



COLORADO
Department of Education

Colorado State Board of Education

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
COLORADO DEPARTMENT OF EDUCATION COMMISSION
DENVER, COLORADO
October 7, 2015, Part 2

BE IT REMEMBERED THAT on October 7, 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 CHAIRMAN DURHAM: Back to order here
2 (indiscernible) the Members return. Yes,
3 (indiscernible).

4 (Overlapping)

5 CHAIRMAN DURHAM: All right. The --
6 (Overlapping)

7 CHAIRMAN DURHAM: So we'll come back to
8 order --

9 (Overlapping)

10 CHAIRMAN DURHAM: -- and we're now on Item -
11 - we're now on Item 10, which is the Commissioner's --
12 continuation of the Commissioner's report on school
13 finance. Commissioner?

14 MR. ASP: We have with us Director of Public
15 School Finance, Jennifer Oakes, who will give our update.

16 MS. OAKES: All right.

17 CHAIRMAN DURHAM: Ms. Oakes?

18 MS. OAKES: Thank you. Again, my name is
19 Jennifer Oakes, of School Finance. So the revenue
20 forecast are prepared quarterly both legislative council
21 and the Office of State Planning and Budgeting. And
22 these forecasts are used to assist the -- the legislature
23 in setting the budget for the upcoming year, as well as
24 how much money is set aside from legislation, special
25 bills.



1 And so most -- the most recent forecast was
2 issued on September 21st, and this a brief overview of
3 some of the highlights of that. So neither of the Ledge
4 (ph) Council or OSPB forecast in September changed very
5 much from the June forecast. But both of them were
6 slightly lower. And so both forecasts found that the
7 U.S. and Colorado economies are expanding at a moderate
8 pace. But then the Colorado economy is slightly
9 outpacing the U.S. economy. And that's reflective of job
10 growth and also declining employment.

11 And so there are some moderators to the
12 growth, especially in Colorado, that includes the
13 downturn of the oil and gas and also weak global economy.
14 But the diversity in Colorado's economy and the strength
15 in some sectors within that economy is moderating or --
16 or limiting the impact of those moderating forces, which
17 is beneficial to the state and probably why we're
18 outpacing the U.S. economy.

19 So despite this positive economic news, the
20 state is in for a rough couple of budget years ahead. So
21 in the general fund reserve for '15/'16, the current
22 budget year that we're in, is 4.1 percent of general fund
23 appropriations. And that is lower than the 6.5 that is
24 required. And so the state is now fully funding the
25 budget that was passed or -- with the -- the savings



1 account or the reserve that's required.

2 So legislative council estimates that the
3 shortfall is about \$220 million and OSPB's estimate is
4 about \$34 million. So the budget shortfall must be
5 addressed either in the current fiscal year, '14 --
6 2015/'16 or in the upcoming fiscal year or some
7 combination of both. And so budget balancing actions are
8 going to be required either in this year or next year or
9 some combination of other regardless of the forecast --
10 Ledge Council's or OSPB's.

11 So the difference between the two forecasts
12 is largely driven based upon the growth of employment,
13 the assumptions that they are using for the growth of
14 employment. So legislative council estimates that at 2.3
15 percent and OSPB is at 2.8 percent. So just a half a
16 percent difference, which is in the margin of error. So
17 very slight difference there.

18 But then that small difference leads to
19 large differences in the outcomes, or the results that we
20 see. So Ledge Council forecast results in the
21 expectation of full Senate Bill 228 transfers and no
22 TABOR refunds in '15/'16. And that's opposed to OSPB,
23 where their estimates have a partial to 28 transfer and a
24 TABOR refund. Oh, sorry. Senate Bill 09-228 requires,
25 in certain situations, transfers to the capital



1 construction fund and then the highway users tax fund,
2 based upon different triggers. And so Ledge Council,
3 it's the full amount; OSPB, it's half of that amount.
4 And then Ledge Council says no TABOR refunds and OSPB
5 says there will be TABOR refunds.

6 So those interplays of all of these
7 requirements make it challenging that -- to -- to
8 forecast, because just a slight difference in forecast
9 has divergent outcomes. So that makes it forecasting,
10 which is a challenging art in and of itself, even more
11 challenging, I think.

12 And so to put a little context about what
13 this means for school finance, so OSPB reported an
14 estimate of \$338 million to fund school finance at
15 enrollment and inflation and then keep the negative
16 factor at the same level. So that \$338 million, compared
17 to Ledge Council's estimate for the available funding,
18 Ledge Council's estimate for next year, it would only
19 take -- fund two-thirds of that \$338,000 -- or \$338
20 million.

21 And then if you go with the more positive or
22 favorable or higher estimate for OSPB, they would have
23 enough to fully fund the \$338 million for school finance.
24 But that would take up two-thirds of the budget. And
25 there's many competing needs, right? So it's going to be



1 a challenge either way. So with all of those competing
2 needs, it's going to be difficult year with some really
3 tough decisions to be made.

4 And so because we do have this divergence
5 between OSPB and Ledge Council's forecast, as always the
6 December forecast is going to be very critical to see
7 what do the next few months hold and what new data comes
8 in and what changes will be so that there can be some
9 decisions made. But it will be a tough budget year. So
10 any questions?

11 CHAIRMAN DURHAM: Any questions? Okay,
12 thank you very much.

13 MS. OAKES: Thank you.

14 CHAIRMAN DURHAM: Appreciate it. Item 11.

15 MS. MAZANEC: So cheerful (indiscernible).

16 CHAIRMAN DURHAM: Department briefing on the
17 smart (indiscernible) --

18 UNIDENTIFIED VOICE: (Indiscernible).

19 CHAIRMAN DURHAM: Well, took the words right
20 out of my mouth -- the not-so-SMART Act. So who's going?
21 Yes, Commissioner?

22 MR. ASP: Thank you, Mr. Chair. As most of
23 you know, we -- the Department has a strategic plan in
24 place for several years. We have some overarching goals
25 to that plan. We provide an update to the SMART Act



1 requirements to the legislature regarding our progress
2 and meeting our strategic goals. But we also -- we
3 wanted to provide a -- a broad overview of that -- that
4 plan and how that's progressing. And also we include our
5 more short-term strategic comparatives in that plan as
6 well. So I'll turn it over to Dr. Katy Anthes and Tricia
7 Miller to take us through that.

8 MS. ANTHES: Great. Hello. Good morning,
9 Mr. Chair and Members of the Board. This morning we
10 would like to give you just, as Dr. Asp had said, our
11 yearly update on our department performance plan. Each
12 year we present this plan to you. We do that prior to
13 sharing it with the joint House and Senate ed committees,
14 which we are required by the 2010 SMART Act.

15 So this year, as Dr. -- Dr. Asp had said,
16 not too much has changed. We're still moving forward
17 with executing our strategic goals, tightening our
18 metrics, and implementing our legislative requirements.
19 We also have some key focus areas during this time of
20 transition and really transition in terms of leadership
21 of the department, but also transition in terms of state
22 assessment use and that impacts our metrics.

23 So today is really just a bit of a
24 refresher. As I said, not much has changed. And today
25 we're just going to give you a high-level overview. So



1 we're going to provide you some context on the CDE
2 performance plan, what it is, how it's used, and how it's
3 shared, share the high-level sections of the plans and
4 what has been changed, if anything. We won't spend too
5 much time on the sections that have not been changed
6 since last year. And we'll share how we're using the
7 plan in a time of transition.

8 So at this point, I'm going to turn it over
9 to Dr. Tricia Miller. She really facilitates the
10 submission of this plan to the Office of State Planning
11 and Budget. And I'll also note that you'll hear us kind
12 of refer interchangeably to the department performance
13 plan and the department strategic plan. The department
14 performance plan is how the Office of -- I always get
15 this wrong -- State Planning and Budget referred to it
16 and sort of internal CDE staff often refer to it as the
17 strategic plan.

18 CHAIRMAN DURHAM: And who's Dr. Miller?

19 MS. MILLER: I am Dr. Miller.

20 CHAIRMAN DURHAM: Dr. Miller, welcome.

21 MS. MILLER: Thank you. Thank you for the
22 opportunity to present this to you. And thank you, Dr.
23 Anthes, for turning it over for me. So the performance
24 plan is the plan through which we organize our work
25 towards a common goal as a department. It includes all



1 our major program areas, our strategic goals, and the
2 metrics by which we measure our success. In accordance
3 with the State -- and I will not use the acronym on this
4 -- so it is the State Measurement for Accountable
5 Responsive and Transparent Government, or SMART Act.

6 We are required to share the department
7 performance plan with the legislature at the joint
8 education committee members -- at the joint education
9 committee hearing, rather. It is also posted on the
10 state website and it's posted on CDE's website, thereby
11 making it available to the public and any other
12 stakeholder who's interested. While we're required to
13 submit the -- the document only once a year, we do
14 consider it a living document and we use it to manage our
15 work and to make sure we're working in a coordinated
16 fashion.

17 Now, here we just wanted to outline for you
18 some of the changes we've made most recently. That would
19 be during this transition period. As you can see, most
20 of the things haven't changed. Our mission and vision
21 remain the same, as to our values and description. We've
22 had some changes on our organizational chart, obviously,
23 to reflect the changes we've had in the organization
24 leadership.

25 Our major program areas through which we lay



1 out our primary functions are the same and we indicate
2 the locations of all our offices. Beginning on page 11,
3 we describe the tenants and efforts through which we turn
4 our goals into action. And this section now includes the
5 strategic imperatives that we're focusing on during this
6 time of transition. And Katy will be discussing those
7 later in the presentation. Yes, Dr. Flores?

8 CHAIRMAN DURHAM: Dr. Flores, yes?

9 MS. FLORES: You know that -- that vision,
10 "All students in Colorado will become educated and
11 productive citizens capable of succeeding in society."
12 Do you have to say, "workforce"? Couldn't we just say,
13 "in work"? "In work and life"?

14 MS. MILLER: Mr. Chair?

15 CHAIRMAN DURHAM: Yes, please proceed.

16 MS. FLORES: Because "workforce" sounds like
17 -- I don't know, it -- it just --

18 MS. MILLER: Like work?

19 MS. FLORES: I'm sorry? It -- well, it is.
20 It's work. But work can be very rewarding and this
21 sounds almost like a -- a slave chain or something, you
22 know. They're ready for the workforce. And -- but if we
23 -- I think "work," just "work and life" (indiscernible)
24 positive.

25 (Overlapping)



1 MS. MILLER: I'm sorry.

2 CHAIRMAN DURHAM: Yes, Dr. Asp.

3 MR. ASP: I appreciate your -- your comments
4 on this. This is a -- a longstanding vision that's been
5 in place for a while and -- and went through a process to
6 develop this piece. So it -- being able to edit this
7 would take a -- a longer process than just
8 (indiscernible). That's all I just want to
9 (indiscernible).

10 MS. FLORES: Okay. Well, just think about
11 (indiscernible) buckets.

12 MS. MILLER: Absolutely.

13 MS. FLORES: I hate buckets.

14 MS. MILLER: Yes, so thank you.

15 MS. FLORES: So "workforce" is another one
16 of those words which, you know, it's work.

17 MS. MILLER: Thank you for your comment and
18 I've made note of that.

19 MS. FLORES: Thank you.

20 CHAIRMAN DURHAM: Thank you. Please
21 proceed.

22 MS. MILLER: And I will turn it to
23 (indiscernible).

24 MS. ANTHERS: So I'm just going to go through
25 the quick pieces that really haven't changed. This is



1 our vision and mission. Thank you, Dr. Flores. We've
2 noted your comments there.

3 Moving on to the CDE description, this
4 description just gives a high-level overview of the
5 number of districts, schools, educators, and students
6 that we serve. It also just outlines our
7 responsibilities in implementing state and federal laws,
8 dispersing funds to districts, and providing public
9 transparency, among other things. If you read the full
10 description, there's a lot of other duties as assigned
11 stuff in there. Just like our personal job descriptions,
12 we -- we have that for CDE as well.

13 So our values still remain constant and our
14 core -- core driving factor of our work here at the
15 department, students squarely in the center of all of our
16 values. But leadership, results that drive action,
17 service to the field and to our educators, communication
18 and transparency, teamwork at the department, innovation
19 and doing all of our work with integrity. Those have not
20 changed and still create the core values.

21 MS. FLORES: May I make a comment? Chair?

22 CHAIRMAN DURHAM: Dr. Flores?

23 MS. FLORES: As far as administrators, it
24 looks as if we have 11 admin -- I'm sorry, one
25 administrator for 11 teachers. Don't you think that's



1 kind of high?

2 MS. ANTHES: So Dr. Flores, I think that
3 would really vary based on the district. Those are just
4 our wholesale numbers for the state. So it would be hard
5 to make a ratio like that for the state, because it's
6 very dependent on --

7 MS. FLORES: Right.

8 MS. ANTHES: -- each district and how they
9 hire administrators and what their ratio is.

10 MS. FLORES: Well, it just seemed quite a
11 bit high. I've been looking at administrator ratio to
12 teachers in the Denver public schools. And then I looked
13 at this and I thought 56,947 teachers to 5,092
14 administrators, which seemed a bit -- a bit high. Thank
15 you.

16 CHAIRMAN DURHAM: Yeah, I'll just remind the
17 Board that's something we don't control and it is local
18 districts and that those questions, I think, may be
19 appropriately addressed to -- to local districts and see
20 -- it might be interesting to see what kind of response
21 they have.

22 MS. ANTHES: Thank you. So the major
23 program areas that are in our plan still remain the same.
24 School finance that includes allocating funds and
25 monitoring costs of providing public education. It's



1 responsible for the implementation of the School Finance
2 Act on an annual basis. Our accountability and
3 improvement area establishes expectations and criteria
4 for school and district performance and then assesses
5 school and district performance against these criteria.
6 And then we try to use that information to actively
7 support our districts that need some more support to meet
8 those standards.

9 Information and communication is another big
10 program area for us. This is all the work related to our
11 transparency and -- and collecting and sharing data with
12 everyone in the Colorado education system. It also
13 encompasses a lot of the communication supports that CDE
14 provides to schools and districts and the public
15 regarding our public education system. Educator --

16 MS. MAZANEC: I have a question. Do you --
17 this is Pam Mazanec -- do you ever get feedback formally
18 from districts, district personnel, about how well CDE is
19 serving the districts? It seems to me that that's in my
20 head from somewhere that we've had that, but how do you
21 do that? Do you ever have any formal --

22 MS. ANTHES: That's a --

23 MS. MAZANEC: -- surveys of -- of how the
24 district personnel feel about how CDE is serving them?

25 MS. ANTHES: That's a great question. I'll



1 -- I'll let any of my team chime in here.

2 MS. MAZANEC: It seems (indiscernible)
3 behind you.

4 (Overlapping)

5 MS. ANTHES: Okay. But I -- I will say I'll
6 let Dr. Miller chime in here in a second. But I will say
7 that each of our different units actually do some
8 assessment of their customer service around how they're
9 providing services in their area. And so that's part of
10 it. And -- and I -- I do believe we have some formal
11 mechanisms through some of the statewide conferences we -
12 - we are at and -- and those sorts of things, so --

13 MS. MAZANEC: You have additional --

14 MS. MILLER: I do. To underscore what Dr.
15 Anthes said, we do each of the units have specific
16 program relatives. So if they're -- if they're putting
17 forth a particular program, they interview whoever they
18 serve. So one of the things that we're engaging in right
19 now, and Dr. Anthes will be talking about a little later,
20 is looking more specifically at who our customers are and
21 -- and how we're serving them and what we can do to make
22 sure we're serving them optimally in their entire
23 involvement with us. But many -- many of the units right
24 now is detailed in their unit plans, have very extensive
25 surveys, and also go not just, you know, did you enjoy



1 this training, but how are you using it in -- in changing
2 your practice, and that type of thing. So it's -- it is
3 something we do look at.

4 MS. MAZANEC: I'm wondering, Dr. Asp, is
5 that something we can see sometime, at least a synopsis?

6 MR. ASP: Thank you. Yes, we'd be happy to
7 share that information with you. But we also have,
8 besides these formal pieces that these folks describe, we
9 have several advisory panels that (indiscernible). For
10 example, I have a superintendent's advisory group that is
11 representative of the entire state that meets with the
12 commissioner and his staff on a regular basis several
13 times a year. For example, we'll meet with them at
14 Casbee (ph) during that meeting and they provide feedback
15 on particular programs and sometimes just in general in
16 as well.

17 We also have a frequent meeting with
18 representatives of the field to -- and we receive
19 feedback on our programs as well. But we'd be happy to
20 share that -- that feedback with you.

21 MS. ANTHERS: Thanks.

22 MS. MAZANEC: Thank you.

23 CHAIRMAN DURHAM: Thank you, Dr. Asp.

24 Please proceed.

25 MS. ANTHERS: So continuing on, educator



1 effectiveness is another key program area. And this
2 really comprises all of the work we do around educator
3 licensing, supporting educator preparation programs, and
4 approving them, and all of our educator effectiveness
5 work around supporting the state's educator evaluation
6 system.

7 And then the last one is a big, big program
8 area: Standards assessments learning supports innovation
9 and choice. That refers to really all of our
10 instructional supports for serving students from
11 preschool through 12th grade. And that encompasses a lot
12 of the core legislative initiatives and requirements that
13 we implement, including the Colorado academic standards,
14 the READ Act. We could -- we could go on there.

15 MS. MILLER: So this is a graphic. I'm a
16 visual thinker, so I always have a lot of graphics
17 around. This is a graphic of our four primary goals and
18 the undergirding focus areas of advancing school leader
19 effectiveness and supporting a continuous improvement of
20 districts and schools. And I'll move to the next slide
21 quickly to measure -- to show you how we're measuring our
22 success, just to run through the metrics we use under
23 each of our four strategic goals.

24 So our goals and associated metrics reflect
25 what drives our work, which is supporting and advancing



1 our success for our students every step of the way
2 through their educational experience. For Start Strong,
3 it's the percent of students served by Colorado preschool
4 program who meet age expectations in literacy and math.

5 For third grade reading at grade level by
6 the end of third grade, it's the percent of students
7 scoring at proficient or above on third-grade reading
8 assessments.

9 For goal three, meeting or exceeding
10 standards, it's the percentage of students scoring at
11 proficient or above in reading, writing, math, and we'll
12 be adding science.

13 For the graduate ready, the final goal, it's
14 an interesting one, because it's kind of bifurcated as
15 we're looking at it. The metric we're currently using is
16 the percent of students who graduate within six years of
17 entering ninth grade. But as you all know, you can
18 bifurcate that by graduate, increasing the number of, or
19 the percent of students graduating, which is slightly
20 different from whether they're graduating ready. We're
21 still working around on the metric of graduate ready, as
22 it's obviously intimately related to the post-secondary
23 workforce readiness indicators.

24 For goals -- for all the goals, or goals two
25 through four, rather, we report the metrics both at --



1 for students across the state and then by the student
2 subgroups, thereby again reflecting our -- our concern
3 and our focus on making sure we are dealing with
4 achievement gaps in our state.

5 Another metric, or another graphic, rather.
6 Now, this shows our program areas. And the reason I --
7 we wanted to include this is because it's important to
8 understand the guidelines for OSPB ask us for a
9 description of all our program areas and the primary
10 processes within those program areas.

11 Now, while some program areas are more
12 closely related to some -- to one or more of our goals,
13 for the most part all of our program areas are
14 foundational to the success of CDE in meeting all those
15 goals. For example, School Finance provides funds,
16 allocates funds to all the districts. Without having
17 those funds, the districts would be mightily challenged
18 trying to achieve the goals for students that we're
19 trying to support them to achieve as well. So all of our
20 major program areas really are together, function
21 together as the foundation to advance the goals and our
22 efforts. And now I'll turn it back to Katy to talk about
23 this transition period.

24 MS. MILLER: Great. So as we know, we're --
25 we're going through lots of transitions currently in a



1 search of a commissioner, as well as evolving system
2 elements, like a new assessment system, the impacts that
3 new assessment system have on accountability. So those
4 transitions do put the way that we will organize our
5 metrics in -- in an evolving nature over the next couple
6 years.

7 We would anticipate -- you know, we kept
8 this strategic plan stable and we're still working hard
9 towards those four student-centered goals. But we will
10 anticipate there will be probably changes and shifts to
11 this plan as -- as leadership is brought on and -- and
12 we'll be excited about that.

13 At this point, during the transition,
14 Commissioner Asp has also kept us really focused on while
15 continuing to implement the four strategic goals also
16 adding some focus areas while we work through this. He
17 mentioned a few of these several months ago. And you've
18 been hearing about them in board meetings and you'll be
19 hearing about them a little bit more today.

20 MS. FLORES: Excuse me?

21 CHAIRMAN DURHAM: Dr. Flores?

22 MS. FLORES: Before you go into that, could
23 we look at the goals? Because I -- I think that I really
24 looked at this document very closely and I think that
25 you might be able to condense this a little bit and you



1 get more focused on those goals. For instance, I think
2 that number two, data privacy and security, of course
3 we're looking at that. Number two, further enhancing the
4 quality and coordination of our support for low-
5 performing schools through service to -- through -- to
6 the district communities.

7 Instead of having customer service down here
8 at the bottom, isolated, don't you want to do it -- this
9 would sort of close it. I mean, you want to enhance the
10 quality in coordination in support for low-performing
11 schools through service, customer service, to these
12 districts.

13 Now, I know that they're -- that these
14 districts have the option of saying yay or nay, because
15 they are local control. But I think that you know more.
16 I mean, you know good practice and such. And -- and
17 suggesting not with a big hammer, but just gently
18 suggesting to them, especially those low-performing
19 schools, because we do want to close that achievement
20 gap. And I'm specifically thinking here about minority
21 children and such, where the research has changed on how
22 to help these students. And so you want to -- you want
23 to end it with service at the -- at number two.

24 Also, exploration of ideas, number three,
25 for -- for the future of schools and district. Well,



1 don't and -- and then end with accountability? Well, of
2 course, but don't you want to explore ideas for student
3 success, student academic success? Wouldn't that make
4 more -- more sense. Because you're working on academic
5 success and accountability is just how you -- how you see
6 that -- that it is, but you're working on academic
7 success for all these kids. So I think the emphasis on
8 academic success would be more relevant than
9 accountability. Of course, that's how you're going to
10 find out. And so you make it three, you really push on
11 that, and I think that I'm -- I'm concerned about
12 minority kids in that gap. And we have to look at how to
13 make them successful, because we -- we just don't have --
14 well, we can't just throw away kids. We have to make
15 them successful.

16 MS. MILLER: Thank you, Dr. Flores. Those
17 are excellent comments. I've taken feedback and we'll --

18 MS. FLORES: thank you.

19 MS. MILLER: -- see if we can rework some of
20 that.

21 MS. SCHEFFEL: Mr. Chair?

22 CHAIRMAN DURHAM: Yes?

23 MS. SCHEFFEL: Can we wait until the end of
24 the presentation to ask further questions?

25 CHAIRMAN DURHAM: It's up to you if you



1 would like to ask them now or --

2 MS. SCHEFFEL: Or are you almost finished or
3 --

4 CHAIRMAN DURHAM: Dr. Scheffel?

5 MS. MILLER: Yeah, I'm almost done.

6 MS. SCHEFFEL: Okay, I'll let you finish.

7 CHAIRMAN DURHAM: Go ahead and finish, then.

8 MS. MILLER: Thank you. So these are just
9 the areas that we're -- we're focusing on. We're sort of
10 calling these our strategic imperatives. And you've been
11 hearing a lot about these, and that's partially why these
12 are our strategic imperatives: Data privacy and
13 security; supporting our low-performing schools; the
14 future of accountability, which you'll hear more about
15 later today; and again, trying to keep that laser-like
16 focus on customer service for our districts.

17 I'm going to skip through this pretty
18 quickly. You've already seen these. Dr. Asp showed
19 these to you earlier, but also in the time of leadership
20 transition, we continue to want to be -- bring that
21 stability to the department, create those flexible
22 temporary structures to enable the department to -- to
23 transition well into the next leadership; continue to
24 carry out our critical tasks and functions, many of which
25 are outlines -- or actually, all of which are outlined in



1 this plan; and to identify and prioritize the key
2 initiatives, which were those strategic imperatives we
3 just talked about.

4 I'm going to skip the next one, because that
5 was actually repetitive. And how it all comes together,
6 this is a very sophisticated graphic. I did not get my
7 doctorate in graphic design. But the -- how it all comes
8 together, you've heard us talk about a lot of different
9 things today: Visions, strategicals, focus areas,
10 strategic imperatives. And this is sort of how it all
11 comes together. That top line there, CDE's vision and
12 the little stair steps, outline those four student-
13 centered strategic goals that we are always focused on.
14 And everything else supports those.

15 But we have these organizational focus areas
16 right now during this transition that were keyed in on
17 and still laser-like focused on. And then those
18 strategic imperatives are under that fourth bullet around
19 the key initiatives. And we have that operational
20 imperative, which is how we operate as a staff around
21 giving customer service and support to our districts.
22 But we also have some programmatic imperatives that I
23 already outlined for you around accountability, the
24 future of accountability, data privacy, ensuring high
25 quality data private controls, and supporting our low-



1 performing schools.

2 So with that, we're done and we're happy to
3 take any feedback or answer any questions and incorporate
4 your feedback into the plan.

5 MADAM CHAIR: Dr. Scheffel?

6 MS. SCHEFFEL: Yeah, thank you so much for
7 giving us a briefing on this. I have a couple questions.
8 Things that I don't think are in this report and I don't
9 know if it's -- is this report finished and then it goes
10 to the legislature? Are you making changes to it or
11 where is it in its development?

12 MS. MILLER: This report is finished,
13 although we can always present new -- submit new
14 information within this plan. And it's -- it's pretty
15 organized by the areas that the SMART Act want us to
16 report on.

17 MS. SCHEFFEL: Okay, good. So I just wanted
18 to surface some things that I think are of interest and I
19 don't know if they could fit in here the next iteration
20 or be an addendum or something, but --

21 MS. MILLER: Right.

22 MS. SCHEFFEL: -- I guess what interests me
23 about what CDE does is how is the money spent? In Detail
24 9, we get budget lists, but is the return on investment
25 piece, how could money better be spent? Whenever you do



1 a -- an assessment plan, it's always about uncovering
2 what isn't working. You want to report what you're
3 doing, but also what isn't working and for whom. And so
4 the question is how is the money spent? How could the
5 return on investment be better? I know that a year or so
6 ago I think we approved six FTE or something for ELL to
7 travel around the state and be a district resource. Does
8 that work? How is that working? That's a lot of money.

9 MS. MILLER: That's good.

10 MS. SCHEFFEL: Six FTE. And I don't know if
11 we've ever heard back. You know, how well is that
12 working? And then what CDE does is driven by -- partly
13 by statute, partly by grant. And so I'd like to look
14 more deeply at what grants do we apply for? How do they
15 align with the Board's priorities and what practices and
16 policies are driven by those grants and who do they
17 serve? So we know there's a number of constituents that
18 CDE serves.

19 I think of -- when -- when I hear from the
20 public or districts or principals or whatever, it's all
21 about the policies that CDE enacts. And I think
22 sometimes we've drifted to a group mentality. "Well,
23 this is the way we do it and we did a survey and we got a
24 -- an average score of six out of seven, so we must be
25 doing okay." And yet not everybody gets surveyed. And



1 so we've -- we've gone to group kind of think on a lot of
2 this. And it's really about the individuals. And
3 oftentimes when you go offline and forget the survey and
4 say how does these really work for you, do these
5 guidelines really help you do your work better? A lot of
6 times the answer is no, but on the survey, it's like,
7 well, yes, because of the way the question might be
8 asked. And so again, we're trying to uncover what isn't
9 working, even though we may have to start with a
10 threshold of what is working. So it's the how, not the
11 what of what we're doing that -- that really matters.

12 A transparency is a huge issue and I hear
13 all the time from folks that just can't get answers from
14 CDE. Frankly, I have a hard time getting answers,
15 detailed answers, you know, when -- when people want to
16 know exactly what are the data points collected by the
17 State? What are driven by statute? What are driven by
18 rule? Where is this data? And you get one answer, and
19 then when you dig deeper, you find out, well, that answer
20 was really predicated on a certain semantic nuance that
21 really doesn't tell the whole story. So it's a
22 transparency issue that I think the public is desperate
23 for, because they're concerned about a host of issues,
24 some of which we hear about in public comment and -- and
25 other areas.



1 And then this whole issue of customer
2 service, which I already referenced, I think we can get
3 survey. I mean, we all have done assessments. You know,
4 I've been in that arena for years too and we get a survey
5 data back, but really, it doesn't really tell us how well
6 we're doing when we really uncover what are the
7 individual issues that people have and surface regularly
8 that don't come through on a survey?

9 So those would be my suggestions as to what
10 to add to this so it would be meaningful to us,
11 meaningful to those that receive the report. And I think
12 it -- it -- it could be a -- a help to the work we're
13 doing.

14 MS. MILLER: Right.

15 MS. SCHEFFEL: Thank you.

16 MS. MILLER: Thank you. Thank you.

17 CHAIRMAN DURHAM: Yes?

18 MS. MAZANEC: I would just like to add one
19 more thing. I -- I'd like to know too, you mentioned the
20 grants that we asked for? I want to know what we get and
21 how much money is with that? Because those things, I
22 believe, are --

23 MS. SCHEFFEL: They're huge.

24 MS. MAZANEC: -- and -- and over and above.

25 And to add that into the finance area, it gives a much



1 clearer picture. And I think a lot of the questions that
2 we have are how much money, really, are we dealing with?
3 What we see and actually what we get sometimes aren't
4 together.

5 MS. SCHEFFEL: May I make a follow up?

6 CHAIRMAN DURHAM: Yes, Ms. Scheffel?

7 MS. SCHEFFEL: I think this SLDS -- am I
8 saying that right? Is that the right acronym data?

9 MS. MILLER: Uh-huh.

10 MS. SCHEFFEL: I mean, that -- that's one
11 that we've been hearing about. And we weren't on the
12 front end of it. Why did we apply for it? Did we have
13 to apply for it? How much goes with it? What are the
14 data requirements that are associated with it? I mean,
15 there's a lot of things that CDE does kind of out of
16 hand. And I think this board needs to be on the front
17 end of those grants and whether or not we apply for them,
18 what the implications are, how they articulate with what
19 we're doing. And I -- I think that we would be in better
20 synchrony if we were more on the front end of that whole
21 grant piece and the money that follows it.

22 CHAIRMAN DURHAM: Yes, Dr. Flores?

23 MS. FLORES: Well, leading to the money and
24 grants and teachers that were graduating, that was a --
25 just a wow. We only graduate 100 teachers a year in the



1 state of Colorado? That is -- no, I know. The report
2 said 1,000. It's really 100. And that's -- we should be
3 -- if we're into grants and such, we really do need to be
4 attracting teachers. I know that we're depending on
5 teachers to come from other states and we're getting
6 those teachers, but we need to really start working on
7 training, especially minority teachers, which we have so
8 few of. And we know in best practices we need to have
9 teachers that reflect the students that they teach. And
10 that's a very important goal. That should be a goal for
11 our state, because it's -- it's so incredibly important.

12 And I think if there's any monies for
13 training teachers and helping them, I think we should go
14 after them, after those monies, because it's abominable
15 that we can only graduate 100 teachers a year.

16 MS. MILLER: Thank you.

17 CHAIRMAN DURHAM: Any further comments?

18 Yes, Dr. Schroeder?

19 MS. SCHROEDER: So any misinformation that
20 we have, I hope you'll correct. And I don't know in what
21 manner, but we are graduating more than 100 teachers a
22 year in the state of Colorado.

23 MS. MILLER: Yeah.

24 MR. ASP: Would you like us to

25 (indiscernible)?



1 CHAIRMAN DURHAM: Sure.

2 MR. ASP: Dr. O'Neal, could you respond to
3 that question?

4 MS. O'NEAL: Absolutely. I don't have the
5 exact number, and I apologize. Thank you. I don't have
6 the exact. This is Dr. Colleen O'Neal. I don't have the
7 exact numbers for us. I would be happy to pull the rest
8 of them up. We do graduate a little bit over 1,200
9 teachers in the state of Colorado, about 500 and some of
10 those -- thank you so much, hi. We have -- he's a great
11 data guy. I just have to put in kudos to hi.

12 We have 2,704 total completers this year
13 that entered into the education profession for us that is
14 institutes of higher education only. We have about 525
15 that were alternative education teachers in the state of
16 Colorado. Again, those are entering into the profession.
17 That means they're the actual completers for us these --
18 this year.

19 MS. FLORES: They -- they graduated? They
20 got the test? They did all of that and they --

21 MS. O'NEAL: They did. They did. And --
22 and Dr. Flores, I can't speak to whether they have a
23 license, because we don't necessarily know that much, but
24 they were the completers that were available --

25 MS. FLORES: Right.



1 MS. O'NEAL: -- for our educator talent
2 pipeline into our system.

3 MS. FLORES: Because NPR had this
4 unbelievable report.

5 MS. SCHROEDER: They were wrong.

6 MS. FLORES: And they were (indiscernible).
7 (Overlapping)

8 MS. FLORES: They were -- we've always had
9 about half of our teachers come, be prepared out of
10 state. So the NPR story was somewhat incomplete, because
11 it suggested that we are not preparing enough teachers.
12 We have never prepared the majority of the teachers.
13 However, Michigan, way over-prepares in terms of numbers.
14 And those teachers go around the country. So there are
15 institutions that just generally serve their own states
16 and there are institutions that really are almost
17 national in the amount of students that they prepare.
18 That's been that way for some --

19 MS. SCHROEDER: Well, I'm glad to hear that.

20 MS. FLORES: -- for some time.

21 MS. O'NEAL: We do have -- we have about 49
22 percent of our teachers come from out of state, because
23 they want to live in Colorado.

24 MS. FLORES: Right.

25 MS. O'NEAL: And we have about 51 percent of



1 our teachers who are from this state and other folks go
2 back, because they wanted to come to school in Colorado
3 and then they want to go home. So it's an interesting
4 import-export business that we actually have in our
5 state. Thank you.

6 MS. FLORES: Thank you, Colleen. So I
7 think, as I said, any other things that we said that are
8 wrong, the SLDS grant is over, used up, there is no more
9 of it. The renewal was not granted. And so that
10 particularly money is --

11 MS. SCHROEDER: We applied for it.

12 MS. FLORES: But I appreciate the
13 information that we got from staff in the spring about
14 grants. And perhaps we need to have that update yet
15 again. What grants come to the state of Colorado?
16 Because we do -- we did get that information.

17 I'm also interested in knowing of our
18 grants, which ones we send out to the school districts,
19 as opposed to which ones fund, because I do think that
20 Deb's comment about six additional FTE, what did it cost,
21 and what are the changes and responses from districts is
22 important information. So tying some of those survey
23 processes with the funding, I would -- I would also find
24 very, very helpful. It's a little hard sometimes because
25 of all the changes in staffing at district levels to hear



1 from them how much it actually -- how much those
2 additional services actually improve their capacity to
3 work. And that's always going to be a tough one, simply
4 because the education profession really is a constant --

5 MS. RANKIN: Yes.

6 MS. FLORES: -- turnstile in terms of the
7 people who participate in it. But I agree with you, just
8 to get that information, the financial, and then try to
9 tie it to what Elliott said about getting the results of
10 some of the input that we've been getting and then maybe
11 thinking about whether we should change some of our
12 question that we ask the folks would be really helpful.

13 MS. SCHEFFEL: I have a follow up --

14 CHAIRMAN DURHAM: Okay, yes, Dr. Scheffel?

15 MS. SCHEFFEL: I just had a follow up. So I
16 know about the SLDS grant that we didn't get it. My -- I
17 guess my additional point maybe is just that we applied
18 for it and how does it align with priorities and what is
19 the Board's rule in input on grants that we apply for,
20 don't apply for? You know, are we going to try to get it
21 again? I mean, you know, I -- I think that being
22 proactive instead of reactive to this plan is helpful for
23 the Board.

24 MS. MILLER: Okay.

25 CHAIRMAN DURHAM: Just a couple of quick



1 questions around the SMART Act. Roughly when is the
2 presentation of the legislature?

3 MS. ANTHES: We take that?

4 MS. MILLER: So they will provide us with
5 that information. They haven't given us a date yet.
6 It's between November and the start of the legislative
7 season. Last year it was in December, mid-December.

8 CHAIRMAN DURHAM: And do you usually -- do
9 you desire to have a Board Member present or are you
10 better off without us?

11 MS. MILLER: You are -- you are certainly
12 most welcome to be there. We would love it. The
13 regular, it includes the performance -- that department
14 performance plan, budget, and regulatory agenda. All
15 three of those things are presented at that time. You're
16 welcome to be there. There's also time for public
17 comment during that period.

18 CHAIRMAN DURHAM: Okay. And then I notice
19 on page 18 of the second document that was in our packet,
20 on the department performance plan, you do actually have
21 specific percentage of goals for improvement in all of
22 the distinct areas and all of the breakdowns of minority,
23 free -- free and reduced lunch, ELL. So I think it would
24 be interesting tracking forward to see how close we come
25 to meeting those state objectives. And I'm happy to see



1 that there are specific objectives included.

2 MS. MILLER: Yes, sir.

3 MS. FLORES: And I hope you invite all of us
4 too or let us know when that date is.

5 MS. MILLER: Yes, we'll definitely let you
6 know when -- when the date is once it's set.

7 MS. FLORES: Thank you.

8 CHAIRMAN DURHAM: All right, thank you very
9 much. Any -- oh, I'm sorry. Yes?

10 MS. SCHROEDER: Real quick. Real technical,
11 quick -- did we not used to have or -- and maybe -- and
12 is it -- are you still using a version of a dashboard or
13 we used to have a colored -- and I need colors, but it
14 was color coded and the buttons moved along a scale
15 according to where you were at the point in the year and
16 according on the range of accomplishments. So that to me
17 was really helpful. And in way it -- it did assist me in
18 communicating with people about here are some things and
19 here's how we're doing on in the general goal areas.

20 And the only last thing I'd say is I think
21 at some point I would really -- I mean, really appreciate
22 it, I think it's -- I think it'd be a great idea for us
23 to talk about communications in general.

24 MS. MAZANEC: Yes.

25 MS. SCHROEDER: Whether it's department-wide



1 and what -- just the interest, and I think strong
2 benefit, of having some not cookie-cutter messaging or
3 reporting forms that's -- that's unique to each of all of
4 us in our context. But I think we need to go back a
5 little bit and have a regular check-in about ways we can
6 communicate solid, clear, but still inviting discussion
7 topics and questions about what's going on. I've -- I've
8 been struck more than I ever have in all these years the
9 last month by the gaps and the bridges and breaking off
10 the end of the road where what people understand, what
11 they hear, and what they assume and presume is a little
12 bit worrisome.

13 So I'm just hoping we can come to a point.
14 And it can't be done in one day and when it's not, I
15 don't expect that, I don't believe in that. But I think
16 at some point we got to get together on whether it's just
17 the Board that starts this conversation. How do we
18 communicate coherently, consistently, and yet still very
19 cognizant of everybody's unique context with
20 constituents.

21 CHAIRMAN DURHAM: Dr. Scheffel?

22 MS. SCHEFFEL: Good. I just -- another
23 thought came to mind as I just review your main goals.
24 You know, I mean, this -- I guess I struggle with how to
25 get underneath these goals, which is really what the



1 public wants and which is really what we want too. When
2 we think of something like "Every student meets or
3 exceeds standards, percentage of students scoring at a
4 proficient above in reading, writing, math," and so
5 forth.

6 Now, when we have the part test, which is
7 very linguistically dense, I mean, if you just read the
8 sentence stems, the questions themselves, the number of
9 words in the questions is very linguistically dense. We
10 have lots of ELL kids in Colorado and lots of kids that
11 don't have the linguistic sophistication to even unpack
12 the question.

13 So we have a goal here that more kids will
14 meet proficiency in these areas. And yet in some ways,
15 we're creating an artifact that less kids will meet these
16 goals, because of the test itself. And then we just
17 embraced high school graduation requirements, all of
18 which makes perfect sense. I mean, all of this, if you
19 just read at face value, makes perfect sense. But when
20 you unpack it and look underneath it, there are very
21 deliberate reasons why we're having trouble closing these
22 gaps. And some of it is test artifact. And unless we
23 are teaching to the test and teaching kids to take the
24 questions and literally diagram them, we're not going to
25 meet these goals.



1 And so again, when do we get underneath this
2 to say great idea, it's what we want, it's what the
3 public wants, and yet the policies and the tools that
4 sometimes are chosen and used are directly in opposition
5 to -- to reaching these goals. So I think, again, I
6 don't know when that discussion occurs, but this
7 presentation will be made to the legislature and it will
8 be well received. And it looks great and of course we
9 want to do all these things, but when we have things
10 implicit in the goals that literally fly in the face of
11 achieving them, I think that's worth a deep discussion.

12 MS. O'NEAL: Thank you.

13 CHAIRMAN DURHAM: Thank you, Dr. Scheffel.
14 And I hope you're able to attend that hearing when it's
15 scheduled. You never know with legislative scheduling,
16 but I think those are -- are comments that the
17 legislature ought to -- ought to hear. Any other -- yes,
18 Ms. Rankin?

19 MS. RANKIN: Is the second document the one
20 that says Performance Plan, June 25, 2015? Is that the
21 details of what we just heard?

22 MS. ANTHERS: Yes.

23 MS. RANKIN: Okay. So on that document, on
24 page 8, it says licensure approval, "Colorado needs to
25 have a pool of qualified licenses professionals." It



1 should be "licensed professionals," but my point is how
2 many licensed teachers do we have and how many alternate?
3 I mean, that -- that's something that is a little
4 different to me. So how many do we have, do we know?

5 MS. ANTHES: We do know and I'll ask Dr.
6 O'Neal if she can come up. She has these numbers --

7 MS. O'NEAL: (Indiscernible) computer.

8 MS. ANTHES: -- in her back pocket.

9 MS. O'NEAL: Again, Dr. Colleen O'Neal and I
10 -- I'm going to give you a very high level number and
11 then what I'd like to do is send an email so that you can
12 -- you know exactly what those numbers are.

13 With regard to our total statewide licensed
14 teachers, we know in our system we have well over 1,000
15 licensed teachers. Now, what we also know is that not
16 all of them are employed in a full-time basis, nor
17 potentially in a public school, in which we would know
18 that they are a licensed educator. So again, our slide
19 said we had about 5,900 educators in the state of
20 Colorado. Those in public educate, those would be
21 licensed individuals. And then I can't remember the
22 exact number for our -- our administration up there. But
23 those would all be licensed individuals.

24 From an alternative perspective, I think I
25 really have to just be 100 percent honest and say I have



1 to pull all those numbers. We don't necessarily
2 distinguish the difference between our actual licensed
3 individuals once they complete a program, because then
4 they move on to an initial or a professional license and
5 they're all kind of grouped the same. But I can pull
6 data to find out where they finished, not necessarily
7 started, but finished their educator preparation program
8 to be able to get you those numbers.

9 MS. RANKIN: And define alternate --
10 alternative license for me.

11 MS. O'NEAL: Sure, absolutely. So the
12 alternative educator preparation license for us is
13 basically a -- a designated agency. So we have approved
14 multiple designated agencies to offer alternative
15 preparation that is not what you would see in a
16 traditional four-year university. And we do have some of
17 our four-years who are both. So they have a traditional
18 four-year pathway and then many of them have a one or a
19 two-year more residency-based and/or on-the-job training
20 and support mechanism, which is really what that
21 alternative educator would be looking at.

22 MS. RANKIN: Thank you. And I have one more
23 question.

24 CHAIRMAN DURHAM: Go ahead and proceed.

25 MS. RANKIN: And this might help Dr.



1 Scheffel. On page 11, it says, "A critical role of the
2 department is to set high expectations for what students
3 should know and be able to do at each grade level." And
4 a lot of the reporting I see is proficiency, but I don't
5 see the really high expectations. And I think a
6 communication there is interesting.

7 MS. O'NEAL: Well, and -- may I?

8 CHAIRMAN DURHAM: Please.

9 MS. SCHEFFEL: Well, even -- it -- it partly
10 relates to -- to the policies at CDE. So when we look at
11 the READ Act, when we have as one of the -- of -- one of
12 the ways that grant is administered that we don't have to
13 test students in English until after third grade. We are
14 not going to reach this reading goal --

15 MS. RANKIN: Yeah.

16 MS. SCHEFFEL: -- unless we look at that.
17 And that's just best practice in the field. We want kids
18 to be bilingual and we're not teach -- testing them in
19 Spanish and in English. And so therefore the funds that
20 are attached to that grant, which is our only state
21 literacy grant, how can they be effective in meeting this
22 goal?

23 So I guess my point is as you present this,
24 people are going to nod and feel good about what this --
25 the Department's doing, but we are responsible for the



1 work of the Department, broadly speaking, and we have in
2 -- policies and practices intrinsic to what's happening
3 so that we can't meet these goals, it sets us up for
4 failure and it sets up a narrative of failure for public
5 education that isn't fair.

6 CHAIRMAN DURHAM: Yes, Dr. Schroeder?

7 MS. SCHROEDER: Just real briefly, in terms
8 of alternative prep, we also have school districts that
9 may have an alternative prep program for just some
10 specific endorsements. So we're kind of all over the map
11 on that and it might actually be helpful for us to see
12 that again, because every so -- you know, you -- you get
13 that at one point. We keep approving alternative prep
14 programs in all different venues and -- and I'm sure I
15 haven't kept up either, so if that -- not tomorrow, but
16 at some point, if you could show us a chart, which ones
17 are associated with higher ed, because some are and some
18 -- if I understand it correctly, some of the endorsement
19 ones aren't even associated with a -- an institution of
20 higher education. Am I right on that?

21 MS. O'NEAL: You're -- you're absolutely
22 correct.

23 MS. SCHROEDER: Yeah, so that --

24 MS. O'NEAL: So that a lot of our designated
25 agencies are third parties --



1 MS. SCHROEDER: Right.

2 MS. O'NEAL: -- and are for-profit or non-
3 profit.

4 MS. SCHROEDER: Right.

5 MS. O'NEAL: It runs the gamut.

6 MS. SCHROEDER: So it's -- it's quite a
7 smorgasbord if you want to get a sense for how we're
8 preparing. But they do end up having to take assessments
9 in order to get that endorsement, right?

10 MS. O'NEAL: Absolutely.

11 (Overlapping)

12 MS. SCHROEDER: Yeah.

13 CHAIRMAN DURHAM: Yes?

14 MS. RANKIN: Chairman Durham, I -- I concur
15 and I would like a presentation possibly at a later date
16 with those numbers. I -- I think that would be
17 interesting for us and part of transparency for people
18 listening.

19 CHAIRMAN DURHAM: All right. Dr. Asp, if
20 you could help us with that, we would appreciate it.

21 MR. ASP: We have -- we got quite an agenda,
22 so we'll work that out with you folks.

23 CHAIRMAN DURHAM: Yeah, yeah.

24 MR. ASP: And give you the information you
25 need.



1 CHAIRMAN DURHAM: Thank you. Okay, that
2 concludes -- thank you very much --

3 MS. O'NEAL: Thank you.

4 CHAIRMAN DURHAM: -- for the presentation.

5 MS. SCHROEDER: Thank you.

6 CHAIRMAN DURHAM: It was (indiscernible)
7 very helpful. Now we'll proceed to 12.01, which Ms.
8 Burdsall, I understand we have, what, three rulemaking
9 items to consider -- 12, 13, and 14? Two here, maybe.

10 MS. BURDSALL: Two.

11 CHAIRMAN DURHAM: Two here and two later.
12 Are they all -- there are some common themes that you
13 could talk about in these for us?

14 MS. O'NEAL: Yes. Just in -- in preparation
15 before staff talks about each rule, three of the four
16 notice of rulemakings that you have before you today are
17 from -- are being brought to you by the Office of
18 Legislative Legal Services. So jus to give you a little
19 back -- back history, they receive and review rules year-
20 round. And so when the Office of Legislative Legal
21 Services, or OLLS, reviews the rules, they look for
22 conflicts in the statute or in the constituent, which is
23 -- or on the constitution and whether the rule is
24 authorized by the statute.

25 So sometimes a rule can be read as



1 conflicting with the statute when that may not be the
2 intent at all. And so in cases like this, OLLS will come
3 to us and meet with us and just suggest maybe do some
4 clarifying wording for the rule so that it doesn't seem
5 as though they're conflicting with statute.

6 And so three of the four rules today, that
7 is the purpose of why they're here. They're really just
8 clean-up -- technical clean-up. So we just wanted to
9 preface with that before everybody goes into your rules.

10 The fourth rule is a appeal of the GED
11 rules. And Gretchen will go into this further, but
12 statute reference -- referencing the GED rules, they were
13 appealed in 2014 and they were replaced with a new
14 reference for high school equivalency examination and
15 therefore making the GED rules obsolete. So this is
16 really, since they are obsolete, this is more just like
17 staff clean-up for the rules and -- they also receive
18 confirmation from OLLS that this an appropriate step to
19 take. So that is it.

20 CHAIRMAN DURHAM: Is it -- is it correct
21 that all of the -- that the rule -- all the rules, the
22 changes in the rules proposed relative to the READ Act
23 are at the suggestion of legislative council and their --
24 in the rule and regulation review function?

25 MS. DORMAN: Yes, that is correct.



1 CHAIRMAN DURHAM: All right, understanding
2 that, to start the discussion, may I have a motion to
3 approve on the notice of rulemaking for -- for the
4 administration of the READ Act? Yes, I'm sure -- is
5 there a second?

6 MS. FLORES: I'll second.

7 CHAIRMAN DURHAM: It's been seconded -- Dr.
8 Flores. We now have any discussion of that motion by
9 Members of the Committee. Could you give us a quick
10 exceptions report as to what they want to change?

11 MS. DORMAN: Absolutely. Thank you, Mr.
12 Chair. Alisa Dorman, executive director, Office of
13 Literacy. And we brought to you back in August that we
14 would be coming to you to align what was the passage of
15 House Bill 1323 with the READ Act rules. This review
16 process was going on simultaneously and all of those
17 changes were addressed through this rules revision
18 process. A few are just minor technical things, like the
19 definition of teacher they thought was too restrictive
20 and not as inclusive as it needed to be. Therefore we're
21 using the statutorily defined definition of teacher.

22 Some relate to the timeline adjustments that
23 1323 put in place, so that is extending the timeline for
24 beginning of your assessment for kindergarten students,
25 for example. Another example would be that previously we



1 were not called to review assessments to ensure that one
2 form of the assessment was available in paper pencil.
3 We're adding that language in here, even though we
4 already had met that criteria. We're still adding it in
5 there so that in future reviews, that will be there to
6 guide our practice.

7 They also felt as if the definition of per-
8 pupil-funds was too general and not specific to the READ
9 Act, so we have clarified that those are the intervention
10 dollars that have been provided. So yes, essentially all
11 of these are related to timeline adjustments, related to
12 some clarification of misunderstanding, or to something
13 that they felt was maybe missing or not yet clear.

14 CHAIRMAN DURHAM: Yes, Dr. Scheffel?

15 MS. SHEFFEL: So if I understand the process
16 correct, we have noticed -- we're -- we're going to
17 notice hearing on this. If we get feedback from the
18 field that is contrary to this recommendation, so does
19 that happen, by the way, that you remember?

20 MS. DORMAN: I have not been here for that
21 to happen, but I would imagine it could happen, yes, that
22 we would get feedback that may contradict this and that
23 we would bring back to you for consideration. What I can
24 tell you is that this will prompt another review. So any
25 language that you would make that would be contrary to



1 the recommendations of OLLS, the Legislative Services
2 review process would come back to us again with a need to
3 clarify.

4 MS. SCHROEDER: Can we not just get them in
5 the room with us? Do we need to go back and forth piece?

6 CHAIRMAN DURHAM: It's a committee.

7 MS. SCHROEDER: It's a committee?

8 MS. SCHROEDER: Yeah.

9 MS. SCHROEDER: Oh.

10 MS. DORMAN: But Dr. Schroeder, we can work
11 with Julie Pelagran (ph) over at OLLS to, if we get
12 comments, we can check with -- with them first and see if
13 anything would be out of line. And then we would present
14 that information to you before you would make a decision.

15 MS. SCHROEDER: That would be great. Would
16 you do that?

17 MS. DORMAN: Yes, we can do that.

18 MS. SCHROEDER: Is that okay with everybody?
19 I mean, I'm just trying -- I'm just trying to think about
20 the back and forth piece of this. And while I appreciate
21 the fact that they reviewed that and they're helping us
22 do the right thing, we don't want this to go on forever.
23 And I don't think our districts do either, to be honest
24 with you.

25 MS. DORMAN: Thank you.



1 MS. SHEFFEL: Thank you.

2 CHAIRMAN DURHAM: Yes?

3 MS. SCHEFFEL: Could you remind me of the
4 blue versus the red print?

5 MS. DORMAN: It -- it -- it has no relevance
6 as far as distinguishing the color. It is based on
7 iterations and different staff members who are adding to
8 the language within the rule revisions. So what you have
9 whether in red or in blue font are the rules revisions
10 that we are presenting to you today. It just happens to
11 be the staff member for which was entering those changes.

12 MS. SHEFFEL: Okay. So we are just opening
13 rulemaking to look at this? We're not voting on these
14 rules?

15 CHAIRMAN DURHAM: That is correct.

16 MS. SHEFFEL: Thank you.

17 CHAIRMAN DURHAM: Okay, further questions?
18 It's been moved and seconded that we approve that notice
19 of rulemaking for the administration of the READ Act. Is
20 there an objection to the adoption of that motion?
21 Hearing none, that motion was adopted by a vote of 7-0.
22 We will proceed now to Item 13, which is Notice of
23 Rulemaking for the Administration of School Turnaround
24 Leaders and Development Program.

25 MS. SCHROEDER: You want a motion?



1 CHAIRMAN DURHAM: Okay. Do we have a
2 motion? Yes, please.

3 MS. SCHROEDER: I move to approve the notice
4 of rulemaking hearing to amend the rules for the
5 administration of the School Turnaround Leaders
6 Development Program.

7 CHAIRMAN DURHAM: Is there a second to that
8 motion? There is? Dr. Scheffel, second. Okay, and Dr. -
9 - Dr. Asp, who would you like to --

10 MR. ASP: We have Mr. Peter Sherman here who
11 is our director of -- executive director of school
12 district performance to provide you some background.

13 CHAIRMAN DURHAM: Dr. Sherman?

14 MR. SHERMAN: Good morning, Mr. Chair and
15 Members of the Board. I'm not a doctor, unfortunately,
16 so --

17 CHAIRMAN DURHAM: Oh, okay.

18 MR. SHERMAN: But thanks anyway for that.

19 (Overlapping)

20 MR. SHERMAN: I'm here to initiate the
21 revision of the rules that were passed about a year ago
22 by this Board for the administration of the School
23 Turnaround Leaders -- Leaders Development Program.
24 Again, the Office -- OLLS needed some clarification about
25 the use of the same provider, RFP, for this program,



1 which was -- is to identify leader development
2 organizations that can provide services for turnaround
3 training.

4 Some of those folks -- some of those
5 organizations apply to be identified providers with the
6 State and some do -- are asking for design grants. And
7 some are not asking for grants. We use the same RFP
8 application for both of those, because our standards and
9 the criteria that we're looking for -- for any provider
10 are the same, whether they concurrently do that or
11 whether they need design grant funds to be able to do
12 that. That's the spirit of the -- the statute. So the -
13 - the OLLS folks were comfortable with using the
14 application they needed -- the same application they
15 needed clarification with that.

16 We've also made changes to some of the
17 timelines and the due dates for both the provider and the
18 leader applications. The leader applications go out to
19 districts and to charter schools. The first year, we had
20 to go through the rulemaking process last fall. Thus,
21 the timeline was -- was -- didn't begin until the winter
22 and went through the spring. So the revisions that you
23 have reflect those changes where we're initiating the
24 provider application happening now currently in the early
25 fall. And then the leader application will go from



1 November into January. That will make everybody's lives
2 easier amongst the training programs, but primarily for
3 the districts in the schools and the folks out in the
4 field.

5 CHAIRMAN DURHAM: So Mr. Sherman, is it safe
6 to presume that there's nothing in these changes, there's
7 nothing suggested by Legislative Legal Services, with the
8 exception of the change in the dates, which I presume are
9 initiated for efficiency?

10 MR. SHERMAN: Correct.

11 MS. SHEFFEL: (Indiscernible).

12 CHAIRMAN DURHAM: Yes, Dr. Scheffel?

13 MS. SHEFFEL: So by opening the rules, is
14 there any way to make this program better? Has it been
15 affected thus far with turnaround? I mean, I think what
16 you're saying is these are procedural changes, but now
17 that we're opening them, is it an opportunity to make
18 this -- this grant better?

19 MR. SHERMAN: Mr. Chair?

20 CHAIRMAN DURHAM: Yes.

21 MR. SHERMAN: Yeah, Dr. Scheffel, that's a
22 great question. And certainly I don't think that there's
23 anything in the rules that prohibit us from making some
24 adjustments and modifications. And we've been doing
25 that. We've been working pretty hard over this summer to



1 revise applications for both of those grants. We
2 actually just this morning reviewed provider applications
3 for this first round. And I believe that the -- that the
4 applications are better, that our criteria's a little bit
5 more clear, and certainly in how we manage it and
6 administrator -- administrate the grant program. We've -
7 - we have and will continue to make improvements.

8 MS. SHEFFEL: So my question is does it
9 work? I mean, I -- we're all concerned about these
10 turnaround schools, because it's very high stakes. This
11 is the vehicle by which they get some help and there's
12 money attached to it. Does it work? Are the schools
13 that have gotten these grants and implemented them, have
14 they turned around?

15 MR. SHERMAN: Certainly we -- we send -- we
16 funded over 80 educators, individual educators. Those
17 are teachers, principals, and district staff throughout -
18 - through the grant program last year to be able to
19 attend programs. Some of those programs initiated in the
20 spring and in the summer, so some are -- most of those
21 participants are midway within development programs. So
22 we know that there's a lag time of, you know, going
23 through certain training that may take six months to 18
24 months in the case of some of these different programs.

25 So we know that there's a lag time of just



1 learning and then we know how that will slowly trickle
2 its way into schools and certainly student performances
3 is our ultimate goal and our outcome with this program,
4 as it is with a lot of our supports. But we know that
5 that will be one of the more lagging indicators. But we
6 are tracking and we're asking the -- the provider
7 organizations to look at other factors along changes in
8 competencies and skills with those leaders along the way
9 so that we can see quick changes and progress made and
10 how those folks are out leading and how they're working
11 with their staffs and their communities.

12 MS. SCHEFFEL: So we hear, you know, of
13 course, back from individuals that are part of this --
14 this initiative. And some feel that it's not as
15 procedural. In other words, it's not as applied as it
16 could be. In other words, they may feel they're getting
17 good information, they're looking at different models for
18 turning around and so forth, but the real way to turn a
19 school around is to watch someone turn it around and to
20 mimic their behavior and learn from a mentor or somebody
21 that's actually doing it, you know. And do they have
22 that option as their discretion of how these funds are
23 spent or is like, well, no, if you get the grant, then
24 you have to go out to Virginia and go to this training
25 and sit, be there for three sessions and whatever. I



1 mean, is there a way to ensure that the money actually
2 really works as we're opening rules?

3 CHAIRMAN DURHAM: Please proceed.

4 MR. SHERMAN: Thank you. We -- we -- our
5 goal and the reality of what we have, we've identified
6 five different provider organizations so far. Those --
7 those organizations are -- are different, are quite
8 different. Again, we have some really clear criteria
9 that we're looking for of ways that we want those
10 organizations to support different people in the
11 organizations and schools and districts to be able to
12 really support those schools.

13 We -- we've asked all of them to tie what
14 they do to the -- to the Colorado principal quality
15 standards for leadership. And so there are some
16 commonalities of what we're looking for, but we also --
17 our goal is to have an array of different organizations
18 that conserve in different parts of the state, so
19 different geographical areas, conserve rural or mountain
20 or suburban or urban districts can serve teachers,
21 principals, and district folks, so the kinds of service
22 provide -- and the kinds of training that provided to
23 those different niches are -- there's some variance
24 there. And so what my office is doing and --

25 (Overlapping)



1 MR. SHERMAN: -- is really to try to help
2 funnel district as they apply and as they -- we know that
3 they need support to the right organizations at the right
4 time. And we believe that there -- there -- there ought
5 to be a variation and sort of a portfolio there.

6 MS. SHEFFEL: So just a follow up, I -- I've
7 -- I just guess I get concerned, because this is high
8 stakes. We have a year by now that this is high stakes
9 for these schools. It feels very linguistic to me. In
10 other words, if I were in a school as a superintendent I
11 was trying to turn around, I'd want to be able to go
12 bring in a mentor, bring in someone into my school, look
13 at our data, look at the instructional practices. I
14 wouldn't want to really go to a conference in another
15 state or whatever and go listen to people talk about
16 turnaround. I'd want to get them into my school and my
17 kids and our demographics and our curriculum, so forth.
18 So is that an option?

19 MR. SHERMAN: Absolutely. I mean, this
20 program is predicated on choice. We -- we -- we are not
21 forcing or mandating anyone to attend any of the
22 programs. What we've done on the front end is identify,
23 again, providers that we believe will be able to add
24 value in different ways. And then district and -- and
25 schools are applying specifically to some leaders to --



1 to programs that we've -- we've identified through the
2 program.

3 So there -- there is -- you know, there is
4 quite a bit of choice, I would say, from the field's
5 perspective.

6 MS. SHEFFEL: But choice to bring --

7 CHAIRMAN DURHAM: (Indiscernible).

8 MS. SHEFFEL: -- somebody in your school?

9 CHAIRMAN DURHAM: Please proceed.

10 MR. SHERMAN: Yes.

11 MS. SHEFFEL: Or just to go to different
12 vendors' presentations?

13 MR. SHERMAN: No. Again, I think the
14 different -- the different providers offer a lot of
15 different kinds of experiences. We've required that
16 there is some sort of a residency or a on-the-ground
17 aspect to any of the provider's training. So we know
18 that that's -- that's critically important that it's not
19 something that's theoretical that you go to a lecture and
20 then you're expected to apply that back home.

21 MS. SHEFFEL: Okay, I don't want to
22 dominate, but I just guess this is worth a deeper
23 discussion, because these schools are in a bind and they
24 are trying to turn their schools around. And I guess I'd
25 look -- like to look deeply, maybe at the RFP, and how



1 they can spend those funds. And my concern is that 80
2 percent of the money spent going to things and not being
3 in the school with somebody that can take a new --

4 MS. FLORES: That's right.

5 MS. SHEFFEL: -- new view of the data, of
6 the instructional decisions, the curriculum, and say, you
7 know, here's how to really raise literacy scores. You
8 need 90 minutes a day at least and 30 minutes for every
9 year the kids are behind to do direct explicit
10 instruction, here's somebody that could show you how to
11 do it. If you want to raise math scores, here's the very
12 best way.

13 In other words, I get concerned about the
14 way the money's spent and these grants is still largely
15 going to meetings and listening.

16 MS. FLORES: Right.

17 MS. SHEFFEL: I could be wrong, but maybe we
18 need to spend some time on the RFP. How should these
19 monies be spent? I think that would be a better
20 investment, you know, than the vendors, although they may
21 have great information to share.

22 MS. FLORES: Yeah.

23 MS. SHEFFEL: That would be my thought.

24 MS. FLORES: And also --

25 CHAIRMAN DURHAM: drsl?



1 MS. FLORES: I also think that we do have
2 probably administrators, superintendents, and principals
3 who have turned schools around, who may not be in schools
4 right now. And I think we need to identify those people,
5 because they know they don't need to go to a third party
6 to get them trained. They know. And if we were to --
7 meaning the Department -- were to get those names and
8 have them ready, you know, to be out there and maybe even
9 coalesce them here so that, you know, there is a list of
10 people that have turned schools around, that have -- they
11 know what they're doing. They know Colorado. And they
12 can -- of course, with the approval of those districts,
13 but we need to identify those people and -- and not go to
14 the third-party people who, you know, they say they do on
15 paper but may not and may not know Colorado.

16 MS. SHEFFEL: May I respond?

17 CHAIRMAN DURHAM: Yes, please.

18 MS. SHEFFEL: So this kind of relates to my
19 -- my comment previously when we were getting the report
20 on CDE's effectiveness -- return on investments. So we
21 want to know we have this grant, we have this money,
22 we're trying to help the schools that are in the greatest
23 need, and yet we want to make sure that the way that
24 those funds get spent really is closest to the site of
25 change. We know that when we go to conferences, we can



1 be inspired, we can gain information --

2 MS. FLORES: Sure.

3 MS. SHEFFEL: -- take notes, it's great.

4 But as far as really turning around our schools, we need
5 to be close to the site of change, as in in our school.

6 So return on investment for this -- this program, I'd
7 like to make sure that the money, almost all of it, goes
8 to bringing people into schools who have done this work,
9 who know the research, and know --

10 MS. FLORES: That's right.

11 MS. SHEFFEL: -- the specific curricula,
12 instructional practices that turn around the school.
13 Otherwise, we'll be in a position to -- to take very
14 draconian actions --

15 MS. FLORES: Right.

16 MS. SHEFFEL: -- based on what the law
17 suggests for these schools that don't turn around. Thank
18 you.

19 MS. FLORES: And it's been done in other
20 states. They do get master administrators.

21 CHAIRMAN DURHAM: Yes?

22 MS. PEARSON: I was just going to clarify --
23 or not clarify that this is a piece of this report that
24 we're offering schools and districts and priority
25 improvement and turn around part of it. This is kind of



1 that leadership strand of it. But Peter runs around the
2 turnaround network and then turnaround leadership academy
3 that really are looking at school by school, individual,
4 personalizing for schools. You can explain this better
5 than I can. Jump in whenever you want, Peter.

6 But more of that on site direct in the
7 classroom, whether they need right there support. So I
8 think there's a menu of options based on the needs of
9 individuals, needs of systems, needs of districts of what
10 people need to try to fit that support set, our best --
11 the best match for the situation. I think we both day
12 that we don't have enough capacity to help everybody and
13 that's one thing we're really looking at, is how do we
14 fit all those needs for all the schools that we have on
15 priority improvement and turnaround into what we have in
16 this state? But I think there's different options based
17 on who needs what, who's ready for what kinds of
18 supports.

19 MS. SHEFFEL: Yes.

20 CHAIRMAN DURHAM: yes, Dr. Scheffel?

21 MS. SHEFFEL: Just a quick follow up. Yeah,
22 and I appreciate that. I know there's different moving
23 parts to the model and all I would say is when we really
24 look at what creates rising achievement, there's a fairly
25 finite number of leverage points. And sometimes we can



1 make it so complicated with all these models and moving
2 parts that sometimes we never get to the main work of
3 great instruction from a great teacher, a wonder
4 curriculum modeling to the site of change. And sometimes
5 I think in all our complexity, we lose that simplicity,
6 which are the main leverage points that really do predict
7 getting out of school improvement raising these
8 achievements. So I'd just like to ensure that this grant
9 works. I'm concerned that even though it might be good,
10 I'm concerned that it won't work. And of course I hear
11 back from schools that are on improvement feeling like a
12 sense of emergency.

13 MS. PEARSON: And we can bring back to you
14 also an initial review of the first year of
15 implementation and some other pieces that are in place
16 right now --

17 MS. SHEFFEL: Yes.

18 MS. PEARSON: -- if you'd like some details
19 on that.

20 CHAIRMAN DURHAM: I would observe that I
21 think Dr. Scheffel's and Dr. Flores' comments are well
22 taken that by my own personal view of attending
23 conferences is generally they're a lot of fun, but I
24 think the idea of bringing -- bringing the proper
25 expertise to the site of the problem makes a lot more



1 sense. I think we ought to review these grants on that
2 basis and we'll see if we can't get that review scheduled
3 for some future time. Any further questions? Yes --

4 MS. GOFF: I wonder if --

5 CHAIRMAN DURHAM: -- Ms. Goff?

6 MS. GOFF: Yeah, I wonder if it would be
7 helpful, because this is a great example of a relatively
8 new piece of legislation. This is early on in this whole
9 process. As a student -- as we all are statutory
10 numbers, I wonder if it -- it's not very easy to find out
11 from reading our rules, our discussion papers -- I don't
12 know if it is for you all -- how old is this piece of
13 legislation? How long has this work have had to go on?
14 So we could talk all we want about evaluating a program
15 or -- or whatever, but it's all -- it's like teaching.
16 There's a certain amount of time element that's kind of
17 relative to the conversation.

18 So I -- I would wonder if we can get just
19 the year, just the legislative year, attached to this
20 information or put up at the top or something to give us
21 a context a little bit.

22 CHAIRMAN DURHAM: When was the statute, Mr.
23 Sherman?

24 MR. SHERMAN: It -- it was passed in May of
25 2014.



1 MS. GOFF: '14, okay.

2 CHAIRMAN DURHAM: Thank you.

3 MS. GOFF: I knew it was recent. So then we
4 have a year-long basically RFP grant figuring out how to
5 administer that grant. We have to set up all of that.
6 So really, realistically, this is early, early. So, you
7 know, I -- I totally appreciate all the points they bring
8 up, but we do have some -- I think we've got some tools
9 and helpers we're not always taking advantage of about
10 how to structure our conversations.

11 And I appreciate the work and I -- I -- I --
12 I totally agree. I do think the what are we getting for
13 our buck, what are schools getting for CDE's investment
14 as well? I think that's very important. I also would
15 again say let's be smart about what amount of time and
16 chance to implement we are taking into account.

17 CHAIRMAN DURHAM: Yes, Mr. Sherman?

18 MR. SHERMAN: Mr. Chair, I would just
19 reiterate what Ms. Pearson (ph) said, is just that --
20 that this leader program is -- is one aspect of a lot of
21 different support webs that we have through the
22 department, both through my office and other offices as
23 well. But I'd be happy to come back and share more
24 specifically the -- the leadership development providers
25 that we've identified thus far and some more specifics



1 about what kind of work they do. I very much appreciate
2 and -- and your comments and questions around that being
3 close to the school and having been a former school
4 principal for about a decade, I really do appreciate
5 that. And I do think that you'll find that some of the,
6 if not a lot, of the training that's happening through
7 this grant program is very practical and is very on the
8 ground.

9 But if you are hearing feedback from other
10 folks in the field, I would be delighted to hear that
11 directly, just so that would be -- as -- as Ms. Goff was
12 saying, I think this is a new program and we're doing our
13 best to really try to align this and not keep it as some
14 sort of separate grant program, but really aligned with
15 other supports that we have. So we're very open to ideas
16 and questions about it.

17 CHAIRMAN DURHAM: All right, it's been moved
18 and seconded that we approve notice rulemaking for the
19 Rules Administration School Turnaround Leaders
20 Development Program. Is there an objection to the
21 adoption that motion? Seeing none, that motion is
22 adopted by a vote of 7-0.

23 Okay, next item is the report on the
24 Elementary and Secondary Education Act flexibility
25 waiver. And I presume that's this very large packet



1 here?

2 MS. PEARSON: Very large -- 300 page.

3 CHAIRMAN DURHAM: Yeah, which I
4 unfortunately forgot to pick up last night. I got it
5 this morning. Yeah, I'm sure it'll be -- in case I have
6 insomnia, that ought to be a cure.

7 The -- before we start, just let me ask a
8 couple of questions. First of all, is any action
9 required on the part of the Board at this point in time?

10 MS. PEARSON: (Indiscernible)

11 CHAIRMAN DURHAM: Yes, Dr. Asp?

12 MR. ASP: Thank you. We -- what we would
13 like to do was be able to submit this waiver at the
14 Board's approval to the U.S. Department of Education. We
15 can't submit it without your approval. What we want to
16 show you today were the -- the major points that we've
17 come to agreement with the U.S. Department of Education.
18 We've given you an exceptions report as well, which is
19 quite lengthy. But I think there is three fundamental
20 issues that we really had to work through with the U.S.
21 Department of Education. So our -- our hope is that we
22 could secure your approval for this today, but we're
23 certainly prepared to come back in -- in November as
24 well.

25 MR. ASP: And you have a variety of motions



1 there in front of you depending on how you would like to
2 proceed.

3 CHAIRMAN DURHAM: Well, let me inquire what
4 is that -- I'm a little reluctant to bring this,
5 something that's this significant with running half hour
6 or more behind and having only a half hour for
7 discussion, since it may be one of the more significant
8 things that we do. But I want to know what the -- I'd
9 like to know what the effect of waiting until November to
10 do this happens to be. Dr. Asp?

11 MR. ASP: Thank you. I could ask Mr.
12 Chapman or Ms. Pearson to comment on that.

13 MR. CHAPMAN: I'm Pat Chapman, executive
14 director of Federal Programs Unit. I -- I think that
15 will be fine. I know that there's an eagerness on the
16 part of the U.S. Department of Education to -- to resolve
17 our outstanding waiver request. I think the CDE staff
18 have some desire to -- to move on and -- and be able to
19 focus on things other than securing the waiver. But I
20 don't think that the -- the net impact on CDE staff and
21 schools and districts would be minimal if we were to wait
22 another month. I mean, we would want to know that you
23 guys are comfortable with what's being submitted before
24 we submit it.

25 CHAIRMAN DURHAM: But before we make that



1 decision, why don't you give us the short version of the
2 three significant issues or things that were at issue
3 with the Department of Education?

4 MR. CHAPMAN: And correct me if I'm wrong,
5 Dr. Asp, I -- I'm thinking that we're talking about the
6 implementation of educator effectiveness and the -- the
7 waivers that have been granted to the two districts;
8 assessment participation; and the third --

9 MR. ASP: It just went in for new
10 assessment.

11 MR. CHAPMAN: Pardon me?

12 MR. ASP: It's in the plan for new
13 assessment.

14 MR. CHAPMAN: And it's in the new
15 assessments. We have resolved, we've submitted an
16 assessment procurement plan, an implementation timeline.
17 And there the U.S. Department of Education has indicated
18 that they're comfortable with our assessment schedule and
19 will -- our use of the tenth grade assessment to meet the
20 high school ELA and math requirements.

21 We've submitted language sufficient for the
22 U.S. Department of Education regarding our implementation
23 of educator evaluation and they've, I think, adequately
24 addressed their concerns related to the two waivers that
25 have been granted to Holyoke and -- and Kit Carson. And



1 we've also --

2 MS. PEARSON: Just on -- on the waiver, I
3 would just add part of that back and forth with U.S.
4 Department of Ed is that they asked us to put in an
5 assurance into the waiver that says if there are
6 additional waivers to state law that are -- that may
7 impact the assurances we've already given the Department
8 of Education about the waiver request, that we notify
9 them afterwards and assure them that we're still meeting
10 the intent of the waiver.

11 MR. CHAPMAN: Right.

12 MS. PEARSON: So that's one of the major --
13 (Overlapping)

14 MS. PEARSON: -- not major changes, but one of the
15 changes that you'll see (Overlapping).

16 MR. CHAPMAN: So we created -- we are asked
17 to respond to 14 assurances. We basically created a 15th
18 assurance assuring them that if -- if a waiver,
19 additional waivers are approved that have an impact on
20 ESEA flexibility that we would notify them and provide
21 information about how we are still compliant with ESEA
22 flexibility requirements.

23 MS. FLORES: May I ask a question?

24 CHAIRMAN DURHAM: Dr. Flores?

25 MS. FLORES: So we're ship and shape? In



1 other words, the Department and -- the U.S. Department
2 and CDE are in alliance with all of this?

3 MR. CHAPMAN: Yes, they're -- they're on the
4 CDE and there's the State Board and there's the U.S.
5 Department of Education. And we're I think close to
6 having language. We -- we -- U.S. Department of
7 Education has indicated that they are comfortable with
8 the language as it's currently written. And now we're
9 here today to -- to help you guys understand exactly what
10 exactly had been changed in the waiver -- waiver that was
11 submitted in March and how it's been changed since March
12 and wanting to ensure -- wanting to know that you guys
13 are comfortable before -- and wanting your approval for a
14 formal submission.

15 MS. FLORES: Couldn't we do that and just
16 not be in a (indiscernible) over this thing, Steve?

17 CHAIRMAN DURHAM: Well, I -- I'll certainly
18 --

19 (Overlapping)

20 MS. FLORES: Well, instead --

21 CHAIRMAN DURHAM: I think -- I think Dr.
22 Flores wants to approve this submission of a waiver, and
23 that's certainly a proper motion if somebody wants to
24 make it. I'll--

25 MS. FLORES: Because I think these people



1 have been working so hard. And if we're there, let's --

2 CHAIRMAN DURHAM: Yeah.

3 MS. FLORES: May I make a motion? Or --

4 CHAIRMAN DURHAM: Sure, please.

5 MS. FLORES: Or -- or would you like to
6 speak?

7 MS. SHEFFEL: I could. I just have a
8 comment.

9 MS. FLORES: Okay.

10 CHAIRMAN DURHAM: Go ahead, Dr. Scheffel.

11 MS. SHEFFEL: I guess my thought is I have a
12 lot of questions about this waiver related to the
13 Strategic Learning Initiative opt-out piece. I probably
14 have some deep questions about this, so I feel
15 uncomfortable. It's a very lengthy, complicated document
16 with all kinds of dependencies in the language. And
17 we're committing ourselves to a lot of things in this
18 waiver, even though the word "waiver" seems to indicate
19 we're getting more freedom. I -- I question that. I
20 think we're getting less. And I think unpacking what
21 exactly we're agreeing to is essential before we submit
22 this, so yeah.

23 MR. CHAPMAN: Can I take a stab at it? I
24 think that really what we've presented in our waiver is
25 our plan to continue implementing the new standards,



1 implementing assessments aligning to those standards,
2 annually assessing school and district performance
3 relative to the standards, and submitting a plan of how
4 we'll support those schools in districts that have been
5 identified as low-performing.

6 I think where -- and we would really -- that
7 would be our plan absent the waiver. I think where it
8 becomes something in addition to that is with educator
9 evaluation and the requirement that we implement an
10 educator evaluation system, which is not part of ESEA.
11 That -- that's specific to the waiver.

12 So I think that it does inhibit or diminish
13 our -- our independence and our flexibility in how we
14 implement our educator evaluation, because we have --
15 we're beholden to the U.S. Department of Education for
16 their approval. But I think that's -- that's the major
17 area where we -- we have less freedom, I think, as an
18 educator evaluation. And the other area -

19 MS. SHEFFEL: Also think data -- data is a
20 huge issue, how we're sharing data, what kind of data
21 we're collecting.

22 MS. GOFF: Yeah, that too.

23 MS. SHEFFEL: This whole strategic --
24 (Overlapping).

25 MR. CHAPMAN: Yeah, I think that it --



1 ironically that was one of the promises, is that in
2 getting away where we would have less data to report, I
3 don't think that's been the case. I think it actually
4 has increased from under the waiver, because we have to
5 still report the things that we had to report before.
6 They didn't take any data reporting requirement, so
7 that's -- that's probably true that we do have more.

8 MS. SHEFFEL: And I feel that we would be
9 entering into agreements that require data sharing in
10 ways that may not currently exist. And I am concerned
11 about that and those implications.

12 CHAIRMAN DURHAM: Yes, Dr. Schroeder?

13 MS. SCHROEDER: I think we've got to get
14 something done. And so Deb, I think if you want to go
15 through those 315 pages, can that be done in the next two
16 weeks so that we don't pick at this at the table next
17 month or today, for that matter, if you've got them all
18 identified?

19 MR. CHAPMAN: We could go through the -- the
20 PowerPoint. That might your understanding of what's
21 included in here.

22 MS. SCHROEDER: Yeah, I -- I did read the
23 PowerPoint, which is why I'm ready to go ahead and
24 approve it. I don't have concerns, but I don't want to
25 dismiss your concerns either. I don't have any big



1 concerns with this as being -- I think everything that
2 we've had some worries about, particularly the opt-out,
3 et cetera, have been resolved. But I don't want to
4 dismiss your concerns either, but I do feel like we've
5 been at this for a while and we need to somehow, you
6 know, get all the things on here, see if they make a big
7 difference for what happens for our kids. What -- what
8 do you think?

9 MS. SHEFFEL: Well, my sense is we've been
10 at it for a while because we have been trying to
11 negotiate with federal government.

12 MS. SCHROEDER: Now we did.

13 (Overlapping)

14 MS. SHEFFEL: -- been holding it up.

15 MS. SCHROEDER: But now we did.

16 MS. SHEFFEL: We have. And my sense is that
17 we haven't struck a better deal. I don't think we're
18 getting more --

19 MS. FLORES: And I don't think
20 (indiscernible).

21 MS. SHEFFEL: -- than we are without it, is
22 my concern.

23 MS. SCHROEDER: What did we ask for that we
24 didn't get? I'm trying to remember that.

25 MS. SHEFFEL: Well, I just -- my biggest



1 concern is the data-sharing piece. I'd have to look more
2 deeply into the -- I mean, I -- I have a lot of questions
3 if we're going to walk through the PowerPoint. But I --

4 MR. CHAPMAN: The data -- I -- I'm not
5 exactly sure what you mean by that, but --

6 CHAIRMAN DURHAM: I think -- I think if
7 we're going to walk -- I think if we're going to walk
8 through the PowerPoint, I think this is probably
9 something that should've been scheduled, and I'll take
10 responsibility for not seeing this in advance -- it
11 should've been scheduled for an hour, an hour and a half,
12 at least, which would've put us into a two-day meeting,
13 which we're probably going to have next month anyway.

14 So I think we -- we'll have it -- if there's
15 an absent motion, I'm going to take this off the table.
16 If there is a motion, we can vote on it and I'll
17 (indiscernible) make a motion. We certainly can do it.
18 Otherwise, I'm going to take this off the table, put it
19 on the agenda for next month, schedule at least an hour
20 and a half, because I don't think there's anything much
21 more important that this board's going to do than approve
22 this. And I happen to -- you know, I -- I had a lot of
23 discomfort in the earlier discussions. I don't really
24 know were those addressed. And as I said, this was
25 available for me to pick up last night. I forgot to pick



1 it up, but I'm not sure I would've necessarily --

2 MS. SCHROEDER: Read it.

3 CHAIRMAN DURHAM: -- spent quality time on
4 it after I got home.

5 (Overlapping)

6 CHAIRMAN DURHAM: Yeah.

7 MS. SCHROEDER: I'll make a -- I'll make a
8 motion. I move to review the updated verses of the ESEA
9 waiver and vote on approval at the -- at the November
10 meeting.

11 CHAIRMAN DURHAM: All right.

12 MS. SCHROEDER: Does that work?

13 CHAIRMAN DURHAM: Is there a second to that
14 motion? That motion's been moved and seconded. Would
15 you please call the roll?

16 MS. BURDSALL: Dr. Flores?

17 MS. FLORES: Yes.

18 MS. BURDSALL: Jane Goff?

19 MS. GOFF: Aye.

20 MS. BURDSALL: Pam Mazanec?

21 MS. MAZANEC: Aye.

22 MS. BURDSALL: Joyce Rankin?

23 MS. RANKIN: Yes.

24 MS. BURDSALL: Dr. Scheffel?

25 MS. SHEFFEL: Yes.



1 MS. BURDSALL: Dr. Schroeder?

2 MS. SCHROEDER: Yes.

3 MS. BURDSALL: And Steve Durham?

4 CHAIRMAN DURHAM: Aye. Motion's been
5 adopted by a vote of 7-0.

6 MS. SCHROEDER: So --

7 CHAIRMAN DURHAM: Yes?

8 MS. SCHROEDER: Could I ask then, if there
9 are some concerns that they are identified to staff and
10 that -- that we get them so that we're not doing this at
11 the table? Because some of this is pretty complicated.

12 MS. SHEFFEL: Very complicated, yeah.

13 MS. SCHROEDER: Some of us professional
14 educators and some of us are not. And so we need to have
15 some deeper understanding.

16 MS. SHEFFEL: Yes.

17 MS. SCHROEDER: Because I think those are
18 some of the -- your concerns relate more to the deeper
19 stuff that is not fundamentally a part of my
20 understanding.

21 MS. SHEFFEL: I feel it just -- I just feel
22 like this is entangling us on -- in ways that we barely
23 understand. And I'm trying to get to it myself, because
24 it's diffuse language.

25 MS. SCHROEDER: So go to it.



1 MS. SHEFFEL: Yes.

2 MS. SCHROEDER: And maybe set some cutoff
3 and --

4 CHAIRMAN DURHAM: Yes.

5 MR. CHAPMAN: Would it be -- would be
6 helpful if we scheduled a study session of sorts or
7 provided an opportunity to work through this at -- at a
8 more leisurely pace so that you have an opportunity to
9 ask those questions and that we can address? I would be
10 happy --

11 CHAIRMAN DURHAM: Let's -- let's do that and
12 schedule it, say in about ten days to two weeks. And we
13 won't be able to fit everybody's schedule. We'll have to
14 do the best we can.

15 MR. CHAPMAN: Okay.

16 CHAIRMAN DURHAM: So those that can come or
17 perhaps even call in for a work session will do it.

18 MS. SCHROEDER: Well, in ten days to two
19 weeks, I think we're all going to be at one conference or
20 another, so we need to be careful.

21 CHAIRMAN DURHAM: I am. We'll -- we'll
22 schedule around the obvious --

23 (Overlapping)

24 CHAIRMAN DURHAM: Schedule around the
25 obvious conference. So we'll -- we'll work on that.



1 Okay, so that -- that motion was adopted 7-0. Let's see,
2 we're now ready for a motion for executive session and
3 lunch. Lunch is always a good motion.

4 MS. FLORES: Lunch is a little good.

5 CHAIRMAN DURHAM: So do you want to read
6 something, Ms. Burdsall?

7 MS. BURDSALL: Pull this out. An executive
8 session has been noticed for today's State Board meeting
9 in conformance with 24-6-402(3)(a), C.R.S. to receive
10 legal advice on specific legal question pursuant to 24-6-
11 402 (3)(a)(II), C.R.S. in matters required to be kept
12 confidential by federal law, rules, or a state statute
13 pursuant to 24-6-402 (3)(a)(III), C.R.S.

14 CHAIRMAN DURHAM: Okay, you've -- is there a
15 motion to convene an executive session pursuant to Ms.
16 Burdsall's limitations?

17 MS. FLORES: So moved.

18 CHAIRMAN DURHAM: It is moved. Is there a
19 second? There is. That requires five votes. Is there
20 objection to the convening an executive session? Seeing
21 none, that motion passes 7-0. We are in executive
22 session. Those who are not eligible to stay will -- will
23 please leave and we'll be back as soon as possible.

24 (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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