



COLORADO
Department of Education

Colorado State Board of Education

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
COLORADO DEPARTMENT OF EDUCATION COMMISSION
DENVER, COLORADO
September 9, 2015, Part 3

BE IT REMEMBERED THAT on September 9, 2015,
the above-entitled meeting was conducted at the Colorado
Department of Education, before the following Board
Members:

Steven Durham (R), Chairman
Angelika Schroeder (D), Vice Chairman
Valentina (Val) Flores (D)
Jane Goff (D)
Pam Mazanec (R)
Joyce Rankin (R)
Debora Scheffel (R)



1 MS. ANTHES: That outlines standards for
2 educators, including principals, teachers, and
3 specialized service professionals. And also Senate Bill
4 212, the Colorado Achievement Plan for Kids, which
5 includes our Colorado academic standards. Those laws
6 have been passed since the Educator Licensing Act of
7 1991. And there, we really have -- we really are at a
8 current place where there are inconsistencies in various
9 sets of rules and policies. And would just like to begin
10 a process for tidying up those inconsistencies and making
11 sure that all of our policies align so that educators
12 have a clear and consistent set of standards that they're
13 working for.

14 So today is merely the notice of rulemaking
15 for this process so that we can continue the stakeholder
16 engagement and feedback process that has already been
17 started in alignment of the current rules. So today you
18 will entertaining Mr. Chair, given that you wanted to put
19 the motion up front. The motion that you would be
20 entertaining would be just the approval of entering the
21 notice of rulemaking. So now I'll turn it over to Dr.
22 Colleen O'Neal for more information on this.

23 CHAIRMAN DURHAM: Dr. Schroeder for the
24 purpose of motion?

25 MS. SCHROEDER: I move to approve the notice



1 of rulemaking hearing for the rules concerning educator
2 preparation --

3 CHAIRMAN DURHAM: Is there a second?

4 MS. SCHROEDER: -- and licensing
5 (indiscernible).

6 CHAIRMAN DURHAM: Thank you. I'm sorry.
7 Oh, I'm for that. Is there a second to that? Second.
8 (Indiscernible).

9 MS. SCHROEDER: And the rest of you all can
10 make motions.

11 CHAIRMAN DURHAM: Yeah, Dr. Scheffel?

12 MS. SHEFFEL: (Indiscernible).
13 (Overlapping)

14 CHAIRMAN DURHAM: Just raise your hand the
15 way we go.

16 (Overlapping)

17 CHAIRMAN DURHAM: Okay, all right, go right
18 ahead.

19 MS. O'NEILL: Okay.

20 CHAIRMAN DURHAM: You have a PowerPoint, I
21 understand?

22 MS. O'NEILL: We do, Mr. Chair. It is
23 loading. If you can defer to your PowerPoint that you
24 have in front of you, and then I know the Board also has
25 a PowerPoint. Or we can hold for just a moment and see



1 how we do. And we did well. So thank you, Dr. Anthes.

2 Commissioner, Mr. Chair, and Members of the
3 Board, I'm Dr. Colleen O'Neal. I am the executive
4 director of the Educator Preparation and Licensing
5 Office. We are also called the Office of Professional
6 Services in Educator Licensing. Often people ask me what
7 are professional services? It is really about our
8 educator preparation program.

9 As Dr. Anthes noted today, I am here to give
10 you just a little bit of background about the educator
11 preparation and licensing rule alignment process that
12 we've engaged in over the course of actually over a year
13 and a half now. And I will be talking a little bit about
14 how these rules really guide the authorization and re-
15 authorization of all educator, state educator preparation
16 programs and the licensing of every single educator in
17 our system. And that includes our teachers, our special
18 service professionals, our principals, and our district
19 administrators.

20 So with that, and with that in mind, I'm
21 going to walk us through a little bit of a PowerPoint
22 that gives us some background and ideas to what we've
23 been looking at over the course of the last course of
24 years.

25 So today we will cover a few different



1 things. But first we will talk about the drivers of the
2 rule and content assessment alignment. Why did we
3 undertake this and what kind of are some of the
4 stakeholders' feedback coming back towards us? We'll
5 talk about the process that we use to garner large-scale
6 stakeholder input. This was certainly not a single
7 process. This was a very large process to date. We'll
8 talk about what the alignment really is, what is this
9 project? And we will also talk about what is it not so
10 that we're very clear about what those delineations are
11 in the rule alignment project.

12 And then we'll talk about the big ideas of
13 the rule updates. And the rules, in their current form,
14 in an edited form, are just under 300 pages long. The
15 rules and what would be somewhat of their adopted form
16 are just over 200 pages long. So I'm going to talk about
17 the big ideas associated with those, and not every single
18 rule. I don't think we would make it through every
19 single rule today. So we'll just talk about those big
20 ideas. And then we're going to talk a little bit about
21 current status and what our next steps are in this
22 process.

23 So first thing we're going to cover is
24 really what is it? What was this project and what does
25 it really entail? What it really is, it's really a



1 review of all educator preparation rules for the purpose
2 of alignment with statutes and best practice. Dr. Anthes
3 mentioned that a little bit earlier. We're really making
4 sure that our educator preparation rules that we use for
5 authorization of our prep entities and for our educator
6 licenses are in clear alignment with current statute, as
7 well as current expectations in the classroom.

8 This is also an opportunity for us to
9 clarify the rule in the event that it is unclear or it is
10 no longer really useful or it's no longer in business
11 practice. My example of that is transcripts. We no
12 longer mail in, snail mail in, transcripts. They are
13 uploaded into an e-licensing system. And then this was
14 also a really great opportunity for stakeholder input,
15 feedback, and direction, not only for today, but for
16 tomorrow as well. And we'll talk a little bit about how
17 that came forward in our process.

18 So overall, this project is really about the
19 need for the education community, and that means the
20 folks who use our licensure rules and our educator
21 preparation entities across the state to be on the same
22 page and understand what our teachers need to know and be
23 able to do in order to ensure that we have high-level
24 achievement for every single one of our students.

25 So let's talk a little bit about what



1 prompted the alignment. In May of 2014, and actually
2 maybe just a little bit before that, but in May of 2014,
3 the Board of Education directed us to go ahead and engage
4 in a stakeholder engagement process so that we could get
5 feedback on the rules. Why did that come forward? It
6 came forward because we had multiple calls for alignment
7 from our educator preparation folks and stakeholders
8 across the -- across Colorado. That included our
9 superintendents who were say you know what? We have
10 adopted the Colorado Academic Standards and Senate Bill
11 191, Educator Effectiveness, but it's not reflected in
12 our rules. So it was very clearly an alignment process.

13 We also noticed that there were some
14 inconsistencies within the rules and best practices.
15 There were things that were happening in the classroom
16 today that were not reflected in our rules. Our rules
17 are an outcropping of a 1991 educator licensing act and
18 our Colorado revised statutes. The rules came forward
19 initially in 1994. They have not been holistically
20 updated since then. So this was our opportunity to
21 review in full detail.

22 The other option that we had with the --
23 what else -- let me try that again -- what else prompted
24 the alignment was really the lack of clarity around some
25 statutory requirements. There were some items that we'll



1 talk a little bit about in there that was really unclear
2 to our candidates as to what they needed to meet for
3 obligation to receive a license and/or educator
4 preparation.

5 So let's talk a little bit about the
6 stakeholder engagement process. I wanted to give
7 everybody a background as to how did we exactly get here
8 today and make everyone knew why we were bringing these
9 forward?

10 So beginning again back in May 2014, the
11 Board of Education instructed us to engage in a
12 stakeholder conversation. So we did just that in the
13 fall of 2014. We held five focus groups across the
14 state. They were held in different areas, including
15 western state in Gunnison, Pikes Peak and Colorado
16 Springs, University of Colorado, Denver, University of
17 Northern Colorado, and Mesa University in Grand Junc.

18 From those stakeholder groups, we also
19 initiated a survey, a large-scale online survey for
20 people to participate. We reached over 3,600 individuals
21 with -- with our call for engagement. From that --

22 CHAIRMAN DURHAM: Dr. Schroeder?

23 MS. SCHROEDER: Educators primarily?

24 MS. O'NEILL: Primarily educators, as well
25 as our educator preparation entities. So the list -- I



1 have a list, and thank you for asking that question.
2 This is just a very high-level list of folks that gave us
3 feedback. So we had teachers, we had principals, we had
4 superintendents. We had the Colorado Education
5 Association as well, Colorado Association of School
6 Executives, Colorado Association of School Boards,
7 Colorado BOCES Association, Colorado Association of
8 School Personnel, and what is called CCODE, which is the
9 Consortium of Colorado Educator -- Deans of Education.
10 So it was a very large gamut. I do have to say that we
11 only had about five parents who from this group
12 notification actually submitted. But they did indicate
13 that they were parents submitting on behalf of their
14 students or their boards of education in their specific
15 districts. So from that --

16 CHAIRMAN DURHAM: Well, excuse me.

17 MS. O'NEILL: Oh, please, I'm sorry.

18 CHAIRMAN DURHAM: So you did say that you --
19 you consulted college deans of education, so Dr.
20 Scheffel's institution, the dean would have likely been
21 asked to participate?

22 MS. O'NEILL: There were individuals that
23 were a participate from Dr. Scheffel's university, yes.

24 CHAIRMAN DURHAM: Okay, thank you.

25 MS. O'NEILL: Bush White was one of them, in



1 case anybody ever wonders.

2 CHAIRMAN DURHAM: Thank you. Yes?

3 MS. MAZANEC: So 3,600 gave feedback? 3,600
4 out of how many? That seems really low.

5 MS. O'NEILL: I think -- so I think one of -
6 -

7 MS. MAZANEC: People aren't interested?

8 MS. O'NEILL: Yeah, I think one of the
9 important thing -- I think -- let me rephrase that. I
10 think one of the important things to notice is that we
11 had an outreach of over 3,600 people and then we had
12 sequential outreach over and over and over. I will say
13 that we only had 788 individual comments that actually
14 came back in our survey. And then we had about 85
15 additional comments since then. Lots of folks in large-
16 scale groups gave us individual feedback, but no, I mean,
17 if you think about the general majority, we have over 121
18 educator -- 121,000 educators in the state of Colorado in
19 one way or another. You're right, that's not that many,
20 but I think these were really the critical people that
21 had insight into the -- into the licensing rules over the
22 course of a year. Okay?

23 CHAIRMAN DURHAM: Let me ask --

24 MS. O'NEILL: Sure.

25 CHAIRMAN DURHAM: -- in your opinion or the



1 opinion of others involved, does this put any significant
2 new burdens on someone seeking a license to become a
3 teacher in Colorado?

4 MS. O'NEILL: I think that's actually a
5 great question, Mr. Chair. One of the -- one of the
6 things that I will talk about here in just a couple of
7 minutes is really that we ended up with three buckets of
8 feedback from folks in our stakeholder process. And the
9 first one is really about alignment that does not incur
10 any additional, and that's what we're bringing forward
11 today. There are no additional requirements for our
12 educators in order to seek their license. It is clarity
13 and rule.

14 So with -- and I'm trying to think of a
15 really great example. The example that I have is really
16 the educator effectiveness, teacher and principal and
17 special service professional quality standards. Those
18 were not identified, but people have been using those for
19 their educator preparation programs now for multiple
20 years. So it's really about the alignment there, that
21 there are no additional hiring burdens associated with
22 that.

23 We actually even had feedback from a couple
24 of different individuals, including the Colorado
25 Association of School Executives in BOCES for one



1 individual rule with our interpreters that said you know
2 what? It feels like it could be a burden for hiring. We
3 went back and took a look at that and said, okay, we
4 agree with you, let's take a look at those rules so that
5 it is not a burden for hiring, that it's a clarity of
6 rules. Does that help answer your question?

7 CHAIRMAN DURHAM: No -- no additional cost
8 to -- no additional cost in your judgment to local school
9 districts, to teachers who are going -- people in college
10 to get a teaching degrade --

11 MS. O'NEILL: I think that's a great
12 Qureshi.

13 CHAIRMAN DURHAM: -- no additional hours?

14 MS. O'NEILL: There are no additional hours.
15 There are no changes to the rules. Those would be
16 statutory changes that we would look at that fall into
17 what I always consider, at least this point in time, the
18 third bucket.

19 CHAIRMAN DURHAM: Okay.

20 MS. O'NEILL: So I'll talk a little bit
21 about that going forward too.

22 MS. FLORES: So --

23 CHAIRMAN DURHAM: Dr. Flores?

24 MS. FLORES: -- would you call it like a --
25 a recodifying, where you just take out what's not



1 important and just leave what's important?

2 MS. O'NEILL: Thank you, Dr. Flores, I think
3 really it is recodifying, and that might be it. But it's
4 really an update. It's like a -- it's aligning them.

5 And we've continued to call it the alignment pronounce
6 for many, many reasons. But that's one of them, so there
7 are no new introductions of over -- overburdened --

8 MS. FLORES: Sure.

9 MS. O'NEILL: -- already overburdened
10 teachers --

11 MS. FLORES: Yeah, (indiscernible).

12 MS. O'NEILL: -- for our system.

13 MS. FLORES: You wouldn't want to put new
14 rules in. You wouldn't want to put new rules in -- in --
15 in a document that is about rules.

16 MS. O'NEILL: Right. So I'll talk a little
17 bit more about the big idea so that we have a better
18 picture. And there's certainly more -- 300 pages worth -
19 - of document to cover, for sure.

20 Okay, I'm going to go ahead and move on to
21 our next bucket, because we kind of led into that. So
22 from this stakeholder feedback process, it was very clear
23 that there were three distinct buckets that came forward
24 from folks. The first bucket was we really just want an
25 alignment, and that's what we're talking about today.



1 So when you take a look at the PowerPoint,
2 it is that green bucket that you see at the very
3 beginning. That is all we're talking about today,
4 meaning that we have Colorado academic standards that
5 have not been adopted into our educator licensing rules.
6 We have educator effectiveness quality standards that
7 have not been adopted into our educator licensing rules.
8 And so it was clear that our feedback fell into that
9 bucket.

10 But there were two other buckets that our
11 feedback came -- came to us from. And the second bucket
12 there talks about additional endorsements. That's our
13 blue buckets. Very clearly did we hear from quite a few
14 stakeholders that there are additional endorsements
15 and/or the revamp of endorsements and/or, Mr. Chair,
16 similar to your question, expectations that we want our
17 teachers to be able to meet that are clearly outside of
18 just an alignment process. That falls into this second
19 bucket. We have collected that feedback. We are
20 engaging people in that conversation. But we are
21 absolutely not moving on it in this rule alignment
22 process that we're talking about today. Okay?

23 So then we also had a third bucket and that
24 is our orange bucket that appears up there. And that is
25 actually a statutory bucket. And we knew when we opened



1 up the rules that we would start having really detailed
2 conversations about educator licensing in general and
3 what all required of our teachers and our educators
4 across the state.

5 Many times people came back with
6 recommendations that were actually -- actually statutory
7 in nature. They live with our Colorado legislature, not
8 with us in the Colorado Department of Education. And so
9 we have been collecting that feedback and we are noting
10 it, but we absolutely are not moving on it. We have no
11 timeline for implementation. We are not doing anything
12 with it besides collecting it today and helping solicit
13 feedback associated with it.

14 So today what we're really talking about is
15 our green bucket. But if I was asked did our
16 stakeholders come forward with other things? Absolutely
17 they did. And those become a process that we want to
18 talk about a little bit later down the line. The
19 alignment project was really about getting us all on the
20 exact same page to ensure that we're implementing what is
21 expected of our teachers today.

22 MS. FLORES: Can I ask a question?

23 CHAIRMAN DURHAM: Yes, Dr. Flores?

24 MS. FLORES: How did we get into bucket?

25 Such an ugly word? Why not pails or baskets? I mean,



1 seriously (indiscernible).

2 MS. O'NEILL: I (indiscernible), Dr. Flores.
3 I think that was my bucket. I think I (indiscernible).
4 I was thinking sand castle bucket though.

5 MS. FLORES: No, I -- no, I mean, I hear it
6 in so many other areas (indiscernible). And now, I mean,
7 such an ugly word. Pails, baskets --

8 MS. SHEFFEL: You just don't like to mop
9 (indiscernible).

10 MS. O'NEILL: I'm happy to go with pails. I
11 -- I will -- I will revamp us for pails, perhaps.

12 MS. FLORES: Thank you.

13 MS. O'NEILL: So the -- the next piece that
14 I want to talk about just really briefly is because when
15 we brought this to the Board of Education in May of 2014,
16 I said that this was really about educator preparation
17 and licensing rules and content assessment alignment.
18 Well, in order to do our content assessment alignment, we
19 have to be done with our rules. So I didn't want us to
20 forget and I didn't want anyone else to forget that that
21 we still have our content assessments on our schedule,
22 but it has to reflect our adopted rules. So our current
23 content assessments are basically our clear content
24 assessments that we need for educator licensing for
25 endorsement areas, and that includes Our Place, which is



1 a Colorado-specific assessment, and Our Practice to,
2 which is a national assessment. So I didn't want us to
3 forget about that and let you -- remind you that it's
4 coming. But it will not be coming until our rules are
5 adopted by the Board of Education.

6 CHAIRMAN DURHAM: Is -- so when you're
7 talking about those particular assessments, you're
8 talking about testing subject matter knowledge? So if
9 you're a science teacher, you're taking essentially a
10 science exam, a post-graduate science exam?

11 MS. O'NEILL: Correct, Mr. Chair. That's
12 exactly it --

13 (Overlapping)

14 CHAIRMAN DURHAM: And what is it we are
15 going to do with these content alignment things?

16 MS. O'NEILL: Sure. So part of the feedback
17 that we received from our stakeholders was that our rules
18 for alignment, but then also that Our Place and Our
19 Practice assessments could be updated. And that is a
20 very true statement. So Our Place assessments were
21 actually developed by Pearson, a Colorado specific. They
22 are based off of our current rules as they exist today.
23 It was a request for a proposal response that did -- that
24 began development in 1994. And so that place assessment,
25 once we update our rules, we will have to go back and



1 take a look to see whether we have clear alignment with
2 all of those tests. Those tests today are administered
3 paper and pencil. We know that that is not the best
4 option for all of our educators in the state. So when we
5 really talk about the alignment of those, the thought
6 process at this point for us is that we will develop the
7 -- the rules based off of your direction. We will ensure
8 that the rules are in place and then we will engage
9 stakeholders to take a look at what content assessments
10 make a lot of sense and are aligned, reliable, valid,
11 everything. So this will be a whole other process.

12 CHAIRMAN DURHAM: So these tests are
13 designed to attest to -- to -- there are these
14 assessments are designed to test knowledge, is that
15 correct?

16 MS. O'NEILL: Correct. They are designed to
17 test teacher knowledge.

18 CHAIRMAN DURHAM: As opposed to the tests we
19 give to tests, which are not designed to test knowledge.

20 MS. FLORES: Yeah, absolutely.

21 CHAIRMAN DURHAM: Is that --

22 MS. O'NEILL: Did you -- can I plead the
23 fifth? I'm going to go --

24 CHAIRMAN DURHAM: Yeah, I just thought I'd
25 ask the question.



1 MS. O'NEILL: Well, I --

2 CHAIRMAN DURHAM: I think -- let me just
3 stop here.

4 MS. O'NEILL: Appreciate it.

5 CHAIRMAN DURHAM: I think I'd like to ask
6 Dr. Scheffel if she would volunteer so that when you
7 start down this road that you involve a member of the
8 Board very early on in this process as a chance to make
9 sure we review this carefully and we don't come in with a
10 completed product without some additional eyes on it. So
11 if you would be willing to do that, I would ask you then
12 to consult with Dr. Scheffel on a regular basis on that.
13 Thank you.

14 MS. SHEFFEL: (Indiscernible)?

15 CHAIRMAN DURHAM: Yes, please.

16 MS. SHEFFEL: So I'm just questioning the --
17 the three phases kind of. Are you saying that really
18 we're going to stop with alignment or we're going to move
19 into the other two areas in time? Is there a timeline on
20 that? Maybe I missed it.

21 MS. O'NEILL: I -- I do not have a timeline,
22 Dr. Scheffel. Right now what we have is we have people
23 who have clearly with the bucket -- pail -- pail two with
24 our blue box and pail two have come forward saying that
25 we really want to investigate the normal and very



1 traditional cycle of endorsements process. So we believe
2 that we do want to move forward with that once our rules
3 are a little bit more firmly in place.

4 Bucket three, we -- we do not have the
5 authority, because it is a -- a somewhat legislative
6 requirement. We have no timeline. We are just
7 collecting feedback, because we think people had very
8 good points that they came forward with.

9 MS. SHEFFEL: So as far as messaging, this -
10 - this I just heard anecdotally from a couple folks who
11 feel that -- they felt that some of the discussions
12 suggested that we were moving backwards in Colorado, that
13 we were going to create more bureaucracy and more rules
14 and, you know, multiplying the language (indiscernible)
15 licensure. That must've been the misperception on their
16 part. I mean, where would that be coming?

17 MS. O'NEILL: Certainly. I think that's a
18 good question, Dr. Scheffel, and I've actually heard that
19 myself. And I think the perception is that when they --
20 you know, when we did the -- when we did the fixing of
21 the rules, what you see are all the strikeouts and then
22 the replacements thereof. So it looks like the rules
23 have expanded quite aggressively until you read them.
24 They will actually be shorter in nature and more
25 consistent with what we're doing today in our classrooms.



1 So they will actually be more aligned in many cases
2 rather than expanded.

3 MS. SHEFFEL: Thank you.

4 MS. O'NEILL: You're welcome. Okay, with
5 that, I will go ahead and go on to our next slide, which
6 is really where are we right now with the alignment
7 process? And where we are is there has been a lot of
8 feedback collected, but there is yet more to come with
9 our rulemaking process.

10 The draft rules were created, so what we did
11 was off of all of the feedback that we received last
12 fall, we started creating some draft rules. Those draft
13 rules were posted online for people to review and then
14 comment again on. On July 16th they were posted from I
15 think July 16th through August 10th during the summer.
16 And we had additional feedback from folks, quite
17 extensive feedback, from folks over the course of that
18 month. So we went ahead and updated those draft rules.
19 That's actually what you see in front of you today, is an
20 updated version that has now been through two large
21 stakeholder group processes before it ever got to you for
22 our written and for our formal hearing process today.

23 So then today, based off of your vote and
24 the motion on the table right now would be that the
25 actual formal rulemaking hearing process begins.



1 CHAIRMAN DURHAM: Ms. Mazanec?

2 MS. MAZANEC: I need a reminder here. What
3 does it mean when the "formal rulemaking process begins"?

4 CHAIRMAN DURHAM: Please?

5 MS. FLORES: Good question.

6 MS. O'NEILL: Absolutely. So what this
7 actually means that this kicks off that we will hold a
8 hearing. So what happens from this point of time is that
9 we have a minimum of 30 days time for written comment and
10 feedback. Usually the point in time between this meeting
11 and the next meeting is less than 30 days. So what would
12 happen is that we have a written -- this would kick off
13 our written review process, those written comments come
14 actually back to you as the State Board. You can
15 designate anyone in my unit, including me, to make those
16 updates into the Board rules as they're adopted.

17 Those comments get put into the draft rules
18 and are sent -- and are publically displayed. And then
19 we can also schedule a hearing, a formal hearing, verbal
20 hearing, for November, is when that could potentially be
21 scheduled.

22 MS. MAZANEC: So over the next 30 days is
23 the time period when anybody who wants to make a formal
24 comment?

25 MS. O'NEILL: Formal written comments, yes.



1 MS. MAZANEC: To the rules should be doing
2 that?

3 MS. O'NEILL: Yeah, yeah, based off of the -
4 - the formal rulemaking. And then we would go into an
5 open hearing and we would schedule that separately during
6 that board meeting in November. There are actually
7 multiple instances in which you can have a hearing. So
8 if we get to November and we don't feel comfortable or
9 the Board doesn't feel comfortable with the amount of
10 time that we've had to hear any feedback --

11 CHAIRMAN DURHAM: (Indiscernible).

12 MS. O'NEILL: -- on the rules, we can
13 schedule another one.

14 MS. MAZANEC: Okay.

15 MS. O'NEILL: And then it won't be voted on
16 until it's kind of a unanimous decision that it's ready
17 to go forward for a vote.

18 MS. MAZANEC: Okay.

19 MS. O'NEILL: Okay, does that help kind of
20 set --

21 MS. MAZANEC: Yes.

22 MS. O'NEILL: -- that frame a little bit?
23 So with that, I would love to go on. If we have any
24 other questions, I'm happy to answer them, but I wanted
25 to give you some background on the big ideas in here.



1 (Overlapping)

2 MS. O'NEILL: So the big ideas associated
3 with this are the grammatical changes in parallel
4 formatting. And again, I don't want you to have to read
5 300 pages of the rule sitting here with me today, but the
6 high-level overview. So grammatical changes, there were
7 misspellings and we have fixed some of those. We also
8 ensured that all of the rule number was in alignment that
9 we had an introductory paragraph to each one of the rules
10 that was in the same format for consistency sake.

11 We also ensured that statutory references
12 were up to date and they were right on target, that there
13 was nothing in there that had already been repealed, and
14 so that it was in complete alignment. We had
15 clarification of endorsement levels. Prior to this, we
16 did not have very clear guidance in the rules about what
17 endorsement levels lived in what subject area. Like math
18 is a 7 through 12 secondary endorsement. And so we have
19 added those levels to that.

20 MS. MAZANEC: Excuse me?

21 MS. O'NEILL: Yes.

22 CHAIRMAN DURHAM: Yes, right, Ms. Mazanec?

23 MS. MAZANEC: I was a little alarmed by
24 birth to 21 and birth to eight.

25 MS. O'NEILL: Okay.



1 MS. MAZANEC: Why do we have endorsement
2 levels for birth?

3 MS. O'NEILL: I think that's a great
4 question. Because we actually have early childhood
5 special education and early childhood rules, very few of
6 them, that we have some special education or early
7 childhood special education that actually does range zero
8 to eight. And that is part of our early childhood
9 competencies associated with that. So it's very few, but
10 it ranges zero -- zero, or birth, to an eight.

11 MS. FLORES: (Indiscernible) it's entitled
12 to very early services.

13 MS. MAZANEC: Not just special.

14 CHAIRMAN DURHAM: I flag that as well as a -

15 MS. O'NEILL: Okay.

16 CHAIRMAN DURHAM: -- problem.

17 MS. MAZANEC: Yeah, red flag.

18 MS. O'NEILL: Okay.

19 (Overlapping)

20 CHAIRMAN DURHAM: Cradle, maybe?

21 MS. O'NEILL: We can certainly look into
22 that, thank you. I will write that down.

23 MS. FLORES: What else would you call it?
24 What else?

25 MS. MAZANEC: How about preschool, like age



1 three or four?

2 CHAIRMAN DURHAM: Preschool.

3 MS. O'NEILL: But I will take that under
4 advisement. We can go back to early childhood folks and
5 take a look at that.

6 So our next big idea really centered around
7 the update to the current standards and expectations for
8 core content areas. And that includes -- these are just
9 examples. This -- please know that this is not fully
10 comprehensive on our PowerPoint. These are examples of
11 what I mean when we say that there are core competency
12 updates. So our early childhood education, our
13 competencies have been updated to align with the current
14 early childhood work that has been going on. Special
15 education, your educator interpreters, teacher,
16 principal, and special service professional quality
17 standards have been updated as well as our Colorado
18 academic standards and our ten core areas.

19 Additional big ideas, we have a few more.
20 Minimal name changes and clarification of names -- my
21 example here is really drama became theater arts. These
22 are based off of recommendations from the folks in the
23 field. The other one is foreign language became world
24 languages. Again, recommendations from the field, so
25 they're pretty small in it's -- in its existence.



1 CHAIRMAN DURHAM: You left out the S.

2 MS. O'NEILL: I did.

3 MS. MAZANEC: I was going to say there isn't
4 one world language.

5 MS. O'NEILL: Thank you. There is just a
6 single world language.

7 CHAIRMAN DURHAM: I'm working on it.

8 MS. O'NEILL: So I have a few grammatical
9 revisions to the PowerPoint too. We also did a collapse
10 of one existing endorsement and I think it's worth
11 pointing out. We collapsed our teacher and school
12 librarian. In our rules, it was actually in the same
13 rule, but there were just like two different bullet
14 points that were called out that were different. So
15 based off of the recommendation from our school librarian
16 or our teacher librarian team, we did collapse that one
17 into one endorsement area.

18 MS. FLORES: Why did you call that art to
19 visual?

20 MS. O'NEILL: That was based on a
21 recommendation -- so art to visual arts, rather than just
22 --

23 MS. FLORES: Art.

24 MS. O'NEILL: Yeah, and it's still visual
25 arts. So it's really instead of dance, which is a



1 performance art, to it was music. So were trying to
2 distinguish the different. And that was, again, a
3 recommendation --

4 (Overlapping)

5 MS. FLORES: But -- but wouldn't it be
6 plastic, plastic and performing arts? I think that's how
7 I --

8 MS. SHEFFEL: What?

9 MS. FLORES: I --

10 MS. SHEFFEL: Plastic?

11 MS. FLORES: Yes, plastic, because it's --
12 you deal with moldable things and plastic is more than
13 just the plastic. It's -- is plasticity and it -- I
14 served on the Commission for the Arts in Texas. And so
15 we called it plastic arts, plastic and performing arts.

16 MS. O'NEILL: I will absolutely write it
17 down. We'll have a conversation with our -- the group
18 that kind of made that recommendation. And we'll go
19 forward with that.

20 CHAIRMAN DURHAM: Theater arts are
21 performing arts. It's all practical -- there's practical
22 matter.

23 MS. O'NEILL: Yes.

24 CHAIRMAN DURHAM: Trying to include things
25 that aren't in there might --



1 MS. O'NEILL: Yes.

2 CHAIRMAN DURHAM: -- avoid us having to
3 change it again sometime.

4 MS. O'NEILL: Okay, thank you very much. So
5 a few more of our big ideas were really updates to some
6 specific rules. This is one of those areas in our rules
7 where we didn't have clarity around really what happened
8 with it, like a discontinuance of an endorsement. My
9 power is power sewing. We used to have an endorsement in
10 power sewing. Believe it or not, we still have people
11 with an endorsement in power sewing.

12 MS. MAZANEC: What is power sewing?

13 MS. O'NEILL: Power sewing is electronic
14 sewing with power -- with a large power machine, so it's
15 really -- it's more -- I don't know, I can't even
16 describe that.

17 MS. FLORES: There's so many
18 (indiscernible).

19 MS. MAZANEC: Yeah, I -- I think my mom was
20 --

21 MS. O'NEILL: Are people back there saying
22 they know what power sewing is?

23 MS. MAZANEC: I think my mom should've had
24 that endorsement. She sewed for five daughters.

25 MS. O'NEILL: There.



1 MS. MAZANEC: That's what we called power
2 sewing.

3 MS. O'NEILL: Power sewing. So there was
4 lack of clarity in our rules around what really happens
5 to those endorsements? Because we cannot take away a
6 teacher's right to their profession. So but power sewing
7 is not the highest needed area of endorsement anymore.
8 So there's clarification around there as to what does
9 that look like and how do we transfer those endorsements
10 to another area to support them?

11 There was alignment of one of our
12 endorsements, which is our gifted and talented
13 endorsement, to ensure that it was completely updated and
14 aligned with our rules, as they sat as the adoption from
15 this spring or a little bit earlier this summer. And
16 then we also have alignment with our induction rules, and
17 then which we have not had complete alignment with those
18 for a while.

19 So I wanted to very quickly, and I will go
20 through this very quickly, what is it not? These are
21 important for me to call out, because these are some of
22 the questions referencing back to Dr. Scheffel, some of
23 the things that you asked, as well as you, Mr. Chair.
24 This is not a rewrite of the 1991 Educator Licensing Act
25 in our Colorado revised statutes. It's absolutely not



1 that. It is not policy reform or legislative updates.
2 Again, that's that third pail that we are absolutely not
3 touching right now, but we continue to hear feedback on
4 it.

5 It is not an addition or a change to the
6 core licensing requirements. So that means there is no -
7 - no additional burden to our educators. It is not a
8 change for the rules for hiring at a local level. We are
9 still a local-controlled state. Our district human
10 resources, superintendents, and principals have the right
11 to hire in any way that they so choose that is in
12 alignment with their requirements. And it is really not
13 an addition of new endorsements. And that's our second b
14 bucket. There is one exemption to that, and that is
15 really the gifted and talent specialist, so gifted and
16 talented director. There is special education director,
17 our gift and talented kind of used to sit under that, and
18 it's delineating the two between a gifted and talented
19 and a special education director. There are no licensing
20 rule requirements around that with regard to hiring. But
21 again, please remember that there are people who have
22 come forward with requests for additional endorsements
23 that may come before the Board in that course of that
24 next year.

25 So this was a question that I -- I think was



1 asked a little bit earlier is what do we do now? What we
2 do now is if the -- we actually go forward with our
3 notice of rulemaking hearing, then there is a written
4 comment period. That written comment period would be
5 available between September 9, meaning tomorrow, and
6 October 5th. What we would do is we will post on the
7 website that is identified here the rules in their
8 entirety as they exist today and then give notification
9 as to where comments can be submitted, which is an email
10 notification to folks. And then we aggregate that
11 information and we bring it back to the Board during the
12 -- during the rulemaking hearing.

13 Anticipated next steps at this point in time
14 is written feedback to be submitted to the State Board,
15 again September 9th through October 5th. Cd reviews and
16 updates those rules accordingly. The Board of Education
17 would hold a rulemaking hearing. It could potentially be
18 scheduled for November 2015 for that Board of Education
19 meeting.

20 With that, I will go ahead and close and
21 remind that I -- I believe there is a motion on the
22 table, but I'm happy to entertain any questions that you
23 have.

24 CHAIRMAN DURHAM: Dr. Schroeder?

25 MS. SCHROEDER: I would like to continue



1 with Pam's question about process, looking at the length
2 of the rules. I'd like to know when it's appropriate for
3 me to slog through them. Would that be -- that would not
4 be now, because what -- you want me -- you want us to
5 look at are what's there and what's being recommended,
6 not only by what staff has looked, has done as a result
7 of all the efforts you've engaged in so far, but also
8 what we hear in the next 30 days.

9 MS. O'NEILL: I -- I do agree with that.

10 MS. SCHROEDER: So will you give us a
11 signal?

12 MS. O'NEILL: To --

13 (Overlapping)

14 MS. SCHROEDER: Because I think that's going
15 to be one of the longer sets of rules that we've ever
16 slogged through that, that I can remember. It's painful.
17 Why it helps, but not much.

18 MS. O'NEILL: Absolutely.

19 MS. SCHROEDER: So could you -- could you do
20 that, because it -- it's -- I mean, I -- I see that it's
21 on our thing here, but I did not look past the first or
22 second paragraph, because I didn't want to. But obviously
23 there -- there is a time, but I can't remember -- I can't
24 really remember what the time is, because I believe what
25 you do is you take the comments and you sort of do a map



1 and then you say, yes, I think that's a good idea.

2 MS. MAZANEC: Kind of yes, no.

3 MS. SCHROEDER: And it's incorporated or no,
4 and here's why.

5 MS. O'NEILL: That is exactly it, Dr.
6 Schroeder.

7 MS. SCHROEDER: Okay.

8 MS. O'NEILL: So that's during the written
9 comment period, we will receive those comments back.
10 That's when we can kind of go. And -- and we do review
11 them for policy alignment and legislative alignment to
12 ensure that we're not overstepping our rulemaking
13 authority in making any recommendations to go forward to
14 the Board. So we'll take those written comments, we will
15 go through them, we will ensure that they are in
16 alignment. With what can be implemented, we will bounce
17 them off of lots of people before we actually implement
18 them into the rules. And then --

19 MS. SCHROEDER: And then there's the
20 hearing.

21 MS. O'NEILL: Right.

22 MS. SCHROEDER: And then we should have read
23 them by the time of the hearing, because we'll get more
24 input at that time.

25 MS. O'NEILL: Correct. That'll be verbal



1 inputs and -- and people may come forward in support of
2 or not in support of or with recommendations during that
3 verbal hearing.

4 MS. SCHROEDER: Okay, thank you.

5 MS. MAZANEC: And at what point do those
6 close? What point is there the opportunity to have any
7 comment done?

8 MS. O'NEILL: I think that's a great
9 question and I think that's actually a Board decision
10 based off of the hearing. So it can actually go on a
11 little bit longer. And I think it's going to depend on
12 the amount of feedback that comes back.

13 So during the written comment period, that
14 absolutely does close at that 30-day window. It's just a
15 little bit over 30 days, the timeline that we have, and
16 that will close. But when the hearing comes forward in
17 November, folks have an opportunity to come to the front,
18 make statements one way or the other. I think if the
19 Board hears significant number of statements that say,
20 you know what, no, we're not ready to adopt these rules
21 and get stakeholder feedback from there, then we go back
22 and we revise again and we get stakeholder feedback. And
23 then we come back in December for potentially another
24 hearing for that. So it will actually be the Board's
25 will as to when that will close.



1 CHAIRMAN DURHAM: So public hearing you're
2 referencing is one in front of the Board, as opposed to
3 perhaps a public hearing that might be held by staff?

4 MS. O'NEILL: Correct. Correct.

5 CHAIRMAN DURHAM: Okay.

6 MS. O'NEILL: It would be the public hearing
7 in front of the Board in which folks come to a hearing
8 session specifically scheduled.

9 CHAIRMAN DURHAM: So really you deal only
10 with written comments for all practical purposes?

11 MS. O'NEILL: Yes.

12 CHAIRMAN DURHAM: One of the things I'd like
13 to request for all of the Members of the Board is what I
14 would characterize as an exceptions report, any
15 suggestions you have for changes should be, when you get
16 them all compiled, give them to the Board with a
17 notation, the change, the suggested change, was accepted
18 or it was rejected for X, Y, and Z reasons so that we can
19 deal hopefully with substantially narrow the issues so we
20 don't have -- we don't have 200 and however many pages to
21 try and slog through without some background. So if we
22 could get that exception (indiscernible) report at least
23 a couple of weeks in advance of -- of hearing, that would
24 be helpful.

25 MS. O'NEILL: Absolutely.



1 CHAIRMAN DURHAM: All right, there is a
2 motion on the table. Further discussion of the motion to
3 approve a notice of rulemaking? Hearing none, is there
4 an objection to that motion? That motion's adopted by 7-
5 0 vote. The next item, 13.01, Exclusive Chartering
6 Authority for Adams County School District Number 50. Is
7 this Mr. Dyl, is this your issue?

8 MR. DYL: Mr. Farrow (ph), I believe.

9 CHAIRMAN DURHAM: Mr. Farrow? Oh, yes,
10 that's right. I remember that, thank you.

11 MR. FARROW: Thank you, Mr. Chair. You have
12 before you a motion to reinstate or restore the exclusive
13 chartering authority for the Adams County School District
14 Number 50. This action would be effective immediately
15 and it would be taken pursuant to settlement agreement in
16 case number 2015CV32135 that the State Board has already
17 entered into on August 12, 2015.

18

19 CHAIRMAN DURHAM: Right, I think I remember
20 this discussion from the last meeting. Is there a motion
21 to approve to -- for -- to 13.01 to approve the --

22 MS. GOFF: Settlement.

23 CHAIRMAN DURHAM: Settlement agree, or no,
24 actually to return the exclusive chartering authority.

25 (Overlapping).



1 CHAIRMAN DURHAM: Jane? Yes, Ms. Goff?

2 MS. GOFF: I'll make the motion.

3 CHAIRMAN DURHAM: Please.

4 MS. GOFF: Thank you. I move to reinstate
5 the exclusive chartering authority for Adams County
6 School District 50, effective immediately, pursuant to
7 the settlement agreement in case number 2015CV32135 that
8 the State Board of Education entered into on August 12,
9 2015.

10 MS. FLORES: I second the motion.

11 CHAIRMAN DURHAM: It's been moved and
12 seconded. Is there discussion? Hearing none, all those
13 -- is there an objection to the adoption of that motion?
14 Dr. Scheffel wishes to be recorded as voting no?

15 MS. SHEFFEL: No, I just have a question.

16 CHAIRMAN DURHAM: Please.

17 MS. SHEFFEL: What -- I thought we voted on
18 this last meeting. Can we just clarify the difference
19 between --

20 CHAIRMAN DURHAM: No, we didn't actually
21 vote. We just discussed.

22 MS. FLORES: Discussed, yeah.

23 MS. SHEFFEL: We discussed.

24 MS. FLORES: Yeah.

25 CHAIRMAN DURHAM: We just discussed. And --



1 MS. SHEFFEL: Now we're voting on whether or
2 not to grant exclusive chartering?

3 CHAIRMAN DURHAM: That's correct, yeah. I
4 think we voted last time to -- in favor of the settlement
5 agreement, and this is part of the obligation. So
6 hopefully a majority will vote for it so we meet out --
7 our obligations. Anyone wish to be recorded as voting
8 no? Seeing none, that will be recorded as passing by a
9 vote of 7-0.

10 Now we are on Item 13.02, request for state
11 statutes by Elbert County School District Number 2. And
12 it's -- this is pursuant to 22-2-117, C.R.S.
13 Commissioner Asp?

14 MR. ASP: Thank you. Mr. Chair, we have
15 with us today a number of representatives from the Kiowa
16 School District, in particular their co-superintendents,
17 as well -- the Department in Kiowa had been working
18 together throughout the summer on this waiver. I'd like
19 ask Gretchen Morgan to introduce the fees and set the
20 stage. Gretchen.

21 MS. MORGAN: Great, thank you. Mr. Chair,
22 this is -- I wanted to just offer a little bit reminder
23 to the Board and to everybody else about what this staff
24 when a waiver request come in, because you'll notice that
25 you have in your materials and others will notice on the



1 Board docs that there is some -- there are some notes
2 provided from staff in response to these waiver requests.
3 And we believe it's our obligation when a waiver request
4 come in to confirm with the attorney general's office if
5 it's a new request, that that is something that the Board
6 does in fact have authority to grant. And there is one
7 question about that in the memo that you have regarding
8 their waiver request here.

9 We also think that it's our obligation to
10 offer you some background information about other people
11 implementing this and questions you might want to ask.
12 That is provided to you all as optional background for
13 your use as you see fit. It's not a specific
14 recommendation or non-recommendation. It just is
15 information, and there are some of those in -- in the
16 memo in this case.

17 And then a third category is just giving you
18 all a sort of heads up other implications that might be
19 related. And these are things that we don't think
20 necessarily would weigh in your decision making, but are
21 things that we feel like we should alert you to so that
22 you understand implications of decisions you make related
23 to a specific waiver. And there's one of those here,
24 again flagged in that little memo to you just about an
25 implication for data collections later. So it's just



1 provided for your information.

2 So we wanted to make sure you had that
3 background, just to help you with your deliberations, but
4 would remind you that the granting of waivers is
5 something that you have authority to do over certain
6 ranges of statute and that you're asked each time to
7 consider each one of them as unique. And now you can
8 speak more to that if you want to, but we've talked about
9 this recently. But if you have questions about that, I
10 think you could ask Mr. Dyl for further clarification
11 about the sort of scope and range that you have in
12 authority for waivers.

13 CHAIRMAN DURHAM: Gretchen, how many
14 specific waiver requests -- I mean, how many -- can you
15 break them down into how if there were a motion to divide
16 this request into its component parts, how many -- how
17 many legitimate component parts or -- or separate waivers
18 are there and could you describe those for us?

19 MS. MORGAN: I think I'll actually refer to
20 the folks from the district here to identify those for
21 you. But I think there are three parts --

22 CHAIRMAN DURHAM: Three, okay.

23 MS. MORGAN: -- that they could speak to.

24 CHAIRMAN DURHAM: Three, all right.

25 MS. MORGAN: Two different components of the



1 READ Act and then some components of school readiness.

2 CHAIRMAN DURHAM: Do you want to identify
3 those three for us separately and then discuss them, Mr.
4 Westfall?

5 MR. WESTFALL: Yes, Mr. Chair, I can do
6 that. The first one is school readiness assessment.

7 CHAIRMAN DURHAM: And what are you
8 requesting there?

9 MR. WESTFALL: To not use Teaching
10 Strategies Gold in our kindergarten classroom.

11 CHAIRMAN DURHAM: Okay. So what's the
12 second one?

13 MR. WESTFALL: The second one is annual
14 assessment of students demonstrating grade-level
15 competency.

16 MS. BUKER: Component of the READ Act.

17 CHAIRMAN DURHAM: Right. Okay, and then the
18 third one?

19 MR. WESTFALL: The third one is statutory
20 scripts for conversations with parents.

21 CHAIRMAN DURHAM: Okay. You want to proceed
22 -- do you want to proceed with your presentation at this
23 point in time?

24 MR. WESTFALL: Yes, sir.

25 CHAIRMAN DURHAM: Okay, please do.



1 MR. WESTFALL: Okay, before I -- I have some
2 remarks, I'd like to introduce the people that we brought
3 with us today so you know who's here with us today and
4 that they're from our community, that they participated
5 in the discussions that we've had. First we have Mr.
6 Donnie Gabehart, our school board president. And he
7 would -- will give a brief statement in a couple moments.
8 Then we have our co-superintendent. I'm a co-
9 superintendent with Denise Pearson. She's here with us
10 today. Our pre-K-12 principal, Amy Smith, is here with
11 us today; Ms. Stephanie Buker from our district
12 accountability committee, and she has children in all
13 three of our buildings on our campus. And we have Mr.
14 Scott Wills (indiscernible) our school board treasurer
15 here today with us today; and Ms. Shelly Donland (ph),
16 she is our kindergarten teacher. I want to make sure you
17 know I gave her short nervous, so she's a little bit
18 nervous. If you could make -- take that into account.
19 And if you -- I'm sure you all know Michelle Murphy (ph)
20 has helped us a lot with this waiver. So I'd like to
21 start --

22 CHAIRMAN DURHAM: Kindergarteners are a lot
23 tougher than this group.

24 MR. WESTFALL: I'd like to start with Mr.
25 Gabehart, just a brief statement from him.



1 MR. GABEHART: Hi, my name is -- my name is
2 Donnie Gabehart, president school board, Kiowa C-2.
3 Thank you for considering our waiver request. This
4 process started with us approximately a year ago. We as
5 a community held two community meetings, which were very
6 well attended in our community. After exploring all of
7 our options that were available to us to seek waivers, we
8 have come to this point feeling that this is the best for
9 our district.

10 We had multiple meetings with our
11 accountability committee and also the Board itself. We
12 feel that by seeking these waivers, it will, number on,
13 help our limited staff perform their duties in a more
14 prudent fashion. And also we feel like we have the
15 support of the community behind us. Ms. Michelle Murphy
16 attended one of the meetings, which attended by about 30
17 percent of our parents, which I believe is -- is a very
18 good attendance for a public meeting. I'm a little
19 nervous up here. So --

20 CHAIRMAN DURHAM: Don't be.

21 MR. GABEHART: But thank you again for
22 considering our waivers. And I will turn it over to Ms.
23 Buker.

24 MS. BUKER: Good afternoon. I'm a bit
25 nervous too. Please bear with me. My name is Stephanie



1 Buker and I'm a mother of six, and five of which have
2 attended the Kiowa schools. I have one graduate, two
3 high schoolers, one middle schooler, and one elementary
4 student. And due to my family's military affiliation, we
5 have moved all over the country, all over the earth, and
6 from school systems from Guam to back to Georgia to San
7 Diego. But I have never witnessed a community such as
8 Kiowa that was so dedicated to the support of their
9 students.

10 As Mr. Westfall is going to speak to the
11 waivers being presented shortly, I would like to quickly
12 share with you what the community school board,
13 accountability board, teachers, and administration have
14 been doing this past year to prepare for today. They
15 were highly attended community meetings for concerns,
16 questions, and input, accountability board review of the
17 waivers, school board reviews with concerns, staff input,
18 and time talking with various community members, just to
19 touch on a few items.

20 The waivers being presented are tailored to
21 fit our school environment so all staff has more time to
22 interact with our students and their needs. Being a
23 collaborative team of -- of current past educators and
24 current educators, grandparents to parents, the community
25 as a whole all committed to the same end goal of student



1 success, coupled with our current five-year history of
2 earning accreditation as a district of distinction speaks
3 for itself.

4 Our community is committed to continue to
5 offer the best educational environment for our student
6 body. These waivers will allow our educators to focus
7 their limited resources on areas that will continue
8 enhancing Kiowa's solid and educational environment.

9 Thank you.

10 CHAIRMAN DURHAM: thank you.

11 MS. FLORES: Thank you.

12 MR. WESTFALL: Mr. Chair, Members of the
13 Board, we're here from Elbert County School District C-02
14 in Kiowa. I'm not sure if any of you know. I know Pam
15 knows where we are. Our students first tight-knit
16 community has been accredited with distinction for five
17 consecutive years. I know there's other districts that
18 have done that, but we take a lot of pride. We hang the
19 banners we get from CDE in our cafeteria. Our parents
20 know that. Our kids know that. And -- and there's a
21 great deal of pride there for us.

22 We done this through a rigorous standards-
23 based instruction and assessments for and of learning.
24 Learning objectives are clearly stated to all of our
25 students each day and each lesson so that they know



1 exactly what they have to demonstrate in order to show
2 mastery of what's being taught.

3 I want to be clear that while we're here
4 today asking for waivers, we're not here to ask to get
5 out of anything. We're trying to make these mandates
6 more doable for our school district and its unique size
7 and the nature of our community.

8 In the area of literacy, we have seven read
9 plans in our elementary school this year that accounts
10 for about five percent of our 125 students in our
11 elementary school. We plan to continue to use DIBELS as
12 a screening assessment in the manner prescribed until the
13 (indiscernible) funds run out or until the next new thing
14 to assess or screen students comes down the -- the pipe.

15 We will continue to screen all students
16 using the DIBELS assessment. We will continue to create
17 read plans for those students showing a significant
18 disability or deficiency and we will continue to screen
19 the students that aren't at grade-level competency that
20 don't qualify for that SRD status.

21 Our intervention plans, we house them in an
22 electronic data warehouse on an (indiscernible)
23 achievement systems. Our teachers are -- have access to
24 those as soon as a student rolls up into their classroom.
25 And we are not asking -- I will say this a couple times



1 in my remarks -- we're not asking with any parent
2 involvement in our activities or our schools or our
3 meetings. I think Ms. Buker would tell you that if we
4 tried, she'd knock the door down and come in anyway, so
5 that wouldn't be worthy of even attempting to do.

6 Some of what's happening in Kiowa right now:
7 We have reading workshop every day in our elementary.
8 It's 45 minutes. The groupings are done using DIBELS and
9 map scores. We reassess students in the winter and
10 adjust those grouping accordingly. Some students move up
11 in the level of instruction they're receiving during that
12 time. Some students move down, just depending on where
13 they fall within those scores.

14 We do teach and assess the areas of fluency
15 and comprehension, phonics, phonemic awareness, and
16 vocabulary. We have reading instruction and assessment
17 in our regular grade-level classrooms using our Journeys
18 as our curriculum, our base. Our goal is to those to
19 develop our instruction based on individual student needs
20 and their performance levels.

21 We have pull out Title One instruction using
22 Sidewalks as a curriculum, Spine for those students that
23 have qualified for that. We use an online computer-based
24 reading-plus program. Last year we serviced 40 students.
25 My principal tells me this year we should be in the



1 neighborhood of 25 to 30 students who will be using that
2 system. And we use that with mostly elementary, but we
3 also have some middle school and high school kids that we
4 use that system, just to help them with their reading
5 fluency and comprehension.

6 With the help of our BOCES, we'll be
7 implementing data teams this year and I think we're
8 changing the name of that to impact teams to avoid some
9 sort of copyright issue that our trainer has run into.
10 And that will be using the standards and using our
11 student performance throughout a semester, throughout a
12 year, to watch their growth and to monitor their
13 progress, regroup them, give feedback to the students, to
14 their parents, and as quickly as we can, to intervene
15 when we see gaps in their growth or in their learning.

16 We have a data-driven RTI process to
17 identify needs for our students, both in academic areas
18 and literacy and also in behavioral or social/emotional
19 areas. Like I said before, all of our assessment data in
20 every plan we create for our parents, even though we make
21 a plan and we submit it to the state, those -- we also
22 create a plan in our local data warehouse, because that
23 is attached to our students and it follows them through
24 the grade levels. So anything we put in their plan or
25 any data that we put in there, any tests they take with



1 us, map test, DIBELS, all stays with them until they
2 graduate from high school if they stay with us.

3 So every teacher when they get their new
4 students, they can automatically see those students in
5 the data warehouse. They can see their data portfolios.
6 They can see a breakdown of where their weaknesses are,
7 where their strengths lie.

8 The benefit for us in this request on this
9 waiver is approximately 25 hours three times a year to do
10 the testing for all the students. And that's done of our
11 Title One personnels. So during that time, she's not
12 pulling students out and giving them the interventions
13 and the support they need. Those -- that time is taken
14 away from them to do this testing. And that equates to
15 about ten full school days.

16 We feel like in our curriculum measures,
17 with our BOCES support, with the data teams, and just
18 curriculum materials that we use and things that we
19 create that we have enough check points and enough data
20 on our students, probably more data than we need and more
21 data than we can comb through to catch kids that may
22 regress or may not be growing the way we want them to.

23 For statutory scripts with conversations
24 around parents around data, what's happening in Kiowa is
25 that all of all data that's in that warehouse, all of our



1 parents know about that data there. It's discussed with
2 them with their teachers at least twice a year at
3 conferences and then any other time we get a piece of
4 data that doesn't look quite right or that we want to
5 celebrate. Maybe a student made a big growth in their
6 data. We have meetings with parents to do that as well.

7 We meet with parents of our Title One
8 students as prescribed by the law and our own board
9 policies to make sure they know what their student
10 performance data looks like and that they know what their
11 rights are, what their students' rights are, what
12 interventions and services we're going to providing for
13 them, and how they can get it -- get in touch with us if
14 there's something they don't understand or something they
15 need that we maybe aren't hitting the way they would like
16 us to.

17 We need to share performance information. I
18 think Ms. Donland has already had a meeting with one of
19 her kindergarteners. As the Chairman said,
20 kindergarteners can be a little rambunctious, but we've
21 already had meetings around social/emotional development
22 of -- of a little kiddo in that classroom to discuss with
23 a parent and see if there's ideas that the parent might
24 have that we're just not seeing yet early in the school
25 year.



1 And finally, we celebrate with our students
2 their successes through our PBIS program. We try and
3 honor give rewards for our little elementary tribe
4 warriors. And I'll talk a little bit about the tribe
5 program in just a little bit. Again, in this area as
6 well, we're not trying to waiver any parent involvement
7 requirements from the state or from CDE. For us, this is
8 just an issue of our district tailoring conversations
9 with our parents to fit their needs, our needs, our
10 student needs. And to be quite honest, we far exceed the
11 state standard in this area anyway. But our parents
12 don't want reports. They don't want pieces of paper or
13 plans or things they have to take home to read. Our
14 parents are highly engaged and they expect clear, precise
15 feedback on how their students are doing. And they don't
16 want to read it. They want to be told. They often just
17 put our paperwork aside or they make notes on the
18 paperwork about their questions and concerns that they
19 have about any and all things that has to do with their
20 children. We just don't feel like this script is even
21 needed in our schools, that we do more than what's
22 required. It's just an unnecessary burden to even think
23 about. I asked a teacher the other day, "If you didn't
24 sit down with the parent to talk about performance data
25 with their children, what exactly would you talk about?"



1 And she had no idea. So I think that speaks to why we
2 need -- we do not need that, that script.

3 Around school readiness, what's happening in
4 Kiowa is that in our kindergarten, our kindergarten is a
5 standards-based rigorous classroom based on the Colorado
6 academic standards. Ms. Donland designs her instructions
7 to meet those standards and to scaffold students to reach
8 that as the bar for all kids. We don't consider
9 kindergartener, maybe first grade, as school ready. We
10 consider four-year-olds and preschool to be need -- in
11 need to being assessed to start school for us. So we
12 start that process earlier.

13 In the readiness indicators, the physical
14 well-being and motor skills for our students, they have a
15 half hour of physical education every day that they're at
16 school. It's shortened up a little bit, I think, during
17 our (indiscernible) days once a month. But they have
18 that four days a week for a half hour. They have music
19 for a half hour four days a week, where they learn fine
20 motor skills and playing music, writing music. They have
21 art. I think I've misrepresented in here. It's actually
22 more frequently. It's once every four weeks, not five
23 weeks that they have art, where they're learning to paint
24 and draw and do all those kind of skills.

25 In the social/emotional area, our students



1 are taught, not only because the standards tell us that
2 they need this development, starting in kindergarten all
3 the way through, we teach every year, even our seniors,
4 how to behave at Kiowa schools. Our PBIS acronym is
5 TRIBE, because we're the Kiowa Indians. And TRIBE stands
6 for truth, respect, individuality, bravery, and
7 excellence. And we teach our kids those character
8 traits. We celebrate their successes. And we retrain
9 them when they have setbacks. We don't -- punishment is
10 a secondary concern for our students when they have
11 behavior issues.

12 In language comprehension and development,
13 all of the lessons in our kindergarten classroom, the
14 deal with literacy are based on the standards for
15 English-language arts. All the assessments are designed
16 to get -- steer our students to master those content
17 standards and be prepared for first grade, all the way up
18 through 12th grade. In cognition and general knowledge,
19 there's no difference in the instruction in those areas
20 as well. The standards are the base of our instruction
21 and our assessments and we expect all our students to do
22 their very best to master that content. And I would say
23 the teacher sitting next to me is an excellent, excellent
24 kindergarten teacher. Our students come out of that room
25 ready for kindergarten day one -- or first grade day one.



1 Any concerns in any of these areas are
2 relayed by our music teacher to the classroom teacher,
3 our art teacher to the classroom teacher, our PE teacher
4 to that classroom teacher, or our counselor or RTI team
5 to investigate what we can do to change the -- the
6 instruction or change the outcomes for those kids.

7 The time saved by not using TS Gold in our
8 kindergarten -- and this is based on our use of it in our
9 preschool -- is approximately 400 hours of data
10 collection and input, which equates to our preschool
11 director, about a third of her school year. There's also
12 be a cost, because we're not going to lose time to
13 instruction, to collecting data from our instructional
14 time. So we would anticipating hiring someone, an aid or
15 someone like that, to collect all this data and input it.
16 That could be as high as \$20,000 to pay that
17 paraprofessional to do that aspect of teacher strategies
18 gold.

19 But our biggest fear is that using that will
20 take us away from instructional time meant to master the
21 kindergarten-level standards to collect for an assessment
22 that locally we haven't had a lot of buy in or value from
23 our parents around that assessment. So we would prefer
24 to stick to what we do best, which is preparing kids to
25 master our standards and leave our schools prepared for



1 whatever they decide to do beyond high school.

2 In the area of staffing, I didn't -- this
3 isn't a waiver, but like all the schools in the district,
4 budgets are tight. We've cut approximately 25 percent of
5 our instructional staff in the last three years. So
6 everybody's doing a little bit more with a little less
7 time, a few jobs than they used to -- to do.

8 We probably -- this is the likelihood -- we
9 almost had to cut our pre-K-12 principal. And this is
10 the part of our waiver request that our principal doesn't
11 like, because her job is listed three or four times as
12 being cut after this year. She wished I would take that
13 out of there. But I think it's a reality that needs to
14 expressed to you, that this is only going to get harder
15 for small districts like ours, with all of the mountains
16 of data to collect, report, all that. We're running out
17 of time to actually use the data, there's so much of it
18 to collect and report. So I just wanted to make sure
19 that I -- that I said that in my presentation.

20 And once again, I want to say we are not
21 trying to get out of doing anything or meeting what you
22 expect from us. We're going to do that no matter what.
23 We're just asking for it to be a little bit more doable.

24 And to close, I'll say, Members of the
25 Board, do you have the authority to grant us this



1 flexibility? We really believe that to allow us to make
2 local decisions based on the needs and desires of our
3 students, our staff, our parents, and our community to
4 control the use of our time and our resources our local
5 board directs us to do, and to honor the rural nature of
6 our school, rather than forcing an urban blueprint upon
7 us.

8 And we -- it was brought up earlier we do
9 believe that local control exists in Colorado. But one
10 of the things I guess we're here to ask you is if you do,
11 if you believe we should have the right to locally
12 control the education of our children. And again, thank
13 you for having us and we will do our very best to answer
14 any questions you have or address any concerns. And we
15 don't have a huge bucket of things. That seemed to be a
16 -- we just have a small satchel of things.

17 MS. FLORES: Satchel, what a word.

18 CHAIRMAN DURHAM: Questions, Mr. Westfall?
19 Yes?

20 MS. SCHROEDER: So you're free to correct me
21 if I misread the information.

22 MR. WESTFALL: Yes, ma'am.

23 MS. SCHROEDER: In terms of the kindergarten
24 assessment, the TS Gold, what I thought I read was that
25 your kids are tested in kindergarten, the ones who are



1 your preschools.

2 MR. WESTFALL: In our preschool, yes.

3 MS. SCHROEDER: Right. And what -- and if
4 you have kids in kindergarten who were not a part of that
5 assessment, then you also assess those kids, but you
6 don't reassess kids that you've already assessed one
7 time?

8 MR. WESTFALL: No, we don't.

9 MS. SCHROEDER: And did I get that correct -
10 -

11 MR. WESTFALL: Yes.

12 MS. SCHROEDER: -- so that all kids at some
13 point do have that particular --

14 MR. WESTFALL: Yes.

15 MS. SCHROEDER: And what you're asking is to
16 not do it twice? Once --

17 MR. WESTFALL: Right.

18 MS. SCHROEDER: -- in preschool and once in
19 kindergarten?

20 MR. WESTFALL: Right, we're asking that once
21 they've completed their preschool TS Gold readiness plans
22 when they're leaving preschool to go to kindergarten,
23 that that be the last time we do that --

24 MS. SCHROEDER: Okay.

25 MR. WESTFALL: -- formal assessment piece,



1 unless they're not one of our students, they're new to
2 us.

3 MS. SCHROEDER: Okay. So I definitely have
4 concerns about the READ Act issues. But then the -- my
5 other thing that I absolutely do not understand is the
6 waiver request statutory scripts for conversations. I'm
7 -- I -- I've not seen the script, per se. There are a
8 number of pieces of information that I understand under
9 the statutes that you're asked to be sure to share with
10 parents.

11 MR. WESTFALL: It is attached to the label?

12 (Overlapping)

13 MR. WESTFALL: So I don't have that.

14 MS. SCHROEDER: So --

15 MR. WESTFALL: Let me (indiscernible).

16 MS. SCHROEDER: -- I can't figure out are
17 you saying you want to provide teachers with less?
18 Information?

19 MR. WESTFALL: No. Provide teachers or
20 parents?

21 MS. SCHROEDER: I'm sorry, parents.

22 MR. WESTFALL: No.

23 MS. SCHROEDER: Forgive me.

24 MR. WESTFALL: In fact, we're saying that
25 we're going above and beyond it. To be brutally honest,



1 I think it's offensive to try and force a script onto our
2 teachers to talking with parents.

3 MS. SCHROEDER: Nobody's seen a script. So
4 I'm --

5 (Overlapping)

6 MS. SCHROEDER: Please.

7 MS. MURPHY: I think they're pointing to the
8 (indiscernible) statute.

9 MS. SCHROEDER: And that's not a script, per
10 se. It just -- I -- to me, it just means that all those
11 particular items, the legislature wanted to -- wanted
12 assurances that you would have a conversation with
13 parents or written with parents, if I'm -- I mean, I
14 don't think there's -- does it say it has to be written,
15 in the statute?

16 UNIDENTIFIED VOICE: No.

17 MS. SCHROEDER: No. So I can't quite figure
18 out what you're asking -- why you're asking for a waiver
19 when in fact it's your intent to share that information
20 with your parents.

21 UNIDENTIFIED VOICE: Here is the script.

22 MR. WESTFALL: In the script -- do you want
23 -- are you asking me to tell you what's in the script or
24 --

25 MS. SCHROEDER: No, because I think I have



1 it, what you're calling a script.

2 MR. WESTFALL: Yes.

3 MS. SCHROEDER: But I think that's one, two,
4 three, four, five paragraphs that talk about the
5 information to be shared with parents, not in what order
6 or what words to use. A script tells me that there are
7 words that you have to use. The -- seems to me the
8 intent of the legislature is to ensure that the content
9 of these paragraphs is the information that's going to be
10 shared, whereas you all, I think, talk about sharing the
11 nature of the child's instructional needs, the
12 interventions, the important role that parents play, and
13 the critical importance of obtaining grade-level
14 competency. But you don't say that you're going to share
15 the scoring and the level, et cetera, some of the things
16 that are in this other one. And I'm confused why -- what
17 your intentions are here.

18 MR. WESTFALL: Maybe we're just asking to be
19 on the record that it -- it is demeaning to be told that
20 you need to cover those items. What else would we talk
21 to our parents about if we didn't talk to them about
22 that?

23 MS. SCHROEDER: Well, it's hard for me to
24 suggest that the legislature meant to demean you. I
25 think they are -- just want some assurances. I don't



1 think it was intentional. I'm just going to take a stab
2 and say suggest that's not intentional to make you feel
3 demeaned. So I -- Michelle, help me out here. I don't -
4 - I don't get this.

5 MS. MURPHY: As it was explained to me, and
6 I appreciate the thoughtfulness around this, the concerns
7 are around the State's goal for your kids are and the
8 State thinks we need to hold kids back at third grade.
9 They're talking to their parents --

10 MS. SCHROEDER: Right.

11 MS. MURPHY: -- about all of this. And a
12 lot of our districts have concerns with there is some
13 written component, but it's not as detailed as that
14 script, was my word, as I was trying to get across what
15 they were looking for a waiver from. It is rather
16 prescriptive as to the tone of the conversation with
17 their parents. They, talking to them and sort of sitting
18 in with some of their discussions with the parents,
19 they're hitting all of that. They're absolutely going
20 through the interventions. They're absolutely going
21 through their test scores, the nature of the
22 deficiencies, all of that.

23 It's just a -- and -- and that's where they
24 started. Initially, they started, "We don't like the
25 read plans." And then when they showed me what they're



1 doing, I said, "You're doing the read plan.

2 MS. SCHROEDER: Plans, right.

3 MS. MURPHY: That's it, right? So it's --
4 it's that piece that we can talk to our parents in our
5 own tone and in our own language.

6 MR. WESTFALL: And that may spill a little
7 bit over into what the read plan looks like, that we
8 would like the read plans -- and we're going to have to
9 submit them to you, obviously, or to the State. But the
10 read plans that we use are more extensive. We can attach
11 work samples, we can attach our own classroom
12 assessments. We can attach a lot of things that aren't
13 even looked at in -- in the read plan that we submit for
14 those seven students that -- that have one.

15 MS. SCHROEDER: So I'm just a little
16 uncomfortable, maybe because of my own experiences, where
17 the kind of work that you're doing with your kids and
18 with your parents has not been universal.

19 MR. WESTFALL: Okay.

20 MS. SCHROEDER: And I am sure that there are
21 plenty of parents who can tell you that they're teacher -
22 - kids teacher every year said, "Your kid's doing fine.
23 He or she will get it next year." And then when they're
24 in seventh and eighth grade, they didn't. And so I --
25 I'm going to give the legislatures -- legislators some



1 credit, not mean to demean anyone, but meaning to ensure
2 that these conversations are substantive so the parents
3 truly understand.

4 MR. WESTFALL: And we understand. We
5 recently -- Ms. Donland has a student (indiscernible) one
6 of our students that was told exactly what you're saying,
7 before she came to us.

8 MS. SCHROEDER: Right.

9 MR. WESTFALL: And we had that conversation
10 within a week with that mom --

11 MS. SCHROEDER: So for that reason --

12 MR. WESTFALL: -- that -- that they told you
13 is not happening.

14 MS. SCHROEDER: Yeah, I don't -- this --
15 that particular waiver makes no sense to me at all,
16 because I think you're doing it. I don't think you need
17 the waiver.

18 MS. MURPHY: So they're not looking for a
19 waiver -- I'm sorry, we're -- they're not looking for a
20 waiver from the requirement that they talk to their
21 parents of the kids who are identified as SRD.

22 MS. SCHROEDER: Right, but they're including
23 all the --

24 MS. MURPHY: They're just looking for the --

25 MS. SCHROEDER: -- the -- they listed only



1 four items that they will -- that they commit to sharing.
2 And one of them does not include the results of the
3 assessments.

4 MS. MURPHY: I don't think that list was
5 intended to be exhaustive.

6 MR. WESTFALL: No.

7 MS. MURPHY: I think that wasn't --

8 MS. SCHROEDER: Well, but you got to
9 understand what we --

10 MR. WESTFALL: No, it's in addition to all
11 that --

12 (Overlapping)

13 MS. SCHROEDER: Do you understand what we
14 are? Because when you request a waiver, I believe you're
15 supposed to have -- indicate what the replacement is.

16 MS. MURPHY: And it --

17 MS. SCHROEDER: And it needs -- it needs to
18 be comprehensive.

19 MS. MURPHY: So and the piece that's missing
20 is the performance concerns?

21 MS. SCHROEDER: Yeah. Where are -- where is
22 it? Where is this child?

23 CHAIRMAN DURHAM: (Indiscernible).

24 MS. SCHROEDER: Help me.

25 CHAIRMAN DURHAM: I'm sorry, well, let me --



1 let's start by seeing if we can focus the discussion a
2 little bit. (Indiscernible) rules allow or actually
3 requires that any Member can request a motion to be
4 severed in its component parts. So I'll make that
5 request. And I think we'll start, take -- see if there's
6 a motion on the first issue, which is to approve the
7 waiver relative to school readiness assessment. And from
8 the -- from the TS Gold for every -- every student in
9 kindergarten. That's the substance of that waiver. And
10 does staff understand what that component is? Do I have
11 that motion?

12 MS. SCHROEDER: So moved.

13 CHAIRMAN DURHAM: So moved. Is there a
14 second? Seconded by Dr. Scheffel. All right, is there a
15 discussion of the -- of a granting the waiver -- that
16 waiver from the school readiness assessment of TS Gold
17 for kindergarten students have already taken -- we've
18 already had the assessment in preschool. Is there an
19 objection to the granting that (indiscernible)? Seeing
20 none, that motion is adopted by a vote of 7-0. That
21 waiver is granted. Number two is the --

22 (Overlapping)

23 CHAIRMAN DURHAM: -- the READ Act, the --
24 the waiver from the READ Act that would allow you to use
25 a different assessment other than the one that's approved



1 by the Department. And is there a motion on that topic
2 to -- to deny or approve that waiver? Yes?

3 MS. SCHROEDER: I'll move to deny it.

4 CHAIRMAN DURHAM: Is there a second?
5 There's a motion and a second to deny the waiver from the
6 READ Act to use an alternative assessment in second,
7 third -- in second and third grade. Is there a
8 discussion of that request? Yes, Ms. Mazanec?

9 MS. MAZANEC: I think unfortunately this is
10 really an example of the kind of flexibility that
11 legislators often don't consider, that we have a district
12 that does know what they're doing, does know how to
13 communicate with their parents, is performing very well,
14 and yet we have a legislation that puts a one-size-fits-
15 all kind of mandates on them.

16 I would really like to provide that
17 flexibility. I would like to ask our legislators across
18 the street to consider a change to make some flexibility
19 available to districts who are performing and really
20 don't need to be told how to do this, as opposed to
21 districts who may not be doing that. So that's just --

22 MS. SCHROEDER: I think you're on the wrong
23 one.

24 MS. MAZANEC: This is the one about
25 (indiscernible).



1 CHAIRMAN DURHAM: No, it's fine.

2 MS. MAZANEC: Well, it's still the same
3 thing.

4 (Overlapping)

5 CHAIRMAN DURHAM: It makes sense. Yes.
6 Yes, Debora?

7 MS. SHEFFEL: I just had a question on the -
8 - I think it was from the communication from
9 (indiscernible) one word says, "The only flexibility
10 Kiowa is seeking is to eliminate the DIBELS Next
11 assessment for students demonstrating grade-level
12 competency. (Indiscernible) these students cannot, by
13 definition, be identified as SRD and DIBELS Next does not
14 provide data that drives instruction." The problem I
15 have with that statement is that -- that the assessments
16 we've chosen and approved by the Board as internal
17 assessments, which are actually a misnomer -- that's the
18 data that gets sent to the State -- do not demonstrate,
19 do not give grade-level competency data that you really
20 are meant to give predictive data.

21 And so I think that -- I think there's a
22 mismatch in understanding the DIBELS and the whole
23 concept of identifying as generating a grade-level
24 competency. So I think that, really, the fix for this is
25 for the Board to consider which assessments does this



1 Board approve for interim assessments? I think other
2 assessments were considered, but you don't really get --
3 I mean, it's kind of a detailed discussion. It's just
4 that the assessments that we approved are really meant to
5 be psychometrically rigorous and predictive. They don't
6 really give a grade-level competency, per se. And so by
7 eliminating the assessment, you don't get the predictive
8 data that the State wants in passing the READ Act, as I
9 understand it.

10 MR. WESTFALL: And we're not asking to not
11 screen all of our kindergarteners at the beginning of the
12 year or continue to screen them throughout the year if
13 they aren't showing grade-level competency. We're only
14 looking at those kids that because they're showing grade-
15 level competencies, the DIBELS data doesn't tell us
16 anything we don't know before we give the screening to
17 them. We already know that from our classroom
18 instruction, our classroom assessments, our map testing,
19 and other things that we are doing. All we're asking is
20 to not retest a kid that's proven time and again that
21 they are competent in this area.

22 MS. SHEFFEL: I think those that understand
23 the DIBELS Next would say, the DIBELS Next doesn't give a
24 grade-level competency, so you can't say, well, we're not
25 going to give it anymore, because we've already given it,



1 and then show this subset of students are demonstrating
2 grade-level competency on their DIBELS Next. In fact,
3 the DIBELS Next doesn't give that information. It gives
4 you a prediction equation, which is why those that
5 understand the test would say that's why you have to give
6 it more than once, even though students do well on it on
7 the first iteration of the administration. It doesn't --
8 it doesn't give you, yes, these kids are at grade level,
9 let's leave them alone, because they've already shown
10 they're on grade level. In fact, DIBELS Next doesn't
11 tell you that, and because of the psychometric properties
12 of the test.

13 MR. WESTFALL: Can --

14 MS. SHEFFEL: So I think it would -- you
15 know, I think --

16 MR. WESTFALL: Can I ask a question then?
17 If -- if a student is grade-level proficient, based on
18 the standards, based on our other measures, can you
19 explain the value to the teacher or to the parent or the
20 student in rescreening them using DIBELSs?

21 MS. SHEFFEL: Because the nature of this
22 test -- and I apologize for the detail (indiscernible) --
23 but understanding the assessment, because it gives a
24 prediction estimate and that's why, I mean, kids, as you
25 know, young kids, are (indiscernible) and -- and going



1 down a bit --

2 MS. SCHROEDER: That's right.

3 MS. SHEFFEL: -- and then moving up in there
4 too. I mean, it's not a smooth line. So you can't
5 really say that because they got a certain score in
6 September, by February you (indiscernible) have the same
7 type of score, because development doesn't work that way,
8 particularly with young kids. So the reason you would
9 give it multiple times is because the trajectory of
10 learning is not -- not even. It's -- it's not just a
11 single smooth line. The reason you would give it several
12 times is to assure that based on several data points, I
13 think DIBELS looks at three points, to show consistency
14 over time. You would -- you would have a very high
15 likelihood of confidence if you tested several times if
16 that child was on a trajectory for success. If you only
17 do it once, your level of confidence is fairly low,
18 because of the nature of the tests.

19 MR. WESTFALL: Okay.

20 MS. SHEFFEL: So I think -- I think --

21 MR. WESTFALL: I think I understand.

22 MS. SHEFFEL: -- everybody understands the
23 need for a flexibility and -- and I think at our -- in
24 our -- in our understanding of not wanting to be
25 overburdened. Some of the districts, we want to give



1 flexibility.

2 MR. WESTFALL: Right.

3 MS. SHEFFEL: But I think the nature of this
4 test doesn't lend itself to a single administration.
5 Then I think it obviates the purpose of the assessment
6 altogether.

7 MR. WESTFALL: Right.

8 MS. SHEFFEL: So that suggests that we
9 should decide our (indiscernible) different discussion.
10 Would we want to approve different tests, additional
11 tests, whatever, but I think eliminating multiple
12 administrations of DIBELS Next for young kids actually
13 works in your disfavor, not -- well, only because the
14 nature of the test.

15 MR. WESTFALL: And then the thing that we
16 would be looking at it is more of a body of evidence. It
17 would include DIBELS, for sure, but it wouldn't be the
18 end-all, be-all of how we would assess that student. But
19 there would be much more to it than just that one
20 predictor of --

21 MS. SHEFFEL: Which makes sense. And I just
22 wonder --

23 MR. WESTFALL: -- of scale.

24 MS. SHEFFEL: -- if you could address the --
25 I think you suggested that it was how many hours did you



1 think that it would take to -- to test these students
2 again?

3 MR. WESTFALL: It's 25 --

4 (Overlapping)

5 MR. WESTFALL: It's about 25 hours each time
6 she does it, because we -- like I said, we're screening
7 all of our all students in our elementary, not just K-3.
8 We -- we're testing everybody (indiscernible).

9 MS. SCHROEDER: And how many kids do you
10 have?

11 MR. WESTFALL: 125.

12 MS. SCHROEDER: Even it --

13 MS. SHEFFEL: Is that really taking that
14 long?

15 MS. SCHROEDER: It wouldn't take that long.

16 MR. WESTFALL: That's an estimate that I was
17 given. I don't give the assessment, so I don't know.

18 MS. SCHROEDER: It just takes less than five
19 minutes.

20 UNIDENTIFIED VOICE: (Indiscernible) staff
21 person (indiscernible).

22 MS. SHEFFEL: I didn't know if a staff
23 person could address that. I mean, my understanding of
24 DIBELS, just because I've given it, I'm not sure by that
25 metric.



1 (Overlapping)

2 MR. WESTFALL: Take with you?

3 MS. SCHROEDER: Yeah, 24 hours seems --

4 MS. DORMAN: I can just speak for the
5 kindergarten one. And then I did teach fourth grade too,
6 so the kindergarten one, for beginning of the year, is
7 fairly quick. It takes about five or six minutes. In
8 fourth grade, it's when they read the passage, they have
9 a minute to read as many words as they can, but you're
10 supposed to continue letting them read the whole passage.
11 So those students who are not reading quickly or who are
12 below grade level, it takes a -- a while to get through
13 the passage. And then you have to ask them the
14 comprehension questions or the retell, and that can take
15 a while too for each.

16 CHAIRMAN DURHAM: Because I think the READ
17 Act's only grade one to three, so we're not -- anything
18 we did wouldn't affect grade four. Yes?

19 MS. DORMAN: So the question --

20 CHAIRMAN DURHAM: Identify yourself please.

21 MS. DORMAN: Yes, my name is Alisa Dorman
22 and I work as the executive director of the Office of
23 Literacy and I oversee the implementation of the Colorado
24 READ Act. And specifically you would like for me to speak
25 to the nature of the interim assessments and the time in



1 which it takes to administer?

2 MS. SHEFFEL: Right.

3 MS. DORMAN: Okay. And at the time that the
4 Board was presented interim assessments, they were
5 looking at assessments that would be able to predict
6 which kids would be on track, which kids were low risk,
7 which kids were at some risk, which kids were at great
8 risk, great risk being those identified as having a
9 significant reading deficiency.

10 There are seven State Board-approved interim
11 assessments. DIBELS Next is one. DIBELS Next is
12 designed to be a screener at the beginning of the year to
13 identify kids most at risk and predict, again, which ones
14 would be on track, which ones would need interventions,
15 which ones should have supports. It takes, as has been
16 stated, around less than ten minutes at any grade K-3.
17 So it takes approximately ten minutes or less to give an
18 individually administered assessment one on one to the
19 students. And I think, I'm not sure what you said, but I
20 think it was about maybe 50 or so kids K-3 that you have
21 in Kiowa when I looked. I think 50 to 55, K-3.

22 (Overlapping)

23 CHAIRMAN DURHAM: Any further discussion?

24 Yes?

25 MS. MAZANEC: Thank you for that, and -- and



1 thank you, Mr. Chair. My most difficult problem with
2 this -- and I applaud you for what a great job it appears
3 you are doing in -- in your schools -- is on Page 8,
4 where it says, "The waiver will free our educators from
5 the script required by law." As someone that has been
6 through a strict interview process recently, it is our
7 job to interpret, you know, the law, and to make sure the
8 law is followed. And we -- we can set rules and we can
9 apply waivers, but when it's law, I don't know that we
10 have a choice here. And Mr. Dyl can enlighten me.

11 MR. DYL: Well, they -- they -- they did
12 pass the READ Act, the General Assembly passed the READ
13 Act as -- as a law, but the General Assembly also gave
14 this Board discretion to waive certain portions of that
15 law when it meets the parameters of -- of the waiver
16 statute and -- and when replacement plan that is being
17 proposed in the discretion of the State Board meets the
18 intent of the -- of the act being waived. So that's a --
19 that's a rather big proviso, actually, a -- a rather
20 surprising one that the -- that the General Assembly has
21 made to -- to the -- to the education laws in this state.

22 You know, I -- I do believe that of the --
23 of the three sets of statutes that -- that Kiowa has been
24 asking to be waived, that -- that the one that is the
25 subject of the current motion would be the most



1 problematic, that in fact because of the connection that
2 has to school performance reports, that -- that this one,
3 I -- I -- I do not believe is -- is waivable at this
4 point.

5 MS. MAZANEC: Thank you, Mr. Dyl.

6 CHAIRMAN DURHAM: And the motion before that
7 Board is in denial of the waiver relative to the READ Act
8 annual assessment. I think it affects only the annual
9 assessment to be done at the beginning of kindergarten,
10 first, second, and third grades. Is there a further
11 discussion? Seeing none, is there objection to the
12 adoption of that motion to deny this particular waiver?
13 Seeing none, Bizy, would you record a 7-0 vote in favor
14 of the motion to deny that portion of the request?

15 MS. SCHROEDER: She has a question.

16 CHAIRMAN DURHAM: Yes?

17 UNIDENTIFIED VOICE: (Indiscernible).

18 MS. SCHROEDER: I did.

19 CHAIRMAN DURHAM: Yeah, I think Dr. Flores
20 did, I'm sorry.

21 MS. SCHROEDER: Yes.

22 CHAIRMAN DURHAM: Okay, well, now we'll move
23 on to Item 3, which is characterized as the waiver from
24 the scripts that are -- that are in statute. So do I
25 have a motion relative to sever Item 3?



1 MS. RANKIN: Question?

2 CHAIRMAN DURHAM: Yes?

3 MS. RANKIN: Clarification. Sever is to
4 take this one separate from this, the idea of the script
5 --

6 (Overlapping)

7 CHAIRMAN DURHAM: Yeah, we've taken the --

8 MS. RANKIN: We're taking it out of the
9 (indiscernible).

10 CHAIRMAN DURHAM: Yeah, we've taken -- we've
11 taken each on separately. We approved one, denied one,
12 and so this is number three. So is there a motion to
13 either approve or deny --

14 MS. SCHROEDER: Can I -- can I ask a
15 question?

16 CHAIRMAN DURHAM: Yes.

17 MS. SCHROEDER: Another question first?
18 Sorry. Is there any appetite on the part of the district
19 to expand your listing beyond the four items?

20 MR. WESTFALL: Yes.

21 MS. SCHROEDER: We have no interest in
22 having you feel that you have a script, although I -- I
23 think I've heard you say with confidence that you will
24 give comprehensive information to parents. I think
25 that's what we want. The manner in which you do that, as



1 long as you're assured that the parents hear it, have a
2 chance to ask questions, so is there a way that we can
3 get through this one a little bit differently and have
4 you maybe propose something that says more than just
5 those four items?

6 MR. WESTFALL: And do we need to do that
7 now? Is that --

8 (Overlapping)

9 MS. SCHROEDER: Well, if you like our
10 approval.

11 CHAIRMAN DURHAM: Third -- third option
12 might be --

13 MS. SCHROEDER: Oh.

14 CHAIRMAN DURHAM: -- to lay this
15 consideration of this over until the next meeting if --
16 and that would be an acceptable motion as well.

17 MS. SCHROEDER: All right. May I -- may I
18 so move?

19 CHAIRMAN DURHAM: Please.

20 MS. SCHROEDER: Just to give you guys a
21 chance to look at this, think about it, and then just
22 share with us what it is that you do do?

23 MR. WESTFALL: Okay.

24 MS. SCHROEDER: Which I think is great, but

25 --



1 CHAIRMAN DURHAM: Is there a second to that
2 motion?

3 MS. MAZANEC: I second.

4 CHAIRMAN DURHAM: Thank you, Ms. Mazanec.

5 MS. SCHROEDER: You may not even -- you may
6 not even want to waiver after you look at this.

7 CHAIRMAN DURHAM: Yeah, I think -- I think
8 this one's a little difficult, because part of I think
9 what's implied here is that parents have a right to this
10 information. It's not that you're willing to share it or
11 do share it, and by -- I think the way the waiver is
12 phrased, you actually are asking us to waive the parent's
13 right to that information. I think that needs to be
14 reaffirmed in anything that you bring us, that the
15 parents have a right should they request any of the
16 information on -- under this. Because the statute's
17 pretty clear. It uses the word, "The education provider
18 shall give the parent written explanation." I don't
19 think you want to -- we don't want to waive that if a
20 parent wants it, that to the extent possible teacher
21 shall communicate with the parent orderly in writing.

22 So I don't think you want to waive -- at
23 least I -- I -- I'd be unlikely to vote for a waiver that
24 didn't affirm the parent's right to have that if they
25 wanted it. So the motion before us is to lay this over



1 until the October meeting. It's been seconded. Is there
2 an objection to that motion? Hearing none, that motion
3 is adopted by a 7-0 vote. Thank you.

4 MR. ASP: Chair?

5 CHAIRMAN DURHAM: Yes, Dr. Asp?

6 MR. ASP: We'd be happy to work with staff
7 work with Kiowa to make that agreeable to the Board --

8 CHAIRMAN DURHAM: Yes.

9 MR. ASP: -- and help them bring it back.

10 CHAIRMAN DURHAM: Yeah, I think -- the
11 attempt's not bad. It's just you need a little work on
12 the --

13 (Overlapping)

14 MR. WESTFALL: And I apologize if we were
15 blaming you or attacking you for something the
16 legislators did, but --

17 CHAIRMAN DURHAM: Yeah, if -- if -- if
18 you're asking about (indiscernible), this is the wrong
19 group to ask.

20 (Overlapping)

21 MR. WESTFALL: That may be our next stop as
22 soon as possible.

23 MS. SCHROEDER: Yeah.

24 CHAIRMAN DURHAM: If you need help with
25 that, let us know.



1 MR. WESTFALL: Okay.

2 MS. SCHROEDER: So Mr. Westfall, if may
3 share with you during a very long and miserable ball game
4 on Saturday -- Sunday, I sat next to one of your
5 constituents, along with his son.

6 MR. WESTFALL: Who is that, if I may ask?

7 MS. SCHROEDER: I'm not going to share, just
8 because he -- he didn't give me permission, but he had
9 great praise for your school district. I wanted you to
10 know that.

11 (Overlapping)

12 MS. SCHROEDER: Told us where you were and
13 some of the stuff that you're doing and how confident he
14 is that his -- his young man will be going to the school
15 mines.

16 MR. WESTFALL: Excellent.

17 MS. SCHROEDER: So I wanted you to know
18 that.

19 MR. WESTFALL: And that's why we're here.
20 We're doing our job.

21 (Overlapping)

22 MR. WESTFALL: Please, please let us do
23 that. Thank you all very much. We appreciate it.

24 MS. SCHROEDER: Thank you.

25 CHAIRMAN DURHAM: Okay, let's see, now we're



1 in Number 14, I hope. No.

2 MS. FLORES: No, (indiscernible).

3 CHAIRMAN DURHAM: 13.03 (indiscernible).

4 MS. FLORES: 13.03.

5 CHAIRMAN DURHAM: And I lost my
6 (indiscernible).

7 MS. FLORES: Let's see, where's mine? Did I
8 just lose it? Oh, no, here it is.

9 CHAIRMAN DURHAM: Oh, yeah, I'm okay. Thank
10 you. Yeah, let's take five.

11 (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 5th day of February, 2019.

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

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