

**Public Academy for Performing Arts  
Governing Council Minutes (Draft)  
Minutes of November 16, 2009**

Voting Members Present: Randy Costales, John Grassham, Amy Anderson, Dr. David Margolin

Quorum Achieved: Yes. There are 4 voting members

Non-Voting Members: Scott Gullett and Virginia Wilmerding

Members Absent: Gloria Rodriguez

Guests: Valerie Scott, Julie Dexter, Tamara Henderson, Mary Lou Turner, Barbara Herring and Mark Tolley

**Agenda Item 1 – Convene Meeting Roll Call for Quorum**

4 voting members present. Quorum achieved

**Agenda Item 2 – Q&A with Mark Tolley**

Art Milendrez and Kizito Wijenje are working on finalizing the PAPA MOU. They understand the urgency, but have been working on the mil levy and the capital master plan that is due to the APS board. It will only benefit APS to finish the MOU in order to get reimbursed by the state.

The Albuquerque Journal story that described combining two schools together at the First Baptist Church sight needs to be clarified. APS has not purchased the church – an offer has not even been made. It would be an ideal location for PAPA but it is very premature to discuss this sight as a potential building for PAPA.

Winston Brooks, APS Superintendant, has been quoted as saying that he favors magnet schools over charter schools. When he discussed PAPA in the Albuquerque Journal article he was unaware of the grade levels that PAPA services. The idea that was discussed in the Journal would consist of one elementary school that would be a magnet school. If PAPA would agree to get involved, it would remain a charter school. The lottery process would still have to be followed for children wanting to attend. APS does not have the authority to revoke our charter unless we refuse to follow state law. APS does not have the authority to change a charter school into a magnet school. APS has never changed a charter school into a magnet school. There is no template for this type of transition. The Governing Council would have to approve such a venture.

The Capital Master Plan Committee has set aside money for a building for PAPA. It has just come out of committee but it has not been approved, therefore, Mark can not discuss details at this point.

If PAPA would become a magnet school, it would be the first move of its kind. The board would have to be dissolved and the governance board of APS would be the new authority. A specific MOU would be presented to the PAPA GC board outlining a plan that would have to address specific details and be approved by the PAPA board. Mark wanted to make it very clear, again, that this has never been done before and he doesn't foresee it ever happening.

If APS does want to make PAPA a magnet school for APS, how could they endanger the renewal of our Charter? Could APS withhold our renewal?

Again, APS could not withhold our renewal or revoke our charter unless we refuse to follow state law.

APS is working on locating a perfect facility for PAPA. APS owns land but does not own a building, at this point, that would work for PAPA.

The Montgomery Complex on Montgomery and Louisiana has been purchased to be used as the APS training center.

### **Agenda Item 3 – Approval of Agenda**

Motion: Amy Anderson

Seconded: John Grassham

Unanimously passed

### **Agenda Item 4 – Approval of Minutes for the 10/19/09 Meeting**

Add Unanimously Passed on every item where a vote was taken.

Motion: David Margolin made a motion to approve the minutes with the addition of "Unanimously Passed" on every item where a vote was taken.

Seconded: Amy Anderson

Unanimously passed

### **Agenda Item 5 – Finance Report and BARS**

There is a freeze on all Legislative Grant money.

External BAR #001-047-0910-0017-I – Additional Activity Fees received - \$1,000.00

Motion: Amy Anderson

Seconded: John Grassham

Unanimously passed

### **Agenda Item 6 – Community Member Position**

Steven Clark is an attorney who has done pro bono work for PAPA and is interested in the Community Member position on the board. Randy thinks he would be a great addition

Dr. Margolin would like to see a summary of Steven Clark's qualifications and a statement of interest explaining why he is interested in PAPA and the arts.

An actor through the Hispanic Cultural Center has expressed interest in the Community Member position.

Motion: Dr Margolin moves to delegate Randy to get a summary of interest and qualifications from interested community members

Seconded: John Grassham

Unanimously passed

### **Agenda Item 7 – Foundation Update**

Ginny Wilmerding informed the GC that Su Hudson is working very hard on getting the foundation up and running but it is currently not ready. John Grassham thinks that the Non-Profit CEO would be exactly what the PAPA foundation needs with his level of credentials and background. Randy and John will follow up with him before the next board meeting. Just a reminder – the PAPA board has not authority over foundation.

### **Agenda Item 8 – 2009 NM Charter School Conference Update**

The Charter School GC portion of the conference was for members that had been elected after July 2009.

There were 3 sections run by Mr. Arnold with the state department. He was a fantastic presenter, he was knowledgeable and clear.

#### **Open Meetings Act**

Stressed – whenever we have an action item it should always be presented in open session

#### **Inspection of Public Record Act**

Our records are public record, but we do have protections. If a request is made and a list exists, we have to supply it to the person requesting the information. If a document or list does not exist and will have to be created in order to fulfill the request, we **do not** have to create it.

#### **GC Governance Responsibility**

Teachers **can not** be on the GC

Tamara contested this because teachers are not counted as part of the quorum, they do not vote and are not admitted into closed session.

Dr. Margolin would like to add “discussion of no teacher on GC board rule” to next month’s agenda.

### **Agenda Item 9 – GC Retreat**

The board would like to organize a board retreat to discuss board member responsibilities without violating the open meetings act.

Dr. Margolin - If there is a quorum it has to be an open meeting. If the meeting has an instructor and the meeting is for training purposes, it will not violate the Open Meetings Act. Identify the need for a retreat and add to next month’s agenda as a discussion item. Scott Gullett will get the Power Point download from the state website. Dr. Margolin would like a Charter School Conference summary from Scott Gullett and Amy Anderson to be presented at the next board meeting.

### **Agenda Item 10 – Principal Report**

See attached report.

### **Agenda Item 11 – Policy Committee Update**

Facility Use Agreement

There were a few comments and suggestions from the website regarding ambiguity in the language of the Facility Use Agreement. The Policy Committee will revise the language to clarify these items and post the revised version on the PAPA website for 10 days for public comment.

### **Agenda Item 12 – Open Forum**

#### **Valerie Scott**

Why hasn’t the GC complied with the A7 Policy that calls for elections of GC members in November?

Valerie has asked for a list of committees and their members and has not received one to date.

Why has the Open Forum been switched to the end of the GC meeting instead of early in the meeting where it has been held in the past?

When is the GC going to revisit the Institutional Long Range Plan, passed in 2006, to see how PAPA is progressing towards the goals outlined there?

Has BGK accepted PAPA’s move from their property without legal action?

Why was the scheduled November 16<sup>th</sup> Town Hall meeting cancelled by just removing it from the website? The charter requires 10 Town Hall meetings which has been reduced to 4 and is now going to be 3 if the last one is not rescheduled.

This cancelled Town Hall meeting would have been the perfect place to give all PAPA parents, community members and students a chance to have a meaningful dialogue with the administration and GC members on the idea of Charter vs. Magnet School.

Have all the PAPA children worked on their Individual Learning Plan and Next Step Plan?

**Agenda Item 13 - Adjourn**

Motion to Adjourn: Amy Anderson

Seconded: John Grassham

Unanimously Passed

*Minutes respectfully submitted by Jackie Danfelser.*