

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

OPEN PUBLIC MEETING

October 20, 2023

9:00 a.m.

Mabry Hall, Jerry Apodaca Education Building

300 Don Gaspar

Santa Fe, New Mexico

AND

Via Zoom Webinar

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

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2	<p>1 APPEARANCES</p> <p>2 COMMISSIONERS:</p> <p>3 ALAN BRAUER, Chair</p> <p>4 REBEKKA BURT, Vice Chair</p> <p>5 MELISSA ARMIJO, Secretary</p> <p>6 STEVEN J. CARRILLO, Member</p> <p>7 SHARON CLAHCHISCHILLIAGE, Member</p> <p>8 PATRICIA GIPSON, Member</p> <p>9 STEWART INGHAM, Member</p> <p>10 K.T. MANIS, Member</p> <p>11</p> <p>12 PED STAFF:</p> <p>13 CORINA CHAVEZ Director</p> <p>14 Charter School/Options for</p> <p>15 Parents and Families Division</p> <p>16 BRIGETTE RUSSELL Deputy Director</p> <p>17 Charter School/Options for</p> <p>18 Parents and Families Division</p> <p>19 LUCY VALENZUELA Technical Assistance and</p> <p>20 Training Specialist</p> <p>21 Charter School/Options for Parents</p> <p>22 and Families Division</p> <p>23</p> <p>24 MISSY BROWN Technical Assistance and Support and</p> <p>25 Training Administrator</p> <p>Charter School/Options for</p> <p>Parents and Families Division</p> <p>MARTICA DAVIS Authorizing Practices Administrator</p> <p>SHARYN PEREA Liaison to PEC</p> <p>20</p> <p>21 COUNSEL TO THE PEC:</p> <p>22</p> <p>23 JULIA HOSFORD BARNES, ESQ.</p> <p>24 Barnes Mediation and Law, PC</p> <p>25 200 W. DeVargas Street, Suite 7</p> <p>Santa Fe, New Mexico 87501</p>	4
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6

1 (No response.)
 2 COMMISSIONER ARMIJO: And Commissioner
 3 Carrillo.
 4 COMMISSIONER CARRILLO: Here.
 5 COMMISSIONER ARMIJO: We have a quorum of
 6 eight.
 7 THE CHAIR: Commissioner Manis and
 8 Commissioner Clahchischilliage, if you don't mind,
 9 when you talk, please identify yourself when you
 10 talk, especially if the video is off. We need to
 11 make sure we know who is talking for the record.
 12 COMMISSIONER CLAHCHISCHILLIAGE: Okay.
 13 Thank you. Uh-huh.
 14 THE CHAIR: Let's move on to the Pledge of
 15 Allegiance. Can -- Commissioner Gipson, can you do
 16 double-duty here, and we'll move right into the
 17 Salute?
 18 (Pledge of Allegiance and Salute to the
 19 New Mexico Flag conducted.)
 20 THE CHAIR: I wonder if there is a way for
 21 CSD staff, if there's somebody has a cell phone that
 22 we could hotspot off of, maybe, so it's more stable
 23 for Missy.
 24 Since we're on, still looks like everyone
 25 is here, I'm going to keep on moving through some of

7

1 the items we have. Let's move into the Approval of
 2 the Agenda.
 3 COMMISSIONER BURT: Move to approve the
 4 agenda.
 5 COMMISSIONER GIPSON: Second.
 6 THE CHAIR: We have a second. Any
 7 discussion?
 8 (No response.)
 9 THE CHAIR: Seeing none, let's go ahead
 10 and take a roll-call vote, because we have some
 11 people not here with us in person.
 12 COMMISSIONER ARMIJO: All-righty. Vice
 13 Chair Burt.
 14 COMMISSIONER BURT: Yes.
 15 COMMISSIONER ARMIJO: Secretary Armijo
 16 votes yes.
 17 Commissioner Ingham.
 18 COMMISSIONER INGHAM: Yes.
 19 COMMISSIONER ARMIJO: Commissioner
 20 Clahchischilliage.
 21 COMMISSIONER CLAHCHISCHILLIAGE: Yes.
 22 COMMISSIONER ARMIJO: Commissioner Gipson.
 23 COMMISSIONER GIPSON: Yes.
 24 COMMISSIONER ARMIJO: Commissioner Manis.
 25 COMMISSIONER MANIS: Yes.

8

1 (Audio lost.)
 2 THE CHAIR: Cindy, I don't know if you
 3 were here or not for the approval of the agenda.
 4 But it did pass, eight-zero.
 5 (Off-the-record due to technical issues.)
 6 THE CHAIR: Cindy, are you with us?
 7 THE REPORTER: Yes, I am. Thank you.
 8 THE CHAIR: We did no business -- the only
 9 business we did was work with the Internets here.
 10 We're back on. And we're going to move
 11 on, now that we approved the agenda.
 12 Missy, I'm not sure if we have anybody who
 13 signed up for Open Forum.
 14 All right. No one for Open Forum, so,
 15 Commissioner Gipson, you might hit your dinner date
 16 tonight.
 17 All right. School Highlights and
 18 Spotlight.
 19 This is the opportunity for Commissioners
 20 and CSD staff to lift up awesome work that we're
 21 hearing in our schools.
 22 We'll start with our Commissioners. Do
 23 you have any bright spots?
 24 Commissioner Gipson, then Vice Chair Burt,
 25 and then Commissioner Carrillo.

9

1 COMMISSIONER GIPSON: Yes. I'd like to
 2 recognize that there are two Alma d'Arte students
 3 that received the Future Generation award at the
 4 36th Doña Ana Arts Council Community Arts awards.
 5 And that was Madison Smith and Cora Richardson.
 6 And this past Monday, Dolores Huerta was
 7 in town. And she actually visited La Academia
 8 Dolores Huerta. So that was quite a treat for those
 9 students to be able to -- if any of you have had an
 10 opportunity, she is quite an individual, and I've
 11 had the honor of being able to spend some time with
 12 her. So I'm sure those students are thrilled that
 13 she took the time to spend with them last Monday.
 14 THE CHAIR: Okay. Thank you,
 15 Commissioner.
 16 Vice Chair Burt.
 17 COMMISSIONER BURT: I just wanted to say I
 18 think this is kind of good for all schools, not a
 19 big school highlight. But I wanted to say congrats
 20 to PCSNM for officially getting that CSD grant
 21 awarded to them, an enormous amount of money to go
 22 out to the schools. I'm excited for them and for
 23 the growth of charters in our state.
 24 THE CHAIR: Thank you. Congratulations.
 25 Commissioner Carrillo.

10	<p>1 COMMISSIONER CARRILLO: Big shout-out for</p> <p>2 to The MASTERS Program, which is one of our charters</p> <p>3 up here in Santa Fe. It's on the campus of the</p> <p>4 community college. For those that don't know -- and</p> <p>5 I didn't even know this until I was on this</p> <p>6 Commission -- MASTERS is actually an acronym for</p> <p>7 Mathematics, Art, Science, Technology, Engineering,</p> <p>8 Reading, and Service.</p> <p>9 And service is a really important part of</p> <p>10 what they do, and they do it on Fridays. And it's</p> <p>11 not something optional. If you are going into The</p> <p>12 MASTERS Program, you are choosing that service is</p> <p>13 going to be a part of your high school education.</p> <p>14 They have -- there's a great article in</p> <p>15 the New Mexican featuring them. They're a Spotlight</p> <p>16 School. They have grad rates, math, English, and</p> <p>17 science proficiency significantly higher than the</p> <p>18 state average.</p> <p>19 And one of the things that, really, I</p> <p>20 think contributes to their success is trusting</p> <p>21 students to make choices and be more independent</p> <p>22 through their school day.</p> <p>23 And just being on the college campus gives</p> <p>24 students, I think, a sense of maturity, if you will,</p> <p>25 in choices that they make and how they approach</p>	12
11	<p>1 their education.</p> <p>2 And I would just say to -- I don't know if</p> <p>3 anybody is on Zoom. You know, it's something to</p> <p>4 look at in terms of the way you approach -- attract</p> <p>5 your kids to different schools.</p> <p>6 And I particularly want to call out</p> <p>7 districts for trying to be more innovative in their</p> <p>8 programming, to making things relevant and engage</p> <p>9 other students.</p> <p>10 So the head learner there is Karla</p> <p>11 Moskowitz -- this is her first year -- and then Tina</p> <p>12 Morris. And both have been in education for</p> <p>13 decades, and both have just done great work.</p> <p>14 Tina actually used to work for the</p> <p>15 district here in Santa Fe.</p> <p>16 Big shout-out to The MASTERS Program.</p> <p>17 THE CHAIR: Commissioner Ingham.</p> <p>18 COMMISSIONER INGHAM: Well, I guess I</p> <p>19 would like to do a shout-out.</p> <p>20 THE CHAIR: Just wanted to --</p> <p>21 COMMISSIONER INGHAM: Just wanted to give</p> <p>22 some accolades to the School of Dreams in Los Lunas.</p> <p>23 They're having an event on November 1st where</p> <p>24 they're going to be describing -- I guess they have</p> <p>25 a new building that is going to be -- they have the</p>	13
10	<p>1 funding for a new building to get started on a quite</p> <p>2 aggressive CTE program.</p> <p>3 And they're -- got a lot of exciting</p> <p>4 things in the works. I just talked to Mike last</p> <p>5 night, and I just wanted to invite all of you to</p> <p>6 that -- out to that gathering on November 1st at</p> <p>7 9:00 on their campus.</p> <p>8 THE CHAIR: Thank you. I have two items</p> <p>9 to build off of the CSP grant.</p> <p>10 This is not one of our schools. But</p> <p>11 Siembra Leadership is a school in Albuquerque. They</p> <p>12 also received a specific grant for \$2 million. So</p> <p>13 just thinking about how much funding is coming into</p> <p>14 our state. It's good to support good things for our</p> <p>15 young people. This is pretty amazing.</p> <p>16 So congrats to Public Charter Schools, to</p> <p>17 Siembra and Jaqi Baldwin, the leader over there.</p> <p>18 And I also wanted to lift up -- this is</p> <p>19 not a school, but a charter leader -- Kara Bobroff,</p> <p>20 who is Navajo and Lakota and the founder of Native</p> <p>21 American Community Academy, also has been my boss</p> <p>22 for the last nine years. She has received, this</p> <p>23 year -- this week is the National Indian Education</p> <p>24 Association's convening in Albuquerque.</p> <p>25 And so NIEA has -- has acknowledged her as</p>	12
11	<p>1 the -- with the Community Service award for this</p> <p>2 year.</p> <p>3 And so if our schedule permits, I'm going</p> <p>4 to a celebration later on this afternoon, if we're</p> <p>5 able to move things -- not putting any pressure on</p> <p>6 any Commissioners to move forward. We've got some</p> <p>7 dinners; we've got some -- yeah.</p> <p>8 But just want to lift up Kara as, like, a</p> <p>9 pretty amazing charter leader, a pretty amazing</p> <p>10 school leader. She was the interim Secretary of</p> <p>11 Education, as well as the deputy Secretary of</p> <p>12 Identity, Equity, and Transformation and really led</p> <p>13 a lot of the work around the Martinez/Yazzie</p> <p>14 implementation for the state, and so just a lot of</p> <p>15 great things. So I just want to congratulate Kara.</p> <p>16 Director Chavez.</p> <p>17 DIRECTOR CORINA CHAVEZ: Yeah. So the</p> <p>18 Santa Fe Reporter has put out Best of Santa Fe. And</p> <p>19 want to recognize a couple of charter schools that</p> <p>20 are in the mix with all public and private schools.</p> <p>21 Two charter schools, Academy for Technology and the</p> <p>22 Classics got Second Best. And Turquoise Trail, one</p> <p>23 of the State-authorized charter schools, got Third</p> <p>24 Best Charter.</p> <p>25 Want to just give a shout-out to Turquoise</p>	13

14	<p>1 Trail. According to the Santa Fe Reporter's Best of 2 2023. Also the school was one of seven recipients 3 of the State to be awarded the New Mexico Outdoor 4 Learning start-up grant. And the grant is going to 5 be used to build an outdoor agricultural classroom 6 that will help support animal, science, agriculture, 7 literacy, and SEL endeavors.</p> <p>8 So big shout-out to Stephanie and her 9 team. Joe Dan Lovato, the middle school principal, 10 thank you for sending that information. I encourage 11 all charter schools to let us know when they get 12 recognized. And congratulations.</p> <p>13 THE CHAIR: Thank you. Thank you, 14 Commissioners. Some great Spotlights that we're 15 bringing into our space today.</p> <p>16 Let's move into the Consent Agenda, Item 17 No. 5.</p> <p>18 COMMISSIONER BURT: Move to approve the 19 consent agenda.</p> <p>20 THE CHAIR: Do we have a second? 21 COMMISSIONER GIPSON: Second. 22 THE CHAIR: All right. We have a second 23 to the motion. 24 Any discussion on the Consent Agenda? 25 (No response.)</p>	16	<p>1 COMMISSIONER ARMIJO: It passes, 2 seven-to-zero.</p> <p>3 THE CHAIR: Great. I don't see her on 4 anymore.</p> <p>5 Okay. Can you ask her to unmute just 6 to -- okay.</p> <p>7 All right. We didn't pull anything off 8 the Consent Agenda.</p> <p>9 So we're going to move on to Item No. 7, 10 Discussion and Possible Action on Six Directions 11 Indigenous School Administration Change.</p> <p>12 Do we have anybody from Six Directions in 13 the galley -- gallery? 14 I don't see anybody in there. 15 We did pull this off. We were -- we 16 typically would have this, Commissioners, on the 17 Consent Agenda. But because we had a pretty lengthy 18 conversation the last time we discussed the head 19 administrator change, we wanted to make sure we had 20 this on here, in case there were any questions from 21 the Commission. 22 Dr. Russell. 23 DR. BRIGETTE RUSSELL: Thank you, Chair 24 Brauer and Commissioners. 25 I actually visited Six Directions when I</p>
15	<p>1 THE CHAIR: Seeing none, let's move to our 2 roll-call vote, secretary Armijo.</p> <p>3 COMMISSIONER ARMIJO: Secretary Armijo 4 votes yes. 5 Commissioner Ingham. 6 COMMISSIONER INGHAM: Yes. 7 COMMISSIONER ARMIJO: Commissioner 8 Clahchischilliage. 9 (No response.) 10 COMMISSIONER ARMIJO: Commissioner Gipson. 11 COMMISSIONER GIPSON: Yes. 12 COMMISSIONER ARMIJO: Commissioner Manis. 13 COMMISSIONER MANIS: Yes. 14 COMMISSIONER ARMIJO: Commissioner 15 Carrillo. 16 COMMISSIONER CARRILLO: Yes. 17 COMMISSIONER ARMIJO: Chair Brauer. 18 THE CHAIR: Yes. 19 COMMISSIONER ARMIJO: And Vice Chair Burt. 20 COMMISSIONER BURT: Yes. 21 COMMISSIONER ARMIJO: That passes, 22 eight-to-zero -- or -- 23 THE CHAIR: Commissioner 24 Clahchischilliage, do you hear us? I think you were 25 on mute. But can you unmute yourself?</p>	17	<p>1 was in Gallup for the Middle High School renewal 2 visit. So I met with Ms. Niiha in person on 3 Wednesday.</p> <p>4 We had a really nice visit. And I told 5 her if she was able to be here by Zoom, she was 6 welcome to, but it was not required. But the 7 Commission has already discussed it previously, and 8 all paperwork is in order. Licensure helped her 9 out, and she's all set.</p> <p>10 THE CHAIR: Thank you. Commissioners, any 11 questions? 12 Vice Chair Burt. 13 COMMISSIONER BURT: I don't have a 14 question. But I just want to say kudos to 15 Licensure. I know they don't get that ever. So 16 good job, like, awesome for Licensure to work with 17 her to get it going. Excited for the school to be 18 able to move forward without uncertainty and trying 19 to figure it out. I'm sure that's a good way to 20 start -- better way to start the year. 21 THE CHAIR: We can entertain a motion. 22 Vice Chair Burt. 23 COMMISSIONER BURT: I move that the PEC 24 accept the notification from Six Directions 25 Indigenous School regarding the change of head</p>

18	<p>1 administrators.</p> <p>2 COMMISSIONER GIPSON: Second.</p> <p>3 THE CHAIR: All right. We have a second.</p> <p>4 Let's move into discussion of the motion.</p> <p>5 (No response.)</p> <p>6 THE CHAIR: Seeing none, Secretary Armijo,</p> <p>7 can we do a roll-call vote, please?</p> <p>8 COMMISSIONER ARMIJO: Yes.</p> <p>9 Commissioner Ingham.</p> <p>10 COMMISSIONER INGHAM: Yes.</p> <p>11 COMMISSIONER ARMIJO: Commissioner</p> <p>12 Clahchischilliage.</p> <p>13 (No response.)</p> <p>14 COMMISSIONER ARMIJO: Commissioner Gipson.</p> <p>15 COMMISSIONER GIPSON: Yes.</p> <p>16 COMMISSIONER ARMIJO: Commissioner Manis.</p> <p>17 COMMISSIONER MANIS: Yes.</p> <p>18 COMMISSIONER ARMIJO: Commissioner</p> <p>19 Carrillo.</p> <p>20 COMMISSIONER CARRILLO: Yes.</p> <p>21 COMMISSIONER ARMIJO: Chair Brauer.</p> <p>22 THE CHAIR: Yes.</p> <p>23 COMMISSIONER ARMIJO: Vice Chair Burt.</p> <p>24 COMMISSIONER BURT: Yes.</p> <p>25 COMMISSIONER ARMIJO: And Secretary Armijo</p>	20	<p>1 hadn't been populated into the documents, we chose</p> <p>2 to move it to this month. So...</p> <p>3 MS. JULIA BARNES: There was just one more</p> <p>4 change. There was a footnote about the</p> <p>5 documentation that the bureau -- the Budget Bureau</p> <p>6 will now do. So that footnote was removed.</p> <p>7 COMMISSIONER GIPSON: Oh, okay. Sorry.</p> <p>8 Page 6.</p> <p>9 THE CHAIR: It's 8.</p> <p>10 COMMISSIONER GIPSON: It's Page 6 of 8.a.</p> <p>11 Sorry. It's, like, no, I'm looking at Page 6.</p> <p>12 THE CHAIR: As we pull that up, any</p> <p>13 questions or comments from the Commission?</p> <p>14 COMMISSIONER GIPSON: So just as -- so</p> <p>15 last week -- "last week" -- last month we discussed</p> <p>16 this potential change, which was adding this --</p> <p>17 modifying the chart that was initially there,</p> <p>18 creating the tiers.</p> <p>19 And there's four tiers that have been</p> <p>20 created. And the significant change is with the</p> <p>21 Tier 3 designation.</p> <p>22 In the initial overall evaluation that had</p> <p>23 been created, there was the third -- it wasn't</p> <p>24 called a tier, but it was "On Track For Renewal With</p> <p>25 Conditions." And there was no indication that there</p>
19	<p>1 votes yes. That passes, seven to zero.</p> <p>2 THE CHAIR: Thank you. I just want to</p> <p>3 check real quick. Commissioner Clahchischilliage,</p> <p>4 have you joined us, and do you hear us now?</p> <p>5 I saw her join the panel, but I don't</p> <p>6 know -- we'll keep on -- keep on moving forward.</p> <p>7 Okay. All right.</p> <p>8 Yeah. All right. So let's -- let's move</p> <p>9 on -- let's move on to Item No. 8, Discussion and</p> <p>10 Possible Action on the Performance Framework. We're</p> <p>11 reviewing the performance framework and the business</p> <p>12 rules, as we discussed yesterday.</p> <p>13 Sorry. My computer is lagging a little</p> <p>14 bit here. But those are -- and somebody can help me</p> <p>15 out -- those are numbers 11 -- right? -- 8.a. and</p> <p>16 8.b. will be the two documents that we'll be</p> <p>17 discussing. And then there's -- 8.c. is the redline</p> <p>18 version. So if you like the cleaned-up version, it</p> <p>19 would be 8.b.</p> <p>20 COMMISSIONER GIPSON: I think maybe just</p> <p>21 the performance framework, Page 6, for Commissioners</p> <p>22 that weren't here yesterday, that's where we made</p> <p>23 the change on the performance framework.</p> <p>24 So if they just wanted to see it -- I</p> <p>25 mean, we did discuss it last month. But because it</p>	21	<p>1 should be a potential for a motion for nonrenewal.</p> <p>2 And after lengthy discussion with the</p> <p>3 performance framework group and also with the</p> <p>4 Commission, the decision was made that there should</p> <p>5 be that, for schools -- for transparency's sake for</p> <p>6 schools, they should be aware that there is the</p> <p>7 possibility if their -- if they fall in that</p> <p>8 category, they may not be renewed.</p> <p>9 So the tier system was created. And</p> <p>10 Tier 3 reads, "On Track For Renewal With Conditions</p> <p>11 Or Possible Non-Renewal."</p> <p>12 And it will be clarified through the</p> <p>13 annual notices that the schools get. But it felt</p> <p>14 somewhat not fair to schools, if they received four</p> <p>15 years of, "Oh, you're on track for renewal with</p> <p>16 conditions," and then they come to the meeting, and</p> <p>17 it's, like, "No, there's a motion to not renew."</p> <p>18 So schools are aware throughout the cycle</p> <p>19 of their contract that there is a possibility, if</p> <p>20 they're falling in Tier 3, they may not be renewed.</p> <p>21 THE CHAIR: Thank you, Commissioner.</p> <p>22 Any other questions about the framework or</p> <p>23 the business rules?</p> <p>24 Commissioner Carrillo.</p> <p>25 COMMISSIONER CARRILLO: Not a question,</p>

22

1 but a comment, really.

2 I don't know how many people are on Zoom
3 or in the participants or whatever. But just
4 reminding people that, you know, we've been working
5 on this performance framework and the rules for a
6 year and a half or more than a year and a half. And
7 we're -- in January, it'll be two years.

8 And so -- and a lot of the work that
9 Ms. Gipson was discussing, a lot of stuff is in our
10 work session. So when we just -- when we bring
11 things up on a Friday, and we vote, it's not that we
12 haven't discussed things. We've been really working
13 hard on these things up till this point, and
14 especially in the work sessions, say, yesterday, to
15 fine-tune things before we take things to a vote.
16 That's all.

17 THE CHAIR: Thank you.

18 COMMISSIONER GIPSON: Ready?

19 THE CHAIR: I think so.

20 Commissioner Gipson.

21 COMMISSIONER GIPSON: I move that the PEC
22 adopt the performance framework adopted as Document
23 8.a. in the Google Drive and direct the Charter
24 School Division to make technical cleanup and
25 formatting changes and post the document on the PEC

24

1 we're going to -- that somebody is going to come and
2 talk to us about. And this is just a part of the
3 process.

4 But, you know, we're going for better
5 effectiveness and we're going to learn from this.
6 And there's just a lot of great work that's been
7 done on this, so thank you for that.

8 Roll-call vote, please.

9 COMMISSIONER CARRILLO: Just want to
10 slather on more thanks, especially to Ms. Gipson and
11 to Ms. Burt for the time they put in, and for
12 Glenna. And I can't remember the name of the person
13 in Washington right now who's -- Naomi -- who just
14 helped incredibly, and just the amount of work that
15 you put into this.

16 And that we're at this point is huge. So
17 thank you very much for your effort.

18 THE CHAIR: Secretary Armijo, without
19 further comforting to everyone, let's just go ahead
20 and take a vote.

21 COMMISSIONER ARMIJO: All-righty.

22 Commissioner Gipson.

23 COMMISSIONER GIPSON: Yes.

24 COMMISSIONER ARMIJO: Commissioner Manis.

25 COMMISSIONER MANIS: Yes.

23

1 website.

2 COMMISSIONER BURT: Second.

3 THE CHAIR: Second. Move into discussion
4 of the motion.

5 (No response.)

6 THE CHAIR: Seeing none --

7 COMMISSIONER GIPSON: I'm just --

8 THE CHAIR: Sorry. Commissioner Gipson.

9 COMMISSIONER GIPSON: Just wanted to
10 say -- thank everyone for all of this work. I mean,
11 it's been -- it's been long, too long.

12 But I think we've come out with something
13 that's really great and ground-breaking, not only
14 just for New Mexico, but for charter authorizing.

15 THE CHAIR: Thank you for saying that,
16 Commissioner.

17 And I want to also make sure that you and
18 Bekka, especially, can pat yourselves on the back on
19 this, because I know you've done a lot of the work
20 on this, and Commissioner Voigt as well.

21 And I know that -- and I think that --
22 I'll just -- just because I have the pulpit right
23 now, I also think that there's no such thing as a
24 perfect document. There's no such thing. As soon
25 ask we make a vote, there's going to be five things

25

1 COMMISSIONER ARMIJO: Commissioner
2 Carrillo.

3 COMMISSIONER CARRILLO: Yes.

4 COMMISSIONER ARMIJO: Chair Brauer.

5 THE CHAIR: Yes.

6 COMMISSIONER ARMIJO: Vice Chair Burt.

7 COMMISSIONER BURT: Yes.

8 COMMISSIONER ARMIJO: Secretary Armijo
9 votes yes.

10 Commissioner Ingham.

11 COMMISSIONER INGHAM: Absolutely.

12 COMMISSIONER ARMIJO: Commissioner
13 Clahchischilliage.

14 (No response.)

15 COMMISSIONER ARMIJO: Yes? Commissioner
16 Clahchischilliage?

17 COMMISSIONER CLAHCHISCHILLIAGE: Yes. And
18 I keep getting cut off, and I have to rejoin. So
19 that's what's going on with me.

20 COMMISSIONER ARMIJO: We completely
21 understand. Thank you so much.

22 That passes, eight to zero.

23 THE CHAIR: Okay. Thank you.

24 COMMISSIONER GIPSON: I have to do the
25 business rules one, then. I can do the business --

26	<p>1 THE CHAIR: Okay. Great.</p> <p>2 COMMISSIONER GIPSON: I move that the PEC</p> <p>3 adopt the business rules identified as Document 8.b.</p> <p>4 in the Google Drive and direct the Charter Schools</p> <p>5 Division to make technical cleanup and formatting</p> <p>6 changes and post the document on the PEC website.</p> <p>7 VICE CHAIR BURT: Second.</p> <p>8 THE CHAIR: We have a second. We're in</p> <p>9 discussion of the motion.</p> <p>10 (No response.)</p> <p>11 THE CHAIR: Seeing none, let's move into a</p> <p>12 roll-call vote. Secretary Armijo.</p> <p>13 COMMISSIONER ARMIJO: All-righty.</p> <p>14 Commissioner Gipson.</p> <p>15 COMMISSIONER GIPSON: Yes.</p> <p>16 COMMISSIONER ARMIJO: Commissioner Manis.</p> <p>17 COMMISSIONER MANIS: Yes.</p> <p>18 COMMISSIONER ARMIJO: Commissioner</p> <p>19 Carrillo.</p> <p>20 COMMISSIONER CARRILLO: Yes.</p> <p>21 COMMISSIONER ARMIJO: Chair Brauer.</p> <p>22 THE CHAIR: Yes.</p> <p>23 COMMISSIONER ARMIJO: Vice Chair Burt.</p> <p>24 COMMISSIONER BURT: Yes.</p> <p>25 COMMISSIONER ARMIJO: Secretary Armijo</p>	28	<p>1 at this stage.</p> <p>2 COMMISSIONER BURT: All right. So I'm</p> <p>3 going to make a motion for discussion.</p> <p>4 In creating the record of performance</p> <p>5 contemplated in NMAC 6.2.9.11, I move that CSD</p> <p>6 identify in each written renewal recommendation the</p> <p>7 participating CSD staff members, school employees,</p> <p>8 and school board members by name, position, and</p> <p>9 contact information to prepare for possible hearing</p> <p>10 processes.</p> <p>11 As outlined in NMAC 6.2.9.16 and 17, I</p> <p>12 further move that the CSD identify a team lead for</p> <p>13 each renewal or revocation process who attended site</p> <p>14 visits related to that school, be knowledgeable</p> <p>15 about the contents of the recommendations and</p> <p>16 reports regarding that school, and who can provide</p> <p>17 witness testimony, if needed.</p> <p>18 COMMISSIONER GIPSON: Second.</p> <p>19 THE CHAIR: Let's move into discussion.</p> <p>20 (No response.)</p> <p>21 I thought I saw a (inaudible due to audio</p> <p>22 distortion) over there, but maybe -- all right.</p> <p>23 Let's move into our roll-call vote, please.</p> <p>24 Secretary Armijo.</p> <p>25 COMMISSIONER ARMIJO: Vice Chair Burt.</p>
27	<p>1 votes yes.</p> <p>2 Commissioner Ingham.</p> <p>3 COMMISSIONER INGHAM: Yes.</p> <p>4 COMMISSIONER ARMIJO: And Commissioner</p> <p>5 Clahchischilliage.</p> <p>6 COMMISSIONER CLAHCHISCHILLIAGE: Yes.</p> <p>7 COMMISSIONER ARMIJO: That passes, eight</p> <p>8 to zero. Thank you.</p> <p>9 THE CHAIR: Okay. Thank you, all.</p> <p>10 All right. Let's move on to Item No. 9.</p> <p>11 We're on Item 9 already. Should I --</p> <p>12 should I sit back and pine a little bit, or --</p> <p>13 All right. Discussion and Possible Action</p> <p>14 on Implementation of the PEC Rule During Renewal</p> <p>15 Cycle.</p> <p>16 So we just wanted to just clarify and just</p> <p>17 kind of clean up a little bit of what we need to</p> <p>18 have in place within some of the structures to make</p> <p>19 sure that we're in -- in compliance with the Rule.</p> <p>20 And so we want to discuss this a little</p> <p>21 bit. I'm going to provide Vice Chair Burt a little</p> <p>22 bit of time. But this really -- the spirit of this</p> <p>23 is to make sure that the punch points that we have</p> <p>24 and the tools and resources that we have are just</p> <p>25 really in alignment to what our Rule asks us to do</p>	29	<p>1 COMMISSIONER BURT: Yes.</p> <p>2 COMMISSIONER ARMIJO: Secretary Armijo</p> <p>3 votes yes.</p> <p>4 Commissioner Ingham.</p> <p>5 COMMISSIONER INGHAM: Yes.</p> <p>6 COMMISSIONER ARMIJO: Commissioner</p> <p>7 Clahchischilliage.</p> <p>8 COMMISSIONER CLAHCHISCHILLIAGE: Yes.</p> <p>9 COMMISSIONER ARMIJO: Commissioner Gipson.</p> <p>10 COMMISSIONER GIPSON: Yes.</p> <p>11 COMMISSIONER ARMIJO: Commissioner Manis.</p> <p>12 COMMISSIONER MANIS: Yes.</p> <p>13 COMMISSIONER ARMIJO: Commissioner</p> <p>14 Carrillo.</p> <p>15 COMMISSIONER CARRILLO: Yes.</p> <p>16 COMMISSIONER ARMIJO: And Chair Brauer.</p> <p>17 THE CHAIR: Yes.</p> <p>18 COMMISSIONER ARMIJO: That passes, eight</p> <p>19 to zero.</p> <p>20 THE CHAIR: All right. Item No. 10,</p> <p>21 Discussion and Possible Action on PEC --</p> <p>22 (Audio lost.)</p> <p>23 THE CHAIR: I just moved on to Item</p> <p>24 No. 10, the PEC Legislative Agenda. We've been</p> <p>25 working on this for the last couple of meetings. I</p>

30	<p>1 did -- I know that Public Charter Schools of 2 New Mexico, within their report, during my report a 3 little bit, have some updates as well. I thought it 4 would more appropriate to share that with them at 5 that time than this time, as we are discussing our 6 legislative agenda. 7 Julia. 8 MS. JULIA BARNES: Just wanted to tell you 9 where we are with the documents. We took the 10 previous legislative items and moved it to a 11 historical document. And we've uploaded that, just 12 so that you have that. 13 We will start a new document, but there 14 isn't -- there aren't any items on it yet. So 15 there's not a new document yet; although, we have 16 uploaded a document for Commissioner Ingham to speak 17 off of; so... 18 (Audio issues: Discussion off the record.) 19 THE CHAIR: Okay. We'll take a 20 five-minute break, and we'll come back on. 21 (Recess taken, 9:42 a.m. to 9:49 a.m.) 22 THE CHAIR: Let's go ahead and move back 23 in. We're going to reconvene. It's 9:49. Cindy, 24 can you hear us? 25 THE REPORTER: Yes, sir.</p>	32	<p>1 time, that was on new contracts, because we were 2 allowed to do a three year on a renewal currently; 3 is that correct? We're not allowed to do a three 4 year on a renewal. 5 MS. JULIA BARNES: Only with an agreement 6 of the -- of the school. And I'm just going to 7 reiterate that this was -- this is in the historical 8 memo. So you can read it to see if you want to 9 re-up something again. But this memo was what you 10 discussed in the past. 11 And, yes, it's -- well, the language 12 says -- it's right there -- "Approval of less than 13 five years may be agreed upon between the charter 14 school and the chartering authority." 15 And you'll recall that that was rejected 16 recently and -- when it was proposed by the PEC, by 17 another school. And then it wasn't allowed because 18 the statute doesn't allow you to unilaterally do it. 19 COMMISSIONER CARRILLO: So this -- this 20 here, then, is -- would be allowing us to 21 unilaterally do it, to say, "This is what -- we're 22 imposing this upon you," essentially, if we want -- 23 if we want them to have a three-year renewal. 24 I can't see a school saying, "Okay, that 25 just sounds great." They're going to fight it.</p>
31	<p>1 THE CHAIR: So we were on Item No. 10, 2 Discussion and Possible Action on the PEC 3 Legislative Agenda. 4 We just -- we heard some updates from 5 Ms. Barnes. I think from at least the Chair point 6 of view, I don't think we need to take any action at 7 this stage. We're going to hear some more 8 information from the Public Charter Schools of 9 New Mexico about some things that are coalescing in 10 education that are relevant to our work, and we'll 11 kind of probably talk about this again in November. 12 And then we'll talk about -- you know, for 13 Commissioner Gipson as the liaison to the LESC and 14 LFC, there may be some new actions we might have for 15 her, or for Commissioner Ingham as well, if it's 16 specific to facilities. 17 Does that sound okay with everyone? 18 COMMISSIONER CLAHCHISCHILLIAGE: Uh-huh. 19 COMMISSIONER CARRILLO: I have a question. 20 THE CHAIR: Commissioner Carrillo. 21 COMMISSIONER CARRILLO: Just because I'm 22 not recalling the Item 2 on the Legislative Agenda, 23 "Allowing the PEC to approve three-year charter 24 terms with good cause provided." 25 So the discussion on that that we had last</p>	33	<p>1 MS. JULIA BARNES: That was the previous 2 suggestion as well, yes. 3 COMMISSIONER CARRILLO: Okay. Thank you. 4 THE CHAIR: Director Chavez. 5 DIRECTOR CORINA CHAVEZ: Yeah. And for 6 the record, I don't agree with the three-year term. 7 It's not helpful for the schools to have such little 8 data. It's not going to be helpful for you to have 9 such little data at renewal. 10 We experienced that once with a school 11 that was up for renewal. And there was no data. So 12 shorter terms are really challenging and not best 13 practice. 14 COMMISSIONER GIPSON: Right. 15 THE CHAIR: Yeah. And I think we'll 16 probably have more discussion for these as well. 17 Commissioner Carrillo, and then 18 Commissioner Gipson. 19 COMMISSIONER CARRILLO: So I would 20 completely disagree. Because if it's a renewal, 21 that means they've already had a five-year contract, 22 which means there should be plenty of data, and 23 certainly enough to say, "You know what? We're not 24 really pleased with the direction this is going, so 25 we're going to do a three year instead of a five."</p>

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1 And, yeah. And when I'm looking at the
 2 vote here for this, it was five to three. So I know
 3 that there were a lot of different opinions
 4 around -- around this issue.
 5 THE CHAIR: Commissioner Gipson.
 6 COMMISSIONER GIPSON: I mean, there -- the
 7 data we receive is the data for the contract term,
 8 not prior contract terms. So we don't look at the
 9 data from previous, because there -- we're basing
 10 the renewal on the data from the term that is up.
 11 So -- right. So we'd only have three
 12 years.
 13 DIRECTOR CORINA CHAVEZ: Two.
 14 COMMISSIONER GIPSON: Two. We'd only have
 15 two years for that.
 16 And several months ago, we had someone
 17 from NACSA do an on -- sort of an on-boarding. And
 18 one of the highlights from the NACSA representative
 19 was best practices is not shorter terms, because
 20 they don't give you the complete picture of a
 21 school.
 22 That's where our job, through annual
 23 reports and letters of concern and the intervention
 24 ladder, that's where we have to do our due
 25 deliberation during the five-year term, and to

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1 revoke if things aren't going as well as they should
 2 be.
 3 DIRECTOR CORINA CHAVEZ: Commissioners,
 4 the other thing that we heard from the national
 5 level is that this draconian line between last term
 6 performance and current term performance, and only
 7 considering current term performance, is unusual.
 8 So the fact that a three-year charter contract
 9 doesn't let you look at year one of that -- of data,
 10 you would only be looking at two years, because you
 11 can't look at the past -- the last year and the
 12 previous term, that doesn't always happen with other
 13 authorizers.
 14 They look at other terms. They just think
 15 about it as a continuous -- like you were thinking,
 16 Commissioner Carrillo, the school is in existence.
 17 There is data from that year. You could look at
 18 three years. But that's something that is unique
 19 here. I don't know that -- maybe you would want to
 20 add language in any sort of legislative -- if you
 21 want to do this, add some language that would allow
 22 you to consider full three years and not just two.
 23 THE CHAIR: Since we're not taking any
 24 vote today and taking any discussion, let's make
 25 this the final thing. Sounds like we need to talk

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1 more about some of these items.
 2 COMMISSIONER CARRILLO: Why don't we talk
 3 more about these items? Why would you want to cut
 4 it off?
 5 THE CHAIR: I wasn't cutting it off,
 6 Commissioner. I just acknowledged that you can
 7 talk.
 8 I think we've talked about stuff. Now
 9 we're going back and forth. I don't know if we're
 10 going to resolve anything at this stage. So it
 11 sounds like we need to talk some more about this in
 12 future meetings.
 13 Commissioner Carrillo, go ahead and take
 14 the final word here.
 15 COMMISSIONER CARRILLO: On that, the
 16 concern would be November is coming up. Even though
 17 it's a short session the next year, if we want to
 18 put something on, just to kind of float it, knowing
 19 full well it's going to be for the following
 20 session, it's November, you know, next month. And
 21 so we're running up against a clock to try to do
 22 anything and try to find, you know, a senator or
 23 representative to take it on. That would be one
 24 concern.
 25 And the other is I don't understand why --

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1 I just -- so if somebody -- if we've -- sorry -- a
 2 five-year contract and then they come back for
 3 renewal, doesn't it stand to reason -- they don't
 4 have data from the first year, necessarily. But
 5 doesn't it stand to reason that there's four years
 6 of data for us to look at?
 7 I don't get this idea that there's -- I
 8 don't get what you're saying. There's four years of
 9 data for us to look at. And if this school is not
 10 performing the way they said they would on all sorts
 11 of different levels, I mean, I absolutely see the
 12 need for three years.
 13 One of the things I'm looking forward to
 14 in the conference in Oakland is, I was looking at
 15 their sessions. One of them is specifically about
 16 this in particular: short -- shorter authorization
 17 terms.
 18 So that's all for now. Thank you, Chair
 19 Brauer.
 20 THE CHAIR: Thank you. Vice Chair Burt.
 21 COMMISSIONER BURT: I'll just say -- I
 22 think I'm one of the people that I see both sides.
 23 So I'm kind of open. So I would definitely be
 24 interested in next month in, like, what you -- make
 25 sure you go to that session and come talk to us

<p style="text-align: right;">38</p> <p>1 about it.</p> <p>2 'Cause I do also see -- one of the things</p> <p>3 I'm more concerned by, then, is that schools get a</p> <p>4 blank slate every five years. Like, that's kind of</p> <p>5 crazy. That's insane, actually. Like, you don't</p> <p>6 get a blank slate every five years.</p> <p>7 So if there's a way we could change</p> <p>8 that -- and then, actually, I would be -- I would</p> <p>9 probably -- probably be very supportive of a three</p> <p>10 year, because then it is a course of a -- and I do</p> <p>11 want to see change quick.</p> <p>12 I mean, when schools -- when the schools</p> <p>13 are held to the fire, they do better. Like, it</p> <p>14 happens.</p> <p>15 So I'm not too -- I'm not too conc- --</p> <p>16 because then it is -- okay, for the last four years</p> <p>17 it's been this, and the last two, there's been no</p> <p>18 progress, you know. And maybe you're not going to</p> <p>19 see crazy -- you're not going to go from, you know,</p> <p>20 single-digit proficiencies to 50 percent</p> <p>21 proficiency. But to see growth during those couple</p> <p>22 of years would be a positive thing.</p> <p>23 But I'm definitely interested in what you</p> <p>24 learn from that, because I think my mind is open</p> <p>25 both ways. And so I don't know if that's something</p>	<p style="text-align: right;">40</p> <p>1 But I was asked to take a look at the</p> <p>2 Montessori Elementary and Middle School pre-K</p> <p>3 program and lottery process.</p> <p>4 And I know that this is not a discussion</p> <p>5 with the school, because it's my presentation. But</p> <p>6 in the audience, I just want you to know a couple of</p> <p>7 people sitting in the audience is the current head</p> <p>8 administrator, Piper Curry, and the long-standing</p> <p>9 business manager for the school, Mr. Stan Albrycht.</p> <p>10 So they came to listen to the discussion.</p> <p>11 Immediately after the last PEC meeting, I</p> <p>12 called the school and had a conversation about the</p> <p>13 pre-K program and the lottery.</p> <p>14 I also went to the school's website, and I</p> <p>15 saw that the school currently runs two very separate</p> <p>16 and unique lottery processes: one for pre-K, which</p> <p>17 is a pre-K -- private pre-K program; and one for the</p> <p>18 K-through-8 school. And those two don't talk to</p> <p>19 each other, if you will.</p> <p>20 So if you were a third-grader, and your</p> <p>21 sibling was in the pre-K program, you don't get</p> <p>22 sibling preference; okay? Those are two separate</p> <p>23 things. If you had attended the pre-K, you don't</p> <p>24 get preference for the K. They are two separate</p> <p>25 lottery systems and processes.</p>
<p style="text-align: right;">39</p> <p>1 Julia can look into of, like, how do we end this?</p> <p>2 Like, you can't look at last year. Like, last year</p> <p>3 doesn't matter. Because that actually -- the fifth</p> <p>4 year of terms never matter for a school. They</p> <p>5 actually don't matter at all. And that's, once</p> <p>6 again, crazy.</p> <p>7 And so if -- if we can look into what</p> <p>8 that -- what's the mechanism we have to maybe change</p> <p>9 that, I'd be more interested in that as a lever for</p> <p>10 this issue.</p> <p>11 THE CHAIR: All right. Dr. Russell. And</p> <p>12 then, if it's okay, we can move on to the next item.</p> <p>13 Go ahead. No? Go ahead. Go ahead.</p> <p>14 Going once. Going twice.</p> <p>15 All right. We're going to move on to</p> <p>16 Item No. 11, Report from the Charter Schools</p> <p>17 Division.</p> <p>18 DIRECTOR CORINA CHAVEZ: Thank you,</p> <p>19 Commissioners.</p> <p>20 So the first item was a request from the</p> <p>21 Commissioners. And maybe -- I would ask for, first</p> <p>22 of all, a little bit of leeway in how we word the</p> <p>23 requests so they aren't literally whatever the</p> <p>24 Commissioners said, but that I get to word what I'm</p> <p>25 going to present.</p>	<p style="text-align: right;">41</p> <p>1 Now, I think that -- you know, I went back</p> <p>2 into our historical records. And this hails back to</p> <p>3 some previous administrations that were really</p> <p>4 concerned about a private pre-K. This was prior to</p> <p>5 ECEC being created and funded to support the many</p> <p>6 pre-K programs that New Mexico now has and is</p> <p>7 supporting.</p> <p>8 And -- and so the concern was about it</p> <p>9 being private. I think the school is well aware of</p> <p>10 the fact that there is an ECEC supporting early</p> <p>11 childhood pre-K programs, if they are interested in</p> <p>12 making it a public program. They are in the process</p> <p>13 of investigating if that would be possible to have a</p> <p>14 mixed-age classroom so that it could be pre-K/K, and</p> <p>15 want to be very careful proceeding with that so that</p> <p>16 the funding streams can actually be braided together</p> <p>17 and nobody's going to say, "Oh, why are you using</p> <p>18 ECEC fund in a classroom that has K students," or</p> <p>19 vice versa.</p> <p>20 So I just reached out to someone in our</p> <p>21 policy department to obtain some assistance with</p> <p>22 that, because I have heard the PED encouraging</p> <p>23 public schools to open up early childhood programs</p> <p>24 and to have pre-K programs; so how are the others</p> <p>25 doing that?</p>

42	<p>1 And there's probably not some regular 2 public schools that are Montessori, which is unique, 3 and, as we know, has mixed grades. That is the 4 Montessori model. So I am anticipating some support 5 for this school to get some answers about how the 6 funding can be braided.</p> <p>7 But I see no problems as is right now. 8 And I invite Commissioners to go to their website, 9 and you can see the lottery processes and forms 10 yourself.</p> <p>11 THE CHAIR: Thank you, Corina. And thank 12 you, Montessori Elementary School team, for coming 13 up here today.</p> <p>14 Any questions about this specific item on 15 the Charter School Director's Report?</p> <p>16 Thank you. 17 (No response.)</p> <p>18 DIRECTOR CORINA CHAVEZ: All right? 19 So we will move on to the update on 20 Cesar Chavez and the use of the building.</p> <p>21 So last month, I presented a lot of 22 information about Cesar Chavez and the fact that the 23 school has, in fact, moved towards more in-person 24 experiences at the school.</p> <p>25 And just this week I was able to visit</p>	44	<p>1 a private conversation with students or group 2 conversations with the whole class. Both the 3 teachers and the students articulated how important 4 that one-to-one engagement was.</p> <p>5 Of note, there's also not any bullying 6 going on at this school, because the kids are not in 7 peer situations that might lend itself to that 8 because of the way that they're operating.</p> <p>9 They also use Google Classroom to have 10 conversations, and they meet in person and use phone 11 calls.</p> <p>12 The instruction itself during the online 13 courses use things like those little Post-its that 14 go online -- I forget what it's called --</p> <p>15 THE CHAIR: Jamboard.</p> <p>16 DIRECTOR CORINA CHAVEZ: Jamboard. Thank 17 you. Jamboard and other shared documents where the 18 teachers were able to look for student engagement, 19 request students participate and engage very quickly 20 in that.</p> <p>21 So I feel like the school is doing student 22 engagement. They are opening the school building. 23 They are increasing the number of in-person courses.</p> <p>24 I don't have concerns about the school in 25 that regard.</p>
43	<p>1 Cesar Chavez as part of their renewal visit and 2 witness that the school opened up the doors. All 3 the adults that support the students, the head 4 administrator, the social worker, the SpEd 5 co-directors, teachers, staff, were at the school 6 when it opened up, and students were present.</p> <p>7 Now, they are operating a hybrid program 8 so that some students are online, and some students 9 are in person. They do offer students that choice.</p> <p>10 The building was being used. They had 11 food available for students. They had snacks 12 available for students.</p> <p>13 Was every single classroom packed full of 14 kids? No. They have a pretty sort of low 15 student-to-adult ratio.</p> <p>16 And I know this wasn't the ask. I think 17 the ask was, do they require the kids to put the -- 18 the cameras on during the Zoom classroom? And the 19 answer is no, they do not.</p> <p>20 However, we dug go pretty deeply into the 21 levels of engagement for students. And I feel 22 confident that the school is doing a very good job 23 with student engagement. They utilize multiple 24 modalities to do that.</p> <p>25 In Zoom chat, the teacher is able to have</p>	45	<p>1 And the head administrator of that school 2 said that if they did not have 3 parent-teacher-student conferences today, she would 4 be here. But I don't think she's in the audience.</p> <p>5 Is that right?</p> <p>6 She's not in the audience, because today 7 she was meeting with parents and students to do the 8 sessions where they provide a lot of really rich 9 information about student progress at the school.</p> <p>10 I also meant to mention that they do a 11 really good job of tracking attendance and -- 12 through their system.</p> <p>13 THE CHAIR: Thank you. I want to just 14 mention to Commissioners that I did receive an 15 e-mail a couple of days ago that's also in the 16 record to -- from -- from Ms. Arness. It's 17 Item No. 11.b. And so it does stipulate -- it does 18 share exactly how they're using the building. And 19 it's -- you know, they are -- they are utilizing the 20 full facility.</p> <p>21 Commissioner Armijo.</p> <p>22 COMMISSIONER ARMIJO: I just was wondering 23 what the student enrollment is right now, if you 24 know.</p> <p>25 DIRECTOR CORINA CHAVEZ: We have that in</p>

<p style="text-align: right;">46</p> <p>1 Part A of the renewal report.</p> <p>2 DR. BRIGETTE RUSSELL: End-of-year</p> <p>3 enrollment was 144 students.</p> <p>4 THE CHAIR: Okay.</p> <p>5 Any other questions, Commissioners, on</p> <p>6 this item from the Charter School Director's Report?</p> <p>7 Commissioner Carrillo.</p> <p>8 COMMISSIONER CARRILLO: So I was just</p> <p>9 glancing at Vistas. And whether it's this school or</p> <p>10 any other, it's just -- when attendance rates and</p> <p>11 proficiency rates are consistently so low, it's</p> <p>12 incumbent -- I think it's incumbent upon us -- and I</p> <p>13 know there's a special population there and</p> <p>14 everything else. But it's still, especially related</p> <p>15 to growth, I think it's incumbent upon us to make</p> <p>16 that hard decision, does this school continue</p> <p>17 operating. And I'm not singling out Cesar Chavez</p> <p>18 right now. I'm just saying any school that is</p> <p>19 consistently that low.</p> <p>20 You know, there's just a point at which it</p> <p>21 is taxpayer dollars. And, you know, we have made</p> <p>22 kind of being on this Commission a solemn promise to</p> <p>23 educate, I mean, to see that kids are educated, or</p> <p>24 young adults are educated.</p> <p>25 THE CHAIR: Commissioner, I just want to</p>	<p style="text-align: right;">48</p> <p>1 January and academic ones in February. I'm fingers</p> <p>2 crossed for all three sections in January, though.</p> <p>3 THE CHAIR: Thank you. Any questions from</p> <p>4 the Commission?</p> <p>5 MS. JULIA BARNES: I was just wondering if</p> <p>6 the Commission would want the CSD to present all</p> <p>7 annual reports in January.</p> <p>8 THE CHAIR: That would be so hard to do.</p> <p>9 COMMISSIONER BURT: I think we could talk</p> <p>10 about it in EC. But, in general, I would say no,</p> <p>11 it's way too many schools at once we're going to be</p> <p>12 looking at -- we're going to be looking at and</p> <p>13 discussing about.</p> <p>14 MS. JULIA BARNES: I'll just put</p> <p>15 placeholders in two months.</p> <p>16 THE CHAIR: Thank you.</p> <p>17 Anything else?</p> <p>18 Director Chavez.</p> <p>19 DIRECTOR CORINA CHAVEZ: (Indicates.)</p> <p>20 THE CHAIR: All right. Commissioners.</p> <p>21 We're going to move on to Item No. 12, Report from</p> <p>22 the Chair.</p> <p>23 I just have a few things here.</p> <p>24 Item a. -- so Julia -- Julia has decided</p> <p>25 not to attend the meeting in person. She will be</p>
<p style="text-align: right;">47</p> <p>1 say -- I want to interject. I hear where you're</p> <p>2 going with this. We're talking about the use of the</p> <p>3 building today. And I just want to --</p> <p>4 COMMISSIONER CARRILLO: You're right.</p> <p>5 Okay. I'm done. Thank you.</p> <p>6 THE CHAIR: I just want to make sure we're</p> <p>7 being fair to schools. We didn't bring up we were</p> <p>8 going to talk about their Vistas scores or anything</p> <p>9 like that. We're talking specifically about their</p> <p>10 building use.</p> <p>11 We're going to go ahead and do Item</p> <p>12 No. c., if you're ready.</p> <p>13 DIRECTOR CORINA CHAVEZ: I'll turn it over</p> <p>14 to Deputy Director Russell.</p> <p>15 DR. BRIGETTE RUSSELL: Chair Brauer, CSD's</p> <p>16 target for finalizing annual reports is the -- to</p> <p>17 have them on the agenda at the PEC January meeting,</p> <p>18 so to have them to schools 30 days prior to that.</p> <p>19 And we will work with the schools in the</p> <p>20 coming weeks to finalize all of the organizational</p> <p>21 and financial ratings. And once the data are</p> <p>22 finalized, then we'll work with them on making sure</p> <p>23 that everything in the report is correct.</p> <p>24 And if that takes longer than a month, we</p> <p>25 can have organizational and financial reports in</p>	<p style="text-align: right;">49</p> <p>1 attending Zoom meetings and any webinars that are</p> <p>2 going to be happening.</p> <p>3 We did -- and I wanted to acknowledge my</p> <p>4 conversations with Deputy Secretary DeBell and</p> <p>5 Director Chavez in figuring out the best --</p> <p>6 best-laid plan that we could put together. And it</p> <p>7 just wasn't feasible for Julia to -- to move forward</p> <p>8 on that.</p> <p>9 And so just wanted to give everyone the --</p> <p>10 the -- the notice that she will be attending through</p> <p>11 Zoom and things of that nature.</p> <p>12 Commissioner Carrillo.</p> <p>13 COMMISSIONER CARRILLO: Why? I mean, if</p> <p>14 you wanted to attend -- I'm assuming that you may</p> <p>15 have wanted to attend in person, Julia. And --</p> <p>16 because you're then able to meet with colleagues</p> <p>17 between sessions and talk about different things.</p> <p>18 Why? Why is --</p> <p>19 THE CHAIR: She's not able to be</p> <p>20 reimbursed for the amount of --</p> <p>21 COMMISSIONER CARRILLO: Why? She works</p> <p>22 with us. We've hired her. I mean, what is -- why?</p> <p>23 THE CHAIR: Some of what we talked about</p> <p>24 in the last meeting, Commissioner Carrillo and</p> <p>25 Commissioners. There is the -- I would say absolute</p>

<p style="text-align: right;">50</p> <p>1 belief that we cannot reimburse contractors for 2 out-of-state work or work that is relative to 3 learning. 4 What we did talk about with the team here 5 is to pay contracted hourly wages to Julia to be 6 present for the meetings in Oakland. That does not 7 count travel to and back or airfare or the other 8 items that are cost-prohibitive for her to go in 9 person. 10 So when we did -- Julia and I talked about 11 this. We talked about how much -- what it would 12 actually look like to get reimbursed for the time on 13 task for the time that she would be going to 14 meetings. Even if it was eight hours per day for 15 two days of the sessions she would go to, it still 16 wouldn't be enough to supplement how much it would 17 cost to get an airfare and to reimburse for the 18 actual amount to go to the conference; so... 19 COMMISSIONER CARRILLO: I understand what 20 you're saying. And the documents are not -- I could 21 probably go to last month. But I specifically 22 remember language that said "may" a couple of times. 23 You used the word "absolute." 24 So, no, I don't believe it's absolute. 25 Because of the language and the way it was written</p>	<p style="text-align: right;">52</p> <p>1 And I think I agree with Steven. I don't think 2 that's settled doctrine, and that I think that we 3 really need to have clarification about that. 4 And I think that because one department's 5 opinion of that doctrine -- I think it needs to be 6 reevaluated and pushed to a higher level, because I 7 think that that -- I agree with you. 8 And it does seem like we are being bullied 9 in that regard. And I just can't really -- I don't 10 like it. I have to admit that. Thank you. 11 THE CHAIR: I think there's two things -- 12 I'm just going to say something real quick. I heard 13 you. I think there is two things. I hear what 14 you're saying. 15 I wish we had a way to do that. 16 The other thing is I don't want to be on 17 the hook to say, "Julia you must go," and then 18 you're not going to be reimbursed. I think that's 19 unfair and bad, bad practice for the Commission to 20 do. 21 And so when it comes down to that, I'm not 22 going to make Julia pay out of pocket. So there's 23 two things that we're talking about here. 24 And I did use "absolute," Commissioner, 25 because there is not a part of my bones that think</p>
<p style="text-align: right;">51</p> <p>1 in their response declining the request, it seemed 2 like there was a big gray area. And it's just 3 something that they didn't feel like they wanted to 4 do. 5 So I want to know, in the future, how do 6 we get around this? How do we move past this so 7 that -- whether it's Julia or whoever our counsel 8 may be. Because there's no question that being 9 there, and especially in Julia's role as our 10 counsel, to be able to meet with other attorneys, 11 you know. Because on -- Zoom is great. You're 12 going to be on the class and do whatever in an hour 13 and a half. 14 But a lot of the stuff that happens, as 15 you well know, happens between sessions, when you 16 can sit down and talk with a small group about how 17 they're doing stuff. 18 So I think this is not acceptable. And 19 this is just another reason why we need to be 20 separate from the PED. 21 THE CHAIR: Commissioner Ingham, make sure 22 you speak into your microphone. 23 COMMISSIONER INGHAM: Okay. So I think 24 what at least I've come down is the anti-donation 25 clause that they're referencing as being the reason.</p>	<p style="text-align: right;">53</p> <p>1 that she was going to get reimbursed. Even if it 2 said "may," it was not going to happen. 3 Vice Chair Burt. 4 COMMISSIONER BURT: I'm looking into just 5 looking into it for next year, because I -- I mean, 6 we paid Naomi to fly out here, and she's a 7 contractor. I've paid contractors to fly -- like, 8 when I worked at PED, I had out-of-state contractors 9 who we paid for their travel all the time. So it is 10 mildly confusing. 11 We have time until the next -- when the 12 contract is renewed for July, like, maybe we can 13 talk a little bit more and figure out a solution to 14 make it work, because it's not quite -- like, I 15 think we're just in a time crunch, so not stress 16 about it, like, for this year. But to make it make 17 sense for next year would be great. 18 THE CHAIR: Commissioner Gipson. 19 COMMISSIONER GIPSON: Yeah. I think at 20 least on the short term, the MOU, take a look at the 21 MOU, and try to figure out language that maybe we 22 could -- because I agree with everything. But it's 23 just -- you know, it's extraordinarily unfortunate 24 that we're sitting in this position. But it's not 25 an unusual position, sad to say.</p>

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1 COMMISSIONER CARRILLO: I have a question.
 2 THE CHAIR: Commissioner Carrillo.
 3 COMMISSIONER CARRILLO: Ms. Burt, why
 4 is -- Naomi is a contractor. Why do we get to
 5 pay -- and I would never, ever, for the record,
 6 insist that our attorney go, knowing full well we
 7 would -- I would never, ever support anything like
 8 that.
 9 But it's just, like -- when it came up
 10 with DeBell, Deputy Secretary DeBell, was it brought
 11 up that, "Hey, we have other contractors that travel
 12 for us and." -- yes?
 13 I want this worked through. This is just
 14 so -- it's just so asinine that the -- yeah.
 15 THE CHAIR: All right. I guess -- I don't
 16 think that (audio distortion) okay.
 17 So Item No. b., I want to -- I know I
 18 discussed The GREAT Academy last time. We have been
 19 continuing conversations with them throughout the
 20 last month, and we're waiting for some additional
 21 support with some data to continue to work with them
 22 in good ways through their -- through their process
 23 that we're doing with their current contract.
 24 I also wanted to share that there is --
 25 and, Brigitte, add some fluff to what I'm about to

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1 say if I forget some things.
 2 But we do have -- we have one school that
 3 is up for renewal, Southwest Learning. And they --
 4 their current administrator, he received when we
 5 were going to have -- come up in December. And that
 6 entire week he is on -- he's on leave. He's on
 7 vacation to see his family.
 8 He asked CSD if the PEC would be willing
 9 to hear something prior to December, if we wanted to
 10 do something in November instead.
 11 We didn't have to do everything in
 12 December. Knowing how super busy it is in December,
 13 too, I can see -- I can see both ways.
 14 I don't think we have to take a vote. But
 15 I wanted to throw this out during my time if that
 16 would be okay for us to hear the school in November.
 17 They are very aware that that means we've
 18 got to hustle more on some of the paperwork and the
 19 items that we need from them in order to move
 20 forward.
 21 We also know there is a backup plan. If
 22 there is not consensus, they can have their GC,
 23 other staff here, representing. This is just
 24 something that, in good faith, I wanted to ask the
 25 PEC, if we would be willing to hear the school for

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1 their renewal in November as opposed to December
 2 when we see everyone else.
 3 Did I forget anything? Is that the
 4 whole --
 5 DR. BRIGETTE RUSSELL: Chair Brauer, yes.
 6 That's the whole thing. And I did let the head
 7 administrator know that there may not be time for
 8 the official letter and the school response. They
 9 would just have to accept the preliminary as their
 10 final.
 11 And it is a Spotlight School. I don't
 12 foresee any problem, and neither does the head
 13 administrator.
 14 THE CHAIR: Commissioner Gipson.
 15 COMMISSIONER GIPSON: I mean, we did do
 16 this when we had that horrific round of 15 or 17.
 17 We put an offer out there for schools. I mean, no
 18 one took us up on it, because they were concerned
 19 about the fact that they may not get all the pieces
 20 of the information that they wanted. There was a
 21 level of discomfort for them.
 22 But we did -- so I don't -- I have no
 23 problem with it if -- but there has to be that
 24 understanding that they may not get all the pieces
 25 of the puzzle before they come up. But we have

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1 tried it before.
 2 THE CHAIR: All right. So are we okay
 3 with -- do we have a consensus on moving that
 4 forward?
 5 Okay. So when the EC and CSD's leadership
 6 team meet, we'll organize that in good fashion so
 7 that we'll do the school in November.
 8 Julia, did you have something to --
 9 MS. JULIA BARNES: I just wanted to -- I
 10 just was checking the November date. So we're
 11 certain this is coming out before November 16th. So
 12 the November 17th meeting? So you would have all
 13 Vistas data?
 14 DR. BRIGETTE RUSSELL: Well, no, we won't
 15 have Vistas up. I mean, we -- we may not -- we will
 16 not have '22-'23 Vistas data by the time the school
 17 has its hearing.
 18 But we don't -- we're not guaranteed that
 19 we'll have final Vistas data for all schools by
 20 November 17th. That's the target date right now.
 21 MS. JULIA BARNES: Okay.
 22 THE CHAIR: All right. So one other --
 23 Commissioner Carrillo.
 24 COMMISSIONER CARRILLO: I'm sorry. So
 25 yesterday -- and maybe I just gotta get my ears

<p style="text-align: right;">58</p> <p>1 checked. Yesterday I thought I heard that we're 2 going to have all the data by November 16th. So 3 I'm -- so the data we're -- 4 DR. BRIGETTE RUSSELL: So -- 5 COMMISSIONER CARRILLO: Oh, my God, it's 6 like you're on fire with that glare. 7 DIRECTOR CORINA CHAVEZ: The data is 8 released certified on the 16th. Is it put into a 9 final report created especially for the PEC? 10 Probably not. So -- but we will have it. It will 11 be released. 12 COMMISSIONER CARRILLO: We won't see it in 13 Vistas, but we can see it in other places. 14 DIRECTOR CORINA CHAVEZ: You will see it 15 in Vistas, but we won't have a final report. I 16 think what Julia was getting at is will CSD be able 17 to create all the reports exactly the same as we 18 would if -- the answer is no. 19 And so in a way, this is the school 20 agreeing to -- to have a decision by the PEC with 21 preliminary information available to them, not the 22 exact same report that everybody else is getting 23 December 1. 24 MS. JULIA BARNES: Just for the record, I 25 was not asking CSD to do that. I was trying to</p>	<p style="text-align: right;">60</p> <p>1 So what we'll do, what I'm hearing from 2 the group, we'll see -- we'll play it by ear a 3 little bit with the data. I don't think we need 4 to -- if we have the information, we'll make it 5 happen. 6 The school also may -- we're going to go 7 with the plan to have them in the November, barring 8 any issue with the data we may not have. 9 To your point, Commissioner Carrillo, I 10 don't want to do a preliminary or any type of thing 11 that we feel like we don't feel comfortable with 12 making decisions completely in November. 13 And so as long as the school knows that's 14 not going to be on the PEC or in the Charter School 15 Division, but based on the data gods, if we don't 16 receive that information, we'll probably have to 17 deal with it in December. That would be -- that's 18 where my mind is going. 19 COMMISSIONER CARRILLO: Okay. So what I'm 20 hearing you say, we will have the data -- okay. Let 21 me just push it -- will we have data for '22-'23 22 school year on which to make our decisions relative 23 to renewals? 24 THE CHAIR: For this school, in 25 particular, in November, that's what I'm talking</p>
<p style="text-align: right;">59</p> <p>1 confirm that there would be Vistas data. 2 DR. BRIGETTE RUSSELL: The reason I hedged 3 is because the CSD is not in control of Vistas data. 4 And CSD kept saying last year, "This is when we'll 5 have data. This is when we'll have data." 6 And things internal to PED and REA, which 7 are beyond CSD's control, things changed. And so I 8 don't want Commissioners to say, "But CSD promised. 9 But CSD..." -- that is what we've been told. 10 I'm looking right now. Can't share it 11 with you. But at the school in question, I'm 12 looking at their embargoed data, which is -- their 13 proficiencies are all higher than the State average. 14 Embargoed data sometimes changes in minute ways. 15 But all three academic subject areas for the 16 school -- 17 THE CHAIR: Since it's embargoed, we 18 probably shouldn't make it public. 19 DR. BRIGETTE RUSSELL: We haven't even 20 named the school. 21 DIRECTOR CORINA CHAVEZ: We can talk about 22 the school in November. I think we can say that. 23 DR. BRIGETTE RUSSELL: My point was that 24 CSD doesn't have concerns about the school. 25 THE CHAIR: Sure. Great.</p>	<p style="text-align: right;">61</p> <p>1 about. I would feel -- if we have the data that's 2 released, that's embargoed, to make a decision in 3 November, I think we should do that. 4 I felt like there was some trepidation 5 that maybe if we don't have that information, could 6 we do that? But maybe I'm -- or do we feel that no 7 matter what data is available to us we want to move 8 forward? 9 COMMISSIONER BURT: So yeah, I was going 10 to -- that's what I was going to say. I think it's 11 up to the school. But, honestly, to be frank, 12 there's a chance we don't have '22-'23 data for any 13 school, even in December. 14 So I'm not going to stress about having it 15 or not having it. If the school says we'd like to 16 opt into November, whatever we have at that time, 17 we'll make a decision based off of. 18 And same thing in December. Whatever we 19 have in December, we'll make a decision off of. 20 They can't control it. We can't control 21 it. The school can't control it. So I'm not going 22 to stress about it. 23 So, yeah, I think if the school says, yes, 24 whatever information we have -- even if it's the day 25 we show up, and we got new information, we can look</p>

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1 at that, and the school will have to acknowledge
 2 that we may have new information that they are
 3 seeing at the same time as us, and that's what
 4 they're going to go with.
 5 So I don't care either way. I'm okay with
 6 it being in November. And if the data is released,
 7 great; if it's not, great. I mean, it's -- either
 8 way, I'm not going to stress about it, because we're
 9 going to have to do the same thing in December and
 10 we're not going to delay the December one, so...

11 THE CHAIR: True. I'm just trying to
 12 figure out where we are on that. So if we're good
 13 at that, if you don't mind telling the school
 14 that -- Commissioner Carrillo, any final?

15 COMMISSIONER CARRILLO: Yeah, I'm not good
 16 with any of this. I'm not going to stress about it.
 17 I leave here and I don't stress about it.

18 But right now, I'm angry about this, that
 19 we can't get data for '22-'23 for just, really
 20 straight, that I can just go on my computer, bring
 21 something up, this is the data, this is partially
 22 what I'm going to base my renewal decision on. Not
 23 okay at all. That's all.

24 THE CHAIR: All right. One other thing I
 25 wanted to mention here underneath "school issues," I

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1 think over the last couple of weeks, this kind of
 2 just came up, and I'm just going to ask the
 3 Commission just for just a little bit of, like,
 4 support in this.
 5 I know that sometimes individuals --
 6 individual Commissioners receive an e-mail or
 7 outreach of a school in your district. And then
 8 sometimes we receive e-mails from -- and some
 9 individuals send out e-mails to all of us.
 10 And it sometimes feels that -- it feels
 11 like we -- it's a little bit of, like, trying to
 12 figure out if they have talked to all of us.
 13 And so this happened in this last month.
 14 So if you're ever in doubt wondering what to do when
 15 a constituent reaches out about a specific school,
 16 just connect with me. I'd love to talk about it.
 17 Many of you did. And many of you have
 18 sent e-mails as well. And that way we can kind of
 19 know, like, what the -- what the outreach is going
 20 to be around certain things.
 21 And so you all did the right things. I
 22 talked to many of you about this over the last week
 23 or so. And it would just be good -- at least from
 24 my angle, I've spent a lot of time on the specific
 25 school already and have worked with the PED on

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1 issues that have arisen. But sometimes the loop
 2 isn't always closed with all the Commissioners.
 3 So if you do receive an e-mail with
 4 somebody, and you're curious, just send that to me,
 5 send that to Corina, if it's about a school, so that
 6 we can kind of make some decisions.
 7 Does that sound okay? Great.
 8 All right. And the last thing for my
 9 report is the Public Charter Schools of New Mexico.
 10 MR. WAYNE SHEPHERD: All right. Thank
 11 you, Chair Brauer, Commissioners, Corina, and
 12 Brigitte. Appreciate you guys having me today.
 13 I first wanted to start out by
 14 congratulating PCSNM on the CSP grant, the
 15 \$52 million, which is almost double what it was the
 16 last five years. And just by listening to
 17 everything going on, one of the things that this is
 18 going to help is cutting down on the bureaucracy of
 19 getting things passed.
 20 So when PCSNM has their application
 21 process, the schools fill it out, that they've been
 22 approved, the schools are going to be able to get
 23 that money in a much quicker turnaround time than
 24 having to go through a state agency. And that's a
 25 big, big benefit to these schools.

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1 When we look at our -- where this money is
 2 going to be going, right now, over the five years,
 3 we're looking at nine new schools getting -- getting
 4 this money. And they can apply for up to
 5 \$2 million.
 6 Expansion schools is 17. So let's say
 7 they want to go -- let's say they have a sixth
 8 through twelfth school, and they want to go an
 9 elementary, that would be an expansion is getting
 10 that elementary school part of that. So that's
 11 expansion.
 12 Replication, which we discussed a little
 13 bit yesterday, we put in there, too, for two schools
 14 to get replicated. Don't know if that will happen
 15 at all in the next five years. But at least it's on
 16 there to have some money available for schools who
 17 do want to go through that process.
 18 Something else PCSNM is going through
 19 right now is the legislative -- we know the
 20 legislative session is coming up very quickly, and
 21 trying to prioritize what we want to see.
 22 So first is the revolving loan for charter
 23 school expansion is adding more money to that
 24 revolving loan. And I want to say that it's -- I
 25 think PCSNM is going to shoot for, like, \$20 million

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1 more for that revolving loan.
 2 We will also continue to fund -- continue
 3 to pursuing a funding mechanism for the adult ed
 4 programming within our K-12 schools.
 5 And if -- some of you may not remember but
 6 when, a couple of years ago, that got cut as -- the
 7 adult ed program got cut out of charter schools.
 8 And it really was -- yeah, it's been a big impact.
 9 And, supposedly, it went to higher ed.
 10 But -- and I know they're working to do a good job
 11 there. But I think that's -- the K-through-12
 12 schools have been doing this for many, many years
 13 and were very good at what they were doing. And to
 14 cut them out was -- so, anyway, that -- I don't know
 15 if it's still going to be, like, pushing a rope, but
 16 we're going to try. We're going to try to do that.
 17 Just like the small school funding, you
 18 know, the small school funding, pretty much dead.
 19 Don't even like to use that word, "small school
 20 funding." So looking at other terms. But still the
 21 small schools need funding. And that's just the way
 22 it is. They need to have more funding or they are
 23 going to shut down.
 24 There's not going to be a point of having
 25 to worry about renewal. Schools aren't going to

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1 have enough funding to survive.
 2 And what I'm talking about is schools that
 3 are under 200 kids aren't going to have enough money
 4 very soon, because this last year was the last year
 5 for small school funding.
 6 Yeah. That -- and that is another thing.
 7 Yeah, we're running out of ESSER money; we're
 8 running out of all these funding sources that we've
 9 had for the last year and a half, two years. All
 10 those funds will also be gone.
 11 So that's why going to the legislators and
 12 saying, "Look, hey, something has to..." -- I know
 13 the LESC Study Committee has been looking at what
 14 can we do for small school funding.
 15 And it's not just the rural small schools
 16 that are being impacted. It's schools that are in
 17 downtown Albuquerque that are helping a specific
 18 group of students that they are affected by the loss
 19 of this small school funding also. That's something
 20 PCSNM will be looking into.
 21 One of the other things is -- and many
 22 times, Commissioners, you guys have talked about
 23 that, the flexibility of the 2 percent funding,
 24 finding out what can -- if it's not all being used,
 25 can some of that money go back to the schools. Even

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1 a small amount would help the small schools greatly.
 2 The -- and this is one of the last ones.
 3 If possible, we are asking to pursue our bill that
 4 makes locally authorized charter schools their own
 5 board of finance, ensuring that all charters get
 6 funding directly from PED and are eligible for all
 7 opportunities. Okay?
 8 So that would be a big deal also. So you
 9 wouldn't have to go through that -- those levels of
 10 bureaucracy that were -- seem to be slowing
 11 everything down that -- and frustrates everybody. I
 12 know everybody gets frustrated with that. So --
 13 yes, Alan?
 14 THE CHAIR: I would just mention -- sorry.
 15 I love that idea. I also think about the unintended
 16 consequence of what Vista Grande had to go through.
 17 And now they don't have a -- now they're their own
 18 board of finance, and now they're not eligible for
 19 other reasons for funding, because they don't have a
 20 history of other things, especially within the Title
 21 funds and things like that.
 22 In my mind -- I know you guys are probably
 23 thinking about that, but that's just something that
 24 I thought about when we've seen charter schools move
 25 from district-authorized to state. There's still an

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1 issue about a barrier to make sure they're kept
 2 whole and take advantage of what you just shared,
 3 not a year from now, but, like, immediately.
 4 MR. WAYNE SHEPHERD: Right, yeah, thank
 5 you. Does anybody have any questions?
 6 Oh, yes. Yeah. Good.
 7 Next month, PCSNM will have their annual
 8 conference at the Tamaya Resort, starting
 9 November 28th, I believe it starts, and goes through
 10 the 1st of December. So we would love to see
 11 Commissioners there.
 12 And right now we're already pretty much
 13 booked at the hotel, and we have overflow. So we
 14 have a pretty good turnout right now.
 15 The agenda is -- the Tamaya in Bernalillo.
 16 COMMISSIONER GIPSON: (Off-mic comment.)
 17 MR. WAYNE SHEPHERD: Talk to Angela.
 18 She's pretty good at -- but, yeah. Yeah, the
 19 overflow is at the other casino right outside the --
 20 what is that casino? Santa Ana Star, yeah. So we'd
 21 really like to see Commissioners there. And it
 22 should be a good conference.
 23 THE CHAIR: Commissioner Ingham.
 24 COMMISSIONER INGHAM: So I did want to
 25 just talk about the legislative agenda. And there's

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1 a couple of things that I want to make sure that we
 2 are -- I'm sorry -- sorry. Yeah.
 3 I understand it's just -- I'm trying to
 4 read the same thing.
 5 The -- one, creating an intercept of
 6 fundings with the PSCOC. I don't quite understand
 7 what that methodology is, and I really think I need
 8 to.
 9 And then also I just want to ask can we
 10 have the verbiage that we're going to be trying to
 11 present to the LESC and the LFC on -- hopefully, as
 12 soon as possible, so we can -- so we can do whatever
 13 we can to make sure that those end up on the agenda?
 14 I think that -- I know, talking to Matt,
 15 that he already has a sponsor. And so I'm hoping
 16 that we can just make sure we have enough time to do
 17 the encouraging that we need to do.
 18 So can you tell me what the intercept of
 19 funding -- how that works?
 20 MR. WAYNE SHEPHERD: I'm not -- I can't go
 21 into all the details on that. But I can tell you
 22 that all that verbiage and everything will be ready
 23 for next month's meeting. So all of that
 24 information will be written out.
 25 And so I don't want to say exactly what

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1 it's going -- because I'm not 100 percent sure.
 2 Matt is working on that right now.
 3 But they would like -- this is, like --
 4 right now, charter schools cannot borrow money. And
 5 one of the -- one of the obstacles about not
 6 borrowing money is the lease reimbursement. It says
 7 a school -- the state "may" provide lease
 8 reimbursement. We want to get rid of that "may" and
 9 say "shall." Just one single word right there, when
 10 a loan company is, like, "What do you mean they
 11 may?" So they may not, you know.
 12 But now we're going to propose that change
 13 to "shall," that they shall provide lease
 14 reimbursement.
 15 So that's a big deal right there.
 16 We all know that if you're on a
 17 five-year -- and that's the maximum many years as a
 18 renewal that we can go in New Mexico -- banks are
 19 going to be, like, "You mean, after five years
 20 you're not going -- you have the potential of not
 21 being around?" And, yes.
 22 So a lot of -- a lot of organizations
 23 don't want to loan money on a five-year note. And
 24 especially, when -- like you said yesterday, at
 25 \$1,000 a square foot, you're not going -- you're not

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1 going to be able to build a very big building.
 2 So it's those issues.
 3 So charter schools need to be able to
 4 secure and borrow money like regular public schools
 5 can. And that's where the charter schools are
 6 really working hard is to try to get the same
 7 borrowing power as the regular public schools.
 8 THE CHAIR: Thank you. Is that all you
 9 have?
 10 MR. WAYNE SHEPHERD: That's all I have.
 11 Thank you, guys.
 12 THE CHAIR: Thank you so much. Appreciate
 13 you. And congratulations again.
 14 COMMISSIONER GIPSON: I just wanted to
 15 thank Vickie, because she's coordinated a meeting
 16 with the LCPS superintendent, and we're going to sit
 17 down and have a discussion about facilities --
 18 THE CHAIR: Awesome.
 19 COMMISSIONER GIPSON: -- and, you know,
 20 what it looks like, because, as many of you know,
 21 LCPS is the landlord for most of the charter schools
 22 in Las Cruces; so -- and leases are probably
 23 starting to expire.
 24 So we're getting ahead of it, and we're
 25 looking at what the future looks like with those --

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1 with those leases and if there's any schools that --
 2 I think there's a couple of schools that are looking
 3 to see if they could -- I don't think expand is a
 4 good time to do it in terms of construction, but
 5 they're looking at it. So thanks for that.
 6 THE CHAIR: Thank you. Appreciate you.
 7 All right. Item No. 13, Discussion and
 8 Possible Action to Provide Input to the Chair and
 9 Liaison to Speak on Behalf of the PEC. Is there any
 10 items that we needed for that?
 11 (No response.)
 12 THE CHAIR: Okay. Let's move on to
 13 Item 14, PEC Comments. This is an opt-in. We don't
 14 need to hear from everyone. But we invite everyone
 15 to share anything that might be on their mind. No
 16 discussion or action will taken during this time.
 17 Commissioner Gipson.
 18 COMMISSIONER GIPSON: I wanted to thank
 19 Raíces del Saber Xinachtli school down there in my
 20 district. They invited me to their open house. I
 21 was able to go, and it was a fun little event.
 22 THE CHAIR: Okay. Thank you.
 23 I have two items: First and foremost, I
 24 am so sorry to say I won't be able to be at the
 25 NACSA conference next week. It's the last week of

<p style="text-align: right;">74</p> <p>1 the farm season. So my seven days a week will be 2 over, sadly, October 30th. I wish it was done this 3 weekend, but it's just not in the cards. 4 And so I just wanted to acknowledge my 5 absence. But it's not because I don't want to be 6 there, it's because I physically cannot. 7 On that same note, I have a plentiful 8 harvest on the table in front of us. Apologies, 9 Cindy, and Commissioners, for your not being able to 10 partake in this. 11 But I have some beautiful watermelon and 12 some cantaloupe here. 13 Don't be bashful. Take some. 14 I'll also find homes in other places. 15 Everyone in the galley, too, you can grab some 16 stuff. So go home with full pockets for sure. 17 Anything else? 18 (No response.) 19 THE CHAIR: All right. Let's move on to 20 Item No. 15, Discussion of New Business Topics for 21 the Next Agenda. 22 One of the things I'm going to do better 23 this time -- and I want to own this completely -- is 24 that we can do -- if there is an item, we're going 25 to -- we're going to hear a second from a</p>	<p style="text-align: right;">76</p> <p>1 Lunch and Breakfast. However, I believe, with 2 discussion with Director Chavez, that there's, I 3 guess, provisions, or maybe certain things that 4 maybe that's not necessarily happening at charter 5 schools. 6 And so I just think it would be -- I also 7 learned some things in that discussion that I was 8 kind of surprised about. 9 And so I just think it would be good for 10 us to have a better understanding of what the 11 standard is, what is expected. 12 THE CHAIR: So, Commissioner Manis, having 13 somebody from that team to come in and do an 14 overview? Is that what you were thinking? In a 15 work session? 16 COMMISSIONER MANIS: Yeah. I think it 17 should start with the work session, and I think it 18 may lead into something else, if -- the conversation 19 that Director Chavez and I had that the -- what was 20 talked about was that some schools don't -- some 21 charter schools don't even offer lunch to their 22 kids. And I just find that that's ridiculous. 23 So, yeah, I think that -- that 24 something -- something needs to happen. I think a 25 work session is the start of it. But if we need to</p>
<p style="text-align: right;">75</p> <p>1 Commissioner. That way we don't have to do any 2 e-mails of seconds. We can go back and look to the 3 record and say, "This was something that was 4 seconded." I'll be much better at doing that. As 5 we talk about things, please let me know. That's 6 one of the things that I wanted to share. 7 Yeah. We're going to -- so Corina was 8 whispering to me about we're going to -- should we 9 take the exact wording or the spirit. I think we'll 10 work with the Commissioners if we have any questions 11 about something that might be on the record, and if 12 they feel okay about making adjustments on that. 13 All right. Any items for the agenda? 14 COMMISSIONER MANIS: I have something. 15 THE CHAIR: Commissioner Manis. Go ahead. 16 COMMISSIONER MANIS: I would like to see a 17 Work Session item on food service at charter 18 schools. 19 COMMISSIONER CARRILLO: I'll second. 20 THE CHAIR: Great. So we're going to 21 have, Commissioner Manis, like, a review of the 22 school lunch services; is that right? 23 COMMISSIONER MANIS: There's -- I know 24 there's been legislation that was passed in this 25 last legislative session regarding Universal Free</p>	<p style="text-align: right;">77</p> <p>1 put that in a -- you know, in a future contract and 2 consider that for later on, that's -- I just want to 3 at least learn more about what is -- what is the 4 standard, what's expected. Because if we're -- to 5 me, state law and what was signed into law, 6 especially in the last legislative session, schools 7 should be following that law. 8 So I just want to learn more, I think, 9 because whenever I found that information out, I was 10 really surprised, quite frankly. 11 THE CHAIR: Absolutely. And I agree with 12 you on that. And now that that is universal, I 13 think we may have to think about some statutory 14 changes, too, so it's no longer a waiver or an 15 option for charter schools. I think that probably 16 will be something a little more of a discussion. 17 But having the initial overview of how we'll send a 18 bill for how that's progressing this year and how we 19 can make sure that our charter schools are 20 supporting their students in the best possible way. 21 Commissioner Carrillo. 22 COMMISSIONER CARRILLO: I would add to 23 that, Possible Action. Not just Work Session. But 24 if we all decide on something that we want to take 25 action on, that it also be on the agenda for the</p>

78	<p>1 Friday. Is that all right with you, K.T.?</p> <p>2 COMMISSIONER MANIS: Most definitely.</p> <p>3 COMMISSIONER BURT: Generally, we do</p> <p>4 things where, if we talk about something one day, we</p> <p>5 don't vote on it the next day. Generally, it's</p> <p>6 introduced one month, and then can be voted on the</p> <p>7 next month.</p> <p>8 COMMISSIONER CARRILLO: Sometimes, there's</p> <p>9 a first and second reading and all that stuff.</p> <p>10 Whatever. Just making sure we exercise the option</p> <p>11 of being able to do that.</p> <p>12 COMMISSIONER BURT: So next work session,</p> <p>13 and then...</p> <p>14 COMMISSIONER CARRILLO: Yeah.</p> <p>15 THE CHAIR: For the -- just for the</p> <p>16 record, we're going to likely -- I don't know if I</p> <p>17 need to say this -- but we're going to be working</p> <p>18 with Southwest Learning to have their renewal on the</p> <p>19 upcoming agenda.</p> <p>20 COMMISSIONER CARRILLO: Where would it be?</p> <p>21 Okay.</p> <p>22 Weren't you going to have something -- I</p> <p>23 can't remember. I wrote a note that said "new</p> <p>24 school." You mentioned it yesterday, that you were</p> <p>25 going to make sure that it was on the November</p>	80	<p>1 the annual report and for sending out the letter if</p> <p>2 we have concerns, performance concerns.</p> <p>3 COMMISSIONER BURT: Second.</p> <p>4 THE CHAIR: Great. We have a second on</p> <p>5 that. Thank you.</p> <p>6 Any other items right now, knowing that</p> <p>7 you have up until the Tuesday prior to the meeting</p> <p>8 to provide us additional by just e-mailing me.</p> <p>9 Seeing no others, I'm going to have us go ahead and</p> <p>10 move on.</p> <p>11 Can I get a motion for adjournment?</p> <p>12 COMMISSIONER BURT: Move to adjourn.</p> <p>13 COMMISSIONER GIPSON: Second.</p> <p>14 THE CHAIR: All right. Madam Secretary,</p> <p>15 can you go ahead and do a roll-call vote for us?</p> <p>16 COMMISSIONER ARMIJO: Chair Brauer.</p> <p>17 THE CHAIR: Yes.</p> <p>18 COMMISSIONER ARMIJO: Vice Chair Burt.</p> <p>19 COMMISSIONER BURT: Yes.</p> <p>20 COMMISSIONER ARMIJO: Secretary Armijo</p> <p>21 votes yes.</p> <p>22 Commissioner Ingham.</p> <p>23 COMMISSIONER INGHAM: Yes.</p> <p>24 COMMISSIONER ARMIJO: Commissioner</p> <p>25 Clahchischilliage.</p>
79	<p>1 agenda.</p> <p>2 I just wrote down "new school" as a</p> <p>3 reminder. I can't remember -- something</p> <p>4 procedurally.</p> <p>5 MS. JULIA BARNES: I think it was CSD is</p> <p>6 going to propose language for replication of a model</p> <p>7 in a new application.</p> <p>8 COMMISSIONER CARRILLO: Oh, that was it.</p> <p>9 MS. JULIA BARNES: And I just have added</p> <p>10 that, because I think that CSD has asked for the new</p> <p>11 application to be on there, particularly for the</p> <p>12 budget. There's just a couple of items.</p> <p>13 COMMISSIONER CARRILLO: Thank you, Julia.</p> <p>14 And then I have -- anybody else have their --</p> <p>15 THE CHAIR: You still have the floor.</p> <p>16 COMMISSIONER CARRILLO: A methodology to</p> <p>17 review annual reports, because, as it was stated</p> <p>18 earlier, we can't possibly get 58 of them all at</p> <p>19 once and talk about them.</p> <p>20 So how are we going to review annual</p> <p>21 reports? And then I remember we discussed a while</p> <p>22 ago not putting somebody on a -- an action plan, but</p> <p>23 having that letter or the something that's before</p> <p>24 that.</p> <p>25 So, really, the methodology for reviewing</p>	81	<p>1 COMMISSIONER CLAHCHISCHILLIAGE: Yes.</p> <p>2 COMMISSIONER ARMIJO: Commissioner Gipson.</p> <p>3 COMMISSIONER GIPSON: Yes.</p> <p>4 COMMISSIONER ARMIJO: Commissioner Manis.</p> <p>5 COMMISSIONER MANIS: Yes.</p> <p>6 COMMISSIONER ARMIJO: And Commissioner</p> <p>7 Carrillo.</p> <p>8 COMMISSIONER CARRILLO: Yes.</p> <p>9 COMMISSIONER ARMIJO: That passes, eight</p> <p>10 to zero.</p> <p>11 THE CHAIR: All right, you all. Thanks</p> <p>12 you so much. We are adjourned.</p> <p>13 (Proceedings concluded at 10:53 a.m.)</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

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