

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS
OPEN PUBLIC SPECIAL MEETING

July 28, 2025

5:00 p.m.

Via Zoom Webinar

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

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JOB NO.: 918P (CC)

<p style="text-align: right;">2</p> <p>1 APPEARANCES</p> <p>2 COMMISSIONERS:</p> <p>3 REBEKKA BURT, Chair</p> <p>4 PATRICIA GIPSON, Vice Chair</p> <p>5 STEWART INGHAM, Secretary</p> <p>6 SHARON CLAHCHISCHILLIAGE, Member</p> <p>7 STEVEN J. CARRILLO, Member</p> <p>8 TIMOTHY E. BECK, Member</p> <p>9 K.T. MANIS, Member</p> <p>10 SAM S. OBENSHAIN, Member</p> <p>11 MICHAEL TAYLOR, Member</p> <p>12</p> <p>13 STAFF:</p> <p>14</p> <p>15 DR. BRIGETTE RUSSELL Interim Director</p> <p>16 Charter School/Options for</p> <p>17 Parents and Families Division</p> <p>18</p> <p>19 MELISSA BROWN Interim Deputy Director</p> <p>20 (MISSY) Charter School/Options for</p> <p>21 Parents and Families Division</p> <p>22</p> <p>23 LUCY VALENZUELA Authorizing Practices</p> <p>24 Administrator</p> <p>25 Charter School/Options for Parents</p> <p>and Families Division</p> <p>CONSUELO CONSTANTINE NMPED Liaison to the NMPEC</p> <p>COUNSEL TO THE PEC:</p> <p>JULIA HOSFORD BARNES, ESQ.</p> <p>Barnes Mediation and Law, PC</p> <p>200 W. DeVargas Street, Suite 7</p> <p>Santa Fe, New Mexico 87501</p>	<p style="text-align: right;">4</p> <p>1 THE CHAIR: It is 5:02 p.m. I will go</p> <p>2 ahead and call this meeting to order.</p> <p>3 Secretary Ingham, if you could take roll.</p> <p>4 SECRETARY INGHAM: Yes.</p> <p>5 Commissioner Clahchischilliage.</p> <p>6 (No response.)</p> <p>7 SECRETARY INGHAM: Secretary Ingham is</p> <p>8 here.</p> <p>9 Tim Beck.</p> <p>10 COMMISSIONER BECK: Here.</p> <p>11 SECRETARY INGHAM: Beck.</p> <p>12 Let's see. Commissioner -- oh, come on,</p> <p>13 Stewart. This is --</p> <p>14 COMMISSIONER BECK: Manis. Commissioner</p> <p>15 Manis.</p> <p>16 SECRETARY INGHAM: Commissioner Manis.</p> <p>17 (No response.)</p> <p>18 THE CHAIR: Not present.</p> <p>19 COMMISSIONER BECK: Commissioner Taylor.</p> <p>20 COMMISSIONER TAYLOR: Here.</p> <p>21 COMMISSIONER CARRILLO: Commissioner</p> <p>22 Carrillo.</p> <p>23 (No response.)</p> <p>24 THE CHAIR: Is not present as of yet.</p> <p>25 VICE CHAIR GIPSON: Commissioner Gipson is</p>
<p style="text-align: right;">3</p> <p>1 INDEX TO PROCEEDINGS</p> <p>2 PAGE</p> <p>3 1 Call to Order, Roll Call, 4</p> <p>4 Pledge of Allegiance,</p> <p>5 Salute to the New Mexico Flag 6</p> <p>6 2 Approval of Agenda 8</p> <p>7 3 Public Comment 9</p> <p>8 4 Discussion and Possible Action 9</p> <p>Regarding Equip Academy of New Mexico's</p> <p>Request for Suspension of Charter Contract</p> <p>for SY 2025-26</p> <p>9</p> <p>10 REPORTER'S CERTIFICATE 62</p> <p>11 ATTACHMENTS:</p> <p>12 1 List of Attendees</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">5</p> <p>1 here.</p> <p>2 SECRETARY INGHAM: Commissioner Gipson.</p> <p>3 VICE CHAIR GIPSON: Here.</p> <p>4 SECRETARY INGHAM: And Chair Burt.</p> <p>5 THE CHAIR: Here. And then Commissioner</p> <p>6 (inaudible) is here.</p> <p>7 SECRETARY INGHAM: One, two, three,</p> <p>8 four --</p> <p>9 THE CHAIR: Five, six. So we have a</p> <p>10 quorum of six.</p> <p>11 MS. MELISSA BROWN: And I just promoted</p> <p>12 Commissioner Carrillo. And Commissioner Obenshain</p> <p>13 is here as well.</p> <p>14 THE CHAIR: Great. So we have a quorum of</p> <p>15 seven.</p> <p>16 All right. If I could ask everyone to</p> <p>17 rise and say the Pledge of Allegiance and the Salute</p> <p>18 to the New Mexico Flag.</p> <p>19 (Pledge of Allegiance and Salute to the</p> <p>20 New Mexico Flag conducted.)</p> <p>21 MS. MELISSA BROWN: I'm also promoting</p> <p>22 Commissioner Manis.</p> <p>23 THE CHAIR: Thank you. And I'll just ask</p> <p>24 the folks on the panel, if you are not speaking to</p> <p>25 please make sure you are muted, just so that we go</p>

<p style="text-align: right;">6</p> <p>1 through this without the background noise.</p> <p>2 All right. Next item is the Approval of</p> <p>3 the Agenda. If there's any items that need to be</p> <p>4 changed in the agenda, speak now.</p> <p>5 (No response.)</p> <p>6 THE CHAIR: All right. Seeing none, I'll</p> <p>7 move to approve the agenda.</p> <p>8 VICE CHAIR GIPSON: Second.</p> <p>9 THE CHAIR: All right. There's a motion</p> <p>10 and a second.</p> <p>11 Any discussion?</p> <p>12 (No response.)</p> <p>13 THE CHAIR: Seeing none, Secretary Ingham,</p> <p>14 you can call roll. But go ahead and just call the</p> <p>15 people that are online.</p> <p>16 You're on mute.</p> <p>17 SECRETARY INGHAM: Okay. I wasn't ready.</p> <p>18 Sorry.</p> <p>19 Okay. Secretary Ingham is here.</p> <p>20 Secretary Taylor.</p> <p>21 THE CHAIR: We're voting yes -- it's a</p> <p>22 yes-or-no vote.</p> <p>23 SECRETARY INGHAM: Yes.</p> <p>24 THE CHAIR: Okay. This is a good. You're</p> <p>25 doing fine.</p>	<p style="text-align: right;">8</p> <p>1 I believe, seven to zero.</p> <p>2 SECRETARY INGHAM: Oh, yes. Sorry.</p> <p>3 THE CHAIR: That's okay. So next item is</p> <p>4 Public Comment.</p> <p>5 Missy, was there any public comment</p> <p>6 tonight?</p> <p>7 MS. MELISSA BROWN: Nobody has signed up</p> <p>8 for Public Comment. But I neglected to put the</p> <p>9 instructions up.</p> <p>10 THE CHAIR: That's okay. Yeah. If</p> <p>11 anybody is online -- so if you're a panelist, you'll</p> <p>12 have the opportunity to speak to us during your</p> <p>13 time. But if there's anybody in the attendees that</p> <p>14 would like to speak, you'll have two minutes to make</p> <p>15 public comment.</p> <p>16 Just raise your digital hand, and Missy</p> <p>17 will move you over and we'll give you the</p> <p>18 opportunity to speak right now.</p> <p>19 So I'll pause for a just a second. I'll</p> <p>20 give you, like, a 30-second uncomfortable pause,</p> <p>21 just to allow folks to go ahead and have the</p> <p>22 opportunity to raise their digital hands, and we</p> <p>23 will promote you and hear you at Public Comment</p> <p>24 tonight.</p> <p>25 (Pause in proceedings.)</p>
<p style="text-align: right;">7</p> <p>1 SECRETARY INGHAM: Okay. Commissioner</p> <p>2 Taylor.</p> <p>3 COMMISSIONER TAYLOR: Yes.</p> <p>4 SECRETARY INGHAM: Commissioner Beck.</p> <p>5 COMMISSIONER BECK: Yes.</p> <p>6 SECRETARY INGHAM: Commissioner Gipson.</p> <p>7 VICE CHAIR GIPSON: Yes.</p> <p>8 SECRETARY INGHAM: And Chair Burt.</p> <p>9 THE CHAIR: Yes.</p> <p>10 SECRETARY INGHAM: Vice Chair Gipson.</p> <p>11 And was Sam or anybody else there?</p> <p>12 THE CHAIR: Yes. Sam is here.</p> <p>13 COMMISSIONER OBENSHAIN: I vote yes.</p> <p>14 SECRETARY INGHAM: Obenshain. Okay.</p> <p>15 COMMISSIONER OBENSHAIN: Yes.</p> <p>16 THE CHAIR: Commissioner Manis is here.</p> <p>17 And Commissioner Carrillo.</p> <p>18 SECRETARY INGHAM: Commissioner Manis.</p> <p>19 COMMISSIONER MANIS: Yes.</p> <p>20 SECRETARY INGHAM: And Commissioner</p> <p>21 Carrillo.</p> <p>22 THE CHAIR: He looks unmuted; but we can't</p> <p>23 hear you, Commissioner Carrillo.</p> <p>24 All right. We're going to go ahead and</p> <p>25 take that as an abstention for now. So that passes,</p>	<p style="text-align: right;">9</p> <p>1 THE CHAIR: All right. I think I've</p> <p>2 paused enough for even someone fumbling through.</p> <p>3 All right. Thank you. Appreciate that.</p> <p>4 All right. That will take us to Item</p> <p>5 No. 4, Discussion and Possible Action Regarding</p> <p>6 Equip Academy of New Mexico's Request for Suspension</p> <p>7 of Charter Contract for School Year '25 to '26.</p> <p>8 With that, I'd like to pass it over first</p> <p>9 to Director Russell to just give us a brief overview</p> <p>10 of what we're looking at tonight. And then we'll</p> <p>11 pass it off to the school for more information.</p> <p>12 DR. BRIGETTE RUSSELL: Thank you.</p> <p>13 MS. MELISSA BROWN: Can I just interrupt</p> <p>14 to say that Commissioner Clahchischilliage has</p> <p>15 joined us as well.</p> <p>16 THE CHAIR: Great. Thank you.</p> <p>17 DR. BRIGETTE RUSSELL: Thank you, Chair</p> <p>18 Burt and Commissioners.</p> <p>19 We are here tonight to discuss the Equip</p> <p>20 Academy of New Mexico's request to suspend their</p> <p>21 contract for one year and open to students in the</p> <p>22 2026-'27 school year.</p> <p>23 The Charter Schools Division conducted its</p> <p>24 pre-opening visit to Equip Academy on July 21st.</p> <p>25 And in our review of the school's readiness,</p>

<p style="text-align: right;">10</p> <p>1 preparation, staffing, curriculum, facility, with 2 the -- a new head administrator, Katherine Duran, it 3 was apparent to the Charter Schools team that the 4 school is not ready to open. The facility was not 5 prepared to receive students two weeks after our 6 visit. 7 There were -- there were staffing 8 vacancies. Only two teachers had been hired. Those 9 two teachers have subsequently left their employment 10 with the school. 11 A professional development had been 12 planned for the day of our visit. But sufficient 13 staff were not in attendance to take part in that 14 professional development. 15 After discussions with -- with Ms. Duran 16 with her PCSNM mentor, and separately with the board 17 chair, we determined that we did not believe that it 18 would be in the best interest of the students who 19 were registered at the school for the school to 20 open, that the school was not prepared to offer them 21 the education that their parents had every right to 22 expect for them. 23 Thank you. 24 THE CHAIR: Okay. Thank you. 25 All right. I'll go ahead and pass it</p>	<p style="text-align: right;">12</p> <p>1 planning year and open in fall of 2026, this would 2 allow us and the team the necessary time to fully 3 prepare for a strong compliant and sustainable 4 opening. 5 I'd like to add that another team member 6 of mine, Abi O'Neal, is on. She's been pinnacle in 7 helping to open Equip Academy. 8 So my two concerns regarding the opening 9 as scheduled are the Certificate of Occupancy. As 10 of today, we do not have a Certificate of 11 E-Occupancy. And, you know, of course, without 12 this, we cannot legally reopen the building to 13 students and staff. 14 Again, staffing shortfalls: The certified 15 teaching staff that were hired within a week of the 16 PED, they redacted their offer and quit, expressing 17 just uncomfortableness with the unknown. 18 Implementation Year checklist: During our 19 recent site visit with Dr. Russell, I was made aware 20 that the Implementation Year checklist remains 21 significantly incomplete. Based on a realistic 22 assessment, it would take approximately six months 23 of foundational work that I would need to be 24 completed -- that would need to be completed within 25 the -- (Audio transmission issues.)</p>
<p style="text-align: right;">11</p> <p>1 over -- Ms. Duran, I think, I'll give it to you. 2 And then if you want to kind of -- if you don't mind 3 introducing yourself first, and if you can -- if you 4 don't mind introducing your team behind you. And 5 then you're more than welcome to have the time you 6 need to speak -- however you guys practiced it, it's 7 your time. 8 You're on mute. 9 MS. KATHERINE DURAN: Thank you. Good 10 evening, Commissioner and everyone. My name is 11 Katherine Duran. I'm new to Equip Academy starting 12 July 15th. You'll see that my team that has logged 13 on are board members Mike Quinn and Sara is all 14 that -- my legal consultant, Daniel Ivey-Soto. I 15 know that my mentor and other individuals are in the 16 audience as well. 17 So if I could take time just to echo what 18 Ms. Russell has said. 19 Since joining Equip Academy of New Mexico 20 on July 15th, I have taken time to reflect and 21 carefully assess the readiness of our school to be 22 open as scheduled. I believe it's my responsibility 23 to also present the reality of our current status 24 and the options we now face. 25 Though in requesting to extend the</p>	<p style="text-align: right;">13</p> <p>1 THE CHAIR: Ms. Duran, we're -- the 2 Internet is cutting you out. You're completely cut 3 out from the Internet. I don't know if it's just 4 me. 5 Missy, is it the same for you? Okay. 6 Yeah. Your Internet is completely cutting 7 out, and you're stuck. 8 MR. DANIEL IVEY-SOTO: Madam Chair, if we 9 could -- first of all, the rest of what she was 10 going to talk about is having to do six months of 11 work in about two and a half weeks. 12 Go ahead, Kat. You're back in. 13 No, she's not. Okay. Very well. 14 So, anyways, there are a number of policy 15 issues, compliance issues, and handbooks of daily 16 schedules, internal controls that still require 17 revision for us to be open, as well as creating the 18 school culture that we really need to have in terms 19 of teachers and other staff ready to welcome the 20 students on the first day. 21 With that, I'm going to yield over to the 22 Vice Chair of the board, Sara Fitzgerald, for just a 23 moment. 24 MS. SARA FITZGERALD: Yeah. Good evening, 25 Madam Chair, Commissioners. My name is Sara</p>

<p style="text-align: right;">14</p> <p>1 Fitzgerald. I'm Vice Chair of the Equip Academy of 2 New Mexico governing board. 3 We have been committed to opening in fall 4 of 2025, as originally authorized and planned. But 5 given the situation that you heard Ms. Duran explain 6 and describe, the Equip board requests that the 7 Commission allow Equip to extend its planning year 8 and open in the fall of 2026. 9 This time is going to allow us to complete 10 a number of really critical tasks like securing our 11 facilities, hiring and on-boarding high-quality 12 educators, and finalizing all of our compliance 13 related documentation. 14 During that time, we'll also ensure all of 15 our handbooks and protocols are in compliance fully 16 with all legal requirements. We'll develop a school 17 calendar and a daily schedule that meets, again, all 18 those statutory rerequirements in collaboration with 19 testing coordinators and staff. We'll develop 20 internal control systems and procedures. We'll 21 continue active student recruitment during this 22 time. And, of course, we'll build a school culture 23 and an academic plan that reflects excellence, 24 integrity, and sustainability in line with our 25 mission and vision for the school.</p>	<p style="text-align: right;">16</p> <p>1 We have -- we have scatter-plotted where 2 they live with other high-quality charter schools in 3 their area. We have actually been working with 4 Public Charter Schools of New Mexico to help 5 identify which schools have openings in the 6 kindergarten and first grade. 7 And so -- and so we have a plan beginning 8 this evening, actually -- because a lot of the 9 families are most available in the evening to reach 10 out -- in both English and Spanish, depending on the 11 families' requirements -- and to work with each 12 family individually and make sure that we're going 13 to be able to place their child in a school where 14 they'll be able to receive the education that 15 they're expecting to have from Equip. 16 And I want the Commissioners to know that 17 this was -- this was the issue of most contention, 18 actually, for the board. And, in fact, you know, I 19 really appreciate the fact that Board Member Mike 20 Quinn is here, because he made it very clear -- 21 among others, he wasn't the only one -- that his 22 vote to make this request to the Commission was 23 conditioned upon a plan, not just of general 24 communication, but of specific assistance to every 25 single family that had committed to take this child</p>
<p style="text-align: right;">15</p> <p>1 In closing, you know, I do want to say 2 that the Equip board is fully committed to 3 undertaking this process with the utmost 4 transparency, urgency, and accountability. 5 And so on behalf of our board, I 6 respectfully ask that the Commission approve our 7 request. 8 Thank you. 9 MR. DANIEL IVEY-SOTO: And, Madam Chair, I 10 do want to let the Commission know that in coming to 11 this decision, the -- the board has spent lots of 12 time really wrestling before -- before -- before 13 coming to this point. And I want you all to know 14 that the number one hesitation that the board had 15 was the students and the families who had committed 16 themselves to coming to our school and the 17 commitment that we have to those students and those 18 families. 19 The -- one of the reasons why we very much 20 appreciate the PEC holding a special -- this special 21 meeting in such a short time frame is because we 22 have a plan as soon as we get the go-ahead from the 23 PEC -- and we know what our plan is in terms of 24 where we are -- to start reaching out to every 25 single family member.</p>	<p style="text-align: right;">17</p> <p>1 to our school, so that we don't leave them hanging. 2 Thank you. 3 THE CHAIR: Thank you. 4 All right. So I think with this, 5 Commissioners, we haven't done an all online format 6 in a very long time, which is honestly great. Thank 7 goodness. 8 But if I could ask you -- we'll go ahead 9 and go to Commissioner questions. If I could ask 10 you to go ahead and raise your digital hand. And 11 that will actually put you in the queue for me, so I 12 don't have to be scrolling through your pictures to 13 look for your physical hand being raised. 14 So go ahead and leave your physical hands, 15 leave them raised until I call you. Then you can 16 put it down afterwards. But it will put you in a 17 queue for me so I can do that. 18 And please make sure you direct your 19 questions to exactly who you want to answer it. So 20 if you need Julia to answer something, Ms. Barnes is 21 online. She can answer anything from the PEC legal 22 side. You have Director Russell, if you want her to 23 be answering it. Or if you want someone from the 24 school. Please be very specific as to who you want 25 to answer your question so that -- because it's</p>

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1 going to be very difficult for me online. Okay?
2 All right.

3 Thank you. Commissioner Taylor first.
4 COMMISSIONER TAYLOR: Great. Thank you.

5 This -- the first question I have is I guess for
6 the -- somebody from the school.

7 It seems like there were a significant
8 number of tasks that weren't completed and weren't
9 ready. What is the reason that those didn't get
10 done?

11 MR. DANIEL IVEY-SOTO: Certainly. We're
12 actually doing that evaluation right now. I will
13 tell you that this is something that -- as I
14 understand the intent of both tonight and the next
15 steps coming up, is that -- is that the Charter
16 School Division has let us know that they're going
17 to be wanting us to do kind of a comprehensive
18 postmortem of how we got to this point and to make a
19 presentation to the September meeting of the PEC.

20 And, frankly, I think we'll be able to
21 give a -- a better response than that is reflective
22 at that time.

23 COMMISSIONER TAYLOR: Okay. And so that's
24 going to be probably post this decision, you know,
25 whatever decision we make, obviously.

19

1 So more -- more importantly, in my mind,
2 it would be more significant for you to have a plan
3 going forward -- I mean, obviously, you have to
4 reflect on the past. But what I would -- what I
5 would want to hear in the September meeting is,
6 "This is our plan going forward if this is
7 approved," rather than, "This is how we got to where
8 we are," you know.

9 To me -- I mean, you're going to have to
10 do some reflective work and some work to figure that
11 out. But I don't necessarily want to hear that. I
12 want to hear how you're going to go forward; right?

13 MR. DANIEL IVEY-SOTO: Yes, sir.

14 COMMISSIONER TAYLOR: The other thing:

15 The board that's in place now, is it the
16 same board that has been in place since the
17 inception of the school or the approval of the
18 school?

19 MR. DANIEL IVEY-SOTO: It -- Commissioner,
20 it is. The -- this board -- I have to tell you.

21 One of the things I'm just -- having worked with a
22 number of boards over the years, this board really
23 stepped up when they realized that there was a
24 problem; right?

25 The board has been trying to stay in its

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1 lane while other people do their job. They've been
2 receiving regular reports, as has the CSD and has
3 the PED -- or the PEC; right? But at that time that
4 the board realized that action was going to need to
5 be taken, this board was able -- on two different
6 occasions, one in terms of who would occupy the role
7 of head administrator -- was able to step up and
8 say, you know, "We -- we've been working with
9 someone on a regular basis. We realize right now
10 that there's a licensure issue that we have to
11 address." And they were able to make that pivot,
12 say, "Look. Either we find somebody who is
13 competent to be the head administrator or we need to
14 call it."

15 And we were fortunate to be able to find
16 Ms. Duran, who was with us until her Internet gave
17 out.

18 We also were able -- then when -- after
19 the CSD came in and did their opening day checklist
20 and we got some initial reports from Ms. Duran in
21 terms of where we were in terms of certain back-side
22 issues of readiness to open our doors, again, the
23 board could have very easily said, "Push forward. We
24 don't care what happens"; right? "We're just going
25 to go forward."

21

1 And, instead, they were very contemplative
2 about this. And they've made some very -- I think
3 some very difficult decisions, some of the most
4 difficult decisions I've seen a first-year board
5 have to tackle and address.

6 So yes is the answer to your question.

7 COMMISSIONER TAYLOR: Okay. And I want to
8 just clarify. That question was not intended to
9 say, "So the board that's been in place obviously
10 messed up." That's not my point.

11 You know, my point is is that when we --
12 when we -- when we approved this school for their
13 planning year, there was a lot of excitement
14 amongst -- that was the -- Equip was the only school
15 that got a ten-zero revote, you know. Everyone was
16 behind it. There was a lot of excitement. There
17 was a lot of qualified people. And it does sound
18 like they had to make some very serious difficult
19 decisions during the course of this -- of this
20 planning year.

21 So I don't have any issue with, you know,
22 the board. I wasn't making any judgment on that. I
23 just want to make sure -- I just want to know, if it
24 truly is, are these people that have been here since
25 the beginning and have been working to make this

22

1 happen? If it is, then we -- we were behind that
2 board to start the school.

3 So, yeah. That's all I needed.

4 MR. DANIEL IVEY-SOTO: It truly is. It
5 truly is.

6 COMMISSIONER TAYLOR: Yeah.

7 THE CHAIR: Thank you.

8 Commissioner Ingham.

9 SECRETARY INGHAM: Yes. So this question
10 is to the board, whoever wants to answer it. I
11 would like to know exactly the number of families
12 that had committed. And then I would also like to
13 know if there were families that had not
14 specifically committed, but had applied for the
15 lottery. I just want to know how many families or
16 how many students have even -- have officially
17 applied and how many have -- if there are ones out
18 there that could possibly be planning on applying
19 and not been able to finish the application process
20 or whatever, I just want to make sure everybody who
21 was contemplating going to this school has -- is
22 listed and has -- and will be contacted. That's
23 all.

24 MS. SARA FITZGERALD: Madam Chair,
25 Commissioner, that's a really important question.

23

1 That was one of the first concerns that we had as
2 a -- you heard Daniel say a minute ago.

3 We have approximately 64 families
4 currently enrolled. I'm not sure exactly how many
5 are kind of in that application process. Ms. Duran
6 might be in a position to give you some insights
7 there.

8 But I do know that we have 64 who have
9 completed all of that paperwork.

10 We had a number of families even attend an
11 in-person event a couple of weeks ago to receive
12 uniforms. And so we've been in touch with them.
13 We'll continue to be in touch with them to find
14 their new school home for the 2025-2026 year, even
15 though it won't be with us.

16 SECRETARY INGHAM: Thank you. That's all.

17 THE CHAIR: Thank you.

18 Commissioner Gipson.

19 COMMISSIONER TAYLOR: You're muted.

20 VICE CHAIR GIPSON: To the board, you
21 mentioned that you had an event just a couple of
22 weeks ago to give out uniforms.

23 It just seems that there was this chaos
24 going on, and, at the same time, you're still
25 enrolling students. So I have a concern about how

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1 long you were communicating to parents that this
2 school was absolutely ready to open when you really
3 weren't ready to open.

4 MS. SARA FITZGERALD: Madam Chair,
5 Commissioner, that's a very difficult question. You
6 know, a lot has changed over the past two and a half
7 weeks.

8 I will say we've had, you know, one
9 regular board meeting, two or three emergency board
10 meetings, and one special board meeting to come
11 together and address this.

12 I think at all of them -- Daniel, you
13 might keep me honest here -- we've had 100 percent
14 board attendance at all of those to make sure that
15 we are all contributing to finding a way forward
16 through this crisis.

17 You know, when we first understood the
18 problem as it was, we believed that our options were
19 to hire a new administrator and charge ahead to try
20 and make it work, or simply not open and allow our
21 charter to be revoked.

22 And so we did the best that we could with
23 that. We wanted to make good on the promise that
24 we've made to our students, to our community, and to
25 the State of New Mexico, through the PEC.

25

1 And, fortunately, we found Ms. Duran. I
2 think she's extremely capable, as I think you can
3 tell from her resume. She dove in right away, and
4 very quickly, we started unearthing some more facts
5 that really changed the situation dramatically.

6 So all of that is to say that this has
7 really been a quickly evolving situation. We've
8 done our best to adapt to that and be responsible
9 with the resources that we have, with the families
10 who have already committed.

11 And we've been doing our best to
12 communicate with them as things have changed, you
13 know, with the knowledge that we don't want to speak
14 too much and cause confusion.

15 So I don't know if, Daniel, if you would
16 like to add any more.

17 Commissioner, if that answers your
18 question, we've really been doing our best to stay
19 in communication with our families without causing
20 more confusion, you know, in spite of a very
21 difficult and quickly changing situation.

22 VICE CHAIR GIPSON: Thanks. I mean, I
23 have no issue with the decision to be made. I
24 don't. But I do have a concern -- I think it's
25 about the whole system. There's a lot of money that

26

1 went in to help support this school to get them to
2 where they are, and this just went terribly wrong.

3 So I think all of us need to look at this
4 to see, you know, where -- you know, what transpired
5 here. Because this -- you know, we've had schools
6 that have opened with absolutely no monetary support
7 and have opened strong. And this applicant team, in
8 particular, had significant financial support to get
9 them to -- to open strong. And it didn't happen.

10 So that's -- that's my angst at this point
11 in time. Not with the decision. We're going to --
12 so I think it's for discussion at another time.

13 THE CHAIR: All right. Commissioner
14 Carrillo.

15 COMMISSIONER CARRILLO: Thanks. Sorry I'm
16 late. Just -- and if my Internet goes out again,
17 I'm just letting you know it may.

18 So for those that don't know me, I'm
19 Commissioner Carrillo, District 10, which is the
20 north.

21 So in following up on what Pattie -- what
22 Commissioner Gipson just said -- so there has been a
23 lot of financial support. Where did all that money
24 go and what's the accounting for it?

25 MR. DANIEL IVEY-SOTO: Certainly. So

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1 the -- Commissioner Carrillo, first of all, there
2 are three sources of funding at this point that
3 we're dealing with.

4 There's -- there was some foundation
5 support primarily provided for through Excellent
6 Schools of New Mexico. There's the Charter School
7 Program Grant, which are federal dollars. And,
8 then, of course, there's SEG funds. The SEG funds
9 did not turn on until July 1.

10 As soon as we realized that there was
11 going to be an issue, we actually froze all spending
12 of SEG money, because we recognized that if this
13 request is approved by the board tonight, those
14 monies, we anticipate, will be going back to the
15 PED. So we wanted to make sure we preserved that.

16 So then we've been in contact with
17 Excellent Schools New Mexico in terms of -- in terms
18 of the foundational support that they've been
19 giving. We've been developing a plan with them.
20 And they are fine at this point, and they have
21 actually offered some additional support in addition
22 to what they've already provided. They continue to
23 be committed to Equip Academy of New Mexico and the
24 vision and its opening.

25 In terms of the Charter School Program

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1 funding support, the grantee for that -- for those
2 federal dollars is Public Charter Schools of
3 New Mexico. That's who we interface with as the
4 administrator within the State for those funds.

5 And we have been -- actually, they were
6 one of the ones that -- that helped to open the door
7 for us to be -- to realize that there could be a
8 viable path towards -- towards us moving our
9 implementation year out.

10 The -- within the -- the -- within the
11 Charter School Program Grant, there is -- there's a
12 window of time that is longer than what New Mexico
13 observes that can be used for implementation of a
14 new school before getting into operations.

15 So those funds are going to -- they've
16 been in touch with the D.C. partners. Those funds
17 are going to continue to be made available.

18 The funds that have been spent, really, to
19 be honest, you know, have not been -- I would not
20 categorize that as a waste. And I would not
21 categorize that as a waste, because, first of all,
22 the facility monies are there. We're going to
23 maintain the facility and make sure that we're ready
24 for children when they walk in the first day.

25 We're going -- the -- you know, the

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1 recruitment effort that was done, the outreach to
2 the community, just by the fact that we have
3 64 families committed to us, that was money that was
4 well spent, frankly; right?

5 And I really -- at this time, I just -- I
6 really do want to give a shout-out to Ms. Russell
7 and her team, because I just -- I just have to say
8 that we were -- we were intent on -- on going
9 forward. And -- and if it took all of us doing all
10 hands-on and whatnot to make things happen, we were
11 intent on doing that.

12 When Ms. Russell and her team came and did
13 the opening day checklist, you know, there's
14 different ways to communicate things. And as they
15 went through that list, they -- my experience in how
16 they worked with the school was really in a very
17 collaborative way of helping the school to
18 understand where some of the deficits that we'll be
19 discussing more in September were, what that would
20 mean for the -- for the opening of the school, and
21 what that would mean for us to be able to be -- have
22 a successful launch of the school.

23 COMMISSIONER CARRILLO: Okay.

24 MR. DANIEL IVEY-SOTO: And it was not
25 directive on their part. It was really informative

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1 on their part in terms of -- of working with -- with
2 Ms. Duran, working with Ms. O'Neal, the operations
3 manager, and helping us to get to what I think was
4 the right decision.

5 So -- anyways. But that's -- in terms of
6 the finances, that's what --

7 COMMISSIONER CARRILLO: Thank you. I
8 mean, obviously somebody had to be overseeing any
9 money coming in; right? Was that only Mercy -- who
10 else was responsible for that? And is that person
11 going to be involved on the next level, if there is
12 a next level?

13 MR. DANIEL IVEY-SOTO: Yeah. So the --
14 that's part of the plan that the school is
15 developing in conjunction with the Charter School
16 Division in terms of what those internal controls
17 are.

18 And so I will tell you that the operations
19 manager that we've had, those -- that -- that side
20 of things is actually in fairly good order.

21 COMMISSIONER CARRILLO: Okay. All right.

22 MR. DANIEL IVEY-SOTO: Yeah. So -- so --

23 COMMISSIONER CARRILLO: So I don't know
24 what I may have missed. So if I have a question
25 that's redundant, let me know, and I'll move on.

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1 The -- so for Julia, it's interesting that
2 we're calling this a suspension when it's really a
3 deferral, it seems like. What would be the
4 difference?

5 And if we were to come back and say, "You
6 know what? We just want you to start at the
7 starting line again on October 1st, put in the app.
8 You have your team. You've done this before."

9 And -- I mean, if that is -- because that
10 is something that I was thinking about is just
11 starting over. And you'll be opening at the same
12 time. You'll -- in 2026.

13 But I'm curious about suspension versus
14 deferral and what our options are.

15 MS. JULIA BARNES: Well, I think -- again,
16 this is one of those situations where I don't think
17 that there's a lot of guidance for you.

18 There is a six-year initial charter with
19 one year being a planning year. So it really
20 doesn't necessarily contemplate that.

21 I think that Vice Chair Gipson can talk
22 about kind of a history of what's happened before,
23 and that when this happened before, the kind of the
24 language, fashioning it with the school, was kind of
25 a suspension of the charter.

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1 I don't mind that word. I -- you're
2 actually raising something different, which I'd have
3 to think through, which is start over. To me,
4 wouldn't start then, because they'd have to put in a
5 new school. You know, they'd have to put in a new
6 application, and then they'd have a planning year.
7 So I think it would be longer than that.

8 This just kind of fashions a workable
9 solution, which I think is often upheld by
10 appellate -- by entities. This wouldn't be an
11 appealable decision because the school's requesting
12 it. And if you grant it, then I don't know who
13 would appeal it.

14 So I -- in the situation where it's not
15 really contemplated, I think it's an acceptable
16 thing. My thinking, though, is that you do not have
17 to commit to saying, "Yes, you will open in one more
18 year," you know, "That another planning year is
19 another opportunity for you-all to look all the way
20 along as to is the school ready."

21 And I think it would be premature at this
22 point for you guys to say, "Yes, you will open in
23 another year."

24 COMMISSIONER CARRILLO: I read everything
25 from CSD around all the different dates, all the,

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1 like, reporting dates and the way we're going to
2 be -- you know -- and the way we're just going to be
3 on top of things on a monthly basis getting reports
4 as a Commission and making sure that you're doing
5 what you're supposed to do.

6 I think this -- I came in when Michael was
7 asking questions. And so I remember -- I remember
8 the ten-zero vote and the excitement. And we were
9 all -- and I was shocked when I got the news about
10 all of this.

11 And, you know, when people -- and I was
12 telling Michael -- Commissioner Taylor -- that I --
13 on this particular one, I don't know why I was --
14 sometimes I start off this way. I tend to take a
15 harder line and say, "Look. With all due respect,
16 you guys just completely blew it. You didn't just
17 blow it a little bit. It was an epic fail."

18 So in starting there, I was thinking, you
19 know something? And Michael talked me off the
20 cliff. He said -- because he reminded me how
21 sometimes I end up at a place where I have more
22 faith and that people are going to do what's right
23 and they're going to come to the table with what's
24 right and then end up succeeding.

25 So far, that kind of philosophy has worked

<p style="text-align: right;">34</p> <p>1 out. It's just -- I just want to make sure that if 2 we approve this, then, you know, we're not going to 3 end up in June of next year and think, "Oh, my God, 4 what have we done?"</p> <p>5 Because, you know, by then, there's going 6 to be a whole group of families that have committed; 7 right? And, you know. So it's with -- I'm very 8 wary about all of this, but also keeping that sense 9 of hope and faith. Because the concept -- when I 10 told people about this concept, about the three 11 schools that we were going to be opening this year, 12 they said, like, "Oh, my God," on all three.</p> <p>13 And they loved the Equip concept. And, 14 clearly, the people that you have aligned with you 15 that, as I understand from what you said, they're 16 still aligned with you. Excellent Schools 17 New Mexico, the people down in PCSNM.</p> <p>18 So, clearly, I'm deferring to their 19 judgment on your board that you're going to be able 20 to do this correctly.</p> <p>21 And I had a question down here. And it 22 was part of that other side of me, which is which 23 board members -- who knew what and when did they 24 know it, and which board members were on the board 25 as all of this was -- as the train was rolling down</p>	<p style="text-align: right;">36</p> <p>1 and you're going to be moving here.</p> <p>2 MS. KATHERINE DURAN: No.</p> <p>3 COMMISSIONER CARRILLO: That would be a 4 challenge. That's all I have for now in my notes. 5 Thank you very much, and I'm sorry I joined late.</p> <p>6 THE CHAIR: Commissioner Beck.</p> <p>7 COMMISSIONER BECK: Yeah. I'll do this 8 really quickly.</p> <p>9 Just as a point of clarification, you said 10 you have been in communication with the six- -- I'm 11 totally worried about the students and the families. 12 That's my total concern.</p> <p>13 I know you guys will get it together for 14 the next year. But I'm worried about the 64 that 15 are dealing with this now.</p> <p>16 So you've been in communication with them. 17 But it's as of right now, none of them know that 18 this is not opening in nine days; correct?</p> <p>19 MR. DANIEL IVEY-SOTO: So, actually, 20 we've -- as we have gotten some tea leaves of where 21 things are headed, we've been having more candid 22 conversations with families, just because it's fair 23 for them; right?</p> <p>24 We've been trying to balance between being 25 procedurally correct and doing what's right for the</p>
<p style="text-align: right;">35</p> <p>1 the track with no more track?</p> <p>2 Because I didn't want to give those board 3 members another chance; right? That's my thinking. 4 I don't know who else is on -- so, right now, based 5 on what I've heard, I have more of an open mind. 6 But -- 'cause I want -- I want the kids to have this 7 school. It's a great concept.</p> <p>8 So let me see if there's any more -- 9 suspension versus deferral. Maybe this is something 10 we're going to have to address in the future, Julia.</p> <p>11 And I understand that, Kat, you're having 12 a problem with your audio. But I'm Steve Carrillo. 13 Welcome. I wish you the very, very best.</p> <p>14 And you're going to be staying on for the 15 year; right?</p> <p>16 MS. KATHERINE DURAN: Absolutely I'm 17 committed. With all the support I've received so 18 far, I am pretty confident we can do this and get 19 all the deliverables met.</p> <p>20 COMMISSIONER CARRILLO: Okay. Do you live 21 in Albuquerque?</p> <p>22 MS. KATHERINE DURAN: I live in Taos, but 23 have a house in Albuquerque.</p> <p>24 COMMISSIONER CARRILLO: No, that's fine. 25 just as long as you don't tell me you live in Texas</p>	<p style="text-align: right;">37</p> <p>1 families. And where that's been a jump ball, we 2 have deferred to doing what's right for the 3 families.</p> <p>4 COMMISSIONER BECK: Some of them do have a 5 sense that it's not going to happen.</p> <p>6 MR. DANIEL IVEY-SOTO: Yes. I would say, 7 actually, almost all of them at this point do have a 8 sense it's not going to happen and that we're 9 committed to working with them.</p> <p>10 COMMISSIONER BECK: Okay. And then out of 11 the 64 families that we're dealing with, you've 12 talked to, you said, other charter schools to see if 13 they can, you know, fit them in based on the 14 district, based on where they are and, all that 15 stuff. You don't have to give me a hard number. 16 But approximately, out of the 64, how many do you 17 think you could place in a charter school?</p> <p>18 MR. DANIEL IVEY-SOTO: We believe probably 19 close to 60, actually. We'll be able to do that.</p> <p>20 COMMISSIONER BECK: So almost all of them 21 will be able to be in either kindergarten or first 22 grade.</p> <p>23 MR. DANIEL IVEY-SOTO: Correct. Yes, sir.</p> <p>24 COMMISSIONER BECK: Okay. Fingers crossed 25 for the families. That's it.</p>

<p style="text-align: right;">38</p> <p>1 THE CHAIR: All right. Commissioner --</p> <p>2 MS. JULIA BARNES: Commissioner Beck, I</p> <p>3 know that you're really engaged with the families.</p> <p>4 Obviously, I was going to say what's obvious is that</p> <p>5 it's the families' choice. Nobody is going to place</p> <p>6 the kids.</p> <p>7 COMMISSIONER BECK: I understand that.</p> <p>8 But you're giving them the option. I understand</p> <p>9 that. They can go to the APS school. I get that.</p> <p>10 I -- I get that.</p> <p>11 I just was curious of how many could go to</p> <p>12 a charter school. I know that.</p> <p>13 THE CHAIR: Before I come back to you</p> <p>14 Commissioner Ingham, I'm going to go to Commissioner</p> <p>15 Clahchischilliage first.</p> <p>16 COMMISSIONER CLAHCHISCHILLIAGE: Good</p> <p>17 evening. In listening to everything, this is a -- I</p> <p>18 take this as a very responsible move.</p> <p>19 I'm curious about the 65 students as well.</p> <p>20 And I'm just wondering. Have you gotten a sense as</p> <p>21 to how this move is being perceived by the immediate</p> <p>22 public, meaning the family public, and, like, even</p> <p>23 with the staff that have been hired? What -- is</p> <p>24 this a negative -- viewed as a negative view or</p> <p>25 positive? Or is there really an understanding of</p>	<p style="text-align: right;">40</p> <p>1 some front office staff that when we did the change</p> <p>2 of head administrator, they -- they opted, then, to</p> <p>3 look for other opportunities at that time. And that</p> <p>4 was their choice.</p> <p>5 We -- we then have had -- as Ms. Duran was</p> <p>6 talking about, we had some teachers that have been</p> <p>7 hired that were frankly a little concerned about</p> <p>8 what was -- you know, like, "Where am I going to end</p> <p>9 up?"</p> <p>10 So they started looking for other</p> <p>11 opportunities. And they have -- they have</p> <p>12 voluntarily gone off that way.</p> <p>13 So our staff, moving forward from here, is</p> <p>14 going to be Ms. Duran. It's going to be Ms. O'Neal,</p> <p>15 the operations officer. And then we also do intend</p> <p>16 to have a -- an office person -- an office</p> <p>17 administrator.</p> <p>18 But that's going to be the staff at this</p> <p>19 point until we get towards the spring -- right? --</p> <p>20 and then repopulate the -- the educational staff at</p> <p>21 that time.</p> <p>22 COMMISSIONER CLAHCHISCHILLIAGE: Was there</p> <p>23 any type of encouragement given to them regarding</p> <p>24 being hired when the school does open? Or is it --</p> <p>25 are they -- will they be treated like new</p>
<p style="text-align: right;">39</p> <p>1 what's happening?</p> <p>2 MR. DANIEL IVEY-SOTO: You know, there is</p> <p>3 disappointment. And -- which is natural. And,</p> <p>4 frankly, I would hope it would be disappointing, to</p> <p>5 be honest; right? Because they -- they were excited</p> <p>6 about Equip and the concept of Equip and the</p> <p>7 promises.</p> <p>8 And so that is -- but as we're working</p> <p>9 with people, you know, they were -- we're finding</p> <p>10 people being very responsive to us. We're finding</p> <p>11 people appreciative of the fact that we didn't just</p> <p>12 send out a blast e-mail and just say, "Well, we'll</p> <p>13 see you next year," sort of a thing; right?</p> <p>14 But, instead, we're actually picking up</p> <p>15 the phone. We're making phone calls, having</p> <p>16 one-to-one conversations with folks. And that's --</p> <p>17 that's -- that's the commitment that this team has.</p> <p>18 THE CHAIR: Okay. I can understand that</p> <p>19 this was probably a -- I mean, this was a very hard</p> <p>20 decision to have to arrive to. And what happens to</p> <p>21 the staff who are -- who were hired? And what will</p> <p>22 they be doing? And will they be paid during this --</p> <p>23 during this period?</p> <p>24 MR. DANIEL IVEY-SOTO: Certainly. So</p> <p>25 staffing, going forward, we did have -- we did have</p>	<p style="text-align: right;">41</p> <p>1 applicants?</p> <p>2 MR. DANIEL IVEY-SOTO: Oh, I think anybody</p> <p>3 who's been with us in the past would rise to the top</p> <p>4 of the list at that time.</p> <p>5 COMMISSIONER CLAHCHISCHILLIAGE: Okay.</p> <p>6 All right. Thank you.</p> <p>7 THE CHAIR: Thank you, Commissioner.</p> <p>8 Before I go back around to Commissioner</p> <p>9 Ingham and Commissioner Carrillo, I have a couple of</p> <p>10 questions.</p> <p>11 One of them is going to be -- specifically</p> <p>12 be for PCSNM. So I don't know if it's Matt Pahl or</p> <p>13 Val. I know you're both are on here. My assumption</p> <p>14 is both of you could answer, but I don't care if</p> <p>15 both of you comes on.</p> <p>16 But, Missy, if you want to -- we do need</p> <p>17 to -- I don't -- promote them both so they can</p> <p>18 figure out who answers. Or one of you raise your</p> <p>19 hand. Whoever's willing.</p> <p>20 MR. DANIEL IVEY-SOTO: They want to know</p> <p>21 your question first.</p> <p>22 THE CHAIR: No, too bad. You've got to</p> <p>23 get on with your camera first, and then you get to</p> <p>24 hear it. No.</p> <p>25 MS. MELISSA BROWN: I've promoted both of</p>

<p style="text-align: right;">42</p> <p>1 them.</p> <p>2 THE CHAIR: I'm not sure. I have, like, a</p> <p>3 beeping in my -- is that me or you guys?</p> <p>4 MS. MELISSA BROWN: Don't hear any beeping</p> <p>5 on this end of the --</p> <p>6 THE CHAIR: Oh, it's me. I had my arm</p> <p>7 rest on the space bar. Okay. Who ended up coming</p> <p>8 on with us?</p> <p>9 Hey, Valery. Awesome.</p> <p>10 So my question is, specifically for this</p> <p>11 school, my understanding is the school will receive</p> <p>12 CSP funds for next year, which should be -- like I</p> <p>13 heard, should be an easy adjustment from your guys'</p> <p>14 side, because the federal government allows for it.</p> <p>15 But could you tell us -- I think when we</p> <p>16 spoke as E.C. about kind of a suspension or what we</p> <p>17 were looking at, we were thinking suspension so that</p> <p>18 it allowed the school to have the full five-year</p> <p>19 contract after this next Implementation Year.</p> <p>20 But I wonder if there's anything that</p> <p>21 affects the funding in particular. And if you can</p> <p>22 describe what could maybe hinder the school</p> <p>23 receiving CSP funds next year, depending on our vote</p> <p>24 tonight.</p> <p>25 MS. VALERY RATLIFF-PARKER: Yes. And,</p>	<p style="text-align: right;">44</p> <p>1 approve this request for suspending the charter and</p> <p>2 allowing you another year? And, then, mostly, it is</p> <p>3 what are you going to do for the kids?</p> <p>4 I feel good about what you guys have said</p> <p>5 for the kids. I do believe that's the urgent part.</p> <p>6 But when I'm thinking about should this</p> <p>7 charter continue tonight, I -- I'm worried about</p> <p>8 your facility. And then, yeah, anything about the</p> <p>9 gap -- the gap in funding, if there's any kind of</p> <p>10 clarity you have, just in general, because, once</p> <p>11 again, I would expect like, a very in-depth plan</p> <p>12 again come September.</p> <p>13 But just, in general, I'm sure the board</p> <p>14 has talked about sustainability just through this</p> <p>15 next year. So, very generally, what does that look</p> <p>16 like in regards to that?</p> <p>17 MR. DANIEL IVEY-SOTO: So what it looks</p> <p>18 like, actually, is a commitment that was made to us</p> <p>19 very generously Excellent Schools of New Mexico to</p> <p>20 cover the gap of April, May, and June, before we get</p> <p>21 back to a second commence operations.</p> <p>22 And that would -- they will know what</p> <p>23 those anticipatable costs are in terms of facility</p> <p>24 and staff that is, the facility and staff -- because</p> <p>25 we have been paying those regularly throughout the</p>
<p style="text-align: right;">43</p> <p>1 Matt, please jump in if you want to add to this. I</p> <p>2 think if it were deferred, then the CSP funds would</p> <p>3 not be accessible. In order to continue with the</p> <p>4 CSP funds, because they've already gone through the</p> <p>5 application with us and have been officially</p> <p>6 authorized, then they're able to continue with their</p> <p>7 CSP funds, and it will continue as is.</p> <p>8 They're allowed 18 months of the planning</p> <p>9 phase. So they would continue with their planning</p> <p>10 phase budget up until the end of March. So there</p> <p>11 would be a little gap, a window -- a little gap of</p> <p>12 time for April, May, and June prior to receiving the</p> <p>13 SEG funds from the State in July. So there would</p> <p>14 need to be an additional funding source to fill that</p> <p>15 gap.</p> <p>16 But as far as the CSP funds were</p> <p>17 concerned, they could continue to flow through -- if</p> <p>18 it were suspended. If the vote were to be to defer</p> <p>19 the charter, that would remove the access to CSP</p> <p>20 funds.</p> <p>21 MR. DANIEL IVEY-SOTO: I'll just comment</p> <p>22 real quick.</p> <p>23 THE CHAIR: I was going to say to the</p> <p>24 school, then, when I'm thinking about -- so, for me,</p> <p>25 the decision is just two parts tonight. It's do we</p>	<p style="text-align: right;">45</p> <p>1 year. So they will already know what those numbers</p> <p>2 will be before we get to those three months.</p> <p>3 THE CHAIR: Okay. All right. I just want</p> <p>4 to say to -- I actually do -- I'm going to commend</p> <p>5 this board. If I think about the updates that I</p> <p>6 received as a Commissioner throughout the year, I</p> <p>7 never had any reason to be worried.</p> <p>8 I mean, there's -- there are things</p> <p>9 missing or late. But it wasn't ever, like, brought</p> <p>10 to our attention that there was anything that was,</p> <p>11 you know, super -- there was no travesty happening</p> <p>12 that really heightened my sense.</p> <p>13 So I actually have a lot of empathy for</p> <p>14 this board. I don't think this is what you guys</p> <p>15 expected when you signed up. This is definitely</p> <p>16 much more emotionally labor-intensive than you</p> <p>17 probably were expecting.</p> <p>18 I also think -- one thing I am incredibly</p> <p>19 grateful for with this board in particular is the</p> <p>20 adherence to your role that you really respected.</p> <p>21 This was a very complicated, convoluted situation.</p> <p>22 And I feel like I -- I feel confident that this</p> <p>23 board has made decisions on the behalf of children.</p> <p>24 And that's what makes it very easy for me tonight to</p> <p>25 support a one-year suspension, allowing you to have</p>

<p style="text-align: right;">46</p> <p>1 that Implementation Year.</p> <p>2 I will -- my comments will be brief</p> <p>3 tonight. I expect them to be pretty robust if this</p> <p>4 passes, and I see you back in September with a full</p> <p>5 plan for the year. I -- my questions will not be</p> <p>6 very short.</p> <p>7 But I also would like something to go off</p> <p>8 of. And I think, like, this board, this definitely</p> <p>9 caught me off guard personally and as a</p> <p>10 Commissioner.</p> <p>11 So I think with what you've been given and</p> <p>12 that you've dealt with over the past couple of</p> <p>13 weeks, it's -- I agree with Vice Chair Gipson. I</p> <p>14 think we're -- this is more -- it points to a</p> <p>15 systems issue somewhere as well.</p> <p>16 I don't know -- I can't quite point my</p> <p>17 finger on it quite yet. But I do think there's a</p> <p>18 systems issue in here as well. Because I -- the</p> <p>19 integrity and diligence of this board is</p> <p>20 unquestioned by me. So if you all were doing</p> <p>21 everything that you were supposed to do with</p> <p>22 diligence, which I do believe happened, there's</p> <p>23 something.</p> <p>24 And so I'll look forward to -- I do</p> <p>25 think -- I want you to focus on your school,</p>	<p style="text-align: right;">48</p> <p>1 want to be forward-looking, and we certainly do; we</p> <p>2 want to have a solid plan going forward. But I</p> <p>3 think it's also important and imperative to dig in.</p> <p>4 Because I think Commissioner Carrillo is not too far</p> <p>5 off, that this was an epic fail, you know, just</p> <p>6 being honest about it, at least from my standpoint.</p> <p>7 So how did we get here? And I want to</p> <p>8 know that, because I think it's important to learn,</p> <p>9 going forward, how do we make sure that next -- next</p> <p>10 year, we're ready? But I also think there's a lot</p> <p>11 that could be learned for a lot of other charter</p> <p>12 schools.</p> <p>13 So I think it really is important that we</p> <p>14 don't just soft-pedal, we're all doing a good job</p> <p>15 rah-rah, and we just move forward.</p> <p>16 No. I'll make a commitment for myself</p> <p>17 that we're not going to do that. We're going to dig</p> <p>18 in and figure out what were the system breakdowns,</p> <p>19 you know, within the board, within our partner</p> <p>20 organizations. We really need to understand that.</p> <p>21 So however you vote, I would -- that's</p> <p>22 something that I take very, very seriously, besides</p> <p>23 the families, which was, you know, my number one</p> <p>24 personal -- and I know the rest of the board's</p> <p>25 number one concern. For me, I was -- like, I had a</p>
<p style="text-align: right;">47</p> <p>1 obviously. But I think, to me, it brings up some</p> <p>2 bigger systems issues that I think that we can</p> <p>3 consider as we move forward as well.</p> <p>4 Mr. Quinn, I'll go ahead and let you</p> <p>5 respond. And then I'll go to Commissioner Ingham.</p> <p>6 MR. MIKE QUINN: First of all,</p> <p>7 Commissioners, I just want to thank you for taking</p> <p>8 the time tonight, getting together on short notice</p> <p>9 here. And I really appreciate everything I've heard</p> <p>10 and the questions that have been asked.</p> <p>11 And I know -- I don't come from an</p> <p>12 educational background; I come from an operations,</p> <p>13 manufacturing, engineering background. So this has</p> <p>14 been quite a learning journey for me.</p> <p>15 But one of the questions that has been</p> <p>16 asked a few different ways a few different times is,</p> <p>17 kind of, what happened? And, honestly, that's</p> <p>18 something that I really want to dig into.</p> <p>19 I mean, I feel like -- you know, you just</p> <p>20 mentioned systems issues. And so I've been asking</p> <p>21 myself. You know, what -- what else should the</p> <p>22 board have done? What else could we have done? And</p> <p>23 how could we have worked differently?</p> <p>24 And so I think it's not -- and I</p> <p>25 appreciate Commissioner Taylor's comment that if we</p>	<p style="text-align: right;">49</p> <p>1 knot in my stomach, and I still kind of do, because</p> <p>2 I don't have good answers to your questions, and I</p> <p>3 wish I did.</p> <p>4 But we will. And we will get there. So I</p> <p>5 just wanted to say that. So thank you.</p> <p>6 THE CHAIR: I actually really appreciate</p> <p>7 that, Mr. Quinn. So thank you.</p> <p>8 Commissioner Ingham.</p> <p>9 SECRETARY INGHAM: Yeah. I just had one</p> <p>10 quick question. And that was -- we were talking</p> <p>11 about extending a hand to each of these students to</p> <p>12 get in another charter school.</p> <p>13 I'm just wondering how does that -- how</p> <p>14 does the lottery system work with that? Are these</p> <p>15 other schools that were going to be able to get</p> <p>16 people in to -- I mean, it would seem very unfair if</p> <p>17 somebody didn't get a place in that school because</p> <p>18 we had to do all this jockeying around.</p> <p>19 So I just want to make sure that the --</p> <p>20 there is openings in those schools, so there's not</p> <p>21 somebody else getting bumped because we need to get</p> <p>22 people through -- from this school.</p> <p>23 MR. DANIEL IVEY-SOTO: I think,</p> <p>24 Commissioner, that's a fair question.</p> <p>25 We've actually been calling around to find</p>

<p style="text-align: right;">50</p> <p>1 out, as has PCSNM, both. We've been calling around</p> <p>2 to the various schools that have kindergarten and</p> <p>3 first-grade programs to find out who has openings</p> <p>4 and how many openings they have since they're --</p> <p>5 right -- post-lottery.</p> <p>6 They've already taken care of all the</p> <p>7 applicants. We have some schools that have thirteen</p> <p>8 openings; some schools that have three openings;</p> <p>9 right? And so we've been identifying where those</p> <p>10 openings are and those abilities for those parents</p> <p>11 to go to those schools who are not turning away</p> <p>12 students as a result of their lotteries.</p> <p>13 And, you know, the Albuquerque charter</p> <p>14 school community has really been very supportive.</p> <p>15 And people have really jumped in in terms of letting</p> <p>16 us know where they can help out and where they have</p> <p>17 opportunities for these students.</p> <p>18 SECRETARY INGHAM: Thank you.</p> <p>19 THE CHAIR: Commissioner Carrillo.</p> <p>20 COMMISSIONER CARRILLO: So --</p> <p>21 Mr. Ivey-Soto, so this prompts this question. And,</p> <p>22 you know, and -- and Ms. Fitzgerald or Mr. Quinn,</p> <p>23 you can answer as well.</p> <p>24 So are you feeling fairly confident</p> <p>25 there's going to be placement for these kids; is</p>	<p style="text-align: right;">52</p> <p>1 we have, you know, to this point in the summer when</p> <p>2 we believed everything was going okay.</p> <p>3 And going forward, I think it really is a</p> <p>4 function of developing a smart plan that we can, you</p> <p>5 know, really execute on and make sure we get good</p> <p>6 results at the end of it, both for the students,</p> <p>7 more immediately, and, ultimately, for the school</p> <p>8 going forward, starting next year.</p> <p>9 COMMISSIONER CARRILLO: Okay.</p> <p>10 MR. MIKE QUINN: And, Commissioner, if</p> <p>11 your question is what is their reaction, then --</p> <p>12 COMMISSIONER CARRILLO: Personally, what</p> <p>13 did they convey to you? Families. Profound</p> <p>14 disappointment? "No, we don't want to come back"?</p> <p>15 Anger?</p> <p>16 I'm curious. It's a few weeks before</p> <p>17 school starts. And, at one point, they felt the rug</p> <p>18 pulled out, something that they had -- that they</p> <p>19 felt really great about for their kid, all of a</p> <p>20 sudden, they had the rug pulled out. How --</p> <p>21 MR. MIKE QUINN: I would have to defer</p> <p>22 specifically to Mr. Ivey-Soto and Kat and maybe, you</p> <p>23 know, our operations, because they're the ones who</p> <p>24 have been having the conversations.</p> <p>25 I will say when -- I was at that last</p>
<p style="text-align: right;">51</p> <p>1 that correct?</p> <p>2 MR. DANIEL IVEY-SOTO: Yes, yes.</p> <p>3 COMMISSIONER CARRILLO: Happy to hear</p> <p>4 that.</p> <p>5 A question I had for Ms. Fitzgerald and</p> <p>6 Mr. Quinn, for both of you. I've heard from</p> <p>7 Mr. Ivey-Soto his experience with families and</p> <p>8 talking with them. What about you? You've had a</p> <p>9 lot of meetings. You've had a lot of board</p> <p>10 meetings.</p> <p>11 What is your sense of things relative to</p> <p>12 how families are responding to your board and to --</p> <p>13 and each of you can just take a moment to answer.</p> <p>14 That would be great.</p> <p>15 MR. MIKE QUINN: Sara, do you want to go</p> <p>16 first?</p> <p>17 MS. SARA FITZGERALD: Commissioner, thank</p> <p>18 you.</p> <p>19 You know, I will say this has been a</p> <p>20 really challenging time. And I think we've really</p> <p>21 been working to respect the boundaries, the</p> <p>22 different roles that we have here, because this is a</p> <p>23 really delicate situation.</p> <p>24 I think, you know, up to this point we've</p> <p>25 really been engaged on recruiting the families that</p>	<p style="text-align: right;">53</p> <p>1 event with handing out uniforms and the potluck and</p> <p>2 that. And there was a lot of excitement there. I</p> <p>3 know I was excited. I was talking to a lot of the</p> <p>4 families and the kids and talking to them.</p> <p>5 And so I would imagine it is a great</p> <p>6 amount of disappointment, I would think. And</p> <p>7 especially with the short duration. But I can't</p> <p>8 speak to it specifically. I would have to defer to</p> <p>9 them. But that would be my guess.</p> <p>10 COMMISSIONER CARRILLO: Thank you. And,</p> <p>11 maybe briefly, Mr. Ivey-Soto, because it just -- all</p> <p>12 of a sudden, you're having a potluck and, you're</p> <p>13 handing out uniforms and I'm thinking, like, that</p> <p>14 makes it even more real that they're going to be</p> <p>15 doing this, and all of a sudden it's, like, "Ugh."</p> <p>16 MR. DANIEL IVEY-SOTO: Which is also why</p> <p>17 the board did not take this decision lightly, nor</p> <p>18 did it come by this decision easily. I will tell</p> <p>19 you that part of what we've been doing is -- in</p> <p>20 terms of reaching out to the families -- is, as much</p> <p>21 as possible, dividing up in terms of who has a</p> <p>22 personal relationship with certain families, so</p> <p>23 they're not hearing from someone for the first time</p> <p>24 having this conversation, but it's someone they</p> <p>25 already know and have a relationship with. That has</p>

<p style="text-align: right;">54</p> <p>1 made the conversations a lot easier conversations to 2 have under these circumstances. 3 COMMISSIONER CARRILLO: Thank you. That's 4 a good idea. 5 Based -- can't remember who was just -- 6 oh, I think it was -- maybe it was Ms. -- oh, it was 7 you, actually, Mr. Quinn, who had said the stuff 8 about systems issues. 9 And even for us -- and I've talked to 10 Dr. Russell about this -- because of the scope of 11 how this happened and that all of us, no matter 12 where we were in the system, were taken aback and 13 were fooled in a sense. So it's a teaching moment 14 for all of us; for CSD, in how they look at things 15 in implementation years. But even before that, in 16 the application part and the interviews, everything 17 that's done. 18 And we -- and all of us have to be more 19 vigilant now, because, unfortunately, with AI and 20 other tools, people just lie their shirts off. And 21 there's just -- we have to be so much more vigilant 22 than we were. 23 And this has been a great teaching moment, 24 I think, for all of us on all sides. 25 And the last thing I had, I wrote down</p>	<p style="text-align: right;">56</p> <p>1 no more Commissioners' hands up, I'm going to go 2 ahead and make a motion unless I see someone have a 3 freakout face on them. 4 Okay. No? All right. 5 I move that the PEC suspend the charter 6 contract for Equip Academy of New Mexico and allow 7 the school to continue planning the opening of the 8 school. 9 The -- I'm sorry. I'm going to start over 10 again. 11 I move that the PEC suspend the charter 12 contract for Equip Academy of New Mexico from -- for 13 the school year 2025 to 2026 -- so until July 1, 14 2026 -- and allow the school to continue planning 15 the opening of the school. 16 The school must: 17 No. 1: Immediately notify all enrolled 18 families that the school will not open this year and 19 provide them support to locate other school 20 opportunities available to the family. 21 No. 2: Provide CSD, within five business 22 days, with examples of the outreach that was 23 provided and identify the supports provided. 24 And, No. 3: Submit to CSD by August 29th, 25 2025, for its review and analysis, a detailed plan</p>
<p style="text-align: right;">55</p> <p>1 "nepotism." But I'm sure -- does CSD have nepotism 2 built into -- because I know that was an issue here 3 at this school and with the former leader. 4 MR. DANIEL IVEY-SOTO: Certainly. I'll 5 just indicate, first of all, I think that's a more 6 appropriate discussion to have when we get to 7 September. I will just simply indicate that the 8 statutory provision on nepotism, as it's written 9 right now, and that I don't think aligns with best 10 practice, is a prohibition against W-4 employees; 11 it's not a prohibition against W-9 contractors. 12 And, like I said, that is -- I don't think 13 that aligns with best practices. I think that might 14 be something to look at in future. 15 COMMISSIONER CARRILLO: We'll take it up 16 in September. I'm all done. No Columbo moments. 17 Nothing else. Thank you. 18 Ms. Fitzgerald, Mr. Quinn and -- I don't 19 see her up on the board anymore. There you are, 20 Kat. Thank you very much. Thank you for your 21 commitment to the families and the kids. 22 MS. KATHERINE DURAN: Thank you. 23 Thank you, Commissioners, for your 24 consideration. 25 THE CHAIR: Thank you. All right. Seeing</p>	<p style="text-align: right;">57</p> <p>1 for opening in the 2026-'27 school year, including a 2 staffing plan, including position descriptions, 3 licensure requirements, budgeted salaries, proposed 4 start dates, to be updated with the details of 5 staffing as the plan is implemented, a curriculum 6 aligned to standards, a professional development 7 plan to be updated as the professional development 8 plan is completed, key timelines, and a budget for 9 implementation. 10 I further move that the PEC review this 11 plan at its September 25 -- September 2025 PEC 12 meeting. 13 COMMISSIONER TAYLOR: Second. 14 THE CHAIR: Thank you. Any discussion on 15 the motion? 16 COMMISSIONER TAYLOR: So I do have a 17 question about the motion. 18 So the items that you listed as far as 19 requirements, are there additional requirements 20 based on the planning year? So are we going to -- 21 are these in addition to those requirements already 22 established for the planning year requirements? 23 THE CHAIR: Yeah. So I think my -- the IY 24 checklist will still need to be completed, coherent, 25 and done through CSD, in addition to this. So this</p>

<p style="text-align: right;">58</p> <p>1 is in addition to what CSD is already doing.</p> <p>2 And I will also say that I think those are</p> <p>3 also -- that list is the minimum. I do think the</p> <p>4 school will probably need to do more than that.</p> <p>5 COMMISSIONER TAYLOR: Yeah.</p> <p>6 THE CHAIR: But, yes, as a minimum.</p> <p>7 COMMISSIONER TAYLOR: Okay.</p> <p>8 COMMISSIONER CARRILLO: Rebekka, I have a</p> <p>9 question. So the next year is essentially, now,</p> <p>10 they're getting another implementation year -- I</p> <p>11 just want to be clear on this -- and then another</p> <p>12 five-year -- they'll have a five-year term.</p> <p>13 THE CHAIR: Yes, sir.</p> <p>14 COMMISSIONER CARRILLO: Got it. Thank</p> <p>15 you.</p> <p>16 THE CHAIR: Yes.</p> <p>17 Okay. Seeing no more hands up or</p> <p>18 questions, Secretary Ingham, if you could call roll.</p> <p>19 SECRETARY INGHAM: Yes. Okay.</p> <p>20 Commissioner Manis.</p> <p>21 COMMISSIONER MANIS: Yes.</p> <p>22 SECRETARY INGHAM: Commissioner Taylor.</p> <p>23 COMMISSIONER TAYLOR: Yes.</p> <p>24 SECRETARY INGHAM: Commissioner</p> <p>25 Clahchischilliaage.</p>	<p style="text-align: right;">60</p> <p>1 DANIEL IVEY-SOTO: Madam Chair, if I could</p> <p>2 just --</p> <p>3 THE CHAIR: Oh. Go ahead.</p> <p>4 MR. DANIEL IVEY-SOTO: If I could just say</p> <p>5 real quick, Madam Chair, we really appreciate the</p> <p>6 thoughtfulness of the Commission. This initial</p> <p>7 discussion, we know there's going to be a more</p> <p>8 robust one, but just the thoughtfulness of how we</p> <p>9 proceed forward at this time. So thank you.</p> <p>10 THE CHAIR: Thank you. And thank you to</p> <p>11 the board members for coming. And I do want to,</p> <p>12 really quick before I make a little joke about</p> <p>13 Commissioner Ingham, I do want to say I found out</p> <p>14 that Sara Fitzgerald, you're about to get married on</p> <p>15 Saturday. So I know this has been in addition to</p> <p>16 planning a wedding.</p> <p>17 So, once again, I can't imagine the</p> <p>18 emotional -- I don't even know what -- I don't even</p> <p>19 think there's something to describe what you've gone</p> <p>20 through for the past couple of weeks. So</p> <p>21 congratulations on your upcoming wedding.</p> <p>22 MS. SARA FITZGERALD: Thank you.</p> <p>23 THE CHAIR: And for your bliss in the</p> <p>24 meantime.</p> <p>25 And the other thing I want to say. I am</p>
<p style="text-align: right;">59</p> <p>1 THE CHAIR: Maybe come back to her.</p> <p>2 You're on mute. If you did say yes -- if you voted,</p> <p>3 Commissioner Clahchischilliaage, you're on mute.</p> <p>4 Keep going.</p> <p>5 SECRETARY INGHAM: Okay.</p> <p>6 Commissioner Beck.</p> <p>7 COMMISSIONER BECK: Yes.</p> <p>8 SECRETARY INGHAM: Commissioner Obenshain.</p> <p>9 MR. OBENSHAIN: Yes.</p> <p>10 SECRETARY INGHAM: Commissioner Carrillo.</p> <p>11 COMMISSIONER CARRILLO: Yes.</p> <p>12 SECRETARY INGHAM: Secretary Stewart.</p> <p>13 Oh.</p> <p>14 Secretary Ingham, yes.</p> <p>15 Vice Chair Gipson.</p> <p>16 VICE CHAIR GIPSON: Yes.</p> <p>17 SECRETARY INGHAM: Chair Burt.</p> <p>18 THE CHAIR: Yes.</p> <p>19 SECRETARY INGHAM: And one more chance for</p> <p>20 Secretar- -- or Commissioner Clahchischilliaage.</p> <p>21 COMMISSIONER CLAHCHISCHILLIAGE: Yes.</p> <p>22 SECRETARY INGHAM: All right. We have</p> <p>23 nine-zero.</p> <p>24 THE CHAIR: Thank you. That passes.</p> <p>25 This is --</p>	<p style="text-align: right;">61</p> <p>1 so glad, the first time that Secretary Ingham called</p> <p>2 his own name, he said "Secretary Stewart," which is</p> <p>3 so awesome, because that's how we all want to</p> <p>4 naturally do it.</p> <p>5 That's all I wanted to say. I'm glad it's</p> <p>6 on the record. All the time I've done that -- maybe</p> <p>7 it makes sense, or maybe we've put it in your brain.</p> <p>8 Thank you, all. Thank you for joining us</p> <p>9 for the meeting. And I believe -- I put away the</p> <p>10 agenda. But I think that just means we are -- I can</p> <p>11 just say we're adjourned. We are adjourned. Thank</p> <p>12 you.</p> <p>13 (Proceedings adjourned at 6:10 p.m.)</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

REPORTER'S CERTIFICATE

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

In testimony whereof, I have hereunto set my
hand on August 11, 2025.

Cynthia C. Chapman, RMR-CRR, NM CCR #219
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201 Third Street, NW, Suite 1950
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13 State of New Mexico, County of Santa Fe, in the
14 matter therein stated.

15 In testimony whereof, I have hereunto set my
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19 *Cynthia Chapman*

20 Cynthia C. Chapman, RMR-CRR, NM CCR #219
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