

**New Mexico Public Education Commission
Work Session Minutes**

September 19, 2024

Open Public Meeting via Zoom Webinar and in person at
the Jerry Apodaca Education Building, 300 Don Gaspar Ave., Santa Fe, NM 87501

[Link to Meeting Recording: Part 1 of 2](#)

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Chair Patricia Gipson called the work session to order at 9:06 a.m. on September 19, 2024

1. Call to Order and Roll Call

Commissioners in attendance in person:

Commissioner Patricia Gipson, Chair, District 7, Las Cruces
Commissioner Steven J. Carrillo, Vice Chair, District 10, Santa Fe
Commissioner Timothy Beck, Secretary, District 2, Albuquerque
Commissioner Alan Brauer, District 3, Albuquerque
Commissioner Sharon Clahchischilliage, District 5, Aztec
Commissioner Stewart Ingham, District 6, Deming
Commissioner Michael Taylor, District 8 Roswell

Commissioners on Zoom:

Commissioner K.T. Manis, District 9, Hobbs
Commissioner Rebekka Burt, District 4, Rio Rancho

Commissioners not in attendance:

Commissioner Melissa Armijo, Secretary, District 1, Albuquerque

Also Present:

Julia Barnes, PEC Attorney
Corina Chavez, Charter Schools Division (CSD) Director
Dr. Brigitte Russell, CSD Deputy Director
Melissa "Missy" Brown, CSD
Consuelo Constantine, CSD
Jorge Gonzales, PED IT
Dr. Jim Goenner, President and CEO, National Charter Schools Institute
Meghann Murphy, Epicenter Director of Partner Development, National Charter Schools Institute
Mr. Wayne Sherwood, Public Charter Schools of New Mexico

Members of the Public in person and on Zoom are listed on the attendance document.

Martica Davis, CSD
Dr. Kimberly Faulkner, CSD
Julianna Montoya, CSD
Lucy Valenzuela, CSD
Bianca Olona-Elwell, CSD

Ken Norris, CSD
Samantha Ramierz, CSD
Kelli Renken, CSD
Cheryl Rowe, CSD
Ted Farnath, CSD
Valery Ratliff Parker
Samantha Gonzales
Ms. Karen Woerner, Explore Academy

2. Epicenter Training

Presenters: Dr. Jim Goenner and Ms. Meghann Murphy, National Charter Schools Institute

Dr. Goenner and Ms. Murphy conducted a presentation on the EpiCenter document management platform. The presentation highlighted what Epicenter would bring to the Public Education Commission and state-authorized charter schools, the deployment timeline of the platform, and information about submission workflows, documents, and data management. The presentation also included live training to demonstrate the functionality of EpiCenter.

(10-minute break at 10:25 a.m.)

(Discussion resumes at 10:40 a.m.)

3. Discussion and update on Performance Framework

- a. Corrected Business Rules associated with Performance Framework (First reading)
Deputy Director Russell presented document 3.a.1, "Overview of Performance Framework Business Rule Changes from meeting materials. Dr. Russell explained that proposed changes would create alignment between the business rules of the PEC, and the performance framework.

Following a clarifying discussion and consultation with Attorney Barnes, Commissioners Burt, and Chair Gipson expressed their comfort with the proposed updates as long as they represent non-substantive changes to contractual language and scoring calculations.
- b. Status of corrected templates
Deputy Director Russell presented the document "3b./ 3c. Template for Renewal Schools". Deputy Director Russell reported templates will be available for Option 2, Option (Accuplacer), and Option 3 schools with contract terms beginning July 1, 2024, on October 3, October 11, and November 8, 2024, respectively.
- c. For schools proposing Option 2: timeline for, and status, of templates that CSD will prepare contract negotiations
- d. For schools proposing Option 3: support to be provided by CSD, timeline for receipt of Option 3 proposal and template from school prior to negotiations Still about document "3b./3c.", Deputy Director Russell presented December 20, 2024, as the date templates will be provided

to or by the schools in 2025 Renewal Cohort #1, and January 31, 2025, as dates templates will be provided to or by schools in 2025 Renewal Cohort #2.

4. Discussion of options for setting up a support team for state charters (Indicators of Success)

Chair Gipson proposed contracting with a Regional Education Cooperative (REC) to develop a staff team to provide targeted support to schools related to the Commission's work on Indicators of Success.

Mr. Sherwood of PCSNM asked about support for schools with the development of interim assessment templates. Chair Gipson advised that support will be available through CSD for the Option #2 Performance Framework schools.

Chair Gipson and Commissioner Manis engaged in discussion about the investment in support for schools. Commissioner Manis expressed concern about the possibility of schools who need the support the most not taking advantage of the support. Commissioner Manis recommended alternative, virtual self-assessment tools available through the National Charter Schools Institute for schools in lieu of the PEC contracting support.

Commissioner Burt also shared her thoughts about multiple pathways of support for schools, in consideration of Chair Gipson and Commissioner Manis' discussion. Her recommendations were targeted, school-specific support resources aligned to the performance framework, and the indicators of success, to include specialized contractor staffing.

Commissioner Brauer expressed agreement with all and the challenge that comes with balancing accountability and support by CSD. Commissioner Brauer expressed that providing support through contractors, local and national resources gives school options and provides a separation of duties.

Mr. Sherwood discussed training and technical assistance opportunities available through PCSNM and the need for expansion.

Commissioner Taylor asked about equity regarding school contribution of 2% and how the Commission might consider delivering the targeted support services. Commissioners Brauer and Burt commented that all schools can have access and benefit from the Charter 2% through targeted support services.

Commissioner Ingham asked clarifying questions about how contractors are hired through SWREC.

Director Chavez explained that CSD is a provider and broker of technical assistance and advocated for the contracting with SWREC.

Commissioner Burt volunteered to draft a process outlining the process for evaluating schools and determining how schools would be offered support.

Chair Gipson stated that in the interim, the Commission will be using the results of the performance framework ratings to determine where schools need immediate support while the Indicators of Success tool is developed for next school year.

Commissioners engaged in further discussion about logistics related to hiring contractors through SWREC.

(The Commission recessed for lunch break from 12:10 pm until 1:17 p.m.)

5. Discussion of 2025 PEC Calendar

Commissioner reviewed item “5. PEC Meeting Calendar”

April 24 and April 25 are updated April PEC Meeting dates, revised from April 17 and April 16 PEC work session and meeting date were changed to April 24 and April 25, 2024, respectively. August 11-13 was revised to August 18-20 for community input hearings. November 13 was added to the calendar as a virtual Work Session.

6. Discussion of presentation for NM School Boards Association conference, proposed Indicators of Success (Saturday, December 7, 2024, or February 2025)

Item not discussed.

7. Discussion of the new school application process and any possible changes (First reading) (Vote in December with an effective date of June 1. 6.2.9.9 NMAC states that the effective date of a change is July 1, this can be modified for exceptional circumstances. This can be effective June 1 for new applications)

Director Chavez presented a redlined version of the New School Application with recommended changes.

a. Application disqualification at an initial stage

Director Chavez explained components of the application kit, starting with the facilities plan. Chair Gipson asked questions to clarify what is exactly needed from the school to complete the facilities plan. Director Chavez said CSD will collaborate with NMPSFA to clarify what their process is.

b. Use of other applications or sources. Does the rubric need to be edited so copy/borrowing is allowed, a disqualifier or directions provided so citations are attributed correctly?

Chair Gipson stated that schools are not allowed to submit an old application.

Director Chavez explained components of the application kit, starting with the facilities plan. Chair Gipson asked questions to clarify what is exactly needed from the school to complete the facilities plan. Director Chavez said CSD will collaborate with NMPSFA to clarify what their process is.

Director Chavez asked the commission to require schools to submit only requested documents for the application packet.

Chair Gipson asked the commission to center the discussion around a discussion of plagiarism. Commissioner Manis suggested that the Commission utilize software and establish and define a threshold. Commissioner Brauer asked the Commission to strongly consider their values in further consideration of the standards related to plagiarism and application co-creation.

Director Chavez asked the commission to require schools to submit only requested documents for the application packet.

c. Purpose and guardrails of the applicant team's response to the peer review

Chair Gipson asked for clarification of CSD's role in the peer review process. Chair Brauer and Chair Gipson emphasized the need for guardrails to avoid bias in the new school application and peer review process. Chair Gipson agreed that it is appropriate for CSD to convene the peer review teams, but not to influence team decision making.

d. How to access the capacity of applicants

Director Chavez proposed a change to application language to define "Applicant Team", to be specified in an appendix of the new school application. Chair Burt expressed support of the proposed change. Discussion took place related to Director Chavez's recommendation that the New School Applicant Team be required to identify and include the prospective Head Administrator. Chair Gipson clarified that the interim consensus would be that the identification of the Head Administrator be recommended and encouraged but not required.

e. Peer review role to reflect on capacity of applicant

f. Assessment of compliance sections to show capacity

Chair Gipson requested clarification from Director Chavez as to CSD staff's role with the peer review teams after they have reviewed and rated applications, emphasizing that ratings of peer review teams should not be influenced by any parties not inclusive of peer reviewers.

g. Support on Budget preparation

Chair Brauer asked whether or not schools were made aware during the new school application process that pro bono budget preparation support is available through local companies, and the importance of sharing this information.

h. Review of proposed CSD draft

Director Chavez asked the commission to consider removing Appendix A. Governing Body Bylaws, and replacing it with A. Applicant Team, and Appendix H. Internal Control Procedures, and replacing it with Appendix H. Community Outreach Information.

Director Chavez departed the meeting at 3:57 p.m.

Discussion continued amongst Commissioners regarding potential review of the application to determine guidelines for citations, and plagiarism, as well as the proposed Appendix H: Community Outreach. Commissioner recommended that the application be potentially reviewed in sections.

In reference to the proposed Appendix H, Attorney reminded Commissioners that standard for denial of a new school application is if the application is, “otherwise contrary to the best interest of the charter school’s projected students, the local community, or the local school district”, and that they should consider any additional burden a new process might add.

(Commissioners took a 10 minute break at 4:03 p.m.)

8. Discussion of legislative changes related to transportation issues

a. Funding Year 1 for transportation

Attorney Barnes reported on legal research. She found no legal guidance that differentiates between brand new schools and other charter schools, in statute or rule.

b. Districts obligated to negotiate with charters, and charters to negotiate with other charter schools

Attorney Barnes reported the Charter School’s Act does state that local charters shall negotiate with the local school district regarding transportation and there is a rule regarding that negotiation process. Charters, not specific to state charters, are allowed to contract for transportation, but are not required to.

Ms. Karen Woerner of Explore Academy commented regarding the school transportation barriers and allocation shortfalls faced by Charter schools and districts. Ms. Woerner shared barriers Explore is currently experiencing with PED concerning their transportation boundaries, and transporting out-of-district students, and feels it is an equity issue. Ms. Woerner asked Commissioners to support a change in rule (NMAC 642.210 Section A) that would allow Charters to expand their transportation routes to serve new families and families they have served in the past.

Mr. Wayne Sherwood of PCSNM shared with the Commissioners that this issue is on their legislative agenda for the upcoming session.

Commissioner Burt recommended that the policy or legislative subcommittees meet to draft a letter to Secretary Padilla to request a rule review.

9. Discussion on board acknowledgement:

a. Exemplary boards

b. Satisfaction of board requirements

Commissioners Burt, Carrillo and Brauer proposed implementing a board recognition process with timing of the recognition to align with the annual New Mexico Charter Schools Conference. Commissioner Carrillo recommended assembly of an Awards committee.

Commissioners Brauer and Burt volunteered to serve on the Awards committee with Commissioner Carillo, and Chair Gipson volunteered as an ad hoc member.

Director Chavez returned to the meeting at 4:50 p.m.

9. Report from Chair on reimbursements

- a. Commissioner per diem for meeting attendance, other travel reimbursements, guidance on submission and plans for travel

Attorney Barnes reference letter 10a. In PEC meeting materials. Commissioners discussed State Travel reimbursement guidelines from DFA under the new Cabinet Secretary. Chair Gipson and Burt requested clarification on the lodging quote requirements from PEC Liaison Constantine.

- b. Updates on charter issues: grants payment, timing of grant award letters remaining over 30 days
Topic not discussed.

10. Subcommittee Updates

- a. Charter Performance

Chair Gipson reported that the subcommittee has not met.

- i. Authorizer Software: update on status of rollout

- b. Budget, update on budget for this fiscal year

Chair Gipson reported that the subcommittee has not met.

- c. Policy

Chair Gipson reported that the subcommittee has not met.

- d. Food Service: update on rule

Commissioner Burt reported that the subcommittee has not met but the rule (6.12.16 NMAC, Healthy Universal School Meals: New (Effective September 24, 2024) has been adopted.

- e. Legislative

Chair Gipson reported that the subcommittee has not met. Ms. Barnes reported that there is currently a delay (up to 3 months) in draft legislative reviews, in general.

11. Reports from PEC Liaisons and members who attended conferences

- a. Legislative Education Study Committee (LESC) – Commissioner Gipson

- b. Legislative Finance Committee (LFC) – Commissioner Gipson

Chair Gipson will be attending next month. LESC/ LFC will be jointly meeting 9/19 and 9/20 in Albuquerque, however she will not be attending.

- c. NM Indian Education Advisory Council – Commissioner Clahchischilliage

Commissioner Clahchischilliage reported she was unable to attend due to connectivity issues.

d. NM Public School Capital Outlay Council (PSCOC) – Commissioner Ingham

Commissioner Ingham reported teacher housing is a central point of discussion. He asked for the Commission to consider presenting concerns regarding Lease reimbursement on behalf of state charters to PSCOC.

Commissioner Ingham reported that PSFA has advised that some schools have relocated without advance notice to and pre-approval from PSFA. He suggested that PEC issue reminders to schools.

Commissioner Ingham also presented for discussion safety concerns at schools during school pick-up and drop-off at schools. Chair Gipson advised that the PEC has no authority over school pick-up and drop-off procedures, and that responsibility is ultimately with the school and local authorities. Chair Brauer recommended to Commissioner Ingham to remind schools to collaborate with the local city and neighborhood associations to remedy the issues. Chair Gipson also recommended schools collaborating with local politicians as well.

e. NM Public School Insurance Authority (NMPSIA) – Commissioner Manis

Commissioner Manis indicated there are not significant updates to report.

f. NM School Boards Association (NMSBA) – Commissioner Carrillo

(Unintelligible)

g. NM State Library Commission – Commissioner Taylor

Commissioner Taylor reported he plans to attend the next meeting 1st part of October.

h. Charter School conference reports regarding nationally recognized principles and standards for quality charter authorizing (NMSA 22-8B-5.3.H.)

Nothing reported.

The work session ended at 5:30 p.m.