

Public Education Commission Work Session

July 20, 2023

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

[Link to Work Session Recording on YouTube](#)

Chair Alan Brauer called the work session to order at 9:02 am

Commissioners in attendance in person:

Commissioner Alan Brauer, Chair, District 2, Albuquerque
Commissioner Rebekka Burt, Vice-chair, District 4, Rio Rancho
Commissioner Stewart Ingham, District 6, Deming
Commissioner Patricia Gipson, District 7, Las Cruces
Commissioner Michael Taylor, District 8, Roswell
Commissioner Steven J. Carrillo, District 10, Santa Fe

Commissioners not in attendance

Commissioner Melissa Armijo, Secretary District 1, Albuquerque
Commissioner Timothy Beck, District 3, Albuquerque
Commissioner Sharon Clahchischilliage, District 5, Aztec
Commissioner K.T. Manis, District 9, Hobbs

Also Present:

Julia Barnes, PEC Attorney
Corina Chavez, Charter School Division (CSD) Director
Dr. Brigette Russell, CSD Deputy Director
Sharyn Perrea, PEC Liaison, CSD
Melissa "Missy" Brown, CSD
Lucy Valenzuela, CSD
Cheryl Rowe, CSD

Members of the Public in person and on Zoom are listed on the attendance document.

Spotlight: Marquita Russel, Chief Executive Officer, New Mexico Finance Authority
Expressed concerns about limitations on CS borrowing (lease-purchase agreements), and challenges to meeting CS facility needs. PPRF has the greatest capacity to help CS's. Ms. Russel is proposing a new program for CS's with lower rates.

Amanda Lupardus, Director of Transportation and Capital Outlay and Antonio Ortiz, Director of Finance & Operations, Lease Purchase process, Public Education Department
Explained lease-purchase process where lease can be terminated. Go to the Capital Outlay Bureau on the website, then "Lease Purchase" to see the checklist and process. Chair Brauer

raised concern about obtaining buses in Gallup, restrictions based on legislation that affects newer schools without history. Ms. Lupardus currently working closely with Hozho.

Commissioner input to chair for letters to new school applicants: Commissioner Carrillo expressed concerns with the process of providing a letter to new applicants. Gipson is concerned about allowing the applicants to provide **new** information, does not believe the vote should be based on new information brought in after the application. Ms. Barnes said she would modify the letter to say applicants should “point out where in the application” they have met expectations. Director Chavez asked how the Commission would manage the process of disallowing new information to be brought to the August decision making meeting. Applicants get plenty of time and are offered training sessions months in advance, prior applications are available to view online, and the application process should be rigorous. Application team should be able to show capacity to open a charter school.

Commissioners expressed concern about sections on Explore application, eg.: financial readiness of Explore. Also, concerned about how VPA will implement internship/CTE programs.

Commissioner suggestion: discuss application process-related issues at the next meeting.

Item: Review and discussion of Memorandum of Understanding between the Public Education Commission and the Public Education Department

Barnes: Documents 4a, [4b](#), 4c

April 2022, PEC started making changes, new changes proposed currently– rule, clarification on duties, keep in 1 place. 3 parts: rules & procedures, MOU, the rule.

1. Staffing & the Division: Commissioners expressed desire to see CSD fully staffed with competitive salaries.
2. Legal Matters & Tech Consultation: procurement– only Exec. Committee (client) signs off on legal counsel, DFA only authority to refuse/change payment to PEC & attorney.
3. Budgeting: concerns expressed about long delays of reimbursements to contractors, PEC. Also proposing that PED take less than 2% (1% or 1.5%).
4. Consultation & Advice
5. Commission Protocols & Communications: Legal counsel invited input on changes to the rule, and suggested taking out redundant sections or shortening parts. Will be completed in 2 weeks.

Commissioner suggestions: put the MOU issue in a separate work session. Set up a subcommittee to review next month.

Break until 1:05.

Item: Discussion of agenda-setting process

Commissioners discussed pros and cons of the current agenda-setting process. Would like to see the agenda set in a timely fashion without last-minute changes/additions. If late changes

arise, should get approval. Prefer agenda finalized by Friday, and changes made by Tuesday before meeting.

Item: Review and discussion of possible changes to Rules of Procedure regarding agenda setting and reimbursement

Discussion about reimbursements in a timely manner. Suggestion: communicate with Sharyn about PEC reimbursements vs. discussing in meetings. Barnes to finalize changes on document [6.a.](#)

Concern was raised about Commissioner attendance, needing all 10 present as much as possible. Several Commissioners discussed the need for a set calendar in advance.

Item: Overview and discussion of NM Vistas and Accountability Data in 2021-22 Annual Reports

Annual reports based on NMVistas, Spotlights=75%+
State charters: 39% are Spotlight schools, outperforming many traditional NM public schools. Some data masked, PED explanation of masking rules for the federal Family Educational Rights and Privacy Act (FERPA) compliance. Note: Be sure to go to the new webpage nmvistas.org; the **old** site is newmexicoschools.com.

Item: Overview and discussion of PEC Website Changes

CSD team members have been updating and cleaning up [PEC webpages](#) to make navigation easier, more streamlined.

Item: Discussion of National Charter School Conference

Commissioners reflected on the value of going to the conference, very informative. Appreciated session insights, interested in strategies for underserved populations, relevant to our schools since NM is underperforming. NM was highlighted in the conference.

Subcommittee Updates

a. Performance Framework Project Team

First reading of final draft and recommendation from subcommittee

Commissioners Burt and Gipson shared the new Performance Framework which gives schools a choice as to how they want to be evaluated.

Options: 1) State Accountability System– correlates with state’s ESSA plan (doesn’t match Vistas), data from Accountability bureau; 3) schools can propose their own scale using additional rigorous measures, e.g., weight growth more than proficiency, utilizing approved

assessments. 2) State Accountability System + supplemental accountability measures.
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Financial portion of framework: due to infrequent disbursements & delays at beginning of year, can write narrative explaining “does not meet” if cash on hand is low. Idea: look at how school ended the year. Financial indicators are challenging for many schools.

i.

b. Contract and Associated Rule

i. Update on PED rulemaking

c. Budget

i. Budget Subcommittee update

d. Indicators of Distress (on hold)

11. Reports from PEC Liaisons

- a. Legislative Education Study Committee (LESC) – Commissioner Gipson
- b. Legislative Finance Committee (LFC) – Commissioner Gipson
- c. NM Indian Education Advisory Council – Commissioner Clahchischilliage
- d. NM Public School Capital Outlay Council (PSCOC) – Commissioner Ingham
- e. NM Public School Insurance Authority (NMPSIA) – Commissioner Manis
- f. NM School Boards Association (NMSBA) – Commissioner Carrillo
- g. NM State Library Commission – Commissioner Taylor
- h. NM Coalition of Educational Leaders – Commissioner Beck

Vice Chair Burt adjourned the meeting at 5:41 pm

No votes were taken by Commissioners on items during this work session.

Submitted by Sharyn Perea, PED Liaison to the PEC