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BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS
PUBLIC MEETING
January 16, 2015
9:00 a.m.
6400 Uptown Boulevard, NE
Albuquerque, New Mexico

REPORTED BY: Cynthia C. Chapman, RMR-CRR, NM CCR #219
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A P P E A R A N C E S

COMMISSIONERS:

MS. CAROLYN SHEARMAN, Chair
MR. VINCE BERGMAN, Secretary
MS. KARYL ANN ARMBRUSTER
MR. JEFF CARR
MS. ELEANOR CHAVEZ
MR. JAMES CONYERS
MS. PATRICIA GIPSON
MR. GILBERT PERALTA
MS. MILLIE POGNA
MS. CARMIE TOULOUSE

STAFF:

MR. MATT PAHL, Interim Director, Charter School
Division

MS. JULIE LUCERO, General Manager, Options for
Parents

MR. JOSHUA GRANATA, Assistant Attorney General,
Counsel to the PEC

MS. BEVERLY FRIEDMAN, Custodian of Records,
PED Liaison to the PEC

ALSO PRESENT: THE HONORABLE J. MILES HANISEE,
New Mexico Court of Appeals

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1 THE CHAIR: Ladies and gentlemen, I call
2 to order this regularly scheduled meeting of the
3 New Mexico Public Education Commission. I would
4 first ask Secretary Bergman for roll call, please.

5 COMMISSIONER BERGMAN: Commissioner
6 Armbruster?

7 COMMISSIONER ARMBRUSTER: Here.

8 COMMISSIONER BERGMAN: Commissioner
9 Chavez?

10 COMMISSIONER CHAVEZ: Here.

11 COMMISSIONER BERGMAN: Commissioner
12 Gipson?

13 COMMISSIONER GIPSON: Here.

14 COMMISSIONER BERGMAN: Commissioner
15 Conyers?

16 COMMISSIONER CONYERS: Here.

17 COMMISSIONER BERGMAN: Commissioner

18 Peralta?

19 COMMISSIONER PERALTA: Here.

20 COMMISSIONER BERGMAN: Commissioner Pogna?

21 COMMISSIONER POGNA: Here.

22 COMMISSIONER BERGMAN: Commissioner

23 Toulouse?

24 COMMISSIONER TOULOUSE: Present.

25 COMMISSIONER BERGMAN: Commissioner Carr?

1 COMMISSIONER CARR: Here.

2 COMMISSIONER BERGMAN: Commissioner
3 Shearman?

4 THE CHAIR: Here.

5 COMMISSIONER BERGMAN: Commissioner
6 Bergman is here.

7 Madam Chair, for the first time in about
8 two years, this Commission actually has ten members,
9 and you have ten members present. You do have a
10 quorum.

11 THE CHAIR: Thank you very much. I
12 officially declare we do have a quorum. All ten
13 members here, and I welcome all of you, and our new
14 Commissioners that are to be sworn in in just a few
15 minutes.

16 I would like to recognize that we have
17 Senator Linda Lopez in the audience with us. And if
18 there are any other Legislators that I don't know,
19 please holler at me.

20 The other thing I'd like to do before we
21 get farther into the agenda is to thank Mark Tolley
22 and the Albuquerque Public Schools for providing us
23 this lovely location to have our meeting. It was
24 easy to find; and for those of us who are maybe not
25 from Albuquerque, that's sometimes a challenge. But

1 it was very easy.

2 I will announce one other thing. Maggie
3 Toulouse-Oliver -- there was a mix-up in the time,
4 and she will not be here today.

5 So we are very pleased to have -- I've
6 lost my piece of paper --

7 COMMISSIONER TOULOUSE: Judge Hanisee?

8 THE CHAIR: -- I'm sorry -- Judge Hanisee.
9 But I had all of that -- I was going to say all the
10 wonderful things about you, and I am sorry.

11 We appreciate Judge Hanisee being here
12 this morning.

13 JUDGE HANISEE: That's okay. I would
14 almost prefer not to hear my resume.

15 THE CHAIR: Thank you. We'll swear in our
16 new members right after we do the Pledge of
17 Allegiance by Commissioner Conyers and the Salute to
18 the New Mexico Flag by Commissioner Peralta. And
19 they are behind us.

20 (Pledge of Allegiance and Salute to the
21 New Mexico Flag.)

22 THE CHAIR: Thank you very much.

23 Judge Hanisee, whenever you're ready.

24 JUDGE HANISEE: Well, first of all, on
25 behalf of not only the New Mexico Court of Appeals,

1 but the New Mexico Judiciary as a whole, let me take
2 a moment to congratulate each of you and to thank
3 you for your public service. I know how hard it is
4 to have to campaign to participate in such important
5 public service as this is. And I used to often
6 interact with, probably, many of you, as all of us
7 campaign. And everyone would always say to me, "Oh,
8 my gosh. I don't know how you do it. It's a
9 statewide race."

10 But, really, I don't know how you do it in
11 a local race, because you go door-to-door, and you
12 meet everyone, and you go back door-to-door; and in
13 some ways, it's harder than driving from place to
14 place.

15 I wanted to tell you that I believe it is
16 a testament to your desire to do the positive things
17 you're now going to get to do as Commissioners by
18 virtue of the fact that you're willing to sacrifice
19 your personal time and your energies to undertake
20 that.

21 So thank you so much. The Public
22 Education Commission obviously needs such
23 sacrifices, and I want to congratulate each of you
24 individually. And, of course, I know several of
25 you; so it makes it all the more enjoyable for me

1 today.

2 Before each of you, you should see a
3 document with the word "Oath" on it. So what you
4 would presumably have done is fill in your name and
5 then the -- the Public Education -- "New Mexico
6 Public Education Commissioner" in the subject line.
7 Then you'll sign it.

8 After I administer the oath, it will be
9 notarized. And as you know, you'll take it to the
10 Secretary of State along with \$3.00, and you'll be
11 official for your whole term then.

12 I'm going to stand up, because I want to
13 raise my right hand. And for those of you that are
14 being sworn -- which of you are being sworn right
15 now? If you could stand also, I'd appreciate it.

16 (Commissioners Chavez, Conyers, Peralta,
17 Pogna, and Toulouse sworn-in.)

18 JUDGE HANISEE: Congratulations, again, to
19 each of you.

20 (Applause.)

21 THE CHAIR: Again, we congratulate each of
22 our new Commissioners. We welcome you to the
23 Commission. And at this point -- this is such an
24 important occasion -- I would like for the new
25 Commissioners to have an opportunity to introduce

1 any family or friends who are here to see them being
2 sworn in today.

3 So if we could start here. Karyl Ann?

4 COMMISSIONER ARMBRUSTER: I live in Los
5 Alamos; so I --

6 THE CHAIR: Eleanor.

7 COMMISSIONER CHAVEZ: I don't have any --

8 THE CHAIR: Patti?

9 COMMISSIONER GIPSON: I was sworn in in
10 Doña Ana.

11 THE CHAIR: James?

12 COMMISSIONER CONYERS: I don't have any.

13 THE CHAIR: Gilbert?

14 COMMISSIONER PERALTA: I do. My wife,
15 Donna, is here this morning, along with my twin
16 daughters, Alex and Andri; and my mother, Georgia,
17 in the pink and black; my sister in the back, Grace,
18 and my brother in the back is Walter.

19 THE CHAIR: Welcome. We're so glad you're
20 here. And Carmie?

21 COMMISSIONER TOULOUSE: Madam Chair, I
22 have my cousin and best friend, Senator Linda Lopez,
23 and her foster daughter, Cherish. And I have
24 somebody I grew up with and whose parents and mine
25 grew up together, and who is a retired teacher from

1 APS, Diane Summers.

2 And I wish I had had Maggie. And it was
3 my fault for sending her both agendas for yesterday
4 and today; it was easier. And she read the first
5 one and not the second one and thought it was 1:00.
6 So I am very sorry that I didn't have my former
7 daughter-in-law.

8 And I might as well -- even though most of
9 the people on the Commission know it -- Cindy
10 Chapman, who is doing our transcriptions, she and
11 I -- she is Maggie's mother, and she and I share our
12 oldest grandchild together. So she's basically my
13 family, too.

14 Thank you.

15 THE CHAIR: Thank you, Commissioner.

16 Thank you all for being here.

17 The next item on the agenda is Election of
18 Officers. I'm going to ask Josh first to go through
19 the procedure with us, and then we'll proceed from
20 there.

21 MR. GRANATA: Good morning Commissioners,
22 and everyone in the audience. I'm going to quickly
23 go through the procedures for the elections of
24 Chair, Vice Chair, and Secretary for the PEC.

25 The elections are required to be held

1 annually. And since this is the first regular
2 meeting, this is the appropriate meeting for which
3 these elections to be held.

4 And the procedure by which these elections
5 will be held is that each position requires a
6 nomination. And so a Commissioner can nominate
7 another Commissioner, or the Commissioner can
8 nominate him or herself for that position, if they
9 so choose.

10 And what I would suggest is, is that there
11 should be -- the nominations for each position --
12 the vote will take place after the nomination is
13 closed for each position. So if there's only one
14 person nominated for Chair, for example, then it
15 will be closed, and the vote will proceed from
16 there. But if there are more than one person, we'll
17 wait until all the nominations are closed before
18 voting for each position.

19 The -- the voting will take place in
20 accordance with the Open Meetings Act. And what
21 that means is that all votes will be open, and so
22 that everybody knows who is voting for whom.

23 Unlike in regular meetings, where there's
24 motions, there doesn't need to be a second for a
25 motion. So if a Commissioner is nominated, the

1 Commissioner will either accept or decline that
2 nomination, and will proceed from there.

3 We'll start first with the -- with the
4 position of the Chair, and then Vice Chair and
5 Secretary.

6 If there a tie, then we'll handle that
7 according to procedures that are outlined by the
8 PEC.

9 So are there any questions?

10 Okay. And so the election for Chair will
11 be -- the Chair will -- since -- since the Chair is
12 in the position of the Chair, that -- the conducting
13 of that position will be delegated to another
14 Chairperson.

15 THE CHAIR: Okay. I would ask
16 Commissioner Toulouse to conduct the election for
17 the Chair, please.

18 COMMISSIONER TOULOUSE: This is a
19 surprise.

20 Commissioners, the floor is open for
21 nominations for the office of Chairperson for the
22 Public Education Commission.

23 Commissioner Bergman?

24 COMMISSIONER BERGMAN: Thank you,
25 Commissioner Toulouse.

1 I nominate, for reelection as Chairperson
2 of the Public Education Commission, Commissioner
3 Shearman.

4 COMMISSIONER TOULOUSE: Thank you.

5 THE CHAIR: Thank you. And I do accept
6 the nomination.

7 COMMISSIONER TOULOUSE: Thank you. You
8 have no choice, ma'am.

9 Are there any other nominations?

10 Hearing none, I now announce that the
11 nominations are closed and call for a vote. Do we
12 have a motion for a unanimous --

13 COMMISSIONER GIPSON: There doesn't need
14 to be a motion, so...

15 COMMISSIONER TOULOUSE: I can just declare
16 that she's elected by unanimous vote, as there are
17 no other candidates.

18 Madame Chairwoman, congratulations on
19 being "Madame Chairwoman."

20 THE CHAIR: Thank you so much.
21 Commissioners, I appreciate your confidence, and I
22 will certainly strive to continue to earn it
23 throughout this year. Thank you, Commissioner
24 Toulouse.

25 I will proceed now as Mr. Granata tells me

1 to. The floor is now open for nominations for
2 Vice Chair of the Commission.

3 COMMISSIONER POGNA: Madam Chair, I
4 nominate Vince Bergman.

5 THE CHAIR: Thank you. Vince Bergman has
6 been nominated.

7 Mr. Bergman, do you accept?

8 COMMISSIONER BERGMAN: I certainly accept
9 the nomination.

10 THE CHAIR: Are there other nominations
11 for Vice Chair?

12 Hearing none, I declare the nominations
13 closed, and Commissioner Bergman is elected by
14 acclamation. Is that correct?

15 Okay, good enough. Congratulations
16 Mr. Vice Chair.

17 COMMISSIONER BERGMAN: Thank you.

18 THE CHAIR: The floor is now open for
19 nominations for Secretary of the Commission.

20 COMMISSIONER CARR: Madam Chair?

21 THE CHAIR: Commissioner Carr?

22 COMMISSIONER CARR: I would like to
23 nominate Commissioner Gilbert Peralta.

24 THE CHAIR: Commissioner Peralta, do you
25 accept the nomination.

1 COMMISSIONER PERALTA: Madam Chair, I do
2 accept it.

3 THE CHAIR: Thank you very much. Do we
4 have other nominations for Secretary?

5 Hearing no other nominations for
6 Secretary, I declare the nominations closed, and
7 Commissioner Peralta elected by acclimation.

8 Congratulations, Mr. Secretary.

9 COMMISSIONER PERALTA: Thank you.

10 THE CHAIR: According to the procedures of
11 the Commission, officers elected during this
12 election will take office at the next regularly
13 scheduled meeting; so that will be February.

14 Thank you all so very much.

15 Let's proceed with our business.

16 Next is Approval of the Agenda. Everyone
17 should have that in your notebooks. Any
18 corrections?

19 COMMISSIONER CARR: Madam Chair, I move we
20 approve the agenda.

21 COMMISSIONER TOULOUSE: Second.

22 THE CHAIR: Motion by Commissioner Carr,
23 second by Commissioner Toulouse to approve the
24 minutes -- pardon me -- to approve the agenda, as
25 distributed.

1 Any discussion? Hearing none, all those
2 in favor, please say "Aye."

3 (Commissioners so indicate.)

4 THE CHAIR: Any opposed, please say "No."

5 (No response.)

6 THE CHAIR: The motion passes unanimously.

7 JUDGE HANISEE: Madam Chair?

8 THE CHAIR: Yes.

9 JUDGE HANISEE: May I be excused?

10 THE CHAIR: I am so sorry. We appreciate
11 so much your being here, and certainly, we know you
12 have important business to take care of.

13 JUDGE HANISEE: I'm glad to see these
14 elections were so congenial, and I'm ready to go to
15 work. Thank you so much.

16 THE CHAIR: Thank you again. Have a safe
17 trip back.

18 Next item of business is Approval of the
19 Minutes from the December 10, 11, and 12 meetings,
20 the three-day marathon. I would first suggest that
21 we go to the minutes of December the 10th, which is
22 the item behind your No. 5 tab. Any corrections,
23 Commissioners?

24 THE CHAIR: Well, you know I do. But I
25 have to say, Cindy, you did such an outstanding job.

1 These three days of meetings were very long and very
2 intense. And you did your usual outstanding job.

3 But I did find a couple of little things.

4 I would like to say -- to note, on
5 Page 77, line 7, I believe the word "need" should be
6 "meet."

7 Does that meet with everybody's approval?

8 Next is on Page 260, line 2. And I
9 believe the word "date" should be "state."

10 Then on Page 266, line 6, I believe the
11 age was "18" rather than "16."

12 Anything else on the minutes of
13 December 10?

14 Commissioners, do we want to approve these
15 minutes by the day or all three days as a whole?

16 COMMISSIONER CARR: All three days.

17 THE CHAIR: All three days as a whole?

18 Okay. Then let's go to December the 11th,
19 Page 239. Okay. There's -- I've got a
20 contradiction in page numbers. On -- on line -- it
21 was Page 239. But on here, the page numbers
22 discontinue.

23 Cindy, how do we reconcile that?

24 (A discussion was held off the record.)

25 THE CHAIR: And those were all my

1 corrections. In all those three long days, those
2 are the only corrections I found.

3 Is there anything else from any other
4 Commissioners?

5 Hearing none, the Chair would entertain a
6 motion on the minutes of December 10, 11, and 12,
7 2014.

8 COMMISSIONER BERGMAN: Madam Chair, I
9 would move that the minutes of the three-day meeting
10 in December be approved, as corrected.

11 THE CHAIR: Thank you. Do I hear a
12 second?

13 COMMISSIONER CHAVEZ: Second.

14 THE CHAIR: Thank you. Motion by
15 Commissioner Bergman, second by Commissioner Chavez,
16 to accept the minutes as corrected.

17 Any discussion?

18 All those in favor, please say "Aye."

19 (Commissioners so indicate.)

20 THE CHAIR: Any opposed, please say "No."

21 (No response.)

22 THE CHAIR: The minutes are approved
23 unanimously.

24 Next item is Report from PED Leadership.

25 And, again, the -- the officers, when they were

1 putting this agenda together, asked that the
2 leadership of PED be listed here. You'll see
3 Secretary Skandera, Deputy Secretary Leighann Lenti,
4 and Deputy Secretary Aguilar, or their designee.

5 I see that -- I don't believe I see any of
6 them here; so, Mr. Pahl, we would ask you to present
7 the report from them, please.

8 MR. PAHL: Thank you, Madam Chair, members
9 of the Commission. I will serve as the Secretary's
10 Designee today.

11 First of all, welcome, new Commissioners,
12 to the PEC. We're excited to work with you over the
13 next couple of years here, and hopefully longer.

14 Earlier this week, Governor Martinez
15 introduced her Fiscal Year '16 budget. The budget
16 includes \$68 million in new funding to support
17 public schools. Public school funding, as a result,
18 represents nearly half of the Governor's new
19 recurring spending that she's planning through this
20 budget. The funding includes sustained funding for
21 Reads To Lead, which is our K-through-3 reading
22 intensive program; \$1.5 million to recruit and
23 retain teachers in hard-to-staff areas; and
24 \$43.2 million for pre-K and K-3-plus programs, which
25 is an increase of over 5 percent for those programs.

1 Further, the budget proposes that
2 beginning salary -- or beginning statutory salary for
3 beginning -- excuse me -- first-year teachers, or
4 Level 1 teachers, increases from \$32,000 to \$34,000.
5 And it also proposes \$100 debit cards to be
6 distributed to teachers to buy supplies for their
7 classroom.

8 Thank you.

9 THE CHAIR: Thank you very much. Any
10 questions for Mr. Pahl?

11 Hearing none, let's move on to the next
12 item, which is Item No. 7, Discussion and Possible
13 Action on the 2013-'14 Perkins Consolidated Annual
14 Report.

15 Mr. Spencer, good morning.

16 MR. SPENCER: Good morning.

17 THE CHAIR: Please introduce yourselves,
18 and let's get it officially on the record.

19 MR. SPENCER: Good morning, Madam Chair,
20 members of the Commission. My name is Eric Spencer,
21 and I'm the Director of the College and Career
22 Readiness Bureau, responsible for administering the
23 Perkins Grant.

24 DR. PEREA: My name is Dr. Elaine Perea,
25 and I'm an education administrator that works in the

1 College and Career Readiness, and I help Eric with
2 the data for the Perkins.

3 MR. SPENCER: So thank you.

4 So Madam Chair, members of the Commission,
5 just to recap from the last Commission meeting, is
6 that you all were provided with the narrative
7 component of the Final Consolidated Annual
8 Performance Report that the Public Education
9 Department submits on behalf of the PEC to the U.S.
10 Department of Education's Office of Career and
11 Technical and Adult Education. And so we had asked
12 the Commission at the time to accept the narrative
13 report for the submission.

14 And we would be coming back to this
15 Commission meeting and providing you with the
16 financial status report and then the final reports
17 of the performance component.

18 So just as an orientation, especially for
19 those Commissioners who are new to the Commission,
20 every year in December, the Public Education
21 Department submits a program report to the U.S.
22 Department of Education about the activities that
23 were implemented during the previous school year
24 with regard to career technical education funded
25 under Carl B. Perkins Career Technical Education

1 Improvement Grant.

2 There's three components to this report.
3 One is a major -- actually, there are more like four
4 components. One is a narrative component that
5 identifies how the State has implemented the nine
6 required uses of the Carl Perkins Act and how the
7 State implemented permissive uses within the Act.
8 And there are 17 permissive uses.

9 And the State does not implement all
10 17 permissive uses. We focus on those areas that
11 consist of moving the achievement of students
12 forward. So, for example, career guidance and
13 counseling might be a focus area; whereas,
14 entrepreneurship education might not be a specific
15 area that we focus, because we try and dedicate
16 these dollars toward areas of improvement.

17 Then there is a financial status report.
18 In your packet of information that we provided, you
19 have what's called a Financial Status Report, Final,
20 and a Financial Status Report, Interim.

21 When the U.S. Department of Education
22 funds a Perkins grant, we usually get the pre-award
23 July 1 with the final award on October 30th. But
24 when we get that July 1 advance, the clock starts
25 ticking, if you will. And we have 27 months in

1 which to -- to implement to the grant activity that
2 was approved in the State's plan.

3 So the final status report that you have
4 is that picture of the 27-month period for the grant
5 that started on July 1 of 2012. That grant, 27
6 months later, ends September 30th of 2013. The
7 State then has essentially three months to liquidate
8 that grant and report the financial status report to
9 the Fed.

10 So that financial -- that final status
11 report comes after the narrative section in the
12 report that was provided. And it's an Excel
13 spreadsheet. You just don't see lines. And for
14 those of you that might be looking -- it's kind of
15 hard to see from where you're sitting, I'm sure; but
16 it's a horizontal landscape view. I have a Page
17 No. 22. I just don't know if that coincides with
18 the page number you have.

19 THE CHAIR: Yes, it does.

20 MR. SPENCER: Okay, thank you. So on
21 Page 22 of your report is the final financial status
22 report, the grant that started on July 1 of 2012 and
23 ended September 30 of 2014.

24 When you look at the second column, if you
25 will, you see that there's Total Title I Funds, and

1 that's Title I of the Perkins Act. There are two
2 "Titles" in the Perkins Act. One is Title I and
3 Title II. Title II was designated for what was
4 called "tech prep education," which has not been
5 funded for several years now, and so we're not
6 reporting on that particular grant.

7 But Title I is how do we support career
8 technical education in our state with those nine
9 required uses of funds and those permissive uses?
10 And we can see that we have local uses of funds.
11 Those are dollars that flow to our public school
12 districts and post-secondary institutions. The
13 entire award that the State receives, 85 percent of
14 the award is a flow-through to the school districts
15 and post-secondary institutions.

16 By way of policy established in the State
17 plan, those dollars are split 50/50. So of the
18 85 percent of the federal award, 50 percent are
19 designated for secondary; 50 percent are designated
20 for post-secondary. But before we issue that, we
21 carve out an allocation called "reserve funding."
22 So 10 percent of the 85 gets drawn out for reserve
23 activities.

24 As approved in the State plan for career
25 technical education for Perkins, those reserve

1 activities are to focus on programs that can advance
2 career technical education and practices being
3 replicated across the State for continuous
4 improvement. Our State plan has designated support
5 for High Schools That Work and Jobs for America's
6 Graduates, which is a dropout prevention program.

7 So when you look at the reserve, that's
8 really what it is. It's those innovative programs
9 for replication; it's not a set-aside for a rainy
10 day.

11 You'll see formula distribution on Row G,
12 Funds for Secondary Recipients -- next row H, I
13 guess. And then I is Funds for Post-Secondary
14 Recipients, you can see the set-aside of how we flow
15 dollars to those institutions. You have State
16 Leadership in Rows K and L. State Leadership is
17 10 percent of the entire award that's reserved,
18 specifically to provide technical assistance to
19 secondary schools and post-secondary schools with
20 regard to implementing career technical education
21 programs.

22 Then we have non-traditional training and
23 employment, which is a required expenditure; so
24 those leadership dollars. Of the 10 percent, we
25 must carve out an allocation to support

1 non-traditional training. What this is, if you
2 think about it in simplistic form, like you have an
3 industry of welders dominated by the male
4 population, that would be an area that we would want
5 to create opportunities in our public school system
6 where we can encourage the female population to
7 enter that field with the adequate support
8 necessary, if that's what they choose to do; and
9 likewise with a male population entering the
10 health-care field, like nursing.

11 We have support for State institutions.
12 The federal law has a mandated expenditure that we
13 support career technical education in correctional
14 institutions or other State institutions designated
15 by the State. We fund one activity in this program
16 year of 2012-'13 and 2013-'14; and that was the
17 Children, Youth & Families Department's two
18 schools -- John Paul Taylor is one; and I believe it
19 was Aztec Youth Academy is the other -- to support
20 career technical education in those two schools for
21 adjudicated youth, other leadership activities,
22 again, to support technical assistance in schools,
23 professional development and things of that nature.

24 Of the entire award, the State, pursuant
25 to the federal act, is allowed to take 5 percent of

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1 the award for administrative activities. And those
2 administrative activities support expenditures to
3 essentially support schools in the implementation of
4 this law. And that's hiring staff, supply costs,
5 travel costs, things of that nature. Then there's a
6 State match.

7 There is a maintenance of effort, as well.
8 And that is tied to the State match. So if the
9 State, for example, set aside \$500,000 of federal
10 admin, out of the Public Education Department's
11 budget, we put another \$500,000 on the table to
12 match that; so it's a dollar-for-dollar match. For
13 every dollar we spend out of the federal grant, we
14 must spend a State dollar on the cause for
15 supporting career technical education for the
16 purposes of Perkins.

17 And in addition to that, there's a
18 maintenance of effort tied to the State match. So
19 within one year, for example, if we spent \$450,000
20 of federal money, we must spend \$450,000 of State
21 money; but if, in the prior year, we spent \$500,000
22 of State money, then in that program year, we must
23 meet that and spend the \$500,000 of State money.

24 We tie those to salaries to support the
25 implementation of this grant.

1 So it's kind of an orientation, especially
2 for those of you who are new to the Commission. And
3 I can come back at a later date, maybe in one of
4 your spring meetings, and provide a more
5 comprehensive view of what that looks like visually,
6 so that you all can see how that works more clearly.

7 But for the purposes of this Consolidated
8 Annual Report, draw your attention to the final
9 column, column 11. And you'll see that in every one
10 of those set-asides of the federal grant, there is a
11 zero balance. This is a good thing. It means that
12 we fully expended the entire award in every
13 set-aside, as we were supposed to.

14 So for that particular grant that was
15 offered to the State and accepted by the State on
16 July 1st, 2012, full expenditures have occurred, and
17 there are no reversions to the federal government in
18 any line item.

19 I do apologize. The financial status
20 report that you find on Page 21 of your report is
21 the interim grant. That is the grant that the State
22 accepted on July 1st of 2013. And as you know,
23 we're -- we've already completed the 12-month
24 period. The 12-month period for that grant
25 concluded on June 30th of 2014.

1 And so now, the State works to determine
2 balances left on the table, if you will, from those
3 schools and post-secondaries that we fund,
4 initiatives that we've designated at the State
5 level, and find those unused balances at that point
6 in time. And this spring, come the end of January,
7 1st of February, we reissue those dollars on another
8 application called the "Redistribution of Unused
9 Funds."

10 So when you take a look at the fund
11 balances on row -- on column 11 of that interim
12 report, you might be looking at that saying, "Well,
13 is that at risk of being reverted?"

14 Not at this time. What we're doing is
15 we're taking those balances that have been left on
16 the table, if you will, that have been unobligated,
17 and we recalculate those through a funding formula,
18 and we require the institutions to take a look at
19 their levels of performance based on the core
20 indicators that are measured and to determine
21 whether, in fact, they're meeting those levels of
22 performance or not; and in the areas that they're
23 not, to use these redistribution dollars to
24 specifically target support activity to move the
25 performance for those students, whether it be

1 professional development for teachers, coaches,
2 things of that sort; and we leave it to the local
3 entity to determine what is necessary for them to be
4 able to support this particular application or
5 component of the law.

6 So that's the financial status report.
7 Next year, at about this time, it's my goal to bring
8 you the final of this 2013 -- July 1st, 2013, report
9 with zero balances, as we did with the 2012 grant.

10 The third component of your report has to
11 do with levels of performance. And I do have to
12 tell you that we have a lot of good news in that
13 area, as we had shared with you in the last PEC
14 meeting, that the post-secondary institutions, as it
15 appeared at that point in time in our preliminary
16 data analysis, had made significant improvements
17 over the prior year. And we're happy to report that
18 we saw some pretty significant improvements in
19 pockets of the indicators at the secondary level, as
20 well.

21 So I would like to have Dr. Elaine Perea
22 on my staff to go through that performance section
23 with you and also highlight some very detailed
24 support that we have just recently -- as recently as
25 yesterday -- provided secondary and post-secondary

1 institutions. And that support is to really take a
2 look at their data and implement some Common Core
3 math, if you will, about how do you use these
4 percentages and these numbers to really determine
5 exactly how many more students did their school
6 really need in order to meet their level of
7 performance?

8 And in some of these cases, at the State
9 level, we may have met an indicator; for example, in
10 Safe Harbor -- let me explain that, first of all.
11 The federal government, every year, requires the
12 State to negotiate performance levels. And I'll
13 bring more of that in the next PEC meeting so that
14 you have an awareness of what those are.

15 But with regard to that, the federal
16 government says, "Your level of performance in
17 reading academic attainment might be...", for
18 example, 50 percent. And they say, "But you're in
19 'Safe Harbor' if you can meet 90 percent of that
20 target." So as long as we're within the 90 percent,
21 we're Safe Harbor. If we exceed the target, then
22 we've exceeded; but if we fall below the Safe
23 Harbor, then we didn't meet the level of
24 performance.

25 And looking at some of the data at a State

1 level was a very big, eye-opening experience for me,
2 thank you to Dr. Elaine Perea. In some cases, while
3 we met it at Safe Harbor, had we just reached out to
4 88 more students in our state, in non-traditional,
5 for example, we would have exceeded the performance
6 target.

7 And we think in the State of New Mexico,
8 88 students; how can that be? And that's what we
9 share with the institutions about, "In your school,
10 in your college, for students, is what you needed to
11 reach out to." And that's pretty powerful when you
12 look at the data in that way to determine how you
13 move the level of performance and change the life of
14 those four students.

15 Dr. Perea?

16 DR. PEREA: Thank you. So as I mentioned,
17 we did have a very good set of data. The
18 post-secondary researchers all got their data in on
19 time, which was great. And I was able to run some
20 preliminary analyses. There were a few places where
21 things didn't add up. For example, if I added males
22 and females. But if I added all of the races, I got
23 a different number. So there are a couple of places
24 where I -- I sent back to the institutions and said,
25 "This one and that one needs to add up."

1 And I think that's the first time we've
2 really had the time to -- to do that kind of careful
3 analysis to make sure that the numbers were right
4 before we moved forward.

5 And by doing that, we were able to get to
6 a place where every institution -- just at a really
7 basic kind of evaluation, every institution's
8 numbers looked reasonable. And when we compiled
9 that at the State level, then at the post-secondary
10 level, we -- we met, or were in Safe Harbor, for all
11 six of the indicators. That's the first time that
12 that's happened; so that was a big win for us.

13 At the secondary level, the data is
14 calculated slightly differently, because each
15 district reports their school's data, their school
16 and their district data, into the STAR system, the
17 State reporting system that PED runs; and then we
18 compute the performance indicators off of that data.
19 So we don't have that same level of iteration
20 between the district and the PED that we have on the
21 post-secondary level. It all happens kind of
22 internally at the -- at the PED.

23 Nonetheless, we -- we did a lot of
24 iterations in the State data, as well, trying to
25 just do logic testing. And I want to point one of

1 those out to you, just so you get a feel for what I
2 mean by that.

3 On Page 23 is where the data starts for
4 the year, for the secondary indicators. And so the
5 first thing we looked at was CTE participants. And
6 the number of secondary students -- and I pushed our
7 data guys, really, on this, because at one point, I
8 think that they had told me we had about 400,000 CTE
9 participants. And I said, "Guys, we don't have that
10 many high school kids. That number can't be right."
11 So that was the kind of logic testing that we were
12 doing, just really basic kind of reasonableness
13 checks.

14 And by doing that, I think the data is
15 much cleaner than it has been in the past. And so
16 participant -- we've got about 58,000 unique
17 students. These are now unique human beings, which
18 I feel really good about. And so now we can say
19 that about 58 percent -- because there's 101,000
20 high school students roughly -- so about 58 percent
21 of high school students in 2013-'14 participated in
22 at least one CTE class. So it tells you kind of the
23 reach of this program that we're administering.
24 More than half of kids are taking a CTE class of
25 some sort.

1 The next thing that I want to show you is
2 1S1 and 1S2. 1S1 and 1S2 are on Pages 25 and 26.
3 These are secondary indicators. These are
4 indicators that, as a State, we have missed several
5 times, and are the indicators where we look at
6 students' academic attainment. Are the students who
7 take CTE classes passing, testing proficient in the
8 SBA tests?

9 Now, we'll be moving to PARCC for this
10 year. But these data that you're looking at on
11 Pages 25 and 26 are looking at students and their
12 SBA scores.

13 And so at the very top of that page, it
14 says, "1S1, Academic Attainment, Reading, Language
15 Arts"; what that means is this indicator is looking
16 at the number of CTE concentrators. And the
17 denominator are students who took the SBA reading
18 portion; and the numerator is the number of students
19 who took that test and tested proficient.

20 So if you divide 3,115 by 6,493, you get
21 the State's performance, 48 percent. That's how
22 many students in CTE tested proficient in reading.

23 And the State's target was 57 percent.
24 Now, as Mr. Spencer said, there's the "Safe Harbor"
25 concept, where if you are within 90 percent of the

1 target, then -- then the State doesn't have to do a
2 special remediation plan. But if you miss the
3 target altogether, then there's extra reporting that
4 we have to do to the feds.

5 So we missed 1S1; we missed 1S2. And
6 these -- these are especially tough for us, because
7 these are the indicators of proficiency. And we
8 would like to see our students testing as
9 proficient, the CTE students.

10 MR. SPENCER: And if I can clarify, just
11 on that academic attainment for reading, language
12 arts, and mathematics, I think that it also serves
13 good to know the context of that performance target.
14 Keep in mind that students generally take the
15 Standards-Based Assessment in tenth grade. And we
16 have, as Dr. Perea had indicated, over, you know,
17 50,000 students participating in a career technical
18 ed course.

19 But when she had identified a
20 concentrator, that means that that's a student that
21 has said, within the context of agriculture
22 education, they're going to take three or four CTE
23 courses in that concentrated area; or maybe if
24 they're focused in businesses, three or more
25 business courses.

1 So we go back into the data, and we find
2 those students that became a concentrator in the
3 current year, and how did they do on the academic
4 attainment. They became a concentrator in the
5 current year -- could be a senior, could be a
6 junior, could be a sophomore; likely, not a
7 freshman -- but how did they do on the SBA that they
8 took in the tenth grade?

9 So therefore, if you have a
10 concentrator -- or an individual had reached
11 concentrator status in the senior year, you have to
12 go back and see how they did in the past and report
13 that. And I just want to draw that to your
14 attention, so that you all are clear that it's not
15 entirely accurate to walk away knowing that if you
16 divide that numerator and denominator, and you get
17 the 48 percent, that we only have 48 percent of our
18 CTE students not proficient; it just means that
19 those students that are concentrators today were not
20 proficient then.

21 There's nothing to say that the CTE
22 program is subpar to a non-CTE program, because the
23 federal measure is not measuring, "You became a
24 senior -- a concentrator in your senior year; now
25 let's test your proficiency." That would be the

1 fair check.

2 So I just want to make sure that you know
3 that when you look at the data. And we'll do a
4 deeper dive for the next PEC meeting with some
5 visuals for you.

6 DR. PEREA: This is one of the things
7 we're looking forward to the PARCC data, because
8 we'll be able to get closer. Say you have a senior,
9 and they're a CTE concentrator; but you're looking
10 at their SBA test from their sophomore year. You're
11 not really able to tell how much the CTE program is
12 affecting their reading ability.

13 And so PARCC will help with that, because
14 we get one more year of data. But even that, you
15 know, if they're really taking their CTE classes and
16 the CTE teachers are doing a good job of increasing
17 proficiency, we don't have the tests to show that.

18 Regardless of that, one of the things that
19 we did, as Eric -- Mr. Spencer -- mentioned, we just
20 had two days of intensive Perkins workshop with the
21 districts here in Albuquerque, and we looked at 1S1
22 and 1S2, where we haven't met our proficiency levels
23 that have been set by the Feds. And we said, "What
24 would it take -- what would it have taken for us to
25 have been proficient?" And so I walked them through

1 the -- the math.

2 And the math is fairly simple. I won't do
3 it exactly. But if you take that denominator, the
4 6,493, and you multiply it by the target, 57.7, then
5 you get the targeted number of students, what you
6 should have had. And if you subtract what you
7 should have had from what you actually had, then the
8 result is how many more kids did you need.

9 And for both 1S1 and 1S2, it's about
10 650 students. About 650 more students testing
11 proficient, we would show that we had met our
12 federal indicators.

13 And so we put that back to the districts.
14 There's 90 districts. This is roughly seven
15 students a district. And when you ask a district,
16 "Can you find a way to help seven students move from
17 non-proficient to proficient," it changes the nature
18 of the conversation; and all of a sudden, it isn't
19 this pie-in-the-sky, 48-versus-58-percent, "I don't
20 know how to improve 10 percent of my kids"; it's,
21 "I've got to go find seven kids and tutor them so
22 that they can become proficient."

23 And so that's the kind of conversation
24 that we're trying to have so that we can move
25 performance; because ultimately, you move

1 performance 1 percent at a time. And that's what
2 we're really trying to get to.

3 I want to -- I won't go over all the
4 indicators, but I just wanted to point out one
5 other. And that's 6S1 and 6S2, which is Pages 31
6 and 32. These are the other two indicators that we
7 missed 6S1, and we were in Safe Harbor in 6S2. So
8 this is our other place of weakness.

9 And non-traditional participation -- the
10 idea here is that the Perkins Act endeavors to fund
11 access to non-traditional careers; so making it
12 easier for boys to become nurses or caregivers,
13 making it easier for girls to become plumbers or
14 general contractors or welders. That's the spirit
15 of the law. And the targets are set high, so that
16 the State will -- will hold on to that goal.

17 So 6S1, the target was 50 percent. The
18 target is that 50 percent of students who take a
19 gendered class will be of the other gender. That's
20 a pretty high target; and so we missed that target.
21 But we ran through the math with the districts of
22 how we would actually do that. And for most
23 districts, it looks like adding one class. If they
24 added one class that was a gendered class, and they
25 did the marketing to really get that class filled

1 with the atypical gender -- not 100 percent; by, say
2 over 50 percent, 70 percent -- so having a nursing
3 class that's targeted to male students and that has
4 more male students than female students, that
5 would -- that would move us into the level where
6 we're performing.

7 So trying to -- we're really working with
8 the districts to see how they can use their money to
9 move the school forward to open access.

10 MR. SPENCER: And so, in conclusion, to
11 think about the data in the context of, for example,
12 seven more kids in a particular school, it's not
13 putting on the table, "Let's go find those seven
14 kids for the purposes of meeting the requirement of
15 the Perkins law to keep us compliant"; it's really
16 about the fact that there are seven individuals that
17 are human beings in a school that didn't necessarily
18 have the support or the access in order to hit that
19 particular performance target.

20 And so what we're talking about, maybe
21 those seven kids needed tutoring. We know that when
22 we have a performance target of 50 percent reading
23 proficiency or 52 percent reading proficiency, it's
24 okay to say the other 48 don't have to be
25 proficient. And that's not an argument we accept

1 from anyone in our schools. It is not okay to have
2 any percentage of our students non-proficient.

3 So even those school districts that are
4 achieving the performance target at 60 percent,
5 we're asking the question, "What do we do with the
6 other 40, then, that are not there?"

7 So we're not chasing kids; we're looking
8 to identify those human beings to appropriately
9 deliver the services necessary, and not just on the
10 limited basis of the seven; it's the broader
11 conversation of saying, "Do we need to establish a
12 support system for tutoring in the context of Career
13 Technical Education for all those students?"

14 Madam Chair, members of the Commission,
15 that concludes our report.

16 THE CHAIR: Thank you very much. Very
17 comprehensive, and we appreciate that.

18 Commissioners, do you have questions?

19 Commissioner Carr?

20 COMMISSIONER CARR: Madam Chair, I just
21 have a comment. I always can't help but comment on
22 the Perkins Grant, because, you know, I'm a big fan.
23 I would just like to make the statement that in
24 spite of maybe you not meeting some of your goals, I
25 would venture to guess where those students would be

1 if it hadn't been for the help the Perkins Grant
2 gives those schools.

3 So, you know, I -- I know we want to
4 strive for excellence, and yes, that's good, and
5 keep going. But, you know, pat yourself on the back
6 for -- you know, for doing a good job in
7 administering this -- this wonderful grant.

8 I -- we need a lot more money for things
9 like this. And at least we have this. And I
10 appreciate your work on it.

11 MR. SPENCER: Thank you.

12 DR. PEREA: Thank you. Toward that end,
13 Commissioner Carr, I didn't point out -- but you'll
14 be very happy to know -- that I compared -- at the
15 subgroup level, male, female, the different races,
16 economically disadvantaged, I compared the
17 graduation rates, which is one of the indicators
18 here, to the statewide graduation rates for
19 New Mexico. And in every single subcategory, the
20 CTE concentrators' graduation rates are higher,
21 generally, by about 10 percent.

22 COMMISSIONER CARR: Wonderful.

23 DR. PEREA: So it does make a big
24 difference.

25 THE CHAIR: It makes a difference.

1 DR. PEREA: Yeah.

2 THE CHAIR: Are there questions,
3 Commissioners?

4 Commissioner Toulouse?

5 COMMISSIONER TOULOUSE: I don't have a
6 question. I have a comment.

7 Dr. Perea, I found that after having
8 listened to Perkins Grants way back when I was at
9 CNM, as well as here, I liked your approach to when
10 you were explaining how you were getting the
11 improvement and talking to people about individuals,
12 not the aggregate; because I think that's what we do
13 so often is tell them that, "You've to do this
14 better."

15 But when you -- you know, and you may look
16 at dollar amounts or something, and you say, "Oh, I
17 can't."

18 You say, "One person, seven people," oh,
19 yeah, none of us are going to say, "No, we can't do
20 that." Besides, we'd look really silly if we said
21 we couldn't do that.

22 And I do appreciate your approach and your
23 explaining it to us that way. I think it's very
24 helpful. Thank you.

25 DR. PEREA: Thanks.

1 THE CHAIR: Thank you.

2 Commissioner Bergman?

3 COMMISSIONER BERGMAN: Well, I'll ask you
4 a question then.

5 DR. PEREA: Yes, sir.

6 COMMISSIONER BERGMAN: Based on what you
7 talked about there at the last as to your helping
8 the various school districts trying to get students,
9 males, to go maybe to, quote, female areas, and
10 females going into male professions, if that's how
11 we're going to categorize it, can you give me some
12 specifics? How do you -- how are these school
13 districts doing now? Are they doing it in
14 assemblies, or how are they doing it?

15 DR. PEREA: I can give you a couple of
16 examples. At Doña Ana, they are retooling their
17 marketing materials for their health services so
18 that the face on the cover is male instead of
19 female. That may seem like a very simple thing; but
20 making the brochure have a -- have a male caregiver
21 on the front gives the subliminal message that it is
22 okay for a male to be a caregiver.

23 So it's a very simple example.

24 Yesterday, I talked to a teacher who said
25 that they've redesigned all of their syllabi, and

1 they've gotten rid of the words "beautician" and
2 "barber," or "cosmetologist" and "barber," and
3 they're using "designer," because it's a more
4 gender-neutral term; and so trying to convey that
5 males can -- they can do facials, and they can do
6 nails. They can do -- they can do that stuff, too.
7 They don't have to just be a barber.

8 COMMISSIONER BERGMAN: Thank you for that.
9 I'm laughing, because next time I get a haircut, I'm
10 going to have to tell my male barber that he's now a
11 designer.

12 DR. PEREA: He's a hair designer.

13 THE CHAIR: He designs your hair-do.

14 COMMISSIONER BERGMAN: I guess so. Thank
15 you, Madam Chair.

16 THE CHAIR: Any other comments or
17 questions?

18 Commissioners, if you would care to note,
19 there is a proposed motion on the first sheet after
20 Tab 7 -- or, certainly, you can come up with your
21 own.

22 But hearing no further discussion, the
23 Chair would entertain a motion.

24 COMMISSIONER CARR: Madam Chair?

25 THE CHAIR: Commissioner Carr?

1 COMMISSIONER CARR: I was just -- I'm
2 just -- the words -- the beginning wording is a
3 little tricky; so -- I move the approval of the Carl
4 D. Perkins Consolidated Annual Report for the
5 performance period covering July 1, 2013, through
6 June 30, 2014, including the Final Financial Status
7 Report, covering performance period July 1, 2012,
8 through September 30, 2014, and the Interim
9 Financial Status Report, covering period July 1,
10 2013, through September 30, 2014.

11 THE CHAIR: Thank you. Do we hear a
12 second?

13 COMMISSIONER ARMBRUSTER: (Indicates.)

14 THE CHAIR: Commissioner Armbruster
15 seconds Commissioner Carr's motion to approve the
16 Carl D. Perkins Consolidated Report.

17 Is there further discussion?

18 Hearing none, Mr. Secretary, may we have a
19 roll-call vote?

20 COMMISSIONER BERGMAN: Commissioner
21 Chavez?

22 COMMISSIONER CHAVEZ: Yes.

23 COMMISSIONER BERGMAN: Commissioner
24 Gipson?

25 COMMISSIONER GIPSON: Yes.

1 COMMISSIONER BERGMAN: Commissioner
2 Conyers?
3 COMMISSIONER CONYERS: Yes.
4 COMMISSIONER BERGMAN: Commissioner
5 Peralta?
6 COMMISSIONER PERALTA: Yes.
7 COMMISSIONER BERGMAN: Commissioner Pogna?
8 COMMISSIONER POGNA: Yes.
9 COMMISSIONER BERGMAN: Commissioner
10 Toulouse?
11 COMMISSIONER TOULOUSE: Yes.
12 COMMISSIONER BERGMAN: Commissioner Carr?
13 COMMISSIONER CARR: Yes.
14 COMMISSIONER BERGMAN: Commissioner
15 Armbruster?
16 COMMISSIONER ARMBRUSTER: Yes.
17 COMMISSIONER BERGMAN: Commissioner
18 Shearman?
19 THE CHAIR: Yes.
20 COMMISSIONER BERGMAN: Commissioner
21 Bergman votes "yes."
22 Madam Chair, that is a 10-to-0 vote in
23 favor of that motion.
24 THE CHAIR: The motion passes unanimously
25 to approve the Carl D. Perkins Report. And we thank

1 you very much for all your hard work and the good
2 information you bring to us. We look forward to
3 seeing you again.

4 MR. SPENCER: Thank you very much.

5 THE CHAIR: Thank you. Let's go on to
6 Item 8, Discussion and Possible Action on Charter
7 School Amendments, Mr. Pahl or Julie.

8 MS. LUCERO: Madam Chair, members of the
9 Commission, we have two amendments this month. The
10 first is from La Promesa Learning Center. And we do
11 have members in the audience from La Promesa.

12 THE CHAIR: If they would like to come
13 forward to the table, please?

14 MS. LUCERO: La Promesa Learning Center is
15 requesting approval to revise their current mission
16 statement from, "The mission of La Promesa Learning
17 Center ensures that culturally and linguistically
18 diverse students thrive in an academic,
19 family-centered, developmentally seamless continuum
20 of learning, where high expectations, respect, and
21 empowerment meet grade-level proficiency"; to, "The
22 mission of La Promesa Early Learning Center ensures
23 that culturally and linguistically diverse students
24 thrive in an academic, family-centered,
25 developmentally seamless continuum of learning,

1 where high expectations, pride, respect, and
2 empowerment meet grade-level proficiency."

3 The CSD recommends approval of this
4 amendment.

5 THE CHAIR: Thank you very much.

6 Good morning. If you would introduce
7 yourselves, please, and we'd love to hear from you.

8 DR. ABEYTA: Dr. Carlos Abeyta.

9 MS. VELASQUEZ: Gloria Velasquez.

10 THE CHAIR: Do you need spelling?

11 THE REPORTER: No, ma'am.

12 THE CHAIR: Thank you. If you have
13 anything you'd like to share with us?

14 DR. ABEYTA: Commissioners, only -- only
15 to request that you approve our amendment. We have
16 a very nice cultural school that is devoted to
17 making sure that students' languages are supported,
18 and a very diverse school. And we try to make sure
19 that all the diversity is well supported through our
20 mission.

21 And our request is simple. We -- we go
22 through the mission annually with the teachers and
23 the parents and the staff. And this year, the staff
24 and the parents wanted for that word "pride" to be
25 included into the mission. And that's -- that's our

1 simple request today.

2 MS. VELASQUEZ: And Commissioners, I would
3 also like to say that our school has been a school
4 for the past ten years. And including that word in
5 the mission really says a lot for us, because we
6 feel a lot of pride -- our staff, our parents, our
7 students -- in the work that we have been doing.
8 And it was their decision to look at that mission
9 and say, "You know, this mission really does need
10 that word, because 'pride,' for us, is something
11 that is very important, because of the work that we
12 do and the way we deal with our students and our
13 parents and all the stakeholders at our charter."

14 THE CHAIR: Thank you very much for that.

15 COMMISSIONER TOULOUSE: Madam Chair, I'm
16 sorry. I got behind this and was thinking about the
17 next amendment. I need to recuse myself from this
18 vote, because of a relative attending the school.

19 THE CHAIR: Thank you.

20 So, really, the only -- the only change to
21 your mission statement is the inclusion of the word
22 "pride"?

23 DR. ABEYTA: That's correct.

24 THE CHAIR: Okay. Thank you.

25 Mr. Granata, I would ask you to look at the minutes

1 from their governance council meeting. And I
2 believe it's in this section right here. And there
3 is the motion, and if that meets requirements --

4 MR. GRANATA: Madam Chair, I believe that
5 the school's minutes are adequate for this motion.

6 THE CHAIR: Thank you very much.

7 Any other comments or questions from any
8 Commissioners?

9 COMMISSIONER CONYERS: Madam Chair?

10 THE CHAIR: Commissioner Conyers?

11 COMMISSIONER CONYERS: I guess, as I read
12 this, I was looking for maybe another descriptor as
13 to what kind of -- "pride" in what? Like, pride in
14 achievement? Pride in performance? Pride in
15 culture?

16 And don't misinterpret what I'm saying.
17 I'm not trying to be negative. But I looked up
18 "pride" in the dictionary. And a lot of the
19 definitions are very negative about "pride." It's
20 not always --

21 COMMISSIONER CARR: The Bible.

22 COMMISSIONER CONYERS: So that's why I was
23 looking for -- I felt like it was missing something.
24 But can you just elaborate what you mean by "pride"?

25 DR. ABEYTA: I did not look up the word in

1 the dictionary. But I know that in Spanish, "pride"
2 is the same thing as "orgullo." And a lot of times,
3 that word in Spanish has a context -- a negative
4 context. I didn't realize that it had the same
5 context in English.

6 Anyway, we are -- I think -- I think what
7 we're trying to say by adding the word "pride" is
8 all of the above that you're stating. It has to do
9 with pride in culture, pride in that we get
10 50 percent of our students speaking Spanish, and
11 pride that we get 50 percent of our students
12 speaking English, as well. We're prideful we have
13 a -- the ethnic diversity that we have, where more
14 than 90 percent of our student population come from
15 a Hispanic population. Some of that population are
16 recent immigrants; some of them are first-generation
17 immigrants; some of them are second-generation
18 immigrants. And some of them are heirs to the land
19 grants that are around the Albuquerque area.

20 So we're -- I think that's where -- where
21 we're coming from.

22 COMMISSIONER CARR: Madam Chair?

23 THE CHAIR: Could -- let's let the
24 presenter -- and then you'll be next. Please go
25 ahead.

1 MS. VELASQUEZ: And I am the principal of
2 this school. And every morning I talk to the
3 children. I address them, first of all, with -- we
4 do our Pledge of Allegiance. And that, to us,
5 signifies a lot of pride in what country we are --
6 we are addressing this salute to.

7 When I talk to the kids about their
8 hallways and their bathrooms, I talk about the pride
9 that they need to have in maintaining that building
10 that we have that's such a beautiful space. When I
11 talk to them about the way that they deal with each
12 other, I talk to them about the pride that they need
13 when they communicate with their peers.

14 I talk to them about their work and the
15 pride that they need to show and give to their
16 parents, because of the hard work that they do
17 sending them to school. I talk to them about the
18 pride that they should have in the work that they
19 submit and how it should be done in a fashion
20 that -- that shows that it's the best that they can
21 do.

22 So in -- whenever I speak to kids as far
23 as "pride," I -- I'm sorry to say that I really
24 never thought of "pride" as being negative; I've
25 always made them -- or helped them see that having

1 pride is something that you are proud of, because it
2 is good.

3 THE CHAIR: Thank you very much.

4 Commissioner Carr?

5 COMMISSIONER CARR: I can't help but add
6 some historical context in recent history, that --
7 the word "pride" meaning has changed. When I think
8 about Black Pride. I think about Union Pride. I
9 think about people who are oppressed and have been
10 put down, and need to be built up because they've
11 been beaten down for so long. And, you know, words
12 change over time, and the meanings change over time;
13 and they're pertinent to culture.

14 I think of Martin Luther King -- we're
15 celebrating Monday -- Cesar Chavez and all those
16 people, to instill pride in people who were beaten
17 down. So I know exactly what you mean by "pride"
18 and fully support it.

19 MS. VELASQUEZ: Thank you.

20 THE CHAIR: Thank you for that.

21 Any other comments, Commissioners?

22 COMMISSIONER GIPSON: Madam Chair?

23 THE CHAIR: Commissioner?

24 COMMISSIONER GIPSON: I think when we're
25 in a day and age of bullying, I think this is an

1 important concept to students' self-esteem. So I
2 think it is integral to a school like this to
3 incorporate a statement like this. I think it's
4 very important.

5 THE CHAIR: Thank you for that.

6 Any other comments?

7 Hearing none, Commissioners, I would note
8 that there is a proposed motion -- actually, two
9 proposed motions -- right after your tab. The first
10 is for approval, and the second is for approval with
11 conditions, if you would care to use one of those
12 motions, or choose to word your own. But the Chair
13 would entertain a motion for this amendment.

14 Commissioner Peralta?

15 COMMISSIONER PERALTA: I would ask that
16 the Commission move to approve the amendment
17 presented by La Promesa Early Learning Center to
18 revise their current mission statement from, "The
19 mission of La Promesa Early Learning Center ensures
20 that culturally and linguistically diverse students
21 thrive in an academic, family-centered,
22 developmentally seamless continuum of learning,
23 where high expectations, respect, and empowerment
24 meet grade-level proficiency"; to, "The mission of
25 La Promesa Early Learning Center ensures that

1 culturally and linguistically diverse students
2 thrive in an academic, family-centered,
3 developmentally seamless continuum of learning where
4 high expectations, pride, respect, and empowerment
5 meet grade-level proficiency."

6 THE CHAIR: Thank you, Commissioner. Do I
7 hear a second?

8 COMMISSIONER POGNA: Second.

9 THE CHAIR: Commissioner Pogna.

10 Moved by Commissioner Peralta, second by
11 Commissioner Pogna, to approve the amendment
12 presented by La Promesa Early Learning Center, as is
13 on the official record.

14 Is there further discussion?

15 Hearing none, the Chair would ask for a
16 roll-call vote.

17 COMMISSIONER BERGMAN: Commissioner
18 Gipson?

19 COMMISSIONER GIPSON: Yes.

20 COMMISSIONER BERGMAN: Commissioner
21 Conyers?

22 COMMISSIONER CONYERS: Yes.

23 COMMISSIONER BERGMAN: Commissioner
24 Peralta?

25 COMMISSIONER PERALTA: Yes.

1 COMMISSIONER BERGMAN: Commissioner Pogna?

2 COMMISSIONER POGNA: Yes.

3 COMMISSIONER BERGMAN: Commissioner

4 Toulouse abstains.

5 Commissioner Carr?

6 COMMISSIONER CARR: Yes.

7 COMMISSIONER BERGMAN: Commissioner

8 Armbruster?

9 COMMISSIONER ARMBRUSTER: Yes.

10 COMMISSIONER BERGMAN: Commissioner

11 Chavez?

12 COMMISSIONER CHAVEZ: Yes.

13 COMMISSIONER BERGMAN: Commissioner

14 Shearman?

15 THE CHAIR: Yes.

16 COMMISSIONER BERGMAN: Commissioner

17 Bergman votes "yes."

18 Madam Chair, that is a 9-to-0 vote in
19 favor of the motion, with one abstention.

20 THE CHAIR: Thank you very much. The
21 amendment presented by La Promesa Early Learning
22 Center is approved. Thank you all for being here
23 today. Continued good luck with your school.

24 MS. VELASQUEZ: Thank you.

25 MS. LUCERO: Madam Chair, members of the

1 Commission, the next amendment request is for
2 Mission Achievement and Success Charter School, also
3 a request to revise their current mission statement.
4 And we also have members from Mission Achievement
5 and Success Charter School here, as well.

6 THE CHAIR: If they would like to come
7 forward?

8 MS. LUCERO: Mission Achievement and
9 Success Charter School is requesting approval to
10 revise their current mission statement from, "The
11 mission of MAS is to prepare middle and high school
12 students to be successful in college and the
13 competitive world by providing a rigorous college
14 preparatory program in a safe and effective learning
15 environment. Our primary objective is to instill in
16 our students a commitment to high academic
17 achievement, continual goal setting and principles
18 of personal success"; to, "The mission of MAS is to
19 prepare students to be successful in a college" --
20 sorry -- "a college and the competitive world by
21 providing a rigorous college preparatory program in
22 a safe and effective learning environment. Our
23 primary objective is to instill in our students a
24 commitment to high academic achievement, continual
25 goal setting, and principles of personal success."

1 THE CHAIR: Thank you all for being here.
2 If you would introduce yourselves, please, and then
3 make whatever comments you would care to.

4 MS. MYERS: Thank you. Good morning. I'm
5 JoAnn Myers. I'm the principal of MAS.

6 MR. LANGSTON: My name is Bruce Langston.
7 I'm the board chairman at MAS Charter.

8 MS. MYERS: So comments -- it's really
9 simplistic. We're just looking to take out the
10 words "middle and high school students" and make it,
11 simplistically, "students." And the intent of doing
12 that is we're eventually requesting to expand to
13 elementary school. And that aligns the mission --
14 we don't intend to change the mission with that
15 goal. It just aligns it so the words match the
16 students that are there.

17 THE CHAIR: Thank you. Would you please
18 introduce yourself? I know you're here.

19 MS. PEÑA: Sorry. My name is Jennifer
20 Peña. I'm the special education coordinator and the
21 testing coordinator at MAS.

22 THE CHAIR: Thank you very much. I will
23 say I received a call from Mr. Langston earlier in
24 the week inviting me to come and visit their school
25 when he noticed that we were having our meeting in

1 Albuquerque. And I thanked him for that invitation.
2 And I entirely meant to be there. But the weather
3 turned so bad, by the time I got here the school was
4 long out of session. But I do appreciate the
5 invitation, and I'll try to make it one of these
6 days.

7 MR. LANGSTON: Madam Chairman, Commission
8 members, I would like to extend that invitation to
9 all of you. We're very, very proud of what we're
10 accomplishing there. It's taken a lot of hard work.
11 I'm actually 21 years old. I know I look about 70;
12 but I think I'm going to be able to hang in there a
13 little bit.

14 But we would love to have you out. We're
15 very proud of what we're accomplishing. And any
16 time you're in the neighborhood, that invitation is
17 extended; so please come out and visit us.

18 THE CHAIR: Thank you for that.

19 MR. LANGSTON: Thank you, ma'am.

20 THE CHAIR: Commissioners, do you have
21 questions?

22 COMMISSIONER TOULOUSE: Madam Chair, I
23 have a comment. I am going to go visit the school
24 again. I've been there. Now they have the entire
25 building. And people really should watch how the

1 students behave there. It's a very interesting
2 dynamic -- because I've been to a number of the
3 charter schools now; but what I like is the other
4 services the school provides, including uniforms for
5 their students that may not be able to afford them,
6 and three meals a day, not two.

7 And that's why I think people should go
8 see what -- how many hours they are open and what
9 they do for their students.

10 And I do have to disagree with
11 Mr. Langston. I knew his dad. I know he's not
12 21 years old. I won't say how old. Maybe 29.

13 MR. LANGSTON: There you go. I can handle
14 that.

15 COMMISSIONER TOULOUSE: Thank you.

16 THE CHAIR: Other comments or questions?

17 Mr. Granata has let me know that the
18 governance council minutes are sufficient to support
19 this -- this amendment.

20 Hearing no further questions or comments,
21 the Chair would entertain a motion. Again, there is
22 a proposed motion on those pages right after the
23 tab.

24 COMMISSIONER BERGMAN: Did you get
25 someone? Then I guess I will do it then.

1 THE CHAIR: You're elected, Commissioner
2 Bergman.

3 COMMISSIONER BERGMAN: Madam Chair, I move
4 that the Public Education Commission approve the
5 amendment presented by the Mission Achievement and
6 Success Charter School to revise their current
7 mission statement from, "The Mission of MAS is to
8 prepare middle and high school students to be
9 successful in college and the competitive world by
10 providing a rigorous, college preparatory program in
11 a safe and effective learning environment. Our
12 primary objective is to instill in our students a
13 commitment to high academic achievement, continual
14 goal setting, and principles of personal success";
15 and changing that statement to, "The mission of MAS
16 is to prepare students to be successful in college
17 and the competitive world by providing a rigorous
18 college preparatory program in a safe and effective
19 learning environment. Our primary objective is to
20 instill in our students a commitment to high
21 academic achievement, continual goal setting, and
22 principles of personal success."

23 THE CHAIR: Thank you, Commissioner.

24 Do we have a second?

25 COMMISSIONER TOULOUSE: (Indicates.)

1 THE CHAIR: Commissioner Toulouse?
2 Motion by Commissioner Bergman, second by
3 Commissioner Toulouse, to approve the amendment
4 presented by Mission Achievement and Success Charter
5 School, as was read on the formal record.

6 Is there further discussion?

7 Hearing none, the Chair would ask for a
8 roll-call vote.

9 COMMISSIONER BERGMAN: Commissioner
10 Conyers?

11 COMMISSIONER CONYERS: Yes.

12 COMMISSIONER BERGMAN: Commissioner
13 Peralta?

14 COMMISSIONER PERALTA: Yes.

15 COMMISSIONER BERGMAN: Commissioner Pogna?

16 COMMISSIONER POGNA: Yes.

17 COMMISSIONER BERGMAN: Commissioner
18 Toulouse?

19 COMMISSIONER TOULOUSE: Yes.

20 COMMISSIONER BERGMAN: Commissioner Carr?

21 COMMISSIONER CARR: Yes.

22 COMMISSIONER BERGMAN: Commissioner
23 Armbruster?

24 COMMISSIONER ARMBRUSTER: Yes.

25 COMMISSIONER BERGMAN: Commissioner

1 Chavez?

2 COMMISSIONER CHAVEZ: Yes.

3 COMMISSIONER BERGMAN: Commissioner

4 Gipson?

5 COMMISSIONER GIPSON: Yes.

6 COMMISSIONER BERGMAN: Commissioner

7 Shearman?

8 THE CHAIR: Yes.

9 COMMISSIONER BERGMAN: Commissioner

10 Bergman votes "yes."

11 Madam Chair, that is a 10-to-0 vote in
12 favor of that motion.

13 THE CHAIR: Thank you. The vote to
14 approve the amendment presented by Mission
15 Achievement and Success Charter School is
16 unanimously passed. Congratulations.

17 MR. LANGSTON: Thank you very much,
18 Madam Chairman, Committee members. Thank you.

19 THE CHAIR: And thank you for being here
20 today.

21 Commissioners, shall we take a break?
22 This looks like a pretty good point to me. If I see
23 the clock on the wall correctly, let's come back at
24 25 minutes till 11:00. We are in recess.

25 (Recess taken, 10:20 a.m. to 10:38 a.m.)

1 THE CHAIR: Let's move on to Item No. 9,
2 School Improvement Plans. And I think we're going
3 to hear from Julie.

4 MS. LUCERO: Yes. Madam Chair, members of
5 the Commission, we have received improvement plans
6 from the following schools: ACE Leadership High
7 School; La Promesa Early Learning Center; South
8 Valley Prep; Tierra Encantada; Academy of Trades and
9 Technology; Southwest Primary Learning Center;
10 Southwest Intermediate Learning Center; and
11 Southwest Secondary Learning Center.

12 All schools that were required to submit
13 an improvement plan did so. A liaison from CSD
14 worked individually with the schools to prepare
15 improvement plans, make suggestions, collaborate on
16 ideas of areas of need, areas that they can grow,
17 and felt very pleased with the outcome of the
18 improvement plans submitted.

19 Also, governing board minutes have not
20 been submitted due to the holiday. Many of the
21 schools have not had board meetings yet and will
22 submit GC minutes showing approval of these
23 improvement plans at a later time.

24 THE CHAIR: Okay. Thank you.

25 Commissioners, do you have questions

1 regarding these improvement plans? Commissioner
2 Bergman?

3 COMMISSIONER BERGMAN: Julie, I might ask,
4 were there any of these plans that you were not
5 satisfied with that you're going to have to go back
6 and work with them more?

7 MS. LUCERO: No. We were satisfied with
8 all the plans submitted.

9 There was a little bit of back-and-forth
10 with a couple of the schools initially of not being
11 satisfied with the plans. And they did take the
12 advice and improve those. But it is an ongoing
13 process.

14 CSD will continue to work with these
15 schools in different areas to encourage, point out
16 different areas of need that they might want to
17 include, and also show some accountability for
18 the -- what they promise us.

19 COMMISSIONER BERGMAN: Absolutely. Thank
20 you.

21 Thank you, Madam Chair.

22 THE CHAIR: Thank you. Are there
23 questions, Commissioners?

24 Commissioner Toulouse?

25 COMMISSIONER TOULOUSE: I have a question.

1 These are very different kinds of plans. Some of
2 them are very short, and some are very long. Was
3 there some kind of discussion on what was expected
4 in them?

5 MS. LUCERO: Madam Chair, members of the
6 Commission, Commissioner Toulouse, yes, we did have
7 a discussion. And we approached the improvement
8 plans differently this time compared to the last
9 round of submissions.

10 Last time, a template -- a sample template
11 was sent out to the schools, and the schools just
12 really followed and plugged in their names to that
13 improvement plan. We wanted this improvement plan
14 to be individualized to the school and their
15 specific needs. And so some schools had -- they had
16 different needs. Every school was a little
17 different. And so each liaison contacted and
18 collaborated with these schools to come up with this
19 particular plan.

20 And for the most part, all but one school,
21 I would say, really, really collaborated in detail.
22 There was back and forth with that. That's why
23 these look different. We wanted the improvement
24 plan to be purposeful and, really, to serve a
25 purpose.

1 COMMISSIONER TOULOUSE: Thank you. It
2 just seems to me that some of them had much more
3 depth and detail; and others are still kind of just
4 skimming the surface. And I think in some areas,
5 that's probably legitimate, because things have
6 already been done or are being done. But if we're
7 going to have to do a plan, to me, a plan is more
8 detailed; you know, A, B, C, or whatever. "This
9 follows this, follows this, follows this, and we
10 will monitor this."

11 And so, I mean, I know this is just
12 beginning; but I just wondered how that was all
13 approached, because, again, having done lots and
14 lots of planning -- and it's a lot harder to do an
15 improvement plan than it is to set out an initial,
16 from-the-very-beginning plan. And so it seems to me
17 there needs to be a little more give-and-take on,
18 "Okay, now that you're in this situation, exactly
19 how are you going to get it from here to there?"

20 MS. LUCERO: Right. Madam Chair, members
21 of the Commission, for example, if you'll notice
22 La Promesa's improvement plan, I worked specifically
23 with that school. I met with them individually, and
24 we had some back-and-forth. And you'll notice their
25 plan was very detailed.

1 COMMISSIONER TOULOUSE: Right.

2 MS. LUCERO: And they were willing to work
3 and have the conversation of what -- you know, some
4 possibilities, some suggestions.

5 There was another school that I tried to
6 work with that they really didn't see the value in
7 the improvement plan, and so the back-and-forth
8 wasn't as extensive. So those are relationships
9 that we'll work on with those schools that quite
10 don't have the buy-in yet; whereas, La Promesa was
11 very easy to work with, and as you can see, their
12 plan is very detailed. And I can see where that
13 would really, really help with the growth of an
14 improvement in their school.

15 COMMISSIONER TOULOUSE: Thank you.

16 THE CHAIR: Julie, have you -- has CSD set
17 a final date -- or a date for the final submission
18 of these improvement plans? This is a draft. Is
19 there a date for the final?

20 MS. LUCERO: Madam Chair, members of the
21 Commission, we have not determined a date. We
22 wanted you to look over these; and so if you had
23 ideas, suggestions, any thoughts as to what an
24 expectation for a final might be?

25 THE CHAIR: Okay. Do I have just one

1 question. I notice at the top of this -- the first
2 one I'm looking at is ACE Leadership. And they all
3 say pretty much the same thing, that it's an
4 improvement plan for 2014-'15. However, on the time
5 line for ACE Leadership, there shows "Summer 2016"
6 as the time line completion date for these
7 activities. Is that a typographical error, or --

8 MS. LUCERO: Madam Chair, members of the
9 Commission, ACE Leadership was one of the schools
10 that we struggled a little bit with an improvement
11 plan. And so we -- I am working with them in a much
12 closer way to determine that. So although their
13 date does say "2016," I am in contact with them more
14 frequently to determine that. So although the date
15 does state "2016," I will be following up and
16 checking in on them frequently throughout this
17 spring semester.

18 So their idea was they wanted to present
19 data at the end of the year showing growth --
20 needing more time to show growth. And we didn't --
21 we didn't require a specific date of when things
22 were due in this improvement plan.

23 You'll notice in other areas, some schools
24 immediately could prove or provide evidence as to
25 what was working; some schools felt that they needed

1 more time to produce evidence. And so we did leave
2 that up to the school; but after reading improvement
3 plans, knowing which schools might need more
4 assistance from us and more frequent visits and
5 follow-up.

6 THE CHAIR: I would say my personal
7 opinion is this is a one-year improvement plan. So
8 a "2016" date is not acceptable.

9 MS. LUCERO: Madam Chair, I agree. So we
10 will -- I will follow up with ACE and ask for a
11 revision on that piece, to your request.

12 THE CHAIR: Thank you very much.

13 Other comments? Questions?

14 COMMISSIONER GIPSON: I guess I just
15 have a -- I don't know if it's a comment or a
16 question. I have a concern about someone not
17 having -- not seeing value in the improvement plan.

18 MS. LUCERO: Madam Chair, members of the
19 Commission, the improvement plan is new to some of
20 these schools. And so maybe not seeing value is not
21 the correct language that I should have used. But
22 not -- when collaborating with that school in
23 particular, it was difficult to come up with this
24 product.

25 And I think it's just going to take time

1 and work to get to the place we need to be. And
2 there is value in the improvement plan. And from
3 CSD's point of view, we will continue to push, that
4 this is -- there is value to this. And schools that
5 were willing to collaborate with us, I think do see
6 that. And so, yes, I -- I agree with you. And it
7 is a work in progress with that particular school.

8 COMMISSIONER GIPSON: So I guess I have
9 just one follow-up. Is there something that can
10 be -- I'm not trying to put this -- is there
11 something that is needed so that they have a better
12 sight of why the improvement plan is more important?
13 I'm -- you know, I'm just --

14 MS. LUCERO: Madam Chair, members of the
15 Commission, Commissioner Gipson, I think continual
16 communication with this particular school is going
17 to take time, and just reinforcement from the PEC
18 that we do have this expectation and that it is a
19 requirement, I think, will be communicated and will
20 help the process.

21 COMMISSIONER GIPSON: All right. Thank
22 you.

23 THE CHAIR: Commissioners, my suggestion
24 would be that we -- these are all draft improvement
25 plans, that we wait until next month when we have

1 the minutes from the governance council; and perhaps
2 do we need to work with CSD to set a final deadline
3 for a final improvement plan, or do we need to
4 simply leave that up to CSD to work with the schools
5 and -- I think there needs to be a definite date
6 when this final plan needs to be provided.

7 Julie, you -- give us some guidance here.
8 Would you rather we set a date? Would you like to
9 suggest a date? Or would CSD like to work on this a
10 little while longer before we try to set that date?

11 MS. LUCERO: Madam Chair, members of the
12 Commission, I feel that the end of this month should
13 be a reasonable date for a final. We've met --
14 we've presented the initial plans. If you have
15 feedback, we can go back to these schools and come
16 up with a final piece. For example, the school that
17 you mentioned with the date, we would go back
18 immediately and have them correct that.

19 I think extending the date any further
20 will make the process not as valuable. So making
21 the date final by January 31st -- now, we have
22 requested governing board minutes approving the
23 improvement plan. Realistically, thinking about it,
24 we probably should have waited to get a final
25 approval and a final draft, rather than having the

1 draft approved by their governing board and now a
2 final.

3 But we could make that request by
4 January 31st.

5 COMMISSIONER TOULOUSE: Well -- and
6 Madam Chair?

7 THE CHAIR: Commissioner?

8 COMMISSIONER TOULOUSE: I'm concerned that
9 the Southwest Learning Centers have identical plans
10 for the Intermediate and the Secondary schools.

11 MS. LUCERO: Madam Chair, members of the
12 Commission, Southwest Secondary School, there was a
13 bit of confusion on their improvement plan. There
14 was actually only one request for an improvement
15 plan for one of their schools. So we had a
16 conversation -- we did have some back-and-forth with
17 the school. And since all of their schools are
18 exactly -- they're run by the same financial
19 oversight, the improvement plan was recommended for
20 budget purposes only, not any academic purpose.

21 So we felt that it was sufficient to have
22 one plan for all three schools, since their business
23 management was, reasonably, the same person -- same
24 entity.

25 We could go back and ask for separate

1 plans from each of the schools; but we also need
2 clarification as to whether it was decided that
3 there was an improvement plan required from all
4 three schools, or just one.

5 THE CHAIR: Please, Josh?

6 MR. GRANATA: Madam Chair, Commissioners,
7 I'd like to kind of clear up what Julie has alluded
8 to and to alleviate some of Commissioner Toulouse's
9 concerns.

10 When the letters went out to the three
11 schools for the approval of their charters, the
12 letter to Southwest Intermediate School,
13 unfortunately, I omitted the improvement plan as a
14 condition for that school. And so there was some
15 confusion.

16 And I think in order to -- to best satisfy
17 the PEC, they decided to go ahead and put that
18 improvement plan in there. And part of the reason
19 that that was omitted was because I had to draft
20 these letters before I had all of the minutes back
21 from -- from the previous meeting.

22 So any kind of uncertainty regarding their
23 need for the improvement plan, I take some of that
24 responsibility.

25 THE CHAIR: But just to clarify, this

1 Commission did approve each one of those schools for
2 a two-year term with conditions; is that correct?

3 MR. GRANATA: That is correct,
4 Madam Chair.

5 THE CHAIR: Okay. Commissioner Bergman?

6 COMMISSIONER BERGMAN: Well, Madam Chair,
7 I would suggest that this Commission, then, just
8 empower Julie and Matt and CSD to notify these
9 schools that January 31st is the deadline, and we
10 can either do that with a vote, or we just can do it
11 verbally, whatever counsel says.

12 MR. GRANATA: Madam Chair, Commissioner
13 Bergman, I think you can just do it verbally. And
14 if there's any opposition, Commissioners can note
15 their opposition via vote; but I think verbally is
16 fine.

17 COMMISSIONER BERGMAN: If that's the will
18 of the Commission, we should do it.

19 THE CHAIR: Commissioner Chavez?

20 COMMISSIONER CHAVEZ: Yeah, I just wanted
21 to make a comment, as well.

22 I just also wanted to make a comment about
23 the improvement plans, Madam Chair. When I'm
24 looking at some of them, I think one of the things
25 that would be helpful, too, is if in the improvement

1 plans, there were some time frames set in terms of
2 when they're going to accomplish some of their
3 goals, as opposed to saying, "Well, you know, this
4 is what we're going to do," and not give any kind of
5 a time frame or a date as to when it's going to be
6 done by.

7 THE CHAIR: Any other comments?

8 Does anyone oppose empowering Julie and
9 Matt to set that July -- January 31st deadline for
10 the final improvement plans and to see if we can
11 work -- or they can work to get the boards'
12 approvals for January -- for our February meeting?

13 So final improvement plans and approval of
14 governance councils for the February meeting?

15 MS. LUCERO: Madam Chair, members of the
16 Commission, yes, I will set the deadline for the
17 31st, encourage time lines for the improvement plan,
18 and expect governing board minutes.

19 THE CHAIR: Thank you. Does that meet
20 with everyone's approval? All right. Thank you
21 very much.

22 Let's move on to item No. 10, New Charter
23 School Planning Year Checklist Update.

24 MS. LUCERO: Madam Chair, members of the
25 Commission, we have -- the deadline for the Planning

1 Year Checklist, the initial deadline is
2 January 31st. I am responsible for all three new
3 charter schools and their training and Planning Year
4 Checklist implementation. I have conferenced or met
5 with each of the three schools. All three schools
6 have pretty much already completed the items that
7 are due on January 31st, and are really doing well
8 and on the right path.

9 Because there are only three schools, it's
10 pretty easy for me to meet with these schools
11 individually and on a one-on-one basis; so I feel
12 like I'm providing pretty valuable time on my end.
13 And they're well on their way. They're asking
14 questions already about the 31st.

15 At the Department, we have created a
16 resource packet for each of the deadlines that
17 includes a sample of each item that is due for each
18 period, being January 31st, March 31st; and that's
19 available to them, as well as the individual meeting
20 time. So during our February meeting, we will have
21 the checklist available with any notes and comments
22 and their submissions.

23 THE CHAIR: Very comprehensive. Thank you
24 very much.

25 Do we have any questions or comments?

1 Hearing no comments or questions, thank
2 you very much for that report.

3 Let's move on to item No. 11, which is a
4 Report from Options for Parents and the Charter
5 School Division.

6 Item No. A begins with Schools of Concern.

7 MS. LUCERO: Madam Chair, members of the
8 Commission, the three schools, the first being
9 Southwest Learning Centers, there's no new updates
10 for Southwest Learning Centers.

11 PED is still in charge of their finances.
12 We will continue to update with any new information
13 with Southwest Learning Centers as it is available
14 to us.

15 Health Sciences Academy is well,
16 continuing with their new principal, and seem to be
17 on the right path as far as stabilizing their
18 administration. We will continue to monitor them,
19 as well.

20 Dream Diné, I do have an update on their
21 facility. They -- they do -- although their
22 building -- their facility -- seems to be moving
23 forward, we just received an e-mail -- and I have
24 that in my binder instead of Matt's. They did have
25 some substantial work. They did make substantial

1 progress this week. But they do have a lease
2 extension through March 15th, and the possibility to
3 extend that lease in their current facility, if
4 their issues are not resolved. But they do seem to
5 be moving forward in that sense.

6 THE CHAIR: Thank you very much for that.

7 Do you have questions on these -- any of
8 these three schools?

9 I will ask Commissioner Peralta -- I know
10 it's sort of putting you on the spot. You attended
11 your first PSCOC meeting yesterday. Did they have
12 any comments or anything to say about Dream Diné and
13 the status of their new facility?

14 COMMISSIONER PERALTA: No. Dream Diné was
15 not brought up on any discussion during the meeting.

16 THE CHAIR: They must be all right with
17 it, then. Sounds good.

18 Okay. Any questions?

19 All right, Julie. Let's move on to item
20 No. B.

21 MS. LUCERO: Closure Procedures for
22 Anthony Charter School. We have started meeting --
23 we have notified them that a closure team has been
24 established. There has been some back-and-forth.
25 They have requested documents from the renewal

1 process from CSD that we have provided.

2 I am not aware of an appeal at this time,
3 but they are requesting documents. Our closure team
4 is very set. We have our documentation ready to go
5 for that process, in place. The closure team
6 includes a contractor, myself, and some people from
7 budget, from PED.

8 THE CHAIR: Okay. You are bringing in a
9 contractor?

10 MS. LUCERO: Yes. I also continue to work
11 with their interim director on the day-to-day
12 operations. He is very knowledgeable, but has many
13 questions concerning day-to-day practices. And I
14 provide that support, as needed.

15 THE CHAIR: Very good. Any questions?

16 COMMISSIONER TOULOUSE: Madam Chair?

17 THE CHAIR: Commissioner Toulouse?

18 COMMISSIONER TOULOUSE: I'm nosy. I'd
19 like to know what kind of documents they're asking.

20 MS. LUCERO: Madam Chair, members of the
21 Commission, they're asking for our final analysis
22 from the renewal of their applications, and their
23 applications that they submitted. And it's actually
24 been requested by the director and legal -- I'm not
25 sure if it's their current lawyer, or if it's just a

1 member of a committee that they've organized.

2 THE CHAIR: Okay. Commissioner Bergman?

3 COMMISSIONER BERGMAN: Julie, in the past,
4 with a few schools that we have closed, we have had
5 a time line, 15 to 20 pages long, with everything on
6 that time line of what was going to be required for
7 the school, and you, to accomplish during these
8 closures. Do you have that document yet? Because
9 we've always had that, and then it's updated each
10 month throughout the process.

11 MS. LUCERO: Madam Chair, members of the
12 Commission, yes, we are using that document
13 specifically for this closure process. And when I
14 drafted the initial letter of what is expected, I
15 referred to that specific time line.

16 COMMISSIONER BERGMAN: Okay. So what I'm
17 saying is we'd like to have that document, at your
18 convenience.

19 MS. LUCERO: Yes, we will provide it, as
20 frequently as we can, on the closure.

21 THE CHAIR: Perhaps if you could just
22 provide the document to us in February, and then
23 update it at each meeting after that as the process
24 moves forward?

25 MS. LUCERO: Madam Chair, members of the

1 Commission, I will do that.

2 THE CHAIR: Okay. Thank you so much.

3 Anything else on Anthony Charter School?

4 COMMISSIONER TOULOUSE: Madam Chair, what
5 is the deadline for them to appeal it?

6 THE CHAIR: Josh?

7 MR. GRANATA: Madam Chair, Commissioner
8 Toulouse, the deadline, from my understanding, is
9 the 19th of this month. And as of right this
10 second, I haven't received notice of an appeal.
11 We'll just have to wait and see in these next few
12 days.

13 COMMISSIONER TOULOUSE: Thank you.

14 THE CHAIR: Commissioner?

15 COMMISSIONER CHAVEZ: Madam Chair? So
16 then should I assume that the school is to be closed
17 at the end of this school year? Is that the idea?

18 THE CHAIR: Yes.

19 COMMISSIONER CHAVEZ: Okay. And in --
20 Madam Chair, in the plan or the time line that --
21 that you all are talking about, is there also
22 conversation about where those kids go, or are they
23 just sort of thrown to the wind and --

24 THE CHAIR: Please.

25 MS. LUCERO: Madam Chair, members of the

1 Commission, yes, there's a very detailed plan and
2 suggestions of where these students can go. The
3 school is required to contact local districts. And
4 we will follow up with local districts, as well,
5 from CSD.

6 Now, of course, we cannot make a student
7 go to a particular place; but we can provide
8 options. And the plan is pretty detailed, and there
9 is lots of communication closing a school. It's
10 pretty intense. This will be the first time. But
11 there is a lot involved in it.

12 And I -- yes, we will keep students in
13 mind as a primary focus of where these students will
14 go.

15 COMMISSIONER CHAVEZ: But, Madam Chair,
16 who's talking to the parents?

17 MS. LUCERO: Madam Chair, members of the
18 Commission, there -- it would be our closure team
19 lead, the contractor that we are seeking out; and it
20 could also be CSD and members from PED that would
21 have those conversations. And, really, the closure
22 team lead is responsible. She's already made
23 initial contact with the school and their board.

24 I have also made contact with both -- I --
25 the only person that responds to me is the interim

1 director. So I'm not sure if that's because they're
2 deciding on the appeal piece or not. But
3 ultimately, it is their school's responsibility to
4 have constant communication and set up community
5 meetings and go through that process with guidance
6 from us and the closure lead.

7 COMMISSIONER CHAVEZ: So, Madam Chair, do
8 we know if that's happened yet already?

9 THE CHAIR: I think, again, it's that time
10 line document. And unless you have that in front of
11 you, Julie, I don't know if you can really respond
12 to that. But I know things are very detailed, when
13 each thing should happen; and it's all covered, as I
14 recall.

15 MS. LUCERO: Madam Chair, members of the
16 Commission, yes, in fact, the team lead has
17 scheduled to meet with them next week. Now, the
18 school has been a little hesitant as far as the
19 meeting time, because I get the sense that they are
20 thinking they might appeal. But once the appeal
21 date has come, and we know, then we can move forward
22 more aggressively. Or we would -- we still plan, if
23 they do appeal, to move forward with the closure
24 process.

25 THE CHAIR: Commissioner Bergman?

1 COMMISSIONER BERGMAN: That's what I was
2 going to note. Even if they appeal -- for the
3 benefit of our new members, we proceed -- the CSD
4 and we proceed with the closure, because it is a
5 complex process, and parents and kids have to answer
6 those kind of questions: "Where am I going to put
7 my child if this school is closed on June the 30th?"

8 So we proceed until someone -- either the
9 Secretary or a court tells us to stop. That's how
10 we approach it.

11 MS. LUCERO: So, Madam Chair --

12 THE CHAIR: And if I recall correctly,
13 there is support for the school personnel, for the
14 teachers and so forth, who will also be displaced by
15 this closure. There is support for them in this
16 plan, as well.

17 MS. LUCERO: Madam Chair, members of the
18 Commission, yes. So I do know for sure the date is
19 next Wednesday, the initial meeting on the closure
20 plan.

21 THE CHAIR: Any other questions?
22 Concerns?

23 All right. Thank you. Thank for you
24 that.

25 Let's move on to Item C.

1 MS. LUCERO: CSD Staffing Update and
2 Facilitator Contract. I actually have met with a
3 facilitator that will be leading negotiations. The
4 meetings have been very -- very wonderful, and we're
5 working together through the process. She will be
6 guiding the process, along with me. I will attend
7 those to where we're working together to make sure
8 the process is very good and a great learning
9 experience for everyone involved.

10 THE CHAIR: And, Julie?

11 MS. LUCERO: The final contract, I'm not
12 sure how long that takes. Speaking with her seems
13 like it could take up to a couple of weeks before
14 it's final. But we are -- that has been
15 established, and it's moving.

16 THE CHAIR: We're hoping -- we're hoping
17 for the end of the month.

18 MS. LUCERO: Yes. And we still are
19 meeting -- even though the contract isn't final,
20 she's been willing -- the contractor is being
21 willing to work with me, even though the plan isn't
22 in place yet.

23 THE CHAIR: And so that -- because of
24 the -- I can't think of the right word to use -- the
25 facilitator is not going to be on board before the

1 end of the month. So those negotiations that we had
2 scheduled for January are going to have to be
3 rescheduled. And the schools that were scheduled
4 for those negotiations, or renegotiations, have they
5 all been notified?

6 MS. LUCERO: Madam Chair, members of the
7 Commission, yes. We have sent out tentative dates.
8 We have a calendar that we're presenting today with
9 proposed changes for those January schools, where
10 they'll be plugged in.

11 Now, there is -- the initial worksheet
12 would be due -- for those February meetings, the
13 deadline would be today; so we'll have to work with
14 that new deadline. But we are providing training on
15 negotiations next Wednesday, a Webinar about the
16 process itself, and taking the lead from the
17 facilitator what is expected for this process and
18 the back-and-forth with the worksheet deadlines that
19 they need to meet as far as submitting paperwork,
20 submission of board minutes, the -- and the actual
21 date and what comes after that, as far as presenting
22 a final contract to their board and then to the PEC
23 for final approval.

24 THE CHAIR: Commissioner Bergman?

25 COMMISSIONER BERGMAN: We've already

1 pushed back the January one. The next round is
2 February 4th and 5th. Is the contractor that you're
3 working with -- I'll word it that way -- if they get
4 this contract signed by the 31st, are we going to be
5 able to do the 4th and the 5th, or are we going to
6 have to push those back? And each time we push
7 those back, we create a more dire situation, because
8 we have so many of these.

9 MS. LUCERO: Madam Chair, Commissioner
10 Bergman, we do not intend to push that February 4th
11 date back. We will work with -- the facilitator
12 will work with us to make sure we're ready to go for
13 the 4th.

14 COMMISSIONER BERGMAN: Okay. Thank you.

15 THE CHAIR: Wonderful. Any other
16 questions or comments? All right.

17 Julie, is that everything?

18 MS. LUCERO: Yes.

19 THE CHAIR: Okay. Thank you so much.

20 Let's move on to -- oh, I know what I was
21 going to ask you. Would you talk about notices of
22 intent, please?

23 MS. LUCERO: Yes, Madam Chair, members of
24 the Commission. As of today, we have 19 notices of
25 intent from a variety of schools. I have not had a

1 chance to go through them in great detail, but
2 skimmed each of them. There's some very good
3 submissions of notices of intent, and then there are
4 some that are not as thorough.

5 Last year, there were 22 notices of
6 intent, and five schools went through. Kind of
7 having an idea -- not necessarily thinking there may
8 be five; but an idea that maybe half of those --
9 would be great if all of them were to go through;
10 but 19 have submitted notices of intent at this
11 time.

12 THE CHAIR: Thank you. Traditionally,
13 about half of the groups that identify that they
14 probably are going to submit an application, only
15 half generally do. So -- and sometimes not even
16 half. So we'll wait.

17 And the final deadline for these
18 submissions of the applications is July the 1st; is
19 that correct?

20 MS. LUCERO: Correct.

21 THE CHAIR: Commissioner?

22 COMMISSIONER BERGMAN: When might we
23 expect an e-mail from you giving us the list of
24 those 19 and where they're at?

25 MS. LUCERO: Madam Chair, members of the

1 Commission, we should have, within a couple of
2 weeks, for sure.

3 COMMISSIONER BERGMAN: Okay. Thank you.

4 MS. LUCERO: We'll work on those this
5 week.

6 THE CHAIR: Thank you. Other comments or
7 questions?

8 All right. Let's move on. Report from
9 the Chair, Discussion and Possible Action.

10 And the first thing I wanted to bring to
11 you is the bill that's right behind Tab No. 12.
12 This is a House Bill. And to my knowledge, it has
13 not been submitted yet. Kevin, can I ask you to
14 come forward up here to the table and help with
15 this?

16 Everyone remembers Kevin Force. He's an
17 attorney for the LESC. This is an LESC bill that
18 they have been working on in the Charter School
19 Subcommittee. And this is the bill -- well, could
20 you just give us a brief synopsis of this bill,
21 please?

22 MR. FORCE: Madam Chair, Commissioners,
23 certainly. Good morning. Some of you may recall
24 the version of this bill that passed a couple of
25 years ago, this House Bill 392, as amended -- I

1 believe it was 2013. This bill is substantially
2 similar to that. There are a few changes. The main
3 thrust of the bill is to remove the administrator
4 attachment that exists between the PEC and the PED
5 and grant rule-making authority, though that
6 rule-making authority would be subject to the
7 approval of the Secretary.

8 And it would also include a \$1 million
9 appropriation for the Commission. The 2 percent
10 set-aside that's been the subject of some discussion
11 would still be being withheld by the PED -- by the
12 CSD -- but it specifically would be enumerated in
13 the bill that it would be on behalf of the PEC.

14 That's really the main thrust. But there
15 are some other little changes to wording, a couple
16 of deadline changes, I believe. But otherwise,
17 it's -- it's very similar to the versions of the
18 bill that's already been introduced, and one passed
19 two years ago.

20 THE CHAIR: And this is going to be
21 carried by?

22 MR. FORCE: Right now, Representative
23 Christine Trujillo is sponsoring the bill. I don't
24 believe she has prefiled it.

25 COMMISSIONER GIPSON: There has been a

1 prefile. That was my question. Is this the same as
2 her prefile? Because I read -- I read her prefile.
3 And I thought I read this. But she has prefiled.

4 MR. FORCE: Okay. Because yesterday, I
5 didn't see it. I thought she had two.

6 COMMISSIONER GIPSON: Yeah. And so it's
7 been a while --

8 MR. FORCE: And then she called and asked
9 me for a version of it. I thought she had prefiled
10 it.

11 COMMISSIONER GIPSON: No. It's been a
12 week or so --

13 MR. FORCE: Okay.

14 COMMISSIONER GIPSON: -- at least, that
15 the prefile has been there. Maybe, Commissioner
16 Carr, is this the same bill, I think?

17 COMMISSIONER CARR: I think it's
18 essentially the same.

19 COMMISSIONER GIPSON: Yeah.

20 COMMISSIONER CARR: But whether it is or
21 not --

22 COMMISSIONER GIPSON: I know.

23 COMMISSIONER CARR: -- we can attach
24 amendments and changes throughout the session.

25 MR. FORCE: The prefile version would not

1 be any different than the one that would have been
2 endorsed. It couldn't be.

3 COMMISSIONER GIPSON: Okay.

4 THE CHAIR: Okay. So this is --

5 MR. FORCE: Obviously, as
6 Commissioner Carr said, it's subject to change and
7 substitution.

8 COMMISSIONER GIPSON: Right.

9 MR. FORCE: A significant amendment or
10 substitution could lose it -- substitution would
11 lose its endorsement, amendments from here, but --

12 THE CHAIR: So, Commissioners, I think
13 what I am presenting to you today is asking for your
14 endorsement of this bill, if you so choose. As
15 Kevin said, this is a bill very similar to the one
16 that passed both the House and the Senate two years
17 ago and would give the PEC independence and their
18 own budget to hire their own staff. So I think
19 you'd like to consider that.

20 Commissioner Bergman?

21 COMMISSIONER BERGMAN: If I may, let me
22 ask Kevin a question, since he is also an attorney.

23 I'm just sitting here looking at Page 2
24 here. And it says, "Upon approval of the Secretary,
25 the Commission shall promulgate and enforce such

1 rules as may be necessary."

2 Does that mean that this bill could pass
3 the Legislature, be signed by the Governor, and then
4 the Secretary could still tell this Commission that
5 they couldn't write rules? That would be my
6 interpretation, unfortunately.

7 MR. FORCE: I'm not sure that I would put
8 it in quite that wording, Commissioner Bergman. You
9 would write the rules and submit them for
10 promulgation, and they would have to be approved by
11 the Secretary at that point.

12 There was -- I noted the Chair was present
13 for a lot of the subcommittee meetings for the
14 Charter School Subcommittee that we had for this
15 past interim. And one of the concerns that this
16 addressed -- and this is a difference, I believe,
17 from the previous version of the bill -- the
18 approval by the Secretary of rule-making authority
19 was the veto message by the Governor, her concerns
20 with, among other things, separation of powers
21 issues and interference with the Secretary in the
22 Commission of her duties.

23 While the constitutional issue does not
24 say "exclusive control of regulatory matters to the
25 Secretary," it does mention, very clearly,

1 regulatory powers for the Secretary; but none for
2 the Commission. So trying to, you know, sidestep
3 any constitutional issues, as well as veto issues,
4 this is what we came up with. I realize it's not
5 all and everything that you wanted.

6 COMMISSIONER BERGMAN: You rarely get all
7 you want in one bite at the apple. But thank you,
8 Madam Chair. Thank you, Kevin.

9 THE CHAIR: Anything else?

10 Commissioner Carr?

11 COMMISSIONER CARR: Just a quick question.
12 Have you --

13 THE CHAIR: I'm sorry. I didn't hear you.

14 COMMISSIONER CARR: Have you heard
15 anything from the Governor's Office in regards to
16 the bill this year?

17 MR. FORCE: We have not had any
18 communication from them regarding this bill.

19 COMMISSIONER CARR: Okay. Thank you.

20 COMMISSIONER TOULOUSE: And Madam Chair, I
21 would like to point out, though, that the LESC did
22 not unanimously endorse this. The Republican
23 members did not -- three of them did not vote to
24 endorse this bill. So I think it would behoove
25 everyone to contact their local House members, and,

1 later, Senate members, to encourage them to vote for
2 this, regardless of which party they are.

3 Thank you.

4 THE CHAIR: Thank you. Anything else?

5 COMMISSIONER CARR: Madam Chair?

6 THE CHAIR: Commissioner?

7 COMMISSIONER CARR: I keep -- I'm sorry.
8 I keep thinking of things. You know, I -- you know,
9 this probably should have gone through as a joint
10 resolution again, like it did last year -- or,
11 well -- we had one. And, you know -- but it
12 wouldn't have had a -- I don't think it -- you know,
13 we don't have much of a -- I don't know if we have
14 much of a chance, you know.

15 I think we should still support this as
16 best we can. But in the future, I think we ought
17 to -- we ought to look at a joint resolution; in
18 other words, putting this through as an amendment,
19 so it can't be vetoed in the future if it doesn't
20 pass this time. Just my thoughts.

21 THE CHAIR: Thank you, Commissioner.

22 Anything else?

23 Hearing no further discussion, the Chair
24 would entertain a motion.

25 COMMISSIONER CHAVEZ: Somebody down at the

1 other end.

2 THE CHAIR: I'm sorry. Commissioner
3 Toulouse?

4 COMMISSIONER TOULOUSE: Madam Chair, I
5 move that the Public Education Commission endorse
6 the LESC-endorsed bill concerning us, with the
7 title, "Relating to Public Education, Removing the
8 Public Education Commission's Administrative
9 Attachment to the Public Education Department,
10 Establishing the Public Education Commission as an
11 Independent Entity, Providing for Public Education
12 Commission Rule-Making Authority and Staff Support,
13 Granting the Public Education Commission the
14 Authority to Make Chartering Authorization
15 Discussions, to Grant, Renew, Deny, or Revoke the
16 Charter of a State-Chartered Charter School," making
17 an appropriation for the upcoming session of the
18 New Mexico State Legislature.

19 THE CHAIR: Thank you very much.

20 COMMISSIONER CHAVEZ: Second.

21 THE CHAIR: I'm sorry. Did I get a
22 second? Commissioner Chavez?

23 Motion by Commissioner Toulouse, second by
24 Commissioner Chavez, to endorse the LESC's bill, as
25 noted on the official record.

1 Is there further discussion?

2 Commissioner Bergman?

3 COMMISSIONER BERGMAN: I just have a
4 question for Kevin, because this may just be a
5 legislative need. You know, the sentence in there,
6 "Granting the Public Education Commission the
7 authority to make chartering authority decisions, to
8 grant..., " et cetera, et cetera; we already have
9 that authority. Why would it have to be back in
10 this bill again?

11 MR. FORCE: I don't pretend to understand
12 the mysteries of how they entitle these bills. I'm
13 sorry. I really don't. The drafters are in charge
14 of that, and I really don't get it most of the time.

15 COMMISSIONER BERGMAN: Well, thank you.
16 Some of these, we already have; some, we don't.
17 Okay. Thank you.

18 THE CHAIR: Anything else? Anything else?
19 Hearing none, Commissioner Bergman, may we
20 have a roll-call vote?

21 COMMISSIONER BERGMAN: We may.

22 Commissioner Peralta?

23 COMMISSIONER PERALTA: Yes.

24 COMMISSIONER BERGMAN: Commissioner Pogna?

25 COMMISSIONER POGNA: Yes.

1 COMMISSIONER BERGMAN: Commissioner
2 Toulouse?
3 COMMISSIONER TOULOUSE: Yes.
4 COMMISSIONER BERGMAN: Commissioner Carr?
5 COMMISSIONER CARR: Yes.
6 COMMISSIONER BERGMAN: Commissioner
7 Armbruster?
8 COMMISSIONER ARMBRUSTER: Yes.
9 COMMISSIONER BERGMAN: Commissioner
10 Chavez?
11 COMMISSIONER CHAVEZ: Yes.
12 COMMISSIONER BERGMAN: Commissioner
13 Gipson?
14 COMMISSIONER GIPSON: Yes.
15 COMMISSIONER BERGMAN: Commissioner
16 Conyers?
17 COMMISSIONER CONYERS: Yes.
18 COMMISSIONER BERGMAN: Commissioner
19 Shearman?
20 THE CHAIR: Yes.
21 COMMISSIONER BERGMAN: Commissioner
22 Bergman votes "yes." That is a 10-to-0 vote in
23 favor of that motion.
24 THE CHAIR: Thank you. The motion passes
25 unanimously. Please stay right there for just a

1 second.

2 Thank you, Commissioners.

3 If you'll notice in that same -- behind
4 that same tab, right behind the blue sheet of paper,
5 there is another discussion draft of a bill. And I
6 believe this is the one that's called "the cleanup
7 bill." I don't know necessarily that it speaks
8 specifically -- it does not -- speaks specifically
9 to the PEC, but; it does speak specifically to
10 charters and charter schools.

11 Kevin, could you speak to this a little
12 bit?

13 MR. FORCE: A little bit. I don't have a
14 copy of that one in front of me; but this is an
15 omnibus bill. The purpose of -- I have one of my
16 own; I can grab it real quick. Thank you.

17 The main purpose of this bill was to
18 address a number of conflicts, ambiguities, and
19 questions that have arisen out of the Charter
20 Schools Act and other related legislation over the
21 course of a number of years, since it was initially
22 enacted through a piecemeal amendment. Things
23 change over time; but they don't necessarily get
24 comprehensively addressed throughout other areas of
25 law or other statutes, and small conflicts and

1 questions arise over the time. And the point of
2 this bill is to address those issues.

3 There's not -- there's not a great deal of
4 huge substance to it. I think the one area that is
5 more substantive than others are the definitions,
6 the new definitions specific to the Charter Schools
7 Act. I'm not sure which section they show up in.
8 There's 15 separate sections to this bill; so it's
9 pretty substantial.

10 They begin on Page 18, line 12. And a lot
11 of these definitions were drafted with the help of
12 your former counsel, Abby Lewis, arising out of her
13 knowledge and acquaintance with the issues, which
14 you guys have every year in your application and
15 enrollment process.

16 There are other provisions in the bill
17 that change a couple of deadlines for you. I
18 believe there's a period -- there's a one-month
19 deadline you have that went from June to July, I
20 think, for submission of applications. I think it's
21 just been changed to simply a June deadline, so that
22 that June or July period can be used for work. I
23 think that was something that you had asked for, or
24 Abby had suggested would be helpful to you in your
25 work.

1 The rest of it -- some of it is -- let's
2 see -- performance framework is going to be made a
3 material term of the contract, of the charter
4 contract. That is on Page 29. Let's see. There's
5 just a -- I encourage you to read this entire thing
6 through, because some of the sections will have
7 very, very small, minor changes. Some of them will
8 be a little more substantive, like this that I just
9 outlined. There are 15 separate sections in this
10 bill.

11 THE CHAIR: Thank you. Commissioners, I
12 don't know -- possibly you have not had a chance to
13 read this. And if so we could delay asking for
14 endorsement -- or if you have read it and feel
15 comfortable with endorsing today, we will go ahead
16 with that.

17 COMMISSIONER TOULOUSE: Madam Chair?

18 THE CHAIR: Commissioner?

19 COMMISSIONER TOULOUSE: On our previous
20 discussion of whether the previous bill had been
21 prefiled, Representative Trujillo has just told me
22 yes, she has prefiled it.

23 THE CHAIR: Terrific.

24 COMMISSIONER TOULOUSE: Thank you.

25 THE CHAIR: Thank you. Appreciate that.

1 MR. FORCE: Oh. And Senator Stewart will
2 be sponsoring the cleanup bill. I believe she has
3 already prefiled this one, as well.

4 COMMISSIONER GIPSON: Yes, she has.

5 THE CHAIR: What's your pleasure,
6 Commissioners?

7 Do you wish to move ahead with endorsing
8 this cleanup bill, or would you rather hold it until
9 the February meeting, when you have more time?

10 COMMISSIONER CHAVEZ: Madam Chair, the
11 session starts -- what? -- next week?

12 MR. FORCE: On Tuesday.

13 COMMISSIONER CHAVEZ: My sense is it's
14 important we endorse it today. Maybe we could have
15 an opportunity to read it and then come back today
16 with some questions that we have, maybe after the
17 break? I don't know if we get a break, but -- you
18 know, maybe at that point in time. But I would like
19 to see us make a decision about endorsing today.

20 THE CHAIR: Commissioner Bergman?

21 COMMISSIONER BERGMAN: I can go along with
22 that. I think as a part of the motion, though, we
23 should state -- because, like I say, I want to read
24 this again in paper form, and I want to mark it
25 up -- that we're endorsing it today, with the

1 understanding that individual Commissioners may
2 bring suggested changes as to wording or some parts
3 of this cleanup bill that we would then want to
4 recommend to -- to our own legislators or the LESC.

5 Kevin, is it -- do you even know, is this
6 actually going to be dropped in the hopper at some
7 point?

8 MR. FORCE: It's already been.

9 COMMISSIONER BERGMAN: It's already gone
10 to that, then? Okay. I want some caveat, where I
11 can recommend changes at some point in the future.
12 I'm not going to give a blanket endorsement today of
13 something --

14 THE CHAIR: That's probably always the
15 case. But would that alleviate your concerns,
16 Commissioner Chavez, if we endorse the bill with the
17 caveat that we can come back with any concerns or
18 changes, say, in the next meeting -- or would you
19 rather take time right now to read it?

20 COMMISSIONER CHAVEZ: Madam Chair, I would
21 rather take some -- you know, if -- I don't know how
22 the other Commissioners feel, if everyone else has
23 had an opportunity to read the bill or not. But I
24 think that we should, if there's time read it today,
25 make a decision about endorsing it.

1 I think if we go back and then say, "Well,
2 here are some changes," I -- the process moves so
3 quickly that it may be too late by the time we get
4 to our February meeting to really have a
5 conversation about what kinds of changes.

6 And I also feel that Commissioners acting
7 individually, sort of speaking on behalf of maybe
8 the Commission, might also be confusing for the
9 sponsor of the bill. So I think we should speak as
10 one body and either not do anything today or endorse
11 it today. My preference is that we take a position
12 today.

13 THE CHAIR: I'm sorry. Say that again?

14 COMMISSIONER CHAVEZ: My preference is
15 that we take a position today.

16 THE CHAIR: Take a position today.

17 Hold on just one second. Let me ask Josh.
18 Can we take a recess to read the bill?

19 MR. GRANATA: Yeah.

20 COMMISSIONER BERGMAN: Madam Chair, I'm
21 not going to read this bill in 20 minutes. It'll
22 take me an hour or more to read this. But you guys
23 go ahead. But I'm still going to -- and we
24 discussed in our work session yesterday, we never
25 speak on behalf of other Commissioners. If I speak

1 for anybody, I speak solely on my own behalf. I
2 always make that quite clear.

3 THE CHAIR: Okay. Commissioner Toulouse?

4 COMMISSIONER TOULOUSE: Madam Chair, I
5 want to say that this was a tremendous amount of
6 work on the parts of a lot of people, and there was
7 a lot of charter school involvement in this, too;
8 because I was at all of these meetings.

9 I don't think, whatever we look at today,
10 we're going to be able to make a change in it. We
11 either need to say, "Yes, we want this," or, "No, we
12 don't want it"; but it's going to go forward,
13 whether we approve it or not.

14 I also think that this is going to have to
15 be a work in progress over the years, because we are
16 already looking at adding a term that isn't even in
17 here, "replication," from what we're now discussing;
18 so that would be an issue for next year or the year
19 after, somewhere down the road.

20 Some of these definitions are always going
21 to change. I really would hate to see us say, "Oh,
22 well, let's throw this work away," because we had
23 very knowledgeable people involved, not just Abby
24 and the LESC folks, but folks from a number of the
25 different charter schools, none of whom I see here

1 today.

2 And I think that -- my preference is to go
3 ahead and endorse it. But I don't think we can wait
4 and mark it up ourselves now. But we can mark it up
5 for a year from now or two years from now and try it
6 again, because most of the stuff in here is much,
7 much better than we had before.

8 THE CHAIR: Well, I think some of the
9 Commissioners have probably read it. I know it was
10 e-mailed out. Now, whether or not everybody got it
11 or had the opportunity to read it, I don't know.

12 But I know from talking to some
13 Commissioners, they have read it.

14 So, Commissioner Carr?

15 COMMISSIONER CARR: Well, I'd just like to
16 add my two cents in here, too. I think we need to
17 go ahead and support it. I have read it a couple of
18 times. And I think that, you know, there's nothing
19 in there that I can't support. You know, nothing's
20 ever perfect; but I think I -- I think we're going
21 to have a hard time getting some legislation passed
22 this year. And I think this one may have --
23 actually have a chance of passing. And I think we
24 should help it along.

25 So I think we should vote to support it

1 today.

2 (Chair consults with counsel.)

3 COMMISSIONER TOULOUSE: Carolyn?

4 THE CHAIR: Millie? I'm sorry.

5 COMMISSIONER POGNA: I have read it, and I
6 support it. I think we should go ahead.

7 THE CHAIR: Go ahead? Okay. Thank you.

8 We should take a few minutes' break. But
9 as Commissioner Bergman said, that may not be really
10 enough time to really read the document. If it's
11 your pleasure -- and it seems to me quite a few have
12 read the bill already -- maybe? -- almost
13 everyone -- if it's your pleasure that we go ahead
14 and endorse or vote to endorse this bill today,
15 anyone who feels uncomfortable voting or not
16 prepared to vote certainly has the option to
17 abstain. And Commissioner Bergman?

18 COMMISSIONER BERGMAN: And let me note
19 this, because a lot of Commissioners weren't here
20 four years ago. You can amend bills in the process.
21 Senate Bill 446, which is the one that made us do
22 the performance contracts, Commissioner Gant and I
23 both were talking to legislators in the second month
24 of that session -- it was a long session. And we
25 got changes made in Senate Bill 446. It was still

1 in committees at that time. And we got changes
2 made.

3 So there are changes that can be made
4 during the process. It's not just a -- we did it.
5 And so any bill, I believe, on that same time line
6 can be changed, if people need it -- if it needs to
7 be changed.

8 THE CHAIR: Is there further discussion?
9 Hearing none, the Chair would entertain a
10 motion.

11 Commissioner Toulouse, I think you're our
12 go-to person on this.

13 COMMISSIONER TOULOUSE: Let me get back to
14 the front page.

15 I move that the Public Education
16 Commission endorse the LESC's endorsed -- which was
17 endorsed unanimously -- proposed legislation
18 entitled, "An Act Relating to Public Education
19 Amending the Public School Code to Define Certain
20 Charter Terms and to Clarify Certain
21 Responsibilities of Charter School Authorizers,
22 Charter School Governing Bodies, and Charter
23 Schools," in the upcoming Legislative Session, which
24 begins next Tuesday.

25 THE CHAIR: Thank you very much.

1 COMMISSIONER POGNA: Second.

2 THE CHAIR: Motion by Commissioner
3 Toulouse, second by Commissioner Pogna, to endorse
4 the LESC's endorsed cleanup bill, as defined on the
5 official record.

6 Is there further discussion?

7 Hearing none, Mr. Secretary, may we have a
8 roll-call vote?

9 COMMISSIONER BERGMAN: I'm trying to
10 decide whether I need to abstain, and, if so, I'll
11 need to announce it in advance.

12 I think I need to vote. I'll put a
13 comment on it when I vote.

14 All right. Commissioner Pogna?

15 COMMISSIONER POGNA: Yes.

16 COMMISSIONER BERGMAN: Commissioner
17 Toulouse?

18 COMMISSIONER TOULOUSE: Yes.

19 COMMISSIONER BERGMAN: Commissioner Carr?

20 COMMISSIONER CARR: Yes.

21 COMMISSIONER BERGMAN: Commissioner
22 Armbruster?

23 COMMISSIONER ARMBRUSTER: Yes.

24 COMMISSIONER BERGMAN: Commissioner
25 Chavez?

1 COMMISSIONER CHAVEZ: Yes.

2 COMMISSIONER BERGMAN: Commissioner

3 Gipson?

4 COMMISSIONER GIPSON: Yes.

5 COMMISSIONER BERGMAN: Commissioner

6 Conyers?

7 COMMISSIONER CONYERS: Yes.

8 COMMISSIONER BERGMAN: Commissioner

9 Peralta?

10 COMMISSIONER PERALTA: Yes.

11 COMMISSIONER BERGMAN: Commissioner

12 Shearman?

13 THE CHAIR: Yes.

14 COMMISSIONER BERGMAN: Commissioner

15 Bergman is going to vote "yes," but with the caveat
16 that I may exercise my rights as a citizen to
17 contact my legislators and speak on my own behalf in
18 support or non-support of any part of this bill; and
19 that is my personal right, of course, as we all
20 have.

21 And, here again, for the benefit of the
22 new people, I have been a strong supporter of this
23 legislation all along. I've been a fighter for it.
24 It's not that I'm opposed to it; it's just that I
25 want to take a look at it and think about it for a

1 while.

2 Madam Chair, that is a 10-to-0 vote.

3 THE CHAIR: The bill passes unanimously.

4 The bill is endorsed.

5 COMMISSIONER TOULOUSE: Madam Chair, I
6 have one other follow-up from Representative
7 Trujillo. In order to begin tracking next week, the
8 bill number for her prefiled bill is House Bill 74.

9 COMMISSIONER BERGMAN: This one?

10 COMMISSIONER TOULOUSE: No. The one --
11 the PEC one.

12 COMMISSIONER BERGMAN: And did you say who
13 was sponsoring this?

14 COMMISSIONER TOULOUSE: Christine
15 Trujillo.

16 COMMISSIONER CARR: Both of them?

17 COMMISSIONER TOULOUSE: The second one, I
18 have not contacted Representative Stewart.

19 COMMISSIONER GIPSON: The second one is
20 prefiled. I can get it for you.

21 COMMISSIONER TOULOUSE: Actually, I have
22 Mimi Stewart on this one, too. But she doesn't
23 usually answer me; but Representative Trujillo does.
24 So I asked -- and she did verify she prefiled. Then
25 I asked her for the number. So it's House Bill 74.

1 THE CHAIR: Thank you for that,
2 Commissioner.

3 And if I could have my copy? We don't
4 have to cut down any more trees. Thank you very
5 much.

6 The next item on report from the Chair is
7 the First Reading of the PEC Rules of Order. And I
8 think Beverly put these pamphlets at everyone's
9 chair. I said I thought it would be better if we
10 had a first reading this month, made sure everyone
11 had a copy. And then we'll come back in our
12 February meeting for approval, or any changes or
13 edits that might need to be made.

14 And, Beverly, I believe you said yesterday
15 in the work session that if we want to take these
16 with us, that's fine; but please be sure and bring
17 them back. Otherwise, leave them in the notebook,
18 and you will be sure that we have them.

19 MS. FRIEDMAN: Right.

20 THE CHAIR: So whichever you choose to do:
21 Either leave it in the notebook or take it with you.
22 But be sure and bring it back if you take it with
23 you.

24 The other thing I wanted to remind
25 everyone is there's a financial disclosure statement

1 that's due to the Secretary of State's Office this
2 month for each of us. If you haven't already filed
3 that, please do.

4 I believe Beverly gave you the e-mail --
5 or the web address. I know the letter I got said
6 the form could be filed and submitted online.

7 COMMISSIONER GIPSON: No. I couldn't do
8 it, either.

9 THE CHAIR: I could not.

10 COMMISSIONER GIPSON: Me, too.

11 THE CHAIR: So I printed the file, filled
12 it out, and mailed it. So don't leave that to the
13 last minute, if you haven't already taken care of
14 it.

15 There is one other thing I'd like to do,
16 and it's not on the agenda, but it doesn't require
17 action; so I'm hoping Josh will let me do it.

18 Yesterday in the work session, we talked a
19 great deal about replication, and we decided that a
20 task force would be put together to study
21 replication and to come back to this Commission with
22 a suggested -- first of all, what is replication,
23 what is a School of Excellence, and then some
24 procedures and policies.

25 And I would like to do that today. First

1 of all, I would like to ask if there is anyone who
2 is willing to volunteer to serve on that task force.

3 COMMISSIONER CHAVEZ: I will.

4 COMMISSIONER TOULOUSE: I would.

5 THE CHAIR: Thank you, Commissioner
6 Chavez. Do we have others?

7 COMMISSIONER GIPSON: Gipson. And
8 Commissioner --

9 COMMISSIONER TOULOUSE: I will,
10 Madam Chair.

11 COMMISSIONER GIPSON: Commissioner
12 Toulouse.

13 THE CHAIR: Okay. I'm looking here. This
14 is -- that is hard to --

15 COMMISSIONER TOULOUSE: I know.

16 THE CHAIR: -- hard to see. Commissioner
17 Toulouse?

18 Anyone else? "Ad Hoc Task Force."

19 Okay. Mr. Pahl?

20 MR. PAHL: Madam Chair, members of the
21 Commission, I just want to formally -- I'm always
22 open to the Commissioners if they ever want to call
23 me or ask me any questions. But I'd just like to
24 offer myself as a touch point, as you -- as the task
25 force goes through and creates their

1 recommendations.

2 I think the conversation yesterday really
3 showed -- I hope you felt this way, too -- but it
4 showed me that there's a lot of room for us to work
5 together, the PED and the PEC. And I think we'll --
6 I think if we're -- if we give ourselves some points
7 to collaborate, we'd come out with a very strong
8 product at the end.

9 So I just want to offer myself as a touch
10 point as we go through the process.

11 THE CHAIR: I appreciated the Charter
12 School people who were there yesterday. They
13 offered the same. And I think we'll have a stronger
14 group for having more representation.

15 Commissioner Bergman? I'm sorry.

16 Commissioner Carr?

17 COMMISSIONER CARR: Yes. To add on to
18 what Matt said, I believe the task force should
19 include one or two people from the CSD as part of
20 it. I would like -- I mean, looking at it as a task
21 force, too, I mean, we might want to even add
22 some -- some -- you know, maybe add a couple of
23 other people; but maybe from the Charter Schools or
24 something like that. I -- just a thought. But
25 definitely from CSD.

1 THE CHAIR: Thank you for that suggestion.

2 COMMISSIONER CARR: Okay.

3 THE CHAIR: I would also volunteer for
4 that task force.

5 Commissioner Bergman, are you offering to
6 volunteer?

7 COMMISSIONER BERGMAN: No. I'm actually
8 going to ask you a question, because yesterday, you
9 also talked about the Charter School Committee doing
10 it. Are we talking about a task force and a
11 Charter -- I don't want to duplicate what the task
12 force is doing. You wanted us on the Charter School
13 Committee to do something at the very end. It was a
14 very lengthy speech, and I thought it was up for
15 negotiation. You wanted us to work on defining
16 replication and branch schools and all the rest of
17 that.

18 But if a task force is going to do it,
19 then the Charter School Committee doesn't need to do
20 it.

21 THE CHAIR: Let's see what the task force
22 comes up with. If they need to bring in the Charter
23 School Committee people to assist or help us, we'll
24 do it.

25 COMMISSIONER BERGMAN: Okay.

1 THE CHAIR: All right. So we've got four
2 on the task force. I would suggest that we get this
3 group organized and then see who -- how the task
4 force wants to add other members or how they want to
5 handle it, okay? Is that all right with everybody?

6 Okay.

7 MR. GRANATA: Madam Chair, Commissioners,
8 my concern would be that if there are too many
9 members of the Commission on the task force, it
10 would constitute a quorum requiring Open Meetings
11 Act notification and whatnot. So I think four
12 members is probably appropriate.

13 THE CHAIR: Okay. Thank you very much.

14 Okay. Are we ready to move on?

15 Item No. 13, Report from the Charter
16 School Committee and Discussion and Possible Action
17 on the Calendar and Commissioner Participation.

18 COMMISSIONER BERGMAN: Okay. You will
19 find -- Matt, is what's in my book here the same
20 thing you handed me yesterday? Julie it just looked
21 different, because it's laid out different?

22 MS. LUCERO: Yes.

23 COMMISSIONER BERGMAN: I'm going to work
24 off of what you gave me yesterday. You can find in
25 your book and keep it with you and keep it handy for

1 the next five months, because that's how long this
2 process is going to take.

3 It's a very comprehensive form. It's the
4 form we used last year that worked really well,
5 gives you all the dates, and it gives the charter
6 schools, importantly, all the dates that they need
7 to have things done.

8 As was noted earlier, we already have
9 moved the January negotiations to later months,
10 because we didn't have a facilitator under contract
11 yet. And Julie has assured us that we're going
12 forward with the 2/4 and 2/5 negotiations, and,
13 hopefully, it's all going to be ready then.

14 That's the first day -- turn the page --
15 no, at the bottom of the first page here, you'll see
16 we have two negotiations on February the 4th.

17 Here again, let me give you the philosophy
18 that we try to follow on these things. Going back
19 to what Josh just said, we can't gang up on these
20 schools. So normally, the ideal number to have from
21 the Commission at these sessions is three
22 Commissioners, no more than four. So if you get
23 five, I believe that's just not efficient, and it
24 gives the impression that we may be ganging up on
25 them, and we don't want to run into quorum

1 problems -- that's not a quorum issue; but we don't
2 want anybody to be thinking it is.

3 So I will be at these four. There's four
4 of them, two the 4th, two on the 5th. I believe
5 that's correct.

6 THE CHAIR: And I will be, too.

7 COMMISSIONER BERGMAN: Commissioner
8 Shearman and myself are already on here. I'm going
9 to write down -- here, again, particularly for the
10 benefit of the new Commissioners, I encourage each
11 year that each Commissioner try to be at at least
12 one of these negotiations, because it's in your
13 benefit to see the process, see what goes on, to see
14 the intersection between the Commissioners and the
15 schools, and to see their reaction when we talk
16 about certain things.

17 So I always encourage you to go to at
18 least one during the year. And it's part of -- it's
19 part of the job, too. And last year, I believe
20 every Commissioner went to at least one, and a
21 number of Commissioners went to multiple ones.

22 So with that caveat, myself and
23 Commissioner Shearman are going to be there on the
24 4th and the 5th. And it is in Albuquerque. It
25 tells you where they are. The first few are in

1 Albuquerque. Who would like to be the third person
2 on the 4th?

3 COMMISSIONER ARMBRUSTER: I can.

4 COMMISSIONER BERGMAN: Who? Armbruster.
5 Okay. That's three. How about the 5th? Who wants
6 to be the third person on the 5th?

7 COMMISSIONER TOULOUSE: I can do the 5th.

8 COMMISSIONER BERGMAN: Commissioner
9 Toulouse. Okay.

10 We're going to just go ahead and do
11 February now. I want to wait on March until we get
12 into February and see how everything is going. We
13 also have a one-day session scheduled on the 25th of
14 February. That's the one in Las Cruces. You're in
15 Las Cruces.

16 COMMISSIONER GIPSON: I am. I will
17 certainly be there.

18 COMMISSIONER BERGMAN: Okay. So we've
19 got --

20 COMMISSIONER GIPSON: I think I can make
21 it.

22 COMMISSIONER BERGMAN: Okay. Bergman,
23 Shearman.

24 THE CHAIR: I'd really like to have four
25 people at some of these, particularly when you're

1 bringing the new people in.

2 COMMISSIONER GIPSON: I would like to come
3 up on the 5th -- the 4th or the 5th, whichever is --

4 THE CHAIR: How about both?

5 COMMISSIONER GIPSON: If I'm coming up, I
6 might as well come up for the two days.

7 THE CHAIR: That's -- there you go. And
8 then on the 25th also, do we have a fourth person
9 that wants to be there in Las Cruces, wants to take
10 a nice road trip to Las Cruces?

11 COMMISSIONER CHAVEZ: And those usually
12 start in the morning?

13 COMMISSIONER BERGMAN: The first one
14 usually starts at 8:30, and the afternoon one is
15 1:15. And as the Chair noted earlier in the day,
16 some of them have taken more than four hours. Some
17 of them have been done in a little over three.

18 It depends on the school; it depends on
19 how they did in their preparations. Here, again,
20 for the new Commissioners, the CSD has a liaison --
21 you'll see on this form -- assigned to every school.
22 The liaison works with that school. They prepare
23 the initial document with their initial goals and
24 everything.

25 And then that document -- we work from

1 that document in the negotiation. And I can tell
2 you, history tells me that virtually every school
3 comes in with goals that are too weak. And that's a
4 part of our discussion during those sessions is how
5 we get them to realize the importance of making
6 those goals a little more rigorous. And that
7 sometimes goes fairly quickly, and sometimes it
8 takes a while.

9 We -- what I tell these schools in every
10 negotiation is it's just basic goal-setting theory.
11 If you set a goal to be too difficult, that's
12 useless, just -- if you set a goal that the school
13 can't meet, that's a waste of time.

14 So we don't want to do that. If you set a
15 goal that's too easy that they're going to make for
16 sure, that's a waste of time. That's not what we
17 want.

18 So we try for some kind of common ground
19 in between too hard and too weak. And the word I
20 always use with the schools is I want you to feel
21 "challenged." So we want them to be challenged,
22 because the goal, overall, is to get them to perform
23 better academically. It's pure and simple. And
24 that's what we strive for; that's what we're
25 shooting for.

1 So we have February taken care of. I
2 believe we can handle the February meeting. Then we
3 can start talking about March and April. Let's see
4 how it goes. Let's see how the first round goes.

5 Yeah, Matt?

6 MR. PAHL: Commissioner Bergman,
7 Madam Chair, the rest of the Commissioners, I just
8 want to state for the record here and for
9 everyone -- everyone in the audience, as well, that
10 we agree with Commissioner's statements on the
11 goals. They should be challenging. And when Staff
12 is looking at the worksheets prior to the
13 negotiations, we're going to hopefully have that
14 back-and-forth with the school that has them at an
15 elevated level, compared to where they were in the
16 past.

17 And so when we're at the negotiations, we
18 feel like our role is to make sure our input will be
19 solely focused on making sure those goals are
20 quality goals, because, as Commissioner Bergman
21 stated, the end goal is for increased academic
22 achievement. And that can happen through those
23 interim assessments. It can also happen through
24 those mission-specific indicators that will be on
25 those performance frameworks.

1 And so we're excited to engage in a big
2 process for a big amount of schools; so thank you.

3 COMMISSIONER BERGMAN: I appreciate that.
4 The more that you guys can get them to move
5 initially, the easier the negotiations will become.

6 MR. PAHL: Right.

7 COMMISSIONER BERGMAN: That's all I have
8 for now.

9 THE CHAIR: You have Las Cruces on your
10 thing?

11 COMMISSIONER BERGMAN: Yeah. Let me read
12 it off here. For Albuquerque on the 4th and the
13 5th, Commissioners Bergman, Shearman, Armbruster,
14 and Gipson will be at that one.

15 Oh. And Commissioner -- I have
16 Commissioner Toulouse listed here. Are you going to
17 be there, too?

18 COMMISSIONER TOULOUSE: I'm -- Madam
19 Chair, I said that I would do the ones on the 5th.

20 COMMISSIONER BERGMAN: Okay. Well, that
21 means we'd have five people. Are you --

22 THE CHAIR: No, we don't -- Armbruster is
23 not on the 5th; is that correct?

24 COMMISSIONER ARMBRUSTER: Whatever. No, I
25 didn't say that, because -- I spoke up. But if you

1 need me on the 5th, I can do the 5th, because I'm
2 already here. So it's -- whatever. But you don't
3 want too many. That's --

4 COMMISSIONER BERGMAN: No, we don't want
5 five there.

6 COMMISSIONER ARMBRUSTER: Leave my name
7 off, and I'll just come the 4th, then. Is that
8 better?

9 THE CHAIR: You'll do the 4th, but not the
10 5th.

11 COMMISSIONER BERGMAN: And Commissioner
12 Toulouse will do the 5th, then?

13 COMMISSIONER TOULOUSE: Yes.

14 COMMISSIONER BERGMAN: That takes care of
15 the 4th and 5th.

16 And then on the 25th, which is in
17 Las Cruces, myself, Commissioner Shearman, and
18 Commissioner Gipson. Nobody else wanted to go to
19 Las Cruces? Nice time of the year to visit. It's
20 not too hot, not too cold.

21 THE CHAIR: It's a pretty drive. Okay.

22 COMMISSIONER BERGMAN: Like I say, we'll
23 take care of March in the -- but I would like you
24 all to look at the schedule and be thinking about
25 which ones you want to do. We're going to have more

1 in Albuquerque; I believe at least one session in
2 Santa Fe -- or maybe two sessions in Santa Fe down
3 near the end. So pick one out, or pick two out that
4 you want to go to, and we'll work with everybody;
5 because, like I say, I really want everybody to do
6 at least one or two, just for your own benefit and
7 for the benefit of the kids.

8 So I think I'll leave it at that, if
9 that's all right, Madam Chair.

10 THE CHAIR: Any questions?

11 All right. Let's move on to Item 14,
12 Report from PSCOC Meeting.

13 Commissioner Peralta, if you have anything
14 from the meeting yesterday -- I know it was your
15 first one. I'm sure it was --

16 COMMISSIONER PERALTA: Enlightening.

17 THE CHAIR: -- "enlightening." That's a
18 good word.

19 COMMISSIONER PERALTA: Yes. Madam Chair,
20 much to absorb in attending my first meeting with
21 the Public Schools Capital Outlay Committee.

22 The bulk of the work in yesterday's
23 meeting was the submission by the Awards
24 Subcommittee. There were 14 submissions by the
25 Committee for Phase 1 or Phase 2, Public Facilities

1 Improvements. And there were 14 that were sent to
2 the Committee, and all 14 were passed and adopted by
3 the Committee.

4 I serve on the Administrative Maintenance
5 and Standards Subcommittee. Most of the information
6 that we had, our purpose for the Committee yesterday
7 was more informational items. And so no action was
8 taken on the action -- on the matters that we
9 handled in the AMS Subcommittee. At the conclusion
10 of yesterday's Capital Outlay Committee, Chairman
11 Abbey made a request that some serious dialogue go
12 on about what may happen to the two subcommittees
13 that serve under the PSCOC. And he's concerned
14 about maybe that there should be some consideration
15 to either reorganizing the subcommittees,
16 eliminating one and combining the committees into
17 one, or possibly having the AMS subcommittee, which
18 I serve on, to do more of the voting and "taking
19 care of your business on a separate matter," so
20 there's not so much coming up to the Capital Outlay
21 Committee meetings the following week.

22 So that will be happening here probably in
23 the next meeting or two. We're not scheduled to
24 meet until April the 9th -- I believe is our next
25 Capital Outlay Committee. So as I get my feet more

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1 wet and involved in the Committee, I'll be more than
2 happy to present more information to the Commission.

3 THE CHAIR: Thank you. We appreciate you
4 taking on that responsibility, Commissioner. It's a
5 big one, and it's an important one.

6 Any questions for Commissioner Peralta?

7 All right. Let's move on to Item 15, Old
8 Business. And this is put in because a lot of times
9 there will be questions from the minutes, and there
10 was no, really, place to answer those; so this was
11 put in there.

12 I don't -- at this time, don't have any
13 questions from the minutes. Does anyone else?

14 The only other thing I would like to bring
15 up -- and I know it's not listed here, but it's not
16 going to require any action. But I know Beverly
17 sent out a questionnaire asking everyone to please
18 list the Commission -- the committees and the
19 liaison roles that you would like to serve this
20 year.

21 I don't have that from everyone; so we
22 can't do a draft handout at this time. But if I
23 haven't heard from you, or don't have your list,
24 could I have that today, please?

25 And we can just do it after the meeting,

1 if you'd rather -- or, Commissioner, did you have
2 a --

3 COMMISSIONER CHAVEZ: I have a question.

4 THE CHAIR: Okay.

5 COMMISSIONER CHAVEZ: I had sent an e-mail
6 asking what the committees -- sort of what the roles
7 and responsibilities of each of those committees
8 are. I'd kind of like to have a sense of what I
9 might be volunteering for.

10 THE CHAIR: And what I would -- what I
11 would ask that you do is visit with the people that
12 are currently on those -- the ones that you might be
13 interested in, talk to those Commissioners, and let
14 them tell you exactly what they do, rather than me
15 trying to tell you; because if I haven't served on
16 the committee, I don't know as much as you might
17 want to know.

18 COMMISSIONER CHAVEZ: Okay. I guess I was
19 just thinking that maybe there was a list that had
20 the committees and sort of the goal and purpose of
21 each committee.

22 THE CHAIR: There is not.

23 COMMISSIONER CHAVEZ: All right.

24 THE CHAIR: Any other questions? But if
25 you would please try to visit with me after the

1 meeting or get that information to me in the next
2 couple of days, so we can put this list together and
3 get -- particularly, get the liaison roles set out
4 and chairs for the committees. Anything else under
5 Old Business? Matt?

6 MR. PAHL: Madam Chair, members of the
7 Commission, I -- we brought, for the Commission --
8 Commission's review, new language for those two gaps
9 we found in the application. There were some
10 revised requests. And since that was something we
11 were taking care of in earlier business, maybe this
12 is an appropriate time to bring it up.

13 THE CHAIR: Do we have copies of that?

14 MR. PAHL: We do. I'd like to hand them
15 out now, if you're okay with that.

16 THE CHAIR: Is it okay? We can't take any
17 action on it. (Chair consults with counsel.)

18 (A discussion was held off the record.)

19 THE CHAIR: Commissioners, I apologize for
20 the confusion. This handout that Matt just gave
21 you, these two sections he is recommending be
22 included in the application. Parts of them are
23 included in the application; but not -- it's not
24 entirely there.

25 We always -- the PEC has always taken the

1 position that these forms belong to us and that
2 nothing goes in those forms until the PEC approves
3 it. There is no place on the agenda that gives us
4 the legal option to vote to include this in the
5 application, and the application needs to be posted
6 on the website right away, for new applicants to get
7 started.

8 So Josh tells us we really have no place
9 in which to vote on it today.

10 The discussion was could these questions
11 be included in the capacity interviews that the
12 Charter School Division does for -- on the new
13 applications that come in, if they could ask
14 questions that would elicit this information and
15 then that gets passed on to us? And then next year,
16 we will see that this part gets included in the
17 formal application.

18 Would that be all right with everybody?
19 It's sort of an end-run around this whole process.
20 But it gets the -- it gets it done, and it would get
21 the information to us.

22 Does anyone have a problem with that?
23 Please say if you have a problem, because I'm
24 looking for consensus at this point.

25 I see no one has a problem?

1 Matt, let's do that. Let's include this
2 in the capacity interview, please.

3 MR. PAHL: Will do.

4 THE CHAIR: And perhaps in February, or
5 whenever you want to bring this forward again, so
6 that it can become part of the formal application,
7 okay?

8 COMMISSIONER BERGMAN: And that would be
9 my recommendation is go ahead and vote on it early
10 on, just -- and it'll be taken care of and done.

11 THE CHAIR: I just don't want it to cause
12 any confusion.

13 Okay? All right.

14 Then, with that taken care of, we are to
15 Item No. 16, which is PEC Comments. I'd like to
16 start over here with Commissioner Carr.

17 COMMISSIONER CARR: Well, mine's going to
18 be the longest today, because I had asked that some
19 of my concerns in regards to Statute 22-8B-5.3 that
20 we discussed yesterday be placed on the agenda for
21 discussion and possible action. And I would like to
22 have that on the agenda for next month, as I think
23 it's important that we talk about it.

24 And all the new members -- or the people
25 that were not here yesterday -- didn't get a chance

1 to take part in that discussion. And we got advice
2 from our attorney yesterday in regards to it, as
3 well, which we had not been able to express to our
4 new members. And we had no minutes from the meeting
5 from yesterday; so they can't read what happened,
6 either.

7 So -- so I would encourage the people that
8 weren't there yesterday to read 22-8B-5.3. My
9 concerns were, are we fulfilling all of our
10 statutory duties under the law? And Josh had
11 assured us that he believed that we were. And I
12 also -- but also, one of the suggestions was that we
13 hire our own attorney to go to these negotiations,
14 which I fully support, which we probably don't have
15 the funds to do, which is one of the reasons why we
16 need funds.

17 Also, I would like to have placed on
18 the -- you know, it doesn't have to be next month.
19 But in -- maybe in the next couple of months, I
20 would like to give the new members a chance to vote
21 on supporting the State School Board amendment that
22 we sponsored last year that I worked extensively in
23 the Legislature for.

24 And I don't want us to forget about it.
25 It's not going to be in the session this year,

1 probably not next year. But two years from now, I
2 think there's a possibility that we could go for
3 that again. This is a huge goal of mine,
4 personally, and we voted 8-to-1 to support it last
5 year. I don't want us to forget about it. It is a
6 goal of mine to get that done before I leave this
7 earth. I think it's very important that we go back
8 to the State School Board, pretty much as it existed
9 when Millie was still on it.

10 And she's the only one here present today
11 who was actually a member of the State School Board.
12 I forgot. What year did you go on?

13 COMMISSIONER POGNA: I was elected 1978.

14 COMMISSIONER CARR: In 1978, long-term
15 service to --

16 COMMISSIONER POGNA: 36 years.

17 COMMISSIONER CARR: -- to education. And
18 Millie doesn't talk much, but, boy, she reads, and
19 she has a very sharp mind, and she's educated
20 herself very well over the years.

21 COMMISSIONER POGNA: Thank you.

22 COMMISSIONER CARR: You're welcome.

23 I -- and so another thing I would like
24 to -- and then I -- last year was different, because
25 we had that State School Board amendment. It was

1 House -- excuse me -- Senate Resolution 2 and Senate
2 Resolution 8. Senate Resolution 8 separated us from
3 the State -- from the Public Education Department in
4 some ways similar to the bill we're supporting this
5 year, but went a lot further; something -- another
6 one I wouldn't want us to forget.

7 This year I would like to be officially
8 taken off of as chair of the Legislative Committee,
9 and I would like to be removed as liaison to the
10 LESC. And my reasons for that is that for ethical
11 reasons, too. When I go to lobby at the Legislature
12 this year, there is a great number of bills that I
13 have a great deal of concern for. And I don't want
14 there to be any -- any -- anything in writing to
15 show that I'm actually representing the PEC on those
16 issues that have nothing to do with the PEC.

17 So that's my reasoning behind it. I will
18 still support the bill we -- the bills we voted to
19 support, of course. And I also don't want to take
20 any money for my travels, ethically, because I'm
21 going to probably be working harder on these other
22 issues than I am on our own -- on the ones that we
23 voted on today.

24 So that's -- I just wanted to make it
25 clear and put on the record that I just want to make

1 sure that nobody thinks I'm there lobbying for the
2 PEC, when I'm talking about a lot of issues that
3 don't concern us.

4 And I think that --

5 THE CHAIR: Can I just ask a question
6 while you're taking a break there? I've got you
7 marked off the Legislative Committee. I've got you
8 marked off LESC. But is there another
9 non-legislative committee that I could put you on?

10 COMMISSIONER CARR: Well, I'm a liaison to
11 the -- the --

12 COMMISSIONER POGNA: NMSIA?

13 COMMISSIONER CARR: Yeah. Is it NMSIA?
14 Yeah.

15 COMMISSIONER POGNA: The Public School --

16 COMMISSIONER CARR: The administrators'
17 association, not NMSIA.

18 THE CHAIR: Okay. I guess I misread your
19 e-mail. I thought you were taking yourself off
20 everything.

21 COMMISSIONER CARR: Yeah. And I gave that
22 second thought. There's no reason I should be taken
23 off of that one.

24 THE CHAIR: That's Coalition of School
25 Administrators?

1 COMMISSIONER CARR: Uh-huh. And after the
2 session, I'd be more than willing to go back as a
3 liaison with the LESC.

4 THE CHAIR: Sorry. I didn't hear you.

5 COMMISSIONER CARR: After the Legislative
6 Session, I'd be more than welcome if you'd like to
7 place me back on the LESC. We'll just look at
8 things that the --

9 THE CHAIR: Would you be willing to serve
10 on one of the other committees, either the Career
11 and Technical or Strategic Planning?

12 COMMISSIONER CARR: Not at this time, no.

13 THE CHAIR: Okay. All right. Thank you.
14 Matt has a question.

15 MR. PAHL: I'm sorry. Madam Chair,
16 Commissioner Carr, because the LESC is an interim
17 committee, it -- if -- it technically does not meet
18 during the session. And so I'm just -- I bring that
19 up, just to -- whether that, you know, makes a
20 difference for this or not.

21 COMMISSIONER CARR: It doesn't meet during
22 the session; but I -- I just don't want there to be
23 any question that -- you know, "Oh, you're listed as
24 a liaison for the LESC for the PEC," you know. So I
25 don't want there to be -- I just don't want there to

1 be any appearance of impropriety of any kind, which
2 will lead me to be a free agent at the Legislature
3 this year.

4 THE CHAIR: Thank you. Commissioner
5 Toulouse?

6 COMMISSIONER TOULOUSE: Madam Chair, I
7 have a concern that's come up as an anecdotal thing.
8 I know we're beginning to get into the period of
9 time when people do their lotteries. And I have a
10 question of the PED.

11 Does any of the Charter School Division
12 folks, on a random basis, audit any of those as they
13 go -- as the lottery is actually happening? Because
14 I have been told, at least with a couple of schools,
15 that there are people who are being told, "Don't
16 worry; you're in."

17 And they are, you know, despite the length
18 of the lottery. And some of that can just happen by
19 the draw. But it bothers me that that word is out
20 there, at least in the Albuquerque community. And
21 so I -- it doesn't necessarily need to be an agenda
22 item. So that's why I thought I'd bring it up under
23 "Comments."

24 MR. PAHL: Madam Chair, Commissioner
25 Toulouse, we're working on looking at how we

1 incorporate that lottery process into the questions
2 we ask during site visits. And if we're hearing
3 things either from our interviews with parents, the
4 governing boards, or with staff at the school, then
5 it may be worth elevating the kind of intervention
6 we do regarding the lottery process.

7 And so those conversations, because we're
8 hearing similar things on the ground, as well as
9 other folks interested in charter schools, has our
10 ears piqued. And we'll start our site visit process
11 in earnest in February. Right now, we're
12 formulating, "What does that look like?"

13 So we appreciate the comments and know
14 it's a -- it's a big concern.

15 COMMISSIONER TOULOUSE: Madam Chair. And
16 thank you, Mr. Pahl, because, you know, the bulk of
17 charter schools in Albuquerque are actually in my
18 district. And so I have a lot of people, now that
19 they know I'm on the PEC, who are talking to me,
20 calling me, running into me places. And that's why
21 I'm getting in -- it's coming from within the
22 charter school community, as well; because I do have
23 people who are under the APS charter who talked to
24 me, too.

25 One of them, for instance, is Gordon

1 Bernell. And I know, because I sat and sympathized
2 on that school and why they'll never get a decent
3 grade, because they have no graduation rate, because
4 the purpose of the school is not to graduate a kid;
5 it's to keep them educated while they're
6 incarcerated. And then they do try to move them on
7 to some of the other charter schools, or to APS, to
8 finish them up; but they have no control over
9 whether those people do or not.

10 That's why I say I'm hearing it from a
11 couple of people in the public and a couple of
12 charter school people. I'm going to continue
13 getting more comments as more and more people
14 realize that being retired, and despite six
15 grandkids and some politics, I do have time to talk
16 and meet with people now at this stage of my life.

17 And I'm not turning anybody down, whether
18 they're APS or ours, or anything, to meet with --
19 especially if they're in my district.

20 So would it be helpful if I did pass some
21 of those on to you, if I get specific comments?

22 MR. PAHL: We'd greatly appreciate it,
23 Commissioner Toulouse.

24 COMMISSIONER TOULOUSE: Okay, thank you.

25 THE CHAIR: Commission Pogna?

1 COMMISSIONER POGNA: Madam Chair, I would
2 mainly like to thank Commissioner Carr for the kind
3 comments he made. And that was a long time ago. It
4 was very exciting times in education. My -- I had
5 big hair at that time -- a long time ago. But I
6 have -- I have enjoyed it all. I have appreciated
7 it.

8 THE CHAIR: We appreciate you, Millie.
9 Thank you.

10 COMMISSIONER POGNA: Thank you.

11 THE CHAIR: Thank you. Commissioner
12 Peralta?

13 COMMISSIONER PERALTA: Madam Chair, I just
14 want to express my appreciation for my new role as
15 Secretary of the Commission. And I look forward to
16 working with the Executive Committee in a very
17 positive, productive way, and, you know, am just
18 thankful for the opportunity.

19 THE CHAIR: Looking forward to working
20 with you, too.

21 Josh, do you have anything to bring to us,
22 as long as you're next on the chain here?

23 MR. GRANATA: Well, Commissioners, I
24 just -- I look forward to this new year. I think
25 Commissioner Bergman has mentioned this many times,

1 that -- especially for the new Commissioners -- that
2 the first year, you really are learning. And I'm in
3 that first year at learning a bunch about what the
4 Commission does.

5 I feel that after each meeting, I have
6 learned a lot more about the Commission and the
7 important role that the Commission has. And so I'm
8 looking forward to this new year and working also
9 with Matt and his staff, as well.

10 I want to briefly touch on a couple of
11 comments from Commissioner Carr, just to address the
12 record, in particular.

13 He indicated that there weren't meeting
14 minutes for the meeting yesterday. And I think what
15 he is referring to is that our court reporter wasn't
16 at the meeting; so there's not going to be a
17 transcript of those meetings. But there will be
18 meeting minutes, just not as detailed as the
19 Commission usually has.

20 So I don't want somebody who reads these
21 minutes to find an OMA violation.

22 And, secondly, we did have a discussion
23 regarding the statute that Commissioner Carr
24 mentioned. And I think that he is right, that the
25 Commission does need to have more discussions. I

1 think, in general, the more discussion that the
2 Commission has regarding all the issues is best to
3 bring all these issues out in the open and to try to
4 resolve questions that Commissioners have.

5 The advice that I gave to the Commission
6 was that I don't think, within the statutory scheme,
7 that the Commission could delegate the role of
8 negotiating contracts to CSD because of some
9 concerns I have regarding conflicts and the
10 different roles of the different entities.

11 And in a private conversation I had with
12 Commissioner Carr, I indicated that it may be
13 possible for the Commission to hire an attorney to
14 help in those negotiations. And I think that it's
15 an area that I need to look into, as well, some
16 more.

17 I think I have expressed it to the
18 Commission a number of times, that the way that
19 these statutes are drafted I think are kind of
20 piecemeal and hard to understand in the -- from a
21 broad perspective. And so from a legal
22 interpretation of these statutes, often at times,
23 it's difficult to understand how different
24 provisions harmonize with one another.

25 And I think that the duties of the

1 Commission is one section that is hard to -- to
2 understand, considering all the roles and duties
3 that the Commission is assigned to, without
4 necessarily having the Staff to do it.

5 But that's a -- something that I think
6 will need to be addressed by the Legislature. And I
7 look forward to, like I said before, working with
8 the Commission and PED this year.

9 THE CHAIR: Thank you very much. I think
10 I probably said enough. But I, again, want to thank
11 the Commission for re-electing me to Chair. I'm not
12 sure my -- my brain thinks that's the sanest thing
13 to do. Boy, does it take a lot of time. But I do
14 enjoy the role, and I enjoy working with each and
15 every one of you.

16 And I would encourage everyone to sign up
17 for as many of those negotiations as you can. It's
18 a true learning experience. And I think you benefit
19 from it. I think you'd enjoy it. It's interesting.

20 So with that, I'll ask Commissioner
21 Bergman --

22 COMMISSIONER BERGMAN: I would echo what
23 the Chair and the Secretary said. I'm looking
24 forward to this year and what we're going to
25 accomplish. It is an ongoing process. It has

1 always been an ongoing process.

2 Six years ago, myself and Commissioner
3 Shearman and Commissioner Carr were sitting where
4 you guys are now. And you wouldn't recognize what
5 was there. Where we are now is so much more
6 complex. We didn't have forms, believe it or not.
7 We didn't have guidelines. We didn't have these
8 performance frameworks and all the rest of it. And
9 all that has been established over these last six
10 years.

11 And we continually tweak it. There's a
12 reason we tweak it. Questions come up every year,
13 just like with this document that we just -- gave us
14 a little problem there. We try and anticipate
15 everything. We're human. None of us can anticipate
16 everything.

17 So it is an ongoing process. It's a
18 challenging process, and it happens to be a process
19 I enjoy. It's been fun. I've enjoyed doing all
20 this, because of the people that it benefits. It
21 doesn't benefit us, doesn't benefit the CSD. It
22 benefits the charter schools, and, more importantly,
23 it benefits the kids that go to those charter
24 schools. And that's really why we're all here.
25 We're all volunteers; we're not paid. We don't have

1 to be here, and yet we are all here.

2 So it's an ongoing process, and I enjoy
3 it, and I hope your experience will be the same. I
4 hope you will enjoy it as you jump into it and see
5 what we're doing.

6 Thank you, Madam Chair.

7 THE CHAIR: Thank you. Commissioner
8 Conyers?

9 COMMISSIONER CONYERS: Yes. I'd like to
10 kind of follow up on what Mrs. Shearman said there.

11 And I want to congratulate the new
12 officers. I appreciate your willingness to put in
13 the extra time. I think a lot of people don't
14 really understand that. They think, "Well, you're
15 an officer and you just go to the meetings." And
16 there's a lot more involved. So I appreciate that
17 and commend you for that.

18 Also, I want to thank the Commissioners
19 and the -- and Staff for their words of
20 encouragement to me in my recent and continuing
21 illness. I really appreciate that.

22 I want to congratulate all the new
23 members -- or those who were reelected and the new
24 members. It's good to meet you all. And I think we
25 have a very good group to work with. And so I

1 appreciate that.

2 And I'm just glad to be here. And as the
3 saying goes, "I'm glad to be anywhere." So --

4 THE CHAIR: Thank you.

5 Commissioner Gipson?

6 COMMISSIONER GIPSON: I just want to thank
7 the Commissioners and the Staff for making this a
8 fairly seamless and comfortable transition into the
9 Commission, and to rest assured that former
10 Commissioner Gant has already scheduled a lunch with
11 me for next week so he can get his PEC fix. So he
12 will keep me on my toes, as I hope the rest of you
13 will.

14 And just for your information, the bill
15 that Senator Stewart dropped is SB-148.

16 THE CHAIR: Thank you. Thank you very
17 much.

18 Commissioner Chavez?

19 COMMISSIONER CHAVEZ: Yeah. Thank you,
20 Madam Chair. I just want to thank everyone for the
21 warm welcome. I look forward to the opportunity in
22 the next two years. I am filling out the last two
23 years of a four-year term. Apparently, mine was --
24 or this district -- has been vacant for a couple of
25 years; right?

1 I do have a request of the folks from the
2 PED, though. And I think what would be really
3 helpful for me is when -- like, for example, when
4 you were giving your report on the Governor's budget
5 recommendations -- I can't write that fast. So I
6 would appreciate actually if you all could give us
7 written -- bring a written -- you know, your written
8 reports, and that would be just really helpful for
9 me. And if we could get it beforehand, that would
10 be additionally helpful, just because when you read
11 something, then you've got questions, you know,
12 later on, or it gives you an opportunity to really
13 think about, you know, what you're saying and -- I
14 appreciate that. Thank you.

15 MR. PAHL: Can I address that real quick?

16 THE CHAIR: Yeah.

17 MR. PAHL: Commissioner Chavez, I think --
18 and all of the new Commissioners -- this binder has
19 a little less than usual, sort of what we would have
20 pre-written. So know that the expectation is a
21 little more to you ahead of time that's written; and
22 also that sometimes things come pretty late, and so
23 they won't be written. But we'll keep that in mind
24 moving forward for future meetings.

25 So thank you for the feedback.

1 COMMISSIONER CHAVEZ: Great.

2 THE CHAIR: Thank you. Commissioner
3 Armbruster?

4 Use the mic. Cindy's having a little
5 troubling hearing us.

6 COMMISSIONER ARMBRUSTER: Okay. Thank you
7 for the warm welcome. I want to certainly reinforce
8 that.

9 And I have some questions, which it is
10 possible only I don't know the answers to. But when
11 you said we jumped in, I think I forgot my life
12 jacket.

13 Anyway -- but there were things that
14 probably could be written -- and I know Beverly's
15 sent me a million e-mails. And so I wanted to just
16 kind of note, what do you do with those e-mails
17 after you read them? I mean, I read them. Then
18 they're going to be in this. I'm not sure what to
19 do with them. Do I just keep them on the computer
20 forever, because I might lose them? What do I do
21 with this?

22 And what kinds of knowledge should we know
23 beforehand? I mean, I see that people bring
24 different information, because you have different
25 backgrounds of what we were doing.

1 So just sort of explanatory stuff.

2 In addition, I think it would be helpful
3 to me if someone just had like bulleted bio kind of
4 stuff, like what your background is, so that when
5 you have a question, you might go to that person,
6 because that person clearly knows more than I know.

7 I don't know anything about, you know,
8 Patti, for example, or Eleanor, for that matter.
9 But -- and I was just wondering if that would be a
10 good introductory type of thing for at least the
11 three new people here; because you all may know all
12 that, but I don't. Or maybe I should have, and I
13 just don't. I don't know. I can take the
14 responsibility.

15 And I'm sorry I didn't get back to you
16 about those committees, because I was actually
17 looking into what those are, too. But I will get
18 back to you by tomorrow.

19 THE CHAIR: Thank you. I appreciate that.

20 In response to that, I would simply say,
21 Commissioners, if you would like to put together a
22 small bio and send those to Beverly, then she could
23 compile that and make it available to whoever of the
24 Commission might like those, okay? And I can
25 understand --

1 MS. FRIEDMAN: Madam Chair?

2 THE CHAIR: Yes.

3 MS. FRIEDMAN: At your discretion, what I
4 can do, if people would like to do those bios, is
5 that I can get them on the website. Your names can
6 have a link connected to that, and people can click
7 on your name, and that information would come up, if
8 you so wish.

9 THE CHAIR: Good idea.

10 MS. FRIEDMAN: And so if you all would
11 like to send me a bio, I would say probably 100 to
12 150 words, if you can, and send that to me, and we
13 can make that link. And I will send them out to the
14 individual Commissioners before we get them posted
15 on the website, so that you get to know each other a
16 little bit better.

17 COMMISSIONER CARR: Can I give you a book?

18 MS. FRIEDMAN: And Madam Chair?

19 THE CHAIR: Josh first, and then you.

20 MS. FRIEDMAN: Okay.

21 MR. GRANATA: Madam Chair, Commissioners,
22 I just wanted to address a question from
23 Commissioner Armbruster quickly. There was a
24 question about her e-mails. I would suggest saving
25 your e-mails. Let me do some research about what's

1 required under the law.

2 At this point in time, I would suggest
3 saving everything, PEC-specific, obviously.

4 THE CHAIR: Beverly?

5 MS. FRIEDMAN: And, Madam Chair,
6 Commissioner Armbruster, as far as the notebooks are
7 concerned, all of the information I sent you
8 electronically will be in the notebook. And you
9 have a choice of either using a computer when you
10 come to the meeting and have electronic files in
11 front of you, or you can use the notebook.

12 For those of you who are new, the PED will
13 give you a laptop computer similar to this one. It
14 is a PC, not Apple. And if you wish to use it, you
15 may; although I think maybe one Commissioner still
16 has a PED computer out. I think the other
17 Commissioners have returned them. And they find it
18 easier to use the hard-copy notebooks than the
19 computer.

20 But I can't -- I couldn't bring them down
21 for these -- this meeting, February or March
22 meeting; but when we are back in Santa Fe in April,
23 I will have the technicians work with you on that
24 computer, and we will give you the computer at that
25 time.

1 For the time being, the same as every
2 meeting, if you wish to take the insides of the
3 notebook home with you, feel free to do that. But
4 leave me the notebook, and we'll fill it up again
5 for the next meeting.

6 THE CHAIR: And the tabs.

7 MS. FRIEDMAN: No, you can take the tabs,
8 too. You may have the tabs, yes.

9 THE CHAIR: Further comments? Matt?

10 MR. PAHL: Madam Chair, members of the
11 Commission, you are probably wishing for Julie,
12 because she doesn't run her mouth as much as I do.

13 THE CHAIR: We do like Julie.

14 MR. PAHL: Good. We do, too.

15 COMMISSIONER BERGMAN: We like you, too.

16 MR. PAHL: I just wanted to announce that
17 we hired -- we recently made offers to, and hired,
18 two more liaisons at the Department. And so we look
19 forward for you all to get a chance to meet them
20 over the next month here. But that leaves us fully
21 staffed with liaisons.

22 We have another spot for -- for someone
23 who's more of a support role. But we are staffing
24 up. And I remain your Interim Director, month eight
25 of being interim. I think you've gotten used to me.

1 But I'll keep you updated if anything changes on
2 that front, as well.

3 THE CHAIR: I believe that's the first
4 time I've ever heard that we are fully staffed. I
5 am impressed. And I'm grateful, as well.

6 MR. PAHL: Thank you.

7 COMMISSIONER BERGMAN: How many liaisons
8 now do we have, then? Five?

9 MR. PAHL: Yes, that makes for five
10 liaisons.

11 COMMISSIONER BERGMAN: But with over
12 60 schools already on this table, that means each
13 one of those five is going to have 12, or 13. And
14 with this new crop, at some point -- we have had
15 this discussion before -- maybe if we ever get that
16 extra money that Kevin was talking about -- because
17 that's -- still, to me, is an onerous burden for you
18 and your liaisons -- we need more than you're
19 apparently authorized right now.

20 MR. PAHL: We think 10 to 12 is
21 appropriate for the liaisons. But as you mentioned,
22 as the charter school pool grows, we'll have to
23 think about either adding new staff or adjusting how
24 we work with our current staff to work with schools.

25 THE CHAIR: Thank you.

1 COMMISSIONER CARR: Madam Chair?

2 THE CHAIR: Yes.

3 COMMISSIONER CARR: I would like to
4 clarify, yeah, all the positions are filled. But
5 just keep in mind that four years ago, I remember
6 about 25 positions were eliminated. So we still
7 have less people in the PED than we did four years
8 ago, just so you know.

9 THE CHAIR: Anything else, Commissioners?
10 Beverly, do we have anyone signed up for
11 Open Forum?

12 MS. FRIEDMAN: No, ma'am, you did not.

13 THE CHAIR: All right. The next item on
14 the agenda is the Executive Session.

15 Ladies and gentlemen, once we vote to go
16 into Executive Session, we will ask everyone to
17 please excuse themselves and leave the room. And
18 then we will adjourn after we come out of Executive
19 Session. Okay?

20 So we're at Item 18. Would someone care
21 to make a motion to go into Executive Session?

22 COMMISSIONER PERALTA: So move.

23 THE CHAIR: You have to read the whole
24 thing.

25 COMMISSIONER PERALTA: I'm going to give

1 this a shot.

2 I, Gilbert Peralta, move to enter into the
3 Executive Session, pursuant to 10-15-1(H)(7),
4 regarding threatened or pending litigation. A,
5 Rio Rancho v. PED and PEC; and B, Appeal of Columbus
6 Community School.

7 THE CHAIR: Thank you for the motion. Do
8 we have a second?

9 COMMISSIONER BERGMAN: Second.

10 THE CHAIR: Motion by Commissioner
11 Toulouse, second by Commissioner Bergman, to go into
12 Executive Session.

13 COMMISSIONER BERGMAN: Commissioner
14 Peralta made the motion.

15 THE CHAIR: I correct myself.
16 Commissioner Peralta made the motion. Commissioner
17 Bergman seconded to go into Executive Session.

18 May we have a roll-call vote,
19 Mr. Secretary?

20 COMMISSIONER BERGMAN: Okay. We're voting
21 on going into Executive Session.

22 Commissioner Toulouse?

23 COMMISSIONER TOULOUSE: Yes.

24 COMMISSIONER BERGMAN: Commissioner Carr?

25 COMMISSIONER CARR: Yes.

1 COMMISSIONER BERGMAN: Commissioner
2 Armbruster?
3 COMMISSIONER ARMBRUSTER: Yes.
4 COMMISSIONER BERGMAN: Commissioner
5 Chavez?
6 COMMISSIONER CHAVEZ: Yes.
7 COMMISSIONER BERGMAN: Commissioner
8 Gipson?
9 COMMISSIONER GIPSON: Here.
10 COMMISSIONER BERGMAN: Commissioner
11 Conyers?
12 COMMISSIONER CONYERS: Yes.
13 COMMISSIONER BERGMAN: Commissioner
14 Peralta?
15 COMMISSIONER PERALTA: Yes.
16 COMMISSIONER BERGMAN: Commissioner Pogna?
17 COMMISSIONER POGNA: Yes.
18 COMMISSIONER BERGMAN: Commissioner
19 Shearman?
20 THE CHAIR: Yes.
21 COMMISSIONER BERGMAN: Commissioner
22 Bergman votes "yes."
23 That is 10-to-0 in favor of that motion.
24 THE CHAIR: Thank you. The motion passes
25 to go into Executive Session. As soon as Cindy

1 wraps up, we will begin our session.

2 (Executive Session conducted
3 off the record.)

4 THE CHAIR: Commissioners, is there
5 anything else to come before us today?

6 Oh, the Commission is now out of the
7 Executive Session. No decisions were made; no votes
8 were taken. And the only items discussed were those
9 listed on the official agenda for today.

10 All right. Anything else, Commissioners?

11 If not, the Chair would entertain a motion
12 to adjourn.

13 COMMISSIONER CARR: So moved.

14 COMMISSIONER POGNA: Second.

15 THE CHAIR: We are adjourned. Thank you
16 very much.

17 (Proceedings concluded at 12:45 p.m.)
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1 BEFORE THE PUBLIC EDUCATION COMMISSION
2 STATE OF NEW MEXICO

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4
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6
7 REPORTER'S CERTIFICATE

8 I, Cynthia C. Chapman, RMR, CCR #219, Certified
9 Court Reporter in the State of New Mexico, do hereby
10 certify that the foregoing pages constitute a true
11 transcript of proceedings had before the said
12 NEW MEXICO PUBLIC EDUCATION COMMISSION, held in the
13 State of New Mexico, County of Bernalillo, in the
14 matter therein stated.

15 In testimony whereof, I have hereunto set my
16 hand on January 29, 2015.

17
18
19 *Cynthia Chapman*

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