

Minutes

cde



Colorado Department of Education EDAC Committee

December 3, 2021
9:30 a.m.-11:55 a.m.
Virtual Meeting

Meeting called by:

Educational Data Advisory Committee

Type of meeting:

Scheduled Data Review Meeting

Facilitator:

Annette Severson

Note taker:

Peter Hoffman

Attendees:

Eric Clinton Mason	Janice Cook
Lazlo Hunt	Mimi Livermore
Patrick Mount	Mina Parthasarathy
Andrew Pippin	Loraine Saffer
Cheryl Taylor	
CDE:	
Annette Severson	Marcia Bohannon
Peter Hoffman	

Agenda topics

OSA Audit with Greg Fugate and Monica Gribben – 20 Minutes

- Letter provided to EDAC to help promote awareness. EDAC not to vote on the OSA Audit. They were brought to EDAC to promote awareness and help inform districts.
- While the audit is mandatory for the State to complete it is voluntary for the districts to participate in any of the focus groups or surveys. There is a hope that people will be interested in participating, and the focus is making it as little of a burden as possible.
- Late January – April 2022 is the current timeline to conduct audit.
- The invitation to participate in the audit will come from the State Auditors Office due to audit requirements. There is an idea that it was presented to EDAC – even though there was no approval or disapproval from EDAC.
- EDAC thinks perhaps presentations on the audit should be made to different groups like PPRSAC, CALET, AC, and district accreditation committees.
- Requests to participate should funnel through Greg Fugate, not HumRRO

General Business

- Meeting Minutes November 5, 2021 – Approved with minor changes
- Tentatively Scheduled January Collections – No concerns
- Late Item Submissions (MARKED IN RED)
- EDAC Credit Renewal
- Request for Government Data Advisory Board (GDAB) Membership
 - Patrick Mount to serve as representative to evaluate what EDAC's role can be in GDAB
- Bylaws were addressed approximately a year ago – EDAC thinks that perhaps a discussion on them, especially with a few new members, would be beneficially – tentatively put on agenda for January EDAC meeting.
- Update EDAC website with current information
- Graduation Guidelines – Some districts wondering why this went out? Can EDAC make a request to review a collection if districts are dissatisfied or have concerns if CDE is going past the legislative requirements? Motion made to have discussion on whether Graduation Guidelines should come under full review. Should we poll other districts to see if they want this changed, or would it cause more confusion? School boards have the right to meet or exceed the set guidelines, and some districts that are setting these guidelines are finding that some offerings they have already exceed the guidelines yet there is no way to indicate this. CDE has not set cut points yet for SPF/DPFs, why do they need the data / how are they going to use it?

The collection may not allow districts to go in the direction they want when meeting and exceeding these guidelines.

Comments from Sed Keller: There is no need to collect data on all students since the legislation asks for only students that exceed the standard / or meet the higher benchmark (that doesn't exist yet). It is districts to try to test students with different tests or capstones to help make kids meet the requirements. It is creating an erroneous perception of kids not being able to graduate. Are the mandatory fields mandatory to meet the legislative requirement? Requested full review.

Vote approved by EDAC for a LEA request to review Graduation Guidelines 2021-22 collection.

Update Approval – All approved with none pulled / no questions.

- CGA-172B School Counselor Corps Grant Program (SCCGP) End of Year (EOY) Grantee Reports
- CGA-206A PTECH Addendum
- HAW-102 Report of Designated Personnel and Stock Epinephrine
- HAW-103 Epinephrine Administration and Anaphylaxis Reporting
- PSF-CC03 Capital Construction Grant Application
- PWR-105 Innovative Learning Opportunity Pilot Program LEP Annual Report
- SPS-130 Teaching and Learning Conditions (TLC) in Colorado Survey

7 Minutes	HAW-106 School Nurse Workforce (New)	Kim Burnham
<p>Overview: As a result of the American Rescue Plan Act of 2021 (P.L. 117-2), March 22, 2021, the Centers of Disease Control and Prevention (CDC) activated CDC-RFA-TP18-1802 Cooperative Agreement for Emergency Response: Public Health Crisis Response to provide additional relief to address the continued impact of the COVID-19 pandemic. This funding is intended to establish, expand, train, and sustain the public health workforce to support jurisdictional COVID-19 prevention, preparedness, response, and recovery initiatives, including school nursing.</p>		
<p>Discussion: Smaller rural schools and districts don't have professional grant writers so the short deadline window is difficult for them, especially with holiday breaks. Can CDE widen window, possibly to the beginning of February? Kim will explore trying to widen window.</p>		
<p>Conclusion: Approved</p>		
5 Minutes	ODC-103 COVID Relief Fund Learning and Transparency Technical Assistance Program (New)	Kim Burnham
<p>Overview: This program exists to provide funding to provide technical assistance to Colorado LEAs in carrying out the critical role of transparency and communication with families and communities about the needs of the community's students and schools caused or exacerbated by the pandemic, continued community engagement around developing needs, the use of COVID relief funds in addressing those needs, and the impact of those funds on addressing the COVID-related needs.</p>		
<p>Discussion: Similar to HAW-106, there were timeline concerns from EDAC and a question on whether CDE can extend the deadline. Kim will check and see if anything can be done.</p>		
<p>Conclusion: Approved</p>		

30 Minutes

DMC-116B READ Teacher Training Reporting
(New)

Floyd Cobb, Whitney
Hutton, and Anji Gallanos

Overview: Colorado school districts are required to ensure all K-3 educators who teach reading complete evidence-based training in teaching reading because of changes to the Colorado READ Act in SB 19-199. For the 2022-23 budget year and budget years thereafter, LEPs must submit evidence that it is following the teacher training requirements to receive READ Act funding. In order to fulfill this statutory requirement, a new file upload will be added to the existing READ Data Pipeline collection. Reporting on completion of READ training pathways by all applicable educators is mandated as part of the requirements to receive READ Act funding, starting in the 2022-23 school year.

Discussion - see next page.

Discussion:

Email questions and responses are below, including responses from Attorney General's office.

Was this part of HR collection or intended to be an HR collection? No, CDE has been working to determine the best system to gather this information. HR was not used because of timing funding and wanting to not delay in distributing READ funding to districts.

Attorney General's office does not believe the statute has any ambiguity that EDAC has concerns over. The law does not place burden on teacher to provide proof, it places the burden on districts.

Why can't CDE get the information from COOL? Not every teacher is required to submit to COOL system since COOL only receives information on licensed teachers. COOL is not definitive or absolute, and teachers do not have to submit to COOL. Districts must have a mechanism to track that teachers have met requirement.

EDAC concern that it is creating additional burden since HR and READ are submitted from separate groups within districts, causing issues and confusion sharing sensitive PII for READ collection.

Do LEA's need to submit the level of detail being requested?

Comments from districts Cheyenne Mountain District 12, Academy District 20, District 11:

- This should be an HR collection
- Collecting the SSN is not appropriate for READ collections
- Why does the department need the details on how the teachers met the requirement, can't the districts just submit yes or no. This is creating a major time sink for smaller districts.
- What is CDE doing with this data? What is the research plan?
- If they aren't using it, why do they need it?
- Can this be voluntary?
- Can EDAC request the state board to change this rule.
- Does this data exist at CDE already? Teacher EDID should be enough to cross check

Overall opinion seems to be focusing on reducing the burden on districts and teachers.

CDE response - Are these concerns are just district processes that need to be put in place? Board rule and statute are very clear when it comes to what the requirements are. There are very narrow parameters that teachers need to be able to demonstrate to meet requirement. Those elements must be confirmed and verified – required via statute and board rule. Is just an assurance enough?

EDAC feels that the state is getting an assurance and then asking for additional detail that may not be necessary.

The detail is needed because there is a very narrow list of parameters that qualify.

Is this all related to READ funding. Yes. CDE is prohibited from releasing funding unless these requirements are verified as being met. The district has to submit evidence, and CDE verifies it twice. CDE matches the teachers that are teaching K-3 and the teachers that districts saying completed the requirement, and then matching this versus the standards.

Some districts feel this is a major burden and that it exceeds statute and rule. They feel that districts are already verifying whether or not teachers meet the requirements and should only need to indicate whether they met the requirements or not.

EDAC concern - if you have the EDID, why is the SSN needed? Preferred to reference Social from EDID, since even non licensed teachers have an EDID.

CDE did agree to remove the SSN from the file layout. The method of training must remain as part of the collection.

Conclusion: Not Approved via Email / Emergency Review

5 Minutes	STL-109 Survey of School Library Staff on LSTA Funded Programs of the Colorado State Library (New)	Jean Heilig
<p>Overview: In order to receive annual funding, the State Library is required to complete a 5-year evaluation of their services to all library types (including schools) in the state. Information gathered will assist the State Library in planning activities to assist school libraries in achieving their educational goals. From the survey:</p> <p>The RSL Research Group is conducting an evaluation of the Colorado State Library (CSL) FY 2018-22 plan for its Library Services and Technology Act (LSTA) funding from the Institute of Museum and Library Services (IMLS). RSL will also include in its report your suggestions for CSL's next 5 year plan. This evaluation and plan are required of all states that receive LSTA funding.</p> <p>The first part of this survey asks for your help in assessing CSL's performance toward selected LSTA funded goals during this latest five-year period. The second part offers some potential projects for 2023-27 and asks about their importance to you.</p>		
<p>Discussion: None</p>		
<p>Conclusion: Approved</p>		



OFFICE OF THE STATE AUDITOR
KERRI L. HUNTER, CPA • STATE AUDITOR

By electronic mail

Monday, November 29, 2021

Ms. Rhonda Haniford, Associate Commissioner
Ms. Marcia Bohannon, Chief Information Officer
Colorado Department of Education
201 East Colfax Avenue, Room 500
Denver, CO 80203-1799

Dear Rhonda and Marcia:

As you are aware, the Office of the State Auditor (OSA) is conducting a required performance audit of Colorado's K-12 Education Accountability Systems in accordance with Section 2-3-127, C.R.S. The OSA's contractor, HumRRO, will be conducting focus groups, interviews, and surveys with a sample of districts, schools, and parents to help achieve some of the audit's objectives. State statute requires that the OSA conduct this audit. However, districts, schools, and parents are under no obligation to participate in the audit's focus groups, interviews, or surveys. The audit does not create any statutory or regulatory data reporting requirements for districts or schools.

Attached to this letter is an overview of the planned approach to the focus groups, interviews, and surveys for the audit. We are submitting this information to the Colorado Department of Education to facilitate the Education Data Advisory Committee's statutory responsibility outlined in Section 22-2-304(2)(c), C.R.S., which is to "review each data reporting request made to school districts and public schools and notify school districts and public schools that the request...is voluntary because it is not specifically required by statute or rule."

Although their participation is not required, we hope that districts, schools, and parents who are contacted recognize the value and importance that their participation will have for providing information and their views to the General Assembly about the efficacy of Colorado's current K-12 education accountability systems. We will minimize as much as possible the burden on district and school personnel and parents who agree to participate in any focus groups, interviews, or surveys as part of the audit.

Sincerely,

A handwritten signature in black ink that reads "Michelle Colin". The signature is written in a cursive, flowing style.

Michelle Colin

Deputy State Auditor

michelle.colin@state.co.us

303.869.2823

Attachment: Overview of Planned Focus Groups, Interviews, and Surveys

Colorado Office of the State Auditor (OSA)/Human Resources Research Organization (HumRRO)
Performance Audit of Colorado’s K-12 Education Accountability Systems
Overview of Planned Focus Groups, Interviews, and Surveys for Districts, Schools, and Parents

<p>District Interviews</p>	<p>The district interviews will primarily focus on interventions and supports, including discussion about the effectiveness of interventions for students in poverty and students with disabilities and shifting educational resources and interventions, and targeting assistance to students close to achieving grade-level scores or to particular student groups.</p>		
	<p>Participants:</p> <p>A total of 15 districts will be selected to participate in the district interviews.</p> <p>We will request participation from 1-2 officials in each sampled district who are most knowledgeable of how the system of interventions and supports is implemented in the district.</p>	<p>Timing:</p> <p>The interviews are planned to take place between late January 2022 and early April 2022. A variety of dates/times will be provided to accommodate different schedules.</p>	<p>Logistics:</p> <p>The interviews will be conducted remotely via Microsoft Teams and last no more than 1.5 hours in duration.</p>
<p>School Focus Groups</p>	<p>The school focus groups will primarily focus on the connection between turnaround plan interventions and their impact on student postsecondary readiness, with additional discussion about the accessibility and usefulness of assessment and accountability information.</p>		
	<p>Participants:</p> <p>A total of 20 schools will be selected to participate in the focus groups.</p> <p>We will request participation from 4-6 officials in each sampled school who are most knowledgeable about the thought process behind intervention selection, what the interventions do, and how those interventions are affecting postsecondary readiness.</p>	<p>Timing:</p> <p>The focus groups are planned to take place between late January 2022 and early April 2022. A variety of dates/times will be provided to accommodate different schedules.</p>	<p>Logistics:</p> <p>The focus groups will be conducted remotely via Microsoft Teams and last no more than 2 hours in duration.</p>

Colorado Office of the State Auditor (OSA)/Human Resources Research Organization (HumRRO)
Performance Audit of Colorado’s K-12 Education Accountability Systems
Overview of Planned Focus Groups, Interviews, and Surveys for Districts, Schools, and Parents

School Survey	<p>The school survey will primarily focus on (1) school effectiveness in helping students develop skills and capacities that are relevant to families and employers (e.g., innovation, academic rigor, career and technical education, and workforce readiness and essential skills), and (2) shifting educational resources and interventions, changing instructional practices, and targeting assistance to students who are close to achieving grade-level scores or modifying instructional practices and targeting particular cohorts of students.</p>		
	<p>Participants:</p> <p>We will request participation from approximately 1,100 schools.</p>	<p>Timing:</p> <p>The survey is planned to be made available and open for completion in March 2022.</p>	<p>Logistics:</p> <p>The school survey will be completed online and take approximately 10-12 minutes to complete.</p>
Teacher Survey	<p>The teacher survey will primarily focus on (1) shifting educational resources and interventions, changing instructional practices, and targeting assistance to students who are close to achieving grade-level scores or modifying instructional practices and targeting particular cohorts of students, and (2) whether and to what extent information regarding assessments and accountability, including guidance on actions to support student learning, is accessible and understandable to educators.</p>		
	<p>Participants:</p> <p>We will request participation from all educators from the schools included in the school survey.</p>	<p>Timing:</p> <p>The survey is planned to be made available and open for completion in March 2022.</p>	<p>Logistics:</p> <p>The teacher survey will be completed online and take approximately 10-12 minutes to complete.</p>

Colorado Office of the State Auditor (OSA)/Human Resources Research Organization (HumRRO)
Performance Audit of Colorado’s K-12 Education Accountability Systems
Overview of Planned Focus Groups, Interviews, and Surveys for Districts, Schools, and Parents

Parents/Parent Groups	The goal of the parent/parent groups focus groups and survey will be to help gauge whether and to what extent information about assessments and accountability, including guidance on actions to support student learning, is accessible and understandable to parents and families.		
	<p>Participants:</p> <p>We will ask districts and schools to help connect us with parents/parent groups who may be interested in participating in focus groups and/or an online survey as part of the audit.</p>	<p>Timing:</p> <p>The focus groups are planned to take place between February and April 2022. A variety of dates/times will be provided to accommodate different schedules.</p> <p>The survey is planned to be made available and open for completion in March 2022.</p>	<p>Logistics:</p> <p>The focus groups will be conducted remotely via Microsoft Teams and last no more than 2 hours in duration.</p> <p>The survey will be completed online and take approximately 10-12 minutes to complete.</p>

From: [Severson, Annette](#)
To: ["MASON, ERIC CLINTON"](#); [Cobb, Floyd](#); loraine.saffer@seboces.org
Cc: [Mina Parthasarathy](#); [Hoffman, Peter](#); [Andrew Pippin](#); [Cheryl Taylor](#); [Chris Selle](#); [Janice Cook](#); [Lazlo Hunt](#); [Mimi Livermore](#); [Patrick Mount](#); [Hutton, Whitney](#); [Gallanos, Anji](#); [Bohannon, Marcia](#)
Subject: RE: EDAC DMC-116B READ Teacher Training Emergency Review
Date: Tuesday, December 7, 2021 9:56:56 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image393560.png](#)
[image315961.png](#)
[image539803.png](#)
[image324929.png](#)
[image640184.png](#)

Good morning EDAC members,

Thank you Eric for your passion in this matter. CDE appreciates the energy you have displayed as a new member.

The purpose of this email is to offer information about the viability of your request to obtain a formal AG opinion. Per statute (24-31-101(1)(d) and listed below for reference), EDAC is prohibited from requesting a Formal Attorney General Opinion. Commissioner Anthes is the only person who can request this type of review, and she rarely uses that option. Floyd already provided the informal feedback from the AG's office, so we ask that EDAC members consider that in lieu of a formal opinion.

EDAC has shown to be most effective when working collaboratively with CDE to resolve challenging situations. As an example, EDAC rightly pointed out the inadvisability of collecting SSN in the READ training collection. CDE should have caught that but didn't. By taking the advice of EDAC and looking into that further, CDE agreed with EDAC and removed that data element from the collection requirement. This is a great example of how EDAC and CDE can work together to improve a collection. Unfortunately, it's not always this easy.

Commissioner Anthes has visited EDAC from time to time in the past, reminding EDAC of its status as an advisory committee, and that CDE has requirements placed upon it by statute, by the state board, and by other education policy entities. For this reason, it's not always a clear-cut decision on whether to collect certain data. The READ training collection happens to be very important to our state board. Because of this, there is very little if any wiggle room in the collection as laid out. We ask that EDAC keep this, and their role, in mind when voting for this collection.

We hope this helps to explain the situation more fully.

This email will be immediately followed by a request to vote on the collection so we may move forward with next steps.

Thank you for your engagement in this discussion

This is the statute that governs Formal Attorney General Opinions (24-31-101(1)(d)):

(1) *The attorney general:*

(a) *Shall act as the chief legal representative of the state and be the legal counsel and advisor of each department, division, office, board, commission, bureau, and agency of state government but shall not provide legal counsel to the legislative branch except for the state auditor in accordance with [section 2-3-104.5](#);*

(b) *Shall appear for the state and prosecute and defend all actions and proceedings, civil and criminal, in which the state is a party or is interested when required to do so by the governor;*

(c) *Shall prosecute and defend for the state all causes in the appellate courts in which the state is a party or is interested;*

(d) *Shall give his or her opinion in writing upon all questions of law submitted to the attorney general by the:*

(I) *General assembly, or either the house of representatives or the senate;*

(II) *Governor;*

(III) *Lieutenant governor;*

(IV) *Secretary of state;*

(V) *State treasurer;*

(VI) *Executive director of the department of revenue; or*

(VII) *Commissioner of education.*

Annette Severson
Manager of Data Services
IMS - Data Services



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Department of Education

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From: MASON, ERIC CLINTON <ERIC.MASON@d11.org>

Sent: Monday, December 6, 2021 12:49 PM

To: Cobb, Floyd <Cobb_F@cde.state.co.us>; loraine.saffer@seboces.org

Cc: Mina Parthasarathy <msparthasarathy@aurorak12.org>; Hoffman, Peter <Hoffman_p@cde.state.co.us>; Andrew Pippin <apippin@sd27j.net>; Cheryl Taylor <cheryl.taylor@d51schools.org>; Chris Selle <chris.selle@meeker.k12.co.us>; Janice Cook

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Subject: Re: EDAC DMC-116B READ Teacher Training Emergency Review

Good morning,

I want to thank the department for their willingness to consider a reduction in the burden on LEPs caused by this collection, and I deeply appreciate the time and attention paid to this issue.

I have prepared a recommendation for DMC-116B READ Teacher Training. If EDAC agrees, I would ask the department to obtain an opinion from the Attorney General regarding the reading of SB Rule 13.01(C)(2) and CRS 22-7-1208 subsections (a) and (b).

For reference, I have attached the recommendation and it is included below as well.

Eric C. Mason, Ph.D.
EDAC Pikes Peak Representative
Director of Assessment
Education Insights
Colorado Springs District 11
(719)520-2414

EDAC Recommendation on State Board Rule 13.01(C)(2) and CRS 22-7-1208 specifically related to department data collection DMC-116B READ Teacher Training

State Board Rule. 13.01(C)(2). *(text provided by Department to EDAC)*

A teacher is deemed to have successfully completed evidenced-based training in teaching reading if the LEP submits evidence that the teacher:

- (a) successfully completed a CDE-provided reading training designed to meet this training requirement and passed the end of course assessment of learning; or*
- (b) passed a CDE-approved undergraduate or graduate reading course and passed the end of course assessment of learning; or*
- (c) passed a CDE-approved district or BOCES reading course or a course appropriate for license renewal and passed the end of course assessment of learning; or*
- (d) holds a state of Colorado endorsement as a Reading Teacher or Reading Specialist; or*
- (e) successfully completed a training program included on the department's advisory list of professional development programs created pursuant to C.R.S. § 22-7-1209(2)(c) and passed the end of course assessment of learning.*

CRS. 22-7-1208

(6)(a) By the beginning of the 2022-23 school year and continuing for each school year thereafter, each local education provider that receives per-pupil intervention money or a grant through the early literacy grant program in any budget year starting with the 2019-20 budget year shall ensure that each teacher employed to teach kindergarten or any of grades one through three successfully completes or

has successfully completed evidence-based training in teaching reading. To comply with this subsection (6)(a), a local education provider must submit evidence, as described in subsection (6)(b) of this section, that each teacher employed to teach kindergarten or any of grades one through three has successfully completed evidence-based training in teaching reading that is:

(I) Included as a course in an approved program of preparation, as defined in section 22-60.5-103(8), or an alternative teacher program, as defined in section 22-60.5-103(5);

(II) Included as a course in a post-graduate degree program in teaching reading or literacy;

(III) Provided by the department or included on the advisory list of professional development programs provided by the department pursuant to section 22-7-1209(2)(c); or

(IV) Provided by a local education provider or is appropriate for license renewal pursuant to section 22-60.5-110(3).

(b) A teacher is deemed to have successfully completed evidence-based training in teaching reading if the local education provider submits to the department evidence that the teacher passed an end-of-course assessment of learning at the completion of the evidence-based training.

(f) The state board may adopt rules as necessary to specify the time frames and procedures for complying with the requirements specified in subsection (6)(a) of this section and for applying for an extension pursuant to subsection (6)(d) of this section and the form in which a local education provider must submit evidence of the completion of an end-of-course assessment of learning as required in subsection (6)(b) of this section.

Definitions:

- evidence: "*in law, any of the material items or **assertions of fact** that may be submitted to a competent tribunal as a means of ascertaining the truth of any alleged matter of fact under investigation before it.*"
(Britannica: <https://www.britannica.com/topic/evidence-law>)
- assertion: "*a declaration that something is the case*" (Merriam-Webster: <https://www.merriam-webster.com/dictionary/assertion>)
- submit: "*to present or propose to another for review, consideration, or decision*" (Merriam-Webster: <https://www.merriam-webster.com/dictionary/submit>)
- assure*: "*to inform positively*" (Merriam-Webster: <https://www.merriam-webster.com/dictionary/assure>)
- assurance*: "*the act or action of assuring someone or something*" (Merriam-Webster: <https://www.merriam-webster.com/dictionary/assurance>)

Justification: CRS. 22-7-1208 (Justifications in blue)

1. *Subsection (6)(a) "each local education provider shall ensure that each teacher ... successfully completes or has successfully completed evidence-based training in teaching reading."*
 - a. **The LEP is responsible for ensuring that each teacher complete the literacy requirements**
2. *"To comply with this subsection (6)(a), a local education provider must submit evidence, as described in subsection (6)(b)"*
 - a. **The evidence that the LEA must submit is described in subsection (6)(b).**
3. **Subsection (6)(b)** *"A teacher is deemed to have successfully completed evidence-based training in teaching reading if the local education provider submits to the department*

evidence that the teacher passed an end-of-course assessment of learning at the completion of the evidence-based training."

- a. The teacher need not submit proof of the training to the CDE in order for the LEP to receive funding. The teacher "is deemed to have successfully completed ...training if the" LEP submits evidence to the CDE.
- b. The LEP must submit "evidence that the teacher passed an end-of-course assessment of learning at the completion of the evidence-based training," which the CDE has determined amounts to the submission of data in the DMC-116B READ Teacher Training. In the department's opinion, the submission of DMC-116B READ Teacher Training qualifies as evidence and an "assertion of fact." "Evidence" should be defined as "assertions of fact" for the purposes of compliance with the relevant statute.
- c. The rule does not specify in Subsection (6)(b) the level of detail required for the submission only that the LEP must submit "evidence that the teacher passed an end-of-course assessment." The CDE has made clear that LEPs do NOT need to submit a paper or digital certificate, signed documentation, course lists, or other "material items."
- d. The CDE has made clear the LEP only needs to submit an "assertion of fact" by marking a field in a data pipeline submission.
- e. The statute could be viewed to allow that the submission could be an assertion of fact constituted as a yes(1)/no(0) assuring that teachers completed an appropriate "end-of-course assessment of learning at the completion of the evidence-based training." EDAC maintains that this is reasonable and will satisfy the needs of Subsection (6)(b) while limiting the burden on government employees and LEP staff.

Justification: State Board Rule. 13.01(C)(2). (Justifications in blue)

1. *"A teacher is deemed to have successfully completed evidenced-based training in teaching reading if the LEP submits evidence that the teacher:"*
 - a. The department contends that the evidence that must be submitted is described by the proceeding subsections. EDAC contends that 13.01(C)(2) does not specify that the details of type of end-of-course must be submitted for the LEP to submit evidence. The LEP can submit "assertions of fact" of completion without providing the details of end-of-course assessment for the following reasons:
 - i. The department has no part to play in collecting the details of the end-of-course assessment. The LEP is responsible for collecting and maintaining records of the end-of-course assessment. The LEP then submits assertions of fact to the department that the teacher has completed a relevant end-of-course assessment. Compliance with this submission can be limited to a yes or no regarding teacher completion status.
 - ii. The teacher need not submit evidence to the department under the reading

of the rule and statute, “A teacher is deemed to have successfully completed evidenced-based training in teaching reading if the LEP submits evidence that the teacher....” Therefore, the department has no responsibility or means to verify the details of the end-of-course assessment. This responsibility is left to the LEP which is a government agency with adjoining fiduciary responsibilities.

- iii. Collection of the details of the end-of-course assessment for DMC-116B READ Teacher Training therefore becomes duplicative and inefficient.

Therefore, the following changes to DMC-116B READ Teacher Training are recommended:

1. Removal of the following required fields:
 - a. Social Security Number
2. Changing the following fields status to voluntary or removed:
 - a. Staff’s Teacher Training Status Code
 - b. Teacher Training completion status
 - c. Staff’s Teacher Training Not Complete Narrative
3. Addition of the following required field:
 - a. Staff’s Teacher Training Status (1= Teacher completed end-of-course assessment at the completion of the evidence-based training, 0=completion not yet verified)

*NOTE: In their response to EDAC, the Department has used the word “assurance” several times. The definition is included for reference.

From: MASON, ERIC CLINTON <ERIC.MASON@d11.org>

Sent: Friday, December 3, 2021 1:28 PM

To: Cobb, Floyd <Cobb_F@cde.state.co.us>; loraine.saffer@seboces.org
<loraine.saffer@seboces.org>

Cc: Mina Parthasarathy <mssparthasarathy@aurorak12.org>; Hoffman, Peter <Hoffman_p@cde.state.co.us>; Andrew Pippin <apippin@sd27j.net>; Cheryl Taylor <cheryl.taylor@d51schools.org>; Chris Selle <chris.selle@meeker.k12.co.us>; Janice Cook <janice.cook@jamesirwin.org>; Lazlo Hunt <LAZLO_HUNT@psdr3.k12.co.us>; Mimi Livermore <MIMI.LIVERMORE@adams12.org>; Patrick Mount <mount_james@svvsd.org>; Severson, Annette <Severson_A@cde.state.co.us>; Hutton, Whitney <Hutton_W@cde.state.co.us>; Gallanos, Anji <gallanos_a@cde.state.co.us>; Bohannon, Marcia <Bohannon_M@cde.state.co.us>

Subject: Re: EDAC DMC-116B READ Teacher Training Emergency Review

Thank you for this information.

This confirms our reading.

1. **"each local education provider shall ensure that each teacher ... successfully completes or has successfully completed evidence-based training in teaching reading."**

- a. The LEP is responsible for ensuring that each teacher complete the literacy requirements
2. **"To comply with this subsection (6)(a), a local education provider must submit evidence, as described in subsection (6)(b)"**
 - a. The evidence that the LEA must submit is described in subsection (6)(b).
 3. **Subsection (6)(b) "A teacher is deemed to have successfully completed evidence-based training in teaching reading if the local education provider submits to the department evidence that the teacher passed an end-of-course assessment of learning at the completion of the evidence-based training."**
 - a. The teacher need not submit proof of the training to the CDE in order for the LEP to receive funding. The teacher "is deemed to have successfully completed ...training if the" LEP submits evidence to the CDE.
 - b. The LEP must submit "evidence that the teacher passed an end-of-course assessment of learning at the completion of the evidence-based training," which the CDE has determined amounts to the submission of individual teacher assurances in the DMC-116B READ Teacher Training.
 - c. The rule does not specify in Subsection (6)(b) the level of detail required for the submission only that the LEP must submit "evidence that the teacher passed an end-of-course assessment." The CDE has made clear that LEPs do NOT need to submit a paper or digital certificate, signed documentation, course lists, or other specific data.
 - d. The CDE has made clear the LEP only needs to submit an assurance of marking a field in a data pipeline submission.
 - e. The rule allows that the submission could be as simple as a yes(1)/no(0) assuring that teachers completed an appropriate "end-of-course assessment of learning at the completion of the evidence-based training."

Therefore, I recommend the following changes to DMC-116B READ Teacher Training.

1. Removal of the following required fields: (Rule indicates that verification of status is not necessary as the LEP submission satisfies the rule.)
 - a. Social Security Number
2. Changing the following fields to voluntary or removed: (Rule does not require in subsection (6)(b) that the submission include the type of pathway used by the LEP to ensure teacher completion.)
 - a. Staff's Teacher Training Status Code
 - b. Teacher Training completion status
 - c. Staff's Teacher Training Not Complete Narrative
3. Addition of the following required field: (Rule requires that LEPs submit evidence. The CDE has established that evidence can be submitted in the form of a data pipeline submission.)

- a. Staff's Teacher Training Status (1- Teacher completed end-of-course assessment at the completion of the evidence-based training, 0-completion not yet verified)

Thank you for your presentation today, and thank you for doing everything possible to reduce the data burden on districts during this challenging time.

Eric Mason, Ph.D.
Director of Assessment
Educational Data and Support Services
Colorado Springs District 11
(719)290-9524

From: Cobb, Floyd <Cobb_F@cde.state.co.us>
Sent: Friday, December 3, 2021 12:39:53 PM
To: loraine.saffer@seboces.org <loraine.saffer@seboces.org>
Cc: Mina Parthasarathy <mssparthasarathy@aurorak12.org>; MASON, ERIC CLINTON <ERIC.MASON@d11.org>; Hoffman, Peter <Hoffman_p@cde.state.co.us>; Andrew Pippin <apippin@sd27j.net>; Cheryl Taylor <cheryl.taylor@d51schools.org>; Chris Selle <chris.selle@meecker.k12.co.us>; Janice Cook <janice.cook@jamesirwin.org>; Lazlo Hunt <LAZLO_HUNT@psdr3.k12.co.us>; Mimi Livermore <MIMI.LIVERMORE@adams12.org>; Patrick Mount <mount_james@svvsd.org>; Severson, Annette <Severson_A@cde.state.co.us>; Hutton, Whitney <Hutton_W@cde.state.co.us>; Gallanos, Anji <gallanos_a@cde.state.co.us>; Bohannon, Marcia <Bohannon_M@cde.state.co.us>
Subject: RE: EDAC DMC-116B READ Teacher Training Emergency Review

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Good afternoon everyone,

Please find below informal advice including statutory references we have concerning the question raised about an assurance.

Thank you,

We read the statute as specifying that “to comply” with the requirement that teachers have successfully completed evidence-based training in teaching reading, the LEP “must submit evidence” that “each teacher” has completed training in one of four provider contexts (prep program, grad program, CDE provided/approved, through LEP). Then the

statute specifies that the “evidence” is proof that the teacher passed an end-of-course assessment. Beyond quoting the rule, you might want to point EDAC to the underlying statutory language:

(6)(a) By the beginning of the 2022-23 school year and continuing for each school year thereafter, each local education provider that receives per-pupil intervention money or a grant through the early literacy grant program in any budget year starting with the 2019-20 budget year shall ensure that each teacher employed to teach kindergarten or any of grades one through three successfully completes or has successfully completed evidence-based training in teaching reading. To comply with this subsection (6)(a), a local education provider must submit evidence, as described in subsection (6)(b) of this section, that each teacher employed to teach kindergarten or any of grades one through three has successfully completed evidence-based training in teaching reading that is:

(I) Included as a course in an approved program of preparation, as defined in [section 22-60.5-103\(8\)](#), or an alternative teacher program, as defined in [section 22-60.5-103\(5\)](#);

(II) Included as a course in a post-graduate degree program in teaching reading or literacy;

(III) Provided by the department or included on the advisory list of professional development programs provided by the department pursuant to [section 22-7-1209\(2\)\(c\)](#); or

(IV) Provided by a local education provider or is appropriate for license renewal pursuant to [section 22-60.5-110\(3\)](#).

(b) A teacher is deemed to have successfully completed evidence-based training in teaching reading if the local education provider submits to the department evidence that the teacher passed an end-of-course assessment of learning at the completion of the evidence-based training.

So, that’s why in our view a mere form assurance doesn’t satisfy the statutory requirement.

Floyd Cobb, Ph.D.
Executive Director
Teaching & Learning



COLORADO
Department of Education

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From: Loraine Saffer <loraine.saffer@seboces.org>
Sent: Tuesday, November 16, 2021 12:46 PM
To: Cobb, Floyd <Cobb_F@cde.state.co.us>
Cc: Mina Parthasarathy <msparthasarathy@aurorak12.org>; MASON, ERIC CLINTON <ERIC.MASON@d11.org>; Hoffman, Peter <Hoffman_p@cde.state.co.us>; Andrew Pippin <apippin@sd27j.net>; Cheryl Taylor <cheryl.taylor@d51schools.org>; Chris Selle <chris.selle@meeker.k12.co.us>; Janice Cook <janice.cook@jamesirwin.org>; Lazlo Hunt <LAZLO_HUNT@psdr3.k12.co.us>; Mimi Livermore <MIMI.LIVERMORE@adams12.org>; Patrick Mount <mount_james@svvsd.org>; Severson, Annette <Severson_A@cde.state.co.us>; Hutton, Whitney <Hutton_W@cde.state.co.us>; Gallanos, Anji <Gallanos_A@cde.state.co.us>; Bohannon, Marcia <Bohannon_M@cde.state.co.us>
Subject: Re: EDAC DMC-116B READ Teacher Training Emergency Review

I like this plan. Thank you.

Loraine Saffer
Executive Director
Southeastern BOCES
Lamar, CO 81052
719-336-9046 ext. 120

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On Tue, Nov 16, 2021 at 12:43 PM Cobb, Floyd <Cobb_F@cde.state.co.us> wrote:

Good afternoon all,

Due to the continued questions, I think it's perhaps more efficient if we have this conversation at the December meeting. Then I can clarify these points of confusion and show why districts are required to submit in both rule and statute.

Thank you,

Floyd Cobb, Ph.D.
Executive Director
Teaching & Learning



COLORADO
Department of Education

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Pronouns: He/him/his



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From: Mina Parthasarathy <msparthasarathy@aurorak12.org>

Sent: Thursday, November 11, 2021 8:39 AM

To: MASON, ERIC CLINTON <ERIC.MASON@d11.org>

Cc: Hoffman, Peter <Hoffman_p@cde.state.co.us>; Andrew Pippin <apippin@sd27j.net>; Cheryl Taylor <cheryl.taylor@d51schools.org>; Chris Selle <chris.selle@meeker.k12.co.us>; Janice Cook <janice.cook@jamesirwin.org>; Lazlo Hunt <LAZLO_HUNT@psdr3.k12.co.us>; loraine.saffer@seboces.org; Mimi Livermore <MIMI.LIVERMORE@adams12.org>; Patrick Mount <mount_james@svvsd.org>; Severson, Annette <Severson_A@cde.state.co.us>; Hutton, Whitney <Hutton_W@cde.state.co.us>; Gallanos, Anji <Gallanos_A@cde.state.co.us>; Cobb, Floyd <Cobb_F@cde.state.co.us>

Subject: Re: EDAC DMC-116B READ Teacher Training Emergency Review

I had to jump off the EDAC call when this was discussed, so my apologies if my questions were already addressed:

1. Why does this extract ask for the SSN, CDE should be able to tie back to it with the EDID.
2. How much of this data can be gathered from the CDE HR report and or Randa?

Thank you,

Mina S Parthasarathy

Director, Application Services

Information Technology, Aurora Public Schools

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On Wed, Nov 10, 2021 at 7:06 PM MASON, ERIC CLINTON <ERIC.MASON@d11.org> wrote:

Thank you so much for your response. I deeply appreciate the incredible work the department is doing in another very challenging year for schools and districts. In the last few weeks, Colorado has again entered a phase of the pandemic causing significant disruptions for schools and districts. I feel the topic of additional data burdens to be even more important. Thank you for reviewing EDAC's concerns.

Below are some additional questions I have regarding this data submission. Before that, I wanted to share a quick anecdote.

This week, I had the opportunity to speak with an educator from a larger district who has been tasked with collecting the data for this submission. The educator, who works generally with READ act funds and literacy training for educators in his/her district,

detailed for me the extreme challenge of collecting this data for the submission. Since districts were not instructed to do this collection as a part of the HR submission, this educator has been responsible for creating a way to collect the information about this requirement from hundreds of educators. This educator explained to me that more than 40 hours of her time over the last month, including evenings, has been spent creating a way for teachers to upload transcripts, certificates, or other assurances into a secure non-HR online system so that this educator can add this data to the READ submission he/she is usually responsible for. He/she was concerned he/she was seeing details about educators he/she had no business seeing. This educator confirmed it has significantly affected his/her focus on helping educators adjust instruction in response to the pandemic. I share this as an example of the challenge of preparing for this particular data submission.

Based on the initial responses, my vote is to not approve without a change to the data submission removing the submission of individual teacher pathway information as mandatory and instead making it a voluntary field for 21-22.

Further Questions:

1 & 2. Much of the department response seems to hinge on the definition of "evidence." The department contends that the pathway is required for the LEP to submit evidence. The request from EDAC was for the department to explain why the submission of assurance that the teacher completed a pathway was not evidence enough to demonstrate compliance. There is no additional evidence provided by detail, only more detail. The evidence being accepted is the assurance of the district and the notation of a field in a data submission.

Please detail what the department considers "evidence." The state board rule reads, "...if the LEP submits evidence..." It appears that "evidence" is defined as the notation of a data field. It appears the department is trusting the LEP to accurately collect evidence the teacher has completed the requirement. It appears the department is likewise trusting the LEP to confirm the completion of the requirement. Since the department is accepting the LEP submission of a notation in a data field without additional evidence such as a certificate or transcript, why is it not reasonable to allow LEPs to submit assurance through the straight-forward submission that the teacher has completed the requirement without requiring the detail of the pathway? The field in the data submission is

submission of evidence. Detailing the pathway provides no additional evidence beyond the notation of a field.

EDAC By Laws Article VII Sections 4 and 5 state,

"Section 4 Costs of collecting, analyzing, and reporting information should be minimal in relation to the benefits to be derived.

Section 5 The requestor should be able to attach a high level of accuracy and confidence to the information to be obtained through the request."

3.The collection is already collecting the social security number of the teacher in this collection (a data requirement that could result in non-HR personnel reviewing this personal data as they also collect the pathway details). The COOL system includes the social security number. The COOL system will also contain the pathway the teacher chose to complete the requirement. The LEP submission will contain (or could contain) the current grade level of the teacher. By merging these two sources of data, the department can collect the information they need from two sources. Doing so will relieve a significant burden from LEPs in a year that is already creating significant challenges for data collection. The concern was not about the collection in general. The concern is about the collection of the pathway in this data submission. Please demonstrate why the department cannot merge these two data sources together.

EDAC By Laws article VII Section 1 states, *"It is the responsibility of the requesting unit to demonstrate why currently existing requested information cannot be used from the other source."*

Eric C. Mason, Ph.D.

Director of Assessment

Education Insights

Colorado Springs District 11

(719)520-2414

From: Hoffman, Peter <Hoffman_p@cde.state.co.us>
Sent: Wednesday, November 10, 2021 4:43 PM
To: Andrew Pippin <apippin@sd27j.net>; Cheryl Taylor <cheryl.taylor@d51schools.org>; Chris Selle <chris.selle@meeker.k12.co.us>; MASON, ERIC CLINTON <ERIC.MASON@d11.org>; Janice Cook <janice.cook@jamesirwin.org>; Lazlo Hunt <LAZLO_HUNT@PSDR3.K12.CO.US>; loraine.saffer@seboces.org <loraine.saffer@seboces.org>; Mimi Livermore <MIMI.LIVERMORE@ADAMS12.ORG>; Mina Parthasarathy <msparthasarathy@aurorak12.org>; Patrick Mount <mount_james@svvsd.org>
Cc: Severson, Annette <Severson_A@cde.state.co.us>; Hutton, Whitney <Hutton_W@cde.state.co.us>; Gallanos, Anji <Gallanos_A@cde.state.co.us>; Cobb, Floyd <Cobb_F@cde.state.co.us>
Subject: EDAC DMC-116B READ Teacher Training Emergency Review

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EDAC Committee,

At the November EDAC meeting there was a request for additional information prior to voting for the new READ Teacher Training Status collection which was initially planned to occur at the December meeting. However, the P-3 office has expressed concern with waiting until then and wanted to address your questions and hopefully gain approval via email instead. Attached is the EDAC form for the collection and below are the questions raised at the meeting with the P-3 office responses.

Thank you as always for your dedication to EDAC. Please “Reply to All” with any questions, comments, or votes. The P-3 office staff is copied on the email and can answer any questions you may have about the collection. It is requested that you review the attached collection and send me your response by end of day Friday November 19th.

- 1. Is the pathway required in legislation and if so which section of the law? (Need the section/statutory requirement that specifies the pathway information requirement).**
EDAC committee is concerned that the collection of pathway is exceeding the mandate. They understand the need to submit the number of teachers / teachers that met the requirements, but the “how” is what is burdensome.

The pathway is required in state board rule. 13.01(C)(2).

13.01(C)(2) A teacher is deemed to have successfully completed evidenced-based training in teaching reading if the LEP submits evidence that the teacher:

13.01(C)(2)(a) successfully completed a CDE-provided reading training designed to meet this training requirement and passed the end of course assessment of learning; or

13.01(C)(2)(b) passed a CDE-approved undergraduate or graduate reading course and passed the end of course assessment of learning; or

13.01(C)(2)(c) passed a CDE-approved district or BOCES reading course or a course appropriate for license renewal and passed the end of course assessment of learning; or

13.01(C)(2)(d) holds a state of Colorado endorsement as a Reading Teacher or Reading Specialist; or

13.01(C)(2)(e) successfully completed a training program included on the department's advisory list of professional development programs created pursuant to C.R.S. § 22-7-1209(2)(c) and passed the end of course assessment of learning.

C.R.S. 22-7-1208(6)(f) states that “The state board may adopt rules as necessary ***to specify the time frames and procedures for complying with the requirements specified in subsection (6)(a) of this section and for applying for an extension pursuant to subsection (6)(d) of this section and the form in which a local education provider must submit evidence of the completion of an end-of-course assessment of learning as required in subsection (6)(b) of this section.***” (Emphasis Added).

1. **Could districts just report whether or not a teacher has completed the training with a yes/no instead of the pathway?** *Districts are already under a significant data burden. The pathway will require teachers to voluntarily submit this information which requires a large variety of twists and turns in trying to get this data from different sources.*

No because this is not in alignment with state board rule.

1. **Why can't CDE pull the pathway from the COOL system and not require districts to report it as well?**

Statute and rule require local education providers to submit evidence of completion to CDE. COOL only houses records for licensed teachers not allowing for an accurate count. Additionally, local education providers have the most information about grade level changes and those who will teach in grades K-3 for the coming year.

Thank you,

Peter

Peter Hoffman
Data Specialist
IMS - Data Services



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