



Colorado State Board of Education

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
COLORADO DEPARTMENT OF EDUCATION COMMISSION
DENVER, COLORADO
November 11, 2015, Part 4

BE IT REMEMBERED THAT on November 11, 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: Come back to -- back to
2 order. So Senator King, given the heat in here, the coat
3 rule is relaxed, so if you want to --

4 UNIDENTIFIED VOICE: That's all.

5 CHAIRMAN DURHAM: It's been relaxed for some
6 time here.

7 UNIDENTIFIED VOICE: That's all.

8 CHAIRMAN DURHAM: Okay. Quorum is present.
9 This afternoon we have the opportunity to honor Colorado
10 Early Colleges in Fort Collins. They were recognized in
11 Newsweek Magazine as being the number one high school in
12 Colorado and number 66 in the nation. A little
13 background on this recognition, Newsweek evaluated
14 schools on a range of criteria in order to identify
15 schools that excel in preparing students for college.
16 After identifying schools that performed at or above the
17 70th percentile on standardized state-level math and
18 reading/language art assessment, Newsweek ranked schools
19 that participated in its survey to create a college
20 readiness index based on factors including students'
21 graduation and college enrollment rates, AP class
22 enrollment, and college preparatory text scores.

23 Colorado Early Colleges Fort Collins, a
24 charter school, is one of the nine Colorado high schools
25 in Newsweek's top 500 list. Newsweek factored in student



1 poverty rates to create another ranking that combines
2 performance with overcoming poverty. In those ratings,
3 Colorado had six schools in Newsweek's top 500 list. You
4 can -- and we -- we have a -- we have the -- a list of
5 those schools that are provided to Members of the Board.

6 Early Colorado -- Colorado Early Colleges
7 Fort Collins provides students in grades 9 through 12 the
8 opportunity to start working on college-level courses and
9 earned college credits prior to graduation. All students
10 regardless of background or skill level have the
11 opportunity to pursue a growth mindset that will allow
12 them to achieve mastery and to demonstrate that they can
13 succeed in school, in college, or in their chosen career
14 field. The organization provides rigorous high school
15 level coursework, highly qualified teachers, and core
16 classes that fulfill college course prerequisites. The
17 program is designed to help students at all levels
18 prepare for college-level courses. Students are able to
19 graduate with an associate's degree through the
20 concurrent enrollment program where college-level courses
21 are offered as part of this tuition-free charter school.

22 The school has been in operation for only
23 four years and is already Newsweek's highest ranked high
24 school in Colorado. Today, we would like to honor you
25 for all your hard work and success. I would now like to



1 introduce Keith King and Sandi Brown from Colorado Early
2 Colleges Fort Collins to make a few remarks.

3 Keith and Sandi if you'd care to -- to come
4 up to the microphone.

5 MS. BROWN: Thank you for this recognition.
6 Keith is having me go first, okay, because he wants to
7 make sure I get in a few words, so I've prepared a little
8 statement to stay within the time. So the grit in growth
9 mindset to achieve postsecondary and workforce readiness
10 at CECFC stems from the culture that's been built through
11 our academic and career advising, the foundational
12 mastery of reading, writing, and math, which builds
13 confidence in our struggling students, a rigorous
14 curriculum, and accessible and abundant free tutoring for
15 all students.

16 Our cornerstone is our academic and career
17 advising where all students meet with their parents and
18 program advisor every semester to review the student's
19 ICAP. During these hour long meetings, college and
20 future career choices are discussed. Advisors help
21 students with course choices that satisfy an associate
22 degree or a career in technical educational
23 certifications. Without the advisory support for the
24 students and families, we would never reach the goal of
25 graduating all of our students' postsecondary ready in



1 math and English.

2 So this is our latest data, which I'm really
3 proud of. So we are in our fourth year right now. So we
4 took a look at all of our freshman who began with us four
5 years ago and 98 percent of those students this May will
6 graduate with a free associate degree and/or a career in
7 technical certification, so we're really proud of that
8 fact. CECFC has implemented the tabled Colorado
9 Postsecondary and Workforce Readiness endorsed diploma.
10 This diploma recognizes students who are graduating
11 college ready in English and math and three other
12 academic areas and are interning, volunteering, and
13 working to earn service hours. Our students are invested
14 and excited about satisfying the requirements of this
15 diploma.

16 So we are closing the remediation gap and
17 intentionally preparing students for college and for the
18 workforce by meeting students where they are academically
19 and providing them with a high level of individual
20 attention and an individual pathway where they have say
21 in their courses and in their future. At CECFC, all
22 students are pursuing an associate degree and/or
23 certifications, which makes for a great culture. So
24 thank you.

25 CHAIRMAN DURHAM: Thank you, Sandi. Senator



1 King.

2 MR. KING: Well, thank you for doing this
3 for us. We're really excited about what we do for young
4 people in the State of Colorado. We have over 1,800 kids
5 that are in our schools this year and those kids are
6 having an opportunity that is given to them because they
7 are willing to take the risk and try to do more than is
8 expected in a typical high school. And so we have kids
9 starting and we concentrate on the English and math and
10 we give them an opportunity to excel.

11 And we've had kids that are doing things
12 that are just kind of unbelievable. We had Jacob Riley
13 (ph) who graduated from UCCS and he graduated with a
14 degree, bachelor's degree, before he could drive a car.
15 And so they are taking advantage of these opportunities
16 and really doing something that is amazing. William
17 Fitshoe (ph) is another one of our students who left
18 Cheyenne Mountain School District because he felt he
19 didn't have enough opportunity to accomplish things. And
20 he went ahead and came over to our school and he went to
21 UCCS and did a lot more courses than he could take at
22 Cheyenne Mountain High School. He came back this summer
23 and his mother sent me an email, says you should talk to
24 him. He was accepted at Harvard to work on the thing
25 that's going to replace the silicon chips in -- for a



1 doctor's degree.

2 And so, I think the issue that we have is
3 that we just don't have enough expectation for kids and
4 we don't expect them to do as much as they can do. And
5 this -- these schools have proven that kids are willing
6 and able to accomplish much more than we have
7 expectations for. And so, we're really honored to have
8 this honor be given to us. It's -- Sandi has really done
9 a tremendous job in the Fort Collins school to have the
10 success that she's had there and we just are honored that
11 you would take the time out to honor us for our work with
12 kids. We are really excited about what they do. It's
13 not what we do. It's what they do and what they can
14 accomplish. So thank you very much for this. We
15 appreciate it.

16 (Applause)

17 CHAIRMAN DURHAM: Dr. Asp.

18 MR. ASP: All right. Thank you. I'd just
19 like to make a couple of comments as well. I want to say
20 congratulations to Sandi and her staff and particularly
21 to her students and families for the great work that
22 you've all done and the way in which you've prepared
23 these kids to have options in their lives, to make
24 choices based on what they want to not on the choice
25 being made for them because they didn't get what they



1 needed.

2 And it's also a pleasure to have Keith King
3 here today. Keith and I have known each other a long
4 time. We don't look a day older from -- since the time
5 we met and had an opportunity to work together on a
6 variety of policy issues when he was in the Legislature.
7 And the one thing I could always say about Keith is
8 whatever project he was involved in in education his
9 focus was always on the best interest of kids involved
10 and he continues to do that to this day. So
11 congratulations.

12 MR. KING: Thank you.

13 CHAIRMAN DURHAM: Thank you. And on a
14 personal note, Senator King, one of his schools is
15 several -- just several miles from -- from my home in
16 Colorado Springs. It is a campus that is welcoming to
17 students of all backgrounds and one that leads to
18 significant success, particularly for kids who might have
19 a very difficult time affording an opportunity to go to
20 college. They get a great head start at his institutions
21 and I think you now have three schools if I remember,
22 Douglas County, Colorado Springs, and Fort Collins. And
23 my observations over the years as I've -- I've not worked
24 with anyone in the Legislature who cared more about the
25 success of children than Senator King and I am personally



1 appreciative of everything you've done for our state to
2 advance the cause of education and to educate children in
3 Colorado. And so, we do have a certificate and I'll put
4 my coat back on for the picture, so --

5 (Applause)

6 CHAIRMAN DURHAM: Let's see where are we?
7 Item 13. Let's see, which one is that. (Indiscernible).
8 All right. We'll start -- let's see, we'll come back to
9 order. Quorum is present. Let's move on to Item 13.01.

10 MS. O'NEILL: 3.

11 CHAIRMAN DURHAM: 3? I knew that. Let's
12 move on to Item 13.03, which is the disciplinary
13 proceeding. Was 13.01 on the consent agenda or is that -
14 -

15 MS. O'NEILL: Yes, it was.

16 CHAIRMAN DURHAM: It was? Okay.

17 UNIDENTIFIED VOICE: 01 and 02

18 (indiscernible).

19 CHAIRMAN DURHAM: Okay. I see. It's hole
20 punched that's why (indiscernible) --

21 UNIDENTIFIED VOICE: So we're go ahead and
22 not doing (indiscernible) --

23 CHAIRMAN DURHAM: All right. We'll do
24 13.03. Yes. Proceed.

25 MS. O'NEILL: I -- absolutely. I'm Colleen



1 O'Neill. I'm the Executive Director of Educator
2 Preparation and Licensing and this item is simply on the
3 table for your vote and option.

4 UNIDENTIFIED VOICE: Somebody needs to make
5 a motion.

6 CHAIRMAN DURHAM: Okay.

7 UNIDENTIFIED VOICE: I don't want to.

8 CHAIRMAN DURHAM: Okay. All right. You
9 don't want to make -- anybody like to make a motion on
10 this topic? Let's see, do we have -- we'll let's see,
11 what are the options here? The option -- let's see, the
12 motion would be -- we'll let's see, regarding
13 disciplinary proceedings concerning a license charge
14 number 2014EC2234 direct department staff in the attorney
15 general's office to prepare documents necessary to
16 request a formal hearing for the revocation of the
17 credential holder's professional teacher license pursuant
18 to 24-4-104 C.R.S.

19 UNIDENTIFIED VOICE: Or the alternative
20 motion.

21 CHAIRMAN DURHAM: Yeah.

22 UNIDENTIFIED VOICE: You're making a motion?

23 CHAIRMAN DURHAM: No. I'm not making -- I'm
24 just reading that since I'm not sure everybody had it.

25 UNIDENTIFIED VOICE: They should.



1 CHAIRMAN DURHAM: And the -- the motion in
2 the alternative would be to -- to direct the staff to
3 dismiss --

4 MS. O'NEILL: To dismiss an issue.

5 CHAIRMAN DURHAM: -- to dismiss the issue
6 and take no action on the revocation of the license. Is
7 that a fair statement, Mr. Dill?

8 MS. O'NEILL: Yes.

9 CHAIRMAN DURHAM: Good enough for government
10 work.

11 MR. DILL: I believe so, yes.

12 CHAIRMAN DURHAM: Okay. Is -- would someone
13 like to make one of those two motions?

14 MS. FLORES: To dismiss the case, I'd like
15 to --

16 CHAIRMAN DURHAM: Okay.

17 MS. FLORES: -- make a motion to dismiss the
18 case?

19 CHAIRMAN DURHAM: Dr. Flores moves to
20 dismiss the case. Is there a second to that motion?

21 MS. SCHROEDER: I'll second.

22 CHAIRMAN DURHAM: Yes. Dr. Schroeder
23 seconds the motion. It has been moved and seconded that
24 the -- the action be to dismiss this case. Is there
25 discussion? Seeing no discussion, please call the roll.



1 MS. BURDSALL: Board Member Flores?
2 MS. FLORES: Yes.
3 MS. BURDSALL: Board Member Goff?
4 MS. GOFF: Yes.
5 MS. BURDSALL: Board Member Mazanec?
6 MS. MAZANEC: No.
7 MS. BURDSALL: Board Member Rankin?
8 MS. RANKIN: No.
9 MS. BURDSALL: Board Member Scheffel?
10 MS. SCHEFFEL: No.
11 MS. BURDSALL: Board Member Schroeder?
12 MS. SCHROEDER: Yes.
13 MS. BURDSALL: Chairman Durham?
14 CHAIRMAN DURHAM: Yes. That motion is
15 adopted on a vote of four to three. Next item is --
16 UNIDENTIFIED VOICE: (Indiscernible).
17 CHAIRMAN DURHAM: Let's see, where are we?
18 13.0?
19 UNIDENTIFIED VOICE: 7.
20 UNIDENTIFIED VOICE: 7.
21 CHAIRMAN DURHAM: Is it 13.07?
22 UNIDENTIFIED VOICE: The --
23 CHAIRMAN DURHAM: Are these the items that
24 were --
25 UNIDENTIFIED VOICE: -- educator licensing.



1 CHAIRMAN DURHAM: No, these are not.

2 UNIDENTIFIED VOICE: This should be educator
3 licensing fees.

4 CHAIRMAN DURHAM: Oh, the educator
5 licensing, 13.08.

6 UNIDENTIFIED VOICE: Oh, you must have an
7 old agenda.

8 UNIDENTIFIED VOICE: Yeah, 13.07.

9 UNIDENTIFIED VOICE: But, yes. It's now
10 13.07, that item was (indiscernible).

11 CHAIRMAN DURHAM: Okay. So it's Item 13.07,
12 the proposed --

13 UNIDENTIFIED VOICE: What about 10.02 and --

14 CHAIRMAN DURHAM: Yeah. Okay. So it's the
15 proposed increase in the education license fee. Is there
16 a motion to be made to discuss so we can discuss this?

17 UNIDENTIFIED VOICE: (Indiscernible).

18 CHAIRMAN DURHAM: Okay.

19 MS. SCHROEDER: I move to approve the -- I
20 need to turn on my microphone. I move to approve the
21 educator licensing evaluation fees as follows: \$90 for
22 all in-state initial applications and renewal
23 applications, \$110 for all out-of-state initial
24 applications, \$80 for all added endorsement applications,
25 \$60 for one-year substitute applications, and \$80 for



1 background checks only. Applications.

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

4 MS. FLORES: I second.

5 CHAIRMAN DURHAM: Dr. Flores seconds that
6 motion. Discussion. Is there any discussion of that
7 motion? Any comments from staff?

8 DR. ASP: Thank you, Mr. Chair. I just want
9 to -- excuse me, I just want to emphasize that -- how
10 important it is to have a vote -- take a position on this
11 today. The longer we go into the year, the more we'll
12 have to potentially layoff staff and cutback on services.
13 And so, we appreciate you considering this today and --
14 so we can move forward with our plans. Thank you.

15 CHAIRMAN DURHAM: The -- the proposed fees
16 have been -- been moved and seconded. Yes, Ms. Rankin.

17 MS. RANKIN: (Indiscernible) for the
18 addition of the eLicense system database management and
19 vendor maintenance fees. I see that as the only new
20 addition to this. It's under the current option and
21 option two. I believe this is the first time we've seen
22 it here; is that correct?

23 MR. ASP: I'm going to turn to -- if that's
24 all right.

25 CHAIRMAN DURHAM: Yes, please.



1 MR. ASP: Ms. O'Neill.

2 MS. O'NEILL: Thank you very much for the
3 question. I -- it is actually -- after review of the
4 assumptions of all three options, it was determined that
5 the eLicensing hosting, management, and maintenance
6 needed to go into all three license -- or all three
7 options. Previously, it was in the enhancement option.

8 MS. RANKIN: Yes.

9 MS. O'NEILL: -- not in the other two, so we
10 have added it to the other two because it is an ongoing
11 maintenance fee that needed to be --

12 MS. RANKIN: So the two you're talking about
13 are the current and the option two; is that correct?

14 MS. O'NEILL: Correct. Correct.

15 CHAIRMAN DURHAM: Okay. And -- and any
16 other questions? I just have one quick one. This should
17 -- this fee increase should last approximately how long
18 in your judgement for -- before we start to run into
19 other problems?

20 MS. O'NEILL: Absolutely. Thank you for
21 that question as well. Right now, we're estimating that
22 to last us at least five years, probably longer, but
23 based on the five-year recommendation of projects from
24 the last meeting, that was a wonderful recommendation for
25 us to be able to go through and identify very clearly,



1 and we anticipate a minimum of five years, potentially
2 longer.

3 CHAIRMAN DURHAM: Okay. Thank you. Yes,
4 Dr. Scheffel.

5 MS. SCHEFFEL: Can you speak to what -- the
6 FTE are for, it says enforcement and then educator
7 preparation?

8 MS. O'NEILL: Absolutely. The FTE that have
9 been identified in there, Dr. Scheffel, are specific to
10 enforcement so being able to reduce our timeline yet more
11 in our enforcement by adding another person. The --

12 MS. SCHEFFEL: Yeah, but what is
13 enforcement?

14 MS. O'NEILL: Absolutely. Enforcement is
15 our investigation unit essentially associated with
16 employee -- or educator licenses, revocation, denial,
17 suspension, so that is the unit that goes through and as
18 we get adverse information associated with a candidate,
19 that goes through and actually investigates that
20 information. Right now, the turnaround time on that can
21 be literally from six months to years because we have to
22 have feet on the ground being able to actually call a lot
23 of that information from our criminal justice agencies,
24 so that FTP -- FTP, wow. FTE would be used to help us
25 with that end.



1 The educator preparation FTE right now, we
2 have one single individual identified to support educator
3 preparation. We have over 48 entities that require
4 support in some way or another and that includes all of
5 our alternative educator preparation entities as well as
6 our universities and our institutes of higher education.
7 The two FTE that are identified in that enhancement are
8 very clearly identified to help us with our alternative
9 educator preparation programs and the oversight and
10 technical assistance and customer service as well as our
11 department of higher education institutes of higher
12 education.

13 MS. SCHEFFEL: Do some states outsource some
14 of this work? Instead of adding FTE to the department,
15 they have contracts, especially on the enforcement area -
16 - in the enforcement area?

17 MS. O'NEILL: I would imagine, Dr. -- I have
18 not looked into that. I will -- 100 percent honest, I've
19 never looked into outsource any of that information
20 outside of hiring some temp folks to be able to really
21 help us with fingerprint aggregation. I have not looked
22 into anything else. I'm sure there are many
23 (indiscernible).

24 MS. SCHEFFEL: Okay. Thank you.

25 CHAIRMAN DURHAM: Yes, Dr. Schroeder.



1 MS. SCHROEDER: It's kind of a basic
2 question, but the folks who evaluate prep programs, what
3 are their qualifications? I'm just kind of curious.

4 MS. O'NEILL: So we actually only have one
5 person that does that --

6 MS. SCHROEDER: Right now, yes.

7 MS. O'NEILL: -- who -- who was a -- it's
8 Dr. Karen Martinez (ph) and she has previous experience
9 as the director of a designated agency, alternative
10 educator preparation as well as a faculty member at the
11 Department of Higher Education or at -- I'm sorry, at an
12 institute of higher education. So the criteria for the
13 review of those programs lives very much with Dr.
14 Martinez and then what we do is we enlist the help of our
15 other -- it is free. We don't pay anything to have
16 people help us review those programs. We enlist the help
17 of individual content experts here at the Colorado
18 Department of Education, but we also enlist the help of
19 our individual contributors at the state level across the
20 state that includes perhaps --

21 MS. SCHROEDER: This is like peer review.

22 MS. O'NEILL: Yes. Thank you.

23 MS. SCHROEDER: Okay. Thank you.

24 MS. O'NEILL: It's like peer review, so it
25 could be a --



1 MS. SCHROEDER: Okay.

2 MS. O'NEILL: -- a faculty member at an
3 institute of higher ed or a dean or anything along that
4 continuum or one of our team members at a designated
5 agency.

6 MS. SCHROEDER: Okay. And this is basically
7 what we do for each other?

8 MS. O'NEILL: Yes.

9 MS. SCHROEDER: Sort of?

10 MS. O'NEILL: Yes.

11 MS. SCHROEDER: And by having two more folks
12 on staff, how will that help? You'll be looking at more
13 programs at one time?

14 MS. O'NEILL: We would actually be able to
15 provide a higher level of service. Right now, it is --
16 we very rarely can actually get to all of our agencies
17 across the state to do an onsite review on an annual
18 basis that literally would mean not having any other jobs
19 on the plate. So these two additional people, one would
20 help us very clearly with our designated agencies, which
21 we are the only oversight entity for our designated
22 agencies for alternative ed and then the other one would
23 help us with our institutes of higher education
24 authorization and reauthorization processes. Right now,
25 one individual is simply not able to manage that in



1 addition to all of the induction programs, in addition to
2 the review of new people coming onboard for alternative
3 designated agencies as well. That's very high level.

4 MS. SCHROEDER: Okay. Thank you.

5 CHAIRMAN DURHAM: Further discussion? Yes,
6 Ms. Mazanec.

7 MS. MAZANEC: So how -- how would you say
8 you actually spend your time now in the department, like
9 what percentage of your time spent on -- on the various
10 tasks?

11 MS. O'NEILL: Are you requesting from --

12 MS. MAZANEC: And --

13 MS. O'NEILL: -- my time or just kind of
14 from the --

15 MS. MAZANEC: Well, the -- yeah.

16 MS. O'NEILL: -- office as a whole?

17 MS. MAZANEC: The office as a whole.

18 MS. O'NEILL: As a whole.

19 MS. MAZANEC: I think you -- I think we
20 discussed this a little bit last time, so it's kind of a
21 refresher, but --

22 MS. O'NEILL: Absolutely. I -- I would say
23 that I don't have a specific departmental breakdown.
24 What I can tell you is that our evaluator team reviews
25 approximately 37,000 applications a year for educator



1 license. Our enforcement team last year actually
2 supported 2,795 new cases coming forward to them to
3 review. So as we think about those enforcement cases,
4 sometimes that can be literally, you know, two days
5 because it's a very easy piece and it can be literally
6 two -- two years from that timeline, so that gets split
7 up just a little bit. We support about 34,000 phone
8 calls a year with our customer service entities and we
9 received about 41,000 emails last year. So as we really
10 think about the -- the needs of the department or of the
11 office, we really have a large customer service center
12 need to be able to respond. Right now, we have three
13 folks in that team. And then our evaluators, again, from
14 that perspective, 41,000 applications that go through.

15 Our educator preparation programs, there are
16 48 of them and those all require review. I'm not sure
17 that I can give you a specific time on each one of those
18 because if we are a small -- if they only are approved
19 for one content area potentially like an institute of
20 higher education, that review may be a day. If they are
21 approved for 20 some content areas, that review may take
22 us a week, so it balances out a little bit there.

23 CHAIRMAN DURHAM: Yes, Dr. Scheffel.

24 MS. SCHEFFEL: And weren't there two options
25 for us? This was the option that gave you the most --



1 more money your budget right because it -- what was the
2 more limited option again?

3 MS. O'NEILL: Absolutely. So I have -- we
4 have prepared a PowerPoint that we're happy to go through
5 or to skip through some of those budget pieces at a very
6 high level if you would -- if you would like us to, so
7 please let -- let me know if you'd like us to do that.
8 But at a high level, the difference between the two
9 budget pieces is that option two was the one that we
10 presented, \$20 for out-of-state individuals. We have
11 some renewed assumptions associated with this including
12 the fact that based off of a vote today, we would not be
13 able to implement until March. The pieces that came to
14 you last month, we were looking at a January
15 implementation. There is a two-month delay now in
16 revenue projections.

17 So the \$20 that we actually came forward for
18 you the last time -- I'm going to click through really
19 quickly and it's very small, so you will want to differ
20 to your PowerPoint presentations, but because of those
21 assumptions related to two months' worth of decreased
22 revenue, the \$20 option that we submitted to you last
23 month is no longer a viable option for us to continue or
24 maintain our operations through the end of this fiscal
25 year, but that is in your slide. I believe it is slide



1 five.

2 CHAIRMAN DURHAM: Okay. Further discussion?

3 Seeing none, we have a motion and a second.

4 (Indiscernible) you did make a motion, correct?

5 UNIDENTIFIED VOICE: Um-hum.

6 CHAIRMAN DURHAM: Yes, and it's been --

7 MS. O'NEILL: And seconded.

8 CHAIRMAN DURHAM: And it's been seconded.

9 Ms. Burdsall, would you please call the roll?

10 MS. BURDSALL: Board Member Flores?

11 MS. FLORES: Aye.

12 MS. BURDSALL: Board Member Goff?

13 MS. GOFF: Aye.

14 MS. BURDSALL: Board Member Mazanec?

15 MS. MAZANEC: No.

16 MS. BURDSALL: Board Member Rankin?

17 MS. RANKIN: No.

18 MS. BURDSALL: Board Member Scheffel?

19 MS. SCHEFFEL: No.

20 MS. BURDSALL: Board Member Schroeder?

21 MS. SCHROEDER: Aye.

22 MS. BURDSALL: Chairman Durham?

23 CHAIRMAN DURHAM: Aye. That motions passes

24 on a vote of four to three. The next item we have is

25 Item 14.00, gifts, grants, and donations policy. And Dr.



1 Schroeder, if you'd assume the Chair for a moment.

2 MS. SCHRODER: But then I can't make the
3 motion.

4 CHAIRMAN DURHAM: I'll -- I'll --

5 UNIDENTIFIED VOICE: You make the motion.

6 CHAIRMAN DURHAM: Yeah, I'll make the motion
7 if I can find it here. Yeah. Okay.

8 MADAM CHAIR: Mr. Durham.

9 MR. DURHAM: Thank you. I would move to
10 adopt the policy for the acceptance of gifts, grants, and
11 donations that's listed in -- listed as 14.01 in your --
12 in your packet and has been discussed on several
13 occasions. It's the single page that you all have in
14 front of you here.

15 MADAM CHAIR: Is there a second?

16 MS. GOFF: Second.

17 MADAM CHAIR: Ms. Goff seconded. Any
18 comments, questions, concerns? Mr. Durham.

19 MR. DURHAM: I'd like to just run through
20 this. The -- there -- there are -- there are two
21 components, one of which I'm going to suggest that we --
22 that will be considered at a later date. This -- this
23 single component is a result of the budget committee
24 meeting that took place almost a year ago now when --
25 when the Department made its presentation and the budget



1 committee was concerned about the acceptance of gifts,
2 grants, and donations that actually led to the hiring --
3 or to the placement of non-CDE personnel in supervisory
4 roles here at the Department, which that policy ended
5 upon -- or, perhaps, it ended even before that JVC
6 hearing took place.

7 This is designed to prohibit the acceptance
8 of gifts by the department, so it's not direct at
9 individual ethical considerations, but rather a
10 Department policy which we attempt to define direct
11 services and attempt to define grants that are used for
12 policy formation and to ban the acceptance of grants that
13 are designed for policy formation. So it's -- it
14 hopefully will conform with the criticisms or -- or
15 answers the criticisms that were raised by the budget
16 committee and -- and I would ask for a yes vote on this
17 new policy for the Department.

18 In addition, I think it was Ms. Rankin that
19 provided a -- a -- a gifts, grants, and addendum that, I
20 think, deals more with individual conduct. It really has
21 a code of ethics, if you will. I don't know and,
22 perhaps, should know if the Department has such something
23 in place for its employees already, but if I doesn't,
24 this would be something we should consider I think at the
25 next meeting. I think Ms. Rankin requested that -- that



1 we take this and have it reviewed by legislative staff to
2 see how it compares with sort of some of the ethical
3 standards applied to employees across the street. So I
4 think they are separate and distinct and we have some
5 more questions to be answered about this one, but I think
6 relative to the draft proposal, I would just ask for a
7 yes vote, which clarifies what kinds of donations can be
8 accepted.

9 UNIDENTIFIED VOICE: Mr. Chair.

10 CHAIRMAN DURHAM: Yes.

11 UNIDENTIFIED VOICE: Just to clarify, there
12 is indeed a code of ethics for the State Board and I
13 believe it covers employees of the Department as well
14 that was put into place about seven years ago, I believe.

15 MADAM CHAIR: Dr. Scheffel.

16 MS. SCHEFFEL: Is this both proactive and
17 reactive? I mean, I wonder if the Commissioner could
18 identify grants or gifts or donations that we would not
19 accept going forward had this policy been in place six
20 months ago, two years ago. I mean, would we not have
21 accepted Race to the Top money based on the premise that
22 a lot of Gates money we know capitalized that grant
23 competition or, I mean, what would we not be doing had
24 this been in place, I don't know, two, three years ago?
25 I don't know. I'm not sure what it applies to or what



1 we're fixing. Although, I certainly agree with the
2 concept of this document. Can you speak to that?

3 UNIDENTIFIED VOICE: Basically what I'd look
4 at is we're looking at it as the -- the -- the price for
5 entering or accepting grant money would be that we would
6 change our policy position at some level or another,
7 actually engaging the policy dictated by the grant. We
8 work for example with the Colorado Education Initiative
9 with funds coming from Gates because they provided
10 service directly to teachers and schools allowing
11 implementation of various policies passed by the
12 Legislature. So we --

13 MS. SCHEFFEL: So we would've still taken it
14 --

15 UNIDENTIFIED VOICE: We would've worked with
16 them on that piece.

17 MS. SCHEFFEL: We would've still taken RTT
18 money?

19 UNIDENTIFIED VOICE: On the other hand,
20 we're thinking carefully about some other initiatives
21 that have been offered to us that would -- that we were
22 not going to engage in because of not just this policy,
23 but the way we've been thinking about it over the last
24 six months to a year where -- to -- to participate would
25 mean that we might -- that might have an influence on our



1 -- the way we do teacher preparation or some other policy
2 within the state that's not necessarily providing any
3 kind of service to folks. It's more of learning about a
4 particular view on a policy and implementing that and we
5 won't take funds that allow us to do that. I don't know
6 if that's clear enough or not, but (indiscernible).

7 MS. SCHEFFEL: That's why I'm wondering if
8 any language should be added to it because the service
9 piece seems a little artificial because, in other words,
10 there were funds to adopt this -- I mean, there were all
11 these funds that were mingled with these policies and
12 then because they were offering service, we fall outside
13 the privy of this document. I mean, I don't know if
14 there's -- is there any benefit to adding that as an --
15 including that language in this document, even if they
16 provide a service still it's attached to a policy that
17 that entity is (indiscernible). I'm confused.

18 UNIDENTIFIED VOICE: Board Member Scheffel,
19 just a quick clarification, this -- this policy is
20 limited to private gifts, grants, and donations, so the,
21 the Race to the Top grant wouldn't really fall under this
22 -- this particular policy since it was a -- it was a
23 federal award. Now, any Gates money that would've
24 accompanied that certainly would -- would fall within
25 that, but the Race to the Top would be considered



1 separately as a -- as an award.

2 UNIDENTIFIED VOICE: How about CEI? What
3 kind of entity is that?

4 UNIDENTIFIED VOICE: That -- that would
5 certainly fall under this policy, any -- any funding from
6 them would fall under this policy.

7 CHAIRMAN DURHAM: Thank you.

8 UNIDENTIFIED VOICE: And just one other
9 piece and with the Race to the Top that was a grant that
10 the Board approved as well to accept those funds, so it
11 would be one of those pieces for us to -- to think about
12 when -- when we take action on a particular grant. In
13 some sense, you said that's our policy so we're going to
14 accept some money to move forward with it.

15 UNIDENTIFIED VOICE: So what would our
16 relationship with CEI be going forward based on this
17 document? Would it be any different or --

18 UNIDENTIFIED VOICE: I think our
19 relationship with CEI is -- has changed a bit over the
20 last year or so as they look at -- at different focuses
21 for their work. So when we can work together to have
22 their support to carry out some initiatives that we're
23 already doing, then we see that as a viable to move
24 forward, for example. Educator effectiveness is a prime
25 example of that. What CEI was able to do there is to



1 support districts in implementing 191 and that helped us
2 out because we could work with them to provide training
3 and support and they provided a -- a variety of different
4 options for districts to think about how to do that so
5 locally they could choose. We're very careful about
6 engaging in partnership activities with CEI where they're
7 asking us to take some different direction or adopt a
8 particular policy that they have. If they're helping us
9 implement a policy that's already in place and supported
10 by the Board, that's different from want you to change
11 what you're thinking about. So we're -- we're very
12 careful about our relationship and have a good
13 relationship and we talk with one another, but we're very
14 careful about what we commit to in terms of any kind of
15 activity that either they support or we encourage.

16 MADAM CHAIR: Any other questions or
17 concerns? Would you please call the roll, Ms. Burdsall?

18 MS. BURDSALL: Board Member Flores?

19 MS. FLORES: Aye.

20 MS. BURDSALL: Board Member Goff?

21 MS. GOFF: Aye.

22 MS. BURDSALL: Board Member Mazanec?

23 MS. MAZANEC: Aye.

24 MS. BURDSALL: Board Member Rankin?

25 MS. RANKIN: Aye.



1 MS. BURDSALL: Board Member Scheffel?

2 MS. SCHEFFEL: Yes.

3 MS. BURDSALL: Board Member Schroeder?

4 MS. SCHROEDER: Yes.

5 MS. BURDSALL: Chairman Durham?

6 CHAIRMAN DURHAM: Aye. Okay.

7 (Indiscernible).

8 MADAM CHAIR: Unanimous vote, favor.

9 CHAIRMAN DURHAM: Thank you very much.

10 We'll proceed now to Item 15.01 through, I think they're
11 related, 15.04.

12 UNIDENTIFIED VOICE: Nope, they're not
13 related.

14 CHAIRMAN DURHAM: They're not related.

15 UNIDENTIFIED VOICE: Sorry.

16 CHAIRMAN DURHAM: I'm sorry. Oh, I'm sorry,
17 my bad. Yeah, I'm sorry. 15.01, the -- is there a
18 motion to -- on the charter school appeal.

19 MS. SCHROEDER: Indeed there is. I move to
20 deny Arapahoe County School District Number One's Motion
21 to Dismiss TriCity Academy's third charter school appeal,
22 Case Number. 14-CS-102.

23 CHAIRMAN DURHAM: Is there a second to that
24 motion?

25 MS. MAZANEC: I second.



1 CHAIRMAN DURHAM: It's been moved and
2 seconded that we deny the motion to dismiss the appeal.
3 Is there discussion? No discussion. Please call the
4 roll.

5 MS. BURDSALL: Board Member Flores?

6 MS. FLORES: No.

7 MS. BURDSALL: Board Member Goff?

8 MS. GOFF: Aye.

9 MS. BURDSALL: Board Member Mazanec?

10 MS. MAZANEC: Aye.

11 MS. BURDSALL: Board Member Rankin?

12 MS. RANKIN: Aye.

13 MS. BURDSALL: Board Member Scheffel?

14 MS. SCHEFFEL: Yes.

15 MS. BURDSALL: Board Member Schroeder?

16 MS. SCHROEDER: Yes.

17 MS. BURDSALL: Chairman Durham?

18 CHAIRMAN DURHAM: Aye. That motion is
19 adopted on a vote of six to one. The -- we'll now
20 proceeded to Items 15.02 through 15.04, which at the
21 request of Dr. Flores were removed from the consent
22 agenda. Dr. Flores.

23 MS. FLORES: Yes. I know that the last time
24 Denver Public Schools came before us they -- they came
25 before us on issues and they presented case studies, but



1 this is -- these are three -- three initiatives and it's
2 for innovation in -- in the school district. And I just
3 would like to give us -- want them to give us an
4 opportunity to explain why they are going -- going to do
5 all of these changes in the school district. Would you
6 do that, please?

7 UNIDENTIFIED VOICE: They --

8 MS. FLORES: An overview of --

9 UNIDENTIFIED VOICE: (Indiscernible).

10 CHAIRMAN DURHAM: Is there someone in the
11 audience who could answer Dr. Flores question?

12 MS. FLORES: It's 15.02, 15.03, and 15.04.

13 CHAIRMAN DURHAM: Yeah, they're approval of
14 the innovation application grants for what legacy
15 options, Joe Shoemaker Elementary School, and Denver
16 School of Innovation and Sustainable Design.

17 MR. HATCHER: Yes, sir. Mr. Chair, Greg
18 Hatcher, Senior Manager of Government Affairs for Denver
19 Public Schools. Joe Amatin (ph) is on his way. We
20 thought this item was going to be around 2:30, so he's on
21 his way and he's in charge of working with these schools
22 and all of the innovation plans and can give the Board a
23 great high-level overview of each of the applications.
24 So he should be here in the next five minutes. I don't
25 know if that works for your schedule or not, sir.



1 CHAIRMAN DURHAM: Well, we'll -- we'll make
2 that work --

3 MR. HATCHER: Okay.

4 CHAIRMAN DURHAM: -- because I think -- I
5 think Dr. Flores is entitled to an answer to questions
6 and so why don't -- you think five minutes, give or take?

7 MR. HATCHER: He should be here in about
8 five, ten minutes.

9 UNIDENTIFIED VOICE: Can we take a five
10 minute break then?

11 CHAIRMAN DURHAM: Why don't we do that?
12 Let's take a short break.

13 MR. HATCHER: Thank you.

14 CHAIRMAN DURHAM: Good plan. All right.
15 Board will come back to order for -- yeah, we'll it's a
16 theory. Let's see, we're on Item 15.

17 MR. AMATIN: Thank you, Chair, for giving me
18 some extra time to get here. Running up the street was -
19 - was proof that I am very out of shape. So my name is
20 Joe Amatin. I am --

21 CHAIRMAN DURHAM: All right. Yes. I --
22 okay. So Dr. Flores --

23 MR. AMATIN: Sorry.

24 CHAIRMAN DURHAM: -- had some questions --

25 MS. FLORES: Yes.



1 CHAIRMAN DURHAM: -- about Items 15.02,
2 15.03, and 15.04.

3 UNIDENTIFIED VOICE: I'll make some motions.

4 UNIDENTIFIED VOICE: Okay.

5 MS. FLORES: Now --

6 CHAIRMAN DURHAM: And so, we'll make some
7 motions and then we'll ask you to -- we'll ask Dr. --

8 MS. FLORES: Can we just --

9 UNIDENTIFIED VOICE: Is it okay if I just
10 make the motions and then you're (indiscernible)?

11 MS. FLORES: Well, I'd like -- I'd like to
12 ask the questions.

13 UNIDENTIFIED VOICE: Well, you run the show.
14 Go right (indiscernible).

15 CHAIRMAN DURHAM: Okay.

16 MS. FLORES: One of the things that -- that
17 -- in these three items that you have is a lot of change,
18 a lot of change that you have agreed to. Now, I'm -- I'm
19 not saying that change is negative because it -- it's
20 positive. I'm glad that you're giving more autonomy to -
21 - to schools, especially high schools to work out their
22 programs. You're also taking more autonomy to train
23 administrators. There's also the question of placement,
24 teacher placement, and coordinated with administrators
25 that I want to ask about because it is in a sense a



1 question about trying to encourage teachers to -- to stay
2 with the district and -- and you have -- so that's a
3 question.

4 The other question has to do with there's --
5 you have agreed to statements and I think with the --
6 with a union and there's questions about pay, teacher
7 pay, that's going to be structured differently or the
8 district wants to take autonomy on changing that. And,
9 also, there's the question, training administrators, I
10 think I said that.

11 CHAIRMAN DURHAM: Yeah.

12 MS. FLORES: And the other one is --

13 MR. AMATIN: What was the question about
14 training administrators?

15 MS. FLORES: Training, that the district
16 will be able to do training for -- for administrators,
17 that you will do your own training as opposed to training
18 through -- in -- in some cases.

19 MR. AMATIN: I -- I think I know where
20 you're going (indiscernible).

21 MS. FLORES: And -- and maybe I rea it
22 incorrectly that you meant training on top of what they
23 already have and not certificated training, but just
24 wanted to get a clarification --

25 MR. AMATIN: Sure.



1 MS. FLORES: -- on that.

2 MR. AMATIN: Okay. Well, I'll start with
3 the --

4 CHAIRMAN DURHAM: All right. We'll go ahead
5 and -- and take the motions --

6 UNIDENTIFIED VOICE: Those are good
7 questions.

8 CHAIRMAN DURHAM: -- for -- so we'll have
9 something on the table to discuss and then we'll ask you
10 to answer Dr. Flores' questions. Dr. Schroeder.

11 MS. SCHROEDER: So I'd like to move -- move
12 to approve the Denver Public School's Innovation
13 Application on behalf of Legacy Options as set forth in
14 the published agenda, approve Denver Public Schools
15 Innovation Application on behalf of Joe Maker -- I'm
16 sorry, Joe Shoemaker Elementary School as set forth in
17 the published agenda, and approve Denver Public School's
18 Innovation Application on behalf of Denver School of
19 Innovation and Sustainable Design as set forth in the
20 published agenda.

21 CHAIRMAN DURHAM: And is there a second to
22 that motion? Second?

23 UNIDENTIFIED VOICE: I wish we had discussed
24 it.

25 CHAIRMAN DURHAM: Yes, Dr. Scheffel seconds



1 the motion. Would you please identify yourself for the
2 record and proceed?

3 MR. AMATIN: Thank you. My name is Joe
4 Amatin. I am the School Design and Implementation
5 Manager for Denver Public Schools, so essentially I work
6 with schools to make sure they're following the processes
7 for innovation, school planning, and school design work.
8 There were three questions that Dr. Flores had asked
9 about. One about teacher administration -- sorry,
10 administration --

11 MS. FLORES: Administration --

12 MR. AMATIN: -- training. So what all of
13 these schools are asking for is actually not a waiver
14 from anything Colorado Statutes around administrator
15 training. What they're -- what they are trying to do
16 through the waiver is a waiver of district policy around
17 principle professional development. Essentially, once
18 they become an innovation school and they're part of a
19 network within the district, it doesn't necessarily make
20 sense that they're going to all of the network mandated
21 trainings that are about network-wide initiatives if the
22 school is implementing a different model. So, for
23 example, Joe Shoemaker Elementary School is an
24 expeditionary learning school, so their principal will be
25 doing some expeditionary learning PD outside of some of



1 that district-wide network professional development.

2 The second question was about teacher
3 placement.

4 MS. FLORES: Teacher and administration --
5 teacher placement when -- with the authority of
6 administration.

7 MR. AMATIN: Yeah, so all of these schools
8 have a waiver from mandatory placement of teachers that
9 are unassigned, so it's a -- a conversation we can
10 probably talk about for a long time about the importance
11 of that and what the -- what the practice is district-
12 wide versus in these schools, but in each of these
13 schools, they've decided that they want to waive the
14 mandate of having teachers placed into their school,
15 largely because of their unique model. They've -- they
16 want -- they -- they say that in order to be effective in
17 the school, they want to have teachers that have signed
18 up and been part of the design, been part of the unique
19 programming at that school. In all of the cases, they
20 said they will consider all applicants, but they want to
21 be the people who decide who gets placed into their
22 schools.

23 MS. FLORES: Okay.

24 MR. AMATIN: And the third thing you had
25 asked about was teacher pay. So one thing that we've



1 agreed with -- with a -- the DCTA is that innovation
2 status would never be a tool to decrease teacher pay, so
3 in all cases, teachers would be paid on the DPS salary
4 scale. These schools have additional budget
5 flexibilities in which they can provide additional pay to
6 them based on duties and performance, but in no cases
7 would we decrease the teachers pay on the salary scale.

8 MS. FLORES: Okay.

9 CHAIRMAN DURHAM: Dr. Scheffel?

10 MS. SCHEFFEL: Well, how are teachers placed
11 without the waiver? If you didn't have the waiver, how
12 would teachers be placed?

13 MR. AMATIN: So, currently, if there's a
14 surplus of teachers, the district human resources
15 department places teachers into schools.

16 MS. SCHEFFEL: Thank you

17 MS. FLORES: So what else would you say
18 about these three that -- I mean, these are pretty long
19 documents and there's lots of we're going to change this.
20 It says this and then we're going to do this and --

21 MR. AMATIN: Yeah, so -- so I --

22 MS. FLORES: -- and they're --

23 MR. AMATIN: Sorry, go ahead.

24 MS. FLORES: -- pretty thick.

25 MR. AMATIN: Yeah, and, I mean, I would love



1 to try to figure out how to pare this down. What is
2 really thick in here is the -- the intentionally design.
3 So when we think about school design in Denver, we think
4 about innovation really as a tool on the backend of a
5 design process. So we go through a really deep design to
6 figure out what is the model, what are the systems and
7 structures in a school, and then based on that, can we do
8 that under the current contest or are there specific
9 waivers that we would need to -- to implement to do it?
10 So when you're looking at that thick documents, you're
11 seeing things from how do we move kids in the -- from --
12 from class to class, how are we designing our schedule so
13 that the bell schedule works for our model, and things
14 like that. I think the -- the -- the piece that is
15 really important to be looking at though is the section
16 on waivers and what is it that we're doing that's unique
17 in these. And in that case, you're talking about a ten
18 page document.

19 MS. FLORES: Right. And you're extending --
20 you're extending days. You say you're going to not
21 decrease pay, but if you extend hours and you don't
22 increase pay, that -- that is a -- a -- a decrease. I
23 see it as a decrease and --

24 MR. AMATIN: Yeah, but all of these schools
25 are -- are planning on fund -- paying teachers for that



1 extended time.

2 MS. FLORES: Okay.

3 CHAIRMAN DURHAM: Any further questions or
4 discussion of this issue? The -- we'll then proceed to a
5 vote. The Chair will -- will rule that the motion for
6 the three waivers was consolidated into one motion. Is
7 there --

8 UNIDENTIFIED VOICE: Is that okay?

9 CHAIRMAN DURHAM: Oh, absolutely.

10 UNIDENTIFIED VOICE: Sure.

11 CHAIRMAN DURHAM: Is there a request to --
12 to divide that motion? Seeing none, we'll vote on the
13 three waiver requests. Will you please call the roll,
14 Ms. Burdsall?

15 MS. BURDSALL: Yes. Board Member Flores?

16 MS. FLORES: Aye.

17 MS. BURDSALL: Board Member Goff?

18 MS. GOFF: Aye.

19 MS. BURDSALL: Board Member Mazanec?

20 MS. MAZANEC: Aye.

21 MS. BURDSALL: Board Member Rankin?

22 MS. RANKIN: Aye.

23 MS. BURDSALL: Board Member Scheffel?

24 MS. SCHEFFEL: Yes.

25 MS. BURDSALL: Board Member Schroeder?



1 MS. SCHROEDER: Yes.

2 MS. BURDSALL: Chairman Durham?

3 CHAIRMAN DURHAM: Aye. That motion is
4 adopted unanimously.

5 (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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