



**COLORADO**  
Department of Education

Colorado State Board of Education

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TRANSCRIPT OF PROCEEDINGS  
BEFORE THE  
COLORADO DEPARTMENT OF EDUCATION COMMISSION  
DENVER, COLORADO  
December 10, 2014, Part 4

BE IT REMEMBERED THAT on December 10, 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: State Board will come  
2 back to order. The next item on the agenda is  
3 consideration -- 13.03, Consideration of disciplinary  
4 proceedings concerning an application charge number  
5 2013ec2728. Is there any discussion on this matter at  
6 this point? None? Than a motion is in order.

7                   MS. NEAL: Mr. Chair, concerning  
8 disciplinary proceedings on application charge number  
9 2013ec2728, I move to dismiss the charge.

10                  CHAIRMAN LUNDEEN: That's a proper motion.  
11 Is there a second?

12                  UNIDENTIFIED SPEAKER: Second.

13                  CHAIRMAN LUNDEEN: There's a second. Okay.  
14 Staff, please call the roll.

15                  MS. MARKEL: Elaine Gantz Berman.

16                  MS. BERMAN: Aye.

17                  MS. MARKEL: Jane Goff.

18                  MS. GOFF: Aye.

19                  MS. MARKEL: Paul Lundeen.

20                  CHAIRMAN LUNDEEN: No.

21                  MS. MARKEL: Pam Mazanec.

22                  MS. MAZANEC: No.

23                  MS. MARKEL: Marcia Neal.

24                  MS. NEAL: Aye.

25                  MS. MARKEL: Dr. Schroeder.



1 MS. SCHROEDER: Aye.

2 MS. MARKEL: I'm sorry, Dr. Scheffel.

3 MS. SCHEFFEL: No.

4 CHAIRMAN LUNDEEN: Okay. The motion  
5 carries. Next item on the agenda. At it's November  
6 meeting the board conducted a rule-making hearing for the  
7 rules governing the Renewable Energy and Energy-  
8 Efficiency for Schools Loan Program. These rules are  
9 back before the board for action. Mr. Commissioner.

10 COMM. HAMMOND: Thank you much, Mr. Chair.  
11 I'll call upon Ms. Leanne Emm. There are other staff  
12 here and other folks that you've seen at the last meeting  
13 who will be on call of duty, but I'll turn it over to  
14 Leanne and Scott. Thank you (indiscernible).

15 MS. EMM: Thank you, Mr. Chair. Before you  
16 for consideration and action is both a red-lined and a  
17 clean version of the rules based on the information that  
18 was received during the public hearing and board  
19 direction. I will speak from the clean version, because  
20 the red line and purple line and everything is a little  
21 more difficult to follow.

22 CHAIRMAN LUNDEEN: We call that the  
23 Christmas tree version.

24 MS. EMM: Yes, yes. The rules were  
25 streamlined and aligned with statute, and also a



1 crosswalk from the statues to the rules has been provided  
2 for your information. I would also like to point out  
3 that even with the program expansion through 14-202,  
4 Senate Bill 14-202, that the old rules had eight pages  
5 and now there's seven.

6 MS. NEAL: Oh, that's an (indiscernible).

7 MS. EMM: And that seems much more  
8 efficient.

9 CHAIRMAN LUNDEEN: Moving in the right  
10 direction.

11 MS. EMM: Yes, absolutely. So, school  
12 districts can apply for loans on behalf of charter  
13 schools within their districts. And then I did want to  
14 point out that there are two typos which we will clean up  
15 in Sections 3.3 and 3.2.3. There's a reference to  
16 technical applications and -- however everywhere else  
17 it's just called application, but we will clean that in  
18 the final version.

19 The attorney general has reviewed the rules,  
20 and we would respectfully ask for your vote to pass these  
21 rules in order to allow the energy office to move forward  
22 with the program expansion. Thank you.

23 CHAIRMAN LUNDEEN: Yeah, and I think there  
24 was -- let me just ask, are there questions, comments?  
25 Dr. Scheffel.



1 MS. SCHEFFEL: I had a question about  
2 6.1.2.3, the improvement of educational benefit of the  
3 pro-cos project. It doesn't seem to me that this -- we'd  
4 want to be influencing curriculum with this grant. And  
5 so I would question that it needs to be in the language  
6 and rules.

7 LEANNE M. Thank you.

8 MS. SCHROEDER: Can you repeat that, Deb?

9 MS. SCHEFFEL: Yeah. In 6.1.2.3 of the  
10 rules it says educational benefit: Determine the  
11 educational benefits of the proposed project. And these  
12 are grants to help schools achieve energy efficiency, and  
13 the educational benefit, proposing curriculum, doesn't  
14 seem to be relevant.

15 CHAIRMAN LUNDEEN: So, you're suggesting  
16 6.1.2.1 and 1.2.2 pick up 50 percent valuation a piece,  
17 and strike 6.1.2.3?

18 MS. SCHEFFEL: Right.

19 MS. SCHROEDER: I think I'd like to hear  
20 from somebody that I --

21 CHAIRMAN LUNDEEN: With regard to this  
22 concept. Sure.

23 MS. SCHROEDER: Yeah. Because I --

24 MS. EMM: Thank you.

25 CHAIRMAN LUNDEEN: Fire away.



1 MS. EMM: Mr. Chair, I'm going to ask Scott  
2 Newell to weigh in on this, or else also anyone from the  
3 Energy Office that might be able to speak to why this  
4 criteria is ranked like this.

5 CHAIRMAN LUNDEEN: Okay. And as I recall,  
6 the criteria during the course of this bill's -- or not  
7 bill, but rules life, they've moved, they've changed a  
8 couple of times previously.

9 MS. EMM: Yes, that is correct.

10 CHAIRMAN LUNDEEN: Okay, thank you. So  
11 please, do have them.

12 MS. EMM: Thank you, Scott.

13 MR. NEWELL: Mr. Chair. So as you've  
14 indicated, this has dropped from a percentage. It used  
15 to be higher, and I believe that was 30 percent before.  
16 The reason it's still in there, it's not a curriculum-  
17 based factor, if you will. One of the green kind of  
18 sustainable concepts, particularly earmarked in Lead, for  
19 example, is the building as a teaching tool.

20 So, when you're putting together an energy  
21 efficiency project, they typically like to see things in  
22 the facility that would help cultivate that type of  
23 learning. For example, we'll see sometimes if there's a  
24 wind turbine, or a PV system on the roof, they'll have  
25 panels somewhere in the building where the kids can look



1 and see how much energy that building and those systems  
2 were generating for that concept. So that's kind of why  
3 it's in there, is they still like to see that there is  
4 some kind of educational benefit from a facilities  
5 standpoint as part of the proposed project that they're  
6 looking to incorporate.

7 CHAIRMAN LUNDEEN: So, does it -- we're  
8 talking about just only striking that section. Would it  
9 hamstring, or damage, or violate the legislation in any  
10 way?

11 MR. NEWELL: Mr. Chair, I might need to ask  
12 them to come up, but I don't believe it would. I don't  
13 believe that's a statutory requirement.

14 CHAIRMAN LUNDEEN: So, you don't -- you  
15 wouldn't have opposition -- you wouldn't have strenuous  
16 opposition to striking that?

17 MS. SCHROEDER: Doesn't look like it.  
18 They're shaking their heads that it wouldn't -- I'm  
19 assuming that that's a no? That it wouldn't affect the  
20 rules at all.

21 CHAIRMAN LUNDEEN: Okay.

22 MS. SCHROEDER: Okay.

23 CHAIRMAN LUNDEEN: So, can we reach  
24 consensus that we strike that? Okay, and any other  
25 comments, questions, concerns about this?



1 MS. NEAL: Do I add that to the --

2 CHAIRMAN LUNDEEN: Well we'll just -- okay,  
3 for the record then, 6.1.2.3 will be stricken from the  
4 rule and the motion that will be offered will be  
5 following that edit to the ruling.

6 MS. SCHROEDER: I'm not comfortable --

7 CHAIRMAN LUNDEEN: You're not on board.

8 MS. SCHROEDER: No.

9 CHAIRMAN LUNDEEN: Oh, so you want -- okay.

10 MS. SCHROEDER: I mean, I don't know why we  
11 would be passing any rules that don't even mention  
12 educational benefits. Makes -- and I -- so I'm not  
13 comfortable striking educational (indiscernible).

14 CHAIRMAN LUNDEEN: Okay.

15 MS. SCHEFFEL: Yeah. Why is this in a  
16 report?

17 MS. EMM: Because the statute said so.

18 MS. SCHROEDER: That wasn't complicated.

19 CHAIRMAN LUNDEEN: There's a dozens -- in my  
20 opinion there are dozens and dozens of whys with regard  
21 to this rule. Why does no one apply for it? Why are we  
22 taking another bite at the apple of a program that failed  
23 once before? They -- so we've spent minutes and minutes  
24 and half-hours and hours and days on this thing, and it's  
25 a dead letter, as far as I can tell. So I'm not inclined





1 to spend a bunch more time on it. I'd like to just  
2 finish it up and move it on. So, I'm sorry for the  
3 outburst, but --

4 MS. SCHROEDER: No, no, no. Why don't you  
5 just vote on changing the language and I'll vote no, and  
6 if nobody else votes no you move on. But I'll be on  
7 record voting now.

8 CHAIRMAN LUNDEEN: Let's do that, then.  
9 Okay, so we have an amendment to propose to the rule,  
10 which is striking the -- striking -- is there -- striking  
11 6.1.2.3. Is there a second? Actually, somebody else  
12 would probably make the movement, the motion.

13 MS. SCHEFFEL: I'll make the motion.

14 CHAIRMAN LUNDEEN: So, Dr. Scheffel moves.

15 MS. NEAL: I'll second it.

16 CHAIRMAN LUNDEEN: The Vice Chair seconds.  
17 There will be opposition, so staff please call the roll.

18 MS. MARKEL: Elaine Gantz Berman.

19 MS. BERMAN: No.

20 MS. MARKEL: Jane Goff.

21 MS. GOFF: No.

22 MS. MARKEL: Paul Lundeen.

23 CHAIRMAN LUNDEEN: Aye.

24 MS. MARKEL: Marcia Neal.

25 MS. NEAL: Aye.



1 MS. MARKEL: Pam Mazanec.

2 MS. MAZANEC: Aye.

3 MS. MARKEL: Dr. Scheffel.

4 MS. SCHEFFEL: Yes.

5 MS. MARKEL: Dr. Schroder.

6 MS. SCHROEDER: No.

7 CHAIRMAN LUNDEEN: Okay. The motion  
8 carries, so the rules have been amended, and as amended  
9 we may now seek a motion.

10 MS. NEAL: Okay. I move to approve the  
11 rules governing the Renewable Energy and Energy Efficient  
12 for School Loan Program.

13 MS. MARKEL: As amended.

14 CHAIRMAN LUNDEEN: Is there a second? Dr.  
15 Scheffel seconds. Is there any opposition? Hearing none  
16 the rules are now in force. Thank you.

17 MS. EMM: Thank you.

18 MS. NEAL: And we're all totally confused,  
19 but that's okay.

20 MS. SCHEFFEL: No, we're not.

21 CHAIRMAN LUNDEEN: At the November meeting  
22 the board conducted a public rule-making hearing for  
23 rules for the administration of the English Language  
24 Proficiency Act. Those rules are back before the board  
25 for action. Mr. Commissioner.



1                   COMM. HAMMOND: Excuse me. Mr. Chair. We  
2 brought this to you several times. We're here to answer  
3 any questions. Keith just has a little presentation to  
4 talk to you about. I think we've addressed your issues,  
5 but if you have more we'll have to talk about  
6 (indiscernible).

7                   MR. OWEN: Mr. Chair. Good afternoon. At  
8 last month's meeting the board requested a few additional  
9 items of information relating to English Language  
10 Proficiency Act Rules, so we provided an overview, a 15-  
11 year overview, historical account, of the funding that  
12 has flowed for the ELPP, the English Language Proficiency  
13 Program, and that was in your documents as well. And we  
14 also had a question about what are some of the things  
15 that districts expend the money on.

16                   And we provided an opportunity to share that  
17 on the same document as well. It's not information that  
18 gets down to a very granular level, because districts  
19 aren't required to report more than some basic  
20 information, but the majority of the funding that goes to  
21 the districts appears to be going into personnel that  
22 worked with students that are English learners. And so,  
23 we've provided those two information -- those two pieces  
24 of information.

25                   We also had a request to do a side-by-side



1 linking the rules and the statute, which we provided as  
2 well, that clearly shows kind of the statutory language  
3 and then the rules. And that was included in your packet  
4 as well, and so I think with that, Mr. Chair, we're  
5 available to answer any additional questions.

6 CHAIRMAN LUNDEEN: Okay. Dr. Schroeder,  
7 please.

8 MS. SCHROEDER: So, on this sheet with the  
9 data, the numbers jumped three-fold, four-fold. That's a  
10 result of this legislation and it now captures -- I mean,  
11 where does that come -- is it -- because it's now five  
12 years instead of --

13 MR. NEWELL: Mr. Chair.

14 CHAIRMAN LUNDEEN: Please.

15 MR. NEWELL: Yes. There is an influx, and  
16 we can have Leanne come if you want to talk more  
17 specifically about the numbers. But there was influx  
18 related to the ELPA legislation of additional funding  
19 that would flow to school districts and that's -- I think  
20 it was approximately \$27-million. And that's reflected  
21 on 2014-15 school year allocations.

22 MS. SCHROEDER: Well, \$27-million isn't --

23 MR. NEWELL: And part of it is related to  
24 the expansion of the two -- from two years to five years.

25 MS. SCHROEDER: Okay that's -- other than



1 that is there a lot -- is there a great expansion if we -  
2 - if we were under the old rules? Since the numbers kind  
3 of jumped around? In fact, the year before it was down  
4 from the year before that, et cetera. Do you know if  
5 there's been a -- do you know if there's been a big  
6 influx in the number of second language learners in this  
7 last year?

8 MR. NEWELL: Mr. Chair. So, if you -- and I  
9 can have Pat walk you through this as well. But if you  
10 look at, historically, the ELPA funded student account,  
11 it peaked across the state. And this is under the rules  
12 of two years of inclusion. It peaked around 2007, 2008.

13 MS. SCHROEDER: Yeah.

14 MR. NEWELL: There have been some -- as a  
15 steady whole, the EL population in the state has been  
16 going up over the last 10 years. But what this reflects  
17 is that we have not had funding for kids after two years,  
18 and so that has gone down. There's also been some things  
19 that contributed to that. Increased -- there's some  
20 situations across the state related to increased scrutiny  
21 around immigration question that has -- we felt has had  
22 some impact on some of these numbers as well.

23 MS. SCHROEDER: Okay. Thank you.

24 CHAIRMAN LUNDEEN: Dr. Scheffel.

25 MS. SCHEFFEL: Can you address the -- some



1 of the comments received that are included in our packet?  
2 For example, (indiscernible) from the report saying that,  
3 at the bottom of page 2, we can learn a lesson from the  
4 implementation of the READ Act.

5 It is imperative to be proactive in the  
6 creation of rules and criteria through evaluating  
7 excellence for ELLs in our schools rightfully beginning.  
8 And then, also, from the Bueno National Policy Center,  
9 whole issue of evidence-based English Language Learners  
10 program, proficiency programs.

11 In the bottom of their letter it says: The  
12 department must determine eligibility, but it can't do so  
13 if it does not have a description of the program to  
14 determine if, indeed, ELLs are in an evidence-based  
15 English Language program.

16 MR. NEWELL: Sure. Mr. Chair. And so I  
17 might reference you, too, Dr. Scheffel, to the -- there's  
18 a side-by-side of the comments. I think it looks --  
19 document looks like this, where we kind of summarized the  
20 input that we had regarding the rule-making process from  
21 a few different groups.

22 One was from the Office of Legal --  
23 Legislative Legal Service, they had some suggestions that  
24 we take -- took a look at and we made changes as a result  
25 of that. But we also had feedback from the Bueno Policy



1 Center. From HELDE, which is the Higher Educators and  
2 Linguistically Diverse Education group. And then an  
3 employee in Roaring Forks School District, RE-1.

4 So, each of the points that they threw out  
5 for suggestions for changes there was a look at whether  
6 that suggestion exceeded a statutory authority, and how  
7 that would apply in these situations for rule-making.  
8 So, we made some comments as to why we included or did  
9 not include the suggested changes.

10 And specifically to the Roaring Fork and the  
11 Buenos Center comments, most of what the suggestions --  
12 to summarize what most of those suggestions included,  
13 while good ideas, and I think we had some agreement from  
14 staff about these would be things that would be nice to  
15 have, they exceeded the statutory authority of what we  
16 could ask for.

17 And so we might -- you might remember we had  
18 a little bit of a discussion about this last month, that  
19 when this bill was being worked through last year we had  
20 an opportunity to have some input with some of the  
21 legislative members that were writing it, and they  
22 brought together groups like CASB, CASE, BOCES group and  
23 some lobbyists for school districts, and they were  
24 adamant about putting additional requirements on school  
25 districts as a result of getting this money, that they



1 did not want to have that happen. They felt like the  
2 state doesn't fund the EL population at a whole, and that  
3 burdened them with additional requirements as a result of  
4 some additional monies they didn't feel was fair.

5 And so, what we've seen here and the result  
6 of that is really just our take at what the statutory  
7 requirements are. And while, like I said, I think these  
8 are some good suggestions and things that we've normally  
9 done, like the outreach piece, we continue to do them,  
10 but they're not necessarily applicable for the -- for the  
11 rule-making process.

12 MS. SCHEFFEL: Thank you.

13 MR. NEWELL: Yep.

14 CHAIRMAN LUNDEEN: Any questions? Okay, if  
15 there's no further discussion.

16 MS. NEAL: I move to approve the rules for  
17 the administration of the English Language Proficiency  
18 Act.

19 CHAIRMAN LUNDEEN: Is there a second?

20 MS. SCHEFFEL: I second it.

21 CHAIRMAN LUNDEEN: Second. Is there any  
22 objection? Hearing none, motion carries. Thank you,  
23 gentlemen.

24 MS. SCHROEDER: All right, as for something  
25 that didn't relate to the vote. When we have suggestions





1 that we believe are good suggestions, but we are not  
2 authorized to put them in the law, do we have a process  
3 for sharing them in some other way? I mean, I think we  
4 shouldn't lose what constituents bring forward that I  
5 realize that people can go back to the legislators and  
6 have them put it in legislation, but is there some softer  
7 way to share those recommendations as being good  
8 practices? I think that's what we're talking about it.

9 MR. NEWELL: Chair --

10 COMM. HAMMOND: First of all, as a matter of  
11 record, all that's kept on file and Carrie  
12 (indiscernible) than I can, and Newell's -- that's always  
13 kept there. But we do make extensive efforts to reach  
14 out to everybody who wants to be reached out to and  
15 beyond to get input, and to try and get good feedback,  
16 back. And if we can do something, if it does make sense  
17 from the standpoint of if we have the resources to do it,  
18 we make every effort.

19 And in this particular case it -- we're  
20 either doing it, or it makes sense and we'll try to do  
21 it. So that might not be completely the answer you want,  
22 but every case is so different. In this particular case  
23 we really able to accommodate I think most of what it --  
24 folks wanted. So --

25 MR. NEWELL: Mr. Chair. For example, to



1 this specific instance, we meet regularly, our EL group  
2 does, with EL Directors around the state. They have what  
3 they call a Mega Meeting and they have -- at least two to  
4 three times a year they get together.

5 We also invite groups like the Bueno Center,  
6 HELDE to participate in those. And I think what, you  
7 know, what we do is we take that back to the leadership  
8 of that group, and they look at how to incorporate  
9 suggestions, maybe spotlight best practices around some  
10 of these pieces. Like, what's a good EL plan look like  
11 and how do we support that in a school district? And  
12 then, at the next meeting, we can show a presentation on  
13 that and give that as an example.

14 And so, I'm -- the pieces of feedback that  
15 are relevant, we absolutely try to work in where we can  
16 into the supports that we provide to school districts.

17 MS. SCHROEDER: Okay. So, I definitely get  
18 the part about not mandating things that are not in the  
19 law, because folks feel pressed, but I also hate the  
20 thought of having really helpful suggestions that can't  
21 be included, but ought to be considered, so I appreciate  
22 that.

23 COMM. HAMMOND: (indiscernible) if it could  
24 help us improve and we can do it, we'll do it. I'm  
25 sorry.



1 CHAIRMAN LUNDEEN: Deb?

2 MS. SCHEFFEL: Yeah. I think the challenge  
3 we have is there are lots of reform efforts with money  
4 tied to them, and we see intractable data in many cases  
5 around these reform efforts. If you look at the data for  
6 ELL kids, we have not done a very good job in improving  
7 those achievement scores.

8 So, the question is when a legislator passes  
9 a law or when there's rules like this, what can be int  
10 hat language to prompt achievement gains. Right?

11 Then if it's overreaching for us to put that  
12 language in the rules, then I would like a more formal  
13 way for the legislative liaisons or the board to speak to  
14 the house and senate ed committees and say: If you're  
15 going to expend your political capital in one of your  
16 bills on an education bill such as this, this kind of  
17 language needs to be there, or we can't expect a lot of  
18 good outcomes.

19 And even if the language is there, we know  
20 it's challenging to get good outcomes. But at least we  
21 would be holding people a little more accountable for the  
22 money as opposed to: Here's a pot of money and it's  
23 pretty ambiguous as far as holding folks accountable for  
24 outcomes. So, I think really, it's on us to figure out  
25 how to communicate with the house and senate ed



1 committees in terms of saying while they're in the  
2 process of drafting language: This kind of language  
3 helps. Or it doesn't.

4 UNIDENTIFIED SPEAKER: We do wish they would  
5 ask.

6 MS. SCHEFFEL: Well, except that we do  
7 connect with them, but it's mostly social. I think we  
8 could create a substantive connection it would be more  
9 effective.

10 MS. MAZANEC: With the legislators, or the  
11 staff?

12

13 MS. SCHEFFEL: House and senate ed  
14 committee.

15 CHAIRMAN LUNDEEN: Committees.

16 UNIDENTIFIED SPEAKER: Yeah, I don't know.  
17 Can always hope.

18 CHAIRMAN LUNDEEN: My door is open, as is my  
19 mic. The next item on the agenda are the department's  
20 recommendations concerning school plan type assignments  
21 under the Education Accountability Act of 2009. Mr.  
22 Commissioner.

23 COMM. HAMMOND: We didn't have to take a  
24 vote on that one.

25 MS. NEAL: We didn't have to take a vote on



1 that?

2 CHAIRMAN LUNDEEN: Oh, I'm sorry. We did  
3 vote. That was following the vote. Thank you.

4 MS. BERMAN: Then we had a question after.

5 CHAIRMAN LUNDEEN: You -- boy, you made me  
6 doubt myself. (Crosstalk)

7 MS. NEAL: Mr. Commissioner.

8 COMM. HAMMOND: Thank you. One of the  
9 things you do every year outside of district performance  
10 ratings, or accountability, is school performance. The  
11 school plan types. And what we're going to do today, as  
12 we do every year, for your consideration of approval, is  
13 go through this presentation and Dr. Owen and Alyssa  
14 Pearson (ph) will do that. So, I turn it over to you,  
15 Keith.

16 MR. OWEN: Sure. Madam Vice Chair.

17 MS. NEAL: Yes.

18 MR. OWEN: So, again, good afternoon. We're  
19 going to walk you through, as we do every year, the  
20 December State Board Meeting, the school performance plan  
21 types for 2014-2015. And just a couple of quick  
22 reminders on why we do this every year. The Education  
23 Accountability Act of 2009, Senate Bill 163, requires an  
24 annual review of district and school performance. All  
25 districts annually receive a district performance



1 framework, which you'll hear referenced as a DPF. This  
2 determines their accreditation rating. All schools  
3 annually receive a school performance framework, often  
4 hear that referred to as the SPF. These determine their  
5 school plan types.

6 For schools, the department makes a  
7 recommendation to the state board. That's what we're  
8 doing today. The state board makes the final  
9 determination. For all districts and schools, again,  
10 some of the purposes of why this is done, is that we can  
11 help provide a state-wide comparison that highlights  
12 performance strengths in our schools and districts, but  
13 also help point out areas of improvement across the  
14 state.

15 We also are required to identify those  
16 schools and districts that are low-performing in relation  
17 to state goals, and help direct state support and  
18 intervention appropriately

19 MS. NEAL: I did so much work while you were  
20 gone.

21 MR. OWEN: We also have an opportunity to  
22 take a look at districts and schools that are high  
23 performing. We had a great recognition ceremony last  
24 week of some of the high performing schools and districts  
25 in the state, and also, schools and districts that are



1 making tremendous growth on the ratings in the state.  
2 And it was a fantastic opportunity to recognize where  
3 schools are making great progress. And that's another  
4 component of the performance frameworks, is to try to  
5 make sure that we understand where high-performance is  
6 happening as well.

7           So, I might remind you that there are four  
8 performance plan types for schools where there's five for  
9 districts. The four plan types for schools are  
10 performance plan, that's the highest plan, an improvement  
11 plan, and then you move into a priority improvement plan  
12 and a turnaround plan. You might remember the bottom two  
13 plans are the five-year clock accountability types. When  
14 you fall under those ratings that's when a clock action  
15 triggers from the department from the state board.

16           So, briefly, again, the School Performance  
17 Frameworks. What goes into a framework? We look at  
18 achievement, which is based on the state assessments.  
19 That's the percent proficient and advanced. We also  
20 look at growth and disaggregated growth on the state  
21 assessments, and then we look at post-secondary workforce  
22 readiness indicators, which are the graduation rates,  
23 dropout rates and ACT. Those are used for district  
24 accreditation ratings, and they're also used for school  
25 plan type ratings.



1                   You might remember at the elementary level  
2                   that growth is about 75 percent of the points are  
3                   generated from growth indicators, and about 25 percent  
4                   from achievement. And at the high school level and at  
5                   the district level it's about 50 percent is based on  
6                   growth, and then we've got 35 percent that is based on  
7                   post-workforce readiness indicators, and then 15 percent  
8                   is based on achievement.

9                   Just as we do with districts every year,  
10                  there's a process for request for re-consideration for  
11                  schools as well. So, this year we had 123 schools  
12                  request reconsider through official submissions to the  
13                  state. 122 of those were submitted on September 15th.  
14                  We also had about 23 schools submit drafts for pre-  
15                  review, but -- so they could get some additional support  
16                  from the department. 76 of those requests were for a  
17                  higher rating, and 47 of those requests were at a lower  
18                  rating at a school.

19                 Technical assistance was provided by CDE  
20                 through webinars and one-on-one conversations and also  
21                 office hours. We take a look and review the requests for  
22                 reconsideration, weigh the additional information that's  
23                 provided, and evidence, and the recommendations are  
24                 shared with the executive team and with the commissioner,  
25                 and the commissioner makes final determinations to





1 recommend for you, for your approval.

2                   The school -- out of the 42 school  
3 requirements recommended for approval for higher rating,  
4 there's a process that we go through in looking at those,  
5 and there were some specific indicators this year. At  
6 this point I'm going to let Alyssa Pearson, who's our  
7 executive director of school accountability, district  
8 accountability, provide an overview of what that  
9 reconsideration process looked like this year and some of  
10 the decisions that were made. Mr. Chair.

11                   CHAIRMAN LUNDEEN: Please.

12                   MS. PEARSON: Mr. Chair, good afternoon. So  
13 of those 76 requests that we had for a higher rating,  
14 those were the ones that we really had to very, very  
15 thoroughly go through. 42 of them we were able to  
16 approve for a higher rating. Those were made up for  
17 requirements to include the most recent science and  
18 social studies data, so we actually ran that data, looked  
19 at the impact of it.

20                   We talked about that with the district  
21 requirements as well, and notify the schools and  
22 districts that were eligible for a higher rating based on  
23 the inclusion of that data. So, there was 13 schools  
24 that received the higher rating by including those  
25 results.



1                   We had about 10 schools submit additional  
2 data for additional performance data of their students.  
3 If the state has limited data because of the grade  
4 ranges, or they want to show additional data that we just  
5 don't have, they can submit that to us. So, 10 were  
6 approved for that.

7                   We had a number of small schools, new  
8 schools, combined schools, split out school issues where  
9 a school might have had three school codes previously.  
10 No one's quite sure why they had three school codes.  
11 It's what they had. They have one principal and one  
12 building and they've asked to combine into a single  
13 school code. So, we had a number of those. There's 14  
14 of those approved. And then we had some that had  
15 participation rate challenges for a variety of different  
16 reasons, so three of those were approved, and there was  
17 two that were approved based on the impact of the floods.

18                   Then there was 34 school requirements that  
19 we are recommending to you all for denial of the higher  
20 rating. The additional evidence that was submitted just  
21 did not support a higher rating for the school. We have  
22 templates for schools and districts to be able to submit  
23 their additional supplemental data. They can submit  
24 their READ Act assessment data, they can submit NWA maps  
25 or Accuity (ph), or Star, any of those very common local



1 assessments that they're using. And we have cut-points  
2 established for performance in each of those for what  
3 meets data expectations.

4 And so, based on that data we're able to  
5 look and gauge whether they're meeting expectations or  
6 not, how far away they are from meeting them or not, and  
7 whether it warrants a higher rating based on the data  
8 that we already have in the frameworks. So, 34 of them  
9 we just weren't able to approve.

10 And then there was 47 requests this year  
11 this year to lower ratings, so we've got Denver Public  
12 Schools in the Charter School Institute both have their  
13 own local performance frameworks. They include different  
14 data. At times the additional data that they have, or  
15 the additional information they have may result in having  
16 a lower rating for a school.

17 For the charter school institute, they also  
18 include fiscal assurances and that piece of them in their  
19 frameworks. So, they requested -- CSI requested to lower  
20 two schools and Denver Public Schools requested to lower  
21 45. And so, because they used that in a consistent basis  
22 it's the same framework, it's objective for all their  
23 schools, we defer to their ratings for those.

24 MR. OWEN: Mr. Chair. I might not as well,  
25 just to avoid any confusion. The science and social



1 studies data was from the spring assessment which was the  
2 elementary level and the middle school level. It's not  
3 their most current assessment data that was just where  
4 the seniors just took the test, so I just wanted to  
5 clarify that as well.

6 CHAIRMAN LUNDEEN: Okay. Clarifying  
7 question?

8 MS. GOFF: Talk to me about the fiscal  
9 assurances. I'm a little confused. Generally speaking,  
10 that's not -- is that a part of our accountability  
11 system?

12 MR. OWEN: Mr. Chair. For districts we have  
13 an annual look at that. IN this situation --

14 MS. GOFF: Okay, not for schools, got you.

15 MR. OWEN: This is -- what CSI does with the  
16 schools that they authorize, is that if they feel like a  
17 school is jeopardy with some of the funding, not carrying  
18 the right kind of balance, allocating resources  
19 ineffectively or having some issues around that, they'll  
20 put them on a watch, which triggers a piece for their  
21 accreditation rating.

22 MS. GOFF: So, because it's CSI they bring  
23 it down to the school level. Whereas generally we -- the  
24 state, CDE's position is that -- or the legislation says  
25 it's at the -- it's actually at the district level, since



1 schools actually don't have that much control over their  
2 fiscal -- okay. It's starting -- it's making sense.  
3 Thank you.

4 MR. OWEN: Sure.

5 CHAIRMAN LUNDEEN: Dr. Scheffel, and we'll  
6 come (indiscernible).

7 MS. SCHEFFEL: What -- do you want to finish  
8 the presentation? I can wait till the end.

9 CHAIRMAN LUNDEEN: Is it a clarifying  
10 question, or --?

11 MS. SCHEFFEL: No.

12 CHAIRMAN LUNDEEN: Okay, so then let's -- in  
13 this --

14 MS. SCHEFFEL: Well, it's a comment on this  
15 part of the --

16 CHAIRMAN LUNDEEN: Okay, go for it.

17 MS. SCHEFFEL: So, I know this happens every  
18 year, but I always find it of note that when you look at  
19 DPS -- I counted 46, maybe it's 45, but I counted 46,  
20 that there were 46 schools that DPS would rank lower than  
21 what the department would do.

22 And yet, when they requested that 10 schools  
23 want a higher rating, we turned them down. So, without  
24 going into looking at the very specific reasons for each,  
25 one could intuit that perhaps DPS has more rigorous



1 framework than we do. I don't know, but it seems like  
2 that is a huge -- those are big numbers.

3 I mean, you know, 46 schools which they've  
4 rated lower, and I know some of them are those sort of  
5 charter and I know DPS does not differentiate between  
6 charter and regular public schools, which I think is a  
7 very good thing.

8 But can you comment on that? I think this  
9 is more since I won't be around when you redo the school  
10 performance framework, I really think we need to look  
11 closely about how we do it and look at some of the best  
12 practices from some of the other school districts that do  
13 incorporate different data elements.

14 MR. OWEN: So, Mr. Chair.

15 CHAIRMAN LUNDEEN: Please, go ahead.

16 MR. OWEN: So, quickly, what I would say is  
17 that we tend, with districts, to defer when they want to  
18 lower, so we'll look at the additional information, but  
19 we tend to not have the same kind of threshold that we  
20 look at when they want to raise. So, for the most part,  
21 when they submit information on lowering schools, as long  
22 as they have some rational and some reasons for that, and  
23 Alyssa can talk through that.

24 For raising schools, we hold them to the  
25 same standard that we would any school in the state,



1 regardless that they have a -- their own framework. And  
2 part of the differences come into play there, is that  
3 they rely heavily on surveys and some additional  
4 information that we don't utilize at the state. And so  
5 that gets into the -- why they maybe will pop on their  
6 framework at a higher level, but don't necessarily jump  
7 up on the state framework.

8 Alyssa, you want to talk a little bit more  
9 about the denial, or did that cover it?

10 MS. PEARSON: I think you -- yeah.

11 MR. OWEN: Okay.

12 MS. PEARSON: I would just -- Mr. Chair.

13 CHAIRMAN LUNDEEN: Please, go ahead.

14 MS. PEARSON: I would just add, in terms of  
15 getting feedback and input on other rating, other  
16 indicators to include, we're going to start this  
17 accountability where -- group that will have  
18 representation from school districts around the state.  
19 And we really want Denver's perspective on it, because  
20 they've ruled out frameworks and revised them, and we  
21 think there's a lot we can learn from them. So, they're  
22 going to be a part of that group with us, I think.

23 MS. SCHEFFEL: I just want to go on record  
24 as saying that I think DPS has done a pretty amazing job.  
25 I mean, there's still work to be done, but the fact that



1 they're ranking 46 of their schools lower than CDE, I  
2 think we should take note of that.

3 UNIDENTIFIED SPEAKER: Yeah.

4 COMM. HAMMOND: Please proceed, Chair.

5 UNIDENTIFIED SPEAKER: I can wait.

6 CHAIRMAN LUNDEEN: Yeah let's get -- unless  
7 it's clarifying or specific to the minute.

8 MS. PEARSON: So, this chart will just show  
9 we've had a lot of years now we've got five years of  
10 data. The number of schools, and this is regular  
11 schools, it does not include our alternative education  
12 campus schools, that are -- have earned performance  
13 plans, improvement plans, priority improvement plans, and  
14 turnaround plans over the last five years.

15 You can see we've increased since four or  
16 five years a little bit in the percent performance. We  
17 have had a decrease in turnaround from the beginning, but  
18 we have an increase from the last year in turnaround.  
19 So, we're seeing a little bit district result -- or  
20 school results look a little bit different from  
21 districts, and I think a part of that is how many  
22 districts -- how many schools were lowered by their  
23 districts in part.

24 So that's kind of where we're at.

25 Improvement stayed pretty steady, priority improvements





1 decreased very slightly from last year. So basically,  
2 we're pretty flat.

3 And then, Mr. Chair, you asked last time  
4 about the student enrollment, and I think we gave you  
5 counts -- a handout from district.

6 CHAIRMAN LUNDEEN: You did.

7 MS. PEARSON: And this is the school-level  
8 data, as well.

9 So, you can see a number of students in  
10 schools and performance, priority improvement,  
11 improvement and turnaround has stayed fairly steady.  
12 We've seen a decrease -- in 2012 we saw a pretty good  
13 decrease and turnaround in priority improvement.  
14 Turnarounds increased the last two years slightly. But  
15 the majority of our students are in performance schools  
16 and are performance and improvement.

17 And then in the past years we've gotten  
18 questions about looking at the performance of online  
19 schools, charter schools, and innovation schools, so  
20 we've just pulled that data out for your separately.

21 So, you can see here on the left-hand  
22 columns, or the non-online schools in the distribution  
23 and plan types, majority again are performance and  
24 improvement. We have about 9 percent in priority  
25 improvement or turnaround.



1                   If you look at online schools, you can see  
2 the distribution there of their performance. Clearly  
3 there's -- this does not include alternative ed campuses.  
4 Thanks for that clarification.

5                   Clearly there's a lot fewer online schools,  
6 so it's a smaller, and there's 38 of them that are not  
7 AEC onlineS, but you can see that -- so almost 5 percent  
8 -- 5 times greater in turnaround for onlines versus non-  
9 onlines, and about half as many in performance in terms  
10 of percentages. Again, small and slow.

11                  CHAIRMAN LUNDEEN: The number of schools.

12                  MS. PEARSON: Yep, number of schools

13                  CHAIRMAN LUNDEEN: And percentages of --

14                  MS. PEARSON: Or percentages of schools in  
15 those categories.

16                  CHAIRMAN LUNDEEN: Yep.

17                  MS. PEARSON: So -- and then this is the  
18 data for charger schools. Charter schools, kind of the  
19 tails are a little larger, so they've got higher  
20 percentage in performance, higher percentage in  
21 turnaround, less in the middle.

22                  And then innovation schools. Again, this  
23 is, you know, a small size, there's only 45 innovation  
24 schools in the state. The performance is lower,  
25 generally, than the non-innovation schools. We also know



1 that innovation is a pathway for schools on priority  
2 improvement and turnaround, so more of those schools may  
3 have gone that way, taken an early action themselves to  
4 try innovation status to see if it helps their  
5 performance.

6 So, this is just a snapshot. We could do  
7 some analysis in looking at what happened to those  
8 schools over time. But we don't have that here.

9 Then we wanted to look at how ratings have  
10 changed since last year. So, schools move a lot more  
11 than districts do. So, we have some schools, we had  
12 eight schools that moved down three levels. You can see  
13 19 move down two levels, 170 moved down one levels.

14 Overall, we had slightly more decreasing  
15 ratings than increasing, so 11.8 percent decreased, 9.3  
16 percent increased. Majority almost 79 percent stayed the  
17 same. So, seen some movement, not that much.

18 And we've pulled out the results for the  
19 alternative education campuses separately. I mean, we've  
20 talked about how we have a separate framework for the  
21 alternative education campuses. It looks at some of the  
22 same data, achievement and growth, but schools can submit  
23 additional achievement and growth data. We also look at  
24 student engagement for alternative education campuses,  
25 because we know that is highly aligned with the mission



1 of those schools.

2 And so, we've seen some improvements over  
3 time, higher percent in performance and improvement for  
4 AECs, we're seeing decreases in the percent of  
5 turnaround, so we're seeing some movement with those  
6 schools.

7 We still have a lot of work to go there.  
8 Our expectations are different for these schools than  
9 they are for others.

10 Okay, so just to remind you, these 2015 --  
11 these ratings that we're presenting now, they are not  
12 automatically school's ratings for 2015. We're not doing  
13 our next year's presentation right now. Be nice if we  
14 could get it over with, but it's not what we're doing.

15 So, their ratings next year will start with  
16 the 2014 as just a basis. Then we'll look at  
17 participation rates for 2015, and then, like we do now  
18 with the request for reconsideration process, that will  
19 be an opportunity for schools and districts to put  
20 forwards additional 2014-15 student performance data.

21 Using those templates, we're expecting -- we  
22 had a lot more requests this year than we were expecting.  
23 We're expecting double or triple next year, just thinking  
24 about schools that want to show where they've come during  
25 the school year. So, we're -- we'll be extending the



1 timeline and looking at ways to build capacity in order  
2 to work through all of that data.

3 CHAIRMAN LUNDEEN: Okay --

4 COMM. HAMMOND: Okay, Mr. Chair

5 UNIDENTIFIED SPEAKER: Real quickly -- I'm  
6 sorry.

7 CHAIRMAN LUNDEEN: Question?

8 UNIDENTIFIED SPEAKER: Can we -- and I know  
9 we've talked about it, we've heard it from you. Where do  
10 the -- where do the current turnaround and priority --  
11 turnaround and priority schools fit in this cycle?  
12 Because this year the hold harmless time, however long  
13 that may go on, they're still on the clock. It doesn't  
14 change their accumulation. But where --? Yeah.

15 MR. OWEN: Mr. Chair, I think we'll answer  
16 that in a minute.

17 UNIDENTIFIED SPEAKER: Yeah, okay.

18 MR. OWEN: I think we'll go through kind of  
19 where those schools are falling, and we have, like, two  
20 or three presentations back-to-back. Today that will  
21 help outline what these schools are. You're going to  
22 have an opportunity to talk to some of these districts  
23 and schools again, touring invitation, January -- or  
24 February, March and April. And then -- or March, April  
25 and May. And then we also are going to talk a little bit



1 about some of the supports we're providing. So, I think  
2 we will get into that.

3 UNIDENTIFIED SPEAKER: Yeah. I -- and I  
4 could have been clearer, too.

5 MR. OWEN: Okay.

6 UNIDENTIFIED SPEAKER: Relation to the  
7 request for reconsideration. And I know we've had that  
8 happen before among those schools, but right now this  
9 different timing picture and urgency. I just -- thank  
10 you.

11 MR. OWEN: So, Mr. Chair --

12 UNIDENTIFIED SPEAKER: I'll listen.

13 MR. OWEN: What I can say to that, is that  
14 this rating's the basis for next year's rating. They'll  
15 go through a process when the data comes in, in the fall  
16 next year. It's going to be extended timeframe, because  
17 we're going to have data coming in late, because they're  
18 new assessments. We'll work with each of the schools and  
19 districts.

20 Those that are getting at the end of their  
21 clock, if the rating doesn't change through that process  
22 next fall, then they will be in line to have a  
23 conversation with you about next steps. If the rating  
24 changes and they were to come off the clock, then they're  
25 off the clock. And so, where you're at right now is



1 preparing for that, but that doesn't really take place  
2 till we finalize 2015 ratings. Which would probably be  
3 somewhere in January of 2016. We're going to be late  
4 because of the volume that Alyssa described, and also the  
5 lateness of getting results back. So that's kind of  
6 where it'll fall.

7 UNIDENTIFIED SPEAKER: Okay.

8 MR. OWEN: Yeah. So just real quick I'll  
9 highlight, see where we're at, the priority and  
10 improvement in turnaround schools. This just kind of  
11 shows that the volume that you have in on year 1, 2, 3, 4  
12 and 5 where they fall as far as priority improvement  
13 turnaround, and then the total in each of those years.  
14 Okay?

15 The next graph gives you a look at schools  
16 that are entering year five, that are actually turnaround  
17 schools, and this does include some AECs as well. Right?

18 MS. PEARSON: Mm-hmm. Yeah. And the prior  
19 slide does, too.

20 MR. OWEN: And so, what this will tell you,  
21 and we'll talk a little bit more about this later, is  
22 this is a group of schools that, again, going into Year 5  
23 turnaround, if over the course of this year, the schools  
24 do not make enough progress to demonstrate that they  
25 should come out of that plan type throughout the process



1 next fall and winter, you will be having to have  
2 conversations with the districts about these schools  
3 after that's decided and about what course of action the  
4 State Board of Education would want to take with these  
5 schools.

6 And so, again, we'll describe that a little  
7 bit more in depth as we get into the next presentation.  
8 But I wanted you to be aware. And there's other schools  
9 as well, so priority improvement schools that are going  
10 into Year 5, if they don't come off, but they will also  
11 be included in this. But this group has the -- I would  
12 say the furthest distance to go to be able to demonstrate  
13 that they can come off the clock by next winter. And so,  
14 this group -- this is a group of schools that we've got  
15 large concerns about and that we want to talk to you a  
16 little bit more about some of the supports that we're  
17 providing, some of the work that the districts and the  
18 schools are doing themselves. Okay?

19 Alyssa, I'm going to let you do this one.

20 MS. PEARSON: Do you guys want to look at  
21 this? Mr. Chair. So, this is just showing the prior --  
22 schools that are on priority improvement and turnaround,  
23 the average annual change in their points over time. See  
24 if they're trending upward or downward.

25 So, across the x-axis -- this is the





1 percentage of points earned on the framework, so you'll  
2 see they're kind of clumped: Turnaround, priority  
3 improvement ranges. The y-axis is the average change  
4 they've seen in the percentage of points earned over  
5 time.

6 The majority, as you can see, is not what we  
7 want to see, but the majority are below that midline,  
8 which means they've been declining over time and not  
9 increasing. What that also says, though, is these are  
10 the ones that are currently priority improvement and  
11 turnaround, not the ones that started as priority  
12 improvement and turnaround. So, we know we have schools  
13 that started on turnaround and priority improvement five  
14 years ago that are not on anymore. They're not included  
15 in this chart. So, there's -- it's not all as negative a  
16 story as it looks right there. But the ones that were on  
17 -- the most part are on kind of a negative or flat trend.  
18 I'm going to do this.

19 MR. OWEN: Yeah, go ahead.

20 MS. PEARSON: And these just kind of show it  
21 in a different way. This first slide is the schools and  
22 priority improvement and turnaround. Those entering Year  
23 4 on the left, entering Year 5 on the right. They're  
24 just color-coded for their trend data. So, you --  
25 there's one school entering Year 4 priority improvement



1 that we see a positive trend. We know that's something  
2 that we're really going to look at when schools are on a  
3 positive trajectory and moving up. We want to support  
4 them in that work.

5 If they're flat or declining that causes  
6 more concern for what's going on there. So, you can see,  
7 there's one declining Year 4, most are flat for Year 5,  
8 and then this next slide is those in turnaround, and you  
9 can see the -- kind of the trajectory and the trend over  
10 time for those, as well. I have one Year 4 turnaround  
11 that's making improvements. For the most part they're  
12 flat or declining.

13 So, just says that we have some work to do.

14 MR. OWEN: So, Mr. Chair, the last couple  
15 slides here and then we're happy to take any questions.  
16 So, implications for priority improvement and turnaround  
17 schools. So, we do review all the priority improvement  
18 and turnaround plans. We do take a look at trends or  
19 causes. The targets that the schools are setting how  
20 they're making progress over the course of the year, some  
21 of the benchmarks. We also are doing our very best to  
22 help people understand the accountability clock, what the  
23 pathways are that are outlines in state statute.

24 We started this last year with conversations  
25 with districts with the state board. We also have



1 finalized an RFP process and choose -- and had  
2 opportunity to choose a vendor to do the State Review  
3 Panel, which will be for you almost a third-party view of  
4 what's going on in the school and the district before  
5 decisions needed to be made by the state board. So, I  
6 think that's an important milestone for us as well.

7 That vendor has been chosen. They are  
8 starting to work, and they will, they will compile that  
9 information. And as the schools and districts move  
10 forward, there'll be an opportunity for you to see that  
11 information from them as well.

12 CHAIRMAN LUNDEEN: Angelika.

13 MS. SCHROEDER: Tell me more about State  
14 Review Panel. I don't know what made me think it was  
15 just made up of Colorado Educators.

16 MR. OWEN: Mr. Chair. The makeup of the  
17 State Review Panel is pretty explicitly outlined in state  
18 statute. There's different groups that are need to be  
19 represented.

20 The vendor has the responsibility of making  
21 sure that those individuals are solicited, and that  
22 they're chosen from out the state to make up what's  
23 required in statute, and then apply that in reviews at  
24 the school level and the district level to then provide a  
25 diagnostic report at the state board on the performance



1 of that school or that district.

2 MS. SCHROEDER: So we have an outside vendor  
3 in order to ensure that this isn't a CDE managed process,  
4 even though it does have Colorado Educators on the panel?

5 MR. OWEN: Mr. Chair. That's correct.

6 MS. SCHROEDER: Okay.

7 MR. OWEN: And although we're still involved  
8 in trying -- that's the thought process, was that we  
9 wanted to move away from being the instrument --

10 MS. SCHROEDER: The heavy -- okay.

11 MR. OWEN: Yeah. We provide a review, and  
12 we'll provide recommendations to the state board through  
13 the commissioner as well, but this gives you another view  
14 that's outside of that. Okay?

15 MS. SCHROEDER: A different objective.

16 Okay, thank you.

17 CHAIRMAN LUNDEEN: Pam?

18 MS. MAZANEC: And who is the vendor?

19 MR. OWEN: Mr. Chair. SchoolWorks.

20 MS. SCHROEDER: SchoolWorks?

21 MR. OWEN: Is the name of the group. And we  
22 can talk a little bit later about some of the work that  
23 they've done prior to being chosen to do this. But they  
24 have a history of kind of going into schools and doing  
25 diagnostic reviews and running those and charging a fee



1 for that.

2 CHAIRMAN LUNDEEN: Questions down this way.

3 Dr. Scheffel.

4 MS. SCHEFFEL: Are you almost -- do you want  
5 to finish?

6 MR. OWEN: I can if you -- if you want, Mr.  
7 Chair.

8 MS. SCHEFFEL: Why don't you finish up.

9 CHAIRMAN LUNDEEN: I'm sorry. I thought you  
10 were already finished there, Keith, go ahead.

11 MR. OWEN: Just that we like to make sure  
12 that people know where this information can be found, and  
13 this next slide just shows the data center for the state  
14 and how to -- the public can access this information.  
15 And local members of their communities can pick up their  
16 school frameworks --

17 MS. PEARSON: (indiscernible)

18 MR. OWEN: What's that?

19 MS. PEARSON: Let me talk about the last  
20 one.

21 MR. OWEN: Yeah. And then I'll -- Mr.  
22 Chair, Alyssa just briefly will talk about that last  
23 slide, as well.

24 MS. PEARSON: So, after you all vote today,  
25 then that'll trigger email to get sent to make all of



1 this information live. So, it'll be live in a few hours.  
2 It won't be live immediately, we want to wait and make  
3 sure we have your approval first. And then this slide  
4 we're working on -- we're having some challenges making  
5 sure -- there's so many schools in the state, making sure  
6 all the colors can show. So, it's in process, it may not  
7 be up today, just know that. But we'll have other  
8 interactive data posted at that link. Today or tomorrow  
9 is (indiscernible).

10 UNIDENTIFIED SPEAKER: You got to have --

11 MS. PEARSON: It looks like a lot of graphs.  
12 Doesn't it? That's what we want.

13 UNIDENTIFIED SPEAKER: Well, we like the  
14 green grass. We don't like the red grass.

15 MS. PEARSON: We like the green grass, I  
16 know. The other colors --

17 MR. OWEN: Yeah. The yellow and red graphs  
18 is not a good thing.

19 MS. PEARSON: Yes, so --

20 MR. OWENS: So, with that, Mr. Chair, this  
21 part of that presentation is finished. Okay, questions.  
22 Deb?

23 MS. SCHEFFEL: Thank you. Here's my  
24 question. It has to do with Slide 5, and it has to do  
25 with the pie chart that shows what makes up the formula



1 that determines where the student (indiscernible)  
2 school's district fall. Right? And so, when we look at  
3 achievement begin either 25 or 15 percent, post workforce  
4 readiness, 35 percent high schools, and so forth, how  
5 much subjectivity do you think is in these data? Or do  
6 you think it's highly objective?

7 MS. PEARSON: Mr. Chair.

8 MS. SCHEFFEL: You know, when we look at  
9 student achievement that looks kind of objective. Right?  
10 I mean, they meet the cut score, or they don't. Is there  
11 a margin of error? I mean, if it's highly objective, how  
12 do you build in variability error? If it's subjective,  
13 what portion of this is and how do you attenuate that?

14 I mean, it seems odd that certain subsets of  
15 school types are regularly at the lower end of these  
16 categories. So, what's operating inside of this -- and I  
17 just -- I don't have the detail behind these words, but  
18 I'd like to have the detail. And I'd wonder how you  
19 would address that.

20 MR. OWEN: Go ahead. You want to take the  
21 first part?

22 MS. PEARSON: Sure. Mr. Chair.

23 CHAIRMAN LUNDEEN: Please.

24 MS. PEARSON: So, I guess, you know, when we  
25 look statewide, when we use the statewide data, clearly



1 there's going to be some measurement error with  
2 assessments. There's going to be those pieces in there.

3 MS. SCHEFFEL: Did you build that in?

4 MS. PEARSON: Did we build that in? It's  
5 something we haven't -- we haven't built confidence  
6 intervals. Like, you know, with AYP we had these  
7 confidence intervals to adjust for size of the school.  
8 WE haven't built that into the state performance  
9 frameworks, something we can look at.

10 We haven't heard widespread concern about  
11 that. We've done some surveys of all districts in the  
12 state, and focus groups. It's not something that's come  
13 up there, but it's definitely something we can look at.

14 MS. SCHEFFEL: I was just thinking of, you  
15 know, the data point where you said the online schools  
16 are typically performing low. And so, what is it about  
17 their models and how would confidence intervals feed into  
18 that? I mean, I just think -- this is pretty high stakes  
19 for schools.

20 MS. PEARSON: Yep, absolutely.

21 MS. SCHEFFEL: Especially the ones in the  
22 lower several categories.

23 MS. PEARSON: Absolutely.

24 MS. SCHEFFEL: So, I just think the more  
25 psychometric rigor that can be built into the formula the





1 more fair it is. And so that might be something to look  
2 at.

3 MS. PEARSON: Yep.

4 MS. SCHEFFEL: Are there other things that  
5 would attenuate the seaming patterns that emerge from the  
6 data, where certain types of schools seem to typically  
7 end up in those lower categories.

8 MS. PEARSON: Mr. Chair. Okay, so last year  
9 we had the Center for Assessment do some analysis of our  
10 results and look by school type, by demographic, so  
11 schools that had higher populations of free and reduced  
12 lunch students or ELL students, and what the  
13 relationships were between the frameworks. There's  
14 definitely a stronger relationship at the secondary level  
15 on that high school and district side of the chart with  
16 demographics than there is for elementary and middle.

17 When we dug into that and they dug into it  
18 for us, it's looking at the weights. You know, at the  
19 elementary level 75 percent of the frameworks is based on  
20 growth. That, while not 100 percent levels the playing  
21 field, it really almost entirely levels the playing field  
22 in terms of where students start.

23 High schools and districts that have post-  
24 secondary workforce data weigh so much, which tends to be  
25 a little bit more correlated with demographics. Those



1 high school ratings and the district ratings tended to be  
2 more correlated with demographics. That was based on  
3 prior year data, though.

4 MS. SCHEFFEL: It seems like language is  
5 implicit in these graphs. Right? I mean, if you have  
6 high-need kids, ELL kids, students from free-and-reduced  
7 lunch categories, language is the big variable. And so  
8 that's implicit in growth gaps. And so, you're going to  
9 have certain districts regularly doing poorly in these  
10 categories. And so, I just wonder how we can think about  
11 that. How do those schools ever get out of it?

12 MS. PEARSON: Mr. Chair. Yeah.

13 MS. SCHEFFEL: Because their ability to  
14 create growth, or the conditions for growth, are very  
15 different than other districts ability to create  
16 conditions for growth. So, it isn't really an even  
17 playing field, but I -- maybe this is a study session.

18 MS. PEARSON: Yeah.

19 MS. SCHEFFEL: But I think that since it's  
20 such high stakes -- anyway, you can keep addressing it  
21 then I have a couple other follow ups.

22 MS. PERASON: I SEE.

23 MR. OWEN: Sure. So, Mr. Chair, I'd just  
24 say that what the -- that study also found from the  
25 center, I think, that was really important. We can



1 certainly get that to you and let you take a look at it  
2 as well. I thought it was very well done.

3 The larger the system, so the larger the  
4 end, the more likely it is that we've pegged the  
5 performance in a fair and accurate way. The smaller the  
6 system the more challenges around whether you've got it  
7 exactly right. There's more variability there, so that's  
8 been the piece when we've looked at small-end size. And  
9 really, working with our small rural school district,  
10 because that's -- they're primarily the ones that get hit  
11 with the small-end issue. Is helping them understand the  
12 request for reconsideration that we've got limited data  
13 set that we get from them to the state and having them  
14 help paint the right picture of performance if it's not  
15 portrayed in the information that we've got from them.

16 And so that's been a really interesting  
17 part. Part of what Alyssa talked about with the  
18 combining of some school codes and going into one K-12  
19 school the large -- we get a larger end. We get a little  
20 bit more accurate, I think, about painting the picture of  
21 performance. And again, these frameworks are the  
22 painting of the picture of performance that's happening  
23 in that school. It's describing what's happening around  
24 student achievement on the measures that we've identified  
25 here.



1                   And so that study also, I think,  
2                   demonstrated to us that there's lots of schools and  
3                   district in the state that aren't falling into those  
4                   demographics trends that you talked about. They're  
5                   falling outside of it. And we're seeing more and more of  
6                   that shift upward, especially on the district frameworks  
7                   where if you're a high-poverty school district, maybe a  
8                   high minority population, should you be destined to be in  
9                   turnaround? We've got lots of great examples in the  
10                  state now of district that fall into that category, but  
11                  are at the performance level.

12                  For the first time I think we talked about  
13                  it last month, Center School District with the highest  
14                  poverty rates in the state, is at the performance level  
15                  now, and they've got a close to I think a 40 percent, 35  
16                  percent EL population. So, you -- just having those  
17                  demographics doesn't, I think, force you into that  
18                  category. Is there some relationships there?  
19                  Absolutely. And that's the piece that we want to try to  
20                  work with districts, but then highlight where people have  
21                  been successful.

22                  MS. SCHEFFEL: Good. And then do you work  
23                  with districts to give them guidance on whether or not  
24                  they should try to appeal? Because what I'm hearing is  
25                  its very time consist -- consuming to appeal, but if the



1 CE is just going to look at standardized test scores and  
2 go back to the performance frameworks, why bother to  
3 appeal? I mean, I wonder if it's a learning experience  
4 for them, and give them guidance on it.

5 I think you get a lot of appeals, and I  
6 think some people feel like: Well, we submitted all this  
7 information. And it was just really looking at the same  
8 information as before.

9 MR. OWEN: So, Mr. Chair. So, the request  
10 for reconsideration process, which is sometimes referred  
11 to as an -- but we try to make sure people understand the  
12 appeal is really when a decision is not supported.  
13 That's an appeal to the state board. So, the request for  
14 reconsideration process that the department runs, we  
15 really try to make sure that -- and you can see over the  
16 course of the last four years how many more schools and  
17 districts are actually taking advantage of that  
18 opportunity. So, I think they're starting to understand  
19 it more. They're starting to get more familiar with the  
20 frameworks, and they're also starting to really utilize  
21 and tap into the staff. That's created some problems in  
22 the sense of the volume that the staff is having to deal  
23 with and how much is specific to customized support for  
24 each school and district in the state.

25 But again, our thought has been: This is



1 high stakes. When appropriate we're trying to invest  
2 that time and energy into those schools and district to  
3 really, again, help them paint the picture of  
4 performance. So, what sometimes I think schools and  
5 districts do, is they come in with information and they  
6 think they'll be able to show a different picture of  
7 performance. So, I'm going to bring my NWA data, I'm  
8 going to bring in some other additional markers that we  
9 use.

10 After we go through that process with the  
11 schools and districts many times what they find is: Wow,  
12 it actually looks more like what the state data does.  
13 It's very rare, again, especially as you get larger, it's  
14 very rare for a school or district to bring in data  
15 points that we don't have -- that absolutely contradicts  
16 what the state has as far as the data points. So, it's a  
17 learning process for them. I think it's very valuable  
18 for them, because a lot of these smaller school districts  
19 don't have staff that can analyze this information in  
20 that way.

21 So, while there is a lot of schools and  
22 districts that are utilizing it for the first time, we  
23 still approved, I think, a recommended approval of over  
24 50 percent of the schools that came in. And I think with  
25 districts we still recommended over 50 -- 80 percent of



1 the districts got approved that went through the process  
2 this year. So, it does make a difference. I think if  
3 the district has good information and really works  
4 through the process, absolutely we are recommending  
5 changes to schools and district ratings across the state.

6 MS. SCHEFFEL: My final question is, the  
7 state board is tasked with approving or disapproving the  
8 appeals. Is that right?

9 MR. OWEN: Mr. Chair?

10 CHAIRMAN LUNDEEN: Yes.

11 MR. OWEN: So, for school districts, the  
12 commissioner makes the final determination on their  
13 accreditation rating. Which is their district rating  
14 plan type. If a district doesn't feel like that's the  
15 accurate rating for them, they -- there's a process where  
16 they can appeal that decision to the state board. And  
17 so, you've had a couple of examples of that where you had  
18 Mapleton come in one time, and then you had Sheridan come  
19 in last year.

20 Those were appeals to the state board. With  
21 schools, the department makes a recommendation to the  
22 state board. If you choose to accept that  
23 recommendation, then you're approving the performance  
24 plan for that school for that year. If you choose not to  
25 approve it, that's your decision, but beyond that there's



1 really not an appeal process, because you're the final  
2 decision on it.

3 MS. SCHEFFEL: And so, when we approve the  
4 school appeals, we typically do them in a whole list and  
5 we vote yea or nay for the whole list. Is that right?

6 MR. OWEN: Mr. Chair.

7 CHAIRMAN LUNDEEN: Yes.

8 MR. OWEN: That's correct. It comes to you  
9 as an item, and that's the recommendation from the  
10 commissioner, from the staff, to the state board.

11 MS. SCHEFFEL: So, my thought would be a  
12 question the board. I guess, I wonder if it makes sense  
13 for the board to be more involved in that second tier so  
14 that we're looking at the appeals process more closely as  
15 opposed to rubber stamping the recommendation. Which we  
16 could do, but why wouldn't we get more inside the process  
17 if that's one of our statutory requirements to at least  
18 sit in on some of the reviews of the data?

19 Because what happens now is you talk to  
20 people, it's anecdotal. They feel this way or some other  
21 way. And I'm thinking: Well, we do approve the school  
22 appeals. But we usually do them in a bit list summarily,  
23 and we don't really get into any detail on how did that  
24 really work, what did the appeal really look like?

25 So, I guess -- I guess I'd like a closer





1 window into how that really looks, since we're acquired  
2 to approve it.

3 MR. OWEN: Mr. Chair.

4 CHAIRMAN LUNDEEN: Please.

5 MR. OWEN: I think it's a great comment.

6 And the -- I -- just to help with clarity, so there's no  
7 confusion with people in the field, or in anyone  
8 listening. If you approve the recommendations of the  
9 plan type, there's --- the request is a request for  
10 reconsideration to change the plan type from the school  
11 or the district. We don't use the word appeal, so I'm  
12 trying to make sure that we don't use a word that is used  
13 for different purposes.

14 But in your packet, you have an overview of  
15 all the of the requests for reconsideration that came.  
16 With -- that really shows some of the detail of what was  
17 presented. And then why we looked at what we did, the  
18 rationale the district provided for the school decision,  
19 and then the rationale for what the department's final  
20 decision was. So that is -- always provided an advance,  
21 so that you can go through and if there's a question that  
22 you have about any of the schools that went through the  
23 request for reconsideration process, there's an  
24 opportunity to kind of see what happened in that process.

25 If there's a desire to go even deeper, and



1 really understand exactly what happened, what transpired  
2 wit that request, then there's an opportunity, too, to  
3 get the specific information hat was submitted, and all  
4 of the data points. Absolutely we have that, and we keep  
5 that, and we keep that in the office, and we'd be able to  
6 provide that.

7 MS. SCHEFFEL: Thank you.

8 CHAIRMAN LUNDEEN: Okay. Here, Jane, did  
9 you have a question?

10 MS. GOFF: I have a -- I have more of a  
11 comment. I have noticed in this last few months, ever  
12 since the accreditation conversation started, on our part  
13 and goes out as far as decision-making is concerned,  
14 there is some confusion here, and it's worth the time it  
15 takes to think through how you're going to convey this.  
16 If it comes up out in the public, in our public world,  
17 the fact that we -- that the state board -- the CDE and  
18 the state board accredit districts, and the process  
19 involved in that. But we make it known, and it is  
20 written down, that local school districts accredit their  
21 schools.

22 So, then we're back in this current  
23 situation where the state board is -- it's incumbent on  
24 us now to make some level of decision about individual  
25 school's plans. It's confusing to people. And I think



1 there might be a way for us to work out what our --  
2 what's a nice picture, literally a visual that shows  
3 this, and I know we've had several flow charts and action  
4 charts and we get a lot of that, but I think it would be  
5 worth our time with a public who is -- we're all in a  
6 limbo year here, and it might be a good time to really  
7 start to communicate with each other just teaching  
8 opportunities. Just explain how this works and what the  
9 words mean.

10 I have run into that in Jefferson County,  
11 which is pretty experienced school district when it comes  
12 to all of these things. And I think it would be worth  
13 our while. My question related to here, and I'm going to  
14 go back for a real quick second to the charter  
15 conversation. That CSI has -- it's an obvious and  
16 visible, explicit -- they look at financial what?  
17 Financial -- I'm not the finance person today. What's  
18 the terminology? The stability, or the, you know --

19 UNIDENTIFIED SPEAKER: Viability?

20 MS. SCHEFFEL: Yeah, whatever the phrase was  
21 they used, thank you. CSI does that. There have also  
22 been some things coming up in the past year or so in our  
23 local districts about the whole idea of charter school  
24 vis a vis the authorizer, whatever body that may be, and  
25 is -- it is everybody looking at financial viability on



1 the part of charters outside of CSI schools. So, I don't  
2 know, that might be something for policy, looking at in  
3 the future, if you want to look at what are some of the  
4 factors, what should we be -- do we need to and should we  
5 be looking at some additional factors that might be  
6 accreditation-based, or plan-based.

7 MR. OWEN: Mr. Chair.

8 CHAIRMAN LUNDEEN: Please.

9 MR. OWEN: So, yes. CSI does have a kind of  
10 a financial component to their rating, and it's over all  
11 the -- we could get that more involved information for  
12 you as well, but it's basically a quick look at the  
13 health of the finances of that school.

14 So, when it comes to the districts and their  
15 financial stability, that piece works in conjunction with  
16 Associate Commissioner Leanne Emm's office. If she sees  
17 districts that are having issues, and we've had a few in  
18 the past where we had to actually lower the accreditation  
19 rating, because they were on financial watch. That does  
20 take place. And if there are issues that are happening  
21 in that local school district -- so the other charters  
22 outside of CSI, that district's responsible for the  
23 fiscal health of those schools as the authorizer, and so  
24 they have that usually built into their contractual  
25 agreements. The other piece, just to note, can try to



1 make sure, clarity, that the department and ultimately  
2 the commissioner, makes final determinations on school  
3 district ratings. And then the state board hears --  
4 hears of bills.

5 The state board makes final determinations  
6 on school plan types and so -- and that, again, is what  
7 we're doing here today. And the school rating, the  
8 school accreditation piece of the district accrediting of  
9 schools, that's why I think you're talking about some of  
10 the confusion. That's ultimate responsibility of the  
11 school district.

12 So, I -- we'll take note of your request and  
13 see if there's -- we'll get Peter working on a visual and  
14 a big chart to bring back to you both as well.

15 CHAIRMAN LUNDEEN: (indiscernible) is way  
16 too small. Get us some (indiscernible).

17 MS. GOFF: So good.

18 MR. OWEN: Got you.

19 MS. SCHEFFEL: Thank you.

20 CHAIRMAN LUNDEEN: Okay, questions down this  
21 way. Angelika?

22 MS. SCHROEDER: So, I'd like to clarify just  
23 some of the conversation. This is what we're voting on  
24 today, not just the request for reconsideration? Okay, I  
25 got a little confused. Okay.



1 CHAIRMAN LUNDEEN: The assignment of the  
2 plan type. (indiscernible) voting on today.

3 MS. SCHROEDER: The assignment plan for all  
4 schools.

5 MR. OWEN: Mr. Chair, that's a great point.  
6 The districts affirm that, or they go through this  
7 process.

8 MS. SCHROEDER: Okay.

9 MR. OWEN: And so, the vast majority have.

10 MS. SCHROEDER: So, we're not arguing with  
11 districts here.

12 MR. OWEN: The vast majority of the  
13 districts have affirmed the rating plan types. As you  
14 can see out of the -- how many schools -- 1000?

15 MS. SCHROEDER: A lot.

16 MS. PEARSON: 18 --

17 MR. OWEN: 1800 that we had 70-some come  
18 through that. So, yes, that's a great point.

19 MS. SCHROEDER: And then going back to Deb's  
20 concerns about the psychometric assurance. Am I wrong in  
21 assuming that if a -- if a school, not just for one year,  
22 but for five years, come out the same? Isn't that some  
23 kind of an assurance that, in fact, we're doing this the  
24 right way, as opposed to the possibility that there's a  
25 level up or down based on some weaknesses in the model?



1 Or do I not understand what you're talking about?

2 MS. SCHEFFEL: Not if there is consistent  
3 weaknesses in the formula, that if you would have similar  
4 results. Question is what regular biases exist in the  
5 formula.

6 MS. SCHROEDER: Okay. Okay.

7 MR. OWEN: Mr. Chair. I think maybe, too,  
8 Dr. Scheffel, you're also talking a little bit about  
9 predictability.

10 MS. SCHROEDER: Correct.

11 MR. OWEN: And, you know, in that piece and  
12 how it plays into determination. So, it -- we -- it's  
13 absolutely a part of the study that we convened and  
14 looked at with the Center for Assessment. So, again,  
15 we're happy to get that to everybody that's interested.  
16 Yep.

17 MS. SCHROEDER: That would be really  
18 helpful. But since the grass is not uniformly green or  
19 brown that's some indication that we -- that it's not a  
20 part of the model. It's really a part of the -- it  
21 really is about results. Or am I wrong about that?

22 MS. SCHEFFEL: Well, I'm just saying this is  
23 -- that's the questions of what variable sit inside that  
24 pie chart and what demographics, or characteristics, of  
25 the districts or schools predict identification in the



1 category.

2 MS. SCHROEDER: Right.

3 MS. SCHEFFEL: So, if you have a small end,  
4 for example, just out of the gate, more predictive of  
5 being in the lower two categories, that's a consistent  
6 bias that needs to be addressed either using some  
7 psychometric technique. Right? To balance  
8 (indiscernible) talking about combining (indiscernible).  
9 But it should be addressed systematically.

10 MR. OWEN: Mr. Chair. Just to clarify that  
11 piece that I wouldn't say if you're a small end that  
12 you're more likely to be in the lower category. What I  
13 would say is that it's more likely that there's  
14 variability in that rating from year to year. And so  
15 that rating is subject to a lot of variability because of  
16 the different kids coming in and out of that school.  
17 Actually, the smaller school districts in the state,  
18 proportionally I would say are at the higher -- the  
19 higher end of performance instead of the lower end of  
20 performance. So that -- I think what you're getting at,  
21 Dr. Scheffel, is the relationship of some of these  
22 variables and the predictability based upon those  
23 relationships. And while we think there are some  
24 relationships in this -- I think the study helped to  
25 point out what those relationships are. They're not





1 determinations of -- they're not finality in the sense of  
2 the -- you're destined to get that rating. And we're  
3 seeing some really good examples of that happening across  
4 the state.

5                   So again, great discussion, great questions,  
6 and I think there are pieces that we're looking at as  
7 we're building our next accountability work group as an  
8 opportunity to look at these metrics, look at these  
9 indicators, and have these kind of discussions with some  
10 different stakeholders and school district  
11 superintendents around the state saying: What's been  
12 working? We got five years of data now. And how do we  
13 make any adjustments or tuning to the system to take into  
14 consideration some of the things you're bringing up?

15                   MS. SCHEFFEL: Can I have on more follow up?

16                   CHAIRMAN LUNDEEN: Sure.

17                   MS. SCHEFFEL: This might be beyond the  
18 purview of this discussion, but can you comment on what  
19 percentage of appeals are accepted based on data other  
20 than the standardized test data, and should it be? In  
21 other words, when you look at the pie chart again, when  
22 you look at those variables, are some of those other than  
23 standardized test data? Because we know, again, that's  
24 certain subsets of the population struggle with  
25 standardized testing.



1                   MR. OWEN: Sure. Mr. Chair. I'll take, if  
2 that's okay, a shot at it, and Alyssa can follow up. So,  
3 so where we have state information, the way the language  
4 reads, that when we do the request for consideration, you  
5 can supplement and add information, but it can't supplant  
6 the state information that's available. So, for example,  
7 in middle school, where you've got three grades of data,  
8 sixth, seventh and eighth grade, in reading, language  
9 arts, math and science. It's very difficult to bring  
10 other indicators of local data that contradict that  
11 volume of data that you have from that large group of  
12 sixth, seventh and eighth grade.

13                   Where you do see, I think, more  
14 opportunities to bring information that can weigh, is at  
15 the elementary level. For example, we have some K-3  
16 schools in the state where we have one state assessment  
17 at that third-grade levels. They can break K-1, 2 data,  
18 local assessment information that they have, and that can  
19 be very compelling, and we don't have anything else to  
20 contradict it. So that absolutely plays into being able  
21 to raise the rating for that elementary school.

22                   And even sometimes elementary schools that  
23 have K-5, they have information at the K-1, 2 level that  
24 they bring to us that we don't have, that can contradict  
25 and show a pattern of improvement at those levels that's



1 maybe not represented in the 5-6 level. And so that data  
2 absolutely plays into changes in the request for  
3 reconsideration process for those schools.

4 At the high school level sometimes, they can  
5 bring other post-secondary indicators information that  
6 they have available. But again, you have a pretty large  
7 volume of data for 9th, 10th grade. You've got 11th  
8 grade ACT, and then you've got a dropout rate and a  
9 completion rate. Those are pieces that are hard to  
10 overcome. So I would say that it's easier to bring more  
11 local information that's not state data at the elementary  
12 level, but it's a tougher challenge at the secondary  
13 level. Does that help?

14 MS. SCHEFFEL: So, is this a correct summary  
15 statement? The data points in the pie chart associated  
16 with high schools and districts, the data behind those  
17 words are pretty much standardized test data, but the  
18 data behind the language for elementary and middle, some  
19 standardized, some not. Easier to change the way that's  
20 viewed because there's more access to other than  
21 standardized test data. Is that right?

22 MR. OWEN: Mr. Chair. And I can let Alyssa  
23 get into the more detailed piece of it. Even when  
24 they're providing information that's not state assessment  
25 data, it's pretty standardized. So NWA, you know, local



1 assessment aims, they've got test data that has pretty  
2 sound information and validity and reliability behind it.  
3 And so that information comes into the state. It's just  
4 that they have more information at that local school  
5 level about the performance of that school than we would  
6 -- we would have at the state. Does that help? And  
7 then, so it paints -- it could paint a little bit  
8 different picture, because they have more information.

9 MS. SCHEFFEL: Thank you.

10 MR. OWEN: Yep.

11 CHAIRMAN LUNDEEN: Other questions down this  
12 way? Madam Vice Chair?

13 MS. NEAL: You partially just answered this  
14 question, which was: When they do provide alternative  
15 data particularly, do you have any reason to believe that  
16 that's not very valid? Or, as you just said, they bring  
17 NWA or some -- I mean, is that a problem, or do you rely  
18 on it, I guess?

19 MR. OWEN: Mr. Chair.

20 CHAIRMAN LUNDEEN: Please.

21 MR. OWEN: So, again, when they -- when the  
22 other information comes in, it needs to be information  
23 that we can help make sense and paint, again, the picture  
24 of performance that's happening in that school and that  
25 district. And so if -- one of the things that we found I



1 -- and I've found, and Alyssa could, again, talk more  
2 specifically of -- at the school level, is that districts  
3 and schools will come in thinking: We're going to bring  
4 all this great information and it shows a different  
5 picture of performance than what we got on our state  
6 test.

7           What we often times find out after we dig in  
8 with them, and look at the data sets that they have, look  
9 at the markers for performance for those schools, it  
10 doesn't' really paint that different of a picture. These  
11 assessments are fairly closely aligned in a lot of ways,  
12 and it's a real challenge to show that. Now there are  
13 occasions where they do have information that  
14 contradicts. And sometimes it could be, again, it gets  
15 back to the small end size, could be variability of the  
16 way that kids took the test that day, the state test, but  
17 their local assessments are showing a very different  
18 picture. That is absolutely something that we'll take  
19 into consideration when we go through that process. But  
20 it's more likely that the information supports the  
21 information that we have. That's the more likely  
22 scenario.

23           But there are opportunities, and that's why  
24 this process, which again, is unique in some ways to  
25 Colorado, is such a great process, I think, because it



1 gets at trying to get -- you get an overall frame, but  
2 then you get to get more narrow and narrow and get a more  
3 clear picture of really what's happening at the school  
4 level and at the district level than just the broad way  
5 that we do it for the majority of the schools in the  
6 districts and the state.

7 MS. NEAL: And do you have any indication of  
8 community feeling, and community involvement? I mean,  
9 does this make a big difference in the community whether  
10 you are highly rated or not highly rated? Is it -- is  
11 here pressure, I guess, brought to bear on them if  
12 they're not highly rated?

13 MR. OWEN: Mr. Chair. My personal opinion  
14 based on what I've seen and working in schools and  
15 districts, absolutely there's a lot of pride when your  
16 schools and districts are performing at the accredited  
17 with distinction level, as evidenced by the number of  
18 school districts that came last week for the award  
19 ceremony. And the banners --

20 MS. NEAL: Or the stories that are in local  
21 newspapers that are bragging up those schools. I just  
22 wondered if it worked the other way.

23 MR. OWEN: There's also an intense amount  
24 of, I think, scrutiny and pressure that the lower ratings  
25 put on local communities and local schools and local



1 districts. Some of that's good, some of that is needed,  
2 some of it's forcing conversations that are necessary to  
3 see improvements for kids. It also takes a toll on those  
4 local communities and those local districts.

5 MS. NEAL: Yeah.

6 MR. OWEN: It's very difficult to be -- for  
7 this situation where you're being told by the state  
8 repeatedly that you're not making progress for your kids  
9 in your community. And all of these districts that fall  
10 into those categories; there's good people, they're  
11 working hard, they're trying to do things for kids every  
12 day. They're absolutely working their hardest to make  
13 that happen. Sometimes, though, it's not translating  
14 into increased outcomes for kids. And so, it plays on  
15 both ends, and I think it's a challenge on both ends.  
16 Ultimately the hope and the intent, I think of this, is  
17 to help districts and communities understand what's the  
18 performance look like in my local school, in my local  
19 district, and then school and district, how are you going  
20 to react to that and work to improve that if it's a low  
21 level.

22 MS. NEAL: Thank you.

23 MR. OWEN: Yep. Other questions? Pam? I  
24 thought you had your hand up.

25 MS. MAZANEC: Well, kind of I think along



1 the lines of what Dr. Scheffel was saying, is what do you  
2 tell districts or schools about the appeal process? Do  
3 you explain to them how difficult it is to overcome their  
4 rating, and -- because, you know, my concern would be  
5 that they spend a lot of time trying to change something.  
6 And with some of these districts and schools I'm sure  
7 their time and resources are very limited, and maybe they  
8 should know ahead of time what their chances are for  
9 being successful.

10 MR. OWEN: Mr. Chair.

11 CHAIRMAN LUNDEEN: Please.

12 MR. OWEN: I think what we also help do is  
13 point out historically what's happened. So look at last  
14 year's request and look at the percentage that were  
15 approved for both districts and schools, gives you some  
16 indication of, you know, the likelihood, potentially,  
17 that could happen for you. So, for example, again this  
18 year, when we've approved over 50 percent of the schools,  
19 and I think did you say 80 percent of the districts?

20 MS. PEARSON: Yeah.

21 MR. OWEN: There's a -- to me that's pretty  
22 good odds that I could make a -- make a change, and get a  
23 change to occur on my rating if I had the right kind of  
24 information to bring it to the process. And so I do  
25 think there's an opportunity for them to have the





1 conversation.

2                   What I think happens a lot of times, though,  
3 is they come in with one view of their data. And, again,  
4 some of these are very small school districts, some are  
5 very large. And so it just depends. It's no one, same  
6 answer for any of them. But when they go through the  
7 process, and I think they all walk away from it  
8 afterwards saying: I think I have a better understanding  
9 of the challenges that I'm facing. And also, really what  
10 the other data points are telling me about the  
11 performance of my school.

12                   And I'm going to make some of these changes.  
13 I've heard on numerous times, and Alyssa works more  
14 closely with the schools and districts on this, but I've  
15 had superintendents come up to me and say: Wow, we've got  
16 it wrong. And really helping me focus on a seventh-grade  
17 issue that I've got that I need to pay attention to or  
18 we're going to see more problems. And I can tell you  
19 what's happening now that we've dug into this, about what  
20 happened during the school year, a teacher was out, they  
21 were -- lots of things that they've found out as they've  
22 gone through the process. So I do think there's a great  
23 opportunity.

24                   Are we getting better and it every year? I  
25 think so. And so what I tell you at the very first year



1 that we tried this, and the second year, that we're at  
2 the sophistication level and the support level that we  
3 were two years ago? No. This has been evolving over  
4 time, and a lot of this -- Alyssa and her team spend  
5 numerous hours really working with schools and districts  
6 specifically on this, and the level of support that they  
7 provide is, in my opinion, outstanding.

8 So I think it's getting better and better  
9 every year. Next year's going to be, quite frankly, a  
10 challenge. Because I think we're anticipating a pretty  
11 heavy volume of schools coming forward, and districts,  
12 because you got clock issues and you also are going to be  
13 evaluating local data in conjunction with the current  
14 rating. So it's going to be a little bit of a challenge  
15 for the staff. But we'll get through it, and I know that  
16 we'll have an opportunity again to have these  
17 conversations with schools and districts.

18 MS. NEAL: One follow up. Do we ever have -  
19 - we -- do we ever have schools present, or just  
20 districts?

21 COMM. HAMMOND: We're going to talk about  
22 that next.

23 MR. OWEN: Mr. Chair.

24 MS. NEAL: Oh, we are.

25 CHAIRMAN LUNDEEN: Fire away.



1                   MR. OWEN: So we are going to have an  
2 opportunity to -- and we'll talk about some of the  
3 schools that are progressing on the clock, and your  
4 opportunity to invite the districts to bring school  
5 leadership up and talk about specifically what's  
6 happening in some of these schools that are going into  
7 Year 5. So we do think it's important for you to have  
8 those conversations, but your actions, the consequences  
9 that you prescribe, are always to a district. And then  
10 the district takes the action on their local schools.  
11 And so, that -- that relationship between an LEA, the  
12 school district and the state, and the state board,  
13 that's the prescribed path in statute.

14                   MS. NEAL: Well just might -- I just think  
15 it might be interesting to have the perspective of the  
16 schools that are struggling, instead of just from the  
17 district perspective.

18                   MR. OWEN: Sure, yeah. Mr. Chair. I think  
19 it's a great -- it's a great comment.

20                   MS. NEAL: I'm not sure -- I'm not -- I mean  
21 there's -- well, there's a lot of schools, and we may not  
22 be able to hear from every one, but...

23                   CHAIRMAN LUNDEEN: Excellent. And I'd like  
24 my comments as I wrap this up. Kind of move, go to the  
25 next level down from the schools to the students. And I



1 appreciate very much this data that you've provided. A  
2 question in the data, this significant jump in  
3 distinction. Schools rated or districts rated, excuse  
4 me, with distinction. I'm assuming that's one or two big  
5 -- bigger districts moved up a notch, and that's what  
6 prompted that.

7 MR. OWEN: Mr. Chair?

8 CHAIRMAN LUNDEEN: Yeah. Yes.

9 MR. OWEN: WE got a bragger over here.

10 MS. NEAL: Bolder, yeah.

11 UNIDENTIFIED SPEAKER: Both of us.

12 MR. OWEN: Yep, we got two braggers now.  
13 We've got -- you got two large systems move into the  
14 category of accredited with distinction.

15 CHAIRMAN LUNDEEN: Distinction, okay. But,  
16 to the broader point, this idea of always bringing the  
17 question back to what's it mean to the student to --  
18 because we talk districts, we talk schools, we talk all  
19 these things. And they're important opportunities for  
20 turnaround, they're important to opportunities for change  
21 leadership, but it's always about the student, so I  
22 appreciate bringing the data back to them.

23 And I assure you that we will now stop  
24 talking and start acting, because we have an action item  
25 that is appropriate. If there are no further questions,



1 or I -- so I would ask if a motion is in order, at this  
2 point. Or I know it's in order. I'll ask for one.

3 MS. NEAL: I move to approve the  
4 department's recommendations concerning school plan type  
5 assignments under the Education Accountability Act of  
6 2009.

7 CHAIRMAN LUNDEEN: Is there a second?  
8 Multiple seconds. Is there any objection? Hearing none,  
9 motion carries. Thank you very much.

10 MS. NEAL: Very interesting.

11 UNIDENTIFIED SPEAKER: I'm just going to  
12 stand up and (indiscernible).

13 MS. NEAL: This is her legacy.

14 UNIDENTIFIED SPEAKER: This is my legacy.

15 MS. NEAL: We're going to miss you.

16 CHAIRMAN LUNDEEN: Yeah, we've got --

17 UNIDENTIFIED SPEAKER: We only have one more  
18 thing. Right?

19 CHAIRMAN LUNDEEN: We've got two more -- two  
20 more things, but that was the last action item.

21 UNIDENTIFIED SPEAKER: What's that, the  
22 actor turnaround? What do we have?

23 CHAIRMAN LUNDEEN: Low performance  
24 turnaround support, conversation, so we're going to stay  
25 in this space and talk about support. And then,



1 following that, we've got an education -- or special ed  
2 advisory committee report.

3 UNIDENTIFIED SPEAKER: Okay. I've done my  
4 seventh (indiscernible) down there.

5 CHAIRMAN LUNDEEN: Okay.

6 (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 12th day of March, 2019.

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

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