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BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

TRANSCRIPT OF MEETING PROCEEDINGS

June 11, 2010

12:00 p.m.

Albuquerque International Balloon Fiesta Headquarters
4401 Alameda Boulevard, N.E.
Albuquerque, New Mexico 87113

REPORTED BY: Jan A. Williams, RPR, NM CCR 14
Bean & Associates, Inc.
Professional Court Reporting Service
201 Third Street, Northwest, Suite 1630
Albuquerque, New Mexico 87102

(883H) JAW

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

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A P P E A R A N C E S

COMMISSIONERS:

MR. M. ANDREW GARRISON, Chair
MS. CAROLYN SHEARMAN, Vice Chair
MR. EUGENE GANT, Secretary
MS. CATHERINE M. SMITH
MS. KATHRYN KRIVITZKY
MR. VINCE BERGMAN
MS. CARLA LOPEZ
MR. JEFF CARR

STAFF:

DR. DON DURAN, Assistant Secretary,
Charter Schools Division
MR. SAM OBENSHAIN, Program Manager,
Charter Schools Division
MR. WILLIE BROWN, General Counsel
MR. RUDOLPH ARNOLD, Attorney for PED
MS. BEVERLY FRIEDMAN, PIO
MS. CORINA CHAVEZ

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

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1 THE CHAIR: This meeting will be called to
2 order. Secretary Gant, please take roll.

3 (Roll call.)

4 SECRETARY GANT: We have a quorum.

5 THE CHAIR: Thank you, sir. We will begin
6 our meeting of the Public Education Commission meeting
7 on June 11 with the pledge of allegiance and salute to
8 the New Mexico flag. Commissioner Krivitzky.

9 (Pledge of Allegiance, Salute to the New
10 Mexico Flag, and Statement of Aspiration.)

11 THE CHAIR: I want to welcome Mr. Don Moya.
12 And now that he's been moving around, why don't you
13 tell everyone about what's going on with you, because
14 I don't even know your title anymore.

15 MR. MOYA: I am still the Deputy Cabinet
16 Secretary for the Public Education Department until
17 July 2nd.

18 THE CHAIR: And then you will be going where?

19 MR. MOYA: And then I will be going to
20 Albuquerque Public Schools as their chief financial
21 officer.

22 THE CHAIR: Welcome. We're up to item No. 5,
23 the approval of the agenda. The Chair will entertain
24 a motion.

25 MS. SMITH: Mr. Chair, I move approval of the

1 agenda with the ability of the Chair to move items
2 around to expedite business as necessary.

3 MR. BERGMAN: I would second that.

4 THE CHAIR: It's been moved by Commissioner
5 Smith and seconded by Commissioner Bergman. All those
6 in favor say aye.

7 (All in favor so indicate.)

8 THE CHAIR: Opposed. The motion is
9 unanimous.

10 Number 6 is approval of the minutes of the
11 April 26th meeting. Are there any corrections to the
12 minutes? Any corrections? I have a couple and
13 they're very, very brief.

14 MS. SMITH: Go ahead. I'm looking for mine.

15 THE CHAIR: If we would go to page 9, please.
16 Let's see. Paragraph 5, I was going to say where it
17 starts with Chair Garrison, but they all start with
18 Chair Garrison. So there are two lines at the top.
19 If you skip that and go one, two, three, the fourth
20 paragraph before item 13, Chair Garrison said one of
21 the items that was missing on the charter school
22 application is looking at the merits of the
23 application.

24 I hope that's not correct. Is looking beyond
25 the merits, the sole merits of the application. So

1 beyond we're adding -- we're striking at, we're going
2 to add beyond. And after the, we're going to have
3 sole, s-o-l-e, not soul train.

4 So it will read "Chair Garrison said one of
5 the items that was missing on the charter school
6 application is looking beyond the sole merits of the
7 application." And that actually may have been all I
8 had. Ms. Smith, have you located yours?

9 MS. SMITH: Mr. Chairman and fellow
10 Commissioners, I have a problem with the very
11 beginning part of the approval of the minutes on page
12 1 and as it goes on into page 2. And page 1 has a
13 very long sentence, "Vice Chair Shearman review the
14 minutes and requested approval of the following
15 changes." And I guess that should be reviewed, e-d,
16 on that. That's just a typographical change or
17 technical change.

18 Now, change charter schools, CSB, to charter
19 school division, CSB, throughout the minutes. On page
20 2, the third paragraph, four lines from end of the
21 paragraph, it begins with Chair Smith stating that
22 "Going to the legislature to convince them to finance
23 more charter schools."

24 And then it says "Something is missing." And
25 I don't understand what that means in here. I think

1 perhaps it just means to be stricken and then go on
2 and it was agreed to change to.

3 And, Ms. Shearman, I would welcome your input
4 here because you were the one who made those changes.
5 But it just seemed to me, when it says "Something is
6 missing," maybe that's what you said.

7 MS. SHEARMAN: I believe that's what I said.

8 MS. SMITH: It's what you said. But I
9 would -- Mr. Chair, it would be a technical change
10 only in my estimation rather than something that's
11 substantive. And I would just ask that before these
12 minutes went to the archives, that that get clarified.

13 THE CHAIR: Okay. Can we clarify it now?

14 MS. SMITH: Well, I'm not certain that I can.
15 That's why I called on Ms. Shearman, because I was not
16 the one who made the statement. She's saying
17 "Something is missing."

18 MS. SHEARMAN: That was a quote of what I
19 said, "Something is missing."

20 MS. SMITH: And it was agreed to change. And
21 I don't know what the three dots mean. To me the
22 three dots mean something is missing.

23 MR. MOYA: If I may, Mr. Chair. I think what
24 I'm seeing here is that Ms. Tennyson basically
25 documented all of the changes and everything as they

1 have related to the Commissioner's suggestions or
2 changes from the minutes.

3 I don't know that that's necessary -- that
4 it's required or necessary for the minutes. We just
5 need to make the changes that you bring up and approve
6 them. I don't think we need to take minutes of the
7 changes.

8 MS. SMITH: I think you're correct in that.
9 It just was a troublesome thing. It is why I said I
10 thought basically it was a technical change rather
11 than a substantive change.

12 MR. MOYA: So I think, if I may, Mr. Chair, I
13 think probably what we need to do from a procedural
14 standpoint is remove all of the text below line 6,
15 because we don't need to document or take minutes of
16 the changes, we just need to make the changes, and
17 then move forward. That's what I would suggest.

18 THE CHAIR: I concur.

19 MS. SMITH: I would agree.

20 THE CHAIR: Do we have any other discussion
21 on that?

22 MS. LOPEZ: No, sir.

23 THE CHAIR: So we would strike out the
24 conversation, because she was speaking of changes to
25 the previous minutes.

1 MR. MOYA: Right, document the changes to the
2 changes. What?

3 THE CHAIR: Or change the changes.

4 MR. MOYA: And then change it.

5 THE CHAIR: Sound good?

6 MS. LOPEZ: Sounds good.

7 THE CHAIR: Are there any other corrections
8 to the minutes? Commissioner Shearman.

9 MS. SHEARMAN: Could I just have a
10 clarification. Again on page 2, at the last three
11 lines of that long paragraph, it says on the third
12 paragraph, "Change Shearman to Shearvan." I think
13 that needs to be transposed. So when you correct the
14 minutes.

15 MR. MOYA: If I may, Mr. Chair.

16 THE CHAIR: Yes.

17 MR. MOYA: I think that that was probably
18 corrected throughout the document. But if we remove
19 this section, Commissioner Shearman, that would
20 probably -- it was probably changed throughout the
21 document to reflect Shearman.

22 THE CHAIR: So that full paragraph is
23 unneeded. And we would continue with Commissioner
24 Smith made a motion to approve of the minutes with
25 corrections. Okay.

1 Are there any other corrections to the
2 minutes? If so, the Chair will entertain a motion to
3 approve as corrected.

4 MS. SMITH: Mr. Chair, I move to approve the
5 minutes of the -- what is it, April 26th meeting as
6 corrected.

7 MS. KRIVITZKY: Second.

8 THE CHAIR: The motion has been made by
9 Commissioner Smith and seconded by Commissioner
10 Krivitzky. All those in favor say aye.

11 (All in favor so indicate.)

12 THE CHAIR: None opposed. The motion passes
13 unanimously.

14 Now, we have also approval of minutes from
15 the special meeting/retreat on May 26, 2010. The
16 minutes of that retreat have been distributed. Has
17 everyone looked over them and, if so, are there any
18 corrections to that? I was not in attendance.

19 Seeing no corrections, the Chair will
20 entertain a motion to approve the minutes of the
21 special meeting/retreat on May 26, 2010.

22 MS. SHEARMAN: Mr. Chair, I so move.

23 THE CHAIR: Commissioner Shearman has put a
24 motion on the table.

25 MR. BERGMAN: I'll second it.

1 THE CHAIR: I'm so sorry. I have turned 40
2 obviously because I need these to see you all. But I
3 have to take them off to see down here. So sorry,
4 Commissioner Bergman. So we have a motion to second.

5 All those in favor of approving the minutes
6 of the special meeting/retreat on May 26, 2010, please
7 say aye.

8 (All in favor so indicate.)

9 THE CHAIR: All those opposed, no. The
10 approval of the minutes of the PEC special
11 meeting/retreat on May 26th, 2010, passes unanimously.

12 We are to page 2, No. 8. We have some
13 recognitions. This is the part I like to see. Letter
14 A under recognitions is the National Youth Science
15 Camp winners. I believe Mr. Don Moya is going to
16 assist us with that.

17 MR. MOYA: Thank you, Mr. Chair.
18 Commissioners, audience, it's a pleasure to be here on
19 behalf of Dr. Garcia. She will be here in the next
20 hour or so, but I'll be acting in her stead until
21 then. But on that it's always a pleasure to recognize
22 the accomplishments of our wonderful New Mexico
23 students.

24 The National Youth Science Camp winners, two
25 students will be spending part of their summer at the

1 prestigious National Youth Science Camp in the
2 wilderness of the Monongahela National Forest in the
3 eastern mountains of West Virginia's Potomac
4 Highlands.

5 Joining us today is Dr. Richard Nygren from
6 the New Mexico Academy of Science to tell us a little
7 bit more about the camp and introduce the two
8 students. Dr. Nygren.

9 DR. NYGREN: Thank you very much. I'm
10 Richard Nygren. My day job is at Sandia National Labs
11 in computer technology. And I also work with the New
12 Mexico Academy of Science that's been in existence for
13 over 100 years now.

14 And one of the things we do is encourage
15 science to participate in programs like this one that
16 have to do with science education. And this program
17 is funded by the Governor of Virginia. And they pay
18 the way including air fare for a month-long camp where
19 students go to meet other students, they meet
20 prominent scientists from around the United States,
21 they go into Washington, D.C.

22 And it's generally just a wonderful
23 experience with the students. And so each year the
24 academy for the National Youth Science Camp selects
25 two high school seniors. And I'm pleased that I can

1 introduce them here today or at least one of them and
2 their families.

3 The two students are William Brennand from
4 Eldorado High School, and I'll ask him to come up in
5 just a minute, and the other is Haochen Hong from La
6 Cueva High School. I'll read a little about these
7 students and then ask them and their families to come
8 up.

9 William had a superb GPA of 4.375. I'm
10 always amazed that we could only get 4.0 when I was in
11 school, and I certainly didn't get. Through the AP
12 credit and everything now, they have wonderful
13 opportunities. William is a UNM Star scholar. He was
14 also involved -- he received the Star scholar award as
15 an outstanding -- for outstanding achievement in high
16 school.

17 He's also involved in the honor society, in
18 the Spanish honor society, science poll, tennis. He's
19 involved in the swing choir. And among his community
20 service, he was involved in the ride-along program
21 with -- that the Albuquerque Police Department offers
22 to high school students.

23 And so his family is here with him. Would
24 you come up now. His sister Cassie is here and his
25 parents, Gretchen and Michael Brennand, are here from

1 Tijeras.

2 The other family is the family of Haochen
3 Hong. I don't believe they could be here today. Let
4 me mention just a little bit about Haochen. His
5 parents, Nguyen and Chin Wong, of Albuquerque were --
6 are his parents. He had an outstanding GPA,
7 interested in science and the study of cancer.

8 And he worked actually in cancer research and
9 followed a position around in the shadow program. He
10 was involved in a variety of things including being a
11 finalist in the International Intel Science
12 competition and is also a black belt in karate. So I
13 was looking forward to meeting him, I'm sorry he's not
14 here.

15 But anyway both of these students I think
16 will very well represent the State of New Mexico and
17 I'm delighted that New Mexico can honor them in this
18 way and that they can participate in this program. So
19 would you all come up here and be recognized.

20 Do you think we could actually have the
21 opportunity later to meet Secretary Garcia?

22 MR. MOYA: She will be here.

23 THE CHAIR: Dr. Nygren, we do have some
24 certificates to give. And so if we could all come
25 front and center for the good old photo op, I will try

1 not to break any cameras, I'll face the other way.

2 I would like to read both of these. The New
3 Mexico Public Education Commission Excellence Award
4 Delegate for the National Youth Science Camp presented
5 to William Chase Brennand on June 11, 2010.

6 Congratulations so much and I want to just
7 congratulate and meet the family. Congratulations.

8 These are the things that I wish I opened up
9 the newspaper every morning and read about. Just
10 excellent folks that have wonderful futures and
11 they're going to do great things in the community.
12 And it inspires me. And I can see by the looks on
13 people's faces it inspires you too. So thank you so
14 much, Mr. Brennand.

15 The New Mexico Public Education Excellence
16 Award Delegate for National Youth Science Camp
17 presented to Haochen Hong on June 11th, 2010. I don't
18 know if you want to be in care of this.

19 DR. NYGREN: I think Beverly will take care
20 of it.

21 THE CHAIR: Excellent. Dr. Nygren, thank you
22 so much for your time.

23 I want to make note real quick that I did --
24 I was remiss in announcing the open forum which is a
25 timed item at 12:30. So that's coming up very soon.

1 And that's a public comments and observations
2 regarding education policy and governance issues as
3 well as the strategic plan for education are heard at
4 this time.

5 And I'll give further direction in just a
6 second when the secretary reminds me, of course, of
7 that open forum timed item.

8 MS. FRIEDMAN: Commissioner Garrison, people
9 can sign in if they wish to speak.

10 THE CHAIR: Is it outside the door?

11 MS. FRIEDMAN: No, sir. There's a form on
12 the table in the back corner.

13 THE CHAIR: So anyone wishing to speak please
14 sign in on that form inside the room here. Thank you
15 so much, Beverly.

16 MR. MOYA: Thank you, Mr. Chair. And thank
17 you, Dr. Nygren. And congratulations to William
18 Brennand and Haochen Hong.

19 I believe we are at that point, Mr. Chair and
20 Commissioners, of Presidential Scholars. Two New
21 Mexico graduating seniors from New Mexico have been
22 selected as the 2010 Presidential Scholars. These two
23 students were among only 141 outstanding American high
24 school seniors who were honored based on outstanding
25 academic achievement, leadership, citizenship, and

1 community service.

2 I would like to ask Andrew, and I'm going
3 mispronounce his name -- is he here? Andrew Chael
4 from Manzano High School, and Elise Gurney from
5 Albuquerque High School to come to the front of the
6 room and be recognized.

7 AUDIENCE MEMBER: Those were last year's
8 scholars.

9 MR. MOYA: Then I'd like to ask -- well
10 congratulations to Andrew and Elise. We have a hard
11 time changing I guess. I'd like to ask Erika
12 DeBenedictis and Emma Carroll to please come forward.
13 Were they the year before? They're next year's. Okay
14 great. They're not here. Okay.

15 MS. FRIEDMAN: Who is here?

16 MR. MOYA: Is anybody here on behalf of
17 Presidential Scholar Award.

18 AUDIENCE MEMBER: Actually those are not the
19 names.

20 MR. MOYA: Okay. Erin Mauldin and Steve
21 Ammerman, please come forward and be recognized as the
22 Presidential Scholars.

23 THE CHAIR: Tell us a few words, please.

24 MR. MOYA: And I'm so sorry that we did not
25 have the correct names on there. We will make sure to

1 get the correct names on the certificates for both you
2 and your counterpart. Please introduce yourself
3 again.

4 MR. AMMERMAN: I'm Steven Ammerman.

5 MR. MOYA: And what school do you go to?

6 MR. AMMERMAN: La Cueva High School.

7 MR. MOYA: He's one of the two New Mexico
8 graduating seniors who have been selected as
9 Presidential Scholars.

10 MS. LOPEZ: And what does that get him?

11 MR. MOYA: If you could even tell us a little
12 bit about what you had to do to get this honor.

13 MR. AMMERMAN: Well, the selection for the
14 semifinalists was based on standardized test scores.
15 And then there was an application involved to reach
16 the finalist stage. And then it was reviewed to
17 select the Presidential Scholars.

18 MR. MOYA: That's an incredible feat. And
19 congratulations. Is your family here?

20 MR. AMMERMAN: Yeah.

21 THE CHAIR: Let's have them come on up and
22 take the picture. So my glass is always half full,
23 because they say osmosis -- I'm smarter already.
24 Congratulations. I'm afraid to look at these two
25 frames here.

1 MR. MOYA: Well, those are for the -- that's
2 the next item, the Prudential Spirit of Community
3 Awards winners. We're about four minutes away from
4 the timed item. I don't know if you want me to jump
5 into that, because that looks like it will probably go
6 over the four minutes, Mr. Chair.

7 But I have in my notes -- I do have
8 Mr. Ammerman from La Cueva High School and Erika
9 DeBenedictis Albuquerque Academy, Erin Mauldin from
10 Albuquerque High School, Yousuf Qaseem from Eldorado
11 High School, and Emma Carroll from Los Alamos High
12 School as five other students who are also named as
13 semifinalists, although, Mr. Ammerman, you were not a
14 semifinalist.

15 MS. FRIEDMAN: He's gone.

16 MR. MOYA: That was short-lived. Well,
17 congratulations to all of the finalists and
18 semifinalists for the Presidential Scholar. Thank
19 you, Mr. Chair. And it's the pleasure of the Chair as
20 to whether or not you would like to move to the next
21 agenda item, the Prudential Spirit of Community Award
22 winners.

23 THE CHAIR: I'm going to call a short recess
24 until the open forum so we could figure out a couple
25 of things on this.

1 (Recess.)

2 THE CHAIR: I'm calling the meeting back to
3 order. We had our timed item at 12:30 of open forum,
4 public comments and observations regarding education
5 policy and governance issues as well as the strategic
6 plan for education are heard at this time.

7 There's a four-minute time limit per
8 presenter. Persons from the same group and having
9 similar viewpoints are asked to select a spokesperson
10 to speak on their behalf. Multiple and repetitious
11 presentations of the same view will be discouraged.

12 And I have received the sign-in sheet. And
13 seeing as no one has signed up to address the Public
14 Education Commission we will move back to item No. 8
15 which is recognitions and letter C, Prudential Spirit
16 of Community awards. Don Moya.

17 MR. MOYA: Thank you, Mr. Chair and
18 Commissioners, members of the audience. The
19 Prudential Spirit of Community Awards is the United
20 States' largest youth recognition program based
21 exclusively on volunteer community service.

22 Created in 1995 by Prudential Financial in
23 partnership with the National Association of Secondary
24 School Principals, NASSP, the program has honored more
25 than 90,000 young volunteers at the local state and

1 national level.

2 This year we're proud to honor New Mexico two
3 honorees, Kaitlyn Frederick, 17, of Carlsbad, New
4 Mexico, a junior at Carlsbad High School, conducted a
5 city-wide drive last summer that collected nearly
6 3,000 books for underprivileged children.

7 "As a child my bookshelves were constantly
8 overflowing with books," said Kaitlyn. However, last
9 summer she read that low-income neighborhoods have an
10 average of only one book for every 300 children. "I
11 decided that I needed to do something to change that
12 statistic in my town."

13 She secured permission to place collection
14 boxes at 14 schools and four local businesses. She
15 posted fliers around town to publicize her week-long
16 drive and wrote letters explaining the campaign to
17 area principals, parents, and students. Volunteers
18 from Kaitlyn's school helped her pick up 2,897 books.

19 "The donated books will give children the
20 opportunity to establish a love for reading and build
21 a foundation for future success," said Kaitlyn.

22 Kaitlyn, would you come to the front to be
23 honored by the Public Education Commission. Did we
24 get the right name? I guess Kaitlyn isn't here.
25 Kaitlyn. Congratulations, well done.

1 Our next honoree is Jessica Fredericks, 14
2 years old and an eighth grader from Eisenhower Middle
3 School in Albuquerque. Jessica threw a swimming pool
4 party in her community to collect donations of food,
5 bedding, and toys for homeless animals at a local
6 Humane Society shelter.

7 When Jessica's family visited the facility to
8 adopt a pet dog, she said "I noticed how many animals
9 were in the shelter and would likely be put down," she
10 recalled. "I saw that many of the animals didn't have
11 blankets or bedding, toys, or something fun to play
12 with while in their kennels."

13 She asked the shelter for a list of needed
14 supplies and began thinking about how to obtain
15 donations. She rented a public swimming pool with
16 money she had earned through Girl Scout cookie sales
17 and secured free pool passes. Then she recruited
18 fellow Girl Scouts to help and persuaded local
19 broadcast stations to publicize the event.

20 When her Party for the Pets was over, Jessica
21 was able to provide donations not only for the cats
22 and dogs at the shelter, but also for homeless and
23 shut-in animal owners who needed help taking care of
24 their pets. Jessica, would you please come to the
25 front to be recognized by the PEC. All right. She's

1 here.

2 THE CHAIR: The New Mexico Public Education
3 Commission Excellence Award, recipient of Prudential
4 Spirit of Community award, presented to Jessica
5 Fredericks.

6 MR. MOYA: Is your family here, Jessica?

7 MS. FREDERICKS: Yes.

8 MR. MOYA: Please come on up.

9 THE CHAIR: Come on up.

10 MR. MOYA: Jessica, would you like to say
11 anything.

12 MS. FREDERICKS: No, thank you.

13 MR. MOYA: Well, as a pet lover, I really
14 thank you for your efforts. Thank you very much.

15 Congratulations to all these students who
16 with their academic achievement and community spirit
17 represent the future of New Mexico. Thank you,
18 Mr. Chair, Commissioners, and members of the audience.

19 THE CHAIR: Thank you, Deputy Secretary.

20 We're to No. 9 on the agenda, budget updates.
21 Don Moya, Deputy Secretary.

22 MR. MOYA: Thank you, Mr. Chair and members
23 of the Commission. At this point I would like to
24 defer to my colleague, Mr. Austin Buff, the Director
25 of the Administrative Services Division of the Public

1 Education Department for the presentation. Mr. Buff.

2 MR. BUFF: Thank you. Mr. Chairman, members
3 of the committee, unfortunately this will be short as
4 there's not a whole lot of budget to go around these
5 days. So we'll start right off with letter A, the
6 charter school budgets.

7 I spoke with Steve Burrell who is the head of
8 the School Budget Finance Analysis Bureau this
9 morning. And he was telling me that all the state
10 charter and charter schools have turned in their
11 budgets on time. They're at various stages through
12 the -- in the budgeting process right now. But all of
13 them have had at least a preliminary look and he's not
14 anticipating any issues with any of them.

15 So they're all on schedule at this point
16 to as one of his probably final official acts be
17 signed by Deputy Secretary Moya around the 30th of
18 June or the 1st of July so that all the budgets will
19 be set up and ready to go from there.

20 Also speaking about charter school budgets
21 and just as we move forward into the audit season,
22 just to kind of follow up on the activities, I think
23 Deputy Secretary Moya and our audit bureau chief,
24 Ricky Bejarano, spoke to you last time about what they
25 were doing to assist the state charter and charter

1 schools in complying with the audit. Those activities
2 have continued.

3 Mr. Bejarano has -- he and his staff have
4 visited several of the schools and have sent letters
5 explaining exactly what will be needed once our audit
6 begins on July 1st. We tend to -- demand is probably
7 a strong word. But at least request that our auditors
8 start very early since the process for such a large
9 agency with so many administrative units takes so
10 long.

11 So it will be very shortly after the
12 beginning of the fiscal year, July 1st, when we will
13 have auditors in the field and at these charter
14 schools beginning to do their work.

15 There will be -- that said we will be able to
16 update the Commission about, you know, how the
17 preliminary audit work is going. By probably early to
18 mid-August, we'll have a good idea of how all that is
19 going.

20 So moving on to letter B, the PEC budget for
21 FY 10, which is, you know, we've got about three weeks
22 left, a little under, the PEC actually has \$19,713
23 still encumbered. I've spoken with Ms. Tennyson. And
24 it looks like that will be plenty to get you through
25 the end of the year to pay for these last two meetings

1 and then handle all outstanding travel reimbursements,
2 that sort of thing.

3 That 19,000 is just -- that's noncontractual
4 money that you have. All the money you have in
5 contracts is -- I think there's \$1,000 still
6 encumbered that hasn't been paid out. But we
7 anticipate that being paid out as well.

8 In FY 2010 in the noncontract expenses, we
9 have budgeted \$38,000. And I just wanted to inform
10 you that for FY 2011, we're actually increasing that
11 to \$45,000. Basically that is to take care of the
12 NASBE membership dues that we're going to be paying
13 right at the beginning of the -- beginning of the
14 fiscal year.

15 Pretty much everybody is taking a cut as we
16 move into fiscal 2011. It looks like yours is
17 increasing. But once you take the NASBE dues out, you
18 will be -- have a little bit less money. But it
19 should be about the same. And if we run into any
20 budget issues towards the middle of the year, we can
21 address those.

22 The contract expenses will remain flat at
23 \$48,000, which is equal to what they were this year.
24 And again, if we run into any issues, like we need to
25 hire, you know, more legal counsel or that sort of

1 thing, then we can take care of that easy with a
2 budget adjustment midyear.

3 The PED budget with these amounts has been
4 submitted to DFA. It has not been officially signed
5 off on yet, but we anticipate that happening pretty
6 much any day. And then we will have a budget starting
7 July 1st.

8 The 2 percent administrative set aside from
9 state charter schools, we are anticipating that to be
10 around \$525,000 for fiscal 2011. It was \$437,000 for
11 fiscal '10. And again as we explained last time, that
12 money will go to offset PED's -- the expenses incurred
13 in PED's support of those state chartered schools and
14 the extra cost and some of the costs of Dr. Duran's
15 Charter Schools Division and the support that they
16 give as well.

17 And as was referenced in last report, this
18 money does not completely fund these efforts to
19 support those schools, but it takes care of most of
20 them.

21 As far as PEC travel vouchers go, PEC
22 currently like I said has \$19,713 encumbered. And
23 speaking with Ms. Tennyson, we anticipate this is
24 going to be more than enough to take care of all your
25 travel vouchers through the end of this fiscal year.

1 And then we will be beginning a new fiscal year on
2 July 1st. So with that I would stand for questions.

3 THE CHAIR: No questions. Thank you,
4 Mr. Buff.

5 Next on item No. 9 on budget updates is PEC
6 budget.

7 MR. MOYA: Actually, Mr. Chair, he did A, B,
8 and C.

9 THE CHAIR: It's all done. Excellent. Then
10 we'll move on to item No. 10, PEC overview, Districts
11 1, 2, and 3.

12 In looking at our charge as a Commission, one
13 of the items in charter school rule is letter P, under
14 6.80.4.9, the content of application for start-up
15 charter school. And this statement says a lot and
16 means a lot. And I'll read it to you. Letter P
17 states an explanation. "The application should
18 include an explanation of how approval of the charter
19 school would be in the best interests of students,
20 school district, and community where it intends to
21 locate and serves a purpose in that community."

22 I started thinking about Public Education
23 Commission District 1, 2, and 3 which surround
24 Albuquerque. And so we're looking at an urban area.
25 Many of the other districts that the PEC represents,

1 there's ten of them in total, represent perhaps
2 several school districts but very rural areas.

3 And so the New Mexico landscape is vast, it's
4 huge, it's lightly populated, some areas. And as
5 Albuquerque as an example, it's very populated in
6 others. So I started wanting to take a closer look at
7 the districts. I represent District 1 which is the
8 west side of Albuquerque.

9 And because we encompass Albuquerque -- and
10 when I say we, I mean Districts 1, 2, and 3, District
11 2 is represented by Commissioner Millie Pogna and
12 District 3 is represented by Commissioner Krivitzky.
13 So I went to the local education agency. As the
14 charter school rule states, we're looking at the best
15 interests not only of students but school district and
16 community.

17 And I wanted to discover what APS has in
18 regards to information on charter schools. And I want
19 to thank Albuquerque Public Schools Director of
20 Charter and Magnet Schools, Mr. Mark A. Tolley. And I
21 believe he's here, so thank you, Mark. And also Diego
22 Gallegos, Assistant Superintendent for School and
23 Community Support.

24 This is a new process. The PEC was only
25 charged with charter school approvals as far as

1 applications go and renewals since 2007. So this is
2 going to be a process that will be continuously
3 improved over time. And I look forward to being part
4 of that process.

5 What they provided me was -- it seems very
6 simple when I talk about a map. But I'll tell you
7 what, when you have a map with overlays of House
8 districts and Senate districts and number of charter
9 schools, addresses of charter schools, the locations,
10 how they're spread out across Albuquerque, then I'm
11 talking about a lot of wonderful information. And
12 this is a small map. My arms aren't long enough to
13 hold up all the work that Mark did for me.

14 But I'll give you a did you know. In PEC
15 District 1, my district, there are 14 charter schools.
16 In Commissioner Pogna's district, there are four
17 charter schools. And in Commissioner Krivitzky's
18 district which is the center of Albuquerque just east
19 of the Rio Grande River, there are 24 charter schools.

20 And so this is fascinating information for
21 me. And it's also just a beginning. I would love to
22 see a PEC website in the very near future that shows
23 on demand who your House representative is, who your
24 senator is, and what district is the charter school --
25 where does the charter school reside within those

1 districts.

2 And so we have an overlay. And I'm falling
3 in love with that word, overlay, it just means a lot.
4 It is just -- I have all the information, I know all
5 the stakeholders. I also want to know which House
6 member or which Senate member is on the legislative
7 education study committee, who is on the standing
8 education committees, and get all these players
9 together and -- not together in the same room.

10 But have the information flowing from this
11 body so we can have a bigger stake in the statewide
12 landscape in regards to charter schools and school
13 choice and education.

14 So I wanted to make this very brief
15 presentation to just say that the PEC is working hard.
16 And we will continue to work hard so we can
17 collectively make better decisions for the children of
18 New Mexico.

19 I stand for questions from any of the other
20 Commissioners. Seeing none -- did you have one?

21 MS. SHEARMAN: I was just going to say, I'm
22 really impressed with the quality of the information.
23 I think if we're able to get this information on all
24 of our districts, we might well be very surprised and
25 impressed with what it brings back to us. This is

1 eye-opening. You all might want to take a closer look
2 at it.

3 THE CHAIR: It is absolutely. Mark Tolley,
4 would you stand up please just briefly. Thank you,
5 sir. I really appreciate it. We have the local
6 education agency, we have the citywide chartering
7 authority talking. And it's very powerful.

8 And I was hoping you wouldn't show up this
9 morning so I could take credit for all this. But now
10 you ruined that. I'm just kidding. It just is
11 incredible information.

12 MR. TOLLEY: I would like to take credit.
13 But as I stood in my office with my crayon and a state
14 map, I realized we had a department that actually can
15 do this. So I just gave them the information and they
16 were able to do it for me.

17 THE CHAIR: Well, I need to trade Bernalillo
18 County mapping guy with your guy because there's some
19 incredible information. I just thank you for it.

20 We're going to now move to item No. 11, which
21 is the report from the subcommittees. We had a
22 charter school division presentation this morning.
23 And between that and trying to get something to eat
24 and coffee up and I had to change into my suit here,
25 we had very little time for some of the subcommittee

1 meetings. But we will start with the letter A, with
2 Charter Schools Commissioner Catherine Smith, the
3 Chair.

4 MS. SMITH: Mr. Chair, thank you very much.
5 The committee is recommending -- following a
6 discussion in the retreat this morning, the committee
7 is recommending that the Commission approve the change
8 in the policy I guess is the best way to state it, a
9 change in the policy from the applicant being given
10 only two minutes to 15 minutes.

11 Now, that does not mean that the applicant
12 has to take 15 minutes. That's just a maximum that we
13 have. We came to the realization -- and Dr. Garcia
14 also pointed out to our Charter Schools Division,
15 Dr. Duran and others, that she felt that it would be
16 very difficult for us to be able to sustain any kind
17 of vote without having the ability to have given the
18 applicant the opportunity to have a full opportunity
19 to express himself or herself.

20 And that hardly was possible in her
21 estimation in two minutes. We had the discussion in
22 the retreat. And we came to the belief that this has
23 to be passed by the Commission because the Commission
24 is responsible for some destiny.

25 So, Mr. Chairman, if a motion would be in

1 order, I would move at the appropriate place in the
2 work of the Commission and in the Charter Schools
3 Division that we change the wording from two minutes
4 to 15 minutes allowable for applicants to come before
5 the Commission.

6 THE CHAIR: Let me defer to legal counsel.
7 Mr. Arnold. Is this something that we vote on and
8 pass as a Commission?

9 MR. ARNOLD: No. You can indicate as Chair
10 Smith has that you are supporting what the secretary
11 has recommended. I think that's what the
12 recommendation from the committee is. You don't have
13 to approve what the secretary does.

14 THE CHAIR: And just for the audience, this
15 relates to the decision-making meeting that the Public
16 Education Commission holds in September to give the
17 applicants a 15-minute window to summarize -- a lot of
18 the recommendations from -- well, the recommendation
19 from the CSD will already be in your hands by then.

20 So you would then have 15 minutes to respond
21 to their prospective decision versus the two minutes.
22 So it just gives folks more time to respond. So thank
23 you, Ms. Smith.

24 MS. SHEARMAN: I will second the motion.

25 MS. LOPEZ: We don't need a motion.

1 THE CHAIR. We established that we don't need
2 a motion.

3 MS. SMITH: Mr. Chair, I respectfully
4 disagree with that.

5 THE CHAIR: Thank you. We'll make notes in
6 the minutes.

7 THE CHAIR: The CTE, the report from
8 subcommittees, we have -- did we even have a meeting
9 there? We did. Okay.

10 SECRETARY GANT: Dr. Melissa Lomax will speak
11 to this.

12 THE CHAIR: Hi, Dr. Lomax.

13 DR. LOMAX: Good afternoon, Mr. Chair and
14 members of the PEC. Thank you very much for the
15 opportunity to report on the activity and meeting of
16 the CTE subcommittee. And I have placed in your
17 binders two handouts. And I would like to call your
18 attention to the agenda handout. It's in section 11
19 is my understanding.

20 And I will just summarize for you and then
21 stand for any questions or any questions that Mr. Gant
22 might want to field or have us address. As always
23 it's a pleasure to be able to provide information
24 about the work of our students in the state.

25 We have ongoing implementation of the Carl

1 Perkins grant. And you have heard previous references
2 to version one and version two of an electronic
3 application. We are now in version three, the third
4 iteration of the development of not only a grant
5 application, but a complete one-stop grant
6 administration document.

7 The benefits of the grant application that
8 were reported to us from the field were that it was
9 so -- it was exceptionally well received. And so we
10 felt as if we could improve upon the resources that we
11 could provide for our stakeholders, and indeed we did.

12 We are at work right now with MPR &
13 Associates. That is an IT firm. And they do lots of
14 work for federal Perkins grants across the nation.
15 And we believe that we have a cutting edge document.

16 I have summarized for you on the second page
17 of the agenda what the contents are for this one-stop
18 grant monitoring application. And you'll see that
19 there is a space for stakeholders internal to the PED
20 as far as grant monitoring and so forth goes, and
21 external to the stakeholders, the users of the funds
22 and the preparers of the grant application.

23 I'll let you all look at that at your
24 leisure. But it is comprehensive and it does cover
25 aspects of the grant.

1 What's unique about this is that we can log
2 in our communications, we can document that we've had
3 telephone conversations, E correspondences, we can
4 give instant information. We can access information
5 on expenditures that the districts are undertaking so
6 that we can provide assistance if people are
7 struggling with knowing how, why, when, and where the
8 timeline is for the funds. So we are looking forward
9 to having this as a resource tool for our students.

10 That will provide as we talked about earlier
11 for the Tech Prep grant as well as the Basic grant as
12 well as some of the other specialized subprograms that
13 you've heard about at our annual reports, High Schools
14 That Work, JAG, so on and so forth.

15 Item No. 3 is a --

16 SECRETARY GANT: Excuse me, Doctor. When
17 does this come online?

18 DR. LOMAX: It will be -- we'll have the beta
19 test available in December. And it will be in the
20 hands of our directors in January for the next grant
21 application release. So we're in line to have this in
22 our next service year.

23 SECRETARY GANT: And since the PEC has
24 overall -- has responsibility for the Perkins and
25 other things, this will allow the Commissioners an

1 opportunity to look and to see what's going on with
2 the Perkins and Tech Prep and all this.

3 And, of course, anybody can do it. But this
4 Commission needs to take the time occasionally after
5 it comes online to get in there and look and see what
6 the schools and the secretaries and the post
7 secretaries and all that are doing with the grants.
8 So it's a great opportunity for the Commissioners to
9 see what's going on.

10 DR. LOMAX: Mr. Chair and Mr. Gant, yes,
11 indeed, because you can take a look at the programs of
12 study, schools of interest. It's an open book. And
13 we will have models of programs of study and where the
14 clusters are tied into and so on and so forth. So
15 yes, sir, thank you.

16 Mr. Chair, item No. 3 is a data update. I
17 have two items under the data update. If you'll turn
18 to the third page of your agenda. This is information
19 that we have compiled regarding the performance of
20 Career Tech Ed students.

21 And as you'll recall, at the end of each
22 year, we provide a CAR, a consolidated annual report,
23 to our federal monitors at OVAE. And for the 2008/'09
24 school year, the performance of our Career Tech Ed
25 students as well as other subgroups have been

1 documented here.

2 Of interest recently reported in our local
3 newspapers are inquiries as to how are we doing as an
4 education agency in closing the performance gap
5 between a variety of subgroups. This is one of those
6 reports on the Career Tech Ed in comparison to the
7 other subgroups. So what you have is the breakout of
8 the subgroups that are reported on our standards based
9 assessment.

10 The column to your immediate left, the blue
11 reflects our reading proficiency, the red reflects our
12 mathematics proficiency on SBA, and the column to your
13 immediate left is 11th grade all students. If you
14 look then moving to your right, you see 11th grade
15 Caucasian students and then CT Hispanic students,
16 Career Tech Ed Hispanic students, and Career Tech Ed
17 African American students, Career Tech Ed Native
18 American, and then Career Tech Ed all students.

19 This has been laid out that way so that you
20 can see the performance of the various subgroups that
21 have engaged in Career Technical education. And the
22 important piece about this -- and I had requested that
23 we add another column so that we could see our
24 graduation rates, because people want to know are we
25 keeping our kiddos in school and how are we doing on

1 that.

2 So hopefully at the next PEC meeting, I can
3 have this chart with another graph. But what you see
4 here that I hope you take home is that our engaged
5 Career Tech Ed students are performing well and
6 performing at levels that I have stated to you before
7 that in most cases meet and exceed the performance of
8 all students.

9 And one other aspect to note in this is that
10 these CTE all student subgroups, when you break it
11 back down and look at the performance of all students,
12 remember that our CTE kids are a subset of all of our
13 students. And, therefore, our -- it helps us raise
14 overall what our proficiency rates are.

15 Now, I'm not trying to get complicated. The
16 good news short summary on this is that this program
17 appears to be engaging our students, appears to be
18 helping them achieve their performance and proficiency
19 goals in high school.

20 THE CHAIR: Dr. Lomax, so on this second --
21 the second bars, 11-grade, should we strike all
22 students because it's 11-grade Caucasian?

23 DR. LOMAX: No, because your very left hand
24 bar is a combination of --

25 THE CHAIR: Gotcha.

1 DR. LOMAX: So that's what I mean. When we
2 look over to the right and then we come back to the
3 left, our all student group is comprised of each of
4 these subgroups.

5 THE CHAIR: Gotcha. Gotcha. Thank you.

6 DR. LOMAX: And, Mr. Chair and members of the
7 committee, the next item on the data update, again
8 this is information that the Commission has seen
9 before. It's a different format. This is the
10 certified version.

11 And you will recall that in December we
12 reported to you the performance of the state. And
13 that's listed here, because we report on a national
14 level as to how we did on our target measures from
15 last year. What this does is give you a snapshot of
16 where we were for the 2008/2009 school year. And
17 where we intend or have our sights set for the
18 2009/'10 year that is about to close out on June 30th
19 of this year.

20 We won't have that information until the
21 fall. We'll be gathering data on SBAs and technical
22 skills and participation in nontraditional and
23 technical skills attainment and achievement and
24 placement. But this is for your information to note
25 that we are on track and that we still have a variety

1 of high targets that we need to achieve.

2 Lastly -- well, next to lastly that is,
3 Mr. Chair, as I referenced the closeout of the '09/'10
4 school year I wanted to reference the opening of the
5 '10/'11 grant year -- grant year I misspoke. I said
6 school year, but I meant grant year.

7 I hope to provide you updates or anticipate
8 providing you updates on the '10/'11 grant year as we
9 have them available. But things are on track and
10 programs of study will flex as to the needs of the
11 locals as they develop their programs of study.

12 And lastly as an update on other matters,
13 Mr. Chair and members of the Commission, we have -- we
14 continue our site monitoring. That's an opportunity
15 for us to provide technical assistance. The tie-in
16 for us that's the good news is the electronic
17 application, because we can use that as a tool,
18 instant communication, referencing, and so on and so
19 forth. We'll have that not for the '10/'11
20 implementation but for the '11/'12. But we do have an
21 electronic version that gives us partial access to
22 that.

23 We just finished a great -- well, I guess you
24 didn't ask the stakeholders. I certainly enjoyed the
25 statewide conference for Career Tech Ed. We had over

1 400 teachers of Career Tech Ed, we had representatives
2 from secondary and postsecondary, we had fabulous
3 speakers who are highly motivating.

4 We had preconferences that addressed
5 nontraditional occupations, engineering, High Schools
6 That Work, rigor and relevant tie-ins to our standards
7 and our benchmarks. The evaluations that we have are
8 highly, highly responsive that we met the needs and
9 that it was very constructive and enjoyable. That
10 occurred in Ruidoso.

11 And then to the credit of several of the
12 education administrators within the bureau and with
13 other stakeholders across the state, there will be
14 joint presentations at the national conference that
15 begins on Monday and goes through Wednesday.

16 I want to say that New Mexico will be noticed
17 at that particular -- in a couple of different
18 presentations. But if you'll recall, there's a new
19 vision statement for Career Tech Ed nationally. And
20 New Mexico has been asked to speak on behalf of that
21 vision statement. And so we'll share our greetings
22 from the state.

23 And as we open and give remarks on the new
24 business statement, that should dovetail into the
25 reauthorization of ESEA and the work that we're doing

1 with national standards and so on and so forth. And
2 that Mr. Chair, members of the Commission, if there
3 are any questions, that ends my update.

4 THE CHAIR: Dr. Lomax, we thank you. Every
5 time you present, my eyes are just spinning because
6 it's just so much exciting information. And here New
7 Mexico is on the national level getting recognized and
8 giving input on a Career Tech Ed. So this is so
9 exciting and a pleasure having you here today.

10 DR. LOMAX: If I might, at the pleasure of
11 the Chair and the Commission, thank you all for your
12 support. The people across the state recognize that,
13 they appreciate this, and we're happy, we're happy to
14 be able to deliver information. So thank you again
15 for your support. And it's a tribute to the teachers
16 and to our workers in the department for the results
17 of our students.

18 THE CHAIR: Thank you. Continuing on item
19 No. 11, report from subcommittees, it is my
20 understanding, Commissioner Krivitzky, that the
21 Strategic Plan did not meet. Is there any report?

22 MS. KRIVITZKY: Lack of membership.

23 THE CHAIR: Yeah, membership.

24 MS. KRIVITZKY: We will try to meet the next
25 time. Hopefully I'll have some members there.

1 THE CHAIR: I do want to make note that Mavis
2 Price, Ms. Pogna, and Jeff Carr are absent. But Jeff
3 Carr had called and so he plans on getting here at
4 some point. I'm not sure if anyone has other
5 information on Ms. Pogna or Ms. Price.

6 MS. SMITH: Ms. Pogna is in North Carolina.

7 THE CHAIR: She's out of town for her
8 daughter's graduation. So absolutely important. And
9 we congratulate her daughter. We will then move to
10 No. 12, suspending the Public Education Commission
11 rules of procedure with a possible amendment. Willie
12 Brown, general counsel.

13 MR. BROWN: Good afternoon, Mr. Chair,
14 members of the Commission, Mr. Moya. As you may
15 recall, those who were in attendance at the last
16 meeting on April 26, 2010, there was a substantial
17 amount of discussion on the very subcommittees that
18 were just reported out.

19 And the gist of those discussions at the
20 April 26th meeting was why are they subcommittees and
21 not committees. And there were some pro and con
22 comments made by Commissioners. And you asked me to
23 discuss that. And I sort of winged it based upon my
24 recollection.

25 So in the interim since that last meeting in

1 April, I think Mr. Garrison, Mr. Chair, you issued an
2 email asking for a little bit more in-depth look. And
3 I did look at it. So I actually had a look -- go and
4 turn on I guess the wayback machine and go back to
5 2003.

6 And in 2003, as you all may recall, the New
7 Mexico Constitution was amended creating the Public
8 Education Department and the Public Education
9 Commission. And the way that worked and as passed by
10 the voters on September 23rd, 2003, was that the
11 elected members of the former state board, of the
12 50-member state board, the ten elected members became
13 the new Commissioners, the ten members of the PEC.

14 And the way the constitution was written, as
15 with the Public Education Department, the duties of
16 both the PEC and the secretary of the PED were to be
17 determined by the legislature. So it being
18 September -- and you know when the legislature meets,
19 there were no immediate duties per se.

20 So it was not until the 2004 legislative
21 session that duties were established. And as you know
22 the way bills become law, if they don't have an
23 emergency clause or an effective date, they become law
24 90 days after the close of the session.

25 So with respect to the PEC and the PED, there

1 was passed what has been known as House Bill 96, a
2 bill sponsored by Representative Miera and
3 Representative Stewart, Amy Stewart, which became law
4 on May 19th, 2004. That created the duties of the
5 Commission and the department and the secretary.

6 And, Mr. Chair, as you mentioned earlier,
7 with respect to the Commission's duties, in connection
8 to charter schools, that was 2006 legislation and that
9 became law in 2007. So you are quite correct, that it
10 wasn't until 2007 that this body had duties with
11 respect to charter schools.

12 So with the assistance of Ms. Tennyson, I
13 looked at old minutes from 2004. And I had to look
14 through many, many minutes to find out when the
15 Commission, you know, when your former body talked
16 about subcommittees.

17 And apparently it showed up on more than one
18 set of minutes. And because the Commission, you know,
19 because they had just gotten their duties in May of
20 2004, your body was talking about who would serve on
21 liaisons, what liaisons could be, what your rules of
22 procedure would look like, and what your duties would
23 be. And then, you know, you had the legislation.

24 So I believe it was on July 9, 2004, that the
25 current iteration of the subcommittees, of your rules

1 of procedure that created the subcommittees was
2 adopted. And based upon my research, it was
3 representative -- excuse me. The Commissioner who was
4 then the Chair, Commissioner Flora Sanchez, made the
5 motion. And Ms. Smith, she may have been the Cochair,
6 seconded. And it became the rules of procedure.

7 So that's the back story of how you became
8 subcommittees. And as I've been in discussion with
9 Mr. Garrison, you can call yourself a committee, you
10 can continue to call yourself subcommittees, it is
11 your call. But if you do wish to change, you would
12 have to do what the suggested executive summary says
13 which is to suspend your rules.

14 And by motion of at least six members -- and
15 it looks like you have seven members. And then if you
16 want to change it, that would take seven members. You
17 have exactly seven members to do that. So with that I
18 stand for questions or comments.

19 THE CHAIR: Any questions or comments for
20 Mr. Brown? Yes, Ms. Smith.

21 MS. SMITH: Mr. Garrison, Mr. Chair. Thank
22 you, Mr. Brown, for researching this for us. You
23 know, I'm one of those people who is sitting here.
24 And I have to tell you that the September 23rd vote,
25 if some of you will recall, was not a wide margin of

1 people in New Mexico.

2 In fact, although millions of dollars were
3 spent on that constitutional amendment, people came
4 out in support of the state Board of Education. And
5 it really one of the darker days for us.

6 I almost liken it to the days of Pearl
7 Harbor, when the Japanese attacked Pearl Harbor. And
8 if you listen to today's young people, you don't hear
9 the apprehension that was throughout the United States
10 after Pearl Harbor. You just don't.

11 They know we won the war and so everything is
12 dandy. And so they don't look at it. So you know I
13 don't know who won the war on this constitutional
14 amendment. But here we were, an elected state body,
15 that suddenly had been really and truly reduced to
16 something.

17 And we were trying, some of us, very, very
18 hard. It was Senate Bill 911 that passed originally
19 to form the Constitutional amendment. And so I was
20 one who suggested that let's look at Senate bill 911
21 much as we look at the telephone system when we are
22 asking for 911, we're asking for emergency help and
23 things of that sort.

24 I was trying desperately to put together a
25 ten-member Commission that would work rather than

1 bemoaning what had been our fate. And so I'm
2 pleased -- I had forgotten, Mr. Brown, that I was the
3 one who made those motions and things. And I do
4 appreciate that.

5 But I'm telling you, unless you were there,
6 you really don't know what the tenor of the meeting
7 was. And I will tell you, Mr. Garrison came to the
8 Charter Schools Division today and he made some
9 suggestions. And I think they were well received.

10 We need desperately, folks on this
11 Commission, to continue to work for the good of
12 children in this state. And so if being a
13 commissioner with committees or a commission with
14 committees rather than a commission with
15 subcommittees, I for one am in favor of it, if that
16 helps our stature, if it helps us publicly to make a
17 statement.

18 And so I certainly would ask you to do the
19 two things that are going to be necessary. And one of
20 them will be to suspend the rules. It will take six
21 people voting in the affirmative to do that. And then
22 I will ask you to vote to make the rules change to
23 committees. And that will take seven people.

24 And I guess, Mr. Brown, that basically means
25 it takes a unanimous vote today. And so I appreciate

1 your allowing me time to just give a brief historical
2 background, Mr. Garrison, because I think it's
3 important for those of you who are sitting here to
4 know that these are two votes that are very critical
5 to what I believe we're doing as a Commission and very
6 critical to what we do that everyone vote in the
7 affirmative because we don't have any leeway, we don't
8 have our usual ten Commissioners here today. So thank
9 you, Mr. Chair, for giving me the opportunity to
10 speak.

11 THE CHAIR: Thank you very much. Any
12 comments?

13 MR. BERGMAN: Are you ready for a motion or
14 do we want to discuss this?

15 THE CHAIR: If there is a motion, yes.

16 MR. BERGMAN: I'll do the first one here
17 first. I move that the Public Education Commission
18 suspend its rules of procedure pursuant to Article 14
19 so that it can discuss and vote upon amending its
20 rules to eliminate the name subcommittees of the PEC
21 or Public Education Commission and replace it with the
22 name committees. And I'll remind you again it needs
23 six of us to vote to suspend.

24 MS. SHEARMAN: I will second.

25 THE CHAIR: It's been moved and seconded that

1 the Public Education Commission suspend its rules of
2 procedure pursuant to Article 14 so that it can
3 discuss and vote upon amending its rules to eliminate
4 the name subcommittees of the PEC and replace it with
5 the name committees. All those in favor say aye.

6 (All in favor so indicate.)

7 THE CHAIR: Opposed, no. The motion carries
8 unanimously.

9 MR. BERGMAN: Do we have to do a roll call
10 for a vote like this.

11 MR. BROWN: No, Mr. Chair.

12 MR. BERGMAN: Do we want to discuss it or are
13 we ready for the second one? Let's move on. All
14 right. I move that the Public Education Commission
15 amend its rules of procedures as reflected in the
16 draft revised Article 3C, 1, D, page 5, by eliminating
17 the name subcommittees of the PEC and replacing it
18 with the name committees of the PEC. And I'll remind
19 you it takes as been noted all seven of us to vote in
20 the affirmative on this.

21 MS. SMITH: Second.

22 THE CHAIR: It's been moved by Mr. Bergman
23 and seconded by Ms. Smith that the Public Education
24 Commission amend its rules of procedure as reflected
25 in the draft revised Article 3C, 1, D, page 5, by

1 eliminating the name subcommittee of the PEC and
2 replacing it with the name committees of the PEC. All
3 those in favor say aye.

4 (All in favor so indicate.)

5 THE CHAIR: Opposed, no. The motion carries
6 unanimously.

7 MR. BROWN: Mr. Garrison, we will have the
8 changes made in a new version of the rules of
9 procedure. We don't know what color we'll get.
10 Whatever color we have available on stock paper we
11 will do. But we'll try to do a different color than
12 orange or whatever it is.

13 MS. SHEARMAN: That's Bulldog orange.

14 MR. BROWN: Bulldog orange.

15 THE CHAIR: Mr. Brown, thank you so much.

16 MR. BROWN: Thank you, Mr. Chair.

17 THE CHAIR: We're at item No. 13. And being
18 that we allowed for moving around the agenda items as
19 we feel necessary, let's move to item 14, vote on
20 extension for review and approval of new charter
21 school applications. Sam Obenshain, Program Manager
22 of the Charter Schools Division, welcome.

23 MR. OBENSHAIN: Thank you, Mr. Chairman,
24 members of the Commission, Mr. Moya. This item
25 addresses the legal requirement that the Commission

1 authorize or make a decision on initial charter school
2 applications by September 1st.

3 We have asked every year that you give us
4 permission to waive that deadline with the consent of
5 the applicants since your decision-making meeting is
6 held on September 9th and 10th. And we do have a
7 process that we work with the applicants to sign an
8 agreement to extend that deadline. And what we're
9 requesting is that you vote to grant us that ability
10 to waive that deadline.

11 THE CHAIR: Thank you, Mr. Obenshain. Any
12 comments by Commissioners? The Chair will entertain a
13 motion.

14 MS. SMITH: Mr. Chair, be it resolved that
15 the Public Education Commission shall request all
16 applicants for permission to waive the requirement
17 that the Public Education Commission rule on the
18 charter school applications by September 1st.

19 And unless an applicant and the Commission
20 sign a written agreement for an additional extension
21 of time to rule on the charter school application,
22 such waiver shall expire on September 11, 2010.

23 MS. SHEARMAN: Second.

24 THE CHAIR: We have a motion by Ms. Smith and
25 a second by Ms. Shearman. And the question is on the

1 adoption of the motion that the Public Education
2 Commission shall request all applicants for permission
3 to waive the requirement that the Public Education
4 Commission rule on the charter school applications by
5 September 1st.

6 And unless an applicant and the Commission
7 sign the written agreement for an additional extension
8 of time to rule on the charter school applications,
9 such waivers shall expire on September 11, 2010. All
10 those in favor of the motion say aye.

11 (All in favor so indicate.)

12 THE CHAIR: Opposed. None opposed. The
13 motion is approved unanimously.

14 MR. OBENSHAIN: Thank you.

15 THE CHAIR: Thank you, Mr. Obenshain. We're
16 on item No. 15, status report on stated chartered
17 charter schools. Dr. Don Duran, Assistant Secretary.

18 DR. DURAN: Thank you, Mr. Chairman, members
19 of the Commission, and Mr. Moya, when he gets back.
20 Thank you for being here -- or having us here. I have
21 with me Ms. Corina Chavez who you have met as one of
22 our staff people in the Santa Fe office and
23 Mr. Obenshain who is program manager.

24 The charter school division under the
25 authority of the Public Education Department is a

1 division that collects the information and data needed
2 to monitor the state chartered schools. The CSD has
3 developed a process for monitoring the schools,
4 collecting the data from other PED bureaus and the
5 divisions.

6 We also have conducted site visits, collected
7 self reports, and we are providing feedback to the
8 schools on their progress for achieving their goals
9 and the responsibility of the school. The Public
10 Education Department monitors all public schools under
11 the authority of the Secretary of Education.

12 The purpose of the status reports are to
13 provide information to the Commission on the schools
14 that they have authorized as a state school. It will
15 also serve to inform the Commission or other
16 authorizers; that is, if they choose to move from you
17 back to their local authorizer, on the progress of the
18 school during the length of the charter.

19 The data collected in this monitoring process
20 should inform the authorizer as the school seeks to
21 renew. And as you hear this report, what we would
22 like to do is to put a standing item on your agenda
23 every January, where we would report on all of your
24 schools.

25 So it would be a standing item that would

1 give us an opportunity to work with our schools and
2 your schools and give you a report on each one in
3 terms of the status report.

4 I'm going to ask Ms. Corina Chavez to go over
5 some of the processes that we use.

6 MS. CHAVEZ: Good afternoon, Mr. Chair,
7 Mr. Moya, and members of the PEC. In your binder you
8 should have a document that looks like this. It is
9 called Status Report as of June 11, 2010. And what we
10 have done here is compile a list of all the state
11 chartered charter schools to date organized by date of
12 authorization.

13 So you'll see that the first column gives the
14 date that the PEC authorized the charter school, in
15 green we have start-up charter schools, and in purple
16 are the renewal schools.

17 MS. LOPEZ: It's not in color.

18 MS. CHAVEZ: I just passed around a bunch of
19 color.

20 DR. DURAN: Well, had they been in color,
21 that's the color they would have been.

22 MS. CHAVEZ: Sorry for the glitch. Thank
23 you, audience, for returning them back. Okay. Again
24 so the way that this table is organized is that the
25 authorization date of the charter school is the first

1 column to the far left.

2 So as those of you that were on the
3 Commission recall, the very first charter school that
4 you approved was Media Arts Collaborative Charter
5 School. And that was in September of '07. And let's
6 just take that one as an example and follow along the
7 chart.

8 So what we have collected to date and what we
9 have done to monitor this school, after it was
10 approved by you, was that in the '07/'08 school year
11 that was Media Arts' planning year. We worked with
12 the planning year schools and we continue to work with
13 the planning year schools up until the date that they
14 get ready to commence operations.

15 And while they are in their planning year, we
16 have created a checklist. The checklist is
17 appropriately entitled the Planning Year Checklist.
18 On the second page, behind the beautiful chart is a
19 description of what is in the planning year checklist.
20 And basically it's a compilation of legally mandated
21 compliance requirements.

22 So it talks a lot about things that the
23 governance council must do, like document their
24 meetings, put into place policies and procedures, it
25 addresses issues related to curriculum and curriculum

1 alignment, et cetera. So again we worked really
2 closely with the schools during their planning year to
3 ensure that they complete the planning year checklist.

4 But then towards the end of that planning
5 year, we actually conducted a formal site visit to the
6 schools. Now, we just finished doing that for the
7 schools that you're going to be addressing later on
8 today.

9 And I've got to tell you that it's a really
10 interesting process to be able to follow with the
11 schools, because we visited some -- the sites that
12 they would be located in. And we see gutted buildings
13 and places that you can't imagine a school is going to
14 be. But eventually we see them up and running the
15 very following year.

16 But that visit is to visit the site that
17 they're going to be located and then to formally
18 review all of the items in the checklist to assess
19 whether they have substantially completed those items
20 so that Dr. Duran can make a recommendation to you
21 like he is going to do today. So those are the first
22 two items for Media Arts Collaborative Charter School.

23 And then the next item which occurred in the
24 '08/'09 school year was the first year site visit. So
25 that spring we visited the school. We came back. And

1 here is where you get to see, you know, what was a
2 gutted building as a fully functional school.

3 They've already been in operation for one
4 semester. We see kids, we see classrooms. And we
5 follow up with the schools on the items that are
6 listed in the first year site visit description on the
7 second page.

8 As it describes, we take a look at how the
9 school is implementing the charter. We follow a
10 common protocol. As always, when we visit schools, we
11 go two people at a time. And as a result of that
12 first-year site visit, we create a first-year site
13 visit report.

14 So the first-year site visit report is
15 looking at the implementation of the school's mission.
16 It follows up on any conditions that you may have set
17 for the school and findings. And we talk about
18 findings; for example, maybe when we looked at the
19 school, when they were in the process of being
20 reviewed as initial charters, we may have noted that,
21 for example, they didn't have the proper number of
22 science credits in their graduation plan.

23 So this is something we would follow up with
24 them. It's not a reason to deny them. Everything
25 else about the charter was in good shape. But maybe

1 they need to change their graduation requirements in
2 all the documentation that they have.

3 We also then collect updated contact
4 information, because as you know the new charter
5 schools change their contact information in the first
6 year from the founders to the people that are employed
7 and in place at the school.

8 And we look at policies and procedures again,
9 we look at the number of students, we look at the
10 number of teachers. I'll let you finish reading the
11 description on the first-year site visit report.

12 And then if you'll look again at Media Arts,
13 the next thing that we have is a first year annual
14 report. Now, that sounds a lot like first year
15 report, but it's different. And in some of our forms,
16 it has read self-report, because what we're asking the
17 schools to do is to provide us information from their
18 data that they have at the school and send it to us.

19 We ask for this in the fall after they have
20 completed an entire school year. By then AYP reports
21 have come out. So they're able to give us really good
22 student performance data. And we look at their
23 progress towards the objectives that are stated in
24 their charters.

25 We look at other compliance information.

1 There's a really good description of the annual
2 report. Should I keep going into as much detail as
3 I'm going into?

4 MR. OBENSHAIN: Knock yourself out.

5 MS. CHAVEZ: So again we are assigned as
6 liaisons to charter schools. So Media Arts happens to
7 be my school. And when we work with the schools, we
8 go as pairs. So the school would then send us the
9 report. And I would take a look at their annual
10 report and look to see if there was any information
11 that needed clarification or verification and be in
12 contact with the school. This may or may not also
13 mean a site visit to the school.

14 But what we're doing is taking a look at what
15 they had sent us. And we are obtaining additional
16 information from various divisions and bureaus at the
17 PED. And with this report -- well, I hate to steal
18 the thunder. But we're going to take it into what we
19 call not the self-report, but the actual -- what is
20 the title? The analysis of the self-report.

21 So I'm not going to go too much into that
22 because Mr. Obenshain is going to speak about that.
23 But what we're going to do with the reports once they
24 come in -- as you can see, we've only received four to
25 date. We've received one from Media Arts, from

1 Cottonwood Classical, the two schools that renewed in
2 your first year.

3 So every year after that we would get a
4 self-report, collect data from the PED, create the
5 analysis, and send that back to the school. That is
6 the overall picture of how we would go about
7 monitoring the schools on a year-to-year basis.

8 When we get to the fourth year, we conduct
9 another site visit. The end of term is near so the
10 schools need to submit their renewal application. And
11 we have another set of information that we collect as
12 part of the renewal process. We do a renewal site
13 visit. And we do what is called an end-of-term
14 analysis.

15 The end-of-term analysis takes a look at what
16 has happened over the term of the charter. For those
17 schools that started under you in year one, they're
18 going to have four years' worth of annual reports and
19 analyses that we will use as data. Additionally we
20 will have data from the PED, the various divisions and
21 bureaus, to add to that report. Plus their renewal
22 charter where they do the self reporting.

23 So this may also sound very familiar, the
24 end-of-term analysis. And that's because that is the
25 tool that we actually use for schools that are

1 renewing with us. So schools that had been with
2 another authorizer that want to transfer to be under
3 the PEC have to submit renewal applications.

4 And our tool for analyzing their renewal
5 application looks at the very same data pieces that a
6 charter school that had started with you would be
7 analyzed by. So the end-of-term analysis report takes
8 a look at the four reasons in law for nonrenewal,
9 which as you know are the material violations, student
10 progress, financial management, and violation of law.
11 And that's the way that that report is arranged.

12 As part of the development of the end-of-term
13 analysis report, we do site visits, we go to schools,
14 and we take a look at all the information that we've
15 received, both from their renewal application, from
16 reports from the PED. In the case of renewals, we
17 also ask their prior authorizer to give us a report.

18 And we look at all this information. We sit
19 down with the schools during a site visit. And we
20 pull together the information into a final end-of-term
21 analysis report. I know this is a lot of terms,
22 you're hearing the words report a lot, you're hearing
23 the words tools. And I think that the way this is
24 arranged should hopefully help break it down.

25 So just one other thing I wanted to point out

1 then, that Media Arts and Cottonwood Classical, for
2 example, it says NA for renewal site visit and
3 end-of-term analysis because they are start-up
4 schools. We will not actually have those until their
5 fourth and fifth years.

6 Whereas, North Valley Academy, Horizon
7 Academy West, starting with No. 11 through 14,
8 Creative Ed Prep, et cetera, those all -- those all
9 are the renewal schools. So we don't have the
10 planning year site visit and the planning year
11 checklist for them.

12 But we do have the renewal site visits and
13 the end-of-term analysis. So it's the inverse with
14 the start-up versus the renewal schools in terms of
15 those four -- first four items after the names of the
16 schools in this chart.

17 The X in this chart means that it's been
18 completed. The S10, for example, means it's due in
19 the fall of 2010. And S11 with Albuquerque Sign
20 Language Academy, that's the spring of 2011 is when
21 their first-year site visit would occur.

22 So that's some basic information on the
23 handout that we provided. All these tools are
24 available on the Charter Schools Division web page.
25 You can read it again. We didn't want to burden you

1 with with tons of paperwork. And because we use a
2 continuous improvement process, they are in the
3 process of being revised, refined, so that they better
4 meet the needs of monitoring the schools in a way that
5 we think will work for you.

6 THE CHAIR: Ms. Smith.

7 MS. SMITH: Thank you, Mr. Chair. Thank you
8 for that excellent report. I can assure you that my
9 fingers went through and I reviewed every page of the
10 documents that were given to me. And at this time I
11 see Dr. Garcia has come.

12 So this is really an appropriate time for me
13 to thank you, Corina, thank you, Don and Sam and all
14 your staff, because you do such an excellent,
15 excellent job. But I also want to thank Bev and Bern
16 Tennyson. Bern ran these off for me, brought them to
17 my meeting on Thursday.

18 Now, believe it or not, I read all of this
19 stuff since Thursday afternoon. So, you know, the
20 Commission has been accused a time or two of not
21 reading the things that are given to them. But I know
22 that there's more than a ream of paper that is here.

23 I am retired and so I could do it. I wonder
24 about the people who are not. I finished about 12:30
25 last night. And so it becomes a really difficult

1 thing. I'm sort of -- Dr. Duran or Mr. Obenshain, I'm
2 sort of at a loss about -- I had questions about some
3 of these. And so is there going to be a time in here
4 where we can ask a question about any of these that
5 were submitted?

6 DR. DURAN: Mr. Chairman and Commissioner
7 Smith and Secretary Garcia, I would prefer that we
8 look at the overall right now. And then when we have
9 a standing committee report in January, that you go
10 more into depth into the specific schools.

11 But if you have general questions about the
12 forms that we're using, I think that would be
13 appropriate. I just think we would prefer that
14 individual schools wait until the standing committee
15 report.

16 MS. SMITH: In other words, you're telling me
17 I've got to hang on to all of this until January?
18 Okay. That's all I needed to know. Mr. Chairman,
19 thank you. Thank you, Dr. Duran.

20 MR. OBENSHAIN: Mr. Chair, members of the
21 Commission, Secretary Garcia and Commissioner Smith,
22 one of the things that we also have provided for you
23 is a template for the analysis that Ms. Chavez was
24 talking about. And what we don't really expect that
25 you would have to do is to go through these lengthy

1 documents that give all of the reports from the
2 schools.

3 What we will do based on information that we
4 receive back from bureaus and divisions in PED and
5 based on our own -- the liaison's work with the
6 schools, we will provide an analysis of this report.
7 So you're not expected to be -- to have to read
8 through every page of this report.

9 You're welcome to, of course. And then
10 again, as we have done with other procedures, if you
11 have questions about our analysis, by all means, this
12 is what we would be presenting to you. And these
13 documents would support our analysis. So that's
14 really the process that we're intending to provide for
15 you.

16 And I can give you -- those of you who have
17 read through this, you will see those pieces of
18 information that we would deliberately be following up
19 with. There are some reports that demonstrate they
20 have not completed a particular item.

21 They're waiting, for example, on governing
22 council approval or they're waiting on specific data
23 that has not yet been produced for their students. So
24 they will be then presenting another report at the end
25 of their second year that will provide that data.

1 Every time they present a report to us, we
2 will be doing an analysis of that. And that's what we
3 will be presenting to you all in that January meeting,
4 when we have a standing agenda item.

5 Also to be clear and just to draw your
6 attention to this, I think Ms. Chavez mentioned it.
7 But if you just glance through this document, the
8 self-report, it should look familiar to you; because
9 it is aligned directly with the renewal end-of-term
10 report. And that's again because the reasons for
11 renewal or nonrenewal are directly related to these
12 sections.

13 So we don't collect extraneous data or
14 information that's not going to help you ultimately
15 make a decision and that won't ultimately go into
16 Dr. Duran's recommendation.

17 So all of these tools, what we've tried to
18 do -- and I think so far we've succeeded. Again we're
19 operating under a continuous improvement process. So
20 we've revised our instruments to make them more user
21 friendly and to help give you the kind of information
22 that you have.

23 But all of these documents are intended to
24 provide us and you all with information that will be
25 useful in some kind of decision. The decision to

1 allow schools to commence operations. These first two
2 documents are the planning year checklist -- site
3 visit and the planning year checklist.

4 Those are intended to help provide
5 information for that decision. So each one of these
6 documents and each one of the procedures is aligned to
7 help give you the kind of information that will help
8 you make a decision.

9 MS. SMITH: Thank you very much. Thank you,
10 Mr. Chair.

11 MR. OBENSHAIN: One other piece, if I may,
12 just to draw your attention to it, if you'll see -- I
13 think it's important to understand there have been
14 some questions about the amount of monitoring that's
15 happening with schools. And just looking at this
16 chart, you can see that this is a very intense
17 process.

18 We have a staff that is again assigned as
19 liaison. And they are responsible for these schools
20 to make sure that all of these processes get done.
21 And this is going on for all of these schools
22 throughout every year. It's not as if we take four
23 years off with this school and then come back and jump
24 into the process.

25 These processes, all of these processes are

1 happening every year with the liaison. So it's quite
2 the task that each one of them have to follow through
3 with depending on where their schools are in the
4 process.

5 THE CHAIR: Thank you, Mr. Obenshain.

6 DR. DURAN: All of this monitoring with 33 of
7 our schools that are ongoing, providing you
8 information, going to the schools, working with the
9 divisions of the bureau, could not happen unless there
10 was trust between the schools and our division and you
11 all as authorizers.

12 And I want to recognize the schools that have
13 worked with us to develop the tools because it is
14 really an ongoing process. And what works for them
15 and what gets information, North Valley Academy,
16 Mr. Snider, thank you very much. Please stand up so
17 the Commission can throw things at you.

18 Is someone here from Cottonwood Classical?
19 Lynn, would you stand up. Lynn is one of our -- one
20 of two from Cottonwood Prep who have really helped us
21 through the process and are great examples of great
22 schools. Anyone here from Horizon West?

23 And then I couldn't say enough about Media
24 Arts Collaborative's principal, Ms. Voigt, and also
25 Patty who I always say she is the Media Arts

1 Collaborative guinea pig and you would say.

2 MS. SHEARMAN: As long as we're not the
3 sacrificial lamb.

4 DR. DURAN: But all four of these schools
5 work with us and develop the processes. And it was
6 built really on mutual respect and trust. So I thank
7 you all for helping us with that process. Any other
8 questions, Mr. Chairman, members of the Commission,
9 and Secretary Garcia?

10 THE CHAIR: If there are no other comments or
11 questions, Dr. Duran, I want to thank the Charter
12 Schools Division and staff. You're really displaying
13 the process and how continuous it is. It's not your
14 approved see you in five and you better be doing well.

15 This ensures that our children in New Mexico
16 are receiving our best. I appreciate your hard work
17 and your dedication to the children of New Mexico.

18 SECRETARY GARCIA: I have a question for you,
19 Dr. Duran. Are you sharing this also with the
20 district authorizers so they can use it if they choose
21 to?

22 MR. DURAN: Yes, Madame Secretary. As a
23 matter of fact, Mr. Obenshain will be presenting at
24 the New Mexico Coalition of School Administrators on
25 monitoring processes. And then Corina will be

1 presenting for the renewal process.

2 SECRETARY GARCIA: But you will still provide
3 it for those that don't come to the conference, that
4 they may be formally provided with a document?

5 MR. DURAN: Absolutely. It's on our website
6 and I have gone to many school districts to give a
7 personal report.

8 SECRETARY GARCIA: That's great. Thank you
9 so much.

10 THE CHAIR: The perfect segue. We're going
11 to go from item 15 back up to item No. 13. And I want
12 to introduce Secretary of Education Dr. Veronica
13 Garcia. And she will give the Secretary of Education
14 comments.

15 SECRETARY GARCIA: Yes. First of all I want
16 to apologize for being late. I needed to attend to
17 some business in Santa Fe that I'll address in a few
18 minutes. But I wanted to let you know that we got the
19 Race to the Top grant in. We got very good
20 collaboration from our stakeholders, we got good
21 collaboration from the union and support.

22 Some of the major features of that grant is
23 the willingness to link teacher evaluations to student
24 performance and to look at growth. We want a system
25 that is fair. We're looking at higher quality

1 assessments.

2 We're in a consortium with the Smarter
3 Balanced Consortium, it's 31 states, to have, you
4 know, less testing but more meaningful testing,
5 high-quality assessments that really can demonstrate
6 what children can do and learn.

7 But this is going to be tied to the
8 reauthorization of ESEA as well. And what I'm excited
9 about is that even if we don't get funded for Race to
10 the Top, there is a commitment from the stakeholders
11 in the state to continue to move forward.

12 Mr. Garrison, you know, you represented the PEC in
13 that work and I thank you for your participation.

14 We also were able to -- another feature of
15 that grant that I'm excited about is tying greater
16 accountability to colleges of education for the
17 teachers that they're producing and how well their
18 students are doing.

19 And so if they're not doing well, they go
20 into a monitoring system. If they cannot improve,
21 then a particular program might get dismantled or
22 redone. And I really want to commend the deans for
23 their willingness to step up to the plate.

24 The other is on the turnaround and the
25 turnaround model. And from the stakeholder group came

1 the recommendation that we have -- create a student
2 success alliance. So that we have more community
3 based people engaged along with board members and the
4 superintendent and so on to turn the school around;
5 because, you know, you really can't do that from Santa
6 Fe.

7 Their plan would need to be approved by the
8 department. But again we know that if you engage
9 community in meaningful ways, they're going to step up
10 to the plate.

11 It was a very arduous process, we had six
12 weeks to get it all done. But the buy-in and the
13 commitment from the stakeholders was amazing. And we
14 started off right from the start, do we have the
15 political will in New Mexico to take on these
16 challenging questions.

17 And the answer was yes. So we worked through
18 it. And I'm just really proud of all the work that
19 was done. I want to give a special shout-out to
20 Sheila Hyde who really went above and beyond. Thank
21 you, Sheila, and for your work in that.

22 I also want to share with you -- I think
23 maybe you're already aware, Don, did you mention it at
24 all? But Don Moya is going on to APS. And they're
25 very lucky. And you all know that. And Steve

1 Burrell, Steve is in Santa Fe. He will be interim and
2 he will retain his position.

3 But he's going to help us steady the ship.
4 And we're really going to miss Don. I've worked with
5 Don since before he wore reading glasses so that tells
6 you a little bit of how long we've worked together.

7 And Dr. Hyde -- I think you all know that
8 Catherine Cross Maple, did you discuss that, she
9 retired about a month and a half ago. And Dr. Hyde is
10 continuing there.

11 Gilbert Perea is also retiring effective
12 May 25th. And so we're basically reassigning duties
13 there. We're moving instructional materials more on
14 the instruction side. And so Dr. Holloway as part of
15 his responsibilities will have supervision of that.

16 Transportation, Carlos Santiago will still be
17 there. But Antonio Ortiz will be his supervisor who
18 has more experience with budgets and so on. And
19 nutrition will be under Chris Miera. And that kind of
20 fits with some of the work that she's doing. So, you
21 know, we're doing our best because we're at about
22 what, Austin, 29, Don, 29 percent vacancy rate?

23 MR. BUFF: Twenty-nine at this point.

24 SECRETARY GARCIA: Yeah. I mean can you
25 imagine. We have basically one-third of the staff.

1 So, you know, we're having to reassign duties as we
2 move along. But we have a great team. And I think we
3 can take pride that, you know, they're just continuing
4 on, soldiering on, taking on additional duties as
5 needed to be able to move forward.

6 The point of personal privilege that I asked
7 Chairman Garrison if he would allow me is I have some
8 news to share with you. And it's just coincidental
9 that we had a Commission meeting. But I'm happy that
10 we do. And that is that, you know, that I'm retiring
11 effective July 1.

12 I'm sorry that I'm having to leave as early
13 as I am. Some of you may or may not know. My mother
14 just turned 85 and she's developed some pretty
15 significant health problems. And so I'm having to
16 take her to doctors appointments. And they're
17 multiple appointments. And it's just been very
18 stressful trying to deal with the responsibilities of
19 this job and also attend to her.

20 Coincidentally, at the same time, I've been
21 offered a fabulous half-time job that is just amazing.
22 It will allow me to work from home. And I am going to
23 be senior vice president and chief academic officer
24 for Hispanic Intercommunications, I've got to learn
25 how to say that, television network. And it's out of

1 New York.

2 They've got a viewership of about 30 million
3 across the country. It's like a Spanish PBS. I'll be
4 vetting their education programs. But it will provide
5 me the opportunity to have the flexibility to attend
6 to my mom and still stay in education.

7 So I am sad. I talked to the staff. I'm
8 going to go talk to the CNM staff. They probably
9 already know, but let them know. I've got to call the
10 Gallup staff. So that's what I was doing this
11 morning. I am very sad.

12 I feel very blessed to have been given the
13 opportunity to first be the first Secretary of
14 Education. But I had a good, you know, run. I didn't
15 think I would last as long as I did. I want to thank
16 the Commission. We got to be new roles together.

17 I wish Millie were here. And we worked it
18 out, we figured it out. And I just really want to
19 thank you. All of you have always just been so
20 wonderful to work with. And your commitment for what
21 you do and with the charter school stuff, it has been
22 just backbreaking work.

23 And you all have done it so very well. So
24 it's really my honor to work with you. So, you know,
25 people know that I feel about my -- it's not a job.

1 It's a calling, it's a vocation, and they're my
2 family.

3 So, you know, I just can't leave my family to
4 just anybody. So I talked to the governor about, you
5 know, who would be a good replacement to keep the ship
6 afloat for the next five months. And it's a familiar
7 face, Dr. Susanna Murphy.

8 Susanna worked through the last transition.
9 She was deputy superintendent at that time. And she
10 transitioned with the transition team and with
11 Dr. Morgan so she's been through that before. She
12 knows the agency and sort of the big picture.

13 And Susanna was willing to step up to the
14 plate. She's on leave from the university and will be
15 able to return to that position. And we're just very
16 fortunate that she will begin when I leave. So we'll
17 do some transition work.

18 But I feel confident that she will have that
19 love and care that I have for our folks at the
20 department and for the work that we're doing. So it
21 makes it a little bit easier for me to let go of my
22 baby, because this has been my baby for almost seven
23 years.

24 And I have enjoyed every single minute of it.
25 It's been stressful sometimes and frustrating and all

1 kinds of things. But I always love the work and the
2 people that I work with, and I'm going to miss all of
3 you very, very much. Thank you so much.

4 THE CHAIR: Congratulations. Dr. Garcia,
5 thank you for that announcement, congratulations.
6 And, Dr. Murphy, congratulations on your journey also.
7 And I don't know what your timeline is. But I think a
8 couple Commissioners want to say just a few words.
9 Ms. Smith.

10 MS. SMITH: Oh, my dear. You know, two days
11 ago I sat in a meeting. Of course, I knew that she
12 was going to retire. But I sat in a meeting where
13 Paula Tackett made that announcement.

14 SECRETARY GARCIA: See, you just kind of
15 bring that on.

16 MS. SMITH: I'll tell you what, I have said
17 it many times, Veronica, and I mean it from the heart.
18 You were the right person for the job at the time in
19 New Mexico. You have been a very stabilizing force
20 for education in New Mexico in some tumultuous times.

21 And I am so appreciative that the dear Lord
22 gave us you and allowed you to work for the children
23 and to work for all of the rest of us in New Mexico.
24 Thank you very, very much.

25 SECRETARY GARCIA: The pleasure was all mine.

1 Thank you very much.

2 THE CHAIR: Go ahead.

3 MS. LOPEZ: I mean I think you're the best,
4 you know that. We go back to Santa Fe. And I agree
5 with Ms. Smith, that you were a stabilizing force and
6 a great leader and inspiration. And I'm thrilled that
7 you're going to be doing television and doing the
8 education for Hispanics. It's great.
9 Congratulations.

10 THE CHAIR: I just want to mention, this
11 makes me think of the power of teaching and of walking
12 the walk and the effect that we all have on children.
13 I'm going to give you a couple examples, because there
14 are two people in this room, you are one.

15 But Dr. Jerry Snider, I didn't know him as
16 Dr. Jerald Snider, I knew him as Coach Snider when I
17 was -- I think I was 19. So I always tell him, hey,
18 remember, we were at Valley together. Sure, sure. He
19 was busy winning the state championship in basketball.

20 And I was just a 19-year-old, 20-year-old
21 coach at Valley. I would just show up after school
22 and do my thing. But I always remember his
23 professionalism. And I absolutely watch that state
24 championship game. And I will remember you for the
25 rest of my life just because we crossed paths.

1 Well, after I played at the University of New
2 Mexico, I ended up at Rio Grande High School. And the
3 principal was Dr. Veronica Garcia. And we have now
4 crossed paths again on the Public Education Commission
5 and you as the Secretary of Education. And I honor
6 you. And I will remember you forever. So
7 congratulations. Thank you so much.

8 SECRETARY GARCIA: Thank you, everyone.

9 SECRETARY GANT: Make note for the record
10 that Commissioner Carr is now with us.

11 THE CHAIR: The Chair would like to welcome
12 Commissioner Carr.

13 MR. CARR: Sorry I'm so late.

14 THE CHAIR: You just flew across the state
15 from the look on your face.

16 MR. CARR: I flew across Albuquerque.

17 SECRETARY GARCIA: No tickets, though?

18 MR. CARR: No tickets.

19 THE CHAIR: He didn't mean fly.

20 What incredible news. A great way to move
21 forward. We're on No. 26, vote on charter schools
22 boards of finance. And Sam Obenshain, program manager
23 of the Charter Schools Division, will take us through
24 that.

25 I do want to make note, I have received

1 advice from counsel that on the resolutions, and there
2 are several here, that we can read the bulleted items
3 the first time. And once they're placed on the
4 record, we will refer to them as items previously
5 submitted for the record.

6 And that will keep us moving a little bit
7 quicker than a reading through every single bullet for
8 every individual resolution. Mr. Obenshain, welcome
9 again.

10 MR. OBENSHAIN: Thank you, Mr. Chair, members
11 of the Commission. That's quite an act to follow.
12 I'll do my best. I can assure you I'm not retiring so
13 I will be here for at least the remainder of the
14 meeting.

15 Pursuant to resolution that was passed in
16 November of 2007, you gave the Charter Schools
17 Division at that time and have continued to do so the
18 authority to review and approve the applications for
19 the boards of finance -- I'm sorry. To verify the
20 boards of finance that you will approve today.

21 As I mentioned after the meeting, the retreat
22 this morning, that those documents are available for
23 your review. I have verified that they are complete.
24 And we would need a vote from the Commission to
25 approve each one of those school boards of finance.

1 These are the renewal schools that were
2 approved by you all in December of '09. And one of
3 conditions of that approval is that they must qualify
4 as a board of finance. Today you will make that
5 approval official. I now stand for any questions if
6 you have any. Otherwise these are the resolutions
7 provided in the notebook.

8 THE CHAIR: Are there any questions for
9 Mr. Obenshain? If not, the Chair will entertain
10 motions.

11 MR. BERGMAN: Would you like me to read the
12 first one in its entirety for you.

13 THE CHAIR: Mr. Bergman, yes, sir.

14 MR. BERGMAN: I love to read, I read all the
15 time.

16 THE CHAIR: That's a message for our
17 children. We should have filmed that and had it on
18 PBS. Thank you, sir.

19 MR. BERGMAN: Well, I would note, when I
20 started reading all those applications, I didn't wear
21 glasses. Now I do. Anyway let's read the resolution
22 and get back to business here.

23 Whereas, the governing body of Albuquerque
24 Institute of Math and Science at UNM has submitted an
25 application to be designated as a board of finance

1 that included an affidavit of a business manager who
2 holds a license as a certified school business
3 official for the State of New Mexico including a copy
4 of the business manager's license, a statement signed
5 by all the governing body members that they agree to
6 consult with the Public Education Department on any
7 matter not covered by the manual of accounting and
8 budgeting before taking any action related to funds
9 held as a board of finance; a statement signed by all
10 the governing body members that they agree to notify
11 the Public Education Commission within 30 days of a
12 change in business manager for the school and submit a
13 signed affidavit of business management; a statement
14 signed by all the governing body members that they
15 agree to notify the Public Education Commission within
16 60 days of a change in membership of the governing
17 body; an affidavit from each governing body member
18 that she or he is not currently a member of any
19 governing body of any other charter school and has
20 never been a member of any governing body of any other
21 charter school that was suspended or failed to receive
22 or maintain their board of finance designation; a
23 certificate of insurance that indicates that the
24 business manager of Albuquerque Institute of Math and
25 Science at UNM is adequately bonded; therefore, be it

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

1 resolved that Albuquerque Institute of Math and
2 Science at UNM governing body be designated as a board
3 of finance.

4 MS. LOPEZ: Second.

5 THE CHAIR: We have a motion by Mr. Bergman
6 and a second by Ms. Price.

7 MS. LOPEZ: Lopez.

8 THE CHAIR: I'm sorry. The question about
9 the adoption of the resolution, whereas, the governing
10 body of Albuquerque Institute of Math and Science at
11 UNM has submitted an application to be designated as a
12 board of finance that included items previously
13 submitted for the record.

14 Therefore, be it resolved that the
15 Albuquerque Institute of Math and Science at UNM's
16 governing body be designated as a board of finance.
17 All those in favor of the resolution say aye.

18 (All in favor so indicate.)

19 THE CHAIR: All those opposed say no. The
20 motion is passed unanimously. Congratulations,
21 Albuquerque Institute of Mathematics and Science at
22 UNM. Is anyone here from --

23 MR. DURAN: Yes.

24 MR. CARR: A point of order. Should we have
25 gotten a roll call.

1 MR. ARNOLD: You have to have a roll call
2 vote unless it's unanimous.

3 MR. CHAIRMAN: Oh, it was unanimous. Okay.

4 MR. DURAN: Mr. Chairman and members of the
5 Commission and Mr. Moya, I think it would be best if
6 you went through the board of finance. And then when
7 you got to the signing of the contract, you invited
8 the person -- the school up to do the signing and take
9 pictures and photographs. And eight-by-12 glossies
10 would be available outside.

11 THE CHAIR: That sounds fair enough. Thank
12 you, Dr. Duran. The Chair will entertain a motion for
13 the Academy of Trades and Technology. Ms. Smith.

14 MS. SMITH: Whereas, the governing body of
15 Academy of Trades and Technology has submitted an
16 application to be designated a board of finance that
17 includes the information we had previously; that,
18 therefore, be it resolved that the Academy of Trades
19 and Technology governing body be designated as a board
20 of finance.

21 MR. BERGMAN: Second.

22 THE CHAIR: We have a motion by Ms. Smith,
23 seconded by Mr. Bergman, on the resolution, whereas,
24 the governing body of Academy of Trades and Technology
25 has submitted an application to be designated as a

1 board of finance that included the items previously
2 submitted for the record; therefore, be it resolved
3 that Academy of Trades and Technology governing body
4 be designated as a board of finance. All those in
5 favor say aye.

6 (All in favor so indicate.)

7 THE CHAIR: Opposed, no. The resolution
8 passes unanimously. The Chair will entertain a motion
9 for Aldo Leopold High School.

10 MS. SMITH: Mr. Chair.

11 THE CHAIR: Ms. Smith.

12 MS. SMITH: I'll do that one, that's in my
13 district. Whereas, the governing body of Aldo Leopold
14 High School has submitted an application to be
15 designated a board of finance that includes the
16 information read previously; therefore, be it resolved
17 that Aldo Leopold High School governing body be
18 designated as a board of finance.

19 MS. KRIVITZKY: Second.

20 THE CHAIR: Ms. Smith has proposed the motion
21 and we have a second by Commissioner Krivitzky. All
22 those in favor of the resolution say aye.

23 (All in favor so indicate.)

24 THE CHAIR: Opposed, no. The resolution
25 passes unanimously.

1 The Chair will entertain a motion for Amy
2 Biehl High School. Ms. Krivitzky.

3 MS. KRIVITZKY: Whereas, the governing body
4 of Amy Biehl High School has submitted an application
5 to be designated as a board of finance including the
6 bulleted items; therefore, be it resolved that Amy
7 Biehl High School governing body be designated as a
8 board of finance.

9 MS. SHEARMAN: Second.

10 THE CHAIR: It's been moved by Ms. Krivitzky
11 and seconded by Ms. Shearman. All those in favor of
12 the resolution say aye.

13 (All in favor so indicate.)

14 THE CHAIR: Opposed, no. The resolution has
15 passed unanimously.

16 The Chair will entertain a motion for East
17 Mountain High School. Ms. Shearman.

18 MS. SHEARMAN: Whereas, the governing body of
19 East Mountain High School has submitted an application
20 to be designated a board of finance that included the
21 items previously submitted for the record; therefore,
22 be it resolved that East Mountain High School
23 governing body be designated as a board of finance.

24 MR. CARR: Second.

25 THE CHAIR: It's been moved by Ms. Shearman

1 and seconded by Mr. Carr on the resolution for East
2 Mountain High School. All those in favor of the
3 resolution say aye.

4 (All in favor so indicate.)

5 THE CHAIR: Opposed, no. The resolution for
6 East Mountain High School passes unanimously.

7 La Promesa Early Learning Center. The Chair
8 will entertain a motion.

9 MR. BERGMAN: I'll do one.

10 THE CHAIR: Mr. Bergman. He loves it.

11 MR. BERGMAN: Whereas, the governing body of
12 La Promesa Early Learning Center has submitted an
13 application to be designated as a board of finance
14 that included the previously read items; therefore, be
15 it resolved that La Promesa Early Learning Center
16 governing body be designated as a board of finance.

17 MS. KRIVITZKY: Second.

18 THE CHAIR: It's been moved and seconded.
19 All those in favor of the resolution say aye.

20 (All in favor so indicate.)

21 THE CHAIR: Opposed, no. The resolution
22 passes unanimously. The Montessori Elementary School.
23 The Chair will entertain a motion. Ms. Smith.

24 MS. SMITH: Whereas, the governing body of
25 the Montessori Elementary School has submitted an

1 application to be designated as a board of finance
2 that includes the information previously read for the
3 record; therefore, be it resolved that the Montessori
4 Elementary School governing body be designated as a
5 board of finance.

6 MS. SHEARMAN: Second.

7 THE CHAIR: Moved by Ms. Smith, seconded by
8 Ms. Shearman. All those in favor of the resolution
9 for the Montessori Elementary School say aye.

10 (All in favor so indicate.)

11 THE CHAIR: Opposed, say no. The resolution
12 passes unanimously.

13 Southwest Primary Learning Center. The Chair
14 will entertain a motion. Ms. Shearman.

15 MS. SHEARMAN: Whereas, the governing body of
16 Southwest Primary Learning Center has submitted an
17 application to be designated as a board of finance
18 that included the items previously submitted for the
19 record; therefore, be it resolved that Southwest
20 Primary Learning Center governing body be designated a
21 board of finance.

22 MR. CARR: Second.

23 THE CHAIR: We have a motion by Ms. Shearman,
24 second by Mr. Carr. All those in favor of the
25 resolution for Southwest Primary Learning Center

1 please say aye.

2 (All in favor so indicate.)

3 THE CHAIR: Opposed, no. The resolution
4 passes unanimously.

5 The next resolution is the Southwest
6 Intermediate Learning Center. The Chair will
7 entertain a motion. Ms. Lopez.

8 MS. LOPEZ: Whereas, the governing body of
9 Southwest Intermediate Learning Center has submitted
10 an application to be designated as a board of finance
11 that included the items previously read into the
12 record; therefore, be it resolved that Southwest
13 Intermediate Learning Center governing body be
14 designated as a board of finance.

15 MR. BERGMAN: Second.

16 THE CHAIR: It has been moved and seconded on
17 the resolution for Southwest Intermediate Learning
18 Center. All those in favor of the resolution please
19 say aye.

20 (All in favor so indicate.)

21 THE CHAIR: Opposed, no. The resolution for
22 Southwest Intermediate Learning Center passes
23 unanimously.

24 The last resolution is the Southwest
25 Secondary Learning Center. Oh, next to the last. I'm

1 sorry. Southwest Secondary Learning Center. The
2 Chair will entertain a motion. Ms. Smith.

3 MS. SMITH: Whereas, the governing body of
4 Southwest Secondary Learning Center has submitted an
5 application to be designated as a board of finance
6 that includes the information previously read for the
7 record; therefore, be it resolved that Southwest
8 Secondary Learning Center governing body be designated
9 as a board of finance.

10 MS. LOPEZ: Second.

11 THE CHAIR: Moved by Ms. Smith, seconded by
12 Ms. Lopez. All those in favor of the resolution for
13 Southwest Secondary Learning Center please say aye.

14 (All in favor so indicate.)

15 THE CHAIR: Those opposed, no. The
16 resolution passes unanimously.

17 Now, I think I can safely say the last
18 resolution is the Village Academy Charter School. The
19 Chair will entertain a motion.

20 MR. CARR: Mr. Chair.

21 MR. CHAIR: Mr. Carr.

22 MR. CARR: Whereas, the governing body of the
23 Village Academy Charter School has submitted an
24 application to be designated as a board of finance
25 that included items previously read; therefore, be it

1 resolved that the Village Academy Charter School
2 governing body be designated as a board of finance.

3 MS. SHEARMAN: Second.

4 THE CHAIR: It's been moved and seconded, the
5 resolution for the Village Academy Charter School.
6 All those in favor of the resolution say aye.

7 (All in favor so indicate.)

8 THE CHAIR: Opposed, no. The resolution
9 passes unanimously.

10 I'd like to ask Mr. Obenshain, are there
11 items to sign on item 16 on the agenda? There is?

12 MR. OBENSHAIN: No, On item 17.

13 MR. DURAN: No, on item 17.

14 MR. CHAIR: So what is your recommendation as
15 far as the flow of the agenda? Is there a
16 recommendation perhaps on the flow of this?

17 MR. OBENSHAIN: For item 17?

18 THE CHAIR: Should we continue with 17 and
19 then we have everyone sign?

20 MR. OBENSHAIN: Mr. Chair, what I would
21 recommend is that we go through each school.
22 And after the motion has been concluded, then the
23 school is brought up to sign the actual contract, as
24 well as you will sign the contract. And then they can
25 be -- that's an opportunity for them to have pictures

1 and shake hands.

2 So that after each school as opposed to doing
3 the whole group and then trying to get everybody done.
4 So we would do one school at a time, have you and the
5 school sign, and then move to the next school.

6 THE CHAIR: So we can continue with 17 then.

7 MR. OBENSHAIN: Yes, sir.

8 THE CHAIR: Excellent. Thank you.

9 Mr. Obenshain.

10 MR. OBENSHAIN: Mr. Chair, Mr. Moya, members
11 of the Commission, pursuant to the resolutions on
12 approval of the renewal schools, in December of 2009,
13 a condition of the approval was that the state
14 chartered charter schools enter into an agreement, a
15 charter agreement with the Public Education Commission
16 in order for their charters to become effective.

17 The Commission does need to vote to approve
18 the charter contract with the individual schools. And
19 resolutions have been provided for each individual
20 state chartered charter school. And I stand for any
21 questions, if you have any.

22 THE CHAIR: Do the Commissioners have any
23 questions for Mr. Obenshain? If not, if you'll look
24 through your books, you all are probably faster than
25 me. But the resolution is also in white before the --

1 MR. BERGMAN: Just before the pink one on
2 each one.

3 THE CHAIR: Salmon. The Chair will entertain
4 a resolution. A motion, excuse me. Mr. Bergman.

5 MR. BERGMAN: Whereas, the renewal
6 application of Albuquerque Institute of Math and
7 Science at UNM Charter School was approved subject to
8 the condition that the charter shall be effective upon
9 the signing of a charter contract between the Public
10 Education Commission and Albuquerque Institute of Math
11 and Science at UNM Charter School; and, whereas, the
12 Public Education Commission and Albuquerque Institute
13 of Math and Science at UNM Charter School have reached
14 agreement on the terms of a charter contract, be it
15 resolved that the charter contract between the Public
16 Education Commission and Albuquerque Institute of Math
17 and Science at UNM Charter School is approved.

18 THE CHAIR: There's a motion on the floor.
19 Do we have a second?

20 MS. KRIVITZKY: Second.

21 THE CHAIR: It is moved by Mr. Bergman and
22 seconded Ms. Krivitzky. She raised her hand. All
23 those in favor of the resolution say aye.

24 (All in favor so indicate.)

25 THE CHAIR: Opposed, no. The resolution for

1 Albuquerque Institute of Math and Science at UNM
2 passes unanimously.

3 MR. DURAN: And, Mr. Chairman, I'm inviting
4 the school, AIMS Academy, represented by Principal
5 Kathy Sandoval-Snider. And if you'll come forward to
6 sign the contract.

7 THE CHAIR: Do you have a good pen?

8 MR. DURAN: And we have our official
9 photographer, Dr. Olix. And photographs are through
10 CSD at \$5 a picture. The money will go to the PEC.
11 Or \$20 a picture.

12 (The document was signed.)

13 THE CHAIR: The Academy of Trades and
14 Technology. The Chair will entertain a motion.

15 MS. SMITH: I will. Whereas, the renewal
16 application of Academy of Trades and Technology
17 Charter School was approved subject to the condition
18 that the charter shall be effective upon the signing
19 of a charter contract between the Public Education
20 Commission and the Academy of Trades and Technology
21 Charter School; and, whereas, the Public Education
22 Commission and the Academy of Trades and Technology
23 Charter School have reached agreement on the terms of
24 a charter contract, be it resolved that the charter
25 contract between the Public Education Commission and

1 Academy of Trades and Technology Charter School is
2 approved.

3 MS. LOPEZ: Second.

4 THE CHAIR: We have a motion by Catherine
5 Smith and seconded by Carla Lopez. All those in favor
6 of the resolution for the Academy of Trades and
7 Technology Charter School -- I mean excuse me.
8 Academy of Trades and Technology Charter School say
9 aye.

10 (All in favor so indicate.)

11 THE CHAIR: Opposed, no. The resolution
12 passes unanimously. We would like to ask the
13 administration from Academy of Trades and Technology
14 to come up.

15 MR. DURAN: I'm asking Mr. Wayne Gordon and
16 anybody else who -- I don't know who your official
17 signer is. If you'll introduce yourselves to the
18 Commission and come forward.

19 MR. GORDON: I'm Wayne Gordon, the principal
20 of the Academy of Trades and Technology. And with me
21 is Henry Lackey.

22 (The document was signed.)

23 THE CHAIR: The next charter contract
24 approval is for Aldo Leopold High School. The Chair
25 will entertain a motion. Ms. Smith.

1 MS. SMITH: Whereas, the renewal application
2 of Aldo Leopold High School Charter School was
3 approved subject to the condition that the charter
4 shall be effective upon the signing of a charter
5 contract between the Public Education Commission and
6 Aldo Leopold High School Charter School; and, whereas,
7 the Public Education Commission and Aldo Leopold High
8 School Charter School have reached agreement on the
9 terms of a charter contract, be it resolved that the
10 charter contract between the Public Education
11 Commission and Aldo Leopold High School Charter School
12 is approved.

13 MR. BERGMAN: Second.

14 THE CHAIR: It's been moved by Ms. Smith and
15 seconded by Mr. Bergman. On the resolution for Aldo
16 Leopold High School, all in favor of the resolution
17 please say aye.

18 (All in favor so indicate.)

19 THE CHAIR: Opposed, no. The resolution
20 passes unanimously.

21 MR. DURAN: Could I ask the representative
22 from Aldo Leopold to introduce yourself.

23 MS. NEWELL: I'm Mary Lynne Newell, I'm the
24 vice Chair of the governing council for Aldo Leopold.

25 (The document was signed.)

1 THE CHAIR: The next charter contract
2 approval is for Amy Biehl High School. The Chair will
3 entertain a motion. Ms. Krivitzky.

4 MS. KRIVITZKY: Whereas, the renewal
5 application of Amy Biehl High School Charter School
6 was approved subject to the conditions that the
7 charter shall be effective upon the signing of a
8 charter contract between the Public Education
9 Commission and Amy Biehl High School Charter School;
10 and, whereas, the Public Education Commission and Amy
11 Biehl High School Charter School have reached
12 agreement on terms of a charter contract, be it
13 resolved that the charter contract between the Public
14 Education Commission and Amy Biehl High School Charter
15 School is approved.

16 THE CHAIR: Second?

17 MS. SHEARMAN: Second.

18 THE CHAIR: It is moved by Ms. Krivitzky and
19 seconded by Ms. Shearman on the resolution for Amy
20 Biehl High School. All those in favor of this
21 resolution please say aye.

22 (All in favor so indicate.)

23 THE CHAIR: Opposed, no. The resolution for
24 Amy Biehl High School passes unanimously.

25 MR. DURAN: May I ask a representative from

1 Amy Biehl to please come forward and introduce
2 themselves to the Commission.

3 MR. LOUGHREN: Mr. Chairman and the
4 Commission, I'm Jim Loughren, the president of the
5 board of Amy Biehl High School.

6 (The document was signed.)

7 THE CHAIR: The Chair will entertain a motion
8 to approve the charter contract for East Mountain High
9 School. Ms. Shearman.

10 MS. SHEARMAN: Whereas, the renewal
11 application of East Mountain High School Charter
12 School was approved subject to the conditions that the
13 charter shall be effective upon the signing of a
14 charter contract between the Public Education
15 Commission and East Mountain High School Charter
16 School; and, whereas, the Public Education Commission
17 at East Mountain High School Charter School have
18 reached an agreement on the terms of a charter
19 contract, be it resolved that the charter contract
20 between the Public Education Commission and East
21 Mountain High School Charter School is approved.

22 THE CHAIR: Do I hear a second?

23 MR. BERGMAN: Second.

24 THE CHAIR: It is moved by Ms. Shearman and
25 seconded by Mr. Bergman. All those in favor of the

1 resolution for East Mountain High School please say
2 aye.

3 (All in favor so indicate.)

4 THE CHAIR: Opposed, no. The resolution
5 passes unanimously. Do we have the administration
6 from East Mountain High School.

7 MR. DURAN: Yes. Excuse me. I was hugging
8 the Secretary. One of my jobs. May I ask the
9 representatives from East Mountain High School to
10 please come forward. The representative.

11 MR. WALTER: My name is David Walter, I am
12 the chair of the governing council. Our principal,
13 Doug Wine, is absent due to a serious family illness
14 today.

15 (The document was signed.)

16 THE CHAIR: The Chair will entertain a
17 resolution for the charter contract approval for La
18 Promesa Early Learning Center. Ms. Lopez.

19 MS. LOPEZ: Whereas, the renewal application
20 of La Promesa Early Learning Center Charter School was
21 approved subject to the condition that the charter
22 shall be effective upon the signing of a charter
23 contract between the Public Education Commission and
24 La Promesa Early Learning Center Charter School; and,
25 whereas, the Public Education Commission and La

1 Promesa Early Learning Center Charter School have
2 reached agreement on the terms of a charter contract,
3 be it resolved that the charter contract between the
4 Public Education Commission and La Promesa Early
5 Learning Center Charter School is approved.

6 MS. SHEARMAN: Second.

7 THE CHAIR: It is moved by Ms. Lopez,
8 seconded by Ms. Shearman on the resolution for La
9 Promesa Early Learning Center. All those in favor say
10 aye.

11 (All in favor so indicate.)

12 THE CHAIR: Opposed, no. The resolution
13 passes unanimously.

14 MR. DURAN: I want to ask my friend my dear
15 friend, Analee Maestas, to come forward with her
16 school.

17 (The document was signed.)

18 THE CHAIR: So just as an aside, I don't know
19 if you know this. The lax of expression on our
20 photographer's face, if you're wondering if it's a
21 good shot or not, the photographer will say yeah,
22 right on.

23 The Chair will entertain a motion on the
24 Montessori Elementary School. Ms. Smith.

25 MS. SMITH: Whereas, the renewal of the

1 application of the Montessori Elementary School
2 Charter School was approved subject to the conditions
3 that the charter shall be effective upon the signing
4 of a charter contract between the Public Education
5 Commission and the Montessori Elementary School
6 Charter School; and, whereas, the Public Education
7 Commission and the Montessori Elementary School
8 Charter School have reached an agreement on the terms
9 of a charter contract, be it resolved that the charter
10 contract between the Public Education Commission and
11 the Montessori Elementary School Charter School is
12 approved.

13 MS. KRIVITZKY: Second.

14 THE CHAIR: It has been moved by Ms. Smith,
15 seconded by Ms. Krivitzky on the resolution for the
16 Montessori Elementary School. All those in favor
17 please say aye.

18 (All in favor so indicate.)

19 THE CHAIR: Opposed, no. The resolution
20 passes unanimously.

21 MR. DURAN: I want to ask Mr. Stan Albrycht
22 to come forward for Montessori.

23 (The document was signed.)

24 THE CHAIR: The Chair will entertain a
25 resolution for the Southwest Primary Learning Center.

1 Mr. Bergman.

2 MR. BERGMAN: Whereas, the renewal
3 application of Southwest Primary Learning Center
4 Charter School was approved subject to the condition
5 that the charter shall be effective upon the signing
6 of a charter contract between the Public Education
7 Commission and Southwest Primary Learning Center
8 Charter School; and, whereas, the Public Education
9 Commission and Southwest Primary Learning Center
10 charter school have reached agreement on the terms of
11 a charter contract, be it resolved that the charter
12 contract between the Public Education Commission and
13 Southwest Primary Learning Center Charter School is
14 approved.

15 MR. CARR: Second.

16 THE CHAIR: It is moved by Mr. Bergman and
17 seconded by Mr. Carr on the resolution. All those in
18 favor of the resolution for Southwest Primary Learning
19 Center say aye.

20 (All in favor so indicate.)

21 THE CHAIR: Opposed, no. The resolution
22 passes unanimously.

23 MR. DURAN: I want to ask Mr. Scott Glasrud
24 and his team to come down.

25 (The document was signed.)

1 THE CHAIR: The Chair will entertain a motion
2 on the resolution for Southwest Intermediate Learning
3 Center. Ms. Krivitzky.

4 MS. KRIVITZKY: Whereas, the renewal
5 application of Southwest Intermediate Learning Center
6 Charter School is approved subject to the conditions
7 that the charter shall be effective upon the signing
8 of the charter contract between the Public Education
9 Commission and Southwest Intermediate Learning Center
10 Charter School; and, whereas, the Public Education
11 Commission and Southwest Intermediate Learning Center
12 Charter School have reached agreement on terms of a
13 charter contract, be it resolved that the charter
14 contract between the Public Education Commission and
15 Southwest Intermediate Learning Center Charter School
16 is approved.

17 MR. BERGMAN: Second.

18 THE CHAIR: It is moved by Ms. Krivitzky and
19 seconded by Mr. Bergman on the resolution for
20 Southwest Intermediate Learning Center. All those in
21 favor of this resolution please say aye.

22 (All in favor so indicate.)

23 THE CHAIR: Opposed, no. The resolution
24 passes unanimously.

25 MR. DURAN: I'm not going to reintroduce him.

1 (The document was signed.)

2 THE CHAIR: I've never read an ebook, but I
3 feel like I'm reading one because Ms. Shearman keeps
4 flipping the pages for me and it's awesome. I feel so
5 lazy and relaxed. Thank you.

6 The Chair will entertain a motion for the
7 Southwest Secondary Learning Center. Ms. Smith.

8 MS. SMITH: Whereas, the renewal application
9 of Southwest Secondary Learning Center Charter School
10 was approved subject to the condition that the charter
11 shall be effective upon the signing of a charter
12 contract between the Public Education Commission and
13 Southwest Secondary Learning Center Charter School;
14 and, whereas, the Public Education Commission and
15 Southwest Secondary Learning Center Charter School
16 have reached agreement on the terms of a charter
17 contract, be it resolved that the charter contract
18 between the Public Education Commission and the
19 Southwest Secondary Learning Center Charter School is
20 approved.

21 MS. SHEARMAN: Second.

22 THE CHAIR: It is moved by Ms. Smith and
23 seconded by Ms. Shearman on the resolution of the
24 southwest secondary learning center. All those in
25 favor please say aye.

1 (All in favor so indicate.)

2 THE CHAIR: Opposed, no. The resolution
3 passes unanimously.

4 (The document was signed.)

5 THE CHAIR: The Chair will now entertain a
6 motion for the Village Academy Charter School.
7 Ms. Lopez.

8 MS. LOPEZ: Whereas, the renewal application
9 of Village Academy Charter School was approved subject
10 to the condition that the charter shall be effective
11 upon the signing of a charter contract between the
12 Public Education Commission and Village Academy
13 Charter School; and, whereas, the Public Education
14 Commission and Village Academy Charter School have
15 reached an agreement on the terms of a charter
16 contract, be it resolved that the charter contract
17 between the Public Education Commission and Village
18 Academy Charter School is approved.

19 THE CHAIR: Do we have a second?

20 MS. SMITH: Second.

21 THE CHAIR: It is moved by Ms. Lopez and
22 seconded by Ms. Smith. All those in favor of the
23 resolution for Village Academy Charter please say aye.

24 (All in favor so indicate.)

25 THE CHAIR: Opposed, no. The resolution

1 passes unanimously.

2 MR. DURAN: I would ask the crew to come
3 forward.

4 MS. ENGSTROM: My name is Pam Engstrom, I'm
5 the principal.

6 (The document was signed.)

7 THE CHAIR: We will move on to item No. 18,
8 vote on amendment requests for charter schools. Sam
9 Obenshain, Program Manager of the Charter Schools
10 Division.

11 MR. OBENSHAIN: Mr. Chair, Mr. Moya, members
12 of the Commission. As you may recall, the New Mexico
13 School for Architecture, Construction, and Engineering
14 came before you at a previous meeting requesting an
15 amendment to their charter school to change their
16 name.

17 At the time you all requested that they make
18 changes to the charter but did not feel that they had
19 accurately reflected the leadership component of the
20 name that they requested be changed. They have since
21 gone back and made changes to their charter including
22 changes to their mission statement that we have
23 attached for you.

24 They also have identified and consolidated
25 the changes that they've made, a few examples of the

1 changes that they have made in their application. And
2 they have made changes throughout their charter to
3 reflect the concerns that you all identified.

4 So they are coming forward today. The New
5 Mexico School for Architecture, Construction, and
6 Engineering is requesting a change to its mission and
7 to change the name of the school to Ace Leadership
8 High School.

9 The Charter Schools Division is recommending
10 approval of that amendment authorizing them to change
11 their name to the Ace Leadership High School. And I
12 will stand for questions from the Commissioners.

13 THE CHAIR: Are there any questions from the
14 Commission? Ms. Smith.

15 MS. SMITH: Well, when I read this in the
16 abstract of the proposed charter school, and I guess
17 it's the third -- let's see. It is the second
18 paragraph and down, line 1, 2, 3, 4, 5. It says Ace
19 Leadership is created based the premise that. I think
20 that's a word missing there. Is it based on the
21 premise that given the appropriate design?

22 MR. OBENSHAIN: Yes, ma'am.

23 MS. SMITH: I would suggest to them that that
24 would be inserted there. Thank you.

25 THE CHAIR: I'm sorry. It's just a technical

1 error.

2 MS. KRIVITZKY: It's just wordsmithing that
3 she was doing.

4 MR. MOYA: It's Catherine Smithing.

5 MS. SMITH: It's part of the ongoing thing --
6 when we have been told repeatedly that some people
7 believe that we as Commissioners do not read this
8 material, it's part of the ongoing thing to show that
9 we are at, what, two something in the afternoon. And
10 we read the material, folks. But it's just a
11 technical error I believe, Mr. Chair.

12 MS. SHEARMAN: I had very big concerns about
13 the leadership and was concerned that it wasn't in the
14 mission statement throughout the document. I
15 appreciate the changes you have made, wherever you
16 are. I know Tom is here, I just don't see him. There
17 you are. Thank you. And if you're ready for the
18 resolution.

19 THE CHAIR: The Chair will entertain a
20 resolution, yes. So I have a question for
21 Mr. Obenshain. Item No. 18 is the light green, then
22 there's a No. 3 as proposed resolution, and then
23 there's a resolution on the next page. Are those the
24 same?

25 MR. OBENSHAIN: They are. The proposed

1 resolution is verbatim to the resolution that's
2 provided after that.

3 MS. SHEARMAN: Whereas, the New Mexico School
4 of Architecture, Construction, and Engineering has
5 requested an amendment to its charter to add language
6 to the mission statement of the school and the name of
7 the school to Ace Leadership High School; therefore,
8 be it resolved that the request to amend the charter
9 of the New Mexico School for Architecture,
10 Construction, and Engineering Charter School to revise
11 the mission statement as clarified and to change the
12 name of the school to Ace Leadership High School is
13 hereby granted.

14 MS. SMITH: Second.

15 MS. LOPEZ: Mr. Chair, a point of order.
16 Just I was reading along in the white one. It's not
17 the same language at all.

18 MS. KRIVITZKY: No, it's different.

19 MS. LOPEZ: Just a point of order. So which
20 is right? I like the green one better because what I
21 was reading wasn't as good.

22 MR. BERGMAN: It's a little more descriptive
23 I think. It's a resolution.

24 MR. OBENSHAIN: Mr. Chair, if I may. The
25 difference in the language here as I look is the

1 charter school is missing from the green after
2 architecture, construction, and engineering. And the
3 language is the -- it says to change its mission. And
4 here it's to add language to the mission statement.

5 THE CHAIR: What's the recommendation?

6 MR. OBENSHAIN: The recommendation is that
7 they are substantively the same. So if you pass that
8 resolution, you are passing -- you are approving the
9 change in the mission and the change in the name.

10 THE CHAIR: Okay. The Chair will entertain a
11 second to the resolution as read by Ms. Shearman.

12 MS. KRIVITZKY: Second.

13 THE CHAIR: It is moved by Ms. Shearman and
14 seconded by Ms. Krivitzky. All those in favor of the
15 resolution please say aye.

16 (All in favor so indicate.)

17 THE CHAIR: All those opposed, no. The
18 resolution passes unanimously.

19 Item No. 18, letter B.

20 MS. KRIVITZKY: That was in there.

21 THE CHAIR: So everything was in there. So
22 we're good. Number 19, vote on authorization to
23 commence operations, certificate of completions.
24 Dr. Don Duran, Assistant Secretary of Education.

25 MR. DURAN: I have always enjoyed this piece

1 because you have walked the walk with us from Las
2 Cruces all the way to Taos, all points in the middle.
3 You have put on so much work as you review the
4 applications, you go to community input hearings, and
5 you have approved some schools.

6 And then our work then is to get them through
7 the checklist to make sure that in that planning year
8 they're completing the process that you have outlined
9 in order for me to be here to recommend that they
10 commence operation.

11 I am here to tell you that the schools listed
12 in each of the resolutions have substantially met the
13 checklist as we have worked with them and that we will
14 continue to work with them as you have seen our
15 process through the first year.

16 The schools would be issued a certificate to
17 commence operation that will enable them to receive
18 the funding from the PED school budget. However, no
19 students will be allowed to enter a building until the
20 CSD receives a written notification from the Public
21 School Facilities Authority that the building has been
22 approved for occupancy.

23 So that is kind of what you have always
24 allowed us to do, is they are eligible for SEG funding
25 as long as Mr. Moya is with us. Hopefully on July 1

1 he won't forget to sign all those things. But no
2 student will be allowed until the PSFA certifies for
3 us that that building, which many of the buildings are
4 being renovated and fixed up, until those buildings
5 have been issued an E occupancy and PSFA lets us know
6 that yes, they have.

7 So in the resolution what you have is the
8 ability for them to commence operation, which means
9 that on July 1 they begin to receive state funding.
10 We will not be able to house students until they have
11 E occupancy. I stand for any questions or comments.

12 THE CHAIR: Mr. Bergman.

13 MR. BERGMAN: Dr. Duran, you used the term
14 have substantively met. That would imply that maybe
15 there are a few things they haven't met. I assume you
16 deem them minor.

17 MR. DURAN: Well, they're. I'm sorry.
18 Mr. Bergman and members of the Commission,
19 Mr. Chairman and Mr. Moya. They're not necessarily
20 minor. But there are things that in the school are
21 continuous. So many of them have not hired teachers
22 yet.

23 So as they work on curriculum development,
24 that curriculum is not fully operationalized because
25 they will start hiring teachers when the July 1st --

1 many of them have already had consultants working with
2 them as they develop curriculum.

3 So when I use the word substantially, it's
4 that they are moving towards many of those things that
5 as a school you would not complete until that first
6 year.

7 MR. BERGMAN: Thank you.

8 THE CHAIR: Any other comments or questions
9 for Dr. Duran? Dr. Duran, I want to ask you, on this
10 process, is there any signing of documents?

11 MR. DURAN: There is a giving of a
12 certificate and pictures but no signing.

13 THE CHAIR: The Chair will then entertain a
14 motion for the Albuquerque Sign Language Academy.

15 MR. CARR: Mr. Chair.

16 THE CHAIR: Mr. Carr.

17 MR. CARR: Whereas, the Albuquerque Sign
18 Language Academy was granted a charter with the
19 provision that before the Commission shall issue the
20 authorization to commence full operation, the charter
21 school must comply with the requirements of the
22 planning year checklist developed by the Charter
23 Schools Division; and, whereas, the Charter Schools
24 Division has assured the Commission that the charter
25 school has substantially complied with the

1 requirements of the planning year checklist;
2 therefore, be it resolved that the Albuquerque Sign
3 Language Academy is granted authorization to commence
4 full operations as a state chartered charter school.

5 However, the school cannot occupy a facility
6 with students until the Charter Schools Division's
7 office in Albuquerque receives a determination from
8 the Public School Capital Outlay Council that the
9 facilities of the charter school meet the educational
10 occupancy standards pursuant to the requirements of
11 section 22-8B-4.2.A NMSA 1978.

12 THE CHAIR: Any second?

13 MR. BERGMAN: Second.

14 MR. CHAIR: It is moved by Mr. Carr, seconded
15 by Mr. Bergman. All those in favor of the resolution
16 for the Albuquerque Sign Language Academy please say
17 aye.

18 (All in favor so indicate.)

19 THE CHAIR: Opposed, no. The resolution
20 passes unanimously.

21 MR. DURAN: And I ask the school, the Sign
22 Language Academy, which has been working very hard, to
23 come up.

24 (Photographs taken.)

25 THE CHAIR: I want to be sure that we read

1 these resolutions all the way through. They're not
2 that long. And it kind of culminates this whole
3 journey that we've had together.

4 Let's rock and roll now. So it's exciting to
5 see folks come through the process and the
6 stick-with-it-ness that you've shown to help out these
7 children.

8 The Chair will entertain a motion.

9 MR. BERGMAN: I'd like to say, this is the
10 first group I've been involved with from the start.
11 And I think I'm as excited as they are. This is
12 great. I'm enjoying this, this is fun. All right.

13 Whereas, the Albuquerque School of Excellence
14 was granted a charter with the provision that before
15 the Commission shall issue the authorization to
16 commence full operation, the charter school must
17 comply with the requirements of the planning year
18 checklist developed by the Charter Schools Division;
19 and, whereas, the Charter Schools Division has assured
20 the Commission that the charter school has
21 substantially complied with the requirements of the
22 planning year checklist; therefore, be it resolved
23 that the Albuquerque School of Excellence is granted
24 authorization to commence full operations as a state
25 chartered charter school.

1 However, the school cannot occupy a facility
2 with students until the Charter Schools Division's
3 office in Albuquerque receives a determination from
4 the Public School Capital Outlay Council that the
5 facilities of the charter school meet the educational
6 occupancy standards pursuant to the requirements of
7 section 22-8B-4.2.A NMSA 1978.

8 THE CHAIR: The Chair will entertain a
9 second.

10 MS. LOPEZ: Second.

11 THE CHAIR: It is moved by Mr. Bergman and
12 seconded by Ms. Lopez. All those in favor of the
13 resolution for Albuquerque School of Excellence please
14 say aye.

15 (All in favor so indicate.)

16 THE CHAIR: Opposed, no. The resolution
17 passes unanimously.

18 MR. DURAN: I would ask the School of
19 Excellence to come forward.

20 (Photographs taken.)

21 THE CHAIR: The Chair will entertain a motion
22 for South Valley Preparatory School.

23 MS. SMITH: I will do that.

24 THE CHAIR: Ms. Smith.

25 MS. SMITH: Whereas, the South Valley

1 Preparatory School was granted a charter with the
2 provision that before the Commission shall issue the
3 authorization to commence full operation, the charter
4 school must comply with the requirements of the
5 planning year checklist developed by the Charter
6 Schools Division; and, whereas, the Charter Schools
7 Division has assured the Commission that the charter
8 school has substantially complied with the
9 requirements of the planning year checklist;
10 therefore, be it resolved that the South Valley
11 Preparatory School is granted authorization to
12 commence full operations as a state chartered charter
13 school.

14 However, the school cannot occupy a facility
15 with students until the Charter Schools Division's
16 office in Albuquerque receives a determination from
17 the Public School Capital Outlay Council that the
18 facilities of the charter school meet the educational
19 occupancy standards pursuant to the requirements of
20 section 22-8B-4.2.A NMSA 1978.

21 THE CHAIR: Thank you. Second.

22 MR. BERGMAN: Second.

23 THE CHAIR: It is moved by Ms. Smith and
24 seconded by Mr. Bergman on the resolution for South
25 Valley Preparatory School. All those in favor of this

1 resolution please say aye.

2 (All in favor so indicate.)

3 THE CHAIR: Opposed, no. The resolution
4 passes unanimously.

5 (Photographs taken.)

6 THE CHAIR: The Chair will entertain a motion
7 on Taos Integrated School of the Arts.

8 MR. CARR: Mr. Chair.

9 THE CHAIR: Mr. Carr.

10 MR. CARR: Whereas, the Taos Integrated
11 School of the Arts was granted a charter with the
12 provision that before the Commission shall issue the
13 authorization to commence full operation, the charter
14 school must comply with the requirements of the
15 planning year checklist developed by the Charter
16 Schools Division; and, whereas, the Charter Schools
17 Division has assured the Commission that the charter
18 school has substantially complied with the
19 requirements of the planning year checklist;
20 therefore, be it resolved that the Taos Integrated
21 School of the Arts is granted authorization to
22 commence full operations as a state chartered charter
23 school.

24 However, the school cannot occupy a facility
25 with students until the Charter Schools Division's

1 office in Albuquerque receives a determination from
2 the Public School Capital Outlay Council that the
3 facilities of the charter school meet the educational
4 occupancy standards pursuant to the requirements of
5 section 22-8B-4.2.A NMSA 1978.

6 MS. SHEARMAN: Second.

7 THE CHAIR: Moved by Mr. Carr and seconded by
8 Ms. Shearman. All those in favor of the resolution
9 for Taos Integrated School of the Arts please say aye.

10 (All in favor so indicate.)

11 THE CHAIR: All those opposed say no. The
12 resolution passes unanimously.

13 (Photographs taken.)

14 THE CHAIR: The Chair will entertain a motion
15 to Tierra Adentro: The New Mexico School of
16 Academics, Art, and Artesania. Ms. Lopez.

17 MS. LOPEZ: Whereas, the Tierra Adentro: The
18 New Mexico School of Academics, Art, and Artesania was
19 granted a charter with the provision that before the
20 Commission shall issue the authorization to commence
21 full operation, the charter school must comply with
22 the requirements of the planning year checklist
23 developed by the Charter Schools Division; and,
24 whereas, the Charter Schools Division has assured the
25 Commission that the charter school has substantially

1 complied with the requirements of the planning year
2 checklist; therefore, be it resolved that Tierra
3 Adentro: The New Mexico School of Academics, Art, and
4 Artesania is granted authorization to commence full
5 operations as a state chartered charter school.

6 However, the school cannot occupy a facility
7 with students until the Charter Schools Division's
8 office in Albuquerque receives a determination from
9 the Public School Capital Outlay Council that the
10 facilities of the charter school meet the educational
11 occupancy standards pursuant to the requirements of
12 section 22-8B-4.2.A NMSA 1978.

13 MS. KRIVITZKY: Second.

14 THE CHAIR: It is moved by Ms. Lopez and
15 seconded by Ms. Krivitzky. All those in favor of the
16 resolution for Tierra Adentro: The New Mexico School
17 of Academics, Art, and Artesania please say aye.

18 (All in favor so indicate.)

19 THE CHAIR: All those opposed, no. The
20 resolution passes unanimously.

21 DR. DURAN: May I ask the school to come
22 forward.

23 (Photographs taken.)

24 THE CHAIR: The Chair will entertain a motion
25 for New Mexico School of Architecture, Construction,

1 and Engineering.

2 MS. SMITH: Mr. Chair.

3 THE CHAIR: Ms. Smith.

4 MS. SMITH: I have a question.

5 MR. BERGMAN: Which name should we read?

6 MR. DURAN: Actually, Mr. Chairman, members
7 of the Commission, this is what you should read,
8 because what they have asked for is an amendment.
9 What you approved was a New Mexico School of
10 Architecture, Construction, and Engineering. The
11 amendment then will replace that name. But that's the
12 official name.

13 THE CHAIR: Thank you, sir. Ms. Smith.

14 MS. SMITH: Thank you. Whereas, the New
15 Mexico School of Architecture, Construction, and
16 Engineering was granted a charter with the provision
17 that before the Commission shall issue the
18 authorization to commence full operation, the charter
19 school must comply with the requirements of the
20 planning year checklist developed by the Charter
21 Schools Division; and, whereas, the Charter Schools
22 Division has assured the Commission that the charter
23 school has substantially complied with the
24 requirements of the planning year checklist;
25 therefore, be it resolved that the New Mexico School

1 of Architecture, Construction, and Engineering is
2 granted authorization to commence full operations as a
3 state chartered charter school.

4 However, the school cannot occupy a facility
5 with students until the Charter Schools Division's
6 office in Albuquerque receives a determination from
7 the Public School Capital Outlay Council that the
8 facilities of the charter school meet the educational
9 occupancy standards pursuant to the requirements of
10 section 22-8B-4.2.A NMSA 1978.

11 MR. BERGMAN: Second.

12 THE CHAIR: Moved by Ms. Smith and seconded
13 by Mr. Bergman on the resolution. All those in favor
14 of the resolution for New Mexico School of
15 Architecture, Construction, and Engineering please say
16 aye.

17 (All those in favor so indicate.)

18 THE CHAIR: Opposed, no. The resolution
19 passes unanimously.

20 (Photographs taken.)

21 THE CHAIR: The Chair will entertain a motion
22 for The ASK Academy. Ms. Krivitzky.

23 MS. KRIVITZKY: Whereas, The ASK Academy was
24 granted a charter with the provision that before the
25 Commission shall issue the authorization to commence

1 full operation, the charter school must comply with
2 the requirements of the planning year checklist
3 developed by the Charter Schools Division; and,
4 whereas, the Charter Schools Division has assured the
5 Commission that the charter school has substantially
6 complied with the requirements of the planning year
7 checklist; therefore, be it resolved that The ASK
8 Academy is granted authorization to commence full
9 operations as a state chartered charter school.

10 However, the school cannot occupy a facility
11 with students until the Charter Schools Division's
12 office in Albuquerque receives a determination from
13 the Public School Capital Outlay Council that the
14 facilities of the charter school meet the educational
15 occupancy standards pursuant to the requirements of
16 section 22-8B-4.2.A NMSA 1978.

17 THE CHAIR: Thank you. I'll entertain a
18 second.

19 MR. CARR: Second.

20 THE CHAIR: It was moved by Ms. Krivitzky and
21 seconded by Mr. Carr. All those in favor of the
22 resolution for The ASK Academy please say aye.

23 (All in favor so indicate.)

24 THE CHAIR: All opposed, no. The resolution
25 passes unanimously.

1 (Photographs taken.)

2 THE CHAIR: The Chair will entertain a motion
3 on The MASTERS Program.

4 MS. LOPEZ: Mr. Chair.

5 THE CHAIR: Ms. Lopez.

6 MS. LOPEZ: Whereas, The MASTERS Program was
7 granted a charter with the provision that before the
8 Commission shall issue the authorization to commence
9 full operation, the charter school must comply with
10 the requirements of the planning year checklist
11 developed by the Charter Schools Division; and,
12 whereas, the Charter Schools Division has assured the
13 Commission that the charter school has substantially
14 complied with the requirements of the planning year
15 checklist; therefore, be it resolved that The MASTERS
16 Program is granted authorization to commence full
17 operations as a state chartered charter school.

18 However, the school cannot occupy a facility
19 with students until the Charter Schools Division's
20 office in Albuquerque receives a determination from
21 the Public School Capital Outlay Council that the
22 facilities of the charter school meet the educational
23 occupancy standards pursuant to the requirements of
24 section 22-8B-4.2.A NMSA 1978.

25 THE CHAIR: The Chair will entertain a

1 second.

2 MR. BERGMAN: Second.

3 THE CHAIR: It is moved by Ms. Lopez and
4 seconded by Mr. Bergman for the resolution on The
5 MASTERS Program. All those in favor of this
6 resolution please say aye.

7 (All those in favor indicate.)

8 THE CHAIR: All those opposed, no. The
9 resolution passes unanimously.

10 (Photographs taken.)

11 THE CHAIR: The Chair will entertain a motion
12 for New Mexico School for the Arts. Ms. Lopez. Thank
13 you.

14 MS. LOPEZ: Whereas, the New Mexico School
15 for the Arts was granted a charter with the provision
16 that before the Commission shall issue the
17 authorization to commence full operation, the charter
18 school must comply with the requirements of the
19 planning year checklist developed by the Charter
20 Schools Division; and, whereas, the Charter Schools
21 Division has assured the Commission that the charter
22 school has substantially complied with the
23 requirements of the planning year checklist;
24 therefore, be it resolved that the New Mexico School
25 for the Arts is granted authorization to commence full

1 operations as a state chartered charter school.

2 However, the school cannot occupy a facility
3 with students until the Charter Schools Division's
4 office in Albuquerque receives a determination from
5 the Public School Capital Outlay Council that the
6 facilities of the charter school meet the educational
7 occupancy standards pursuant to the requirements of
8 section 22-8B-4.2.A NMSA 1978.

9 MR. CARR: Second.

10 THE CHAIR: It has been moved by Ms. Lopez
11 and seconded by Mr. Carr on the resolution for New
12 Mexico School for the Arts. All those in favor of
13 this resolution please say aye.

14 (All in favor so indicate.)

15 THE CHAIR: Those opposed, no. The
16 resolution passes unanimously.

17 (Photographs taken.)

18 MR. DURAN: Thank you, Mr. Chairman and
19 members of the Commission.

20 THE CHAIR: Thank you, Dr. Duran. I want to
21 let the folks in the audience know before you escape
22 that I was trying to make a point earlier for
23 Dr. Garcia and I mentioned Coach Snider.

24 I've lived the other side of that, working in
25 recreation for years and coaching high school kids for

1 four years. Everywhere I go in life, I cross their
2 paths. And they remember me. Coach Garrison, do you
3 remember me, I played for you. And you don't remember
4 them because there are so many kids growing up. And
5 now they have a goatee and their hair is as white as
6 yours.

7 And they will remember you for life. So
8 remember that. And I can't imagine, you folks that
9 have spent your whole careers teaching, how much love
10 you get back from these children. They will remember
11 you, they're looking at you. Continue to be a role
12 model and congratulations to all of you today.

13 We will move to item No. 20, PEC comments.
14 Letter A is NASBE issues. And I think we have an
15 invoice here. I'm going to ask Beverly Friedman if
16 this invoice, did it come with the letter that was
17 sent? I don't know if it was emailed or if I had a
18 hard copy of it.

19 But it was kind of -- it was a charge from
20 NASBE, like don't let your membership go, you can't
21 afford to not be part of this national organization.
22 Is that the right one.

23 MS. FRIEDMAN: Right. Commission Chair
24 Garrison and Commissioners and Deputy Secretary Moya,
25 I don't remember seeing that exact letter. But we did

1 receive the bill. But I did see a letter that came.

2 And it said that we got a special rate
3 because we are not a state Board of Education any
4 longer, but we are a governing board or something like
5 that. And I had assumed that Bern put that in there
6 with the bill. But she did not include that.

7 But the bottom line is that we do have a
8 reduced rate. And I spoke to Austin Buff who gave
9 your budget report. And part of the increase in your
10 budget is attributable to these particular dues. So
11 that your budget will cover these dues, we won't have
12 any questions later on in the year about do we have
13 enough money for travel versus dues and everything
14 like that.

15 THE CHAIR: We just won't have the money for
16 traveling.

17 MS. FRIEDMAN: No, we do. You do have the
18 money for travel. And so we wanted -- that bill came
19 in about a week ago. And I asked Bern to put it into
20 the books so that you all saw it. And if you wish to
21 vote on it, this is an action item. And we can get
22 that paid for the next fiscal year.

23 MS. SMITH: We don't need to vote on it then.

24 MS. LOPEZ: We do.

25 THE CHAIR: We have an asterisk by it.

1 MS. FRIEDMAN: It is an action item.

2 MS. SMITH: Mr. Chair, do we or do we not
3 need to vote on it.

4 THE CHAIR: We do need to vote on it.

5 MS. SMITH: Mr. Chair, do we want a motion
6 then?

7 THE CHAIR: I do.

8 MS. SMITH: Mr. Chair, I move that we pay the
9 described invoice that NASBE has sent us. And
10 included in that payment would be a note of thanks for
11 their reducing the amount. And also a note in some
12 fashion very nicely stated, but that it really is a
13 two-edged type of activity. They can't afford to lose
14 us either.

15 And it makes a difference when you're able to
16 say we have 50 state organizations versus where we
17 only have 48 or 47 or 22. So I think that somehow
18 they need to know that message as well as we need to
19 hear the one from them that we can't afford to lose
20 our membership.

21 I did as I told you at one meeting write
22 Beverly -- Beverly. Brenda Welborne and tell her just
23 about the same thing, that in addition to that, that
24 we cannot afford to have it slip out of our -- I don't
25 know why I call it chart of accounts, Bob. So that --

1 once it's gone, it's awfully hard to put it back in.

2 MR. MOYA: It has to be continued to be
3 budgeted for.

4 MS. SMITH: On my motion I got a little off
5 there, Mr. Chairman. But my motion is payment and
6 then a note of thanks to them for reducing it. But
7 also including a note telling them that we appreciate
8 being part of the 50 states that are their membership
9 organization.

10 THE CHAIR: Do I have a second on the motion?

11 MS. KRIVITZKY: I'd like to second, but then
12 I have a comment afterwards.

13 THE CHAIR: It's been moved and seconded. I
14 would go ahead and take comments from the Commission.

15 MS. KRIVITZKY: So this is going to be into
16 our new budget for 2010/11 and paid after July 1st,
17 correct?

18 MS. FRIEDMAN: That's correct.

19 THE CHAIR: Right.

20 MR. CARR: Mr. Chair, and I had a question on
21 the invoice.

22 MR. MOYA: We pay it this year.

23 MS. KRIVITZKY: You're going to pay it this
24 year? I need clarification.

25 MR. MOYA: Pardon me. Mr. Chair, if I may on

1 that point. I believe the invoice was paid this year,
2 because I remember processing the paperwork to get it
3 paid this year.

4 THE CHAIR: That was 10,000, wasn't it?

5 MS. FRIEDMAN: We paid 10,000 about a month
6 or two ago for this year's dues.

7 MS. KRIVITZKY: So this is next year's bill?

8 MS. FRIEDMAN: This is for next year.

9 MR. MOYA: So this invoice has not been paid
10 yet?

11 MS. FRIEDMAN: No. We were waiting for
12 action today.

13 MS. KRIVITZKY: So after July 1st.

14 MS. FRIEDMAN: Yes, ma'am.

15 THE CHAIR: It has been moved by Ms. Smith
16 and seconded by Ms. Krivitzky.

17 MR. CARR: Mr. Chair, I still had a question.

18 THE CHAIR: Another question?

19 MR. CARR: Yes, I didn't get to ask my
20 question. I noticed on here it says "Opt out
21 professional development funds deduct \$5,000." Did we
22 opt out of it or are we -- I'm confused by what that
23 means on this statement.

24 MS. FRIEDMAN: Commissioner Garrison,
25 Commission members, Mr. Carr, Deputy Secretary Moya,

1 there are different provisions of membership that the
2 group can apply for. And I believe the current
3 membership dues are in the area of \$32,000 per group.

4 And so in the past years, we have been
5 negotiating with NASBE to get a reduced rate because
6 of our budget and other variables. And one of the
7 variables of the membership is professional
8 development. And you can choose that.

9 This is the statement that we received from
10 NASBE for this amount of money. We have not
11 negotiated any more with them for any other fees or
12 anything like that. And I'm not exactly sure, you
13 know, whether in your capacity, Mr. Garrison, if you
14 had spoken to them when you communicated with them
15 about what we might have wanted for the membership.

16 THE CHAIR: I did not.

17 MS. FRIEDMAN: Okay. And so we can follow up
18 on that. But that very well may be \$5,000 more added
19 to this particular bill.

20 MR. CARR: It looks like -- I mean it looks
21 quite clear that it gives us the option to -- I mean
22 there are two other ones where you can add. But it
23 looks like it gives us the option to deduct the \$5,000
24 if we do not want to partake of the professional
25 development.

1 So that's a lot of money. I mean if that
2 saves us another \$5,000, I don't think any of us took
3 them up on any professional development in the last
4 couple of years.

5 MS. FRIEDMAN: I believe we have.

6 MR. CARR: So I think it would be worth
7 looking into.

8 MS. LOPEZ: She said we have.

9 MS. FRIEDMAN: I believe that we have. I
10 believe that, Mr. Garrison, I believe you've gone to a
11 couple NASBE meetings.

12 THE CHAIR: The Governmental Advisories
13 Committee.

14 MS. FRIEDMAN: Yes. And from time to time,
15 there are invitations that come to you as members.
16 And with this membership they do -- not reimburse.
17 You do have, you know, some benefits as far as travel
18 and hotel that come with this membership to go to
19 different conferences. And so that would be your
20 decision, whether you would want to continue with that
21 or not.

22 THE CHAIR: Okay. I would like to entertain
23 another motion with a note of thanks. We'll make
24 payment, add a note of thanks, and also send the
25 message to NASBE that we are happy to be part of an

1 organization that has all 50 states involved, if that
2 is the case. And then also the ability for the Chair
3 to work with the PED staff to clarify all of the
4 billings here.

5 MS. SMITH: I would agree with that.

6 MR. CARR: Sure. And I would second that.

7 MS. SMITH: Ms. Krivitzky may have seconded
8 already.

9 MS. KRIVITZKY: I think clarification is
10 important.

11 THE CHAIR: So it was moved by Ms. Smith and
12 seconded by Ms. Krivitzky. All those in favor of --
13 the question is on the amount of the motion that we
14 pay this invoice and we have a note of thanks that
15 gets sent with this invoice plus a letter stating our
16 position that we're proud to be part of a NASBE
17 organization that has 50 states.

18 And we'll leave the ability for the Chair to
19 work with the PED staff to clarify the invoice and
20 billing and all the happenings of the fiscal year.
21 All those in favor say aye.

22 (All in favor so indicate.)

23 THE CHAIR: Opposed, no. The motion is
24 approved unanimously.

25 Let's see, PEC comment and request, letter B.

1 MS. SMITH: Mr. Chair, usually we just go
2 around the room and starting with one side or the
3 other.

4 THE CHAIR: Whoever would like to start.
5 Let's go with Ms. Krivitzky.

6 MS. KRIVITZKY: No comment.

7 MR. BERGMAN: No comment.

8 MR. CARR: I would just like to say that I've
9 hated to miss -- I had to miss last month and today or
10 at least for a big part of it. And sometimes it's a
11 really tough decision about what to do, because I just
12 wanted to let everybody know that I do have -- I feel
13 a strong commitment to be here. And if I'm not here,
14 it's because I had to make some tough choices.

15 THE CHAIR: Thank you.

16 MS. SHEARMAN: Not a thing.

17 MS. SMITH: Mr. Chair.

18 THE CHAIR: Ms. Smith.

19 MS. SMITH: First of all I'd like to thank
20 the staff today for the breakfast. I assume one of
21 them did all that. And let me just assure you,
22 members of this Commission, they have no provisions in
23 their budget either. They have deep pockets. And so
24 they are very nice to do this. Thank you very, very
25 much. It was greatly appreciated.

1 And then I would like to thank the people who
2 worked on the lunch and made it possible for us to
3 have a working lunch that saved two hours of this day.
4 And we would be looking at after five o'clock and
5 Albuquerque traffic. So it's doubly appreciated
6 because of the length of our agenda.

7 Andrew, I want to commend you for a job well
8 done with the lengthy and difficult agenda. You have
9 done a tremendous job.

10 THE CHAIR: You're very welcome.

11 MS. SMITH: He deserves a hand.

12 I come with some regret and remiss to this.
13 My next point is going to take a few minutes. I
14 attended a Public School Capital Outlay Council PSFA
15 subcommittee meeting, you got that subcommittee didn't
16 you, on the day before yesterday. Antonio was there
17 for you.

18 And the problem as I see it -- somebody else
19 would call it the great ability to intrude on state
20 funds was discussed not at length and not as much as I
21 would have liked for it to have been. And this is the
22 lease-purchase agreement.

23 I would like to see this placed on the agenda
24 at some time. Not necessarily next month or next
25 time, but whenever we have an agenda that is somewhat

1 shorter. I would like to have Mr. Doyle and perhaps
2 Don to help us figure out just exactly where.

3 Lease-purchase in my estimation was pretty
4 well-designed to help charter schools be able to get
5 into decent housing for the children. Most of us have
6 visited charter schools that were in housing that was
7 an abomination. No child or no teacher should ever
8 have to be in those buildings.

9 Now, though, it appears that some of the
10 public school districts have begun -- and there are a
11 few. I don't remember, Don, how many. I know
12 Albuquerque has a list about that long. And two or
13 three others have some lists where they have -- they
14 have leased some classroom space. But it has not been
15 on anything that is as snowballing in effect as I
16 think this is going to be.

17 It appears to me with the Raton request, Don,
18 that we are going to look at a new phase in how we are
19 going to operate capital outlay in the State of New
20 Mexico. And I believe that it needs some very careful
21 attention.

22 I asked Paula that it be placed on the task
23 force agenda. I truly believe that they need to be
24 aware of what may be happening. And basically, as I
25 see it, a school district can -- just as a charter

1 school can do now, can say I need to build this
2 building, I'm going to do it on a lease-purchase, the
3 same as you or I could do it as private individuals
4 and go into a business and say I want a
5 lease-purchase, I like your lot, Mr. Jones, and I'm
6 going to do that.

7 It looks to me as though this could
8 ultimately become a mechanism for State of New Mexico
9 funds to be used for the entire capital outlay
10 process. And I believe that it requires careful
11 study. I think that it could be tumultuous if we
12 don't do it with careful study.

13 And I certainly believe that the Public
14 Education Commission with its role in state chartered
15 charter schools certainly needs to look at this.
16 Currently a given amount is appropriated by the
17 legislature for leasing school facilities. If the --
18 and it's based on a per head count of people who use
19 it, students who use it.

20 And if that head count goes above what the
21 legislature appropriated, in other words, if they
22 thought 1,000 students were going to be needed and
23 they appropriated, what is it, \$700 a head, and they
24 appropriated the \$700, if 1,200 students showed up on
25 the scene, the Capital Outlay Council doesn't have any

1 more money. So it has to divide the 700 into the
2 \$1,000.

3 And I think this can be devastating, I really
4 do, if it doesn't have careful, careful planning to
5 it. And I say it's -- it is to me, I'm not going to
6 say I'm for or against it. I tell you I believe
7 what's going to happen.

8 I believe that within ten years there will be
9 a funding mechanism just like there is an SEG funding
10 mechanism and we will have public schools funded --
11 their capital outlay needs funded that way. And I
12 just don't see anything that can prevent it once the
13 intrusion starts into it.

14 And whether it's good or bad I don't know.
15 All I do know is that I believe that we have a role in
16 it as state charter schools come before us. And I
17 bring that to you. And I would like to see it on the
18 agenda.

19 And I don't know besides Mr. Gorrell, there
20 might be some other people. Perhaps, Don, you could
21 help us with that, where we have a better
22 understanding of how it may impact state chartered
23 charter schools, because I think there certainly will
24 be an impact from it.

25 And then lastly I didn't want to intrude on

1 my comments to Dr. Garcia because I felt very
2 emotional about her announcement. I am so very
3 pleased, though, that she will be able to help care
4 for her mother and she will be able to continue in
5 education. I think that without that she might find
6 herself lost. And so I'm very pleased about that.

7 But my dear friend Don Moya is leaving us.
8 And I tell you, I tell you, it breaks my heart. If he
9 had come to me and said, Catherine, should I go, I
10 would have told him no. I would have put something
11 else more strong in front of that, because I tell you,
12 when Don came to the Public Education Department, he
13 and I had some words in the very beginning.

14 But he also was one of those rapid, rapid
15 learners. And he has become a guiding light in school
16 finance in this state. And, Don, we will miss you. I
17 sincerely hope with all of my heart that you find that
18 it proves to be the right move for you, both
19 professionally and personally.

20 And I will tell you that I will tell James
21 that our friend Don Moya -- and I just will make an
22 aside here very quickly. I think some of you know
23 that James and Don are good friends. And Don
24 basically saved James life one time.

25 I was at a Commission meeting. And -- or

1 maybe it was -- I guess it had to be a Commission
2 meeting because he was working for Santa Fe before.
3 James scooted down in his -- what do I call it.

4 MR. MOYA: Stroller.

5 MS. SMITH: Yeah, in his stroller. And Don
6 was sitting out in the audience. And he realized that
7 James had scooted down there and basically was
8 strangling. And he came rushing up to the area where
9 the Commission was sitting and pulled that little boy
10 out of that stroller.

11 So, Don, I will always remember that. And
12 thank you very much. And I think you deserve a great
13 big hand.

14 THE CHAIR: Thank you, Ms. Smith.

15 As we get to item C on future meetings, we
16 can look at the calendar and see where we can get that
17 agenda item put on. And if you want Don's help, you
18 better do it quick, because he's almost out of here.

19 MS. SMITH: I think he might come back and
20 help us.

21 THE CHAIR: Let me go with Ms. Lopez and
22 we'll end with Mr. Gant.

23 MS. LOPEZ: I'd like to sing your praises
24 also, Don. I mean I can't say enough good.
25 Albuquerque is so fortunate to have you. You are the

1 most professional, you know your stuff. And both you
2 and Veronica have been guiding lights and have taught
3 me as a Santa Fe board member.

4 And I came here with complete trust knowing
5 that both of you were there, because you guys are the
6 best and I was really, really happy for you, with how
7 fortunate to be where you're going to be in the
8 largest school district in the state. Good for you.

9 MR. MOYA: Thank you.

10 THE CHAIR: Mr. Gant.

11 SECRETARY GANT: To go with what Commissioner
12 Smith said about the lease-purchase, we are doing it
13 in Las Cruces Public School District right as we
14 speak. We're building an early college high school on
15 the campus of New Mexico State University for 500
16 students.

17 We will commence teaching kids this summer by
18 using facilities at the Dona Ana Community College and
19 then move into the facility with 500 kids. But it is
20 a lease-purchase facility. I think it is the first in
21 the State of New Mexico. And it's doing very well.

22 And we will probably pay it off in much
23 shorter -- and Cruces knows how to do it, because they
24 led the way with PSFA and PSCOC and making it happen.
25 So if you want some lessons learned, I think Stan

1 Rounds, the superintendent, and Herb Torres, the
2 director of operations, down there could really tell
3 you how to put it together.

4 THE CHAIR: Thank you Mr. Gant. With that
5 I'll move to item letter C. For future meetings and I
6 have the calendar out here. And we're all set for ---
7 the next roll around is the big week, the big trek
8 across New Mexico. Am I right, Dr. Duran? The 16th,
9 17th, 18th, 19th, and 20th of August.

10 DR. DURAN: That is correct.

11 THE CHAIR: And then we have our decision
12 meetings on the 9th and 10th of September. And so
13 let's look at October of 2010, the October 22nd
14 meeting, to try to get that item on the agenda,
15 Ms. Smith.

16 MS. SMITH: I'm sorry.

17 THE CHAIR: Let's look at October 22nd
18 perhaps. Let's peek -- because then we won't meet
19 again until December 20th and 21st. So perhaps
20 October 22nd we can --

21 MS. SMITH: I like October 22nd.

22 THE CHAIR: We can place that agenda item on.
23 So stay on that with me.

24 MS. SMITH: Would you like for me to make a
25 motion?

1 THE CHAIR: Pardon me?

2 MS. SMITH: Would you like for me to make a
3 motion?

4 THE CHAIR: We don't need to make a motion.
5 Just make sure that I get the information that I need
6 to pass on in executive committee to PEC staff,
7 Ms. Friedman and Bernadette.

8 MS. SMITH: You're asking me to talk to Bob
9 Gorrell?

10 MS. LOPEZ: To remind him.

11 MS. SMITH: I'm not certain why you're
12 directing that to me.

13 THE CHAIR: Well, you gave a great summation,
14 number one.

15 MS. SMITH: What?

16 THE CHAIR: You gave a great summation of the
17 issues, number one. And so if you give me that in an
18 email, I can work with PED staff to invite the
19 stakeholders.

20 MS. SMITH: Now I understand.

21 THE CHAIR: Excellent. So I pretty much
22 stated the rest of the 2010 calendar.

23 MS. SMITH: We have a December meeting.

24 THE CHAIR: So the rest of the calendar is
25 December 20th and 21st of 2010.

1 SECRETARY GANT: Mr. Chair.

2 MR. CHAIR: Yes, sir.

3 SECRETARY GANT: I'm sorry. I missed an
4 opportunity here.

5 THE CHAIR: Take it now.

6 SECRETARY GANT: In Las Cruces we are
7 building three schools and they're all going to be
8 sustainable. But we're going to be recognized by AIA,
9 the Architects International -- Association of
10 International -- whatever they are, of architects in
11 Miami, because for a sustainable building that reaches
12 somewhere between 75 percent and 100 percent energy
13 utilization -- decreased energy utilization, we're
14 doing a 99 percent middle school. And we're going to
15 be recognized in, Miami, Florida at their
16 international convention this summer.

17 THE CHAIR: Do you get to go?

18 SECRETARY GANT: I don't have -- after paying
19 for my wife's surgery, no, I'm not going to go.

20 MR. BERGMAN: If you need a volunteer, my son
21 lives in Miami, I'll go for you.

22 SECRETARY GANT: We're trying to get the
23 super to go down and stand up for the awards.

24 THE CHAIR: We're on item No. 21. And before
25 I entertain a motion to adjourn, I just want to ask

1 Mr. Gant, how is Maureen?

2 SECRETARY GANT: I'll tell you, we were out
3 there last week. And we had a great week out there
4 first of all. Three important things happened, very
5 good things for us happened out there. We celebrated
6 our 43rd wedding anniversary in Phoenix.

7 THE CHAIR: Congratulations.

8 SECRETARY GANT: My wife was given -- all her
9 limitations were removed. But she's still on a walker
10 for another six weeks. But after that she's free to
11 do whatever that young lady wants to do in life. And
12 I got reelected to the PEC.

13 THE CHAIR: Congratulations to Mr. Gant and
14 also to Ms. Pogna on their wins.

15 Item No. 21, the chair will entertain a
16 motion to adjourn.

17 MS. SMITH: I move to adjourn.

18 MR. CARR: Second.

19 THE CHAIR: It is moved by Ms. Smith and
20 seconded by Mr. Carr. All those in favor of
21 adjourning say aye.

22 (All in favor so indicate.)

23 THE CHAIR: Adjourned.

24 (Proceedings adjourned at 3:40 p.m. by
25 unanimous vote of all Commissioners.)

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RECEIPT

DATE: June 11, 2010

JOB NUMBER: (883H) JAW

WITNESS NAME: Hearing

CASE CAPTION: Public Education Commission

ATTORNEY: Beverly Friedman, PEC

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com