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NEWS RELEASE

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Education Secretary Issues Decision on Two Charter Applicants Prompting the Public Education Commission to Cancel Their Special Meeting

(Santa Fe, NM) – New Mexico Secretary of Education Veronica C. García issued a decision on two charter applicant appeals, prompting the Public Education Commission (PEC) to cancel their special meeting scheduled for Friday, February 5, 2010 in Albuquerque. The special meeting was to reconsider these applications.

In a Decision and Order issued Wednesday, January 27, 2010 to the applicants for Sandia Academy in Albuquerque and Senator Dennis Chavez in Las Cruces, Secretary García upheld the Public Education Commission's September 2009 decision to deny the two applicants a state charter.

"Sandia Academy and Senator Dennis Chavez's charter applications were inadequate," Secretary García wrote in the Decision and Order.

After initial charter school applications by the two schools were denied by the PEC at their September 10, 2009 meeting, both applicants appealed the PEC decisions to Secretary García. Secretary García presided at the two appeal hearings on separate days in December.

As a result of the hearings, Secretary García remanded both cases back to the PEC to address a list of specific issues for each charter applicant so as "...to satisfy [her] concerns that both schools have been afforded the full due process..."

New Mexico Education Secretary Veronica C. García vacated the remand order that she issued to the Commission on January 13, 2010 after the charter applicants, through their attorney, communicated their intent to file a lawsuit against the Public Education Department (PED). The reason for the reversal was to avoid incurring unnecessary legal expenses and to avoid expending valuable time on litigation.

"In remanding the case back to the PEC, it was my intent to afford the applicants and PED Charter School Division a second opportunity to clarify their positions on some key issues," said Secretary García. "However, the applicants have communicated their desire not have another hearing before the PEC, and they have asked me to make a decision based on their initial appeals."

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