

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

OPEN PUBLIC MEETING

September 22, 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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1 APPEARANCES

2 COMMISSIONERS:

3 ALAN BRAUER, Chair

4 REBEKKA BURT, Vice Chair

5 TIMOTHY BECK, Member

6 STEVEN J. CARRILLO, Member

7 SHARON CLAHCHISCHILLIAGE, Member

8 PATRICIA GIPSON, Member

9 STEWART INGHAM, Member

10 K.T. MANIS, Member

11 MICHAEL TAYLOR, Member

12

13 PED STAFF:

14 CORINA CHAVEZ Director

15 Charter School/Options for

16 Parents and Families Division

17

18 BRIGETTE RUSSELL, Deputy Director

19 Charter School/Options for

20 Parents and Families Division

21

22 LUCY VALENZUELA, Authorizing Practices Specialist

23 Charter School/Options for Parents

24 and Families Division

25

MISSY BROWN Technical Assistance and Support and

Training Administrator

Charter School/Options for

Parents and Families Division

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COUNSEL TO THE PEC:

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1 THE CHAIR: Good morning, everyone. It's

2 9:02. I'm going to call our Public Education

3 Meeting for Friday, September 22nd, 2003, to order.

4 If I could have Vice Chair Burt do roll

5 call for us, please.

6 VICE CHAIR BURT: Chair Brauer.

7 THE CHAIR: Present.

8 VICE CHAIR BURT: Vice Chair Burt is here.

9 Secretary Armijo is not present.

10 Commissioner Beck.

11 COMMISSIONER BECK: Here.

12 VICE CHAIR BURT: Commissioner

13 Clahchischilliage.

14 COMMISSIONER CLAHCHISCHILLIAGE: Here.

15 VICE CHAIR BURT: Commissioner Ingham.

16 COMMISSIONER INGHAM: Here.

17 VICE CHAIR BURT: Commissioner Gipson.

18 COMMISSIONER GIPSON: Here.

19 VICE CHAIR BURT: Commissioner Taylor.

20 COMMISSIONER TAYLOR: Here.

21 VICE CHAIR BURT: Commissioner Manis.

22 COMMISSIONER MANIS: Here.

23 VICE CHAIR BURT: And Commissioner

24 Carrillo.

25 COMMISSIONER CARRILLO: Here.

6

1 VICE CHAIR BURT: All right. We have a  
 2 quorum of nine, and everyone is here in person.  
 3 THE CHAIR: That means when we approve the  
 4 agenda and other things, we can do a simple "All in  
 5 favor."  
 6 Pledge of Allegiance, Commissioner Beck.  
 7 And, then, Commissioner Carrillo, if you could just  
 8 help us with the Salute to the New Mexico Flag after  
 9 that.  
 10 (Pledge of Allegiance and Salute to the  
 11 New Mexico Flag conducted.)  
 12 THE CHAIR: Thank you. All right. Let's  
 13 move on to Item No. 2, Approval of the Agenda.  
 14 VICE CHAIR BURT: Move to approve the  
 15 agenda.  
 16 COMMISSIONER TAYLOR: Second.  
 17 THE CHAIR: Great. We have a motion and a  
 18 second.  
 19 All those in favor of approving the agenda  
 20 say "Aye."  
 21 (Commissioners so indicate.)  
 22 THE CHAIR: All those opposed?  
 23 (No response.)  
 24 THE CHAIR: All right. The ayes have it.  
 25 Agenda is approved.

7

1 Ms. Brown, we're on to Item No. 3 for Open  
 2 Forum.  
 3 Do we have anybody for Open Forum today?  
 4 MS. MELISSA BROWN: No, we do not.  
 5 THE CHAIR: We do not. Is that a second  
 6 month in a row that we have not had a soul wanting  
 7 to talk with us?  
 8 All right.  
 9 Let's move on to Item No. 4, School  
 10 Highlights and Spotlight.  
 11 I just want to remind the Commission and  
 12 our CSD staff that we're not going to really take  
 13 any discussion or action during this moment.  
 14 So with that, Vice Chair Burt.  
 15 VICE CHAIR BURT: Yeah. So we got news  
 16 not too long ago -- I think just a week ago, we got  
 17 news that -- ASK Academy is one of the schools in my  
 18 district. And there was a student that was selected  
 19 for a national fellowship for young advocates. His  
 20 name is Darren Paredes, and he's a junior at the ASK  
 21 Academy in Rio Rancho. He's one of ten students in  
 22 the class of Rising Leaders created and led by the  
 23 National Alliance for Public Charter Schools.  
 24 I think it may be similar to -- we also  
 25 had a Cottonwood Classical student who was on it, I

8

1 think, two years ago. So it's really exciting to  
 2 have another New Mexico student -- ten in the whole  
 3 country -- another New Mexico student that's getting  
 4 leadership training throughout the course of this  
 5 year and becoming a charter school advocate.  
 6 So congratulations to Darren and ASK  
 7 Academy and their family.  
 8 THE CHAIR: Thank you, Vice Chair.  
 9 Commissioner Carrillo.  
 10 COMMISSIONER CARRILLO: Okay. Shout-out  
 11 to NMSA, New Mexico School for the Arts. They had  
 12 an impressive 58-point score increase in their  
 13 overall SAT scores.  
 14 I know. When they sent me this, I was  
 15 just, like, whew. So super proud of NMSA.  
 16 And then also in reading and writing, they  
 17 were up 32 points; in math, 26 points.  
 18 So, clearly -- and I know this was -- you  
 19 know, I didn't say this before without mentioning  
 20 NMSA, that here we had a school that was so high in  
 21 these -- in different scores, but they were really  
 22 low in this one area.  
 23 They focused on it. They knew it without  
 24 me saying anything or whatever. They knew to focus  
 25 on it, and they've really lifted their scores.

9

1 I'm very impressed with this school for  
 2 what they do, certainly relative to the arts,  
 3 because no matter what the district says, most  
 4 districts could never, ever accomplish what they do  
 5 with the two hours a day extra for the arts work.  
 6 But then to have this kind of increase in  
 7 academics, super impressed with NMSA. There you go.  
 8 If you had a mascot, I'd say "Go" --  
 9 whatever. But you don't. I don't think NMSA has a  
 10 mascot.  
 11 THE CHAIR: Great. Thank you,  
 12 Commissioner.  
 13 COMMISSIONER CARRILLO: I'll have to look  
 14 into that.  
 15 THE CHAIR: Commissioner Beck.  
 16 COMMISSIONER BECK: Yes. Chair, you'd be  
 17 interested in this for sure, and everybody else will  
 18 be as well. An Albuquerque teen, 17-year-old  
 19 Francesca Benavidez of Albuquerque Math and Science  
 20 came in second in the entire nation on a U -  
 21 "under" -- 18 for archery. So -- yeah. And she's  
 22 only been doing it for nine months.  
 23 And she came in second in the nation.  
 24 THE CHAIR: Awesome. Thank you,  
 25 Commissioner Beck.

10	<p>1 Any other Commissioners?</p> <p>2 (No response.)</p> <p>3 THE CHAIR: Thank you very much for</p> <p>4 bringing in all these great bright spots into our</p> <p>5 space today. Much appreciated.</p> <p>6 And it just is really feeding for all the</p> <p>7 work that we do with our schools and to hear such</p> <p>8 great things, for sure.</p> <p>9 Let's move on to Item No. 5, the Consent</p> <p>10 Agenda.</p> <p>11 VICE CHAIR BURT: Move to approve the</p> <p>12 Consent Agenda.</p> <p>13 COMMISSIONER GIPSON: Second.</p> <p>14 THE CHAIR: We have a motion and a second.</p> <p>15 Let's go ahead and make a vote. All those in favor</p> <p>16 of approving the consent agenda, say "Aye."</p> <p>17 (Commissioners so indicate.)</p> <p>18 THE CHAIR: All those opposed?</p> <p>19 (No response.)</p> <p>20 THE CHAIR: All right. Ayes have it.</p> <p>21 Consent Agenda is approved.</p> <p>22 That means we can skip Item No. 6, since</p> <p>23 we didn't pull anything off the agenda.</p> <p>24 Let's move on to Item No. 7, Introduction</p> <p>25 of New Head Administrators. CSD and Director</p>	12	<p>1 So a little about myself. I'm old. I'm</p> <p>2 67. So I started in my educational career in the</p> <p>3 mid-1970s. And I was a preschool teacher for</p> <p>4 children identified with special needs. And I</p> <p>5 decided that I wanted to experience every single age</p> <p>6 range. So I've taught elementary, middle, high</p> <p>7 school, and university.</p> <p>8 So -- and I love all of it.</p> <p>9 And so I kind of landed, probably most</p> <p>10 recently -- well, actually, most recently, I was in</p> <p>11 a middle school, which is where I did my student</p> <p>12 teaching. So I spent a good deal of my life working</p> <p>13 with older high school students. And so I guess</p> <p>14 this is -- MASTERS Program is a good fit, because</p> <p>15 the early college model is an opportunity for me to</p> <p>16 bridge all the things I really love, which are all</p> <p>17 the stages of learning.</p> <p>18 And so just wonderful to be here, and I</p> <p>19 appreciate the opportunity.</p> <p>20 Anything else?</p> <p>21 THE CHAIR: Thank you very much. It's</p> <p>22 nice to meet you. What we're going to do, we're</p> <p>23 going to do just a quick around the horn of</p> <p>24 introductions from the Commissioners, as well as our</p> <p>25 counsel and anyone else on the CSD team who has not</p>
11	<p>1 Chavez.</p> <p>2 DIRECTOR CORINA CHAVEZ: Yeah.</p> <p>3 Commissioners, as you know, we are very pleased that</p> <p>4 this month, as part of your Consent Agenda, the</p> <p>5 MASTERS Program has named a new head administrator.</p> <p>6 Please welcome -- help me welcome Karla Moskowitz,</p> <p>7 who is coming to New Mexico to take over as the head</p> <p>8 administrator of that school. We are so happy that</p> <p>9 you're here, Karla. Welcome to New Mexico, and</p> <p>10 welcome to the PEC meeting.</p> <p>11 MS. KARLA MOSKOWITZ: Wonderful. So it's</p> <p>12 an honor to be here. I appreciate the invite.</p> <p>13 And, yes, it's been a whirlwind. I've</p> <p>14 lived most of my life in Colorado and spent a great</p> <p>15 deal of that time traveling around New Mexico. So</p> <p>16 it doesn't feel particularly strange to me.</p> <p>17 And, yet, it's still a new time in my life</p> <p>18 and a new time in the life of the state and the</p> <p>19 school. So there's a lot that still feels new.</p> <p>20 Most recently, I was living in Florida</p> <p>21 because I was with my family. And I have grown</p> <p>22 children and grandchildren. And I just -- I</p> <p>23 mentioned that I found out yesterday that I'll be a</p> <p>24 grandmother again. My son is having his first. So</p> <p>25 that's my really exciting news.</p>	13	<p>1 had a chance to meet you yet. But we'll start over</p> <p>2 there with Missy.</p> <p>3 Have you already met?</p> <p>4 MS. MELISSA BROWN: We have already met.</p> <p>5 The MASTERS Program asked me to come and do a</p> <p>6 full-day training with the board and their new head</p> <p>7 administrators in August? -- August.</p> <p>8 THE CHAIR: Got it. Great.</p> <p>9 MS. LUCY VALENZUELA: Hi, Karla. I'm Lucy</p> <p>10 Valenzuela, and I'm an authorizing practices</p> <p>11 specialist with the Charter Schools Division.</p> <p>12 COMMISSIONER MANIS: Hi. K.T. Manis,</p> <p>13 District 9, which is now the southeastern corner of</p> <p>14 the state, which encompasses Lea County, Eddy County</p> <p>15 a small part of Chaves County, Otero County, and a</p> <p>16 very small portion of Doña Ana County.</p> <p>17 Thank you.</p> <p>18 COMMISSIONER BECK: Hi. Tim Beck,</p> <p>19 District 2, Northeast Heights of Albuquerque. And</p> <p>20 you're not old; okay?</p> <p>21 MS. KARLA MOSKOWITZ: Thank you.</p> <p>22 COMMISSIONER BECK: If it's true, I'm old.</p> <p>23 And I don't feel old.</p> <p>24 MS. KARLA MOSKOWITZ: I appreciate it.</p> <p>25 COMMISSIONER GIPSON: Pattie Gipson,</p>

<p style="text-align: right;">14</p> <p>1 District 7, which is a lot of Doña Ana County and a 2 smidgen of Otero County in the southern part of the 3 state. Welcome, and I hope you have an opportunity 4 to meet with Ann. 5 MS. KARLA MOSKOWITZ: I've spent quite a 6 bit of time with Ann. 7 COMMISSIONER GIPSON: She guided the 8 school for quite a while. And she wrote a letter to 9 the editor, so I know she's still involved in the 10 charter community. 11 MS. KARLA MOSKOWITZ: Yes. 12 VICE CHAIR BURT: Good morning. My name 13 is Bekka Burt. I represent District 4, which is 14 Sandoval County up to Los Alamos County and then I 15 have a little bit of the Estancia area. 16 And welcome to New Mexico. I'm glad you 17 have access to good green chile all the time now. 18 MS. KARLA MOSKOWITZ: I just had some this 19 morning. So very good, yes. 20 VICE CHAIR BURT: So very happy to have 21 you here. 22 THE CHAIR: Good morning. So nice to meet 23 you. My name is Alan Brauer. I'm the Commissioner 24 from District 3, which is the middle section of 25 Albuquerque and then a little smidgen of the</p>	<p style="text-align: right;">16</p> <p>1 Bernalillo County, but that's the smidgen. I have 2 all the rest of the southwest corner of the state. 3 Nice to meet you. 4 MS. KARLA MOSKOWITZ: Likewise. Thank 5 you. 6 COMMISSIONER CLAHCHISCHILLIAGE: Good 7 morning. I'm Sharyn Clahchischilliage, and 8 congratulations on your new position and the 9 newcomer to your family. 10 MS. KARLA MOSKOWITZ: Thank you. 11 Appreciate that. 12 COMMISSIONER CLAHCHISCHILLIAGE: I 13 represent -- I'm a Commissioner for District 5, 14 which is the counties of San Juan, McKinley, and 15 then a sliver of Rio Arriba. I look forward to 16 working with you. Thank you very much. 17 MS. KARLA MOSKOWITZ: Likewise. Thank 18 you. 19 COMMISSIONER CARRILLO: We've met before, 20 and very happy to see you. Hope you stay a good 21 long time and -- at the school, and was super 22 impressed, so -- when I was there. 23 I represent District 10. So the rest of 24 Rio Arriba County besides the smidgen way up by the 25 Four Corners, and then all of Taos, Colfax,</p>
<p style="text-align: right;">15</p> <p>1 westside as well. Great to be here with you. 2 I look forward to visiting your school. 3 And I know that we have some CSD staff that I think 4 have students -- or children that go to the school. 5 You're even more on the hot seat than other schools. 6 MS. KARLA MOSKOWITZ: That's okay. It's a 7 good seat to be in. It's wonderful. 8 THE CHAIR: Also, I'm a farmer. I brought 9 some stuff from our farm today. Feel free to help 10 yourself to anything that looks good to you. 11 MS. JULIA BARNES: Julia Barnes. I'm the 12 attorney for the PEC. I've mentioned this when your 13 school's come forward before, but I run into your 14 students in town. And they represent your school so 15 well that they are doing a great job. Glad to see 16 you on board. 17 MS. KARLA MOSKOWITZ: Thank you. 18 COMMISSIONER TAYLOR: Hi. I'm Mike 19 Taylor. Very nice to meet you, and looking forward 20 to the years head ahead of you in that position. So 21 I represent District 8. I live in Roswell, 22 New Mexico. 23 COMMISSIONER INGHAM: Hi. My name is 24 Stewart Ingham. I'm District 6, which is the 25 southwest corner of the state. I actually live in</p>	<p style="text-align: right;">17</p> <p>1 Santa Fe, all the Colorado border on both of those. 2 And just -- I share a little bit of Santa Fe County 3 with Bekka, the Estancia really southeast portion. 4 But very glad to have you at that school 5 and very impressed with the school as well. 6 MS. KARLA MOSKOWITZ: Thank you. 7 DIRECTOR CORINA CHAVEZ: Karla, thanks 8 again for being here today. And I often acknowledge 9 that I think head administrators of charter schools 10 are some of the hardest working people there are. 11 So I know you have a lot on your plate. 12 I also know that you're up for renewal in 13 the next -- 14 MS. KARLA MOSKOWITZ: Uh-huh. Yes. 15 DIRECTOR CORINA CHAVEZ: You are so, so -- 16 Charter Schools Division is here to support you. I 17 want to come sit down and walk through your charter 18 contract, the performance framework with you and 19 just make sure that you feel supported as you're 20 starting this really important job. Thank you for 21 all you do. 22 MS. KARLA MOSKOWITZ: Thank you for that. 23 I'll be in touch soon. 24 DR. BRIGETTE RUSSELL: And, Karla, you 25 know me, because I am one of the CSD staff who has a</p>

18	<p>1 child at the MASTERS Program. So I will be recusing 2 myself from that renewal report and annual site 3 visit. 4 THE CHAIR: Thank you. So nice to meet 5 you. 6 Any questions from the Commission? 7 COMMISSIONER CARRILLO: No question but 8 just -- 9 THE CHAIR: Commissioner Carrillo. 10 COMMISSIONER CARRILLO: I'm sorry for 11 having said "Karen" instead of "Karla." But when I 12 was there at the opening -- I guess we call it a 13 parent -- it was in the very beginning -- parents 14 with the open house and everything. I was just so 15 impressed with the different programs they had and 16 the creativity and commitment of staff. 17 And I don't remember it offhand right now. 18 But the program that you have where the kids -- they 19 go out -- they do a lot of community work? I can't 20 remember his name who I met. 21 MS. KARLA MOSKOWITZ: Ambassadors. 22 Freedom Ambassadors. 23 COMMISSIONER CARRILLO: Ambassadors. Who 24 was the parent who -- 25 MS. KARLA MOSKOWITZ: One of the reasons</p>	20
19	<p>1 that I need no hustle back to the school is on 2 Fridays, the whole school is in-service. And so our 3 assistant head had a family emergency, so they're 4 probably fine without having an administrator there. 5 But I'm feeling I need to support some of the things 6 there. 7 But a couple of things around service and 8 community work. And I think specifically, Ernest 9 Kavanaugh has a significant history with the college 10 and also with the MASTERS Program in working with 11 archery for students and identified as Freedom 12 Ambassadors. In fact, as we speak, they're at 13 Buffalo Thunder doing a big presentation and reading 14 essays they've written and a variety of 15 presentations of different types in this youth 16 conference, which is wonderful. 17 So he has a group that's there, and they 18 were overnight. So that was a two-day. They're 19 coming back today. But when they're not doing 20 things like that, they're helping do all kinds of 21 things around the school and in the community. And 22 they're incredible. It's a leadership class 23 combined with this "ambassador" theme, which is 24 really vital, because those students become guides 25 and buddies to new students and also help with tours</p>	21
	<p>1 and so forth. 2 And then on Fridays, every student is in 3 some sort of Friday community project, from Habitat 4 to Humane Society to a variety of nonprofits, to 5 some art-related mural programs that are all related 6 to service. 7 So it's a real commitment. That's a full 8 day; so... 9 COMMISSIONER CARRILLO: Well, that's 10 fantastic, one of the things that sets your school 11 apart. So thank you very much for your service 12 looking forward. You can reach out any time. 13 MS. KARLA MOSKOWITZ: I will. So I 14 appreciate it. But were we -- am I done? Is that 15 right? Stick a fork in it? 16 THE CHAIR: Thank you. Thank you so much. 17 Have a good rest of the day. 18 Commissioners, I just want to acknowledge 19 that we just finished a full sheet of our agendas. 20 We're on to Page 2 already in 17 minutes. 21 No. 8, Discussion and Possible Action to 22 Correct Administrative Error in McCurdy Charter 23 School Contract, Performance Framework, 24 School-Specific Goal. 25 Missy, is anyone on the horn? On the</p>	

22

1 have been there.  
 2 And, again, they have -- we've got  
 3 approval from the school for that.  
 4 So Document 8.a. is the language in yellow  
 5 that is corrected. You'll see it just puts the same  
 6 language in between the two other sections.  
 7 So what was missing:  
 8 There was 0 to 39 percent. What was  
 9 missing was 40 to 59 percent on Working to Meet.  
 10 And that's being replaced here.  
 11 And I will say that the school has --  
 12 already knows this. They've been following this.  
 13 So it's just a typographical error. Again, the  
 14 draft motions are at the top of your Google Drive.  
 15 THE CHAIR: Thank you. All right.  
 16 COMMISSIONER GIPSON: Can I just ask a  
 17 question? I have no problem with this. But I have  
 18 a question about the process, because, normally,  
 19 when we, like, vote for the contract, we've got the  
 20 agreement that the governance council has voted and  
 21 agreed to it prior to our taking our final action.  
 22 So I'm just -- you know, that's the only  
 23 thing I'm asking, because it just seems a little out  
 24 of -- you know, I'm fine with doing it. But we  
 25 normally make sure that the governance council --

23

1 and we have that as -- as part of the documentation.  
 2 THE CHAIR: Thank you, Commissioner.  
 3 MS. JULIA BARNES: So in the motion --  
 4 first, they might have already done it. The school  
 5 was indicating they were going to take it to their  
 6 governing board. There have been times -- it  
 7 doesn't matter in a contract. Either entity can  
 8 vote first or second. So -- but I have put into the  
 9 motion that CSD will obtain those minutes, and then  
 10 it'll be a contract amendment.  
 11 And, actually, every time, like many of  
 12 the amendments and things that come before you, you  
 13 do have one of the parties taking action and then  
 14 another party taking. But it's just -- you're used  
 15 to you taking action second. But you don't have to.  
 16 I did it this way, because it was probably  
 17 my mistake. I finalized the documents, and so I  
 18 just wanted to fix it; so...  
 19 THE CHAIR: All right.  
 20 COMMISSIONER GIPSON: I'll make a motion.  
 21 THE CHAIR: Okay. Commissioner Gipson.  
 22 COMMISSIONER GIPSON: I move that PEC  
 23 correct the School-Specific Goal for McCurdy Charter  
 24 School identified as Document 8.a. in the Google  
 25 Drive and direct CSD to obtain the minutes from

24

1 McCurdy Charter School governing board adopting the  
 2 same, and replace the page with the missing  
 3 information in the contract on the website.  
 4 COMMISSIONER CARRILLO: Second.  
 5 THE CHAIR: All right. So we have a  
 6 second. Any discussion on this motion?  
 7 THE REPORTER: Question: Who was the  
 8 second? I apologize for interrupting.  
 9 THE CHAIR: Commissioner Carrillo.  
 10 THE REPORTER: Thank you.  
 11 THE CHAIR: Do we have any discussion?  
 12 (No response.)  
 13 THE CHAIR: Seeing no discussion, let's go  
 14 ahead and do a roll-call vote.  
 15 Vice Chair Burt.  
 16 VICE CHAIR BURT: Commissioner Carrillo.  
 17 COMMISSIONER CARRILLO: Yes.  
 18 VICE CHAIR BURT: Commissioner Manis.  
 19 COMMISSIONER MANIS: Yes.  
 20 VICE CHAIR BURT: Commissioner Taylor.  
 21 COMMISSIONER TAYLOR: Yes.  
 22 VICE CHAIR BURT: Commissioner Gipson.  
 23 COMMISSIONER GIPSON: Yes.  
 24 VICE CHAIR BURT: Commissioner Ingham.  
 25 COMMISSIONER INGHAM: Yes.

25

1 VICE CHAIR BURT: Commissioner  
 2 Clahchischilliage.  
 3 COMMISSIONER CLAHCHISCHILLIAGE: Yes.  
 4 VICE CHAIR BURT: Vice Chair Burt, yes.  
 5 And Chair Brauer.  
 6 THE CHAIR: Yes.  
 7 VICE CHAIR BURT: That passes unanimously.  
 8 THE CHAIR: All right. Let's move on to  
 9 Items No. 9 and 10; we'll likely be discussing both  
 10 of these at the same time.  
 11 This is a discussion and possible action  
 12 to return Albuquerque Institute for Math and Science  
 13 to good standing, including a review of proposed  
 14 amendment to the charter contract.  
 15 And then Item No. 10 is Discussion and  
 16 Possible Action, Including Possible Action Under the  
 17 Intervention Ladder on Performance Related to  
 18 Albuquerque Institute for Math and Science Regarding  
 19 Compliance with Lottery and Enrollment Process  
 20 Requirements and Information Required to be Posted  
 21 on the Website.  
 22 Missy, if there's anyone from the school,  
 23 go ahead and let them in.  
 24 I do want to share that from the last  
 25 meeting, the executive committee and Ms. Barnes did

<p style="text-align: right;">26</p> <p>1 meet with the school and their council on September 2 the 11th to discuss and work together to come up 3 with some new solutions to some of our concerns that 4 we had about their lottery and enrollment processes. 5 The school did send us a letter that you all have. 6 It's 9.a., I believe, that described their 7 process for making -- making changes to their 8 lottery and enrollment processes and procedures. 9 And then Ms. Barnes put together a memo 10 for us that included much of what AIMS' letter 11 included, as well as some other information for us 12 to make some decisions. And, Ms. Barnes, do you 13 have anything else at this time to -- 14 MS. JULIA BARNES: Happy to go over that 15 memo. I'm happy to see if you want to hear from the 16 school first, whatever is your pleasure. 17 THE CHAIR: Missy, is there anyone from 18 the school? Is the client -- she is here, so she's 19 just going to be listening? Okay. Great. 20 So, Ms. Barnes, maybe if you want to share 21 a little bit of the memo and anything that I may not 22 have elaborated on that I should have. 23 MS. JULIA BARNES: So the memo, which is 24 9.b., I just went and tried to pull from what's 25 happened over the past couple of months, just to</p>	<p style="text-align: right;">28</p> <p>1 The admissions process, the document -- I 2 think it's Pages 4 and 5 -- this is exactly from -- 3 that they showed us that day and that is up on the 4 AIMS website. They are accepting lottery forms 5 right now. This is a live link. 6 The things that they also highlighted at 7 the bottom is that they've put what they need to 8 know, and is this program right for your child. So 9 this was both shown to us that day and is still up 10 there today and is live. 11 They also showed us -- they are using an 12 online system now to both do the lottery and the 13 enrollment. The enrollment page, which is the 14 screenshot, I don't know what that looks like now. 15 The conversation was around the uploading of 16 documents. 17 So on that day, which is draft and not 18 finalized, as I understand, they had six documents: 19 Proof of -- that says, "Please upload the following 20 documents"; although there's a toggle that says that 21 it's not mandatory. 22 So if you're a parent, you know how you'll 23 see those things that have a star? It'll say 24 "Required Information" and you can't move on? It's 25 not required. So those six documents are not</p>
<p style="text-align: right;">27</p> <p>1 remind you, or some of it is more detail for you. 2 So on July 22nd, Chair Brauer, after your 3 vote, provided a letter outlining the Notice of 4 Concern to AIMS, and identified seven things in 5 order to put the school back in good standing. 6 The contract identifies and incorporates 7 by reference the lottery and enrollment protocols 8 and procedures as an amendment to the contract. 9 That amendment -- that contract, Exhibit F 10 right now, only has the application for the lottery; 11 it doesn't have anything regarding enrollment. 12 So the Notice of Concern had asked them to 13 amend that and provide an updated lottery 14 enrollment, procedures, and practices. So you 15 identified those seven things. 16 In August, they came here, you will 17 recall, and there was a lengthy conversation. And 18 at that time, you all moved, as Chair Brauer has 19 already indicated, that they -- that this would be 20 up again, that they would provide their enrollment 21 policies and practices at this meeting, and that in 22 the interim, the EC would meet with the school. And 23 that did happen. 24 I did want to outline for you what some of 25 the conversations were.</p>	<p style="text-align: right;">29</p> <p>1 required. 2 The conversation was around the fact that, 3 in fact, four of those forms are required forms. 4 You may not be required to upload them 5 electronically; but proof of birth, immunization 6 records, dental information, and digital use 7 surveys. My understanding, those are required to 8 enroll a student. So four are not optional. 9 Maybe the timing of them is what's 10 optional. 11 Writing sample and letters of 12 recommendation are two documents that you looked at 13 and discussed in detail. 14 On that day, they did not say "Optional" 15 somewhere; although they indicated to us that day 16 that they were. And you can see what Mr. Esquivel 17 says in his letter. 18 I don't see that it's clear yet to me that 19 they have clearly identified that as optional. 20 Maybe it is fixed; I don't know. 21 Then -- I just put in a section about 22 whether the school is -- is providing information 23 today or not. They did provide that letter, and we 24 indicated to them the process we would follow today. 25 On the legal standard, it's the same legal</p>



30

1 standard that I provided to you previously. I did  
 2 provide -- the Office of Civil Rights has confirmed  
 3 that a school must eliminate school enrollment  
 4 practices that may chill or discourage participation  
 5 or lead to the exclusion of students. I pulled some  
 6 of their examples.

7 They reach out to schools based on  
 8 complaints all the time. I want to say that their  
 9 database has hundreds of letters, not just on  
 10 lottery and enrollment, but on special ed, all the  
 11 way around.

12 So Arlington Independent Schools,  
 13 Baltimore County, Buffalo Public Schools, I've just  
 14 highlighted where they have addressed areas that are  
 15 somewhat similar.

16 The key is -- and it's on Page 1 -- that I  
 17 think this is the key on the student enrollment on  
 18 the recommendation: "If a policy or practice that  
 19 is neutral on its face and administered neutrally  
 20 results in a disproportionate or unjustified impact  
 21 on students..." -- and in this case, this was a  
 22 particular race or national origin, but there's  
 23 other protected classes.

24 So the student essay is neutral.  
 25 The recommendation, it's not a neutral

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1 document because the teacher provides some kind of a  
 2 ranking, but it is neutrally applied -- they ask for  
 3 it from everybody -- the issue is there an impact on  
 4 students in a particularly protected class. So  
 5 that's what I think the conversation is.

6 And I think that's all that I want to go  
 7 over at the moment.

8 THE CHAIR: I just want to reiterate one  
 9 item here, Commissioners. When we did talk with the  
 10 school -- and, Missy, if there is someone from the  
 11 school that does want to come on, we'd love to have  
 12 them come on and share as well.

13 But one of the areas that we discussed in  
 14 more detail was the -- as Ms. Barnes mentioned, the  
 15 six optional documents that are optional to upload.  
 16 At the end of our conversation, we requested that  
 17 the big next step for us is to ensure that we can  
 18 clarify that the letter of recommendation and the  
 19 writing sample continues to stay absolutely  
 20 optional, and maybe if it's possible to have that  
 21 separated from the other optional uploads that we  
 22 know are optional to upload online, but are  
 23 absolutely required by law to be given to the  
 24 school, that we separate those two things.  
 25 So that was the area of emphasis in our

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1 conversation with the school and the next step that  
 2 we asked them to really -- to work on before sending  
 3 their letter to us on September the 15th.

4 Missy, is there anyone from the school  
 5 that wants to come in? We wanted to make sure we  
 6 gave them opportunities to share.

7 MS. MELISSA BROWN: We've got Dr. Kathryn  
 8 Watkins on the panel. And Kathy Sandoval has her  
 9 hand up, and she wants the opportunity to speak.

10 THE CHAIR: Thank you, Ms. Sandoval. And,  
 11 Ms. Watkins, the floor is yours. Thank for you  
 12 joining us.

13 I can't see you, either one of you, on my  
 14 Zoom screen. You might be on mute if you are  
 15 talking. And if you haven't started yet, the floor  
 16 is yours.

17 DIRECTOR CORINA CHAVEZ: So look at the  
 18 bottom -- there you go -- bottom left hand where  
 19 there's the microphone, and click on that to unmute  
 20 yourself. We saw your hand up, Kathy. There you  
 21 go.

22 MR. MARTIN ESQUIVEL: Okay, Mr. Chair.  
 23 Can you see me now?  
 24 THE CHAIR: I can't see you, Mr. Esquivel,  
 25 but I hear you.

33

1 MR. MARTIN ESQUIVEL: Okay. It says our  
 2 video is on, so I'm not really clear what's  
 3 happening.

4 THE CHAIR: I think it might be on our  
 5 end. We just hear the Zoom of our room. But maybe  
 6 Missy and others might see them on -- might see you.  
 7 So -- but we'll just move forward and see if we can  
 8 clarify that.

9 DR. KATHRYN WATKINS: Hello.

10 MR. MARTIN ESQUIVEL: Kathryn, I'm  
 11 speaking on behalf of the school, if you can hear  
 12 me.

13 DR. KATHRYN WATKINS: Okay. Then I  
 14 will --

15 MR. MARTIN ESQUIVEL: I have  
 16 Dr. Sandoval-Snider here. I have Mike Reid here. I  
 17 have Jerry Delmore here, Mr. Chair.

18 As you know, I wrote a letter, and I  
 19 stated that the original issue, I think, was  
 20 conveyed to us in May about separating the  
 21 application from the employment -- from the  
 22 enrollment package, which we felt that that was  
 23 clear in our website.

24 We redesigned it in July. We have  
 25 addressed that. I made that clear in my letter.

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1 From that point, I think the goalposts  
 2 have moved, and we have a fundamental disagreement  
 3 on the contract regarding your ability to dictate  
 4 how the enrollment package should look.  
 5 We tried in good faith to come up with an  
 6 enrollment package on the computer. We felt as  
 7 though it's very clear, number one, that a student  
 8 is admitted into our school, and then an enrollment  
 9 package is provided.  
 10 We felt as though what we had proposed  
 11 made it clear that the essay and the letter of  
 12 recommendation -- this is a college preparatory  
 13 charter school, which we're trying to teach kids the  
 14 importance of establishing relationships with their  
 15 teachers -- we felt that was clear. Reasonable  
 16 minds can differ as to whether or not it was clear.  
 17 It appeared to me that certain  
 18 Commissioners, as well as your counsel, disagreed  
 19 that it was clear. So they also -- in terms of  
 20 moving the goalposts, there was questioning by your  
 21 counsel about the separation of days between  
 22 acceptance into the lottery and then when the  
 23 enrollment documents were due. That was an issue  
 24 that was brought up for the first time -- first time  
 25 during our meeting.

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1 So the school's position at this point is  
 2 we made an attempt to work with you on the  
 3 enrollment package. It appears that at least two or  
 4 three of this Commission -- and I'm not sure whether  
 5 it was acting as a subcommittee or an advisory  
 6 committee. I think I've made the point in the past  
 7 that I believe that that committee is subject to the  
 8 Open Meetings Act.  
 9 But, nevertheless, I wrote a letter. I  
 10 registered my concern about this moving of the  
 11 goalposts about the -- the time differential between  
 12 the lottery notification and the enrollment  
 13 documents. And I also stated that the enrollment  
 14 package has now been withdrawn. It's no longer on  
 15 the website, and the school will, in the next three  
 16 months, work on the enrollment package.  
 17 But at this point, we're not going to be  
 18 forced into an enrollment package at this time.  
 19 So that's where we stand.  
 20 THE CHAIR: Thank you, Mr. Esquivel. We  
 21 do see you now in our Zoom. I just wanted to share  
 22 that we have video.  
 23 MR. MARTIN ESQUIVEL: Okay.  
 24 THE CHAIR: Anything else from your team?  
 25 Anyone else that wants to share anything?

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1 MR. MARTIN ESQUIVEL: Well, I guess I  
 2 continue to be a little confused about where we  
 3 stand right now. So if there is a question or  
 4 something I would like to add on to, I would like  
 5 the opportunity to do that.  
 6 But I'd like to make one final point, if  
 7 you will, Mr. Chair.  
 8 THE CHAIR: Sure.  
 9 MR. MARTIN ESQUIVEL: Mr. Chair, we do  
 10 have a charter contract. And that charter contract  
 11 was signed off by Commissioner Gipson. It had  
 12 provisions which were approved by the Commission  
 13 back in 2020.  
 14 We -- we are going to live by that  
 15 contract. That contract is the document which  
 16 controls our relationship.  
 17 To the extent that there's any threat of  
 18 disciplinary action to force us into changing that  
 19 contract, I believe that's improper. That's  
 20 inappropriate.  
 21 The amendment to the contract process, as  
 22 far as your rules go, state that a school can move  
 23 to amend if it's mutually agreeable. I see nothing  
 24 in your rules that say we have to amend if you  
 25 threaten action against us.

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1 So I think we fundamentally have a  
 2 disagreement regarding the contract. I do know that  
 3 in the last few months, there has been an attempt to  
 4 change your contracts moving forward, much  
 5 differently than what we have right now. But I say  
 6 that the school stands ready to live by that  
 7 contract and move forward.  
 8 We will come up with the enrollment  
 9 package within the next three months. If you want  
 10 to review it, we'll be glad to share it with you.  
 11 But it's not complete at this time.  
 12 THE CHAIR: Thank you. Commissioners, we  
 13 have an opportunity to discuss this, also ask  
 14 questions to the school if we have any questions for  
 15 the school at this time.  
 16 Commissioner Gipson.  
 17 COMMISSIONER GIPSON: So my question is if  
 18 the enrollment packet isn't complete at this point  
 19 in time, what does a student who's entering the  
 20 school now complete?  
 21 MR. MARTIN ESQUIVEL: Ms. Gipson, did you  
 22 receive a copy of my letter?  
 23 COMMISSIONER GIPSON: I did. And I  
 24 questioned this when you were here. And it's --  
 25 Commissioner Gipson -- that you're a public school.

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1 So you cannot not enroll students. You can't stop  
 2 enrolling students. So it's --  
 3 MR. MARTIN ESQUIVEL: Commissioner Gipson,  
 4 Chair Brauer, we are not accepting any enrollment  
 5 for this school year. And that's -- that was made  
 6 clear in the letter that I sent.  
 7 COMMISSIONER GIPSON: And that's why --  
 8 that's my point. We operate public schools. Public  
 9 schools can't not accept students.  
 10 MR. MARTIN ESQUIVEL: We have a lottery  
 11 process. Mr. Chair, Commissioner Gipson, we have a  
 12 lottery process that addresses the situation. And I  
 13 guess if you have -- if you had some sort of process  
 14 that you wanted us to follow, it would have been in  
 15 the contract that you signed back in 2020.  
 16 But we feel like we're abiding by the  
 17 contract. And -- and Ms. -- Dr. Snider is here to  
 18 address any other questions.  
 19 But I did make that clear in the letter  
 20 that I addressed to the Commission. Thank you.  
 21 THE CHAIR: Vice Chair Burt.  
 22 VICE CHAIR BURT: So, first, I just want  
 23 to say I do think the -- outside of the engagement  
 24 and the way in which the engagement has gone, I  
 25 actually think the school has, like, really made

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1 strides to do what we've asked.  
 2 So I think, you know, we -- like, if you  
 3 look at the seven points that we asked them to do, I  
 4 think we're just about right there. I mean, I think  
 5 that's -- I think it's been a really big shift and a  
 6 big change. And I am really grateful they had -- I  
 7 don't know if he's on there, if he's one of them  
 8 there -- yeah.  
 9 THE CHAIR: Jerry?  
 10 VICE CHAIR BURT: Jerry, yeah, presenting  
 11 it. And it was very clear. You know, it was nice  
 12 to see how they're going to set it up and the fields  
 13 that they're requiring and not requiring.  
 14 The lottery that's up right now is very  
 15 simple. It asks for very little information. And  
 16 it just -- it's extremely clear, very much aligned  
 17 to what the guidance says. And I feel really good  
 18 about it.  
 19 I think the one -- the only question I  
 20 have is we talked about those documents that -- the  
 21 documents that are required versus optional. And  
 22 I -- if you could just clarify the way in which  
 23 those documents are going to kind of be labeled,  
 24 that would set me, like, in complete confidence, you  
 25 know. If we could just get some idea of how the

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1 school is going to look at clarifying which of those  
 2 documents is required versus optional, that's the  
 3 only question I have is what that might look like,  
 4 and then I feel really good about how the school has  
 5 responded practically in black and white to the  
 6 issue.  
 7 MR. JERRY DELMORE: Did you want me to  
 8 respond to that?  
 9 VICE CHAIR BURT: Yeah, just if you could  
 10 kind of -- I don't know if you're able to, like,  
 11 present now. But if you can give -- like, paint a  
 12 picture in our minds of what it would look like  
 13 versus what it was when it was first presented.  
 14 MR. JERRY DELMORE: Yeah. So we took the  
 15 suggestions of that prior meeting to heart. And we  
 16 updated that page to clearly identify which four  
 17 things are mandatory and made it clear that none of  
 18 them have to be uploaded, but we're just offering  
 19 the option to upload so that it eliminates them  
 20 having to drive into the school and drop something  
 21 off, or worry about a copy of somebody's birth  
 22 certificate getting lost in the mail.  
 23 So -- but it has been identified, four  
 24 things that were mandatory, two for everyone, and  
 25 two for new students of charter schools or of the

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1 State of New Mexico. And then the other two are not  
 2 mandatory. And that's been clarified in that  
 3 document.  
 4 VICE CHAIR BURT: Is it -- like, in  
 5 that -- like, you have, like, that text box. Is it  
 6 just going to -- are you going to put like  
 7 parentheses that says "Optional," or are you going  
 8 to separate them into two different sections?  
 9 MR. JERRY DELMORE: It's separated into  
 10 three categories, first one being mandatory for all.  
 11 And then there's, like, 1 and 2. And then the  
 12 second category, mandatory for new students to the  
 13 state or new students to our charter school, and  
 14 then the third category. It's still in draft form,  
 15 but we did take the intent of what you guys gave us  
 16 and we made that happen.  
 17 VICE CHAIR BURT: Awesome. Thank you. I  
 18 really appreciate that. I think, going over it, it  
 19 looks like, you know, from my -- you know, from what  
 20 we talked about last month to what was presented, it  
 21 looks like you guys really did take, you know, all  
 22 the -- all the back-and-forth and made it happen.  
 23 And so I think that, for me, was the  
 24 only -- that was, like -- I was -- like, I feel like  
 25 we're, like, 99 percent there. And so that was,

<p style="text-align: right;">42</p> <p>1 like, the 1 percent, to just get it over the hump so 2 we can, for me, move forward on the issue and move 3 on. 4 MR. JERRY DELMORE: Yeah, we're definitely 5 100 percent there for what you guys made 6 suggestions. 7 THE CHAIR: Thank you. I also want to 8 just reiterate on my gratitude for working with us 9 in that conversation and taking that feedback to 10 heart. I think that's going to be really helpful to 11 clarify for families, and you all as well. I think 12 that's a good step. 13 One question I had. Mr. Esquivel, I think 14 you mentioned in about three months is when the 15 enrollment process will be released again; is that 16 correct? 17 MR. MARTIN ESQUIVEL: Yes. We anticipate 18 within the next three months, yes. 19 THE CHAIR: And I think it would be great 20 to -- just to see the final results. I know we can 21 see that on the website. Will we be able to see 22 that interface? Would it be possible for us to work 23 with you all at that time, just to see how it rolls 24 out, just to -- just to see what the process looks 25 like, like we did with Jerry and you all back on</p>	<p style="text-align: right;">44</p> <p>1 COMMISSIONER CARRILLO: I'm sorry, I just 2 heard a -- 3 DR. KATHRYN WATKINS: My apologies. I 4 interrupted. 5 COMMISSIONER CARRILLO: Is that what 6 you're saying? Or -- I defer to you to do the right 7 thing. You know what grades are maxed out, and you 8 know what classrooms are full. And so where you may 9 not be at your enrollment cap or a cap in a certain 10 area, it's just saying that you're no longer 11 enrolling students. 12 I think that is -- gives the wrong 13 impression, given that you are a public school. I 14 mean no ding or anything here; just the observation 15 and agree with Commissioner Gipson. 16 DR. KATHRYN WATKINS: That's not a 17 question. 18 THE CHAIR: Any other comments, questions 19 from the Commissioners? 20 I have one last question. And this is 21 getting up to a little bit of, like, the -- a couple 22 of steps into the process for you all. 23 Since the letter of recommendation is 24 optional, I'm trying to think about how that -- if a 25 student does decide to have a letter of</p>
<p style="text-align: right;">43</p> <p>1 September 11th? Would that be something that we 2 could do together with you? 3 MR. MARTIN ESQUIVEL: Yes. Either whether 4 we put it on the website or whether we e-mail it, 5 we'll provide you with what the document looks like. 6 Sure. 7 THE CHAIR: Great. Thank you. I really 8 appreciate that. 9 Commissioner Carrillo. 10 COMMISSIONER CARRILLO: Good morning. And 11 thank you for all the changes that you made, and I 12 echo what Commissioner Burt said this morning. 13 I do, however, have the same concern that 14 Commissioner Gipson has relative to -- it's like the 15 second -- or the fourth-to-last paragraph of your 16 letter, Mr. Esquivel, where you say you're no longer 17 enrolling students. 18 And I share the concern that as a public 19 school, you don't have a choice. I mean, you can't 20 just say, you know, "We're cutting it off." 21 If there are people that are on a 22 waitlist, they need to be called and given the 23 opportunity to enroll in your school if you have 24 space in, you know, the appropriate grades. 25 DR. KATHRYN WATKINS: (Inaudible) space.</p>	<p style="text-align: right;">45</p> <p>1 recommendation from their teacher, and let's say 2 that that fifth-grade teacher does not recommend 3 that student to your school, does that have weight 4 on whether or not you all will be accepting that 5 student or not, compared to, like, if a student 6 already decided to do a recommendation. 7 And I hope you understand what my spirit 8 is. What I'm thinking about is I don't want a 9 student to be dinged if they get a letter of 10 recommendation and do an optional process for your 11 lottery and enrollment process. And it's, like, oh 12 man, the teacher said that student wasn't cut out to 13 do something at your school, how that weighs on -- 14 on the process, since some students aren't going to 15 do it, and they won't have that feedback. 16 I hope this makes sense to you all in 17 terms of -- I'm thinking about this from a parent 18 perspective, like how that would weigh out. Jerry 19 or others, I'd love to hear your thoughts on that. 20 MR. MARTIN ESQUIVEL: Mr. Chair. I didn't 21 mean to interrupt you, Mr. Chair. 22 Number one, that's never happened. 23 Usually, if you're asking a teacher for a letter of 24 recommendation, it's coming from somebody who thinks 25 highly of you. As someone who's asked for letters</p>

46	<p>1 of recommendations before, I have not gone to any 2 enemy teacher of mine to ask for one.</p> <p>3 But even in the very unlikely situation 4 where the letter of recommendation says, "Absolutely 5 not, this kid's horrible," it wouldn't make a 6 difference. It's very unlikely.</p> <p>7 The point here is this is a college 8 preparatory school. We are trying to give students 9 an understanding of what is necessary moving 10 forward. Establishing good relationships with 11 teachers, what the process is of getting me into 12 college, that's what this is really about. It's 13 nothing more than that. I think it's a tremendously 14 good thing.</p> <p>15 But to answer your question head-on, it's 16 not going to make a difference if the letter of 17 recommendation turns out to be a hit job on the 18 student.</p> <p>19 Correct, Kathy?</p> <p>20 MS. KATHY SANDOVAL-SNIDER: Yes.</p> <p>21 THE CHAIR: Thank you. I appreciate you 22 sharing that for me. And I absolutely understand 23 doing so many different letters of recommendation 24 for adults and children, usually, they ask you 25 because you're going to say some good things about</p>	48	<p>1 clear on the lottery page that they will be 2 identified and told that they can fill out the 3 enrollment process.</p> <p>4 Again, the letter from Mr. Esquivel says 5 up to 14 days. We heard previously from the school 6 that they give longer than Monday at noon to a 7 Friday at noon. So I think that they have -- they 8 have addressed that.</p> <p>9 The third one is that time period.</p> <p>10 The fourth one was any references in the 11 documentation regarding an application that somehow 12 you have to apply to be accepted. It's just the 13 lottery. I think Commissioner Burt has already said 14 that she actually walked through and saw that it was 15 very simple.</p> <p>16 And then clarifying today that they have 17 indicated two documents that are required for all 18 students, two documents that are required for new 19 students, and that the two, essay and 20 recommendation, regardless of how it comes out, is 21 voluntary for a student.</p> <p>22 So they actually will either have to 23 submit two, possibly four, and never be required to 24 submit six. That's how they've addressed it. 25 So it's on your agenda today to put them</p>
47	<p>1 them. But I also think about the -- those moments, 2 those 99.- -- that .1 percent opportunity that I 3 think could come up. And so thank you for sharing 4 that.</p> <p>5 Any other thing from the Commission? 6 Okay. I'm going to pass -- before we make 7 any motions, I wanted to share -- I wanted to have 8 Ms. Barnes share some of our options at this stage, 9 so that we can digest those a little bit and -- and 10 then hopefully take an action after this.</p> <p>11 Ms. Barnes?</p> <p>12 MS. JULIA BARNES: So in -- I just didn't 13 want to walk through the seven things that you 14 identified the school to do, just -- I think that 15 we've already done that a little bit. I just wanted 16 to walk you through it.</p> <p>17 The first was you asked them to follow the 18 guidance on lottery and provide families on a 19 website the lottery separate and as a stand-alone 20 document. That has been done. That is -- that is 21 on their website. It is a separate, stand-alone, 22 simple thing.</p> <p>23 The second one is that the enrollment 24 information is provided after a student has 25 successfully obtained a spot in the school. That is</p>	49	<p>1 back into good standing. You could take action on 2 that now. You could take action on that when you 3 saw the final version, because they say that it's 4 still in draft and that they may take up to -- I 5 don't know -- three months, or 90 days, from now. 6 You could take no action today.</p> <p>7 You could take action today to accept them 8 and put them back into good standing. You've done 9 that several times on -- with a caveat that they 10 provide the information that Chair Brauer just 11 asked, that they provide those screenshots when it's 12 finalized.</p> <p>13 They will need to provide that, though, 14 because the enrollment packet isn't going to be 15 available for anyone to see unless your child is 16 accepted in the lottery. So they would need to 17 provide that. But they just have said that they 18 would.</p> <p>19 There's other actions you can take if you 20 don't put them -- or take some action under No. 9. 21 And you might do what you did last time, 22 which is address No. 9 and then move on to No. 10; 23 although, I think there are several options there.</p> <p>24 THE CHAIR: Thank you, Ms. Barnes. If 25 there's no questions, we will entertain a motion.</p>

<p style="text-align: right;">50</p> <p>1 Vice Chair Burt.  2 VICE CHAIR BURT: All right. I move that  3 the PEC accept the updated information from  4 Albuquerque Institute for Math and Science Charter  5 contract providing the enrollment policies and  6 practices to be used by AIMS, and that the school be  7 placed back into good standing related to its  8 lottery and enrollment practices, and that the  9 school provide CSD with its completed enrollment  10 packet at -- when it's finalized.  11 THE CHAIR: Thank you. We have a motion  12 and a second. Any discussion about this motion?  13 THE REPORTER: I'm sorry. I missed the  14 second again. This is Cindy.  15 THE CHAIR: Commissioner Taylor.  16 COMMISSIONER TAYLOR: Second.  17 THE CHAIR: Seeing no -- Commissioner  18 Ingham.  19 COMMISSIONER INGHAM: Sorry. But I'm  20 confused as to what -- with Pattie's concern. Does  21 this address it in any way, shape, or form?  22 THE CHAIR: It does not address that  23 concern. But that concern was raised last time as  24 well. And today this motion is really focused in  25 on, like, the work that they did with the lottery</p>	<p style="text-align: right;">52</p> <p>1 Commissioner Manis.  2 COMMISSIONER MANIS: Yes.  3 VICE CHAIR BURT: Commissioner Carrillo.  4 COMMISSIONER CARRILLO: Yes.  5 VICE CHAIR BURT: And Chair Brauer.  6 THE CHAIR: Yes.  7 VICE CHAIR BURT: That passes unanimously.  8 THE CHAIR: Thank you very much. Thank  9 you, AIMS team. We're grateful for your work with  10 us, and we look forward to seeing the final draft of  11 your enrollment process. So thank you so much.  12 MR. MARTIN ESQUIVEL: Thank you.  13 THE CHAIR: All right. Let's take a  14 ten-minute break, if that's okay with everyone, and  15 we'll come back at 10:10.  16 (Recess taken, 9:59 a.m. to 10:13 a.m.)  17 THE CHAIR: All right. It's 10:13. Let's  18 come back to our meeting.  19 We're going to move on to Item No. 11,  20 Discussion and Possible Action on the 2023 Renewal  21 Site Visit Protocol.  22 Director Chavez, I'll provide you the  23 floor.  24 DIRECTOR CORINA CHAVEZ: Thank you, Chair  25 and Commissioners.</p>
<p style="text-align: right;">51</p> <p>1 and enrollment. I know that it's connected, but in  2 terms of us making a decision, this is the motion.  3 COMMISSIONER INGHAM: It's connected.  4 Okay.  5 COMMISSIONER GIPSON: I agree it's a  6 concern, but it wasn't addressed in the letter or  7 anything. So we're -- we have to focus just on --  8 COMMISSIONER INGHAM: Okay. That's what  9 I -- I just wanted clarification.  10 THE CHAIR: Okay. Any other comments  11 about the motion?  12 Seeing none, let's take a roll-call vote,  13 please, Vice Chair Burt.  14 VICE CHAIR BURT: Commissioner Ingham.  15 COMMISSIONER INGHAM: Yes.  16 VICE CHAIR BURT: Commissioner  17 Clahchischilliage.  18 COMMISSIONER CLAHCHISCHILLIAGE: Yes.  19 VICE CHAIR BURT: Commissioner Gipson.  20 COMMISSIONER GIPSON: Yes.  21 VICE CHAIR BURT: Commissioner Beck.  22 COMMISSIONER BECK: Yes.  23 VICE CHAIR BURT: Commissioner Taylor.  24 COMMISSIONER TAYLOR: Yes.  25 VICE CHAIR BURT: Vice Chair Burt, yes.</p>	<p style="text-align: right;">53</p> <p>1 As we discussed yesterday, there is a copy  2 of the draft Renewal Site Visit Protocol in the Work  3 Session. We didn't upload it into the documents for  4 today in case there's edits that you would like for  5 us to make.  6 I did send it to the schools, and I let  7 them know that you would be discussing it today and  8 that we would let them know of your final decision.  9 We are -- we are working really closely  10 with the schools up for renewal already. We have  11 scheduled the site visits, and, as we discussed  12 yesterday, have started to receive -- have started  13 to send them Part A and finalize Part A.  14 And they are sending us Part B by  15 October 1. So all of -- we're doing everything we  16 possibly can to start the process so that we can hit  17 the road as early as October 5th with the renewal  18 visits.  19 So we get a pretty short timeline to read  20 through their application, clarify any questions  21 that come up after reading their application, and  22 conduct the site visit and produce a preliminary  23 recommendation to the PEC.  24 So I don't know if there's any edits that  25 the Commission wishes to add to the protocol, but I</p>

<p style="text-align: right;">54</p> <p>1 think that that's the discussion at this point.  2 THE CHAIR: Thank you, Director Chavez.  3 Any questions, comments at this time?  4 Ms. Barnes.  5 MS. JULIA BARNES: Commissioner Gipson,  6 just in terms of your comments yesterday -- and it  7 has to do with the timeline in this document, which  8 is really different than the timeline in the renewal  9 document. And I think, in particular, while the  10 language is very different, the dates are the same,  11 with the exception of the annual report from the  12 previous -- from last year.  13 I guess I think that the timeline should  14 be the same. I don't know what -- if I had my way,  15 they would be the same identical document. If I  16 actually had my way, the timeline would be removed  17 from any document and be separated.  18 I've been thinking about what you said,  19 which is how to address that fourth-year annual  20 report, which I think right now CSD doesn't think  21 has value to finalize, primarily because all the  22 data is already included in Part A. So that's  23 already been provided to the school.  24 We don't have PED data. The -- I think we  25 only have an assurance, as we discussed yesterday,</p>	<p style="text-align: right;">56</p> <p>1 We're in that same situation. So it's not a change  2 to the site protocol. But my suggestion might be an  3 e-mail.  4 I think there's a bigger discussion later  5 about what you all are going to do with delayed PED  6 data. I am increasingly feeling like finish what  7 you can, and finish PED stuff when it comes, and you  8 might need to make some tweaks.  9 But you guys and CSD are ready to do the  10 work that you need to do. And we've been holding  11 back waiting for PED data. And that isn't sitting  12 very well with me.  13 Finish the work that you can finish, which  14 is effectively what they've done in Part A. But as  15 I think Dr. Russell and Director Chavez said  16 yesterday, everything they have is in Part A.  17 There's no held-back information that has been  18 released. And that was given a month -- that was  19 given a month in advance of the application being  20 provided.  21 So the spirit of what you want to do --  22 and I think what you've asked CSD to do -- has been  23 done.  24 But closing that loop makes some sense to  25 me, with a letter from Chair Brauer.</p>
<p style="text-align: right;">55</p> <p>1 that it'll be completed by November 15th, which is  2 going to be problematic throughout this renewal  3 cycle.  4 But I thought that you raised a really  5 good point about closing that loop. And I think you  6 guys have a couple of options.  7 First, I think this is one of your forms,  8 so you ought to -- you ought to accept something and  9 adopt it. So I think that soon we might move  10 that -- whatever document over so that you can adopt  11 that document from yesterday, because I think that  12 (inaudible due to audio distortion) do that.  13 I think, after kind of going back and  14 forth on several things, I think one suggestion to  15 discuss is whether you direct Chair Brauer to send a  16 letter to renewing schools that clarifies for them  17 where last year's date is, that it is in Part A,  18 that you are going to consider it in Part A.  19 I would also suggest that in that letter,  20 you clarify that you hope to get more information  21 from PED and that you will include that when it is  22 there.  23 They already have it. I don't want you  24 not to be able to look at that. You may have to --  25 I don't know. We're going to have to fill that out.</p>	<p style="text-align: right;">57</p> <p>1 COMMISSIONER GIPSON: Thank you for that.  2 And I think -- I think it would just be clarifying  3 for the schools. Because I know, even in the best  4 of times, they're always asking, "What are you going  5 to be looking at? What..." -- you know.  6 So I think it just sets some schools maybe  7 at ease because there's that clarifying message to  8 them, "This is what's going to be looked at, and  9 this is how it's going to go."  10 And I think it can be short and sweet, you  11 know, just so that the schools hopefully have fewer  12 questions. And I think that -- that's the best we  13 can do right now.  14 Do -- so -- but let me just ask a  15 question, 'cause -- so I'm looking at the redline  16 version. And the redline version has the  17 August 20 -- so the redline version took out that  18 whole piece about the letter. And there's that --  19 the preliminary Part A and local authorized schools.  20 And it doesn't say that the letter is going to go  21 out.  22 MS. JULIA BARNES: Let me tell you what  23 the --  24 COMMISSIONER GIPSON: But my question is  25 schools already have the renewal application. So</p>

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1 changing this doesn't -- doesn't really fix  
 2 anything, because they're already -- they already  
 3 have the renewal application done.  
 4 DIRECTOR CORINA CHAVEZ: So may I respond?  
 5 THE CHAIR: Go ahead.  
 6 DIRECTOR CORINA CHAVEZ: So as the  
 7 Commission knows, I have considered the Renewal Site  
 8 Visit Protocol, the CSD work. So, yes, it doesn't  
 9 include something that the PEC put in the  
 10 Application Kit, which is the PEC to review annual  
 11 reports and send out notices of concern. That's not  
 12 really part of the visit.  
 13 The purpose of the protocol is to talk  
 14 about our visit to the school. So that's why it was  
 15 kept out.  
 16 MS. JULIA BARNES: And then, Commissioner  
 17 Gipson, I just want to tell you what the redline is.  
 18 You approved a Renewal Site Visit document  
 19 previously. CSD provided a new one. I -- I used  
 20 the computer to compare the documents.  
 21 So it -- it is only just a compare so that  
 22 you could see that.  
 23 And on the compare document, there were a  
 24 couple of things, just in moving things around, that  
 25 weren't changed, so that's not reflected in the

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1 redline. I don't know if that's important to you.  
 2 But it is just a very simple compare of those  
 3 documents.  
 4 And in terms of where I think you are on  
 5 process, if a document has minor non-substantive  
 6 changes, you don't need to look at it twice. This  
 7 is the first time that you -- yesterday was the  
 8 first time that you looked at it. I think a lot of  
 9 those changes are non-substantive. But in the  
 10 future, I think that you should make sure that you  
 11 have it on the -- on two working sessions so that  
 12 we're not having this question.  
 13 CSD raised several times that they felt an  
 14 urgent need to get it out to the schools.  
 15 THE CHAIR: Vice Chair Burt.  
 16 COMMISSIONER BURT: When you guys gave  
 17 this as, like, a -- "CSD is going to look at this,  
 18 but we want to give it to you now," did you also  
 19 attach the rubric for the site visit for the  
 20 schools?  
 21 DIRECTOR CORINA CHAVEZ: So the rubric for  
 22 renewals is embedded in the Renewal Application Kit.  
 23 COMMISSIONER BURT: And so for the site  
 24 visit?  
 25 DIRECTOR CORINA CHAVEZ: There's not a

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1 rubric for the site visit. The site visit is going  
 2 on site and verifying information that was submitted  
 3 as part of their application and really gaining an  
 4 understanding of what's going on at the school.  
 5 There's -- the visit doesn't get a rating.  
 6 It gets combined with information of the school's  
 7 record and combined with the narratives that they  
 8 provide us to lead to a preliminary recommendation.  
 9 COMMISSIONER GIPSON: So can I just ask a  
 10 follow-up on that, so that I'm just -- I'm trying to  
 11 remember. Do they -- do schools get some kind of  
 12 narrative back from you after the site visit so that  
 13 if there was, like -- you know, "We didn't find the  
 14 following on the site visit," so that the schools  
 15 have opportunity to respond back?  
 16 DIRECTOR CORINA CHAVEZ: So we start the  
 17 site visits October 5th and end the site visits  
 18 October 18th. And the renewal timeline says that we  
 19 send to both the PEC and the schools a preliminary  
 20 analysis on November 1st.  
 21 So that's when they get a preliminary  
 22 analysis.  
 23 COMMISSIONER GIPSON: So they don't get  
 24 any -- so -- so they don't get any specific feedback  
 25 on the site visit. They simply get feedback on the

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1 renewal application as a whole, which the site visit  
 2 is part of that. But there's not a separate -- this  
 3 is what -- you know, "We didn't -- you know, we  
 4 didn't find this at the site visit." So, you  
 5 know --  
 6 DIRECTOR CORINA CHAVEZ: Commissioner  
 7 Gipson, we hold an exit with the head administrator  
 8 and the leadership team --  
 9 COMMISSIONER GIPSON: Right.  
 10 DIRECTOR CORINA CHAVEZ: -- where we are  
 11 giving feedback to the school.  
 12 COMMISSIONER GIPSON: So -- but is there  
 13 any -- is there only oral? Or is there any written  
 14 documentation of that feedback to the -- at the  
 15 exit? Because I know -- I knew the exit happened.  
 16 But is there any documentation from that exit  
 17 interview?  
 18 DR. BRIGETTE RUSSELL: Chair Brauer,  
 19 Commissioner Gipson, there is no formal written  
 20 notice. If the Commission would like to revise the  
 21 renewal application for next year, we can add that.  
 22 But, currently, there is no provision for a written  
 23 document in between the site visit, exit interview,  
 24 and the preliminary renewal analysis.  
 25 DIRECTOR CORINA CHAVEZ: Should we decide



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1 that that's something the Commission would do, I  
 2 would respectfully ask for a little bit of time to  
 3 fit that into the schedule, because with site  
 4 visits, annual site visits, we typically get ten  
 5 days after conducting the site visit to share with  
 6 the school some preliminary analysis.  
 7 Here, our timeline says the written  
 8 preliminary analysis -- and, really, I feel like  
 9 it -- you know, our -- our time frame is really  
 10 crunched, because not only are we giving feedback  
 11 from what we saw, read, and everything that has  
 12 happened over the entire charter term, we are also  
 13 at that point including some preliminary indication  
 14 of what recommendation we're going to make --  
 15 right? -- for renewal, non-renewal, or renewal with  
 16 conditions.  
 17 So that's going to be difficult for us,  
 18 and it's going to be difficult for the school.  
 19 And it's a compressed timeline, and that's  
 20 what our -- your renewal application suggests we  
 21 need to do.  
 22 COMMISSIONER GIPSON: Yeah. And I  
 23 appreciate that. And as I'm thinking about it, they  
 24 do -- they do have that opportunity to respond  
 25 through that preliminary analysis if there was

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1 something that was found at the site visit.  
 2 So I'm going to take back everything that  
 3 I said.  
 4 DIRECTOR CORINA CHAVEZ: So let's -- so,  
 5 again, with the -- the renewal timeline, which,  
 6 again, you're looking at the protocol, which doesn't  
 7 contemplate the entire application -- renewal  
 8 application timeline, that's in the renewal  
 9 application. I can share screen if you want, but  
 10 then I might not to be able to get out of it. Just  
 11 kidding.  
 12 So you all are clear about November 1 is  
 13 when the schools get the preliminary renewal  
 14 analysis, which gives preliminary indication of the  
 15 recommendation.  
 16 Let me see if I can do this.  
 17 Okay. And so then at the November PEC  
 18 meeting is when there is a -- the PEC identifies  
 19 schools that may be subject to conditions of  
 20 non-renewal based on, I assume, what we send and  
 21 what you read that the school has submitted.  
 22 And then the letter goes to the schools  
 23 November 10th.  
 24 And then the schools have an opportunity  
 25 to respond by November 15th.

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1 And then by December 1st, we provide a  
 2 final renewal analysis with the recommendation in  
 3 time for your meeting in December, which is  
 4 scheduled for December -- it'll be the week of  
 5 December 15th when a decision would be made.  
 6 So it's tight on everybody, really. If  
 7 you think about this, you know, people have very  
 8 little time. But, yeah, we will have 13 schools,  
 9 and each school will have their records to respond  
 10 to our analysis.  
 11 MS. JULIA BARNES: So the rule which is in  
 12 effect now, so I think that the timing is consistent  
 13 with this. So I -- I think that -- and I've kind of  
 14 done a side-by-side comparison of the renewal  
 15 timeline, the site visit report timeline, and the  
 16 rule.  
 17 And the difference -- the only thing not  
 18 in the site visit timeline is this August -- the  
 19 preliminary report from the previous year.  
 20 So they are all set out there.  
 21 The -- the Division -- in the rule, the  
 22 Division is required to identify their preliminary  
 23 recommendation. You had wanted that prior to the  
 24 letter that you sent out to the school. So I think  
 25 that's that November 1st to November 7th or 10th.

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1 And then they have those ten days. So it is  
 2 compressed.  
 3 And this meets it. From the CSD analysis.  
 4 So CSD analysis is November 1st. They have until  
 5 November 15th to respond to that. They don't need  
 6 to respond to your letter.  
 7 COMMISSIONER BURT: But they're going to  
 8 want to. Like, if we add anything -- but they don't  
 9 have -- I think that's going to be -- if I'm a  
 10 school, I'm not -- I'm going to try to take anything  
 11 extra that the PEC said two days before and put it  
 12 in there as well.  
 13 So that's a quick turnaround for them as  
 14 well. But -- I mean, I guess they could start it  
 15 based off of that.  
 16 MS. JULIA BARNES: It is a quick  
 17 turnaround. And that also is to get the final  
 18 analysis from CSD by December 1.  
 19 So to --  
 20 COMMISSIONER GIPSON: We've never had  
 21 schools respond -- well, we haven't done the letters  
 22 that often. But I think it would --  
 23 MS. JULIA BARNES: The letter is for the  
 24 hearing. But you're right, Bekka.  
 25 COMMISSIONER GIPSON: It's quick. It is,

66	<p>1 no matter what --</p> <p>2 MS. JULIA BARNES: I'll just say in</p> <p>3 reviewing both timelines against the rule, they</p> <p>4 match.</p> <p>5 THE CHAIR: Any other questions?</p> <p>6 Comments?</p> <p>7 (No response.)</p> <p>8 THE CHAIR: I'll entertain a motion. Vice</p> <p>9 Chair Burt.</p> <p>10 COMMISSIONER BURT: I move that the PEC</p> <p>11 adopt the 2023 Renewal Site Visit Protocol</p> <p>12 identified as Document 11.a. in the Google Drive and</p> <p>13 that the Chair e-mail all renewal schools to confirm</p> <p>14 that the fourth-year data is presented in Part A of</p> <p>15 the renewal application, and that the fourth-year</p> <p>16 annual report will not be created as a separate</p> <p>17 document. However, the fourth-year PED assessment</p> <p>18 data will be included in the renewal process when</p> <p>19 made available from PED.</p> <p>20 COMMISSIONER GIPSON: Second.</p> <p>21 THE CHAIR: We have a second. Now we're</p> <p>22 in discussion.</p> <p>23 Any discussion of this said motion?</p> <p>24 (No response.)</p> <p>25 THE CHAIR: Seeing none, let's go ahead</p>	68	<p>1 DIRECTOR CORINA CHAVEZ: Thank you. We're</p> <p>2 really excited to get out to the schools.</p> <p>3 THE CHAIR: Great. Item No. 12,</p> <p>4 Discussion and Possible Action on Performance</p> <p>5 Framework and Business Rules.</p> <p>6 I don't think we have anything based on</p> <p>7 our conversation yesterday. I don't think we're</p> <p>8 going to be taking any action. I do not believe we</p> <p>9 need to take any discussion at this point either.</p> <p>10 Seeing none, we're going to move on to</p> <p>11 Item No. 13, Possible Action and Changes to the PEC</p> <p>12 Rules of Procedure.</p> <p>13 Ms. Barnes, do you want to give us a quick</p> <p>14 highlight on what we talked about yesterday and the</p> <p>15 things that are up for us to adopt?</p> <p>16 MS. JULIA BARNES: I think our</p> <p>17 conversation yesterday was consistent with the draft</p> <p>18 document. So move the draft document over to the --</p> <p>19 to this Google Drive so that you can vote on it.</p> <p>20 I guess I wasn't clear -- it's not in the</p> <p>21 Rules of Procedure -- but I wasn't -- I just wasn't</p> <p>22 clear yesterday if anything -- any informal action</p> <p>23 is going to happen for any Commissioner that is</p> <p>24 absent.</p> <p>25 But that's just -- it's not in the Rules</p>
67	<p>1 and take a roll-call vote. Vice Chair Burt.</p> <p>2 COMMISSIONER BURT: Commissioner Beck.</p> <p>3 COMMISSIONER BECK: Yes.</p> <p>4 VICE CHAIR BURT: Commissioner</p> <p>5 Clahchischilliage.</p> <p>6 COMMISSIONER CLAHCHISCHILLIAGE: Yes.</p> <p>7 COMMISSIONER BURT: Commissioner Ingham.</p> <p>8 COMMISSIONER INGHAM: (No audio.)</p> <p>9 VICE CHAIR BURT: Commissioner Carrillo.</p> <p>10 COMMISSIONER CARRILLO: Yes.</p> <p>11 VICE CHAIR BURT: Commissioner Manis.</p> <p>12 COMMISSIONER MANIS: Yes.</p> <p>13 VICE CHAIR BURT: Commissioner Taylor.</p> <p>14 COMMISSIONER TAYLOR: Yes.</p> <p>15 VICE CHAIR BURT: Commissioner Gipson.</p> <p>16 COMMISSIONER GIPSON: Yes.</p> <p>17 VICE CHAIR BURT: Vice Chair Burt, yes.</p> <p>18 And Chair Brauer.</p> <p>19 THE CHAIR: Yes.</p> <p>20 COMMISSIONER BURT: That passes</p> <p>21 unanimously.</p> <p>22 THE CHAIR: Thank you, all. Thank you,</p> <p>23 Director Chavez and Dr. Russell, for the work on</p> <p>24 this as well, and best wishes for the visits that</p> <p>25 you're about to embark on.</p>	69	<p>1 of Procedure, and I don't think it's supposed to be</p> <p>2 there. So it's ready for you to vote on.</p> <p>3 THE CHAIR: Okay. Any discussion? I know</p> <p>4 we discussed this a lot yesterday.</p> <p>5 Commissioner Carrillo.</p> <p>6 COMMISSIONER CARRILLO: Just that it's</p> <p>7 nice to be at this point, because we've done so much</p> <p>8 work on this for so long. And I remember when -- I</p> <p>9 think Pattie was Chair -- it just -- when I was</p> <p>10 first on, we first started saying, "Boy, we really</p> <p>11 need to kind of work on consistency in the way we do</p> <p>12 things for ourselves and for schools and everything</p> <p>13 else." And that was a while ago.</p> <p>14 And to be at this point, I think, now,</p> <p>15 after considerable work -- and thank you, Julia, so</p> <p>16 much for everything you've done to be at the point</p> <p>17 where we're voting on this -- it's a big deal.</p> <p>18 THE CHAIR: Thank you, Commissioner</p> <p>19 Carrillo.</p> <p>20 Seeing no other hands raised, I'll</p> <p>21 entertain a motion.</p> <p>22 Vice Chair Burt.</p> <p>23 COMMISSIONER BURT: I move that the PEC</p> <p>24 adopt the Revised Rules of Procedure in</p> <p>25 Document 13.a. and post the document to the PEC</p>

70	<p>1 website with the referenced attachment from the</p> <p>2 Attorney General.</p> <p>3 COMMISSIONER TAYLOR: Second.</p> <p>4 COMMISSIONER CARRILLO: Second.</p> <p>5 THE CHAIR: Cindy, Commissioner Carrillo</p> <p>6 muscled out Commissioner Taylor for that second.</p> <p>7 Let the record show both of those items.</p> <p>8 Any discussion from the Commissioners on</p> <p>9 this motion?</p> <p>10 (No response.)</p> <p>11 THE CHAIR: Seeing none, Vice Chair Burt.</p> <p>12 COMMISSIONER BURT: I'll let Commissioner</p> <p>13 Taylor go first.</p> <p>14 COMMISSIONER TAYLOR: Yes.</p> <p>15 COMMISSIONER BURT: Commissioner Manis.</p> <p>16 COMMISSIONER MANIS: Yes.</p> <p>17 VICE CHAIR BURT: Commissioner Carrillo.</p> <p>18 COMMISSIONER CARRILLO: Yes.</p> <p>19 COMMISSIONER BURT: Commissioner Gipson.</p> <p>20 COMMISSIONER GIPSON: Yes.</p> <p>21 VICE CHAIR BURT: Commissioner Beck.</p> <p>22 COMMISSIONER BECK: Yes.</p> <p>23 COMMISSIONER BURT: Commissioner</p> <p>24 Clahchischilliage.</p> <p>25 COMMISSIONER CLAHCHISCHILLIAGE: Yes.</p>	72	<p>1 So while you're giving me credit for being</p> <p>2 organized, the wrong document was uploaded. You</p> <p>3 might go to the next item, and I'll just upload</p> <p>4 that. There's only two items to look at.</p> <p>5 THE CHAIR: Let's go on to 15, and we'll</p> <p>6 circle back to 14.</p> <p>7 Discussion and Possible Action on the 2024</p> <p>8 PEC Calendar.</p> <p>9 DIRECTOR CORINA CHAVEZ: Commissioners,</p> <p>10 there's been no changes since the discussion we had</p> <p>11 last month. The calendar is in your folder as Item</p> <p>12 15, Draft 2024 PEC Meeting Calendar.</p> <p>13 This is allowing us to be way ahead with</p> <p>14 looking, may re-haul, and I know scheduling other</p> <p>15 things.</p> <p>16 THE CHAIR: Great. As we review this,</p> <p>17 please feel free to ask any questions or</p> <p>18 clarifications.</p> <p>19 But as Director Chavez mentioned, I don't</p> <p>20 think this has changed since the last time we</p> <p>21 discussed. And we made some pretty good</p> <p>22 improvements and suggestions to last time.</p> <p>23 Commissioner Carrillo.</p> <p>24 COMMISSIONER CARRILLO: I would just</p> <p>25 suggest, at the very, very bottom, where it says,</p>
71	<p>1 COMMISSIONER BURT: Commissioner Ingham.</p> <p>2 COMMISSIONER INGHAM: Yes.</p> <p>3 VICE CHAIR BURT: Chair Brauer.</p> <p>4 THE CHAIR: Yes.</p> <p>5 COMMISSIONER BURT: Vice Chair Burt, yes.</p> <p>6 That passes unanimously.</p> <p>7 THE CHAIR: Thank you.</p> <p>8 Item No. 14, Discussion and Possible</p> <p>9 Action Regarding Legislative Agenda.</p> <p>10 Ms. Barnes, I'm going to have you kind of</p> <p>11 share a little bit more about what we talked about</p> <p>12 yesterday.</p> <p>13 We kind of wanted to clean up the document</p> <p>14 to ensure that it only includes -- although we have</p> <p>15 things that the Commission has approved in the past.</p> <p>16 We know that with this 30-day session, our wish list</p> <p>17 is not really relevant in a lot of ways when it --</p> <p>18 when we have a 60-day.</p> <p>19 So we did clarify that and update that to</p> <p>20 include only the items that we think could be</p> <p>21 potentially included on -- on call or within a</p> <p>22 appropriations bill.</p> <p>23 MS. JULIA BARNES: Sorry. I'm trying to</p> <p>24 make sure that the right document got uploaded. We</p> <p>25 might go to -- I didn't -- it's not the right one.</p>	73	<p>1 you know, "Work Session Draft," just have it say</p> <p>2 "Final," because we see so many copies all the time.</p> <p>3 This way we know that this is the one. And request</p> <p>4 today's date.</p> <p>5 And then I would just ask, so we don't get</p> <p>6 confused with stuff, if CSD or perhaps Sharyn</p> <p>7 wouldn't mind just e-mailing us -- so it's</p> <p>8 completely separate -- just e-mailing us the</p> <p>9 calendar for next year.</p> <p>10 DIRECTOR CORINA CHAVEZ: Absolutely. We</p> <p>11 can do that.</p> <p>12 COMMISSIONER CARRILLO: Thank you very,</p> <p>13 very --</p> <p>14 THE CHAIR: Anybody else other than Vice</p> <p>15 Chair Burt want to make the motion today? Or should</p> <p>16 I give her the -- Vice Chair Burt, I know you can.</p> <p>17 I know you're also doing the roll call, so I wanted</p> <p>18 to make sure we weren't burdening you too much</p> <p>19 today. (Discussion off mic.)</p> <p>20 COMMISSIONER CARRILLO: Okay. I'm going</p> <p>21 to go ahead and make a motion. No. Just kidding,</p> <p>22 because you guys are all doing it.</p> <p>23 COMMISSIONER GIPSON: I move that the PEC</p> <p>24 adopt the 2024 PEC Calendar provided as Item 14.a.</p> <p>25 (verbatim) and that the calendar be posted on the</p>

74	<p>1 PEC website.</p> <p>2 COMMISSIONER BECK: Second.</p> <p>3 THE CHAIR: Okay. Thank you.</p> <p>4 Cindy, that was the boisterous</p> <p>5 Commissioner Beck that made that second.</p> <p>6 All right. Any discussion on this motion?</p> <p>7 (No response.)</p> <p>8 THE CHAIR: Seeing none, Vice Chair Burt.</p> <p>9 COMMISSIONER BURT: Chair Brauer.</p> <p>10 THE CHAIR: Yes.</p> <p>11 COMMISSIONER BURT: Vice Chair Burt, yes.</p> <p>12 Commissioner Carrillo.</p> <p>13 COMMISSIONER CARRILLO: Yes.</p> <p>14 COMMISSIONER BURT: Commissioner Manis.</p> <p>15 COMMISSIONER MANIS: Yes.</p> <p>16 COMMISSIONER BURT: Commissioner Beck.</p> <p>17 COMMISSIONER BECK: Yes.</p> <p>18 COMMISSIONER BURT: Commissioner Gipson.</p> <p>19 COMMISSIONER GIPSON: Yes.</p> <p>20 COMMISSIONER BURT: Commissioner Taylor.</p> <p>21 COMMISSIONER TAYLOR: Yes.</p> <p>22 COMMISSIONER BURT: Commissioner</p> <p>23 Clahchischilliage.</p> <p>24 COMMISSIONER CLAHCHISCHILLIAGE: Yes.</p> <p>25 COMMISSIONER BURT: And Commissioner</p>	76	<p>1 legislative session. Then I've kept everything else</p> <p>2 just in this document, and I just put a header,</p> <p>3 "60-day Session Ideas" and kept everything else</p> <p>4 below it.</p> <p>5 So the only thing that you talked about</p> <p>6 yesterday that you would like to talk about today</p> <p>7 are clarifying the up to the 2 percent and the lease</p> <p>8 assistant MEM rate.</p> <p>9 Again, I mentioned yesterday -- and I</p> <p>10 think Vice Chair Burt wasn't here -- but the</p> <p>11 Commission voted previously on the 2 percent. But</p> <p>12 you have different members, and I think there was an</p> <p>13 intent to have you as this group kind of take a</p> <p>14 decision on that now.</p> <p>15 So there was a motion that passed</p> <p>16 previously that -- that it doesn't sound like you</p> <p>17 want to rely on that previous vote; plus, it was for</p> <p>18 a previous session.</p> <p>19 And then the second one is the one that</p> <p>20 was added.</p> <p>21 Everything else, if you wanted to consider</p> <p>22 anything else, it's still down there below, but it</p> <p>23 sounded like you just want to consider these two.</p> <p>24 You wanted to consider two things, whether</p> <p>25 the Commission would vote to affirmatively do that,</p>
75	<p>1 Ingham.</p> <p>2 COMMISSIONER INGHAM: Yes.</p> <p>3 COMMISSIONER BURT: That passes</p> <p>4 unanimously.</p> <p>5 THE CHAIR: Thank you, Vice Chair.</p> <p>6 COMMISSIONER CARRILLO: I have a question,</p> <p>7 Chair Burt.</p> <p>8 How come we went from "Yay" to doing roll</p> <p>9 call when we don't have anyone on Zoom?</p> <p>10 COMMISSIONER GIPSON: We had received</p> <p>11 guidance a while back from the -- when the AG's</p> <p>12 Office was our attorney here, that on items such as</p> <p>13 just the agenda and attending the meeting. But</p> <p>14 action items need -- an action item like this</p> <p>15 needs -- an absolute number of yes-and-no votes have</p> <p>16 to be identified in the record.</p> <p>17 COMMISSIONER CARRILLO: Got it. Thank</p> <p>18 you.</p> <p>19 THE CHAIR: Thank you. All right. We're</p> <p>20 going to circle back to Item No. 14, Discussion and</p> <p>21 Possible Action regarding Legislative Agenda.</p> <p>22 MS. JULIA BARNES: Okay. Now that the</p> <p>23 right document is up, all I did from the document</p> <p>24 yesterday was move the two items up that you had</p> <p>25 indicated you would want to talk about this</p>	77	<p>1 and then allow certain Commissioners then to move</p> <p>2 forward on behalf of the Commission, not simply on</p> <p>3 behalf of themselves.</p> <p>4 COMMISSIONER GIPSON: So I just -- I guess</p> <p>5 I need some clarification. Because my</p> <p>6 understanding -- and I get that the MEM rate for</p> <p>7 lease reimbursement, certainly want to support an</p> <p>8 increase. But that's not what Commissioner Ingham</p> <p>9 was referring to. Commissioner Ingham was referring</p> <p>10 to the NMFA putting money in. So that's --</p> <p>11 MS. JULIA BARNES: I think this is --</p> <p>12 maybe I'm confused. The NMFA person -- well, I can</p> <p>13 click on that link, because I tried to go back to</p> <p>14 that. And I think that this was the -- was the --</p> <p>15 in that woman's -- sorry. I do not remember.</p> <p>16 COMMISSIONER GIPSON: She did. She did</p> <p>17 talk about the fact that there -- you know,</p> <p>18 there's -- there's concerns and issues with the MEM</p> <p>19 rate being not sufficient, because it only covers</p> <p>20 about 80 percent. But there's also the funding that</p> <p>21 goes to NMFA for capital projects for schools.</p> <p>22 That's -- it's two separate -- well, it wasn't -- it</p> <p>23 wasn't, I don't think, because I don't remember if</p> <p>24 it was brought up the last time. But I know you</p> <p>25 brought it up yesterday. So that was something that</p>

78	<p>1 we thought should be in here.</p> <p>2 But it is a separate issue than the MEM</p> <p>3 rate. The MEM rate is something that I think we</p> <p>4 would all support that increase. But the funding --</p> <p>5 the capital -- the capital funding to NMFA is a</p> <p>6 separate -- would be a separate bill. Yeah.</p> <p>7 THE CHAIR: Commissioner Ingham, do you</p> <p>8 have some language that we could include in here to</p> <p>9 make sure we had that clarified, based on the</p> <p>10 conversations that you had?</p> <p>11 COMMISSIONER INGHAM: It's really hard for</p> <p>12 me.</p> <p>13 But the -- my understanding is that NMFA</p> <p>14 has requested that the Legislature address a couple</p> <p>15 of items in how they -- they needed some assurance</p> <p>16 that, in the operating time, if a charter got</p> <p>17 removed, that there would be available funding to</p> <p>18 manage the lease during the time that they had to --</p> <p>19 so there would be some time to get the property into</p> <p>20 different hands.</p> <p>21 I think I would struggle to have language</p> <p>22 for you. I could get some -- that's where I've been</p> <p>23 trying to push Matt to help me with, and so I</p> <p>24 haven't had that opportunity yet. So I would</p> <p>25 hesitate to offer the language right now.</p>	80	<p>1 five-year charter contract, if we close the school,</p> <p>2 and they're funding the school, their concern is</p> <p>3 that would they get the payback of that funding,</p> <p>4 that loan, through the sale of that building,</p> <p>5 because maybe the building does. That's separate.</p> <p>6 What we're looking for, my understanding</p> <p>7 is, that that \$2 million be raised significantly so</p> <p>8 that there's greater access for schools to get their</p> <p>9 own facilities, which is also part of statute that</p> <p>10 charter schools were supposed to be in, you know, a</p> <p>11 public building.</p> <p>12 So I -- I -- my understanding was that's</p> <p>13 what -- I wish Matt was here. That's what Matt's</p> <p>14 group was working for was to get an increase. That</p> <p>15 \$2 million was just a little bit of a seed money or</p> <p>16 priming the pump to -- and see how it goes.</p> <p>17 And then -- and the one test school that</p> <p>18 they used was not an appropriate school, because</p> <p>19 they had the backup of APS, so they couldn't really</p> <p>20 do it.</p> <p>21 COMMISSIONER INGHAM: It was Sign Language</p> <p>22 Academy, wasn't it?</p> <p>23 COMMISSIONER GIPSON: No. It was an APS</p> <p>24 charter that they used as their first example. And</p> <p>25 then it ended up not working out. Because APS has</p>
79	<p>1 MS. JULIA BARNES: You could support</p> <p>2 legislative improvements proposed by New Mexico</p> <p>3 Finance Authority, and you could authorize one of</p> <p>4 your members to approach them on behalf of the PEC</p> <p>5 and bring that information back.</p> <p>6 COMMISSIONER GIPSON: (Inaudible) what it</p> <p>7 will look like. And I think it's still separate</p> <p>8 from that -- it's still separate, because the lease</p> <p>9 reimbursement goes through PSCOC.</p> <p>10 MS. JULIA BARNES: So I was just --</p> <p>11 COMMISSIONER GIPSON: Not NMFA.</p> <p>12 MS. JULIA BARNES: I was just trying to</p> <p>13 see if -- it's the July Work Session that that</p> <p>14 presentation was made to you. And then -- and then</p> <p>15 she provided opportunities on the last page.</p> <p>16 And I can -- I can -- well, or, Missy, can</p> <p>17 get to there and open that, if that's helpful?</p> <p>18 COMMISSIONER GIPSON: I know she did talk</p> <p>19 about the MEM rate; at least, she did. But she did</p> <p>20 also talk about -- because NMFA got -- I forget what</p> <p>21 it was -- they got a couple of million dollars,</p> <p>22 yeah, that charter schools could be able to access.</p> <p>23 It's not a lot of money. It doesn't give</p> <p>24 schools a whole lot. But I know they do have a</p> <p>25 concern about the fact that because there's only a</p>	81	<p>1 its own funding, so it didn't work out.</p> <p>2 COMMISSIONER INGHAM: What my</p> <p>3 understanding was, there is a very large fund that</p> <p>4 NMFA has that would be accessible to charter schools</p> <p>5 if we made some minor language changes. And that</p> <p>6 \$10 million fund that was -- that we did get to</p> <p>7 NMFA, they were -- there was some different ideas</p> <p>8 about using it for construction funding and then</p> <p>9 allowing the -- the NMFA to take over the permanent</p> <p>10 financing -- there's several different options.</p> <p>11 And so I'm -- I'm not clear on the whole</p> <p>12 thing. But I know that it -- it would be</p> <p>13 exceedingly profitable for us to at least attempt to</p> <p>14 see if the Legislature would listen to that</p> <p>15 suggestion.</p> <p>16 And that's all I want to do. I think</p> <p>17 Julia's idea is just to say -- put a placeholder,</p> <p>18 kind of.</p> <p>19 THE CHAIR: I feel like that's good for us</p> <p>20 to do. I know I see capital funding to NMFA. Maybe</p> <p>21 we want to put down that we will provide</p> <p>22 Commissioner Ingham the opportunity to work with,</p> <p>23 you know, other advocacy groups to do this. Do you</p> <p>24 feel okay about that?</p> <p>25 MS. JULIA BARNES: I tried to draft a</p>

<p style="text-align: right;">82</p> <p>1 motion that's similar to that. And I will also 2 move, in that one page, not that they're limited to 3 that, but I think that almost all of those ideas are 4 on that one page from that July presentation. 5 Chair Brauer, I'll move that over, and 6 they can see if the draft motion is right. 7 COMMISSIONER BURT: So I think -- well, I 8 think I might -- I don't know if we're out of place 9 where we actually need to do this, because he's 10 already our liaison. So he can investigate all he 11 wants and bring it back to us. 12 I think once there's a -- once you go 13 through the process, and there's, like, some solid 14 proposal coming out, then bring that to us and then 15 we can vote to support it, the actual whatever comes 16 out, and then authorize you to go speak on behalf of 17 the PEC at the Legislative Session. 18 I think that's, like, the process, I 19 think, that would make most sense. I don't think we 20 need to vote to let you do your job as a liaison 21 right now. I think that's kind of your job as a 22 liaison is to go figure this out through this 23 process. 24 So I would say when there's something 25 tangible, that's when I would say it comes to us,</p>	<p style="text-align: right;">84</p> <p>1 it previously; I think we literally start from 2 scratch again and, like, have a new list for this 3 year. 4 And I would say this is, like, our first, 5 like, item to keep a watch on kind of thing, and if 6 there's any other items. But I would say, like -- 7 that's where I'm kind of leaning more towards this 8 year that we didn't do last year was say, "Hey, 9 Commissioner Gipson, go talk to LESC," or, "Go to 10 LFC and speak on behalf of PEC to do this"; right? 11 Like, we want to support this, but go do 12 it. 13 Chair Brauer, go speak on behalf, and, 14 Commissioner Ingham, on this topic. Like, go to the 15 Session and speak on behalf of us. 16 So I think we need more solid information, 17 and then we need to start designating people to be 18 able to speak. 19 COMMISSIONER GIPSON: Once pre-filing, 20 we'll get a better idea. Matt will come to us with 21 his -- their agenda priorities, and we can -- you 22 know, we'll have a greater sense of what his 23 legislation looks like, and then we'll have the 24 pre-filing, you know. And, like we said yesterday, 25 there's not going to be a lot.</p>
<p style="text-align: right;">83</p> <p>1 and then we should make a motion to allow 2 Commissioner Ingham to speak on behalf of the PEC in 3 support. 4 Or maybe we aren't going to support -- I 5 don't know, depending on what comes about, because I 6 think what -- if we're -- unless we're -- I think 7 the only thing that we should do today is if we 8 literally need -- and I would say, like, Chair 9 Brauer, Commissioner Ingham, or Commissioner Gipson 10 to go to these committees and start speaking on 11 behalf of us to push something. 12 But if we're just going to react to, like, 13 what they're going, I don't think we need to 14 authorize anyone to do that. 15 So I think the only thing we would need to 16 do is be, like, you just go find -- go get us the 17 information. If you're confused, we're confused. 18 So you tell us -- yeah. Exactly. 19 So I don't know if we even need to make 20 a -- but I do think -- like, when I'm looking at the 21 legislative memo, Julia, I think we need to 22 basically start over for this year. 23 Like, I think -- like, talking about the 24 things that happened last year, like -- and I know I 25 already told you this. I don't care if we voted on</p>	<p style="text-align: right;">85</p> <p>1 MS. JULIA BARNES: The only thing I 2 thought we were going to discuss today is not in 3 support of what other people were doing, but if you 4 had anything to go do on that. 5 And then what -- what I think is possible 6 is to wait and see what NMFA comes up with, for 7 example. 8 Another possibility is to say, "The PEC 9 wants to make this change. It doesn't matter if the 10 other partners get organized or not. We're going to 11 go and do that." 12 So that's different than waiting to see if 13 Commissioner Ingham gets -- if something comes 14 forward. He's a little frustrated, it sounds like, 15 because others haven't done that action. You can 16 take action and then go to legislative counsel and 17 get with a legislator and get a file opened and 18 figure out the language change for whatever you 19 think would unlock funding for them. That's -- 20 COMMISSIONER GIPSON: My -- (off mic 21 discussion.) 22 23 THE REPORTER: Microphone, please. 24 COMMISSIONER GIPSON: I must have shut it 25 off.</p>

<p style="text-align: right;">86</p> <p>1 COMMISSIONER INGHAM: He is supposed to be 2 communicating with NMFA. And I pestered him a 3 couple of times to see if he had had that 4 opportunity. And he's really busy. He hasn't been 5 able to do it. 6 So I will continue that. And I just don't 7 want to lose the opportunity to put something 8 together if it is a time-sensitive matter, which it 9 seems it would be. 10 COMMISSIONER BURT: I just don't know 11 enough about it to know -- I hear what you're 12 saying. Like, we need to -- probably today we need 13 to figure out if we should be the ones to take 14 charge; right? Like, if we don't wait for Matt, 15 like, we literally have people go out and figure out 16 what this looks like. 17 And I just don't know if I know enough for 18 the right solution to be able to do that. And so 19 that's my only concern about authorizing that, or us 20 doing it. I don't know if -- 21 THE CHAIR: Okay. 22 COMMISSIONER GIPSON: Yeah. I would be 23 way more comfortable for October to say, you know, 24 there has to be a reach-out to Matt to get a 25 confirmation as to whether he's working on</p>	<p style="text-align: right;">88</p> <p>1 THE CHAIR: Great. Are we good? Do you 2 want me to -- you're not quite there yet. Yeah. 3 Okay. 4 All right. No. 16. Director Chavez. 5 Report from the Division. 6 DIRECTOR CORINA CHAVEZ: Thank you, Chair 7 Brauer, Commissioners. 8 There's three items I'd like to address 9 today. 10 The first is an update to you -- I know 11 we've already talked about the annual site -- excuse 12 me -- the Annual Report status. But since it's 13 here, I will just let you know that -- and, 14 actually, I think this is a great opportunity for me 15 to give kudos to the Charter Schools Division team 16 that has been working really hard on gathering all 17 the information and putting them into reports that 18 are near ready to be sent to the schools. 19 So that work has included being in contact 20 with the schools to get information about their 21 mission-specific goal accomplishment. That has been 22 a little bit of let's chase it down and let's have 23 discussions and let's go back and forth on a few. 24 And as you heard yesterday, we have most 25 of the information. We're pending one of the</p>
<p style="text-align: right;">87</p> <p>1 legislation, because I don't think we should be, you 2 know, doing it -- I think we can support, and 3 Commissioner Ingham can talk to folks in support of 4 that legislation. And I don't want to -- I don't 5 think we need to have something competing going out 6 there. 7 So I think I'd be more comfortable with 8 having all the information we need and looking at it 9 in October to be clearer on what we're supporting. 10 MS. JULIA BARNES: There's a similar exact 11 conversation on the 2 percent. Last year, Matt's 12 organization took the lead on that; you responded to 13 it. You also could take the lead to get that. And 14 maybe Matt will be on today, and you can ask him 15 about both of those. 16 THE CHAIR: Do we need to take action now, 17 or -- 18 COMMISSIONER BURT: So I would say we 19 don't take action today yet. And I think we can 20 still -- we still have a place for, like, 21 authorizing about this, because if Matt comes on for 22 his report, or anyone from PS- -- not PSCOC -- PCSNM 23 comes on, then we have 18, which is to authorize a 24 liaison to speak on behalf of the PEC, so I think we 25 can do that there, if it makes sense.</p>	<p style="text-align: right;">89</p> <p>1 financial indicators, and we're pending the 2 participation in the assessment -- the assessments 3 that were administered in '22-'23. 4 Right now our goal is to get it out next 5 week. If you have any questions about the details, 6 I would defer to Dr. Russell, who has led the CSD 7 team in compiling those reports. 8 Thank you. 9 (No response.) 10 DIRECTOR CORINA CHAVEZ: Okay. Hearing no 11 questions, I will move on to an update on 12 Cesar Chavez, at the request of one of the 13 Commissioners last month. 14 And in your materials there's just one 15 item that I thought would be helpful for all of us 16 to just refresh our memory on what the PEC actions 17 were relative to Cesar Chavez. So if you want to 18 open up -- or I can share screen with Item 16b. 19 And, basically, it just traces the back-and-forth. 20 But the top is the most recent action that 21 PEC made in regard to the school. And if you recall 22 correctly, that in December, there was a -- there 23 was a proposal for an amendment. That was denied, 24 and then, in January, a notice of breach to the 25 charter contract, and then a really positive</p>

<p style="text-align: right;">90</p> <p>1 conversation with the school.</p> <p>2 And the school came forward in the</p> <p>3 February meeting with a Corrective Action Plan -- or</p> <p>4 these were school-identified actions to address the</p> <p>5 concerns that PEC had previously raised, with the</p> <p>6 number one issue, of course, being whether the</p> <p>7 school was in person or online.</p> <p>8 And so you all accepted that plan. And</p> <p>9 the Charter Schools Division, throughout the spring</p> <p>10 semester, monitored the school. We also conducted a</p> <p>11 site visit to the school and looked firsthand at</p> <p>12 some of the implementation of these items. And so</p> <p>13 since then, there has not been an action on the part</p> <p>14 of PEC to close out the CAP.</p> <p>15 The school is up for renewal. So this</p> <p>16 will all be taken into consideration with all of the</p> <p>17 renewal materials.</p> <p>18 We have been to the school this semester.</p> <p>19 We went -- in fact, Lucy stopped by the school. We</p> <p>20 can confirm that the school is holding classes in</p> <p>21 person. They describe a hybrid schedule. They</p> <p>22 shared that schedule with me.</p> <p>23 There's lots of ways that they are</p> <p>24 engaging with students. Some are only in person,</p> <p>25 some are hybrid, where the kids can be at home or at</p>	<p style="text-align: right;">92</p> <p>1 My question is relative to the at home</p> <p>2 being on the computers is that -- are they on</p> <p>3 camera, or are they just -- yeah. They're on</p> <p>4 camera. Cameras on?</p> <p>5 DIRECTOR CORINA CHAVEZ: Commissioner</p> <p>6 Carrillo, I cannot say right now whether their</p> <p>7 cameras are on or not. But I will make note that</p> <p>8 that is something we should monitor when we are</p> <p>9 conducting the renewal site visit.</p> <p>10 COMMISSIONER CARRILLO: Great. Thank you.</p> <p>11 That's always a concern of mine, if they're actually</p> <p>12 at home working. All right, no. Thank you very</p> <p>13 much for providing the report.</p> <p>14 THE CHAIR: Commissioner Manis.</p> <p>15 COMMISSIONER MANIS: Thank you for the</p> <p>16 report. I had a couple of questions based on site</p> <p>17 visits.</p> <p>18 You said you guys conducted a site visit</p> <p>19 this semester already. How did you feel -- how well</p> <p>20 were they making use of their facilities?</p> <p>21 DIRECTOR CORINA CHAVEZ: So, Commissioner</p> <p>22 Manis, what -- we did an unannounced stopover at the</p> <p>23 school. And it was quick. And I will actually ask</p> <p>24 Lucy, if you feel comfortable responding to that,</p> <p>25 since Lucy is the person that conducted the</p>
<p style="text-align: right;">91</p> <p>1 the school on their computers. So they have a real</p> <p>2 mix.</p> <p>3 And a large part of what you approved was</p> <p>4 that they have ongoing discussions and collaboration</p> <p>5 with parents, students, staff, and they have several</p> <p>6 meetings and redefine what their hybrid program is.</p> <p>7 In a conversation I had with the head</p> <p>8 administrator, the change from last spring to this</p> <p>9 fall included a couple of more in-person courses</p> <p>10 only at the school site. So there are daily</p> <p>11 in-person classes and other services that are</p> <p>12 occurring out of the school.</p> <p>13 One of the issues that we are working with</p> <p>14 the school right now to -- to get on the same page,</p> <p>15 or maybe, in the end, it will be an area that</p> <p>16 suggests that there's disagreement on the</p> <p>17 interpretation of what the mission-specific goals</p> <p>18 are saying and what they're measuring and sending us</p> <p>19 data about.</p> <p>20 So that's something that I anticipate the</p> <p>21 CSD will continue to work with the school as part of</p> <p>22 the renewal process.</p> <p>23 THE CHAIR: Commissioner Carrillo.</p> <p>24 COMMISSIONER CARRILLO: Thank you very</p> <p>25 much for that thorough report.</p>	<p style="text-align: right;">93</p> <p>1 stopover. I don't know the extent to which she</p> <p>2 walked through the entire building.</p> <p>3 MS. LUCY VALENZUELA: Sure. I arrived,</p> <p>4 and they still have their doors locked. So the</p> <p>5 security guard let me in.</p> <p>6 There was people in the -- in the front</p> <p>7 office. I think she was the office manager. Their</p> <p>8 health assistant was there as well.</p> <p>9 And when I spoke with -- I believe it's</p> <p>10 their director of operations -- she informed me that</p> <p>11 there was actually a class going on in session right</p> <p>12 when I was there. It was an English class. It was</p> <p>13 an English class where the teacher actually prefers</p> <p>14 all her students to be in person at the school.</p> <p>15 And also as I was waiting for him to come</p> <p>16 up from his office, a student arrived, and they</p> <p>17 checked her in, gave her a pass, and she went off to</p> <p>18 her classroom.</p> <p>19 So I didn't go to any classrooms. And</p> <p>20 so -- but from what I saw, the front offices were</p> <p>21 being used, and they were being (inaudible). There</p> <p>22 were people in there.</p> <p>23 COMMISSIONER MANIS: So it still seems to</p> <p>24 me that they're not making use of their entire</p> <p>25 facility, which is a big concern for me.</p>



<p style="text-align: right;">94</p> <p>1 COMMISSIONER GIPSON: Well -- and I just 2 wanted to say, if a student has to check in, like in 3 a -- quote, unquote, "regular school," students 4 have, you know, access. They don't have to check in 5 and be let in. That, to me, indicates that the 6 school isn't fully open, you know. 7 I don't know of any other school where if 8 a student arrives at the building, they have to 9 individually check in. 10 THE CHAIR: Commissioners, I also want to 11 make sure. This was an updated -- 12 COMMISSIONER GIPSON: Yeah. I'm sorry. 13 THE CHAIR: I just want to make sure if we 14 need to have something in addition to this we can 15 always put that on another agenda. 16 COMMISSIONER MANIS: My other question was 17 related to -- you said some students were in person; 18 some students are hybrid. 19 Are there any students that are completely 20 remote? You know -- 21 DIRECTOR CORINA CHAVEZ: My understanding 22 is that it's course by course whether it's hybrid, 23 in-person, or remote. And so in terms of whether a 24 student's experience is completely online or not is 25 dependent on what courses they're enrolled in.</p>	<p style="text-align: right;">96</p> <p>1 liaison, who is fabulous. She's a former PED 2 colleague, retired. She has special ed experience, 3 business management experience. She is currently a 4 professional auctioneer, and so she has experience 5 also being able to estimate the value of items, 6 because we will -- we are sort of in the middle of 7 and about to embark on a really serious set of steps 8 related to asset disposal. 9 But, first, we focused on students and 10 made -- and we are in the process of securing 11 students and staff files, just putting them in 12 order, scanning them, and making sure that if we 13 know where the students are attending school, that 14 the student, especially the special ed files, have 15 followed the students. So that has been a big 16 emphasis. 17 And there's been, I would say, concerns 18 about record keeping and what records the kids -- we 19 have on the special ed students. 20 But I wanted to share screen just real 21 quickly so that you can see where students are 22 re-enrolled. 23 So you'll see that there's a pretty big 24 spread of schools that the La Tierra students have 25 enrolled in, all the way from Taos Academy to across</p>
<p style="text-align: right;">95</p> <p>1 I do want to make note that their schedule 2 included some of the core courses that were 3 completely in person; so some math and English 4 courses. 5 But that is a good question that we can 6 follow up with during the renewal site visit. 7 COMMISSIONER MANIS: Thank you so much. 8 DIRECTOR CORINA CHAVEZ: I don't know if 9 this would be appropriate, Chair Brauer. Ms. Arness 10 is in the audience, if -- I don't know if you would 11 want to promote her and give her an opportunity -- 12 THE CHAIR: This is your discussion. This 13 is your update. But thank you for joining us, 14 Ms. Arness. 15 DIRECTOR CORINA CHAVEZ: Okay. All right. 16 So that was Cesar Chavez. 17 Any other questions before we move on? 18 (No response.) 19 DIRECTOR CORINA CHAVEZ: No. Okay. 20 So the next item is an update on 21 La Tierra. And I just want to share that this has 22 been an area that I've spent a lot of time with over 23 the past month, that I feel like we've made some 24 really good progress in terms of school closure. 25 We have hired a liaison, a closure</p>	<p style="text-align: right;">97</p> <p>1 Española, some of the tribally controlled schools 2 and some schools in Santa Fe; right? 3 Let's see. Mandela; right? Mandela, 4 yeah. 5 And there's a portion of students I don't 6 think, you know, we know where 11 percent of the 7 students are. 8 So one of the next steps that will occur 9 this next week is that we're calling the families. 10 The school has attempted to call families. And when 11 I say "school," I think that you all are aware that 12 in Mr. Zamora's letter, the head administrator's 13 last day was the 1st of September. 14 And three other staff have remained on. 15 They've been really instrumental in helping us sort 16 through items and work with the files, and they've 17 made phone calls to families. They have been 18 unsuccessful at reaching 11 percent of the students. 19 But -- so I'm going to take that up this 20 next week and try to reach those families so that we 21 are sure that kids are getting an education. 22 But with -- 23 THE CHAIR: Director Chavez, real quick, 24 11 percent. That translate- -- what's the actual 25 number? Is that three or four students or --</p>

98	<p>1 DIRECTOR CORINA CHAVEZ: Yeah. Let me --</p> <p>2 let me double-check. I think that 3 is probably one</p> <p>3 student, maybe -- let me get the N.</p> <p>4 THE CHAIR: No. I was just curious, just</p> <p>5 because that would --</p> <p>6 DIRECTOR CORINA CHAVEZ: Yeah. I don't</p> <p>7 remember off the top of my head.</p> <p>8 But that chart represents the kids that</p> <p>9 were going to attend the school that semester. I</p> <p>10 bet Kim Gonzales -- I bet Kimberly knows what that</p> <p>11 is and can send me a quick message.</p> <p>12 Anyway, so back to the work that we've</p> <p>13 been doing with the closure liaison. All those</p> <p>14 special ed files were sent to the schools, and we</p> <p>15 transferred them. We actually met with Española</p> <p>16 Public Schools and gave the student records to them.</p> <p>17 In terms of the audit for Fiscal Year '23,</p> <p>18 that's another area that we've been working, and I</p> <p>19 think have completed. All of the samples that are</p> <p>20 needed for the fiscal audit have been uploaded. So</p> <p>21 we're making sure that that's in place, as well as</p> <p>22 compiling a folder for the Fiscal Year '24 audit,</p> <p>23 because they will be audited for Fiscal Year '24.</p> <p>24 So we're just compiling that information.</p> <p>25 One of our goals is to not bring a bunch</p>	100	<p>1 that I insisted we take the nails out of the wood</p> <p>2 and go inside and check out.</p> <p>3 And in that storage room, I saw, like, a</p> <p>4 box of clipboards that -- I mean, we needed</p> <p>5 clipboards for the conference; right? Somebody</p> <p>6 could use those clipboards.</p> <p>7 I saw a functional chair. I saw a</p> <p>8 broken-down chair. I saw some instructional</p> <p>9 materials. I also understand there's a family of</p> <p>10 cats that live in that. And part of the roof is --</p> <p>11 has a hole.</p> <p>12 So I anticipate that there's things that</p> <p>13 we're going to have to just trash.</p> <p>14 But this is providing me and my staff with</p> <p>15 some information and firsthand experience that we</p> <p>16 can take to the other schools and say, "Oh, please</p> <p>17 keep good records of your assets, dispose of things,</p> <p>18 don't just shove them into a three-room building,"</p> <p>19 because it's -- it's a mess.</p> <p>20 COMMISSIONER GIPSON: So can I ask? I</p> <p>21 thought there was a requirement, and I thought it</p> <p>22 was somewhere in some checklist that I've seen -- it</p> <p>23 was a requirement that schools have to keep an</p> <p>24 updated inventory. Isn't that -- doesn't that live</p> <p>25 somewhere?</p>
99	<p>1 of boxes to the PED to the third floor. So we</p> <p>2 are -- as I mentioned before, staff are scanning.</p> <p>3 But we are also entering into a contract with Nouvee</p> <p>4 [ph], who is a record scanning company, that will</p> <p>5 then go to the school and pick up anything else and</p> <p>6 organize those and return them to us so we have</p> <p>7 digitized copies of records and nothing in hard</p> <p>8 copy.</p> <p>9 We've extended the lease so that we can</p> <p>10 continue to use the building. And we closed out the</p> <p>11 mailbox. So mail is now forwarded to the PED.</p> <p>12 And our focus -- although we've gotten</p> <p>13 started. But our focus for the next couple of weeks</p> <p>14 is really going to be on the inventory of assets.</p> <p>15 We have to determine what purchased -- what funds</p> <p>16 purchased the items to also know how we properly</p> <p>17 dispose of them.</p> <p>18 But the school does not have many items</p> <p>19 that are valued at over \$5,000. So we are</p> <p>20 progressing on that. We anticipate that there will</p> <p>21 be some level of disposal around November 1st.</p> <p>22 And I will stand for any questions.</p> <p>23 I guess I can also tell the story about</p> <p>24 the storage room that is not attached to the school,</p> <p>25 but a separate storage room that was boarded shut,</p>	101	<p>1 DIRECTOR CORINA CHAVEZ: Commissioner,</p> <p>2 that is annual requirement as part of the fiscal</p> <p>3 audit that they have an inventory. So something was</p> <p>4 generated. But whether it was handy, being used,</p> <p>5 being kept up with -- and what is the proper term</p> <p>6 whenever you adjust the value from year to year,</p> <p>7 Alan?</p> <p>8 THE CHAIR: Depreciation.</p> <p>9 DIRECTOR CORINA CHAVEZ: Depreciated.</p> <p>10 Yeah, whether the depreciation schedule was</p> <p>11 maintained, I would say no.</p> <p>12 THE CHAIR: All right. Any other</p> <p>13 questions?</p> <p>14 (No response.)</p> <p>15 THE CHAIR: Thank you, Director Chavez,</p> <p>16 for your report. We're going to move on to the</p> <p>17 Report from the Chair.</p> <p>18 I'm going to be pretty brief. I'm going</p> <p>19 to give Matt or somebody from his team time as well.</p> <p>20 The only school I wanted to provide an</p> <p>21 update on was The GREAT Academy. I want to share</p> <p>22 that the -- that myself, Ms. Barnes, Corina, and</p> <p>23 Brigitte, we've had some what I will characterize as</p> <p>24 productive conversations over the past couple of</p> <p>25 weeks with them to talk about their progress on</p>

102	<p>1 their conditions to review their annual report as 2 well.</p> <p>3 And it has been -- I think it has been 4 pretty productive as we move forward. And it's been 5 good, bidirectional feedback and directions as we 6 really forge a path forward for sure.</p> <p>7 That's the big one that I wanted to lift 8 up today.</p> <p>9 I have not heard of any other issues or 10 schools reaching out about anything specifically 11 here.</p> <p>12 So with that, I'll pass the time over to 13 the Public Charter Schools of New Mexico. And 14 Valery, it's good to see you. Thank you so much for 15 joining us.</p> <p>16 MS. VALERY RATLIFF-PARKER: It's my 17 pleasure. So I have to officially introduce myself. 18 I know that Matt introduced me verbally last time 19 last meeting, and then I'm here this time. I would 20 have loved to be there in person. I know that 21 Commissioner Carrillo likes it when people come up 22 there in person, and I tell you I would have been up 23 there in person, I guarantee it.</p> <p>24 However, we had our Las Cruces Regional 25 convenings down here with the charter schools</p>	104	<p>1 So I'm anxious and excited about sharing 2 the data points that I find out from the research to 3 you all on what the charter leaders are feeling 4 challenge with in New Mexico and what support 5 systems they may need.</p> <p>6 But I'd like to open up to any questions. 7 I know I've worked with several of you and know some 8 of you personally. And I've enjoyed working with 9 Lucy and Corina and Brigette -- I'm sorry I called 10 you "Brittany" yesterday. I apologize for that.</p> <p>11 But open to any questions that you might 12 have for me personally or -- and then I can give you 13 some bullet points on the legislative updates that 14 we have for PCSNM.</p> <p>15 THE CHAIR: Commissioners, is there anyone 16 who has not met Valery before? Have we all met? 17 Commissioner Beck, did you want to do -- 18 we won't go the whole way around the horn, Valery, 19 just in terms of expediency.</p> <p>20 But Commissioner Beck.</p> <p>21 COMMISSIONER BECK: I'm Tim Beck, 22 District 2, Northeast Heights of Albuquerque. Nice 23 to meet you.</p> <p>24 MS. VALERY RATLIFF-PARKER: Nice to meet 25 you, too.</p>
103	<p>1 yesterday, and we're doing some school visits today. 2 So, sorry, I will be up there as soon as I can. I 3 promise.</p> <p>4 Just a little bit about me so that you 5 have a little more background information.</p> <p>6 I have been in education for over 7 20 years. Eleven of the years was spent in a 8 traditional high school, Organ Mountain, and then 9 for twelve years in a charter. Eleven of those 10 twelve years were with Las Montañas in Las Cruces 11 serving the at-risk population.</p> <p>12 And I know a few of you through that work, 13 being up there asking for renewal, transitioning 14 from a district-authorized school to a 15 state-authorized school.</p> <p>16 Last year I was the principal at Explore 17 Academy. And this year Matt Pahl has asked me to 18 join his team. And I couldn't be more honored or 19 more fortunate to join them and round out my skill 20 set with now learning about legislative options and 21 policy and all of that.</p> <p>22 I am currently working on my doctorate as 23 well, focused on helping charter leaders and finding 24 out what their challenges are and what support 25 systems they may need.</p>	105	<p>1 THE CHAIR: Great. I think everyone else 2 has met you before.</p> <p>3 Are there any questions before Valery goes 4 over the legislative agenda? 5 All right. Let's go for it, Valery.</p> <p>6 MS. VALERY RATLIFF-PARKER: All right. 7 This is from Matt -- coming from Matt. Please don't 8 ask my any follow-up questions because I'm not going 9 to know the answers to them, but I'm just going to 10 relay them to you.</p> <p>11 First is the expan- -- we are interested 12 in pursuing some legislative items for this session. 13 The first one is expansion of the Charter School 14 Revolving Loan Fund. They should be accepting 15 applicants this fall, and more money is needed to 16 maximize the impact.</p> <p>17 The second item is continuing to pursue a 18 funding mechanism for audit (verbatim) ed 19 programming within our K-through-12 schools.</p> <p>20 The school is pursuing our bill that makes 21 locally authorized charter schools their own board 22 of finance, ensuring that all charters get funding 23 directly from PED, and are eligible for all 24 opportunities.</p> <p>25 And the last one is pursuing the</p>

106	<p>1 flexibility on the 2 percent funding.</p> <p>2 I can take any comments back. Am not able</p> <p>3 to answer anything, but am open to taking any</p> <p>4 comments back to Matt.</p> <p>5 THE CHAIR: I don't see -- we don't have</p> <p>6 any at this stage.</p> <p>7 DIRECTOR CORINA CHAVEZ: May I ask?</p> <p>8 THE CHAIR: Corina, go ahead.</p> <p>9 DIRECTOR CORINA CHAVEZ: Valery, can you</p> <p>10 just repeat what the funding -- I think it was --</p> <p>11 the second bullet was?</p> <p>12 MS. VALERY RATLIFF-PARKER: A funding</p> <p>13 mechanism for adult ed programming within our</p> <p>14 K-through-12 schools.</p> <p>15 DIRECTOR CORINA CHAVEZ: Thanks.</p> <p>16 THE CHAIR: You can go ahead and continue,</p> <p>17 Valery.</p> <p>18 MS. VALERY RATLIFF-PARKER: Okay. Thank</p> <p>19 you for your time. I appreciate it. I look forward</p> <p>20 to working with you all more in this capacity.</p> <p>21 Thanks.</p> <p>22 THE CHAIR: Oh. That's all you have?</p> <p>23 Sorry. I thought maybe you had another agenda item.</p> <p>24 MS. VALERY RATLIFF-PARKER: No. That's</p> <p>25 all I have.</p>	108	<p>1 that we get noticed any time when their deadlines</p> <p>2 are. So if we do want to make a presentation of any</p> <p>3 sort in the future.</p> <p>4 And I talked to him just briefly about the</p> <p>5 performance framework and how that could be a tool</p> <p>6 that could be very useful to district schools,</p> <p>7 especially smaller districts that can't come up with</p> <p>8 all of this on their own because they don't have the</p> <p>9 staffs to do so.</p> <p>10 But he was very receptive to the idea.</p> <p>11 So that gives us time -- it's in December,</p> <p>12 I think, the end of the second week of December that</p> <p>13 they do their call for presentations for February.</p> <p>14 So we can think about if we do want to do a</p> <p>15 performance framework, or if there's something else</p> <p>16 we want to do and then who would do it.</p> <p>17 But they're very open to it. And if we do</p> <p>18 one and nobody attends out of spite, then we'll</p> <p>19 never do it again.</p> <p>20 THE CHAIR: Thank you, Commissioner. Any</p> <p>21 other items?</p> <p>22 (No response.)</p> <p>23 THE CHAIR: Great. Thank you. So I am</p> <p>24 going to -- if you all are okay with this, we're</p> <p>25 going to skip No. 19 so Julia can leave the room and</p>
107	<p>1 THE CHAIR: Commissioner Ingham, I think</p> <p>2 your hand came up? Oh, okay. Got you. Great.</p> <p>3 Well, thank you so much, Valery, for</p> <p>4 joining us.</p> <p>5 MS. VALERY RATLIFF-PARKER: Thank you for</p> <p>6 having me.</p> <p>7 THE CHAIR: Have a good weekend. Thanks.</p> <p>8 Bye.</p> <p>9 MS. VALERY RATLIFF-PARKER: Bye.</p> <p>10 THE CHAIR: We're going to move on to Item</p> <p>11 No. 18, Discussion and Possible Action to Provide</p> <p>12 Input to Charter or Liaisons to Speak on Behalf of</p> <p>13 PEC. Commissioner Carrillo.</p> <p>14 COMMISSIONER CARRILLO: So I did speak</p> <p>15 with Joe Guillen. He suggested not making a</p> <p>16 presentation at the November-December conference,</p> <p>17 because most of the day Friday is spent in the</p> <p>18 actual delegate convention, and there are just not</p> <p>19 as many.</p> <p>20 We spoke, and his suggestion was that if</p> <p>21 we want to present, we do so in February, when they</p> <p>22 come up here for their legislative meeting. But</p> <p>23 they have a lot more -- a number more sessions on</p> <p>24 Friday.</p> <p>25 And he's going to add us to their call so</p>	109	<p>1 do No. 20 real quick while she's here, and then</p> <p>2 we'll go back to No. 19.</p> <p>3 Item No. 20, Discussion of New Business</p> <p>4 Topics for the Next Agenda.</p> <p>5 COMMISSIONER CARRILLO: Question as to why</p> <p>6 she can't be here for 19.</p> <p>7 THE CHAIR: I know. But she said she</p> <p>8 would like to leave.</p> <p>9 COMMISSIONER CARRILLO: Oh, got it. Okay.</p> <p>10 THE CHAIR: Any business items?</p> <p>11 COMMISSIONER GIPSON: I just have one</p> <p>12 quick -- when you were here, the concern came up</p> <p>13 about the Montessori Elementary and Middle in</p> <p>14 Albuquerque and their pre-K. And my understanding</p> <p>15 was that the Early Childhood Education Department</p> <p>16 had sent them a requirement that they become a</p> <p>17 public pre-K program, because it was a concern that</p> <p>18 was raised during their renewal cycle.</p> <p>19 Because for Commissioners that may not</p> <p>20 know, they ran a pre-K program that was private.</p> <p>21 And then they had their middle school -- their</p> <p>22 elementary and their middle that was the -- and it's</p> <p>23 a Montessori concept. So there were actually</p> <p>24 preschool kids that blended with the kindergarten</p> <p>25 kids and so on, and teachers, and it was murky.</p>

<p style="text-align: right;">110</p> <p>1 And then we discovered that they lotteried 2 at age 2 into the school. So you were lotterying 3 into the private piece to get into the public piece. 4 And it was -- so when the Early Ed 5 Department was created, they sent them a requirement 6 that they had to become a public -- a public pre-K 7 program. 8 And I've asked a couple of times and I've 9 never gotten an answer as to whether they 10 actually -- whether it happened or not. So I -- I'd 11 just like to know that they -- that they did do 12 that. 13 And part of the reason why they weren't 14 going -- they wanted to stay that -- particularly 15 private was the requirement for the public pre-K 16 program is you provide food, and they didn't want to 17 provide food. 18 THE CHAIR: Commissioner Carrillo. 19 COMMISSIONER CARRILLO: So on that, I 20 would -- I think Ms. Gipson would probably agree to 21 have that as part of the Director's Report next 22 month as to the status of that, and we can determine 23 what, if any, action we want to take. 24 COMMISSIONER GIPSON: That was my -- 25 COMMISSIONER CARRILLO: Were we funding</p>	<p style="text-align: right;">112</p> <p>1 sharing with PED. We can't get the information 2 directly because that's a FERPA issue. You can't 3 get the information directly from the school to 4 share with us with the data sharing going to PED. 5 COMMISSIONER CARRILLO: Isn't it only a 6 FERPA issue if there's an identifiable issue around 7 the kid? 8 COMMISSIONER GIPSON: This is what I was 9 told. Because when we went to Denver, I attended a 10 setting with one of the testing platforms and 11 looked -- in a discussion about, "Well, what if we 12 funded this short-cycle assessment for all of our 13 schools, and then we could get the data?" 14 And they said, "You can't do that. It has 15 to go to, like, the Public Ed Department." 16 And I said, "You can't?" 17 And they said, "You can't do it." 18 COMMISSIONER CARRILLO: Okay. So if 19 there's a memorandum that goes to the Public Ed 20 Department, the whole point of that whole thing 21 being how do we get information sooner? I don't 22 know how anything going upstairs is getting anything 23 sooner. 24 It looks like Ms. Chavez has something to 25 say on that.</p>
<p style="text-align: right;">111</p> <p>1 this preschool? 2 COMMISSIONER GIPSON: We were not. It was 3 tuition. But staff, because it's the Montessori 4 model, the staff was -- you know, it was very 5 difficult to determine how the monies -- and it was 6 on the same -- 7 COMMISSIONER CARRILLO: On the same 8 property and all this stuff. I think a report would 9 be great. 10 THE CHAIR: Commissioner Carrillo. 11 COMMISSIONER CARRILLO: Two things. One 12 from yesterday. Paola was talking about a memo that 13 was going to be needed relative to data. And I 14 don't know specifically what needs to be in that -- 15 or memorandum -- that needs to be in that. But I'd 16 like to have that on the next agenda, whether we 17 draft it or somebody works with her, so that we can 18 get data from individual schools in a more expedient 19 fashion. 20 There's that. 21 And I don't recall from yesterday what 22 next steps we were taking on the lottery. Oh, on 23 the last thing. Yes, Ms. Gipson. 24 COMMISSIONER GIPSON: The data sharing 25 won't go to the individual schools. It's a data</p>	<p style="text-align: right;">113</p> <p>1 DIRECTOR CORINA CHAVEZ: If I may, I had a 2 follow-up conversation with Paola at the end of -- 3 after her presentation. And she has provided 4 information on how the Charter Schools Division can 5 request information that will remain masked in terms 6 of the metric, but provide us information about 7 directionality of the school's performance. 8 So I don't think that -- if we're 9 requesting the information, I don't think there 10 needs to be some sort of MOU in place. But I think 11 that was a suggestion if PEC got the information 12 directly. 13 So I would need a little bit more of a 14 guidance from PEC members if you wanted us to pursue 15 this as an action item for next meeting. 16 COMMISSIONER CARRILLO: Well, I just -- I 17 would want to do whatever gets us information 18 faster. 19 THE CHAIR: I think we can talk -- I think 20 we raised it as different item, and then we can 21 discuss, as an EC and -- 22 COMMISSIONER CARRILLO: And you guys can 23 determine to put it on the next agenda or not. 24 THE CHAIR: If there's others, you can 25 always follow up with an e-mail if you don't</p>

<p style="text-align: right;">114</p> <p>1 think --</p> <p>2 COMMISSIONER CARRILLO: Cool. I'd like to</p> <p>3 have in the Report from the Director for next time,</p> <p>4 or maybe it needs to be an agenda item, I think that</p> <p>5 Commissioner Manis brought up some really good</p> <p>6 issues, especially the facility use at Cesar Chavez.</p> <p>7 If they're using a classroom and a front office,</p> <p>8 what's that entire lease reimbursement going for?</p> <p>9 This has been going for a long, long time. That's a</p> <p>10 lot of money. If we can have an update on, really,</p> <p>11 facility usage for Cesar Chavez.</p> <p>12 DIRECTOR CORINA CHAVEZ: May I ask? Would</p> <p>13 you like this to be part of the renewal exploration</p> <p>14 or part of my report?</p> <p>15 COMMISSIONER CARRILLO: Or to be part of</p> <p>16 your report for October. Great. Sooner the better.</p> <p>17 Thank you.</p> <p>18 And then what is -- I don't recall,</p> <p>19 because I don't think I was napping at that time,</p> <p>20 because it was before lunch -- no, I'm just kidding.</p> <p>21 So -- she says I take naps during the meeting. I do</p> <p>22 not. Sometimes I rest my eyes, you know.</p> <p>23 Anyway, so -- what's our follow-up on the</p> <p>24 lottery? What was our follow-up? What did we</p> <p>25 decide in terms of what's next based on what we did</p>	<p style="text-align: right;">116</p> <p>1 thing.</p> <p>2 THE CHAIR: Thank you. Commissioner</p> <p>3 Manis.</p> <p>4 COMMISSIONER MANIS: Could I follow up on</p> <p>5 that with the lottery system? What would prevent us</p> <p>6 from putting together a potential RFP for next</p> <p>7 meeting on what a vendor might be able to provide</p> <p>8 us?</p> <p>9 COMMISSIONER BURT: I wouldn't support --</p> <p>10 I'm not anywhere near ready to support that route.</p> <p>11 Like, I'm not sold on moving forward at all. So I</p> <p>12 don't mind, like, supporting discussion, I guess.</p> <p>13 But I'm actually not supportive of --</p> <p>14 COMMISSIONER MANIS: The reason why I say</p> <p>15 RFP is I don't necessarily know if we can make a</p> <p>16 decision unless we have proposals by vendors to give</p> <p>17 us what they can offer us.</p> <p>18 COMMISSIONER BURT: I think that's</p> <p>19 something Rachel can explore and see what's</p> <p>20 available out there before --</p> <p>21 COMMISSIONER MANIS: That's what she</p> <p>22 provided us in her report.</p> <p>23 COMMISSIONER BURT: So I just feel like --</p> <p>24 I don't know if you're asking us to put it on just</p> <p>25 for the agenda.</p>
<p style="text-align: right;">115</p> <p>1 yesterday, you know, besides PCSNM saying,</p> <p>2 "Absolutely not."</p> <p>3 THE CHAIR: I think we'll continue to do a</p> <p>4 little bit more research. That's my impression,</p> <p>5 that we'll -- then we'll learn more about it. I</p> <p>6 know for me I need a lot more understanding about</p> <p>7 what centralized lottery has to do.</p> <p>8 We started thinking through what are the</p> <p>9 benefits or potential risks or the unintended</p> <p>10 consequences, to use Dr. Russell's language. We'll</p> <p>11 likely have that on the agenda in the next --</p> <p>12 COMMISSIONER CARRILLO: I would like to</p> <p>13 request that it be on the agenda. And as part of</p> <p>14 it, somehow -- but I think it was misinterpreted --</p> <p>15 I don't think it was misinterpreted in terms of</p> <p>16 presentation.</p> <p>17 It was Rachel -- right? -- that was</p> <p>18 presenting everything. And some of the options are</p> <p>19 super-duper complex with way more information than</p> <p>20 we necessarily need. And I'm from, like I said, the</p> <p>21 blank sheet of paper school of thought.</p> <p>22 So, anyway, just how that could even be --</p> <p>23 simplicity being a focus of whatever is followed up</p> <p>24 on next month. Okay. Swell.</p> <p>25 And then that's all I have for the next</p>	<p style="text-align: right;">117</p> <p>1 COMMISSIONER MANIS: That's correct.</p> <p>2 COMMISSIONER BURT: I'm just not going to</p> <p>3 second it.</p> <p>4 THE CHAIR: Dr. Russell. And then -- I</p> <p>5 don't know, Corina, if you guys are going to say the</p> <p>6 same thing.</p> <p>7 COMMISSIONER CARRILLO: I could second it.</p> <p>8 But, yeah.</p> <p>9 DR. BRIGETTE RUSSELL: Thank you, Chair</p> <p>10 Brauer. And Commissioner Manis, if an RFP is</p> <p>11 issued, then we have to contract with someone. An</p> <p>12 RFI, a Request for Information, I believe so. If an</p> <p>13 RFP is issued, do we have to contract?</p> <p>14 COMMISSIONER BURT: You never have to</p> <p>15 follow through with an RFP. You never have to sign</p> <p>16 a contract if you don't --</p> <p>17 DR. BRIGETTE RUSSELL: If it isn't RFP,</p> <p>18 it's a months and months and months-long review</p> <p>19 process in order to issue it.</p> <p>20 There is an RFI, a Request for</p> <p>21 Information, that can be posted.</p> <p>22 COMMISSIONER MANIS: What is that?</p> <p>23 DR. BRIGETTE RUSSELL: It's on the PED's</p> <p>24 RFP, RFAs, and RFI webpage. It's just for</p> <p>25 information. "The Commission is interested in</p>

118	<p>1 receiving information about this topic. If you are 2 a vendor who provides such a service, please respond 3 to this, and we will invite you to a PEC meeting to 4 present to us." 5 But it's not the first step in an actual 6 procurement. 7 DIRECTOR CORINA CHAVEZ: And, 8 Commissioners, what I was going to share is I don't 9 know if you've had a chance to read through and 10 click on all of the links of the report that Rachel 11 compiled. But I think one of them is a link to, 12 like, a proposal -- what a proposal might look like 13 in terms of a vendor proposal. There's a lot of -- 14 COMMISSIONER MANIS: I tried to click on 15 one that it had a proposal. But it said that the -- 16 that that's not accessible to me anyway. 17 DIRECTOR CORINA CHAVEZ: I'm happy to work 18 with you to get that information. I know that I 19 looked at a draft budget, for example, that one of 20 the vendors had submitted that was, I think, off of 21 a link off of that report. 22 So I'm happy to work with you on that. 23 And I don't know. Maybe that would refine 24 the way you would want to word the item, and I could 25 follow up with the executive team to ensure that</p>	120	<p>1 others. And I need to slowly understand the 2 benefits. 3 Julia. And then let's kind of move past, 4 unless there's any other items we need on the new 5 agenda items. 6 MS. JULIA BARNES: I just wanted to 7 mention that Rachel came up and said that there is a 8 professor from Duke who is not a vendor, but could 9 possibly present, because he's not a vendor. He has 10 more information. She forgot to mention it. It's 11 in her memo, though. 12 COMMISSIONER CARRILLO: That would be 13 cool, so -- for next time. So all these things can 14 be encompassed in that. 15 I'm just recalling -- everybody know also 16 who Ray Kroc is, the guy who started McDonald's? 17 You don't know? 18 THE CHAIR: He stole McDonald's from the 19 McDonalds Brothers. So let's make sure we're not 20 revising history. 21 COMMISSIONER CARRILLO: There's 22 controversy around all that. However, his guiding 23 philosophy was something called K-I-S-S, "Keep It 24 Simple Stupid." That's what I want to do here. I 25 just think we can so over-complicate this thing as</p>
119	<p>1 you're getting what you want on the agenda for next 2 month. 3 THE CHAIR: Yeah, for sure. I think we 4 got enough information to kind of start to put 5 together -- this is clearly going to be a -- clearly 6 going to be an item, and we can get the details 7 between now and the next meeting. 8 Commissioner Ingham. 9 COMMISSIONER INGHAM: One of the 10 constraints that I heard was that it would be 11 impractical without APS's participation. And how do 12 we engage APS with this proposal? 13 THE CHAIR: And so we're just getting 14 agenda items right now, not discussing the proposal 15 or anything like that. 16 So we'll just include this on the agenda 17 for next time, and we can talk about how we -- to 18 Commissioner Carrillo's chagrin, we do need to have 19 some community outreach and organizing around this, 20 because there are some realities that we've clearly 21 heard from yesterday, that there's going to be a lot 22 of pushback on this. 23 And I think, as a Commission, we've got a 24 lot of homework to do before we jump into something 25 that some of us may have more understanding of than</p>	121	<p>1 to be, like, you know, all of us in the ground 2 before it moved forward. 3 THE CHAIR: Sure. Great. 4 Let's -- if that's all the agenda items -- 5 and, of course, this is not the last moment that we 6 can take these -- and many of you send me agenda 7 items up until the Tuesday before -- the Tuesday 8 that we finalize it, the Tuesday before the next 9 meeting. So keep them coming. 10 We're going to move on to go back to 11 Item No. 19. 12 COMMISSIONER CARRILLO: You're not going 13 to do 21 first? 14 THE CHAIR: No. We'll go back to that 15 one. 16 So for Item No. 19, there is a memo from 17 Deputy Secretary DeBell in there for us to review. 18 Okay. You know, it didn't come in until 19 Commissioner -- yeah, the letter was to the 20 executive committee. 21 COMMISSIONER CARRILLO: Oh. Well, have a 22 wonderful weekend. We'll see you later. 23 THE CHAIR: So I know that Commissioners 24 asked -- requested this to be on the agenda. 25 This last week, I believe it was Thursday,</p>

<p style="text-align: right;">122</p> <p>1 I got a call from Deputy Secretary DeBell to discuss 2 this a little bit.</p> <p>3 I did share that she kind of wanted me to 4 take it off the agenda because of the memo that she 5 shared. I said that I wasn't going to take it off 6 the agenda since this was coming from the -- from 7 Commissioners, and we have our policy and procedures 8 to take those items and keep them on our agenda 9 item.</p> <p>10 So she did send me -- I think she intended 11 to send this memo to me last week when we were 12 talking. I followed up with Director Chavez 13 yesterday, sharing I didn't receive this yet.</p> <p>14 And so we got the letter yesterday. And 15 it was assigned to me, Vice Chair Burt, and 16 Secretary Armijo.</p> <p>17 And so I will pass it over to Commissioner 18 Gipson or Vice Chair Burt to share a little bit of 19 the background. And then we can talk about any 20 potential, if any, steps that we can take at this 21 stage.</p> <p>22 COMMISSIONER GIPSON: So I asked for this 23 to be put on the agenda after talking first with 24 Julia to make sure. Because I looked at the agenda 25 for the NACSA conference. And one of the sessions</p>	<p style="text-align: right;">124</p> <p>1 So I do not see this as training. This is 2 New Mexico being part of the conversation of 3 authorizing and helping to also inform our attorney 4 on these authorizing practices to help guide us, 5 which is specifically in the RFP.</p> <p>6 And I also understand that there is this 7 notion that PED does not reimburse contractors for 8 training.</p> <p>9 This is not coming out of PED money at 10 all. This is coming out of PEC money, so that 11 there's no line item budgeting that PED's money is 12 going to. This is the 2 percent, and this is -- 13 this falls within the scope of the RFP.</p> <p>14 THE CHAIR: Commissioner Carrillo.</p> <p>15 COMMISSIONER CARRILLO: I agree that it's 16 appalling that she has not been reimbursed yet for 17 the NACSA conference in August.</p> <p>18 When I'm reading this letter from 19 Ms. DeBell, first of all, I totally disagree with 20 them. They're just so petty. And even when I 21 learned the other day that, you know, if -- if 22 somebody wants to travel -- we have a conference 23 that goes from this day to this day.</p> <p>24 And if someone wants to add two days to 25 this end because it's a city that their family is</p>
<p style="text-align: right;">123</p> <p>1 is for authorizers' attorneys. So I thought that 2 would be valuable for Julia to attend.</p> <p>3 Plus, some other sessions were in the 4 process of investigating and would actually ask to 5 be part of the next cohort of authorizers that are 6 doing the schools-of-distress identifiers. And I 7 think it's -- it would be informative for our 8 attorney to be part of those discussions.</p> <p>9 So -- but I contacted Julia first to see 10 if it was something that she was interested in going 11 before I put it forward. And she said yes.</p> <p>12 And I acknowledged the fact that there 13 were concerns about the last -- the last attendance.</p> <p>14 I was honestly appalled when I found out 15 that she had not been reimbursed. I just think 16 that's -- you're not treating people well.</p> <p>17 But I went back and I looked at the RFP 18 that the executive committee at that time had agreed 19 to the language of the RFP when Julia was applying.</p> <p>20 And there is -- in there it says, 21 "Developing and maintaining chartering policies and 22 practices consistent with national -- nationally 23 recognized principles and standards for quality 24 charter authorizing in all major areas of 25 authorizing."</p>	<p style="text-align: right;">125</p> <p>1 in, and even though the cost is exactly the same for 2 PED, because the airfares are same two days earlier 3 or whatever, that they would not reimburse. This is 4 PED, yeah.</p> <p>5 So having another day on the other end -- 6 that's the way I understand it -- it's not that way? 7 This is what I was told. Like, if you want to have 8 extra time in the beginning, you have an airfare 9 that starts -- well, this next conference is the 10 23rd. So let's say you want to go on the 20th 11 because your family lives there, you wouldn't get -- 12 what?</p> <p>13 DIRECTOR CORINA CHAVEZ: There's a memo 14 that would be submitted that allows for that.</p> <p>15 COMMISSIONER CARRILLO: Okay. As Gilda 16 Radner would say, "Never mind."</p> <p>17 But the big issue is I think Ms. Barnes 18 needs to go to Oakland, and we need to pay for it. 19 It's our money; it's our decision. We're the PEC.</p> <p>20 And the other thing is in her last 21 paragraph on the letter from DeBell, she says, 22 "Attendance at an out-of-state conference may be 23 considered a benefit."</p> <p>24 I don't know. She used the word "may." 25 And I'm sure they're very intentional about the</p>



126	<p>1 language that they use. Well, we could say, "It's 2 not a benefit. It may not be a benefit. It's just 3 part of the scope of duties." 4 So I would contest this. And I would say, 5 absolutely, we should pay her for August -- or for 6 June or -- then that needs to be paid, too, and she 7 needs to come to Oakland. 8 COMMISSIONER GIPSON: Can I just add that 9 also, in the contract, there is -- it was 10 contemplated for travel. So there is a formula for 11 reimbursement for travel already in -- in the 12 contract. 13 COMMISSIONER CARRILLO: Well, 14 procedurally, what's involved if we wanted to amend 15 her contract? 16 It's in there. But if we wanted to put 17 language that more -- was more focused, however the 18 reimbursement could happen. Maybe it's just 19 increasing whatever the contracts's for. 20 COMMISSIONER GIPSON: Well, I think an 21 amendment -- I don't think, truthfully, an amendment 22 is necessary, if that's what the Commission -- 23 COMMISSIONER CARRILLO: Well, neither do 24 you. But what would be involved? 25 COMMISSIONER GIPSON: Just put a general</p>	128	<p>1 I just think that at the end of the day, 2 am I going to hurt somebody by them going into 3 thousands of dollars of debt and then never get 4 reimbursed for it? And that feels wrong to me to do 5 that. 6 COMMISSIONER GIPSON: And I agree with you 7 on that point. But I think this is slightly 8 different, because the last time, the Commission did 9 not fully vote for that travel. So that action -- 10 and I think we've altered the processes and cleaned 11 the processes up. 12 So I think -- and I don't want to put 13 Julia in a position -- and I think at the end of the 14 day, the decision will be hers to make, you know. 15 But I think we have better standing when we've taken 16 a public vote to do this with -- than how it went 17 the last time. 18 So as much as I deeply regret what 19 happened the last time, I don't -- I don't know. I 20 don't think we can fix that. I hope we can. But 21 I'm looking at this as a separate -- you know. 22 And I think it's, you know, a public 23 assurance that we're making, and I -- you know. And 24 I do understand the difficulties of being 25 administratively attached. It is becoming more and</p>
127	<p>1 statement, "To carry out..." -- what did I -- 2 because I wrote it, initially -- "...carry out all 3 duties requested by the Commission," or, you know, 4 something general like that, so that -- and then 5 there's the public vote for the -- for the travel. 6 COMMISSIONER CARRILLO: We request that 7 she travel to this. Yeah. I want to make sure this 8 happens. It's just -- 9 THE CHAIR: I think the only thing about, 10 like, making any clarifying is we're a month away. 11 We know it's going to be three months before we can 12 even get an updated contract. There's just the 13 reality. 14 And I also want to share, I am concerned 15 about giving a bill of goods to Ms. Barnes and 16 saying she's going to get reimbursed, and then she's 17 going to be two years waiting for reimbursement that 18 will never happen, you know? Because, like last 19 year, no reimbursement. This year, no 20 reimbursement. 21 So I'm thinking right now about other ways 22 that we can support her outside of this pathway. 23 I'm not saying that we -- I'm -- we'll be 24 thinking about and understand why this is here. And 25 I am in agreement.</p>	129	<p>1 more, you know, cumbersome. 2 But I think at the end of the day, the PEC 3 should have a capacity to direct their attorney for 4 the work that we feel that we need support for. And 5 I -- you know, I am continually challenged with the 6 notion that the department that doesn't have 7 oversight on us has the capacity to say no, and that 8 just -- it is frustrating and somewhat demeaning. 9 Maybe -- not somewhat; it's a lot. 10 THE CHAIR: Commissioner Taylor. 11 COMMISSIONER TAYLOR: Or Pattie -- I mean 12 Commissioner Gipson -- I think we are -- everybody 13 here is 100 percent in agreement with what you've 14 just said, and all of the sentiments that have been 15 put forward, we agree with. The stopgap, obviously, 16 is, you know, we've got this in a position and a 17 stance. 18 And if we -- if she goes, then it's -- 19 it'll be the battle after the occurrence, you know, 20 that -- that we try to get reimbursed. 21 So, I mean, I don't -- I think we're all 22 in agreement. I don't think we need much discussion 23 on it, because we just need to figure out a way to 24 make it happen if we can, you know? 25 COMMISSIONER CARRILLO: Well, what's next?</p>

<p style="text-align: right;">130</p> <p>1 COMMISSIONER GIPSON: So I'm going to move 2 that the Public Education Commission approve the 3 travel reimbursement for our attorney to attend the 4 NACSA conference in Oakland in October. 5 COMMISSIONER TAYLOR: Second. 6 COMMISSIONER CARRILLO: Friendly 7 amendment. Approve -- because one of the things 8 that you said was key, is that she's being really 9 directed by the Commission to go to this conference. 10 So (inaudible) the motion, saying, "The 11 Commission directs our counsel, Julia Barnes, to 12 attend the -- such-and-such conference, and, you 13 know, as such, she is reimbursed." You know, the 14 word "directed," because you said -- I thought that 15 was a very important piece of what you said. 16 COMMISSIONER GIPSON: Okay. So I will 17 withdraw that. 18 COMMISSIONER CARRILLO: Then I withdraw my 19 thing. 20 COMMISSIONER GIPSON: I move that the 21 Public Education Commission direct our attorney to 22 attend the NACSA conference in Oakland in October to 23 represent the PEC as an authorizing attorney, and 24 that reimbursement for that travel be paid. 25 COMMISSIONER TAYLOR: Second.</p>	<p style="text-align: right;">132</p> <p>1 And then she went. And a day before she 2 left, she found out that PED had a problem with it. 3 So I'm -- I guess I just have a lot on 4 my -- like, there's a lot on me about her not being 5 reimbursed last year that bothers. And I fought and 6 fought to get her reimbursed. And it was not met 7 with any -- any consideration of trying. It was 8 just a no, like, "We're not even going to try. 9 We're not doing it." 10 And I just feel like directing her to 11 attend is setting her up for failure. And it's 12 just -- it is frustrating that -- it doesn't make 13 sense to me that she can't be reimbursed. It really 14 doesn't. I don't understand why. It doesn't make 15 any sense to me, because it is in the RFP, and 16 there's provisions for travel. 17 But they literally -- she had to go pro 18 bono for us, you know, because of what happened to 19 her. 20 And I just don't -- I'm really frustrated 21 by it and really saddened by it, because it's such a 22 simple thing. And it's not a privilege to be the 23 PEC attorney and go to this conference. It's a 24 burden. It's a lot of work. It's difficult work. 25 And just because it's out of state, it</p>
<p style="text-align: right;">131</p> <p>1 THE CHAIR: All right. We have a second. 2 Now we're in the discussion of this motion. 3 Any discussion? Vice Chair Burt. 4 COMMISSIONER CARRILLO: Big sigh. 5 COMMISSIONER BURT: I mean, it is a big 6 sigh, because I -- we had authorization from the 7 Chair last year to do it, and they refused to 8 reimburse her. 9 And, I mean, in the contract -- like, it 10 allows the Chair to direct the attorney. 11 And so I understand doing it this way as 12 well. I just think last year, it would have also 13 worked in the same way. 14 I don't think -- I think PED is refusing 15 to look into this to allow us to even -- like, 16 they're not even going to process it. That's what's 17 frustrating to me is I think, like -- I wish they 18 would just process it and let someone else -- like, 19 I don't understand the part in which -- it's not in 20 their hands. I don't know why they're making the 21 decision on behalf of us to submit it or not. 22 I just -- I do have a very -- very upset 23 by last year for being told to go publicly -- like, 24 that was during a Chair Report in July. I was, 25 like, "Julia's going. We're directing Julia to go."</p>	<p style="text-align: right;">133</p> <p>1 seems like that's the problem? I don't know what 2 the -- I don't know what the issue is, because she 3 gets paid to travel with us to Ruidoso. She gets 4 paid to travel with us anywhere we go. 5 COMMISSIONER GIPSON: And I agree. I 6 think this is slightly different, because I kind of 7 disagree with the fact that the Chair alone can 8 direct -- I know it says the Chair can direct the 9 work. 10 I disagree with the fact that -- I think 11 it should have been the full Commission say, "Okay, 12 you can go." 13 So I think we've kind of cleaned that up a 14 little bit. 15 I do worry. I share that concern. So 16 maybe I do have a concern with the word "direct," 17 because, like I said, I think at the end of the day, 18 Julia makes the final decision on whether she's 19 going to go or not, knowing what may likely happen. 20 And I've already said, it's just -- it's 21 appalling and demeaning that the Commission has to 22 have a hand out to say, "Oh, please pay for this." 23 It's embarrassing. 24 And this is an opportunity for our 25 attorney to participate specifically in discussions</p>

134	<p>1 with other attorneys of authorizers on a national 2 scale. And that is required of us, also, for us to 3 keep up with and do best practices. And this is 4 what we're supposed to be doing in our job in 5 executing our authorizing.</p> <p>6 THE CHAIR: Commissioner Carrillo. 7 COMMISSIONER CARRILLO: Not the least of 8 which, it's our money. 9 In looking at the letter, there are two 10 things that I brought this up that -- I mean, this 11 is why I think also we have the ability to do this. 12 The letter states that it might be a 13 potential violation of anti-donation, not that it's 14 absolutely citing a specific statute or subsection 15 of a statute. 16 And then the fact that -- she keeps -- 17 with the use of, "It may be considered a benefit." 18 So, I mean, I just -- I mean, I would 19 really hope that -- it's up to Julia, obviously, 20 whether or not she wants to take the risk or 21 whatever. But I would really hope that the people 22 up in PED would not fight this. 23 And I agree with what Ms. Gipson said. So 24 you have to redo your motion. 25 COMMISSIONER GIPSON: Can I just amend it</p>	136	<p>1 take a vote is to say, like, "We believe this, we 2 should do this," knowing that it's not going to bear 3 fruit, because there's no world that I see that 4 Julia Barnes is going to be reimbursed for any 5 funding that she accrues, by the State. 6 And so that's my trepidation that I'm 7 feeling. 8 COMMISSIONER GIPSON: Well -- and I'm just 9 going to add that I think it will be informative and 10 helpful for any communication. And any 11 communication in denying the reimbursement will help 12 us moving forward on some other things. 13 So that's all I'm going to say. That 14 information will certainly be helpful for us. 15 COMMISSIONER CARRILLO: I agree with what 16 you said. And I also am remembering and agree when 17 you said it's, like, "Oh, the anti-donation clause. 18 No, no, no, no, no." 19 It's the reason to say no to everything, 20 often, it seems like. It's something the 21 Legislature needs to revisit. That's not what we're 22 doing here now. I agree with you. 23 COMMISSIONER GIPSON: (Off mic.) 24 COMMISSIONER CARRILLO: I agree. I 25 totally agree, 100 percent. So, yeah.</p>
135	<p>1 to replace the word "direct" with "request"? 2 COMMISSIONER CARRILLO: Sure. 3 COMMISSIONER GIPSON: And that leaves 4 it -- so that, therefore, she's not challenged with 5 "I didn't follow a directive of the Commission." 6 COMMISSIONER CARRILLO: Right. 7 COMMISSIONER GIPSON: But we're simply 8 requesting it. And then -- 9 COMMISSIONER CARRILLO: Who was the 10 second, because they'd have to agree to that. 11 COMMISSIONER TAYLOR: I agree. 12 THE CHAIR: I have a lot of trepidation 13 with this, as you heard from my first thoughts 14 around this. I think that from my experience with 15 the anti-donation clause, it is sweeping, and it's a 16 way to get to a no when you want to get to a yes, 17 when it comes to State funds from other realms that 18 I've been in, not just at the PED, but just working 19 as a nonprofit, receiving funding, that you can't 20 directly receive. It has to go through a 21 municipality or a governmental association. 22 And so I feel that this is going to be 23 performative, and maybe that's okay. I feel like 24 it's going to have no teeth. And that's not okay 25 with me. And so I think that if our purpose here to</p>	137	<p>1 THE CHAIR: Any other comments? Take a 2 vote. Let's take a vote. Roll call, please, Vice 3 Chair Burt. 4 COMMISSIONER BURT: Commissioner Carrillo. 5 COMMISSIONER CARRILLO: Yes. 6 COMMISSIONER BURT: Commissioner Manis. 7 COMMISSIONER MANIS: Yes. 8 COMMISSIONER BURT: Commissioner Taylor. 9 COMMISSIONER TAYLOR: Yes. 10 COMMISSIONER BURT: Commissioner Gipson. 11 COMMISSIONER GIPSON: Yes. 12 VICE CHAIR BURT: Commissioner Ingham. 13 COMMISSIONER INGHAM: Yes. 14 COMMISSIONER BURT: Commissioner 15 Clahchischilliage. 16 COMMISSIONER CLAHCHISCHILLIAGE: Yes. 17 COMMISSIONER BURT: Commissioner Beck. 18 COMMISSIONER BECK: Yes. 19 VICE CHAIR BURT: Vice Chair Burt, yes. 20 Chair Brauer. 21 THE CHAIR: No. 22 COMMISSIONER BURT: That passes, eight to 23 one. 24 THE CHAIR: All right. 25 Item No. 21, PEC Comments. And we --</p>

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1 COMMISSIONER GIPSON: Always.  
 2 THE CHAIR: And we remind the group that  
 3 we don't have to talk if we don't need to. You  
 4 know, it is 12:06.  
 5 Commissioner Carrillo.  
 6 COMMISSIONER CARRILLO: When is the  
 7 soonest we've ever gotten out of here? Right about  
 8 now? Oh, yeah. Okay.  
 9 So I just want to say that I really enjoy  
 10 our meetings, our work sessions, and I really enjoy  
 11 working with this group. There you go.  
 12 THE CHAIR: Commissioner Beck.  
 13 COMMISSIONER BECK: Safe travels to all  
 14 the people that have a long way to go home.  
 15 THE CHAIR: Okay. I would like to just  
 16 encourage everyone to take whatever you want from the  
 17 produce from the farm.  
 18 Deputy Secretary DeBell, help yourself to  
 19 some collard greens, some different types of kale,  
 20 some green beans if there's some there, and I'm sure  
 21 there's some squash there. So help yourselves for  
 22 sure. Thank you. And it's always good to have  
 23 space with you all.  
 24 Any other comments?  
 25 (No response.)

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1 THE CHAIR: All right.  
 2 Item No. 22, Adjournment.  
 3 Can I get a motion?  
 4 COMMISSIONER GIPSON: So move.  
 5 THE CHAIR: Can I get a second?  
 6 COMMISSIONER MANIS: Second.  
 7 THE CHAIR: All right. Commissioner Manis  
 8 seconded that, Cindy.  
 9 All those in favor of adjourning?  
 10 (Commissioners so indicate.)  
 11 THE CHAIR: All those opposed?  
 12 (No response.)  
 13 THE CHAIR: All right. Have a good day,  
 14 everyone.  
 15 (Proceedings adjourned at 12:07 p.m.)  
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140

1 BEFORE THE PUBLIC EDUCATION COMMISSION  
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 14 In testimony whereof, I have hereunto set my  
 15 hand on September 29, 2023.  
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2 STATE OF NEW MEXICO

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## A

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