISSIONER CLAHCHISCHILLIAGE: This is 19 Sharon. I'd like to. 20 THE CHAIR: Go ahead, Commissioner. 21 COMMISSIONER CLAHCHISCHILLIAGE: Okay. I 22 would like to thank all the Commissioners right now 23 for all the contribution and for making us look like 24 a very reliable -- well, especially me, I'm a 25 newbie -- I really appreciate the honesty. I</p>

246	<p>1 appreciate the professionalism. I appreciate the 2 model that all of you are exhibiting, because a lot 3 of this, I'm very new to. 4 I'm not acquainted to the -- I guess, 5 being in the weeds of education, administration, and 6 looking at where teachers are now. 7 So I really appreciate all the knowledge 8 and information that I am acquiring through these 9 board meetings, through the work sessions. So thank 10 you very much, and I'm very proud to be part of the 11 team. 12 Thank you. 13 THE CHAIR: Thank you, Commissioner. All 14 right. 15 Commissioner Carrillo. 16 COMMISSIONER CARRILLO: Bekka, thank you 17 for mentioning Turquoise Trail, that project. Chris 18 and I talked about that, and that the kids did it 19 just beginning to end. And I wanted them to come on 20 a Friday to do a presentation. And maybe they still 21 can. Because, usually, it's a Friday morning when 22 probably the most school leaders tune in. And it 23 was just -- that kind of success is wonderful. 24 So I'm just going to read this. I don't 25 know if anyone else here reads The New Mexican or</p>	248	<p>1 THE CHAIR: Seeing none, let's move into 2 Item No. 21. 3 COMMISSIONER BURT: Move to adjourn. 4 COMMISSIONER GIPSON: Second. 5 THE CHAIR: Roll call, please. 6 COMMISSIONER ARMIJO: Chair Brauer. 7 THE CHAIR: Yes. 8 COMMISSIONER ARMIJO: Vice Chair Burt. 9 COMMISSIONER BURT: Yes. 10 COMMISSIONER ARMIJO: Secretary Armijo 11 votes yes. 12 Commissioner Ingham. 13 COMMISSIONER INGHAM: Yes. 14 COMMISSIONER ARMIJO: Commissioner 15 Clahchischilliage. 16 COMMISSIONER CLAHCHISCHILLIAGE: Yes. 17 COMMISSIONER ARMIJO: Commissioner Gipson. 18 COMMISSIONER GIPSON: Yes. 19 COMMISSIONER ARMIJO: Commissioner Beck. 20 COMMISSIONER BECK: Yes. 21 COMMISSIONER ARMIJO: Commissioner Taylor. 22 COMMISSIONER TAYLOR: Yes. 23 COMMISSIONER ARMIJO: And Commissioner 24 Carrillo. 25 COMMISSIONER CARRILLO: Yes.</p>
247	<p>1 online or anything. 2 but it's a shout-out to Monte del Sol. 3 So students from Monte del Sol Computer 4 Science CTE pathway, they were selected as winners 5 of NASA's TechRise Student Challenge. One of 57 6 winning TechRise teams nationwide. And NASA will 7 support the students who will program a 8 microcontroller to measure the amounts also of 9 greenhouse gases in the upper atmosphere. 10 Their payload will launch. So they're a 11 payload. Monte Del Sol's payload will launch as 12 part of the test flight on the World View 13 zero-pressure Stratollite balloon. Hopefully, we 14 won't shoot that down over -- the Stratollite 15 balloon. So congratulations to the kids at Monte 16 for this great achievement. 17 THE CHAIR: Great. Thank you, 18 Commissioner. 19 Move on to Item No. 19 -- sorry, No. 20 -- 20 Discussion of New Business Topics for the Next 21 Agenda. Any items right now that are top of mind, 22 knowing that the Executive Committee will be 23 discussing this as we move forward, and you'll have 24 other opportunities as well? 25 (No response.)</p>	249	<p>1 COMMISSIONER ARMIJO: That passes, nine to 2 zero. We are adjourned. 3 (Proceedings adjourned at 2:21 p.m.) 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

BEFORE THE PUBLIC EDUCATION COMMISSION  
STATE OF NEW MEXICO

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I, Cynthia C. Chapman, RMR, CCR #219, Certified Court Reporter in the State of New Mexico, do hereby certify that the foregoing pages constitute a true transcript of proceedings had before the said NEW MEXICO PUBLIC EDUCATION COMMISSION, held in the State of New Mexico, in the matter therein stated.

In testimony whereof, I have hereunto set my hand on April 7, 2023.

Cynthia C. Chapman, RMR-CRR  
New Mexico Certified Reporter #219  
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