

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS  
OPEN PUBLIC MEETING

July 21, 2023

9:00 a.m.

Mabry Hall, Jerry Apodaca Education Building

300 Don Gaspar

Santa Fe, New Mexico

AND

Via Zoom Webinar

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

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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 PATRICIA GIPSON, Member</p> <p>9 STEWART INGHAM, Member</p> <p>10 K.T. MANIS, Member</p> <p>11 MICHAEL TAYLOR, Member</p> <p>12</p> <p>13 PED STAFF:</p> <p>14 CORINA CHAVEZ Director</p> <p>15 Charter School/Options for</p> <p>16 Parents and Families Division</p> <p>17</p> <p>18 BRIGETTE RUSSELL, Deputy Director</p> <p>19 Charter School/Options for</p> <p>20 Parents and Families Division</p> <p>21</p> <p>22 LUCY VALENZUELA, Authorizing Practices Specialist</p> <p>23 Charter School/Options for Parents</p> <p>24 and Families Division</p> <p>25</p> <p>26</p> <p>27 MISSY BROWN Technical Assistance and Support and</p> <p>28 Training Administrator</p> <p>29 Charter School/Options for</p> <p>30 Parents and Families Division</p> <p>31</p> <p>32 MARTICA DAVIS Authorizing Practices Administrator</p> <p>33 SHARYN PEREA, Liaison to PEC</p> <p>34</p> <p>35</p> <p>36 COUNSEL TO THE PEC:</p> <p>37</p> <p>38 JULIA HOSFORD BARNES, ESQ.</p> <p>39 Barnes Mediation and Law, PC</p> <p>40 200 W. DeVargas Street, Suite 7</p> <p>41 Santa Fe, New Mexico 87501</p> <p>42</p>	4
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3	<p>1 THE CHAIR: All right. Good morning.</p> <p>2 It's 9:03, and I'm going to call this meeting to</p> <p>3 order.</p> <p>4 Secretary Armijo, would you mind taking</p> <p>5 the roll call, please?</p> <p>6 SECRETARY ARMIJO: Sorry, you guys.</p> <p>7 Okay. Good morning.</p> <p>8 Chair Brauer.</p> <p>9 THE CHAIR: Present.</p> <p>10 SECRETARY ARMIJO: Vice Chair Burt.</p> <p>11 VICE CHAIR BURT: Here.</p> <p>12 SECRETARY ARMIJO: Secretary Armijo is</p> <p>13 here.</p> <p>14 Commissioner Ingham.</p> <p>15 COMMISSIONER INGHAM: Here.</p> <p>16 SECRETARY ARMIJO: Commissioner</p> <p>17 Clahchischilliage.</p> <p>18 (No response.)</p> <p>19 SECRETARY ARMIJO: Commissioner Gipson.</p> <p>20 (No response.)</p> <p>21 SECRETARY ARMIJO: Commissioner Manis.</p> <p>22 (No response.)</p> <p>23 SECRETARY ARMIJO: Commissioner Beck.</p> <p>24 COMMISSIONER BECK: I'm here.</p> <p>25 SECRETARY ARMIJO: Commissioner Taylor.</p>	5

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1 COMMISSIONER TAYLOR: Here.  
 2 SECRETARY ARMIJO: Commissioner Carrillo.  
 3 COMMISSIONER CARRILLO: Here.  
 4 And Commissioner Gipson just walked in.  
 5 SECRETARY ARMIJO: Thank you.  
 6 Commissioner Gipson is with us.  
 7 We have a quorum of eight.  
 8 THE CHAIR: Thank you, Secretary Armijo.  
 9 Can we move into Commissioner Ingham  
 10 leading us in the Pledge, and then Commissioner  
 11 Gipson in the Salute to the New Mexico Flag?  
 12 (Pledge of Allegiance and Salute to the  
 13 New Mexico Flag conducted.)  
 14 THE CHAIR: Thank you. Moving to Item  
 15 No. 2, Approval of the Agenda.  
 16 VICE CHAIR BURT: Move to approve the  
 17 agenda.  
 18 COMMISSIONER TAYLOR: Second.  
 19 THE CHAIR: Thank you.  
 20 Commissioner Armijo, can we do a roll  
 21 call?  
 22 SECRETARY ARMIJO: Vice Chair Burt.  
 23 VICE CHAIR BURT: Yes.  
 24 SECRETARY ARMIJO: Secretary Armijo votes  
 25 yes.

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1 Commissioner Ingham.  
 2 COMMISSIONER INGHAM: Yes.  
 3 SECRETARY ARMIJO: Commissioner Gipson.  
 4 COMMISSIONER GIPSON: Yes.  
 5 SECRETARY ARMIJO: Commissioner Beck.  
 6 COMMISSIONER BECK: Yes.  
 7 SECRETARY ARMIJO: Commissioner Taylor.  
 8 COMMISSIONER TAYLOR: Yes.  
 9 SECRETARY ARMIJO: Commissioner Carrillo.  
 10 COMMISSIONER CARRILLO: Yes.  
 11 SECRETARY ARMIJO: And Chair Brauer.  
 12 THE CHAIR: Yes.  
 13 SECRETARY ARMIJO: That motion passes,  
 14 eight to zero.  
 15 THE CHAIR: Thank you. All right. Now  
 16 we're moving into open forum.  
 17 Missy, do we have some folks who signed  
 18 up?  
 19 MS. MELISSA BROWN: We have one person  
 20 signed up for Open Forum.  
 21 THE CHAIR: Great. We can let that person  
 22 in.  
 23 We reserve about two minutes per person  
 24 for this time. Go ahead -- when you come in, go  
 25 ahead and start with saying your name and then

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1 spelling your first and last name for us.  
 2 FROM THE PUBLIC: All right. Can you hear  
 3 me?  
 4 THE CHAIR: Yes, we can.  
 5 FROM THE PUBLIC: Great. My name is  
 6 Prairie Boulmier. That's P-r-a-i-r-i-e  
 7 B-o-u-l-m-i-e-r. Did you get that?  
 8 THE CHAIR: Yes.  
 9 FROM THE PUBLIC: All right. Good  
 10 morning, everyone. Thank you for allowing me to  
 11 speak.  
 12 I just wanted to thank you, actually, as a  
 13 Commission, for the work that you do. I actually  
 14 miss -- miss your meetings sometimes, you know. I  
 15 just like sitting in and listening to the debate and  
 16 seeing how you get your work done.  
 17 And I wanted to say that the reason I'm  
 18 here this morning is really to find out whatever  
 19 information I can about the revocation appeal  
 20 hearing that was had on July 7th concerning  
 21 La Tierra Montessori School of the Arts and  
 22 Sciences.  
 23 And, curiously enough, that information  
 24 has not been in the news, local news, state news.  
 25 It's not on the La Tierra website. So I was

9

1 actually the sole participant in their governing  
 2 council meeting a couple of days ago, just to see if  
 3 I could find out, you know, any information related  
 4 to the revocation.  
 5 I know it's on your agenda today. I'm  
 6 looking forward to hearing your updates. And I want  
 7 to just, again, thank you for your deliberation and  
 8 hard work in lots of challenging situations, and  
 9 thank you for the work that you do for children in  
 10 New Mexico.  
 11 That's all I wanted to say.  
 12 THE CHAIR: Great. Thank you.  
 13 Missy, just one more -- no one else?  
 14 All right.  
 15 COMMISSIONER CARRILLO: Quickly?  
 16 THE CHAIR: We'll move on to Item No. 4.  
 17 Oh, I'm sorry.  
 18 COMMISSIONER CARRILLO: Prairie, if you're  
 19 still listening, this is Steve Carrillo. I want to  
 20 thank you for all of your efforts on behalf of your  
 21 school. It's very important.  
 22 THE CHAIR: Let's move on to Item No. 4,  
 23 please, School Highlights and Spotlight.  
 24 This is a moment where we're not going to  
 25 have any discussion or action item.

10	<p>1 Director Chavez, would you like to start 2 us out? 3 DIRECTOR CORINA CHAVEZ: Thank you, Chair 4 Brauer, Commissioners. 5 I want to start out by just recognizing 6 all of the schools that submitted proposals to 7 present at the Charter Schools conference next week. 8 We are so excited. We have 70 presenters 9 coming from a lot of different schools across the 10 state, local and national partners. 11 We looked at the registration list. 12 There's 70 charter schools that are being 13 represented at the conference. Almost 500 14 conference attendees are signed up. 15 And so you'll see that there are schools 16 that are bringing students to perform, that are 17 contributing work that students have done for our 18 student showcase. 19 I want to especially give a shout-out to 20 Media Arts that worked with us to create a video 21 that is a reflection on charter schools past, 22 present, and future, engaging some charter school 23 pioneers, including Michael Kaplan, Mark Boitano, 24 Greta Roskom, our own Glenna Voigt, Michele Hunt 25 from Anansi Charter School up in Taos, and Rafe</p>	12	<p>1 DIRECTOR CORINA CHAVEZ: I'll check the 2 registration list and see if there are any 3 superintendents. 4 COMMISSIONER CARRILLO: I don't know if 5 you read that thing in The New Mexican. Ms. Gomez 6 said how we're not willing to share. She called it 7 "the secret sauce" of different success. Anyway, 8 so... 9 DIRECTOR CORINA CHAVEZ: They certainly 10 were invited. 11 COMMISSIONER CARRILLO: No. I understand. 12 Thank you. 13 THE CHAIR: Commissioner Beck. 14 COMMISSIONER BECK: I went through that 15 agenda, and it looks incredible, really, some great 16 stuff. I just kind of wish I could clone myself and 17 go to two or three of those at the same time. I'll 18 do the best I can. 19 THE CHAIR: All right. Thank you. 20 Seeing no other hands up, let's move on to 21 Item No. 5, the Consent Agenda. 22 VICE CHAIR BURT: Move to approve the 23 Consent Agenda. 24 COMMISSIONER CARRILLO: Second. 25 THE CHAIR: Great.</p>
11	<p>1 Martinez. 2 I think that if Commissioners are going to 3 the conference, you'll want to spend the 30 minutes 4 with the headset watching that video. It's really 5 excellent, and the reflections that all of those 6 pioneers in the charter schools movement made are 7 really meaningful and really important. 8 So that's -- that's my shout-out to the 9 schools. And there's too many of them for me to 10 name. But later on in this meeting, I'll pass out a 11 conference agenda, and you can see that we have 12 schools from all corners of the state that charter 13 schools exist, presenting on their wonderful 14 innovations and great things going on at the 15 schools. 16 THE CHAIR: Thank you, Director. 17 Commissioners? 18 Commissioner Carrillo. 19 COMMISSIONER CARRILLO: Are there any 20 superintendents attending? 21 DIRECTOR CORINA CHAVEZ: You're talking 22 about at the conference? 23 COMMISSIONER CARRILLO: Yeah, at the 24 conference, if they're going to attend and maybe 25 learn something.</p>	13	<p>1 Any discussion? 2 (No response.) 3 THE CHAIR: Secretary Armijo, can you do a 4 roll call, please? 5 SECRETARY ARMIJO: Secretary Armijo votes 6 yes. 7 Commissioner Ingham. 8 COMMISSIONER INGHAM: Yes. 9 SECRETARY ARMIJO: Commissioner Gipson. 10 THE CHAIR: Your mic wasn't on, 11 Commissioner. 12 COMMISSIONER GIPSON: Yes. 13 SECRETARY ARMIJO: Thank you. 14 Commissioner Beck. 15 COMMISSIONER BECK: Yes. 16 SECRETARY ARMIJO: Commissioner Taylor. 17 COMMISSIONER TAYLOR: Yes. 18 SECRETARY ARMIJO: Commissioner Carrillo. 19 COMMISSIONER CARRILLO: Yes. 20 SECRETARY ARMIJO: Chair Brauer. 21 THE CHAIR: Yes. 22 SECRETARY ARMIJO: And Vice Chair Burt. 23 VICE CHAIR BURT: Yes. 24 SECRETARY ARMIJO: That passes, eight to 25 zero.</p>

14	<p>1 THE CHAIR: Great. Thank you, Secretary 2 Armijo. 3 Let's move on to Item No. 6, Introduction 4 of New Head Administrators. 5 DIRECTOR CORINA CHAVEZ: And, Chair 6 Brauer, I don't see Mr. Amador in the audience yet. 7 So I think he might be on his way. But he did say 8 that he could make it, and I'm not sure what's 9 happening. 10 Okay. But we do have the assistant head 11 administrator from Monte del Sol. Everybody's, 12 like, "Who's this lady in the audience?" 13 FROM THE FLOOR: Chair Brauer, Vice Chair 14 Burt, I am delighted to be here. I am actually the 15 "Assistant Head of School." 16 THE CHAIR: Sit down at the microphone. 17 Missy, did you put the microphone on for her? 18 FROM THE FLOOR: Again, I am the Assistant 19 Head at the MASTERS Program. Our head of school 20 arrived from Florida a couple of weeks ago and had a 21 vicious dog attack, which has not been a very 22 welcome to New Mexico. But she's brilliant, and we 23 very much look forward to working with you. 24 I remember some of you from being an 25 employee at the Public Education Department in the</p>	16	<p>1 Brauer, and I represent District 3, which is the 2 middle section, the (inaudible) part of Albuquerque. 3 VICE CHAIR BURT: Bekka Burt. I'm 4 District 4, and I live in Rio Rancho. 5 COMMISSIONER GIPSON: Pattie Gipson, 6 District 7, Las Cruces. 7 COMMISSIONER BECK: Tim Beck, District 2, 8 Northeast Heights Of Albuquerque. 9 THE CHAIR: Thank you, and 10 congratulations. We look forward to working with 11 you. 12 All right. Let's move on to Item No. -- 13 just real quick, anyone from Alma? 14 (No response.) 15 THE CHAIR: No? Okay. 16 Let's move on to Item No. 7, Discussion 17 and Possible Action Regarding Hózhó Academy's 18 Request to Add Square Footage. 19 Do we have anyone from the school that's 20 on? 21 Yeah. 22 MS. MELISSA BROWN: If you're here from 23 Hózhó, and you're online, could you please raise 24 your digital hand? 25 THE CHAIR: Then, Brigitte or Corina,</p>
15	<p>1 Options for Parents. And I'm delighted to be back 2 in the charter school world. And my name is Tina 3 Morris. 4 THE CHAIR: Great. Thank you, Tina. 5 Commissioners, do we want to do a quick round to 6 introduce ourselves to Tina as well? 7 Commissioner Carrillo, can you start? 8 COMMISSIONER CARRILLO: You're my school, 9 so -- and I was just speaking with Corina earlier 10 about changes. And so I hope that the -- the person 11 that you were referring to plans on staying for a 12 while. 13 So I'm Steve Carrillo, District 10, 14 Santa Fe, Rio Arriba Colfax, Taos, all the way to 15 the Colorado border, except the Four Corners area. 16 COMMISSIONER INGHAM: And my name is 17 Stewart Ingham. I am the District 6 Commissioner. 18 And my -- my district is the southwest corner of the 19 state, and a lot of counties, a lot of cows, only 20 two charter schools. But I'm looking forward to 21 being involved. Thank you. 22 COMMISSIONER TAYLOR: Hi. My name is Mike 23 Taylor. I'm from Roswell, New Mexico. I represent 24 District 8 for the Public Education Commission. 25 THE CHAIR: Good morning. My name is Alan</p>	17	<p>1 would you like to start us off? 2 DR. BRIGETTE RUSSELL: Thank you, Chair 3 Brauer. Yes. Hózhó Academy has submitted an 4 amendment request to temporarily, for the coming 5 school year, move grades 7 and 8 to their old 6 facility a couple of blocks away from their current 7 facility, after which they will obtain portables -- 8 they don't have those yet -- and install those in 9 their current facility, and then move grades 7 and 8 10 back to the current facility when they have -- when 11 they have those in place. 12 We have analyzed the amendment, and we do 13 recommend approval. 14 THE CHAIR: Great. Do we have anyone from 15 the school? 16 (No response.) 17 THE CHAIR: All right. Commissioner 18 Carrillo. 19 COMMISSIONER CARRILLO: It's unfortunate 20 that no one is here from the school. So my 21 questions, then, would be, of course, to CSD. 22 If the grades 7 and 8 are going to be a 23 couple of blocks away, the first thing that comes to 24 mind is safety and services for kids that have to go 25 back and forth, walking or otherwise. How is that</p>

18	<p>1 being handled and monitored?</p> <p>2 DR. BRIGETTE RUSSELL: So there is no one</p> <p>3 from the school, Missy?</p> <p>4 MS. MELISSA BROWN: Unless Vivian Ortega</p> <p>5 or Zach Chavez is from the school, I don't have --</p> <p>6 DR. BRIGETTE RUSSELL: Zach Chavez is from</p> <p>7 the -- sorry -- he's from Turquoise Trail. Sorry.</p> <p>8 So the students will be -- will ride a bus</p> <p>9 from the main campus to the temporary site each day.</p> <p>10 COMMISSIONER CARRILLO: All right. And</p> <p>11 regarding food service, they'll just ride a bus back</p> <p>12 and forth and back and forth?</p> <p>13 DR. BRIGETTE RUSSELL: No, I do not</p> <p>14 believe so. So Martica Davis is on Zoom, and she is</p> <p>15 messaging me right now. She's the one that did the</p> <p>16 analysis.</p> <p>17 We expect that the seventh- and</p> <p>18 eighth-grade students will (incomprehensible due to</p> <p>19 audio distortion) temporary site. So food will be</p> <p>20 brought to them rather than bringing students back</p> <p>21 and forth.</p> <p>22 MS. MELISSA BROWN: Martica is in Zoom if</p> <p>23 you want to promote her.</p> <p>24 THE CHAIR: Great. Vice Chair Burt.</p> <p>25 VICE CHAIR BURT: I move that the Hózhó</p>	20	<p>1 amendment -- it's in the record.</p> <p>2 COMMISSIONER INGHAM: Okay.</p> <p>3 THE CHAIR: Any other comments about the</p> <p>4 motion?</p> <p>5 (No response.)</p> <p>6 THE CHAIR: Let's move into roll call</p> <p>7 vote, Secretary.</p> <p>8 SECRETARY ARMIJO: Thank you.</p> <p>9 Commissioner Ingham.</p> <p>10 COMMISSIONER INGHAM: Yes.</p> <p>11 SECRETARY ARMIJO: Commissioner Gipson.</p> <p>12 COMMISSIONER GIPSON: Yes.</p> <p>13 SECRETARY ARMIJO: Commissioner Beck.</p> <p>14 COMMISSIONER BECK: Yes.</p> <p>15 SECRETARY ARMIJO: Commissioner Taylor.</p> <p>16 COMMISSIONER TAYLOR: Yes.</p> <p>17 SECRETARY ARMIJO: Commissioner Carrillo.</p> <p>18 COMMISSIONER CARRILLO: Yes.</p> <p>19 SECRETARY ARMIJO: Chair Brauer.</p> <p>20 THE CHAIR: Yes.</p> <p>21 SECRETARY ARMIJO: Vice Chair Burt.</p> <p>22 VICE CHAIR BURT: Yes.</p> <p>23 SECRETARY ARMIJO: And Secretary Armijo</p> <p>24 votes yes. That passes, eight to zero.</p> <p>25 THE CHAIR: Thank you, Secretary.</p>
19	<p>1 Academy request to increase the square footage</p> <p>2 utilized by the school be approved that allows the</p> <p>3 school, first, to temporarily use the former school</p> <p>4 location at 306 New Mexico State Road 562 in Gallup</p> <p>5 for students in fall 2023, and then to add up to ten</p> <p>6 additional portable units at the existing school</p> <p>7 location. The school shall not occupy the</p> <p>8 additional ten portable units until the Charter</p> <p>9 School Division has received E-Occupancy</p> <p>10 certification for the units. The change shall be</p> <p>11 reflected as an amendment to the contract.</p> <p>12 COMMISSIONER CARRILLO: Second.</p> <p>13 THE CHAIR: Okay. Let's move into</p> <p>14 discussion. Any discussion?</p> <p>15 COMMISSIONER INGHAM: Does PSFA have to</p> <p>16 approve that also? I know they have to approve any</p> <p>17 facilities that are permanent facilities. I would</p> <p>18 assume they would have to have an inspection of</p> <p>19 those portables also.</p> <p>20 THE CHAIR: It is a temporarily facility</p> <p>21 and -- I'm sorry. The portables? Yeah. So they</p> <p>22 do, yeah.</p> <p>23 COMMISSIONER INGHAM: Okay. Do they know</p> <p>24 to notify PSFA?</p> <p>25 COMMISSIONER TAYLOR: It's in the</p>	21	<p>1 Let's move on to Item No. 8, Discussion</p> <p>2 and Possible Action, Including Possible Action Under</p> <p>3 the Intervention Ladder, on Performance Related to</p> <p>4 Albuquerque Institute for Math and Science (AIMS)</p> <p>5 Regarding Compliance with Lottery and Enrollment</p> <p>6 Process Requirements and Information to be Posted on</p> <p>7 Website.</p> <p>8 Missy, do we have anyone from the school</p> <p>9 that's online?</p> <p>10 MS. MELISSA BROWN: AIMS?</p> <p>11 THE CHAIR: Yeah.</p> <p>12 MS. MELISSA BROWN: If there's anybody</p> <p>13 from AIMS here, would you please raise your digital</p> <p>14 hand?</p> <p>15 No one has raised their hand.</p> <p>16 THE CHAIR: Anyone from AIMS? We would</p> <p>17 love to hear from the school first if you are here</p> <p>18 with AIMS. Just going to pause for one more moment,</p> <p>19 just to see. Yeah.</p> <p>20 No one from AIMS?</p> <p>21 All right. Commissioner Carrillo, then</p> <p>22 I'd like to have Director Chavez share -- I'm going</p> <p>23 to have Julia share context as well.</p> <p>24 COMMISSIONER CARRILLO: If anyone is</p> <p>25 watching, and it doesn't seem that they are, and I'm</p>

<p style="text-align: right;">22</p> <p>1 sure they were notified to be on the agenda, just 2 because you're the number one school in the state 3 doesn't mean you don't show up on the agenda for 4 possible intervention. 5 Honestly, I think it's very disrespectful, 6 and it's a very important issue that's come up 7 before. And it's very disappointing that no one is 8 here -- you're only in Albuquerque -- that no one is 9 here in person or on Zoom. 10 THE CHAIR: Thank you. 11 Director Chavez, do you want to share? 12 Then I'd like Julia to share some context and 13 thoughts as well. 14 DIRECTOR CORINA CHAVEZ: Good morning, 15 Commissioners. The issue with AIMS has to do with 16 their lottery process and transparency. 17 The school has a complex lottery policy. 18 It is uploaded and -- in two different ways. 1.8.e. 19 is the attachment to their contract, which is the 20 lottery application. And the other document is 21 8.a., which was pulled off of their website. 22 And for the past two years that the 23 Charter Schools Division has gone to visit the 24 school, we've -- we've had conversations with the 25 school about not combining the lottery application</p>	<p style="text-align: right;">24</p> <p>1 difficult for schools. 2 And so you'd see that the May 1st, 2023, 3 letter that resulted after our April 21st, '23, 4 visit, resulted in a letter back to me from the 5 school's attorney saying that their website was 6 being revised and that they would indeed ensure that 7 the lottery application and enrollment packet would 8 be separated, and that they would put -- the other 9 issue I've asked for is that the school put 10 information on the governing council so that 11 families know how to access the governing council. 12 Because this is not the only school, but it is a 13 school that we get complaints about. 14 And so, as you know, our -- our process is 15 that we want for issues to be resolved at the school 16 level as much as possible. And if they aren't 17 resolved at the head administrator level, they 18 should go to the governing board. 19 But if you went to the website, you 20 couldn't find governing board information. 21 Now, since I called the school about -- 22 actually, e-mailed the school -- about being on the 23 PEC's agenda for today, they had -- they set up a 24 new website. So they do have a new website. They 25 do have a section for the governing council members.</p>
<p style="text-align: right;">23</p> <p>1 with the registration information. 2 The lottery guidance that is posted to the 3 Charter Schools Division website clearly specifies 4 how -- when the school is hosting -- is having a 5 lottery, they need to ask for bare minimum 6 information from the school and not make it seem 7 like there is any sort of admissions requirements 8 beyond the contact information and the grade level 9 that the student is applying to be admitted into. 10 We believe that AIMS, by combining the 11 lottery application with the registration document, 12 appears as if there are some sort of admissions 13 requirements. And they also give families very 14 little time between the lottery draw and the time 15 that that registration packet must be complete and 16 returned to the school. 17 So, also, in your materials is a letter 18 that I have sent to the school about this issue and 19 about how we're concerned about accessibility to -- 20 to AIMS whenever those two things are completed 21 as -- or downloadable as one document. 22 We also provide some additional 23 information in there about what -- why, in 24 particular, the form that they have makes it seem 25 difficult for schools -- or it -- how it could be</p>	<p style="text-align: right;">25</p> <p>1 They list the governing council member names and 2 positions, and they have one e-mail address to be in 3 contact with the board. 4 They also have the '23-'24 lottery 5 application, and it combines the lottery and the 6 registration. 7 So I feel like they have made some -- some 8 good attempt to correct the no contact information 9 for the board. Ideally, each board member's e-mail 10 address is included. But at least one e-mail 11 address to reach the board is now on their website. 12 But I don't feel like their lottery policy 13 meets the recommendations that we have put out. 14 And I let them know. And I don't think 15 that they are happy about the fact that I let them 16 know they would be on the PEC meeting today. But I 17 feel like we have given them multiple verbal 18 guidance about this. Multiple times we have 19 provided guidance about this. And the letter that I 20 wrote, I think is pretty clear, and I don't feel 21 like the issue is resolved. 22 THE CHAIR: I just want to -- Commissioner 23 Carrillo -- I just -- I've been on their website. 24 The application does not appear to be a live link 25 right now on their website. I don't know if that's</p>

<p style="text-align: right;">26</p> <p>1 how it was before the meeting today or the last time  2 I checked it. I can't remember if it was or not.  3 But it's not active right now.  4 DIRECTOR CORINA CHAVEZ: Chair Brauer,  5 yesterday, I checked. And they had moved it from  6 where it was earlier in the month to a new location.  7 It's not easy to find. But it is there, and it  8 still combined the lottery application and the  9 registration materials.  10 I can look for it -- 'cause it is removed  11 from where it was before, but it is still there.  12 COMMISSIONER GIPSON: It also indicates  13 that the applications have to be mailed. There's  14 no -- doesn't appear that there's any opportunity  15 for an e-mail to be submitted.  16 So it would require, you know, I guess,  17 maybe someone coming -- I don't know how you get the  18 application. There's no link to the application.  19 It just says "should be mailed to..."  20 THE CHAIR: Yes.  21 COMMISSIONER GIPSON: So I don't know how  22 one -- you have to go in and pick up an application?  23 Because we've had concerns about even just like  24 making spur-of-the-moment decisions about people  25 just because they had to come in to get it. So that</p>	<p style="text-align: right;">28</p> <p>1 So based on the item -- I'm not making a  2 motion right now. But based on what's listed in  3 Item 8, I would say absolutely, this requires  4 another -- on the Intervention Ladder, a Letter of  5 Concern, at least, because this is an ongoing  6 problem, or a challenge, for them. And it's -- it's  7 very old; it's very tiring that this is on the  8 agenda yet again.  9 THE CHAIR: Thank you, Commissioner  10 Carrillo. Commissioner Taylor. Then Julia.  11 COMMISSIONER TAYLOR: So, yeah, I'd be  12 interested to hear what Julia has to say. I'm  13 curious to know how much of this is statute and how  14 much of this is a recommendation by the PEC, because  15 I don't believe that those two entities have to be  16 separate statutorily, you know.  17 So I know that PEC issued a  18 recommendation. But if that's not followed, is that  19 necessarily incriminating or a violation? So that's  20 what I'd like to know.  21 MS. JULIA BARNES: Good morning,  22 Commissioners. I've done a memo for you in the  23 Google Drive at the top. And I'd like to walk you  24 through, actually, exactly what Commissioner Taylor  25 was just talking about.</p>
<p style="text-align: right;">27</p> <p>1 seems a little wonky.  2 THE CHAIR: Thank you.  3 Commissioner Carrillo.  4 COMMISSIONER CARRILLO: I believe this is  5 around the third time where we've dealt with this:  6 in 2021; we dealt with this last year; and now we're  7 dealing with this again. I mean, it's really clear  8 that -- I think we even had to do a Letter of  9 Concern at one point. Yeah.  10 And so they're just thumbing their nose at  11 the Commission, and also at the procedure that's --  12 as I understand it's in statute, where it has to  13 be -- or in regulation or something -- where you --  14 it has to be masked.  15 And so -- and so my understanding is the  16 direction -- my recollection is the direction from  17 PEC was that someone can apply for the lottery  18 online to make it easy, but they can't access  19 anything else until they've been approved for  20 attendance at the school, because that, too --  21 someone can look at their website, look at the  22 registration material.  23 And the whole idea is they're culling --  24 you know, that's what they're doing, whether they  25 like to admit it or not. And that's not okay.</p>	<p style="text-align: right;">29</p> <p>1 DIRECTOR CORINA CHAVEZ: Ms. Barnes, is it  2 okay if, real quickly, I direct people to where you  3 can find the '23-'24 lottery application on the AIMS  4 website?  5 MS. JULIA BARNES: Actually -- she can  6 show you. And then it's attached to this memo. So  7 I'm going to walk you through this.  8 Yeah, I'm going to walk you through it;  9 but...  10 DIRECTOR CORINA CHAVEZ: So,  11 Commissioners, did you find it?  12 Okay. There -- it's in an odd place. So  13 if you go to the -- should I screen-share? I was  14 going to show you that on their website, there's a  15 link called "Documents."  16 MS. JULIA BARNES: So let me go back to  17 kind of where I think you are in terms of  18 requirements. There are both federal and state  19 requirements for a right to a free public education.  20 There is an express New Mexico statute  21 that is very straightforward in indicating that.  22 And then there is federal law and statute.  23 The federal law, in particular, goes back  24 to Brown vs. Board of Education, which is the super  25 famous New Mexico Supreme Court case -- not -- U.S.</p>



<p style="text-align: right;">30</p> <p>1 Supreme Court case. And then, in addition, there  2 was a second case that was related to when Texas  3 passed the law that said that undocumented children  4 could be excluded from the free public school  5 requirement, and it found that it could not.  6 The -- after that -- and there's a lot of  7 guidance by the Civil Rights Division at the U.S.  8 Office of Civil Rights -- that provides guidance  9 that you cannot have -- they call it a "chilling  10 effect." So not only can you not directly do  11 something that is not allowed, like, you couldn't  12 say, "No Hispanic student can enroll in the school";  13 but you also cannot do something that has a chilling  14 effect on race -- let me just -- actual or perceived  15 race, color, national origin, citizenship,  16 immigration status, or the status of their parents  17 or guardians.  18 In addition, special ed is an area in  19 which there is specific laws that you cannot exclude  20 children on either side -- in New Mexico -- on  21 either side of the spectrum on special ed.  22 So there is a lot of law about it.  23 There is some law on what you can and  24 can't do expressly. The PED has done a lottery  25 guidance document. And a guidance document is not a</p>	<p style="text-align: right;">32</p> <p>1 that all schools were to comply with the lottery  2 guidance document from the Charter Schools Division.  3 And that e-mail went out to all schools and  4 indicated that the Performance Framework would be  5 scored on compliance with that document. And so  6 that letter went out and has been in place since  7 that time.  8 As you saw yesterday, the new Performance  9 Framework is going to be even more express. So you  10 can quite easily go through just a few things and  11 identify what I think you should -- what I think  12 they should do.  13 The memo that I -- I just want to walk you  14 through what I think is a concern, adding on to what  15 Director Chavez said.  16 First, the lottery and enrollment forms  17 are combined.  18 The guidance says that should not happen.  19 And it's an easy fix to separate them.  20 So in their form, you can separate Pages 1  21 through 3 from 4 to the end, the lottery form down  22 to the enrollment packet. The lottery guidance says  23 that that should be provided to parents afterwards.  24 I share the same concern as Director  25 Chavez. When you look at their timing, it indicates</p>
<p style="text-align: right;">31</p> <p>1 rule. It is not, by itself, something that you have  2 to follow.  3 PEC, however -- well, first, that could  4 become a rule. And if it became a rule, everyone in  5 the state would have to follow. That is a good  6 example of something that would be a PED rule,  7 because there's lots of different kinds of charters.  8 Right now, it's guidance.  9 Director Chavez may have already -- she's  10 alluded to it if she didn't specifically talk about  11 it. And in the charter contract -- in the charter  12 contract with AIMS, it indicates that they have to  13 be in compliance with state and federal law.  14 And that is an express section on the  15 lottery and enrollment packet. And I want to  16 identify that it's not just the lottery; your  17 contract talks about being in compliance with the  18 enrollment packet as well.  19 The charter contract has an attachment, F,  20 that Director Chavez has already taken you to which  21 is their one-page lottery form. I don't see any  22 issues with the one-page lottery form. I see issues  23 as outlined by Director Chavez. And I want to  24 expand on those a little bit.  25 And then in August of 2021, the PEC voted</p>	<p style="text-align: right;">33</p> <p>1 the only change they've made to their lottery form  2 from that which is attached to the contract is that  3 the lottery information will be mailed to people.  4 So Monday at 10:00, the lottery takes  5 place on specific dates, three or four times during  6 the year.  7 By noon on Friday -- so they have to mail  8 it after 10:00 a.m., assuming Vice Chair Burt and I  9 talked about the difference in mailing. But in  10 Rio Rancho, she might get it the next day. I might  11 get it in three weeks. I cannot tell you how  12 frequently that happens.  13 But you're not going to get it till the  14 next day. So you're not going to get it until  15 Tuesday, and it's due in person by Friday at noon.  16 And it requires that you go get  17 information from your child's school and things that  18 are outside -- you can't just complete it yourself.  19 So I share her concern with ensuring --  20 but the schools have autonomy to ensure that there's  21 sufficient time. But I think it's within your  22 purview to make sure that what they present is  23 something that a parent can reasonably fill out.  24 The other thing that I want to go over --  25 and, Missy, if you don't mind calling up that memo</p>

<p style="text-align: right;">34</p> <p>1 on Page 2 -- I have many more concerns about the 2 enrollment packet.</p> <p>3 First, one of my questions to the school, 4 if they were here, is how -- how many of their 5 parents, because it's a combined document, provide 6 that lottery form and the entire enrollment packet 7 in advance.</p> <p>8 I am speculating that almost all of them, 9 if not all of them, are encouraged to do that, 10 because you can't meet their time period otherwise.</p> <p>11 So I am -- I am speculating that parents 12 come in, pick up the packet, and return the full 13 packet. So they know it, and they see it in 14 advance, which is, first, against the guidance.</p> <p>15 It also has, in my legal opinion, a 16 substantial chilling effect to almost every group 17 that is protected.</p> <p>18 So, first, it asks for a student essay -- 19 well, very first, it talks about it being an 20 application.</p> <p>21 This is not an application. You do not 22 apply to this school. You get in, and you enroll. 23 You do not apply to the school.</p> <p>24 Then they request a student essay, which 25 is perfectly appropriate as soon as the child is</p>	<p style="text-align: right;">36</p> <p>1 if a child is fluent in English? Because this 2 document does. And I just think that -- I don't 3 know if that's --</p> <p>4 MS. JULIA BARNES: So here's what -- 5 here's where I'm going with my -- here's where I'm 6 going with my recommendation to you all is in a 7 notice of concern, the school has to come back and 8 provide you with that.</p> <p>9 I -- they have an incomplete Attachment F. 10 I think they should do a complete one. They should 11 show you their entire enrollment packet. They 12 should -- if they want to keep that in there, they 13 should argue for why that is needed or necessary.</p> <p>14 And, actually, some of it may be needed or 15 necessary. You do not need a student essay.</p> <p>16 THE CHAIR: Director Chavez.</p> <p>17 DIRECTOR CORINA CHAVEZ: Commissioners, I 18 think once a student and a family knows that they've 19 been admitted to the school and the school wants to 20 learn more about that child, I think it's okay for 21 the school to ask additional questions. They've 22 described to me how they maybe learn what native 23 language is spoken at home, whether there's fluency 24 in English or not, or what the preferences are and 25 the learning styles. All of that is okay.</p>
<p style="text-align: right;">35</p> <p>1 enrolled in the school.</p> <p>2 I don't have -- they're going to ask their 3 students to do lots of things for many, many 4 years -- you can be there from sixth to twelfth 5 grade -- ask them for many, many things. But I 6 think it has a chilling effect to ask a student to 7 do an essay at the time.</p> <p>8 I don't have any problem with having the 9 teachers get to know the students better. I think 10 that's entirely appropriate, just not in the 11 enrollment packet.</p> <p>12 So I think that that should be removed 13 from the enrollment packet, just for use by the 14 school later.</p> <p>15 The next document -- and, Missy, I don't 16 know. Can you go to the recommendation? Can you 17 click the word "Recommendation," and it'll take you 18 there, I think?</p> <p>19 COMMISSIONER GIPSON: May I just ask a 20 question?</p> <p>21 MS. JULIA BARNES: Can you just say that 22 my hyperlink just worked, and it was so cool?</p> <p>23 THE CHAIR: Commissioner Gipson.</p> <p>24 COMMISSIONER GIPSON: This document -- and 25 I don't -- I have to ask. Is it permissible to ask</p>	<p style="text-align: right;">37</p> <p>1 But there has to be a really clear initial 2 process so that families don't feel like the 3 responses to any of those questions are a 4 contingency for the student to be able to attend 5 that school.</p> <p>6 MS. JULIA BARNES: Well -- and let me just 7 finish walking you through, and then we can continue 8 and ask Director Chavez, or she can add more, 9 because I think she's spent a lot of time at the 10 school. I just want to get you to the end of it.</p> <p>11 The next -- the next thing that is in the 12 enrollment packet is this recommendation from a 13 teacher or a counselor.</p> <p>14 I think that there is no -- I can see no 15 reason or connection or anything that this type of 16 document has to do with enrolling a child in a 17 school. And, in fact, it says -- that I think is 18 going to show directly the chilling effect -- I 19 mean, they try to say why they need this -- which I 20 don't see a reason for it -- that, "Every child 21 attending AIMS at UNM will have the maturity, 22 motivation, and intellectual ability to graduate and 23 to attend a four-year college or university while 24 still at a high-school level." 25 That is not an expectation of a free</p>

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1 public education. So -- and that is a pretty strong  
 2 indication that there is a chilling effect to stop  
 3 any of the families that may have some concern.  
 4 I think -- I mean, I could go on and on  
 5 about this recommendation. This recommendation, my  
 6 view, needs to come out, period. I see no reason  
 7 for it. There is -- I don't -- and you can take --  
 8 what if the kid is a shining star? Do they get to  
 9 skip and jump the lottery? What if the kid is not  
 10 recommended? You cannot not let this kid into the  
 11 school. There's nothing that you can do about it.  
 12 In my view, this recommendation is added  
 13 to the enrollment packet, attached to the lottery  
 14 for a chilling effect for families to stop.  
 15 So I don't see a reason for that. I just  
 16 have a -- one more -- well, including, "Would you  
 17 consider this student to be a disciplinary  
 18 challenge?"  
 19 I think that is directly -- that goes --  
 20 first, they're talking about fifth-grade boys. So  
 21 aren't all fifth-grade boys a disciplinary  
 22 challenge?  
 23 THE CHAIR: Take umbrage with that.  
 24 MS. JULIA BARNES: Anyway -- anyway, I see  
 25 no -- I see nothing in that document that has

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1 anything that there's any nexus to enrollment. So  
 2 my suggestion, and in the drafted motion, is that  
 3 that be deleted.  
 4 I'm just going to raise one more, that --  
 5 if Director Chavez wants to add in on it, the other  
 6 thing that appears to me to have a chilling effect  
 7 is the Family Support section.  
 8 Missy, you can either go to the top and  
 9 click on it or keep scrolling until you get to the  
 10 yellow.  
 11 This is a parent contract. And I don't  
 12 have any problem with the parent contract or,  
 13 frankly, kind of having that done as part of the  
 14 enrollment packet.  
 15 But the chilling effect to me there is  
 16 that it -- I -- I am concerned that it doesn't talk  
 17 about how the parent can meet these obligations  
 18 outside of working hours, how they can support their  
 19 child if English isn't their primary language, how,  
 20 if they are -- you know, and they ask in another  
 21 place, what's the highest level of academics for  
 22 both the mother and the father, which might be an  
 23 appropriate question, but what if you have a parent  
 24 that isn't -- that didn't go to college and doesn't  
 25 have the academic background themselves to assist

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1 their child?  
 2 So this one is not -- it's -- I just raise  
 3 it as something that I think is indicative of  
 4 possibly a chilling effect. But I also think that  
 5 in charter autonomy, they can come back and say why  
 6 it isn't. It's in a complete different category to  
 7 me than that recommendation and the student essay.  
 8 But to be clear, I don't have a problem  
 9 with the student essay. I have a problem with it  
 10 coming in an enrollment packet. I see no reason for  
 11 the recommendation at all.  
 12 And it's not -- it goes more to the U.S.  
 13 Supreme Court kind of background as to a school  
 14 taking action to dissuade or have a chilling effect  
 15 on many different types of students that might be --  
 16 that might want to otherwise apply.  
 17 And I think, down at the bottom, I have  
 18 indicated -- kind of walked you through the various  
 19 criteria that we have to enforce this. If there is  
 20 a Notice of Concern, we do a pretty extensive  
 21 document to them about what the concerns are. And  
 22 my suggestion would be that they bring back an  
 23 amendment to the contract on Exhibit F by the  
 24 September meeting, because I think the board should  
 25 approve it prior to it being brought under the

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1 contract amendment.  
 2 That's all I've got, Chair Brauer.  
 3 THE CHAIR: Thank you. Commissioner  
 4 Carrillo.  
 5 COMMISSIONER CARRILLO: Based on  
 6 everything that Ms. Barnes has said, I think it's --  
 7 I mean, pretty obviously, they're violating just the  
 8 lottery policy. You know, all this stuff is great  
 9 if it's a private school. But it's not. It's a  
 10 public charter. And that they're still doing this  
 11 after a couple of years and warnings, and there was  
 12 a previous Letter of Concern, that they're still  
 13 combining the lottery with the enrollment -- and  
 14 what we said -- and I'm really clear on this, and we  
 15 can go back to minutes -- lottery has to be on its  
 16 own. You don't have to walk it in, either.  
 17 It has to be on its own. And no one  
 18 even -- they can have access to the website; anyone  
 19 can. But they can't have -- but somebody who's not  
 20 enrolled will not have access to all of this stuff,  
 21 to see what the enrollment, once they're accepted by  
 22 lottery, includes.  
 23 And I would agree with Director Chavez  
 24 that once a kid is accepted into the school, yeah,  
 25 all this -- having them write an essay and all these

42	<p>1 things in a parent contract, that's fine, once 2 they've been accepted through the lottery. 3 Lotteries, by their very nature, are 4 supposed to be completely blind. And they're not 5 setting it up this way. And because this is our 6 agenda again, I would push for a Breach of Contract, 7 not just a Letter of Concern. They've gone too far. 8 They're thumbing their noses at the Commission, and, 9 even worse, they're thumbing their noses at the 10 whole concept of a free and open public education. 11 And that's, to me, the biggest violation. 12 That's a foundational moral violation. And I know 13 that's not in the contract that way. But I would 14 just -- for them, take a good look in the mirror, 15 and you shouldn't be a charter school. If you want 16 all this to be like this, you know, be a private. 17 You'll still be the number one school in the state. 18 Be a private. 19 THE CHAIR: Commissioner Gipson. 20 COMMISSIONER GIPSON: I mean, I agree. 21 I'm weary of this. This is -- this goes beyond even 22 before I was here. And I think when -- when Alan 23 was the director, we went through -- you know, back 24 and forth with them. And they came here, or several 25 times didn't come, so they were pushed off because</p>	44	<p>1 you cannot have any unnatural-colored hair. 2 COMMISSIONER CARRILLO: That's against the 3 law now. 4 COMMISSIONER TAYLOR: They list colors 5 that you can't have. 6 COMMISSIONER GIPSON: That's been 7 legislatively dealt with. That has to be added to 8 the concerns. But, once again, to me, that's 9 that -- as Julia calls it, the chilling effect. 10 It's just one more thing, that you're not going to 11 fit into our happy little image of who we want in 12 this school. 13 And, you know, that's -- I just -- I just 14 think it's inappropriate. And I'm -- you know, I'm 15 all for -- we've reached the level that we can't 16 just start and send them a Letter of Concern, 17 because we've sent them probably two or three over 18 this time period, and all the phone calls that have 19 come from directors of CSD to the school over the 20 years that -- and, you know, the assurances that, 21 "Oh, we don't do that," you know, it's just -- 22 the -- it's just a game we're playing. And I'm 23 tired of playing the game. 24 THE CHAIR: Thank you, Commissioner. 25 Commissioner Taylor.</p>
43	<p>1 they didn't come. 2 You know, I find it rich that they require 3 this quick turnaround when they don't respond to 4 e-mails like -- oh, sometimes ever -- so that, you 5 know, the expectation for these families is, "You 6 have to do this, but we don't have to even have the 7 common decency to reply." 8 I have a -- just a quick question. 9 Is there anything that allows a public 10 school to prohibit piercings? Oh. And there's the 11 natural hair. 12 I thought they covered that. I can 13 understand if it was potentially a health or safety 14 concern, you know, because I can think of some 15 students I had and the piercings they had. And it 16 was, one, pretty dangerous, because people would 17 tug. 18 But I don't think that they're -- and it's 19 in their guidance that, you know, only -- only an 20 ear piercing, and unless it's religious. So I do 21 have a concern about that. I just don't think you 22 can -- you can do that. 23 COMMISSIONER CARRILLO: Was there 24 something about hair also? I just read -- 25 VICE CHAIR BURT: I saw they have it that</p>	45	<p>1 COMMISSIONER TAYLOR: Yeah. I -- I mean, 2 I agree that this -- the lottery process and the 3 application process are -- it's more than just those 4 two things being combined. 5 I'm with Julia as far as the teacher 6 recommendation. I don't -- I don't know how that 7 can even be in existence, you know. I think there's 8 some really, really crazy things in here, even as 9 far as -- even as far as having parents sign a 10 promise to do this and this and this throughout the 11 process. 12 Now, I think it can be recommended, and I 13 think people can accept that, as we would hope that 14 you would be this kind of a parent, you know, or do 15 these -- take care of these responsibilities. But I 16 don't think you can require -- you know, have a 17 parent sign a contract in a public school education 18 like that. I don't know. 19 DIRECTOR CORINA CHAVEZ: I would concur. 20 I think the issue is you don't want to make it seem 21 like it's a condition for continued enrollment or 22 admission and enrollment. 23 THE CHAIR: Absolutely. And these are -- 24 this is a public school. This is not Menaul School. 25 This is not -- it's not Albuquerque Academy. And so</p>

<p style="text-align: right;">46</p> <p>1 we need to follow the law.</p> <p>2 And this school has not followed the law</p> <p>3 on this. And as -- Commissioner Carrillo, your</p> <p>4 passion about this in many things, like, I agree</p> <p>5 with you on that. This is a school that's always</p> <p>6 praised as a good school, excellent school. It does</p> <p>7 great things. But it also has to follow the same</p> <p>8 rules that every other school and every other</p> <p>9 charter school follows.</p> <p>10 And state statute is very -- is really</p> <p>11 clear on what the enrollment process needs to be.</p> <p>12 It's a lottery for a first-come, first-serve. And I</p> <p>13 think this, at the very least, blurs lines that have</p> <p>14 to be clarified.</p> <p>15 The idea of having -- is it four days</p> <p>16 between lottery and enrollment? That's -- that's so</p> <p>17 laborious for families and working families and</p> <p>18 anyone. And the child trying to make a decision</p> <p>19 about a school of choice within four days is a lot.</p> <p>20 The letter -- the letter agitates me. The</p> <p>21 letter is not okay from a teacher. There's just</p> <p>22 many procedures in this that need to be clarified.</p> <p>23 If I can say, I -- because this has been a</p> <p>24 thing that has gone on for a really long time, I</p> <p>25 think we have an opportunity to really continue to</p>	<p style="text-align: right;">48</p> <p>1 because this impacts all charter schools and not</p> <p>2 just this school. And so I do think -- I'm feeling</p> <p>3 like we do need to send a Letter of Concern and move</p> <p>4 swiftly up the ladder of intervention -- sorry --</p> <p>5 the ladder of intervention as we need to.</p> <p>6 But I think we need to commit to this with</p> <p>7 the Charter School Division and the school to make</p> <p>8 this right.</p> <p>9 Commissioner Carrillo.</p> <p>10 Oh, sorry. Vice Chair Burt.</p> <p>11 VICE CHAIR BURT: I'll also -- you know,</p> <p>12 this is -- I think if we were in, you know,</p> <p>13 December, maybe a Letter of Breach might be</p> <p>14 necessary. But right now, there's -- this isn't</p> <p>15 going to impact anything until their next lottery</p> <p>16 process.</p> <p>17 So I do feel like doing the appropriate,</p> <p>18 you know, Letter of Concern, having them come back</p> <p>19 in 30 days and fix this -- because this isn't -- to</p> <p>20 me this is actually very easily fixed. It's</p> <p>21 actually a very, very simple fix. This isn't</p> <p>22 complicated. This isn't -- like, you can literally</p> <p>23 just go and take out a couple of the pages from</p> <p>24 this.</p> <p>25 Keep it -- and, honestly, the enrollment</p>
<p style="text-align: right;">47</p> <p>1 work with the school and CSD, Corina, and your team,</p> <p>2 I just want to appreciate you all for bringing this</p> <p>3 up again, because I think we can partner with the</p> <p>4 school to correct this.</p> <p>5 I feel, for me, starting with a Letter of</p> <p>6 Concern, I know that we've done this already. I</p> <p>7 want to make sure that I'm coming from a place of we</p> <p>8 see -- we see the change happening, and then we move</p> <p>9 up the ladder of intervention as necessary when we</p> <p>10 don't see that change happening. But I think, for</p> <p>11 me, I believe, as a Commission, we can commit to</p> <p>12 this.</p> <p>13 And then, finally, on the extraneous side</p> <p>14 of -- beyond this school, what do we hear from</p> <p>15 people who hate charter schools all the time? This</p> <p>16 is what we hear.</p> <p>17 You're screening the kids. You're</p> <p>18 chilling -- I never heard the "chilling effect."</p> <p>19 But I like that analogy, Julia. You're chilling</p> <p>20 students who don't fit your mold, your stereotype of</p> <p>21 what a prep school looks like, to even think about</p> <p>22 going to that school. And that is what we hear all</p> <p>23 the time.</p> <p>24 So I want to hear not just us, but</p> <p>25 advocacy groups, saying that, "This is not okay,"</p>	<p style="text-align: right;">49</p> <p>1 packet shouldn't even be posted online at all. It</p> <p>2 should only be given to families once they're</p> <p>3 accepted. It shouldn't even be online. Once again,</p> <p>4 if a family looks at this in advance, it could feel</p> <p>5 like a hindrance to begin with. But once you're</p> <p>6 accepted -- as a mom myself, I'll do any -- I'll</p> <p>7 fill out whatever I need to do once I'm accepted and</p> <p>8 I know I'm going to the school, then I'll do all the</p> <p>9 things they ask me to do; right?</p> <p>10 And so I also -- I do want to -- my</p> <p>11 concern that I am going to be very careful about</p> <p>12 with myself is I think we have to be very careful</p> <p>13 about overreaching. There are things in here that</p> <p>14 are very clearly inappropriate. And I think if we</p> <p>15 stick to the facts, not what we would like them</p> <p>16 to -- prefer them to -- we would like them to do,</p> <p>17 but the things that are required that they do.</p> <p>18 And I agree with Commissioner Taylor.</p> <p>19 That recommendation form has no place at all. That</p> <p>20 just needs to be removed. There's no recommendation</p> <p>21 form. What's the purpose -- what do they do with</p> <p>22 that? I mean, what do they do with it? It doesn't</p> <p>23 make sense. There's nothing to do with it. Like,</p> <p>24 your students come in in the fall, and then you</p> <p>25 figure them out. You learn them as you go. That's</p>

<p style="text-align: right;">50</p> <p>1 what happens in every school. You figure it out.  2 The only time -- when I was a teacher, the  3 only time I filled out a recommendation form was  4 students who were applying to go to a private school  5 in New Mexico. I did fill out recommendation forms.  6 And they were going -- they were applying to  7 St. Pius. They were applying to Bosque.  8 That's -- it is inappropriate for a public  9 school to ask for teacher recommendations as part  10 of -- it's not -- it's not appropriate in any way,  11 shape, or form.  12 So I do think that's -- that's -- an  13 obvious should be gone.  14 Now, I know there's some things that --  15 and this is where it gets so -- it is difficult to  16 me to look at some of the things that were, like,  17 oh, you know, I don't know if they should be asking  18 that. But I can tell you right now, as a parent,  19 they ask me demographic stuff for every school I've  20 ever enrolled my kids in. Every single school.  21 Traditional schools, charter schools. They ask me  22 for demographic education, like, What's your highest  23 level of education? What's your home language?  24 What do you want your communications -- I mean,  25 like, every -- I've been at APS schools; I've been</p>	<p style="text-align: right;">52</p> <p>1 really easy to fix.  2 That's where I am at. Like, if they just  3 followed the guidance, this is a really easy fix,  4 and there's not -- it's not -- then it's not as  5 weird if the guidance is followed.  6 And I do think, like, number one,  7 separating out the lottery -- because there are  8 lottery -- their application for lottery is exactly  9 what it should be. Like, it's very simple; it  10 doesn't ask for any extraneous information for the  11 lottery.  12 But that's on Page 3 of a 17-page packet.  13 And so if Page 3 was by itself, done. Now you've  14 fixed it; right? Now you've fixed that part. Now  15 the lottery is you have just the most basic, simple  16 information for lottery. Put Page 3 on its own;  17 that's it.  18 Now, for the rest of the enrollment packet  19 that's where I do think, yeah, that student essay  20 needs to go, and they should just be doing that  21 outside of any kind of enrollment process.  22 But, once again, I mean, when I was a  23 teacher, I asked students to write a very similar  24 essay -- like, essays their first days of school;  25 right? Yeah. The first day of school -- when I was</p>
<p style="text-align: right;">51</p> <p>1 at Rio Rancho schools; I've been at charter schools.  2 They all ask that.  3 So I also just -- that's where I'm, like,  4 we have to be careful about going too far and being,  5 like, "You can't ask X-Y-Z," because then we need to  6 look at every charter school we have and evaluate  7 and do an evaluation of every single one of their  8 enrollment forms and make sure -- because a lot of  9 that stuff is in enrollment forms. A lot of that  10 is. Every single school my kids have gone to have  11 asked those questions. They do.  12 So I think there has to be a balance of --  13 of what we're telling them they can and cannot do,  14 unless we're going to apply that across the board to  15 every school.  16 But that being said, like I said, there  17 are very inappropriate things in here that I would  18 like to focus on and have it conform to the guidance  19 that was sent out.  20 And I do think the guidance does a really  21 good job of allowing school autonomy and making sure  22 there's requirements that must be met.  23 And I think that's where -- that's where  24 I'm landing on it. And so for me, the requirements  25 and the guidance are very clear, which makes this</p>	<p style="text-align: right;">53</p> <p>1 an AP student, I had to write essays throughout the  2 summer, before I even got to the class.  3 So there's levels of appropriateness for  4 asking students to do it. Once again, it shouldn't  5 be in the enrollment.  6 And I do think -- I mean, where I'm  7 concerned about is they do have, I think -- like,  8 I'm just worried about some of the language that  9 they have in there of being too -- of us  10 overreaching on some of it. Like, just being  11 cautious of, "You can't say this," when it's,  12 actually, people do ask those -- like, it's not  13 actually inappropriate, but we are perceiving it as.  14 And so just being careful of -- just being  15 careful of that is what I would do. And I would --  16 like Chair Brauer, I think a Letter of Concern,  17 having them come back in the August meeting with  18 this corrected, feels most appropriate for where I  19 am -- for where I'm at.  20 MS. JULIA BARNES: The only concern I have  21 about August meeting was could they have -- they  22 could have their board vote on it, get it to CSD in  23 time? That's why --  24 VICE CHAIR BURT: I think they could do a  25 special -- to me, this is important enough and a</p>

<p style="text-align: right;">54</p> <p>1 long-standing issue, if they need to have their 2 board approve it, hold a special meeting and do it. 3 Like, for me, that's where I don't -- this is a 4 simple fix. It isn't going to take a lot of time, 5 take one staff person an hour to fix their 6 enrollment contract, take it out, get rid of the 7 stuff on their list they need to remove. 8 This is not a burdensome requirement for 9 us to ask. It's not going to take a lot of time. 10 If they can't get it done in a timely manner, for 11 me, immediately -- like, they ask their parents to 12 do this right away. I mean, they -- and I don't 13 know. 14 Is there anything in the guidance, Corina, 15 about -- I don't think there is, because I do think 16 it's an autonomy thing. But I don't understand, for 17 this school who's so advanced in technology, to not 18 have it online is wild to me, and they're not 19 e-mailing it out. The mail and in-person thing is 20 crazy. But once again, that's where, like, I think 21 that's crazy. 22 But is that a right that they have -- you 23 know, is that something that's in the guidance that 24 they're supposed to have it online? Or is that 25 just, like, something we have to live with, and we</p>	<p style="text-align: right;">56</p> <p>1 THE CHAIR: Secretary Armijo. 2 Commissioner Carrillo. Then Commissioner Gipson. 3 SECRETARY ARMIJO: Hi. Thank you. So I'm 4 in support of the Letter of -- you know not breach, 5 but the one that Chair Brauer and Vice Chair Burt 6 have been talking about. The process seems very 7 intentional to me about how they're -- they want 8 people to -- the process of their enrollment and 9 application seems very intentional to me that they 10 are trying to exclude some folks. 11 So -- but I am in alignment with Chair 12 Brauer and Vice Chair Burt about doing the letter 13 first before we go to breach. I just -- I feel very 14 strongly, like Vice Chair Burt, that this is 15 something that they can fix very quickly and get 16 that to us and be able to turn this around. 17 And then, you know, hopefully, we can go 18 from there. Thank you. 19 THE CHAIR: Thank you. Commissioner 20 Carrillo. Then Commissioner Gipson. 21 COMMISSIONER CARRILLO: I'm going to have 22 some comments and statements to that. Then I'm 23 going to make a motion. And I know there can be 24 plenty of discussion after the motion is made. 25 The -- this is not a quick fix; okay?</p>
<p style="text-align: right;">55</p> <p>1 would recommend that they have it online and that 2 they do it digitally, and e-mail parents in addition 3 to mailing, to provide greater access. Like, we 4 could recommend that to them, but we could not 5 require it is where I am at on that part. 6 I hate that it's not -- like, the mailing 7 and going in person is wild. 8 THE CHAIR: Commissioner -- okay. Oh, 9 sorry. Corina, do you need -- could you answer that 10 now, or should I go to another Commissioner? 11 DIRECTOR CORINA CHAVEZ: So let me look up 12 what it says about in person versus online. One of 13 the things I did want to say, though, is I agree 14 with Chair Burt -- thank you -- excuse me -- Vice 15 Chair Burt. The only question that is asked in the 16 lottery form itself that I think is questionable is, 17 "What is the former school you attended?" 18 That is unnecessary. I think once -- once 19 admitted through the lottery, appropriate. And all 20 of the demographic questions, absolutely, the 21 schools need that for S.T.A.R.S. So there's no 22 reason why we would stop them from asking that 23 question once a student is admitted. 24 But let me check on the online versus 25 in-person.</p>	<p style="text-align: right;">57</p> <p>1 This is systemic. It's not one page that they 2 separate out. For them, this is who they are; okay? 3 And we're asking them to kind of change 4 that mindset, if you will, where they can very 5 intentionally try to exclude a good deal of kids. 6 The demographic thing, I would agree, of 7 course, with what Ms. Chavez just said. Every 8 school asks that, because you need that for tracking 9 for S.T.A.R.S. for all -- whether it's grants or 10 different things you're trying to apply for. 11 The -- the -- the notion that this can all 12 be done in 30 days, because, we have to, then -- we 13 would issue whatever we're issuing, as much as, you 14 know, Vice Chair Burt might think they can call a 15 special meeting, they don't have to call a special 16 meeting. They don't even have to have it on the 17 meeting of their following agenda. 18 They lollygag. They've not shown up. 19 They've not responded to letters and e-mails over 20 the years from the Director. So I have zero 21 confidence in them wanting to act quickly on this. 22 This is more about the lottery 23 application. 24 And on the enrollment piece, yeah, there 25 are a lot of things there that are not appropriate.</p>

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1 But none of that should even be exposed to somebody  
 2 wanting to go to the school.  
 3 First, it's lottery. And you can look at  
 4 their website. But that shouldn't be on the  
 5 website, because, then again, you're putting out  
 6 information that's going to very intentionally have  
 7 a chilling effect on people looking at the website.  
 8 Yeah, you can say you're the number one  
 9 school. You can say, "We have very high  
 10 expectations of our kids."  
 11 MAS says that, that they graduate a  
 12 certain number of their kids, and their expectations  
 13 are high.  
 14 But having access to the enrollment  
 15 packet? Until you're admitted. Like, giving your  
 16 parent/kid number and everything else, no. We've  
 17 said that already. We've said that twice already  
 18 with this school. So they need to comply like  
 19 everybody else.  
 20 Yeah, you're the number one school in the  
 21 state. You're doing a really great job. But you're  
 22 not special. You're a public school; okay? So with  
 23 that --  
 24 THE CHAIR: Commissioner Carrillo, okay,  
 25 if I could pause you just for a second. I wanted to

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1 make sure that Commissioner Gipson had a chance.  
 2 She had her had raised before.  
 3 COMMISSIONER CARRILLO: That's great. But  
 4 I have a motion, procedurally --  
 5 THE CHAIR: Only on the motion itself,  
 6 yeah. She can't make a comment about things  
 7 outside.  
 8 COMMISSIONER GIPSON: I wanted to be able  
 9 to ask Corina a question once the motion was made.  
 10 COMMISSIONER CARRILLO: Yeah, you can.  
 11 COMMISSIONER GIPSON: No, you can't.  
 12 THE CHAIR: You can only discuss the  
 13 motion itself.  
 14 COMMISSIONER CARRILLO: If it relates to  
 15 the motion, she can.  
 16 COMMISSIONER GIPSON: (Inaudible due to  
 17 simultaneous speaking) speak. But I think I'm okay,  
 18 it doesn't matter. He can offer the motion anyway.  
 19 THE CHAIR: Commissioner Burt is waiting  
 20 for her --  
 21 VICE CHAIR BURT: I'm awaiting an answer  
 22 from Director Chavez. So I would like to wait on a  
 23 motion, just to let --  
 24 THE CHAIR: Commissioner Carrillo, we'll  
 25 give you the ability to do that. Let's take a

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1 five-minute break and give Corina a chance to get  
 2 that together, and then we'll reconvene.  
 3 COMMISSIONER CARRILLO: We could also, on  
 4 that break, not discuss anything amongst ourselves.  
 5 What we discuss needs to be public.  
 6 (Recess taken, 10:13 a.m. to 10:23 a.m.)  
 7 THE CHAIR: All right. Let's go ahead and  
 8 mosey on back, Commissioners. Thank you for that  
 9 break.  
 10 Commissioner Carrillo, would you like  
 11 to -- oh, okay. Got you. Thank you.  
 12 Corina, let's start with your response to  
 13 Vice Chair Burt's question.  
 14 DIRECTOR CORINA CHAVEZ: Yes.  
 15 Commissioners, on the lottery guidance, Page 2, it  
 16 reads, the CSD recommends the lottery admissions  
 17 application be available and easy to find on the  
 18 school's website. And that any additional  
 19 information desired by the school can be requested  
 20 only after the lottery is complete.  
 21 We do not say anything about whether the  
 22 information needs to be provided in person or  
 23 online. We are just saying that the lottery  
 24 information should be -- the application should be  
 25 online.

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1 Furthermore, we go on to say that there  
 2 can't be any other conditions, such as needing to  
 3 watch a video or visit the school, prior to being  
 4 able to submit a lottery application.  
 5 THE CHAIR: Commissioner, are you okay?  
 6 VICE CHAIR BURT: Yeah, thanks for that.  
 7 So, unfortunately, that -- then that's -- I do wish  
 8 that the school would consider making their lottery  
 9 process digital, just for ease of families. But,  
 10 once again, I'm more concerned about overreaching  
 11 and micromanaging schools and their processes. So  
 12 I'll definitely let that one go.  
 13 But in the guidance, it does say something  
 14 about, like, the recommendation for the length of  
 15 time between admission -- or the acceptance into the  
 16 lottery and enrollment being completed, the guidance  
 17 is two weeks; correct?  
 18 DIRECTOR CORINA CHAVEZ: That is correct.  
 19 VICE CHAIR BURT: So I would say -- I  
 20 actually think that might be something -- it does  
 21 say -- I think in -- I don't know if Commissioner  
 22 Carrillo is going to use the motion that I'm looking  
 23 at. But I think it does say that they need to  
 24 follow the guidance already. So I think that's kind  
 25 of in there.



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1 But especially with it being a mailing  
 2 thing back and forth, it feels like that's something  
 3 that maybe we look at is, like, seeing if it's  
 4 something that they can add some time for their  
 5 families, especially because they don't have a  
 6 digital process.  
 7 And if the recommendation is two weeks, in  
 8 general, then for mailing, I feel like that's  
 9 something they should -- we should expect of them  
 10 next month.  
 11 THE CHAIR: Commissioner Taylor.  
 12 COMMISSIONER TAYLOR: So do we know if  
 13 they use a postmark date or actual receipt in the  
 14 office for that?  
 15 DIRECTOR CORINA CHAVEZ: No, Commissioner,  
 16 we don't.  
 17 THE CHAIR: Commissioner Carrillo.  
 18 COMMISSIONER CARRILLO: Based on  
 19 everything I said previously -- and this doesn't  
 20 limit further discussion -- I move that Albuquerque  
 21 Institute for Mathematics and Science, known as  
 22 AIMS, be placed on the Intervention Ladder, and that  
 23 the Chair of the Public Education Commission issue a  
 24 Notice of Breach to the school related to its  
 25 lottery and enrollment practices.

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1 The Notice of Breach should contain  
 2 direction that in order to be returned to good  
 3 standing, they should submit an amendment to the  
 4 Charter School Exhibit F for consideration by the  
 5 PEC at its August PEC meeting showing AIMS governing  
 6 board approval of the lottery and enrollment  
 7 procedure and documentation that complies with state  
 8 and federal law and the New Mexico Public Education  
 9 Department guidance on lottery and enrollment.  
 10 That is the motion.  
 11 And then my point on discussion is --  
 12 COMMISSIONER GIPSON: You have to have a  
 13 second.  
 14 COMMISSIONER CARRILLO: I don't know what  
 15 I was thinking.  
 16 COMMISSIONER GIPSON: Second.  
 17 COMMISSIONER CARRILLO: My point on this  
 18 is --  
 19 COMMISSIONER GIPSON: You don't get -- you  
 20 get to make the motion, but you don't get to start  
 21 the discussion.  
 22 THE CHAIR: How about if I just say we're  
 23 open for discussion now.  
 24 COMMISSIONER CARRILLO: I would -- okay.  
 25 Can I talk?

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1 THE CHAIR: You can. Go ahead.  
 2 COMMISSIONER CARRILLO: Thank you. You  
 3 know, as -- I respect and understand Vice Chair  
 4 Burt's idea of going to Letter of Concern. I don't  
 5 think this is a simple fix. Be really curious to  
 6 see if they even respond in any way within 30 days.  
 7 The -- it reminds me of La Tierra and when  
 8 Geno was here arguing, basically, "Just give us  
 9 another chance, please, please, please." It's,  
 10 like, enough of that already. I mean, we hear that  
 11 all the time.  
 12 And you've had many, many chances. And  
 13 every time, you basically just flip us the bird, you  
 14 know.  
 15 And it's just there's a point at which are  
 16 we a Commission that has teeth to what we do or not?  
 17 And that's why I think this -- at this stage, this  
 18 is -- this warrants the Letter of Breach.  
 19 THE CHAIR: Other discussion points from  
 20 the Commission?  
 21 Commissioner Gipson.  
 22 COMMISSIONER GIPSON: So I'm going to  
 23 agree. I seconded the motion. I do think it is an  
 24 easy fix.  
 25 But the problem is they haven't easy-fixed

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1 it. They keep telling us they fixed it. And  
 2 sometimes they've showed us they've fixed it. And  
 3 then it's gone back to what it had been.  
 4 They've received Letters of Concern from  
 5 us before. And, granted, the lottery, they may not  
 6 do until 2024. But they're doing enrollment all the  
 7 time. So that enrollment packet is being requested.  
 8 Any time there is an opening, someone can come in  
 9 and -- so that I think there is urgency. Not as  
 10 much with the lottery, because they're not running  
 11 it now. But with the enrollment policy, they're  
 12 enrolling. Any day a parent can come in, and if  
 13 there's an opening, they're in, and they have to do  
 14 that.  
 15 So I am not confident that they -- that  
 16 they take the Letters of Concern seriously. I think  
 17 they play with us, give us what we need, and then  
 18 move on.  
 19 So I think we've given them more than  
 20 ample opportunity to fix this concern. It's not  
 21 new. And so I think there has to be something a  
 22 little more forceful that is sent to them so that  
 23 they hopefully take it a little more serious than  
 24 they ever have before.  
 25 THE CHAIR: Commissioner Beck.

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1 COMMISSIONER BECK: I was thinking along  
 2 the lines of a Letter of Concern. But if this has  
 3 become a pattern, and, obviously, since they're not  
 4 here to even discuss it, and they -- I'm sure they  
 5 knew it was on the agenda, it seems to me that this  
 6 is a pretty serious situation.  
 7 And with the issues that Julia brought up  
 8 on the enrollment form, if that's still being in  
 9 use, that's -- that's concerning, for sure.  
 10 So -- and to your point, if this is -- you  
 11 know, I haven't been here, so I don't know, so I'm  
 12 new. But if this is an ongoing situation for the  
 13 last three years, and they don't -- they're not even  
 14 on Zoom or here, they obviously don't think it's  
 15 very much of a concern.  
 16 Am I correct in understanding you have  
 17 sent them Letters of Concern before?  
 18 COMMISSIONER GIPSON: Yes. Oh, yes.  
 19 Yeah. Yeah. We sent a Letter of Concern over  
 20 there.  
 21 VICE CHAIR BURT: So when we sent a Letter  
 22 of Concern, it was about their nonresponsiveness to  
 23 the CSD. And at that time, their special ed -- that  
 24 was -- because -- and so what -- so if we sent a  
 25 Letter of Concern, how did they get back in good

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1 standing?  
 2 COMMISSIONER GIPSON: We voted and put  
 3 them back in good standing.  
 4 VICE CHAIR BURT: But they've never  
 5 changed their enrollment process.  
 6 COMMISSIONER GIPSON: They've told us that  
 7 they do, but they actually don't.  
 8 VICE CHAIR BURT: I've never seen --  
 9 during the two and a half years that I've been here,  
 10 we have not followed through on their enrollment and  
 11 lottery process. I know the Director has, for many  
 12 times, talked with them, talked with them, talked  
 13 with them. But my recollection during that time  
 14 period, we did not follow through on a Letter of  
 15 Concern with their lottery and enrollment for the  
 16 last two and a half years.  
 17 COMMISSIONER BECK: It just seems --  
 18 COMMISSIONER GIPSON: I thought we had.  
 19 And we've had -- it was part of the discussion with  
 20 their contract negotiations as well.  
 21 COMMISSIONER BECK: It just seems to me  
 22 that they're not responsive to the concerns we have  
 23 with these Letters of Concern. So I'm in agreement  
 24 with Commissioner Carrillo and Commissioner Gipson  
 25 that we should move to the breach of contract.

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1 THE CHAIR: Commissioner Carrillo -- okay.  
 2 Commissioner Ingham. Then Carrillo. Then I'd like  
 3 to share.  
 4 COMMISSIONER INGHAM: So reading the  
 5 letter that he wrote back to Director Chavez, I am  
 6 concerned that his -- he's challenging our ability  
 7 to do -- to do this.  
 8 And so we're -- we need to be very  
 9 succinct and very directive about what we're  
 10 going -- what -- we're going to do this Letter of  
 11 Breach, how it's going to be addressed. Because I  
 12 see a -- a battle brewing, in that it's clear to me  
 13 that they're not -- the easy fix is -- could be an  
 14 easy fix. But they are, on purpose, not fixing it  
 15 because they have an agenda that they want to  
 16 follow, and they're doing exactly what we're --  
 17 we're challenging them not to do. They're doing  
 18 exactly that.  
 19 So I just want to agree with Vice Chair  
 20 Burt that we have to be very careful about it. But  
 21 I am in agreement with the rest of the Commissioners  
 22 about we should go straight to the breach.  
 23 Thank you.  
 24 THE CHAIR: Commissioner Carrillo.  
 25 COMMISSIONER CARRILLO: Based on what

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1 Commissioner Gipson said, the very fact that the  
 2 enrollment is on their website and can be accessed  
 3 by anyone anytime, in and of itself, based on your  
 4 language, Julia, can have a chilling effect on  
 5 anyone that may want to go to that school.  
 6 There could very well be somebody on the  
 7 elementary side -- heck, they could have gone to the  
 8 Armijo Academy on the elementary side, but maybe  
 9 AIMS, Armijo Academy -- they see Armijo Academy, and  
 10 that's just not good enough. They may not want  
 11 those kids from that part of Albuquerque.  
 12 And having all that stuff even accessible  
 13 is it violates the spirit of the lottery being  
 14 blind, the public -- the school being public, and  
 15 anyone having access.  
 16 Right. I just agreed on just the  
 17 enrollment packet online at all, without first being  
 18 accepted through the lottery process, I think  
 19 violates the very tenet of what a public charter  
 20 school stands for.  
 21 THE CHAIR: Thank you, Commissioner  
 22 Carrillo. I don't disagree with your comments. I  
 23 don't disagree with other Commissioners on feeling  
 24 that this is a -- the moment for a Notice of Breach.  
 25 I do lean more towards making this a

70	<p>1 Notice of Concern first, to use our ladder of 2 intervention from the starting point. 3 I know that we have had letters go out to 4 the school about this, Commissioner Gipson, to your 5 point, during my time here as the charter school 6 director. 7 I feel like I'm coming from the spirit of 8 making true change in this situation. And I want to 9 make sure that our Commission utilizes our 10 Intervention Ladder from the concern through breach 11 to the final components of our ladder. 12 So I am more comfortable right now with 13 a -- with shifting some of the language in the 14 motion to make it a Notice of Concern before we move 15 into a Notice of Breach. 16 Vice Chair Burt. 17 VICE CHAIR BURT: Ditto. I think we have 18 a ladder of intervention and a process for a reason. 19 Once -- I don't think as a Commission -- in the past 20 two and a half years that I've been here, we have 21 not tackled this concern and followed through. 22 And I just don't like -- I don't like -- 23 why do we have processes if we're not going to 24 follow them? It just bothers me. I just don't like 25 it. It bothers me that we just -- I feel like this</p>	72	<p>1 they follow through in August. 2 And I agree -- like, because that 3 enrollment packet is there, that needs to be changed 4 right now. I mean, it needs to be changed. 5 I -- also, there's a lot in the motion 6 that wasn't read. And I would like to make a 7 friendly amendment to the motion to include the 8 action items that we would like to see from them. 9 That's okay. 10 So, yeah, if I could make a friendly 11 amendment? Actually, no, I'm not going to. If 12 someone else wants to, because I'm not going to 13 support this motion anyway. 14 COMMISSIONER CARRILLO: I just saw my 15 screen. I didn't know there was more after it on my 16 screen. 17 VICE CHAIR BURT: I'm not going to support 18 this motion, anyway. I will support a Letter of 19 Concern being sent to the school and for these items 20 to be fixed. 21 I want to take the emotional part out of 22 it, the opinion part out of it, because if we're not 23 careful about that, there's other schools that 24 require -- that put their enrollment packet online. 25 And, you know, that may be beneficial to families to</p>
71	<p>1 is an emotional response and not a practical policy 2 response, and that bothers me a little bit, because 3 having -- some of the facts that are being said are 4 opinions, not actually policy that has to be 5 followed. 6 And so it's -- it's -- you know, until 7 this body, us here, follow through with the process 8 that we have in place, I just don't like -- to me, 9 it's a slippery slope, you know. Like, a school 10 could do something, and they don't know where we're 11 going to -- which part of our process we're going to 12 follow or not follow next time. 13 I think the urgency of this is requiring 14 it by August. If they don't have it by us in the 15 next meeting, like, a Letter of Breach then is 16 appropriate. I mean, I just want to follow -- we 17 have an Intervention Ladder that says the first time 18 that we address an issue, we send a Letter of 19 Concern. 20 In my time that we've been here -- and 21 it's in our Google Docs -- we sent a Letter of 22 Concern in 2021 that did not have anything to do 23 with their lottery and enrollment process. 24 It feels appropriate that that's what we 25 do at this time. And it requires the urgency that</p>	73	<p>1 know what they're going to have to fill out should 2 they get that lottery acceptance, that they know 3 where it's at and how to get to it and what they're 4 going to be expected to have access to. Maybe 5 that's not inappropriate. 6 So sticking to the facts, having them 7 follow the guidance, sticking to the law, having 8 them follow the law, that's appropriate. Taking all 9 the opinions out is -- that's the overreach that, 10 once again, I'm concerned by. And I feel like right 11 now, at this time, we're not following our own 12 processes. And I'm concerned about overreaching. 13 THE CHAIR: Commissioner Carrillo. 14 COMMISSIONER CARRILLO: I feel like I need 15 to amend my own motion to include the language that 16 I didn't see. So that's what I'm going to do right 17 now. Okay. 18 In addition to what I have said on the 19 motion, the school must provide an amendment of 20 Exhibit F of the charter contract, showing: 21 1. That the lottery application form that 22 follows the guidance on lottery is provided to 23 families on website and at the school as a separate 24 stand-alone document. 25 2. That the enrollment information</p>

<p style="text-align: right;">74</p> <p>1 following state and federal law, and that PED 2 guidance on lotteries provided only to families and 3 requested of families after the student is 4 successful in obtaining a slot at the school through 5 a lottery. 6 3. That the time period between the 7 lottery and submittal of a completed enrollment 8 packet is sufficient to allow a family to gather the 9 required information requested and follows the 10 guidance. 11 4. That all references in the 12 documentation to an application be removed. 13 5. That only information required to 14 enroll a student in a public school be included in 15 the enrollment package. 16 6. That no student work, such as an 17 essay, be required or requested in the lottery or 18 enrollment packet. 19 And, 7. That no recommendation, such as a 20 teacher recommendation, be required or requested in 21 the lottery or enrollment packet. 22 COMMISSIONER GIPSON: Second. 23 THE CHAIR: Let's move into discussion of 24 the amended motion. 25 COMMISSIONER CARRILLO: The only last</p>	<p style="text-align: right;">76</p> <p>1 the agenda many times. 2 COMMISSIONER BECK: Separation of the two. 3 COMMISSIONER CARRILLO: Yeah, having them 4 separated, stand-alone lottery. Then relative to -- 5 and I remember Commissioner Burt said that we going 6 right to breach, there's nothing in our own rules in 7 the Intervention Ladder that prevents us from going 8 to a breach and skipping the Letter of Concern based 9 on the severity of what we feel is at hand. 10 THE CHAIR: Commissioner Gipson. Then I'd 11 like to say something as well. 12 COMMISSIONER GIPSON: I can speak partly 13 to this. I can go back to 2018 to a complaint that 14 was made about their lottery process and a letter 15 that was sent from the director of the Charter 16 School Division. 17 I can't -- Corina can't pull it up. But I 18 know, because I was party to it. And I found part 19 of -- a piece of the e-mail chain that the school 20 was directed about. And it was a complaint that was 21 made by an individual over the essay piece of it. 22 And so the conversation has started from 23 2018 about the lottery. When we did contract 24 negotiations, they were specif- -- we went through 25 this clearly with them about what their lottery</p>
<p style="text-align: right;">75</p> <p>1 thing I would say is I always get -- you know, when 2 people, just in general, sometimes, tell me that I 3 might be emotional something or it's an emotional 4 this or that, the fact is -- the fact is they 5 combined their lottery and enrollment packet at the 6 same time. That is a fact. And we've asked them 7 before not to do so. 8 You know, the courts have determined -- 9 one could say, whether it's a fact or not, that 10 methods such as these have a chilling effect on 11 enrollment. 12 So it's just like -- am I very passionate 13 about this? Absolutely. This is a public school. 14 And it's just the way I speak, and who I am, and 15 that's not going to change. 16 THE CHAIR: Further discussion points? 17 Commissioner Beck. 18 COMMISSIONER BECK: I'm still confused 19 because I'm new. So I don't have the history. So 20 I'm confused. 21 Where the confusion is, of saying, "We've 22 done this before," and saying, "We haven't put them 23 on notice before." So is there a clarification on 24 that for me? 25 COMMISSIONER CARRILLO: This has been on</p>	<p style="text-align: right;">77</p> <p>1 process and their enrollment process is. 2 So that the last Letter of Concern did not 3 include that. It did not. But I can -- I can 4 certainly attest to the fact that they have been 5 called and e-mailed and spoken to about their 6 lottery process any number of times. And I will 7 confirm that it was definitely a piece of their 8 contract negotiations, the concerns over their 9 lottery and enrollment process. 10 COMMISSIONER BECK: Thank you. 11 THE CHAIR: Thank you. If there's no 12 other comments now, I'd like to move into a vote on 13 the amendment that Commissioner Carrillo shared. 14 So this is not the vote on this motion, 15 but the amendment that Commissioner Carrillo 16 provided us. 17 COMMISSIONER CARRILLO: Procedurally, we 18 can vote on both together, because I'm the one that 19 made the motion and amended my own motion. And 20 Julia is not a yes. 21 VICE CHAIR BURT: No. We have to vote on 22 the amendment to accept the amendment first, and 23 then it becomes a part of the motion as a whole. 24 THE CHAIR: I would like us to vote on it 25 separate, Commissioner Carrillo.</p>

78	<p>1 COMMISSIONER CARRILLO: That's fine.  2 THE CHAIR: I respectfully understand what  3 you're sharing. But I just want to make sure that  4 procedurally that we do that. So, Commissioner  5 Armijo, can we take a roll-call vote on the  6 amendment that Commissioner Carrillo provided to his  7 own motion?  8 SECRETARY ARMIJO: Yes, we can do that.  9 Commissioner Ingham.  10 COMMISSIONER INGHAM: Yes.  11 SECRETARY ARMIJO: Commissioner Gipson.  12 COMMISSIONER GIPSON: Yes.  13 SECRETARY ARMIJO: Commissioner Beck.  14 COMMISSIONER BECK: Yes.  15 SECRETARY ARMIJO: Commissioner Taylor.  16 COMMISSIONER TAYLOR: Yes.  17 SECRETARY ARMIJO: Commissioner Carrillo.  18 COMMISSIONER CARRILLO: Yes.  19 SECRETARY ARMIJO: Chair Brauer.  20 THE CHAIR: Yes.  21 SECRETARY ARMIJO: Vice Chair Burt.  22 VICE CHAIR BURT: Yes.  23 SECRETARY ARMIJO: And Secretary Armijo  24 votes yes. That passes, eight to zero.  25 THE CHAIR: Thank you. We're in</p>	80	<p>1 yet broached this topic with this school, and I feel  2 like the appropriate thing to do, as a Commissioner,  3 for myself, is to have the first conversation with  4 this school. For me, this is the first time that  5 I'm having a conversation with this school directing  6 them in anything. It feels appropriate for me to do  7 it as a Notice of Concern.  8 I am aware -- I know they know. I know  9 they know. I'm aware of that. I still feel like  10 it's the appropriate thing, for me, as a  11 Commissioner, to issue the Letter of Concern with  12 the urgency that this is corrected within the  13 next -- by August. And that makes me feel like it's  14 the appropriate -- because -- because the -- because  15 we're doing it by August. That's what makes me feel  16 confident in this.  17 I know there was, like, an idea that maybe  18 it'll take a little bit longer. If it goes to next  19 month and this is not corrected, I will support a  20 Notice of Breach at that time, and then it would be  21 30 -- that would give them the 60 days to figure  22 this out. If that's the time period in which that  23 might happen, this still feels like, to me, as an  24 individual Commissioner, the appropriate way for me  25 to have the communication with the school for the</p>
79	<p>1 discussion still on the motion, now amended.  2 I would like to make an amendment to  3 change the Notice of Breach to a Letter of Concern.  4 VICE CHAIR BURT: Second.  5 THE CHAIR: Let's move into discussion.  6 COMMISSIONER CARRILLO: No.  7 THE CHAIR: Commissioner Carrillo?  8 COMMISSIONER CARRILLO: That's my  9 discussion. I mean, that's a terrible idea.  10 Respectfully. I mean, I think you should just -- if  11 my motion fails, you should just entertain a new  12 motion. But whatever.  13 THE CHAIR: I didn't make a friendly  14 amendment.  15 COMMISSIONER CARRILLO: Well, then, I  16 don't accept the amendment. Just tell me what to  17 do.  18 THE CHAIR: Vice Chair Burt.  19 VICE CHAIR BURT: I'll be very quick. I  20 just feel like this is -- once again, if this is any  21 other school, any other topic, this is the process  22 in which I feel like we go by. I feel responsible  23 for the last two and a half years there being  24 issues, this not being included.  25 The -- like, as a Commissioner, I have not</p>	81	<p>1 first time.  2 THE CHAIR: Commissioner Beck.  3 COMMISSIONER BECK: The beauty of this  4 process is we can debate and convince each other and  5 maybe even change.  6 (Discussion held off mic.)  7 THE CHAIR: I made another amendment that  8 we're discussing. On the amendment.  9 COMMISSIONER CARRILLO: I would defer to  10 Julia. It seems -- in my, you know, three years, I  11 don't recall us doing quite this. Whatever.  12 VICE CHAIR BURT: I mean, if you want me,  13 I could pull up Robert's Rules of Order real quick.  14 COMMISSIONER CARRILLO: We can go forward.  15 That's fine.  16 COMMISSIONER BECK: Maybe I need to read  17 Robert's Rule of Order, I guess.  18 VICE CHAIR BURT: The only thing that can  19 be discussed is the amendment right now. That is --  20 not the overall -- but the amendment to change it  21 from breach to a Letter of Concern. That is the  22 discussion. That's what is appropriate under the  23 Robert's Rules of Order that we follow.  24 THE CHAIR: Commissioner Beck, did you  25 have other --</p>

<p style="text-align: right;">82</p> <p>1 COMMISSIONER BECK: Yes.  2 THE CHAIR: Okay.  3 COMMISSIONER BECK: So from what I'm  4 understanding and what Corina told me, that the last  5 Letter of Concern did not have this within it. And  6 I appreciate -- I think it's valid that we do take  7 the procedure on the Intervention Ladder, as it's  8 stated to first go to a Letter Of concern.  9 And the point is that this -- the  10 lottery is actually not for, obviously, this school  11 year; it's for the next school year. And you're  12 asking them to get back to us in 30 days. And I  13 agree that in 30 days, if they haven't gotten back  14 to us, then we move to the next step.  15 So I have -- I thank you for allowing the  16 debate. And I am allowed to change my mind. Thank  17 you.  18 THE CHAIR: Commissioner Ingham. Then  19 Commissioner Carrillo.  20 COMMISSIONER INGHAM: My concern is still  21 that I feel like we need to be -- so if we go to --  22 I don't know if I can ask this question, because it  23 kind of goes to both -- but if we go to the Letter  24 of Breach, which would have the concerns that --  25 that he enumerated there, would we put ourselves in</p>	<p style="text-align: right;">84</p> <p>1 isolating this specific shift that we want to see in  2 their policies in lottery and enrollment, that I  3 think it behooves us to start at the Letter of  4 Concern and move ourselves up and work with CSD and  5 the school to correct this, finally.  6 And if they do not do that, we have some  7 time to move forward on the next steps within our  8 ladder of intervention. That's my -- that's my  9 thinking.  10 COMMISSIONER INGHAM: That's not my  11 question. My question is --  12 THE CHAIR: You want to know is it bad for  13 us to move, like, one step.  14 VICE CHAIR BURT: We can't ask Julia. The  15 motion has been made. So this is -- so if we move  16 to Letter of Breach, the next step is Revocation.  17 So it basically just shortens the time frame from  18 instead of the Letter of Concern, Letter of Breach,  19 then Revocation. The next -- if Letter of Breach  20 happens, the next step is Revocation. If you do  21 Letter of Concern, the next step is Breach, and then  22 Revocation.  23 THE CHAIR: Commissioner Carrillo. Then  24 Commissioner Gipson.  25 COMMISSIONER CARRILLO: Actually, I</p>
<p style="text-align: right;">83</p> <p>1 a more -- yes, would we be in a compromised position  2 where somebody could take advantage of that jump, as  3 you put it?  4 I would like to know if the Letter of  5 Breach is the -- I mean, if it's the same  6 consequence no matter which way we go, and it's not  7 going to make any difference as far as -- because I  8 don't think they're going to respond. So I just  9 don't want to put us in a position where we are not  10 in as strong a position as we would be if we went  11 through the whole process.  12 If it's -- if it doesn't matter, then I'm  13 all for the breach. If it's going to put us in a  14 less appropriate -- so this is for you, Julia. What  15 do you think?  16 THE CHAIR: So -- yeah. You can't. But I  17 can respond.  18 I believe that we should follow our ladder  19 of intervention from Letter of Concern to Notice of  20 Breach to the next step. That's how I believe we  21 should do this. That's why I had made this  22 amendment motion, because I do think starting from  23 the -- and, again, historically, I understand where  24 Commissioners are on this.  25 I believe, at this moment, as we are</p>	<p style="text-align: right;">85</p> <p>1 believe that both Commissioner Burt and Chair Brauer  2 are incorrect. There is nothing in our Intervention  3 Ladder -- and, Mr. Beck, you also have the ability  4 to change your mind back.  5 There is nothing in our Intervention  6 Ladder that says we have to start at a Letter of  7 Concern. And with all due respect, both of you are  8 implying that in your arguments. This is what I've  9 heard both of you say. And it's a matter of record,  10 if we wanted Cindy to read back the record.  11 You've both stated that in following our  12 Intervention Ladder, we start with a Letter of  13 Concern. That is not -- that is a step in our  14 Intervention Ladder. There is nothing that  15 precludes us from going to breach; okay?  16 And the thing is I believe that maybe  17 Commissioner Beck had been misled thinking that we  18 had to go first to one and then the others. That --  19 and so I think that's, to me, a huge concern when  20 that is the picture that's being painted -- I'm  21 talking now, not you guys -- when that's the picture  22 that's being painted.  23 Severity is where it comes. I don't think  24 anybody is ever going to move to revocation of this  25 school. It's a really successful school. The idea</p>

86	<p>1 is to get them to sit right there and defend what it 2 is they've done and what it is they're going to do 3 to correct it. Because it's a public school; okay? 4 They need to face it. They need to own it. They 5 need to change it.</p> <p>6 And I don't want to give them 60 and 7 90 days, because I see it being 90. They're not -- 8 there's nothing to compel them to have their board 9 meet, you know, in 30 days. And then it goes on to 10 60, because we only meet, you know, every other 11 month.</p> <p>12 And then it goes on to 90 if we want to go 13 to a breach.</p> <p>14 And then -- so I just go back to the 15 argument that Mr. Zamora was making in defense of 16 his school: "Please, please, please give us another 17 chance," and just draw it out until the cows come 18 home.</p> <p>19 No. I'm totally against your amendment. 20 I'm very unfriendly to that amendment.</p> <p>21 THE CHAIR: Thank you, Commissioner. And 22 I want to say, for the record, I know that we can 23 move above a Letter of Concern. I know that.</p> <p>24 I believe right now our best part is to 25 start with that Letter of Concern and then move as</p>	88	<p>1 and I don't have confidence that this school 2 actually does comply. Plain and simple, I don't. 3 So...</p> <p>4 THE CHAIR: Thank you, Commissioner 5 Gipson.</p> <p>6 Commissioner Taylor. Then Vice Chair 7 Burt.</p> <p>8 COMMISSIONER TAYLOR: A question I would 9 have is with a Letter of Concern, the school can -- 10 will still come in 30 days and explain what's 11 happening or what the -- their remedies might be.</p> <p>12 The other thing that I found -- I found 13 pretty encouraging, I guess, is the letter from 14 their attorney indicating that they're -- they're 15 open to making the changes that we would like them 16 to make; so...</p> <p>17 THE CHAIR: Vice Chair Burt.</p> <p>18 VICE CHAIR BURT: Yeah. I just want to 19 say for the record, too, I -- this is a debate. And 20 so I am trying to convince you all of my opinion. 21 My opinion is that we should not go straight to 22 breach, never implying and trying to mislead anyone 23 that that is the only way, like, the -- the only way 24 we can do it.</p> <p>25 It is -- I take things as a debate, and I</p>
87	<p>1 expediently as possible to the next steps as we 2 need.</p> <p>3 Commissioner Gipson. And then 4 Commissioner Taylor.</p> <p>5 COMMISSIONER GIPSON: A letter of breach 6 could lead to revocation. It's not a guaranty. If 7 we could put them on a Corrective Action Plan -- but 8 just because -- if we found that they still didn't 9 fix it, we could revoke them. We could.</p> <p>10 But there's not an absolute, "Oh, you 11 didn't fix it, so now we're automatically going to 12 revoke you."</p> <p>13 It could be, "You now are under a 14 Corrective Action Plan." That is a possibility, so 15 that it's -- you know, it's not a guaranty.</p> <p>16 You know, I'm -- I'm still more in favor 17 of the Letter of Breach. I understand the concept. 18 But schools are told during contract negotiations 19 that, at any time, they can skip a step in the 20 Intervention Ladder if the Commission feels that 21 the -- the severity or that the -- you know, it 22 warrants it at that moment.</p> <p>23 And I am extremely concerned about the 24 fact that the enrollment practice is happening now, 25 because they are enrolling students now, so that --</p>	89	<p>1 am trying to convince you. So just to set the 2 record straight, I am not trying to mislead anybody. 3 But I am trying to tell you that I believe that we 4 should start with Letter of Concern, then go to 5 Breach.</p> <p>6 I do think -- I do take Breach extremely 7 seriously, because, for me, if it's not remedied, it 8 is -- it does go to -- like, that is serious; like, 9 that is extremely serious.</p> <p>10 And that's what happens when people do not 11 then respond to Letters of Breach, you know, like 12 that's the path that we go down. And when we do a 13 Letter of Breach, they're supposed to do a CAP as 14 part of that. It's not should they do it; it goes 15 to a Corrective Action Plan as part of the breach.</p> <p>16 COMMISSIONER CARRILLO: (Off mic.) 17 VICE CHAIR BURT: Sorry. That doesn't 18 make sense to me. Once we move to revoke them, it's 19 past the Corrective Action Plan. So when we do a 20 Letter of Breach, they're required to then provide a 21 Corrective Action Plan.</p> <p>22 COMMISSIONER GIPSON: No. 23 VICE CHAIR BURT: Okay. So I -- that's 24 inaccurate. They need to -- they need to provide a 25 Corrective Action Plan when we do a Breach; that's</p>

<p style="text-align: right;">90</p> <p>1 how we've done them in the past. And so -- which, 2 once again, they can create a plan or they can just 3 fix this and we can move on. And my hope is they 4 fix it and we move on.</p> <p>5 So just to set the record straight, I am 6 trying to convince you all to do a Letter of 7 Concern, because I seconded his motion. I'm not 8 saying we have to or else I wouldn't have -- I would 9 have said that a long time ago, that we can't do a 10 Letter of Breach.</p> <p>11 And I just feel like -- I feel very 12 responsible right now, as a Commissioner, that in 13 2021, we didn't approach this topic. If this has 14 been an issue for years, I feel massively 15 responsible to not have done this and corrected this 16 before today. And so that's where -- that's kind of 17 where I stand.</p> <p>18 THE CHAIR: Commissioner Carrillo.</p> <p>19 COMMISSIONER CARRILLO: I was going to -- 20 first off, nothing compels them to do anything in 21 30 days, you know. And I know, Commissioner Taylor, 22 you asked that question. There is nothing to compel 23 them to even come here in 30 days, or even to reply 24 if we have a Letter of Concern.</p> <p>25 And that's -- again, I think the severity.</p>	<p style="text-align: right;">92</p> <p>1 if this is not fixed -- because the Letter of 2 Concern comes because it's a breachable issue in the 3 contract.</p> <p>4 But to try to right the ship before you 5 get to the Letter of Breach, you send the Letter of 6 Concern to the school. And the Letter of Concern 7 indicates that if this is not fixed, the next step 8 could be a Letter of Breach, because the concern 9 addresses a violation -- a potential violation of 10 their contract.</p> <p>11 So, simply, yes, they're in breach of 12 their contract because of the -- their -- the 13 enrollment and lottery process. The not-so-simple 14 answer is what do you do about that? That's -- so 15 it's -- you know. But, you know, on -- in black and 16 white, yes, they are. Great. I'm going to close 17 discussion. Let's move into -- let's just move into 18 the -- the vote on the amendment that I raised to 19 shift -- shift the language from Notice of Breach to 20 Letter of Concern.</p> <p>21 Secretary Armijo, can you go ahead and 22 take a roll-call vote on the amendment?</p> <p>23 SECRETARY ARMIJO: Yes, I can do that.</p> <p>24 THE CHAIR: I'm sorry. I wanted to make 25 sure I was right. The Notice of Concern, not Letter</p>
<p style="text-align: right;">91</p> <p>1 The severity. And I would -- and I'm -- I'm in the 2 same mind as Commissioner Burt. I'm trying to 3 convince you, too. I mean, isn't that what we do 4 when we're at hearings and everything else; right?</p> <p>5 So I think the severity here warrants a 6 Letter of Breach. And, you know, if all else fails, 7 maybe they can just have the private school they 8 always wanted.</p> <p>9 THE CHAIR: If it's okay, one more comment 10 about this amendment. The amendment, again, is from 11 the Notice of Breach to the Letter of Concern.</p> <p>12 COMMISSIONER INGHAM: What I want to ask 13 very succinctly is are they guilty? Did they breach 14 their contract? If they have breached their 15 contract, then this is appropriate. If they have 16 not breached their contract, then it's not 17 appropriate.</p> <p>18 And it seems to me very simple to answer 19 that question. If they have breached their 20 contract, then they need a letter stating so.</p> <p>21 COMMISSIONER GIPSON: The simple answer is 22 yes, they've breached their contract. The 23 not-so-simple answer is not every breach warrants an 24 immediate Letter of Breach, because any Letter of 25 Concern is -- the Letter of Concern indicates that</p>	<p style="text-align: right;">93</p> <p>1 of Concern.</p> <p>2 SECRETARY ARMIJO: All-righty.</p> <p>3 Chair Gipson -- excuse me -- Commissioner 4 Gipson.</p> <p>5 COMMISSIONER GIPSON: No.</p> <p>6 SECRETARY ARMIJO: Commissioner Beck.</p> <p>7 COMMISSIONER BECK: Yes.</p> <p>8 SECRETARY ARMIJO: Commissioner Carrillo.</p> <p>9 COMMISSIONER CARRILLO: No.</p> <p>10 SECRETARY ARMIJO: Oh -- commissioner 11 Taylor. Sorry. Commissioner Taylor.</p> <p>12 COMMISSIONER TAYLOR: Yes.</p> <p>13 SECRETARY ARMIJO: Commissioner Carrillo.</p> <p>14 COMMISSIONER CARRILLO: No.</p> <p>15 SECRETARY ARMIJO: Chair Brauer.</p> <p>16 THE CHAIR: Yes.</p> <p>17 SECRETARY ARMIJO: Vice Chair Burt.</p> <p>18 VICE CHAIR BURT: Yes.</p> <p>19 SECRETARY ARMIJO: Secretary Armijo votes 20 yes.</p> <p>21 Commissioner Ingham.</p> <p>22 COMMISSIONER INGHAM: No.</p> <p>23 SECRETARY ARMIJO: Okay. That passes, 24 five to three, in favor of the amendment.</p> <p>25 THE CHAIR: Okay. So the amendment</p>



<p style="text-align: right;">94</p> <p>1 passes. We're still in discussion of the overall --</p> <p>2 COMMISSIONER CARRILLO: I withdraw my</p> <p>3 motion. I don't -- because I don't support the</p> <p>4 "concern," so I withdraw it.</p> <p>5 VICE CHAIR BURT: All right. I move that</p> <p>6 the Albuquerque Institute for Math and Science</p> <p>7 (AIMS) be placed on the Intervention Ladder and that</p> <p>8 the Chair of the PEC issue a Notice of Concern to</p> <p>9 the school related to its lottery and enrollment</p> <p>10 practices.</p> <p>11 The Notice of Concern should contain</p> <p>12 direction that in order to be returned to good</p> <p>13 standing, the school should submit an amendment to</p> <p>14 the charter contract, Exhibit F, for consideration</p> <p>15 by the PEC at its August PEC meeting, showing AIMS's</p> <p>16 governing board approval of a lottery and enrollment</p> <p>17 procedure and documentation that complies with the</p> <p>18 state and federal law and the NMPED guidance on</p> <p>19 lottery and enrollment.</p> <p>20 The school must provide an amendment of</p> <p>21 Exhibit F of the charter contract showing:</p> <p>22 1. That the lottery application form that</p> <p>23 follows the guidance on lottery is provided to</p> <p>24 families on the website and at the school as a</p> <p>25 separate stand-alone document.</p>	<p style="text-align: right;">96</p> <p>1 Any discussion at this time?</p> <p>2 COMMISSIONER CARRILLO: An amendment to</p> <p>3 change the word "Concern" to "Breach"? Just</p> <p>4 kidding. Just kidding. ¡Hijole!</p> <p>5 So I'm curious. The Section 6, Ms. Burt,</p> <p>6 where it says "enrollment packet," I want to ask</p> <p>7 Julia -- because the idea is there's a lot of things</p> <p>8 in the enrollment packet that are very troubling.</p> <p>9 But it's their enrollment packet.</p> <p>10 And, I mean, to me the biggest issue is</p> <p>11 that it's even visible to anybody that hasn't first</p> <p>12 been accepted to the school. That to me is, like,</p> <p>13 the biggest concern. But can we -- are we able --</p> <p>14 this is a question for Ms. Barnes.</p> <p>15 THE CHAIR: We can't ask her that right</p> <p>16 now, Commissioners.</p> <p>17 COMMISSIONER CARRILLO: Oh, tha- -- well,</p> <p>18 wait a minute.</p> <p>19 VICE CHAIR BURT: I would say I would like</p> <p>20 for that to stay in.</p> <p>21 COMMISSIONER CARRILLO: My concern is</p> <p>22 what -- okay. That's fine. It's just a concern</p> <p>23 that --</p> <p>24 VICE CHAIR BURT: I think -- the essay can</p> <p>25 be required by the school, just not as a part of the</p>
<p style="text-align: right;">95</p> <p>1 2. That the enrollment information</p> <p>2 following state and federal law and the PED guidance</p> <p>3 on lottery is provided only to families and</p> <p>4 requested of families after the student is</p> <p>5 successful in obtaining a spot at the school through</p> <p>6 a lottery.</p> <p>7 3. That the time period between the</p> <p>8 lottery and submittal of a completed enrollment</p> <p>9 packet is sufficient to allow a family to gather the</p> <p>10 required information requested and follows the</p> <p>11 guidance.</p> <p>12 4. That all references in the</p> <p>13 documentation to an application be removed.</p> <p>14 5. That only information required to</p> <p>15 enroll a student in a public school be included in</p> <p>16 the enrollment packet.</p> <p>17 6. That no student work, such as an</p> <p>18 essay, be required or requested in the lottery or</p> <p>19 enrollment packet.</p> <p>20 And, No. 7. That no recommendation, such</p> <p>21 as a teacher recommendation, be required or</p> <p>22 requested in the lottery or enrollment packet.</p> <p>23 COMMISSIONER TAYLOR: Second.</p> <p>24 THE CHAIR: Let's move into discussion on</p> <p>25 the motion.</p>	<p style="text-align: right;">97</p> <p>1 enrollment process is what I would -- you know,</p> <p>2 like, a teacher can reach out to a student after</p> <p>3 they're enrolled and require that.</p> <p>4 COMMISSIONER CARRILLO: I see the</p> <p>5 distinction. Thank you.</p> <p>6 THE CHAIR: Any other discussion?</p> <p>7 Commissioner Taylor.</p> <p>8 COMMISSIONER TAYLOR: Yeah. Just, do we</p> <p>9 feel like the -- that all the points you made in the</p> <p>10 motion are exhaustive of what we would like changed</p> <p>11 in the enrollment package? Are there other things</p> <p>12 that we might be able to address, even though we</p> <p>13 haven't maybe done a complete and thorough overview</p> <p>14 of that?</p> <p>15 VICE CHAIR BURT: So I -- for me, for the</p> <p>16 motion, I would leave it as is. But I am going to,</p> <p>17 offline, have a request of CSD about a different</p> <p>18 part of the enrollment packet that I do not think</p> <p>19 complies with federal and state law.</p> <p>20 And so I do think -- just saying it has to</p> <p>21 comply with federal and state law addresses one of</p> <p>22 the issues, like, the hair and piercing part. I do</p> <p>23 think that violates state law.</p> <p>24 So I think just saying that their process</p> <p>25 has to follow state law as part of this motion</p>

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1 includes that. But I will -- I think separately, I  
 2 just want to -- that's a concern I have. But I  
 3 think it might be addressed in this.  
 4 COMMISSIONER TAYLOR: Okay. All right. I  
 5 just didn't want this to be sort of an exhaustive  
 6 list.  
 7 And you might look at the current law that  
 8 New Mexico adopted. It addresses mostly racial  
 9 hairstyles and so forth, in defense of, especially  
 10 black women with, you know, with hairstyles. So I  
 11 don't know if it deals with red and blue and green  
 12 colors of -- you know.  
 13 THE CHAIR: Commissioner Carrillo.  
 14 COMMISSIONER CARRILLO: To Ms. Burt, it  
 15 looks like maybe Item 2 deals with this, the idea of  
 16 the lottery is -- hold on -- the enrollment  
 17 information -- because that's also -- that may be  
 18 enrollment information and/or packet?  
 19 Because my concern is I don't want that  
 20 packet available to anyone that hasn't first been  
 21 accepted to the school. That's my overarching  
 22 concern.  
 23 And does Item 2, Ms. Burt -- I think it  
 24 adequately addresses that. But it says "enrollment  
 25 information" which could be much more broad. So I'm

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1 wondering -- I guess I would want you -- if you're  
 2 open to add "and packet."  
 3 VICE CHAIR BURT: "And packet"? Okay.  
 4 Accept that as a friendly amendment. "Enrollment  
 5 information and packet."  
 6 COMMISSIONER CARRILLO: Right. Thank you.  
 7 THE CHAIR: Any other comments?  
 8 Let's move on to the vote on Vice Chair's  
 9 motion. Secretary Armijo.  
 10 SECRETARY ARMIJO: Thank you. I'll start  
 11 with Commissioner Beck.  
 12 COMMISSIONER BECK: Yes.  
 13 SECRETARY ARMIJO: Thank you.  
 14 Commissioner Taylor.  
 15 COMMISSIONER TAYLOR: Yes.  
 16 SECRETARY ARMIJO: Commissioner Carrillo.  
 17 COMMISSIONER CARRILLO: The longest  
 18 journeys begin with just one step. So better take  
 19 one step than no steps at all. So yes.  
 20 SECRETARY ARMIJO: Chair Brauer.  
 21 THE CHAIR: Yes.  
 22 SECRETARY ARMIJO: Vice Chair Burt.  
 23 VICE CHAIR BURT: Yes.  
 24 SECRETARY ARMIJO: Secretary Armijo votes  
 25 yes.

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1 Commissioner Ingham.  
 2 COMMISSIONER INGHAM: Yes.  
 3 SECRETARY ARMIJO: Commissioner Gipson.  
 4 COMMISSIONER GIPSON: Yes.  
 5 SECRETARY ARMIJO: That passes, eight to  
 6 zero.  
 7 THE CHAIR: Thank you so much. We're  
 8 going to move on to Item No. 9, Report from Charter  
 9 School Director and Discussion.  
 10 DIRECTOR CORINA CHAVEZ: Chair Brauer,  
 11 first I would like to go back to Item --  
 12 THE CHAIR: Oh, that's right,  
 13 Commissioners. I believe Alma d'Arte's head  
 14 administrator is on.  
 15 If it's okay -- if we have consensus, can  
 16 we go ahead and bring that person on?  
 17 DIRECTOR CORINA CHAVEZ: This is Dr. Adam  
 18 Amador, who was just hired as the head administrator  
 19 at Alma d'Arte. And so, Mr. Amador, Missy is going  
 20 to promote you to the panel, and you need to accept  
 21 and please turn your camera on and be prepared to  
 22 address the Commission.  
 23 DR. ADAM AMADOR: Okay, I'm here. I don't  
 24 know if you guys can see me.  
 25 DIRECTOR CORINA CHAVEZ: We cannot see

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1 you. We hear you. You might need to turn your  
 2 camera on.  
 3 DR. ADAM AMADOR: My camera. Everything  
 4 is fired up and ready to go. "Join as panelist."  
 5 DIRECTOR CORINA CHAVEZ: There we go.  
 6 DR. ADAM AMADOR: Okay, I'm here.  
 7 DIRECTOR CORINA CHAVEZ: Hi, Mr. Amador.  
 8 We have this as a standing item on the PEC agenda so  
 9 they get to meet new head administrators at charter  
 10 schools.  
 11 That you just joined Alma d'Arte as the  
 12 new head administrator provides you the opportunity  
 13 to introduce yourself to the Commission.  
 14 DR. ADAM AMADOR: Fantastic. Chair,  
 15 Commissioners, thank you for having me here.  
 16 I'm very excited. I just took over Alma  
 17 d'Arte July 1st. I will tell you that, you know,  
 18 our information submitted to the Charter Schools  
 19 Division, I'm excited as we have no where to go but  
 20 up.  
 21 We are already putting things in place  
 22 academically for our parents, students, faculty, and  
 23 staff, top-tier professional development and  
 24 learning.  
 25 We're aligning all of our systems to

102	<p>1 reflect state, you know, mandates and directives in 2 terms of the MLSS. We're providing supports for 3 students and families. We're increasing our ability 4 for our students to access college and career 5 readiness information and opportunities. 6 And that's all been done within the last 7 couple of weeks. So I'm really excited to be able 8 to display that over the next several months, and I 9 would invite anyone from the Public Education 10 Commission to come down to Alma d'Arte to see the 11 wonderful work that our students produce and the 12 wonderful work that we're doing in the community for 13 the students. 14 THE CHAIR: Great. Thank you. How about 15 we start with Commissioner Gipson, and we'll do 16 some introductions and any questions we might have. 17 COMMISSIONER GIPSON: Pattie Gipson. I 18 don't have to come down to Las Cruces; I live in 19 Las Cruces. So I look forward to stopping in and 20 meeting. I always am enthusiastic about the work 21 that Alma does and the creativity that is 22 encapsulated in the community of Alma. 23 DR. ADAM AMADOR: Thank you. 24 THE CHAIR: Secretary Armijo, do you want 25 to go next? And we'll just go around the horn.</p>	104	<p>1 DR. ADAM AMADOR: Fantastic. 2 COMMISSIONER TAYLOR: I'm Mike Taylor 3 representing District 8. I live in Roswell, 4 New Mexico. Sounds like you have hit the ground 5 running, and I'm excited to see what you -- the 6 plans you have for Alma. 7 DR. ADAM AMADOR: Thank you. 8 COMMISSIONER INGHAM: Yes. My name is 9 Stewart Ingham. I am the Commissioner for 10 District 6. And that is the southwest corner of the 11 state. We're adjacent to you. And look forward to 12 also meeting you at the convention. 13 DR. ADAM AMADOR: Fantastic. Thank you. 14 COMMISSIONER CARRILLO: I'm Steve 15 Carrillo. I'm the Commissioner for District 10, 16 which is Santa Fe, Rio Arriba, Colfax, and Taos 17 Counties, all the way to the border, except for the 18 Four Corners. 19 COMMISSIONER BECK: Hi. I'm Tim Beck. I 20 represent District 2, Northeast Heights. Two of my 21 four kids went to New Mexico State, and my older son 22 was an Assistant U.S. Attorney in Las Cruces. So I 23 fondly think of Las Cruces and want to come down and 24 visit, but I'll see you next week, too. 25 DR. ADAM AMADOR: Thank you.</p>
103	<p>1 SECRETARY ARMIJO: Thanks. I thought you 2 were going to forget me again. 3 Hi, Adam. I'm Melissa Armijo. I actually 4 know Adam. He taught at Albuquerque High where my 5 children went to school. So really, really glad to 6 see that you're heading up Alma d'Arte. 7 I'm excited for you. If I do get down to 8 Las Cruces, I will definitely come and visit you. 9 And happy to see your face. Thank you so much. 10 DR. ADAM AMADOR: Likewise. Thank you. 11 VICE CHAIR BURT: Hello. My name is -- 12 let me see -- hi. I'm Bekka Burt. I represent 13 District 4 in Rio Rancho. And congratulations on 14 your new position. Really looking forward to seeing 15 the upward trajectory that you're leading. 16 Thanks. 17 DR. ADAM AMADOR: Thank you. 18 THE CHAIR: Thank you. Good morning. My 19 name is Alan Brauer, and I'm representing District 3 20 within Albuquerque. So it's nice to meet you. 21 I look forward to visiting you maybe as 22 soon as next week at the charter school conference, 23 and it would be great to connect with you all there. 24 And, for the record, many apologies, Secretary 25 Armijo, for forgetting you earlier today.</p>	105	<p>1 THE CHAIR: Director Chavez, the floor is 2 still yours for the conference, staffing updates, 3 and -- thank you so much, sir, for joining us today 4 and we'll look forward to seeing you soon. 5 DR. ADAM AMADOR: Thank you all. Bye. 6 DIRECTOR CORINA CHAVEZ: Thank you. 7 All right. Commissioners, what 8 Dr. Russell is passing around is the agenda for the 9 Charter Schools conference, which will start Monday 10 evening at the Tamaya. If you have worked with 11 Sharyn to get a room, you have a room, and you don't 12 need to worry about it. At the time that you submit 13 for reimbursement, you will only submit for mileage. 14 But you should expect to attend the 15 conference on Monday night, starting with the 16 reception. And then Tuesday morning, registration 17 begins early. 18 You guys have an early agenda, so you know 19 what the sessions are. 20 We're super excited. We have a really 21 awesome emcee that staff at the Charter Schools 22 Division ran into at another conference and said, 23 "We definitely want to bring Leroy 'Buster' Silva as 24 the emcee." So he will be bringing positive energy 25 to us throughout the conference.</p>

106	<p>1 I mentioned the film this morning and the</p> <p>2 entities that came together to have reflections on</p> <p>3 the charter schools movement.</p> <p>4 I also mentioned the student showcase that</p> <p>5 will be available for you all to go into Puma Room C</p> <p>6 and look at the work that students and their</p> <p>7 (inaudible due to audio distortion) represent.</p> <p>8 And there's a map of the Tamaya. There's</p> <p>9 a couple of different keynotes.</p> <p>10 And all of the sessions, one thing that we</p> <p>11 are doing with this conference is providing</p> <p>12 governing board training hours. And so any of the</p> <p>13 sessions that are highlighted in turquoise means</p> <p>14 that the governing board members can sign in and get</p> <p>15 part of their annual hours.</p> <p>16 So I know that there's -- there's a lot to</p> <p>17 read here. We're super excited. Again, we have</p> <p>18 almost 500 participants registered, and there's a</p> <p>19 waitlist, and I still get e-mails every day about</p> <p>20 people who hadn't yet registered.</p> <p>21 And we -- we did the count. Again,</p> <p>22 70 charter schools from across the state will be</p> <p>23 represented. That's teachers, head administrators,</p> <p>24 governing board members, some students.</p> <p>25 And we have national partners that are</p>	108	<p>1 well.</p> <p>2 Our partners in the National Charters</p> <p>3 Institute will come. So there's a session that</p> <p>4 Naomi and Aveshanta (ph) are doing. And also I</p> <p>5 think they'll be sitting in and supporting</p> <p>6 Commissioners Burt and Gipson for the Performance</p> <p>7 Framework session.</p> <p>8 And Jim, who is the president of the</p> <p>9 National Charter Schools Institute, is going to do a</p> <p>10 30-year retrospective from the national level.</p> <p>11 So you'll also see that Taos Academy,</p> <p>12 Albuquerque Public Schools, Community Schools</p> <p>13 Development Specialists, Technology Leadership High</p> <p>14 School, Poms &amp; Associates, who helped sponsor, will</p> <p>15 be there, along with several other schools, their</p> <p>16 school teams, and I think there's a lot of really</p> <p>17 interesting things.</p> <p>18 I want to thank the Charter Schools</p> <p>19 Division staff who worked tirelessly on this. You</p> <p>20 know, this was a project that Louie first owned and</p> <p>21 had a vision for it being grand in comparison to</p> <p>22 last year. And so he started with a team of folks</p> <p>23 who then carried it forward and just knocked it out</p> <p>24 of the park.</p> <p>25 So big kudos to Ted, Julianna, Lucy,</p>
107	<p>1 coming. I want to highlight that. One of the</p> <p>2 partners that we are entering into for the '23-'24</p> <p>3 school year is the Indicators of Distress</p> <p>4 collaboration with Dr. Aimee Evan, who comes from</p> <p>5 WestEd. She's doing a three-part series at the</p> <p>6 conference to introduce the concept of the</p> <p>7 Indicators of Distress to governing board members,</p> <p>8 school leaders, and I invite you to attend as well.</p> <p>9 The first one will be an introduction, and</p> <p>10 then the second session builds on that. And in the</p> <p>11 end, we hope that schools will have some</p> <p>12 self-reflections and start to think about why do we</p> <p>13 have to -- why are we cycling through head</p> <p>14 administrators? Or why have we not tested our</p> <p>15 internal controls?</p> <p>16 The tool is really excellent and could be</p> <p>17 used again as something that the schools themselves</p> <p>18 utilize to self-assess.</p> <p>19 We have two keynotes: Dr. Felicia</p> <p>20 Ganther, who is coming to us from Bucks County. And</p> <p>21 I think she's going to be pretty high-energy.</p> <p>22 And the other -- the other keynote is</p> <p>23 Dr. Brooke Stafford-Brizard, who is the VP of</p> <p>24 Research and Practice from the Chan Zuckerberg</p> <p>25 Initiative. We're excited about her reflections as</p>	109	<p>1 Martica, Brigitte. Also, Missy helped determine</p> <p>2 which of the governing council sessions would give</p> <p>3 credit.</p> <p>4 We had Ruby being in touch with the</p> <p>5 presenters to confirm that we are describing their</p> <p>6 sessions correctly.</p> <p>7 Who else am I -- Samantha also was really</p> <p>8 key. And, really, the whole team is going to be</p> <p>9 there next week supporting this. I think it's going</p> <p>10 to be a fantastic conference.</p> <p>11 So that is the update on the conference.</p> <p>12 I don't know if this needs to be a discussion.</p> <p>13 If -- Chair Brauer, if you want me to field any</p> <p>14 questions, I'm happy to at this point.</p> <p>15 THE CHAIR: Commissioner Carrillo.</p> <p>16 COMMISSIONER CARRILLO: This looks really</p> <p>17 great. Yeah. And all of the breakout sessions and</p> <p>18 everything.</p> <p>19 I have a question for you, because I can't</p> <p>20 ask this question to Dr. Aimee Evan. So indicators</p> <p>21 of charter school distress. I mean, I see it's in</p> <p>22 three parts. Is it really recommended, because</p> <p>23 there is such a wonderful array of breakouts, that</p> <p>24 someone attend all three? Or can somebody attend</p> <p>25 one -- either one of the three and glean really</p>

110	<p>1 important information?</p> <p>2 DIRECTOR CORINA CHAVEZ: It's designed for</p> <p>3 one session to build upon the next. But it's going</p> <p>4 to be tough. I know there's a lot of really good</p> <p>5 sessions.</p> <p>6 COMMISSIONER CARRILLO: No. It looks</p> <p>7 fantastic. So you had said really early in your --</p> <p>8 in what you were saying is that we -- I guess we put</p> <p>9 in for mileage is the thing we put in for. We put</p> <p>10 in for meals; right?</p> <p>11 DIRECTOR CORINA CHAVEZ: No, you'll be</p> <p>12 fed.</p> <p>13 COMMISSIONER CARRILLO: Dinner, too?</p> <p>14 DIRECTOR CORINA CHAVEZ: No. There's a</p> <p>15 reception with -- there's a reception with</p> <p>16 appetizers. With appetizers.</p> <p>17 COMMISSIONER CARRILLO: You're not feeding</p> <p>18 me dinner. Because you know food is a priority for</p> <p>19 me.</p> <p>20 DIRECTOR CORINA CHAVEZ: We can talk about</p> <p>21 your specific needs later on.</p> <p>22 Any other questions about the conference</p> <p>23 itself?</p> <p>24 COMMISSIONER CARRILLO: It's great. I'm</p> <p>25 really excited.</p>	112	<p>1 ago, and we're loving it. So, anyway, thank you.</p> <p>2 It's awesome to join your team.</p> <p>3 THE CHAIR: Thank you. Thank you for</p> <p>4 joining our team. I guess we'll see you at the</p> <p>5 reception as well on Monday?</p> <p>6 MS. CHERYL ROWE: Yes. Yes.</p> <p>7 DIRECTOR CORINA CHAVEZ: So,</p> <p>8 Commissioners, you know that we promoted Lucy. And</p> <p>9 so we were able to advertise her position, which was</p> <p>10 an Ed Admin B in the technical assistance side of</p> <p>11 our work.</p> <p>12 We posted, interviewed, and we have</p> <p>13 someone that's starting August 7th. So you'll get a</p> <p>14 chance to meet our new staff person when she joins</p> <p>15 then.</p> <p>16 We also have someone -- we also --</p> <p>17 Julianna Montoya moved into a different position</p> <p>18 also on the TA team, which left open her position as</p> <p>19 the homeschool liaison. And so we hired Kelli</p> <p>20 Renken, who is upstairs, probably coming downstairs</p> <p>21 as we speak. So when she gets here, you'll have an</p> <p>22 opportunity to meet her.</p> <p>23 So this means that we are almost fully</p> <p>24 staffed. I mentioned yesterday that there's a pause</p> <p>25 on Louie's position; just needed to get through the</p>
111	<p>1 DIRECTOR CORINA CHAVEZ: I am super proud</p> <p>2 of the work that went into creating this conference.</p> <p>3 Commissioner Beck, did you raise your</p> <p>4 hand?</p> <p>5 Okay. Thank you. All right.</p> <p>6 Commissioners, I wanted to provide a</p> <p>7 staffing update for the Charter Schools Division.</p> <p>8 In the back of the room, who attended all day</p> <p>9 yesterday and who is here right now, is Cheryl Rowe,</p> <p>10 who we just hired as an Ed Admin A.</p> <p>11 I don't know, Cheryl, if you want to come</p> <p>12 up and say a few words.</p> <p>13 Commissioners, wow, we're lucky to have</p> <p>14 Cheryl. Cheryl comes from Santa Fe Public Schools.</p> <p>15 Already she's made some huge contributions to our</p> <p>16 work. You have to press the button.</p> <p>17 MS. CHERYL ROWE: Here we go. Hi,</p> <p>18 everybody. Thank you very much for the nice</p> <p>19 introduction.</p> <p>20 It's really nice to meet you all. My name</p> <p>21 is Cheryl Rowe. I've been an educator for many</p> <p>22 years, 22 or 23 years now. And I'm really excited</p> <p>23 to be part of this now as a change in my career.</p> <p>24 Most of my experience has been in Northern</p> <p>25 California, but we moved here a little over a year</p>	113	<p>1 conference. And after seeing this agenda, I think</p> <p>2 you'll understand why.</p> <p>3 But we -- we have a great team.</p> <p>4 The other day, our team members came</p> <p>5 together to watch the video that's going to be at</p> <p>6 the conference. It was so much fun. And then at</p> <p>7 the huddle, we got to celebrate Ms. Missy Brown's</p> <p>8 birthday on Tuesday -- or was that Wednesday?</p> <p>9 So happy birthday to --</p> <p>10 THE CHAIR: Happy birthday.</p> <p>11 DIRECTOR CORINA CHAVEZ: Okay. The final</p> <p>12 update that I wanted to provide to you,</p> <p>13 Commissioners, is there's a document in your folder,</p> <p>14 Item 9.c., and it's a report and update on La Tierra</p> <p>15 Montessori.</p> <p>16 So La Tierra Montessori has things that</p> <p>17 are happening on a daily basis. And we do our best</p> <p>18 to keep up.</p> <p>19 I want to give special kudos to Kimberly</p> <p>20 Gonzales, who has served as the main point of</p> <p>21 contact with that school and has daily contact with</p> <p>22 not just the school registrar and head</p> <p>23 administrator, she has also -- is also working very</p> <p>24 closely with Sara Cordova in School Budget.</p> <p>25 As you know, the Public Education</p>

<p style="text-align: right;">114</p> <p>1 Department took over the Board of Finance for the 2 school. And so we are at a place now where bills 3 are being submitted, invoices are being submitted, 4 and the PED is making decisions around paying and 5 having to actually pay those bills. 6 So we are also working very closely with 7 the school as it pertains to the students and staff. 8 The school has moved forward with conducting a 9 lottery on July 3rd. We were present for that 10 lottery. 11 There was one kindergarten application. 12 The school reports 57 students are 13 intending to return for the upcoming school year. 14 But -- and this number has changed now. It says 24, 15 but I think that since the 13th, that number has 16 increased slightly. 17 DR. BRIGETTE RUSSELL: I believe, 18 Commissioners, that 24 is the number of forms that 19 have been signed. The others -- parents have 20 indicated that they're planning on returning, but 21 they don't have signed forms from them. 22 DIRECTOR CORINA CHAVEZ: It is unclear 23 whether the school has fully created their inventory 24 of assets. But I know that they have started that 25 process, because I was cc'd in a correspondence with</p>	<p style="text-align: right;">116</p> <p>1 And that's the update. We are still 2 waiting to hear about -- we are still waiting to 3 hear about the outcome from the appeal. 4 THE CHAIR: Thank you. And I think 5 maybe -- is your new staff member in the room? 6 DIRECTOR CORINA CHAVEZ: Yes. So Kelli 7 Renken just walked in the room. Kelli, if you want 8 to say hello to the Commission, I just mentioned 9 that you joined us is the new administrator in 10 homeschools. 11 MS. KELLI RENKEN: Good morning. 12 THE CHAIR: Just go ahead and share a 13 little bit about yourself and what's going to keep 14 you busy here with us. 15 MS. KELLI RENKEN: Yes. My name is Kelli 16 Renken. I just started this week. I am working 17 mainly on homeschooling administration, this week 18 spending a lot of time just dealing with people's 19 concerns regarding the -- the online system that 20 they need to enroll their students in. 21 So I think I'll be working with 22 complaints, and also helping with Charter School 23 Administration. 24 THE CHAIR: Well, thank you for that. And 25 I just think about how -- just to make one</p>
<p style="text-align: right;">115</p> <p>1 one staff member, who -- whose printer was not at 2 the school, so the school was requesting that the 3 printer be returned. 4 Also -- I thought we -- we have an annual 5 report for the school with multiple indicators at 6 this point showing that there was areas of not 7 meeting expectations. Those indicators will be 8 final at the end of September. 9 We continue to learn new things about the 10 school, such as we know that they don't have a Safe 11 School Plan. We know that they did not update the 12 special ed Corrective Action Plan. And so the 13 concerns continue to -- to build. 14 I would say that the governing board 15 training hours were rather complete, with one board 16 member not completing one hour. Otherwise, I think 17 the governing board did a pretty good job this past 18 year of ensuring that they had training. 19 One of the most recent things that came 20 out of our monitoring was that we noted that the 21 school's -- something's happening with the school's 22 mail, that a piece of certified mail was returned. 23 So I had a call from an occupational 24 therapist who works with the school asking about 25 some outstanding invoices.</p>	<p style="text-align: right;">117</p> <p>1 comment -- I think it's great to have a staff member 2 like you to be really present on that line of work, 3 since so much -- when I was in Corina's seat, it was 4 an additional thing for others to do. 5 And so having somebody focused in on that 6 and the ongoing outreach around homeschooling and 7 the other ed items that you shared is such a great 8 opportunity for us to have on the team. 9 So welcome here. Are you good to be at 10 the -- I want to keep saying "the mixer." What's 11 the thing called on Monday? Are you going to be at 12 the reception as well? 13 MS. KELLI RENKEN: I will, yes. 14 THE CHAIR: I think it would be great for 15 you to connect with us during that time. So welcome 16 to the team, for sure. 17 MS. KELLI RENKEN: It's good to meet you. 18 And I look forward to working with you to serve the 19 families of New Mexico. 20 THE CHAIR: Great. Thank you. 21 Corina, is that everything? 22 Great. Thank you. We're going to move on 23 to Item No. 10, which is the Report from the Chair. 24 COMMISSIONER CARRILLO: A question for 25 Corina on La Tierra.</p>

<p style="text-align: right;">118</p> <p>1 THE CHAIR: Okay.</p> <p>2 COMMISSIONER CARRILLO: It said that</p> <p>3 they -- the -- we're going to get a decision from</p> <p>4 the -- the guy that was here -- the hearing</p> <p>5 officer -- by August 8th. So I'm curious as to</p> <p>6 whether or not -- what is our plan?</p> <p>7 And maybe this comes later, a report and</p> <p>8 update from you, Chair Burt -- I mean you, Chair</p> <p>9 Brauer.</p> <p>10 What's our plan if he grants them -- you</p> <p>11 know, if he overturns our decision? When are we</p> <p>12 going to -- was our plan to discuss that, to come up</p> <p>13 with a plan? I don't know.</p> <p>14 I personally find it very troubling that</p> <p>15 there's, you know, 54 families that are still</p> <p>16 thinking, "Yeah, we're cool, we're going to be at</p> <p>17 school here next year."</p> <p>18 A lot of things haven't been tagged. It</p> <p>19 seems to me -- you can correct me if I'm wrong,</p> <p>20 Ms. Chavez -- that they're acting as though</p> <p>21 everything is just going to be okay, and August 9th</p> <p>22 will just be another day.</p> <p>23 DIRECTOR CORINA CHAVEZ: Can I speak,</p> <p>24 Chair Brauer?</p> <p>25 THE CHAIR: Yeah.</p>	<p style="text-align: right;">120</p> <p>1 and facilitating the disposal process and securing</p> <p>2 students and staff records and supporting families</p> <p>3 in a much more intensive way.</p> <p>4 There's lots of questions. There's lots</p> <p>5 of moving parts. The lease is a concern. The</p> <p>6 finances are a concern.</p> <p>7 At this point, we are waiting for the</p> <p>8 fourth quarter reports to come in so that we know</p> <p>9 what -- what they left the end of the school year</p> <p>10 with in terms of finances.</p> <p>11 The school has also been party to a couple</p> <p>12 of lawsuits. So there's a lot of follow-up and</p> <p>13 details that we would need to continue to monitor</p> <p>14 and engage with so that we are ensuring that, should</p> <p>15 the school open or should the school close, that</p> <p>16 it's done with the most attention to details and</p> <p>17 with what needs to happen.</p> <p>18 COMMISSIONER CARRILLO: Then as a</p> <p>19 follow-up. To what extent is -- because I know for</p> <p>20 the last two years, at least, their audit, they</p> <p>21 have, like, 14 audit findings each year. To what</p> <p>22 extent is all that being included in these decisions</p> <p>23 moving forward?</p> <p>24 DIRECTOR CORINA CHAVEZ: Well -- so, I</p> <p>25 mean at this point, we don't know what the decision</p>
<p style="text-align: right;">119</p> <p>1 DIRECTOR CORINA CHAVEZ: So, of course,</p> <p>2 they're hopeful. Anyone in their situation would be</p> <p>3 hopeful. That's what it takes to appeal a decision.</p> <p>4 But -- and I'm hoping that we find out</p> <p>5 sooner than later, and certainly before the</p> <p>6 August 8th date, about the decision.</p> <p>7 Should the Secretary reverse your</p> <p>8 decision, I would recommend that the Public</p> <p>9 Education Commission ask the Charter Schools</p> <p>10 Division to create a Corrective Action Plan so that</p> <p>11 the many areas that the school is out of compliance,</p> <p>12 the many areas where the school is struggling, gets</p> <p>13 amended.</p> <p>14 That would be very dissatisfying, I</p> <p>15 recognize. And I also understand Ms. Barnes has</p> <p>16 said that it's possible that the Commission could</p> <p>17 also move to revoke again for slightly different</p> <p>18 reasons or similar reasons. That would be something</p> <p>19 that you would need to discuss.</p> <p>20 Should the Secretary uphold your decision,</p> <p>21 then we would move very quickly with the closure</p> <p>22 plan that all of the Commissioners have seen. We</p> <p>23 would put more urgency towards that. We would</p> <p>24 probably hire someone who could spend every day at</p> <p>25 the school making sure that the inventory is tagged</p>	<p style="text-align: right;">121</p> <p>1 is; right? But I do think that the fact that the</p> <p>2 school had as many audit -- the most audit findings</p> <p>3 of all schools, all charter schools that were</p> <p>4 audited this last year, suggests that there's</p> <p>5 serious financial concerns.</p> <p>6 So I would say that not just the school</p> <p>7 business manager, but the governing council, the</p> <p>8 audit committee, and the finance committee would</p> <p>9 need to sit down and really work out a plan.</p> <p>10 And then we would -- we would need to --</p> <p>11 we would need to more intensely monitor any sort of</p> <p>12 improvement changes.</p> <p>13 But that is a very serious concern. I</p> <p>14 feel like, at this point, that the -- the decision</p> <p>15 could come any day now. And so I am -- I am happy</p> <p>16 holding tight for a couple more days and then moving</p> <p>17 forward once a decision is made.</p> <p>18 THE CHAIR: I'm going to move into item</p> <p>19 No. 10. The first item underneath my report is what</p> <p>20 we just talked about.</p> <p>21 I just wanted to share that, you know,</p> <p>22 there was a request for a stay, and the hearing</p> <p>23 officer and Deputy Secretary DeBell came back with</p> <p>24 a -- the decision that it wasn't necessary, given</p> <p>25 that the decision was going to be made by August 8th</p>

<p style="text-align: right;">122</p> <p>1 in terms of what they were feeling would happen.  2 I think everything else was shared, so I  3 don't want to repeat things that we've already  4 discussed. And there's a good report in there from  5 the Charter School Division as well on where the  6 school is.  7 New or updated school issues:  8 I just wanted to share, while I had the  9 space, I just really appreciate the Commissioners  10 who were able to join either on Zoom -- but even  11 more so in person -- for our community input  12 hearings. I know that going to Portales,  13 New Mexico, is no small feat for many of us when  14 we're retired or if we are working.  15 And I just really appreciate all the  16 effort that we went into. I think we asked a lot of  17 really important questions to both of our schools  18 that applied. I think we got a lot of good  19 information.  20 For those of you who weren't able to be  21 there, I think the transcript is going to be really  22 rich for information for us to make some really good  23 decisions as we move forward.  24 And, as always, I always want to thank the  25 Charter School Division staff, Corina, Brigitte,</p>	<p style="text-align: right;">124</p> <p>1 associate director helping out Caz down there.  2 She's worked with Eric Ahner. He's now back to  3 being a charter school director.  4 And so we're really looking forward to her  5 being on board and relieving a little of that stress  6 that Matt has been dealing with. And we know he's  7 done a great job. He's a -- he's quite an advocate  8 for charter schools. So looking forward to having  9 her on board.  10 She's been in education for 21 years.  11 She's actually working on her -- her doctorate right  12 now, and -- through Walden University. So, yeah,  13 it's great to have somebody on there educated,  14 understands charter schools. Looking forward to --  15 looking forward to this.  16 Also PCSNM is part of the LESC this year  17 working on reviewing the funding formula.  18 And as you have heard from me over and  19 over again, even before I came on here working for  20 PCSNM, when they got rid of small-school funding and  21 how much that hurt schools, and now to hopefully  22 make an impact on changing the way our funding  23 formula is and helping support these small schools.  24 So it's great to have the PCSNM at the  25 table now. Every single meeting that the LESC has,</p>
<p style="text-align: right;">123</p> <p>1 your team, for all the work that you do. I know  2 that oftentimes it feels like the summer is the time  3 when we all catch our breaths. And it just really  4 isn't the case at the Charter School Division, like  5 for many of us.  6 And so I just appreciate all the effort  7 that your team is coordinating with the -- you know,  8 the Charter School conference, with the community  9 input hearings, and the annual school applications,  10 with the start of the renewal process with our  11 schools, and the countless -- just wanted to thank  12 you all and share my gratitude.  13 All right. I'd like to move on to the  14 report from the Public Charter Schools of  15 New Mexico.  16 Mr. Sherwood, thank you for joining us.  17 MR. WAYNE SHERWOOD: All right. Thank  18 you, Chair Brauer and Vice Chair Burt. And thank  19 you, Commissioners, and, of course, the CSD staff.  20 I first want to start out by saying the  21 PCSNM has now gained one new full-time employee,  22 which you'll be meeting very soon. And her name is  23 Valery Ratliff-Parker. She's from Las Cruces. She  24 lives in Las Cruces. She's been working in charter  25 schools for years now. So Las Montañas, she was the</p>	<p style="text-align: right;">125</p> <p>1 they have invited the Public Charter Schools of  2 New Mexico.  3 So -- so we're really proud of that, to be  4 able to have a voice. And you know that we're  5 supporting all of the charter schools in New Mexico,  6 whether they're a member of the PCSNM or not. So  7 we're really looking forward.  8 Matt is doing that. We know that Matt  9 does a great job. This last legislative session,  10 Matt was very involved, and the last legislative  11 session. So I think he -- that's his forte is  12 dealing with the legislators like that; so...  13 We also launched a mentorship program.  14 And this is thanks to the Charter School Division in  15 the Public Education Department, because we are  16 working -- they helped -- they're helping support  17 financially this mentorship program.  18 And what that is is -- and I'll actually  19 be a mentor myself -- we are going to be helping new  20 directors, or maybe they're even current directors,  21 and they've only been there a few years. And some  22 directors came in during COVID, and it's now an  23 eye-opener to deal with all the changes that are  24 happening right now.  25 And they're, like -- so we have about, I</p>



<p style="text-align: right;">126</p> <p>1 think, nine mentors throughout the state. We'll be  2 going to governing council meetings, helping them  3 out, supporting them at their school, just pretty  4 much doing whatever they need us to do.  5 And it's free for the school thanks to the  6 CSD. And I believe that was the Charter School  7 Division -- what grant was that -- came from,  8 Corina?  9 DIRECTOR CORINA CHAVEZ: So that was some  10 of the Charter Schools Program Grant money. Yeah.  11 So we've been wanting to launch this for a bit. But  12 we're happy that it's -- we're happy that it's  13 happening.  14 And, again, you know, Matt and I talked  15 about this. And I believe that Monday, right before  16 the conference, is going to be the first match  17 meeting between mentors and mentees.  18 But as Mr. -- Wayne -- as Wayne said,  19 we're really trying to meet leaders where they're  20 at. So whatever it is that they need. We're not  21 being prescriptive in terms of, "This is what you  22 would have to do." This is, "What do the leaders  23 need?" And the administrators that are paired with  24 them will push in and support them with whatever  25 they need.</p>	<p style="text-align: right;">128</p> <p>1 do, because they all have these -- and I'm sure  2 that's the way the Public Education Department  3 works, too. There's always something new, too, a  4 new fire to put out.  5 We also wanted to say thank you to all the  6 Commissioners who went down to the conference in  7 Austin. It was a lot of fun going down to Austin.  8 Again, we went to a lot of -- there was a lot of  9 good meetings down there.  10 My favorite one was I got to meet with all  11 the small school districts -- "small" -- well, let  12 me go back.  13 First of all, New Mexico, even though  14 we're a rural state, and we have one of the highest  15 percentages of charter school students in the whole  16 nation -- which I didn't really realize that. But  17 if you think about it, even with 26,000 students  18 enrolled in charter schools, that is a high  19 percentage number of students. So that was really  20 cool to be able to see that.  21 But to have so many small charter schools  22 that we have in our state. We have some schools  23 with 60 students, and then, you know, some up to in  24 the thousands. But to listen to the other states  25 and what they have going on and the same issues they</p>
<p style="text-align: right;">127</p> <p>1 MR. WAYNE SHERWOOD: All right. Thank  2 you. We just had our first mentor meeting, I guess.  3 It was Tuesday night in Albuquerque. And we met  4 just to discuss -- we have a small, short  5 application that we'll be going through with our  6 mentees, seeing what their strengths and weaknesses  7 are and what they really feel like they need support  8 in the most.  9 Because I -- and as what came out of that  10 meeting, we had with the mentors is a lot of these  11 new directors don't know what they don't know. And  12 it's -- it's -- you're just kind of thrown in there,  13 and you're -- "Oh, yeah" -- gung-ho and everything  14 is ready to go. And all of a sudden you're, like,  15 "Oh, my God."  16 As I told the new director that came into  17 my position at Aldo, she had all these plans and  18 everything. And I said, "You can go in and plan  19 your whole day, but everything will change the  20 minute you get there. There's always a fire to put  21 out all day long."  22 And so you're having to work your plan  23 later on. And sometimes that means your weekends  24 and your nights and whatever.  25 But that's just what all directors have to</p>	<p style="text-align: right;">129</p> <p>1 have.  2 And the biggest thing that I took out of  3 it was that CSP Grant, the charter school grant that  4 the PED was running and Charter School Division has  5 been managing, this year, PCSNM has written the  6 grant, and we're looking to hearing from them very  7 soon. And we know it's not going to be easy.  8 That's what I heard over and over. "It is  9 not easy. Get ready for that. Get prepared for  10 that."  11 So that's what we'll be doing with PCSNM  12 is -- because we applied for \$54 million. For those  13 of you not familiar with it, it's for new schools,  14 helping support new schools or expanding schools.  15 So let's say a school wants to expand grade levels  16 and to help pay for an administrator or help pay for  17 other admin. So -- and most of the money,  18 90 percent of the money, goes to that school. And  19 then there's 7 and 3 percent monies that are split  20 up between the organization on PCSNM's side.  21 So it's really a good deal, but it will be  22 a lot of work. That's one of the great things about  23 having a new deputy director on board right now.  24 We're actually able to take on a big task like this  25 with the PCSNM.</p>

130	<p>1 Matt and Angela were the only two</p> <p>2 full-time employees, and now we have three. So the</p> <p>3 rest of us are just part-time or contractors.</p> <p>4 Okay. So I'll stand for questions if you</p> <p>5 guys have any.</p> <p>6 THE CHAIR: Vice Chair.</p> <p>7 VICE CHAIR BURT: I mean, obviously, I</p> <p>8 know the answer to this. I'm pretty sure, but just</p> <p>9 in case.</p> <p>10 The -- your administering of the CSP grant</p> <p>11 isn't limited to people that are in your</p> <p>12 organization that are paying members. It's for</p> <p>13 every charter.</p> <p>14 MR. WAYNE SHERWOOD: That's correct.</p> <p>15 VICE CHAIR BURT: Including</p> <p>16 district-authorized as well?</p> <p>17 MR. WAYNE SHERWOOD: That's a good</p> <p>18 question. I don't know about district-authorized.</p> <p>19 It is? It's for all the charter schools, yes.</p> <p>20 VICE CHAIR BURT: I assumed, but just in</p> <p>21 case.</p> <p>22 MR. WAYNE SHERWOOD: I'm not sure how many</p> <p>23 district-authorized schools have applied for the CSP</p> <p>24 grant.</p> <p>25 DIRECTOR CORINA CHAVEZ: So they have</p>	132	<p>1 DIRECTOR CORINA CHAVEZ: All right.</p> <p>2 Thanks.</p> <p>3 THE CHAIR: Commissioner Gipson.</p> <p>4 COMMISSIONER GIPSON: Can I just ask --</p> <p>5 you and I talked about this yesterday --</p> <p>6 clarification? Because Matt had mentioned that the</p> <p>7 focus was going to be on charters in more rural</p> <p>8 areas and not in the more densely populated. If I</p> <p>9 could get some clarification about that, because I</p> <p>10 mentioned I met with a potential applicant in</p> <p>11 Las Cruces. And my question was Las Cruces is the</p> <p>12 second largest school district. So does that mean</p> <p>13 that within Las Cruces school district, they may not</p> <p>14 qualify for the grant money because it's not a more</p> <p>15 rural area?</p> <p>16 So, you know, I don't want to -- I want to</p> <p>17 be clear when I'm communicating with folks what the</p> <p>18 opportunity is, so they may reconsider where the NOI</p> <p>19 goes to.</p> <p>20 MR. WAYNE SHERWOOD: Commissioner Gipson,</p> <p>21 I did talk to Matt yesterday, and I forgot to ask</p> <p>22 him that question. So I'll have to get back to you.</p> <p>23 Yes, we can answer that question next week.</p> <p>24 DIRECTOR CORINA CHAVEZ: If I may, a lot</p> <p>25 of times in the grant application, you state who</p>
131	<p>1 equal opportunity to apply. So Voz Collegiate is</p> <p>2 the most recent. And they got a CSP grant from the</p> <p>3 Charter Schools Division. So authorizer doesn't</p> <p>4 matter.</p> <p>5 But what unfortunately the grant does not</p> <p>6 do is give existing charter schools opportunities to</p> <p>7 get a grant unless they expand. So it really -- it</p> <p>8 is in support of brand new or expanding.</p> <p>9 And, Wayne, correct me if I'm wrong. But</p> <p>10 I think that the Feds said no later than December,</p> <p>11 they would have a decision. And so a grant-making</p> <p>12 process would probably not be ready to go until</p> <p>13 maybe spring semester. Or does it start with the</p> <p>14 fiscal -- a certain fiscal year? I'm not certain on</p> <p>15 the timing on that.</p> <p>16 MR. WAYNE SHERWOOD: We're hoping to find</p> <p>17 out in October. So I think you're right. We</p> <p>18 probably could start taking applications in -- but</p> <p>19 it would be -- it wouldn't be until the spring</p> <p>20 before anything would be funded. And that would be</p> <p>21 the earliest.</p> <p>22 And that's saying we have somebody on</p> <p>23 board to administer this. And that's what I got the</p> <p>24 most out of this conference, because I asked that</p> <p>25 question a lot, because I know it's coming.</p>	133	<p>1 your priority grantees are. But it doesn't</p> <p>2 preclude. Because this grant notoriously has been</p> <p>3 one that you project how many grantees you may have.</p> <p>4 And that's always very hard.</p> <p>5 So I don't know that it -- you know,</p> <p>6 anybody is left out of the competition. But maybe</p> <p>7 you would have a priority.</p> <p>8 And the final thing that I want to say</p> <p>9 about that is that New Mexico currently has</p> <p>10 13 chartering authorities. That includes the Public</p> <p>11 Education Commission. So that means that there's</p> <p>12 12 districts that are authorizers. And across the</p> <p>13 state, there's 89 districts. So there's a lot of</p> <p>14 districts without charter schools.</p> <p>15 THE CHAIR: Commissioner Ingham.</p> <p>16 COMMISSIONER INGHAM: Wayne, does -- so</p> <p>17 are the schools that are applying now that we're</p> <p>18 reviewing now, they are eligible. And the schools</p> <p>19 that dropped out but have indicated they're going to</p> <p>20 start -- they are going to restart the process, are</p> <p>21 all those eligible to be applying for this grant?</p> <p>22 MR. WAYNE SHERWOOD: I can ask -- let me</p> <p>23 turn that over to Brigette. The current schools</p> <p>24 that are applying? Is that what you're asking? The</p> <p>25 current schools that are applying now for the</p>

<p style="text-align: right;">134</p> <p>1 current CSP grants?</p> <p>2 COMMISSIONER INGHAM: Right. We have two</p> <p>3 schools that are applying now. But then there was</p> <p>4 three other schools, if I remember right, that</p> <p>5 dropped out or --</p> <p>6 DR. BRIGETTE RUSSELL: So federal law,</p> <p>7 Commissioners, allows -- restricts schools from</p> <p>8 applying more than once in five years. But it makes</p> <p>9 an exception for high-performing charter schools.</p> <p>10 So if the -- the state has a definition. Like, for</p> <p>11 example if a Spotlight School that's in the top</p> <p>12 25 percent academically received a -- a CSP grant</p> <p>13 within the last five years, that school, if it meets</p> <p>14 all the definitions -- academic and organizational</p> <p>15 and financial -- as a high-performing -- I think the</p> <p>16 federal language is "high-quality charter school" --</p> <p>17 then that school could receive a second grant within</p> <p>18 five years.</p> <p>19 A school that does not meet the state's</p> <p>20 definition of a high-performing charter school would</p> <p>21 be precluded from applying until five years had</p> <p>22 lapsed.</p> <p>23 COMMISSIONER GIPSON: So can I just ask?</p> <p>24 And I apologize if I didn't hear it. There used to</p> <p>25 be -- connected to the grant award to new</p>	<p style="text-align: right;">136</p> <p>1 DR. BRIGETTE RUSSELL: Commissioner Gipson</p> <p>2 and Chair Brauer, yes. The way the federal statute</p> <p>3 is written around the Charter School Program Grant</p> <p>4 is the competition is expected to be competitive.</p> <p>5 It's not just anyone who's opening a charter school.</p> <p>6 What the details are, what the criteria</p> <p>7 are, that's going to depend on how PCSNM wrote the</p> <p>8 grant.</p> <p>9 THE CHAIR: Great. Any other questions?</p> <p>10 Wayne, thank you so much.</p> <p>11 MR. WAYNE SHERWOOD: Okay. Thank you.</p> <p>12 THE CHAIR: All right. Item No. 11,</p> <p>13 Discussion and Possible Action to Provide Input for</p> <p>14 the Chair or Liaisons to Speak on Behalf of the PEC.</p> <p>15 Is there anything this month that we need</p> <p>16 to discuss?</p> <p>17 (No response.)</p> <p>18 THE CHAIR: Great. Well, let's move into</p> <p>19 the PEC Comments. I think I can remind the PEC</p> <p>20 Commission that we -- if you feel like the spirit</p> <p>21 moves you to share, definitely. Take your time. If</p> <p>22 you don't, that's okay, too. But we won't be having</p> <p>23 any discussion or taking any action at this time.</p> <p>24 Are there any Commissioners that would</p> <p>25 like to -- I see a hand. Commissioner Beck.</p>
<p style="text-align: right;">135</p> <p>1 applicants, there used to be a rating system so that</p> <p>2 a school had to score a certain number -- for lack</p> <p>3 of another term, a certain number on the -- and I'm</p> <p>4 guessing it's maybe a certain number of meets or --</p> <p>5 on the application, in order to qualify to apply.</p> <p>6 Because I know previously, we had applicants that we</p> <p>7 approved, but they didn't score high enough on</p> <p>8 the -- to apply for the CSP grant because we don't</p> <p>9 award the CSP grant.</p> <p>10 But there was a qualifier for application</p> <p>11 on the CSP grant for scoring on the application.</p> <p>12 DR. BRIGETTE RUSSELL: Commissioner</p> <p>13 Gipson, that is correct. But that was a New Mexico</p> <p>14 state requirement that was written into the 2017 CSP</p> <p>15 application. It's not a federal requirement. And</p> <p>16 whether that exists currently depends on the</p> <p>17 application that PCSNM wrote.</p> <p>18 COMMISSIONER GIPSON: So I think that</p> <p>19 would be important for folks to know, you know,</p> <p>20 moving forward, as an applicant, you know, that that</p> <p>21 money isn't necessarily automatically there if there</p> <p>22 is that qualifier. It would be important</p> <p>23 information for even Missy to communicate through</p> <p>24 those trainings what -- whether they would or would</p> <p>25 not potentially be available.</p>	<p style="text-align: right;">137</p> <p>1 COMMISSIONER BECK: Just appreciated the</p> <p>2 spirited discussion we had earlier. It helps us out</p> <p>3 as newbies a lot, gives us some frame of reference.</p> <p>4 Thank you, guys, for really making it helpful to us</p> <p>5 so that we give a somewhat educated answer. Thanks.</p> <p>6 THE CHAIR: Thank you. Secretary Armijo,</p> <p>7 I see your hand. You know, there's 18 TV sets in</p> <p>8 here. And I don't know how I -- no matter where I</p> <p>9 look, I do not look up at any of those, Melissa.</p> <p>10 So I apologize. The floor is yours.</p> <p>11 SECRETARY ARMIJO: No worries. I</p> <p>12 completely understand. I wish I could have been</p> <p>13 there with you guys.</p> <p>14 I just wanted to share that the Mark</p> <p>15 Armijo Academy actually is -- has a new executive</p> <p>16 director. It is Sean Morris. He came from RFK</p> <p>17 Charter School, and he's been an educator for over</p> <p>18 25 years.</p> <p>19 And Monica Aguilar was there for probably</p> <p>20 19 years, retired in June. And I just want to, you</p> <p>21 know, say they are a district, APS-chartered charter</p> <p>22 school, but they have played such a great role in</p> <p>23 education in New Mexico and for students who, you</p> <p>24 know, don't have some choices.</p> <p>25 And I just want to give a shout-out to</p>

138	<p>1 Monica and welcome Sean and just wanted to say that, 2 and thank you for the time and for a great meeting. 3 THE CHAIR: Thank you. 4 Any other comments? 5 (No response.) 6 THE CHAIR: Seeing none, Commissioner 7 Carrillo. 8 COMMISSIONER CARRILLO: Just appreciate 9 what Commissioner Beck said. Who doesn't appreciate 10 spirited debate; right? Right? 11 I totally -- I don't like to lose, but who 12 does? I totally love debating things. You know 13 that. All right. 14 It's -- yeah. There you go. 15 THE CHAIR: Great. Seeing no others, 16 let's move into the next item, Item No. 13, 17 Discussion of New Business Topics for the Next 18 Agenda. 19 Commissioner Carrillo. 20 COMMISSIONER CARRILLO: I have two. 21 Because this came up during the work 22 session, this whole thing about sending letters to 23 new applicants -- and I would say this is to new 24 applicants, not renewals, whether or not -- 25 honestly, whether or not that's our place. But it</p>	140	<p>1 plate, you know. 2 It just seemed like it's something we 3 should look at, I mean, whether or not it's them in 4 particular. But what I wrote here is it guarantees 5 consistency and conformity and ease. And it takes 6 it off their plate. So it saves them time and 7 money. 8 VICE CHAIR BURT: Second. 9 And then the only thing that I want to -- 10 I was just trying to figure out what to call it, 11 because I don't want it to be, like, maybe 12 discussion of the vendor, but the concept. 13 COMMISSIONER GIPSON: Centralized. 14 COMMISSIONER CARRILLO: Lotteries 15 centralized and lottery management. I'm wondering 16 the question that can be looked up prior to the next 17 meeting is do we, as a Commission, have -- I think 18 we do -- have the ability to tell all of our charter 19 schools, "This is the system that's being 20 implemented for lottery process"? 21 We forgot lunch today, but I know it's 22 only noon now. So it's cool. 23 (Off-mic discussion.) 24 COMMISSIONER GIPSON: Make a motion to 25 adjourn.</p>
139	<p>1 would be nice to just have that for discussion in 2 the Work Session. 3 Probably, and also, have it in the 4 meeting, if we decide something, have it in the 5 agenda as well. 6 So that's the first. 7 And the second is -- 8 THE CHAIR: Would somebody like to second 9 that as a -- 10 COMMISSIONER GIPSON: I'll do a second on 11 that. 12 COMMISSIONER CARRILLO: Just for 13 discussion's sake, for debate's sake. 14 And so the second is -- and, actually, 15 Pattie was with us when we met these people from 16 Lotterease, L-o-t-t-e-r-e-a-s-e, at the -- they were 17 on the corner booth there, and -- in Austin. 18 And we ended up -- I mean, completely by 19 accident, we were just walking and talking in front 20 of them. And they said -- you know, we were talking 21 to them. 22 And the -- a great program to basically -- 23 to unify the system by which all of our state 24 charters could use, where it's super easy, and it 25 does everything for them. So it takes it off their</p>	141	<p>1 THE CHAIR: Anything else? All right. 2 Let's make -- yeah. Sorry. I was just trying to 3 punch my ticket a little bit. There. 4 I would entertain a motion to adjourn, 5 Commissioner Gipson. 6 COMMISSIONER GIPSON: So move. 7 VICE CHAIR BURT: Second. 8 THE CHAIR: Commissioner, can we do a -- 9 SECRETARY ARMIJO: Yes. Can you guys hear 10 me? Because you guys froze. Okay. I'm going to go 11 ahead and go. 12 THE CHAIR: (Incomprehensible due to audio 13 distortion) hear you. 14 SECRETARY ARMIJO: Chair Brauer. 15 THE CHAIR: Yes. 16 SECRETARY ARMIJO: Vice Chair Burt. 17 VICE CHAIR BURT: Yes. 18 SECRETARY ARMIJO: Commissioner -- 19 Secretary Armijo votes yes. 20 Commissioner Ingham. 21 COMMISSIONER INGHAM: Yes. 22 SECRETARY ARMIJO: Commissioner Gipson. 23 COMMISSIONER GIPSON: Yes. 24 SECRETARY ARMIJO: Commissioner Beck. 25 COMMISSIONER BECK: Yes.</p>

1 SECRETARY ARMIJO: Commissioner Taylor.  
 2 COMMISSIONER TAYLOR: Yes.  
 3 SECRETARY ARMIJO: And Commissioner  
 4 Carrillo.  
 5 COMMISSIONER CARRILLO: Yes.  
 6 SECRETARY ARMIJO: That passes, eight to  
 7 zero.  
 8 We are adjourned.  
 9 THE CHAIR: We are adjourned. See you  
 10 next week on Monday.  
 11 (Proceedings adjourned at 12:07 p.m.)  
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1 RECEIPT  
 2 JOB NUMBER: 7867N CC Date: 7/21/23  
 3 PROCEEDINGS: OPEN PUBLIC MEETING  
 4 CASE CAPTION: In re: Public Meeting of the Public  
 5 Education Commission  
 6 \*\*\*\*\*  
 7 ATTORNEY: MS. SHARYN PEREA - PED  
 8 DOCUMENT: Transcript / Exhibits / Disks / Other \_\_\_\_  
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1 BEFORE THE PUBLIC EDUCATION COMMISSION  
 2 STATE OF NEW MEXICO  
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7 REPORTER'S CERTIFICATE

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

14 In testimony whereof, I have hereunto set my  
 15 hand on July 31, 2023.  
 16  
 17  
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19 \_\_\_\_\_  
 Cynthia C. Chapman, RMR-CRR  
 New Mexico Certified Reporter #219  
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BEFORE THE PUBLIC EDUCATION COMMISSION  
STATE OF NEW MEXICO

REPORTER'S CERTIFICATE

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 July 31, 2023.

*Cynthia Chapman*

-----  
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