



COLORADO
Department of Education

Colorado State Board of Education

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
COLORADO DEPARTMENT OF EDUCATION COMMISSION
DENVER, COLORADO
January 8, 2014, Part 2

BE IT REMEMBERED THAT on January 8, 2014,
the above-entitled meeting was conducted at the Colorado
Department of Education, before the following Board
Members:

Paul Lundeen (R), Chairman
Marcia Neal (R), Vice Chairman
Elaine Gantz Berman (D)
Jane Goff (D)
Pam Mazanec (R)
Debora Scheffel (R)
Angelika Schroeder (D)



1 CHAIRMAN LUNDEEN: Continuing on with the
2 Commissioner's Report, State Board Support for Districts
3 in Priority Improvement and Turnaround. My senior
4 colleagues are deep in conversation. I'm sure your
5 service on the Board is what I would say. My fellow
6 colleagues -- I was trying to be submissive and honor
7 their seniority, on the Board. Please, get me out of
8 this hole.

9 MR. HAMMOND: Mr. Chair.

10 CHAIRMAN LUNDEEN: Mr. Commissioner.

11 MR. HAMMOND: Thank you. What we have
12 talked with you about a couple of times, and we'd like to
13 finalize today, is the set of protocols as we have
14 districts and schools that are embedded within those
15 districts come before you that are in Priority
16 Improvement or Turnaround, in Year 4 and Year 5, before
17 you have to make a final decision on the outcomes as they
18 work through the clock and when they're at their final
19 phase.

20 I will tell you that this is not set in
21 stone. This is something, I think, no other state has
22 done, that I know of, and we're kind of groundbreaking.
23 But I think it's probably, in the scheme of everything
24 that you do, one of the more important things and one of
25 the more informative things as we try to get academic



1 achievement for our students.

2 And we'll make tweaks in the process. I
3 think Keith Owen will describe the process to you and
4 then also will assist you in some look-forwards (ph) that
5 we want to make sure you have. But we want to make this
6 as free-flowing on the districts' part as we can, and
7 voluntary, of course, as you've set forth.

8 So with that, Peter Sherman and Keith Owen
9 will make a presentation, so I'll turn it over to Keith.

10 CHAIRMAN LUNDEEN: Absolutely, and just to
11 restate what we've talked about a number of times, this
12 is an effort to be shoulder-to-shoulder with these
13 districts. It's not a summons in any way. It's a
14 conversation whereby we stand beside them in trying to
15 help them in the circumstances in which they find
16 themselves.

17 So please proceed.

18 MR. OWEN: So, Mr. Chair, Commissioner,
19 thank you. I think that was a pretty good overview.

20 So what you have today is our protocol that
21 we had shared a draft of this at the last State Board
22 meeting. The Commissioner asked us to make one revision
23 to this, and if you look at the second page, at the very
24 end, we are asking the school district to commit to, at a
25 minimum, the superintendent and the board chair, and if



1 the board chair is unavailable at least one board member
2 to come. We really feel like it's important --
3 Commissioner Hammond asked us to change that and we
4 agreed -- that there is some board representation at this
5 meeting, from the local school district, that it can't
6 just be the superintendent and maybe a principal coming.
7 They really have to have, at the board level, so that
8 they can go back and communicate to their fellow board
9 members exactly how the conversation went, and really
10 board member to board member direct conversations that
11 would occur, based on that visit.

12 So with that change, that was really the
13 only other modification to the draft document that we had
14 submitted last month, and with your kind of -- with your
15 approval today we'd like to move forward with sending out
16 invitations, working with Carey Markel, to get
17 invitations out to school districts on your behalf. And
18 I think, Mr. Chairman, just as you said, an invitation to
19 come have a conversation with you, schedule those for
20 March, April, and May of this year, and then I think to
21 debrief after we have those conversations and make sure
22 that, number one, it was worthwhile for both you and the
23 district, and then we can also adjust this process and
24 tweak it going into the following year, based on the
25 feedback that we would get from you from how the



1 conversations went.

2 In some preliminary conversations with
3 school districts and superintendents about this idea, and
4 sharing this draft protocol with them, I would tell you
5 that at least two or three of the districts I've talked
6 to are excited to come talk to you and are really looking
7 forward to the opportunity, and not saying they won't
8 come, not saying they don't want to do it. They're very
9 much wanting to get an opportunity to talk to you about
10 their story, their journey, their challenges. And so I
11 really do feel like a lot of these districts that are
12 listed here will take you up on the invitation to come
13 have a conversation.

14 We, of course, in advance of that, before
15 each of these meetings, we'll prepare a packet for you on
16 each of the school districts. We're certainly open to
17 talking with you about each of them, giving you their
18 history, the challenges that they've had, from our
19 perspective, so that you are well prepared for the
20 conversation, maybe some leading questions from our
21 perspective that you might want to ask, somethings that
22 we've noted and highlighted over the last couple of years
23 in our dealing with the school districts. But again,
24 we'll certainly put that forward and get that to each
25 Board member in advance of the meeting, so you have



1 adequate time to prepare for the conversation.

2 CHAIRMAN LUNDEEN: Dr. Schroeder.

3 MS. SCHROEDER: Forgive me. There's a part
4 of me that's a little concerned about this, which is that
5 I don't want to just hear about the challenges. I'm fine
6 with hearing about the challenges and what are the
7 strategies that they've implemented, that they're trying
8 to implement, they're hoping to implement, what are their
9 resource needs. But I've spent 20-some-odd years hearing
10 challenges. It's pretty easy to keep going there, and
11 that can really take a lot of time, suck up a lot of
12 oxygen, and I don't know if that's why we've invited
13 them. We have invited them, I think, to do -- is tell us
14 what are they working on, what are they seeing in terms
15 of preliminary results.

16 Because I think part of this is about
17 getting some intermediate results that indicate that
18 they're on the way to finding success for their kids, and
19 I don't -- I worry a lot, having listened to this for so,
20 so many years, that we just hang back here and talk about
21 how tough it is, which is not to say that you don't do
22 that to lay the groundwork, but folks can talk about that
23 for a very, very long time. And I think their job here
24 is to let us know what are the things they've tried --
25 and for me it's definitely okay for them to say, "You



1 know, we did this, this, and had no results." That's
2 perfectly acceptable to me, because that is how it
3 happens sometimes. Sometimes these things work and
4 sometimes they don't work, or you can only go so far with
5 a certain intervention and then you've got to move on to
6 the next one.

7 I just have some skepticism about this
8 project, just because I know that when you speak one-and-
9 one -- one-on-one with folks, we very often get stuck on
10 the fact that it is very challenging. We are
11 transforming public education because we can no longer
12 not educate a portion of our population. Right?
13 Everybody's got to be able to do something, and succeed
14 in our schools. That's kind of what we're saying. It's
15 local control except you can't not educate the kids. And
16 so what's actually happening? I don't know how to nicely
17 emphasize that because it doesn't sound very nice but
18 this is my worry about this process.

19 MR. HAMMOND: Mr. Chair.

20 CHAIRMAN LUNDEEN: Okay.

21 MR. HAMMOND: Let me take that. You'll see,
22 in the purpose of these meetings, that they need to
23 address what they've done, not to -- if they -- we will
24 be going over all of that. If -- but I can't dictate
25 what --



1 MS. SCHROEDER: No, I know that.

2 MR. HAMMOND: -- they'll talk about, and I
3 think that, to be very frank with you, if that's what
4 ends up being discussed, that may be a symptom of the
5 issue.

6 And so we'll provide the guidance. I would
7 never want a district to come before you not being
8 prepared. I mean, as you said, Mr. Chairman, this is
9 about working together, because nobody wants to see any
10 of our districts get to that final point where action has
11 to be taken. You've heard me say that many times. But
12 if that's what you hear -- and, quite frankly, if we're
13 going to hear a bunch of excuses that may be symptomatic
14 of the problem. But I assure you we will be working with
15 those districts, to be very clear, on what the
16 expectations are and what they should talk about. But I
17 think there are several good stories out there of what
18 they're trying to do, but maybe why is it not happening?

19 MR. OWEN: Mr. Chair.

20 CHAIRMAN LUNDEEN: Deb.

21 MS. SCHEFFEL: My question is what's the
22 best venue for them to talk with us? Is it better -- you
23 know, these sessions tend to be quite formal and I'm
24 wondering if it would be better in some kind of another
25 venue, so that we could have an easy exchange of "we



1 really tried this but because of this and this it didn't
2 work. This portion of our action plan is succeeding.
3 This other portion is not. Here's why. Here's what we
4 need." I mean, I'm just wondering if we could think
5 about that, and maybe it is this type of a meeting but
6 maybe it isn't.

7 MR. OWEN: Mr. Chair.

8 CHAIRMAN LUNDEEN: Valid question.
9 Thoughts?

10 MR. OWEN: Yeah. I mean, I think my
11 thoughts to that, and I think it is a good question, is
12 to say let's maybe try it and then see how the
13 conversation goes, and then debrief after the
14 conversations and maybe look for, if we see that it is
15 not free-flowing in the way that people feel is valuable
16 to them that we could maybe look at an alternative.

17 I do think there's something to be said
18 about the formal nature of this and also preparing them
19 for that formal conversation that will take place if they
20 do end up running out the clock, that would be of help to
21 those school districts, because I think this is pretty
22 serious when it comes to loss of accreditation and it
23 also is pretty serious when it comes to the action that
24 you might be talking to them about with their schools.
25 And I think for some of those local school communities



1 and for those board members, the formality of it would be
2 helpful to them to also go back to their local community
3 and impart upon them, you know, how much they need to be
4 working and what they need to be focusing on and the
5 seriousness of the conversation.

6 So my thought to that would be let's try
7 this conversation. And understand, too, that I think
8 staff has concerns about this process as well, but I
9 think the possibilities outweigh the negatives right now,
10 or the challenges to doing it, and I think that those
11 possibilities could end up taking us somewhere much
12 better for most of the districts. It's not to say that
13 you're not going to maybe have a couple of difficult
14 conversations where you want to pull your hair out,
15 because I can tell you that we have some of those
16 difficult conversations where we want to pull our hair
17 out and that's not necessarily going to change just
18 because they're coming to talk to you.

19 But I do think that, from the early
20 conversations with most of these school districts that
21 are listed on here, that you're going to have an
22 opportunity to really hear what it is that they're trying
23 to focus on and what it is that they're trying to do.
24 And I think most of them will come from the point of
25 "here's the things that we're working on, here's what we



1 know we're struggling with, and here's how we're trying
2 to tackle those struggles and how we're trying to
3 overcome them." So I do think most of them will come
4 from that point of view, and that's the guidance that
5 we're giving them.

6 I was just talking with a superintendent
7 yesterday that's on this list, and giving him some of --
8 he asked for, you know, some advice on how to approach
9 this conversation, and it was just as you said, Dr.
10 Schroeder. You know, approach it from what you've been
11 working on but don't ignore -- some of the
12 superintendents on this list are fairly new to the
13 district that they're in, and there's a tendency for them
14 to think that they can ignore the past of what's been
15 going on in their school district, and I should only be
16 held accountable for what it is that I'm in for now, in
17 Year 1. What I've been trying to guide them in is your
18 board, your community cannot ignore three or four years
19 of underperformance and then expect the State Board to
20 keep extending it, based on being a new superintendent.
21 I said, "From my perspective, that's the wrong approach.
22 I would embrace what's happened in the past, the mistakes
23 that have been made, and how you're going to try not to
24 replicate them going forward."

25 And so this superintendent, I think,



1 appreciated that type of support, and our office will
2 work with each of the individual people that are invited
3 to make sure that they have the best guidance from us to
4 prepare for the conversation with you, in the spirit that
5 I think you just outlined earlier.

6 CHAIRMAN LUNDEEN: Deb.

7 MS. SCHEFFEL: I just had a quick follow-up.
8 Then I think it would be good if we -- when are these
9 happening?

10 UNIDENTIFIED VOICE: March.

11 MR. HAMMOND: So, Mr. Chair.

12 CHAIRMAN LUNDEEN: Go ahead.

13 MR. HAMMOND: So right now, on our sheet,
14 we've identified at least one day in March, April, and
15 May, working with Ms. Markel, I think we would try to
16 identify if it's the first day or the second day, or
17 maybe work with the districts on the scheduling piece of
18 it. But it would be at least one, and we're thinking
19 probably the morning, right off the bat, starting, until
20 lunchtime, trying to get into the conversations. But
21 we'll work on the scheduling piece of it.

22 MS. SCHEFFEL: So my only thought then is
23 let's think about, or maybe what are we trying to walk
24 away with? Are we having these meetings so that we have
25 a better sense of what the words in the improvement plan



1 mean to these individuals? Are we looking for
2 authenticity? Are we looking for greater detail? Are we
3 looking for resolve? You know, I don't know. We're
4 taking time out of their schedule and we're committing
5 time on ours, so it's helpful to think about what do we
6 want the end result to be, just better specificity or
7 something.

8 MR. OWEN: Mr. Chair.

9 CHAIRMAN LUNDEEN: Go ahead.

10 MR. OWEN: Dr. Scheffel, I think that it
11 might be a little different for each of you, and
12 hopefully we can try -- we've tried to capture what we
13 thought were the main things you'd want to take away.
14 But I think that one of the things that we heard loud and
15 clear from the conversations, as you guys prepare for the
16 challenges and the responsibilities that you'll have
17 under the law to deal with each of these districts and
18 schools, that it gives you an opportunity to put some
19 context to the decisions that you'll be making later on.

20 And so I think our hope was, one, to
21 establish some relationships, and then also, too, I
22 think, like Commissioner Hammond said, if you start to
23 see, year after year, a school district come forward and
24 only want to talk about the reasons why they can't be
25 successful with kids, that's, I think, helpful for you



1 when you -- if that school district runs out the clock.
2 I mean, I think that helps you understand that maybe you
3 have to have more of a bold action with a school district
4 that's not wanting to really get down to the real reasons
5 why they're struggling to improve performance for kids,
6 versus a district that comes in and is very honest about
7 their challenges but also very honest about what they're
8 going to get done, and every year you see improvements
9 with that district. I think that helps give you a
10 different look when you're faced with a decision with
11 that district. So that context, over time, I think, will
12 be really helpful and I think each of you might get
13 something a little different from it.

14 MS. SCHEFFEL: Thank you.

15 CHAIRMAN LUNDEEN: Jane.

16 MS. GOFF: Thank you. Well, this is a
17 little bridge to what you all were just now talking
18 about. I guess, what would be your thoughts or your
19 insights on -- should -- would it be, in your views, is
20 it desirable for us to wait until these events happen --
21 these meetings, these conversations -- and then if, at
22 some point, each of us, with respective districts
23 involved, follow up? I guess my question is, is it
24 better to have everybody in the same room at the same
25 time, hearing the same thing, getting a common ground



1 context, and then, as necessary to each of -- I think
2 we're all sensitive to what protocols are, how districts
3 react, or superintendents view State Board. I just want
4 to be sensitive to their preferences and really what's
5 going to work best for our decision-making.

6 The other part of it is, in the background
7 that's provided, that may be a place to, from your view,
8 to highlight all of the -- the progress. What have they
9 been doing? What are the activities going on that you
10 have spoken with them and counseled them together on,
11 that's in their plan? What are some of the core
12 challenges, and from your view? I think the Department's
13 view is certainly critical for us. What have they been
14 doing to move that down? What's your view of it? Even a
15 rating scale, on a scale of 1 to 10, whatever.

16 But I would appreciate that as well,
17 beforehand, to give a little -- so we have the grounding
18 where the Department is, that you all that have been
19 working with these folks for so long.

20 MR. OWEN: Mr. Chair.

21 CHAIRMAN LUNDEEN: Yes.

22 MR. OWEN: Our hope is to provide -- and we
23 will provide, before each of these meetings with school
24 districts, a packet that does outline the work that's
25 been done, our kind of point of view. And we're trying



1 our best to not take time at the actual hearing for us to
2 talk, because we really feel like it's a great
3 opportunity for them to engage with you. But we will
4 certainly give you our thoughts, feelings, and, you know,
5 our work and our history with the districts in advance of
6 the meeting, so that you'll have a chance to review that,
7 ask us any questions about it. We'll be happy to do that
8 and happy to provide that to each of you beforehand.

9 And I think, back to your question on the
10 sensitivity, you know, with this invitation, and also one
11 of the things that led up to the idea of doing this was
12 really hearing from superintendents that want to talk to
13 you. So I honestly believe that you've got a good
14 portion of these districts where they want to come have
15 conversations with you so that they can start to get a
16 feel for you too, and where they think things are going
17 to go from their perspective with their district.

18 And I also think some of these
19 superintendents are looking for -- and maybe board
20 members as well -- looking for some cover to help them go
21 back to their community, to make some really tough
22 decisions about things that have been really impeding
23 their progress for kids. And that puts you in a tough
24 role sometimes too, where if you're providing that cover
25 you're also sometimes perceived as the bad guy in this



1 work. And we certainly have gone through that in some of
2 our experiences, but sometimes it's necessary. They
3 cannot get things done in their local community without
4 that outside push saying, you know, we are going to
5 really watch your progress and if you don't, here are
6 some things that we're going to consider. I think, you
7 know, your role in that part of the accountability is a
8 tough one, and I think it's a fine line of trying to
9 provide support and also push at the same time. But I
10 think each of you will walk away at least having a better
11 understanding of each of the districts. We have an
12 opportunity to debrief after as well.

13 MS. GOFF: -- follow up on that.

14 MR. HAMMOND: Mr. Chair.

15 CHAIRMAN LUNDEEN: We've got several
16 comments but go ahead.

17 MR. HAMMOND: Just to add one thing. We've
18 seen that when I've talked with -- when we go visit those
19 districts in Priority or in Turnaround. I ask to meet
20 with the superintendent and members of the board, and
21 many times that's a very illuminating conversation with
22 board members. And I think that you have so much to
23 bring to the table, you really do, because your board,
24 elected board members to elected board members. And just
25 expressing the seriousness and the concern that we want



1 to help them not -- the last thing we want to do is take
2 away accreditation, because it's automatic in Turnaround.
3 But that's the last thing, because that hurts kids. But
4 what can you do to not have that happen? But then as
5 they progress on this is really the next stage, we
6 figure, if they come before you. So I just think, as
7 board members to board members, I think that -- my
8 personal opinion is that this will be very powerful.

9 CHAIRMAN LUNDEEN: Marcia.

10 MS. NEAL: Logistical question, and perhaps
11 a comment. Will this be during a Board meeting or is
12 this a separate? So it will be during a Board meeting in
13 each of those three months. About how many school
14 districts might we have then for each meeting?

15 MR. OWEN: Mr. Chair, we're looking at three
16 per meeting.

17 MS. NEAL: Okay. I was just wondering.
18 It's just a suggestion, regarding Deb's question about
19 the formality of the Board, if it would be practical to,
20 when it was over, you know, right before lunch or
21 something, and we could have a break and have coffee and
22 stuff in the lobby or something, where we might visit
23 with them. That's just a suggestion. I don't know if
24 that would work or not, but I do realize that formality
25 is kind of off-putting, and perhaps if we had a chance to



1 just visit with them it might be helpful. Just a
2 suggestion.

3 CHAIRMAN LUNDEEN: Elaine and then we'll
4 work our way back.

5 MS. BERMAN: Keith, did you just say we were
6 going to do three at each meeting?

7 MR. OWEN: Mr. Chair, yes. That's what
8 we're anticipating, three invitations, and we'll extend
9 invitations to all of these districts and then try to
10 place them in spots that make sense, based on what their
11 needs are and which date works best, according -- working
12 with Carey -- Ms. Markel. But that would be based on the
13 full group, and if for some reason we get any overall
14 decline, school districts that decline the invitation,
15 then we have a small list of districts that have a high
16 percentage of schools that are entering Year 4, that the
17 district isn't on the clock but they have a network of
18 schools they are, that we would maybe extend the
19 invitation to that school district to come talk, an
20 overview of what -- because those schools are still going
21 to be coming and facing you as well.

22 MS. BERMAN: I think it's a great idea for
23 all the reasons you've said. I just -- three was like,
24 that's a lot. Are we going to do them one right after
25 the other?



1 MR. OWEN: Mr. Chair, that is the thought
2 right now. Maybe a break in between, and then maybe, as
3 Vice Chair Neal said, some type of separation after we're
4 all done that would allow some interaction would probably
5 be a great idea too. So that was the thought process is
6 that we would allow 40 minute, 5-minute break in between,
7 20 minutes for the district, 20 minutes for questions, 5-
8 minute break, and then start the next district. That's
9 originally how that was set up in our protocols.

10 So it's going to be fairly tight, and, Mr.
11 Chair, it's going to be, you know, tight in the sense of
12 trying to manage that as well, because the districts,
13 certainly we'll prepare them for the amount of time but
14 you can imagine that they're going to want to try to
15 communicate a lot, and we're going to try to get them to
16 really be specific about the questions and the protocols,
17 what we're trying to get in front, what you most want to
18 hear from them, and then also managing 20 minutes for you
19 to ask questions.

20 We understand it's tight, and we might come
21 back -- I think, to Dr. Scheffel's point earlier, that we
22 might come back and feel like that's just not enough
23 time, that you want more. We're trying to also manage
24 your schedule in the sense of over a period of a year,
25 and the commitments that you have, how much of this can



1 we take and eat away from your meetings each month. And
2 so we're trying to manage that and be respectful of that
3 at the same time.

4 MS. BERMAN: I just want to make sure that
5 we don't, by the time we've heard the third district
6 we're just exhausted, like charter school hearings. I
7 mean, it does sound like it's pretty tight and I want to
8 make sure if we're inviting them in that we treat them
9 respectfully and give them the time that they need. So I
10 don't know.

11 Yeah, I would just think about that, and if
12 there's any way to break it up so we hear from a school
13 district and then we do other business and then hear from
14 another school district, it would -- it wouldn't meet,
15 the suggestion that Marcia made, where we'd all gather at
16 a certain time, because then we'd be all spread out. But
17 I just want to make sure we're not burnt out from hearing
18 and having the conversations.

19 MR. OWEN: Mr. Chair, this is going to be
20 your invitation and your event so we're happy to tailor
21 it however you feel best. I mean, I think if you'd like
22 to have us work to try to maybe do a few and split one up
23 and do one again after lunch, I think there are some ways
24 that we could keep it from being three in a row. I don't
25 think there's anything that we felt like had to be that



1 way. So if that's how you all feel I'm happy to tailor
2 this however you feel is best.

3 CHAIRMAN LUNDEEN: Yeah, I think this is all
4 good feedback and we'll continue. To me, I perceive this
5 as a value add. This is something that wasn't baked into
6 the process. It's something we're adding where we're
7 trying to bring value to the conversation. So I think
8 it's positive to move toward it. We can adjust if we
9 find, in month one, that it doesn't get what we need, and
10 then we can maybe make adjustment based on that as well.

11 Elaine, did you have other questions?

12 MS. BERMAN: No. I was just going to say I
13 like the idea of breaking it up with lunch.

14 CHAIRMAN LUNDEEN: Sure.

15 MS. BERMAN: At least that gives us a break,
16 and I like that idea.

17 CHAIRMAN LUNDEEN: Okay.

18 UNIDENTIFIED VOICE: My comment is kind of
19 like yours, Paul. I think that -- I also have some
20 concerns about just how this will be perceived by not
21 only the districts coming here but by anyone listening,
22 online or in the audience. So I have some concerns about
23 that, but I agree with Paul that this is new territory.
24 I do think it's a good thing to try, and I think it's
25 also a good idea to break it up a little. So thanks for



1 this idea.

2 CHAIRMAN LUNDEEN: Angelika.

3 MS. SCHROEDER: So a couple of thoughts in
4 response to what my colleagues have said. The background
5 you discussed with Jane, what were the -- what are the
6 options for a district when they find out that they are
7 on one of those two -- in one of those two categories?
8 Perhaps there are other opportunities, just some funding
9 rather than having CDE staff helping them, to have
10 outside support? What were the things that they could
11 consider, or did consider, or did talk to you about?
12 Anecdotally, of course, I'm aware that there are some
13 districts who really don't want help from CDE, and I'm
14 assuming you're going to let us know about that.

15 In response to what Deb mentioned, my
16 experience on a school board was that we had board
17 meetings and we had work sessions, and in a work session
18 we just took those tables and put them in a square. And
19 we did have -- I mean, this feels like a hearing, to me,
20 and that's actually -- I don't think that was what we
21 wanted. And I wonder if there's, physically, a different
22 structure that we're sitting at the table, at the same
23 height. I mean, I realize you said this was sort of in
24 preparation for the real thing, if they run out of time,
25 but I don't know that making them feel that way is



1 helpful. So sitting at a table -- I mean, this messes
2 up, Elaine, what you said.

3 CHAIRMAN LUNDEEN: Let's hold on that right
4 now, because I saw a lot of heads bobbing, not as people
5 were falling asleep but in agreement, that resetting the
6 room might make sense. It would conflict with spreading
7 things out. That means we'd be grouping things together
8 probably. But what do people think about resetting the
9 room, you know, work it down to a square box on the
10 floor?

11 MS. SCHROEDER: Yeah, because I definitely
12 agree --

13 CHAIRMAN LUNDEEN: All right. So I think
14 there's some --

15 MS. SCHROEDER: -- with Deb that there's a
16 piece of this --

17 CHAIRMAN LUNDEEN: -- clear feedback there.

18 MS. SCHROEDER: -- that doesn't feel -- if I
19 were a district at risk --

20 CHAIRMAN LUNDEEN: Yeah, it's formal enough
21 coming to Denver, it's formal enough sitting in the room
22 with the seal, it's formal enough to have the members of
23 the panel cross-examining, so to speak, you know, in a
24 helpful way, hopefully. Maybe moving it down to a box on
25 the floor does make sense. So if that creates a



1 scheduling issue or we need to reset the room, but I
2 think that's something that we can accommodate.

3 MS. SCHROEDER: The best thing about work
4 sessions actually was we could come in our grubbies. We
5 worked --

6 UNIDENTIFIED VOICE: No.

7 MS. SCHROEDER: -- board members. But I
8 guess we don't get to do that in Denver.

9 CHAIRMAN LUNDEEN: No grubbies.

10 MS. SCHROEDER: That was Boulder.

11 MS. NEAL: I would just add that we've given
12 them an awful lot of suggestions that they don't all kind
13 of coordinate, so I think it's real important that you
14 take them into consideration and then you figure out the
15 best way to do it, because, like I said, mine was just a
16 suggestion and doesn't mean that I expect you to do that,
17 and I'm sure the other Board members pretty much feel the
18 same. I like -- because we, too, did work sessions and
19 that is really helpful to just sit around. Maybe we
20 should just lower our seats here. But I do think it's
21 important -- you guys figure it out. You're the ones
22 that are doing it.

23 CHAIRMAN LUNDEEN: And then I'm going to
24 give you another administrative rankle. We'll talk about
25 this at the end of our day, but it's very possible that



1 our May meeting is not going to be in this room. So we
2 can work that administrative detail in as we kind of get
3 clarity on that issue as well. Okay?

4 MR. OWEN: Mr. Chair. Yeah, I think we will
5 work with Ms. Markel and we'll figure this out, and I
6 appreciate the feedback. We really are looking forward,
7 I think, to the opportunity for the districts to come up
8 and talk with you, and I think you'll really gain some
9 good information from that, that will help you down the
10 road. So thank you for your consideration.

11 MS. NEAL: Thank you.

12 CHAIRMAN LUNDEEN: Thank you. Thanks for
13 taking our feedback.

14 UNIDENTIFIED VOICE: Thank you for the
15 ideas.

16 CHAIRMAN LUNDEEN: Do you have anything else
17 in your report, Mr. Commissioner, or does that wrap your
18 report?

19 MR. HAMMOND: That wraps my report and we're
20 ready for item number 8.

21 CHAIRMAN LUNDEEN: Okay. Item 8.01 is the
22 next item on the agenda. It's a request to issue a
23 Notice of Rulemaking concerning proposed revisions to
24 education accountability rules, 1 CCR 301-1.

25 Commissioner, is staff prepared to provide



1 an overview?

2 MR. HAMMOND: This is a conglomerate of
3 changes, brought about by legislation, the primary
4 Legislative Legal Services review. Once they review what
5 we do in rule, sometimes they disagree and they'd like to
6 see some tweaks. And so in line with that we've done
7 that, and Katie Lanahoff (ph) will present that to you,
8 and then after today we'll start the formal hearing
9 process.

10 UNIDENTIFIED VOICE: Thank you. So in
11 addition to the changes that were required --

12 MR. HAMMOND: Katie, I'd like to say one
13 thing, if I could. I want to thank Carey Markel, Ms.
14 Markel. She's been great at working with us on this,
15 with Legislative Legal Services. Spent a lot of time
16 trying to get this all sorted out, so thank you.

17 UNIDENTIFIED VOICE: I just wanted to say
18 that in addition to the changes that are required because
19 of the 2012 and 2013 legislative sessions and the OLS
20 review, CDE is also recommending some changes to
21 streamline the rules to make them shorter. So I'm going
22 to go over all of those. And then I think we'll just go
23 over the overview, and if you have questions for us
24 afterwards we can walk through them.

25 So first there are several changes that are



1 required as a result of House Bill 12-1238, which is the
2 READ Act. The READ Act requires CDE, when conducting its
3 annual review of district and school performance, to
4 track and give credit to districts and schools for the
5 percentage of students who were at one time identified as
6 having a significant reading deficiency and then who
7 later score partially proficient, proficient, or advanced
8 on the statewide reading assessments in third and fourth
9 grade.

10 And the rule changes specify that after
11 baseline data has been -- from the READ Act assessments
12 have been verified to be adequately predictive of
13 statewide reading assessment results, then CDE will
14 determine whether districts or schools meet certain
15 targets, in terms of the percentage of students who were
16 at one time identified with a deficiency and later score
17 partially proficient, proficient, or advanced. And then
18 the districts and schools that meet those targets will
19 receive credit on the DTF (ph) and NASGAF (ph).

20 And the READ Act also requires districts to
21 address, in their unified improvement plans, specific
22 targets and strategies related to ensuring that students
23 achieve grade-level expectations in reading, so that
24 requirement has been added.

25 There is a second set of revisions related



1 to a bill from last year's legislative session, Senate
2 Bill 13-217, which requires the state's criteria for
3 accrediting districts to account for AECs. The rule
4 changes that we're proposing would effectively codify the
5 request to reconsider process that we tested this past
6 fall. CDE would need to consider changing a district's
7 accreditation rating based on a set of criteria, and that
8 would be whether the district's AECs have demonstrated
9 improvement in performance and have been assigned to a
10 school improvement or a performance plan, whether those
11 AECs continue to serve students and whether removing the
12 data for the students in those AECs would result -- would
13 otherwise result in an improved rating for the district.

14 Third, we have a few revisions related to
15 Senate Bill 13-193, concerning parent engagement. Senate
16 Bill 193 required that schools that adopt Priority
17 Improvement and Turnaround plans hold a public meeting
18 prior to adoption of the plan, to solicit input from
19 parents, and also schools adopting Priority Improvement
20 plans or Turnaround plans are required to include in
21 their plans strategies for engaging parents. So the rule
22 revisions would just include those requirements.

23 And then next there are several changes
24 related to the Office of Legislative Legal Services
25 review of our rules. As you may remember, each fall OLLS



1 reviews the rules that you either newly adopted or
2 revised in the previous year, and they identify rules
3 that are either inconsistent with statute or need further
4 clarification. So we are recommending several changes in
5 response to the comments that they've provided to us this
6 fall. And I'm not going to review each of those changes
7 but in the draft recommended revisions that you have, in
8 the sidebar we have comments that indicate where the
9 changes are that relate to the OLLS comments.

10 And then, finally, there are several
11 sections of rules that we're recommending be repealed, to
12 shorten the rules and make them a little bit more reader-
13 friendly. Former sections 7.01 and 7.02 have been
14 combined, because the requirements for District
15 Performance Plans and Improvement Plans are the same.
16 And likewise, Sections 10.08 and 10.09 have been
17 combined, because the requirements for School Performance
18 Plans and Improvement Plans are the same.

19 And then former Section 12.00, which
20 outlined the composition and the duties of District
21 Accountability Committees and School Accountability
22 Committees have been repealed, and this is because that
23 section of the rules merely restated what was already in
24 statute and was a little bit redundant. And CDE provides
25 more specific information about SACs and DACs in our



1 Accountability Handbook.

2 So that concludes my summary, and if you
3 have questions about any of those sections we're happy to
4 answer them.

5 CHAIRMAN LUNDEEN: Questions? Angelika.

6 MS. SCHROEDER: Well, I'm a little confused
7 and I'm just wondering which copy I have, because when I
8 look, for example, there's OLLS Review, page 11, when I
9 look on my page 11 I don't see anything.

10 UNIDENTIFIED VOICE: Is the numbering off?

11 MS. SCHROEDER: So I'm wondering -- and then
12 I don't see anything in any margins anywhere, and I have
13 two different colors. I've got a --

14 UNIDENTIFIED VOICE: (Indiscernible.)

15 MS. SCHROEDER: Do you have colors?

16 MS. NEAL: No. Only on the online version.

17 CHAIRMAN LUNDEEN: It's on the online.

18 MS. SCHROEDER: Oh, the online version.

19 See, that's my problem. Okay. So I've got a hard copy
20 that's different from what you were describing. My
21 apologies.

22 UNIDENTIFIED VOICE: And let us know if
23 there isn't then we can go back and fix the numbering.

24 MS. SCHROEDER: Okay. I'll print that puppy
25 out and then I'll --



1 CHAIRMAN LUNDEEN: I think too often we get
2 words codified in rule and codified in law and they just
3 expand and expand and expand, and this is one of those
4 brief moments, all too infrequently, where we actually
5 try and contract and clean things up and make it more
6 understandable, more usable, and more to the point of the
7 people that, in fact, we're trying to serve. So, in
8 general, to the extent we're getting that done I think
9 this is a very good effort.

10 UNIDENTIFIED VOICE: It's like cleaning out
11 your closet.

12 CHAIRMAN LUNDEEN: Cleaning out your closet.
13 That's a good way to look at it.

14 So any further questions? Deb.

15 MS. SCHEFFEL: Thank you. Can you explain
16 the comment on page 12 and then 15 of the revised rules.
17 One relates to alternative campuses.

18 CHAIRMAN LUNDEEN: You're on page 12?

19 MS. SCHEFFEL: Yeah. I'm just looking for
20 the comment on page 12.

21 UNIDENTIFIED VOICE: And would you like me
22 to just explain what that change does, or --

23 MS. SCHEFFEL: Yeah, let me just find what I
24 need. Okay, yeah. It says, "Senate Bill 13-217 requires
25 the State Board's criteria for assigning accreditation



1 ratings to account for the performance of students
2 enrolled in the districts (indiscernible) alternative ed
3 campuses. Taking into account the unique purposes of the
4 campuses," and so forth. So can you explain that? What
5 language -- what's the adjustment and what's the
6 meaningful change?

7 UNIDENTIFIED VOICE: So previously, the
8 performance of students in Alternative Education Campuses
9 was automatically rolled up into the district performance
10 framework, and while schools have an alternative
11 framework for AECs that allow them to use additional
12 measures, districts didn't have a way to adapt their
13 district framework to reflect that they had students in
14 AECs.

15 So under this system, the student results
16 would still roll up to the district level and be assigned
17 a rating, but if the district had Alternative Education
18 Campuses that, on the AEC framework are showing that
19 they're doing well, they're on a performance plan or an
20 improvement plan, and those AECs are still serving
21 students, and the AECs -- well, I guess there are three
22 criteria. First is how well is the AEC doing, second is
23 the AEC still open and serving students, and then three,
24 if we removed the scores from the students in that AEC,
25 would the district ratings have been higher? And if all



1 three criteria are met then the results from those
2 students' scores would be removed from the district
3 framework and they would get --

4 MS. SCHEFFEL: -- (indiscernible) of the
5 accreditation rating.

6 UNIDENTIFIED VOICE: It would get the
7 alternative rating.

8 MS. SCHEFFEL: So then giving the
9 Alternative Education Campuses more flexibility, less
10 flexibility, different accountability? What is the
11 effect of that? It seems like it would give them more
12 flexibility.

13 CHAIRMAN LUNDEEN: Yes.

14 MR. HAMMOND: Mr. Chair.

15 CHAIRMAN LUNDEEN: Please.

16 MR. HAMMOND: I think Katie did a great job
17 explaining that. This is -- we applied this in a pilot
18 status this year, and there were at least three districts
19 that had their ratings changed, utilizing kind of draft -
20 - our draft protocols for this. And now this is -- we're
21 required to get this placed into rule. So based on the
22 feedback that we had from utilizing that draft piece this
23 fall, and also working through some of our committees,
24 like the Superintendent's 163 Advisory Group, this is the
25 language that we came up with. So yes, it does give



1 districts now some flexibility to take -- for the
2 Department to take into consideration the unique
3 circumstances surrounding Alternative Education Campus
4 schools and their overall impact on a district's rating.

5 So if you remember, we utilized this with
6 Mapleton School District, that when removing the
7 Alternative Education Campus performance their
8 accreditation rating was within one student of changing
9 so we applied that to them. And there were a couple of
10 other districts that qualified for it as well this year.

11 So this puts it into board rule now instead
12 of just being department kind of policy.

13 UNIDENTIFIED VOICE: And the backup for that
14 is the legislation that was passed last year, a House
15 bill, or that Senate bill, wasn't it?

16 MR. HAMMOND: It was Senate Bill 11-217 --
17 or 13,217.

18 UNIDENTIFIED VOICE: Senator Hudak sponsored
19 it.

20 MR. HAMMOND: That's right.

21 MS. SCHEFFEL: And then I had another
22 question.

23 CHAIRMAN LUNDEEN: Go ahead.

24 MS. SCHEFFEL: Can you also adjust page 15,
25 the comment there.



1 UNIDENTIFIED VOICE: I think lunch is here.

2 MS. NEAL: Lunch? (Indiscernible.)

3 MS. SCHEFFEL: {Indiscernible.}

4 UNIDENTIFIED VOICE: Sorry, Deb.

5 (Overlapping)

6 MS. SCHEFFEL: So on page 15, can you
7 explain that comment, that DPS does not incorporate every
8 single measure associated with each of the performance
9 indicators. What is the effect of this change?

10 CHAIRMAN LUNDEEN: We're looking at the
11 comments to the side of that, Katie.

12 MR. HAMMOND: You're talking about the top
13 of page 15? I'm sorry, Mr. Chair.

14 CHAIRMAN LUNDEEN: Go ahead.

15 MR. HAMMOND: The top of page 15?

16 MS. SCHEFFEL: Yes. Comment CDE 10.

17 Comment 10.

18 UNIDENTIFIED VOICE: Oh, CDE 10. Okay, that
19 comment.

20 (Pause)

21 UNIDENTIFIED VOICE: Mr. Chair.

22 CHAIRMAN LUNDEEN: Please.

23 UNIDENTIFIED VOICE: So part of the READ Act
24 required the Department to do rulemaking to include
25 progress. It was kind of a positive incentive that was



1 built into the law, that districts would get credit for,
2 over time, moving kids who had been previously identified
3 as having a significant reading deficiency off of that
4 designation. So we collect that data to know how many
5 kids have an SRD, and over time the hope is to see fewer
6 and fewer of them. Districts that are doing that well
7 can get credit, like a bonus point, on their DPS (ph) --

8 MS. SCHEFFEL: Accreditation.

9 UNIDENTIFIED VOICE: -- or, yes,
10 accreditation, to support that. So this rulemaking was
11 to respond to that requirement in the law, but we
12 realized that the current baseline data is too noisy,
13 that this year we can't give districts credit off of the
14 data we've collected. It's not solid enough. So we
15 wrote it such that it would allow us time to get baseline
16 data, and not only the baseline data but then to do some
17 predictive analysis, because right now those assessments
18 really weren't geared to be predictive of TCAP scores or
19 PARCC scores, and so there was an assumption in the
20 legislation that there was an alignment between those
21 assessments that isn't actually there. So we're trying
22 to do some of the analysis, and this gives us the time to
23 do that thoughtfully before we would start giving
24 districts credit for progress that may or may not be real
25 progress.



1 So that's our effort to comply with the law
2 but also give us time to implement it thoughtfully.

3 MS. SCHEFFEL: So what does it mean to give
4 credit? Do they -- is their whole score feeding into
5 accreditation? Is that what it means, they get certain
6 bonus points that allow them to bump into different
7 categories with these bonus points, potentially, or not?
8 Is that kind of what it is?

9 UNIDENTIFIED VOICE: Mr. Chair, yes. I
10 think we're still looking at -- this is the first time
11 we've had any legislation that considers this notion of
12 bonus points, but the way that the accountability system
13 works is that there are points awarded for attaining
14 different levels of performance and hitting different
15 targets. So we look at setting up something similar to
16 that.

17 MS. SCHEFFEL: Okay.

18 UNIDENTIFIED VOICE: And do you want to add
19 any more, Alyssa?

20 MS. PEARSON: Yeah. Mr. Chair.

21 CHAIRMAN LUNDEEN: Please.

22 MS. PEARSON: The way we're looking at it,
23 and we've integrated it, is that this is really an
24 achievement measure. It's not growth. It's being a sub-
25 indicator in the achievement, looking at basically kind



1 of a disaggregated group of kids. It would be that
2 group. Knowing growth, we've got that catch-up group of
3 kids. This would kind of be that same idea but in
4 achievement. Those kids, in reading, that have been
5 identified previously with a significant reading
6 deficiency. How are they doing now in terms of
7 achievement on our statewide reading assessment?

8 And so we've talked, had just very initial
9 conversations with our technical advisory panel about it,
10 but we're thinking about it being, you could get points
11 for it, because all -- right now all the indicators in
12 the system, which are basically numerator and denominator
13 points, and then this one would just be numerator points.
14 It would just get added to it. We would never add on the
15 base. You'd just get extra points added in. It would
16 wrap up into that achievement indicator for elementary
17 schools or the elementary level.

18 MS. SCHEFFEL: Okay. Thank you. Maybe as
19 you implement that it would be nice to get more info. It
20 sounds like you're in the initial states of picking up on
21 that. That's an interesting concept.

22 UNIDENTIFIED VOICE: And, Mr. Chair, just
23 some of the rationale for why it showed up in the
24 legislation is they were trying to address that the
25 legislation has a built-in incentive to identify kids,



1 because you get money for identifying kids. So they were
2 trying to counter that incentive with an incentive on
3 accreditation to decrease the number. So you would kind
4 of balance those two competing incentives that were put
5 in the legislation.

6 MS. SCHEFFEL: Thank you.

7 CHAIRMAN LUNDEEN: Okay. Other questions?

8 UNIDENTIFIED VOICE: This is going to be a
9 hummer.

10 CHAIRMAN LUNDEEN: Yeah.

11 If not I would entertain a motion.

12 MS. NEAL: Mr. Chairman, I move to approve
13 the notice of rulemaking hearing for the rules concerning
14 proposed revision to education accountability rules, 1
15 CCR 301-1.

16 CHAIRMAN LUNDEEN: Second? Several seconds.
17 Fair enough. Any objection?

18 Hearing none, the motion carries. Thank you
19 very much.

20 The next item on the agenda, I believe, is
21 the resolution. It's consideration of a proposed
22 resolution concerning the December 13th, 2013, shooting
23 at Arapahoe High School and in honor of Claire Davis. As
24 we are all aware, on December 13th, 2013, an armed
25 student entered Arapahoe High School with the apparent



1 intent to cause grievous bodily harm to staff and
2 students at the school. As we all know, one student,
3 Claire Davis, was critically injured by the armed student
4 on December 13th. Claire later died of her injuries on
5 December 21st.

6 We have before us a proposed resolution
7 honoring the memory of Claire Davis and honoring the
8 members of the Arapahoe High School community who were
9 present on December 13th, and who acted to protect their
10 staff and the students.

11 I think what I'll do is read the resolution
12 and then we'll take action on it after it having been
13 read.

14 "Whereas, on December 13, 2013, an armed
15 student entered Arapahoe High School in Littleton,
16 Colorado; and

17 "Whereas, the school's principal,
18 administrators, teachers, armed resource officer,
19 security officer, and a custodian responded quickly with
20 heroism, bravery, and selflessness to protect the
21 students under their care and prevent loss of life; and

22 "Whereas, student Claire Davis was
23 critically wounded on December 13, 2013, and subsequently
24 died of her injuries on December 21, 2013, as a result of
25 this senseless and brutal act of violence, the State



1 Board mourns the tragic loss of her life and honors her
2 memory.

3 "Now, therefore, be it resolved, that the
4 Colorado State Board of Education

5 "(1) Condemns, in the strongest possible
6 terms, the heinous acts that occurred at Arapahoe High
7 School on December 13, 2013;

8 "(2) Offers its heartfelt condolences to the
9 family, friends, and loved ones of Claire Davis;

10 "(3) Stands by the Littleton community and
11 honors the resilience of the Arapahoe High School
12 students, staff, and families in the face of such
13 adversity."

14 It would be dated the 8th day of January,
15 2014.

16 That is the resolution before us. Is there
17 a motion, a second, and then perhaps discussion?

18 MS. NEAL: Mr. Chair, I move that the Board
19 adopt the resolution that the Chairman read so
20 eloquently.

21 CHAIRMAN LUNDEEN: Is there a second? There
22 is a second.

23 Would anyone care to make comments or shall
24 we take action?

25 It has been moved, it has been seconded, and



1 it is unanimous of this Board that that resolution shall
2 pass.

3 MS. NEAL: Thank you.

4 CHAIRMAN LUNDEEN: Thank you.

5 UNIDENTIFIED VOICE: Mr. Chair, just a
6 comment on process.

7 CHAIRMAN LUNDEEN: Yes, please.

8 UNIDENTIFIED VOICE: When these unfortunate
9 events happen, you know, if there was a way that we could
10 act quicker in passing the resolutions. I don't think we
11 need to wait for Board meetings to do it. I think we
12 could circulate a resolution and -- just because I think
13 it's important that we be timely after this kind of
14 crisis occurs.

15 CHAIRMAN LUNDEEN: Fair enough. I think we
16 can work out a process that does that and complies with,
17 you know, our public open -- public meeting statutes as
18 well. So thank you for that feedback. I think that
19 would be nice to be more in the moment.

20 I appreciate the formality of the fact that
21 the next regularly scheduled meeting we would make a
22 statement as a unified and unanimous Board, but at the
23 same time I completely agree. It would be nice to make
24 that statement in the moment, if possible.

25 UNIDENTIFIED VOICE: Mr. Chair.



1 CHAIRMAN LUNDEEN: Yes.

2 UNIDENTIFIED VOICE: What was done with the
3 (indiscernible).

4 CHAIRMAN LUNDEEN: Okay.

5 MS. NEAL: That would work well.

6 CHAIRMAN LUNDEEN: That maybe is a better
7 way to approach it.

8 The next item is the Board's legislative
9 priorities. It's an amendment to the State Board's
10 legislative priorities. At the December 2013 meeting,
11 the Board adopted its 2014 legislative priorities. In
12 that discussion I brought before the Board the
13 consideration of assuming the Board will agree that we
14 amend the priorities to include two additional items
15 under Section 8, Data Collection and Access. I think you
16 have them in front of you. I'd be happy to read them.

17 UNIDENTIFIED VOICE: Could you read them?

18 CHAIRMAN LUNDEEN: Okay. I'll read them.

19 The first was Section 8(c), a new item would be "enhance
20 safe schools through an amendment to the Safe School
21 Reporting requirements under 22-32-1, dot, et cetera, to
22 include reporting of instances of marijuana use resulting
23 in conduct and discipline code violations." A
24 parenthetical note, and somewhat editorial comment, we
25 heard from staff earlier today the value that this would



1 bring as a piece of the process, as the machine turns.

2 Now item (d), under the same section,

3 "support enhanced measures of data security for next
4 generation data use." We've got a study session coming
5 up I think next month to get into this in more detail. I
6 saw some communication in the media here over the last
7 several days, I think it was, kind of identifying the
8 school districts, schools, and states around the country
9 have marched forward into the cloud and don't quite have
10 a handle on how to manage student data within the cloud.
11 And so I would think that that's important that we step
12 forward and get ahead of this, if at all possible. So
13 that was the intent for offering those two items.

14 Open to discussion. Angelika, please.

15 MS. SCHROEDER: I'm not 100 percent
16 sure but it seems to me that we're somewhat -- and, by
17 the way, I don't disagree with any of this. It's just
18 (a) and (d) have some measure of redundancy, "manner that
19 is secure and consistent," et cetera. So it might make
20 some sense to bring those -- to bring (d) into (a) in
21 some way. Data security, and we talked data -- a manner
22 that is secure and consistent, as opposed to breaking it
23 out.

24 CHAIRMAN LUNDEEN: Sure. Feedback. My

25 immediate feedback to that --



1 MS. SCHROEDER: Would you consider that?

2 CHAIRMAN LUNDEEN: I'm not hostile to it but
3 I would -- I like the distinction. The first one tends
4 to be more about the longitudinal data system and the
5 value of tracking over time. I think it's worthy of kind
6 of signposting -- new issue, challenges ahead of us,
7 let's deal with it -- and that, you know, keeping it
8 separate I think does a better job of signposting. So I
9 would prefer to keep it separate.

10 MS. SCHROEDER: Okay. Well, I don't -- it's
11 not critical. I just thought there was a certain amount
12 of redundancy there.

13 CHAIRMAN LUNDEEN: Fair enough.

14 MS. SCHROEDER: But it doesn't matter. It
15 certainly emphasizes what we want to emphasize.

16 CHAIRMAN LUNDEEN: So other thoughts,
17 feedback? Elaine, please.

18 MS. BERMAN: So my question has to do with
19 (c), because I think this is a deeper discussion in terms
20 of data collection, because there are a number of -- in a
21 number of different areas, both in terms of Safe School
22 Reporting and health areas, data is collected by local
23 school districts, but we do not require that that data is
24 then reported up to the state. And my understanding is
25 the reason is both the time and the cost that's involved.



1 And that, secondly, that there are different data
2 collection systems and they don't always align.

3 I'm particularly interested in this area.

4 I'm not opposed to this, Paul, but I also think it's much
5 bigger than this. And I guess I'd like, if it's not a
6 big imposition on staff -- and I know you will say if it
7 is or if it isn't -- for the Board to understand a little
8 bit better what's collected at the local level but is not
9 reported to the state, so we're not able to look at the
10 data. I mean, this has come up in a number of different
11 areas, and the health area was -- which was the reason I
12 was going to meet with Keith, and I don't know who else I
13 was going to meet with on that.

14 Am I accurate in what I'm describing?

15 CHAIRMAN LUNDEEN: Mr. Commissioner.

16 MR. HAMMOND: Part of the problem with that,
17 we have no idea what districts collect and we don't -- I
18 mean, they collect a variety of data. We only know what
19 we are allowed to, by legislation, to collect. So we
20 would have to literally -- to really know all the areas
21 of what districts collect -- because some do different
22 collections on their own -- we don't keep a track of
23 that. If we would limit it down to a specific health
24 area, we would still have to go out and ask districts
25 what all they're collecting, because it varies from



1 district to district.

2 UNIDENTIFIED VOICE: (Indiscernible.)

3 CHAIRMAN LUNDEEN: That's the question.

4 MS. BERMAN: I think part of it is what's
5 legally required that local districts collect, and then
6 what are we -- what are they not reporting up, because
7 they say they don't have the manpower and they're not
8 required to do so. Because I'm imagining -- on marijuana
9 it was said before and it was said at previous meeting,
10 they do collect suspensions and expulsions based on
11 drugs, and which drugs, but they're not required to
12 report that up to the state. Is that accurate?

13 MR. HAMMOND: Mr. Chair.

14 CHAIRMAN LUNDEEN: Please.

15 MR. HAMMOND: Correct. They aggregate it
16 all together. Some districts -- I mean, many districts
17 do have them separate, but for our reporting purposes,
18 the way this is, they report it as an aggregate number to
19 us. It's a matter of having the authority to ask them to
20 separate that data on marijuana.

21 MS. BERMAN: And won't districts say that
22 that requires time and money and they can't afford to do
23 it?

24 MR. HAMMOND: No. They could. This is your
25 legislative position that if legislation would come along



1 --

2 MS. BERMAN: Uh-huh.

3 MR. HAMMOND: -- that says that we'd like to
4 do this, then you would be, as your legislative
5 priorities, in support of that. That's what this is
6 doing.

7 MS. BERMAN: No, I -- okay.

8 MR. HAMMOND: Okay. On the health stuff --

9 MS. BERMAN: Yeah.

10 MR. HAMMOND: -- what you're talking about,
11 if there are additional health factors or legislation
12 that would come across at some point in time, that would
13 indicate the Department should collect specific health
14 information from districts as a part of this data
15 collection stream, then you would be supportive of that,
16 if you wrote something in there on that. That's where --

17 CHAIRMAN LUNDEEN: Which is a separate
18 issue.

19 MS. BERMAN: Yeah.

20 MR. HAMMOND: That would be -- yeah, that's
21 not defined here. That's a separate issue. You know,
22 right now we're just talking about disciplinary
23 information.

24 CHAIRMAN LUNDEEN: Yeah. Yeah.

25 Essentially, my goal is to disaggregate data that's



1 coming up. It's being collected. It's just not coming
2 up, being reported, you know --

3 MS. BERMAN: No, and my argument is there's
4 other --

5 MR. HAMMOND: There are.

6 MS. BERMAN: -- data that's very critical to
7 the health and well-being of our students that it's in
8 the same situation, and I'm trying to get a handle on
9 what that information is. And if it's already being
10 collected what would it take to have it be reported to
11 the state so the state has a sense of, in 178 school
12 districts, what that data looks like.

13 MR. HAMMOND: Mr. Chair.

14 MS. BERMAN: And we might want to have a
15 separate offline conversation with whoever the right
16 people are for that, but that's certainly one of my goals
17 for the next 11 months that I'm on the Board.

18 MR. HAMMOND: This is a fluid document, as
19 indicated by the recommendations that have been brought
20 to you today. That said, I mean, we'd be glad -- let us
21 look at that and see what we're talking about, because I
22 -- you know, I don't know all that we collect and then
23 what is happening up there. I understand what you're
24 asking. Let's do a little research on that and we can
25 report back to you.



1 MS. BERMAN: So I'm fine with this, Paul.
2 I'm just saying I'm not sure we should limit it to this,
3 because there's so much data out there. But I also don't
4 understand all the issues involved. I've been told that
5 part of the issue is that there are different reporting
6 systems and they don't all align.

7 MR. HAMMOND: That's true.

8 MS. BERMAN: And that we don't have the
9 funding or they don't have the funding to align the
10 different systems. So that would be, give me an example
11 of a district that might be -- not the name of a district
12 of a system they use.

13 UNIDENTIFIED VOICE: So the public health
14 organizations or nonprofits, in some communities and
15 counties, are the ones that collect it.

16 Sorry. Either the Public Health Department?
17 The County Public Health Department, or a nonprofit is
18 the one that's collecting the data, that's doing surveys,
19 for example, of students on their at-risk behaviors, et
20 cetera, and then reporting it to the school district, as
21 opposed to the school district itself having the
22 initiative and the resources.

23 MS. BERMAN: We'll talk about it in another
24 time.

25 UNIDENTIFIED VOICE: All different ways.



1 CHAIRMAN LUNDEEN: Fair enough, and I think
2 it's an additional issue for perhaps broader discussion.
3 I'm just trying to move through this one thing, where
4 it's a matter of disaggregating.

5 MS. BERMAN: I am fine with this, and,
6 Robert, I'd like to set up a separate meeting. I don't
7 know if this is the meeting or not, but to talk about
8 this.

9 MR. HAMMOND: No, that's fair. Okay.

10 MS. NEAL: Would you like this motion to
11 include both of them? It's set up separately.

12 CHAIRMAN LUNDEEN: I don't think we need to
13 bifurcate. We don't need to split them, do we? I think
14 we can vote on them both as one motion. Is that
15 adequate? Yeah, let's do it as one motion.

16 MS. NEAL: I move to amend the Board's 2014
17 legislative priorities to include the following
18 provisions in Section 8, as follows: 8(c) and 8(d), as
19 mentioned in the proposal.

20 Is that enough?

21 CHAIRMAN LUNDEEN: Yes. We don't need to
22 read it into it.

23 MS. NEAL: I move that we -- yeah. Okay.

24 CHAIRMAN LUNDEEN: Is there a second? There
25 is a second. Any opposition?



1 Without opposition, the motion carries.

2 Thank you very much.

3 With that I think we'll take a break and
4 move to -- no? Doggone, we're running this railroad on
5 time today.

6 Please announce an executive session.

7 (Pause)

8 CHAIRMAN LUNDEEN: Do I have a motion to
9 convene in executive session?

10 UNIDENTIFIED VOICE: I so move.

11 CHAIRMAN LUNDEEN: And seconded? With no
12 objection, the motion carries. We are in executive
13 session.

14 (Meeting adjourned)

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C E R T I F I C A T E

I, Kimberly C. McCright, Certified Vendor and Notary, do hereby certify that the above-mentioned matter occurred as hereinbefore set out.

I FURTHER CERTIFY THAT the proceedings of such were reported by me or under my supervision, later reduced to typewritten form under my supervision and control and that the foregoing pages are a full, true and correct transcription of the original notes.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 25th day of February, 2019.

/s/ Kimberly C. McCright
Kimberly C. McCright
Certified Vendor and Notary Public

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