

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS  
OPEN PUBLIC MEETING

August 25, 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 SHARON CLAHCHISCHILLIAGE, Member</p> <p>9 PATRICIA GIPSON, Member</p> <p>10 STEWART INGHAM, Member</p> <p>11</p> <p>12 PED STAFF:</p> <p>13 CORINA CHAVEZ Director</p> <p>14 Charter School/Options for</p> <p>15 Parents and Families Division</p> <p>16 BRIGETTE RUSSELL, Deputy Director</p> <p>17 Charter School/Options for</p> <p>18 Parents and Families Division</p> <p>19 LUCY VALENZUELA, Technical Assistance and</p> <p>20 Training Specialist</p> <p>21 Charter School/Options for Parents</p> <p>22 and Families Division</p> <p>23</p> <p>24 MISSY BROWN Technical Assistance and Support and</p> <p>25 Training Administrator</p> <p>Charter School/Options for</p> <p>Parents and Families Division</p> <p>SHARYN PEREA, Liaison to PEC</p> <p>COUNSEL TO THE PEC:</p> <p>JULIA HOSFORD BARNES, ESQ.</p> <p>Barnes Mediation and Law, PC</p> <p>200 W. DeVargas Street, Suite 7</p> <p>Santa Fe, New Mexico 87501</p>	4
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1 COMMISSIONER TAYLOR: (No response.)  
 2 SECRETARY ARMIJO: Commissioner Carrillo.  
 3 COMMISSIONER CARRILLO: Here.  
 4 SECRETARY ARMIJO: We have a quorum of  
 5 eight.  
 6 THE CHAIR: Thank you.  
 7 Commissioner Ingham, can you lead us in  
 8 the Pledge? And then, Commissioner Beck, can you  
 9 seamlessly lead us into the Salute to the New Mexico  
 10 Flag?  
 11 (Pledge of Allegiance and Salute to the  
 12 New Mexico Flag conducted.)  
 13 THE CHAIR: It was plenty seamless,  
 14 Commissioner.  
 15 Just give me one second. I'm just getting  
 16 my life in order here for a second.  
 17 All right. Let's move into approval of  
 18 the agenda.  
 19 VICE CHAIR BURT: Move to approve the  
 20 agenda.  
 21 COMMISSIONER GIPSON: Second.  
 22 THE CHAIR: Any discussion?  
 23 (No response.)  
 24 THE CHAIR: Secretary Armijo, can we go  
 25 ahead into a roll-call vote?

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1 SECRETARY ARMIJO: Yes.  
 2 Vice Chair Burt.  
 3 VICE CHAIR BURT: Yes.  
 4 SECRETARY ARMIJO: Commissioner Armijo  
 5 votes yes.  
 6 Commissioner Ingham.  
 7 COMMISSIONER INGHAM: Yes.  
 8 SECRETARY ARMIJO: Commissioner  
 9 Clahchischilliage.  
 10 COMMISSIONER CLAHCHISCHILLIAGE: (No  
 11 response.)  
 12 SECRETARY ARMIJO: Commissioner  
 13 Clahchischilliage, I cannot hear you.  
 14 COMMISSIONER CLAHCHISCHILLIAGE: Yes.  
 15 SECRETARY ARMIJO: Thank you.  
 16 Commissioner Gipson.  
 17 COMMISSIONER GIPSON: Yes.  
 18 SECRETARY ARMIJO: Commissioner Beck.  
 19 COMMISSIONER BECK: Yes.  
 20 SECRETARY ARMIJO: Commissioner Carrillo.  
 21 COMMISSIONER CARRILLO: No.  
 22 And I'll explain why when the thing comes  
 23 up later.  
 24 VICE CHAIR BURT: And Chair Brauer.  
 25 THE CHAIR: Yes.

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1 SECRETARY ARMIJO: That passes, seven to  
 2 one.  
 3 THE CHAIR: All right. Let's move into  
 4 Item No. 3, Open Forum.  
 5 Missy, anyone taking the opportunity to  
 6 share their voice today with us?  
 7 MS. MISSY BROWN: No, Chair. Nobody has  
 8 signed up.  
 9 THE CHAIR: No one. No one? Do we  
 10 double-check or -- okay.  
 11 Vice Chair Burt does not want me to waste  
 12 any moments, so let's move on to Item No. 4, the  
 13 Consent Agenda.  
 14 VICE CHAIR BURT: Move to approve the  
 15 consent agenda.  
 16 COMMISSIONER GIPSON: Second.  
 17 THE CHAIR: All right. Any discussion?  
 18 (No response.)  
 19 THE CHAIR: Seeing no discussion,  
 20 Secretary Armijo, can you do a roll-call vote,  
 21 please?  
 22 SECRETARY ARMIJO: Yes.  
 23 All-righty. Secretary Armijo votes yes.  
 24 Chair -- excuse me -- Commissioner Ingham.  
 25 COMMISSIONER INGHAM: Yes.

9

1 SECRETARY ARMIJO: Commissioner  
 2 Clahchischilliage.  
 3 COMMISSIONER CLAHCHISCHILLIAGE: Yes.  
 4 SECRETARY ARMIJO: Commissioner Gipson.  
 5 COMMISSIONER GIPSON: Yes.  
 6 SECRETARY ARMIJO: Commissioner Beck.  
 7 COMMISSIONER BECK: Yes.  
 8 SECRETARY ARMIJO: Commissioner Carrillo.  
 9 COMMISSIONER CARRILLO: Yes.  
 10 SECRETARY ARMIJO: Chair Brauer.  
 11 THE CHAIR: Yes.  
 12 SECRETARY ARMIJO: And Vice Chair Burt.  
 13 VICE CHAIR BURT: Yes.  
 14 SECRETARY ARMIJO: That passes, eight to  
 15 zero.  
 16 THE CHAIR: Thank you.  
 17 We're going to skip Item No. 5, since we  
 18 did not remove anything from the Consent Agenda.  
 19 Let's move on to Item No. 6, Introduction  
 20 of Head Administrators.  
 21 Director Chavez?  
 22 DIRECTOR CORINA CHAVEZ: Hi. Good  
 23 morning, Commissioners. We often have new head  
 24 administrators who you just approved during the  
 25 Consent Agenda come to your meeting to introduce

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1 themselves and for you to introduce yourself to  
 2 them.  
 3 We have a familiar face in the audience.  
 4 I am going to ask Mr. Baylor Del Rosario, who is the  
 5 new head administrator of South Valley Prep, to come  
 6 forward and to press the button so that it's green,  
 7 introduce yourself, and we'll see who's on Zoom here  
 8 in a minute.  
 9 DR. BAYLOR DEL ROSARIO: Good morning --  
 10 good morning, everybody, Mr. Chair, members of the  
 11 Commission. My name is Baylor Del Rosario, and I am  
 12 the new head administrator of South Valley Prep,  
 13 totally -- totally -- totally honored to be -- to be  
 14 co-leading that school.  
 15 I say "co-leading" because, you know, I  
 16 truly believe that the community -- the South Valley  
 17 Prep community, when they first came into existence  
 18 about 13 years ago -- you know, I never -- I always  
 19 feel uncomfortable when the executive director  
 20 always makes calls for everything. I do feel that  
 21 it's always a team effort. So humbled with that  
 22 piece.  
 23 I'm also honored and humbled to be before  
 24 you all, the Commission, who don't get paid to do an  
 25 extremely hard, difficult job in overseeing and

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1 making sure that -- that our children and our  
 2 families across the state have quality choices and  
 3 quality education. And I am going to work really  
 4 hard to hopefully try and make your jobs easy, at  
 5 least when it comes to South Valley Prep. So thank  
 6 you for having me here.  
 7 THE CHAIR: Great. Thank you so much. If  
 8 it pleases the Commission, how about we introduce  
 9 ourselves? And we'll start over with Commissioner  
 10 Beck, and we'll just kind of do the horn, and then  
 11 if there's any questions, we can ask questions also  
 12 to Baylor.  
 13 COMMISSIONER BECK: Hi and  
 14 congratulations. I think we met at a conference  
 15 briefly. I'm not sure if it was the December or the  
 16 July one.  
 17 But Tim Beck. I'm in District 2, which is  
 18 the Heights. And congratulations.  
 19 DR. BAYLOR DEL ROSARIO: Thank you.  
 20 COMMISSIONER GIPSON: Hi. Pattie Gipson.  
 21 It's so good to see you.  
 22 Baylor was -- worked here when I first  
 23 came on the -- on the Commission. And I can tell  
 24 you that there wasn't a single school that he worked  
 25 with that didn't say how much they appreciated his

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1 thoughtfulness. And even when he had some difficult  
 2 message to deliver to them, he did it in such a  
 3 professional and kind manner that they really felt  
 4 that there was support in that message.  
 5 So the school is -- should be more than  
 6 honored to have you working with them, because they  
 7 are -- you are in a good place, and they are in a  
 8 better place.  
 9 So thanks for being here again.  
 10 DR. BAYLOR DEL ROSARIO: No. Thank you.  
 11 VICE CHAIR BURT: Hello. And hello to the  
 12 online -- hi.  
 13 I'm Bekka Burt. I represent District 4,  
 14 which is Sandoval County up to Los Alamos County.  
 15 Then I go like a little bit of Santa Fe and over the  
 16 Estancia Valley area. And happy -- so  
 17 congratulations on your role. And I am always happy  
 18 when someone comes and says they're going to make  
 19 our job easier. So that's -- love that. Thank you.  
 20 DR. BAYLOR DEL ROSARIO: We're going to  
 21 try.  
 22 VICE CHAIR BURT: No, you're going to. I  
 23 already know it. Good. Just keep with that.  
 24 THE CHAIR: Good morning, Baylor. It's  
 25 good to see you. It's good to see other familiar

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1 faces and new faces on Zoom as well.  
 2 My name is Alan Brauer. I'm the  
 3 Commissioner for District 3, which goes from  
 4 Louisiana in Albuquerque over to the river down to  
 5 Gibson -- so you're, like, a cusper on where I'm  
 6 at -- and then up to Tramway. Then there's a little  
 7 pinch of the west side around the Cottonwood Mall,  
 8 Corrales, Rio Rancho, kind of an intersection there.  
 9 It's great to have you here. I want to  
 10 just echo all the kindheartedness that the other  
 11 Commissioners have shared about you.  
 12 I think you're an awesome person. Getting  
 13 a chance to work you with you in multiple places, in  
 14 charters here, as well as in other district schools.  
 15 So I know you're bringing a wealth of knowledge and  
 16 a lot of heart to the work, Baylor. So  
 17 congratulations, and I look forward to visiting.  
 18 DR. BAYLOR DEL ROSARIO: Appreciate it,  
 19 Chair.  
 20 COMMISSIONER INGHAM: Hi. My name is  
 21 Stewart Ingham. I'm District 6, which borders with  
 22 your school; in fact, with Secretary Armijo's  
 23 permission, I'd love to come visit your school.  
 24 I live in the South Valley of Albuquerque  
 25 and -- but my district is from Don Felipe Street in

14	<p>1 the South Valley south to Mexico, and basically</p> <p>2 Torrance County and in between to the Arizona</p> <p>3 border. And so it's a huge ten-county deal. But I</p> <p>4 live real close to you -- or to your school.</p> <p>5 So if I get a chance, I'll come visit you,</p> <p>6 okay, and get acquainted.</p> <p>7 DR. BAYLOR DEL ROSARIO: Absolutely.</p> <p>8 COMMISSIONER CLAHCHISCHILLIAGE: Good</p> <p>9 morning. I'm Sharon Clahchischilliage, and I'm</p> <p>10 Commissioner from District 5, which is San Juan</p> <p>11 County, McKinley County, and a sliver of Rio Arriba.</p> <p>12 And I invite you to come visit the Four</p> <p>13 Corners. In fact, some of the enchanting beauties</p> <p>14 of New Mexico are in my district.</p> <p>15 So congratulations again. And we welcome</p> <p>16 you to your new venture. Thank you.</p> <p>17 DR. BAYLOR DEL ROSARIO: Thank you.</p> <p>18 COMMISSIONER CARRILLO: I'm Steve</p> <p>19 Carrillo. Welcome and congratulations on the</p> <p>20 position. I really enjoy your saying when it came</p> <p>21 to the leadership, that you kind of -- you co-lead</p> <p>22 with your school community. And I appreciate that</p> <p>23 very much.</p> <p>24 So I'm District 10. So Santa Fe,</p> <p>25 Rio Arriba, except the Four Corners part, Taos and</p>	16	<p>1 want to do that.</p> <p>2 I do want to say, Baylor, I do know South</p> <p>3 Valley Prep very well. I know Charlotte. I know</p> <p>4 Moises. And I really commend you for stepping up</p> <p>5 and stepping into this role.</p> <p>6 This school is, you know -- has so much</p> <p>7 going for it. And there's been a little turmoil,</p> <p>8 and I'm glad you're there to stabilize things.</p> <p>9 And I cannot thank you enough. And I wish</p> <p>10 to -- I really do want to come visit you. So we'll</p> <p>11 figure that out. So thank you so much for being</p> <p>12 here and good luck. And, yeah, really appreciate</p> <p>13 you.</p> <p>14 DR. BAYLOR DEL ROSARIO: Thank you.</p> <p>15 THE CHAIR: Okay. Thank you.</p> <p>16 Any questions for Baylor?</p> <p>17 (No response.)</p> <p>18 THE CHAIR: Thank you, sir, for coming up</p> <p>19 today and visiting with us today, and looking</p> <p>20 forward to continuing our work together, for sure.</p> <p>21 DR. BAYLOR DEL ROSARIO: Thank you so much</p> <p>22 and have a good morning.</p> <p>23 THE CHAIR: All right. And so,</p> <p>24 Commissioners, we probably won't go through</p> <p>25 introduction for the next four folks as well, just</p>
15	<p>1 Colfax Counties, all the way to the Colorado border,</p> <p>2 and just a ton of charters in the area.</p> <p>3 But it's great, you know. Very glad</p> <p>4 you're here.</p> <p>5 And you said something about making our</p> <p>6 job easier that Ms. Burt commented on. And we --</p> <p>7 you make our job easier by not being on our agenda.</p> <p>8 And, you know, there's schools that are always there</p> <p>9 for one reason or another. And we -- you know, when</p> <p>10 you're not on it, it's a really good sign.</p> <p>11 So, you know, best of luck. Have a great</p> <p>12 school year, you know. We all do this for the kids.</p> <p>13 It's, like, they are what brings us joy. So have</p> <p>14 fun.</p> <p>15 DR. BAYLOR DEL ROSARIO: Thanks so much.</p> <p>16 THE CHAIR: Thank you.</p> <p>17 Any other questions from the Commission?</p> <p>18 I'm sorry, Secretary Armijo. Go ahead.</p> <p>19 SECRETARY ARMIJO: Thank you. Hi. Hi,</p> <p>20 Baylor. I am Melissa Armijo. I represent</p> <p>21 District 1 in the South Valley, and I do believe you</p> <p>22 are in my district now.</p> <p>23 I am excited to meet you. And,</p> <p>24 absolutely, Commissioner Ingham. You are welcome to</p> <p>25 join me in visiting, or go by yourself, however you</p>	17	<p>1 to keep things brief. But we will get a chance to</p> <p>2 ask any questions, or if you want to share anything</p> <p>3 in addition, you'll get the chance to have an open</p> <p>4 mic for that for sure.</p> <p>5 Corina?</p> <p>6 DIRECTOR CORINA CHAVEZ: Thank you,</p> <p>7 Commissioners. Thank you, Baylor. We can't wait to</p> <p>8 visit your school, either.</p> <p>9 Commissioners, I think that the head</p> <p>10 administrator of a charter school is the most</p> <p>11 challenging job, outside of mine. And so I really</p> <p>12 congratulate all of the head administrators. And</p> <p>13 when we have a head administrator that has been at</p> <p>14 the school, boy, the school starts off at an</p> <p>15 advantage.</p> <p>16 That is the case with Hannah Weeks.</p> <p>17 Hannah, please introduce yourself to the Commission,</p> <p>18 and congratulations on your position.</p> <p>19 MS. HANNAH WECKS: Hi. Good morning,</p> <p>20 everyone.</p> <p>21 Thank you so much, Corina. And thank you</p> <p>22 to everyone for being here.</p> <p>23 I am excited and a little overwhelmed,</p> <p>24 too. It's a big, big job, like everyone is saying.</p> <p>25 But it's great.</p>

18	<p>1 So I have been at Aldo for a year and a</p> <p>2 half. And before that, I was a teacher and a</p> <p>3 librarian in regular traditional public schools in</p> <p>4 Silver and Cobre districts. So this is my 23rd year</p> <p>5 in education. And I'm just really excited to work</p> <p>6 with my amazing staff and have a great year.</p> <p>7 When we get started, we start with</p> <p>8 backpacking in the high school. So we're trying to</p> <p>9 organize -- well, there's not much water, so looking</p> <p>10 at new trails and new routes. So we've been very,</p> <p>11 very busy.</p> <p>12 But thank you all for your hard work and</p> <p>13 thank you for having me.</p> <p>14 THE CHAIR: Thank you, Ms. Wecks.</p> <p>15 Questions or comments from the Commission?</p> <p>16 Commissioner Ingham.</p> <p>17 COMMISSIONER INGHAM: Hannah, it's good to</p> <p>18 see you. My name is Stewart Ingham, and I am your</p> <p>19 Commissioner, and I've been dying to get down to</p> <p>20 visit your school.</p> <p>21 I will make a concerted effort to be</p> <p>22 there, and I'll contact you before I come and make</p> <p>23 sure I'm not a problem. But I would really love to</p> <p>24 visit your school and you.</p> <p>25 MS. HANNAH WECKS: Awesome. Absolutely</p>	20
19	<p>1 we'd love to have anyone. Thank you so much. We'll</p> <p>2 look forward to it.</p> <p>3 COMMISSIONER INGHAM: It'll be fun.</p> <p>4 VICE CHAIR BURT: Hi, Hannah. I just</p> <p>5 wanted to tell you, congratulations on your role. I</p> <p>6 know the beginning -- I'm sure the first year is</p> <p>7 going to be your toughest, and then you're going to</p> <p>8 get right into the swing of it.</p> <p>9 You'll be good. I'm excited for you.</p> <p>10 And, yeah, what an exciting school to be the lead</p> <p>11 of. Congratulations.</p> <p>12 MS. HANNAH WECKS: Thank you so much. I</p> <p>13 appreciate it. It sure is.</p> <p>14 THE CHAIR: Commissioner Carrillo.</p> <p>15 COMMISSIONER CARRILLO: Congratulations on</p> <p>16 your position, Hannah. I'm up north. That's what I</p> <p>17 do on the Commission.</p> <p>18 But I was always really impressed -- I</p> <p>19 want to say this to you as well, because you</p> <p>20 commented on the backpacking that you're planning.</p> <p>21 And I remember -- oh, gosh. Who came -- I can't</p> <p>22 remember who it was that spoke with us who said,</p> <p>23 "Think outside the desk." And I just love that, and</p> <p>24 that you just -- you get out of the school, you get</p> <p>25 outside. You just, you know, get these kids much</p>	21
	<p>1 more riled up and active.</p> <p>2 And really appreciate what that school</p> <p>3 does for kids. So thank you so much. Have a great</p> <p>4 year, and we're here if you need us for anything.</p> <p>5 MS. HANNAH WECKS: Thank you so enough.</p> <p>6 Yeah. That is our motto. And I think that as we</p> <p>7 look at all of the students struggling with mental</p> <p>8 health issues since the pandemic, what I have seen</p> <p>9 is that the district I left, kids were struggling so</p> <p>10 much. And coming to Aldo, they're doing better.</p> <p>11 And I truly believe it's because we get</p> <p>12 outside. And I think -- I just believe in the power</p> <p>13 of nature to help people heal.</p> <p>14 COMMISSIONER CARRILLO: Agreed. Thank you</p> <p>15 so much.</p> <p>16 THE CHAIR: Commissioner Gipson.</p> <p>17 COMMISSIONER GIPSON: Welcome, Hannah. I</p> <p>18 was telling Commissioner Beck that the school has</p> <p>19 struggled at times because folks didn't want to send</p> <p>20 their kids to that "hippie" school, you know. So</p> <p>21 it's -- it's exciting.</p> <p>22 I backpacked the Appalachian Trail from</p> <p>23 Maine to Georgia. So I admire you doing that. I</p> <p>24 doubly admire doing it with middle school kids; so,</p> <p>25 you know, that's my -- so welcome.</p>	

22	<p>1 John, I know that the background check 2 process was a bit of a challenge. But they came 3 through. You have the position. 4 It's an important school. It's the first 5 original State charter school. 6 Congratulations on your position. Please 7 introduce yourself to the Commission. 8 MR. JOHN RODARTE: Thank you, Ms. Chavez. 9 Good morning, members of the Commission. My name is 10 John Rodarte. I hail from Peñasco, New Mexico. And 11 I have lived in Albuquerque since about 2000. I've 12 been working with charter schools and lots of 13 different charter schools throughout Northern and 14 Central New Mexico. It is my honor to represent the 15 New Mexico Academy for Media Arts here in 16 Albuquerque. 17 And I can't tell you what a pleasure it is 18 to be working with this school and with its faculty, 19 staff, and students. 20 We look forward to any visitations from 21 anyone. We have open invitations to anyone who 22 would like to visit the school. And we will 23 continue to coordinate and promote other schools 24 through our media program. 25 And I'll leave it at that. But it's a</p>	24	<p>1 again. Thank you so much for everything that you 2 do. 3 Congratulations on your new role. And I'm 4 going to have to help my own brain coach which 5 school you're at, because I have you so connected to 6 San Diego Riverside. So I'll do my best to remember 7 where you are now. 8 MR. JOHN RODARTE: I just want to say it's 9 really a pleasure to see you again. I appreciate 10 all our past collaborations. I'm really glad to see 11 you and to be here with you in the morning today. 12 Thank you. 13 THE CHAIR: Commissioner Carrillo. 14 COMMISSIONER CARRILLO: Welcome and 15 congratulations. Can you do what you can to end the 16 writers and actors strike and everything? Tell them 17 it's all about the kids. We're trying to bring kids 18 into the industry, and, you know, we need your help. 19 MR. JOHN RODARTE: We'll do what we can to 20 advocate for it. We want to see people back at 21 work. 22 COMMISSIONER CARRILLO: All right. Thanks 23 for the job you do and your commitment to kids. 24 MR. JOHN RODARTE: Thank you. Thank you. 25 THE CHAIR: Thank you.</p>
23	<p>1 pleasure to be with you this morning. 2 THE CHAIR: Thank you. 3 Commissioners? Vice Chair Burt. 4 VICE CHAIR BURT: Congratulations as well 5 to you. And I always get so excited hearing about 6 the things that you all are doing, especially with 7 the film and -- you know TV industry just growing 8 and growing in New Mexico, like, you get to be at 9 the hub of it. So always exciting to find out the 10 new things that your school is doing to promote 11 New Mexico's economy with your students as well. So 12 really excited for you to be in that role, and 13 congratulations. 14 MR. JOHN RODARTE: Thank you, ma'am. 15 THE CHAIR: Commissioner Ingham. 16 COMMISSIONER INGHAM: Yes, sir. I wanted 17 to congratulate you also. I had a foreign exchange 18 student that went to your school probably ten years 19 ago. And we were very thrilled with his time that 20 he spent with that school. So I have very positive 21 feelings for your school and would love to come 22 visit as soon as I can. 23 MR. JOHN RODARTE: Please do so, 24 Mr. Ingham. 25 THE CHAIR: Mr. Rodarte, good to see you</p>	25	<p>1 DIRECTOR CORINA CHAVEZ: Commissioners, 2 the other head administrator that is here to meet 3 you and for you to meet him is Mr. David Bryant. He 4 is coming from Albuquerque Bilingual Academy. 5 And, David, welcome. Good to see you. 6 MR. DAVID BRYANT: Thank you. Thank you 7 for welcoming me and inviting me to this meeting to 8 introduce myself. 9 As Ms. Chavez said, I am David Bryant. I 10 grew up in the South Valley of Albuquerque, on the 11 west side as well. So this is the population that I 12 grew up with that I get to now serve. 13 I'm from Chihuahua, Chihuahua, Mexico. So 14 I hope to bring a lot of culture and language 15 appreciation and everything that Albuquerque 16 Bilingual Academy is already known for, just to 17 continue to celebrate our families. So thank you 18 for having me. 19 COMMISSIONER CARRILLO: Hi, David. Steve 20 Carrillo. And so thank you for the work you do and 21 your commitment to kids, but also what you're doing 22 at Albuquerque Bilingual Academy, because we all 23 know how important it is -- and in this country, so 24 many of us only speak English and won't even try to 25 speak another language, but how important it is the</p>

26	<p>1 work you're doing to graduate kids that are 2 bilingual -- have the bi- -- I would imagine 3 100 percent of your kids that graduate have that 4 bilingual seal from the State. 5 MR. DAVID BRYANT: That's always a hope. 6 COMMISSIONER CARRILLO: That's fantastic. 7 So thanks for focusing on this and for the work you 8 do. 9 MR. DAVID BRYANT: Thank you. Thank you, 10 Commissioner Carrillo. 11 THE CHAIR: Commissioner Beck? 12 COMMISSIONER BECK: I just wanted to say 13 congratulations and kind of mirror what Commissioner 14 Carrillo said. You're doing yeoman's work, and 15 you're doing great things for that community, and we 16 appreciate it. So congratulations. 17 MR. DAVID BRYANT: Thank you, Mr. Beck. 18 SECRETARY ARMIJO: Hi. This is Secretary 19 Armijo. I just wanted to say that your school is 20 another school that is close to my heart. I've 21 known that school since the beginning. And the work 22 that's being done there is amazing, and I want to 23 congratulate you and thank you for stepping up into 24 this role. 25 And, just, you're another one I'm going to</p>	28	<p>1 love to visit you also. And thank you for your 2 commitment to the South Valley. 3 MR. DAVID BRYANT: Thank you. Thank you. 4 Hopefully, you get to come check out our mariachi 5 program. Our kids are excited to perform again 6 after all the pandemic downtime. 7 COMMISSIONER INGHAM: That's wonderful. 8 Thank you. 9 THE CHAIR: Commissioner 10 Clahchischilliage. 11 COMMISSIONER CLAHCHISCHILLIAGE: Thank 12 you. I'd like to congratulate all of you. I mean, 13 this is such a -- it's very encouraging to see such 14 enthusiasm for these positions. And I want to 15 congratulate you directly right now. 16 And I just -- I'm so impressed with the 17 fact that you come from Mexico, and you're willing 18 to take on the challenges of our education system. 19 So congratulations. And our thoughts, 20 good vibes go your way. Thank you. 21 MR. DAVID BRYANT: I appreciate it. Thank 22 you so much. 23 THE CHAIR: Commissioner Carrillo. 24 COMMISSIONER CARRILLO: Okay. You had me 25 at mariachi, the minute you said "mariachi program."</p>
27	<p>1 come visit because you are in my district. And, you 2 know, any way that I can support you, I'm happy to 3 do it. 4 So congratulations, and thank you again 5 for your hard work and dedication to that school. 6 Thank you. 7 MR. DAVID BRYANT: Thank you, Secretary 8 Armijo. We welcome you with open arms any time 9 you'd like to visit. 10 THE CHAIR: Vice chair Burt. 11 VICE CHAIR BURT: Congratulations. It 12 sounds like you're a great person to have in this 13 role. It's so important for the students to be able 14 to see themselves in people in leadership positions. 15 So definitely happy that you're in the community 16 that you grew up in. And now you get to serve -- I 17 mean, it's exciting to have someone like that 18 leading this kind of school. 19 So congratulations and looking forward to 20 the good work you're going to do. 21 MR. DAVID BRYANT: Thank you. I 22 appreciate it. 23 COMMISSIONER INGHAM: I always want to 24 congratulate you. This is Stewart Ingham, 25 District 6. You are also my neighbor, and would</p>	29	<p>1 So if you wouldn't mind, when you're going to have a 2 performance at your school, if you could let Corina 3 know, and then she can send out the message to us, 4 because I just -- I mean, I love mariachi. I love 5 arts in our schools. And I'd come down in an 6 instant to hear your kids. 7 MR. DAVID BRYANT: You got it. You'll 8 have an open invitation any time. But I'll 9 definitely send out the invitation for any 10 particular performances that we have. 11 THE CHAIR: Mr. Bryant, congratulations on 12 your role. I'm excited for you to take the 13 leadership at Albuquerque Bilingual Academy. I did 14 have the chance to visit the school a couple of 15 months ago, maybe at the beginning of this year, to 16 do some work around family and community engagement 17 with some of your team members. 18 It was a delightful place to be and a 19 connection to both parents and staff. It was just a 20 really good -- good session to be part of, for sure. 21 And so looking forward to visiting again for sure. 22 MR. DAVID BRYANT: That's always great to 23 hear. Thank you so much for the feedback. 24 THE CHAIR: All right. Seeing no other 25 comments, Corina, do you have anything else?</p>



30	<p>1 DIRECTOR CORINA CHAVEZ: No. Just best 2 of -- just best of luck for the school year again, 3 head administrators. And thank you for coming, and 4 we can move on to the next item.</p> <p>5 THE CHAIR: Yeah. We'll move on to Item 6 No. 7, Discussion and Possible Action of Six 7 Directions Indigenous School, Change of Head 8 Administrator.</p> <p>9 Commissioner Chavez, go ahead. If we can 10 promote, Missy, anyone from Six Directions?</p> <p>11 DIRECTOR CORINA CHAVEZ: Mr. Tony 12 Archuleta, I believe, is in the audience. I see 13 Ms. Becca Niiha. Am I pronouncing it correctly?</p> <p>14 Okay. I don't think we have audio. We 15 can't hear you.</p> <p>16 While Becca is working with her audio, 17 Commissioners, the reason why we pulled out this 18 head administrator --</p> <p>19 THE CHAIR: Real quick. I'm so sorry to 20 interrupt you. I think Missy -- was Tony able -- 21 did he acknowledge that he needed to come on? Is he 22 still on the Zoom waiting, and should I just --</p> <p>23 DIRECTOR CORINA CHAVEZ: He's on.</p> <p>24 THE CHAIR: Mr. Archuleta, if you can 25 accept the promotion to the panel, please do that so</p>	32	<p>1 Commissioners, the reason why we've pulled 2 out this application for a new head administrator 3 position at Six Directions is because at this 4 school, the school did not renew the contract with 5 the former head administrator, and instead is 6 looking to have a bit of a shared leadership. 7 And if you look at the paperwork, it's 8 complete. Mr. Archuleta has an administrative 9 license, and Ms. Niiha is working on a provisional 10 3B, which is allowed in communities where it's hard 11 to staff head administrators.</p> <p>12 So they will have a unique leadership role 13 at the school, and we will let them talk a little 14 bit more about how that works.</p> <p>15 All the paperwork is finally complete. 16 But I wanted to pull this one out in case you had 17 any questions or in case they wanted to share a 18 little bit more about how that configuration will 19 work at the school.</p> <p>20 MR. TONY ARCHULETA: Let me briefly 21 explain that this is the seventh charter I've been 22 affiliated with. I am returning to Six Directions. 23 I was there in 2019 and 2020. COVID got rid of me 24 at that time. I'm back. I'm excited about being 25 there. I'm excited about working with Becky.</p>
31	<p>1 we can see you and have you engaged with us. 2 And, Rebecca, I'm not sure if he's with 3 you right now, but it would be great for him to --</p> <p>4 DIRECTOR CORINA CHAVEZ: There's Tony. 5 Okay. So, Tony, your camera is off. And, Becca, 6 can you say something? Let's see if we can hear you 7 yet.</p> <p>8 MS. BECCA NIIHA: Let's see. Did it work 9 yet?</p> <p>10 DIRECTOR CORINA CHAVEZ: Yes. 11 MS. BECCA NIIHA: Oh, good. Okay. 12 DIRECTOR CORINA CHAVEZ: So, Tony, on the 13 bottom left-hand corner of Zoom is the video. And 14 you need to hit that button so we can see you.</p> <p>15 While you're working on that, Tony, you 16 can also unmute by hitting the unmute button on the 17 bottom left of your screen underneath -- there we 18 go.</p> <p>19 Tony, unmute and say hello, because right 20 now, you're muted. So the bottom left 21 microphone-looking button that says "Unmute," just 22 click on it.</p> <p>23 MR. TONY ARCHULETA: Can you see me now? 24 DIRECTOR CORINA CHAVEZ: Yes, we can hear 25 you now. Thank you. Thank you both for joining.</p>	33	<p>1 Becky's a dynamic young lady that has so 2 much energy. She has a new perspective, a new -- a 3 new insight into education. So I'm looking forward 4 to working with her.</p> <p>5 We are going to assume a dual relationship 6 in terms of the structural delivery system and the 7 administration of budget, et cetera.</p> <p>8 It's an exciting school. We have great 9 staff, a dynamic staff, and we're very fortunate to 10 be there.</p> <p>11 And it's a unique school, because we have 12 students from Zuni and Gallup, the Navajo Nation. 13 So it's a challenge. I'm happy to be 14 there, and we will be collaborating daily on the 15 needs of the school.</p> <p>16 Becca? 17 MS. BECCA NIIHA: (Speaks Native American 18 language.) 19 My name is Becca Niiha. I come from the 20 Hopi Tribe. My clans are Corn and Child of a 21 Butterfly. I am currently living on the current 22 ancestral homeland on the Pueblo of Zuni, where my 23 family is. 24 My understanding of the situation -- I was 25 asked to be in this position by the governing</p>

<p style="text-align: right;">34</p> <p>1 council after the Board voted on the contract of the 2 former administration.</p> <p>3 My background is, actually, I'm a 4 classically trained teacher from Gallup. I've lived 5 in Gallup, and I'm indigenous to the area.</p> <p>6 And when my son was young, I was getting, 7 recruited by an organization called Teach for 8 America. And that's where I became aware of it.</p> <p>9 And I was kind of curious. Like, what is 10 this organization? What do you mean you only get 11 six weeks, coming from the lens of a classically 12 trained teacher.</p> <p>13 I actually decided to join from the lens 14 of infiltration, recognizing that those most 15 proximate to the footprint of what we need for 16 communities should be leading the work.</p> <p>17 And my son's kindergarten teacher was a 18 TFA teacher. And it was during that time I was 19 working in Zuni, from Juan de Oñate in Gallup to 20 Zuni. And that's when I became very prolific in 21 community organizing and designing a curriculum that 22 had an indigenous lens.</p> <p>23 And I got the highest award possible in 24 Teach for America, which is the first person from 25 New Mexico to do so, and the first indigenous woman,</p>	<p style="text-align: right;">36</p> <p>1 systems change and anti-racist leadership and 2 decolonizing from that perspective. And we realized 3 that non-Native students, non-elementary students, 4 students from college, students that are not from 5 here teaching students of all backgrounds in 6 New Mexico also had high impact, high results from 7 their TPIs.</p> <p>8 And in that time, the former head 9 administrator had some teachers at her school that I 10 was coaching. And so that's how she knew me. My 11 son has been attending the school for the last three 12 years, and she asked me to please consider returning 13 to teaching because of that.</p> <p>14 And in that time, I had actually gone back 15 to school. And I'm in a Master's/Ph.D. dual program 16 called Community, Liberation, Indigenous, and 17 Eco-Psychologies, through Pacifica Graduate 18 Institute. And it is in this space that I've been 19 here since January from the inside, building 20 relationships.</p> <p>21 A lot of my former students actually 22 attend here and are graduating from this school this 23 year.</p> <p>24 And I was on the organizing committees 25 when Six Directions, before it was created, was</p>
<p style="text-align: right;">35</p> <p>1 which is called the Sue Lehmann Teaching Fellowship. 2 And it had to demonstrate mastery of student -- high 3 performance, high impact, so much data, so much 4 artifacts. And it was very student-led.</p> <p>5 What that meant is my curriculum was used 6 to teach incoming corps members across the country 7 in all regions of Teach for America since that time, 8 which was in 2015.</p> <p>9 And then it led to professional 10 development opportunities. So I've been giving 11 professional development on decolonizing or 12 reindigenizing curricula to Harvard School of 13 Education, to the North Carolina convenings, to 14 tribal colleges, Ashiwi College and different NTUs 15 and tribal departments.</p> <p>16 And then Teach for America began 17 recruiting me again to be a manager of teacher 18 development. So I took on a cohort of 30 teachers 19 for three years, all around urban, rural, tribal 20 areas all across the state of New Mexico. And it 21 was there that we realized that that curriculum can 22 transcend lines of difference, high impact, high 23 performance, and teachers with staff and teachers 24 and communities, because it's a community model. 25 And from there, it was a lot of access to</p>	<p style="text-align: right;">37</p> <p>1 doing analyzing of community, what our community 2 needs. And I was being interviewed alongside Teach 3 for America, but alongside as a parent and a 4 community member and an indigenous matriarch.</p> <p>5 So then the school board called and asked 6 if I would consider being in this position. And now 7 I'm already on that track towards getting 8 administrative licensure.</p> <p>9 My understanding of the dynamic between 10 Tony Archuleta and I is a mentor relationship, and, 11 in that interim time, receiving my provisional 12 license.</p> <p>13 I'm also teaching at the school, ELA and 14 history, the same curriculum that had that same high 15 impact, high results, now with additional knowledge 16 and insights from indigenous epistemologies and 17 research methodologies from the courses that I'm 18 taking (Native American language spoken.) Thank 19 you.</p> <p>20 THE CHAIR: Thank you. Questions or 21 comments from the Commission? 22 Vice Chair Burt.</p> <p>23 VICE CHAIR BURT: Well, first, I want to 24 say, Becca, great name. I am thrilled to hear your 25 background and that you're at this school. Like, I</p>

<p style="text-align: right;">38</p> <p>1 think this is incredible, I mean, in so many ways.  2 How incredible for your community in general that  3 you're there, that you're so involved.  4 But for the school, I mean, what -- I  5 mean, incredible, absolutely incredible. So I  6 definitely want to start by -- I think this is --  7 I'm so looking forward to your work with the school  8 and what that's going to lead to and being able to  9 show results of this leadership -- of your  10 leadership and how that can influence not just your  11 school, but the community as whole. So really  12 excited about that.  13 Practically, about this amendment, I am  14 concerned about approving it, because right now -- I  15 think what would have made most sense is if Tony  16 Archuleta was listed here as the interim head  17 administrator. But right now, the only person  18 listed on it is Rebecca -- oh, no, sorry -- and  19 Tony. But it feels weird to approve Rebecca today  20 because she doesn't have a license yet.  21 So Tony, if that makes sense, we have all  22 the documentation. But until there's a license  23 behind it, I don't know if I feel comfortable doing  24 that today.  25 And so I don't know what -- if CSD, you</p>	<p style="text-align: right;">40</p> <p>1 Maybe, Tony and Rebecca, you can help us out with  2 this. I have two questions.  3 One, did the board -- did the governing  4 council vote both of you as administrators when they  5 made the decision? Or did they clarify that in  6 terms of who's doing what?  7 And then I just wanted to hear how much  8 time and effort are both of you going to be involved  9 in the school as well, doing the administration  10 work?  11 MR. TONY ARCHULETA: Commissioner Alan, I  12 foresee us sharing the responsibility, me .50 and  13 Becca assuming the other. She will be involved more  14 in the instructional component of the program and me  15 dealing with the -- the budget and federal programs  16 and other kinds of administrative requirements.  17 I see her being part of a dual leadership  18 program. And because of her background, she's added  19 a new dimension to our school.  20 So she and I work very well together. We  21 understand each other's role. We complement each  22 other's role: She, the young lady; me, the old man.  23 And so the past for the present, I just think we  24 have a great school, and I'm just impressed with her  25 relationship with kids and the staff, and I'm</p>
<p style="text-align: right;">39</p> <p>1 know, checked into the -- what that looks like or --  2 I don't know how that -- that doesn't make sense to  3 me to approve Rebecca today because she can't be  4 head administrator right now.  5 DIRECTOR CORINA CHAVEZ: So, Becca, I see  6 that you have started the process. Have you  7 received any information on the time frame for  8 receiving the 3B provisional license?  9 MS. BECCA NIIHA: I've gotten a response  10 that they're backlogged, and they'll respond to me  11 as soon as they can. But that was an automatic  12 response e-mail. So I'm still waiting to hear back  13 on that one.  14 THE CHAIR: Good morning, Tony and  15 Rebecca. This is Alan Brauer. It's good to see you  16 both.  17 Rebecca, I don't know if you remember, but  18 way back in the day when you were a TFA person, I  19 also was a TFA person, but much older than you, but  20 had a chance to connect with you about the work that  21 you're doing. So it's awesome to see you both  22 again.  23 I also am just thrilled to think about  24 what this means for the school. The -- the question  25 that I have is it -- like -- and I don't know.</p>	<p style="text-align: right;">41</p> <p>1 positing that we're going to make this possible  2 until she gets totally bona fide. So I feel very  3 positive about our respective roles.  4 MS. BECCA NIIHA: And to answer your  5 question, the governing council did vote both of us  6 at the same time in the minutes that were also  7 submitted with that PEC notification.  8 And it was under the assumption that there  9 was also, for NMPED licensure, a requirement for  10 mentorship over -- like, an administrative licensure  11 to be a mentorship over the person that's seeking  12 it.  13 And so building that relationship from the  14 system level to be able to kind of "co" alongside of  15 it is my understanding, too, that it was done in  16 that regard for that reason.  17 THE CHAIR: Great. Thank you.  18 Sorry. Sorry. One second.  19 COMMISSIONER CARRILLO: Chair Brauer -- so  20 I know -- I know they're discussing this. But I  21 wouldn't want to be privy to it, because it's going  22 to -- and I think --  23 THE CHAIR: Commissioner Carrillo, that's  24 what I just said. Thank you.  25 Rebecca, with your -- with your program</p>

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1 that you're in right now, the Pacifica Institute --  
 2 sorry if I'm not remembering the whole name of the  
 3 program -- does that -- does that lead to an  
 4 administrative license in New Mexico?  
 5 MS. BECCA NIIHA: No. But...  
 6 THE CHAIR: Do you do the coursework to  
 7 receive your licensure?  
 8 MS. BECCA NIIHA: I'm not sure about that  
 9 one. Mr. Cunanan, who's the principal -- former  
 10 principal of Middle College in Gallup-McKinley  
 11 County, too, his daughter was in my class when she  
 12 was in fifth grade. And he just met with me and  
 13 told me his approved licensure under the PED program  
 14 was actually to take some classes in Albuquerque.  
 15 And he sent me the information to be able  
 16 to enroll in that, too. That was his plan of attack  
 17 for me in terms of community building and capacity  
 18 building, in that way to be able to be in a  
 19 PED-approved program, to follow the same pathway he  
 20 did.  
 21 THE CHAIR: And that's the path that  
 22 you're on now.  
 23 MS. BECCA NIIHA: Correct. He's helping  
 24 me enroll in that currently.  
 25 THE CHAIR: And I know for the provisional

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1 licensure for head administrator, as you work  
 2 towards your -- your level 3B, you do have to have a  
 3 Level 2 license. And you do have a level 2 license  
 4 as a teacher.  
 5 MS. BECCA NIIHA: That's correct.  
 6 THE CHAIR: Okay. Great.  
 7 Vice Chair Burt.  
 8 VICE CHAIR BURT: Yeah. So I guess I'm --  
 9 once again, none of the -- I don't -- I'm super  
 10 excited about whatever is going to come. What I'm  
 11 concerned about is right now, like, today. And so  
 12 it -- I don't -- I'm concerned about having two  
 13 folks being considered an interim head administrator  
 14 that does have a license but is an independent  
 15 contractor.  
 16 And so I know -- like, I heard a .5 for  
 17 each of you. But, technically, there's no FTEs  
 18 involved for either of these positions. It's --  
 19 they're -- you both got hired as independent  
 20 contractors for the next three months.  
 21 And from my perspective, I think whatever  
 22 the school and whatever Becca's going to go through  
 23 to get to the administrator license is all up to you  
 24 guys. I don't even think we need to know about it.  
 25 I don't -- like, you guys get there however long it

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1 takes, whatever it takes for you guys to get there  
 2 is fine. And whatever role Becca plays in the  
 3 school, also fine. But I don't think it can be  
 4 listed as head administrator in any way, shape, or  
 5 form at this time on any kind of paperwork for us.  
 6 But do think Tony, because he has the  
 7 license, he is an administrator. But also my  
 8 concern is he's also an independent contractor and  
 9 does not have -- there's no FTE at this school for a  
 10 head administrator. And that's a concern for me.  
 11 And I don't think right now, the -- having  
 12 Becca being listed on the paperwork for us, like,  
 13 officially is appropriate. Like, I think once  
 14 that -- the license comes in, then let us know. But  
 15 do all the work. Keep going. Do what you're doing  
 16 to get to there.  
 17 Once that license is present, then we need  
 18 to know about it. And once she's officially in,  
 19 like, the legal capacity as an interim or head  
 20 whatever, that's when we need to know.  
 21 So what I'm more concerned about is having  
 22 Tony be classified as the actual head administrator  
 23 of the school, even if it's an interim position at  
 24 this time. But I don't know about it being an  
 25 independent contractor position. That feels very --

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1 like, I mean, that's -- it feels wonky to me and not  
 2 appropriate for a school to have no head  
 3 administrator on staff. Like, it's just an hourly,  
 4 and that's very odd to me.  
 5 So I think, like, the process that the  
 6 school's going through, it sounds like you're on  
 7 track to get there. But I think today what I'm  
 8 concerned about are those issues. And it doesn't  
 9 seem like the paperwork is matching what we need it  
 10 to.  
 11 And I don't know if that contract, who has  
 12 an independent contract with Tony, is appropriate  
 13 either for being an actual interim administrator,  
 14 like, responsible for the legalities of the school  
 15 on his license.  
 16 So that's why kind of where I'm at. I  
 17 don't know if I'm ready to approve this right now.  
 18 And I don't know what -- like, what CSD can support  
 19 in, like, getting this to the right space for next  
 20 month. But I'm very concerned about this situation.  
 21 THE CHAIR: Thank you, Vice Chair.  
 22 Commissioner Carrillo. Then Commissioner  
 23 Gipson.  
 24 COMMISSIONER CARRILLO: Well, first, I  
 25 want to start on the upside that I'm super excited

<p style="text-align: right;">46</p> <p>1 that both of you are at this school and taking on 2 whatever it's called -- taking on the leadership 3 roles that you are at the school. 4 And, Becca, just totally impressed with 5 what you bring to the table. And, I mean, I'm only 6 seeing you right here on this little picture on 7 Zoom. But when I see people that are just -- I 8 don't know -- just young and so accomplished and so 9 smart, it gives me hope for New Mexico. 10 And then, Tony, as long as you've been in 11 education and taking on this mentorship role -- 12 because mentors is so often what teachers and 13 administrators need more than anything, because 14 these are really, really difficult positions. And 15 it's great to have somebody be in that mentorship 16 role. 17 So that having been said, Bekka, I really 18 appreciate -- our Bekka, Commissioner Burt -- I 19 appreciate you have very much the insight with which 20 you got this, because I didn't get it until you 21 mentioned it. When I read it, it was, like, okay. 22 It was, like -- and now there's this entirely new 23 layer. 24 I'm comfortable with approving 25 Mr. Archuleta as an administrator, even though it's</p>	<p style="text-align: right;">48</p> <p>1 aren't able to do so. 2 THE CHAIR: Thank you, Commissioner. 3 Commissioner Gipson. 4 COMMISSIONER GIPSON: So, yeah, I'll start 5 with the upside, and, really, congratulations. And 6 I was somewhat concerned when I saw, once again, a 7 head administrator change at Six Directions, because 8 it's -- you know, we all know and understand Gallup 9 is a challenging area to find quality staff. And it 10 is difficult. And there's been a number of changes 11 at Six Directions. So that's always a concern. 12 But then super excited when I -- when I 13 heard your introduction and your presentation. 14 And this is a school that's near and dear 15 to my heart because it's part of the cohort of 16 schools that introduced me to Chair Brauer. So 17 it's -- you know, it's been a journey with this 18 school. 19 And I know the challenges in particular 20 with Gallup-McKinley school district that the school 21 always faces. But at this point in time, the way 22 these documents are presented to us, I'm -- I'm very 23 uncomfortable with approving with Rebecca as a 24 co-director, or whatever we -- because of the lack 25 of certification. And that's the documents that we</p>
<p style="text-align: right;">47</p> <p>1 a contract position and in that role. Completely 2 understand -- there's got to be an administrator at 3 the school; right? So in one way or another, with 4 CSD, as I understand it, there's got to be somebody 5 in that role. 6 And I appreciate Commissioner Burt's -- 7 and I agree with the idea that some things may not 8 be able to be approved today because we need certain 9 things in place to be able to do so, knowing full 10 well that this is going to be the -- you know, the 11 duo that takes the school into -- you know, into 12 this year. 13 I -- what I really want to have happen is 14 that whatever we approve, I don't want there to be a 15 cloud over anything. I want -- how many of us are 16 here today? Eight people? I want it to be an 17 eight-zero vote, or nine-zero or ten-zero when it 18 comes to us. I don't want there to be any question 19 about whether or not either one of you can be in 20 your role. 21 So those are my concerns. I would have to 22 defer to our counsel and to Director Chavez around 23 what do we do here to make this right so you have an 24 administrator of record at the school and that we 25 don't take too many steps forward when we really</p>	<p style="text-align: right;">49</p> <p>1 received today to vote on. 2 So I'm also -- I see the minutes approve 3 Tony as the interim. But then it parses out to not 4 really looking like that. So a little more 5 comfortable with that. 6 But the way the paperwork is that we are 7 voting on, I don't think I -- I don't think I can at 8 this point in time. I think we need -- 9 unfortunately, I think we need the plan and the 10 documentation and the paperwork for Rebecca not to 11 be part of the vote. 12 THE CHAIR: Commissioner Carrillo. 13 COMMISSIONER CARRILLO: I have a question. 14 And, you know, Becca, when you mentioned that you 15 got, like, an automatic e-mail response or something 16 when you were asked about where this is in the 17 process -- and it's got to be so frustrating 18 sometimes not to talk to people to find out, "Okay, 19 what do I need to do to expedite this and to get a 20 solid answer?" 21 And, "What's your name," and you write 22 down the date and time that you talked; right? So 23 there's accountability. 24 I'm wondering also on what level perhaps 25 either Director Chavez or someone at PED can help</p>

<p style="text-align: right;">50</p> <p>1 move that along so you don't get stuck in this 2 government spiral of mediocrity that takes so much 3 time to get things done. 4 THE CHAIR: So I think we have some 5 options. 6 Commissioner Clahchischilliage. 7 COMMISSIONER CLAHCHISCHILLIAGE: Good 8 morning. I'm Sharon Clahchischilliage, and I'm the 9 Commissioner for your district. And I'm so 10 impressed with your presentation, Rebecca. When I 11 heard it, I was like, wow. I was just so proud. 12 And I guess my question is -- and the 13 question would be to our board -- is Mr. Archuleta 14 has a license. The only problem that we have with 15 him is that he's not staff -- or he does not have an 16 FTE. 17 What would it take to have that happen? I 18 mean, I'm -- you know, I'm new at this. So this is 19 why I'm asking the question. 20 Is there a possibility that that could be 21 remedied so that he then becomes officially the head 22 administrator for Six Directions? That's my 23 question. So maybe that's the first thing we ought 24 to address to make this correct. 25 THE CHAIR: That's a really good point,</p>	<p style="text-align: right;">52</p> <p>1 guys to talk to your governing board about is I know 2 right now when I read through the minutes, it was, 3 like, for three months, it was, like, very specific 4 how long it was for. 5 It might be -- ideally, that would be 6 great. If everything is taken care of in three 7 months, that would be awesome. But I think for the 8 paperwork for us, it might be good to just have Tony 9 be the interim and not put a time frame on it. And 10 that way, once again, you're not in this pressurized 11 system for us with the paperwork, and, you know, 12 what's in black and white, and then allow the 13 licensure process and that part to play behind the 14 scenes. 15 We don't need to know about it until you 16 have a license -- until the license is done. And so 17 however long that takes is however long it takes, 18 you know, as far as I'm concerned. 19 And, ideally, you guys are still doing the 20 same system where Tony is mentoring Becca during 21 that time period. You still are doing all the same 22 things that the intention was behind it. But I 23 wouldn't put a time frame on it for the 24 documentation, just so you're not catching yourself 25 in a bad place in three months and having to redo</p>
<p style="text-align: right;">51</p> <p>1 Commissioner. I think that -- I think what we have 2 to weigh, given the paperwork that we have, if that 3 is within our realm to do today, or if we may need 4 to table this and have CSD work with the school to 5 remedy the situation so it does -- so that the 6 paperwork actually does say that. 7 But I'd love to hear from other 8 Commissioners and get their points of view. 9 Commissioner Carrillo. 10 COMMISSIONER CARRILLO: It seems they just 11 have to have their board make him an FTE as opposed 12 to a contractor. If that can happen on their side 13 pretty darn quick, so that that can come to us next 14 month, and then we can approve Mr. Archuleta then. 15 And if by chance we get something from the State 16 showing us the provisional thing that, you know, 17 that can happen at the same time. 18 I don't trust the State to move that 19 quickly. But I would think that their board could 20 take care of this issue for us. 21 THE CHAIR: Thank you, Commissioner 22 Carrillo. 23 Vice Chair Burt. 24 VICE CHAIR BURT: The only other thing -- 25 I don't know if any governing board -- but for you</p>	<p style="text-align: right;">53</p> <p>1 things and submit more paperwork to us, or just in 2 case, because some of the things might be out of 3 your control and out of our control. 4 And so just trying to help you guys give 5 yourselves some flexibility. I don't know, Tony, if 6 you're, like, "No, I'm only willing to do it for 7 three months. I'll give you three months. That's 8 it." That was for me. 9 If that's the case, by all means. But if 10 there's a way to not put the time frame on the 11 paperwork, and if you're able to do that, I think it 12 could help you guys with the way in which you're 13 doing this process as well, make it a little less 14 burdensome on you guys and having to come back to us 15 and update things when you're not ready to. 16 THE CHAIR: Thank you, Vice Chair Burt. 17 Commissioner Beck. 18 COMMISSIONER BECK: Yeah. I want to say I 19 was really super impressed with the plan that you 20 guys have in place. And as Commissioner 21 Clahchischilliage said, I am blown away, Becca, by 22 your history and resume. And it's a blessing for 23 those kids to have you there working with them. 24 I would echo a little bit of what 25 Commissioner Carrillo said is if there's any way --</p>

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1 I don't know if there is -- but if there's any way  
 2 that the CSD can help you expedite your  
 3 administrative license -- I don't know if that's  
 4 possible -- but it would be awesome if that could  
 5 possibly be done to help you out with that, 'cause  
 6 you certainly have the credentials for it for sure.  
 7 THE CHAIR: Thank you, Commissioner Beck.  
 8 Director Chavez.  
 9 DIRECTOR CORINA CHAVEZ: Thank you,  
 10 Commissioners, Chair Brauer. Becca and Tony, you  
 11 know that I am here, my team is here to work with  
 12 you. I think we should definitely keep lines of  
 13 communication prior to the next board meeting. I'd  
 14 like a meeting with the board to help prepare for  
 15 whatever action needs to occur so that the school  
 16 can be in good standing and next month PEC votes to  
 17 have a licensed head administrator in place.  
 18 I'm also happy to bridge any  
 19 communications with our Licensure Bureau and your  
 20 application, Becca, to look at the criteria for  
 21 getting the Level 3B provisional and make sure that  
 22 you're on track for that.  
 23 We are here to help.  
 24 THE CHAIR: Thank you.  
 25 Thank you, Director Chavez. And before I

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1 will entertain a motion, I just wanted to share I  
 2 think we're getting consensus right now on what our  
 3 next steps are, potentially tabling this, giving the  
 4 school an opportunity to clarify some of the  
 5 questions that we have.  
 6 I also wanted to share that I think the  
 7 spirit of what you all are doing -- I think there's  
 8 no doubt in our minds, as Commissioners, what you're  
 9 doing in terms of service to students and to the  
 10 school, and we really appreciate that. We just want  
 11 to make sure it's clarified and clean and that we  
 12 all are all clear on who's doing what and with which  
 13 license and the path that we're on. So with that.  
 14 SECRETARY ARMIJO: Chair Brauer.  
 15 THE CHAIR: Commissioner Armijo.  
 16 SECRETARY ARMIJO: So I just wanted to  
 17 just mention, though, I -- it's a discussion, a  
 18 possible action. We don't actually have to take a  
 19 vote on this. I feel like we've taken direction.  
 20 And I don't want it to be, like, a negative vote,  
 21 like we're voting in the negative of this piece.  
 22 But I'm thinking that if we just -- if we gave them  
 23 direction, and we don't have to do any sort of vote,  
 24 is that okay with everybody? Or is that a thing?  
 25 THE CHAIR: That -- Commissioner Armijo,

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1 thank you for clarifying that, yes. I wasn't  
 2 suggesting we would take a vote at this time. But I  
 3 want to let Ms. Barnes weigh in real quick.  
 4 MR. TONY ARCHULETA: Commissioner Brauer,  
 5 point of information.  
 6 THE CHAIR: Sorry, Tony. Go ahead.  
 7 MR. TONY ARCHULETA: We are having a  
 8 meeting on the 29th, this coming Tuesday, a  
 9 governing council meeting. So at that time we can  
 10 entertain the concerns we are -- we are addressing.  
 11 THE CHAIR: Julia, do you want to go ahead  
 12 and share so we can -- could ask that question.  
 13 Commissioner Ingham first -- actually, Julia, go  
 14 ahead first, and then Commissioner Ingham.  
 15 DIRECTOR CORINA CHAVEZ: I was just going  
 16 to clarify that the Charter School Act does not  
 17 require a head administrator to be an employee.  
 18 That may be elsewhere that I can't find quickly,  
 19 whether they can be an independent contractor or --  
 20 so I think the school needs to look at that.  
 21 So I don't -- I guess I just wanted to  
 22 tell this Commission that that's a question, and  
 23 that we shouldn't assume the answer that I can't  
 24 find quickly; so...  
 25 SECRETARY ARMIJO: I'm under the

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1 impression -- hi -- this is Melissa again, I'm  
 2 sorry -- that all head administrators were  
 3 contractors, because they -- and maybe I'm  
 4 incorrect. But that's how I interpret it. That's  
 5 how I -- that's what I've dealt with in my -- in the  
 6 school that I deal with and with all the schools  
 7 that I've seen.  
 8 So I wasn't sure how that would work as  
 9 well, unless -- unless Mr. Archuleta would become an  
 10 employee just for the time being to get these things  
 11 in place. But, usually, a head administrator, in my  
 12 understanding, is not a -- an employee of the  
 13 school. They are a contracted employee.  
 14 THE CHAIR: Yeah. Real -- sorry.  
 15 Commissioner Ingham, and then Commissioner Gipson.  
 16 COMMISSIONER INGHAM: Okay. My question  
 17 was if we vote to table, does that mean that when  
 18 they -- that they would not be able to revise the  
 19 documentation that they submit? Or they would have  
 20 to resubmit the same documentation at the next  
 21 meeting?  
 22 So in some ways, that feels like tabling  
 23 might be a problem. And -- because they would have  
 24 to resubmit the same paperwork.  
 25 I think we need to be able to give them an

<p style="text-align: right;">58</p> <p>1 opportunity to revise their submission, and we may 2 have to reject the submission in order for them to 3 be able to revise it. I'm not sure. But that 4 seemed like it might be the case.</p> <p>5 THE CHAIR: Commissioner Gipson.</p> <p>6 COMMISSIONER GIPSON: Yeah. Just a 7 clarification. I mean, all employees sign a 8 contract. But as an independent contractor, you're 9 not in ERB. You're not serving any benefits. So 10 that all employees have a contract. So you're 11 not -- but you're not an independent contractor as a 12 head administrator, usually. Yeah. I'm just going 13 to say as -- you know, head administrators sign a 14 contract. But that enrolls them in ERB and things 15 like that, and, quote, unquote, "independent 16 contractor" would not have those benefits.</p> <p>17 THE CHAIR: Commissioner Carrillo.</p> <p>18 COMMISSIONER CARRILLO: I don't think we 19 need to reject or revise. I don't think we need to 20 do that. All we need to do is just table and then 21 come back in September on the agenda to get this 22 done.</p> <p>23 It's not like we're -- it's not like it's 24 an application, where this is what they've put in, 25 and now they want to give us new information</p>	<p style="text-align: right;">60</p> <p>1 So to me, it feels a little bit cleaner to 2 be, like, we're not going to accept this. This is 3 an amendment request. We're not going to accept 4 this amendment request today. Next month they'll 5 give us a new one.</p> <p>6 We don't want to use anything that they 7 gave us today anyway. It needs to be redone next 8 month anyway. The minutes are going to be redone. 9 Everything is going to be redone for next month.</p> <p>10 I hope you guys don't take it offensively 11 if it's, like, we're not going to accept this one, 12 please come back to us next month. It just feels 13 simple. It's not that big a deal.</p> <p>14 I'm probably just going to make a motion 15 to reject this amendment request.</p> <p>16 THE CHAIR: Thank you, Vice Chair. 17 Commissioner Clahchischilliage.</p> <p>18 COMMISSIONER CLAHCHISCHILLIAGE: I was 19 going to add that -- and I agree with you. I think 20 it is cleaner. And you look at the legality and 21 responsibilities that Mr. Archuleta is undertaking, 22 if he is the person that the board recommends, I 23 think the recommendation would be -- would have had 24 to include the direction that we have presented. 25 Yeah. Thank you.</p>
<p style="text-align: right;">59</p> <p>1 changing the tenor of the application. It's not 2 like that at all. We can just table. They come 3 back in our September meeting, and we say, "Hey, 4 everything is in order."</p> <p>5 We have more of our ducks in a row, 6 understanding what we need. And, you know, Director 7 Chavez, in the meantime, I imagine, attends their 8 board meeting by Zoom and lets them know what they 9 need to do, and easy-peasy.</p> <p>10 THE CHAIR: Vice Chair Burt?</p> <p>11 VICE CHAIR BURT: Yeah. I do -- I 12 understand -- either way, the intention is to give 13 them the opportunity to revise this and be heard 14 next month. That's the intention. We want them to 15 revise this paperwork and move it.</p> <p>16 I actually -- like, when Commissioner 17 Ingham was describing -- when you table something, 18 you literally are just taking the item exactly as it 19 is and moving it to the next agenda.</p> <p>20 I don't want this item as it is next month 21 on the agenda. So it feels cleaner to say no to 22 this and then have them revise it, submit -- they're 23 going to have to revise it and submit it anyway. 24 It's the same exact thing for them either way. 25 Either way.</p>	<p style="text-align: right;">61</p> <p>1 THE CHAIR: Thank you. 2 Commissioner Carrillo.</p> <p>3 COMMISSIONER CARRILLO: I want to ask our 4 counsel. Does -- I don't necessarily agree with 5 Commissioner Burt. I don't think there -- I just 6 don't want to vote no on this. So I just -- I just 7 want it to come back in 30 days and have it be a 8 unanimous vote yes.</p> <p>9 I'm wondering if Ms. Barnes could say what 10 her suggestion would be on how this is best handled.</p> <p>11 MS. JULIA BARNES: I think you can't 12 accept this paperwork as is. And I think next month 13 you couldn't accept the paperwork as is.</p> <p>14 They're going to need to redo the 15 paperwork, the board minutes. There needs to be a 16 different board decision. It's going to all end up 17 the same way. But the board meeting minutes, you're 18 going to need a different board decision next week.</p> <p>19 So you -- I guess I agree with Vice Chair 20 Burt that you're not going to accept this paperwork. 21 I'm trying to decide if you can just not take any 22 action.</p> <p>23 COMMISSIONER CARRILLO: It would seem that 24 we don't have to take action, that we could table. 25 The part I don't agree with Ms. Burt on is when you</p>



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1 table something, you can bring in new information  
 2 when that tabled item comes back.  
 3 THE CHAIR: Yeah. And we don't have to  
 4 take action right now, Commissioners, either. I  
 5 think the only thing, people just want to make sure  
 6 that the school, Rebecca and Tony, you're clear on  
 7 the next steps.  
 8 And, also, I would just -- I think it  
 9 would be great to work with CSD closely over the  
 10 next couple of weeks to get this clarified, work  
 11 with other departments or bureaus that are part of  
 12 this as well, just to make sure we have everything  
 13 clarified there. So I don't think we need to take  
 14 an action.  
 15 DIRECTOR CORINA CHAVEZ: Or you could take  
 16 an action to extend the time frame for  
 17 Six Directions to present this notification. You  
 18 can do it that way, or take no action.  
 19 THE CHAIR: I'll entertain a motion.  
 20 COMMISSIONER CARRILLO: If we're taking no  
 21 action, then --  
 22 THE CHAIR: Vice Chair Burt.  
 23 VICE CHAIR BURT: I move that the PEC  
 24 reject the notification from Six Directions  
 25 Indigenous School and resubmit paperwork for

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1 consideration to the PEC at the September meeting.  
 2 THE CHAIR: Do we have a second?  
 3 COMMISSIONER INGHAM: I second.  
 4 THE CHAIR: Any discussion?  
 5 COMMISSIONER CARRILLO: That's my  
 6 discussion. It's a six-of-one and half-of-the-other  
 7 situation. So, sure.  
 8 THE CHAIR: Go ahead, Commissioner Ingham.  
 9 COMMISSIONER INGHAM: I just want the  
 10 school to know that this is only a -- we're just  
 11 doing what we have to do to make this work for you.  
 12 We are certainly committed to this transaction and  
 13 getting it done.  
 14 But this is the most -- in my mind, this  
 15 is the cleanest way to get you guys to the next  
 16 step. So thank you, though, for this whole -- and  
 17 I'm very sorry that this is in this situation. But  
 18 I believe this is the cleanest.  
 19 THE CHAIR: Commissioner  
 20 Clahchischilliage.  
 21 COMMISSIONER CLAHCHISCHILLIAGE: Is there  
 22 a possibility that we could look at the word  
 23 "reject" and replace it with "recommend"? Because  
 24 "reject" is just a real -- okay, then. Can we  
 25 replace it with --

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1 THE CHAIR: I just want to share. We're  
 2 not -- we're not taking an action that is going to  
 3 be severe on this school, regardless of what we do.  
 4 For me, I don't think we need to take an action. So  
 5 I'm likely going to vote "Present" on any action  
 6 that we, as a body, is -- are considering at this  
 7 stage.  
 8 So I just want to make sure we're not --  
 9 and to the school, as well, we're not taking an  
 10 action of severity right now. I think we're in the  
 11 spirit of that. So now we just need to decide on  
 12 this, if we want to go forward with this motion.  
 13 And we do not need to take a motion on  
 14 this action. Any other discussion on this motion  
 15 before we move into a vote?  
 16 Commissioner Gipson.  
 17 COMMISSIONER GIPSON: I'm of a similar  
 18 mind. I don't think we need to take an action. The  
 19 cleanest thing is just to not take an action and let  
 20 them come back next month. So I'm also going to  
 21 vote "Present."  
 22 THE CHAIR: Any other --  
 23 COMMISSIONER CARRILLO: I mean, I  
 24 thought -- I didn't -- I didn't know we could vote  
 25 "Present." I mean you can abstain, but I think you

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1 only abstain if there's a conflict of interest or  
 2 something.  
 3 I just think -- I would just like the  
 4 Commissioner to withdraw the motion, and we just --  
 5 you know, we wait 30 days. We don't do anything.  
 6 THE CHAIR: Vice Chair Burt.  
 7 VICE CHAIR BURT: So I feel strongly, when  
 8 a school submits -- like, to me, this paperwork is  
 9 wrong in a lot of ways. I want it to be gone  
 10 completely. And be, like, we will not accept  
 11 paperwork like this. Like, I don't think this --  
 12 like, this is getting way too emotional. I don't  
 13 think this is, like, a hurting the school's feelings  
 14 thing.  
 15 It's becoming like -- this paperwork is  
 16 super wrong. I would like to reject this paperwork.  
 17 I think it -- like, it is egregiously, like, putting  
 18 a head administrator who doesn't have a license. I  
 19 think we should reject this paperwork, and they do  
 20 whatever they want with it. You know, if they want  
 21 to come back next month, do it. If they don't want  
 22 to, they figure it out after that.  
 23 I think we're getting too far into  
 24 hand-holding for a very simple thing that CSD can  
 25 work with them on today. Today they submitted an

<p style="text-align: right;">66</p> <p>1 amendment request that asked for a head 2 administrator to be on the school that doesn't have 3 a license. 4 I'm just going to reject -- it's super 5 simple. They understand whatever we're talking 6 about. I would love to see Becca get her 7 administrator license and come back to us and we get 8 to talk to her again once that's done. 9 This paperwork, I find it very problematic 10 that this was submitted to us. And I think it's 11 important to reject it and say we're not going to do 12 this, and then they can go back and fix it and come 13 back to us next month. 14 It feels like we're being way too 15 emotional about -- they submitted it for approval or 16 rejection this month. It's paperwork. It's just 17 paperwork. 18 THE CHAIR: Any other comments on this 19 motion? 20 Seeing none, Commissioner Armijo, can you 21 do a roll-call vote, please? 22 SECRETARY ARMIJO: Yes. 23 Chair Brauer. 24 THE CHAIR: Present. 25 SECRETARY ARMIJO: Vice Chair Burt.</p>	<p style="text-align: right;">68</p> <p>1 to vote. The motion fails. 2 All right. Thank you -- thank you, 3 Six Directions. Hope you're clear on the next steps 4 that you have. Please work with CSD to clarify 5 this. Please don't wait until later on in the 6 month. Like, start it today and work with them to 7 clarify the paperwork so that we can get that in as 8 soon as possible. 9 Thank you. 10 MR. TONY ARCHULETA: Thank you. 11 MS. BECCA NIIHA: (Native language 12 spoken.) 13 THE CHAIR: Let's move on to Item No. 8, 14 Possible Action, Albuquerque Sign Language Academy, 15 School Relocation Amendment. 16 Mr. Martinez, it's good to have you here. 17 DIRECTOR CORINA CHAVEZ: Commissioners, 18 Ms. Cheryl Rowe, who is on our authorizing team, did 19 the analysis of this amendment. And Mr. Rafe 20 Martinez is here, along with a partner. 21 Please move forward. Be sure to press the 22 green button and introduce the item, Cheryl, and 23 then move on to Mr. Martinez. Thank you. 24 MS. CHERYL ROWE: Okay. Hi. Good 25 morning. I'm Cheryl Rowe, Charter Schools Division.</p>
<p style="text-align: right;">67</p> <p>1 VICE CHAIR BURT: Yes. 2 SECRETARY ARMIJO: Secretary Armijo votes 3 "Present." 4 Commissioner Ingham. 5 COMMISSIONER INGHAM: Yes. 6 SECRETARY ARMIJO: Commissioner 7 Clahchischilliage. 8 COMMISSIONER CLAHCHISCHILLIAGE: Present. 9 SECRETARY ARMIJO: Commissioner Gipson. 10 COMMISSIONER GIPSON: Present. 11 SECRETARY ARMIJO: Commissioner Beck. 12 COMMISSIONER BECK: Present. 13 SECRETARY ARMIJO: Commissioner Carrillo. 14 COMMISSIONER CARRILLO: I'm voting yes, 15 because I want it to move along. And I'm saying 16 that, for me personally, I wasn't elected by my 17 constituents to vote "Present." I was elected to 18 take a stand one way or another. 19 SECRETARY ARMIJO: Okay. So that vote 20 counts. 21 Let me see. So we have -- we have three 22 votes yes and five votes for "Present." 23 THE CHAIR: Great. Okay. 24 (Off-the-mic discussion.) 25 THE CHAIR: We still need to have a quorum</p>	<p style="text-align: right;">69</p> <p>1 Nice to see you all this morning. 2 So this morning we have an amendment 3 request from Albuquerque Sign Language Academy. And 4 their request is to have a site relocation. 5 So I think you're already familiar with 6 what's been going on at Albuquerque Sign Language 7 Academy. They had approved, last August, I think, 8 their request to -- they're going to do construction 9 on a new facility. In the meantime, they've been at 10 three different -- they've occupied three different 11 locations. And so in the request, they wanted to 12 bring together the whole school in one location 13 while this new school is being built. 14 So this would obviously have a lot of 15 benefits bringing the school together all in one 16 location, not to mention that the other locations 17 were not really suitable for a school. There were 18 some serious safety concerns at one of the locations 19 in particular. 20 So this move is -- is to La Luz 21 Elementary. And the community, bringing them 22 together, obviously -- he had stated how, you know, 23 bringing everybody together where they could share 24 this common language of American Sign Language be 25 really important to the health of their community</p>

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1 and their unity.  
 2 So they provided a fully completed form.  
 3 They had unanimous support from their governing  
 4 board. They've secured property insurance, a  
 5 Certificate of Occupancy. The capacity load exceeds  
 6 the number of students who will be occupying the  
 7 facility.  
 8 The -- there's a drawback. The NMCI score  
 9 doesn't meet or exceed the required statewide  
 10 average. However, since they're in the process of  
 11 building the new facility, this -- this relocation  
 12 to La Luz is temporary. And so when they're in the  
 13 new facility, obviously, that NMCI score won't be a  
 14 problem.  
 15 So their lease was approved -- or their  
 16 lease started July 1st, and they submitted the  
 17 application August 1st. However, they already had  
 18 approval for relocation last year in August of 2022.  
 19 Does that suffice?  
 20 DIRECTOR CORINA CHAVEZ: Thank you,  
 21 Cheryl.  
 22 THE CHAIR: Mr. Martinez, good to see you.  
 23 MR. RAFE MARTINEZ: Good morning,  
 24 everyone. Yeah. Thank you for having me,  
 25 Mr. Chair, members of the Commission. It's great to

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1 be here. And thank you for that explanation,  
 2 Cheryl.  
 3 And I'll say this to you. I'll start off  
 4 by falling on the sword and admitting I am so sorry  
 5 for the timing of the paperwork in relation to the  
 6 move. And I -- and for those of you that have been  
 7 to the school, we have three locations: one in the  
 8 middle of Downtown Albuquerque with no fencing. Our  
 9 playground was an alley, and we would walk to the  
 10 Lou Wallace, the APS school that would allow us to  
 11 use their playground at times.  
 12 The other mid-school location was at Monte  
 13 Vista Church up by UNM. That was a whole group of  
 14 kids, again, not a school built for those -- for the  
 15 needs of our kids.  
 16 And then the high school was in  
 17 partnership with ACE Leadership High School through  
 18 a reading grant we've with them for the last few  
 19 years -- authoritative -- anyway. So, yeah. So we  
 20 were split into three.  
 21 And that's especially trying for a  
 22 population -- for the mission of the school where  
 23 we're dealing with deaf, hard-of-hearing, special  
 24 needs kids, where community is everything, and a  
 25 common language shared by all in one area is kind of

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1 to our mission and to our end goals of creating a  
 2 united community.  
 3 So the three campuses, with regard to  
 4 commission, was trying, to say the least. The  
 5 stress it put on leadership was unbelievable. And I  
 6 think it -- I felt really bad for our teachers, who,  
 7 by the way, stepped up, and everyone tried to own  
 8 how to keep those three separate -- or those three  
 9 campuses connected. And we did everything we could,  
 10 I think, logistically, to do that. But it wasn't  
 11 one community on one space; right?  
 12 So when APS approached us with this idea  
 13 that they, through the right-sizing initiative that  
 14 they were mandated to follow by the State, they had  
 15 consolidated a lot of underused facilities in the  
 16 district. They were left with La Luz Elementary  
 17 that they had no plan for.  
 18 So they called kind of eleventh hour. It  
 19 was the end of -- I want to say end of April, like,  
 20 "Hey, would you be -- we know you're building, but  
 21 would you consider taking this facility?"  
 22 And I was, like, "Of course," like,  
 23 without hesitation.  
 24 And what it is. It's an actual school  
 25 facility. So -- it's old. It's -- I think it's one

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1 of the original elementary schools in the Valley off  
 2 of Griegos and Second Street, built in the '50s,  
 3 most likely, been renovated. But because we were  
 4 working so closely with PSFA, because of the new  
 5 building project, I pivoted to them immediately in  
 6 saying, "Does this in any way jeopardize the build?"  
 7 They said no.  
 8 So forgive me for not swooping in the PEC  
 9 early. I regret that now. I always -- just to let  
 10 you know, I shaved and everything, because coming  
 11 here is like family. It's like a reunion with you  
 12 guys. I just wanted to let you know.  
 13 Anyway, anything that I did was not out of  
 14 any intention to, you know, bypass a step or  
 15 anything like that. The timing of it was really  
 16 fast.  
 17 So when the offer was laid down, I -- I  
 18 met with PSFA, did everything we needed to do with  
 19 that compliance agent, went through the board, did  
 20 that. And in the meantime, finishing up the end of  
 21 the school year, budget, and then -- as a year-round  
 22 school, we actually start -- our staff reports back  
 23 July 10th. So it's a fast turnaround.  
 24 So basically getting -- and La Luz was  
 25 still occupied by APS as a functioning school. So

<p style="text-align: right;">74</p> <p>1 by the end of the year, they had to move La Luz out.  2 We had to move in. All three campuses had to get  3 into one area, or move back in, and then prepare for  4 staff, PD, moving in July 10th, to have kids return  5 to us on July 19th.  6 So it was a fast turnaround. And, again,  7 I will take all the blame for not being more  8 diligent about getting the paperwork in in a more  9 timely way.  10 But I stand for questions. I love talking  11 about the school. And for those newer Commissioners  12 that don't know me or the work of the school, you  13 won't be able to get me off the stage if you get me  14 going. So I'll leave you with that.  15 THE CHAIR: Thank you, Mr. Martinez.  16 Commissioner Carrillo. Then Commissioner  17 Ingham.  18 COMMISSIONER CARRILLO: There's no blame  19 anywhere. I'm fine with you coming today and  20 everything. You have to shave. That means  21 everything; right? No, this is great. So happy  22 that La Luz was available for you to just move into.  23 And it meets your needs, obviously. Yeah.  24 And then timeline on when -- because it  25 says -- hasn't started construction yet. Estimate</p>	<p style="text-align: right;">76</p> <p>1 that -- of that lease that we're actually breaking  2 ground, moving dirt, and starting construction.  3 The estimated time of build is 18 to  4 20 months. I've been told, "Yeah, don't get your  5 hopes up. We'll see."  6 The important thing is when we went to RFP  7 back in the day, we did a design-build RFP. So both  8 of those components have been working together since  9 the onset of the project. So there's no architect  10 does this without any knowledge by the builder.  11 So everything has been done through  12 partnership and trying to be collaborative and  13 transparent as possible. So we're excited.  14 The build, the design, I think is  15 revolutionary, as is kind of to the nature of the  16 school, in that it's built specifically to be a  17 community-used facility, even at times during the  18 day when the kids are in session.  19 So there's security checkpoints. But  20 there's times where I would love to see a PEC  21 meeting held in our facility, even while -- even  22 while the kids are in session.  23 And we built it in a way that that can be  24 done. So it's that type of stuff that I think, when  25 it comes to fruition, we would love to be the</p>
<p style="text-align: right;">75</p> <p>1 on when the -- your building, new building is going  2 to be finished.  3 MR. RAFE MARTINEZ: Yeah. Mr. Chair,  4 members of the Commission, Commissioner Carrillo,  5 yeah. Great question. So as part of the deal, this  6 is a temporary solution with La Luz in lead-up to  7 the construction and the completion of construction  8 for the new site.  9 So we are going before the State Board of  10 Finance on September 19th. I think we're on the  11 consent agenda for the last phase of this really  12 revolutionary partnership between Bernalillo County  13 and the State.  14 So as part of this whole deal, we are --  15 we're going to be building a State facility,  16 obviously, a public school, on a piece of  17 county-owned property. It will be a 50-year lease.  18 It's gone through all the lawyering. Crazy.  19 So we are at the final stage where it has  20 been approved by the Commission. It's now at the  21 State level looking to be approved. Everyone is  22 excited about the project.  23 Upon that approval, all the work around  24 our match and the design work is completed. So it's  25 a matter of two to three weeks after the signing of</p>	<p style="text-align: right;">77</p> <p>1 flagship of the New Mexico charter school movement.  2 I think we're pretty close to that now.  3 But I would just love for you all to come and be --  4 experience everything that the school is doing and  5 will do in the future. So did that help answer the  6 question?  7 COMMISSIONER CARRILLO: You did. I often  8 talk about the Sign Language Academy as a reason  9 that charters need to exist. Because districts, try  10 as they might -- and I'm not disparaging them in any  11 way -- they just can't do what you do.  12 It's like with NMSA, there are so many  13 people that say, "You have an elite private art  14 school." It's, like, no. Santa Fe, whatever, you  15 can't do what they're doing.  16 So let's just acknowledge that and praise  17 them for the work, praise you for the work.  18 So what I'd like to have happen -- I don't  19 know where the follow-up on this is, because it is,  20 we'll say, two years out, possibly -- somehow get in  21 touch with David Robbins when the school has its  22 ribbon cutting, just because David has been so  23 involved in the charter school, and I know he would  24 want to be a part of any celebration that you have.  25 Thank you.</p>

78	<p>1 MR. RAFE MARTINEZ: Commissioner, thank 2 you. 3 COMMISSIONER CARRILLO: Of course. 4 THE CHAIR: Commissioner Ingham. 5 COMMISSIONER INGHAM: I want to 6 commiserate with you. I was the construction 7 manager that moved the Public Academy of Performing 8 Arts into the Acoma facility and closed the Acoma 9 facility and did all that work in between. 10 And it is a challenge and sometimes 11 frustration for the staff on both sides. 12 I do want to ask -- you said the NMCI 13 score was -- is there some facility issues that 14 are -- are out there that are keeping the school 15 from being opened right away? 16 You said it was an operating school, and 17 so my assumption is that they are. But I also know 18 APS is prone to leaving a school like that in not 19 the best condition. And so there's likely to be 20 issues that are out there. And I would like to know 21 what PSFA's opinion was. And was this on the 22 consent agenda for PSCOC this last Monday? 23 MR. RAFE MARTINEZ: Mr. Chair, 24 Commissioner Ingham, I don't think so. However, you 25 asked a lot of really good questions. So I'll say</p>	80	<p>1 can deal with our community better. They have been 2 fantastic. 3 So -- and into -- and in addressing some 4 of the physical needs of a 50- -- you know -- well, 5 actually, about a 70-year-old school. 6 So anything that was in question as far as 7 just related to the structure and the time of the -- 8 the age of the building, APS has stepped up and 9 they've made it right. 10 The biggest one -- and I haven't got the 11 first energy bill yet -- but starting school in 12 July, that whole thing is on swamp coolers still. 13 There's no refrigerated air. I'm afraid to get that 14 energy bill, but it's coming. 15 But that's been the biggest thing -- 16 right? -- dealing with the cooling of the building 17 so far. But everything else, we have our own 18 playground, we have our own field. We're not having 19 to cross busy streets to get to a park, that type of 20 thing. 21 It's such a -- it's amazing what you get 22 used to in the charter world, that when you're 23 actually given a facility that's built for kids, 24 it's like your shackles are just thrown to the side 25 and you can run. It's great.</p>
79	<p>1 this. 2 I think it ranked 108th on the NMCI; 3 right? So it's -- by the way that formula works, I 4 think anything past 100, or in that 100 range -- and 5 I is being in most need; right? So anything that in 6 that lower number range is an eyebrow range for 7 PSFA, PSCOC to see in terms of renovation; right? 8 And just so you know, we did submit a 9 letter to PSFA and PSCOC, knowing that this was a 10 temporary facility with the new facility being 11 built; right? 12 So we were able to get the approval from 13 the State level for us to move in. 14 The facility itself is in really good 15 condition. And I will say this: APS -- look. 16 We -- let's be real. We were started in protest to 17 some big systems that weren't serving the needs of 18 our kids, APS being one of those, New Mexico School 19 for the Deaf being the other; right? So I've had a 20 storied relationship with APS over the years, some 21 good, some bad, whatever. 22 But I'll tell you. APS stepped up and has 23 done a fantastic job helping us move, getting the 24 facility prepared, putting in equipment that is more 25 deaf-friendly and deaf-related -- right? -- so we</p>	81	<p>1 COMMISSIONER INGHAM: So you are leasing 2 the school from APS for this year. Don't worry 3 about the energy bills. If they're on swamp 4 coolers, it's way cheaper than to run on 5 refrigerated air, if the swamp coolers work, which 6 isn't always the case. 7 The school's NMCI score does indicate that 8 there's some challenges with the school. So I guess 9 I would just -- APS should take care of those 10 issues. But there is -- since you're not an APS 11 school, there may be some -- that's a weird 12 arrangement to have non- -- a State-sponsored school 13 renting a facility a -- 14 MR. RAFE MARTINEZ: Yeah, Commissioner 15 Ingham, members of the Commission. I think you just 16 said it. This is historic. It's a lot like kind of 17 the journey of the school in general. They know -- 18 and if you've been seeing this in the news, it was 19 historic, and even very well publicized, which, 20 again, is why I should have gotten to you guys 21 earlier. Sorry about that. 22 But it had to go through APS School Board. 23 There was multiple -- multiple kind of high-level 24 folk in the district that did not want this to 25 happen, because of the whole separation of charter</p>

82	<p>1 and district wars. The fact that we're not an APS 2 charter was, again, another thing that was a 3 sticking point for some folks. 4 You're right. It's a historic move. 5 Kudos to APS and the leadership that really stepped 6 up and said, "Despite all the turbulence, we're 7 going to do this because it's the right thing." 8 It is. I tell you it's renewed my faith 9 in the district stuff. So, yeah. 10 THE CHAIR: Thank you, Mr. Martinez. Any 11 other questions? Then we can happily move into a 12 motion if we're ready. 13 Commissioner Gipson. 14 COMMISSIONER GIPSON: We just had a 15 discussion yesterday about not wanting schools to 16 have to ask for forgiveness. So... 17 MR. RAFE MARTINEZ: Sorry. 18 COMMISSIONER GIPSON: But I fully 19 understand, and really happy that you've landed in 20 this great place for -- a temporary great place. I 21 mean, really. I'm not that concerned about the 22 NMCI, because it is a temporary. Four of the 23 schools in my district lease from the school 24 district for the State charters. So it really -- 25 and they -- fortunately, they've been a great</p>	84	<p>1 La Luz Elementary School at 225 Griegos Road, 2 Northwest, in Albuquerque. The change shall be 3 reflected as an amendment to the contract. 4 COMMISSIONER CARRILLO: Second. 5 THE CHAIR: Let's move into any 6 conversation about the motion. 7 (No response.) 8 THE CHAIR: Seeing none, Commissioner 9 Armijo, can you do a roll-call vote, please? 10 SECRETARY ARMIJO: With pleasure. 11 All-righty. Let's see. 12 Vice Chair Burt. 13 VICE CHAIR BURT: Yes. 14 SECRETARY ARMIJO: Secretary Armijo votes 15 yes. 16 Commissioner Ingham. 17 COMMISSIONER INGHAM: Yes. 18 SECRETARY ARMIJO: Commissioner 19 Clahchischilliage. 20 COMMISSIONER CLAHCHISCHILLIAGE: Yes. 21 SECRETARY ARMIJO: Commissioner Gipson. 22 COMMISSIONER GIPSON: Yes. 23 SECRETARY ARMIJO: Commissioner Beck. 24 COMMISSIONER BECK: Yes. 25 SECRETARY ARMIJO: Commissioner Carrillo.</p>
83	<p>1 partner, you know, in terms of, you know, they lease 2 for the maintenance, and it's -- and I'm glad to 3 hear that the school is in -- that the index is 4 probably because of roof and systems and, you know, 5 and, hopefully, they'll last 18 months. So I'm just 6 really happy for you. 7 And if Commissioners that are new haven't 8 seen the design, it's really -- it's probably 9 somewhere -- if we still have the packet -- it's a 10 fabulous new design and an exciting adventure that 11 hopefully will be something that other school 12 districts can look at and counties can look at in 13 partnering with charters and see the possibilities 14 of truly a community -- you know, we keep talking 15 about community education. This is what community 16 partnership is with education. 17 So I'm really happy that this is moving 18 forward. 19 MR. RAFE MARTINEZ: Thank you, 20 Commissioner. 21 THE CHAIR: Any other questions? I will 22 entertain a motion. Vice Chair Burt. 23 VICE CHAIR BURT: I move that the PEC 24 approve the Albuquerque Sign Language Academy 25 relocation amendment to move locations to the former</p>	85	<p>1 COMMISSIONER CARRILLO: Yes. 2 SECRETARY ARMIJO: Chair Brauer. 3 THE CHAIR: Yes. 4 SECRETARY ARMIJO: Commissioner Gipson, 5 did I call you? 6 COMMISSIONER GIPSON: You did. 7 SECRETARY ARMIJO: Thank you. That 8 passes, eight to zero. 9 THE CHAIR: Thank you. Thank you, Rafe. 10 And I just want to say, it seems like every time I 11 turn on Channel 13, I see another story about the 12 ASLA. Did you go to the United game on Friday or 13 Saturday? 14 MR. RAFE MARTINEZ: Wednesday. We sang 15 the National Anthem. We had 70 kids. It was 16 beautiful. Beautiful. 17 THE CHAIR: It's 10:42. Let's take a 18 ten-minute break. Let's come back at 10:52. 19 (Recess taken, 10:42 a.m. to 10:57 a.m.) 20 THE CHAIR: All right. If there's anyone 21 from AIMS, they can come up to the front. 22 We're going to move up to Item No. 9, 23 Discussion and Possible Action to Return Albuquerque 24 Institute for Mathematic and Science to Good 25 Standing, Including Review of Proposed Amendment to</p>

<p style="text-align: right;">86</p> <p>1 the Charter Contract.</p> <p>2 Good morning. Thank you for your patience</p> <p>3 as well.</p> <p>4 Before I pass it on to Ms. Barnes, I</p> <p>5 just -- I did want to share that thank you for</p> <p>6 coming up. I know that it's a busy time of the year</p> <p>7 for sure.</p> <p>8 I also want to share that during this time</p> <p>9 I know that the school has raised concerns around</p> <p>10 personnel issues with the Charter School Division.</p> <p>11 And because we're in a public meeting, I'm going to</p> <p>12 cut off any comments around any issues with</p> <p>13 personnel from the Charter School Division.</p> <p>14 And so I am going to be firm with that. I</p> <p>15 think we can discuss other aspects of this, but I</p> <p>16 don't want to be discussing personnel issues with</p> <p>17 the Public Education Department.</p> <p>18 Ms. Barnes.</p> <p>19 MS. JULIA BARNES: Do you want them to</p> <p>20 introduce themselves?</p> <p>21 THE CHAIR: Yeah. After you, yeah.</p> <p>22 MS. JULIA BARNES: What I wanted to do is</p> <p>23 outline where I think you are. And then the school,</p> <p>24 I think, can let us know.</p> <p>25 Last month, you all took action under the</p>	<p style="text-align: right;">88</p> <p>1 to put the school back into good standing. And then</p> <p>2 Item No. 10 would be to discuss -- I'm sorry --</p> <p>3 right. No. 10 would be to discuss other options</p> <p>4 that you all have pursuant to the contract.</p> <p>5 The Notice of Concern outlined where we</p> <p>6 see the concerns being raised under the contract.</p> <p>7 And so, in my view, these two documents are the ones</p> <p>8 that provide what you provided to the school. I'm</p> <p>9 sure there will be more questions and comments, but</p> <p>10 that's where I think we are now.</p> <p>11 THE CHAIR: Thank you, Ms. Barnes. We're</p> <p>12 not going to hear from the Charter School Division.</p> <p>13 So I wanted to pass the time on to the school via</p> <p>14 their representation. If you can first start by</p> <p>15 introducing yourselves to us, and then the floor is</p> <p>16 yours.</p> <p>17 MS. KATHY SANDOVAL: Kathy Sandoval. I'm</p> <p>18 the director of AIMS.</p> <p>19 THE CHAIR: Could you go ahead and put the</p> <p>20 green mic on? Oh, is it on? Okay. Thank you.</p> <p>21 Maybe move that a little bit closer. I think Corina</p> <p>22 pushed it away from the last person who maybe spoke</p> <p>23 a little bit louder than you; so thank you.</p> <p>24 MR. MARTIN ESQUIVEL: Okay. Martin</p> <p>25 Esquivel. I'm general counsel for AIMS. Would you</p>
<p style="text-align: right;">87</p> <p>1 Intervention Ladder. There were ten days' notice</p> <p>2 provided to the school under the Intervention</p> <p>3 Ladder -- the Intervention Ladder is a part of the</p> <p>4 contract -- that you were going to take that action.</p> <p>5 The notice went out to -- the Notice of</p> <p>6 Concern went out to the school on July 22nd and</p> <p>7 provided AIMS with information under the</p> <p>8 Intervention Ladder how they could be put back into</p> <p>9 good standing.</p> <p>10 That document is uploaded into the Google</p> <p>11 Drive.</p> <p>12 Nothing in direct response to what you</p> <p>13 asked for in the Notice of Concern was provided by</p> <p>14 the school, and nothing has been uploaded there.</p> <p>15 All correspondence received from -- I</p> <p>16 think on this issue in total has been put in the</p> <p>17 Google Drive for you so that you can see what the</p> <p>18 school has said.</p> <p>19 However, in my view, there was not a</p> <p>20 document, as requested in the Notice Of concern,</p> <p>21 that has been uploaded.</p> <p>22 I think that the way that we typically</p> <p>23 have done this -- and I think it's the way Chair</p> <p>24 Brauer wants to do it -- is to hear from the school.</p> <p>25 You have two action items on it. One is</p>	<p style="text-align: right;">89</p> <p>1 like us to proceed?</p> <p>2 So I have concerns about fairness,</p> <p>3 concerns about due process, concerns about</p> <p>4 heavy-handedness. And I want to give you, to start</p> <p>5 off with, a timeline of what occurred here.</p> <p>6 And I'm not going to get into individuals.</p> <p>7 But I think it's important for the Commission to</p> <p>8 know that the way it deals with charter schools is</p> <p>9 important. The words, the actions, the approaches,</p> <p>10 the thought of collaboration is very, very</p> <p>11 important.</p> <p>12 So with that said, we know that, in fact,</p> <p>13 a charter contract was signed with AIMS back in</p> <p>14 2020. We know that annually there are site visits.</p> <p>15 A site visit was conducted on April 21st</p> <p>16 of 2023. In May, in the middle of a very busy end</p> <p>17 of the year, a letter was sent about concerns</p> <p>18 specifically about the school's lottery application</p> <p>19 and enrollment documents kind of being joined</p> <p>20 together.</p> <p>21 Now I should note that, in that past</p> <p>22 website, which we no longer use, there was a clear</p> <p>23 instruction not to fill out the enrollment</p> <p>24 documents, simply to fill out the application.</p> <p>25 And I intend to be very respectful here</p>

<p style="text-align: right;">90</p> <p>1 today. But what I will not tolerate are any 2 accusations or insinuations that the lottery 3 practice at AIMS has not been aboveboard and is 4 somehow tainted. That would be a very reckless 5 thing to say, because this school, for good reason, 6 has been the top-rated academic public school in 7 New Mexico for 13-plus years. So I'd ask that you 8 please be mindful of any insinuation along those 9 lines.</p> <p>10 So on June 7th of this year, I wrote a 11 letter in response to the Charter School Division, 12 and I explained that we were in the process, over 13 the summer, after a very busy school year, of 14 addressing the new website. We assigned a former 15 teacher who is shifting into an administrative 16 position. Obviously, people need some time off 17 during the summer, and that individual was working 18 on the new website.</p> <p>19 The issue at that time was the issue of 20 separation, separating the lottery application from 21 the enrollment documents. And we were working on 22 that.</p> <p>23 And here's where the rift begins. 24 On July 11th, we get an e-mail from the 25 Charter School Division. And that e-mail says,</p>	<p style="text-align: right;">92</p> <p>1 request to see what exactly was provided to you in 2 that executive committee meeting. I got nothing. 3 I do feel strongly that -- and I've read 4 your rules -- that as an executive committee 5 meeting, you should be following the Open Meetings 6 Act. And, you know, we can differ on that. But I 7 think that's appropriate.</p> <p>8 So I don't know what was said. But I do 9 know that some determination was made to then bring 10 this up -- this Letter of Concern -- or Notice of 11 Concern -- to the full board meeting.</p> <p>12 Now, at that point, this is where I have 13 some questions about due process.</p> <p>14 You maintain that by stating that we are 15 going to have a meeting to discuss it, that we 16 should have been there. Well, I don't know about 17 that. But I do know if you're going to take some 18 action that we need to know what the action is and 19 what it's based upon. And we simply didn't know.</p> <p>20 And I still objected to this, "Do this or 21 we're going to pull you in front of the PEC." Still 22 have problems with that.</p> <p>23 So I don't know what was said during the 24 executive committee meeting. But what I do know is 25 that you had a meeting on July 21st. And prior to</p>
<p style="text-align: right;">91</p> <p>1 "Wow, what a beautiful new website," which, by the 2 way, had not been completed yet. We were working on 3 it; we're still working on it.</p> <p>4 And then it pointed out that the issue of 5 the application and the enrollment documents still 6 had not been separated.</p> <p>7 And at that point, it's, like, "If you 8 don't fix this in three days, I'm going to drag you 9 in front of the Public Education Commission."</p> <p>10 And I took great offense to that. That's 11 not the spirit of being collaborative. That's 12 threatening; that's heavy-handedness.</p> <p>13 And I reacted. And I made it very clear 14 that that was unacceptable. It was like threatening 15 a child, bringing them before the principal or 16 before his parents. It just, to me, is not the 17 proper way to operate.</p> <p>18 So I told her at that time that we were 19 still working on the website. So what happens three 20 days later? Three days later, there's an executive 21 committee meeting. And I'm not really clear what 22 was said during this executive committee meeting. 23 We weren't invited. We weren't asked to provide any 24 information.</p> <p>25 I did do an Inspection of Public Records</p>	<p style="text-align: right;">93</p> <p>1 that time, was there any documentation given to you 2 about any so-called violations of the law with 3 regard to the enrollment documents or the lottery 4 application? No.</p> <p>5 On the day of the meeting, Ms. Barnes 6 prepared a memo to the PEC raising her objections, 7 with no reference to your guidelines, which were 8 your charter guidelines, which were -- according to 9 what I have, went into place on July 3rd, 2023. No 10 reference to that.</p> <p>11 So that same day you get a letter from 12 Ms. Barnes making allegations that there was 13 violations of federal and state law. We were never 14 given that information. You know how I got the 15 information? I got the information through an 16 Inspection of Public Records request. That's how I 17 got it.</p> <p>18 So any concerns that were being raised 19 with you secretly by Ms. Barnes, AIMS didn't have 20 the ability to review those.</p> <p>21 So then the next day, after your meeting, 22 after getting one side of the story -- one side of 23 the story -- Mr. Brauer, you send a letter stating 24 that the -- there was a meeting and sending out your 25 notice, basically giving us an opportunity to --</p>



<p style="text-align: right;">94</p> <p>1 I -- I -- respond, I guess. But the other part of 2 it was, "Here's an amendment to the contract. You 3 need to sign it." 4 I really question -- and in that letter, 5 for the first time, you reference the guidelines. 6 So those guidelines, I have clearly state -- and I 7 have them here in front of you -- "The guidance does 8 represent the Charter School Division's opinion of 9 best practices to follow." And there is a clear 10 statement that it's not the law. It's not a 11 statute. It's not a rule. It's simply the Charter 12 School Division's opinions. 13 The problem with the contract submitted 14 was we have to follow it as if it's law. And it's 15 not. 16 So then there becomes a question here of 17 how we lead into this. Seems to be very 18 heavy-handed. Very heavy-handed, and, "Unless you 19 sign this contract, you're going to be in more 20 trouble." 21 And, again, I tender to you that's not the 22 way policymakers should work. It should be more 23 collaborative. It should be more friendly. It 24 should be more professional, and it was not. 25 So where are we today?</p>	<p style="text-align: right;">96</p> <p>1 dictates how a school should prepare its enrollments 2 packages. 3 Now, obviously, if it's clearly 4 discriminatory, fine, we'll address it. 5 But to drag us in front of you today with 6 this insinuation and this heavy-handedness is simply 7 not fair. 8 So I'm going to end on this. 9 Ms. Snider is a very fine professional, 10 and this school has been extremely successful. And 11 not one time in the last three or four years has it 12 ever been commended for its academic performance. 13 Instead, it's been the opposite. We've been treated 14 poorly. 15 We're not going to tolerate it anymore. 16 We'll work with you professionally, if you'd like to 17 do so. But we're not going to be bullied. Thank 18 you. 19 THE CHAIR: Thank you. 20 Commissioners? Vice Chair Burt. 21 VICE CHAIR BURT: Thanks. So, yeah, first 22 of all, I mean, this is definitely not an issue of 23 whether AIMS is an incredible school or not. I want 24 to start by saying that. For me, this is a very 25 isolated issue that I'd like to keep the focus on,</p>
<p style="text-align: right;">95</p> <p>1 We have finalized a website that's 2 continuing -- for the beginning of the school year. 3 That website has a separate lottery application. It 4 does not have any enrollment documents. 5 We have not attempted to approach the 6 enrollment documents for the '24-'25 school year. 7 It sounds like you want us to do that. But then I 8 think at what point are you exceeding your 9 authority? At what point are you telling us, "You 10 need to do this by a certain time," even though 11 we're not requiring it of other charter schools? 12 So I have a question of exceeding 13 authority. I have a question of being bullied. I 14 have a question of the professionalism that is being 15 given to us and the respect being given to us by the 16 Charter School Division. And it's simply not right. 17 So lawyers can have different opinions 18 about the law. But, clearly here, these are 19 guidelines. 20 There was reference in Ms. Barnes' 21 letter -- or memo -- to you, and you, Mr. Brauer, 22 broad references to federal law, Brown vs. Board of 23 Education. 24 But, Ms. Barnes, and Mr. Chair, you know 25 for a fact that there is nothing in statute that</p>	<p style="text-align: right;">97</p> <p>1 because I do -- ultimately, what I would love to do 2 is let AIMS do its thing, serve students at the 3 excellent capacity that it's doing. 4 I do have a concern about this particular 5 issue; right? So I'm not -- as -- and I'm going to 6 speak to you very frankly about where I find the 7 issue with the way in which the lottery process and 8 enrollment happens at AIMS for families. 9 As a -- as a charter school, you know, we 10 want to have every family in New Mexico feel open 11 and accepted to be a part of any school community 12 and not have anybody feel like that they don't 13 belong in a certain place, that they don't -- that 14 there's barriers to getting into a certain school. 15 I mean, I know -- the only barrier I see 16 families having from getting into AIMS is the 17 lengthy amount of people that apply to it, that 18 actually enter into the lottery. That should be the 19 only barrier to a student entering into a school. 20 When I look -- I'm a mom myself. I have 21 kids that have been in charter schools. And I have 22 applied and I have entered into the lottery for 23 quite a few schools in the Albuquerque area. 24 And I am not asked to have my student 25 write an essay to get into the school. I'm not</p>

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1 asked to get a teacher recommendation to get into  
 2 the school.  
 3 And the way in which -- what my concern is  
 4 is the perception of the families. When I think  
 5 about -- when I look at this process, it looks  
 6 daunting for a family. It looks burdensome. It is  
 7 dependent on me having the ability to get  
 8 transportation to get to the school, to get a packet  
 9 from the school, to bring it in physically to a  
 10 school, to mail it in -- I mean, the process of  
 11 entering into the lottery for AIMS is way more  
 12 burdensome than any other charter school I've seen.  
 13 And the perception -- sorry. Just before --  
 14 MR. MARTIN ESQUIVEL: I just --  
 15 VICE CHAIR BURT: The concern I have is  
 16 the idea that -- so even today on the website, it  
 17 says that to go into the -- to apply for admission  
 18 to the school -- which a family should be able to do  
 19 right now. They should be able to apply for  
 20 admission to the school right now. They should be  
 21 able to put in their name for it. If you have any  
 22 openings, they should be on the list to be able to  
 23 get into it.  
 24 Right now on the website, today, right  
 25 this very second, it says, "To get access to the

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1 lottery, you need to download the lottery and  
 2 enrollment form."  
 3 I mean, I'm just saying that's what is on  
 4 the -- physically on the website right now. Even  
 5 though there's no enrollment packet anymore, that's  
 6 the verbiage that's on the website is that I need to  
 7 download the lottery and enrollment packet. That's  
 8 already -- I mean, I could put it up on the screen  
 9 if there's confusion.  
 10 MR. MARTIN ESQUIVEL: I guess I'd like to  
 11 know -- and, again, this is where I have a concern  
 12 about the quality of the information being conveyed  
 13 to you. Because if you are maintaining to me at  
 14 this point that we are requiring an essay and a  
 15 recommendation prior to the application, that's  
 16 wrong. It's simply -- let me finish -- it's wrong.  
 17 The other part of this is, which you're  
 18 not mentioning is that MarkersPro, which is the  
 19 application the State requires, also has a role  
 20 here.  
 21 So it's -- MarkersPro is what is being  
 22 required in terms of this lottery, and that's what  
 23 we're using. So if there is a problem with verbiage  
 24 with MarkersPro or with us, we'll look into it.  
 25 But making the assumption that -- and I

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1 appreciate the kind words you've said about AIMS.  
 2 But making an assumption that we're doing it wrong  
 3 is simply not proper. We have gone to great lengths  
 4 to say, "You do the application first. And then you  
 5 do the enrollment documents."  
 6 VICE CHAIR BURT: Missy, while I keep  
 7 talking, would you mind pulling up the AIMS website  
 8 for me?  
 9 MR. MARTIN ESQUIVEL: Could you allow  
 10 Ms. Sandoval to respond?  
 11 VICE CHAIR BURT: I didn't have a question  
 12 yet. So I'm going to continue.  
 13 But I will -- I do have questions. So I  
 14 will get to it, definitely.  
 15 This is where -- the information I've been  
 16 presented is your website, your lottery, your  
 17 enrollment packet. That's the information I'm  
 18 looking at.  
 19 When I think of the civil rights issue of  
 20 families having access to charter schools, it is  
 21 what I am concerned about when we have the  
 22 perception already that charter schools are  
 23 exclusive. There's a misperception that charter  
 24 schools are costly; right? Like, there's a public  
 25 perception of charter schools that we're already

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1 combating all the time, that charter schools are  
 2 open to all, they're free to every student.  
 3 If you could go to -- it's in the menu.  
 4 And if you click on the admissions process -- that  
 5 part. Yeah, the main heading.  
 6 So here's the very first sentence.  
 7 "Admission to AIMS is determined by lottery  
 8 selection. If you would like your son or daughter  
 9 to be considered for enrollment, please download a  
 10 student application form and enrollment packet.  
 11 Applications should be submitted to...by mail."  
 12 That's -- I'm not making it based off of  
 13 anything else; literally, just what I'm seeing, and  
 14 the appropriateness of having families feel like,  
 15 "For me to be considered for enrollment..." -- which  
 16 you should not even be considering folks for  
 17 enrollment. It's a lottery -- I mean it's not a  
 18 consideration for enrollment.  
 19 And that's what -- the language that is  
 20 being used by AIMS is a direct -- to me, as a  
 21 family, I feel like if I read that, and I download  
 22 this, that -- the consideration for enrollment is  
 23 dependent on the packet that I'm submitting.  
 24 The packet that I'm submitting requires a  
 25 teacher recommendation. So my first question -- I'm

<p style="text-align: right;">102</p> <p>1 going to be very specific and to the point.  2 There is a teacher recommendation in the  3 enrollment packet. What is that used for?  4 MS. KATHY SANDOVAL: Can I?  5 MR. MARTIN ESQUIVEL: Yes. First of all,  6 before she addresses it, that website that we've  7 been working on did have the enrollment package, and  8 we -- pointed it out to us. It was pulled down.  9 So if that verbiage is still up there we  10 can simply address it. But --  11 VICE CHAIR BURT: That would be great.  12 Yeah.  13 MR. MARTIN ESQUIVEL: -- I think it's  14 important for you to state that the enrollment  15 package was turned down. And if we would have had  16 more of a conversation like this, we could have  17 addressed it.  18 VICE CHAIR BURT: Yeah. And that's  19 what -- so we can talk about that later. I'm going  20 to stay super, hyper focused. So I appreciate --  21 thank you for those comments.  22 MS. KATHY SANDOVAL: We use MarkersPro,  23 which is a PED -- PED has really pushed MarkersPro.  24 So the -- what happens is the lottery information is  25 put in there. We don't put it in there. I'm</p>	<p style="text-align: right;">104</p> <p>1 need to go to tutoring. Right now about 30 percent  2 of my population goes to tutoring. And that's on my  3 dime. I do not charge the families for that. I pay  4 for that.  5 VICE CHAIR BURT: Yeah. And I -- so one  6 that I -- and I said this last month, too. I was a  7 teacher. You know, in my first -- literally in the  8 first week, I ask my students to write, like, a --  9 it wasn't even a serious essay; right? But I had  10 them write just so I could see where they're at;  11 right? It wasn't like a graded thing. It wasn't  12 something I used to penalize a student in any way;  13 right? It was just to, like, get an understanding  14 of where they're at from, like, a critical eye.  15 They didn't know I was doing it for that reason;  16 right?  17 I would assume because I was a teacher,  18 that's the purpose of the essay.  19 I also -- like, I was an eighth-grade  20 teacher. I had sixth- and seventh-grade teachers.  21 We chatted about who that student was in sixth and  22 seventh grade. It's not out of the realm about what  23 really excellent education does. You're looking at  24 the student as soon as you can; right?  25 Would you be adverse to excluding those</p>
<p style="text-align: right;">103</p> <p>1 totally --  2 VICE CHAIR BURT: I'm only asking what is  3 the teacher recommendation? When the student  4 submits that in enrollment, what is that used for in  5 your school?  6 MS. KATHY SANDOVAL: It's used -- it's not  7 used at all until that student is pulled in the  8 lottery.  9 VICE CHAIR BURT: Right. So once they're  10 pulled in the lottery, you have the enrollment  11 packet.  12 MS. KATHY SANDOVAL: Right.  13 VICE CHAIR BURT: So what do you  14 practically use that teacher recommendation for?  15 MS. KATHY SANDOVAL: It helps us  16 understand the student better. I didn't teach those  17 kids. So you go to a teacher that did teach those  18 kids.  19 "Here's what this kid really likes."  20 "This kid does really well with math."  21 "This kid does not like reading at all."  22 So we then do -- okay, let's do a little  23 sample of writing. Let's do a little sample of  24 math.  25 And then we put them in tutoring if they</p>	<p style="text-align: right;">105</p> <p>1 from the enrollment packet and doing those in a  2 separate way, once the student -- like, outside of  3 the enrollment?  4 So what -- and this is why I'm asking.  5 Because, once again, understanding what you're using  6 it for is -- there's nothing -- fine. As a member  7 of the -- I'm going to put on my just mom hat. I'll  8 pretend I was never a teacher.  9 I would -- I would have a really hard time  10 thinking, like, man, I -- like, I need my kid to do  11 a good job on this, because it feels like it's a  12 part of the acceptance into the school, because it's  13 a part of the enrollment packet.  14 It's not clear what it's used for in the  15 enrollment packet. It's not clear what it is. And  16 it feels like a barrier to entry. Like, if my  17 student doesn't perform -- you don't have to answer.  18 I understand what you're using it for. But I think  19 we also have families who have a public perception  20 of what it might be used for.  21 And it can be a -- it could feel like a  22 really big barrier to entrance; right? Or even if I  23 get pulled from the lottery, if I have a student  24 who's, like, "I don't want to do an essay. I don't  25 want to do it right now, like, it's summertime, I</p>

<p style="text-align: right;">106</p> <p>1 don't want to do it," I may not feel like I can even 2 put in for the enrollment because I can't get my kid 3 to, like, do their essay. 4 And it just feels like it shouldn't be 5 something that's included as part of the basic 6 information you need to get that kid into your 7 school. 8 What you do as far as, like, pretesting, 9 looking at their history, contacting previous 10 teachers, all those things feel like one of the 11 reasons what makes your school excellent is making 12 sure you really have a good understanding of your 13 students, where they've been, where they're at, and 14 placing them where they need to go. 15 On a mom's perspective, it feels like a 16 barrier to entry, because it's a part of the 17 enrollment packet. 18 And I know you're saying that. But I had 19 a student -- and this is -- and, once again, I'm 20 being very frank. It feels like that may be the 21 purpose of if they're not willing to write an essay, 22 if they're not willing to go get these teacher 23 recommendations, then they shouldn't be at the 24 school, because we have high standards. We have a 25 high bar. Like -- and so it comes across as maybe</p>	<p style="text-align: right;">108</p> <p>1 listened to the conversation last month. But what's 2 frustrating to me is I would love to just let you do 3 your thing, keep serving students. I mean, keep 4 doing what you're doing. To me, this is such a 5 simple black-and-white issue of make your lottery 6 simple. Keep it very -- like, keep your enrollment 7 packet. Don't even make it public. Make it to 8 where you can't even access that until you're 9 accepted to the school -- or until after you're 10 drawn in the lottery. 11 MS. KATHY SANDOVAL: It clearly says that. 12 The enrollment packet says "only to be submitted if 13 you are selected in the lottery." 14 VICE CHAIR BURT: So this is the problem 15 with the way it's been done. It may be clear for 16 you. But as a member of the public, as a mom, what 17 I have read is not clear at all, actually. 18 And even from what I see on your website 19 right now this second, it says you have to do both 20 things at once to be considered for enrollment. 21 MS. KATHY SANDOVAL: No, it doesn't. It 22 does not say that. Enrollment is not even up there. 23 VICE CHAIR BURT: I know it's not up there 24 right now. But right here in this moment last 25 month, I was able to see that the lottery form --</p>
<p style="text-align: right;">107</p> <p>1 we don't want students who aren't willing to do an 2 essay. We don't want students who get a low teacher 3 recommendation or can't get a teacher recommendation 4 to come into the school. 5 It feels like an inappropriate place to 6 put that information. That's why, for me, I think 7 there's, like, a practical use of the information 8 that you're requesting. It feels super 9 inappropriate in the enrollment packet, because it 10 shouldn't be hard to -- once you get drawn in the 11 lottery, it should be very simple to get my student 12 at your school and feel accepted by your school, to 13 be, like, included in it. 14 And when you're requiring so much in the 15 enrollment, it can be a barrier to some students who 16 really need to be at your school, you know. 17 And I don't know how many -- that's my 18 concern. And so I do think -- I would like to be 19 able -- to me, this is a very simple black-and-white 20 issue. The lottery, it should be simple; right? 21 They put their name. They put -- and you do that. 22 They don't have access to an enrollment packet. And 23 I appreciate you being, like, willing to separate 24 it. 25 It feels like -- I don't know if you</p>	<p style="text-align: right;">109</p> <p>1 MS. KATHY SANDOVAL: And the enrollment 2 packet. 3 VICE CHAIR BURT: Was all one document. 4 MS. KATHY SANDOVAL: Was not all one 5 document. Two separate documents. 6 VICE CHAIR BURT: I'm sorry. It wasn't. 7 Last month at this meeting, I had it pulled up. We 8 actually pulled it up last meeting. You can look on 9 the recording. We pulled it up. We flashed it up 10 here as well. We pulled it straight from the site. 11 It was combined. 12 So if I'm a mom, and I want my student to 13 come to the best high school in New Mexico, it feels 14 very exclusionary. It does. 15 And I -- I would -- I believe your 16 intention is not to be. But you -- I know the 17 mission of your school is to have every student 18 achieve excellence regardless of who comes to your 19 school. That's why you do the tutoring. That's why 20 you're looking at them. That's why you're bringing 21 them up to grade level, no matter where you get them 22 from. I believe that. 23 But as a mom, it doesn't look like that, 24 and it doesn't feel like that. And that's where 25 those federal guidelines of civil rights things come</p>

<p style="text-align: right;">110</p> <p>1 into play. Because if it does not provide just open 2 access to all, then -- and certain families feel 3 like they're not going to be -- I mean, one of the 4 things that was most concerning to me in the -- 5 because the teacher recommendation -- which it 6 shouldn't be called a "teacher recommendation," 7 either, because what -- if you're not using that for 8 recommending them for acceptance or not, then what's 9 the recommendation for? 10 So that is an exclusionary verbiage, 11 because a recommendation -- what is the purpose of 12 that? If it's a teacher history form, that's 13 different. 14 MS. KATHY SANDOVAL: Okay. What if we 15 called it Teacher History Form? 16 VICE CHAIR BURT: Okay. I think that's 17 also fine. But once again, after they enroll. Let 18 your students enroll. 19 MR. MARTIN ESQUIVEL: That's what it's 20 been. 21 MS. KATHY SANDOVAL: We start tutoring on 22 8/1. 23 VICE CHAIR BURT: It's during enrollment. 24 MR. MARTIN ESQUIVEL: No, it's not. 25 VICE CHAIR BURT: I know but it's during</p>	<p style="text-align: right;">112</p> <p>1 They're, like, "We have AIMS. We have this 2 incredible school that your students could have 3 access to." 4 I know they do that. 5 MR. MARTIN ESQUIVEL: Just curiosity. 6 Does Cottonwood Classic have its enrollment package 7 on its website? 8 VICE CHAIR BURT: I -- they do not require 9 an essay. They do not require -- 10 MR. MARTIN ESQUIVEL: Do they have their 11 enrollment packet on the website? 12 VICE CHAIR BURT: We could look. We can 13 look. You can have -- you know what? If you have 14 the enrollment packet, and it didn't have 15 exclusionary language and barriers to entry that 16 could be perceived by a family -- 17 MR. MARTIN ESQUIVEL: How is it a barrier 18 to entry if they're already in? 19 VICE CHAIR BURT: Families don't 20 understand that. Families do not understand -- 21 MR. MARTIN ESQUIVEL: If they're already 22 into the lottery, how is it a barrier to entry if 23 they're already in? 24 VICE CHAIR BURT: So the process makes it 25 feel like they have to fill out both things in order</p>
<p style="text-align: right;">111</p> <p>1 -- it's in the enrollment packet. 2 MR. MARTIN ESQUIVEL: It's not in the 3 enrollment packet. You're looking at the past. 4 VICE CHAIR BURT: So today, can -- 5 MR. MARTIN ESQUIVEL: No. Today we're not 6 going to have you tell us that we have to have our 7 enrollment packet ready tomorrow for the '24-'25 8 school year. 9 VICE CHAIR BURT: So what about for this 10 school year? 11 MR. MARTIN ESQUIVEL: This school year is 12 already passed. 13 VICE CHAIR BURT: So no one is coming to 14 see if you have any openings and applying to be on 15 your waitlist. Nobody does that. 16 For the top school in New Mexico, not a 17 single person is coming and asking you to -- 18 MR. MARTIN ESQUIVEL: The day before 19 school? 20 VICE CHAIR BURT: Yeah. Someone just moved 21 to Albuquerque today. I'm just assuming. There's a 22 person -- an engineer that just got hired at Sandia, 23 moved his family here, and wants to come to AIMS, 24 which I know -- this is why I'm saying it, because I 25 know Sandia uses you guys as recruitment"; right?</p>	<p style="text-align: right;">113</p> <p>1 to get in the lottery, number one. That's what it 2 says on the website, and that's what families 3 perceive. 4 MR. MARTIN ESQUIVEL: We'll change that 5 language. 6 VICE CHAIR BURT: Great. 7 And then the next thing on the Teacher 8 Recommendation Form, one of the questions that was 9 asked is, "How involved is the family?" 10 And it feels like if I'm a family -- if 11 I'm -- if I'm a single mom, I'm not involved -- 12 maybe I'm not involved in the school very much. 13 MR. MARTIN ESQUIVEL: Would you 14 acknowledge that there's no statutory authority or 15 any New Mexico rule that dictates how a school is 16 supposed to handle the enrollment package? 17 MS. JULIA BARNES: Chair Brauer -- Chair 18 Brauer, I am asking members of this Commission to 19 not argue with Mr. Esquivel. I disagree with that 20 statement. I will answer that question. 21 I believe that New Mexico law and federal 22 law require an enrollment packet to not have a 23 chilling effect, because in New Mexico and at the 24 federal level, there is a right to a free public 25 education. So I am asking the Commissioners to not</p>

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1 respond to any question.  
 2 MR. MARTIN ESQUIVEL: Cite the specific  
 3 statute and rule, Ms. Barnes. Cite it.  
 4 THE CHAIR: Mr. Esquivel, I'm going to ask  
 5 you -- Mr. Esquivel, you're going to address me  
 6 first.  
 7 MR. MARTIN ESQUIVEL: I'd like her to cite  
 8 the specifics and certain rule.  
 9 THE CHAIR: I feel like the decorum here  
 10 is starting to fall to pieces. From now on, when  
 11 you address us -- and Ms. Snider as well --  
 12 "Mr. Chair, members of the Commission," and then you  
 13 can share your point.  
 14 MR. MARTIN ESQUIVEL: Will do.  
 15 Mr. Chair, there is no specific statute,  
 16 there is no specific rule that states how we're  
 17 supposed to follow enrollment package.  
 18 Now, there might be a broad reference to  
 19 federal or statute law. But specifically in New  
 20 Mexico, there is not specific enrollment procedure.  
 21 And I listened in the prior topic that  
 22 you're talking about. And you mentioned to what  
 23 extent do you want to micromanage? To what extent  
 24 do you want to get into a school's -- or a governing  
 25 council's authority on how to run its school?

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1 So if there is a legitimate reason given  
 2 for the student essay and a legitimate reason for  
 3 the teacher recommendation, that frankly has worked  
 4 at this school, given its track record of success,  
 5 with no allegation other than your speculation that  
 6 there's been a problem in the past, then it strikes  
 7 me as you're telling us what to do. And that's a  
 8 problem.  
 9 VICE CHAIR BURT: Appreciate your opinion  
 10 on it.  
 11 I am very much -- I mean, you can watch me  
 12 over and over. I am not interested in getting into  
 13 micromanaging a school. However, this is a very  
 14 serious equity issue for me. It's a very serious  
 15 issue that has been brought up by other  
 16 organizations about -- specifically about charter  
 17 schools discriminating against the entry of certain  
 18 students.  
 19 I've heard it -- when I worked at PED, I  
 20 heard that this was an issue. Not just at AIMS.  
 21 But at AIMS. I also heard about other schools.  
 22 And it's a charter school issue that we  
 23 need to combat, and I would like to see AIMS be on  
 24 the side of keeping the health of the charter school  
 25 sector, as a whole, important.

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1 And the fact is there is a perception, a  
 2 public perception, that it is an exclusionary  
 3 process to get into specific charter schools. Not  
 4 all. Some. AIMS is included. And it's very simple  
 5 to see from the language that's on there that it may  
 6 be something that needs to be readjusted.  
 7 I would have loved for someone on the  
 8 staff to spend one hour, once this issue was brought  
 9 up, to fix the process. I mean, it's not -- I don't  
 10 think it's a burdensome require- -- I think it's  
 11 burden some to fix this.  
 12 I think it's a very simple fix, very, very  
 13 simple. And so what I would like -- I would have --  
 14 what I would have loved is for this to just have  
 15 been addressed, fix it, and not come see us. But it  
 16 felt like to me -- I've never -- I have never  
 17 under -- had the experience of a school not  
 18 understanding that when they are on the agenda, that  
 19 they shouldn't come, or that they're not -- that  
 20 they shouldn't -- if you're on the agenda, every  
 21 school knows to come to us.  
 22 I would have loved to have done this last  
 23 month, actually, to go through this, been, like,  
 24 "Hey, we see these being the issues. Can this just  
 25 be a quick fix and let's just move on"?

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1 That's what I would love for this to be.  
 2 It feels like it's becoming more of, like, "We're  
 3 going to fight to keep it the way we're doing it."  
 4 And I think the ask of what we're -- the very  
 5 specific ask of how to correct this and be able to  
 6 move on, move past it, and not continue doing this,  
 7 to me feels very simple.  
 8 Put your lottery up there. Make it easy.  
 9 Put your enrollment packet separate and take out  
 10 that teacher recommendation and the essay, and do  
 11 that -- continue doing it.  
 12 Don't do it during enrollment, because it  
 13 feels to families like it's a requirement for entry  
 14 to be accepted into the school, to actually get into  
 15 the school.  
 16 Families don't understand. Families  
 17 across New Mexico barely are recognizing that  
 18 charter schools are free.  
 19 I still get told by families all the time  
 20 that they think charter schools are private schools.  
 21 I mean, we are at infancy in charter  
 22 school history, and we need AIMS to be part of  
 23 making sure that charter schools as a whole are  
 24 understood by families and the public that they are  
 25 open to all, that they not exclusionary, that you're

<p style="text-align: right;">118</p> <p>1 going to take any -- any New Mexican student, and  2 you're going to bring them in at wherever they're  3 at, whatever their disability may be, wherever their  4 status is, whatever their family status is, whatever  5 their history is, you're going to take them.  6 Then you're going to take a look at where  7 are they, what's going on, and you're going to serve  8 them the way that you've been able to do after that.  9 There is a very prevalent narrative that  10 AIMS is only good because it takes the cream of the  11 crop of New Mexico.  12 MR. MARTIN ESQUIVEL: Mr. Chair, I've said  13 at the outset. I will not tolerate -- and I will  14 not tolerate an insinuation that AIMS has  15 discriminated in any way against students. And  16 that's the little whisper going on here. That's the  17 little whisper going on here.  18 VICE CHAIR BURT: That is not a whisper of  19 the Commission. That's --  20 MR. MARTIN ESQUIVEL: Because somebody  21 outside said it? I'm sorry. I'm sorry. If you're  22 going to make that insinuation, it is wrong. It is  23 defamatory. It is improper. And I warned you at  24 the beginning not to make those kinds of statements  25 because they're untrue.</p>	<p style="text-align: right;">120</p> <p>1 stand on any insinuation that we have been  2 discriminatory, that we've done anything improper.  3 Not one time have I heard, "Wow, what a great school  4 you operate. You obviously have been doing  5 something well. What are your diversity numbers  6 right now?" Anything like that.  7 But these whispers that somehow we're  8 doing things nefariously or improperly, I just can't  9 tolerate that. And in -- and then there's --  10 there's an issue here that, at some point, you have  11 to say, "Where are we micromanaging? Where are we  12 not?"  13 And you know what, Chair -- Chairman Burt  14 and Commissioner -- Commissioner -- Chair Brauer --  15 THE CHAIR: I understand what you meant.  16 MR. MARTIN ESQUIVEL: Commissioner Burt --  17 thank you. You are right about one thing. We  18 should have had a conversation, correspondence, a  19 discussion.  20 But when the Charter School Division is  21 giving us a three-day, "You do it my way, or I'm  22 dragging you in front of the Commission," that's not  23 the way to operate. And that's where the breakdown  24 was here.  25 I'm glad -- I've got along with Ms. Barnes</p>
<p style="text-align: right;">119</p> <p>1 VICE CHAIR BURT: So we're going to --  2 once again, the public perception is what the public  3 perception is.  4 MR. MARTIN ESQUIVEL: How do you know what  5 the public perception is?  6 VICE CHAIR BURT: Because I speak to  7 members of the public. I'm a mom very involved in  8 the charter community. I can express my own  9 experiences and what I've heard.  10 And I don't think that is what AIMS wants  11 to be known as. And I feel like this is -- and I  12 feel like this is a simple way to be able to stop  13 that misinformation, to stop the rhetoric that is  14 out there, and be able to put it to rest and move  15 forward.  16 I don't understand -- you telling me  17 you're warning me, I don't understand it. It is  18 what it is. I mean, that's -- I would love for it  19 not to be an issue. I would love for it not to be a  20 rhetoric that I'd ever hear again. I would love for  21 that to happen.  22 This is one of the reasons why people  23 believe that.  24 MR. MARTIN ESQUIVEL: Again, I'm hearing  25 what you said. I just have to take a very hard</p>	<p style="text-align: right;">121</p> <p>1 for years. I was a former public official. I  2 served on the APS School Board for eight years. I  3 know the position you're in.  4 But the way we were treated by the Charter  5 School Division -- not just now, but in the past --  6 and we know who we're talking about -- has led to  7 this breakdown. And at some point, you need to look  8 at it.  9 And you talked about this weird  10 relationship you have, as a separate public entity  11 dependent upon a Public Education Department  12 employee. It's strange. It's weird. It doesn't  13 work.  14 But we should have had that conversation.  15 And we can have that conversation. So give us a  16 chance to have that conversation rather than  17 dragging us in front of you and threatening us and  18 telling us, "Here. Sign this or else."  19 VICE CHAIR BURT: So what has happened  20 since the last meeting? What has AIMS -- like,  21 since -- if it was clearly articulated from Chair  22 Brauer to the school what the expectations were,  23 what progress has been made since the last meeting  24 to today to remedy the situation, to be able to move  25 forward?</p>

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1 MR. MARTIN ESQUIVEL: The application --  
 2 as I stated at the beginning, the application, the  
 3 simple application is now on the website, without  
 4 any enrollment documents. There is that verbiage  
 5 that I didn't catch. And I apologize, and we'll  
 6 take it down. We'll make it clear.  
 7 But to tell us that we have to convene in  
 8 late July and come up with our enrollment package  
 9 for the '24-'25 year by your next meeting, that's  
 10 heavy-handed. It doesn't give us an opportunity to  
 11 look at it. If you're wanting us to take a look at  
 12 it, seeing if there's alternatives to the student  
 13 essay -- which, by the way, I think is a great idea.  
 14 Teacher recommendations, building up a resume and  
 15 teaching a young student about letters of  
 16 recommendation in the sixth grade and the importance  
 17 and values of relationships with teachers, I think  
 18 it's a good thing. But if you want us to look at  
 19 it, we'll look at it.  
 20 But to tell us we have to do it with no  
 21 state -- with no statute, with no rule, and a broad  
 22 reference to the Brown vs. the Board of Education  
 23 Case, that doesn't do it. So give us an  
 24 opportunity. We'll look at it.  
 25 THE CHAIR: Thank you. Mr. Esquivel, I

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1 also want to share, like, when you say, "I'm warning  
 2 you," that sounds like bullying to me. That sounds  
 3 like, "Oh, should I be -- am I worried now?"  
 4 And I don't want you to talk that way to  
 5 any of our Commission. I think that crosses the  
 6 line. And when you say, "We're warning you," that's  
 7 just not going to be tolerated here.  
 8 And we're having a conversation to remedy  
 9 the situation. And we do feel -- I have the right  
 10 to question what your lottery and enrollment  
 11 practices are. I have the right to do that. And  
 12 the Commission does.  
 13 MR. MARTIN ESQUIVEL: Mr. Chair, can I  
 14 respond?  
 15 THE CHAIR: So no more warning me or our  
 16 Commission as we move on to other Commissioners that  
 17 have questions with you and Ms. Snider.  
 18 MR. MARTIN ESQUIVEL: So is it fair game  
 19 for you to sit up here and accuse AIMS, because you  
 20 heard it from somebody else, of discriminatory  
 21 practices? Because that's a very serious  
 22 accusation. It's a very serious accusation.  
 23 THE CHAIR: I think we have the right to  
 24 share -- if we heard something, we have the right to  
 25 do that.

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1 MR. MARTIN ESQUIVEL: So you feel you have  
 2 the right to defame our school by making that  
 3 allegation, without --  
 4 THE CHAIR: I think you're taking --  
 5 MR. MARTIN ESQUIVEL: -- without anything  
 6 to substantiate it, without any names, without any  
 7 reference to a specific person. I'm just -- you  
 8 know, I just think it's wrong for you to make those  
 9 insinuations. And that's why I said at the outset.  
 10 So I apologize for using the word "warn,"  
 11 but I am asking you, respectfully, do not accuse the  
 12 school of acting in a discriminatory manner. Do not  
 13 insinuate that others have said we don't operate  
 14 above board, because there's nothing further from  
 15 the truth.  
 16 THE CHAIR: I also want to go back and  
 17 make sure that you all are not victimizing  
 18 yourselves and saying that, "Not a single  
 19 Commissioner ever said something good about AIMS."  
 20 I just heard, 25 minutes, the first thing  
 21 that Commissioner Burt said was, "Your school is so  
 22 great," paraphrasing, "but we need to focus in on  
 23 this thing."  
 24 And so let's just make sure that, yeah, we  
 25 can talk about what maybe what we heard out in the

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1 ether. But we literally just heard Commissioners --  
 2 a Commissioner -- start her comments with that your  
 3 school is doing great things, the number one  
 4 school -- high school in the state. We have that on  
 5 record.  
 6 And so I'm not going to permit you to say  
 7 that if we don't just gas you up every time we talk  
 8 about AIMS, that we can't have a single grievance  
 9 about how you're doing practices right now. That's  
 10 just not acceptable.  
 11 Commissioner Carrillo.  
 12 COMMISSIONER CARRILLO: Thank you. I'll  
 13 start by saying what a great school AIMS is. And  
 14 the reason I'm going to start with that is because I  
 15 say it all the time when I'm defending charters,  
 16 because people in the state don't understand that a  
 17 charter is a public school. I'm always singing the  
 18 praises, "The number one school in the state is a  
 19 charter school." The No. 3 school in the state is a  
 20 charter, ATC.  
 21 When we look at all the successful schools  
 22 in New Mexico, the abundance of them are charters.  
 23 So charters are doing something right, absolutely.  
 24 And AIMS is doing something right.  
 25 I mean, I share Ms. Burt's concerns. I



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1 wouldn't -- it's -- I remember when we met last  
 2 month. The term that was used, that Ms. Barnes  
 3 used, was "may have a chilling effect." And I think  
 4 that's what I would come down to in terms of the  
 5 enrollment process and the way people may interpret  
 6 the application and having the enrollment  
 7 application and that process be such that it may  
 8 have a chilling effect on who wants to continue  
 9 forward with your -- with the process of enrolling  
 10 at AIMS.

11 And if something has that chilling effect,  
 12 is it discrimination? That is such -- that's a --  
 13 that's a -- that's not just a red flag; that's a  
 14 fire-burner word. I mean, that's just something  
 15 that gets everybody's hair up on their arms.

16 And once things -- once people start using  
 17 that word and once they start using the "racism"  
 18 word, conversations just deteriorate from there.  
 19 Everyone -- most times people just can't hear any  
 20 longer the other person and what they're saying.

21 And I come down to this, the phrase -- and  
 22 Ms. Barnes, I'm sure, is going to talk about this  
 23 later -- "may have a chilling effect." And if  
 24 anything has a chilling effect on whether or not a  
 25 family is going to continue in the enrollment

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1 process -- so they've got the lottery -- and just  
 2 for the record, Cottonwood Classical, no, they don't  
 3 have anything enrollment on their website. They  
 4 just have the lottery and things about their school,  
 5 nothing about enrollment. And that doesn't happen  
 6 until they're actually accepted to the school.

7 But in their enrollment process -- I mean,  
 8 I can look at Classical. I can look at NMSA. I can  
 9 look at ATC. There's nothing in their processes  
 10 where if I was a parent -- and maybe I have a kid  
 11 that's, like, borderline -- is he gifted? Is he  
 12 not? I mean, I want to get him in an environment  
 13 that's going to push him like he's never been  
 14 pushed -- right? -- so that he can excel to the  
 15 level that your students excel.

16 I mean, no one is debating that at all.

17 But if I'm looking at this enrollment  
 18 process, and my son now has to have an essay and  
 19 have something from a teacher, and maybe he's  
 20 actually had trouble in middle school or whatever it  
 21 might be, that may have a chilling effect, as  
 22 opposed to just he's -- he was chosen in the  
 23 lottery, and he's going to this school, and we're  
 24 not going to put any barriers in the way of that  
 25 child or that family. And that's the way I would

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1 phrase this.

2 Do I think you discriminate? No. I would  
 3 not use that word.

4 Do I think that you actively try to weed  
 5 people out and skim the cream of the crop?  
 6 People say that about charters all the  
 7 time. I mean, the superintendent of Santa Fe Public  
 8 Schools just said, "You're taking the best kids from  
 9 the district and the best teachers." It's, like,  
 10 no. People are choosing where they want to go, and  
 11 if you're falling short in a certain area, that's on  
 12 you.

13 People want to choose to go to your  
 14 school. I don't want there to be any barriers to  
 15 any child ever doing so. All it really is is just  
 16 tweaking the enrollment process so things there may  
 17 not have a chilling effect and making sure that --  
 18 like, I was on your website. It's here right now.

19 On the lottery -- the phrase -- let me  
 20 see -- let me go back -- there's the phrase -- and  
 21 she brought it up -- oh, that's not it. That was  
 22 tuition is free. I was looking at something else.

23 The first slide that we had up that was  
 24 from your website.  
 25 "Please download the student application

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1 form and enrollment packet."

2 None of that should even be there. The  
 3 other schools, what they do, lottery is just  
 4 separate from everything. Absolutely everything.  
 5 People can't even access kind of that -- the  
 6 board -- the deeper information about your school  
 7 and requirements until they've been accepted.

8 And that's kind of what needs to happen.

9 Anything that may be perceived as a  
 10 barrier, it's not a good thing. And I'm not saying  
 11 that you're trying to do this, that it's  
 12 intentional.

13 We can do these little things, and all of  
 14 a sudden, all these kids will -- we're going to  
 15 basically put the fear of God in them before they  
 16 even have the chance to walk through the doors.

17 We just don't want anything that does  
 18 that. And that's what I think this is about.

19 Now, you had -- Mr. Esquivel, this -- you  
 20 know what? We're here today. Past is past. But I  
 21 do -- but I do need to say this. This isn't the  
 22 first time the issue has come up. I want to get it  
 23 resolved this time in a way where you're not on our  
 24 agenda again, not until it's time for renewal,  
 25 because, obviously, you're doing what's right in

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1 every other way.  
 2 And I'm happy that Chair Brauer has just  
 3 kind of worked to bring the temperature down,  
 4 because when the temperature gets a certain -- over  
 5 a certain point, we stop hearing each other. We  
 6 stop hearing what the -- what the real concern is.  
 7 And if I might, like -- I'm not speaking  
 8 for Commissioner Burt in any way -- anything that  
 9 can be perceived as a barrier to a family wanting to  
 10 go to your school. Once they're there, if they  
 11 can't cut the mustard, they can't cut the mustard.  
 12 They're not getting the grades, they're not doing  
 13 the work, well, you know what? They're going to  
 14 need to find something else.  
 15 But let's at least make sure every child  
 16 has the opportunity.  
 17 That's it for me for now. Looking at my  
 18 notes -- yeah, that's it for me for now.  
 19 MS. KATHY SANDOVAL: Chair Brauer, members  
 20 of the committee, I've been dealing with this  
 21 20 years. Twenty years. Now, if I have a kid that  
 22 hates math, am I going to put them in a math and  
 23 science school? Well, if I want to torture them and  
 24 didn't like my kid very much, maybe I would. But  
 25 they self-select. And they do that probably because

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1 they're parents, and they love their children. I'm  
 2 not doing that.  
 3 Now, I have the Charter School Division  
 4 come in every single year, and they are in my stuff.  
 5 They're looking at my population -- I have probably  
 6 the most diverse population in the city. They are  
 7 self-selecting. They have never been able to find  
 8 anything that is of concern to them.  
 9 Now, why do I have the enrollment packet  
 10 and the lottery application together?  
 11 Because I had parents say, "Well, we  
 12 didn't know that there was an enrollment packet. I  
 13 can't find the enrollment packet. I was chosen in  
 14 the lottery, and, yeah, it's August, and I didn't  
 15 know there was an enrollment packet."  
 16 And it says, "To be filled out only if you  
 17 are chosen in the lottery." That's pretty standard.  
 18 I didn't want to get my rear end chewed  
 19 from a parent who says, "Well, you're trying to hide  
 20 the enrollment packet from me."  
 21 "No, I'm not. It's right up there."  
 22 And if you get chosen in the lottery, I  
 23 don't choose. That's done by a machine. That's  
 24 done by MarkersPro. That's done by the  
 25 PED-recommended, computer-generated program.

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1 And wait till you see the questions that  
 2 that thing asks. I mean, it gets into your stuff.  
 3 And you have to enter that as a parent. And then  
 4 the thing churns through and spits out your lottery  
 5 for you. I have nothing to do with it.  
 6 But, again, I don't think that you would  
 7 have a child that hates math, hates science, hates  
 8 writing. I don't think you'd have a parent torture  
 9 their kid like that. That would be chilling.  
 10 That's abuse.  
 11 MR. MARTIN ESQUIVEL: Mr. Chair,  
 12 Mr. Carrillo, I appreciate your positive comments,  
 13 and, you know, we're glad to have a productive  
 14 conversation. And I think what you want to hear  
 15 ever is we hear what you're saying. But we also  
 16 hope you hear what we're saying about the way the  
 17 Charter School Division has treated us, because I  
 18 think it's an important takeaway here. So thank you  
 19 for your comments.  
 20 THE CHAIR: I'm going to pass the --  
 21 Commissioner Gipson, do you still want to talk? I  
 22 wanted to share something, too.  
 23 COMMISSIONER GIPSON: I'm going to be  
 24 brief. I'm not going to repeat what a lot of other  
 25 people said. It will just simply ditto that I have

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1 concerns about perceptions of barriers. It's plain  
 2 and simple.  
 3 If I'm a parent and my child loves math,  
 4 loves science, but had a struggle at a school, I'm  
 5 going to worry about that possible teacher  
 6 recommendation that might be there, because there  
 7 was a -- there was an issue at the school.  
 8 So that it can be a lesson in  
 9 professionalism and getting letters of  
 10 recommendation; but it can also be a parent saying  
 11 "Oh, I don't want to put my child through that  
 12 because of concerns, issues that we had at our prior  
 13 school. We're trying to leave that and start  
 14 fresh."  
 15 So those -- you know, I am -- I'm  
 16 concerned about access and equity.  
 17 I want to clarify that Cottonwood  
 18 Classical does not have their enrollment packet on.  
 19 Doesn't even mention enrollment packet on their  
 20 website. It's only lottery.  
 21 But I just want to quickly address -- I  
 22 think there was a concern raised about this being  
 23 like this sudden or kind of nebulous guidance that  
 24 CSD has about enrollment.  
 25 The Public Education Commission voted in

<p style="text-align: right;">134</p> <p>1 September of 2021 to adopt that lottery guidance.  2 We spent numerous work sessions prior to that  3 September meeting looking at that lottery guidance  4 and nuancing it.  5 And I have a copy of the letter that I  6 sent to AIMS, to Ms. Sandoval, that stated,  7 October 10th of 2021, with a copy of the guidance  8 and a copy of the fact sheet, with a statement that  9 says, "We adopted this in our September meeting.  10 Here is the -- here is the lottery guidance. Here's  11 the fact sheet. If you have any questions, please  12 contact me."  13 So this isn't something that's, all of a  14 sudden, popped up. This isn't something that's new.  15 This is guidance and policy that we created.  16 So -- and we do -- we do a lot of things  17 that aren't necessarily just because it's in  18 statute. We are the authorizer, and we are  19 authorized to create the policies and procedures for  20 the schools that we do authorize.  21 So I just want to assure all that this is  22 something that the PEC did -- did, in fact, adopt,  23 and, the school has been well aware of, since  24 October of 2021.  25 And I think I'm just going to -- I have</p>	<p style="text-align: right;">136</p> <p>1 comment about the guidelines, I'm holding up the  2 Frequently Asked Question, "Charter School Lottery."  3 And it says, "Updated July 6, 2023."  4 So I'm not really sure what's updated, but  5 I just want to read for the record.  6 It says, "The guidance provided by the  7 Charter School Division in these Frequently Asked  8 Questions is not a safe harbor for legal actions if  9 it is later determined by a court that the Charter  10 School Department's interpretation of law is not  11 correct."  12 Thanks.  13 THE CHAIR: Thank you. I just have a few  14 comments, and then I wanted to hear from the school.  15 I see you, Commissioner Carrillo.  16 I wanted to hear from the school, like,  17 what your proposal is. Like, what are you proposing  18 today as we move forward to remedy some of the --  19 some of the comments or concerns that have been  20 raised?  21 Ms. Sandoval-Snider, I'd just appreciate  22 you sharing -- as a person who's not a math person,  23 I understand your point that you would not apply to  24 a math and science school if you weren't God-given  25 the skills of math and science.</p>
<p style="text-align: right;">135</p> <p>1 continued concerns, because we're not asking for  2 the -- this to be created all of a sudden for  3 '24-'25. The notion that students would unlikely  4 come in during the school year -- I don't know a  5 single school in the state of New Mexico that isn't  6 constantly enrolling and reenrolling students  7 throughout the school year, because we all live in  8 areas where there's a lot of movement between bases  9 and labs and, you know, things like that, so that it  10 happens all the time.  11 So I -- I have a concern, the idea that  12 the school is closed for the year, you know, and  13 that this is procedures that should have been  14 followed and need to be followed immediately, not  15 for '24-'25 school year.  16 So I'm concerned that there isn't current  17 information up there for this year on how I can get  18 my child and it's not the enrollment packet. So  19 thanks.  20 MR. MARTIN ESQUIVEL: Mr. Chair, as I  21 pointed out, it doesn't appear to be a problem with  22 Cottonwood Classic or Amy Biehl that the enrollment  23 documents are not up on their website, for one  24 thing.  25 With respect to Commissioner Gipson's</p>	<p style="text-align: right;">137</p> <p>1 I see it differently, though. Because I  2 grew up -- I grew up on a dairy farm. And my family  3 would have loved if I still didn't love farming.  4 They would have loved it if I had a school I could  5 apply to and get in the right gear to actually like  6 math enough to be good at it.  7 And there are a lot of families, a lot of  8 students, who see the promise of AIMS -- as the  9 number one school in the State of New Mexico for  10 high school in terms of college preparatory  11 opportunities, that also translates into great  12 opportunities in life, long-term, that is the gift  13 that you're giving to many of your students -- there  14 are a lot of students who might be rotten at math,  15 like I am, who know biology just through working  16 with cows all day long, but nothing else, that could  17 see this is an opportunity of promise.  18 And those are the students that I think  19 about that I want to make sure that they have a fair  20 deal. And I'm not making an insinuation that there  21 is not fairness there. But that's where I come  22 from.  23 I think that there should be an  24 opportunity for students who may not be great at  25 math and science to come, meet criterias in your</p>

<p style="text-align: right;">138</p> <p>1 school as they're students, and grow into that, and 2 to see the opportunities for college success, but 3 also career success. 4 And so I think that's -- that's the way 5 that I look at what you shared. I understand and 6 respect your opinion. But I see it as an 7 opportunity for opening doors for students who those 8 doors aren't opened already. 9 And when we share that, you know, students 10 ought to be loving math already, well, heck, that 11 door is already open for them. And I care about 12 those students just the same. But I'm an underdog, 13 because I want to make sure that students who don't 14 see those doors open yet have the opportunity to 15 engage with high quality education. 16 I'd love to hear from the school. Like, 17 what is your proposal today on what you would like 18 to continue to do? And I know that the website is 19 being changed. I know that it's an ongoing process. 20 I've gone through this before in other realms of my 21 life. It's never-ending. 22 But we do -- you are hearing some 23 loud-and-clear concerns that I think are possible 24 and very feasible to address without losing -- 25 without losing a single thing from the school, in my</p>	<p style="text-align: right;">140</p> <p>1 solution here, and I agree that there is. 2 But when it's heavy-handed, that's 3 where -- and there is a principle involved, that's 4 where we have to stand up for ourselves. 5 So my proposal is allow us -- our next 6 board meeting is in two weeks -- to properly raise 7 it with them, hear what your concerns are, research 8 it, and then write you a letter. 9 If your executive committee deems it 10 necessary to have us come back, then so be it. If 11 not, then we move on, and you allow us to run our 12 school. 13 THE CHAIR: Mr. Esquivel, 14 Ms. Sandoval-Snider, I apologize. 15 MS. KATHY SANDOVAL: I do want to tell you 16 a little bit about the school, because I think 17 there's some misconceptions. 18 But the program starts at sixth grade, 19 goes all the way up to when they're seniors. But 20 when they're seniors, they have to concurrently 21 enroll in either UNM or CNM. They have to have 22 about 30 credit hours to graduate from my school. 23 But they could go on -- I've had kids get bachelor's 24 degrees before they -- and on my dime. 25 That's a huge benefit to a family. And</p>
<p style="text-align: right;">139</p> <p>1 view, without losing a single opportunity or 2 creating a nuisance that's way above and beyond. 3 And also I want to share, Mr. Esquivel, 4 when you share about micromanaging, that's not 5 something I want to do. I come from charter 6 schools. That's one of the best promises that we 7 have to -- but we also want to make sure that there 8 are specific rules and processes that we all can 9 agree to. 10 So I'd love to hear what your proposal is. 11 What do you feel like you can live with? 12 Go ahead. 13 (Mr. Esquivel consults with Ms. Sandoval.) 14 MR. MARTIN ESQUIVEL: So I think the best 15 manner in which to handle it, given our concerns 16 about how we arrived here -- I'm not going to keep 17 hammering on that, because I think you heard me loud 18 and clear about my concerns there -- is to give us 19 the next 30 days. 20 I will communicate in writing with 21 Ms. Barnes and see if we can address the issues that 22 you raised. We will make an effort to remove that 23 concerning language; although, I think we did make 24 the effort to separate out the application. And -- 25 but I think that what you're saying is there is a</p>	<p style="text-align: right;">141</p> <p>1 they either go to CNM or UNM. UNM is a wonderful 2 partner. That's why I'm "AIMS@UNM." But I think 3 that that is a financial and personal benefit to 4 families in New Mexico. 5 The other thing I want to say is with the 6 exception of the Charter School Division, I've never 7 seen a single one of you at my school. Come, and 8 I'll show you the school. I'll show you the 9 students. You could talk to the students. 10 And I think the first thing you're going 11 to notice is I have an incredibly diverse school. 12 And the opportunities that we have for students from 13 the industries that are on that South Campus are 14 huge. 15 My kids get -- they'll get internships, 16 and they get paid internships. Or they -- I've got 17 a police department right across the street. 18 They'll go over there, and they maybe do an 19 internship over there. Or they'll do an internship 20 with a UNM professor. 21 I think the benefit that the school gives 22 far outweighs any kind of misinterpretation of 23 language. And, you know, Ms. Burt, the reality 24 is -- and I hear you. I hear you loud and clear. 25 You know, I -- I feel -- that's what I heard from</p>

<p style="text-align: right;">142</p> <p>1 you -- "I feel this way." But with all due respect,  2 I don't -- I'm not responsible for your feelings,  3 okay? I think that's a fair thing to say.  4 So if there's a misinterpretation, pick up  5 the phone. Call me. Instead I get usually a nasty  6 letter about, "You are ordered to be here."  7 I'm running a school, and I'm teaching,  8 too. I'm busy. That doesn't mean that I don't  9 value you. I do.  10 But the Charter School Division shouldn't  11 be the only one that comes and visits me. Come see  12 the school. See what you're talking about. I know  13 many of you are out of town. You're in far reaches  14 of New Mexico. But if you're in Santa Fe, we're  15 only 60 miles away. I can come to see you. And I  16 invite all of you to come to see me.  17 THE CHAIR: Thank for you that invitation.  18 MS. KATHY SANDOVAL: You bet.  19 THE CHAIR: Commissioner Carrillo, I think  20 you had your hand up.  21 COMMISSIONER CARRILLO: Thanks for the  22 invite, too. It's harder for me. I am in Santa Fe.  23 It's an hour a way. I have 16 schools going all the  24 way from Santa Fe to Red River. I can say honestly  25 I've visited all but two so far. And my predecessor</p>	<p style="text-align: right;">144</p> <p>1 PED, because that stuff, we're not involved in that.  2 Nor do we want to be. People need to do their jobs.  3 And schools, their boards, they need to do their  4 thing.  5 But I would say if -- and I don't need to  6 hear you say it to me. I just want to know that  7 this concern of what -- and I used the word "may"  8 very purposefully -- where there may be a barrier or  9 the perception of a barrier, I would just ask you in  10 the next 30 days, if this is what we decide, that  11 you just constantly keep that in mind as you're  12 reading the language and looking at your website,  13 where could anything be perceived that way.  14 Because then you're going to say, "Huh,"  15 and you might change a word here or there, or you  16 might change access to a certain page until this has  17 happened.  18 That's what I would ask in the next 30.  19 And I would -- it's just finding the common ground.  20 And, ultimately -- and I say this all the time, and  21 even for privates and parochial schools -- they're  22 all our kids. We're responsible for every last one  23 of them, whether -- I feel that way whether or not  24 it's a State charter school.  25 And so that -- I think that's the last</p>
<p style="text-align: right;">143</p> <p>1 didn't visit any of our -- and -- no, I love being  2 in schools.  3 To me, when I was on the school board for  4 Santa Fe Public Schools, that was the best part,  5 being with kids in their environment. So I love  6 that. And I'll take you up on the -- the offer.  7 For a point of clarification, just because  8 Mr. Esquivel brought this up about the executive  9 committee, the executive committee meets in -- there  10 can't be a quorum. In terms of the Open Meetings  11 Act, they can -- the three of them can meet. They  12 don't have to notify anybody. They notify us.  13 But they're the executive committee. And  14 it's not public. There doesn't have to be minutes  15 in that. It's the same thing with the subcommittee.  16 And it's kept intentionally low because of OMA.  17 There are three members because of that. So there's  18 not going to be a quorum. They determine the  19 agenda, things of that nature.  20 I think the idea -- Chair Brauer has not  21 commented on it yet -- because once -- once all this  22 stuff has happened -- right? -- now it's time to get  23 to yes. Now it's time to get to common ground,  24 where hopefully -- I can't comment in any way on  25 your experiences with Charter School Division or</p>	<p style="text-align: right;">145</p> <p>1 thing. And I just, in 30 days, I hope that you're  2 coming back. I would love for you to come back,  3 because I actually love it when people appear before  4 us as opposed to on Zoom, just to -- and even if  5 it's just a kumbaya moment. I don't care. It just  6 signifies that we have worked together to get to the  7 other side. That's all. So thank you very much.  8 THE CHAIR: Ms. Barnes.  9 MS. JULIA BARNES: If I can just clarify  10 for the proposal what would be discussed, I -- and,  11 actually, at times, we've taken a break and kind of  12 come up with whatever it would be that would be part  13 of the motion, and I would be happy to do that.  14 It's -- to me, the website is one of the  15 issues. To me, at least this last year, your last  16 lottery process started November 1. So there's a  17 timing issue to make sure that the lottery and  18 enrollment practices -- I mean, I'll read it to you.  19 Your AIMS application last year, your very  20 first applications were accepted November 1, 2022,  21 through November 18th, 2022. And then parents were  22 given -- it was mailed to them on 12/5 for the  23 lottery date, which was the Monday, and they were  24 allowed to submit their enrollment packet by Friday.  25 So I don't know if that same process is</p>

<p style="text-align: right;">146</p> <p>1 what you're going to follow. But one of the 2 concerns that to me would be important to address 3 would be establishing that this issue would be 4 completed before you start accepting applications. 5 So the website, the timing -- and I'll 6 just add, one of my concerns is the timing of how a 7 parent is mailed something on December 5th and 8 receives it and completes everything, without seeing 9 the enrollment packet and everything, by Friday at 10 noon. So, to me, that seemed to imply that the 11 parents had to have seen the enrollment packet 12 before. So the timing is an issue I would like to 13 discuss, and what is in the enrollment packet. 14 And I just -- for Mr. Esquivel, I will 15 tell you why I think that that is in the contract, 16 that Attachment F, incorporated by reference into 17 your -- into the school's contract, states the 18 school's enrollment policies and procedures. 19 So it's not lottery. It's the enrollment 20 policies and procedures, and that that can be 21 implicated in federal and state law regarding 22 children with disabilities, which is the next 23 section of the contract, and to comply with 24 applicable federal, state, and local rules, 25 regulations relating to how safety, civil rights,</p>	<p style="text-align: right;">148</p> <p>1 So my view for my client is that this is 2 expressly outlined in the contract. And while you 3 and I might disagree as to whether there's been a 4 violation, it is a question. 5 So to return to what I would like to have 6 clarified is if the school is willing to discuss the 7 website timing issues, the enrollment packet. And 8 then I would like my clients to know that this is 9 going to be taken care of within the time frame 10 before you start meeting with parents, accepting 11 applications, and then requiring an enrollment 12 packet. 13 MR. MARTIN ESQUIVEL: Well, it's nice that 14 you cited the 1981 Supreme Court case. It's nowhere 15 in your memo of July 23rd, so I'd have to take a 16 look at that case law you're citing. I'm not 17 familiar with it. I would imagine it would have 18 been cited in your letter to the Public Education 19 Commission back in July. 20 Of course, we are willing to take a look 21 at the process. That's what's been asked. It seems 22 like you're trying to cross-examine me in terms of 23 specifically what we're going to do. 24 We've heard the Commission. We're going 25 to go back and work in good faith. And that's what</p>
<p style="text-align: right;">147</p> <p>1 and insurance -- and just to provide Mr. Esquivel 2 with a little bit more information. 3 But if we're going to argue about whether 4 the law applies or not, I don't know that I need to 5 kind of see the proposal, because, from my view, 6 this is what we're looking at. 7 So the Supreme Court case of Tyler -- 8 Superintendent, Tyler Independent School District 9 vs. Doe Guardian, decided by the Supreme Court on 10 December 1 of 1981, looked at the issues regarding 11 children who are undocumented. That was followed up 12 by the Department of Education and the Department of 13 Justice, which indicated that school districts that 14 either prohibit or discourage or maintain policies 15 that have the effect of prohibiting or discouraging 16 children from enrolling in schools -- this memo is 17 related to undocumented families -- because they or 18 their parents or guardians are not U.S. citizens or 19 are undocumented may be in violation of federal law. 20 They have guidance providing what you may or may not 21 do in enrollment packages. 22 So it is my legal opinion that there are 23 things that could be included in an enrollment 24 packet that are relevant to whether civil rights are 25 being violated or not.</p>	<p style="text-align: right;">149</p> <p>1 I can assure you we'll do. 2 Everything we've discussed sounds like 3 that's within what you're asking me. But give us an 4 opportunity to do it, giving full consideration that 5 this probably could have been accomplished in 6 correspondence between us, prior to any threats 7 about being dragged in front of you. 8 So, absolutely. We'll work on it. You 9 and I can communicate. We have a board meeting in 10 two weeks. We'll take a look at the process. And 11 that's what we're willing to do. 12 MS. JULIA BARNES: So there's two agenda 13 items today in the PEC related to AIMS. And the PEC 14 can take action. 15 This one is to take action regarding 16 potentially putting the school back into good 17 standing. And the other is, if that's not 18 acceptable to -- or they're not ready to do that and 19 want to take other action, they can. 20 So I don't know if the Commission would 21 like to take -- I don't know. 22 THE CHAIR: (Consults with counsel.) 23 Let's take a ten-minute break, and then we'll 24 reconvene. 25 (Recess taken, 12:18 p.m. to 12:26 p.m.)</p>

150	<p>1 THE CHAIR: Okay. I'm going to reconvene. 2 Thank you for bearing with us. 3 All right. I'll entertain a motion. Vice 4 Chair Burt. 5 VICE CHAIR BURT: Thanks. I move that 6 AIMS provide its updated enrollment policies and 7 practices at the September 22nd, 2023, meeting of 8 the PEC. 9 During the time up until the meeting, the 10 school and the school's legal counsel will work only 11 with the PEC executive committee and PEC legal 12 counsel to determine a process for negotiating the 13 proposed resolution to the Notice of Concern prior 14 to the meeting. 15 COMMISSIONER GIPSON: Second. 16 THE CHAIR: We have a second. Let's move 17 into discussion about this motion. 18 Vice Chair Burt. 19 VICE CHAIR BURT: Yeah. I think this just 20 allows for that good-faith interaction between now 21 and the next meeting, get it resolved, be able to 22 work together during it so there's no surprises 23 during the September meeting. That's the intention 24 of it is, like, figure it out all out. The 25 September meeting should be easy going is the idea</p>	152	<p>1 COMMISSIONER BECK: Yes. 2 SECRETARY ARMIJO: Commissioner Carrillo. 3 COMMISSIONER CARRILLO: Yes. 4 SECRETARY ARMIJO: And Chair Brauer. 5 THE CHAIR: Yes. 6 SECRETARY ARMIJO: That passes, eight to 7 zero. Thank you. 8 THE CHAIR: Thank you very much for coming 9 up today. 10 All right. It's 12:30. Commission, are 11 we good to take a lunch break? 12 Can I entertain -- like Commissioner 13 Carrillo, I always look to you to see how much time 14 do you need. 15 COMMISSIONER CARRILLO: Forty-five 16 minutes. That's a reasonable time to go someplace, 17 eat, come back. 18 THE CHAIR: Forty-five minutes? Do we 19 have consensus on that? 20 So let's be back by 1:15. Let's do it. 21 We'll reconvene at 1:15. 22 (A recess was taken at 12:28 p.m., and 23 reconvened at 1:20 p.m., as follows:) 24 THE CHAIR: All right. Commissioner 25 Ingham, we're going to go ahead and begin.</p>
151	<p>1 and hope behind it. 2 THE CHAIR: Vice Chair Burt, thank you for 3 saying that. And I also think, to the school, this 4 is an opportunity for us to work together and truly 5 build something and make any adjustments that we 6 feel is in good faith to supporting your school and 7 all of our students that may be interested in coming 8 to your school. 9 Any other comments? 10 (No response.) 11 THE CHAIR: Secretary Armijo, can you go 12 ahead and take a roll-call vote, please? 13 SECRETARY ARMIJO: Thank you. 14 Vice Chair Burt. 15 VICE CHAIR BURT: Yes. 16 SECRETARY ARMIJO: Secretary Armijo votes 17 yes. 18 Commissioner Ingham. 19 COMMISSIONER INGHAM: Yes. 20 SECRETARY ARMIJO: Commissioner 21 Clahchischilliage. 22 COMMISSIONER CLAHCHISCHILLIAGE: Yes. 23 SECRETARY ARMIJO: Commissioner Gipson. 24 COMMISSIONER GIPSON: Yes. 25 SECRETARY ARMIJO: Commissioner Beck.</p>	153	<p>1 So I wanted -- as we come back, we did -- 2 Commissioner Clahchischilliage had to leave and 3 Commissioner Armijo also had to drop as well. So we 4 still have a quorum at six, but just wanted to make 5 sure the record stated that those two Commissioners 6 weren't able to stay after the break. 7 I did want to go back to -- what number 8 was that? -- Item No. 7, about the Six Directions 9 Indigenous School vote that we did. 10 So I -- we did a little research between 11 that moment and now. And, Julia, do you want to 12 share a little bit about what we learned? 13 MS. JULIA BARNES: Yes. We researched 14 under Robert's Rules of Order about a vote of people 15 voting "Present." And the people voting "Present" 16 identify that there is a quorum. So there was, in 17 that vote, an indication of a quorum of eight. But 18 the "Present" votes don't count. 19 So, in fact, the motion passes, three to 20 zero, with a quorum of eight, instead of fails. 21 So we're just going to leave it at that 22 and move on. It's the same thing. 23 COMMISSIONER INGHAM: The paperwork will 24 be rejected, and they'll have to start anew, and 25 they won't be presenting any of the old paperwork on</p>

<p style="text-align: right;">154</p> <p>1 our next --</p> <p>2 MS. JULIA BARNES: And they'll resubmit</p> <p>3 paperwork for your consideration.</p> <p>4 COMMISSIONER INGHAM: Can we maybe help</p> <p>5 them to --</p> <p>6 MS. JULIA BARNES: Same thing. It's just</p> <p>7 the correct result. There was a vote of five</p> <p>8 present and three yeses. The result of that, under</p> <p>9 Robert's Rules of Order, is it passes.</p> <p>10 COMMISSIONER INGHAM: We need to notify</p> <p>11 the school so they won't -- it's not going to change</p> <p>12 anything?</p> <p>13 DIRECTOR CORINA CHAVEZ: Commissioners,</p> <p>14 I've been in touch with the Chair of the board for</p> <p>15 Six Directions. They're having a board meeting on</p> <p>16 Tuesday.</p> <p>17 I was texting with her what happened. And</p> <p>18 I will clarify the record and work with them on what</p> <p>19 they'll talk about on Tuesday.</p> <p>20 THE CHAIR: So I think we just wanted to</p> <p>21 make the record straight. It doesn't change</p> <p>22 anything, honestly, other than saying that the</p> <p>23 vote -- the three to all the "Present" votes that</p> <p>24 were done, it passes. So, substantially, everything</p> <p>25 that the school is going to be doing -- Commissioner</p>	<p style="text-align: right;">156</p> <p>1 goals.</p> <p>2 Academic Indicator 2 is not rated because</p> <p>3 we did not have growth data for this first year of</p> <p>4 post-pandemic testing.</p> <p>5 Also, I should note that among the</p> <p>6 reports, there is a one-year report for '21-'22 for</p> <p>7 The GREAT Academy. It is the only one of the</p> <p>8 reports that is outside of the current contract</p> <p>9 term. That was a year prior to the signing of the</p> <p>10 new GREAT Academy contract. And that report was</p> <p>11 provided in order to have feedback to the school but</p> <p>12 is not going to be part of the -- The GREAT</p> <p>13 Academy's next renewal, and it is not up on the</p> <p>14 website, because, as the website says, only reports</p> <p>15 from the current contract term are posted.</p> <p>16 Would the Commission like me to walk</p> <p>17 through one of the reports or simply stand for</p> <p>18 questions?</p> <p>19 THE CHAIR: Commissioner Carrillo. You</p> <p>20 want -- walk through one, please.</p> <p>21 DR. BRIGETTE RUSSELL: So, Missy, am I</p> <p>22 able to share screen?</p> <p>23 DIRECTOR CORINA CHAVEZ: Commissioners, go</p> <p>24 to your website. So --</p> <p>25 DR. BRIGETTE RUSSELL: Yes, all of the</p>
<p style="text-align: right;">155</p> <p>1 Ingham, what you shared -- everything is still the</p> <p>2 same.</p> <p>3 All right. So let's move on to Item</p> <p>4 No. 11, Discussion and Possible Action on Annual</p> <p>5 Reports for the 2021-2022 School Year.</p> <p>6 Director Chavez?</p> <p>7 DIRECTOR CORINA CHAVEZ: Thank you,</p> <p>8 Commissioners, Chair Brauer.</p> <p>9 After a long awaited time for you all to</p> <p>10 have all of the reports, due to academic data had</p> <p>11 not been in, I am happy to say that we have the</p> <p>12 annual reports for '21-'22.</p> <p>13 I give much kudos to staff members that</p> <p>14 worked on them, Kyle. And I will turn it over to</p> <p>15 Deputy Director Russell, who will walk you through.</p> <p>16 DR. BRIGETTE RUSSELL: Thank you, Chair</p> <p>17 Brauer and Commissioners.</p> <p>18 The 2021-'22 annual reports are all on the</p> <p>19 Charter Contracts and Reports webpage of the PEC</p> <p>20 website.</p> <p>21 And schools were rated on all</p> <p>22 organizational and financial indicators. And</p> <p>23 Academic Indicator 1, the State Accountability</p> <p>24 System, that's the Vistas score, and Academic</p> <p>25 Indicator 3, mission-specific or school-specific</p>	<p style="text-align: right;">157</p> <p>1 reports -- so the reports are all on the PEC</p> <p>2 website. And it's this page -- let me go back. The</p> <p>3 report I have open right now happens to be</p> <p>4 Albuquerque Institute for Math and Science, because</p> <p>5 I was looking at it while that school was reporting.</p> <p>6 But this is the webpage, the State Charter</p> <p>7 School Contracts and Annual Reports. And I will</p> <p>8 open up the first one on the -- actually -- yeah.</p> <p>9 Let me take one, actually, that has more years. So</p> <p>10 let me find the first one that's from Cohort '21 to</p> <p>11 2026.</p> <p>12 Okay. Let's see. Monte del Sol is --</p> <p>13 okay. So Monte del Sol is -- so at the top of each</p> <p>14 report, there is an information section and the</p> <p>15 school's mission, a little about the school</p> <p>16 paragraph.</p> <p>17 Then there's a demographic section that</p> <p>18 shows the demographics as reported in S.T.A.R.S. for</p> <p>19 the end of the year '21-'22, because that's what</p> <p>20 year we're looking at, not the most current</p> <p>21 S.T.A.R.S. year end.</p> <p>22 So enrollment percentages by ethnicity.</p> <p>23 And there are comparative data with the school shown</p> <p>24 in blue, the district where the school is located --</p> <p>25 in this case, Santa Fe Public Schools -- shown in</p>



<p style="text-align: right;">158</p> <p>1 orange, and statewide percentages in gray.  2 Same thing for enrollment percentages by  3 subgroup.  4 And then academic performance, there is --  5 so Indicator 1 on the New Mexico Vistas system, the  6 school's overall score was 46. Subgroup performance  7 was not calculated.  8 Their school-specific goals, their --  9 their average of two goals, and then an averaging of  10 Indicators 1 and 3.  11 Below that is the section on the School  12 Accountability System, the Vistas. So Monte del Sol  13 had a 46 raw score. And what that means is  14 explained down here. Monte del Sol ranked above  15 51.5 percent of elementary and middle schools, and  16 they received a designation of Traditional Support  17 School.  18 Up above, there's -- all of the  19 designations are listed. So schools in the above  20 the 75 percent percentile are Spotlight schools.  21 That's the top quartile.  22 Schools below the 15th percentile can be  23 designated a Traditional Support School, like Monte  24 del Sol, or they can be given one of these bulleted  25 designations: Targeted Support and Intervention;</p>	<p style="text-align: right;">160</p> <p>1 graduation rate, or for, you know -- for outcomes  2 for a specific student group.  3 Like some schools that have a CSI student  4 group designation have it because their students  5 with disabilities are underperforming, some because  6 their ELs are underperforming.  7 COMMISSIONER CARRILLO: Okay. So I see  8 the grad rate here. And you may have scrolled past  9 it. I was trying to open it on my thing and not  10 having much luck.  11 But if I had the morning to look at this  12 school and, say, math, science, English  13 proficiency -- there it is.  14 DR. BRIGETTE RUSSELL: Now, this school,  15 before we get to the proficiency chart, there is a  16 section where it explains the masking rules. And if  17 the number of students is less than 10 in any  18 student group, you're going to see a series of  19 asterisks. If a cell is grayed out, the number of  20 students is zero; there are no students.  21 And then for student groups in these other  22 categories, up at the top and the bottom of the  23 performance levels, you're going to see greater than  24 or equal to 5 percent -- or, sorry -- greater than  25 or equal to 95 percent proficient or less than or</p>
<p style="text-align: right;">159</p> <p>1 additional Targeted Support and Intervention;  2 comprehensive Support and Intervention, for student  3 groups or for graduation rate or for low-performing  4 schools overall. And then the final designation is  5 most rigorous -- More Rigorous Intervention.  6 So to summarize, a school, if it's in the  7 top quarter, is going to be -- its designation will  8 be Spotlight. If it's in the bottom three quarters,  9 its designation will either be Traditional Support  10 or one of these bulleted designations.  11 And if it's Traditional Support, then the  12 school has not been designated as needing additional  13 support.  14 COMMISSIONER CARRILLO: I'm sorry. I'm  15 confused on the last one.  16 DR. BRIGETTE RUSSELL: Okay.  17 COMMISSIONER CARRILLO: So this is -- so  18 this school, because it's 51.5, it could have had  19 all of these -- some other designations needing  20 more -- more targeted support. But this is only  21 Traditional Support.  22 DR. BRIGETTE RUSSELL: This is only  23 Traditional Support, yes. This school was not  24 designated as having a graduation rate that flagged  25 it for comprehensive support and improvement for</p>	<p style="text-align: right;">161</p> <p>1 equal to 5 percent proficient, rather than saying,  2 like, 91 percent or 2 percent.  3 Now for Monte del Sol, when we scroll  4 down, unfortunately, there's -- when you get to the  5 granular proficiencies, a lot of this is masked.  6 So there weren't enough Asian or Black  7 students for us to display the proficiencies. But  8 for the student groups that do have more than 10,  9 proficiency rates are displayed.  10 COMMISSIONER CARRILLO: So EL is English  11 Language Learner; right?  12 DR. BRIGETTE RUSSELL: Yes.  13 COMMISSIONER CARRILLO: They had  14 90 percent Hispanic population, if I'm remembering  15 correct.  16 DR. BRIGETTE RUSSELL: Let's see. They  17 had 78.  18 COMMISSIONER CARRILLO: That just strikes  19 me as odd, that that would be masked with that many  20 kids that are Hispanic or -- yeah. But okay.  21 I'm -- okay.  22 DR. BRIGETTE RUSSELL: It does. On a  23 number of these reports, there are so many student  24 groups masked that it's -- it's less meaningful than  25 I know Commissioners would like for it to be.</p>

<p style="text-align: right;">162</p> <p>1 And because -- I mean, all the Charter 2 Schools Division has is the data files that the PED 3 Research, Evaluation, and Accountability Division 4 provided to us, we -- we can't look in the 5 original -- you know, the student files and see, 6 were there really only eight students or nine 7 students in this group? We don't have access to 8 that.</p> <p>9 COMMISSIONER CARRILLO: Okay. So -- 10 COMMISSIONER BECK: Well, if you look at 11 the numbers, you have 360 enrollment. And I believe 12 it's 98 percent of that -- well, 78 percent is 13 Hispanic and 19 percent is White; so -- 14 DR. BRIGETTE RUSSELL: You could actually 15 look at ELs. So, actually, if they've got 16 26 percent ELs, which they do, it should be showing 17 an EL percentage here.</p> <p>18 And, hopefully, when we get the -- so we 19 got the -- the Vistas data so late in the school 20 year that as soon as we got it, we just dropped it 21 into the reports that were, like, waiting for charts 22 unfilled and provided it to the Commission.</p> <p>23 If the data comes out in November of this 24 year, maybe we can take an extra month to, like, 25 really dig into it and look and see, okay, there's</p>	<p style="text-align: right;">164</p> <p>1 DR. BRIGETTE RUSSELL: Considering that 2 this school is right at the 50th percentile, just 3 above it, it is very typical for New Mexico.</p> <p>4 COMMISSIONER CARRILLO: Yeah. So the 5 question is what do we do with the -- I love your -- 6 either it's a hand gesture or a head nod or an eye 7 roll. What do you mean nothing?</p> <p>8 We go on to -- so then we have the 20 -- 9 right. But then we don't have those 20 -- we can 10 still do something. This is where the letter of 11 saying, "Hey, look, I just want you to know we're 12 noticing this. What can we do to help?"</p> <p>13 THE CHAIR: Commissioner -- Commissioner 14 Gipson and Vice Chair Burt.</p> <p>15 COMMISSIONER GIPSON: So my recollection, 16 we've already decided that we're not sending out any 17 letters on this information because it is so old 18 that the -- that that process for sending out those 19 lists of concerns is coming as a result of the data. 20 And, actually, the gentleman from Assessment stopped 21 me when I was in the hall, and he said, "A couple of 22 weeks," you know. So -- but it's better than 23 December, you know.</p> <p>24 So he said there -- you know, I think it's 25 looking better.</p>
<p style="text-align: right;">163</p> <p>1 78 percent of -- or, sorry -- what was it? 2 26 percent of the school is ELs. Why is this N size 3 too small here?</p> <p>4 COMMISSIONER CARRILLO: Okay. So as I'm 5 looking at this, as I will for the -- many of the 6 schools in my district that may be more challenged, 7 I'm thinking -- and I don't even -- Zoe, if you're 8 in the audience just listening, I'm not trying to 9 pick on your school, because this is very typical. 10 These numbers right here are very typical for 11 New Mexico.</p> <p>12 And so -- but for me, no, are we going to 13 do a Letter of Concern here? No. Right.</p> <p>14 But this would trigger -- we didn't call 15 that Letter of Observation, or whatever, saying, 16 "Hey, you know something? We're going to be looking 17 a little bit more closely at growth because of these 18 numbers. And it appears if you need supports in 19 these areas, please reach out to CSD for this."</p> <p>20 I mean, that's what I would -- when I look 21 at this, it's very concerning.</p> <p>22 But, again it's not something that I want 23 to, like -- I don't want them to feel that I'm 24 picking on them, because these numbers here are 25 actually really typical for New Mexico.</p>	<p style="text-align: right;">165</p> <p>1 But that's because -- I mean, you're going 2 back and you're saying, "Hey, two years ago, this 3 was really stinky," you know.</p> <p>4 (Off-the-mic discussion.)</p> <p>5 COMMISSIONER GIPSON: So we just need to 6 just say, "This is -- this is what it is, and we 7 simply need to move on," because we're asking 8 schools who may have already done everything to fix 9 it. Because it's, like, "Why are you calling me 10 about two years ago?"</p> <p>11 MS. MISSY BROWN: Can the Commissioners 12 please remember Cindy is trying to transcribe what 13 you're saying?</p> <p>14 THE CHAIR: Vice Chair Burt.</p> <p>15 VICE CHAIR BURT: So I think -- yeah, I -- 16 yes, Commissioner Carrillo, this is the exact kind 17 of thing I feel like we would do. Like, where your 18 head's at is where our minds need to be.</p> <p>19 I feel like if we -- if we -- this is 20 where I talked about tone deafness; right? Like, if 21 we were to look at the -- even the bottom 25 percent 22 of our schools -- right? -- like any school that got 23 those designations, like Monte del Sol isn't in the 24 lowest of our portfolio; right? 25 Even if we wanted to look at them, if --</p>

<p style="text-align: right;">166</p> <p>1 if it feels like we're out of touch with reality, if 2 we send anything to any school now saying, "Hey, we 3 saw that you saw, we're all on the same page that 4 the performance is not good," because they've 5 already had a whole over school year since then. 6 And so we -- like, ideally, we would say, 7 "Hey, in this next school year, we expect to see 8 improvement"; right? Maybe not perfection, but, "We 9 want to see improvement in this next year." 10 But they already had that next year, since 11 then. 12 So, like, it's, like, too late to have 13 them fix it for the next school year, or improve 14 upon the next school year, as far as communication 15 from us to them. 16 So I think for these reports, I think, for 17 me, what this helps -- what's really helpful for me 18 is, number one, just getting a baseline, an idea of 19 what the proficiency will look like on this new 20 assessment, because we can't look at the old 21 proficiencies with the old assessment and be able to 22 compare them to this year. 23 So this, to me, is, like, okay, like, this 24 looks like this assessment may be slightly less 25 challenging than their assessments before, because</p>	<p style="text-align: right;">168</p> <p>1 of that exact example; right? 2 Like, we have an N size that doesn't make 3 sense for how many students are actually there. So 4 there are just some discrepancies I'm going to have 5 to take into consideration when it comes to even 6 looking at this for renewal, much less sending out 7 letters at this time. 8 So, yeah, I'm just going to move to accept 9 these. Or I'll support just accepting these. And 10 thank you to Brigitte. I know she went back and 11 forth. And I know Kyle did a bunch of work. And 12 even a couple of weeks ago, like, after they were 13 posted the last month, I asked for, like, another 14 chart to be added, and they went in and did that in, 15 like, record time. 16 So thank you for that. I do appreciate 17 it. I actually really -- I do appreciate having 18 that information in there. 19 So I think they'd done all that they could 20 with what they've been given. And I appreciate, 21 like, making a diamond out of the lump of coal that 22 you got. 23 DR. BRIGETTE RUSSELL: Thank you, Chair 24 Brauer, Vice Chair Burt. Shall I continue with the 25 rest of the report? Okay.</p>
<p style="text-align: right;">167</p> <p>1 their proficiencies rose a little bit after COVID. I 2 don't want to look at the PARCC and NM-MSSA 3 assessments and compare them to that. 4 So starting from here, I'm looking at 5 proficiencies. We don't have growth data. I mean, 6 it just is what is, and so -- looking at this next 7 2022-2023, which we're still in the right period of 8 time, in August of next year, we're not going to 9 have reports yet, either. You know, like, we're 10 still not behind for this last school year; we're 11 not running into that yet. 12 So I feel good about like looking at this. 13 For me, it's, like, I looked at my schools. I 14 wanted to check and see if there's anything that I 15 need to kind of have any antennas, my feelers out 16 for when I do get their annual report for next year, 17 and be like, Okay, I did see that they had these 18 issues here in this report. Do they have them again 19 next year is going to be concerning. 20 I also am going to take this information 21 with a grain of salt when it comes to renewals. 22 This is part of the portfolio for the school. But I 23 still -- I have massive concerns about, you know, 24 the -- I mean, the validity -- the perception of 25 validity of -- the reliability of this data because</p>	<p style="text-align: right;">169</p> <p>1 So then just the EL progress with 2 proficiency is just a flat percent. Next year 3 the percents of all schools will likely go up 4 because they did redefine what constitutes success, 5 because the -- the bar was set what was determined 6 to be unreasonably high. So I think that the 7 numbers will look better and really be more 8 reflective of what kids are actually learning next 9 year. 10 For high school graduation, we have 11 this -- yes. 12 COMMISSIONER CARRILLO: You said the bar 13 was set unreasonably high? I'm curious. What was 14 that bar that was unreasonably high? 15 DR. BRIGETTE RUSSELL: With the ACCESS 16 assessment, there are five levels in the -- like, 17 the criterion for exiting out and being deemed 18 proficient was a 5 on the assessment. And most 19 other states were using a 4. And New Mexico just 20 hadn't revised their criteria. 21 I mean, it was set so high, Commissioner 22 Carrillo and Commissioners, that a lot of native 23 English speakers who never were ELs, if you gave 24 them the ACCESS assessment, they would not test as 25 English proficient.</p>

<p style="text-align: right;">170</p> <p>1 High school graduation, we show the 4-, 2 5-, and 6-year cohorts with comparisons for school 3 district and state.</p> <p>4 And then we break down the four-year 5 graduation rate by ethnicity and then by other 6 student subgroups.</p> <p>7 The mission-specific goals are broken out 8 below graduation. This school exceeded the standard 9 on their first goal.</p> <p>10 And then there's the organizational and 11 financial performance framework. And this school's 12 overall rating was Does Not Meet Standard because 13 they had three or more Does Not Meet Standards for 14 '21-'22.</p> <p>15 There are two columns for two school 16 years, because these are the two school years within 17 this school's current contract term.</p> <p>18 Some schools will have only one column, 19 only '21-'22, in their chart. And other schools 20 will have three going back to 2019-'20. And the 21 schools in the renewal cohort will have four years 22 in their -- in their chart.</p> <p>23 And then there's an explanation of why any 24 indicator ratings that were not Meets Standard had 25 the ratings that they did.</p>	<p style="text-align: right;">172</p> <p>1 taking management response to the audit -- okay. So 2 you know they have the entrance; they have the exit; 3 and, in between, they are given an opportunity to 4 tell the auditors how they would address any -- you 5 know, any findings.</p> <p>6 And we were finding that they were pretty 7 much cutting and pasting into what we were 8 collecting and not always successfully obtaining 9 Corrective Action Plans that were cut and paste from 10 the audit.</p> <p>11 Are you following me? This is what we 12 used to previously do. Okay.</p> <p>13 So we -- we decided that -- yeah, sorry. 14 So we decided that instead of creating that 15 administrative burden, where we would ask schools to 16 send us a separate and unique Corrective Action Plan 17 for their audit findings, that they would -- they 18 should go to the management response within the 19 audit and use that as their Corrective Action Plan, 20 except for the ones that you all voted would have a 21 special CAP because they were the ones that we felt 22 were larger and needed more close monitoring.</p> <p>23 So Monte del Sol was not on that list of 24 schools that have a Corrective Action Plan that is 25 more detailed. But there are some that are.</p>
<p style="text-align: right;">171</p> <p>1 THE CHAIR: Thank you. 2 Commissioner Beck, do you still -- 3 Commissioner Carrillo.</p> <p>4 COMMISSIONER CARRILLO: If you'd please 5 scroll back to the previous page?</p> <p>6 So -- I don't know. That -- it's moving, 7 and it makes me dizzy -- it doesn't. That page.</p> <p>8 So if we see that it says Does Not Meet 9 Standard '20-'21, then again in '21-'22, and if I'm 10 recollecting correctly, when Ms. Gonzales came and 11 showed us kind of a chart of all the different State 12 charters and where they were relative to audits and 13 financial prowess, if you will, this school still 14 had some challenges relative to audit findings.</p> <p>15 And so my question would be what do we do 16 either as a Commission, or what do you do as CSD to 17 help them get over this hurdle?</p> <p>18 DIRECTOR CORINA CHAVEZ: You're talking 19 specifically about the financial indicators or any 20 of them?</p> <p>21 COMMISSIONER CARRILLO: Financial 22 indicators.</p> <p>23 DIRECTOR CORINA CHAVEZ: Okay. So this 24 year we had been requiring Corrective Action Plans 25 of everybody. And we had noticed that schools were</p>	<p style="text-align: right;">173</p> <p>1 And so with Monte del Sol, what we will do 2 is follow up when we visit again next year. And, 3 hopefully, they will have read the audit -- read 4 their management response and implemented Corrective 5 Action Plans.</p> <p>6 COMMISSIONER CARRILLO: Thank you.</p> <p>7 DR. BRIGETTE RUSSELL: And, Commissioner 8 Carrillo, if you were talking about any of these 9 indicators, if -- yes, if the CSD sees that a school 10 has a Does Not Meet Standard for two or more years 11 in a row, that will definitely be something that CSD 12 will provide technical assistance to the school on, 13 either at the following year's site visit. Or, if 14 it's something more concerning, prior to that, we 15 would reach out to the school.</p> <p>16 And then, of course, when this school -- 17 when a school has two Does Not Meet standards in a 18 row or actually any Does Not Meet Standard or two 19 Working to Meet Standards in a row, they are 20 required to provide a narrative explaining what 21 happened and what they are doing to rectify it in 22 their renewal application when they apply for their 23 charter renewal.</p> <p>24 THE CHAIR: Commissioner Ingham. 25 COMMISSIONER INGHAM: I just decided --</p>

<p style="text-align: right;">174</p> <p>1 THE CHAIR: Go ahead and make sure you're 2 talking into the -- sorry.</p> <p>3 COMMISSIONER INGHAM: I just looked at 4 SODA on the accounting principles and responsive to 5 audit findings Does Not Meet Standards three years 6 in a row, and their academic performance seems to be 7 doing pretty well. Not great, but pretty well. I'm 8 just wondering at that point, they obviously need 9 guidance.</p> <p>10 And I think I read something that they 11 were under a Corrective Action Plan.</p> <p>12 What does that mean? I mean, is it on the 13 school to fix their stuff? Or when they have a 14 Corrective Action Plan, do you guys coach or help 15 them get to a point where they understand their 16 audit findings better? Because it seems like that 17 must be the case is they just don't understand how 18 to fix their audit findings.</p> <p>19 DR. BRIGETTE RUSSELL: Chair Brauer.</p> <p>20 THE CHAIR: I just want to share also, I 21 think that, Commissioner Ingham and Commission, we 22 are reviewing -- I don't want us to start going down 23 the whole of asking questions about individual 24 schools, as we really are -- like, our emphasis 25 today is to approve and not problem-solve how do we</p>	<p style="text-align: right;">176</p> <p>1 VICE CHAIR BURT: Commissioner Beck. 2 COMMISSIONER BECK: Yes.</p> <p>3 VICE CHAIR BURT: Commissioner Gipson. 4 COMMISSIONER GIPSON: Yes.</p> <p>5 VICE CHAIR BURT: Commissioner Ingham. 6 COMMISSIONER INGHAM: Yes.</p> <p>7 VICE CHAIR BURT: Vice Chair Burt, yes. 8 And Chair Brauer.</p> <p>9 THE CHAIR: Yes.</p> <p>10 VICE CHAIR BURT: All right. That passes, 11 six-zero.</p> <p>12 THE CHAIR: Thank you, Vice Chair Burt. 13 All right. Moving on to Item No. 12, 14 Discussion and Possible Action of Changes to the PEC 15 Rules of Procedure. I believe yesterday we 16 discussed some of the changes. I think that we were 17 thinking that we may not take an action today, but 18 we wanted to clarify the new OMA guidelines -- or 19 the absence of the old OMA guidelines around 20 COVID-19.</p> <p>21 If there is consensus around that, we can 22 go ahead and skip this and move on to the next item. 23 (No response.)</p> <p>24 THE CHAIR: Great. Thank you. 25 Commissioner Carrillo, go ahead and put your --</p>
<p style="text-align: right;">175</p> <p>1 support schools at this stage.</p> <p>2 COMMISSIONER INGHAM: Oh, okay. Okay. 3 Sorry.</p> <p>4 THE CHAIR: Just for timeliness and 5 expediency, that's something you can talk offline if 6 you have a question. Vice Chair Burt, I think I saw 7 your hand.</p> <p>8 VICE CHAIR BURT: I was going to make a 9 motion.</p> <p>10 COMMISSIONER GIPSON: Second.</p> <p>11 VICE CHAIR BURT: I mean -- I move that 12 the PEC accept the '21-'22 Annual Reports posted on 13 the PEC website under the Contract and Annual Report 14 page for all schools listed in Item 11a. in the 15 meeting materials.</p> <p>16 COMMISSIONER GIPSON: Second.</p> <p>17 THE CHAIR: We had a second; we had a 18 motion. Any discussion on the motion? 19 (No response.)</p> <p>20 THE CHAIR: Seeing none, Vice 21 Chair/Secretary Burt, can you go ahead and take a 22 roll-call, please?</p> <p>23 VICE CHAIR BURT: Be happy to. 24 Commissioner Carrillo. 25 COMMISSIONER CARRILLO: Yes.</p>	<p style="text-align: right;">177</p> <p>1 COMMISSIONER CARRILLO: I'm sorry. Were 2 what Ms. Barnes and I remember discussing, a concern 3 that I had that was being researched, would that 4 fall under this?</p> <p>5 MS. JULIA BARNES: You can raise it now, 6 because, on Agenda Item 12, unless there was another 7 discussion, I think there was kind of a consensus 8 not to vote on it today.</p> <p>9 But I think you can raise another concern 10 on discussion, because it's going to be in the next 11 working session as well. So you can discuss it now 12 or later.</p> <p>13 COMMISSIONER CARRILLO: It can be brought 14 up in the next -- certainly, the next meeting. It 15 was around what to do relative to absenteeism, you 16 know. We can kick this can down the road forever. 17 But sooner or later, we've got to make a decision 18 around it. So I can make -- I can ask for it to 19 be -- I'm asking now for it to be on the next 20 agenda. And then --</p> <p>21 THE CHAIR: Yeah. We can go back, 22 Commissioner Carrillo. Can we include that on one 23 of the items to create the --</p> <p>24 VICE CHAIR BURT: We're just moving Item 25 No. 12 to next month. And that will just have to be</p>

178	<p>1 included if we can make sure Ms. Barnes includes it 2 in the options for the next -- 3 COMMISSIONER CARRILLO: That's okay. That 4 sounds good. 5 MS. JULIA BARNES: Yeah. Let me just -- 6 because I don't want to discuss that. Okay. 7 There's plenty of time to discuss it. And next 8 time -- but, however, I think we are wanting to 9 discuss it -- discuss the rules of procedure and 10 then vote on them at the next meeting. 11 THE CHAIR: We can do that. 12 MS. JULIA BARNES: So that's fine. 13 THE CHAIR: All right. We're going to 14 move on. 15 No. 13, Discussion and Possible Action on 16 the Budget for the PEC for Fiscal Year '24. 17 Commissioner -- or, sorry -- Vice Chair Burt. 18 VICE CHAIR BURT: I'm going to make a 19 motion. So I'll open it up for anyone to ask 20 questions to Director Chavez before I do that; 21 otherwise, I'm going to make motion. 22 THE CHAIR: Director Chavez, do you have 23 something to add before we -- 24 DIRECTOR CORINA CHAVEZ: I'm going to let 25 you know, I made one slight change from the document</p>	180	<p>1 COMMISSIONER GIPSON: Second. 2 THE CHAIR: We have a second. 3 So any discussion about this motion? 4 Commissioner Carrillo. 5 COMMISSIONER CARRILLO: Yeah. I'm still 6 not seeing the -- the catered lunch on there. 7 THE CHAIR: All right. Any other comments 8 before we move into a vote? 9 COMMISSIONER GIPSON: Can I start loading 10 myself with Nerf balls? 11 COMMISSIONER CARRILLO: All right. It 12 becomes a time management issue. Because if people 13 have to come -- you have 45, then we're late coming 14 back. You think of all that time lost in a year. 15 Or not. 16 COMMISSIONER GIPSON: Not if you bring 17 your lunch in the morning. 18 THE CHAIR: Seeing no other comments, 19 let's move into a vote. Vice Chair Burt. 20 VICE CHAIR BURT: I just messed up my 21 computer. Sorry. 22 Commissioner Beck. 23 COMMISSIONER BECK: Yes. 24 VICE CHAIR BURT: Commissioner Burt, yes. 25 Chair Brauer.</p>
179	<p>1 we talked about yesterday, indicating that the 10000 2 for ITConnect was to upgrade technology allowing for 3 the cameras to focus. Otherwise, it's the document 4 that you all discussed, and -- yesterday. 5 COMMISSIONER GIPSON: Allowing for the 6 cameras to what? 7 DIRECTOR CORINA CHAVEZ: The cameras to be 8 controlled. Because we have a technology issue so 9 that Missy can't control the cameras and zoom in on 10 people. We always see Bekka's ponytail. And she 11 wants to be able to -- 12 MS. MISSY BROWN: Just to be clear, I can 13 control all the cameras. But only one camera can be 14 seen by the participants on Zoom. That's what we 15 need to fix. We need to have all the cameras be 16 visible to the people on Zoom. 17 COMMISSIONER GIPSON: She needs to fix the 18 computer, not the cameras. That's the fix. 19 VICE CHAIR BURT: I think for this, it 20 doesn't matter, because we have a line item -- we 21 don't need the description of however it gets used. 22 Whatever Missy needs, that's fine. 23 Okay. I move that the PEC accept the FY24 24 budget listed in Item 13 in the meeting materials, 25 and that CSD post the budget on the PEC website.</p>	181	<p>1 THE CHAIR: Yes. 2 VICE CHAIR BURT: Commissioner Carrillo. 3 COMMISSIONER CARRILLO: Yes. 4 VICE CHAIR BURT: Commissioner Gipson. 5 COMMISSIONER GIPSON: Yes. 6 VICE CHAIR BURT: Commissioner Ingham. 7 COMMISSIONER INGHAM: Yes. 8 VICE CHAIR BURT: It passes, six-zero. 9 THE CHAIR: Item No. 14, Discussion and 10 Possible Action to Take Steps to Purchase, Install, 11 and Implement a Centralized Lottery System. Not 12 sure if we have Vice -- Commissioner Carrillo, and 13 then Vice Chair Burt. 14 COMMISSIONER CARRILLO: I was just going 15 to look into draft motions to see what we came up 16 with for today. 17 The main thing is, just as we were talking 18 about yesterday, the whole nature of moving things 19 forward, so that six months from now, "Oh, yeah, 20 weren't we just talking about that?" 21 And this would be -- I don't know if 22 they're watching, but it would be perfectly germane 23 to the school that was here earlier to get them out 24 of the weeds. 25 So I think it's necessary. I would love</p>

182	<p>1 to have research done in the next 30 days. I'd love 2 to have the PED come back in 30 days, either as a 3 spotlight or something, letting us know how other -- 4 not even -- but how other charter entities around 5 the country maybe have handled this issue, what 6 vendors they've used, all those different things. 7 So a full report for the next meeting is 8 what I would -- great. So I'm looking at the 9 motion. 10 I'll make the motion. Someone can second. 11 Then we can discuss where there might be holes or 12 something. This is Item -- 13 THE CHAIR: 14. 14 COMMISSIONER CARRILLO: Okay, I'm 15 looking -- here we go. 16 Discussion and Possible Action to Take 17 Steps to Purchase, Install, Implement Centralized 18 Lottery System. 19 So I'd like to move that the PEC look into 20 options for a centralized lottery system in 21 New Mexico, and that CSD prepare a presentation for 22 the September Work Session on how centralized 23 lottery systems have been used in other states and 24 districts and how they are managed and operated on. 25 COMMISSIONER BECK: Second.</p>	184	<p>1 VICE CHAIR BURT: Commissioner Gipson. 2 COMMISSIONER GIPSON: Yes. 3 VICE CHAIR BURT: Commissioner Beck. 4 COMMISSIONER BECK: Yes. 5 VICE CHAIR BURT: Commissioner Carrillo. 6 COMMISSIONER CARRILLO: Yes. 7 VICE CHAIR BURT: Chair Brauer. 8 THE CHAIR: Yes. 9 VICE CHAIR BURT: And Vice Chair Burt, 10 yes. 11 That passes, six-zero. 12 THE CHAIR: Moving, then, to Item 15, 13 Discussion and Possible Action to Take Steps to 14 Implement a System to Streamline Data Collection 15 Specifically for State Charters. 16 COMMISSIONER CARRILLO: On this one, we 17 discussed about it yesterday. And so this morning, 18 as I'm sitting there having my tea and looking at 19 that incredible mugshot of the former president, all 20 of a sudden it popped into my brain -- and if you 21 haven't seen it, you gotta see it -- it popped into 22 my brain this whole notion that schools don't know 23 where they are until they send stuff to the State, 24 it circulates and percolates, and then it comes 25 back, it's just poppycock. You can ask any private</p>
183	<p>1 THE CHAIR: We have a second. 2 Now we move into discussion. Seeing no 3 discussion -- Commissioner Ingham. 4 COMMISSIONER INGHAM: Sorry. But the 5 school that shall go unnamed that was commenting 6 about they use a specific format for lottery system 7 that PED is already promoting. So is that not a 8 centralized system? And how does that differ? 9 THE CHAIR: Sorry, Commissioner -- sorry. 10 VICE CHAIR BURT: I would say I support 11 that being looked into and presented to us next 12 month. I like that. Because I think that was a 13 good question, too. I didn't know about a PED 14 system or the technology. If that could be included 15 next month, because I agreed with that question, I 16 don't -- it has nothing to do with the centralized 17 lottery system, but I am interested in what that 18 actually is. 19 COMMISSIONER CARRILLO: And if you tried 20 to open that up this morning when they were actually 21 here, you couldn't open it. It wouldn't open. 22 THE CHAIR: Seeing no other comments, 23 let's move into a vote. 24 VICE CHAIR BURT: Commissioner Ingham. 25 COMMISSIONER INGHAM: Yes.</p>	185	<p>1 where their school is, any independent school 2 somewhere, and they're going to tell you. 3 They're going to tell you what their 4 graduation rate, their proficiency scores are. 5 They're going to tell you everything about their 6 school. 7 So the whole notion that this can't be 8 done without us getting data in 45 days, yeah, we 9 need to get over that. We need to go over to the 10 mindset that will allow the -- what's the opposite 11 of inertia? -- stagnancy of what happens in 12 government. We have to get over the hump that we 13 accept that as the norm, and that, instead, we're 14 going to be a speed boat? Right, Commissioner Burt? 15 We're going to be a speed boat. 16 VICE CHAIR BURT: (Indicates.) 17 COMMISSIONER CARRILLO: Okay. So, anyway, 18 it's research in the next 30 days, having CSD come 19 back and let us know what they've found out about 20 systems to make us more efficient in our data 21 collection and distribution. 22 I should probably make a motion on that. 23 No? 24 THE CHAIR: Commissioner Gipson, did you 25 want --</p>

<p style="text-align: right;">186</p> <p>1 COMMISSIONER GIPSON: No. I'm sorry. I 2 think I'm confused. I'm not sure. 3 VICE CHAIR BURT: We're already in a 4 process; right? Like, there's already an RFP 5 process happening for what you're asking for. And 6 we already had a report on where it's at. So what 7 else -- 8 COMMISSIONER GIPSON: What else do we 9 need? 10 VICE CHAIR BURT: What else is the 11 expectation? Because it's already in process. This 12 exact thing is already in process, and, actually, 13 much further along than starting it. 14 COMMISSIONER CARRILLO: Okay. I see. We 15 discussed that this morning, and other things are on 16 my mind. So I'll make a motion that includes what 17 it is you just said. 18 Okay. When you hear it, Pattie -- I mean, 19 Ms. Gipson -- Chairperson, former -- you'll 20 understand. 21 So I move -- 22 COMMISSIONER GIPSON: Whatever. 23 COMMISSIONER CARRILLO: Well, you'll see. 24 Regarding the Discussion and Possible Action to Take 25 Steps to Purchase, Install, Implement, Streamline</p>	<p style="text-align: right;">188</p> <p>1 go through the RFP process. The state does it all 2 the time. 3 For a long time, they contracted with 4 another state for the PARCC services; so that -- and 5 you don't have to go through the RFP process for 6 that. 7 So I would like to add to that to explore 8 the other options for contracting outside of the RFP 9 process, because I think we could be sitting here 10 for months -- we have been sitting here since 11 December about the RFP process. So I think this 12 could expedite our moving on this -- on this. 13 So if you're -- 14 COMMISSIONER CARRILLO: I'll accept that 15 as a friendly amendment. 16 COMMISSIONER GIPSON: Okay. Thank you. 17 Although I hate to be construed as congenial. 18 VICE CHAIR BURT: I don't like the second 19 part about exploring academic data outside PED. I 20 don't see the value of it right now at this time. 21 And it's very confusing to me, and I'd rather focus 22 to getting that data system in place. And I don't 23 even understand exactly what that's -- 24 COMMISSIONER CARRILLO: Maybe it's 25 allowing to get stuff from schools directly, not</p>
<p style="text-align: right;">187</p> <p>1 Systems for Data Collection, on the RFP, I move that 2 CSD report on the status of the RFP for charter 3 authorizer software at each working session of the 4 PEC until the procurement process is completed. 5 Further, I move that PEC investigate 6 options for completion of the annual report process 7 that uses data obtained directly from other sources 8 other than PED or that uses data prior to 9 certification by the PED that could inform a PEC 10 policy to provide schools with annual report 11 information by September of each year. 12 I love the faces you make, Bekka. 13 COMMISSIONER GIPSON: I'm going to add 14 (inaudible). 15 THE CHAIR: Do we have second yet, or 16 should we -- 17 COMMISSIONER GIPSON: No, because I'm 18 going to -- I'd like -- we can discuss now, can't 19 we? 20 THE CHAIR: Yeah. Commissioner Gipson. 21 COMMISSIONER GIPSON: I'm proposing adding 22 a slight tweak to that, because outside of the RFP 23 process, there is a mechanism for the state to 24 contract with an entity in another state that 25 already uses that service. So you wouldn't have to</p>	<p style="text-align: right;">189</p> <p>1 having to cycle through. 2 VICE CHAIR BURT: So I think -- I guess 3 from my -- 4 COMMISSIONER CARRILLO: Who embargoes it, 5 Pattie? The state embargoes it. Don't even go 6 there. Don't even go there. 7 VICE CHAIR BURT: So you're talking if the 8 school uses NWEA, an outside-the-state assessment? 9 COMMISSIONER CARRILLO: We can get things 10 independently from a school. But just exploring 11 that as an option to meet the goal. 12 VICE CHAIR BURT: So this is where 13 assessment, for me, is, and probably always will be, 14 an equity issue. And I deeply believe in schools 15 having the same assessment across the board so that 16 we can see how schools are performing compared to 17 one another. 18 Even if a school makes a -- "Oh, I don't 19 think this assessment is -- it doesn't fit me, it 20 doesn't suit me right," I still think there's a 21 level of honesty and equity to having the same 22 assessment for everyone. 23 And I do think that to -- that that's 24 going to come from the state always. The state will 25 always enforce that every school has to take the</p>



<p style="text-align: right;">190</p> <p>1 same assessment.</p> <p>2 I think our performance framework allows</p> <p>3 for a few schools to make it to where, you know,</p> <p>4 we're not looking at the state assessment in</p> <p>5 general. But for me, I would rather our portfolio</p> <p>6 generally utilize the state assessment as data</p> <p>7 points for us, because, for me, it's an equity</p> <p>8 issue.</p> <p>9 I think if every -- if we're only ever</p> <p>10 looking at different assessments reported by the</p> <p>11 school, I -- the validity of the data reported by</p> <p>12 the school, I think it's too complicated, and I</p> <p>13 don't think we can ever compare schools to one</p> <p>14 another. And I do think -- I know -- well, I have</p> <p>15 Glenna in the back of my mind who hated every time I</p> <p>16 ever said that. But I believe in it.</p> <p>17 I deeply believe in it, because I think</p> <p>18 it's easy for -- I actual- -- I believe in that</p> <p>19 because civil rights groups fought for it at the</p> <p>20 federal level, to have assessments be a part of</p> <p>21 education.</p> <p>22 COMMISSIONER CARRILLO: I agree.</p> <p>23 VICE CHAIR BURT: That's why I'm saying</p> <p>24 the second part, like, I would love to focus on the</p> <p>25 data system. I'm not ready to look at us, like,</p>	<p style="text-align: right;">192</p> <p>1 today. We're not asking CSD to do it. We're -- we</p> <p>2 are -- think of an interstate bypass.</p> <p>3 You can take the business one that stops</p> <p>4 at everything, or you can just take the bypass that</p> <p>5 goes right through.</p> <p>6 This is the bypass that goes right</p> <p>7 through. We don't want to get stuck in a CSD-PEC</p> <p>8 process. So it's just taking the results from the</p> <p>9 state assessment that the school gets -- the end</p> <p>10 result needs to be -- honestly, I don't care how we</p> <p>11 do it. I want to look into every possibility. The</p> <p>12 end result needs to be getting our information in</p> <p>13 45 days.</p> <p>14 VICE CHAIR BURT: So what I'm asking for</p> <p>15 is who -- it says the PEC investigates. Who's going</p> <p>16 to investigate options? Who's going to do that?</p> <p>17 COMMISSIONER CARRILLO: Maybe changing the</p> <p>18 language now from PEC. We're not an investigative</p> <p>19 body. That's a very good point.</p> <p>20 VICE CHAIR BURT: And that's what I'm</p> <p>21 saying. So we're saying CSD is going to do it;</p> <p>22 right? So CSD would do the investigation of the</p> <p>23 options? So we're going to ask them to spend time</p> <p>24 to do it.</p> <p>25 So my -- that's where I'm, like, if we're</p>
<p style="text-align: right;">191</p> <p>1 figuring out assessments from schools, because we</p> <p>2 have so much on our plates with just implementing</p> <p>3 the new performance framework and how that's going</p> <p>4 to play out and look and getting a data system in</p> <p>5 it.</p> <p>6 COMMISSIONER CARRILLO: Think of the --</p> <p>7 that it doesn't preclude -- I would not excuse us</p> <p>8 not to do a state assessment or include that</p> <p>9 information. This doesn't preclude us from doing</p> <p>10 that or from them -- I agree with you. It is an</p> <p>11 equity issue. We need to have something that we can</p> <p>12 measure across all 58 schools. But I don't think</p> <p>13 that second paragraph precludes that from happening.</p> <p>14 VICE CHAIR BURT: Can you talk a little</p> <p>15 bit more about that second paragraph? Because I</p> <p>16 think I'm just -- I'm struggling with the -- the --</p> <p>17 I guess the purpose -- or what is the end result of</p> <p>18 that direction?</p> <p>19 I'm also thinking about, okay, we're going</p> <p>20 to ask CSD to go do this. They're going to spend a</p> <p>21 ton of time, like, getting us all the information</p> <p>22 that was said. What are we going to do with it</p> <p>23 after?</p> <p>24 COMMISSIONER CARRILLO: We're not</p> <p>25 asking -- do we have K.T.? -- I don't think he's on</p>	<p style="text-align: right;">193</p> <p>1 going to ask them to do all this work for us, should</p> <p>2 we talk more about this idea before we have them do</p> <p>3 that work?</p> <p>4 COMMISSIONER CARRILLO: We're not going to</p> <p>5 have -- we should change, first off, "PEC" probably</p> <p>6 to "CSD." Because we're not going to be this -- you</p> <p>7 and I aren't going to get on the phone and websites</p> <p>8 and check everything out. It's not going to happen.</p> <p>9 I'm sorry to place more on your plate over</p> <p>10 there, but the CSD can investigate options -- I'm</p> <p>11 not attached to motion language, and I'm not good at</p> <p>12 it. I'm attached -- hold on.</p> <p>13 VICE CHAIR BURT: I like it. I actually</p> <p>14 think the motion language makes sense. What I'm</p> <p>15 going to ask you for is if we can do the first part</p> <p>16 of that today, I would support the first part of</p> <p>17 that. The academic data part, instead of moving to</p> <p>18 do this right now, would you be willing to put it on</p> <p>19 the work session agenda for discussion next month,</p> <p>20 instead of, like, a motion today to investigate it?</p> <p>21 Like, I want to talk about even doing --</p> <p>22 COMMISSIONER CARRILLO: The answer is yes.</p> <p>23 So we can drop the second paragraph. The answer is</p> <p>24 just yes. So we can put it on if for the work</p> <p>25 session next time, and I will welcome that even more</p>

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1 because I know Michael and K.T. will be here.  
 2 THE CHAIR: Go ahead and restate the  
 3 motion.  
 4 COMMISSIONER CARRILLO: Yes. And happy --  
 5 but there was a friendly amendment.  
 6 THE CHAIR: I think Julia did correct  
 7 that.  
 8 COMMISSIONER CARRILLO: I move that the  
 9 CSD report on the progress toward contracting for  
 10 charter authorization software at each working  
 11 session of the PEC until the procurement process is  
 12 completed.  
 13 VICE CHAIR BURT: "And" -- that's what  
 14 we're missing -- "explore other avenues of  
 15 procurement in addition to RFP."  
 16 COMMISSIONER GIPSON: Because she took out  
 17 the RFP. It's not just the RFP. It's reporting on  
 18 all the processes.  
 19 COMMISSIONER CARRILLO: In all charter  
 20 software. Okay. Cool. Thank you, Julia, for  
 21 simplifying. Should I restate it again, or are we  
 22 good?  
 23 COMMISSIONER GIPSON: Second.  
 24 THE CHAIR: We have a second. Any  
 25 discussion? Seeing none, Vice Chair Burt? Roll

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1 call?  
 2 VICE CHAIR BURT: Chair Brauer.  
 3 THE CHAIR: Yes.  
 4 VICE CHAIR BURT: Commissioner Carrillo.  
 5 COMMISSIONER CARRILLO: Yes.  
 6 VICE CHAIR BURT: Commissioner Ingham.  
 7 COMMISSIONER INGHAM: Yes.  
 8 VICE CHAIR BURT: Commissioner Beck.  
 9 COMMISSIONER BECK: Yes.  
 10 VICE CHAIR BURT: Commissioner Gipson.  
 11 COMMISSIONER GIPSON: Yes.  
 12 VICE CHAIR BURT: Commissioner Burt, yes.  
 13 That passes, six-zero.  
 14 THE CHAIR: No. 16 on our agenda, Report  
 15 from the Charter Schools Division and Discussion.  
 16 COMMISSIONER CARRILLO: Before we start  
 17 this, this is why I voted no on the agenda, because  
 18 there were three of us that asked that not an agenda  
 19 item be put on -- this was with regard to  
 20 Cesar Chavez Community School.  
 21 It wasn't that an agenda item be put on  
 22 for specific and expanded report. It was just --  
 23 you know, K.T. and I were talking one day. And it  
 24 was, like, do you remember ever hearing a  
 25 resolution -- because we had them on a possible

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1 breach or whatever. And I said no.  
 2 And he looked back at the minutes and he  
 3 couldn't find anything.  
 4 So it was just, like, could Charter  
 5 Schools Division just tell us are they in good  
 6 standing now? What did we do? Remind us of what we  
 7 did.  
 8 That was all it was. And then I received  
 9 obviously the e-mail from you, Chair Brauer, stating  
 10 it wasn't going to be there.  
 11 And my thought is why the heck not,  
 12 because it just can be a part of a report. It's  
 13 even less dense and complicated than I'm sure  
 14 whatever is going to be the report on La Tierra  
 15 Montessori.  
 16 So that's why I voted no on the agenda,  
 17 because I didn't really understand the reasoning  
 18 behind not just having a simple, "Oh, yeah, this was  
 19 taken care of." That's all.  
 20 THE CHAIR: So it was not -- Commissioner  
 21 Carrillo, I had ad nauseam conversation about this.  
 22 And we -- as a result, we did not feel like we gave  
 23 enough due notice to a school if we were going to  
 24 put a specific school on the report from the Charter  
 25 School Division and the director, that we needed to

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1 make sure that we had that in place, that we gave  
 2 them notice about that.  
 3 So that's the reason. That's the short  
 4 version. We -- per my e-mail that I sent you and  
 5 Commissioner Manis, I think I explained that this  
 6 would be something that we would be providing  
 7 additional information to the Commission in  
 8 future -- in the future. And Director Chavez can  
 9 also connect with you as well if there are any  
 10 specific questions that you have.  
 11 COMMISSIONER CARRILLO: It can be part of  
 12 her report next month. That's cool.  
 13 THE CHAIR: Director Chavez, thank you.  
 14 DIRECTOR CORINA CHAVEZ: Thank you, Chair  
 15 Brauer, Commissioners.  
 16 I want to start out by talking about the  
 17 wrap-up from the conference. And you have a  
 18 document that's in your drive and on the website  
 19 that is 16a.  
 20 And I have been describing the conference  
 21 as a smashing success, because all the feedback that  
 22 we've heard -- and there was some specific comments  
 23 not captured in this document that some folks have  
 24 shared about, you know, little preferences that they  
 25 have, including some Commissioners, who pointed out

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1 that I failed to introduce you all by bringing you  
 2 up on stage on the first day at the biggest  
 3 gathering.  
 4 So apologies for not doing that. This  
 5 was -- this was a conference that --  
 6 COMMISSIONER CARRILLO: You've got to stop  
 7 for a second. I didn't want to do this. I didn't  
 8 want to do this. She's naming me, for God's sake.  
 9 And I'm totally fine. You know what? And I'm  
 10 totally fine with who I am in this regard.  
 11 We are -- and I'm looking forward to all  
 12 your faces right now, Bekka.  
 13 So we're elected officials; okay? Four or  
 14 five of us have to run again. And in this  
 15 particular event, many had never seen us except for  
 16 being on Zoom, have no idea who we are.  
 17 So I think it's perfectly -- actually, I  
 18 think it's protocol for when everybody is there at  
 19 the biggest general session, the first thing, hey,  
 20 we're going to introduce the Commissioners, we're  
 21 going to go up 1 through 10, hi, how are you,  
 22 because then people actually -- we had these little  
 23 itty-bitty phone calls. I'm just the  
 24 white-haired -- not white-haired -- I'm just the  
 25 platinum-haired White guy that mouths off all the

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1 time. This way they get to see us as a body up  
 2 there together, as a team.  
 3 DIRECTOR CORINA CHAVEZ: All right. If I  
 4 may proceed, I did introduce you all. Noted your  
 5 feedback.  
 6 In the document you have, there's other  
 7 people's feedback as well.  
 8 I think I could have also recognized the  
 9 group that were involved in making the film. So  
 10 thank you for your feedback, Commissioner Carrillo.  
 11 I will think about it for next year.  
 12 We had 440 people attend, both state and  
 13 local charter schools. You'll see that 39 of the  
 14 charter schools were state; 35 were district charter  
 15 schools.  
 16 I was surprised at the low number of board  
 17 member attendance. But those are the numbers.  
 18 We have debriefed as a team. We've  
 19 already started to have conversations about how we  
 20 would do the budget, because this is such a  
 21 difficult time during the transition of fiscal year  
 22 to be able to have a conference. People are closing  
 23 out books early and not opening up budget exactly on  
 24 July 1.  
 25 But we think that we have a good plan.

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1 We had great representation. I personally  
 2 went to some sessions that were teacher-led,  
 3 national leader-led. I know that Commissioner Burt  
 4 and Gipson's session was overflowing with people and  
 5 people really appreciated that. We also had a lot  
 6 of great people from the keynotes that were very  
 7 different but really excellent, and people had  
 8 takeaways from all of it.  
 9 So that the comments that are in this  
 10 document are just pulled directly from the survey,  
 11 because we surveyed everybody that attended. And  
 12 then at one point we had to close off the collection  
 13 of survey results.  
 14 Any questions on the conference? Or can I  
 15 move on to "b."  
 16 (No response.)  
 17 DIRECTOR CORINA CHAVEZ: Yep? Okay. I  
 18 know yesterday was a long day.  
 19 So -- so the part of the discussion around  
 20 the CSD Staffing Update was to let you all know that  
 21 we unfortunately have lost Kyle Wood, who was on the  
 22 authorizing team as someone who really helped us  
 23 with our data collection and presentation materials  
 24 and was just a generally great guy all around.  
 25 So we are sad that Kyle left us. But

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1 we're happy that he took a promotion in another  
 2 bureau within the PED. So -- so we miss Kyle and we  
 3 wish him the best. And we're thinking, because of  
 4 that role of being able to take data, especially  
 5 academic data, and present it back to you all is so  
 6 important, Deputy Director Russell and I are looking  
 7 into the possibility of reclassifying that position  
 8 so we don't lose someone to a better paying  
 9 position, but we actually pay more for that kind of  
 10 work.  
 11 And then I think several of you yesterday  
 12 saw Ms. Bianca, who was in the back of the room and  
 13 introduced yourselves to her. We are so happy that  
 14 we brought on Bianca, who's out today, or she would  
 15 be here saying hi to you all. But Bianca has taken  
 16 a position within the Technical Assistance Team.  
 17 And she came on through -- through Lucy's,  
 18 I'd say, mentorship, she came on to the team and  
 19 just hit the ground running in a beautiful way. So  
 20 we're really happy that Bianca has joined our team  
 21 and we're celebrating that.  
 22 We had another staff member -- I'm sorry  
 23 to say -- who also is taking a -- a promotional job  
 24 outside of the agency, Ms. Ruby James, who has been  
 25 working with us on a lot of the financial management

<p style="text-align: right;">202</p> <p>1 of our work. And she took a job with DFA.  2 So, Ruby, I think you're upstairs probably  3 listening. We're going to miss you terribly.  4 Commissioners, Ruby's last day is next week.  5 And so that's the update to the  6 organizational chart. I wanted to let you know in  7 an effort to satisfy some of the questions, and also  8 just to keep you abreast with the work that we're  9 doing, that we are in a new school year, and staff  10 have already started to go to schools.  11 And so real quickly, just wanted to shout  12 out to staff who have gone to schools, let you know  13 which schools they've been to and the reason why  14 we've been at those schools.  15 So Missy has been working with Albuquerque  16 Bilingual Academy. She attended the board meeting.  17 She's helping them to build board calendars, bylaws,  18 and reviewing their bylaws and helping them with the  19 Robert's Rules of Order.  20 She was there on the 28th -- or she's  21 going there on the 28th; is that right?  22 Okay. She's going there on the 28th.  23 And she's also going to Amy Biehl High  24 School also to work with their board and talk about  25 some mission goals and the performance framework.</p>	<p style="text-align: right;">204</p> <p>1 by the way -- applications will arrive from the  2 following schools:  3 Cesar Chavez Community School;  4 Explore-Albuquerque; Middle College High School in  5 Gallup; New Mexico School for the Arts; Raíces down  6 in Las Cruces; SODA from Los Lunas; Solare;  7 Southwest Primary Learning Center; Southwest  8 Secondary Learning center; Taos Academy.  9 And then we've heard from a few schools  10 that are authorized by local districts that they are  11 considering moving over to the PEC. So we've been  12 in conversation, and we are in the process of  13 preparing Part A of the renewal application, which  14 is a compilation of all performance data during  15 their current contract term.  16 It only includes four years' worth of  17 data, because we don't have the fifth year. And,  18 actually, we don't even have the fourth-year  19 academic data until December.  20 So you're going to have limited data. The  21 schools are going to get limited data sent to them  22 in that Part A. But it's what we have. This is why  23 I don't like short-term renewals because then  24 there's no data at all.  25 But the three schools that are considering</p>
<p style="text-align: right;">203</p> <p>1 So folks really rely on Missy. Thank you,  2 Missy, for always being available for the boards.  3 She also has worked with the MASTERS  4 Program in Santa Fe. She went on August 5th to work  5 with them training on the performance framework and  6 mission goals.  7 On the 22nd, which was Wednesday, Martica  8 visited Explore-Rio Rancho and made sure that they  9 were opening in a good way and had really good  10 things to say about how well that was going.  11 And then because a Commissioner was  12 curious about Cesar Chavez, who -- by the way, whose  13 CAP I gave a copy of to Commissioner Carrillo so he  14 could just see what were the milestones in that CAP  15 and where we are. And I'm happy to talk to any  16 Commissioner about any charter school, also wanting  17 to respect your desire that before we talk specifics  18 about a school, that it's on the agenda.  19 But we did go by to the school. Lucy  20 stopped in on the 22nd. She saw students and adults  21 at the school. And I later on talked to the head  22 administrator at that school.  23 As you know, Cesar Chavez is one of the  24 schools that are up for renewal.  25 So on October 1st -- not September 15th,</p>	<p style="text-align: right;">205</p> <p>1 coming to the PEC include Dream Diné, who are  2 currently authorized by Central Consolidated, by  3 San Diego Riverside, who's authorized by Jemez  4 Valley. And there's a school in Albuquerque that is  5 thinking about it as well. So you could have up to  6 14 renewals that arrive in October 1.  7 Any questions about visiting schools and  8 about what the team has been up to?  9 THE CHAIR: Commissioner Carrillo.  10 COMMISSIONER CARRILLO: My question can be  11 from this year; it can be for you with regards to  12 the work you've been doing with schools.  13 When we're working with boards, do we  14 suggest, like, the way they format their board  15 meetings?  16 And I say this specifically so that --  17 because there was a school recently that I found  18 out. And for whatever reason, they put the public  19 forum at the end of their meeting, which is just --  20 I don't know. To me, it's just stupid.  21 So do we make a suggestion, that we're  22 like, "Hey, in order to be really transparent and  23 connect with your community we suggest you do it  24 first. It can be on any item, not necessarily tied  25 to the agenda," whatever -- I mean, obviously, it's</p>

<p style="text-align: right;">206</p> <p>1 their board; they can do whatever they want to do.  2 But there are ways to make a board more transparent  3 and accessible to community.  4 Do we do that when we're working with  5 boards?  6 MS. MISSY BROWN: Yes.  7 COMMISSIONER CARRILLO: Thank you.  8 THE CHAIR: Commissioner Gipson.  9 COMMISSIONER GIPSON: So I might have  10 missed it. But with that list of schools that we  11 anticipate will be dropping renewal applications, is  12 Southwest Aviation on that list?  13 DIRECTOR CORINA CHAVEZ: No, ma'am.  14 VICE CHAIR BURT: How come? Southwest  15 Aeronautical, their contract started July of 2019.  16 DIRECTOR CORINA CHAVEZ: I'm sorry. They  17 changed their name. They're now Albuquerque  18 Aviation. Yes, ma'am, they are. And I wasn't  19 scrolled all the way to the top. So good catch.  20 They are on that list. Thank you.  21 Okay. Any other questions?  22 THE CHAIR: I have a question around just  23 hiring and -- it's sad to hear two staff leaving  24 this month. How many -- just so I'm clear, how many  25 openings, Director Chavez, do we have right now at</p>	<p style="text-align: right;">208</p> <p>1 shouldn't be that that's the -- that we're losing  2 personnel across departments in PED.  3 DIRECTOR CORINA CHAVEZ: I appreciate that  4 comment, Commissioner Ingham, which is why I  5 mentioned that Deputy Director Russell and I are  6 going to take a look at the job classifications and  7 consider reclassifying.  8 We also, at one point, had a conversation  9 and made the very conscious effort -- when Louie was  10 here, he articulated this really well -- that we  11 wanted to be a division that grew staff. And so we  12 have some junior staff. Like, there's not very many  13 people, not many bureaus that have the range of  14 staffing levels that we have and the variety of  15 positions.  16 We have a pretty wide range, and we start  17 people off that just graduated from high school.  18 My assistant, Samantha, who is fabulous,  19 is very new and in a lower pay grade, and I'll be  20 lucky to keep her as long as I will before she will  21 be eligible for a promotion elsewhere.  22 I'm happy that Kyle is getting a  23 promotion. I'm not happy to lose him. But I think  24 that we do a good job of bringing on staff and  25 training staff to fit into our division and to do</p>
<p style="text-align: right;">207</p> <p>1 CSD?  2 DIRECTOR CORINA CHAVEZ: So not all of the  3 positions are posted yet, because it takes a while.  4 So I'll include whether they're posted or not.  5 So Louie left his position. So that's a  6 position that is potentially open that is assigned  7 to us. I need to check in with HR. That has been  8 placed on pause.  9 Then we have Ruby's. She hasn't had her  10 last day, but Ruby's position. And Kyle's position.  11 So there are three potential openings.  12 Any other questions about CSD?  13 THE CHAIR: Commissioner Ingham.  14 COMMISSIONER INGHAM: I just -- the idea  15 of another department at PED stealing -- sorry --  16 the idea that these moves strictly because of pay to  17 other departments of PED, I mean, in the real world,  18 there's -- I worked at Intel. And if one  19 contractor -- it was not allowed for a contractor to  20 steal another personnel from their -- from their --  21 from their group.  22 And I don't know if there's anything --  23 but it would at least seem like that PED should make  24 that as a obvious sign that the pay grades they are  25 using for CSD are inadequate and that -- it just</p>	<p style="text-align: right;">209</p> <p>1 really good work.  2 And, you know, we've lost staff that live  3 in Albuquerque and don't want to commute. I think  4 there's a overall employment issue in the country  5 post-COVID.  6 But I think that the Department wouldn't,  7 after we received a letter of resignation, or even  8 if somebody walked up and said, you know, "I think I  9 should be reclassified," it's not going to happen  10 quickly.  11 So I think it's up to us during these  12 transition times to look at the organizational chart  13 and say, "What makes most sense? Should we upgrade  14 the -- job classification?"  15 And, unfortunately, there is a lot of  16 movement at the Department, not just within the  17 Division, but at the Department. I see new faces  18 every day.  19 THE CHAIR: Commissioner Carrillo.  20 COMMISSIONER CARRILLO: I agree  21 100 percent with Commissioner Ingham. In most  22 businesses, you don't go raiding other departments  23 for people. And -- you know. And this is -- you  24 know, I've never worked in state government here or  25 anywhere else. It's only being on PEC that is kind</p>

<p style="text-align: right;">210</p> <p>1 of my window into state government.</p> <p>2 And I'm learning to what extent -- like,</p> <p>3 if someone -- I'm not putting you on the hot seat or</p> <p>4 anything. But if someone comes to any director and</p> <p>5 says, "You know something?"</p> <p>6 Let's face it. Anyone that's really good</p> <p>7 is going to be noticed, and they're going to be</p> <p>8 poached, or at least attempted to be poached. Then</p> <p>9 it has to be, like, what effort is made to keep</p> <p>10 them?</p> <p>11 And when I think of Kyle being here --</p> <p>12 what? Six months or something? It was short. And</p> <p>13 I just was, like, "Oh, my God, this guy is great."</p> <p>14 And the way he reported to us, the way</p> <p>15 things were clear, his reports were clear, and now</p> <p>16 he's gone. And so what can we do to poach him right</p> <p>17 back? And to heck with the people that took him.</p> <p>18 But there needs to be -- I don't like it.</p> <p>19 I mean, I don't like change when it comes to</p> <p>20 personnel, because I really -- I love the people</p> <p>21 that we're dealing with right now in CSD. And</p> <p>22 everybody, they seem to work together really well.</p> <p>23 And that camaraderie and friendship is so</p> <p>24 important in any workplace. And I think, like, the</p> <p>25 results we've gotten in the last year to 18 months</p>	<p style="text-align: right;">212</p> <p>1 him an offer within a certain number of days.</p> <p>2 Somebody comes back and says, "I've got this offer</p> <p>3 from somebody, and, you know, you can match it or</p> <p>4 I'm out of here."</p> <p>5 So can we -- is there the mechanism to</p> <p>6 say, "Kyle, give me two weeks. Give me 30 days,</p> <p>7 move you up to another spot, because we want to keep</p> <p>8 you because you're so invaluable."</p> <p>9 DIRECTOR CORINA CHAVEZ: Commissioner</p> <p>10 Carrillo, I would have liked nothing more than to be</p> <p>11 able to do that with Kyle. And the answer is no.</p> <p>12 If I were Matt Pahl, and I ran a nonprofit</p> <p>13 organization, where I was the person that made those</p> <p>14 decisions without having to go through not just our</p> <p>15 HR department but other agencies, including SPO,</p> <p>16 then perhaps that sort of action could be made. But</p> <p>17 that is not something that I am able to do.</p> <p>18 THE CHAIR: Brigitte, you wanted to share</p> <p>19 something. And then I wanted to say something,</p> <p>20 unless you have something more to say.</p> <p>21 COMMISSIONER CARRILLO: It's why people</p> <p>22 lose faith in government.</p> <p>23 THE CHAIR: There's a lot of reasons for</p> <p>24 that to happen.</p> <p>25 Brigitte.</p>
<p style="text-align: right;">211</p> <p>1 have just been fantastic with staff that is there.</p> <p>2 And, unfortunately, I'm sure all of them</p> <p>3 are being looked at by someone else, within PED or</p> <p>4 someplace else.</p> <p>5 Do we make a counteroffer? If someone</p> <p>6 comes to us and says -- I'll just use Kyle as an</p> <p>7 example. "I got this great offer from somebody or</p> <p>8 whatever in PED. They're going to classify me this</p> <p>9 way. It's another \$4,000 a year."</p> <p>10 Do we ever -- is it protocol, or do we</p> <p>11 ever say, "Whoa, no. I'm willing to do this to keep</p> <p>12 you."</p> <p>13 Can we do that? Because that's what's</p> <p>14 done, like, in -- outside of government.</p> <p>15 DIRECTOR CORINA CHAVEZ: So I hear you.</p> <p>16 And we are all a little hand-tied with the</p> <p>17 bureaucracy, all of us. So, no, there is nothing</p> <p>18 that I could do or get a chance to do quickly</p> <p>19 enough. It doesn't move that fast. Things don't</p> <p>20 move that fast.</p> <p>21 COMMISSIONER CARRILLO: So somehow they</p> <p>22 seem to move -- I'll just say Kyle again. I don't</p> <p>23 know if he's -- poor guy, if he's listening.</p> <p>24 Somebody is poaching somebody. They're making him</p> <p>25 an offer. So somehow they've got to be able to make</p>	<p style="text-align: right;">213</p> <p>1 DR. BRIGETTE RUSSELL: Chair Brauer, thank</p> <p>2 you. Yes, it -- unfortunately, in state government,</p> <p>3 if -- if you hire someone and you realize, wow, this</p> <p>4 person is a great hire, I don't want to lose them,</p> <p>5 in the private sector, you could give them a raise.</p> <p>6 And you can't do that in the state system.</p> <p>7 I have another staff member, who -- so,</p> <p>8 unfortunately, the only way to get pay increases</p> <p>9 when you work for the State is to move up a pay</p> <p>10 band. Because I have had a request for an in-band</p> <p>11 pay increase for someone else on my staff, who has</p> <p>12 been in the same position for a number of years, and</p> <p>13 so has not done the jump-jump-jump, get the pay --</p> <p>14 and so I've made the case.</p> <p>15 And I'm still waiting. It's been many,</p> <p>16 many months. And this employee has been remarkably</p> <p>17 patient. And it's just -- it's the way -- it's the</p> <p>18 way the system works.</p> <p>19 And if we wanted to reclassify a position</p> <p>20 that was occupied to say, "We want to reclassify</p> <p>21 this position while someone is in it," that takes a</p> <p>22 very long time as well. You can reclassify a vacant</p> <p>23 position more quickly and easily than you can a</p> <p>24 filled position, because if you -- I mean, if you</p> <p>25 get a candidate who has skills that you didn't</p>

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1 realize that you were even looking for, you can't  
 2 class- -- you can't reclassify the position with  
 3 that person in it. It's very difficult to do that.  
 4 It's just one of the constraints of -- and  
 5 it's not the PED; it's the State Personnel Office.  
 6 It's state government at every agency.  
 7 THE CHAIR: I also think that -- well,  
 8 thank for you this conversation. I don't think  
 9 there is any action that we can take on this at this  
 10 stage. I do want to just share that there are other  
 11 reasons why people want to move to different  
 12 positions.  
 13 People have hopes and dreams. People have  
 14 interests that change, that go above and beyond,  
 15 oftentimes than the pay band increase.  
 16 I also want to share that this happens a  
 17 lot, and we wouldn't have Dr. Russell here at this  
 18 table if I didn't poach her in 2020. You know?  
 19 That's just part of the process. Because it's a  
 20 realignment of what people want in their lives.  
 21 If something is really important -- and we  
 22 have that opportunity more than ever before for  
 23 people to think about -- what do they want to do?  
 24 How do they want to work to live?  
 25 And we're just at that moment right now

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1 where there's a lot of different options for a lot  
 2 of different people.  
 3 Before we move on, I know that Ms. James  
 4 came into the room. So I wanted to make sure we had  
 5 a chance to acknowledge her and her last day next  
 6 Friday, I believe? Yeah. Yeah. Thank you, Ruby,  
 7 for all that you do, and best wishes at DFA. I know  
 8 that's -- what is that? 150 feet from where you  
 9 work right now? Yeah. Great.  
 10 Any other -- sorry -- Director Chavez,  
 11 Commissioners, any other comments?  
 12 COMMISSIONER CARRILLO: Question  
 13 regarding -- that you may know the answer to. As a  
 14 matter of rule -- not rule, like legal rule or  
 15 whatever -- do we do exit interviews? Does anybody  
 16 do exit interviews anymore?  
 17 THE CHAIR: Yes. We don't as the PEC.  
 18 But PED does, yeah.  
 19 COMMISSIONER CARRILLO: So when people  
 20 move, and --  
 21 THE CHAIR: Am I wrong in that, Corina? I  
 22 thought that -- I had one.  
 23 DR. BRIGETTE RUSSELL: It's hit or miss,  
 24 Chair Brauer. They -- in theory, they do. But a  
 25 number of the people I know who have left the agency

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1 have not had exit interviews. Some have; some  
 2 haven't.  
 3 COMMISSIONER CARRILLO: Well, that's a  
 4 really horrible business practice, because then when  
 5 you're thinking about what do we need to do to  
 6 retain people, you never find out why they left in  
 7 the first place. Shame, shame, shame.  
 8 THE CHAIR: Director Chavez, I believe you  
 9 have -- do you have any other items here?  
 10 DIRECTOR CORINA CHAVEZ: Yeah. There's  
 11 two more items.  
 12 I really do want for you all to take a  
 13 look at the materials that Ms. Missy Brown presented  
 14 and she's going to present. And then I wanted to  
 15 give you all an update on La Tierra Montessori.  
 16 So I'm turning it over to Missy who is  
 17 giving us some Fiscal Year '23 wrap-up.  
 18 MS. MISSY BROWN: Yes. Thank you.  
 19 So -- oh, no. Okay.  
 20 I wanted to talk about the total board  
 21 membership across the state. There's 101 -- now  
 22 there's 100 -- charter schools. But this includes  
 23 101. 378 members serve on PEC boards. 282 serve on  
 24 district-authorized boards.  
 25 The -- the Commissioners will find, in

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1 the -- oh, I can't -- I'm not going to do that now,  
 2 it's too complicated with one screen.  
 3 So in your shared drive, there is a report  
 4 that -- nope. Wrong screen. Stop share.  
 5 Lists out all the schools, and I'll go  
 6 over that at the end.  
 7 But on that report, the overall for the  
 8 PEC-authorized schools, six of the schools are  
 9 missing one or more of the required board officers.  
 10 There are three board officers that are  
 11 required by statute: a board chair, a board vice  
 12 chair, and a secretary. Thirty of your school  
 13 boards completed all of their required training  
 14 hours. Nineteen of those schools earned a two-hour  
 15 training exemption in Fiscal Understanding.  
 16 Please note that next year the fiscal  
 17 exemption is only one hour.  
 18 I inherited the two-hour exemption, and it  
 19 became one hour, and I didn't notice it. So last  
 20 year, they all got a free ride there.  
 21 Three of the schools each had a board  
 22 member who did not complete any board training hours  
 23 in the past two years in a row, and two each had one  
 24 member with no board training the past three years  
 25 in a row.

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1 The fourteen newly appointed board members  
 2 from nine different schools did not complete their  
 3 required new member introductory course.  
 4 Twenty-five board members from nineteen different  
 5 schools did not complete their hours, and some of  
 6 those members did resign.  
 7 So I have a synopsis in here of new  
 8 members, incomplete. ABA had one person, no hours  
 9 completed. ACES Technical had two people. I'm not  
 10 going to go through that whole thing.  
 11 I do check their websites annually. I  
 12 found that four schools do not list their board  
 13 members on their website. And I was also unable to  
 14 find the required link to the Sunshine Portal for  
 15 eleven of our schools.  
 16 I did reach out to all of those schools.  
 17 I reached out to the district-authorized schools as  
 18 well. In this instance, I got more feedback from  
 19 the district-authorized schools than I did from our  
 20 state-authorized schools.  
 21 To go over for the newer -- for the newer  
 22 Commissioners, in your first year of service as a  
 23 board member, you are required to complete ten hours  
 24 within the first fiscal year of service. Two of  
 25 those hours are in Responsibility and Ethics, two

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1 hours in Fiscal Understanding, one hour in Academic  
 2 Understanding, one hour in Open Governance -- oops,  
 3 I misspelled legal -- and Organizational  
 4 Performance, one hour of Equity and Culturally and  
 5 Linguistically Responsive Practices, and then three  
 6 hours in any of those topics.  
 7 Continuing members need to take eight  
 8 hours unless they earn the exemption. And they  
 9 have, as you can see there, an hour of  
 10 Responsibility and Ethics, three hours of Fiscal  
 11 Understanding -- or two if they have the  
 12 exemption -- two hours of -- I hate seeing these  
 13 mistakes -- Academic Understanding, and one hour of  
 14 Open Governance and Legal and Organizational  
 15 Performance -- I swear I checked this -- and an hour  
 16 of Equity.  
 17 So the next thing I wanted to show you  
 18 were the training opportunities that board members  
 19 have.  
 20 The seven-hour introductory course can  
 21 only be completed in Canvas unless the school is  
 22 being coached by PCSNM. They are the other entity  
 23 that's allowed to teach the introductory course.  
 24 And then the three hours extra for new  
 25 members can be completed in a variety of ways.

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1 They can get CSD approval to have their  
 2 school-specific on-boarding. They can take  
 3 continuing member courses in Canvas. They can take  
 4 continuing member courses on Zoom. And they can  
 5 also take continuing training with PCSNM, which I  
 6 left off here by mistake. And they can also do  
 7 school-specific training with their lawyers or their  
 8 business managers. All I ask is that they tell me.  
 9 So for continuing members, they can do the  
 10 training from CSD synchronously on Zoom, through  
 11 Canvas, three PCSNM, through lawyers, through  
 12 business managers, through NMPSIA.  
 13 Basically, if they just tell me, "I did  
 14 this continuing course," I just -- I'm happy to look  
 15 at it and see what they've done. Some have gone to  
 16 conferences. I just ask them to tell me what  
 17 they've done so I can count that, see what it fits,  
 18 what subjects it fits in.  
 19 So training days for all board members, I  
 20 went through and calculated, trying to be like Kyle,  
 21 trying to learn like Kyle.  
 22 So 21 percent of all board members took  
 23 the CSD Canvas training only. 18 percent took the  
 24 in-person Zooms. And 13 percent of people did a  
 25 combination of those.

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1 4 percent did a combination of both  
 2 Charter Schools Division and PCSNM offerings.  
 3 22 percent did PCSNM completely, as well as those  
 4 being coached by PCSNM. And 11 percent didn't  
 5 complete any training at all.  
 6 So this is us another look at the two main  
 7 heavy-hitters, the CSD and PCSNM, and the people who  
 8 choose to do both.  
 9 So we did do training surveys in Canvas  
 10 for the new member introductory course and the  
 11 continuing member course. You can see the new  
 12 members in blue and the continuing is in green.  
 13 "The pacing kept me engaged from beginning  
 14 to end." Most people agree with that.  
 15 "The course is visually appealing."  
 16 Yes, I am obsessed with the Japanese  
 17 woodblock.  
 18 "The course was high quality and  
 19 engaging." And people liking Canvas as a way to  
 20 take the course, particularly for the continuing  
 21 members, they really, really like taking their  
 22 training through Canvas.  
 23 So every school in the state has the  
 24 opportunity -- every charter school in the state has  
 25 the opportunity to develop their own school-specific



<p style="text-align: right;">222</p> <p>1 training for new members. That training can count 2 for up to three hours for new members.</p> <p>3 It does need to be approved by the Charter 4 School Division. I am a very easy grader. I just 5 ask them to tell me the types of things they want to 6 do, like go over the contract, go over the 7 performance framework, meet with the business 8 manager, you know, whatever makes sense, if they 9 have a particular pedagogy, if they have a 10 particular -- their mission-specific or those areas 11 that they want to go over.</p> <p>12 And this is how many charter schools have 13 taken us up on that. 12 percent of state-authorized 14 and 8 percent of districts out of all charters. So 15 I am struggling with getting people to partake in 16 this opportunity. I've been working on it since I 17 started in 2017.</p> <p>18 The things that I'm trying to do to 19 promote this: I'm hoping that we can present at 20 PCSNM's conference in December, Matt. I'm open to 21 any suggestions. As long as the suggestion isn't 22 that I provide the school-specific on-boarding for 23 the schools, I am happy to -- you know, anybody who 24 comes up with any suggestions, it's -- it's a really 25 easy process, and I think it's a great opportunity</p>	<p style="text-align: right;">224</p> <p>1 Art Silva. If you remember, yellow is the president 2 or chair. Pink is vice president/vice chair. Green 3 is secretary.</p> <p>4 So you can see in FY22, CSD was unaware of 5 who served in the position of the vice chair. Art 6 Silva was the chair in FY22. He was the chair in 7 FY23. They had a secretary both years. But I'm not 8 sure who was serving, because that just was not 9 reported on their website or reported to Charter 10 Schools Division.</p> <p>11 You will see on some of these -- so 12 looking at Albuquerque Aviation Academy, formerly 13 SAMS Academy, Edward Lee Smith has a one, and then 14 an R that's in black. That means that he completed 15 one hour and he resigned.</p> <p>16 But he -- we prorate people's training 17 requirements when they resign. If they resign 18 within the first few months of a fiscal year, I 19 don't -- I just -- you know, one hour was complete.</p> <p>20 If they go longer than that, you'll see a 21 red number. So if it's a red number, that means 22 they didn't have -- they didn't complete their hours 23 for the year.</p> <p>24 If it's -- if it's a black number and it's 25 less than those numbers, then that's fine. And, of</p>
<p style="text-align: right;">223</p> <p>1 for a board to really orient new members to their 2 school-specific needs.</p> <p>3 So that's what I have for you there.</p> <p>4 The other report that I have that's in 5 your -- both of those are in your PEC work folder.</p> <p>6 So this milestone chart, I've got all of 7 your schools. I list out how many active board 8 members were reported to CSD, how many are listed on 9 their website. I like those two numbers to match.</p> <p>10 Whether they have the statutory required officers, 11 whether or not they have their Sunshine Portal, and 12 then members that were enrolled in the mandatory 13 introductory course and those that completed, 14 whether or not they earned the exemption, and 15 whether or not members completed more than their 16 required hours.</p> <p>17 Because many of your board members at your 18 charter schools complete more than the required 19 hours, and I think that they should be lauded for 20 that. And I do try to laud them.</p> <p>21 So -- then I list out for each school the 22 board members that served throughout the school 23 year. Then there's a chart underneath that shows 24 you the term of their contract.</p> <p>25 So looking at 21st Century Public Academy.</p>	<p style="text-align: right;">225</p> <p>1 course, if it's a less number, if somebody had six 2 hours, that's because they had an exemption.</p> <p>3 So I do list that. Like, Amy Biehl High 4 School had the two-hour exemption every year. So, 5 really, every single board member completed more 6 than their expected hours, because they all got 7 eight hours, multiple -- you know, in this last 8 school year, the year that this report is for.</p> <p>9 So this goes through all the schools and 10 lists the data it had.</p> <p>11 When I did do this report, Alma d'Arte 12 was -- did not have -- their website was down for 13 repairs. So I don't know -- I wasn't able to tell 14 whether or not they had all the things. So if they 15 don't have the Sunshine Portal, I'll be referring 16 out to them to make sure that they do. I just 17 haven't had a chance to look at that yet.</p> <p>18 I stand for questions.</p> <p>19 DIRECTOR CORINA CHAVEZ: Commissioners, I 20 know that you thirst for data. And so we are trying 21 to provide you with a lot of really rich data. I 22 feel like this is tremendously helpful to know how 23 the schools are being governed and whether those 24 governing boards are doing what they're supposed to 25 be doing and where they're getting support.</p>

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1 So I really hope that you appreciated this  
2 as much as I appreciated Missy pulling it together  
3 for all of us, because then when we go on site, we  
4 reference this report; right? We absolutely will  
5 make note if they had some members that skipped  
6 training, if they had not named some of the officers  
7 of their executive part of their governing board.

8 Thank you so much, Missy. And I don't  
9 know if people want to ask any questions.

10 MS. MISSY BROWN: I just want to clarify.  
11 I don't just wait until the end of the year to give  
12 you this. I do reach out and say who was a board  
13 officer? Who was -- where is the Sunshine Portal,  
14 so that they can correct it before I present the  
15 information for you, because I would like to have  
16 them be in compliance.

17 DIRECTOR CORINA CHAVEZ: Additionally, I  
18 think you don't always see this. But Missy sends  
19 status reports to the board saying, "Here's how  
20 you're doing this quarter," and then again every  
21 quarter, so that they can gauge how well they're  
22 doing.

23 A good board would be self-governing in  
24 that way. But we provided that to the schools so  
25 that they could take note and take proper action.

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1 THE CHAIR: Commissioners, any questions?

2 COMMISSIONER CARRILLO: Just a comment.  
3 Thank you for being so thorough and for the work you  
4 do with the boards.

5 MS. MISSY BROWN: You're welcome.

6 THE CHAIR: Thank you, Missy.  
7 Director Chavez, your final item?

8 DIRECTOR CORINA CHAVEZ: Yes. The final  
9 item is Item 16d. There's two documents in there.  
10 One is the minutes from the La Tierra Governing  
11 Council, as you all know, because we forwarded to  
12 you as soon as it occurred.

13 And the second is an update on La Tierra.

14 So the first thing is in terms of the  
15 appeal status. As you know, that at first, the  
16 La Tierra governing board voted to appeal to  
17 District Court. And then they had a meeting the  
18 following week where they rescinded that vote.

19 And so Kimberly Gonzales, who you haven't  
20 seen today or yesterday, has been at the school  
21 nearly every single day. And I just want to give a  
22 big shout-out to Kimberly who has been working  
23 really closing with me and really closely with the  
24 school, with the School Budget Bureau, with the  
25 tribe and other partners, to help implement the

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1 closure plan.

2 I didn't upload an updated closure plan  
3 but it's a living, breathing document I'm happy to  
4 share with you all next month. I did just update --  
5 we shared it with the school, shared it with PED  
6 internal. There are some indicators or some action  
7 steps on that closure plan that have been edited.

8 But this is pretty much what has happened  
9 since we last met as a Commission.

10 Highlights: Kimberly and I met with Tsay  
11 Corporation. We're in the process of extending the  
12 lease so that we can remain in the building long  
13 enough to properly dispose of all school assets.

14 We are, again, working very closely with  
15 School Budget Bureau. We found out about how the  
16 school's cash balance turned out by the end of the  
17 year. We're working to ensure that all debts of the  
18 school are being paid.

19 Once the board decided that they would not  
20 appeal to District Court, they worked very closely  
21 with their attorney at that time. And all -- all  
22 faculty, or teachers, were released. Currently,  
23 there's four staff people that are still on staff  
24 until August 31st, and they've, again, been working  
25 really closely with us to ensure that records are

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1 cleaned up.

2 We had a contractor come to the school to  
3 look at records and give us a bid on scanning,  
4 because we don't want boxes to be transferred to the  
5 third floor. We want for those records to be  
6 scanned immediately. So we're working on that  
7 digitization of documents.

8 Also there's some legal matters that the  
9 school is in the middle of that we've had to attend  
10 to and continue to track.

11 And, finally, the school is in its  
12 financial audit right now. And as you recall, this  
13 is one of the reasons why the school was closed was  
14 that information was just not being provided in a  
15 timely manner.

16 So we are very -- what's the right  
17 word? -- very certain about the importance of this  
18 in communicating that importance to staff who are  
19 working to comply with the financial audit.

20 And I don't know if there's any questions  
21 that you have on any of this.

22 THE CHAIR: Corina, I just have one  
23 question. Is the CSD team -- I'm not trying to  
24 micromanage this process. But I was wondering if  
25 you are pursuing a contract for somebody to support

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1 the closure efforts? Or is Kimberly -- is this  
2 going to be part of her main squeeze in terms of her  
3 job?

4 DIRECTOR CORINA CHAVEZ: Thank you for  
5 asking that question. I didn't mention that.

6 We finally have the IGA with the SWREC.  
7 There was a position that was posted. We had one  
8 applicant. So we are going to talk to that  
9 applicant. This person, I envision working really  
10 closely on the process of disposing of assets. And  
11 there's a lot of work relative to tagging and being  
12 really clear and then organizing with other schools  
13 that will be able to come and obtain those things.

14 THE CHAIR: Thank you.  
15 Commissioner Gipson.

16 COMMISSIONER GIPSON: So is this someone  
17 that SWREC is going to contract?

18 DIRECTOR CORINA CHAVEZ: So SWREC can  
19 contract with them based on the ad that we put.

20 COMMISSIONER GIPSON: Okay. So here's the  
21 concern I have from a prior closure.

22 It was -- once the contractor was  
23 contracted with, SWREC then washed their hands of  
24 it, and there was no requirement for reporting back  
25 on the status of, really, the closure, so that when

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1 All right. We're going to move on to Item  
2 No. 17, Report from the Chair and Discussion.

3 I have no report on new or updated PEC or  
4 school issues.

5 So we'll just move on to Item No. b. It's  
6 great to have you here, Matt. Report from the  
7 Public Charter Schools of New Mexico.

8 MR. MATT PAHL: Thanks, Mr. Chair, members  
9 of the Commission.

10 Just wanted to -- there's a few items  
11 here. Some are kind of newsy; others are regarding  
12 work session items and just other things that  
13 happened today.

14 So Valery Ratliff-Parker is our new deputy  
15 director. We're really excited to have her. She  
16 lives down in Las Cruces, so we have a presence in  
17 the southern part of the state. We're really  
18 excited about that. Whether formal or informal,  
19 it's just hard to stay connected there versus the  
20 Middle Rio Grande area. So we're excited to take  
21 advantage of that for both our schools and for you  
22 all.

23 That is going to -- you know, we had Wayne  
24 Sherwood here being present at meetings, whether  
25 remotely or in person. What's going to change from

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1 I was getting calls, and then I finally contacted  
2 SWREC, they said, "Well, we did the contract, and  
3 that's what we do, and you have to call the  
4 contractor."

5 So there was this gap there. And there --  
6 I think it created an incredible time delay, and, I  
7 greatly suspect, a tremendous loss of property.

8 DIRECTOR CORINA CHAVEZ: I'm sorry to hear  
9 that, Commissioner Gipson. I envision this person  
10 reporting directly to me and being in direct contact  
11 and daily contact with me on the implementing the  
12 closure plan.

13 COMMISSIONER GIPSON: But I think that has  
14 to be -- is that expressly laid out in the contract  
15 terms?

16 DIRECTOR CORINA CHAVEZ: So this person  
17 has -- there's a person that's applied and doesn't  
18 yet have a contract. But with anybody that we have  
19 a contract with through the SWREC, they work  
20 directly with us. They work with the deputy and I  
21 on whatever project they're working on and report to  
22 us. They bill the SWREC, and we approve those, but  
23 they don't report to the SWREC.

24 Thank you.

25 THE CHAIR: Thank you, Ms. Chavez.

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1 our end is the three of us are going to be tackling  
2 this a little bit more.

3 And we are going to be prioritizing the  
4 work sessions. You'll always have somebody here.  
5 But we are really striving to have somebody here for  
6 work sessions. So a little shift. You might see  
7 me. At some point, we'll have Valery come up, and  
8 then Wayne as well will be covering, too. Your work  
9 is important. We want to make sure that you know  
10 that we think that and know that. And that's how  
11 we'll be covering meetings from here on out.

12 You can always reach out to the person in  
13 the room or myself if you just have any, you know,  
14 general things to connect on. So appreciate that.

15 Wanted to make a couple of comments on the  
16 governing council training, because we noticed some  
17 trends on our end, too. First is a shout-out to  
18 Missy Brown for some of the data she's been sharing  
19 with us over the course of as she starts collecting  
20 the data of who's certified.

21 As you saw, PED is the biggest provider.  
22 But there are a few providers there. So we don't  
23 always know who's done training outside of that.  
24 And that was a big piece of information for us to  
25 have from Missy.

<p style="text-align: right;">234</p> <p>1 As you can see by how many people don't 2 finish their training, we are far from competitors. 3 We are -- we are two groups that really want people 4 to finish their training and get trained. 5 And I think even -- even once we get to 6 that 100 percent level, we'll still treat it that 7 way. 8 One thing that we did notice this year in 9 our training is three things: 10 One, we have three different types of 11 modes for governing council training: the coaching; 12 in-person opportunities at our conference; and 13 sometimes we'll do a weekend session, things like 14 that, that are in-person with Kelly Callahan; and 15 then the online training. 16 We've always tried to limit the online 17 training to be something that is towards the end of 18 the year. And this year -- and we think our online 19 trainings are quality. But given those three 20 options, we think they're the least quality of the 21 three. We'd rather have people having discussions 22 with other governing council members or learning 23 together as a governing council. 24 We noticed a shift from the online 25 training to our more intensive training that was in</p>	<p style="text-align: right;">236</p> <p>1 that. 2 So, you know, we'll appropriately 3 prioritize any sessions that are proposed by you. 4 I wanted to make a note about some things 5 we're seeing in academic outcomes in charter 6 schools. 7 And I saw -- the reason why I think this 8 is important is because we all understand how sticky 9 negative story lines about the charter school 10 movement are. 11 Six, eight, ten years ago, our charter 12 schools were not only a long ways away from 13 representing the student population of the state, 14 but they also didn't perform as well academically. 15 We are finding multiple indicators that 16 are showing that we are now performing better than 17 traditional district schools as a whole. And one 18 that I'll give you today -- and we're working on 19 some documents here, and we'll certainly share them 20 with you -- was the CREDO study that was released 21 this spring. 22 In the iteration of the CREDO study from 23 2013, it showed that charter schools underperform in 24 reading and math compared to their district 25 counterparts. In their latest study, that was a</p>
<p style="text-align: right;">235</p> <p>1 person. But given this report and what we already 2 know is that a number of folks aren't finishing 3 those trainings. We take that as a sign that people 4 would rather do our in-person work if they want to 5 do training with us. 6 So we're going to start making the online 7 training modules available earlier. We normally 8 don't open that up until April just to try and get 9 more people finished here. So just a shift there 10 and a shout-out for Missy. Just appreciate your 11 partnership in all things governance, governing 12 council. 13 We have a Request for Proposals link to 14 present at our conference, which is on November 15 29th, 30th, and December 1st, at good old Tamaya, 16 which I guess we'll be going to biannually to 17 celebrate the charter school movement. 18 So we have sent that to Corina. I think 19 she's got it already. 20 Corina, if you wouldn't mind sending it to 21 the Commission, or we can do it ourselves? Thank 22 you. 23 We're excited for that and invite you 24 Commissioners, individually, or as a group, to 25 submit something. And, of course, we would value</p>	<p style="text-align: right;">237</p> <p>1 larger study of all charter schools across the 2 country, but then divided by state, it shows that 3 charter schools provide an additional eleven days of 4 reading instruction, that kind of learning that's on 5 par with an extra over two weeks, and an additional 6 seven days of math instruction. 7 So as we think about the charter school 8 movement -- and I know anecdotally I haven't been 9 able to get the data from PED's website. But I know 10 that our charter school movement has gotten more 11 diverse over that time, too. And you all know that, 12 too, based on the schools that have expanded and the 13 schools that you have approved. 14 This is knowledge we all should be armed 15 with, because it's a common refrain amongst charter 16 detractors. The performances there, the proficiency 17 levels among students that are economically 18 disadvantaged, English Language Learners, students 19 with disabilities, it's all there. It's plain in 20 the data. You don't have to do too much fancy 21 statistical work to show that it's working. 22 And all of this doesn't cherry-pick. It 23 doesn't take out the dropout reengagement schools. 24 It doesn't take out the schools like Albuquerque 25 Sign Language that don't quite fit in that</p>

<p style="text-align: right;">238</p> <p>1 structure, but they still report those test results.  2 It's a big deal. And we'll provide more  3 information for you in the form of, like, a handout  4 or a set of slides just for you all to have, and  5 we'll be singing it from the rooftops as well,  6 because I think we were moving that direction for  7 some time. And then during the pandemic, we really  8 lacked the data to look at this.  9 But everything coming out is really  10 nodding towards the thing that we all want. We're  11 trying this grand experiment of autonomous schools,  12 and the outcomes are there for kids. So that's  13 really exciting. Just thought I'd share that.  14 Something more formal to come.  15 And I'd love to say by September, but it  16 might be by October, you know, one more person is  17 great, but we're still only three and a half FTE.  18 So we try to do what we can there.  19 So that's exciting.  20 I wanted to make a note on something that  21 happened on the data set when we were looking at the  22 example from Monte is those -- the amount -- and  23 Director Chavez mentioned it -- the amount of  24 masking in the data is wild. It is a lot compared  25 to previous.</p>	<p style="text-align: right;">240</p> <p>1 So it's just a thought for you all. I  2 would happily join a session on that to learn more,  3 too, because those reports really do look different,  4 and I think the masking is only one part of that.  5 So it's just a consideration.  6 Follow-ups from the work session, I do  7 have a question about when the performance framework  8 subcommittee is meeting again. I know that you  9 talked about it. And I only ask so that if we have  10 additional feedback, that we can provide it before  11 that meeting. Okay. Next week sometime?  12 VICE CHAIR BURT: Generally, how it works  13 is someone from CSD, Director Chavez or someone  14 else, Sharyn, will reach out to us and say, "Hey,  15 can you guys give us some dates?" Or, "Here's some  16 dates." And we figure that out. Probably we'll  17 start that on Monday getting it figured out. So as  18 soon as we find out, then we'll let you know.  19 MR. MATT PAHL: I appreciate that. As  20 more things trickle in, we'll share them with you at  21 a productive point. That's what we'll try to do.  22 I got a little confused about the data  23 system vote that you took. Go ahead.  24 VICE CHAIR BURT: Would you be interested  25 in just joining us at the --</p>
<p style="text-align: right;">239</p> <p>1 And as I understand it, the feds have  2 changed some of their guidance. But that -- the EL  3 conversation was interesting, too. You know, that  4 idea -- EL have much higher rates in early  5 elementary, and then it just cascades down. As  6 you're looking at secondary schools and you don't  7 see that, you're not sure why it would be lower.  8 There's reasons for that. And I wonder if  9 the Commission is going to, as you start diving into  10 data that we actually have again, the folks who are  11 from that data -- so you can just ask general  12 questions, because there's a lot of reasons to mask  13 data. Many we're familiar with, but others, we may  14 not be.  15 So I just ask for -- or I just throw it  16 out there as a consideration for the Commission that  17 as you start getting real information from the  18 State, that perhaps you bring somebody in from  19 Assessment or from the data shop to just kind of  20 give you an overview contextually of what you're  21 seeing, because I think we've noticed it with a  22 number of entities and schools ourselves that none  23 of us have really had something to look at for three  24 years, and we get out of practice. And things kept  25 changing during that time, too.</p>	<p style="text-align: right;">241</p> <p>1 MR. MATT PAHL: If I'm available, yes.  2 And you can bring me into scheduling if you want to  3 make sure I'm there. But, otherwise -- and we can  4 also always get Wayne or someone else to join as  5 well.  6 VICE CHAIR BURT: (inaudible due to  7 off-the-mic discussion) I want to make sure you have  8 the fullest understanding.  9 COMMISSIONER GIPSON: It would just be  10 easier and probably -- hopefully stop something  11 happening just at the work session, and, you know,  12 we can get it fixed quickly.  13 MR. MATT PAHL: That sounds great. Yeah.  14 And just another note on that. I  15 appreciate the back-and-forth during the work  16 session on that. You know, I think that was great.  17 The data system vote you took, I was  18 confused by, but I think I'm just dense.  19 But what I understand is that there's  20 going to be -- from your budget -- is there's the  21 hope that there's an investment of a platform that  22 has all the authorization data in it.  23 Okay. I see enough nodding heads that I  24 can now note my request here, which is as you  25 consider your vendors and move forward with that, I</p>

<p style="text-align: right;">242</p> <p>1 would love it if you consider having a public -- a 2 viewer access to that for both us and potential new 3 authorizers.</p> <p>4 I can remember -- we're not having a lot 5 of authorizers switching right now. But it'll 6 happen again. And the idea of having that new 7 authorizer just having access to all that data -- we 8 want it because we'd love to just know -- we see 9 these themes that we can't always see without having 10 access to that data.</p> <p>11 Seeing nodding heads. Appreciate that 12 consideration as you go through that process.</p> <p>13 And then, lastly, I missed the 14 conversation in the working group on the lottery 15 system. I know there's the investigation on it 16 right now. But I did want to highlight a couple of 17 things. It's just one, that to mandate a lottery 18 system -- and I'm not sure I heard that -- but to 19 mandate it would be getting into how schools 20 administer their work.</p> <p>21 I do think it's crossing the line of what 22 the PEC can do. I do think there's a meaningful 23 role in incentivizing it.</p> <p>24 I'll just note that because the last 25 45 minutes had a lot to do with the inefficiencies</p>	<p style="text-align: right;">244</p> <p>1 It's not even pink, the line, seriously. It's just 2 a matter of making lives easier. And I think the 3 only time people -- my sense is somebody wants to 4 opt out, it's just because they're trying to game 5 the system.</p> <p>6 The -- it's just to make it easier. And I 7 wouldn't say that it's a state agency, because you 8 did hear all that anti-government stuff earlier, 9 trying to manage and get their fingers in things. 10 It's, like, "Here's the form. Here's how you access 11 it." Boom, boom, boom, and it's over. It can be 12 so -- we're going to get a report from CSD in 13 30 days. It can be so simple. It's the way it 14 should be, you know. And it's only a couple of 15 schools that really push the envelope on whether or 16 not they're having a chilling effect on kids being 17 turned away in a sense.</p> <p>18 MR. MATT PAHL: I'd just note that the 19 idea that a couple of schools aren't doing maybe 20 what you think should happen, and this turns into a 21 policy for everybody, is kind of reminiscent of the 22 old PEC. And, you know, the idea -- and some folks 23 have been around for that. You're not part of the 24 old PEC.</p> <p>25 And so, yeah, it's a nice theory. But --</p>
<p style="text-align: right;">243</p> <p>1 of state government, I would just consider the fact 2 that even having a state contract with a vendor that 3 provides the services has the potential to get in 4 the way of parents and school getting a contract 5 done on time here. You all have experienced that; 6 it's challenging.</p> <p>7 That's not anybody's fault that's actually 8 in this room. It's the structure. And so even just 9 having a system ready every year by December is now 10 put at risk if this is put into the hands of the 11 state.</p> <p>12 I think the idea and the intent is 13 something that is worth talking about. But we're 14 talking, like, crossing bright red lines if -- if 15 the -- some state entity is going to be managing the 16 lottery process for schools.</p> <p>17 So just some initial comment, because I 18 did miss it yesterday.</p> <p>19 THE CHAIR: Thank you, Matt. Commissioner 20 Carrillo.</p> <p>21 COMMISSIONER CARRILLO: I don't know how 22 you can see off the side of your --</p> <p>23 THE CHAIR: My peripheral vision. Just 24 knew what was happening.</p> <p>25 COMMISSIONER CARRILLO: Totally disagree.</p>	<p style="text-align: right;">245</p> <p>1 it's a nice theory. But, yeah, we're willing to 2 talk about how you can make it a reality for more 3 schools. But I think, again, the touching -- 4 anyways, I look forward to the report just as much 5 as you do, Commissioner Carrillo.</p> <p>6 COMMISSIONER CARRILLO: Great.</p> <p>7 THE CHAIR: Any other questions for Matt? 8 (No response.)</p> <p>9 THE CHAIR: Seeing none, we're going to 10 move on to Item No. 18, Discussion and Possible 11 Action to Provide Input to Chair or Liaisons to 12 Speak on Behalf of the PEC.</p> <p>13 Is there anything we need to do on that? 14 (No response.)</p> <p>15 THE CHAIR: Great. Item No. 19, PEC 16 Comments. So this is an opt-in opportunity if you 17 have something to share with all of us. We won't 18 have any discussion, and we won't take any action.</p> <p>19 And I will just share, like, if we can be 20 brief. I don't want to put anyone into a position, 21 but I know we have some people needing to drive a 22 considerable distance.</p> <p>23 So, yeah, Commissioner Beck.</p> <p>24 COMMISSIONER BECK: Yeah. Really quick, I 25 wanted to say it was unfortunate that we didn't get</p>

246	<p>1 any new charters in. But on a personal level, I 2 learned a ton in the process. I mean, I read all 3 the stuff, went through the meetings. And even 4 though it didn't pan out, it was a great learning 5 experience for me, and I'm looking forward to the 6 learning experience of the renewals, which I haven't 7 been through yet. Thanks. 8 THE CHAIR: Thank you so much for looking 9 that up. 10 Commissioner Carrillo. 11 COMMISSIONER CARRILLO: I know yesterday 12 was an extremely long day, but I just think it was 13 also an extremely productive day, the conversations 14 that happened and the importance of drilling down on 15 these issues. So to everyone, just thanks for 16 hanging in there. 17 Chair Brauer, everyone, just thanks for 18 hanging in there. CSD staff. So... 19 THE CHAIR: Thank you, Commissioner 20 Carrillo. 21 Any other items? Any other comments? 22 (No response.) 23 THE CHAIR: Seeing none, we're going to 24 move on to Item No. 20, Discussion of New Business 25 Topics for the Next Agenda.</p>	248	<p>1 smaller districts that don't have a ton of 2 resources, there's a lot of stuff we can provide for 3 them. They've done it all. CSD has done it all. 4 It can include the lottery system, the pink lottery 5 system for districts and warning for kids to 6 interzone and stuff like that. 7 THE CHAIR: Commissioner Carrillo, just so 8 I'm clear, you want to put the NMSBA conference -- 9 COMMISSIONER CARRILLO: NMSBA state 10 conference. 11 THE CHAIR: As an agenda item? 12 COMMISSIONER CARRILLO: As an agenda item. 13 Our participation as a presenter. Yeah. Okay. 14 And then we had talked about having -- 15 just to make sure it's there, we had talked about 16 having a lottery thing on next month, update. We 17 talked about having the data thing on next month as 18 an update. I think we talked about having the 19 catered lunch thing on next month as an update. 20 I'm going to beat that horse until there's 21 nothing left of it. 22 I think that was it for the next meeting 23 for me. 24 THE CHAIR: Great. Thank you. 25 Any other items?</p>
247	<p>1 COMMISSIONER CARRILLO: Oh, I'm sorry. 2 THE CHAIR: Commissioner Carrillo. 3 COMMISSIONER CARRILLO: The NMSBA 4 conference, having that on the next agenda in the 5 work session, I'll reach out to Joe Guillen. And 6 I've mentioned this over the last several years. 7 The -- I think the importance of us presenting at 8 their convention, always the last Friday of November 9 and the first Saturday of December. And in 10 particular, I think performance framework might be 11 great. Innovation could be great. 12 Whatever it is just -- you know, it was 13 Superintendent Chavez with Santa Fe Public said the 14 other day as -- when they were -- they were again 15 talking about Explore and, you know, stealing kids 16 and all the rest of that. And he said -- he was 17 quoted in the article by Margaret O'Hara of The New 18 Mexican, he said, "Perhaps instead of looking at new 19 charters in a given district, we can look more at 20 collaboration." 21 And that's just, like, ¡Hijole! Come on. 22 I've been trying to do that since I got on the PEC. 23 Not him particularly. So now's the chance; right? 24 So that's why I think it would be great if we were 25 at the NMSBA presenting something. Especially</p>	249	<p>1 (No response.) 2 THE CHAIR: Thank you very much. 3 So Item No. 21, we can take a motion to 4 adjourn. We just need a second and then since we 5 are -- 6 COMMISSIONER GIPSON: Second. 7 THE CHAIR: Great. Since we are all in 8 person, we do not need to do a roll-call vote. 9 So all those in favor? 10 (Commissioners so indicate.) 11 THE CHAIR: All those opposed? 12 (No response.) 13 THE CHAIR: We're adjourned. Thank you, 14 CSD. 15 (Proceedings adjourned at 3:23 p.m.) 16 17 18 19 20 21 22 23 24 25</p>

BEFORE THE PUBLIC EDUCATION COMMISSION  
STATE OF NEW MEXICO

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