

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS
OPEN PUBLIC MEETING

August 16, 2024

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Santa Fe, New Mexico

-AND-

Via Zoom Webinar

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2	<p>1 APPEARANCES</p> <p>2 COMMISSIONERS:</p> <p>3 PATRICIA GIPSON, Chair</p> <p>4 STEVEN J. CARRILLO, Vice Chair</p> <p>5 TIMOTHY E. BECK, Secretary</p> <p>6 ALAN BRAUER, Member</p> <p>7 REBEKKA BURT, Member</p> <p>8 STEWART INGHAM, Member</p> <p>9 K.T. MANIS, Member</p> <p>10 MICHAEL TAYLOR, Member</p> <p>11</p> <p>12 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 MELISSA BROWN Technical Assistance and Support</p> <p>20 (MISSY) and Training Administrator</p> <p>21 Charter School/Options for</p> <p>22 Parents and Families Division</p> <p>23</p> <p>24 CONSUELO CONSTANTINE NMPED Liaison to the PEC</p> <p>25</p> <p>26 COUNSEL TO THE PEC:</p> <p>27 JULIA HOSFORD BARNES, ESQ.</p> <p>28 Barnes Mediation and Law, PC</p> <p>29 200 W. DeVargas Street, Suite 7</p> <p>30 Santa Fe, New Mexico 87501</p> <p>31</p> <p>32</p> <p>33</p> <p>34</p> <p>35</p>	4
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6	<p>1 THE CHAIR: Thank you very much. 2 And I'm going to ask folks now to join us 3 in the Pledge of Allegiance and the Salute to the 4 New Mexico Flag. 5 (Pledge of Allegiance and Salute to the 6 New Mexico Flag conducted.) 7 THE CHAIR: Commissioner Beck is going to 8 read our mission and values. 9 (Mission and Values recited.) 10 THE CHAIR: Thank you. 11 And we are on to the approval of the 12 agenda. And that agenda -- the only change on the 13 agenda is -- we've already done No. 6. We approved 14 the Consent Agenda the first day of -- we did it on 15 Wednesday, first day of our new application 16 hearings. 17 So do I have a motion to approve the 18 agenda? 19 VICE CHAIR CARRILLO: We've already done 20 all the schools; right? (Audio distortion.) 21 THE CHAIR: Oh. I thought we did -- I'm 22 thinking we approved each day. We didn't? Right. 23 Correct. Yep. Sorry. 24 Because we've had so many conversations: 25 "Do we start the meeting?" "Do we end the meeting?"</p>	8	<p>1 The thrust of his chest and the aggressive 2 manner he uses is a form of assault. This is not a 3 stretching of an arthritic back; it's intimidation. 4 Assault of an adult against children is 5 reprehensible, and yet it is allowed to be continued 6 by this man. How many children must self-harm or 7 take their own lives before something is done? 8 This is not a man who cares for his 9 students. A glaring example is this: 10 Right after Malachi's death, one of his 11 instructors put in a formal request to the CAO to 12 place a bench to memorialize Malachi. It was to 13 incorporate an anti-bullying message as part of its 14 message. 15 Without thought, discussion, or reason, 16 that instructor was immediately told no, that no 17 such thing could be part of his, that CAO's, school. 18 What kind of administration refuses a 19 memorial for a student lost so tragically? I'll 20 tell you who. One who is guilty and refuses to have 21 a physical reminder to the entire community of what 22 an insincere, insecure infant who knows his 23 culpability. One year. One year, and he still has 24 not extended his sympathies to our family. 25 When I directly confronted him about it, I</p>
7	<p>1 Correct. Yes. 2 Yes. Yep. 3 So we are now on to Public Comment. 4 MS. MELISSA BROWN: Commissioners, we have 5 a few people signed up for Public Comment, five 6 online and two in the room. We'll start with 7 online. And, Cindy DeLanoy, please remember to 8 spell your last name, and then I will start the 9 timer for two minutes. 10 FROM THE PUBLIC: Cindy DeLanoy. 11 D-e-L-a-n-o-y. And I'm with the Save Alma group. 12 You all can hear me? 13 MS. MELISSA BROWN: Yes, we can. Go 14 ahead. 15 FROM THE PUBLIC: Chairperson, 16 Commissioners, and audience. Monday, August 19th 17 marks one year since the hanging death of my young 18 son, Malachi, despite complaints from other students 19 as well as myself that bullying had been occurring 20 with Malachi from other students. (Audio 21 distortion) child as well. 22 This man has bullied students in his care 23 before, and by accounts of some students unfortunate 24 enough to still be exposed to him, he continues to 25 bully and intimidate his students.</p>	9	<p>1 was told by him that he had no obligation to offer 2 him. This (audio distortion) supported. 3 The governance council has at least two 4 members that consistently ignore student, parent, 5 and community input and, instead, continue to hire 6 ineffective, unsuited CAOs to Alma. They are doing 7 nothing but ruining children's lives to prop up 8 their own unsuccessful ambitions. 9 They also continue to (audio distortion) 10 OMA rules consistently. The fact that we all know 11 who I am and have been speaking up for months and am 12 asked not to mention by name simply allows him an 13 additional layer of protection. 14 My son was not afforded protection. Why? 15 Why in the name of all things holy does this 16 predator receive the protection that my child was 17 entitled to? Where is the accountability, and when 18 does this end? 19 Thank you very much for your time. 20 MS. MELISSA BROWN: Next we have -- next 21 is Sonya Vigil. 22 FROM THE PUBLIC: Good morning, 23 Commissioners and Chairperson. My name is Sonya 24 Vigil. My last name is spelled V as in Victor 25 i-g-i-l.</p>

10	<p>1 And I am here to speak about a charter 2 school that is under renewal this year and my 3 concerns of the infrastructural operations of the 4 school. There's a lot of financial issues and 5 concerns that I believe the Commission and PED 6 should be reviewing at South Valley Prep, first and 7 foremost being that my business license was used in 8 the 40th, 80th, and 120th Nova submissions last year 9 to fulfill the School Business Official requirement. 10 I was not operating as the business 11 manager for that school after the 39th day of 12 school. 13 When I attempted to do an Inspection of 14 Public Records request for a contract for a school 15 business official who was conducting daily business 16 at the school, all I got was a purchase order and an 17 e-mail stating that the purchase order was the 18 contract. 19 So I'm unable to verify who was conducting 20 daily financial business for the school all last 21 year. 22 I apologize. I have COVID, so I'm having 23 a hard time breathing here. 24 I've also noticed that last month, the 25 fourth of the five original GC members from last</p>	12	<p>1 public comment that there are some serious 2 infrastructure deficiencies on the fiscal side at 3 South Valley Prep. There's been -- you know, we're 4 in the middle of audit right now. And I have done 5 my fiduciary duty and reported concerns that I have. 6 And, you know, I'm just not sure how a 7 school can begin -- how an administration can get 8 into a second school year and -- without any kind of 9 oversight from a governing council, from the 10 New Mexico Public Ed Commission, from PED. 11 Thank you for your time. 12 MS. MELISSA BROWN: Next we have Janet van 13 Coblijn. Let me find you. There you are. Please 14 remember to spell your last name, and I'll start the 15 timer when you are done. 16 FROM THE PUBLIC: Janet van Coblijn. Last 17 name is v-a-n, space, C-o-b-l-i-j-n. 18 Greetings, Commissioners, and 19 representatives of PED and CSD. Sorry? 20 Sorry. I thought somebody was saying 21 something. 22 I'm sorry I couldn't be there today, but 23 life intervenes, as well as this, shall we say 24 volunteer mission to right the wrongs of what is 25 going on.</p>
11	<p>1 year have now resigned. And stress indicators that 2 the Commission looks out for these schools, this is 3 definitely one of the indicators. 4 I've noticed that the GC -- the GC is not 5 reconvening when they come back from closed session 6 as required by the Open Meetings Act. 7 I wanted to let you know I also informed 8 Ms. Corina Chavez last month that the head 9 administrator at South Valley Prep worked almost the 10 entire month of July without a contract. It wasn't 11 until the July 26th meeting last month that the 12 governing council approved the contract for the head 13 administrator. 14 So the concern becomes, then, who was 15 starting -- who was signing contracts for the 16 12-month employees that begin in July? Who was 17 reviewing and signing payroll for the month of July? 18 And all the checks that were written for payables, 19 who was doing -- I mean, who was signing those? Who 20 had authorization to do that? 21 It is unclear when the head 22 administrator's evaluation was done and completed 23 last year. So I'm not sure if that is why the 24 contract was held off for so long. 25 But I just really would like to have it on</p>	13	<p>1 Two things: 2 I'm very interested in the statement that 3 was read before public comment, because -- and I 4 will look up to see if it's on the meeting notes or 5 meeting materials, because it is the antithesis of 6 anything that is happening, and has happened, at 7 Alma in the last year, especially, but probably 8 years. 9 And as I asked last time, how much longer 10 does it need to go on? And I'm not asking, 11 necessarily, the PEC. I'm asking the PEC, I'm 12 asking PED, CSD, and all of those involved, how much 13 longer does it need to go on? 14 And to the -- to Ms. Vigil, who just 15 raised concerns, good luck, because it's really hard 16 to get anyone to take notice and actually do 17 something when all these egregious wrongs keep 18 happening. 19 And we daily get reports of the fact that 20 the administration not only is not addressing 21 things, but is doubling down on targeting and 22 abusing students and staff, and probably parents. 23 Second to that is -- and, you know, it 24 doesn't matter how many things we list that are of 25 concern or whatever, because nothing seems to -- to</p>

<p style="text-align: right;">14</p> <p>1 foster anything except, "Oh, we'll ask the 2 administrator," and -- or so on.</p> <p>3 But, recently, I was asked by one of the 4 governance council members on a completely unrelated 5 issue. And during the conversation about the 6 completely unrelated issue, it was mentioned by them 7 that, "I know we're on opposite sides, but," you 8 know, blah-blah blah-blah-blah, about what we were 9 discussing.</p> <p>10 And I thought it was interesting. Because 11 why are we on opposite sides? Because the point of 12 the governance council and the parent and community 13 interest in the -- in the success of the school is 14 just that.</p> <p>15 So, yes, when it comes down to it, we're 16 on opposite sides, not for the welfare of the 17 children or the success of the school, but their 18 insistence that it has to be done their way and 19 their blind eye turned towards what is actually 20 going on.</p> <p>21 MS. MELISSA BROWN: Janet, the timer has 22 gone off. Can you wrap it up, please?</p> <p>23 FROM THE PUBLIC: Yes. That's all I have 24 to say. If next month I'm in Ecuador, I guess I'll 25 be calling you from there.</p>	<p style="text-align: right;">16</p> <p>1 The board was urged to step down if 2 they're not willing to make the necessary and 3 difficult changes in Alma's best interest.</p> <p>4 Unfortunately, we cannot vote them out like with 5 public schools. I implore you, as the governing 6 body responsible for charter schools, please do what 7 is in your purview related to the ongoing concerns 8 at Alma.</p> <p>9 Quit treating them with kid gloves and 10 giving them month after month and creating forms and 11 charts for them to submit information that was made 12 clear months ago what was being requested. Some 13 information was not even completed until 15 days 14 ago.</p> <p>15 Update on my transcript request: Despite 16 the school's website claiming they are processed 17 every Friday, after four requests in six weeks, they 18 were curiously postmarked the day of the last PEC 19 meeting.</p> <p>20 It wasn't enough when they removed public 21 comment; now they want to remove the public 22 completely by having virtual-only meetings. The 23 administrator claimed they have not been able to 24 conduct business at meetings, yet have voted on 25 numerous matters.</p>
<p style="text-align: right;">15</p> <p>1 Good luck. I appreciate the work that you 2 do and the limits that you have.</p> <p>3 MS. MELISSA BROWN: Next we have speakers 4 in the room. We will start with Jana Holguin. I'm 5 getting these names correctly. I would like that to 6 be reflected.</p> <p>7 FROM THE FLOOR: Good morning. My name is 8 Jana Holguin. Last name, H-o-l-g-u-i-n. My 9 comment, I know, is a little over two minutes. I 10 ask that you let me finish.</p> <p>11 Good morning, esteemed members -- I guess 12 we're afternoon now -- of the Public Education 13 Commission. As someone once told me, if one person 14 tells you you have a tail, they're crazy. If two or 15 three people tell you you're crazy, it may be a 16 conspiracy. But if four or more people tell you you 17 have a tail, you darned sure better turn around and 18 look.</p> <p>19 There have been numerous people telling 20 Alma they have a tail, yet no one's looking. Under 21 this administration and governing council, Alma has 22 faced a breach of contract, numerous Corrective 23 Action Plans, and serious financial issues have been 24 brought to the board's attention repeatedly. Yet, 25 they have failed to act.</p>	<p style="text-align: right;">17</p> <p>1 This is a contradiction. It seems that 2 they want to conduct business out of the public view 3 so that they are not called out for violations.</p> <p>4 For the OMA, all meetings of any public 5 body, except the legislature and courts, shall be 6 public meetings, and all persons desiring shall be 7 permitted to attend and listen to the deliberations 8 and proceedings.</p> <p>9 Malachi, who tragically committed suicide 10 on August 19th, 2023, was not disenrolled from the 11 school until January 26, 2024. Explain why a child 12 who died remained on the enrollment for five months 13 after his death. He had an IEP, which means the 14 school continued to receive special education 15 funding for him during this period.</p> <p>16 Where did this money go? This raises 17 serious questions about the integrity of Alma's 18 enrollment data and financial practices.</p> <p>19 Why are there no consequences for this 20 obvious fraud? How many other students who were 21 kicked out did the school keep on the books for 22 their enrollment data?</p> <p>23 The inability of other schools to obtain 24 transcripts for the students further supports this 25 claim. These issues were brought to the board's</p>

<p style="text-align: right;">18</p> <p>1 attention, including a previous board member. Like 2 other concerns brought to the board's attention, 3 this was ignored. 4 Such manipulation of enrollment data 5 suggests financial malfeasance. Again, I implore 6 you, please do something. 7 Thank you. 8 MS. MELISSA BROWN: I forgot somebody 9 online before we come back to the room. So we have 10 Shelly Richard. Sorry, Shelly, for skipping you. 11 FROM THE PUBLIC: Thank you. I got 12 worried there for a second. 13 My name is Shelly Richard. Last name, 14 R-i-c-h-a-r-d. 15 If you had asked me a couple of years ago 16 if I thought charter schools were a great thing and 17 a super important part of New Mexico's education, I 18 would have said, "Absolutely, yes." 19 I had the best experience at a charter 20 school. I learned so much and got so much out of my 21 high school education at a charter school. 22 But today, my answer would be, "Run. Run 23 for the hills. Do not send your child to a charter 24 school, because things can happen, and no one is 25 accountable for them."</p>	<p style="text-align: right;">20</p> <p>1 you are. We thought you fell asleep somewhere in 2 the building." 3 On another day, the secretary was teaching 4 that class. She asked the whole class to put their 5 phones away. My son did just that. 6 The dean of students then tried to 7 confiscate his phone. My son did not allow it. So 8 she then walked into his next classroom, told the 9 teacher something, pointed at my son, and then went 10 and sat behind him. Just on this Wednesday. Again, 11 she was in one of his classrooms. 12 My son's anxiety was triggered, so he 13 asked if he could go to a safe place. He was not 14 allowed, so he told the teacher he was going to go 15 downstairs to the bathroom. The dean of students 16 followed him to the bathroom and stood outside the 17 door. 18 My son waited till she walked to the 19 stairs, ran to the elevator, went upstairs, 20 apologized to his teacher, and he finished his day. 21 Now, on our paperwork, she's listed as a 22 special education teacher. She has a psychological 23 evaluation that me and my husband privately 24 scheduled and took him to. That paperwork states he 25 has social anxiety, general anxiety, and PTSD,</p>
<p style="text-align: right;">19</p> <p>1 When schools systemically discriminate 2 against children with disability, they can go years, 3 years with no accountability. I do not understand 4 how you can sit up there and say things like, "Our 5 mission is for all students -- all students to have 6 an equitable education," because this is not 7 happening. Please, I'm begging you. Do something. 8 Thank you. 9 MS. MELISSA BROWN: Thank you. And then 10 to the room again. Michelle Trujillo. 11 FROM THE FLOOR: Hi. I'm sorry if I get 12 emotional. It's been a very hard couple of weeks. 13 My name is Michelle Trujillo. 14 Griego-Trujillo. G-r-i-e-g-o hyphen 15 T-r-u-j-i-l-l-o. 16 My son's name is Justin Griego-Trujillo. 17 The very first day of school this year, the dean of 18 students handed my son a schedule. My son was 19 following that schedule when fourth period came 20 around and was almost ending. The dean of students 21 sent another staff member to go get my son, and my 22 son was told that the schedule -- his schedule had 23 changed. 24 When my son walked into the dean of 25 students' classroom, he was greeted with, "Oh, there</p>	<p style="text-align: right;">21</p> <p>1 because a teacher previously had humiliated him, 2 targeted him, and bullied him in front of other 3 students. 4 So having this paperwork, why is she 5 causing more trauma? Why is she singling him out in 6 front of other students? 7 I have given administration and other 8 staff members proof that my son has not been in the 9 wrong; yet, they're still trying to cover up what 10 she's doing. I guess she sees the Corrective Action 11 Plan that we have on them as a joke. 12 I mean, after all, why wouldn't she? They 13 keep getting more and more chances and just light 14 slaps on the wrist. If it was your child that was 15 being put through this on a daily (verbatim), would 16 you then advocate? Would you then do something to 17 the school? 18 Thank you. 19 MS. MELISSA BROWN: That concludes Public 20 Comment. 21 THE CHAIR: We are on to Item No. 5, which 22 is School Highlights and Spotlight. 23 Commissioner Beck. 24 SECRETARY BECK: Yeah. I have a real 25 quick one. I'd like to call on the Albuquerque</p>

<p style="text-align: right;">22</p> <p>1 School of Excellence. Last Saturday, they had a 2 event where the kids came in and received 3 Chromebooks and other technology due to a grant from 4 Verizon. It was very successful. Renee Grout, 5 who's a Albuquerque City Councilor, was there in 6 attendance. I wish I could have been. I had a 7 family commitment. But I was there on Monday and 8 congratulated them. So it's an awesome thing. 9 Thank you. 10 THE CHAIR: We are now -- we don't have -- 11 we didn't have anything removed from the Consent 12 Agenda, so we are on to 8, the Introduction of New 13 Head Administrators. 14 DIRECTOR CORINA CHAVEZ: Thank you, Chair 15 Gipson. If you could promote Mr. Jim Smith and 16 Dr. Giron? 17 We'll start out with Jim Smith is the new 18 Vista Grande High School head administrator. And as 19 soon as he comes on, he can introduce himself to you 20 all, and you can introduce yourself to Mr. Smith. 21 I got to have a great conversation with 22 him. He and his family recently moved to Taos, and 23 he's taking on this awesome challenge. I know he's 24 going to knock it out of the park. 25 MR. JIM SMITH: Hello, everybody. With an</p>	<p style="text-align: right;">24</p> <p>1 that. 2 I also -- I had a little idealism in my 3 mid-20s and a travel bug. So I quit teaching a 4 couple of different times because I also wanted to 5 try my hand at organic vegetable farming. So I feel 6 very fortunate to have landed at VGHS, because we 7 have a school farm. And it's a great opportunity 8 for a school to learn more about outdoor education 9 and place-based experiential education, as well as 10 work on how to produce food and get tied in with the 11 local food web up here in Taos. 12 So I can't say enough positives about this 13 opportunity. While newer to the school and the 14 community and to the state of New Mexico, I really 15 am looking forward to continuously getting to know 16 all of you through different opportunities and 17 connections and building positive relationships, 18 and, yeah, just helping make my Local Education 19 Agency the best one possible and being a positive 20 impact here with the Taos school system in general. 21 So... 22 THE CHAIR: Commissioner Carrillo. 23 VICE CHAIR CARRILLO: James, it's super 24 nice to see you. Sorry I didn't get back to you 25 earlier, because I know you e-mailed me, but I knew</p>
<p style="text-align: right;">23</p> <p>1 introduction like that, there's no expectations; 2 right? Just kidding. That was a joke. 3 Yeah. I'm very, very excited and 4 fortunate to have the position of school director 5 here at Vista Grande High School up in Taos. And my 6 family and I have enjoyed our transition thus far, 7 both fitting into the school and the school culture, 8 as well as the local community. 9 I have 13 years in education, 10 of those 10 13 -- or 11 of those 13 years have been in Title I 11 schools, predominantly working as a high school 12 special education teacher in both, like, more 13 traditional mainstream settings, as well as an 14 alternative high school or charter school setting. 15 Yeah, I can't say it enough. I'm just 16 really excited and grateful for the opportunity to 17 be a part of VGHS. I'm really excited to add to 18 what we already have going on with our work-based 19 learning and our dual-enrollment opportunities with 20 UNM Taos. 21 I think it's fantastic that I live in a 22 small rural town in Northern New Mexico that has 23 access to a local UNM campus, and I just want to 24 lean further into that with our students and 25 community and see the possible ripple effects from</p>	<p style="text-align: right;">25</p> <p>1 I would see you at this meeting. 2 I look forward to coming up to the school. 3 I was at the graduation ceremony, not last year, but 4 the year before. And it was really special. The 5 number of kids was small, of course; but it was just 6 a really special ceremony. 7 So I look forward to being up at the 8 campus. 9 Jim, where did you come from? What state 10 did you and your family move here from? 11 MR. JIM SMITH: Yeah. We moved over -- 12 and, yeah, I really look forward to having you up. 13 We're doing a Land Stewardship Day Wednesday, 14 October 2nd. So if you're available, come on up. 15 And that's for anybody. But, Steven, especially, if 16 you want to swing on up. 17 Yeah. So we moved over from Salt Lake 18 City. The -- I worked in the Salt Lake City school 19 district for the past five years. 20 And I'm from northern Wisconsin, 21 originally, and I met my wife at a wedding when I 22 was living up in Alaska, and that's how I ended up 23 in Salt Lake. She has -- her parents have retired 24 to Taos, so that put Taos on my map, because, 25 otherwise, I'd just heard of Taos being a place</p>

<p style="text-align: right;">26</p> <p>1 where Julia Roberts likes to hang out, apparently. 2 That's the story of that. 3 I was on the sustainability committee the 4 last few years with the Salt Lake City school 5 district. With that, we were flirting with a group 6 called Green Schools National Network. That's how I 7 got led to the opportunity of working with 8 Vista Grande High School, because Vista partners 9 with Green Schools National Network. 10 So, honestly, it's been kind of 11 serendipitous the way that's all shook out. Like, 12 our kid got into a local day care we're really 13 excited on. And, yeah, things have just lined up 14 very well; so... 15 VICE CHAIR CARRILLO: Very happy to hear 16 that. One of the things that similar schools could 17 learn from you is, because, as I understand it, your 18 schedule adapts to the Native American calendar and 19 different festivals and different things that you 20 have up there. So kids don't have to be marked 21 absent to be able to, you know, follow their faith 22 and follow who they are. 23 And there are so many schools that have 24 such high absenteeism in some of our rural tribal 25 areas because their district don't make allowances</p>	<p style="text-align: right;">28</p> <p>1 THE CHAIR: So thanks. Just wanted to say 2 welcome. We were excited when Vista Grande decided 3 to move over to be State-authorized. Some big shoes 4 to fill with Isabel. There were a group of us that 5 said, "She's someone we wanted to sit down and have 6 a beer with." So we're hoping you have the same -- 7 at some point in time. 8 MR. JIM SMITH: Yeah. I like beer, and I 9 like coffee, in appropriate settings. And one of 10 the big differences between Isabel and I is she is a 11 Vikings fan, and I am a diehard Green Bay Packers 12 fan. As long as we can agree to disagree, agree if 13 that's going to be an issue, we can agree on other 14 stuff. So... 15 THE CHAIR: Thanks so much. I guess I'm 16 going to ask if you've got Birkenstocks yet. 17 MR. JIM SMITH: I don't. I have a -- I 18 have Xtratufs from when I lived up in Anchorage, 19 Alaska. It's a little sweaty to wear them right 20 now. Otherwise, I've been rocking my Chacos. My 21 wife has Birkenstocks, but she's fitting in really 22 well. 23 THE CHAIR: Thanks. 24 MR. JIM SMITH: Thank you. 25 THE CHAIR: Dr. Giron.</p>
<p style="text-align: right;">27</p> <p>1 and schedule their calendar around that. 2 So I'm really -- that's one of the things 3 that really stands out to me about your school. And 4 I'm going to put the October 2nd thing on the 5 calendar because that sounds super fun. 6 MR. JIM SMITH: We'd love to have you. I 7 really mean that. And especially because, too, it's 8 before the weather flips into rain, snow, coldness, 9 too. So it should be a beautiful day. 10 And speaking on that, too, of the Native 11 American, like, the Taos Pueblo culture, and just 12 being able to embrace that and not have it be -- 13 it's really authentic. It's not a lip service. 14 My -- you know, I'm new to the position. 15 And I've been learning, drinking from the fire 16 hydrant, so to say, because we really seem to have 17 that tradition of leaning into that and utilizing 18 that awesome resource to support our Taos Pueblo 19 students, but also just to support all of our 20 students that are coming from different facets of 21 the Taos community; so... 22 VICE CHAIR CARRILLO: Well, thank you very 23 much and welcome. 24 MR. JIM SMITH: Yeah. Thank you for 25 having me.</p>	<p style="text-align: right;">29</p> <p>1 DIRECTOR CORINA CHAVEZ: Yes. So we also 2 have Dr. Giron, who is the new head administrator at 3 Raíces del Saber Xinachtli school. He also brings 4 an impressive resume. And I had an opportunity to 5 chat with him, and I know he's going to do some 6 great things at Raíces. 7 Dr. Giron, do you want to unmute and share 8 more about yourself? 9 DR. HECTOR GIRÓN: Good morning, 10 everybody, and especially to members of the 11 Commission. I appreciate the opportunity to be 12 present today. 13 Just to let you know a little bit about 14 myself, this is my 40th year of education. I came 15 out of retirement after two years. I had -- I had 16 retired after eight years as principal of Gadsden 17 High School in the Gadsden Independent School 18 District. And I retired with intention of 19 completing my doctorate that had been pending for 20 some time. 21 And I completed that last December of 22 2023. And the intention was always, after I 23 completed that doctorate, that I was going to look 24 for an opportunity to continue to work. 25 And this school has a unique mission in</p>

<p style="text-align: right;">30</p> <p>1 terms of its 90/10 dual language model with the 2 integration of the Xinachtli pedagogy, Xinachtli 3 curriculum, integrated into all of the instruction. 4 So I'm very excited to be here at the 5 school and being able to work on that, because I 6 have a lot of familiarity with it. 7 And one of my previous assignments at a 8 school -- an elementary school in Texas, Canutillo, 9 Texas, I had worked with one of the teachers here, 10 Mr. Carlos Aceves in the implementation of the 11 Xinachtli curriculum at that school and had been 12 very successful with it. 13 So I'm very familiar with this. I do want 14 to let you know that I'm very focused on the mission 15 of the school and driving that and resourcing and 16 supporting that as extensively as we can with the 17 resources we have to ensure we're implementing a 18 very powerful dual language program with the 19 integration of the Xinachtli component. 20 One way, I've already reached out to a 21 number of associations, including the Dual Language 22 Association of New Mexico to seek support in 23 supporting teachers with PD that is very focused on 24 the 90/10 model. 25 I'm also looking to initiate an</p>	<p style="text-align: right;">32</p> <p>1 midsized rural district of about 14,000, and to a 2 large urban district of 45,000 students. 3 And so I'm very, very excited to be here. 4 And I think that there's going to be a tremendous 5 opportunity to see some phenomenal achievements, 6 even more than what the school has accomplished. 7 We're going to be able to guide it forward and start 8 ensuring that we are holding true to the mission of 9 the school. 10 Thank you. 11 THE CHAIR: Thank you. And welcome once 12 again. I had the opportunity to meet with 13 Dr. Girón, I guess, about two weeks ago, but, 14 certainly, have followed the success story of 15 Gadsden School District. 16 So if anyone is -- is not familiar, 17 Gadsden has done an incredible job of turning that 18 school district around and honoring the community 19 that they serve as well. But they have been 20 spotlighted at the LESC and around the state for the 21 work that they have done. 22 So when I heard that this was the 23 candidate that was coming to Raíces, I was really 24 excited for -- and the fact that his experience is 25 very much with Xinachtli -- excuse me -- as well</p>
<p style="text-align: right;">31</p> <p>1 intervention program with children that looks at 2 developing leadership with them. And that's in the 3 works now. 4 And I can tell you that I'm very excited 5 to be here, because the staff is very focused on 6 making this mission work. Organizations can have 7 critical mass that makes change possible. And I 8 feel like everybody is on board and is moving 9 forward, and I'm excited about that. 10 Now, a little bit about my previous 11 background. Out of my previous 39 years, I have 12 worked at high school teaching, I've been an 13 assistant principal at high school. I've been an 14 assistant principal at elementary. I've been a 15 principal at elementary. I've been a director of 16 bilingual, ESL, and foreign language instruction. 17 I've taught university classes. 18 I've been a director of curriculum -- I'm 19 sorry. I've been a director for college career 20 readiness programs, and also for the dual credit 21 programs for three high schools. 22 And my last assignment was principal of a 23 high school. 24 So I've had a variety of experiences in 25 districts that are small, about 3,000 students, to a</p>	<p style="text-align: right;">33</p> <p>1 that just is, you know, the -- the cherry on top of 2 the sundae. 3 So I'm really excited. Meeting with 4 Dr. Girón, he was most ready, and he was in the 5 trenches, and his excitement was infectious. And I 6 hope that continues beyond that first week of 7 school. 8 So I just want to say thank you so much 9 for coming back and wanting to serve this community 10 because it really, really is important. And I know 11 the charter community in Las Cruces is small but 12 connected. And I really -- I really appreciate that 13 about them. They communicate. They share. And 14 that's really -- it's really important. 15 And I also appreciate the fact that now we 16 have Valencia County from PCSNM in Cruces, so that 17 helps to kind of glue things together a bit in terms 18 of the communication. So thanks. Dr. -- 19 Commissioner Brauer? 20 COMMISSIONER BRAUER: Thank you, 21 Dr. Gipson. Dr. Girón, it's nice to meet you. My 22 name is Alan Brauer. I'm one of the Commissioners 23 here. I just want to say what a great pickup for 24 this school. It's so great, like, to hear what 25 you -- your experiences as a leader and just -- it's</p>

<p style="text-align: right;">34</p> <p>1 such a great resume to hear. 2 And I know it's going to bring so much 3 strength and heart to the school. And so thank you 4 very much. 5 DR. HECTOR GIRÓN: Thank you. Appreciate 6 it. 7 COMMISSIONER BRAUER: I also have a deep 8 connection with Raíces, Dr. Girón. I worked with 9 Lucía and Carlos as they were developing the 10 application, along with the team there, when they 11 were with NACA-Inspired Schools. So I'm very 12 intimate with this school. 13 So for me, I'm the biggest cheerleader of 14 schools that I supported. And I'm also -- to make 15 sure that I can sleep at night, I also want to point 16 out places where they can do even better. 17 And I'm -- congratulations, first off, in 18 40 years. I'm going to ask you to stay for at least 19 45 years, because this school needs people. They've 20 been going through a lot of principals, as you know. 21 They've gone through a lot of head administrators, 22 as you know. And I have so much hope and so much 23 promise for this. 24 But I wanted to share on the record with 25 you that I really am hopeful that the team and you</p>	<p style="text-align: right;">36</p> <p>1 thinking, man. 2 For those that don't know, maybe, on the 3 Commission, Gadsden Schools -- and you were a part 4 of this, definitely -- consistently knocks it out of 5 the park. They defy all the odds. They don't make 6 excuses because they have all ELLs and Free and 7 Reduced Lunch. And Think New Mexico constantly 8 points Gadsden out, as well as Texico, saying these 9 aren't obstacles. They don't look at everything as 10 an overwhelming challenge. These are all kids that 11 we can do exceptionally well, and we're going to 12 make sure they're doing that. 13 I'm really happy to hear you're joining 14 our State charter school family at Raíces. I'm 15 looking forward to five years, as well, because, as 16 you know as well as anyone, Dr. Girón, continuity is 17 so important for staff and kids. And thank you very 18 much. 19 DR. HECTOR GIRÓN: Yes, sir. One of the 20 things that I'm planning on is really building the 21 leadership here, because I want to make sure that 22 there's a succession process built and produced, and 23 there are people prepared on campus to step into 24 leadership roles, regardless of whether it's the 25 head of the school or other leadership roles that</p>
<p style="text-align: right;">35</p> <p>1 can put together and find longevity and find 2 stability in the head administrator role at this 3 school, because our students deserve it down there 4 at Raíces. And your resume brings so much. And so 5 I just wanted to share that. 6 And I also wanted to share, back in the 7 day in 2017, I think I went there to the school in 8 Canutillo, Texas. We went there -- that was where 9 Carlos was also doing the Xinachtli training. And 10 we went there during their planning year -- their 11 prior-to-application year. And it was just a 12 beautiful school to go to and see a lot of the 13 things that were happening just south of the border 14 of New Mexico. 15 And so congratulations. And good luck 16 with the next five years that you're going to be 17 here. Thank you. 18 DR. HECTOR GIRÓN: Thank you. 19 THE CHAIR: Commissioner Carrillo. 20 VICE CHAIR CARRILLO: It's a pleasure to 21 meet you, Dr. Girón. I'm Steve Carrillo, the 22 Commissioner representing mostly north: Santa Fe, 23 Rio Arriba, Taos County. 24 First off, that's a really cool guayabera 25 that you're sporting. I'm just looking at that</p>	<p style="text-align: right;">37</p> <p>1 are needed here, as we continue forward. Yes. 2 VICE CHAIR CARRILLO: That's super. Thank 3 you. 4 THE CHAIR: Chair Burt. 5 COMMISSIONER BURT: Hi, Dr. Girón. My 6 name is Bekka Burt. I am also just going to echo 7 what Commissioner Brauer said. What a great catch 8 for the school. I mean, you're -- all of your 9 expertise, it actually feels like it's building up 10 for this. And I know, actually, and you being from 11 Gadsden, for a while I'm sure, you're aware of the 12 hardships of being part of a change agent and the 13 pushback you get on that kind of stuff. So it's 14 even more encouraging that you kind of helped go 15 through that as well and can see that. 16 And I know it's hard when you're coming 17 into a new community or a new area, and then you 18 want to, like, make changes. It's difficult. 19 So, so grateful that not only are you 20 willing to do that and use your expertise to help 21 the students, but that you came out of retirement to 22 do it. 23 So, just, I'm very grateful for that, and, 24 yeah, so excited to have you there. 25 And what an -- what an incredible -- like,</p>

38	<p>1 I'm so proud of your board for finding you and</p> <p>2 hiring you. So congratulations to that board as</p> <p>3 well for having a great hiring process to get you</p> <p>4 there.</p> <p>5 DR. HECTOR GIRÓN: Thank you.</p> <p>6 THE CHAIR: So thank you once again. And</p> <p>7 thank you for taking your time out of your busy day</p> <p>8 to log in with us. We appreciate it. And I'm sure</p> <p>9 I'll see you soon.</p> <p>10 DR. HECTOR GIRÓN: I'm looking forward to</p> <p>11 it.</p> <p>12 THE CHAIR: Thanks. Have a good day.</p> <p>13 We are on to Item No. 8 (verbatim), which</p> <p>14 is Discussion and Possible Action on Horizon Academy</p> <p>15 West's request for an enrollment cap increase.</p> <p>16 DR. BRIGETTE RUSSELL: Thank you, Chair</p> <p>17 Gipson. Share my screen.</p> <p>18 Horizon Academy West is requesting</p> <p>19 approval to increase its cap from 500 to 521</p> <p>20 students. Given the size of the school, it is a</p> <p>21 small increase.</p> <p>22 The school -- as of 120-day last spring,</p> <p>23 the school was serving 457 students. They received</p> <p>24 107 new applications, and 21 students would have to</p> <p>25 be turned away if they -- if their cap was not</p>	40	<p>1 to accept this year to make space for, but it would</p> <p>2 seem like why not 50? Because you have -- because</p> <p>3 you have a (audio distortion) that might require</p> <p>4 more staff or something later.</p> <p>5 But I completely support this, and I want</p> <p>6 these kids to go to your school, but just something</p> <p>7 to think about for the future so you don't always</p> <p>8 have to come back.</p> <p>9 MS. CARISSA CANTRELL: So thank you for</p> <p>10 the question. So with our building capacity, that</p> <p>11 would actually cap us out. We wouldn't have to</p> <p>12 build. We wouldn't have to look at other resources,</p> <p>13 all of those things. And so, really, honestly, that</p> <p>14 would be the max at this moment, unless we started</p> <p>15 to build.</p> <p>16 VICE CHAIR CARRILLO: I see. Thank you.</p> <p>17 I can do a motion if you want; okay?</p> <p>18 I'm ready to make a motion. I move that</p> <p>19 the Public Education Commission accept the</p> <p>20 enrollment cap increase for Horizon Academy West.</p> <p>21 In the meeting materials, it's Item No. 9, and that</p> <p>22 the increase be reflected as an amendment to the</p> <p>23 charter contract.</p> <p>24 THE CHAIR: Second.</p> <p>25 There's a motion by Commissioner Carrillo</p>
39	<p>1 increased.</p> <p>2 This is a Spotlight School. Their overall</p> <p>3 performance framework rating was Meets Standard for</p> <p>4 '23-'24, which is the first year of their contract.</p> <p>5 The addition of students will not require</p> <p>6 any additional staff, resources, or budgeting. The</p> <p>7 school can accommodate these students and the CSD</p> <p>8 recommends approval.</p> <p>9 THE CHAIR: And just to be clear, when it</p> <p>10 did come up, the school was anticipating asking for</p> <p>11 the enrollment cap increase. So when the -- when</p> <p>12 budget discussions were taking place, they -- they</p> <p>13 accommodated for that in the budget.</p> <p>14 This, obviously, is going to occur after</p> <p>15 the school year is starting. They knew that. They</p> <p>16 had the conversation with the parents that, you</p> <p>17 know, it's like any other -- you won the lottery,</p> <p>18 and the notification goes out, and the student</p> <p>19 either comes or doesn't at this moment in time.</p> <p>20 But it's not a huge ask. So Commissioner</p> <p>21 Carrillo.</p> <p>22 VICE CHAIR CARRILLO: I'm just curious,</p> <p>23 given the waitlist and the number of kids that are</p> <p>24 clearly interested in going to your school, why only</p> <p>25 21? I know that's the number of kids you're wanting</p>	41	<p>1 and a second by Commissioner Gipson.</p> <p>2 If there's no further discussion,</p> <p>3 Commissioner --</p> <p>4 SECRETARY BECK: Commissioner Taylor.</p> <p>5 COMMISSIONER TAYLOR: Yes.</p> <p>6 SECRETARY BECK: Commissioner Brauer.</p> <p>7 COMMISSIONER BRAUER: Yes.</p> <p>8 SECRETARY BECK: Commissioner Manis.</p> <p>9 COMMISSIONER MANIS: Yes.</p> <p>10 SECRETARY BECK: Commissioner Burt.</p> <p>11 COMMISSIONER BURT: Yes.</p> <p>12 SECRETARY BECK: Commissioner Ingham.</p> <p>13 COMMISSIONER INGHAM: Yes.</p> <p>14 SECRETARY BECK: Vice Chair Carrillo.</p> <p>15 VICE CHAIR CARRILLO: Yes.</p> <p>16 SECRETARY BECK: Chair Gipson.</p> <p>17 THE CHAIR: Yes.</p> <p>18 SECRETARY BECK: Secretary Beck, yes.</p> <p>19 There are eight votes for, zero votes</p> <p>20 against. The motion passes.</p> <p>21 THE CHAIR: Congratulations. And I hope</p> <p>22 those kids come in when they get notified.</p> <p>23 VICE CHAIR CARRILLO: Thank you.</p> <p>24 MS. CARISSA CANTRELL: Thank you so much.</p> <p>25 THE CHAIR: We are now on to Item No. 10,</p>

<p style="text-align: right;">42</p> <p>1 which is Discussion and Possible Action under the 2 Intervention Ladder, including Review of the 3 Corrective Action Plan of Alma d'Arte Charter High 4 School. So come on up, folks. 5 DR. BRIGETTE RUSSELL: Chair Gipson, would 6 you like CSD to do an overview to start with, or -- 7 okay. Thank you. 8 Starting at the top, let me share my 9 screen. 10 So Alma's Corrective Action Plan contains 11 18 items. Many of these, we are going to move past 12 pretty quickly, because there has been no change 13 since the last review at the June meeting. 14 Item 1: Still pending. No change. 15 Item 2: We've reviewed the plan and rated 16 the school Meets on this indicator. 17 Item 3: Special ed compliance, this is a 18 complicated one. 19 The Office of Special Education visited 20 the school on July 30th to conduct an audit of their 21 IEPs. And OSE found a number of issues. They 22 issued a report on August 9th. There were a few 23 discrepancies in the report. 24 And I reached out to OSE to clarify these, 25 and I was advised that OSE needs to revise its</p>	<p style="text-align: right;">44</p> <p>1 DR. BRIGETTE RUSSELL: There is a report 2 with findings. But Corrective Actions are going, 3 and the CAPs should be closed in November. 4 There are also two other CAPs on two of 5 the special education indicators, Indicator 4, 6 suspension and expulsion, and Indicator 13, 7 secondary transition. 8 Those plans have deadlines upcoming on 9 August 30th and September 30th. I'm not sure when 10 they will be closed. But the final deadlines in 11 the -- OSE meets with the school every two weeks to 12 update that. And the school might be able to 13 provide more information. 14 Cheryl, is there anything you want to add? 15 Not to special ed. 16 So No. 4. 17 THE CHAIR: So before we move on, I just 18 think it's easier if we take things item by item so 19 that we're not just going back, and we can clear 20 out. 21 Is Miguel Lozano on? 22 DR. BRIGETTE RUSSELL: He is. 23 THE CHAIR: Okay. Oh. I'm sorry. Yes, 24 you are on. I'm so used to you being in a little 25 square box.</p>
<p style="text-align: right;">43</p> <p>1 report, that the percentages in the compliance 2 tables on Pages 6 through 13, or 7 through 13, are 3 not correct, and OSE is going to update those. 4 However, Miguel Lozano, the attorney for OSE, 5 informs me that the issues identified on the last 6 two pages of the report, Pages 14 and 15, are 7 accurate. Those are issues that OSE found in the 8 IEPs, and they stand by them. 9 There are currently four Corrective Action 10 Plans open with the Office of Special Education. 11 Two of those relate to parent complaints. 12 Those -- one of them -- they both are 13 still open, and they have deadlines in August, 14 September, October. And the final deadline is 15 November for both of those -- of those special ed 16 complaints. 17 There are also two corrective action plans 18 with OSE. 19 THE CHAIR: I'm sorry. I might have 20 missed something. I thought the two special ed 21 complaints were completed. 22 DR. BRIGETTE RUSSELL: The reports I have 23 that are in your Google Drive, the CAPs aren't -- 24 THE CHAIR: The CAPs aren't complete. The 25 findings -- I misinterpreted.</p>	<p style="text-align: right;">45</p> <p>1 So thank you. And can we make some space 2 for these folks? I didn't know he brought a posse 3 with him. 4 And I apologize, because most of you, I 5 didn't recognize. So thank you. So, once again, 6 thanks for coming. The green light has to be on. 7 And if you can just introduce yourself, spell your 8 last name for the record, and you just have to do it 9 the first time you speak. 10 MR. MIGUEL LOZANO: Madam Chair, thank you 11 for having us. My name is Miguel Lozano. I serve 12 as Chief Counsel for the Office of Special Education 13 here at the Public Education Department. 14 With me is the Assistant Deputy Director 15 of the Office of Special Education, Ria Gill; the 16 Deputy Director of the Office of Special Education, 17 Tyre Jenkins, Dr. Tyre Jenkins; and Assistant 18 General Counsel, Natalie Campbell. 19 If you have -- I'm open to questions, 20 Madam Chair, am happy to answer anything that you 21 need me to and will possibly turn over to the 22 program folks, if needed. 23 THE CHAIR: So I appreciate the 24 information. I guess my questions are more about 25 when trends are identified, it's difficult for me to</p>

<p style="text-align: right;">46</p> <p>1 put a finger and say, "Is it really a problem?"</p> <p>2 So that's where I need some fleshing out</p> <p>3 of -- because at the end of the day, we want to make</p> <p>4 sure the kids are being served. And I think that's</p> <p>5 what the school wants, at least I have that hope</p> <p>6 that that's what the school wants. At the end of</p> <p>7 the day, that's what we want to see happening.</p> <p>8 And when I -- for me, I've been an</p> <p>9 educator. I've been on IEP review teams and</p> <p>10 everything. But when I look at some of these</p> <p>11 reports, it's sometimes tough to flesh out what's</p> <p>12 the real concern? What are we highlighting what the</p> <p>13 school needs to do?</p> <p>14 Because from that information, I didn't</p> <p>15 really -- so part of my question is what's the</p> <p>16 expectation as a result of this report for the</p> <p>17 school? Is that coming from your office that</p> <p>18 there's going to be expectations set and any --</p> <p>19 because I think the school needs to know. "Now</p> <p>20 we've got this, where do we go from there with it?"</p> <p>21 So if you could just do some explaining of</p> <p>22 that.</p> <p>23 MR. MIGUEL LOZANO: Sure. Absolutely,</p> <p>24 Madam Chair. With respect to any findings of</p> <p>25 noncompliance under the IDEA, there is a requirement</p>	<p style="text-align: right;">48</p> <p>1 LEAs in the state and did some additional work</p> <p>2 around Child Find and discipline and things like</p> <p>3 that. So it's not just the IEP areas that we would</p> <p>4 address, but, certainly, the Office of</p> <p>5 Special Education is going to look at these findings</p> <p>6 and determine what action is needed, required by the</p> <p>7 school to correct the findings.</p> <p>8 And that is both with respect to systemic</p> <p>9 non-compliance and also non-compliance with respect</p> <p>10 to each individual student.</p> <p>11 THE CHAIR: So not to pin you down, but</p> <p>12 looking at some kind of time frame, so that we have</p> <p>13 a better understanding, and the school has a better</p> <p>14 understanding.</p> <p>15 So is -- is the process going to look like</p> <p>16 OSE will reach out to the school and have a</p> <p>17 conversation about what that looks like and a time</p> <p>18 frame? And when might that be finalized?</p> <p>19 MR. MIGUEL LOZANO: Definitely would not</p> <p>20 want to commit to any time frame. The reason for</p> <p>21 that is because we don't know exactly what the</p> <p>22 Corrective Action will be. So we try to provide</p> <p>23 reasonable time for the school to -- to correct</p> <p>24 action.</p> <p>25 But, yes, the -- the process would be that</p>
<p style="text-align: right;">47</p> <p>1 that Corrective Action be completed as soon as</p> <p>2 possible, but no later than a year.</p> <p>3 So this report, the audit itself, the</p> <p>4 report, indicates a number of areas for concern,</p> <p>5 areas for improvement. So the Office of</p> <p>6 Special Education, given the timing of all of this,</p> <p>7 has not addressed a Corrective Action Plan or has</p> <p>8 decided whether -- how and whether to push in</p> <p>9 technical assistance to the school directly.</p> <p>10 But we do now understand that there are</p> <p>11 some significant issues. You speak of the word</p> <p>12 "trend." In this case, we were able to pull a</p> <p>13 pretty significant sample size of the students at</p> <p>14 the school, the students with disabilities at the</p> <p>15 school, given that it's a fairly small total</p> <p>16 population. And so we were able to identify some</p> <p>17 similarities in the IEPs that contain</p> <p>18 non-compliance. You'll see that further outlined in</p> <p>19 the report.</p> <p>20 But I think -- you know, we don't use the</p> <p>21 term -- certainly don't use the term "consequences."</p> <p>22 Our idea is to correct the action, improve the</p> <p>23 systems at the schools with respect to their IEPs.</p> <p>24 There's also a piece to this where we</p> <p>25 conducted universal desktop monitoring for all our</p>	<p style="text-align: right;">49</p> <p>1 the OSE would communicate with the school regarding</p> <p>2 this report.</p> <p>3 Obviously, we talked about revisions had</p> <p>4 to be made; but, in general, sort of determining</p> <p>5 what action needs to be taken. To their credit,</p> <p>6 Alma d'Arte has already communicated with me that</p> <p>7 they want to sit down and talk about these findings</p> <p>8 and talk about what the issues were.</p> <p>9 So I think that will happen in short</p> <p>10 order. We definitely want to ensure that the report</p> <p>11 is correct so everybody is of the same</p> <p>12 understanding.</p> <p>13 But the OSE will move into support through</p> <p>14 Corrective Action as soon as feasible.</p> <p>15 THE CHAIR: Okay. Thanks, because -- and</p> <p>16 I'm sure it's a lot of people's -- the concern is</p> <p>17 especially where there's not services being</p> <p>18 provided, and now you come back, and it's, like,</p> <p>19 "Oh, you owe the student 90 hours," that's not</p> <p>20 providing quality for the student, you know, that</p> <p>21 it's -- yeah, you're obligated to do that. But did</p> <p>22 we really serve the student well by just saying,</p> <p>23 "Okay, here's..." -- and it was an issue a while</p> <p>24 back.</p> <p>25 And, you know, saying, "Oh, a student is</p>

<p style="text-align: right;">50</p> <p>1 going to come in on Saturdays, a student is going to 2 come in in the summer," whose world is that 3 happening in? And where is the real benefit to the 4 student? 5 So that's where I have challenges when 6 these Corrective Action Plans get created, and time 7 goes on, and the servicing isn't happening. But I 8 also know you need to get it right. 9 So -- Dr. Amador? 10 DR. ADAM AMADOR: Dr. Adam Amador, 11 A-m-a-d-o-r. 12 I think one of the issues that the school 13 has is feedback. So these same records have been 14 reviewed three times in the last six months, and we 15 have not been provided feedback. 16 If we don't get feedback -- and when I 17 bring in, you know, SpEd teachers to review IEPs, 18 there's six people on our side that are reviewing 19 these, as well. And they say they match the IEPs at 20 this school or this school or this school. 21 So I have a cause for concern when there's 22 inconsistencies, even in schools, because then, 23 again, we didn't get feedback from the May request. 24 So how can we fix anything without feedback? 25 And then we got this report that we're</p>	<p style="text-align: right;">52</p> <p>1 Special Education? 2 So these are the issues on the other side 3 that the school has encountered. And my requests, 4 especially for me, did not get feedback. So this is 5 a systemic problem on this side as well, not just 6 only for compliance, but show me the Cadillac IEP. 7 And this has been my request from the 8 Commission, the Charter School Division, and the 9 Office of Special Education. Give me the book that 10 has everything correct so we can do it. 11 And that's kind of where I'm at right now 12 is please provide us feedback, adequate feedback and 13 timely feedback. Because if not, the students will 14 continue to suffer if we don't know exactly what 15 they're looking for or want us to fix at the same 16 time. 17 Thank you. 18 THE CHAIR: I'll let Mr. Lozano speak to 19 that. But I'm going to speak to Charter School 20 Division does not review IEPs. They're not the 21 experts on IEPs, and they don't -- they don't review 22 IEPs. 23 So that there -- there should be no 24 communication from the Charter School Division about 25 whether an IEP is good, bad, or indifferent, because</p>
<p style="text-align: right;">51</p> <p>1 saying -- I don't understand half of it. And now 2 I'm finding that there's inconsistencies in the 3 report. 4 So then how do we correct, in a timeline 5 for the student, if even the reporting is incorrect 6 or inconsistent? 7 So these are the issues on the school side 8 that we have is we're not getting feedback, if at 9 all. And then when we do, it's in a manner that is 10 inconsistent, incorrect, and that we don't 11 understand. 12 So these are issues for us on this side -- 13 right? -- on -- when we have a -- a 48-hour notice 14 that we're getting a team coming to our school, we 15 don't know what they're looking for. There's no 16 criteria provided. 17 And coming into Alma, we all knew that 18 there was a SpEd issue. There's been SpEd issues 19 there; right? 20 So when we have IEPs, and then we're 21 getting audited in the middle of the years where 22 IEPs have already been held in the fall, how -- do 23 you go back and have 30 IEPs to correct? And how do 24 you do that without adequate feedback from the 25 Charter School Division or the Office of</p>	<p style="text-align: right;">53</p> <p>1 we clearly do not do that. 2 We can't provide any guidance for a 3 good/bad IEP, because that's not what we do. 4 That's -- we have acknowledged, it was a challenge 5 for us for a number of years. But we've made it 6 very clear. We don't have staff that's certified to 7 be able to do that. 8 That is what OSE does. And any 9 communication regarding that has to come back and 10 forth between the school and Special Ed, because 11 they are the folks that are the experts of what they 12 do, and we don't interfere with making any judgments 13 about that. 14 That's why they're here today, to offer 15 their expert opinions on this and what -- the steps 16 forward. We don't make the best steps forward, 17 because that's not our area of expertise. That's 18 what we're relying on these folks for. 19 So, Mr. Lozano, do you want to speak to 20 any of that? 21 MR. MIGUEL LOZANO: I'll comment briefly, 22 Madam Chair. 23 I think one of the things to note is that 24 the May universal monitoring, Alma d'Arte is 25 actually the first school that received any -- we're</p>

<p style="text-align: right;">54</p> <p>1 still working through all the LEAs to issue findings 2 from that monitoring. 3 The July 30 on-site visit was obviously 4 directed. We were compiling that information as 5 soon as possible for the PEC. And so the report is 6 an outgrowth of that. 7 The Office of Special Education has pushed 8 in support to Alma through the IEP project. 9 Dr. Amador has spoken about that in the past. So to 10 say that there has been no support is patently 11 false. 12 But, you know, the thing about the IEP 13 project -- and I believe this Commission possibly 14 has asked for information, more information, about 15 that -- we view them as a technical assistance 16 provider. So I -- it is not in our interest to sort 17 of have them go to Alma and monitor, necessarily. 18 They're there to help them improve IEPs. 19 And so what we got out of that is, at the 20 time, that Alma simply was not in a place where it 21 was ready to receive appropriate technical 22 assistance. There were too many sort of other 23 problems that Dr. Amador has noted, certainly, and 24 others have noted, that prevented them from really 25 having a significant impact.</p>	<p style="text-align: right;">56</p> <p>1 process. 2 So one of the layers itself may be the 3 implementation of special education for students. 4 But MLSS, you know, evaluations can occur 5 when a student is receiving Layer 1 supports, 6 Layer 2 supports, and Layer 3 supports, and they 7 would continue on, potentially, even when the 8 student is receiving special education. 9 So MLSS has an intervention platform, or a 10 sort of system that is really engaged in quality 11 instruction, differentiated intervention at specific 12 levels. And that could potentially be supported or 13 inclusive of special education. 14 THE CHAIR: So does your office engage in 15 that? 16 MR. MIGUEL LOZANO: It's, I would say, a 17 collaboration -- do you want to speak to -- 18 MS. RIA GILL: Yeah. Madam Chair, it 19 actually -- good morning, everybody. Again, my name 20 is Ria Gill, the Deputy Director for the Office of 21 Special Education. 22 THE CHAIR: Don't have to get too close. 23 We get hollered at. 24 Actually, MLSS is a partnership right now 25 between Curriculum and Instruction and the Office of</p>
<p style="text-align: right;">55</p> <p>1 That's not to say the IEP project couldn't 2 go back in and help. That's not to say that OSE 3 directly cannot go back in and help. 4 But we have in the past, periodically and 5 continuously, tried to work with Alma d'Arte to 6 improve their IEP systems. 7 THE CHAIR: So -- because I'm not 8 100 percent clear on this. Where does MLSS fit into 9 all of this? Because I know there's -- you know, I 10 celebrated when that system was being rolled out. 11 Because, to me, it was really the first time that 12 PED said, "We're creating this really wide..." -- it 13 was a wide scope of support and help. 14 And I really thought this was really, to 15 me, with my experience with PED, the first time that 16 it was less of a real compliance piece and more of a 17 "Let's help us all get better." 18 So I'm not -- and I don't -- I'm not 19 really sure what your office's role is in that 20 system. 21 MR. MIGUEL LOZANO: So I can't really 22 speak to the intricacies of MLSS. It's a program 23 issue. Assistant Director Gill may be able to. 24 In terms of where it lies, it's actually 25 sort of before and during the special education</p>	<p style="text-align: right;">57</p> <p>1 Special Education. So it's a -- it's new, actually. 2 We're implementing that through a program 3 called SWIFT. And so MLSS actually isn't considered 4 just a special education system. It's a general 5 education system. 6 And as Chief Counsel said, it could be 7 Level 2 -- Level 1, Level 2, or Level 3. 8 So right now, we're putting in those 9 systems, because it's new. 10 THE CHAIR: It's new. Because it had been 11 voluntary. 12 MS. RIA GILL: Yes. Yes. 13 THE CHAIR: So when -- did it become 14 mandatory last year? Or is it this year? 15 MS. RIA GILL: It's not -- we're 16 actually -- 17 THE CHAIR: Not there yet? 18 MS. RIA GILL: We're working with two 19 districts right now, Gadsden and Cuba right now, 20 for -- to implement the MLSS system. So they're the 21 two districts that we're currently working with. 22 And then it will expand. 23 But it's -- it's new right now as far as, 24 you know, eventually becoming something. 25 THE CHAIR: Okay. Because at one time --</p>

<p style="text-align: right;">58</p> <p>1 I'm going to say probably about three years ago -- 2 there were, I guess, MLSS leads, for lack of 3 something else to refer to them. Because I remember 4 having conversations with some -- excuse me -- that 5 came out of the REC that were assigning charter 6 schools. Do those people exist anymore? 7 MR. MIGUEL LOZANO: So, Madam Chair, so 8 MLSS is now solidified in State rule. It is a 9 requirement. The implementation that Assistant 10 Deputy Director Gill is speaking of is really 11 improving entire systems around that framework. 12 But as it stands, every school district is 13 required to have policies around MLSS. And so the 14 quality of that, at this point, we're -- the 15 Curriculum Instruction Division within the 16 Department -- Public Education Department -- 17 generally is in charge of the MLSS systems. And it 18 collaborates with the Office of Special Education, 19 to the extent those two areas blend. 20 VICE CHAIR CARRILLO: Just a quick 21 question. What is MLSS? 22 COMMISSIONER BURT: I didn't see anything 23 about it in the reports or in anything. So I'm 24 wondering if there's a way we can -- I think it's 25 confusing to get so deep into --</p>	<p style="text-align: right;">60</p> <p>1 place, those things do not get addressed; right? 2 So observing last year we're putting that 3 system into place. Right now, I'll give you an 4 example. Students are building the norms for their 5 classrooms; right? So there's things that the MLSS 6 requires us to do in that process: Stay 7 student-centered, stay student-focused. But how are 8 we also involving The Learning Community as well? 9 High-quality professional development is 10 one; right? Making sure that we're getting 11 high-quality programming into the school. 12 So those things are happening. But they 13 can't happen overnight. It takes a little bit of 14 time. 15 So in my review, now I'm starting that 16 MLSS process. It's going to really enhance our 17 ability to operate under the auspices or CAPs with 18 special ed, because then we will have data. And I 19 think that was an issue that Commissioner Burt 20 brought up last time. 21 First, there was no data that Alma had. 22 Now we're getting data-heavy. So we're working on 23 exit tickets, everything we're doing, trends in 24 attendance, why kids aren't coming to school, how 25 they're coming to school, why they don't want to</p>
<p style="text-align: right;">59</p> <p>1 THE CHAIR: I was trying to see if there 2 was support for the CAP that's going to come forward 3 and the concerns that have been raised for special 4 ed. Are there supports built into the MLSS system 5 that's going to help the school? 6 COMMISSIONER BURT: But that's not what 7 MLSS is built for. 8 THE CHAIR: Multilayer of Support System. 9 DR. ADAM AMADOR: Madam Chair, if I can 10 speak a little more to that from the practitioner 11 side. 12 So I was the MLSS lead in Lordsburg, when 13 I was the principal at RVT Elementary. So it starts 14 assessing students immediately. You still have the 15 three tiers; right? Remember the RTI process, we 16 just changed the name to it; right? We just changed 17 the name, and we brought in more community and 18 family support; right? 19 We were one of the pilot schools in 2019. 20 So I think, as I shared with you all at Alma, MLSS 21 has not -- it was not the first step taken for it to 22 have been implemented. 23 This is why we're running into a lot of 24 issues with identifying students, with support 25 interventions. Because when that system is not in</p>	<p style="text-align: right;">61</p> <p>1 come to school. That's assisting us in the process; 2 right? 3 But it takes a team, and it takes a while 4 to get that implemented. 5 So if it was fully on -- like, 2020-2021, 6 that was four years ago, and Alma hadn't taken the 7 first step yet towards MLSS. So, unfortunately, 8 while we're behind, this is where we end up on the 9 CAP, because no data is taken. And I think, as I 10 had shared with Counselor Lozano at the first CAP, 11 he was asking us for data, I said, "Sir, there's 12 none. There's no data for the teachers." 13 Another thing on their report was they 14 reported teachers are saying, "Kids are doing great. 15 That's not measurable"; right? 16 So we've had to go in and tell the 17 teachers, "We need data from your classroom"; right? 18 That's not easy to do, because then, "Why are you 19 questioning my teaching? I've been doing this for 20 20 years." 21 So these are things we run into in the 22 transformation process, from no data collection to 23 collecting data and using it to enhance teaching and 24 learning; right? 25 So that's -- in a nutshell, that's what it</p>

62	<p>1 does. We're not there yet at Alma. We're getting 2 there. It takes a little bit. And these are the 3 results of not having that MLSS process in place. 4 No data, no service. And Dr. de Leon, I think, 5 has -- 6 THE CHAIR: Introduce yourself for the 7 first time. 8 DR. VANESSA de LEON: Thank you, Madam 9 Chair. Vanessa de Leon. Last name, lower case d-e 10 space, capital L-e-o-n, attorney for Alma d'Arte. 11 Thank you for the floor. 12 So, Madam Chair, a couple of 13 clarifications. 14 Earlier, you mentioned that the Charter 15 School Division is separate from the Office of 16 Special Education and that the Charter School 17 Division is not involved with direct monitoring or 18 direct visits, citations, whatever, within the 19 charter schools. 20 Within this past visit that Alma had, the 21 Tier 1 monitoring, we did have the Charter School 22 Division present. 23 THE CHAIR: Correct. She was present. 24 But she didn't review IEPs, and she wasn't there in 25 support -- what I said was no Charter School</p>	64	<p>1 So on the CAP, within "Show special 2 education compliance," the expected outcomes and the 3 metrics are clearly delineated in relation to the 4 special education Cap. 5 However, there has -- there was a change 6 from the June Public Education Commission meeting to 7 this one, where the previous report from Alicia 8 Hatch is no longer in place and appears that it was 9 replaced by the OSE investigation visit that 10 occurred recently. 11 THE CHAIR: In the meeting materials? Is 12 that what you're referencing? 13 DR. VANESSA de LEON: Yes, ma'am. 14 THE CHAIR: Sorry. I had my Zoom on. I 15 didn't have the meeting materials up, so I have to 16 look. 17 DR. VANESSA de LEON: Thank you. 18 DR. BRIGETTE RUSSELL: Chair Gipson, 19 the -- we were advised that the report from 20 Ms. Hatch was technical assistance to the school and 21 was not a compliance report. It was not evaluative. 22 THE CHAIR: That's -- okay. I wasn't sure 23 what report you're referring to. That's the report 24 that came through the grant program. And when we 25 requested that report, the REC that was managing the</p>
63	<p>1 Division staff person reviews IEPs and makes any 2 recommendations to us to say, "Their IEPs aren't 3 complete. Their..." -- the only way that we -- they 4 report to us about IEPs for OSE. 5 But a Charter School Division staff person 6 being present in the room isn't -- doesn't mean they 7 are actively involved in the review, because it is 8 my firm understanding that -- and the report clearly 9 says that Cheryl was there. But she did not look at 10 any IEPs. 11 DR. VANESSA de LEON: So for the record, 12 Madam Chair, could we clarify the purpose of why 13 Ms. Rowe was at the visit? 14 THE CHAIR: I wasn't involved in that 15 decision. 16 DIRECTOR CORINA CHAVEZ: Chair Gipson, I 17 was. I wanted for one of my staff people to be 18 there, because we have visited Alma in the past. 19 And I just wanted them to merely be present to -- to 20 observe what OSE was doing at the school and perhaps 21 maybe introduce people, if needed. 22 But she didn't take a role in terms of 23 review at that time. She was just present. 24 DR. VANESSA de LEON: Thank you for that, 25 Madam Chair. One more clarification.</p>	65	<p>1 report said that was not -- that was just technical 2 assistance. 3 So that was removed, because it didn't 4 apply to the CAP. All that was, it wasn't a -- in 5 any case, it wasn't any evaluation of the IEPs, so 6 that that was purely technical assistance. So it 7 did not answer any piece of the Corrective Action 8 Plan. 9 DR. VANESSA de LEON: If I may, Madam 10 Chair, the LEA respectfully disagrees. Alicia 11 Hatch's report -- I mean, actually, the project 12 itself is called "IEP Project," and there's specific 13 opportunities for improvement that identify areas 14 within an IEP that need addressing. 15 MR. MIGUEL LOZANO: I'd like to add that, 16 if I may. 17 MS. JULIA BARNES: Just to clarify what's 18 in the folder. In the intervention folder, there 19 are four sub-folders. Folder No. 3 have all the 20 reports from outside entities. There's a sub-folder 21 for special ed. The report that you are talking 22 about is there. The audit that you recently 23 provided is in there, and the two special ed 24 individual CAPs are there. 25 So all of the documents are in the</p>

<p style="text-align: right;">66</p> <p>1 intervention folder. So I don't know where it would 2 have been replaced. But it's -- that's where it is. 3 Maybe it was reorganized. 4 DR. BRIGETTE RUSSELL: Respectfully, Chair 5 Gipson, I do not believe Ms. Hatch's report is in 6 that folder, only Office of Special Education 7 reports. I actually only obtained the full report 8 from Ms. Hatch and her associate at SWREC yesterday 9 from -- 10 MS. JULIA BARNES: The document that we 11 were provided, I believe, by the school is under 12 Folder 3, Final Reports, Special Ed. 13 And then it's 10/10/23, SpEd Report Grant, 14 because Dr. Amador has referenced that document 15 numerous times. There's, in fact, been quite a 16 bit -- 17 DR. BRIGETTE RUSSELL: Okay. I did not -- 18 the way the document was named, I didn't know what 19 it was. It's also -- it's not complete. It's only 20 the October -- 21 MS. JULIA BARNES: I'm not sure. I'm just 22 telling you that's what we received from Dr. Amador. 23 THE CHAIR: So it hasn't been removed from 24 the materials. 25 DR. BRIGETTE RUSSELL: It hasn't been.</p>	<p style="text-align: right;">68</p> <p>1 always. 2 I mean, we cannot ignore when there's new 3 information -- that was October 10th was that 4 report. If that gets fixed, great. If during that 5 time process -- and I know this is, once again -- I 6 do know -- I have an idea in my head of the state of 7 the school when you started. And I know you're 8 starting in a deficit and growing. 9 And you're also at -- like, you're finding 10 things out as you go, too. We're in the same space 11 as you. 12 But we can't be, like, "Oh, well. You did 13 fix that. Great. Here's new information. This is 14 not -- this is not serving kids in the appropriate 15 way. We're going to ignore that for now, because 16 you did do that right. You did fix that." 17 We're not going to do that. 18 So it's not that it's -- it's not 19 intentional. You know, like, if we had all the 20 information when we first started, and there's no 21 new information that gets presented, then, no, the 22 bar doesn't move. It stays exactly there. 23 But we're getting new information as 24 you're finding it, as well; right? You're 25 discovering new information. You have more people</p>
<p style="text-align: right;">67</p> <p>1 DR. VANESSA de LEON: Okay. Thank you for 2 that clarification. 3 I think that, really, what the LEA 4 respectfully requests for the Public Education 5 Commission to consider is that the metric within the 6 CAP was identified specifically to the special 7 education CAPs. And, prior, it did include the IEP 8 Project, which involved Alicia Hatch. 9 But in terms of the CSD review, which 10 identifies the LEA as Does Not Meet, the question 11 really begs to ask is will the CSD and PEC 12 continually add new metrics or change the metrics? 13 Because, in all fairness to the LEA, if 14 you are telling the LEA that you will evaluate them 15 based on their special education CAP, then equitable 16 practice would say that is what the evaluation then 17 depends on, not additional information, which will 18 result in continual CAPs, not just for this LEA, but 19 setting precedents for other LEAs. 20 COMMISSIONER BURT: When there's new 21 information, special education is not a one-time 22 thing and you're done and you did it once -- 23 right? -- and you're good to go. If there's new 24 information and things are not done right today, and 25 we get that information, yes, it will be added,</p>	<p style="text-align: right;">69</p> <p>1 coming in and uncovering, unearthing some of these 2 things that, once again, may be historical, but are 3 still affecting students today. At the end of the 4 day, it's not like, go back and be, like, "Oh, you 5 don't do enough. You didn't do enough. You didn't 6 do enough." 7 That's not the purpose. But we can't 8 ignore when there's new information. 9 And so I understand. Like, I know -- 10 we've heard this from other schools before. I can 11 try to put myself in your shoes and feel that, like, 12 bar moving. I have two teenage girls. It feels 13 like my bar as a parent gets moved every day, and 14 I'm never good enough; right? And it's not fun. 15 But at the end of the day, it is -- I 16 mean, this is the most important work. I mean, I 17 think we're all here because we believe education is 18 the most important work that we can do in another 19 child's life, by another person, like, for our 20 society, for everyone. 21 So I don't think it's, like, this punitive 22 thing. It's -- "Okay. Now we saw this, too. Let's 23 go ahead and move." 24 The only thing I was concerned about 25 worrying about MLSS at all was I do see there are</p>

<p style="text-align: right;">70</p> <p>1 issues with the current students that have IEPs. I 2 see that as being a higher priority. 3 So I don't want to necessarily add in, 4 like, "You haven't done MLSS; right? Okay. You 5 need to do that." And that's part of it -- you know 6 you need to do it. But for me, I do want to stay 7 really focused on -- there are certain parts of this 8 that are organizational process that could be done 9 better, best practices, better practices. But then 10 there are some that are legalities, and those are -- 11 it's a different level, if that makes sens. 12 DR. ADAM AMADOR: Yes, ma'am, I understand 13 that. To your point, the charter school has a 14 contract -- right? -- it has to fulfill. And so we 15 have to do all these things at once. There's no 16 "This is the priority." These things have to be 17 done at once; right? 18 Since my first meeting here, listening to 19 all the concerns and the concerns of the school, as 20 you say, historic; right? 21 So where has the accountability been in 22 the past? One, let's have that talk; okay? 23 And as we found out in the last meeting, 24 we only really uncover stuff when there's a 25 complaint. So you guys really don't know until</p>	<p style="text-align: right;">72</p> <p>1 I'll hit them. But either way, I would like to be 2 informed. So in the process of going to -- the 3 website was the first issue, okay? I've asked can 4 the State provide me a guided -- guide plan or 5 whatever of what needs to be on the website? That 6 has not happened; okay? 7 I haven't got, "Maybe you should put 8 this," or, "Here's the guidelines." 9 "No? Give me the example." 10 So the second thing is the attendance 11 policy. Give me the perfect attendance policy from 12 a district, because my colleagues don't even have 13 one that's updated. 14 I've asked for those things. I've asked 15 for examples of the letters. Even if we came to our 16 general counsel and asked let's write a perfect 17 letter for this, who has them, and then share them 18 with me? I'll update them; right? 19 Our board has moved very fast in approving 20 policy; right? That should take months, first read, 21 second read, third read. To me, CAPs we're pushing 22 through policy that hasn't been done in years; 23 right? 24 Let's consider all this. That's all I'm 25 asking. I came here for help. I came here for</p>
<p style="text-align: right;">71</p> <p>1 somebody starts complaining what's going on, just 2 like I didn't know; right? We knew there were 3 problems. I want to share. We are making great 4 gains. Make no mistake about it. To do what I've 5 done in the last 12 months at Alma is less than a 6 miracle, whether people agree or not. 7 But the data that we're providing, the 8 environment we're providing, the programs we're 9 providing to students, they're second to none in 10 what we do; right? 11 That's my concern is we're not looking at 12 that. We're looking at this, and there's a 13 continuation of this. So my thing is has always 14 been, I've asked for help, I've asked for 15 assistance. It's not being new to the charter side. 16 It's being new to the processes that change in 17 New Mexico. They change very fast. It's either a 18 rule or law or statute that changes very fast. 19 Then our reporting systems are different 20 than the public side; right? That's not an excuse. 21 It's just my ask to everybody when I got hired is 22 can we provide an on-boarding system for this, so 23 you know where all the curve balls are going to come 24 from? 25 That's cool. I'll either take them or</p>	<p style="text-align: right;">73</p> <p>1 assistance. And it's been punitive rather than, 2 "This is the direction to go. Here's your guidance, 3 Dr. Amador. Here's what you can do, or here's 4 people to talk to." We're not getting that on this 5 side of the house. 6 That's been my ask. We're complying with 7 everything. But on my end, it does feel like a 8 moving target; right? 9 And I agree with you. I agree with you 10 that maybe this stuff is there. But, again, giving 11 us the direction and guidance and coaching to where 12 we can grow in that process. 13 DR. VANESSA de LEON: Thank you. 14 THE CHAIR: Oh, I'm sorry. Commissioner 15 Brauer had his hand up. 16 DR. VANESSA de LEON: Okay. Yes, 17 Commissioner Brauer. 18 COMMISSIONER BRAUER: Madam Chair, 19 Dr. Amador. Thank you for those comments. I agree 20 with you. 21 How I interpret what you said, you're 22 doing work. You did. And I'm the one who said you 23 owned it the day you took this job. And you still 24 own it. 25 It doesn't matter what happened the first</p>

<p style="text-align: right;">74</p> <p>1 20 years of this school. It's yours now, and you 2 live with it. 3 That means your feet are on fire. And I 4 do think your feet are on fire in a lot of ways in 5 this. 6 Your work is important. You're making 7 shifts. That can be true at the same time as it may 8 not be sufficient yet. 9 DR. ADAM AMADOR: Right. Right. 10 COMMISSIONER BRAUER: So it's good, yet 11 insufficient. 12 DR. ADAM AMADOR: Right. 13 COMMISSIONER BRAUER: That's just the 14 reality of education. It's the reality of farming, 15 my living. 16 I don't want us to conflate what the role 17 of the Commission is. This happens in public 18 comment every single time. It happens with our 19 schools of what our role really is as a Commission. 20 We're an authorizing body. We are a 21 compliance body. We do provide technical assistance 22 where we can. But that is not -- that is not an 23 open menu of options for all the resources that we 24 can provide. 25 The person that was behind you, Matt Pahl</p>	<p style="text-align: right;">76</p> <p>1 you can look to. There has to be examples out 2 there. For me, as a learner, when I get under the 3 gun, regardless of if it's, like, my zucchini is 4 failing on my farm, metaphorically I start thinking 5 about what are the other farmers around me doing? 6 What am I doing wrong? What can I literally do to, 7 like, change my approach? Even though I got a lot 8 of wisdom about zucchini, I can learn from somebody 9 else, and I'm going to absolutely take what they 10 have. 11 So, yeah, I just wanted to share that. I 12 hope I didn't belabor that too much. But I do think 13 that we, as a Commission, Commissioners, we're a 14 compliance body. We're not a teacher body. We're 15 not teaching people how to do things. 16 But if we have information, we'll provide 17 it. But I want to make sure you're using the 18 resources you have available and, like, reach out to 19 Matt Pahl and Valery, and hit their team. Reach out 20 to your peers. 21 That's what a common approach would be for 22 me. If it was sports, if it's farming, if it's 23 education, leadership, that's where I would go. 24 THE CHAIR: I know Mr. Lozano wanted to 25 say something a while back.</p>
<p style="text-align: right;">75</p> <p>1 and his group, they are a great resource. Your 2 peers. I know you just talked about your 3 colleagues. Those are great resources. There are 4 89 school districts. I'm sure there is someone that 5 has some of the policies you can use and you can 6 reach out to those people. 7 We are not your peers. We are a 8 compliance body, by and large. We do provide 9 technical assistance. But we're not going to coach 10 everything through here. The CSD, as our staff, are 11 supposed to identify areas. The Office of Special 12 Education has identified areas. 13 I think it's great. Then I was thinking 14 maybe I just missed the information about some of 15 the teachings that you provide at OSE, the IEP 16 Project, so on and so forth. That's awesome. 17 That's not been the case, as far as I understand it, 18 for time immemorial. Those are great things. 19 I don't want you to feel unsatisfied. But 20 I also want us to live within the same reality of 21 what our role is here. And let's figure out -- 22 we're not some -- if you have resources or if you 23 have ideas, we absolutely will share it. But we're 24 not the practitioners, as you are. 25 But you have a bunch of practitioners that</p>	<p style="text-align: right;">77</p> <p>1 MR. MIGUEL LOZANO: No, Madam Chair. I 2 don't actually recall what I wanted to say. So I 3 will -- 4 THE CHAIR: I apologize. 5 MR. MIGUEL LOZANO: No worries. No 6 worries. 7 THE CHAIR: We have a tendency to kind of 8 wander off. 9 So... 10 COMMISSIONER BURT: Can I ask real quick? 11 Who are you -- who have you reached out to for, 12 like -- 13 DR. ADAM AMADOR: I have reached out to 14 PCSNM. 15 COMMISSIONER BURT: Okay. 16 DR. ADAM AMADOR: Again, the processes 17 don't happen fast enough; right? 18 I need you to understand this. Students 19 don't have time for the adults to decide what 20 they're going to do. 21 That's what's happened here. When you 22 have an adult-centric place, the students lose. 23 That is what has happened here. No one 24 wanted to have that conversation. 25 So if I got hired -- and I remember</p>

<p style="text-align: right;">78</p> <p>1 talking to Matt in August, and he's, like, yeah, we 2 need to do these things. But I need them done now; 3 right? Who works that fast? 4 So my ask was are you going to give me 5 time to do this, or are you going to say, "You don't 6 have time to do this"? That's really the question 7 at hand here. 8 These CAPs, they're coming from history. 9 And that history of not practicing towards special 10 ed students is still hurting the school; right? So 11 the question is is am I going to have time as an 12 educational leader to right the ship? If not, then 13 we can cut this short and go to lunch; right? 14 That's for the Commission. Because you 15 guys are going to decide the amount of time I have. 16 The Office of Special Ed is going to decide; right? 17 But at the same time, in some of the documents we 18 have, like last year, on Child Find, it said the LEA 19 was compliant. 20 But then in an Office of Special Education 21 report, it says, "The LEA was not compliant with 22 Child Find." That's a problem. That's a problem 23 for all of us; right? 24 That's my issue is one year, we're 25 compliant. And then I'm getting a letter that says</p>	<p style="text-align: right;">80</p> <p>1 it's a matter of timing and funding; right? And 2 when the school has been mismanaged, as it has, when 3 the school has been out of compliance, as it has, 4 for me, I'm juggling things. 5 So the best I can do right now is the best 6 I can do. 7 My feet are to the fire. I get that. I'm 8 willing to be accountable for whatever I can be 9 accountable for; right? But where I'm at is it's 10 been a confusing process for the compliance piece, 11 because it -- we went from a 6, 7, to 18 -- 12 right? -- in a month. And to meet those timelines, 13 notwithstanding my own personal life, was very 14 difficult. We met them. 15 And thank you for the extensions. I 16 appreciate that very much. But I think at the end 17 of the day, that's where I'm at. And I think from 18 what I'm going through, what I want to do is I want 19 to give a how to run a charter school. What happens 20 when this happens; right? 21 I think for us leaders, that's what we 22 need on our side. And I'm not making excuses or 23 anything. I love the job. I love the work. But 24 that's why I do have a special ed expert counsel; 25 right? I know what needed to be brought in; right?</p>
<p style="text-align: right;">79</p> <p>1 you weren't compliant last year. So what am I 2 supposed to go off as the LEA, because this has been 3 a confusing process. 4 I will tell you, the shifting of documents 5 and moving this -- just the shifting of documents 6 has been confusing, because we're trying to find 7 them to be able to respond to any questions you 8 might have; right? 9 It's difficult. So these are just my 10 frustrations as an LEA. And the support on the 11 charter side as opposed to the other side is not 12 there. 13 And that's -- that's where, if you're 14 going to be the authorizer, let's -- or this is the 15 thing. How committed is the Commission to charter 16 school success; right? If you're committed, then 17 you should be able to direct me where to go as well. 18 Not saying that X, Y, and Z, like Commissioner 19 Brauer brought up. I get it you're a compliance 20 body. 21 However, how committed are you to charter 22 school success? If you're in deficit, let's make 23 sure we can direct Alma to where they need the 24 support. 25 I know where we need the support. But</p>	<p style="text-align: right;">81</p> <p>1 It upset some people at the school. But my issues 2 weren't here. They're in SpEd right now. 3 And if you really look at it the whole 4 thing that we're doing, if we had been compliant 5 with Tier 1, support for students, we wouldn't be 6 sitting at the table today; right? 7 So it's a big job. But I just want to let 8 the PEC know that it's a time thing; right? We've 9 got to have time to do these things. Some of our 10 staff doesn't agree. And that's why they weren't 11 taking data. That's why you're getting, "This is 12 great. I love your student," instead of, 13 "70 percent of time, they're doing this. 50 percent 14 of the time, they're doing that." 15 They don't have the experience in doing 16 that. 17 So now we've got to revisit. So we 18 adjusted on your schedule, Wednesdays, half days -- 19 right? -- so we can do PLCs and PD. I know the 20 needs and the learning demands of the students, it's 21 just a time thing; right? 22 COMMISSIONER BURT: I know when you're 23 also dealing with a culture shift, that's a whole 24 other element, you know, to it. 25 But when I'm also thinking about that and</p>

<p style="text-align: right;">82</p> <p>1 looking at that and talking about when I read 2 through this report, I am concerned about what the 3 culture -- I mean, I do have a lot of concerns about 4 the culture. 5 Also, I've talked to Commissioner Gipson 6 about this. I remember when we did this renewal 7 back then. And, you know, there weren't people 8 complaining about the school. And, you know, that 9 was the hardest renewal I think I'll probably ever 10 do, because there was no data to support it. Either 11 way. 12 We had no data to support that it was 13 doing anything well. But we also had no data to 14 support that it wasn't doing well, because they got 15 the kind of COVID excuse, generally. They really 16 did. 17 But I knew, because I knew there was 18 tremendous issues, because there was no data. And 19 no parent complained about that at all. So that, 20 I've been concerned about that. 21 But I will say when I'm looking at -- I 22 think culture is -- and that's one of those things 23 that's hard to change when you have -- when it's 24 deeply ingrained. When I look at the reception that 25 the Special Ed Division had at the school, and I see</p>	<p style="text-align: right;">84</p> <p>1 little bit from the special education concern. 2 COMMISSIONER BURT: I'm sorry. I'm 3 talking directly about the report we received. 4 THE CHAIR: But he's not. He's talking 5 about a conversation that happened over a year ago. 6 COMMISSIONER BURT: Did that affect this 7 meeting with -- 8 DR. ADAM AMADOR: Yes, it did. Getting 9 back to this, I'm thinking it's in the manner that 10 Ms. Romero has been spoken to in meetings. It's in 11 the requests of, "Are you sure you're licensed? Are 12 you sure you can do this?" 13 That's condescending. We're all 14 professionals. They can look it up. Anybody has 15 access to look at our licenses. 16 So it's been in that manner, that I've 17 been, like, "You know what? We're already under 18 pressure from this." 19 I got a comment in the special ed meeting. 20 I sit there and listen, because I'm not the SpEd 21 coordinator. 22 "Do you have any questions, Dr. Amador?" 23 I shook my head no. 24 "Oh, it's because you know everything." 25 That's how we're getting treated.</p>
<p style="text-align: right;">83</p> <p>1 the people leading the school now being not 2 receptive, it concerns me that the culture is not 3 actually changing. 4 I don't want to get into personnel issues 5 with the behavior of employees, but... 6 DR. ADAM AMADOR: And I think -- it just 7 stems from this. and I'm just going to be brutally 8 honest. 9 In my first meetings with CSD online, they 10 were very condescending. And Dr. de Leon has been 11 in meetings where they are very condescending. 12 She's witnessed that. Pattie Matthews also 13 witnessed that, our other counsel. 14 There are just unnecessary comments. I'm 15 asking for help, and I'm getting these interesting 16 comments. 17 I got my whole charter read to like I was 18 a third-grader; okay? And if that's how you start 19 the relationship, you know what? And it's a 20 business model, these aren't people I should be 21 taking advice from; right? 22 For me, I have a school to run. I don't 23 need to have my charter run line by line in an hour 24 and a half. 25 THE CHAIR: Okay. I think we've strayed a</p>	<p style="text-align: right;">85</p> <p>1 So on my, end there's got to be a customer 2 service side, because I have to run a school; right? 3 And we were in a CAP meeting, and they're asking why 4 I'm not available at the SpEd side. "Well, we're in 5 a CAP meeting." 6 That's kind of where -- I'm trying to -- I 7 don't know what the climate is. I came in with 8 really good intentions. But I've not been treated 9 as such. 10 And it's been evident -- it's in the 11 e-mails. And then it's in the CAP meetings. And 12 then it's in the contacts. 13 So, for me, I was just, like, you know 14 what? Why am I going to continue to put myself 15 through this? I have to run a school; right? 16 So with that, the other leaders at Alma 17 have said, "Well, I yell these people out of the 18 school. Why?" 19 And I heard that from the two previous 20 administrators. So I don't know if it's a culture 21 thing on this side. 22 But, for me, I'm very welcoming and very 23 inviting. I don't have a problem. But what this 24 whole thing has been, and it feels like it's been a 25 gotcha. "Gotcha. You didn't do this. Gotcha."</p>

<p style="text-align: right;">86</p> <p>1 And I'm, like, "Well, wait. I didn't know 2 that was there. I didn't know that was a problem; 3 right? 4 I did a request. And you guys have the 5 e-mails to be put in front of this body in 6 September, October, November, to address this, 7 before it got out of hand. 8 And guess what? It got out of hand; 9 right? I requested to be here to explain what I 10 came in to Alma. I was not given that permission. 11 I was not -- and so that's -- that's a 12 culture thing; right? 13 And my last general counsel says, "You 14 don't request it." 15 And I said, "I have the right to due 16 process as well." 17 COMMISSIONER BURT: Okay. I guess -- I 18 just want to get to -- I think, like -- I do think 19 there is -- I do think we do need to, at some point, 20 have a mindset shift. You know, like, this is -- 21 this Commission would like to see the action 22 corrected. 23 Special education, their job is not 24 punitive. It is to correct the action. 25 So I do think there has to be a mindset</p>	<p style="text-align: right;">88</p> <p>1 going into everything, that we have to remove the 2 defensiveness. We have to remove the "Gotcha." 3 It has to be to where we have a 4 professional, adult attitude to work for these kids. 5 Because my concern that I have, more than anything, 6 for this school is that, because that's the kind of 7 relationship that I see leading to no progress at 8 the end of it. 9 You're going to go through all this. 10 You're going to put yourself out there. You're 11 going to try to make these changes. And at the end 12 of the day, we're going to end up in a really bad 13 spot, because people don't have an open heart to 14 actually make the change. 15 So -- in one second, just because I want 16 to just -- 17 THE CHAIR: Got you. 18 COMMISSIONER BURT: I've waited months to, 19 like, let adults figure this out; right? And that's 20 actually what we're supposed to do. We're supposed 21 to wait, let charters have autonomy to figure out 22 their issues on their own and not got involved in 23 them. That's what we're supposed to do. 24 We're not supposed to tell you what the 25 perfect thing is. My perfect thing for my perfect</p>
<p style="text-align: right;">87</p> <p>1 shift at some point; right? So if we're going to 2 like hang on to it, it's going to add to the 3 tension, create it. And then it creates these -- 4 like, I don't know if that team will receive this 5 report with, like, an open heart because of the 6 interaction; right? Like, it just creates these 7 adult blockages to progress. 8 And so that's why when I see stuff like 9 that, it concerns me about -- and you can only 10 control yourself; right? Like, we talk to people 11 about this all the time. You can only control 12 yourself, how you respond, how you receive things. 13 So I am being very -- I'm taking an issue 14 with this, because it's more than just the processes 15 at this school. It is a culture thing as well. 16 There's -- it's not just, like -- we can 17 fix this CAP. We could fix every CAP we ever lay 18 out. And I don't see this school really progressing 19 until the culture changes as well. 20 So I do think that starts at the 21 leadership and goes down. And that has to be, 22 like -- I think if there can be a reframe here, 23 reframe -- like -- and if everyone is on the path of 24 we want this school to improve because these kids 25 deserve it, that's the goal. That's the mindset</p>	<p style="text-align: right;">89</p> <p>1 school may not be the perfect thing for another 2 charter. 3 It puts us in a really difficult 4 situation. But I just don't want to get down the 5 path that I've been down before with schools, where 6 it is the adults just attacking each other, the 7 adults don't want to listen. The adults don't want 8 to work together. At the end of the day, there are 9 kids that are suffering from that. 10 And -- you know. And I don't -- I don't 11 hear -- I do hear a little defensiveness. But, to 12 where, like, that even -- it just has a -- at some 13 point, there's, like, a thought process that needs 14 to happen, and it needs to be a reset, and we've got 15 to just start fresh, because this is not going to 16 lead down a path anywhere good. It's just not. 17 So I just want to be really open about 18 that. It does start with you. And the way you 19 present yourself, your staff will also see. And if 20 you're -- if you have a difficult -- I hear what 21 you're saying. 22 And as a human, I have a massive amount of 23 empathy for you going home every day feeling the way 24 you're feeling this school year. 25 As a parent, as another New Mexican, I</p>

<p style="text-align: right;">90</p> <p>1 have a little bit less, because I'm, like, okay, 2 well, take it. Don't take it personal. And then 3 behave in a way that's still open-hearted, 4 open-minded, like -- but I feel like it being the 5 personal attacks, the gotchas, you know, if you can 6 ingest those and just spit them right back out and 7 do the work, it will lead us to progress instead of 8 having the contentiousness. 9 like, welcome -- open up the door. Like, 10 open up the door. If someone's going to be rude to 11 you, blow it off. Move on. Because I know you -- I 12 feel like the heart's in the right space. I 13 actually see the vision and the leadership of where 14 you want to go, and I believe in that for this 15 school. Like, I do. 16 But I think a lot of times, ideas from 17 adults get lost in the actions -- right? -- and the 18 execution of things. 19 So I just don't want to be six months down 20 the road -- and you have made -- this is also -- 21 this is what makes me upset. There has been a lot 22 of progress made. There have been a lot of things 23 corrected. There have been so many things that are 24 so different in this school. There are so many 25 things.</p>	<p style="text-align: right;">92</p> <p>1 going to be happening for the next couple of years. 2 You're going to have a lot of things come up. 3 You're out of compliance here. Oh, you got that 4 together? Now you're out of compliance here. 5 That's going to happen. 6 And I think this school has a path that's 7 going to happen for a while. So -- thank you for 8 listening. Sorry for everyone to have to listen to 9 me. But it's just -- these are the kinds of things 10 I get in the midst of data that pisses me off, 11 honestly. I'm so data-focused, I'm so 12 data-oriented, and I have to deal with 13 personalities, and I don't appreciate it. So, yeah. 14 DR. ADAM AMADOR: And really quickly, I 15 understood. We noted that in the reports that 16 there's just decisions that had to be made in the 17 immediacy for serving students that people were not 18 going to be happy with. We understood that. 19 In all of the reports, you'll see, "Next 20 year Dr. Amador has to focus on building 21 relationships." We know that. We know that; right? 22 We fully -- I got an executive coach that reported 23 back to my board with a list of 80 things Adam has 24 to do; right? 25 He doesn't report to me. He reports to</p>
<p style="text-align: right;">91</p> <p>1 And I can't even get into it, because I'm, 2 like -- I can't even get into where it's at, because 3 the adult tensions, the adult stuff, is taking away 4 from those things. 5 It's just been bothering me. It's been 6 bothering me so much. And I know I'm putting a lot 7 on you, because I know you're the leader of the 8 school. And I'm also -- I mean, we do this as 9 adults, and we do it together. And I hope that 10 that, the relationship, can be changed. 11 I can tell you right here, right now, I'm 12 not in any world in which I would support anywhere 13 close to a revocation. I'm nowhere near it. I am 14 nowhere near that time. I have no time frame on 15 that. I have no -- I have nothing in my brain 16 that's, like, in six months from now, if they don't 17 have -- no, I don't have a timeline. 18 But what I had do have is the urgency, 19 because your kids deserve it. 20 That's where I have the pressure is just 21 because of the kids, not because I'm, like, "We're 22 going to revoke. We're going to take away this 23 charter. That's the next step. You're done." 24 Like, there's a lot of progress that's 25 been made. You have a long ways to go. This is</p>	<p style="text-align: right;">93</p> <p>1 Kim and Richelle. 2 That was my step in saying what am I not 3 seeing? What am I not addressing? Right? 4 So I just want to let the Commission know, 5 Madam Chair, we are taking steps for that. This 6 hasn't been easy. But that's the process that -- 7 that's my growth and development for this year; 8 right? Developing relationship. 9 We have fantastic relationships with the 10 community. We have fantastic relationships with the 11 parents. Not everyone is going to be happy. It is 12 what it is, and I understand that. But moving 13 forward, I know that's an area that everybody at the 14 school has to work on. 15 And that's going to be part of our focus. 16 That came out in our strategic planning, 17 communication, building relationships with parents. 18 And remember, like I said, we interviewed several 19 student groups. This is what we need in order to be 20 successful here at the school. 21 Given the opportunity to work on that, 22 that's the road we're going to go down as well. 23 It's not that we didn't get input or anything. But 24 I wanted to share with the Commission that my 25 executive coach said we've got to focus on building</p>

<p style="text-align: right;">94</p> <p>1 relationships. It's in the report from Alicia 2 Hatch.</p> <p>3 We know that. But we still have to take 4 care of stuff, take care of business. And, 5 unfortunately, I'm not perfect. I wish I was. And 6 I try to be every day. But at the end of the day, 7 right, I'm going to make mistakes. But education is 8 the redeemer in the United States. You can always 9 go back and get educated. As a lifelong learner, 10 that's what I seek to do.</p> <p>11 As I said, I know I'm not perfect. That's 12 going to be my thing. That's what I've got to work 13 on. So we restructured our whole system to make 14 sure that parents know exactly what's going on in 15 the school.</p> <p>16 There's a grievance process now. There's 17 a bunch of processes in place that weren't there 18 before for the protection of students, parents, and 19 the school.</p> <p>20 Thank for you your time. I appreciate it. 21 But I want you to know we are taking steps to 22 mitigate all the concerns that you have.</p> <p>23 THE CHAIR: Hate to take the train of 24 thought away, but the green light -- the mic has to 25 be off when you're not talking because we get echos.</p>	<p style="text-align: right;">96</p> <p>1 believe -- I have a lot of hope.</p> <p>2 I also think what you just shared -- and I 3 don't know what smart person said this. But I think 4 about this. When I started teacher coaching like 5 15, 16 years ago, but in a world full of people who 6 care about data more than I do, sometimes, because 7 I'm more relational. I'm more let's get into 8 people's -- in relation with people to figure out 9 what we need to do and use that to get things 10 moving. I know you are more of a "I need to see the 11 data before I take a single step."</p> <p>12 And that's your prerogative. We have a 13 difference in that, and that's okay.</p> <p>14 But one of the things I really oftentimes 15 think about is that this person -- and somebody else 16 might now. But there's a saying that, like, Culture 17 eats strategy for breakfast.</p> <p>18 And I think about this school, and I think 19 about the culture that you want to shift, you've got 20 to eat that breakfast now.</p> <p>21 What you just shared made me think about 22 that. What we can't do is use all of the attorneys 23 in the room, including ours, to distract and delay 24 anymore. We can't distract and delay and say, 25 "Yeah, but I need this extra thing." We are</p>
<p style="text-align: right;">95</p> <p>1 So thanks. Sorry. Commissioner Brauer.</p> <p>2 COMMISSIONER BRAUER: Thank you 3 Madam Chair.</p> <p>4 I'm going to just -- I'll be very super 5 brief, less than a minute.</p> <p>6 Thank you, Commissioner Burt. Totally 7 agree with everything that you shared.</p> <p>8 Dr. Amador, what I just shared, honestly, 9 if I could be honest, if you said that in March 10 whenever we started this process, I would have -- 11 because you know how prickly I was toward you early 12 on. Because all I want to hear is responsibility.</p> <p>13 What you just said gives me more hope than 14 I've had in a really long time. And I also know 15 that although we're in a process, we're on the 16 Intervention Ladder with this school, it's -- the 17 options -- we still have an option to revoke this 18 school. Of course, we don't want to do it. No one 19 wants to revoke the school. I've never voted in 20 favor of a school to be revoked. And I wouldn't 21 want to do that now.</p> <p>22 I might be the only one. I think I'm the 23 only one that did not vote for a school to be 24 revoked, because I would hate that, because I'm an 25 educator, and I believe in charter schools, and I</p>	<p style="text-align: right;">97</p> <p>1 reasonable people. We're all politicians, 2 reasonable, care about kids, care about you, care 3 about community. Let's get moving in and stop the 4 distractions and delays through "I need more," and 5 our side saying, "We need to change this."</p> <p>6 And we always reserve the right to change 7 things; right? This is part of the deal.</p> <p>8 But we all want to just stop distracting 9 and delaying through the "yeah, but," and let's 10 just, like, get it done and, like, let's move 11 forward.</p> <p>12 And you've done a lot of work. But I want 13 to make sure that the culture is eating the strategy 14 for breakfast. That's what I hear from the 15 community.</p> <p>16 I know this is separate, Madam Chair. But 17 I just implore you to, pretty please, just, like 18 eat -- just get some humble pie and just, like, talk 19 to some of these parents. Because I do not want to 20 hear more of this stuff. Every single stinking 21 month, we hear from the same people.</p> <p>22 And it hurts my heart. And I prayed 23 during the first person talking today. I just 24 closed my eyes and went into prayer. I'm so sick. 25 I get so disgusted -- I'm not saying anyone at your</p>

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1 school did something. I just feel the hurt that
 2 that person says.
 3 And I, like -- it just, like, bothers me.
 4 It bothers me. And I just think that that is just
 5 crying out for, "Let's just figure out how we can
 6 work together."
 7 And so I hope we can find some humility on
 8 both sides to move forward and stop distracting,
 9 stop delaying, and let's just get our hands dirty in
 10 what is most important. Thank you.
 11 THE CHAIR: So I am more a person like
 12 Commissioner Brauer, that I think the culture helps
 13 to bring the data, that you've got to get the kids
 14 who want to come to school and want to be heard.
 15 And I think -- I apologize because we're taking up a
 16 whole bunch of your time on this.
 17 And I know Dr. Amador and I had a
 18 conversation a long time ago about, you know, it may
 19 only be two or three people. But those people have
 20 to feel like they're being heard. Otherwise, we
 21 don't change things.
 22 And sometimes those are tough
 23 conversations.
 24 I do want to say, the PEC did do -- did
 25 provide board training for -- for the governance

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1 council as a -- and I'm not sure where the
 2 mentorship went. But we did set up a mentor with a
 3 former school.
 4 I had a conversation when Commissioner
 5 Brauer was chair. "Can we do this?" And we had a
 6 meeting, and we set up a mentorship with a former
 7 board -- a former head administrator.
 8 And -- because we don't get reports back,
 9 I don't know where that went.
 10 So -- but I'm going to say that's still
 11 out there. That is still always out there.
 12 And I know you have a longer relationship
 13 with them. And I'm fine. If that's not the right
 14 fit, then speak up and say, "This" -- you know, "I'm
 15 not comfortable. This isn't working. I think
 16 someone else would be better," you know. If you
 17 need someone that has more of a model for your
 18 school that you think would work better -- you know,
 19 it was to help you, not impose something on you.
 20 So that's -- you know, that's there.
 21 And I'm also going -- and I acknowledge
 22 there's been special ed problems with this school
 23 for a very long time. We've been there. We've
 24 tried to get better. We've been there. We've had
 25 Corrective Action Plans with them. And that's not

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1 on- -- yes, you're answering to some of it. I get
 2 it.
 3 Because you -- you walk in day one, and
 4 you inherit all that baggage. And that is really,
 5 really hard.
 6 But I'm also going to say that you were
 7 the new person on day one. But your board wasn't.
 8 And your special ed person wasn't. So that's where
 9 I think there has to be conversations. You know,
 10 that's where I struggle.
 11 You had a board that should have been, you
 12 know, saying, "Where is this? What's happening
 13 here? Why are we getting X amount of complaints?
 14 Why aren't we working on this?"
 15 You know, that's -- that's been
 16 historical. And that's where I have a challenge,
 17 that that's -- and that's not on you. You know, you
 18 inherit that. But that's -- you know. And, you
 19 know -- and I'm not trying to call out -- and I
 20 don't want to call out an individual staff person.
 21 That's not my intention. That is not.
 22 But I'm going to say there's been some
 23 consistency in that school over a couple of years
 24 where we shouldn't have been where we are. You
 25 shouldn't have inherited what you inherited. That's

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1 what I'm saying.
 2 So that's where I think a conversation has
 3 to take place as well.
 4 DR. ADAM AMADOR: And just so you know,
 5 Madam Chair, if I may, we have had that
 6 conversation. I was brought on on a consulting
 7 piece before, really to decide if I wanted to take
 8 the job or if they wanted to hire me. And what
 9 ended up happening through that was I -- I don't
 10 think -- remember, our boards in education, we're
 11 the only profession that has people who do not know
 12 anything about education serving education; right?
 13 So I think in educating my board at the
 14 onset in the process, they knew things were bad.
 15 And believe me. They made it very clear to me that
 16 I was going to run into all of this, not very
 17 specifically, but that there was going to be
 18 problems. And if I was going to accept the job, I
 19 was going to have to accept that responsibility as
 20 well.
 21 So we knew that, just in the depth --
 22 maybe the broadness was there. But the depth of
 23 knowledge of what exactly has been happening or what
 24 had happened at the school was not there.
 25 In my first report to the board, I

102	<p>1 basically educated on the breadth and depth of the</p> <p>2 issues. So it's been -- it has been done. But,</p> <p>3 like I said, it's a time thing. It takes time for a</p> <p>4 lot of us to soak in, like, this is really</p> <p>5 happening -- right? -- and then we have to move</p> <p>6 forward.</p> <p>7 Like, in the last year we're on the</p> <p>8 Corrective Action Plans and responding to the</p> <p>9 Corrective Action Plans as best we can.</p> <p>10 I think for me that's part of the process</p> <p>11 in taking over Alma -- right? -- is responding to</p> <p>12 the Corrective Action Plans, changing the practices</p> <p>13 and policies.</p> <p>14 Like I said, the board has moved</p> <p>15 expeditiously in doing so. I wish we could move</p> <p>16 faster. But we meet every month. I want to make</p> <p>17 sure they're making informed decisions as well. So</p> <p>18 this goes back to my time thing. It takes time.</p> <p>19 But how do I best respond as an LEA to serving</p> <p>20 students in the immediacy.</p> <p>21 That's been my challenge. Whether people</p> <p>22 have been there before, there was an LEA before.</p> <p>23 And if they say, "You don't do this," you don't do</p> <p>24 it.</p> <p>25 What I found in the documentation, to kind</p>	104	<p>1 that end.</p> <p>2 THE CHAIR: That mentor, he or she is a</p> <p>3 no-judgment zone. So it doesn't have to be, "We</p> <p>4 already need a plan." It's like, "My God, I just</p> <p>5 can't do this today." And he's that sounding board.</p> <p>6 He or she is that sounding board, and, you know, can</p> <p>7 sometimes just recenter you --</p> <p>8 DR. ADAM AMADOR: Right.</p> <p>9 THE CHAIR: -- you know, without even</p> <p>10 giving you any great direction. But they just</p> <p>11 listened. And -- you know -- and -- because charter</p> <p>12 leaders, you know, sit in an office very insulated,</p> <p>13 because you don't have that great support that a</p> <p>14 traditional school district has, where you can slam</p> <p>15 the door, walk out the door, because there's</p> <p>16 50 different assistants. You can do that in a</p> <p>17 traditional school. You can't do that in your land.</p> <p>18 So it becomes -- you know, you need -- we</p> <p>19 all need someone that we can kick the can with, you</p> <p>20 know.</p> <p>21 DR. VANESSA DeLEON: Madam Chair, do we</p> <p>22 have a timeline for this CAP?</p> <p>23 THE CHAIR: So I asked that of Mr. Lozano</p> <p>24 before.</p> <p>25 DR. VANESSA de LEON: I will say that</p>
103	<p>1 of go where you're saying, certain things weren't</p> <p>2 followed, because they weren't just going to be</p> <p>3 followed.</p> <p>4 I came in. That's when I said, Time-out.</p> <p>5 Let's reevaluate everything, and we're going to have</p> <p>6 to take some hits. I understood that immediately.</p> <p>7 So I do want to let you know it was a fantastic</p> <p>8 training for the board.</p> <p>9 We even had other people from our charter</p> <p>10 community show up. It was very educational. We</p> <p>11 adjusted the OMA; right? We responded to that,</p> <p>12 because now we know better. We know better. We do</p> <p>13 better; right? We did that very quickly.</p> <p>14 So I do thank you for that support. I</p> <p>15 will reach out -- it's been on my end. I didn't</p> <p>16 reach back out. I said, "We've got to get these</p> <p>17 CAPs, everything under control."</p> <p>18 Then it's better for a mentorship to come</p> <p>19 in. This is how we address everything. This is</p> <p>20 kind of a road map, I guess, if you will, for us.</p> <p>21 That's the manner that I'm going to respond to it,</p> <p>22 as a road map. We're going to go this direction,</p> <p>23 this direction, not fighting or anything. Tell me</p> <p>24 what to do; right? Tell me where to go.</p> <p>25 That's kind of what I'm looking for on</p>	105	<p>1 Mr. Lozano has been very helpful and very</p> <p>2 supportive. And in terms of his support for the</p> <p>3 campus, he has provided us CAPs that have specific</p> <p>4 timelines. We agree with his --</p> <p>5 THE CHAIR: We are not going to make a</p> <p>6 special education CAP. They are going to create the</p> <p>7 plan for how that report is going to be fixed, and</p> <p>8 we will get reports on how that's going. It's not</p> <p>9 our job to do, because we're not the Special Ed --</p> <p>10 DR. VANESSA de LEON: So let me rephrase</p> <p>11 that.</p> <p>12 THE CHAIR: Okay.</p> <p>13 DR. VANESSA de LEON: So the question is</p> <p>14 in terms of No. 3 on the -- on a big CAP; right?</p> <p>15 The large CAP in relation to academics, we have</p> <p>16 received from Mr. Lozano, under his guidance, very</p> <p>17 specific metrics, also very specific deadlines.</p> <p>18 When I meet with the LEA, and we review the CAP at</p> <p>19 large, and if we want to consider at large the</p> <p>20 academic portion, the organizational portion, and</p> <p>21 the financial portion, the question is do we have</p> <p>22 set timelines or deadlines? Or could the Commission</p> <p>23 consider adding to the plan so there's some --</p> <p>24 there's more of a concrete process, actual timelines</p> <p>25 or deadlines?</p>

<p style="text-align: right;">106</p> <p>1 Because other than that, what the LEA 2 perceives right -- perceptions can become reality -- 3 is that they're going to live in a CAP forever. 4 This is a continual moving target. 5 So, Commissioner Burt, thank you for 6 bringing up climate and addressing all of this in a 7 positive manner. The LEA does respectfully ask that 8 the same expectation then comes from the Office of 9 Special Ed, from the Charter School Division, 10 absolutely Public Education Commission, because the 11 LEA, along with all of the other entities, our job 12 and our hope is to improve student outcomes for Alma 13 d'Arte, for our New Mexico students, and this is 14 where positive climate and respect is a two-way 15 street. 16 So we appreciate that. And, just, if I 17 could just finish my thought. 18 So back to Commissioner Burt, we 19 appreciate that. I'm in continual communication 20 with General Counsel. And as I have shared with 21 General Counsel, the LEA will fix the areas that are 22 addressed in this report. 23 This report was just provided to us today. 24 But what I also ask for the Commissioner 25 to think about in the spirit of relationships,</p>	<p style="text-align: right;">108</p> <p>1 some areas that won't need to be addressed. 2 THE CHAIR: So, once again, it's going to 3 be up to the OSE, 90 percent, to create whatever 4 that plan looks like. We don't engage in that. 5 There was not any anticipation that we were going to 6 take any action on that report, because, once again, 7 you have to digest it. We have to digest it. They 8 have to digest it. 9 And we don't -- we don't put into this any 10 plan. That's for you and the OSE to have that 11 conversation and come up with that plan and to 12 establish those timelines. 13 So that -- and then the only thing that we 14 are going to be looking at moving forward is we will 15 get updates on where you are with whatever that plan 16 looks like with the OSE. 17 DR. VANESSA de LEON: Madam Chair, 18 respectfully, though, from the -- from the June 20th 19 PEC meeting, Item No. 3 was, at that point, noted as 20 Pending. And now that item has moved to a Does Not 21 Meet. And that is the LEA's concern, just before 22 going into a Does Not Meet, giving the LEA the 23 opportunity to address what -- 24 THE CHAIR: Now I understand what you're 25 saying.</p>
<p style="text-align: right;">107</p> <p>1 building relationship and rapport, is a lot of this 2 data, whether it's to the financial -- I might be 3 jumping here -- or the academic is simply based on 4 quantitative numbers. 5 In order for the Public Education 6 Commission, the Charter School Division, the LEA, to 7 get down to the root cause of the problem, we need 8 to engage in conversations, not simply submit this 9 document, submit that document. 10 A number of the areas, even though we have 11 not had the opportunity to go in depth in the report 12 that was just provided from this Tier 1 site 13 monitoring visit -- because that is what it was 14 called, and that is what the agenda said -- I don't 15 know if things changed -- but the LEA was not given 16 the opportunity to sit in front of this audit team 17 and actually provide answers to questions that might 18 have been present in the documents. 19 So what the LEA respectfully asks is that 20 in order to do a true audit, that there is more than 21 quantitative data, more than numbers, that there is 22 the opportunity for this charter to provide 23 Mr. Lozano's office some answers to what's already 24 there before -- before they jump into a solidified 25 Corrective Action Plan, just because there might be</p>	<p style="text-align: right;">109</p> <p>1 DR. VANESSA de LEON: Yes, ma'am. 2 THE CHAIR: I didn't know you were 3 addressing the specific verbiage, Does Not Meet, the 4 change. Now I understand what you're saying. 5 I mean, at this point in time, I can't 6 answer. I'm assuming the Does Not Meet was as a 7 result of that report. I don't understand that 8 100 percent. I did not create -- 9 DR. BRIGETTE RUSSELL: Commissioner 10 Gipson, it's a combination. It's that report and 11 the fact that there are four open Corrective Action 12 Plans with Office of Special Education. 13 At this point, there is no way I could 14 rate any school with four open CAPs and a -- you 15 know, a special in-person audit as Meeting -- 16 Meeting the Standard in terms of special education. 17 That could change in -- you know, in 18 coming months. But right now, there are too many 19 issues. 20 THE CHAIR: So from the June to today, the 21 change from Pending, it was -- was it pending 22 because we were -- you were still waiting for the 23 results of the two -- 24 DR. BRIGETTE RUSSELL: Yeah. It was 25 pending, because we didn't have all of the</p>

<p style="text-align: right;">110</p> <p>1 information from Office of Special Education. Now 2 we finally have all of the documents. 3 THE CHAIR: So does that answer -- 4 DR. VANESSA de LEON: Somewhat, 5 Dr. Russell, and Madam Chair. 6 I think that the concern is that every one 7 of those Corrective Action Plans, the LEA has been 8 working and has met and -- you know, Mr. Lozano can 9 share on this -- has met every one of the 10 requirements that has been outlined for them. 11 So from A through Z, let's say, we maybe 12 right now are in the middle or somewhere getting to 13 the middle of each one of those; but, yeah, they 14 haven't been completed. But they have been met 15 within the timelines that have been assigned, in the 16 area of Corrective Action Plans as the metrics is 17 outlined; right? 18 THE CHAIR: Let's say the Corrective 19 Action Plan hasn't been met. Deadlines have been 20 met to date. But until the Corrective Action 21 Plan -- we get notified that the Corrective Action 22 Plan has been successfully completed, we can't close 23 that out. 24 We -- the ratings that are given are not 25 given based on good work so far. The ratings are</p>	<p style="text-align: right;">112</p> <p>1 Director or the Director or someone -- 2 VICE CHAIR CARRILLO: Commissioner 3 Carrillo has had his hand up for an hour. 4 THE CHAIR: We're still trying to answer 5 this. 6 VICE CHAIR CARRILLO: I know that, and 7 this is on all this. 8 THE CHAIR: This is about the Working To 9 Meet or Does Not Meet. 10 VICE CHAIR CARRILLO: Those three -- 11 they're very clear. If you're not making an effort, 12 it Does Not Meet. If you're Working To Meet and we 13 see progress, it's like anything in life. I would 14 say, if I was being honest, to Commission, and I saw 15 those three things, this is what I would think. 16 Working To Meet means, yeah, you're doing 17 your best to meet expectations. Meets, you've met 18 the requirements. That's what I see the definitions 19 as; all right? 20 Relative to -- oh, I'm so glad you're 21 back. (Audio distortion.) 22 I just want to kind of have this out 23 there. 24 One, I agree with that completely. This 25 reminds me -- and I'm not happy that it reminds me</p>
<p style="text-align: right;">111</p> <p>1 based on has it been completed, or has it not been 2 completed. 3 DR. ADAM AMADOR: Madam Chair, if you 4 will, what about the Working to Meet designation? 5 Because it's not -- it's not black or white. If 6 we're not doing the CAPs, then we would get a report 7 from OSE. We are complying with the CAP. So it 8 would be technically Working to Meet at that point, 9 because some of them will be -- I think the 10 requirement is over in a couple of months; right? 11 And then, technically, at that point it would be 12 met. 13 So I'm going to disagree with that, 14 because we are complying. We're providing 15 everything that the CAPs are asking for. So I would 16 respectfully disagree and ask for a Working to Meet. 17 Otherwise, if we weren't showing up and doing what 18 we're asked to do, then it would be a Does Not Meet; 19 right? 20 So I don't know -- I've never been given 21 the definitions of what Meets, what's Working To 22 Meet, and what Does Not Meet, if we're Working To 23 Meet, we're in the process of Working To Meet at 24 this point. 25 THE CHAIR: I have to let the Deputy</p>	<p style="text-align: right;">113</p> <p>1 of it -- is where we were two years ago with another 2 school; right? 3 And it's just, like, oh, my God, it was so 4 circular and nothing happened. And, obviously, that 5 was a school we revoked. And quite honestly -- if 6 you would have asked me six months ago, I would have 7 said, "Enough already. Enough already. The board 8 needs -- they need to dissolve, and we need to start 9 anew." 10 After today, hearing you, seeing what's 11 happened, listening to Bekka, no, I have a 12 completely different point of view. We (audio 13 distortion), we listen, we learn; right? 14 And so -- and I love that -- that 15 Commissioner Brauer used the phrase, "Yeah, but." 16 Because too much, the "yeah but's" always hold us 17 back; right? 18 I understand, Dr. Leon -- Dr. Leon, as 19 well, or is it just -- okay, yeah. 20 I understand the feeling that oh, my God, 21 the bar -- every time we do something, it's like a 22 whack-a-mole. We're never ever going to get out of 23 this. 24 But, you know, it's clear. Things come 25 up. You know, there's another school in</p>

<p style="text-align: right;">114</p> <p>1 Albuquerque, where it's just, for God's sake, why 2 can't we get out of this cycle? 3 And you know why? Because it's adults 4 going like this and not thinking of what's best for 5 kids. It's adults putting their armor up, all of 6 us, being defensive and not being humble; right? 7 I agree with Commissioner Brauer with his 8 comments this morning. It's heartbreaking to hear 9 these same things every month; right? And what that 10 leads me to believe is that people don't feel heard 11 at their school site. 12 And if you feel heard -- you don't have to 13 agree with people. When they're heard, it's amazing 14 how far that goes. 15 And so relative -- somebody brought this 16 up this morning. I mean, I -- somebody brought up 17 the OMA thing and the compliance and public comment. 18 I've not tuned into one of your meetings on zoom. 19 I. But you've been to meetings that they -- 20 THE CHAIR: The OMA complaint that came 21 from public comment wasn't about Alma. 22 VICE CHAIR CARRILLO: Which school was 23 that? But either way, in public comment, people 24 feel heard; right? Not cut off. I hope they don't 25 use poor language or anything like that. And then</p>	<p style="text-align: right;">116</p> <p>1 PEC to discuss your concerns about the parents. 2 They have been addressed. And I'm not going to drag 3 that out any more than it needs to. 4 But I would like to show you the efforts 5 that we made when everything happened, because you 6 guys have not given me that chance. 7 VICE CHAIR CARRILLO: (Audio distortion) 8 executive sessions, because the law has requirements 9 around that. 10 DR. ADAM AMADOR: I'm going to 11 respectfully request something, because, otherwise, 12 you guys are also, then, going to keep dragging it 13 out without me supplying information. I would love 14 to have the opportunity to give you that 15 information. 16 We met with these parents. I have the 17 documents to show where some of these claims are out 18 of this world; okay? And everybody has the right to 19 come to -- they come to our board meetings, factual 20 or not, and it's perpetuated. 21 The idea, if you look at the Save Alma 22 mission, is to remove me. It's not to help the 23 school. It's not to help students. They don't tell 24 you how many students they've bullied in the 25 process.</p>
<p style="text-align: right;">115</p> <p>1 they move on. That goes so far; right? 2 Let me go over my notes of what I've been 3 listening to, and I'll get to the last two words. I 4 heard that you felt really condescended to. If 5 that's the case, and the language we're using is 6 what you said in the e-mails, completely 7 inappropriate. 8 I don't have all those e-mails; I'm not 9 privy to that. If what you said is true, and that's 10 what they're saying to you, completely 11 inappropriate. It doesn't move anything forward; 12 right? 13 And what Bekka was saying, it's adults 14 doing this, and it's us getting in the way of the 15 work. 16 So relative to what's happening right now, 17 this minute, in this meeting -- because this has 18 gone on quite a while -- my two words are, "What's 19 next?" Because I want to move this agenda item 20 forward. I want to move you forward. And I want 21 you to have a game plan for this next 30 days. So 22 what's next? 23 DR. ADAM AMADOR: Chair Carrillo, 24 Madam Chair, if I can interject. I will 25 respectfully request an executive session with the</p>	<p style="text-align: right;">117</p> <p>1 We have the recordings. I have the 2 complaints from parents. Those parents don't want 3 to come here, because they don't want to be part of 4 the mess; right? 5 VICE CHAIR CARRILLO: (Audio distortion.) 6 I want to move on from that. I understand what 7 you're saying. I understand when there are sides -- 8 right? -- we're all coming from our sides, we 9 can't -- we stop hearing and we can't get to the 10 middle and do -- I hear you. 11 I listen to everything you're saying. I 12 want to move on from that. 13 DR. ADAM AMADOR: I want to make sure the 14 body is informed. I think sometimes you're coming 15 from the case that I didn't do anything. And I want 16 to show you -- because if it's going to help us move 17 forward, then we need to move forward, as you 18 stated. 19 THE CHAIR: Let me just say, we'll have a 20 conversation about whether we can -- if there's a 21 vision of what we can do. But we do want to move on 22 to the next -- so what I'm going to say is thank you 23 very much. I appreciate the time and effort and 24 energy you put in. 25 I apologize that you've sat here all this</p>

<p style="text-align: right;">118</p> <p>1 time. But at this point in time, for special 2 education, the LEA and OSE will work out and have 3 whatever -- I have no idea what that looks like, how 4 that exchange takes place. That's between the 5 school and OSE. 6 We will get whatever the recommendation or 7 CAP or whatever it looks like and the timeline 8 that's established, and then we will simply get the 9 reports from OSE, as we do, about the status of -- 10 of that. 11 And we usually get, you know, those 12 periodic reports. So I want to thank you for all 13 the help and efforts that you're helping to support 14 us with. And we really do appreciate it. And 15 welcome to our world. 16 VICE CHAIR CARRILLO: Madam Chair, we do 17 have items -- because it says Does Not Meet, just 18 really quick what is happening on those items, Item 19 12, because I think you mentioned that was the one 20 where they actually found where the error was on 21 that money. So that should be changed; right? 22 Also, we have 14, 15, and 17, just a brief 23 update on have we made progress on those. 24 THE CHAIR: Wait a minute. I don't want 25 to jump all over the place.</p>	<p style="text-align: right;">120</p> <p>1 Meet. I want to make sure we don't go past that. 2 Thank you. 3 THE CHAIR: I mean, I think at this point 4 in time, the only way that they would be able to 5 change it to a Working to Meet is if they actually 6 get the confirmation from OSE that they have met, 7 that they are -- they've met all their deadlines. 8 And then I -- (off-mic). 9 No. Because the Meets is they've -- 10 they've -- (off-mic) -- it's gone. But a Workings 11 To Meet is a -- they're up -- they've met all their 12 deadlines. So they are Working To Meet that. But 13 we can't say they've met it yet, because they 14 haven't met the final deadline. 15 That's what I will ask if we can get 16 confirmation from -- shoot. They just left. If we 17 could get confirmation, then I am fully -- I'm fine 18 that they are -- that they have met all the 19 deadlines on the four existing CAPs, that they have 20 met all their submission deadlines. 21 Then it becomes a Working To Meet, because 22 they are working to meet it. Are we good with that? 23 DR. VANESSA de LEON: Yes, ma'am. Thank 24 you, Madam Chair. Thank you. 25 MS. JULIA BARNES: Can I clarify, though?</p>
<p style="text-align: right;">119</p> <p>1 VICE CHAIR CARRILLO: Just go in order. 2 THE CHAIR: Because I just want to make 3 sure that we're -- you know. 4 COMMISSIONER BURT: Is there a way to just 5 to -- sometimes -- maybe this is me and not anybody 6 else. But when I have a to-do list, I like marking 7 things off and they're disappearing. Is there a way 8 where we see a Meet, can we actually remove it? We 9 remove it, because it's not there, feels like it's 10 done. 11 And I think -- I know it's almost 12 semantics. But I think it makes a difference when 13 you're trying to tackle lists, like, being, like, 14 done, gone. And now we don't have to -- we don't 15 have to think about it anymore; right? And then 16 it's not like we have to bring stuff back up again. 17 THE CHAIR: No, I fully agree, because I 18 was going to say, with No. 3 as an example, we tried 19 to do that two months ago. So we're in that spot. 20 But I am fully -- I'm fine with removing completely, 21 if it's a Meets. 22 SECRETARY BECK: I did want to quickly get 23 back to Dr. Amador's point that if he has complied 24 with the timing of everything on 3, I would think 25 that that is Working To Meet; that's not Does Not</p>	<p style="text-align: right;">121</p> <p>1 There are two reports where there have been a 2 decision and two CAPs. There is the recent report 3 two days ago we're on -- at the end of July, that 4 there is not yet another CAP. That's only three. 5 DR. BRIGETTE RUSSELL: There are four 6 CAPs -- 7 MS. JULIA BARNES: In place. 8 DR. BRIGETTE RUSSELL: -- in place. 9 MS. JULIA BARNES: Four CAPs and a pending 10 one. 11 DR. BRIGETTE RUSSELL: Correct. Well, 12 there are two CAPs for individual complaints. Those 13 are numbered ones, and they're in the document. And 14 then there are two CAPs for two compliance 15 indicators that the school was -- was deemed out of 16 compliance on. 17 The visit to the school on August 30th and 18 the report that followed it did not -- did not put 19 in place a fifth CAP. It just -- there were 20 conclusions in the report, but there were no -- 21 there was no additional CAP. 22 THE CHAIR: We just said there will be a 23 CAP. 24 DR. BRIGETTE RUSSELL: Then there will be 25 five.</p>

<p style="text-align: right;">122</p> <p>1 THE CHAIR: At this point in time, there 2 isn't a fifth CAP, so there's no rating based on 3 that. But because -- if we get confirmation that 4 the four existing CAPs, all of the deadlines have 5 been met, then that can -- then it's a Working to 6 Meet, because they are working to meet that; okay? 7 DR. VANESSA de LEON: Madam Chair, could 8 we just get clarification? When you say 9 "confirmation of all deadlines," you mean those due 10 dates that were already set; right? Not upcoming 11 deadlines, because we haven't -- 12 THE CHAIR: To date. 13 DR. VANESSA DeLEON: To date. 14 THE CHAIR: Whatever date that he makes 15 the confirmation, it's worded that to date, the 16 school is up -- has met all requirements. 17 DR. VANESSA de LEON: Thank you. Thank 18 you, Madam Chair. 19 THE CHAIR: So Item No. 4 was -- Item 20 No. 4, the Attendance For Success Act. I don't know 21 who wants that. Okay, Cheryl? 22 MS. CHERYL ROWE: Okay, Chair Gipson, 23 Commissioners, and Alma team. Dr. -- 24 THE CHAIR: Is your mic on? 25 MS. CHERYL ROWE: Dr. Russell. Yeah, it's</p>	<p style="text-align: right;">124</p> <p>1 We already know the school did not meet 2 the standard in attendance last year. 3 So as Commissioner Carrillo said, What's 4 next? Therefore, I would be more interested in 5 seeing how you move forward this year and make 6 substantial improvements. 7 For example, your attendance policy posted 8 on the website is from 2020. I understand your 9 board approved a new policy. We would like to see 10 that posted on your website. 11 Attendance For Success is about supporting 12 students with their attendance. It's about positive 13 interventions. There's nothing punitive in the 14 language. 15 Therefore, please remove the punitive 16 language in your correspondence with families and on 17 the attendance behavior contract about ten days of 18 absences. There's nothing in the Attendance For 19 Success Act about ten days. 20 Lastly, and most importantly, working on 21 building positive relationships with students and 22 families, I'm so glad this issue came up. 23 Thank you for sharing you're working on 24 that. It's great news. Positive relationships will 25 help attendance, decrease the complaints that you,</p>
<p style="text-align: right;">123</p> <p>1 on. Can you hear me okay? Okay. 2 So you can see the disenrollment log. The 3 second tab has the disenrollment log that Alma 4 filled out. And we added some notes to it. I 5 compiled our notes onto another page here just to 6 make it a little more clear. 7 First, I want to say we appreciate the 8 efforts that you are making. However, with all due 9 respect, we have sufficient evidence that Alma has 10 violated the Attendance For Success Act. 11 I think this log is helpful to a point. 12 However, we don't know interventions were tried for 13 the students when we see the dates on the second tab 14 that Alma filled out. 15 Twenty-nine students were withdrawn under 16 reason W2, which is attendance, and four of those 17 students had IEPs. Some students reenrolled. But 18 disenrollments of this type, W2, occurred as late as 19 April and May after numerous complaints had been 20 brought to our attention and yours, and we informed 21 you more than once that the school was out of 22 compliance with Attendance For Success. 23 Having said that, this log looks backward. 24 And I'd rather not nitpick the log at this point. I 25 think it distracts us from the broader issue.</p>	<p style="text-align: right;">125</p> <p>1 your board, the PED, and the PEC receive. It might 2 be the hardest thing to fix. But if you work on 3 this, which I'm glad you are, you'll make 4 improvements even faster in every area. And I can't 5 wait to come back and see these improvements. 6 So circling back to attendance, I can't 7 wait to hear also how you're supporting students 8 with attendance this year and moving forward. 9 THE CHAIR: So I need some clarification, 10 because I know people in my neighborhood who get 11 letters from LCPS saying, "Child's been out for ten 12 days, you know. We're going to take you to court if 13 you don't come back." 14 So that's where I'm challenged with the 15 recommendation that that punitive language -- 16 because I thought that was a requirement. The 17 letters -- after day ten, that -- and I get the -- 18 the purpose of the Attendance For Success. 19 And I get that they're supposed to be a 20 system of supports to get back to school. I fully 21 get that. 22 But my understanding was schools were 23 obligated to send that nasty-gram home, that that 24 was -- that was statutory guidance and that parents 25 were going to be held accountable to the law. I</p>

<p style="text-align: right;">126</p> <p>1 don't know anyone that has, but I know the -- do you 2 know? 3 COMMISSIONER BURT: Rio Rancho -- I 4 honestly don't know an LEA right now that is not 5 being so harsh to families about attendance. I 6 mean, the letters I got at the beginning of the 7 school year for my own -- they didn't even start 8 yet, and I have -- I mean, it is long, detailed, 9 "you'd better have your kids in school" letters. 10 They are not nice about it at all. 11 And I think -- we have chronic absenteeism 12 in this state right now. 13 THE CHAIR: I think the Cabinet Secretary 14 sent a very targeted letter at the end of last year 15 that said, "You better..." 16 DR. ADAM AMADOR: Yes. 17 THE CHAIR: You better do better at this. 18 Was it one of his "Buster" conversations? 19 DR. ADAM AMADOR: Madam Chair, if I may, I 20 even -- I have e-mails from LCPS. The e-mail -- 21 they've e-mailed us and said, "Here's the attendance 22 law. Here's the statutory law." 23 It's at the bottom. So, again, in the 24 last meeting I did ask the Charter School Division 25 to provide me with some examples from other charter</p>	<p style="text-align: right;">128</p> <p>1 language is very punitive. The second part to this 2 is we do have an attendance improvement plan. 3 That's been submitted to the State. 4 When parents and families allow us to 5 intervene and assist them, we can. When they don't 6 and they go after our community partners, we can't; 7 right? 8 That's something for the Commission to 9 consider. 10 So when you look at the charts, there's 11 some parents that came in and said, "You know what? 12 We want to reenroll our kids. We'll bring them 13 back, and we will work with the school." Because 14 they do have to work with us in order for us to 15 support them. 16 If they don't, then they don't, and then 17 they don't come to school or they transfer. 18 So, again, here's a chart full of numbers 19 without a narrative, again. And we gave -- every 20 single student that was withdrawn had the 21 opportunity to come back. They did -- a lot of them 22 refused supports. Because our social worker, while 23 not Catholic and promoting Catholic stuff, was 24 contracted through Catholic Charities, she was there 25 to promote health. We had a group of parents who</p>
<p style="text-align: right;">127</p> <p>1 schools, because even when I looked at my peer 2 charters in Las Cruces, their language is actually 3 more punitive than ours is. 4 So that's kind of where I'm at is even 5 if -- so, again, that's where I'm asking for some 6 technical assistance. Show me what a good letter 7 looks like, because it's not my general counsel 8 that's answering. I'm the one that's answering -- 9 right? -- for the letters. 10 So if you don't agree with what I sent 11 out, please provide me direction or guidance. 12 This goes back to me asking what should be 13 on the website. No one knows what should be on the 14 website; right? Just try to do these things. I'm 15 asking for help again. But just to say that we're 16 not complying is not okay. 17 And if you remember from the last meeting, 18 Kim Skaggs came up here and said, "Look, we tabled 19 it, because we need to know what the right thing is 20 to say." 21 And because I did show my board. I said, 22 "Here's School 1. Here's their language. And 23 here's School 3." Our language is not as punitive 24 as theirs was. 25 Now I'm getting letters from LCPS. Their</p>	<p style="text-align: right;">129</p> <p>1 came after her. 2 So who's going to go to her for help? 3 That's part of the intervention process. If parents 4 don't want to follow the process, we can lead them 5 to the water, but we can't make them drink it. 6 That's their choice. 7 So I want to be very clear on this. 8 There's the data. You asked for the data. We gave 9 it to you. Then it turned into a SpEd issue, again. 10 On some of those -- this student, W2, 11 8147, was withdrawn in May, but we're reporting off 12 the 80th day; right? The student exited the IEP. 13 So we weren't asked why. So now you're being 14 presented with information that no one has any 15 information about. So, again, here's another chart 16 where there's no narrative given. 17 THE CHAIR: So I'm going to say that 18 anything that's here that is identified as IEP, 19 SpEd, that they're covered, because it was mentioned 20 in the most recent report from OSE. 21 So I am fine with whatever the -- because 22 there was a -- there was a mention about a concern 23 with that. That's going to be handled through OSE. 24 And it's not addressed here specifically. 25 So I know it's identified here. But the</p>

130	<p>1 responses and whether a person is or isn't</p> <p>2 appropriately identified here, it's OSE that's going</p> <p>3 to identify if there was, and was there an issue</p> <p>4 with it.</p> <p>5 So I don't -- that conversation, I don't</p> <p>6 think we need to engage in right now.</p> <p>7 But I do want to engage in the language</p> <p>8 that if it's appropriate or inappropriate -- because</p> <p>9 I don't want -- I don't want any school having to</p> <p>10 keep coming back because their letter isn't --</p> <p>11 they're not complying because they're giving the</p> <p>12 wrong guidance to parents, and they're not</p> <p>13 addressing it the way they should. So, Cheryl?</p> <p>14 MS. CHERYL ROWE: Thank you. I just</p> <p>15 wanted to point out that, you know, in the</p> <p>16 Attendance For Success Act, there are four tiers of</p> <p>17 interventions. It's not until Tier 4 that Child</p> <p>18 Protective Services might be notified.</p> <p>19 Still, throughout, it says "nonpunitive</p> <p>20 consequence at the school level."</p> <p>21 I want to say even though LCPS is doing</p> <p>22 this and they're being punitive and negative,</p> <p>23 they're not actually in compliance, probably.</p> <p>24 That's my guess. They're not in compliance with the</p> <p>25 Attendance For Success Act, either.</p>	132	<p>1 letter after ten days," that's old. It's kind of</p> <p>2 like -- it's kind of like giving everybody the</p> <p>3 Language Usage Survey every year that they come to</p> <p>4 enroll in a school. That policy changed. You only</p> <p>5 do it at kindergarten. But, still, there's people</p> <p>6 that are practicing old policy.</p> <p>7 THE CHAIR: So I guess my concern is who's</p> <p>8 checking? Remind me what bureau.</p> <p>9 DIRECTOR CORINA CHAVEZ: Okay. Yes, I</p> <p>10 know where you're going with that.</p> <p>11 THE CHAIR: The Attendance For Success</p> <p>12 Act -- the names change.</p> <p>13 DIRECTOR CORINA CHAVEZ: There is a staff</p> <p>14 person in place who -- what we have started to do at</p> <p>15 the PED --</p> <p>16 THE CHAIR: Not you. Not you. The PED.</p> <p>17 DIRECTOR CORINA CHAVEZ: That's what I'm</p> <p>18 saying. I identify as PED at times.</p> <p>19 We collect -- the PED collects attendance</p> <p>20 improvement plans from LEAs. So probably Dr. Amador</p> <p>21 has had to submit an attendance improvement plan.</p> <p>22 Because what we're asking LEAs to do is talk about,</p> <p>23 Well, what -- how are you holding families</p> <p>24 accountable? And what are the supports you're</p> <p>25 providing to families to support attendance?</p>
131	<p>1 THE CHAIR: It's not that anything is</p> <p>2 going to happen for the students. But there are</p> <p>3 consequences that are negative to the parents if the</p> <p>4 child isn't coming to school.</p> <p>5 So that's where I get -- I'm not</p> <p>6 talking -- Child Protective Services is the last</p> <p>7 thing that, you know, anyone's threatening. But if</p> <p>8 the letter is going home saying, "Your child has</p> <p>9 been out ten days," my understanding was there was</p> <p>10 supposed to be some consequence to the parent as a</p> <p>11 result of that ten days out. No?</p> <p>12 DIRECTOR CORINA CHAVEZ: So the ten days</p> <p>13 is part of the old attendance law. Attendance For</p> <p>14 Success doesn't have that kind of language.</p> <p>15 Instead, Attendance For Success talks about working</p> <p>16 with parents to remove barriers to the students'</p> <p>17 regular attendance at the school and to provide</p> <p>18 additional educational opportunities for students</p> <p>19 that are struggling with attendance.</p> <p>20 It's much kinder in regards to how it's</p> <p>21 expecting LEAs to work with parents when there's</p> <p>22 attendance problems.</p> <p>23 It does -- but, you know, habits are hard</p> <p>24 to change; right? So not everybody updates their</p> <p>25 policies. So those letters of, "We send a hard</p>	133	<p>1 I also understand that there's a</p> <p>2 conference coming up in October. Those are the two</p> <p>3 things that I am aware of.</p> <p>4 THE CHAIR: Do they have to submit samples</p> <p>5 of the letter? No one's looking at the letter. Or</p> <p>6 the -- yeah.</p> <p>7 So that's where -- that's where I'm</p> <p>8 challenged at this moment in time in holding a</p> <p>9 school accountable -- I get there's Attendance For</p> <p>10 Success.</p> <p>11 But where does the direction come to give</p> <p>12 an example of a letter and say, "This is where you</p> <p>13 need to go with this"?</p> <p>14 And are all of our schools getting that</p> <p>15 direction? Because I do want to hold the school</p> <p>16 accountable if they have inappropriately</p> <p>17 disenrolled. That, I do. If IEPs haven't been</p> <p>18 taken into consideration and a child's rights, that,</p> <p>19 I do, absolutely.</p> <p>20 And if the school is complying with the --</p> <p>21 the Attendance For Success improvement plan, then we</p> <p>22 get notified, yes, they are. We don't get notified</p> <p>23 yes, they are. We get notified if someone hasn't</p> <p>24 done it. But I struggle with holding the school</p> <p>25 accountable for a letter when every other school is</p>

<p style="text-align: right;">134</p> <p>1 sending the same type of letter. 2 That's where -- and if we're not looking 3 at all the charter schools' letters, then I think we 4 move on from the letter. 5 But I do agree that -- and Special Ed, 6 OSE, will address any of those if there's any 7 concerns with special ed students. 8 You know, I think we just said in general. 9 I think it goes back to the climate concern. 10 There's been -- you know. And it's not going to go 11 anywhere. It's a comment, you know, that when you 12 look at how many students have disenrolled, 13 voluntarily, involuntarily, there's a reason. 14 And, yes, we acknowledge. We spent a long 15 time this morning talking about attendance. 16 Acknowledge that. But that's where that culture is, 17 you know. 18 And it's also -- to be practical, it's a 19 sustainability issue as well. It is. It is. So 20 that's -- it's plain and simple. You'll die without 21 any intervention by us. You'll die. So -- and we 22 don't want to see that. So that's -- you know. But 23 I -- before you say something, Kim Skaggs has got 24 her hand up. I got a note. So I want to recognize 25 her.</p>	<p style="text-align: right;">136</p> <p>1 actually going to be taken as a nonpunitive measure. 2 Another comment to note -- and Dr. Amador 3 can talk a little bit more about it -- coming back 4 to climate, to Commissioner Burt's comment, the 5 climate is different when you have a head 6 administrator that holds parents, staff, and 7 teachers accountable. 8 In the data we have seen, that 9 accountability wasn't there before in terms of 10 attendance. 11 So the shift to now holding parents 12 accountable within attendance has shifted a happy 13 climate, where I wasn't accountable, to where now, 14 as a parent, you are accountable. 15 So a number of these public comments are 16 also some of the LEA students who have had issues in 17 direct relation with attendance. 18 DR. ADAM AMADOR: And, again, one of the 19 things I want you to consider is education, in and 20 of itself, on this attendance, is social justice; 21 right? 22 If you're not in school -- and my thing to 23 the parents -- there are parents that didn't want 24 the interventions; right? So if you can -- if a 25 parent comes for Intervention One, and they don't</p>
<p style="text-align: right;">135</p> <p>1 So we don't see -- we don't see that. So 2 do you want -- is she promoted? Okay. Thank you. 3 You can unmute yourself and -- just a reminder to 4 identify and spell your last name for the record. 5 MS. KIMBERLY SKAGGS: Yes, ma'am. 6 Kimberly Skaggs. K-i-m-b-e-r-l-y. Last name, 7 S-k-a-g-g-s. 8 And I want to thank you for running a 9 tight, hard meeting that -- in which we put the 10 students first. 11 That's all I've got. 12 THE CHAIR: I think we've lost you. Oh, 13 okay. Oh. I thought -- oh. Well, thank you for -- 14 thank you for running a tight comment. I appreciate 15 it. 16 DR. VANESSA de LEON: Madam Chair, I'll 17 try to keep my comment tight. Just a little bit of 18 a concern here to share with the Commission. 19 Somewhat an oxymoron for Tier 4, within 20 the Attendance For Success plan. Within Tier 4, it 21 talks about nonpunitive consequences. 22 But, yet, I don't know too many 23 individuals, who, when they get a letter, "You need 24 to return, require documentation to a juvenile 25 probation officer, this is CYFD," if this is</p>	<p style="text-align: right;">137</p> <p>1 want to come back for the other three, and the 2 student doesn't come back, do we keep them on the 3 books? 4 Because I don't know what the -- I'm not 5 going to. I'll tell you right now, I'm not going to 6 do that. If they don't show up after Intervention 7 One, they're not present. So would we then, at the 8 40th-day count, do we hold on until they come back? 9 COMMISSIONER BURT: I was just reading, 10 and it says you turn them into the juvenile -- 11 that's way worse. 12 DR. ADAM AMADOR: Exactly. That's what it 13 guides us to do. I have not done that yet. I have 14 done my best to work with parents. And you know 15 what? They don't want to -- I have the e-mails from 16 parents. "If I don't want to take my kid, I'm not 17 going to take them." 18 I'm not going to defend that practice. If 19 it gives me a Does Not Meet, because I'm going to 20 hold parents accountable. I'm not going to lie to 21 the State to the 40th, 80th, and 120th day. And 22 that's what I feel -- again, my question to the 23 Commission, what is the threshold -- 24 COMMISSIONER BURT: So it seems like you 25 should -- I would say -- you know. So knowing it,</p>

<p style="text-align: right;">138</p> <p>1 leave them on your roster and turn them over to the 2 juvenile detention center, like it says. You know 3 what I mean? Just release yourself after you do all 4 these interventions that you're doing. Once you 5 follow through with your plan, and they don't show 6 up, that is -- don't withdraw. That's the last 7 step. But there's a lot of interventions leading up 8 to that.</p> <p>9 DIRECTOR CORINA CHAVEZ: Right. With all 10 due respect, we did find an area in the Finance Act 11 that says after interventions --</p> <p>12 COMMISSIONER BURT: I don't know why you 13 needed to interrupt me while I --</p> <p>14 DIRECTOR CORINA CHAVEZ: Because the law 15 says if there's ten consecutive days where you're 16 not hearing at all, after attempting interventions, 17 that there is a requirement in the Finance Act to 18 withdraw -- to withdraw students.</p> <p>19 COMMISSIONER BURT: To withdraw? So they 20 are following the law then. I'm so confused now. 21 So now I'm even more in a bad space, because --</p> <p>22 DIRECTOR CORINA CHAVEZ: I'll just read 23 what it says, that there is a withdraw code within 24 the Nova system that says, "Absent ten consecutive 25 days after the school district or charter has</p>	<p style="text-align: right;">140</p> <p>1 And your response just now was he needs to 2 be making multiple reach-outs. And my question was 3 did you ask for documentation of those multiple 4 reach-outs?</p> <p>5 Because -- let's forget the letter right 6 now. But the concern now that I hear is -- as you 7 just advised Dr. Amador, we're advising you that you 8 have to make multiple reach-outs before that ten-day 9 drop.</p> <p>10 My question is, for the Does Not Meet, did 11 you ask for documentation of that, so it's a Does 12 Not Meet, because you saw no evidence of reach-out? 13 That's what I'm asking.</p> <p>14 DR. ADAM AMADOR: Madam Chair, if I may, 15 when they went in April for the second site visit. 16 I had over 1200 pages of documentation in two boxes 17 in letters that they were able to look at and 18 receive.</p> <p>19 And those letters are time-stamped. 20 They're e-mailed to parents. They're in specific 21 children's folders? So they're out. If anybody 22 would like to go back to Las Cruces and view them, 23 they are there.</p> <p>24 So we -- again, this is -- I feel like 25 we're interpreting the Bible and what Jesus said.</p>
<p style="text-align: right;">139</p> <p>1 provided attendance-related interventions, as 2 required under the Attendance For Success Act...," 3 then they're not supposed to hold on to the students 4 for account purposes.</p> <p>5 COMMISSIONER BURT: He did exactly that.</p> <p>6 DIRECTOR CORINA CHAVEZ: So I think -- I 7 actually think, because I was there, I looked at 8 some of the letters. And I think that -- the answer 9 to your question, Dr. Amador, is that you need to 10 document every attempt that you are making to reach 11 out to the families and offer support for the 12 children's success.</p> <p>13 And it can't be you've just waited until 14 there was ten, and then you say, "We're going to 15 drop you," or even waited until there was eight and 16 said, "We're going to drop you."</p> <p>17 THE CHAIR: Here's my question. Did you 18 ask to see documentation of the reach-outs?</p> <p>19 DIRECTOR CORINA CHAVEZ: We reviewed 20 letters that were sent to the school.</p> <p>21 THE CHAIR: That's not what I'm asking. 22 Because the letter is what you're saying is wrong. 23 But the letter is coming after -- the letters are 24 coming after the ten days. The letter is coming 25 after multiple attempts have been made.</p>	<p style="text-align: right;">141</p> <p>1 What do we do? Again, here we go. You're seeing 2 the responses and the feedback even here. It's on 3 public display now for you.</p> <p>4 But we have all the documentation. Again, 5 if we try Intervention One, and the kid doesn't come 6 back, we have to disenroll them after ten. So the 7 data they asked for was four; right? Some of the 8 kids didn't make it. They didn't show up.</p> <p>9 So what do you guys want me to do? 10 Because we're asking ten different things here. 11 This is impossible to meet. And we're getting into 12 interpretations of the law, not exactly what I'm 13 supposed to do under the law.</p> <p>14 THE CHAIR: This is what I'm going to say. 15 I'm going to say thank you very much because you 16 fixed your lottery. And I actually, not that long 17 ago, saw that it was right up front when you get on. 18 You didn't even have to get to a drop-down link or 19 anything. So I appreciate that. And I think, 20 ultimately, that's going to help you in drawing 21 students, you know.</p> <p>22 So that's -- so I want to -- I want to 23 thank you for that. It was a journey to get there, 24 but we got there. So thank you for that. 25 And I'm going to say, at this point in</p>

142	<p>1 time, we'll hear from OSE through the -- the audit 2 that was just done if there's any concerns about the 3 disenrollment. And at this point in time, unless 4 there's concrete proof that there's no evidence, we 5 move on from this one. It'll be closed out. 6 It will appear -- the Attendance For 7 Success will appear through -- if anything, through 8 the OSE CAP. Right. Right. 9 DR. ADAM AMADOR: So that would put it at 10 Meets or Growing or -- what designation? And this 11 is the second -- 12 THE CHAIR: So I think we're talking 13 about -- it just drops off this. It just drops off 14 this. We're cleaning this up, and we're dropping 15 off what -- 16 DR. ADAM AMADOR: So on -- we have this 17 report. But then we have -- 18 THE CHAIR: You're talking like site visit 19 reports. 20 DR. ADAM AMADOR: So is this going to be 21 cleaned up on the site visit reports now? Because 22 there are two different documents now. 23 THE CHAIR: I think it would be this 24 upcoming. Because, generally, they don't go back 25 and do prorated. Is that what I'm talking?</p>	144	<p>1 THE CHAIR: I can't hear you. 2 MS. CHERYL ROWE: I reached out to General 3 Counsel about this issue. And what they shared is 4 that when Attendance For Success was passed, they 5 didn't update the Finance Act; the Legislature 6 didn't. And so that's why there is this confusion. 7 I just wanted to point that out. Thank you. 8 THE CHAIR: Yeah. Ten. Fifteen, at most. 9 (Recess held, 2:07 p.m. to 2:24 p.m.) 10 THE CHAIR: With Item -- Item No. 5, we're 11 moving off. 12 Item No. 6, we still have some 13 outstanding -- we're keeping that as a Workings To 14 Meet until September? 15 DR. BRIGETTE RUSSELL: Until September, 16 yes. And formal complaints, Meets; teacher 17 mentoring, Meets; elementary compliance, we'll move 18 all of that over to the -- we'll have a separate 19 document for all that have been met. 20 Licensure, the school is continuing to 21 work on one teacher license. And we've asked them 22 to report by September 6th. One teacher. 23 DR. ADAM AMADOR: Madam Chair, Dr. 24 Russell, actually, that's been remedied. You can 25 check with the certificates here. We have Jenna</p>
143	<p>1 (Off-mic discussion.) 2 DR. ADAM AMADOR: We're good with just 3 taking it off, if that's the case. 4 THE CHAIR: So I would say that you've got 5 your preliminary? So I would deal -- so do that. 6 Okay. 7 DIRECTOR CORINA CHAVEZ: But, Chair 8 Gipson, I would ask that the school maintain 9 documentation of their efforts to work with families 10 to provide documentation in support of their 11 attendance. 12 THE CHAIR: I thought I heard the school 13 say, "We've got it." So, yeah. So I think -- I 14 don't -- I don't think there's a problem. I think 15 the documentation is there. 16 Oh, yeah. And I keep forgetting Cindy out 17 there in cyber land. She's our court reporter, and 18 I see her eyes bulging. So we need to give her a 19 break. 20 So, Cheryl, if you want to say something 21 very quickly, then we're going to take a break. 22 MS. CHERYL ROWE: I just wanted to share. 23 I had reached out to General Counsel about this 24 issue, and they shared that the compulsory school 25 law was repealed.</p>	145	<p>1 Jaquez. She was waiting on a letter. It's been 2 cleared. 3 THE CHAIR: Thanks. 4 DR. ADAM AMADOR: Of course. 5 DR. BRIGETTE RUSSELL: Okay. Thank you. 6 And I am going to turn it over to 7 Ms. Seeley, who -- to walk us through the financial 8 elements. She's been waiting patiently in the 9 waiting room. But she will go through those one by 10 one. 11 And, Missy, has she been promoted as a 12 panelist? 13 MS. MELISSA BROWN: She is present. 14 MS. BETTY SEELEY: Hi, there. Can you all 15 hear me? 16 THE CHAIR: We can. Thank you so much. 17 MS. BETTY SEELEY: You bet. So I've been 18 asked to do a brief update on the financial 19 information that we've been asking for. So I don't 20 know if you can share a screen that has the actual 21 CAP document. I've made some changes to it so that 22 we can kind of go over what I've looked at. 23 THE CHAIR: So give us a sec, and we'll 24 try to -- who's getting that? 25 DR. ADAM AMADOR: Madam Chair, just for</p>

<p style="text-align: right;">146</p> <p>1 the purpose of this part of the CAP, Chris Masters 2 is online and available should you have any 3 questions for him. 4 THE CHAIR: Thanks. I appreciate that. 5 Chris Masters is their business manager, yeah. 6 MS. MELISSA BROWN: I don't see a Chris 7 Masters in the attendees. I don't know what name 8 they're using. Perhaps he can raise his hand. 9 Thank you. Got it. 10 MS. BETTY SEELEY: Brigitte, do we have 11 the other, the one -- yeah, this one here. Thank 12 you. This is the one I made my -- my information 13 on. 14 So if we could go down here to -- on 15 Finding No. -- No. 12, Finding No. 1, the school has 16 submitted to me their bank statement reconciliation. 17 And it shows that the checks were voided. 18 But then there became a little bit over a 19 \$1,000 discrepancy between the bank balance and the 20 G/L balance. And I looked at it, and I honed it 21 down to these voided checks. 22 So somehow or another -- and I'm 23 unfamiliar with the school's accounting system. But 24 when they voided these particular checks, they were 25 voided through the bank balance.</p>	<p style="text-align: right;">148</p> <p>1 of checks. There was, like, six or seven checks 2 that were voided. And these four checks created the 3 imbalance when these checks were voided. 4 So they're -- he's going to have to just 5 kind of research things and see why there's this 6 imbalance. 7 DR. BRIGETTE RUSSELL: Then there is still 8 an issue. It's not the sum of all the voided 9 checks, only the sum of some -- of -- it's just some 10 housekeeping issues. 11 THE CHAIR: That's why I have alerts for 12 overdrafts. 13 MS. BETTY SEELEY: So if we can scroll 14 down on this document to my next update, which is in 15 blue. 16 I know there is something in here -- here 17 we are. 18 So for No. 18, the school submitted 19 contracts or memorandums of employment for all of 20 the current employees. The request were for all 21 employees who worked. They just sent me the ones 22 who were employees at 6/30. 23 And there were a lot of, I would just say, 24 incorrect things on that list. 25 And then they sent me a follow-up of some</p>
<p style="text-align: right;">147</p> <p>1 But then -- but not into the G/L, the 2 general ledger. So I'm not sure why there is a 3 balance discrepancy there of \$1,036.21. 4 And because I'm unfamiliar with their -- 5 with their accounting system that they use, I 6 couldn't say, "Well, you need to go here or there," 7 as far as why there is a discrepancy. So perhaps 8 Chris can go through and see if he can figure out 9 why this imbalance happened. 10 He did show on his PED report that these 11 checks had been voided. And so the bank statement 12 then agreed to the cash report for June 30th. The 13 report was -- the way he presented it was a little 14 funky, but that's for School Budget to work out with 15 him. 16 But he did show that those -- that the two 17 reports did agree. And that's, really, the -- a 18 really important step to this whole thing. 19 DR. BRIGETTE RUSSELL: So, Ms. Seeley, if 20 I'm making the comments correctly, the discrepancy 21 is the sum of the voided checks. So there really 22 isn't an issue; right? 23 MS. BETTY SEELEY: Right. There is on the 24 books. But as far as the bank statements and the 25 cash report, it balanced out. And it wasn't all the</p>	<p style="text-align: right;">149</p> <p>1 of the employee records from payroll. And so when I 2 received that, there were four that their positions, 3 through their -- what are the job codes were 4 different than what they noted on that employee 5 list. 6 And two of them were correct. One of them 7 was, yeah, maybe the best I can do, depending on -- 8 depending on what the actual person was actually 9 doing, which was the job code for the office 10 manager. 11 But the -- the biggest concern was there 12 was an employee, Oscar Hernandez. And they 13 submitted to me his license. And his license was 14 for a substitute teacher. But he was being paid as 15 a special education instructional assistant. And 16 they did not submit a special education 17 instructional assistant license for him. 18 And then, additionally, his -- his -- his 19 job description was Dance. So -- and he was 20 originally reported as a teacher. And so there's a 21 lot of discrepancy with this particular employee as 22 to what he has. 23 They did not send me a payroll report that 24 would show what job code he was being paid from. 25 DR. BRIGETTE RUSSELL: Which number is</p>

<p style="text-align: right;">150</p> <p>1 this in the comments?</p> <p>2 MS. BETTY SEELEY: It was the -- I</p> <p>3 finished this yesterday, so I did not get to -- to</p> <p>4 update this report. It's the e-mail that I sent out</p> <p>5 to you yesterday with my update. But I was out and</p> <p>6 about yesterday, and I didn't get an opportunity to</p> <p>7 go in and update this actual report with this</p> <p>8 information.</p> <p>9 THE CHAIR: So --</p> <p>10 MS. BETTY SEELEY: So I can -- am I able</p> <p>11 to screen-share? If you --</p> <p>12 THE CHAIR: Can I just ask?</p> <p>13 MS. BETTY SEELEY: Yeah.</p> <p>14 THE CHAIR: That Item No. 7 that was</p> <p>15 there, it said there was no special education</p> <p>16 teacher? Is that what you're saying, there's --</p> <p>17 MS. BETTY SEELEY: Exactly, yes. Right.</p> <p>18 In No. 7, all teachers had a regular K-12 teaching</p> <p>19 job code. There were none that were noted as being</p> <p>20 special ed teachers, which means teachers who have</p> <p>21 that special education license.</p> <p>22 THE CHAIR: I'm not sure. Outside of your</p> <p>23 special ed coordinator, do you have any additional</p> <p>24 SpEd --</p> <p>25 MS. BETTY SEELEY: The other thing is I</p>	<p style="text-align: right;">152</p> <p>1 And the reason why -- good luck finding a</p> <p>2 SpEd teacher -- right? -- to have that conversation.</p> <p>3 But if we did it at the time that she signed her</p> <p>4 contract, July 1, she was not -- we were not looking</p> <p>5 for a SpEd teacher. I was still in the process of</p> <p>6 coming on board and all that.</p> <p>7 And so this was -- would fall under "Other</p> <p>8 Duties Assigned," because we knew that at some point</p> <p>9 either one of us was going to have to go through the</p> <p>10 Leap program to become licensed for SpEd and take on</p> <p>11 that position in servicing students. That's why</p> <p>12 that wasn't updated at the time she signed her</p> <p>13 contract.</p> <p>14 At this point, I would really like to</p> <p>15 refrain from discussing personnel, because we're</p> <p>16 violating their rights.</p> <p>17 THE CHAIR: We're not, because we're not</p> <p>18 talking about an individual; we're talking about a</p> <p>19 fund -- I understand. And I said that was</p> <p>20 incorrect. And we're not talking about that</p> <p>21 individual any longer. We're talking about a</p> <p>22 separate position. And we're just talking position,</p> <p>23 and we're talking how it's funded. So I'm not</p> <p>24 talking a personnel issue.</p> <p>25 DR. ADAM AMADOR: And so we had to wait</p>
<p style="text-align: right;">151</p> <p>1 did not see a job for a special education</p> <p>2 coordinator.</p> <p>3 THE CHAIR: So your SpEd coordinator is</p> <p>4 under contract?</p> <p>5 MS. BETTY SEELEY: And I looked through</p> <p>6 all of the contracts that they sent, and there was</p> <p>7 no special education coordinator in any of the</p> <p>8 contracts that they provided.</p> <p>9 DR. VANESSA DeLEON: Madam Chair, the dean</p> <p>10 of instruction also -- the dean of instruction is</p> <p>11 also the special education director.</p> <p>12 THE CHAIR: Shouldn't that be in her</p> <p>13 contract language?</p> <p>14 MS. BETTY SEELEY: Yes, it should.</p> <p>15 DR. BRIGETTE RUSSELL: Under "Other"?</p> <p>16 THE CHAIR: If I was doing that, I'd want</p> <p>17 it in my contract.</p> <p>18 DR. ADAM AMADOR: So this was our</p> <p>19 discussion. And I don't know how we should be</p> <p>20 discussing personnel. She's mentioning names. We</p> <p>21 can't do that. The discussion -- my judgment call</p> <p>22 with the person that has this specific position was</p> <p>23 we decided -- we were both going to go through -- I</p> <p>24 forget what program this is for -- but licensed for</p> <p>25 SpEd.</p>	<p style="text-align: right;">153</p> <p>1 until an alternative license was also issued for</p> <p>2 that.</p> <p>3 So it's my error. But there's a process</p> <p>4 in those things happening; right? So that's kind of</p> <p>5 how it fell. She is licensed now, fully, for</p> <p>6 special education.</p> <p>7 THE CHAIR: Okay. Thanks.</p> <p>8 MS. BETTY SEELEY: So this is same person</p> <p>9 that we are now discussing. On their payroll</p> <p>10 report, their job code was as a principal. So I did</p> <p>11 not know if this person also had a Level 3B</p> <p>12 administrator's license. And if this person does</p> <p>13 not, because they are recorded as the dean of</p> <p>14 students, then they were incorrectly accounted for</p> <p>15 in the accounting software.</p> <p>16 So, you know, I'm just -- I'm just looking</p> <p>17 at all the information that's been provided to me</p> <p>18 for all of these questionable -- or not</p> <p>19 questionable -- but these positions and persons that</p> <p>20 I see discrepancies.</p> <p>21 DR. VANESSA DeLEON: Madam Chair, if we</p> <p>22 may. So to our knowledge, in terms of the drop box,</p> <p>23 there is not, within that drop box, a code for dean</p> <p>24 of instruction. So the closest description to the</p> <p>25 work that the dean does is under assistant</p>

<p style="text-align: right;">154</p> <p>1 principal.</p> <p>2 But the other request, Madam Chair, would</p> <p>3 we be able to go in order from -- like, No. 12?</p> <p>4 THE CHAIR: Okay. Betty, we're trying to</p> <p>5 the -- with the flow, it's difficult for us to jump</p> <p>6 from 3 to then 14. Could we just go through it and</p> <p>7 make a decision for each of those, where we're</p> <p>8 sitting with each of those items? And if we could</p> <p>9 get that back up?</p> <p>10 MS. BETTY SEELEY: Yeah. I apologize. I</p> <p>11 apologize.</p> <p>12 DR. BRIGETTE RUSSELL: Will you share,</p> <p>13 Betty, or shall I share?</p> <p>14 MS. BETTY SEELEY: Will you share? Will</p> <p>15 you share? And if we need to look at my more</p> <p>16 detailed report, I can share.</p> <p>17 DR. ADAM AMADOR: Madam Chair, Chris</p> <p>18 Masters is available for a question.</p> <p>19 THE CHAIR: At this point, with a lot of</p> <p>20 these, the only thing I think I'm going to really</p> <p>21 recommend -- and I know Chris has talked with Betty,</p> <p>22 because at the end of the day, I think with a good</p> <p>23 number of these, there's not a -- any kind of</p> <p>24 malfeasance issue or anything like that. But there</p> <p>25 is a concern that there -- you don't end up with an</p>	<p style="text-align: right;">156</p> <p>1 I'll be able to report back on that. I'm making</p> <p>2 sure there is a direct line of what money comes in</p> <p>3 and the academic return of investment on the</p> <p>4 students.</p> <p>5 MS. JULIA BARNES: So on 12, you're just</p> <p>6 going to clean it up, and it's going to be Meets?</p> <p>7 Is that your understanding on Item 12? You have the</p> <p>8 update with the voided checks. Some of them equal</p> <p>9 the amount. But it's going to be cleaned up; right?</p> <p>10 Betty or somebody?</p> <p>11 MS. BETTY SEELEY: Yeah. I mean, if they</p> <p>12 can get all of this cleaned up for their audit, it</p> <p>13 should drop out. They should not get this as an</p> <p>14 audit finding if they can get everything -- journal</p> <p>15 entries and all of that done.</p> <p>16 There might be some issues, still, with</p> <p>17 the contracts, because the contracts do not</p> <p>18 accurately show what their actual job requirements</p> <p>19 were.</p> <p>20 MS. JULIA BARNES: So, Betty, just on 12,</p> <p>21 if they can get those checks to equal each other,</p> <p>22 that issue is going to drop off. Is this an issue?</p> <p>23 Or can it drop off?</p> <p>24 MS. BETTY SEELEY: So -- yeah. If they --</p> <p>25 which one is No. 12? Is that the voided checks?</p>
<p style="text-align: right;">155</p> <p>1 audit finding. So if that conversation can take</p> <p>2 place so that's fixed before -- I guess you've</p> <p>3 already been audited.</p> <p>4 DR. ADAM AMADOR: And we're starting the</p> <p>5 audit process again. Kind of respectful of</p> <p>6 everybody's time, so we switched finance software.</p> <p>7 This, unfortunately, didn't take the \$197,000. We</p> <p>8 were going to split it, but he didn't take it.</p> <p>9 So that's been rectified as well. And I</p> <p>10 will tell you that it's been an honor to work with</p> <p>11 Chris. He's awesome. And, like, again, he's part</p> <p>12 of righting the ship.</p> <p>13 And he's inherited stuff. And like you</p> <p>14 said, we're taking it on as best he can. Also,</p> <p>15 we're Working To Meet this; right? And we're making</p> <p>16 sure that purchasing this new finance software,</p> <p>17 working with you all, working with the set of</p> <p>18 auditors, and the other set of auditors, as well,</p> <p>19 making sure we say what we're doing with the money.</p> <p>20 And so I will tell you -- the last thing</p> <p>21 on this -- hopefully, I won't have to talk again --</p> <p>22 what I'm doing is instituting academic return on</p> <p>23 investments. So here's a million dollars, and</p> <p>24 here's exactly how it went to the students.</p> <p>25 We don't get that in these reports. But</p>	<p style="text-align: right;">157</p> <p>1 COMMISSIONER BECK: Yes, that's the voided</p> <p>2 checks.</p> <p>3 MS. BETTY SEELEY: Yes. If they can</p> <p>4 figure out why the voided checks went wonky in their</p> <p>5 accounting system, then that will drop off.</p> <p>6 DR. BRIGETTE RUSSELL: Is that a Working</p> <p>7 To Meet and still on there until they figure it out?</p> <p>8 MS. BETTY SEELEY: Yes, I would say so,</p> <p>9 yes.</p> <p>10 DR. BRIGETTE RUSSELL: 13.</p> <p>11 MS. BETTY SEELEY: Then the other item</p> <p>12 that they need to figure out is that consistent</p> <p>13 \$7,059 ERB liability on their balance sheet. They</p> <p>14 need to figure out why that is there.</p> <p>15 DR. BRIGETTE RUSSELL: That's also in 12.</p> <p>16 MS. BETTY SEELEY: Yes.</p> <p>17 DR. BRIGETTE RUSSELL: 12 stays on. It's</p> <p>18 Working To Meet. We'll update next month.</p> <p>19 13.</p> <p>20 MS. BETTY SEELEY: Okay. So we can scroll</p> <p>21 down to 13. This one is -- they -- yes. I would</p> <p>22 keep this as Working To Meet, only because I -- when</p> <p>23 I reviewed the cash receipts, they had some that</p> <p>24 they did not write a actual receipt when they</p> <p>25 received their funds before they went to the bank.</p>

<p style="text-align: right;">158</p> <p>1 And some of them were not corrected -- 2 coded correctly. So this would have to be Working 3 To Meet until after the audit, to see if the 4 audit -- how the auditors handle -- you know, find 5 any additional. 6 DR. BRIGETTE RUSSELL: Pending the audit. 7 Okay. 8 MS. BETTY SEELEY: Yes. 9 THE CHAIR: She hasn't been able to 10 reconcile it. 11 DR. BRIGETTE RUSSELL: All right. No. 14. 12 MS. BETTY SEELEY: No. 14 was -- 13 DR. BRIGETTE RUSSELL: It looks like that 14 one is a Does Not Meet. But it's a final rating. 15 And we can take it off; is that correct? 16 MS. BETTY SEELEY: Yeah. It was a Does 17 Not Meet. What -- when they hire new employees, 18 they look at the personnel files to make sure that 19 all of the -- all of the paperwork is there and 20 signed. And it's there and signed before the 21 person, you know, starts working, or within a day or 22 so. That's what's going to clear that one. 23 DR. BRIGETTE RUSSELL: Okay. But no 24 further updates to the Commission are required. We 25 can remove this one from the CAP.</p>	<p style="text-align: right;">160</p> <p>1 about how do we grow to success in these items? 2 Maybe this isn't for you. Maybe it's for CSD and us 3 in determining what this looks like. Because 4 financial issues are so hard; it's so retroactive. 5 We have to wait for audits. They're just difficult. 6 I guess for me, when I'm looking at this, 7 we will have an audit. It's going to be part of the 8 annual report. So what I'm wondering is if it's a 9 better use of our time now to look at have they 10 created a new process, a new plan? And once that is 11 communicated of, like, okay, yeah -- and, you're 12 going to get an audit. 13 But I don't want to necessarily keep 14 these, like, Does Not Meets or Working to Meets 15 until you get an audit with a finding, because it's 16 going to be past. So I'm wondering if there's a way 17 to transition the way we're showing success. 18 DR. ADAM AMADOR: Go ahead. 19 DIRECTOR CORINA CHAVEZ: This is what I 20 think. I think that Betty has taken an approach of 21 testing out how the school would perform on an 22 audit. And she's identified for the school areas 23 where she is seeing there could be an audit finding 24 that occurs. 25 But I think what I hear you saying is that</p>
<p style="text-align: right;">159</p> <p>1 MS. BETTY SEELEY: Yes. 2 DR. BRIGETTE RUSSELL: Okay, 15. 3 THE CHAIR: Can we go back, I'm sorry to, 4 13 just a second. 5 So, Betty, can you just give us a little 6 bit of clarity? Are you saying that at this point 7 in time, they -- they have met this, and it should 8 show that they've met it in the next audit. Is that 9 what you said? 10 MS. BETTY SEELEY: Well, it will -- I 11 believe that they will probably get another audit 12 finding for this, because when I went through their 13 cash receipts, the random asks, there were cash 14 receipts that did not have a receipt written when 15 they received the money. 16 And some of them were coded incorrectly, 17 which was part of this audit finding as well. So 18 depending on what the auditors pull, basically. But 19 if what I pulled, four of them were incorrect. My 20 assumption is that there's going to be more that 21 were incorrect during the year that the auditors 22 might pull and find that there weren't receipts 23 written for other items, or they could pull the same 24 ones I did, happenstance. 25 COMMISSIONER BURT: I have a question</p>	<p style="text-align: right;">161</p> <p>1 you want to know that there are processes that are 2 being taken at the school to correct these things. 3 And so what are they? Policy? Actions? 4 That sort of thing? 5 And I think at this point we're probably 6 going to need to sit down with Betty, and maybe even 7 with Chris and Dr. Amador, and say, "What are those 8 things that are going to prevent the school from 9 running into some more issues? What needs to be put 10 in place?" 11 That's not what's currently captured in 12 the CAP. If we hold to what's in the current CAP, 13 because of the way it's written, it might be a 14 little awkward and we might have to revise some of 15 the indicators in that CAP. 16 I really feel like what Betty is doing is 17 sort of educating the schools, because she's 18 pinpointing the issue. Yeah, finding the issues, 19 pinpointing exactly, "Here's why you could get an 20 audit finding," rather than saying, for us, "It's 21 this and this way." 22 THE CHAIR: It's ongoing, then, because 23 (simultaneous speaking). 24 Going forward, this could be a problem. 25 And the CAP is supposed to address a concern, fix</p>

<p style="text-align: right;">162</p> <p>1 it, and not -- because everyone could potentially 2 have a Workings To Meet on everything, because -- 3 especially -- once again, I am not the person to be 4 talking finances. So it's -- it's bad. 5 DIRECTOR CORINA CHAVEZ: The other way 6 that you all could be evaluating this is the degree 7 to which the school has been cooperating with the 8 Corrective Action Plan -- 9 THE CHAIR: Yeah. I'm fine with that. 10 DIRECTOR CORINA CHAVEZ: -- that Betty has 11 been conducting, which I'm sure Betty can speak 12 to -- and I'm sure. 13 MS. JULIA BARNES: Can I just wonder why 14 this can't -- the plan that you just said could 15 satisfy and close out the CAP? The audit and your 16 financial framework is taken care of in the annual 17 report. So whatever -- if they got a Did Not Meet 18 for last year, they get a Did Not Meet for last 19 year. 20 The point of those is they get a Meets or 21 they get a Working To Meets as you're moving along. 22 DIRECTOR CORINA CHAVEZ: It was just the 23 approach that Betty took, which would be helpful to 24 the schools to -- 25 COMMISSIONER BURT: If I can be more clear</p>	<p style="text-align: right;">164</p> <p>1 Chris at length when I first got there. We knew and 2 understood there hadn't been financial processes at 3 the school. It's evident. That's why the dings are 4 coming up. 5 So we did hire somebody. We did hire 6 somebody to assist in the business office. In turn, 7 we sent that person to the New Mexico -- I don't 8 know. We sent her to procurement school. Now, we 9 have a chief procurement officer. 10 The procurement process in Alma had not 11 been in place. So you're seeing the practice is not 12 there. Now we're starting that procurement process; 13 right? 14 So now it's not policy. We have to follow 15 the State Procurement. It's already there for us. 16 Now we're creating the procedures at the school. 17 So I will tell you, there was a couple of 18 times where \$300 showed up on my desk. And the 19 students were selling stuff. You could just stop by 20 the school. 21 And the students -- and I will tell you 22 that a lot of what the students do is student-led. 23 They were selling the prom stuff, the candy, and 24 they just dropped the money, and I'm, like, "Who 25 brought this in"; right?</p>
<p style="text-align: right;">163</p> <p>1 then, what Betty did, then, is exactly right, 2 because she's helping find these areas and then 3 giving them to you. But then, for me, it's the next 4 step. 5 So, once again, going into next steps, if 6 you've made the changes, got it. We hear you. We 7 got a new finance software so we don't have these 8 weird coding issues. That part. Because the coding 9 was weird before, and it needed to be done 10 differently. You have a plan. You've already 11 started implementing it. 12 So, to me, instead of waiting for Betty's 13 next step or an auditor's next step, like, I think 14 what Betty has done is perfect. Great. Love it. 15 Then our -- I feel like for me what the 16 Letter of Intervention is for is for -- to see the 17 corrected action; right? 18 So once I see the corrected action, "We 19 got new finance software. We've changed our 20 processes and had a meeting about it," if you can 21 articulate that in writing, I'd be good with let's 22 go ahead and put Meets and move on -- (simultaneous 23 speaking.) 24 DR. ADAM AMADOR: Let me go ahead and -- 25 so when we got to the school -- and I have met with</p>	<p style="text-align: right;">165</p> <p>1 So these are things we have to clear up. 2 That's what we're looking at. So we know this. 3 We're clearing it up. Creating a procurement 4 process on the campus is not easy; right? We know 5 this. 6 Alma gets a lot of donations. A lot of 7 people support the school. They donate \$100 here. 8 We have to clean that process up; right? 9 So as we're moving forward -- so we're 10 taking steps. Like I said, the big one, the advice 11 from the last audit was hiring someone to assist in 12 the business office, which we did. Now they've gone 13 to procurement school, so now they're a chief 14 procurement officer. Those are huge steps to take 15 in that year. 16 Now is the processes. Now the work begins 17 on fixing this. 18 Are we going to get a couple of dings? 19 Probably so. But in the process, we have taken a 20 lot of steps to clean the licensure up. And to the 21 point of contracts and background checks, we did a 22 thorough investigation of employees. Even the 23 veteran employees, 20 years, did not have background 24 checks on file. 25 So I made them go get background checks</p>

<p style="text-align: right;">166</p> <p>1 last year; right? So we cleaned up a lot. And 2 we're still cleaning up. 3 But, like you said, we're going to move 4 forward. So now we have addressed our employee 5 packets. They're addressed differently. We're 6 looking at job codes and then job descriptions; 7 right? That's a lot to do. 8 So we're getting it done. But I just want 9 to let the Commission know that those steps are 10 being taken, have been taken, and will continue to 11 be taken to address these. And Chris can fill in 12 whenever he wants. 13 MS. BETTY SEELEY: You know, I am really 14 happy to spend some time with Chris and help you 15 guys perfect your practices, based on, you know, 16 best practices. Because I know -- I did this job 17 for a very long time. And I know it's a huge job. 18 And I'm not perfect. I made mistakes 19 along the way, which I learned through my audit 20 findings. And I'm really happy to discuss with you, 21 maybe, ways that I could help you to, you know, 22 really get things, you know, going for you all. 23 That's just a -- it's just an offer that 24 I'm making here. 25 THE CHAIR: I think that's great. And</p>	<p style="text-align: right;">168</p> <p>1 complete. 2 No. 3 is special ed. Next steps is 3 special ed will be Working To Meet, and they are 4 going to do a CAP. So the CAP, if they're in 5 compliance -- and I think I've got that here, I'll 6 add it. If they're in compliance with the timelines 7 in those CAPs, that will be Working To Meet with 8 no other up- -- just an update to PEC on that. 9 No. -- the lottery policy is complete. 10 Audit and finance is complete. 11 Establishing the compliance. I don't know 12 that -- 13 THE CHAIR: It's pending into September. 14 DR. BRIGETTE RUSSELL: Yeah. That, we 15 wanted to get an update on that. And CSD is -- 16 THE CHAIR: It's still pending. 17 DR. BRIGETTE RUSSELL: -- in agreement. 18 I'm satisfied that the school has -- working with 19 Mrs. Seeley, has identified their areas of weakness 20 in finances and that they're taking proactive steps 21 to improve. And I want to see what the audit says 22 this fall. 23 And most schools don't have a perfectly 24 clean one. If there are findings, that's not the 25 end of the world, and CSD is not going to breathe</p>
<p style="text-align: right;">167</p> <p>1 we're in the new school year. So Betty's on a new 2 contract. So that's helpful as well. And that's -- 3 that's what we are looking to do with the money that 4 that's -- that's the support systems that we want to 5 be able to put in place. So thank you for that. 6 And I hope everyone makes use of that 7 opportunity, because I think it's important. 8 Because in our framework, we do -- obviously, we 9 look at audit findings. But we consider those 10 repeat audit findings as the bigger issues. 11 Yes, you get an audit finding this year; 12 but, hopefully, it's cleared out the next year. 13 So -- and we know it's -- I don't know if we've had 14 schools that have had a completely clean audit. 15 It's very hard. 16 MS. JULIA BARNES: Could I just clarify? 17 Assuming that what Betty has said would cover all of 18 hers, we go to the top of the chart, I think we can 19 go clean -- and make sure everybody is clear on each 20 one. 21 So on No. 1, the academic proficiency, 22 we're waiting for the scores to assess this. So 23 there's no next step right now. 24 THE CHAIR: Right. 25 MS. JULIA BARNES: No. 2 is Meets, so it's</p>	<p style="text-align: right;">169</p> <p>1 fire at them. 2 MS. JULIA BARNES: But to get to the 3 bottom. 7 is complete on formal complaint. 4 8 is complete on teacher mentoring. 5 9 is complete on OMA compliance. 6 10 is complete on licensure, with the 7 information that Dr. Amador just provided. 8 12 -- 11 is complete. 9 Thank you. Let me check that. 10 And then 12 through 18 is -- sorry -- 11 DR. BRIGETTE RUSSELL: It can be 12 considered complete. 13 COMMISSIONER BURT: Before we get too 14 crazy with closing it all out, I would like to say 15 it would be important to articulate in writing the 16 plans for these and provide to CSD for these things. 17 So I would say Working To Meet for all of 18 them. And then let's close them out next month. If 19 you can articulate those plans, this is how we are 20 making these changes so we don't believe we'll have 21 these same issues in the future, that would help me 22 to feel better. 23 MS. BETTY SEELEY: I agree. 24 THE CHAIR: (Inaudible due to simultaneous 25 speaking) in a letter, because they got a letter</p>

<p style="text-align: right;">170</p> <p>1 because of the previous audit. So they -- so -- 2 COMMISSIONER BURT: I'm just talking for 3 this. 4 THE CHAIR: I know. But I'm just 5 wondering if that was because it was -- because of 6 the financial audit. Was that requested in that 7 letter? So are they doing that already? I don't 8 know. I'm just -- because I can't remember that far 9 back. 10 COMMISSIONER BURT: If they are or not, 11 doesn't matter to me. I want it for this, like, 12 independently of anything else. 13 THE CHAIR: We incorporated that audit 14 into here. So it's been merged. It has. 15 COMMISSIONER BURT: I know. I want it to 16 be, like, No. 12, "This is what we're doing," 17 simple. A direct response to each of these. 18 DR. VANESSA DeLEON: And if I may, 19 Madam Chair, I echo what was just shared by 20 Commissioner Burt. I think something that 21 Mr. Masters had echoed to me and to Dr. Amador is if 22 he had been given the opportunity to have a 23 conversation with Ms. Seeley other than upload and 24 submit documents, a number of these areas would have 25 been clarified.</p>	<p style="text-align: right;">172</p> <p>1 DR. BRIGETTE RUSSELL: So the Attendance 2 For Success Act is closed. 3 MS. JULIA BARNES: And CSD will score for 4 last year in the manner in which it should be 5 scored. The school can respond in the manner in 6 which they want to -- it'll go back to the annual -- 7 DR. BRIGETTE RUSSELL: And then 24, 25, 8 monitoring is a new day. 9 THE CHAIR: So are we done with the 10 financial? I just have a question, comment. 11 So I guess it was two meetings ago, when 12 there was this amount of \$160,000 that was, "Fire, 13 fire, the house is on fire, there's \$160,000 that's 14 not accounted for." And there was serious concern, 15 you know. That's not a small sum. And it's, like, 16 how is it not accounted for? 17 So now we're sitting in a space where 18 that's not a concern. 19 So here's my question/concern. 20 I hate to be a, "Fire, fire." And now 21 we're nowhere. It's, like -- it disappeared. 22 So I'm just -- I'm just concerned that 23 everyone was alarmed, and we thought that there 24 was -- that could have been the reason why we revoke 25 a charter, because there's \$160,000 that's not</p>
<p style="text-align: right;">171</p> <p>1 THE CHAIR: That's great. We'll do that. 2 And -- 3 MS. JULIA BARNES: So on Items 12 through 4 18, they are identifying -- the school and Betty 5 Seeley are identifying what needs to be corrected 6 and will present that to the PEC in September. 7 And then I put in here -- and that -- then 8 it can be dropped off the CAP. And I just put in 9 here that the financial framework can confirm past 10 performance. If Did Not Meet or however that is 11 scored, then it'll be the tool to use into the 12 future. 13 DR. BRIGETTE RUSSELL: All right. I think 14 that's -- I wanted to confirm the attendance piece. 15 Is the PEC considering that Meets or just closed? 16 THE CHAIR: Well, no, because it is -- the 17 Attendance For Success? Because there is that 18 possibility that it's going to go into the OSE 19 report. 20 COMMISSIONER BURT: But is that included 21 in the No. 3? And can we remove it from this? Or 22 are we doing a double-ding? 23 THE CHAIR: No, I don't think a double. 24 So if it's -- it will only exist if it's in 3. 25 (Simultaneous speaking.)</p>	<p style="text-align: right;">173</p> <p>1 accounted for. 2 So that was my biggest concern. And it 3 came up later. And it's, like, oh, my gosh, what's 4 wrong with this? 5 And now we're here in this space, and I'm 6 glad that it apparently isn't a concern. 7 But I had raised the question of, either 8 the last month or the month before, is this 9 something that the finance committee should have 10 been able to catch? 11 And the response was yes. 12 So my question is how did it just 13 disappear, and it's no longer a problem? 14 And it looks like there wasn't even a 15 (incomprehensible) that was going out. 16 MR. CHRIS MASTERS: If I could respond, 17 I'd like to. 18 THE CHAIR: I know. So, Chris, sure, and 19 then Betty. 20 MR. CHRIS MASTERS: Yes. Thank you very 21 much. 22 So the actual issue was on the OBMS system 23 that they changed for this year, for the balances. 24 Instead of using an Excel spreadsheet that we've 25 done for the last 15 years, we've had to upload</p>

<p style="text-align: right;">174</p> <p>1 certain balances of the audit, each fund balance of 2 the audit, through OBMS. 3 Now, whenever that happened, whenever that 4 took place, my numbers were off. 5 I talked to my budget analyst right away. 6 We communicated right away. And, of course, it was 7 during the time of budget season. She was busy, and 8 she's also a rookie. 9 So I said, "Well, I have to submit this." 10 We had our budget due about the same time, 11 end of April. So submitted it, knowing that she 12 would not approve it. And she was going to get with 13 her mentor and get back to me, which they did, which 14 I appreciate. 15 They worked really good with me. We were 16 able to justify both some of my errors putting them 17 in, into the system, as well as what the OBMS system 18 was kind of automatically doing that we had no 19 control over. 20 So whenever we did that, we actually 21 worked on the cash report, line by line, fund by 22 fund, on that, with my budget analyst and her 23 mentor. Two hours, we had everything cleaned up, 24 three hours, something like that. So that third 25 quarter was resubmitted.</p>	<p style="text-align: right;">176</p> <p>1 did not have the answers. She's going to get with 2 her mentor, and right now, it's also budget season, 3 so it's going to take a little bit of time." 4 And so whenever we were able to address 5 that, then the fourth quarter cash report came 6 out -- just zeroed out perfectly. 7 So that is the reason for that. And I 8 don't feel there was a -- any lack of communication 9 or lack of transparency. But I did not raise flags 10 for this, just because other communications that I 11 had with the -- the Budget and Finance Bureau. 12 Thank you. 13 THE CHAIR: Betty, did you want to say 14 anything? 15 MS. BETTY SEELEY: No. I think what Chris 16 just said kind of cleared things up for me, as far 17 as that -- that large variance. Yeah. 18 THE CHAIR: All right. Thank you. I'm 19 relieved. Thank you. 20 So are we -- we're good with -- okay. 21 (Consults with Ms. Barnes.) 22 SECRETARY BECK: It's obvious you've done 23 a lot of work, and it's been pretty brutal. So, you 24 know. I kind of get that. 25 I just kind of want to echo what some of</p>
<p style="text-align: right;">175</p> <p>1 And I believe it was resubmitted end of 2 June, early July-ish. And on there, where Betty had 3 mentioned earlier, that, you know, there was those 4 differences, that's what our budget analyst asked us 5 to do is to highlight each of those fiscal years 6 that were -- those checks were originated from so 7 they could be closed out. 8 The reason we couldn't void them out is 9 not because we weren't wanting to or anything. It's 10 because anything created in this software through 11 the payroll system, you cannot manually undo. And 12 so it was actually the software technicians that 13 were able to void those checks, finally, after 14 several months of requests on that. 15 So, again, this is one of the several 16 reasons that we're moving to Skyward Qmlativ. 17 There's just some things in that current software we 18 were using last year that you can't control. With 19 Skyward, it is a very step-by-step process, for 20 sure. 21 So that's -- that's where that came from. 22 And, actually, I -- we did inform the board on that. 23 And -- but there was not a big alarm on that, 24 because I told them, said, "This is a process that I 25 worked with our budget analyst, and right now, she</p>	<p style="text-align: right;">177</p> <p>1 the other Commissioners were talking about, in that 2 you're obviously one heck of a good administrator 3 dealing with this. 4 I would just kind of plead with you. Be 5 human, because we're tired of hearing the pain of 6 those parents. And something's not quite right. So 7 we want to stop those calls. That's it. 8 THE CHAIR: We have one more item for 9 them, and that's just clearing out the governance 10 council. So we'll clear that out, and then school 11 will be dismissed for them. 12 DR. ADAM AMADOR: Madam Chair, before we 13 go, I want to thank the Commission for giving me the 14 opportunity, and Dr. DeLeon and my board, to show 15 you that progress is being made. 16 I also want to reiterate that request to 17 address the concerns that you guys brought up and 18 others have brought up as well. I don't think an 19 open meeting is the appropriate place for it. 20 That's why I haven't done it out of respect for the 21 families, but out of respect for myself that I don't 22 discuss some of those things in public, as -- that 23 we're morally and ethically bound to the State not 24 to do that. 25 And so, again, I would request a private</p>

178	<p>1 meeting, because it does involve a lot of emotion. 2 And then I can show you the documentation that I 3 have. Because I think that it's easy to come on 4 public comment and get on social media and tear 5 people down. It's easy to do that. 6 But I was never really introduced to you 7 all. And, unfortunately, this was the way that I 8 was introduced; right? But you can tell through the 9 work that I do have an amazing passion for students 10 and for schools. 11 You guys also noted, in April, that this 12 was almost going to be impossible. And it's 13 almost -- we've made it possible. 14 So -- but that's a testament to my 15 dedication to the students, families, and the Alma 16 learning community that we get this right. And 17 sometimes doing the right thing is not the easiest 18 thing to do. I will tell you that. 19 But I would like to reiterate that 20 request, and I want to thank you for your patience, 21 the Charter School Division as well. And at the end 22 of the day, we're all here for kids; right? But, 23 unfortunately, money and processes, kids don't know 24 about, and parents don't understand; right? And 25 we're taking time to bring that together.</p>	180	<p>1 don't have my video on. 2 THE CHAIR: Okay. So I'm just going to 3 very quickly say all of these changes, packets were 4 created, reviews were made, checked with the OMA. 5 Guidance had been provided by the Department of 6 Justice, or whatever they're calling themselves now. 7 And that's why we're here at this point in time. So 8 there are no concerns. 9 So Commissioner Beck? 10 SECRETARY BECK: Well, Commissioner Manis. 11 COMMISSIONER MANIS: Yes. 12 SECRETARY BECK: Commissioner Brauer. 13 COMMISSIONER BRAUER: Yes. 14 SECRETARY BECK: Commissioner Taylor. 15 COMMISSIONER TAYLOR: Yes. 16 SECRETARY BECK: Commissioner Ingham. 17 COMMISSIONER INGHAM: Yes. 18 SECRETARY BECK: Commissioner Burt. 19 COMMISSIONER BURT: Yes. 20 SECRETARY BECK: Vice Chair Carrillo. 21 VICE CHAIR CARRILLO: Yes. 22 SECRETARY BECK: Chair Gipson. 23 THE CHAIR: Yes. 24 SECRETARY BECK: Secretary Beck, yes. 25 There are eight votes for, zero votes</p>
179	<p>1 So it does take time. And I thank you for 2 the time. But, like I said, I'm not asking for 3 chances. I'm asking for opportunities. And there's 4 a big difference in that. 5 So thank you for your time. And, 6 Dr. de Leon, if you have any last word? Thank you. 7 DR. VANESSA de LEON: Thank you, Madam 8 Chair. Thank you, Commissioner Beck. I think that 9 was reassuring for Amador and his staff. So we 10 appreciate all of the work that you all do to help 11 improve student outcomes for our New Mexico 12 students. And thank you. Thank you for the work. 13 We appreciate each and every one of you. 14 THE CHAIR: So if we can just quickly move 15 to Item No. 11. Sorry. 16 COMMISSIONER BURT: I move that the PEC 17 accept the notification from Alma d'Arte Charter 18 High School regarding the change of governing board 19 members, identified as No. 11 in the meeting 20 materials. 21 COMMISSIONER BRAUER: I second. 22 THE CHAIR: There's a motion by 23 Commissioner Burt, a second by Commissioner Brauer. 24 Commissioner Manis has -- he's gone. 25 COMMISSIONER MANIS: I'm here. I just</p>	181	<p>1 against. The motion passes. 2 THE CHAIR: Thank you. So thank you. 3 DR. ADAM AMADOR: One last question. Does 4 the CAP require a vote to move forward? Or are 5 we -- we're good? Okay. 6 THE CHAIR: We didn't take any action. So 7 it still stands. 8 DR. ADAM AMADOR: Awesome. 9 THE CHAIR: So it's no vote. 10 DR. ADAM AMADOR: Thank you. 11 THE CHAIR: So we're good. We're going to 12 take a ten-minute break. 13 (Recess taken, 3:15 p.m. to 3:36 p.m.) 14 SECRETARY BECK: I think the Vice Chair is 15 going to take over. 16 VICE CHAIR CARRILLO: Moving on to 17 Item 12. And that would be the Discussion and 18 Possible Action on PEC Rules and Procedures. 19 Julia, do we have any changes that will be 20 made? 21 (Lengthy off-mic discussion.) 22 THE CHAIR: Discussion and Possible Action 23 on PEC Rules of Procedure, which we've already 24 looked at, and we made the modification that it's 25 going to comply with law.</p>

182	<p>1 MS. JULIA BARNES: Could I just raise one 2 thing before you vote on it? 3 It occurred to me the last two days that 4 if you have a -- you have a even number of 5 Commissioners, if you have a tie vote, the motion 6 fails. And if you have a flip vote and everybody 7 keeps their vote and the motion fails, you would 8 have two failed motions. 9 You have an obligation to decide a new 10 school application by September 1 and the renewal 11 application by December 31. Your rules of procedure 12 do not address that -- well, they don't address no 13 decision. 14 And you have to make a decision. So 15 you're going to have to -- that much is in statute. 16 You have to make the decision. Before you vote on 17 this, I wondered if you wanted to -- to spend a 18 little bit of time on that. 19 I don't think there's anything urgent in 20 the Rules of Procedure, or you can adopt them today 21 and we can open it right back up. 22 That occurred to me yesterday, and I was 23 whispering to Pattie, "What if" -- and my only 24 answer in my mind is we're going to recess, and 25 we're going to think about it, because your Rules of</p>	184	<p>1 I move that the PEC adopt the revised PEC 2 Rules of Procedure identified as Item 12 in the 3 meeting materials, and that the revised PEC Rules of 4 Procedure be posted to the PEC website. 5 THE CHAIR: Second. 6 There's a motion by Commissioner Carrillo 7 and a second by Commissioner Gipson. There's no 8 further discussion. 9 Is Commissioner Manis still on? Okay. 10 Commissioner Beck? 11 SECRETARY BECK: Chair Gipson. 12 THE CHAIR: Yes. 13 SECRETARY BECK: Vice Chair Carrillo. 14 VICE CHAIR CARRILLO: Yes. 15 SECRETARY BECK: Commissioner Ingham. 16 COMMISSIONER INGHAM: Yes. 17 SECRETARY BECK: Commissioner Burt. 18 COMMISSIONER BURT: Yes. 19 SECRETARY BECK: Commissioner Manis. 20 (No response.) 21 SECRETARY BECK: Commissioner Brauer. 22 COMMISSIONER BRAUER: Yes. 23 SECRETARY BECK: Commissioner Taylor. 24 COMMISSIONER TAYLOR: Yeah. 25 THE CHAIR: There's seven votes for, zero</p>
183	<p>1 Procedure don't approve it. 2 You could have a process that says 3 whatever it could say. "The school will come back 4 and make an additional half-hour presentation. The 5 PEC will vote again." 6 I don't know that you need to flip a coin. 7 VICE CHAIR CARRILLO: I don't think we 8 need to do anything. I think the odds of that are 9 slim. And I think that if that does happen, there's 10 that case where we just have to say, "All right, 11 we'll discuss it a little bit more. And we'll do 12 the consensus kind of thing. "What's holding you 13 up? What's holding you up? What's the deal-breaker 14 here?" 15 MS. JULIA BARNES: Just keep working on 16 it. Then you don't need it in the Rules of 17 Procedure. Didn't want you to finalize the Rules of 18 Procedure if you wanted to put something in here, 19 because four-four or five-five is a failed motion, 20 so you have to keep going. 21 SECRETARY BECK: We're collegial. And I 22 think we could work it out amongst themselves. 23 VICE CHAIR CARRILLO: Madam Chair, I'd 24 like to make motion regarding No. 12, our PEC Rules 25 of Procedure.</p>	185	<p>1 votes against. Oh. Secretary Beck, yes. There are 2 seven votes for, zero votes against. The motion 3 passes. 4 THE CHAIR: Thanks. We're on to Item 5 No. 13, which is the Discussion and Possible Action 6 on the PEC Logo. 7 So we just have to -- we kind of came to a 8 consensus. So I think we just need to vote that 9 that's the logo that we're going to put forward to 10 (off-mic.) 11 MS. MELISSA BROWN: Commissioner Manis is 12 back. 13 MS. JULIA BARNES: And you need the Zia 14 Pueblo outreach completed. 15 THE CHAIR: I did the outreach. So I 16 think a motion is contingent on approval by the Zia 17 Pueblo -- or acceptance by -- well, no response. 18 Because that is the question. Because, you know, it 19 goes into an e-mail box that says "Info@." 20 So I don't know -- I'm going to submit it 21 again. But I'm going to say if we don't hear in 22 seven to ten days, then I'm going to -- 23 COMMISSIONER BURT: Yeah. Pending 24 rejection. Maybe that -- we could always remove it. 25 THE CHAIR: "Pending rejection" is good.</p>

<p style="text-align: right;">186</p> <p>1 Okay.</p> <p>2 VICE CHAIR CARRILLO: Okay. I have a</p> <p>3 question about where it says, "be placed into final</p> <p>4 form." Is that just -- that's the part where we're</p> <p>5 going to work on this and fine-tune it?</p> <p>6 The Zia in the upper part of that bled</p> <p>7 into the black portion, you're going to want that</p> <p>8 orange portion -- you're going to want the red --</p> <p>9 the top of the Zia to go up and not the orange.</p> <p>10 Anyway... (Audio distortion.)</p> <p>11 THE CHAIR: Are we good?</p> <p>12 VICE CHAIR CARRILLO: I can make a -- how</p> <p>13 are you going to get this -- like, our (audio</p> <p>14 distortion) to be professional?</p> <p>15 THE CHAIR: I asked K.T. to send the file</p> <p>16 to Consuelo, and Consuelo was going to then send it</p> <p>17 to the Print- -- because the Printing Office,</p> <p>18 New Mexico State --</p> <p>19 VICE CHAIR CARRILLO: Then we can tell</p> <p>20 them the little things we want?</p> <p>21 COMMISSIONER MANIS: It's been sent to</p> <p>22 Consuelo already.</p> <p>23 VICE CHAIR CARRILLO: Thank you, K.T.</p> <p>24 I move that the PEC adopt the Logo No. 4</p> <p>25 in the meeting materials in Item 13, be finalized by</p>	<p style="text-align: right;">188</p> <p>1 THE CHAIR: Thank you. I think we</p> <p>2 covered, by and large, 14 at the subcommittee</p> <p>3 report. So talking points will get out.</p> <p>4 We've got the priorities. People are</p> <p>5 going to start talking to legislators, and I think</p> <p>6 we're -- we're set with that.</p> <p>7 No. 15.</p> <p>8 MS. JULIA BARNES: Could I just ask a</p> <p>9 question? So are you going to bring it back --</p> <p>10 sorry -- to a vote of the PEC to move forward or</p> <p>11 not?</p> <p>12 THE CHAIR: I don't think we've ever --</p> <p>13 MS. JULIA BARNES: You have in the past.</p> <p>14 You -- you have in the past, to say, "This is a PEC</p> <p>15 position," so that you could stand up at legislative</p> <p>16 sessions later.</p> <p>17 THE CHAIR: Got you.</p> <p>18 MS. JULIA BARNES: So I don't know if</p> <p>19 you -- you might not be ready for that yet.</p> <p>20 THE CHAIR: Let's wait.</p> <p>21 VICE CHAIR CARRILLO: All right.</p> <p>22 THE CHAIR: Yeah. Let's wait. Yeah.</p> <p>23 Yeah. Because that's less urgent, because we're not</p> <p>24 talking to any -- in a public forum at this point in</p> <p>25 time. So I think we're good.</p>
<p style="text-align: right;">187</p> <p>1 a professional hired through CSD, and that the logo</p> <p>2 be used for all PEC documents, subject to objection</p> <p>3 by the Zia Pueblo.</p> <p>4 COMMISSIONER BURT: Second.</p> <p>5 THE CHAIR: There's a motion by</p> <p>6 Commissioner Carrillo, a second by Commissioner</p> <p>7 Burt.</p> <p>8 Commissioner Beck.</p> <p>9 SECRETARY BECK: Commissioner Burt.</p> <p>10 COMMISSIONER BURT: Yes.</p> <p>11 SECRETARY BECK: Commissioner Manis.</p> <p>12 COMMISSIONER MANIS: Yes.</p> <p>13 SECRETARY BECK: Commissioner Brauer.</p> <p>14 COMMISSIONER BRAUER: Yes.</p> <p>15 SECRETARY BECK: Commissioner Taylor.</p> <p>16 COMMISSIONER TAYLOR: Yes.</p> <p>17 SECRETARY BECK: Chair Gipson.</p> <p>18 THE CHAIR: Yes.</p> <p>19 SECRETARY BECK: Vice Chair Carrillo.</p> <p>20 VICE CHAIR CARRILLO: Yes.</p> <p>21 SECRETARY BECK: Commissioner Ingham.</p> <p>22 COMMISSIONER INGHAM: Yes.</p> <p>23 SECRETARY BECK: Secretary Beck, yes.</p> <p>24 There are eight votes for, zero votes against. The</p> <p>25 motion passes.</p>	<p style="text-align: right;">189</p> <p>1 Report from Charter School Division.</p> <p>2 DIRECTOR CORINA CHAVEZ: Yes. Hey,</p> <p>3 Commissioners, don't I have energy? Day three of</p> <p>4 meetings.</p> <p>5 All right. So we're going to first talk</p> <p>6 about the CSD staff positions. As I mentioned last</p> <p>7 time, I have a request for reclassifying Jessica's</p> <p>8 old position into a financial coordinator position,</p> <p>9 which was what Ruby did, someone who can run share</p> <p>10 reports and give monthly zeroing in on the budget,</p> <p>11 because I need to know every penny at any given</p> <p>12 point, lest it go away.</p> <p>13 So -- so I'm waiting to hear on the okay</p> <p>14 for that.</p> <p>15 And then we have a position open in</p> <p>16 Training and Technical Assistance. And there's</p> <p>17 probably some resumes and applications. And so</p> <p>18 Missy and I will be taking a look at those sometime</p> <p>19 real soon.</p> <p>20 But the sad news, the very sad news I have</p> <p>21 to share with you today is that a staff person who</p> <p>22 we recently hired, Dianna Sena, who took the</p> <p>23 Ed Admin A in the authorizing team, has given her</p> <p>24 notice because her dream job of being EL coordinator</p> <p>25 has come up in her home district.</p>

190	<p>1 So we have already posted the position. 2 That's the good news. But we won't have Dianna on 3 our team, and that's really sad. 4 VICE CHAIR CARRILLO: Why couldn't we tell 5 her some dreams don't come true? 6 DIRECTOR CORINA CHAVEZ: I don't know. 7 That's the update on the CSD staff positions. 8 I'm going to turn it over to Ms. Brown, if 9 she's ready, or I can do the San Diego Riverside if 10 you want a minute. 11 Okay. So then I'm also going to jump onto 12 c., which is the update on the San Diego Riverside's 13 charter renewal conditions. I can tell everybody in 14 this room is just really excited to hear the update 15 on that. 16 I know the update is that I have met with 17 the San Diego Riverside team, alongside the Walatowa 18 team. So that is Tony Archuleta as interim head 19 administrator, Bernadette, who works closely with 20 him, Valerie Shaw, Dr. Comander from Walatowa, as 21 well as board members from San Diego Riverside, to 22 review the charter school renewal conditions 23 document. 24 It's been really helpful for us to walk 25 through each of the items and discuss and brainstorm</p>	192	<p>1 I don't know the outcome of their meeting with 2 Teresa on whether she will actually serve as mentor. 3 THE CHAIR: Because I spoke with her a 4 week ago, and she was in the process of contacting 5 PCSNM. So, yeah. But I haven't -- I don't have -- 6 DIRECTOR CORINA CHAVEZ: I don't know if 7 they've confirmed any sort of plan yet. So I will 8 continue to meet and support them. And I understand 9 from the executive committee that any sort of 10 official report that comes out of the condition 11 comes with the annual report. 12 So we're just -- we're just helping them 13 mind it and -- and reflect on it and brainstorm how 14 they can get it done as support for the school. 15 Thank you. 16 VICE CHAIR CARRILLO: Question about this. 17 Are there timelines or deadlines related to any of 18 this? And are there -- what do we do? 19 DIRECTOR CORINA CHAVEZ: There are 20 timelines, yes. 21 VICE CHAIR CARRILLO: What do we do if 22 timelines are not met, besides kick the can down the 23 arroyo? 24 DIRECTOR CORINA CHAVEZ: Right. Well, as 25 to the -- so I think -- let me see if I have this in</p>
191	<p>1 and to be able to support the school. We have our 2 next check-in on the 20th. 3 I would say the bottom line is that they 4 have completed some things. There's some things in 5 progress. And time will tell if the rest of the 6 things that we had talked about them completing by 7 the next time we meet are done or not. 8 It was -- they had professional 9 development to provide to teachers. And they -- 10 they needed to take a look at the MOU between the 11 two schools. 12 But they have started their first day of 13 school. And they do have some baseline testing. 14 And they reached out to Public Charter Schools 15 New Mexico. You know, the problem with these very, 16 very, very, very detailed compliance documents is 17 that -- in this case, it mentions Kelly Callahan. 18 She's unavailable. So they've reached out 19 to Teresa Archuleta. Whether she's available or 20 not, I don't know, because I understand from Public 21 Charter Schools NM that Teresa is going to run a 22 head administrator -- a new head administrator 23 mentorship program out of PCSNM. 24 And I've asked them for details on that. 25 I know Teresa is taking a large role with that. So</p>	193	<p>1 alignment with what Ms. Barnes also believes -- is 2 that if I felt that there was egregious violations, 3 they were completely ignoring us, making no progress 4 whatsoever, I could bring this to the attention of 5 the PEC in some sort of Ladder of Intervention way. 6 Otherwise, if I see them making some 7 levels of progress, maybe not hitting every mark on 8 every single deadline -- which you're going to find 9 lots of schools don't -- but they're making 10 progress, then we hold off to the end of the year 11 when the annual report gets published to report out 12 on the final outcomes for meeting the conditions of 13 renewal. Is that correct? 14 MS. JULIA BARNES: Yes. I just wanted to 15 add one other thing. The assurance form that goes 16 to all schools under the new contract, there was a 17 technical change made to it. They need to review 18 their last year's annual report, which these 19 schools, in their first year, don't have. But they 20 also have to review with the board their condition 21 document. 22 So they're going to need to talk about 23 that and submit that assurance form. And then at 24 any point on any school, if Director Chavez feels 25 like something needs to be brought forward starting</p>

<p style="text-align: right;">194</p> <p>1 an intervention ladder, she can always do that. 2 MS. MELISSA BROWN: Okay. Me? 3 So the training report. In your folder, 4 you'll see the FY24 Charter Schools Technical 5 Assistance and Training Milestone Report. 6 Thank you, Lucy. 7 In there, you've got all of your schools. 8 I'll remind you that San Diego Riverside and Dream 9 Diné are not in there, because they were not your 10 schools during FY24. 11 I've put which page the school is on, if 12 you want to go directly to that page. I remind you 13 we list who the officers are. If we know -- if 14 there's an R next to somebody's name or hours -- if 15 you'll scroll down to 21st Century. So you'll see 16 that we've got -- Vincent Vargas has a 6R in FY 24. 17 That means he got six hours. He resigned, and he 18 needed no more than six hours. 19 So we prorate hours. 20 So Gary Boyd had 11 hours and resigned. 21 That was all good. 22 Sometimes you'll see a red number. That 23 means they didn't get all the hours. So, like, if a 24 new board member has 12 hours, but it's red, it 25 means they didn't get the new member course.</p>	<p style="text-align: right;">196</p> <p>1 in FY23 and FY24, versus PCSNM, versus a 2 combination, versus no training. That's where you 3 can see this is really -- we went from 71 people to 4 21 people. 5 Again, I think that's a huge win. 6 And then we had two conferences in FY24. 7 So this is just showing you the percentages of 8 people from PEC-authorized schools who went to both 9 conferences, district schools, and the total. 10 I want to remind the Commissioners that we 11 send quarterly messages to every single board, not 12 just your schools, but every single board, on their 13 training. And we do do semi-annual checks of their 14 websites to make sure that everybody is in 15 compliance with things that are required. 16 And that's what I know. 17 THE CHAIR: Thank you. 18 VICE CHAIR CARRILLO: Hey. You know what 19 might be fun? If we did something like the NMSBA 20 does and have a Charter Board of the Year and a 21 Board Member of the Year, or both. 22 MS. MELISSA BROWN: I have tried to get 23 that going, and I've failed at it. 24 THE CHAIR: Shame on you. 25 MS. MELISSA BROWN: I know. I'm terrible.</p>
<p style="text-align: right;">195</p> <p>1 So that's what that means. 2 The dates are for the contract term. So 3 you see 21st Century is up for renewal. So they've 4 got four years of data for them. I don't know why I 5 made the mistake of having FY24 twice there. But 6 it's FY23-FY24, unlike it is for the ABA. 7 I didn't put this in there. Let me see if 8 I can share my screen. 9 I did do a data analysis. And I was -- 10 here we go. Wait. I haven't put this in your 11 folder, because I've been busy with other things. 12 But I was really pleased that the -- the 13 percentage of board members not getting any training 14 completed drastically reduced from FY23 to FY24. 15 In FY23, I think it was more like 16 8 percent. In FY24, it was like 3.6 percent didn't 17 complete their training. I think that's a huge win. 18 You can see people are continuing to get a 19 combination of training through PCSNM, through CSD. 20 I don't pull up -- you know, if it's an 21 attorney or a school lawyer -- a business manager 22 wants to give them training hours, I don't pull all 23 that data. 24 But we had two -- so this is just all of 25 the data, you know, how many people did CSD training</p>	<p style="text-align: right;">197</p> <p>1 I would really like to do it, for, like, the last 2 two years. But I have not been able to get myself 3 to do that or -- 4 VICE CHAIR CARRILLO: (Audio distortion.). 5 COMMISSIONER BURT: I, actually -- I 6 talked to Missy about this. At the charter school 7 conference, like, as a PEC, that we -- under 8 advisement from Missy, because she's going to know 9 best -- right? -- that we do, like, give something 10 cool to, like, an exemplary board for that year. 11 And it could be, like, just one little 12 thing that we can contribute. And it's from the 13 PEC. That way, we don't have to, like, put CSD in a 14 weird spot, where they're picking and choosing. We 15 can pick and choose. 16 VICE CHAIR CARRILLO: And a board member, 17 too, someone who's really done -- 18 DIRECTOR CORINA CHAVEZ: Do we want 19 somebody to, like, say, "Oh, the PEC really likes 20 this school?" 21 COMMISSIONER BURT: Yes. Absolutely. 22 THE CHAIR: It's not like we're favoring 23 the school. But I think schools that are operating 24 in a excellent fashion, there's so little 25 opportunity for recognition of that. I see -- I</p>

<p style="text-align: right;">198</p> <p>1 don't see that we're -- we're saying, "Okay, you get 2 a pass on your annual report next year because you 3 did such a great job." 4 DIRECTOR CORINA CHAVEZ: I think there's a 5 difference between saying -- 6 THE CHAIR: I think anytime anyone can get 7 an "attaboy" -- 8 DIRECTOR CORINA CHAVEZ: There's a 9 difference between selecting one entity as Board of 10 the Year, as opposed to saying, "We want to 11 recognize these boards where every single member got 12 their training this year" -- 13 COMMISSIONER BURT: I think we can do it 14 as a PEC. 15 DIRECTOR CORINA CHAVEZ: I'm just weighing 16 in. 17 MS. MELISSA BROWN: Longest serving board 18 member. First board to get all their training done. 19 COMMISSIONER BURT: I think it's a good 20 idea. That's definitely something -- yes. 21 VICE CHAIR CARRILLO: Put it on the work 22 session for September. 23 COMMISSIONER BURT: I actually just wrote 24 a note to bring it up at, like, the next item. 25 THE CHAIR: Thanks.</p>	<p style="text-align: right;">200</p> <p>1 THE CHAIR: No. Those were schools that 2 were already renewed. The schools that are 3 renewing, because the schools that renewed last year 4 will get an annual report this year; correct? 5 DIRECTOR CORINA CHAVEZ: The schools -- 6 for the assurances, it's the schools that are under 7 the new contracts. 8 THE CHAIR: Right. And -- yes. And the 9 four schools that have conditions, it'll be in -- 10 yeah. Yeah. We're good. 11 New or updated school issues. 12 The only update I have is Dolores Huerta 13 is -- is going to be moving in to -- in with Alma. 14 Oh. Did you not -- they lost their lease. 15 They were given a -- less than 30-day notice to 16 vacate by LCPS. They have -- fortunately, LCPS -- 17 LCPS extended their lease until December 30th to 18 give them time to be able to move, notify parents 19 appropriately. 20 And, apparently, that notice went out -- 21 that notice went out unbeknownst to the 22 Superintendent. So it was the -- the facilities 23 person that generated the vacate notice. 24 So I'm actually going to go there Monday 25 and walk through the facility with them. And</p>
<p style="text-align: right;">199</p> <p>1 Okay. Missy, anything else? 2 MS. MELISSA BROWN: No. But K.T. is back. 3 THE CHAIR: Of course. I think we were 4 going to take a vote to adjourn. 5 So once again, I want to thank you. And, 6 once again, we -- we brought this excellent tool up 7 to the Deputy Secretary. As I mentioned before, 8 when Joe Guillen was saying, "I don't know how to 9 track all these." And we said, "We already do 10 that." 11 We told her to look at our meeting 12 minutes -- the materials, because it's there. 13 So thank you. Because we're -- you know, 14 we're in the forefront of what we -- what we need to 15 do here, and it is important. 16 So the next thing we are onto is -- oh, 17 me, the Report from the Chair. It was brought -- 18 there was a request, I think because the timing of 19 September 1 was too soon from the start of the 20 school year, that the assurance document come in 21 September 30th, and a reminder that there is no -- 22 there's no annual report done for renewing schools. 23 MS. JULIA BARNES: However, four -- I 24 think four schools have conditions. So they will 25 look at that as if it was an annual report.</p>	<p style="text-align: right;">201</p> <p>1 they've been given advisement as to what steps they 2 need to take in order to have an MOU and get 3 everything that they need to in compliance. 4 I've asked the assistance of Commissioner 5 Ingham with some questions about that lease 6 reimbursement and what that actually looks like. 7 Okay. 8 So that's the only update I have at this 9 point in time. 10 PCSNM. I know Matt said that he was not 11 going to be available this afternoon. I don't know 12 if Val is here. 13 MS. MELISSA BROWN: Neither Matt or Val is 14 on. They were on earlier, but they're not on. 15 THE CHAIR: Matt was getting an award 16 somewhere in Albuquerque. That's why he couldn't be 17 here this afternoon. So congratulations to him. 18 Sure. 19 MS. JULIA BARNES: I'm just going to jump 20 in on her section, just for the question. 21 Next month, you are going to get partial 22 annual reports. I am assuming, because they're 23 partial, that you all, in the letters, will not 24 identify the -- you know, exemplary or on track for 25 that. But you will identify issues of performance,</p>

<p style="text-align: right;">202</p> <p>1 the unsatisfactory performance. 2 Is that how you want the letters prepared? 3 They're going to get two letters, anyway, 4 because you're accepting partial annual reports. So 5 I'm thinking -- 6 COMMISSIONER BURT: So really quickly, I 7 feel like -- this is where I'm going to come from. 8 I don't think we send our letter out until 9 we have the whole thing, that if there's significant 10 reds in this first part of the report, that could 11 lead to a letter of intervention that could need 12 some more serious work. 13 That's the only action we would take off 14 of these is, like, the really serious stuff. 15 Otherwise, they're -- they have them. They can 16 already start working on improving their stuff. 17 But I think we only give one letter at the 18 end. 19 DIRECTOR CORINA CHAVEZ: I appreciate 20 that, because it could be confusing. 21 THE CHAIR: Yeah. I agree. I did not 22 even think that there was going to be two letters. 23 Just one letter. Yeah. 24 Okay. So PCSNM is not here. 25 There is no update on collecting national</p>	<p style="text-align: right;">204</p> <p>1 letters was to inform the authorizer of the progress 2 that schools are making. 3 Schools are well aware that they need to 4 take action. They -- I mean, they reply to us with 5 hair on fire whenever there's a Does Not Meet 6 indicator, you know, trying to get us to change it. 7 THE CHAIR: We're referring to the letter 8 that we send out. 9 DR. BRIGETTE RUSSELL: Yes. No, I 10 understand that. 11 THE CHAIR: (Inaudible) with PEC. That 12 letter that we send out, that went to the school. 13 DR. BRIGETTE RUSSELL: The reports 14 inform -- are to inform the PEC. 15 THE CHAIR: Correct. What we're 16 referencing, there's not going to be a letter from 17 us -- 18 DR. BRIGETTE RUSSELL: No, there's not, 19 but -- 20 THE CHAIR: -- until the final report. 21 DR. BRIGETTE RUSSELL: But it's my 22 understanding that -- I mean, all the schools are 23 aware of the administrative code. They're aware of 24 6.69.2 NMAC. They're aware that they need to 25 correct unsatisfactory performance.</p>
<p style="text-align: right;">203</p> <p>1 best practices, because there haven't been any 2 conferences that anyone is going to. 3 We just did the preparation for the 4 partial annual reports. 5 Do we have anything in addition that you 6 need to add to that? 7 MS. JULIA BARNES: The thing I want to 8 make sure of is that CSD indicate to schools that 9 they need to start to take action now, because if 10 this body can't finalize those reports till January 11 or something, I want schools to know that they need 12 to be taking action now on the two parts that you 13 have finalized. 14 That's the only reason to do them early is 15 to tell schools what the concerns are. 16 So Las Cruces Public Schools, they know 17 that. I'm okay without a PEC letter. 18 THE CHAIR: So I guess -- so the message 19 that goes with the annual reports is there is an 20 expectation that areas of concern, schools are 21 moving to take action on them now, as opposed to 22 waiting for a final letter from us, which isn't 23 going to come until the school year is almost over. 24 DR. BRIGETTE RUSSELL: So, Chair Gipson 25 and Commissioners, I thought that the purpose of the</p>	<p style="text-align: right;">205</p> <p>1 I guess I -- are you asking that CSD send 2 a letter to schools telling them that they need to 3 start thinking about -- I'm not sure what -- 4 MS. JULIA BARNES: Last year, the letters 5 from the Public Education Commission didn't come 6 out. And a school, who two or three years later 7 could say, "Well, we didn't get your letter, PEC, 8 knowing that you were concerned, until March, so we 9 couldn't take any action." 10 I -- the purpose of doing this early, the 11 early reports from you, is for you to tell the 12 schools, "Here are your areas of concern." You just 13 show the PEC, here are the areas of concern. And I 14 just want the message to be clear to the schools 15 that they need to start taking action now based on 16 your report. 17 It could be a blanket e-mail to everyone. 18 It doesn't need to be (inaudible) a letter. But if 19 the PEC is not going -- you know, PEC is not going 20 to, right now, next month, identify in writing 21 unsatisfactory performance, I'm fine with that as 22 long as the schools know that they need to start 23 taking action now. They have the concerns. They 24 have your Do Not Meets; they have your Working To 25 Meets. They need to start working on them.</p>

<p style="text-align: right;">206</p> <p>1 THE CHAIR: So here's -- and, Bekka, I'll 2 get to you just in a sec. 3 My concern is I think schools already know 4 they need to do that. That's where I'm sitting, 5 that they've always, through the annual reports, 6 have known "If there's a red, I need to get on the 7 stick and work on this. And if it's a yellow, I 8 still need to be working on this." 9 So I -- you know, I don't -- I'm not -- 10 I'm not there with something additionally going out 11 from CSD on that. I think we've always had that 12 expectation. 13 Bekka. 14 COMMISSIONER BURT: I'll add to it. 15 Agreed. I also know CSD, at the site visits, goes 16 through and starts trying to tell them what they can 17 do better for the next year. 18 And that's sort of like that technical 19 assistance comes in. 20 So they know, in the spring, during site 21 visits, usually, how they're going to go. And then 22 they'll get the preliminary. They'll see that as 23 well. That's the expect- -- that's always been the 24 expectation. 25 Our letters are just to formalize a record</p>	<p style="text-align: right;">208</p> <p>1 That's where the letter is from us. So that is a 2 record. 3 But when we have the discussion about why 4 we're sending the letter, it was because, if 5 anything, whatever it was came out of CSD. So it's 6 not a formal record of our communication. This 7 wouldn't be. 8 MS. JULIA BARNES: I think the rule is 9 going to require you to do a letter. "Within ten 10 days after the Commission meeting, the Commission 11 shall provide a written notice to the school. If 12 the Commission has accepted the final annual report 13 or a final annual report completed in part, identify 14 the annual report notice issued by the Commission, 15 and reference the annual report which identifies 16 unsatisfactory performance requiring corrective 17 action with specificity, such that the State charter 18 school can take appropriate action to correct its 19 performance." 20 THE CHAIR: So is this going to be labeled 21 as "Final Annual Report, in part"? 22 MS. JULIA BARNES: It's only the 23 organizational and financial with -- 24 THE CHAIR: I know. But I'm inquiring if 25 the notice that goes out, does it say that? Because</p>
<p style="text-align: right;">207</p> <p>1 of performance from the PEC perspective. That is 2 the only purpose of our letters. They are not to be 3 the trigger for them to then act upon it. It is 4 just formalizing the record of performance. 5 So I do think what CSD already does is 6 sufficient. I think all the back-and-forth -- I 7 mean, if schools are -- if -- I cannot -- I cannot 8 fathom a school making an argument that they did not 9 know they needed to fix something. 10 I -- I think CSD does a really good job of 11 making sure they are very aware of that. I don't 12 think we need to do anything extra. 13 And, really, it's -- for me, getting it 14 earlier -- the purpose of getting them earlier for 15 the PEC is the kind of more indicator-of-distress 16 work of like seeing where they're in bad shape and 17 helping fix that. 18 THE CHAIR: Yeah. And part of the reason 19 for -- the reason for our letter was the concern was 20 raised that if the -- if any notifications are 21 coming from CSD, then it's not a notification from 22 the PEC. 23 So, to me, an e-mail that -- that goes 24 from CSD doesn't satisfy that concern, because it's 25 not something -- it's not a record from the PEC.</p>	<p style="text-align: right;">209</p> <p>1 why did we put that, in the (inaudible)? 2 DR. BRIGETTE RUSSELL: The difficulty is 3 that some of the organizational indicators cannot be 4 rated until months later, and the PEC wants 5 information ASAP. 6 I have an idea. So if the rule requires 7 the Commission to send a letter within ten days of 8 accepting the "Annual Reports, in part," the 9 Commission could decline to take action accepting 10 those partial reports, could read them, could have 11 the information, the schools have had the feedback, 12 and then wait to accept, wait to accept final 13 reports. 14 THE CHAIR: Yeah, thanks. Someone's brain 15 is still working. Thanks. That's a really good 16 idea. So thank you. Okay. 17 So we're good with this? Okay. Okay. 18 Anyone -- I don't think anyone needs any 19 guidance on any votes on subcommittees so we're 20 moving on. 21 PEC comments? Reminder, you don't have to 22 say something. 23 COMMISSIONER BRAUER: Madam Chair, I do 24 want to say something. 25 I want to, first, like, just commend all</p>

210	<p>1 of us, especially you, Madam Chair, for running, I 2 think, some really difficult -- I'm going to 3 characterize them as difficult decisions that we 4 made over the last three days.</p> <p>5 I also want to share that what I'm about 6 to say is no condemnation for anyone's vote that we 7 did yesterday, especially, with the school from 8 Alamogordo.</p> <p>9 I am uneasy about how we came out on that 10 school. I'm super uneasy about it.</p> <p>11 Bear with me here. But, like, you all are 12 familiar with Citizens United vs. the Federal 13 Elections Commission. That was the Supreme Court 14 decision in 2010, I believe it was, that said that, 15 essentially, corporations, nonprofits, other 16 entities have First Amendment rights to give as much 17 money as possible to any political candidate or 18 campaign that they wanted.</p> <p>19 Regardless of our differences of opinion 20 about that, it fundamentally changed the way that 21 things happen in our country when it comes to 22 politics. I think we can agree that that's 23 happened, and there's billions of dollars of dark 24 money going into candidates, both in social media, 25 which there's no -- that's no holds barred, and</p>	212	<p>1 I am saddened. I'm heartbroken. And I don't know 2 where we go from there.</p> <p>3 Because we get really clear and confident 4 about certain things, we get high-and-mighty on 5 making decisions for kids. We have values.</p> <p>6 And I think yesterday, we dropped the ball 7 on those. I really do.</p> <p>8 And I don't think there is a mutual -- I 9 don't think anyone and any decision earns the rights 10 to saying that I'm doing this based on kids, because 11 my decisions are based on kids, and I voted no on 12 that school. And others voted yes on that school 13 and put kids first.</p> <p>14 But plain and simple, that school cheated, 15 and we said yes to them, and that's going to haunt 16 us. Thank you.</p> <p>17 THE CHAIR: I can't even talk. I can't.</p> <p>18 MS. MELISSA BROWN: Commissioner Burt 19 still has her hand up. I'm not sure if that's -- if 20 she doesn't know how to take it down on her phone 21 or --</p> <p>22 COMMISSIONER BURT: I put it up.</p> <p>23 THE CHAIR: Okay.</p> <p>24 MS. MELISSA BROWN: Go ahead.</p> <p>25 COMMISSIONER BURT: I'm very happy with</p>
211	<p>1 other types of media and publications.</p> <p>2 And I think yesterday, the way that we 3 came out, I think that's going to be one of our 4 Citizen United moments. I think we're going to 5 regret what we did.</p> <p>6 And this is no disrespect to the content 7 of the academic part of that application.</p> <p>8 You know where I was on the cheating. And 9 I didn't characterize it yesterday as that. But 10 that was absolute cheating, after I thought about it 11 and prayed about it last night. There's no other 12 way that we can describe that.</p> <p>13 And now I'm really worried of what that 14 means to the schools who we have approved and who 15 have done really awesome things, who did it right in 16 the past.</p> <p>17 And I'm also thinking about next year and 18 how we need to clarify our approach for next year. 19 Because we said, in things that we approved, "No 20 plagiarizing, no copying."</p> <p>21 As I said yesterday, there is nothing more 22 black and white in our life than that. And we still 23 voted that school forward. And I -- again, I 24 don't -- am not beating up one individual person who 25 made a vote. I think collectively, as a Commission,</p>	213	<p>1 the decisions we made over the course of this last 2 couple of days. I think we did a lot of due 3 diligence in considering all sides.</p> <p>4 I think that there's a lot of gray areas 5 in these -- in these.</p> <p>6 And the language that was just quoted is 7 not a direct quote. I do think we have a 8 responsibility to consider a lot -- we are always 9 considering anecdotal data. We're always 10 considering context.</p> <p>11 And I am not worried about it haunting us 12 at all. The only thing I care about is that this 13 school succeeds in the future, just as any other 14 schools that we're -- I have voted to approve or I 15 didn't vote to approve and did get approved.</p> <p>16 So I have no qualms, no questions. I 17 actually thought and prayed on it myself and 18 actually feel really, really good about the 19 decision.</p> <p>20 So I'm very grateful for the level of 21 collaboration, conversation, respect for one 22 another, respect for processes, respect for human 23 beings. I think this Commission did politics the 24 way it actually should be. I don't know anything 25 about dark money or anything about that.</p>

214	<p>1 But this is -- this is the way 2 legislation, this is the way policies, this is the 3 way decisions should be made with independent people 4 with independent minds. 5 Everyone has different backgrounds, value 6 systems, and no one is right or wrong compared to 7 another's. 8 And I'm actually extremely thrilled with 9 hearing out the thoughtfulness of every Commissioner 10 on this -- on this Commission. I'm just so 11 impressed. This was not the same Commission that I 12 watched four years ago. I think we are in just such 13 a incredible place with really thoughtful, 14 articulate people working to do the best for 15 schools. 16 And I'm really grateful for the -- 17 everyone who put in the time and effort to take a 18 look and consider them. 19 VICE CHAIR CARRILLO: Thank you. Hearing 20 both of what you had to say, Commissioner Burt and 21 Commissioner Brauer, I hope this isn't our Citizens 22 United. I do. 23 And I would just echo what Commissioner 24 Burt said. And into the schools that had 25 (inaudible), if you will, the thing that I said to</p>	216	<p>1 like we honored that process. 2 It -- it's a joy to be on this Commission. 3 When I came here, I didn't really have any idea what 4 I was doing. And I've got to say it has been one of 5 the best experiences of my life being here and 6 learning from you guys. 7 And so I just want to say how much I 8 appreciate this body and how much I brag about you 9 wherever I go, because I feel like I am thrilled to 10 be a part of this body. 11 And, Alan, I hear you, man. I am 12 listening to you. And I do. I hear your heart and 13 your voice. I have to take a different 14 understanding of it. But that does not diminish 15 anything. And I felt like yesterday, we did a 16 really good job of being deliberative. 17 VICE CHAIR CARRILLO: K.T. Is he on? 18 (Motion to adjourn made off-mic by 19 unidentified speaker.) 20 COMMISSIONER MANIS: I am on, but I don't 21 have anything to say. 22 VICE CHAIR CARRILLO: So I'll take roll 23 call. 24 Chair Gipson. 25 (Response off-mic.)</p>
215	<p>1 both of them is you're part of a family now, and 2 we'll do whatever we can to support you to succeed. 3 It doesn't matter whether -- it's, like, there's a 4 school I've been very critical of these last years. 5 And it's, like, it doesn't matter. I want the kids 6 in that school to succeed, however I can help. 7 What Bekka said about the Commission -- I 8 think I said this to -- actually, I know I said this 9 to Chair Gipson when the meeting was over yesterday. 10 And I'm just really proud of our Commission in 11 general and the way we're thoughtful, the way we 12 work together. We don't have animus between one 13 another. 14 And I always tell people that during the 15 Legislative Session, I always think they should come 16 across the street and see how it's done. 17 So regardless of the decision, I like the 18 way we work together very much. So thank you. 19 THE CHAIR: Anyone else? 20 COMMISSIONER INGHAM: I mentioned this to 21 Steven again this morning. 22 You know, I know we had serious 23 disagreement in that decision, and in the decision 24 before that. And to come to five-three votes and to 25 to able to be -- to go through the process, I feel</p>	217	<p>1 VICE CHAIR CARRILLO: Vice Chair votes 2 yes. 3 Commissioner Ingham. 4 COMMISSIONER INGHAM: Yes. 5 VICE CHAIR CARRILLO: Commissioner Burt. 6 COMMISSIONER BURT: I'm sorry. I didn't 7 hear what the motion is for. 8 VICE CHAIR CARRILLO: It's the motion to 9 adjourn. 10 COMMISSIONER BURT: Okay. Yes. 11 VICE CHAIR CARRILLO: Commissioner Manis. 12 COMMISSIONER MANIS: Yes. 13 SECRETARY BECK: Commissioner Brauer. 14 COMMISSIONER BRAUER: Yes. 15 SECRETARY BECK: Commissioner Taylor. 16 COMMISSIONER TAYLOR: Yes. 17 VICE CHAIR CARRILLO: Unanimous. 18 (Proceedings adjourned at 4:24 p.m.) 19 20 21 22 23 24 25</p>

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2 STATE OF NEW MEXICO

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