



Colorado State Board of Education

**TRANSCRIPT OF PROCEEDINGS
BEFORE THE
COLORADO DEPARTMENT OF EDUCATION COMMISSION
DENVER, COLORADO**

January 11, 2017 Meeting Transcript - PART 1

BE IT REMEMBERED THAT on January 11, 2017,
the above-entitled meeting was conducted at the Colorado
Department of Education, before the following Board Members:

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



1 MR. DURHAM: All right. The hour of 9:30 --
2 sorry. Sure, we'll be reminded to speak in our microphones.
3 The hour of 9:30 having arrived, State Board of Education
4 will please come to order. Ms. Cordial, would you please
5 call the roll?

6 MS. CORDIAL: Board Member Flores.

7 MS. FLORES: Here.

8 MS. CORDIAL: Board Member Goff.

9 MS. GOFF: Here.

10 MS. CORDIAL: Board Member Mazanec.

11 MS. MAZANEC: Here.

12 MS. CORDIAL: Board Member McClellan.

13 MS. MCCLELLAN: Here.

14 MS. CORDIAL: Board Member Rankin.

15 MS. RANKIN: Here.

16 MS. CORDIAL: Board Member Schroeder.

17 MS. SCHROEDER: Here.

18 MS. CORDIAL: And Chairman Durham.

19 MR. DURHAM: Here. Quorum is present. So,
20 if we would all please stand for the Pledge of Allegiance
21 and Dr. Schroeder, could you please lead us with the Pledge
22 of Allegiance?

23 MS. SCHROEDER: I wanted to do it.

24 MR. DURHAM: You did?

25 MS. SCHROEDER: Yeah. I've never done it.



1 MR. DURHAM: You're on.

2 MS. SCHROEDER: I pledge allegiance to the
3 flag of the United States of America and to the Republic for
4 which it stands, one nation under God, indivisible, with
5 liberty and justice for all.

6 MR. DURHAM: Okay. First order of business,
7 we will now proceed to the election of a chairman and a vice
8 chairman for a two --year period pursuant to Colorado
9 Revised Statutes 22-2-105(4). Is there a nomination to --
10 for an individual to serve as Chairman of State Board? Yes.
11 Go ahead.

12 UNIDENTIFIED VOICE: I nominate Director
13 Angelica Schroeder to serve as Chair of the State Board of
14 Education.

15 MR. DURHAM: Is their a second to that
16 nomination? Flores?

17 MS. FLORES: I second it.

18 MR. DURHAM: It has been moved and seconded
19 that Dr. Schroeder be elected as Chairman of the State Board
20 of Education. Are there further nominations? Seeing none
21 and hearing none, that motion is declared adopted on a
22 unanimous vote.

23 MS. SCHROEDER: Thank you very much. Thank
24 you for your support. I look forward to a great board for
25 the next two years. I will need your counsel and as you



1 know from all these years, I'm far from perfect and I would
2 be very grateful if you'll help me get better. Thank you.
3 Our next item is the office of Vice Chair. I would accept a
4 nomination for Board Member to be Vice Chair. Pam?

5 MS. MAZANEC: I would like to nominate Joyce
6 Rankin for the Chair -- Vice Chair with the understanding
7 that we will suspend the board operating procedure that
8 requires the Vi -- Vice Chair to fulfill the role of Chair
9 in the event the Chair is vacated. If the Chair is vacated,
10 there will be a new election for Chair with the Vice Chair
11 remaining in that position.

12 MS. RANKIN: I'll second that.

13 MS. SCHROEDER: Any other nominations for
14 Vice Chair? Hearing none, I would say we have Vice Chair
15 Rankin. Thank you folks. Before we actually start going to
16 the regular agenda, I'm not sure why we took this out of
17 order, except that it's really very important.

18 I would like to take this opportunity to ap -
19 - appoint our legislative liaisons. As you all know, at 10
20 O'clock this morning, the legislature will be sworn in and
21 they'll be very, very busy. And so, I'm going to ask Jane
22 Goff and Steve Durham to please be our legislative liaisons.
23 Help keep us abreast of what's going on over there and bring
24 forward our positions. Thank you.

25 We'll probably change positions here at the



1 table. It's the -- it's one of the jobs of the chair for
2 today, however, I'd like to just move a few people and then
3 tomorrow, we'll do a -- a more significant shuffle. I would
4 like to bring us back to an arrangement at which we have a
5 Democrat, a Republican, a Democrat --Republican as we had in
6 prior years. It's just an opportunity for us to get to know
7 one another better while we're gabbing at lunch or in break
8 times, et cetera.

9 But for today, I'm wondering if I could ask
10 Rebecca to move to Joyce's place, Joyce to move to my place,
11 and Steve to move over there, and tomorrow, we'll do the
12 bigger shuffle. Thank you. What do you want? Steve, did
13 you say this is yours?

14 MR. DURHAM: No, that's yours. I --

15 MS. SCHROEDER: You took yours. Okay.

16 MS. MAZANEC: We're staying here for now,
17 though. For the rest of --

18 MS. SCHROEDER: Yeah.

19 UNIDENTIFIED VOICE: Okay.

20 MS. SCHROEDER: Rest of today.

21 UNIDENTIFIED VOICE: I can go ahead and plug
22 in --

23 MR. DURHAM: You'll make two trips?

24 UNIDENTIFIED VOICE: Yeah, I'll make two
25 trips.



1 MR. DURHAM: Oh, that's a great one.
2 UNIDENTIFIED VOICE: I know it.
3 UNIDENTIFIED VOICE: How much do you want?
4 MR. DURHAM: And I don't need either.
5 UNIDENTIFIED VOICE: Is this yours?
6 MS. SCHROEDER: Yeah, it is. I don't use it
7 much. So--
8 MS. MAZANEC: You should have.
9 MS. SCHROEDER: Well, sure as you get rid of
10 it, it'll be something that I need to look at.
11 MS. ANTHES: You can leave it plugged in
12 right there. That's fine.
13 MS. SCHROEDER: Are you sure?
14 MS. ANTHES: Yeah, yeah.
15 MS. FLORES: Watch out.
16 MS. SCHROEDER: I got to -- I got to --
17 UNIDENTIFIED VOICE: Excuse me.
18 MS. SCHROEDER: I hardly ever use it anymore,
19 except that -- (indiscernible).
20 UNIDENTIFIED VOICE: I think I need these
21 files.
22 UNIDENTIFIED SPEAKER: Yeah, I think that's -
23 -
24 MS. SCHROEDER: Thank you very much, folks.
25 I appreciate it. So our first order is to approve the



1 agenda. Do I have a motion to approve the agenda and I'll
2 try to talk into this, sorry.

3 UNIDENTIFIED VOICE: Thank you.

4 MS. SCHROEDER: So moved. Thank you. Is
5 there a second?

6 MR. DURHAM: I second.

7 MS. SCHROEDER: Does anybody want to second -
8 - Thank you.

9 UNIDENTIFIED VOICE: I second.

10 MS. SCHROEDER: Are there any items that
11 folks want to add to the agenda this time? In that case, the
12 next step would be to make a motion for the Consent Agenda.
13 Joyce, could you help us with that?

14 MS. RANKIN: Moving on to the Consent Agenda
15 -- is this right?

16 MS. SCHROEDER: Yep. This is you, right
17 here. I moved.

18 MS. RANKIN: I move to place the following
19 matters on the Consent Agenda. 17.02 regarding disciplinary
20 proceedings concerning an authorization charge number 2015
21 EC 1157 signify acceptance and approval of the terms and
22 conditions of the settlement agreement by directing the
23 Commissioner to sign the agreement.

24 17.03, regarding disciplinary proceedings
25 concerning a license and authorization charge number 2015 EC



1 1795, Direct Department Staff and State Attorney General's
2 Office, to prepare the documents necessary to request a
3 formal hearing for the revocation of the holder's license
4 and authorization pursuant to Section 22-60.5-105 CRS.

5 17.04 regarding disciplinary proceedings
6 concerning a license charge number 2016 EC 353, direct
7 department staff and the Attorney Gen -- State Attorney
8 General's Office, to prepare the documents necessary to
9 request a formal hearing for the revocation of the
10 credential holder's professional teacher license pursuant to
11 Section 24-4-104 CRS, and to prepare the documents necessary
12 to enter into a settlement agreement pursuant to Section 22-
13 60.5-108(4), CRS.

14 17.05 regarding disciplinary proceedings
15 concerning a license charge number 2016 EC 568, direct
16 department staff and State Attorney General's Office, to
17 prepare the documents necessary to creas -- create -- I'm
18 sorry, to request a formal hearing for the revocation of the
19 credentials ho -- holder's professional teacher license and
20 initial principal license pursuant to Section 24-4-104 CRS
21 and to prepare the documents necessary to enter into a
22 settlement agreement pursuant to Section 22-60.5-108(4).

23 17.06 regarding disciplinary proceedings
24 concerning a license charge number 2016 EC 854, direct
25 department staff and the State Attorney General's Office, to



1 prepare the documents necessary to request a formal hearing
2 for the revocation of the holder's license pursuant to
3 Section 22-60.5-108 CRS.

4 17.07 regarding disciplinary proceedings
5 concerning an application charge number 2016 EC 1417, direct
6 department staff to issue a notice of denial and appeal
7 rights to the applicant pursuant to 20 -- Section 24-4-014
8 CRS.

9 17.08, approve six initial emergency
10 authorization request as set forth in the published agenda.

11 17.09 approved, one emergency renewal
12 authorization request as set forth in the published agenda.

13 18.01, certify payments to school districts
14 for the Public School Finance Act of 1994 as amended. State
15 share of the total program in the amount of \$340,090,539.04
16 for December 2016.

17 18.02, approve the Colorado Talking Book
18 Library's request for additional expenditure of \$8,150 from
19 Mary Jones' Trust Fund for fiscal year 16/17.

20 19.01, approve Aurora Public School's request
21 for waivers, on behalf of the Academy of Advanced Learning,
22 as set forth in the published agenda.

23 19.02 approve the Charter School Institute's
24 request for waivers, on behalf of Colorado Early co --
25 College Aurora, as set forth in the published agenda.



1 19.03, approve Denver Public School's request
2 for waivers, on behalf of Near Northeast Community
3 Engagement School, as set forth in the published agenda.
4 This is the end of the Consent Agenda.

5 MS. SCHROEDER: That's a proper motion. Is
6 there a second, please?

7 UNIDENTIFIED VOICE: Second.

8 MS. SCHROEDER: Thank you. Anyone may want
9 to make any changes?

10 MS. RANKIN: I do.

11 MS. SCHROEDER: Joyce.

12 MS. RANKIN: No, not yet. I'm not on the --
13 I'm on the Consent Agenda.

14 MS. SCHROEDER: Consent Agenda.

15 MS. RANKIN: I would like to take item 18.02
16 off of the Consent Agenda. The Talking Book Library's
17 request from the Mary Jones' Trust Fund.

18 MS. SCHROEDER: Okay.

19 MS. SCHROEDER: Any objections to that? Okay,
20 we'll take that off and put that on the regular agenda.
21 Jane?

22 MS. GOFF: Apologies if I skipped this. I
23 was actually kind of waiting for authorization. Ms. Rankin
24 and I had discussed earlier the possibility of the board's
25 request that we remove this afternoon's legislative



1 priorities discussion from the agenda.

2 We are -- we would like to take some time to
3 sit down, finalize the format for that and that before we
4 actually end and perhaps invite Mr. Durham in since he will
5 have a legislative contact role. We are, we would like to
6 request that. So, in the interest of time of Ms. Mello and
7 our time this afternoon where we have just, we're just not
8 quite.

9 We're thinking we're not quite ready to have
10 that document go out of here and the time that might be
11 needed for us to discuss the content as well. That's just
12 my request.

13 MS. RANKIN: Madam Chair, I -- I would agree
14 with what Board Member Goff has stated. However, if we
15 bring it up today there may be some input from our board
16 that would be helpful to our conversation when we meet. And
17 I, I hesitate to just remove it since all of us have had the
18 opportunity to look at all the different versions, although
19 we haven't had an opportunity to discuss them.

20 I agree we maybe should have a small group
21 meeting to finalize, but I would like to see if there's any
22 input for discussion from the board. Maybe we just need to
23 leave it on the agenda. I'm not sure how that works.

24 MS. SCHROEDER: Since we've -- since we've
25 already gone past the agenda any way, can we do that knowing



1 that it's pretty likely that we'll listen to input and then
2 table it?

3 MS. CORDIAL: Yes. You're welcome to discuss
4 it and table it for, uh, a vote at a later meeting as well.

5 MS. SCHROEDER: How does this sound, folks?

6 MS. GOFF: Well, I would -- I would -- I
7 would ask that we consider trying to weigh the time spent
8 that it takes to discuss something and provide input in
9 light of the rest of the agenda. That's -- I'm saying a
10 time of limited amount of time would be better than not any
11 limit on today.

12 MS. SCHROEDER: Well, the good news is that
13 it's at the end of the day, am I right?

14 MS. CORDIAL: Yes.

15 MS. SCHROEDER: So, if there's a brain cell
16 death going on, then maybe we'll table it and the folks who
17 give you today also to be thinking about what kind of input
18 you want to provide these folks.

19 MS. RANKIN: Madam Chair, I make -- I make a
20 recommendation that we allow any member that wants to speak
21 two minutes possibly and that would get through it quickly
22 and that it still would move onto the next step.

23 MS. SCHROEDER: Talking about among us?

24 MS. RANKIN: Yes. Tonight -- today.

25 MS. SCHROEDER: Sure. Let's see how -- how



1 about we see where we are when we get to that part. Some of
2 us are going to be probably reviewing this again today. We
3 got it actually kind of late yesterday which is another
4 source of some frustration quite honestly Joyce that we were
5 --

6 MS. RANKIN: I agree.

7 MS. SCHROEDER: Overwhelmed with the lateness
8 of some of the pieces and that -- that does make it hard,
9 right? I admit I haven't completely digested it, although
10 I'm -- I'm anxious to hear what the various positions are.
11 And I'm anxious to find a pen.

12 MS. RANKIN: Oh, here I took it. That's
13 right.

14 MS. SCHROEDER: Thank you. Well, my purse is
15 way over there. I'm discombobulated, my apologies.

16 MS. MAZANEC: And you already have a phone.

17 MS. SCHROEDER: Hmmm?

18 MS. MAZANEC: And you already have a phone.

19 MS. SCHROEDER: A phone? I have no idea where
20 my phone is. None whatsoever. So, we're finally with a
21 consent agenda. Can we move on please to report from our
22 board relations?

23 MS. CORDIAL: Good morning, Madam Chair,
24 members of the board, and Commissioner Anthes and welcome
25 new board member McClellan. We're excited to have you here.



1 We have already had an exciting morning
2 before us, swearing in a new board member Rebecca McClellan
3 and returning board members Joyce Rankin and Steve Durham.
4 Congratulations to you all. We also have new leadership on
5 the board, congratulations Chairman Schroeder and Vice
6 Chairman Rankin.

7 I would like to give my friendly reminder to
8 please speak clearly into your microphones. If you turn
9 your microphone off please be sure to turn it back on when
10 you are speaking. Those of you needing to connect to CDE --
11 CDEs guess wireless, locate CDE hotspot and the password is
12 Silver. In your board packets, you have the following
13 materials.

14 You have your Events Calendar, and quick
15 glance expense report. Also in your board packets or -- and
16 or available on --board docks are the following materials.

17 For items 11.01 through 11.04, you have a
18 memo regarding the four notice of rule makings and an
19 accompanying administrative rule review PowerPoint. The
20 rule review summary and red line copies of each of those
21 rules.

22 For item 13.0, you have a memo regarding the
23 standards review and revision process and accompanying
24 PowerPoint. The draft proposal for the Colorado academic
25 standards review and revision plan, and the academic



1 standards stakeholder survey analysis from November and
2 December.

3 For items 14.01, you have a memo regarding a
4 CDE supports for low performing districts and schools. An
5 accompanying PowerPoint and Colorado's 2015 --16 turnaround
6 program review document.

7 For item 15.01, you have a memo regarding the
8 financial transparency public facing website and
9 accompanying PowerPoint.

10 For item 16.01, you have the draft propose
11 legislative priorities.

12 For item 17.08, you have a memo regarding the
13 six initial emergency authorization requests.

14 For item 17.09, you have a memo regarding the
15 one emergency renewal authorization request.

16 For item 18.01, you have a memo regarding the
17 December 2016 state share payments and list of state share
18 payments. For item.

19 18.02, you have a memo regarding the Colorado
20 Talking Book Library.

21 For item 19.01, you have a memo regarding
22 Aurora Public Schools request for waivers on behalf of
23 Academy of Advanced Learning and supporting materials
24 pertaining to their request.

25 For item 19.02, you have a memo regarding the



1 Charter School Institute's request for waivers, on behalf of
2 Colorado Early College Aurora and supporting materials
3 pertaining to their request.

4 For item 19.03, you have a memo regarding
5 Denver Public Schools request for waivers on behalf of near
6 North East Community Engagement School and supporting
7 materials pertaining to their request.

8 For Thursday January 12th, item 3.01, you
9 have a memo regarding the Colorado teacher of the year and
10 for item 5.01, you have the memo regarding the Every Student
11 Succeeds Act update, their accompanying PowerPoint, the
12 state insurance template, equitable access to teachers,
13 defining terms and the ESSA state plan, teacher
14 qualification, gaps in equitable access to teachers, and
15 meeting K-12 teacher qualification requirements and ESSA
16 local implementations in Colorado. And that concludes my
17 report.

18 MS. SCHROEDER: Thank you. Next we'd like an
19 update please from Commissioner Anthes.

20 MS. ANTHES: Thank you, Madam Chair. Yes, so
21 we are busy as usual couple pieces just for updates I think,
22 after our last board meeting we had our joint budget
23 committee hearing. That was the day after the board
24 meeting. I believe that went well. We -- we got some good
25 feedback on that and we've just submitted all of the answers



1 to the questions that they brought up at that meeting.

2 I believe, we submitted that either early
3 this week. So we will find out from them if they have any
4 further follow up but we are continuing to work on the
5 things that they've asked us to follow up on. We then had
6 the holidays so I hope all of you had good restful holidays.

7 I know that I enjoyed my time away and -- and
8 now, we're, sort of, moving forward with a lot of as, I've -
9 - I've been talking to you all about before, a lot of, sort
10 of, heavy lifts for this board and for the staff. So the
11 first of which is, we are preparing for all of the
12 recommendations that will come to you on the school plan
13 types.

14 And we're working with you to make sure that
15 we answer any questions you may have around that. We had as
16 a reminder 242 individual school requests. So that is a lot
17 of work to put together and review each of those thoroughly
18 and put a recommendation in front of you.

19 So I know Miss Pearson will be connecting
20 with all of you. You might be sick of hearing from her but
21 she wants to make sure that any questions you have, are
22 answered because that will be a really important decision
23 point for you. That you all will be voting on those at the
24 special meeting on January 26th.

25 So we had originally scheduled that meeting



1 to be focused on the ESSA plan but given how we want to get
2 these decisions made for schools, so they can move forward,
3 we also added in the beginning portion of that meeting where
4 you will take a vote on this.

5 So that's why when Miss Pearson reaches out
6 to you about any questions, she's trying to get -- get to
7 you before -- before that meeting. We had our smart Act
8 hearing yesterday or two days ago, it's all going so fast.
9 And I -- think that meeting went well. We heard some --
10 some feedback that it was well received.

11 We used that time to update the joint House
12 and Senate Ed committee on some of the big policy issues
13 that, first of all, they were curious about and that they
14 wanted to know more about and that included the standards
15 revision process, the accountability clock and all these
16 decisions that you will be making and just an update on our
17 assessment process.

18 We also added just some -- some of the other
19 legally required updates as well. I do want to just take a
20 minute, I should have done this at the beginning but to
21 welcome our new board member. We're looking forward to
22 working with you and having you be a member of this team.
23 So thank you.

24 And then with that, that's the good news and
25 the -- the bad news or no, it's not bad news but is just a



1 reminder on the -- the next couple months in, sort of, an
2 apology in advance. So much will be coming at you all in
3 the next couple of months starting with these school plan
4 types, you know then you will have some requests to
5 reconsider hearings.

6 Then you will also have -- you will start to
7 have the schools and districts on the last year of the
8 turnaround come before you. And so really quite some
9 intense work coming forward. I know that we try to get you
10 materials as early as possible. A lot of these things are
11 very fluid and changing and so we also try to balance that
12 with the most up-to-date information.

13 And so sometimes that can delay some of both
14 material development because we're in a constant back and
15 forth with schools and districts.

16 So I just want you to just buckle in and --
17 and know that we have a lot of hard work ahead of us. Our
18 team also with the start of the legislative session
19 tomorrow, all of our staff members have an additional burden
20 on their time because we have to respond to every fiscal
21 note request that comes across.

22 So we actually have a standing meeting each
23 day where we have to address anything that comes up at the
24 legislature each day. So just big shout out to our CDE
25 staff who are about to -- actually they've already started.



1 We've already gotten a few fiscal notes. So starting at
2 work, moving forward.

3 So definitely, entering. There's no such
4 thing as a non busy season but with the legislature in
5 session it becomes even more busy. So with that, thank you
6 Madam Chair. Turn it back to you.

7 MS. SCHROEDER: Thank you. Any questions,
8 colleagues for Dr. Anthes. Jane?

9 MS. GOFF: I -- I've noticed and maybe this
10 is part of what you just spoke about, some of the pre --
11 meeting information we've gotten from staff is designated as
12 coming from the policy and legislative relations. That's
13 not a division that I'm familiar with.

14 I know that there have been some changes so
15 is that a new group? And -- and how is their function, their
16 func -- their primary function defined as far as it relates
17 to the word legislative? Just sure. I was hoping you'd be
18 able to talk about that today.

19 MS. ANTHERS: Sure. Yes. Thank you. Board
20 member Goff. So I think that may have just been a
21 descriptor. But we do have Melissa Bloom who's here in our
22 audience. You'll hear from her in a minute.

23 She does help to coordinate a lot of our
24 policy work. So when legislative and -- and we actually
25 have a number of people that are involved in that in terms



1 of our fiscal notes, our Budget Office is -- is involved in
2 that as well. Our legislative liaison which really
3 coordinates all our legislative work, Jennifer Mello is
4 involved in that.

5 But when we do rules policy, when we make
6 sure we are submitting all of our required reports over to
7 the legislature, that does all go through our -- we, sort
8 of, call it an Office of Policy which is Melissa Bloom,
9 which is one person. So that's -- that -- that's been in
10 place that -- that was in -- in the past, Katie Lanahan, she
11 was our senior policy analyst on that. And so, it's the
12 same -- same position as a new person.

13 MS. GOFF: I just don't recall it being
14 referred to. So that's all.

15 DR. ANTHERS: Thank you.

16 MS. SCHROEDER: Okay. Any other questions? I
17 have -- I have a question. Which is, with the expectation
18 or threat whichever we want to call it of all this
19 additional work or are we looking at additional meetings?
20 Are we going to have the legislative meeting at the end of
21 each month that we normally have during the session? Have
22 you -- had you thought out the calendar that we need to be
23 looking at? I think, at least, some of my colleagues need
24 some heads up time. Coming forward.

25 DR. ANTHERS: Thank you, Madam Chair. I -- I



1 think Ms. Byrd or Ms. Cordial. Well, and I will -- We'll
2 get together to -- make sure that we, sort of, backward map
3 the calendar.

4 I do think we're -- we're trying to limit as
5 many extra meetings as possible but -- so we're trying to
6 see how all of these hearings play out but we will try to
7 get that to you as quickly as possible if we have to
8 schedule additional. I don't know Ms. Cordial has anything
9 to add.

10 MS. CORDIAL: Ms. Miller and I have briefly
11 talked about the monthly Legislative Update meetings. Those
12 are always the last Friday of January through April. And
13 so, we are --

14 MS. SCHROEDER: The last or the fourth?

15 MS. CORDIAL: The -- it's -- it's, I mean, it
16 might be the same but yeah, there, you know, April may go
17 through midday Tuesday. But it will be the last Friday of
18 that month. And then we are still trying to nail down a
19 time just make sure that it works for me and also schedule
20 as well and that I will reach out to you all. But it will
21 be the monthly ones, the last Friday of the month.

22 MS. SCHROEDER: What I'm wondering is that,
23 do we add onto those meetings then the other items that are
24 overwhelming us or not? But I think it's really important,
25 particularly, those meetings, we've had an awful lot of



1 people phone in rather than having a -- presence and I think
2 to the extent that we can continue that, it'll be very
3 helpful.

4 MS. CORDIAL: Absolutely.

5 DR. ANTHES: Do we have the Wednesday
6 meetings? Wednesday, no.

7 MS. SCHROEDER: No, I'm talking about the
8 Friday.

9 DR. ANTHES: With the full board.

10 MS. SCHROEDER: With the full board. Where
11 we -- where we sometimes vote on our positions on -- on
12 bills et cetera.

13 DR. ANTHES: But we also --

14 MS. SCHROEDER: The combination of that and
15 what Katie is talking about is making me wonder if we can
16 think ahead a little bit.

17 MS. CORDIAL: Absolutely, we will connect on
18 that, great.

19 MS. SCHROEDER: Thank you. Any other
20 questions? Next item is legislative update. Ms. Miller.

21 MS. MILLER: Am I on here? I -- am I on?

22 MS. SCHROEDER: Yes.

23 MS. MILLER: Am I on? Oh okay. Good morning.
24 It's always nice to see all of you. Happy New Year.

25 MS. SCHROEDER: Good morning.



1 MS. MILLER: So, you know, this is -- the
2 timing of this is a little bit strange, right? To give a
3 legislative preview on the very first day of session. We
4 are coming out of that phase in the legislative calendar
5 where everything is rumor and vague and, you know, we're
6 kind of chasing down a lot of vagueness. It's going to
7 start to get more specific very quickly but we're still a
8 little bit in that transition. So, I will hit kind of the
9 highlights if I think the big topics that are going to,
10 we'll see legislation on this year.

11 I very, in fact, I don't think I have any
12 specifics, specific language on any specific bill at this
13 moment. The first batch of bills will come across on
14 Friday. So, it will start fairly soon and we'll work with
15 now that we have the leg contacts have been appointed, we'll
16 work with them to get those weekly meetings scheduled and
17 start working through that process.

18 I do think there's going to be a lot of
19 education bills this year, a lot of K-12 education bills, P-
20 12, however you want to call that. And I think there will
21 be a lot of substantive bills this year. I think in prior
22 years, we -- we've seen large numbers but a significant
23 portion of those were for kind of smaller or more minor
24 issues.

25 I think we will see a lot of substantive



1 bills this year. There is an ongoing conversation I know
2 you all are well aware of representative Bob Rankin,
3 representative Millie Hamner have been very persistent and
4 passionate about trying to have a conversation about school
5 funding and school funding equities in our state.

6 I think they are -- they've talked with a
7 number of other legislators and they're really wanting to
8 provide that group, some leadership to that conversation and
9 to broaden it to make sure that this is -- these are their
10 words, but I think these are their concepts. So that we
11 don't put the cart before the horse, so that perhaps we need
12 to think about what kind of, what's the vision for the
13 system, what it should look like, what it should do for
14 kids, and then come back and think about the funding issues.

15 So, I don't know if we'll see specific
16 legislation around that or if that will continue to be a
17 kind of conversation based. They have been very, very much
18 out have, have outreached extensively to the department, I
19 think to the board. So, they want you all to be a part of
20 that conversation and we'll continue to look for specific
21 opportunities to do that.

22 We will see the charter school funding equity
23 bill that, that worked its way through part of the process
24 last year, did not complete the process but that will be
25 coming back. I'm sure you've heard some about that. I



1 think we will see a renewed effort around regulation and
2 accountability for online schools.

3 There's been as you all probably are aware of
4 some, some press around that topic and I think that will
5 generate some interest and some specific legislative
6 proposals. We will see some legislation around teacher
7 shortage, perhaps helping our rural school districts hire
8 more teachers or I mean, there's a number of ways you can go
9 about thinking about the teacher shortage issue, but I think
10 that will be a topic.

11 And within that, I think there's kind of a,
12 it's an important conversation I don't mean to minimize it,
13 but, but the changes in federal law around standards for
14 licensure I think will be taken into consideration in that
15 conversation about teacher shortage. We will see, I don't
16 know how many bills, I hate to predict because you know I'll
17 be wrong.

18 I'll bet you will see at least five bills
19 that reduce the amount of statewide testing that we're
20 doing. Because ESSA still requires a third through eighth
21 grade, that, that I don't think that any of that's going to
22 change, but I think at the high school level we'll see
23 legislation that will attempt to eliminate the ninth grade
24 test, perhaps the 10th grade test.

25 And my colleagues can correct me if I got



1 this wrong. My understanding is federal law requires one
2 test for English language, arts, and math in high school and
3 that ninth grade is considered high school by the feds now.
4 So, I think we'll see a lot of conversation and attempts to
5 decrease the current testing regime in the high schools.

6 The accountability system, you know, there's
7 the fifth measure that the state may include now under ESSA.
8 The, my understanding of the, the spokes and the hub working
9 group is that there's been a lot of discussion about using
10 chronic absenteeism as that fifth measure. I think that's
11 been a very thoughtful process. The comments and these are
12 just comments from legislators, so these are not legislators
13 saying I'm going to, I don't like that or I'm going to run a
14 bill not to do that, but I have heard some comments from
15 legislators that indicate they're not super excited about
16 that as a choice potentially.

17 So, we'll see where that goes. I mean, I
18 think they want to move legislation around a fifth
19 accountability indicator, whether or not it's chronic
20 absenteeism or not, I think is to be determined. And I am
21 part of that conversation for them is, and this came up at
22 the smart hearing yesterday is what, what do we already
23 collect data on.

24 Because I do think in general, the
25 legislature would prefer not to create a new data burden for



1 districts. So, that kind of limits the choices to be honest
2 with you. So, we'll see how that plays out. I think we'll
3 also see some legislation coming from some school districts
4 who use a competency based instruction model and how that
5 interacts with our accountability system.

6 So, and then finally, I think there's a small
7 chance that on standards so as you all know much better than
8 I do. The process of reviewing all 10 content areas of
9 standards is, is getting ready to go. It's dictated by
10 statute, it's time to do that. And this came up at the
11 hearing again yesterday too, about whether that should be
12 all 10 get revised at once or whether it should be a rolling
13 process.

14 So, my understanding is based on some work
15 the department has done to ask districts what they think
16 about that. It's pretty evenly split. Some districts think
17 it should be rolling, some think it should be all at once.
18 So, the lack of kind of consensus from the districts may
19 make it a little more challenging to pursue legislation in
20 that area.

21 Just a couple of other quick items. The
22 dinner for the state board and the members of the House and
23 Senate education committee has been scheduled for February
24 eighth. It was announced yesterday at the Smart hearing.
25 So the legislators have it on their radar and we'll -- we'll



1 work to chase them down and get specific RSVPs. So, I --
2 and I know Bizy has communicated with all of you about that,
3 I'm sorry, Ms -- Ms. Cordial. I'm less formal, apologies.

4 I'm sure you all recall you had asked me at
5 your last meeting to see if I could make some progress on
6 legislation that you all might want to sponsor. It wasn't a
7 decision yet, but it was a possibility around some
8 standardization of district waivers and innovation waivers.
9 I'm still working on that. It's been a little slower than I
10 would have liked and my apologies for that.

11 I'm hoping that we have some language the
12 week, my goal is to bring you all back some language so that
13 you can decide if that's reflecting what you want to do and
14 if you have consensus on it, then I think after that we can
15 make decisions about how to proceed.

16 And then finally, the department has been
17 asked to make three presentations at this point to the joint
18 House and Senate education committees. We're still working
19 to get the details of when this will happen, but Wednesday's
20 upon adjournment which is that terribly, terribly
21 unpredictable time that I know it's very difficult to manage
22 on your calendars.

23 Over the next 3 to 5 weeks, there will be a
24 CD presentation on accountability. One on assessments and
25 one on standards and we'll let you know once those are



1 finalized, we'll make sure to let you know and then there
2 could be other requests for additional presentations. So
3 that concludes my report.

4 MS. SCHROEDER: Thank you. Questions? Yeah.

5 MS. FLORES: I just wanted to ask. Are you
6 sure that the legislature needs to needs to have a bill on
7 the times for innovation schools and such that they have
8 once we have?

9 MS. MILLER: Dr. Flores, are you talking
10 about the -- the waiver Bill?

11 MS. FLORES: The waiver Bill.

12 MS. MILLER: Okay. okay. I'm not an
13 attorney and you can always of course seek legal advice. I
14 think it is clear to me just from plain face reading of the
15 statute that there are some inconsistencies in the two. So
16 that doesn't speak to whether or not you want to do
17 something about that. But I do think if you want to do
18 something about it, it would require a statutory change. So
19 it would require legislation.

20 MS. FLORES: Thank you.

21 MS. SCHROEDER: Any other questions? Jane, is
22 your hand up? I can't tell.

23 MS. GOFF: Well, kind of is. Yes, it is. I
24 guess I would ask that on that topic, whether it's been
25 discussed or not, and because I remember it first came up a



1 couple of months ago.

2 So I think if we're going to try to talk
3 about it we need to get some definitive answers about
4 whether or not we have to follow the statute on this or
5 whether or not we can take advantage of our rule making
6 authority as long as we have it.

7 So, I'm -- I don't know whether you, I don't
8 know. I don't know what kind of conversation experiences
9 anybody's had about it but I think we need to find out
10 quickly.

11 MS. MILLER: Madam Chair, Board Member Goff,
12 I mean, I'm happy to -- we're happy to work internally as --
13 as a team and with your legal counsel so that when we bring
14 that information back to you we have some clarity on that.
15 If that's it or I'm happy to turn the mic over to an actual
16 lawyer not just one who pretends to be one.

17 MS. FLORES: I just wondered if it really is
18 essential. I mean, since we're -- we have the authority to
19 say whether you know we are going to give them the authority
20 to make these changes, and at the same time whether we
21 between ourselves just say well it's either three years,
22 five years or whatever. Does the legislature really have to
23 kind of get in our turf as far as when that will take place
24 on a waiver?

25 UNIDENTIFIED SPEAKER: Madam Chair--



1 UNIDENTIFIED SPEAKER: I think it depends to
2 be quite honest with you on some of the specifics of the --
3 of the statute. You probably have some flexibility. You
4 may not have as much flexibility as you would like.

5 So again let it when we come back to you on
6 that with some more details, we'll try to be really specific
7 about that. I really appreciate that question, we take it
8 very seriously to really be clear to delineate, what is in
9 your current authority and if you wanted to do other things
10 what would require statutory change. So thank you for
11 reminding me that that's an ongoing question about this.

12 MS. SCHROEDER: I think one of the concerns
13 is that we question whether we have the authority to once
14 we're granted a waiver, to go back to the district if we
15 find in fact that things are not going well for kids to have
16 a discussion about revoking that waiver. That our
17 understanding is that once we grant a waiver, that is a
18 waiver for good and that we don't have any authority and I
19 think that's one of the questions that we would want but
20 without legislation.

21 MS. FLORES: I do think that on at the very
22 beginning when we were granting those waivers we were giving
23 some time and saying, you know, come back in three years or
24 so.

25 MS. SCHROEDER: But that was voluntary on



1 their part. We asked them would you be willing as opposed
2 to we're saying you must those are different -- to me those
3 are different approaches.

4 MS. FLORES: Well, I think if we get the
5 waiver with the understanding they come back in you know a
6 certain amount of time that that's kind of a rule that comes
7 from the board. Steve?

8 MR. DURHAM: Thank you, Madam Chair. I think
9 the rub comes that the criteria for denying a waiver is so
10 minimal that well we could, I think in theory, make it a
11 requirement should the agreement should the district decide
12 to agree, that an expiration or a review would be
13 appropriate.

14 If they reject that request are grounds for
15 denying a waiver simply because they don't agree to that
16 request is inadequate, and I think most of us would feel
17 obligated given the reading of the statute to vote for the
18 waiver because I think we have to demonstrate that we
19 believe it does harm to students. That's a very low bar.

20 MS. SCHROEDER: You're right, it's a very low
21 bar, yeah. Any other comments?

22 MS. FLORES: Just that.

23 MS. SCHROEDER: Jane?

24 MS. GOFF: Well, agreed with what Steve just
25 said and maybe one of the questions is around the whole rule



1 making authority versus statutory changes. It's one thing
2 to suggest you know waivers will now expire after three
3 years and is that an automatic review chance for all of us.
4 And then changing the criteria for granting the waiver,
5 that's a substantive issue and that would -- I would think
6 would impact statute itself separately and differently than
7 just our rules.

8 So that's the question, depending on what we
9 would like to suggest. If that's the essence of what has to
10 come for the decision making is what we want to see happen.
11 And if we really if we want to go so far as to change the
12 statute to change the criteria for granting to more of a
13 positive statement, rather than the lower bar of a negative
14 rationale.

15 So I happily anticipate the answer where
16 we're going to need to be going with that. Thank you.

17 MS. MILLER: Madam Chair, can I just add one
18 more detail?

19 MS. SCHROEDER: Certainly.

20 MS. MILLER: So, as soon as I walk away from
21 this mic, I'm going to have a billion emails from people who
22 are listening in, asking me what the state board is going to
23 do with their waiver bill. So what I'd like to just tell
24 you all and get your kind of approval.

25 What I would like to do is get you, talk to



1 you all first, get clarity for you all on these legal
2 questions on what you want to do and then reassure all my
3 friends and colleagues who are listening that once we have
4 that their absolutely, this is the question, that there
5 would be a period of time where we would talk to them about
6 that and give people a chance to get some feedback.

7 Is that -- can I -- can I tell people that on
8 your behalf or?

9 MS. SCHROEDER: I think so and I don't
10 believe there are any of us who are talking about
11 eliminating waivers. I don't think that's the discussion at
12 all. It's wanting to ensure that those waivers, that the
13 commitments that's made by the district at the time
14 continues and that things are okay, that it's okay for kids
15 and probably that the bar might be a little higher as well.

16 There are some differences between general
17 waivers and the innovation piece as well that I think we
18 need to sort out. So some help from you all to clarify what
19 we can and cannot do, and then some discussion among
20 ourselves on what we believe would improve the system would
21 be very helpful.

22 MS. MILLER: Thank you Madam Chair. I think
23 that's -- that's helpful clarification. We'll work to get
24 you all on the same page, and then we'll we will make sure
25 that people who care about this topic and there are many,



1 that we have some interaction with them. I just I haven't
2 been able to give them anything yet because I don't have
3 anything because we all haven't, you all haven't agreed on
4 anything yet.

5 So that -- that -- and we don't have there
6 are no hard and fast deadlines to do that. No, obviously we
7 can't wait until July, but I think we have several weeks
8 where we can do that and still be okay if you all want to
9 move legislation forward.

10 MS. SCHROEDER: Okay. And if you want to
11 send us stuff in between meetings of findings that you have,
12 please do.

13 MS. MILLER: Absolutely.

14 MS. SCHROEDER: So we can be thinking about
15 it. Any other comments? Thank you.

16 MS. MILLER: Thank you.

17 MS. SCHROEDER: I'm going to suggest that we
18 take a break from now till 10:30 and at 10:30 we will have
19 public participation.

20 (Break)

21 MS. SCHROEDER: Right now is public
22 participation. But we did not have anyone sign up. I
23 believe this could be a record, but, that's okay. So, we
24 will go to 11.01, notes of rule making. In fact, we're
25 going to have four items that relate to the notes of rule



1 making and I think first we'd like to have an explanation
2 generally for all four items and then we will just probably
3 fly through these. Madam commissioner.

4 MS. ANTHES: Yes. Thank you Madam Chair.
5 I'm going to turn this over to Melissa Bloom to give us an
6 overview of why these are before you but just as a
7 highlight, I'm probably stealing your thunder Melissa, I'm
8 sorry. But this is a part of a three year cycle that we
9 have to review all of our rules and determine if they are
10 relevant, appropriate, and then we bring them to you with
11 our recommendation. And so, that's what Melissa is here to
12 do.

13 So, Ms. Bloom Thank you.

14 MS. BLOOM: Great thank you so much
15 commissioner Anthes, Madam Chair, and the board. My name is
16 Melissa Bloom. As Katie alluded to -- or commissioner
17 Anthes alluded to before, excuse me with the formalities --
18 I'm the senior policy associate here at the Department of
19 Education. We often joke of that legislative relations and
20 policy unit. It is me. I'm the unit so it's nice to be
21 before you all today.

22 What I want to discuss with you a little bit
23 is the administrative role review process here at the
24 department of education. So, back in 2014, the legislature
25 passed a bill that required each state department to review



1 all of its sets of rules within a certain time --frame
2 specified by the department of regulatory agencies and that
3 was basically a three year timeframe.

4 So, we are to look at the appropriateness and
5 cost effectiveness specifically of those rules. We also
6 then must make a determination based on that review whether
7 or not those roles should be repealed. Whether or not we
8 should leave them as is or whether or not we can, we should
9 amend them.

10 The other portion of that law requires there
11 to be a public comment period during that review, which I'll
12 explain how that factors into our process as well. Again,
13 as part of that law, there were also specifications of
14 considerations that State Department should take into
15 account when they are reviewing these roles.

16 I've outlined all of them that are from the
17 law here on this slide. Some of the important ones I'd like
18 to point out are whether or not the rule is actually
19 necessary. Whether or not it overlaps or duplicates with
20 other regulations or other statutes. Whether or not it can
21 be amended to give more flexibility to those involved or
22 reduce regulatory burdens.

23 Also whether or not a cost benefit analysis
24 has happened, that's something that's often required by law
25 if someone requests it. Oftentimes, our rules have not



1 been, they've not been requested for a cost benefit
2 analysis, so that requirement doesn't often apply to us as
3 much but I wanted to point it out. And whether or not the
4 rule is adequate for the protection and for the safety,
5 health, and welfare of the state and its residents.

6 So, that those are the standards that we use
7 when reviewing the rules. So, based on this slide CDE
8 developed a process to actually comply with, with the law.
9 So, starting in 2015, CDE staff established a schedule
10 whereby we review five to seven sets of rules every quarter.

11 I'm not sure if you're aware but we have
12 bordering up onto a 100 rules now from the State Board of
13 Education, so that's why we have to take a decent chunk
14 every quarter in order to meet those deadlines. So, once we
15 decide a set of rules that we are going to review, we make
16 sure to announce those rules in a scoop to comply with that
17 public comment portion part of the laws, so that other state
18 agencies and the public can submit their comments.

19 We have a standard template that they can
20 use, otherwise they can feel free to call or email any of
21 those comments regarding that review. And then the last
22 portion of that review is that CDE staff that are experts in
23 those content areas look at the public, any public comment
24 that we do receive. They take a look at those rules
25 relative to those kind of considerations I put up earlier



1 and how that factors in and they make a recommendation
2 whether to repeal, whether to amend or whether to leave the
3 rules as is.

4 You can see what's been included in your
5 board packets as well as on for board docs, CDE stuff
6 completes what we call the rule review summary. Basically
7 asking pointed questions, getting at those considerations to
8 get to a recommendation for that rule.

9 One of the most important things I do want to
10 point out about this process is that it is distinct from the
11 formal rule making process. So, I know a lot of you are
12 very familiar with our formal rule making process where CDE
13 stuff comes before you with a set of rules, we issue a
14 notice of rulemaking, something we're asking for today.

15 There's about a two month period for public
16 comment. We hold a public hearing, then you all vote on
17 adoption or amendments or whatever it is regarding those
18 rules. That's what we like to call the formal rulemaking
19 process.

20 The administrative rule review is separate
21 from that process, where it's per -- has been performed
22 internally by CDE staff obviously with input from the
23 public, but it can inform that formal rulemaking process.

24 So, I know there's a lot of confusion when it
25 comes to rules, they are not always the most clear things,



1 but I do want to point out that those are two separate
2 processes. Sometimes you've actually, there have been a
3 couple cases where you may have seen a recommendation that
4 was a result of the administrative rule review but we
5 haven't kind of highlighted it in this way until now. So, a
6 good example of that is the college entrance exam rules.

7 We knew we had to do rulemaking around those.
8 So, we aligned our administrative rule review at the same
9 time and some of the recommendations from that rule review
10 informed the rulemaking process that came before you all.
11 So, where do we go from here?

12 We ar -- like I said started this process in
13 2015. So, we've been building up a good base of
14 recommendations but now we'd like to actually do something
15 with them and not just have them sitting in a corner
16 somewhere. So, starting this month and starting at the
17 January 2017 meeting, we're going to be taking some of those
18 recommendations from the administrative rule review forward
19 to you through the formal rulemaking process. Basically to
20 act on the recommendations that staff have taken the time to
21 develop.

22 So, we're going to start with some low
23 hanging fruit, those rules that staff have recommended for
24 repeal. That you'll see some more hopefully coming next
25 month as well, like I said, we have close to 100 rules all



1 of them may not be necessary anymore. So, below on this
2 slide, you see a few reasons why we may have made the
3 recommendation to repeal the rule.

4 First and foremost is if the underlying
5 statutory authority for the rule has actually been repealed
6 itself. If statute doesn't require it and it is outdated, I
7 think a lot of staff agree and we hope that you would agree
8 that possibly the rule itself can be repealed. Sometimes
9 the rules are no longer necessary. They don't really align
10 with current practice. They don't make sense with kind of
11 what's going on programmatically in the state.

12 Along those same lines the program or
13 practice just may no longer exist. Another reason is that
14 if the rules now overlap with other regulations that we have
15 or other state statute. So, it's really just duplicative
16 and unnecessary. And finally, the other con -- reason we've
17 looked at these as a possible reason for repeal sometimes is
18 if the General Assembly never actually provided funding or
19 hasn't provided funding for the program in a very long time.

20 The statute may still exist but
21 programmatically, it really hasn't operated in many years.
22 And one of the considerations we take into account and
23 that's the cases, well, even if we were to get funding
24 eventually for this program would, we just have to change
25 the rules so much to align with the statute that these old



1 set of regulations aren't actually useful for us anymore.

2 So, there's another element we look at when
3 we consider whether or not to get rid of a set of rules
4 because of funding purposes just to make sure that we're not
5 getting rid of something that we think could come back and
6 bite us later.

7 MS. SCHROEDER: May I ask a question?

8 MS. BLOOM: Go ahead.

9 MS. SCHROEDER: It's silly, you might think
10 it's silly --

11 MS. BLOOM: No. Please.

12 MS. SCHROEDER: Where does the scoop, I know
13 I get the scoop but where does it appear for everybody else
14 for the state?

15 MS. BLOOM: Madam Chair, I believe it's
16 through an e --mail. That's how I receive it as well.
17 Commissioner Anthes I think has further details.

18 COMMISSIONER ANTHERS: Yes. Thank you. So,
19 our scoop is our CDE wide newsletter. It goes with -- Dinah
20 stepped out or actually Gladys may know how many folks it
21 goes to but anyone can sign up for the scoop. There's a
22 link that you can sign up to it on our Website. It goes to
23 all superintendents, all districts, goes to all of our
24 partners.

25 There's over 3000 people I think are or



1 organizations that it goes to. But it's our main form of
2 communication as anything goes out so people know where to
3 look when rules are generated.

4 MS. SCHROEDER: Is there parents -- I mean,
5 do parents get it too? Does the public? I know that
6 administrators get it, I mean the scoop --

7 MS. BLOOM: They can. I've had, I've had
8 parents sign up for it who want the det -- people who want
9 the details.

10 COMMISSIONER ANTHERS: Right. It's -- folks
11 can request and then they can be -- we don't, we don't force
12 folks to sign up but anybody, it's totally open to the
13 public. So, anyone can sign up. So, many parents are on
14 there but it's up to them to sign up for the newsletter.

15 MS. SCHROEDER: Can -- can people go into
16 the, the State Board of Education or CDE and find this
17 school?

18 COMMISSIONER ANTHERS: Yes, it is on our
19 Website as well. Do you want to comment Gladys? This is--

20 MS. SCHROEDER: This is important.

21 COMMISSIONER ANTHERS: Gladys is a member of
22 our communications team. Hi.

23 MS. GLADYS: Hi, for the scoop if you --

24 COMMISSIONER ANTHERS: Can you speak into the
25 microphone Gladys? Thank you.



1 MS. GLADYS: Yes.

2 MS. SCHROEDER: Thank you.

3 MS. GLADYS: For the scoop --

4 COMMISSIONER ANTHERS: Just go ahead. It will
5 -- they'll turn it up. Thanks.

6 MS. GLADYS: For the scoop, currently if you
7 visit our communications website, you will see all of our
8 communications listed and on there you can request to be
9 added to the list and I believe you can also view archives
10 for previous scoops listed.

11 MS. BLOOM: And, I do also Madam Chair want
12 to comment on that point.

13 We also for the administrative role review,
14 we post on the State Board of Education rulemaking website
15 which rules we are reviewing each quarter as well as the
16 scoops. So folks that are more familiar with the State
17 Board of Education website can view that information there
18 as well.

19 MS. SCHROEDER: Thank you.

20 MS. BLOOM: So, moving along as I said
21 starting in January, we're taking forward some of these
22 recommendations. We have four before you today, to initiate
23 the notice of rulemaking process. Even when we do, we are
24 recommending a repeal, the rule still has to go through all
25 the steps of the formal rulemaking process.



1 So, this would be step number one. These are
2 the rules that we have before you today. You will see these
3 are all recommended for appeal. That's why you only
4 received a red line version of the rules and not a crosswalk
5 and not a clean version like we typically provide, a clean
6 version would just be a blank document. So, seemed a bit
7 unnecessary.

8 I've also included a bullet under each one of
9 these as a general reason for why we have recommended these
10 rules for repeal. However, if you look in your documents,
11 we have included the rule review summary sheets for each of
12 these rules that provides a little bit more detail about
13 what went into each recommendation and answering the
14 questions of some of those considerations if you would like
15 more detail on that.

16 So, that concludes my presentation, I'm happy
17 to answer any questions on the administrative rule review or
18 any of these rules that are before you today.

19 MS. SCHROEDER: Thank you. Questions? Vote?
20 So, we're not actually voting on whether to repeal them. We
21 are simply voting on the hearing.

22 MS. BLOOM: Correct. This is the first step.
23 The notice of rulemaking to open up the rules. There will
24 still be the public hearing, public comment period that's
25 associated with any other rulemaking process.



1 MS. SCHROEDER: Great. I'll be fascinated to
2 think about what sort of comments we receive. Interesting
3 here, the sort of the same thing is going on right now with
4 the legislature and their efforts to sunset and there was
5 one on this morning about the blue laws on selling cars and
6 should we give that up because.

7 So, this is -- I think it's very healthy to
8 go back and look at the laws we've passed and do they still
9 matter. They're going to get I think a whole lot more
10 comments on selling cars on Sunday than we will on Sunday,
11 maybe. I wonder if I could have a motion please. Pam.

12 MS. MAZANEC: I move to approve the notice of
13 rulemaking.

14 MS. SCHROEDER: For, I think we have to go
15 through it all each one. Or four I'm sorry.

16 MS. MAZANEC: I move to approve the notice of
17 rulemaking for 1CCR301 --4. Determination of indigency and
18 establishing policy for school fees.

19 MS. SCHROEDER: That's a proper motion. Do I
20 have a second?

21 UNIDENTIFIED VOICE: A second.

22 UNIDENTIFIED VOICE: A second.

23 MS. SCHROEDER: Two seconds. Second and the
24 third. Bizy, do you want to vote --

25 MS. CORDIAL: Sure.



1 MS. SCHROEDER: Call the roll, please.

2 MS. CORDIAL: Board member Durham.

3 MR. DURHAM: Aye.

4 MS. CORDIAL: Board member Flores.

5 MS. FLORES: Aye.

6 MS. CORDIAL: Board member Goff.

7 MS. GOFF: Aye.

8 MS. CORDIAL: Board member Mazanec.

9 MS. MAZANEC: Aye.

10 MS. CORDIAL: Board member McClellan.

11 MS. MCCLELLAN: Aye.

12 MS. CORDIAL: Board member Rankin.

13 MS. RANKIN: Aye.

14 MS. CORDIAL: And Chairman Schroeder--

15 MS. SCHROEDER: Aye.

16 MS. CORDIAL: Chairwoman Schroeder -- Board
17 member Schroeder.

18 MS. SCHROEDER: Aye.

19 MS. SCHROEDER: All right, that passes. I
20 would appreciate a motion for the second item. Rebecca.

21 MS. MCCLELLAN: I move to approve notice of
22 role making for 1CCR301 --30 rules for the administration of
23 the Second Chance Pilot Program.

24 MS. SCHROEDER: That's a proper motion. Do I
25 have a second?



1 UNIDENTIFIED VOICE: I second.

2 MS. SCHROEDER: Thank you.

3 MS. CORDIAL: Board member Durham.

4 MR. DURHAM: Aye.

5 MS. CORDIAL: Board member Flores.

6 MS. FLORES: Aye.

7 MS. CORDIAL: Board member Goff.

8 MS. GOFF: Aye.

9 MS. CORDIAL: Board member Mazanec.

10 MS. MAZANEC: Aye.

11 MS. CORDIAL: Board member McClellan.

12 MS. MCCLELLAN: Aye.

13 MS. CORDIAL: Board member Rankin.

14 MS. RANKIN: Aye.

15 MS. CORDIAL: And Board member Schroeder.

16 MS. SCHROEDER: Aye. 11.03. May I have the

17 motion, please. Jane, you guys are going down that road.

18 MS. GOFF: Yeah.

19 MS. SCHROEDER: Nice. I like that actually.

20 MS. GOFF: I like it. I, I move to approve

21 notice of rulemaking for 1CCR301 --55. Rules for the

22 implementation and financing of regional education and

23 support services.

24 MS. SCHROEDER: That's a proper motion. May

25 I have a second? Is there a second?



1 UNIDENTIFIED VOICE: I second.

2 MS. SCHROEDER: Thank you. Are there any
3 objections? That passes. One more.

4 UNIDENTIFIED VOICE: Ms. Rankin, I think you
5 are the next one in line here.

6 MS. RANKIN: I move for the adoption of
7 notice of rulemaking for 1CCR301 --77. Administration of
8 the post secondary and workforce readiness assessments pilot
9 program.

10 MS. SCHROEDER: Thank you. It's a proper
11 motion. Is there a second?

12 MR. DURHAM: I second.

13 MS. SCHROEDER: Thank you. Any objection?
14 Seeing none, we're done. Thank you. Thank you very much.
15 So, this comes up in two months.

16 MS. BLOOM: So, yes these rules will all be
17 scheduled to have hearings in March and next month we will
18 likely be bringing forward another set of notices. We try
19 to stagger it a little bit so, you didn't end up with 10
20 hearings in one month. But yes, that's the plan.

21 MS. SCHROEDER: Okay. But we can expect for
22 some -- for most of these such as these to be very short
23 hearings.

24 MS. BLOOM: Based on the public comment we
25 received in the review. I would make that assumption. Yes.



1 MS. SCHROEDER: But, we may not put it on the
2 consent agenda. Even if there are no --

3 MS. BLOOM: Correct.

4 MS. SCHROEDER: --current. Okay, thank you.

5 MS. BLOOM: Madam Chair, we're going to move
6 to, if it's all right with you, item 15.01.

7 MS. SCHROEDER: 15.01. Yeah, folks our
8 agenda says it's time for lunch but it's really not time for
9 lunch. So, we agree to jump ahead for some of our
10 information items. If that's okay with you. So, 15.01, the
11 commissioner.

12 COMMISSIONER ANTHERS: Yes. Thank you Madam
13 Chair. We wanted to bring an update to you on a piece of
14 legislation we've been working on for over a year, and give
15 you sort of a small demo of it. And Ms. Oaks is here to
16 give us an overview and -- and give us that demo. Thank
17 you.

18 MS. SCHROEDER: Ms. Oaks, go ahead.

19 MS. OAKS: Thank you. Again, Jennifer Oaks
20 with school finance, and we've been working on this
21 financial transparency project for almost a couple of years
22 now and wanted to give you all just a preview of what's --
23 what work we've been doing and what's to come. So, that's
24 why we wanted to just give a preview of this. So, this work
25 is as a result of two pieces of legislation.



1 Primarily, House Bill 14-12-92 which
2 implemented this requirement. And it asks CDE to work with
3 a member or a subcommittee of the financial policies and
4 procedures subcommittee or advisory committee. So, those
5 are representatives from districts across the state and work
6 with them and a member of the governor's office of State
7 Planning and Budgeting, to design a website view that gives
8 financial data on school districts, BOCES, CSI, and then
9 also schools, individual schools and make that available and
10 understandable to lay people.

11 So, not financial people but take this info -
12 - information and make it understandable for a parent, for a
13 citizen that doesn't really have that financial knowledge.
14 So, they also wanted to be able to compare district to
15 district or school to school on expenditure type of
16 information.

17 The legislation also has CDE to contract with
18 a vendor to actually create the website. And then, local
19 education providers, so districts and charter schools need
20 to post the file that this vendor goes and scrapes off of
21 the website to populate the information.

22 And then, the next year, the following
23 session in 2015, there is a bill to exempt the small rural
24 districts from having to post school level data. They still
25 have to post district level data but not go down to that



1 school level to alleviate the extra burden on small roles.
2 So, since that time we began working, we pulled the
3 subcommittee together of that financial policies and
4 procedures.

5 Sorry. My apologies. So, that at FPP
6 subcommittee we began working on it. We wanted to really
7 get some information, before we did the request for
8 proposal. So we did a request for information, got a lot of
9 great information about what's available and not, use that
10 to do an RFP to select a request for proposal to select a
11 vendor.

12 So in October 15th, we selected bright
13 lights. We had a great representation of districts to be on
14 the committee, to write the specifications and select the
15 vendor. And this July we had a pilot website for 10
16 districts. So we've had great participation from districts
17 had a pilot and that was our version one release one. And
18 then December we released version two.

19 Again, it's sort of an iterative process to
20 gain, you know, you're not going to get everything right the
21 first time. So and we're continuing to work on that gather
22 feedback and refine it.

23 So right now we're starting reaching out to
24 everybody about getting ready to post their data on their
25 websites and then getting into the details about what



1 training's they need, what is it specific on the ground of
2 course we've been having lots of discussions along the way.

3 But now the training is getting sort of more
4 intense and July 1st the website will be in production. So
5 as I said we've -- we've worked with all of the financial
6 policies and procedures and tried to do a lot of
7 communications, but we've had intensive a lot of input from
8 our subcommittee. So the 10 districts on the left and then
9 we also have 10 pilot districts they overlap to a large
10 degree but not exclusively. So we've had 14 districts very
11 active.

12 UNIDENTIFIED VOICE: Madam Chair, can I --
13 can I? Do you have a question too?

14 MS. SCHROEDER: Yes.

15 UNIDENTIFIED VOICE: So are these districts
16 actually uploading and maintaining, this is the -- the
17 departments website but districts are able to update it
18 themselves. How's that work?

19 MS. OAKS: The legislation is -- is
20 interesting because it -- it charges CDE with, you know,
21 arranging this and working with the FPP committee and the
22 governor's office to -- to design it. But it's -- and to
23 get the vendor, but it's really a vendor website and we
24 don't get the data at CDE.

25 The data goes on their website and the vendor



1 collects it. The financial policies and procedures
2 committee did think that there's an easier more streamlined
3 way if CDE were to collect it and then provide it to the
4 vendor just one file and -- and they worked with sponsors,
5 but that legislation didn't -- didn't go through.

6 So right now it's they post it so it's not
7 necessarily going through CDE. We've worked with the
8 committee --

9 UNIDENTIFIED VOICE: Excuse me they --
10 they've posted to the vendor.

11 MS. OAKS: They posted on their website and
12 then --

13 UNIDENTIFIED VOICE: And then vendor pulls
14 it.

15 MS. OAKS: And then vendors comes and pulls
16 it. And so that's the process that we're working with right
17 now and I just left a meeting where we have 50 districts who
18 are all signed up for training and five districts have
19 posted that already. And so it's working.

20 The -- the data normally would not be
21 available until December 31st. So it's possible for
22 districts they do financial reporting to the department
23 that's required. And it's possible that they can use that
24 very same file if the districts choose to.

25 So once they finish our process and the



1 deadline is December 31st, if they finish that and then they
2 save it to their website that's possible. So they can do
3 that, we tried to make it streamlined as possible for
4 districts. So five are -- have posted and many are in the
5 process of getting that posted.

6 So -- so this again we're sort of in the
7 iterative design. So these are just screenshots of the
8 current version to give you a flavor. So you come to a
9 landing page and then you can either explore and pick a
10 district or a school using a map of -- all of the districts
11 and school locations. If you don't know the name or you can
12 do that by searching for the name.

13 And so, we have two of our finest school
14 districts blue spruce large and blue spruce small for you
15 today. And so we'll look through blue spruce large. And so
16 at first there's going to be some basic information, the
17 number of students and membership, how many schools they
18 have. And then you proceed.

19 And there's some high level funding
20 information revenues but we think laypeople funding makes
21 more sense to them. So you can see the breakdown of local,
22 state, federal funds. You -- it's hard to see but there's a
23 little eye icon that you can hover over and get more
24 information and I'll show you examples of that a little bit
25 later.



1 So over on the left, this is more of the
2 current operating expenditures, so more that day to day
3 ongoing types of things. And then over on the right is the
4 capital construction or debt or sort of not current
5 expenditures. But then you've got the total funding.

6 UNIDENTIFIED VOICE: What you're saying is
7 not on there.

8 MS. OAKS: Yeah. So it's -- this is the
9 current data and then this would be the sort of the middle
10 levies on the expenditures or on the funding sorry. And we
11 have the same breakdown on spending. So again, the oops,
12 this right here is the current expenditures and then this is
13 construction debt other types of states. And then if we
14 point to or click on explore more we can draw on to more
15 depth.

16 MR. DURHAM: Madam Chair?

17 MS. SCHROEDER: Yeah.

18 MR. DURHAM: Yeah. Ms. Oaks, so is it the --
19 the debt or the debt service or both that should appear on
20 the right hand side?

21 MS. OAKS: It would be the debt service
22 payments. So construction that's going on or the debt
23 service payments.

24 MR. DURHAM: So the total and will that
25 include certificates of participation? Am I using the right



1 term?

2 MS. OAKS: Yeah. So it would be the
3 expenditures related to those payments for the certificates
4 of participation or the bond payments made during that year.

5 MR. DURHAM: Okay. Thanks. So it would be -
6 - it would be and the total amount -- total amount of debt
7 or just the amount of expenditures.

8 MS. OAKS: Expenditures.

9 MR. DURHAM: Okay. Thank you.

10 MS. OAKS: And so when we go into spending
11 we'll sort of dive down layer by layer like an onion. So
12 you can see that current operating expenditures per student
13 in this district. Blue spruce large it's \$10,000 per
14 student.

15 There's a breakdown of salaries and benefits
16 which in this district is 68 percent of their total
17 spending, in the year versus services, supplies, property,
18 debt, and others. Then we break down salaries and benefits
19 to the different types. So in this case, 63 percent is for
20 instructional and then it, you know, you have office or
21 administrative support of 6 percent.

22 And then you can see over up here on the top
23 here are the different types of categories that we thought
24 were meaningful for a lay person. So is it learning
25 environment is it operations. And then again that



1 construction debt and other.

2 So we can drill down even further. So here,
3 we're in the learning environment and getting more detail on
4 that learning environment piece. And again, you can see
5 there's different categories that that's broken down into
6 instructional versus, you know, district administration or
7 school administration.

8 So you can see in this district that 73
9 percent goes to instruction. Then you keep going perhaps.
10 And then there's --

11 MS. SCHROEDER: Are there constant
12 definitions for each of these?

13 MS. OAKS: Yes. And so, this page gets an
14 example of that little i. So here within instructional
15 spending where this district has almost \$5600 per student on
16 instructional spending, and I'm not exactly sure what that
17 includes. I can hover over click on that little "eye". And
18 then right here, is the language that will say. So,
19 instruction includes examples like math, language, arts,
20 physical ed, special education.

21 Then if you click that learn more button, it
22 goes into a lot of details about the individual coatings
23 that we go to. So, we sort of, try to layer it so you can
24 get down to as much detail as you want, but you can also
25 just get a high level. Get a concept of what that is. So,



1 each of the areas that were in that pie chart. There's
2 examples for here.

3 So, for example, students support spending I
4 may not know what that is intuitively, but I can see guiding
5 services, health services, psychology. And that may give me
6 a good enough idea or I -- I want to drill down further.
7 And so, then in the other areas we have that same type of
8 things.

9 Here's the operations and then here I can see
10 food service, transportation, operations, and maintenance.
11 And again, we go into the de -- detail. Little pages for
12 each of those that give more detail on the breakdown for
13 each of those categories. Again, same type of drill down
14 for the construction debt and other within the more detail.

15 And then, because the legislation had said,
16 not only clarity for a lay person but compare ability for a
17 lay person. So, the website allows us to compare districts,
18 district to district, BOCES to BOCES or school to school.
19 And what we've -- we've allowed for up to four comparisons
20 because we think if you do more than that it's too confusing
21 but you can easily take one off and bring another one up to
22 -- to sort of, get more comparisons.

23 So, here we have our two districts, Blue
24 Spruce large compared to Blue Spruce small. And so, here it
25 again starts with some overviews elementary, middle and high



1 schools are serviced by both. But this little tree means
2 it's rural, and if you hover over that, it'll tell you what
3 that little tree meant; 31 schools versus three you know,
4 10,000 versus almost 13,000 for these districts.

5 And then, again, those same types of
6 information that we walked through looking at Blue Spruce
7 large individually, then I can see these two side by side.
8 So, now I can see that the learning environment at large is
9 63 versus 67 at Blue Spruce small and again, the detail
10 breaking down by salaries, services et cetera.

11 And we just keep going down and you can keep
12 scrolling, peeling away that onion as if you were and then
13 cease comparing the per pupil for the large versus the small
14 on each of those areas. Starting again, with those three
15 major buckets of types of expenditures, the learning
16 operations and construction debt.

17 And then, I can drill down even further, down
18 into those activities in athletics, students' support, you
19 know, all of the different levels. So, it starts out very
20 high and then you can go as fairly detailed. But again, we
21 hope that this is something that is understandable for
22 somebody who doesn't really understand school finance or
23 finance in general but does want to learn about more about
24 their districts.

25 So, I know I went through this really quickly



1 but we just wanted to give you a flavor about what's coming.
2 I like to thank all of the districts that worked so hard
3 with us. They have been amazing to work with and just so
4 much time and dedication and expertise and input and we're
5 really excited to go live with this on July 1st. So any
6 questions?

7 MS. SCHROEDER: Thank you. Questions?

8 MS. MAZANEC: So, we have a pilot of -- how
9 many was it, 10 or so? That are trying this out, is that
10 correct? Or some already doing it or -- I -- I kind of
11 missed that.

12 MS. OAKS: Okay. Yeah sorry. I breezed by
13 that.

14 So, we do have 10 districts who volunteered
15 to be pilots. And so what they did, is they took what's
16 going live on July 1st is the 15/16 fiscal year data. So,
17 the fiscal year that ended last summer.

18 What these districts did, is they took a
19 prior year data, the 14/15 data and they said, "Okay, I can
20 get that populated and take my file and get school level
21 data into it" and then they provided that data to the vendor
22 and then the vendor uploaded it into the system.

23 MS. MAZANEC: Okay. They provided school
24 level or school and district?

25 MS. OAKS: School and district.



1 MS. MAZANEC: And Ms. Oaks, basically then,
2 what the vendor is doing is providing a template that's
3 uniform for anyone that is participating in this. Then if
4 the 10 that go live in July that is successful, then we will
5 spread it throughout the state. Is that --

6 MS. OAKS: No.

7 UNIDENTIFIED VOICE: Go ahead.

8 MS. OAKS: Not quite right. So, the 10 for
9 the pilot for us to look at, you know, the -- the look and
10 feel of this, is that prior data. But all districts are
11 required to post their 15/16 data and they're starting that
12 process right now and then all data for all districts will
13 be available on July 1st.

14 So, small rural will have district only if a
15 small rural wants to post their school level. They're
16 perfectly able to do that as well. But all districts will
17 have school -- or are all districts will have district level
18 data and BOCES and then the non-small rurals will also have
19 school level.

20 MS. RANKIN: And that will all be uploaded in
21 July to the vendor?

22 MS. OAKS: That is being uploaded right now.
23 So, we have five districts that are posted and the vendor
24 has pulled it up and it's ready. It will be ready in public
25 on July 1st for all of the 200, 179.



1 MS. RANKIN: That's where I was pointing
2 toward. And will it -- and so that template's going to be
3 uniform, if the districts are providing it on their sites or
4 if the schools are providing it on their sites. Will it be
5 uniform enough?

6 Well, I would hope so within the schools and
7 districts that if I am a parent and I move from one district
8 to another, the template's the same, so I'll be able to tell
9 exactly the same information and easy enough to locate it on
10 their website supposedly, theoretically.

11 So, that's going to be very helpful for any
12 parents that are moving within the state.

13 MS. OAKS: Yeah. So, we have -- locating it
14 is hopefully, we've made that a little bit easier. So,
15 districts have been required to post financial data for
16 several years.

17 This is just one addition thing, with this
18 additional it also takes away some of the prior requirements
19 like check registers and investment reports that were really
20 very helpful for the general public. This is intended to
21 replace that and be helpful.

22 So, a few things are going off of what they
23 have to post because of this. What we've said is, it's not
24 always easy to find that financial transparency website.
25 So, the subcommittee agreed that every district that needs



1 to be easily found on your front page and either the words
2 financial transparency or a little icon that we came up
3 with.

4 And so, it is much easier now to have that to
5 find it because of that. So, it will be easier to find on
6 the page and that page has all of the information that
7 they're required to post as well as a link to this website.

8 Of course, CDE will have a link to the
9 website as well. There is some flexibility. So, all
10 districts are required to use our chart of accounts on how
11 it's coded but there is some flexibility on you know, within
12 the definitions of the chart of account what goes here or
13 there because, you know, there's some gray area. And so
14 there's that flexibility.

15 But then there's also a lot of flexibility on
16 what we've talked about is what kind of district are you in
17 how you code? Are you -- do you code a lot of things
18 centrally to the district or do you code a lot of things de
19 --centrally to the schools? And so, an example might be your
20 operations and maintenance staff.

21 So, you have people out at the buildings, you
22 know, doing maintenance at the building sites. One district
23 might say, I'm going to code those salaries to the school.
24 Another district says, "Well, I have those same operations
25 and maintenance people at my schools but financially, I'm



1 going to code them at the district." They have that
2 flexibility.

3 Districts will be also able to provide a
4 narrative to introduce this site and that they can change
5 all year. As questions come in, they may want to, you know,
6 answer that on their narrative instead of waiting for
7 questions. We do think that there might be some evolution
8 of the coding about what's coded centrally or de --centrally
9 given questions.

10 So, districts may choose to change their
11 coding centrally or decentrally.

12 MS. RANKIN: I have just one more follow-up.

13 MS. SCHROEDER: Go ahead.

14 MS. RANKIN: So, now we know what's going on
15 in all the districts but all of this is going to be on one
16 place on our CDE website so that.

17 MS. SCHROEDER: Uh-huh.

18 MS. RANKIN: Thank you very much. My
19 question is, how many how many districts are we talking
20 about that qualifies small rural that might not have school
21 level? They can have if they want to but they do. They're
22 not required to have school level information. How many is
23 it?

24 MS. OAKS: It changes every year. I think
25 for 15/16, I think the right number is 106.



1 MS. RANKIN: Out of?

2 MS. OAKS: Out of 178.

3 UNIDENTIFIED VOICE: Yeah. But the larger
4 districts like say Douglas County, Jefferson, they have to -
5 - they have to do it from school level?

6 MS. SCHROEDER: Uh-huh.

7 UNIDENTIFIED VOICE: A lot of schools.

8 MS. SCHROEDER: Go ahead, Rebecca.

9 MS. MCCLELLAN: Just a quick question. I
10 know that the PTC -- the funds that a PTCO raises for some
11 schools can be almost negligible and for other schools can
12 be substantial. It can raise their budget for things like a
13 track or a new white board or security cameras for the front
14 of the school by up to 50 percent in some cases.

15 So do we -- would that be listed in those
16 local funds or would that be a separate breakout or would it
17 not be reflected in these numbers and I know that's kind of
18 tricky because it's a voluntary gift from members of the
19 community so you can't count on it year over year. So it's
20 almost it's own special animal but it can be substantial for
21 some schools.

22 MS. OAKS: So, the legislation called out for
23 gifts and donations. And so that is something that we have
24 a subset or a footnote of the local funds. If it is a gift
25 or a donation to the school or to the district. And so if



1 it is part of the district or the school then those private
2 donations will be called out.

3 MS. MCCLELLAN: Okay, so those PTCO whatever
4 their -- whatever they contributed in their annual
5 fundraising would be reflected broken out separately?

6 MS. OAKS: If it is -- I think it's dependent
7 on how the District does that. If the PTCO has a separate
8 fund that just operates independent from the district or a
9 foundation that is completely separate. But if it's a
10 component unit of the district and reported through the
11 district it would be represented there.

12 UNIDENTIFIED VOICE: Madam chair.

13 MS. SCHROEDER: Yes.

14 UNIDENTIFIED VOICE: Just a couple of
15 clarifications on that. So a lot of times there's a PTA or
16 something that raises funds that are totally separate
17 checking accounts and everything from the district. None of
18 those funds run directly through but then the PTA would then
19 make an expenditure out of their funds on behalf of the
20 district. So in that case, it is not going to run through
21 district books.

22 MS. MCCLELLAN: That helps.

23 UNIDENTIFIED VOICE: Nor would be reflected
24 on.

25 MS. MCCLELLAN: That helps my understanding.



1 Thank you. And that is the kind of situation I think I was
2 thinking of. So thank you that helps my understanding.

3 UNIDENTIFIED VOICE: And then one other
4 clarification --

5 MS. SCHROEDER: Go ahead.

6 UNIDENTIFIED VOICE: -- if I may, on the CDE
7 Web site. We will have a link to this website but we will
8 not have all of this individual school data within the
9 department. That was the legislation that Ms. Oak's was
10 talking about a couple of years ago where we attempted to
11 get legislation passed that would streamline that submission
12 process and allow us to be the central collector of that
13 data and that did not pass.

14 So we're still under the original
15 legislation. Districts still submit financial data to us
16 and they will have to post their individual school level
17 data up on their website. Hopefully, the two pieces of
18 information will match but there's no -- there's no
19 requirement or ability for us to make sure that both are in
20 balance.

21 MS. OAKS: Can I follow up on that? So --

22 MS. SCHROEDER: Are you finished Rebecca? Go
23 ahead, sorry.

24 MS. MCCLELLAN: So what you're saying is, if
25 we have it on the CDE website when we click it goes back to



1 the school or the district that -- thank you.

2 MS. OAKS: It will actually go to the vendor.
3 It will go to the vendor website with that information.
4 Yeah.

5 MS. MCCLELLAN: Thank you. That's -- that's
6 really good.

7 MS. OAKS: And one other -- one other thing I
8 believe and correct me if I'm wrong that you would have the
9 ability, I think, from the vendors website if you wanted the
10 whole state schmear of everything and had a big old computer
11 you could download it all and do your own analysis with
12 that.

13 MS. SCHROEDER: Thank you. Jane?

14 MS. GOFF: Yes, thank you. Will there be a
15 let me just -- per sentence a lot of districts that have
16 been doing it pretty full financial disclosure status, bank
17 account sheets, I mean, for a long time. Is there a
18 transition period? Is this a requirement of all districts.

19 Yes. So those -- those current styles and
20 formats website and reporting will they be do districts have
21 the option of continuing those because they do have a
22 different body of -- to look at, like, you mentioned check
23 registries and other such things. So I just wondered if
24 that's been discussed, whether they will have an option,
25 whether it's whatever your discussion was about that would



1 be helpful.

2 UNIDENTIFIED VOICE: Yeah. So the -- the
3 financial policies and procedures subcommittee discussed
4 that. And one of the things was it's not easy to find that
5 financial transparency website so make a link at the -- on
6 the main site. But then let's standardize what that page
7 when you click on it what it looks like.

8 So all of the required information required
9 by state law is there and the order but then there is an
10 additional section that's optional district information. So
11 if districts want to post additional information that it's
12 financial related, they can do that on that website and
13 still follow that template.

14 So some districts can just choose to use that
15 template for only the statutorily required information but
16 then there's that optional so you can provide any
17 information that a District wants and it's in a nice
18 consolidated format.

19 MS. GOFF: I would just say that that if it
20 looks like this, it's much, much more welcoming and inviting
21 and maybe motivating for people to look at that and what has
22 been known some places have just really tiny, you know,
23 Curtis style writing that folks have been used to. Thank
24 you for this. It's exciting. Thank you.

25 MS. SCHROEDER: I have a co -- I have a



1 couple of questions. One, we hear from small districts
2 their concerns about the data reporting and I can't help but
3 think that this is one of the things that they're concerned
4 about.

5 Am I correct in hearing that if the law could
6 be changed. So there's only one re -- one time of reporting
7 that would be welcomed by them?

8 UNIDENTIFIED VOICE: That is what we heard
9 overwhelmingly from the financial policies and procedures
10 when we presented this statute. And that's what motivated
11 them to, you know, work with their legislative liaisons in
12 the districts to pursue legislation. So --

13 MS. SCHROEDER: And it didn't work.

14 UNIDENTIFIED VOICE: And it didn't work.

15 MS. SCHROEDER: Okay. But there'll be more
16 noise about it as we go live.

17 UNIDENTIFIED VOICE: Yes.

18 MS. SCHROEDER: My second question relates to
19 how districts account for expenditures. And I think you
20 gave an example already that certain services in some
21 districts are allocated to the schools and some are for some
22 -- probably for simplicity's sake are just left at Central
23 because those individuals go to a number of different
24 locations at different times et cetera.

25 And it just doesn't -- it's just additional



1 accounting function. And yet it seems to me that as we have
2 this reporting and we have districts that particularly when
3 you talk about administrative costs versus learning costs,
4 that if there's a district that has a high amount of
5 administrative even if those administrators are literally
6 working in the classrooms with students because they are
7 allocated -- because they are not allocated it makes it look
8 like there are just lots of bodies sitting at central
9 administration and not serving kids.

10 Don't you expect some behavioral changes in
11 the school districts?

12 UNIDENTIFIED VOICE: Yeah, I -- I think we
13 definitely --

14 MS. SCHROEDER: Is that the intent because
15 sometimes all that allocating and can't write down your --
16 your hours that you spend in each time. I mean, just ask
17 any professional how much fun it is to maintain your hours
18 so that you can -- I'm looking at Julie. So that you can
19 build properly.

20 This is essentially the same thing and is
21 that how we want our folks who are working with children to
22 spend their time.

23 MS. OAKS: Go ahead.

24 MS. SCHROEDER: You're the expert here
25 really. Thank you.



1 UNIDENTIFIED VOICE: Well, Jennifer is also.
2 So there are -- there are ways that the districts could
3 simplify that method. I am not aware of too many districts
4 that would require time and effort reporting down to that
5 level, and then do an allocation out to the various areas on
6 that.

7 Typically, what I have seen is through the
8 budgeting process that they will allocate FTEs to their --
9 to their individual schools.

10 MS. SCHROEDER: It came back fractional.

11 UNIDENTIFIED VOICE: Yes.

12 MS. SCHROEDER: Essentially fractional FTEs.

13 UNIDENTIFIED VOICE: Yes. So for instance, a
14 special education person that might travel between three
15 schools is a perfect example. Potentially, instead of
16 having this special education person record each hour, they
17 would say, "You're 0.33 at this school, you're 0.33 at this
18 school." And then when they pay the person, those salaries
19 are allocated to those expenses.

20 MS. SCHROEDER: So their allocation will not
21 necessarily relate to the amount of time they're spending at
22 each school, because one school may have different
23 challenges or more time challenges, and that may vary
24 throughout the school year as well.

25 UNIDENTIFIED VOICE: Yes, that is correct.



1 MS. SCHROEDER: So we're trying, what we're
2 trying to do is provide as much information as possible,
3 knowing that it is not perfect.

4 UNIDENTIFIED VOICE: It is not going to be
5 perfect, and if we were to get to that perfect system we are
6 talking massive. Yes, you know, costing --

7 MS. SCHROEDER: Yeah, it's crazy.

8 UNIDENTIFIED VOICE: -- -- systems, it would
9 just --

10 MS. SCHROEDER: Right.

11 UNIDENTIFIED VOICE: It would drive you
12 crazy.

13 MS. SCHROEDER: Right.

14 UNIDENTIFIED VOICE: This drive you crazy.

15 MS. SCHROEDER: It's like asking an
16 elementary teacher to allocate between language, arts, math,
17 science, et cetera. So there's no, there's nothing in
18 particular to be gained.

19 UNIDENTIFIED VOICE: And one -- one other
20 thing that I'd like to point out is that Colorado, really is
21 on the leading edge of this kind of reporting.

22 MS. SCHROEDER: Yet, again.

23 UNIDENTIFIED VOICE: And we are participating
24 in a federal financial transparency workgroup also. Since
25 we are on that leading edge, there was a requirement through



1 ESSA, that school level reporting is built out for all
2 states.

3 And so we are attempting to participate in a
4 way that would not create huge additional burdens like that
5 costing that -- that will just put people over the edge. So
6 we're -- we're attempting to influence how that is rolled
7 out nationally.

8 MS. SCHROEDER: And then finally, what sort
9 of feedback opportunities -- ar -- are we going to institute
10 in particular feedback opportunities or will we just take
11 what we get as folks start crying?

12 UNIDENTIFIED VOICE: As folks start --

13 MS. SCHROEDER: Crying about the -- the
14 responses that they'll get, because there will be families
15 that will make comparisons.

16 UNIDENTIFIED VOICE: I think, what we've
17 talked about is that, you know, we've, as we've done
18 iterative designs of the system now, it's not going to be
19 perfect and it may evolve as we get more feedback and more
20 usage.

21 So the vendor is ready to change the system
22 in order to make it more user friendly and provide -- be
23 more valuable. So that's definitely built into our plan,
24 you know, after July 1, as we've got more feedback from a --
25 a greater, you know.



1 MS. SCHROEDER: Is there -- is there's
2 something on the program put in by the vendor for feedback
3 for example? Maybe that would be helpful for a year.

4 UNIDENTIFIED VOICE: I'm not sure about that
5 but that's a great --

6 MS. SCHROEDER: Was -- was the CI -- when I
7 go for help on stuff, sometimes they'll say was this
8 helpful?

9 UNIDENTIFIED VOICE: Yup. There is a help
10 desk feature either for districts to contact the vendor and
11 we've tested that to some degree, and it seems to be working
12 very well.

13 I do think that users like just a parent can
14 also contact them, and be responded to within 24 hours. And
15 their help desk, they are -- are very responsive, we haven't
16 yet tested that feature out, so that's part of it.

17 But, there will be the feedback, you know, am
18 I having problems or questions? Questions with the data,
19 obviously, need to be answered by the district, but the
20 system there is a helpdesk feature.

21 MS. SCHROEDER: Right. Thank you. Val, did
22 I see your hand up?

23 MS. FLORES: Yes, you do. Thank you. I know
24 that Denver Public Schools spends four times to five times
25 more money on administrators than does Jefferson County.



1 And we did the, I mean, a group of us in the -- in the
2 district kind of did a comparison between Douglas County and
3 Jefferson County, and I think it was the Adams County. And
4 it still came up, you know, four times more.

5 When we asked the CFO, they said that it was
6 because they had more charter schools who had more
7 administrators, and that they also were given more monies to
8 have -- to administrate programs and such. Do you have an
9 exception, I mean, for that? I'd like to get it more than
10 the research that was done by this group by the state. I'd
11 like to see it, if it's possible.

12 UNIDENTIFIED VOICE: Thank you, Madam Chair.
13 This is going to be one of the interesting things that comes
14 from when this website goes live.

15 MS. FLORES: Right.

16 UNIDENTIFIED VOICE: And so for instance, you
17 could bring up DPS, you could bring up JeffCo, you can drill
18 down into that area of salaries for the operations side, or
19 the school administration, or the district administration,
20 and see that per pupil expenditure on that to start looking
21 at per pupil comparisons.

22 What -- there is no, there are no state
23 guidelines on how districts choose to budget their money,
24 once the money goes to them then they have the opportunity
25 to budget and expend those funds however they want. So if



1 Denver is choosing to stop their schools in a certain way
2 compared to another school, and a parent looks it up, and
3 sees, "Wow, you -- this district over here is spending a
4 thousand dollars more per student on district administration
5 than this district."

6 They are going to have to be contacting those
7 districts to say, "What's up here?" And to speak to Dr.
8 Schroeder's point, what is very likely to happen over time
9 is that districts start looking at each other, and saying,
10 and we see that coding and the budgeting start to come
11 closer together, because you don't want to be out here on
12 the outlier.

13 And so we do fully expect that over time, it
14 won't be next year or the year after, that probably on three
15 or four years we'll start seeing a convergence. It's just a
16 prediction.

17 MS. SCHROEDER: Thank you. That's very
18 positive. Ms. Mazanec?

19 MS. MAZANEC: So, essentially, what you're
20 saying is may look much more like an apples to apples
21 comparison as they start looking, you know, looking at each
22 other and figuring out how -- how to report, or how to
23 divide them. The other question is for the -- for the
24 public's information, how do we define rural and small,
25 rural slash small?



1 UNIDENTIFIED VOICE: Thank you. Go ahead.

2 UNIDENTIFIED VOICE: That was -- I'm sure,
3 I'll get the name of the committee wro -- wrong, but it was
4 a commission, the small rural commission that defined that.
5 And it's, if you're rural which has some -- and I don't know
6 the definition of rural, but the small is over a thousand.

7 So if you're designated as rural and under a
8 thousand students and membership. And so then that's
9 updated every year after the student on October counts come
10 in, so that should be published here shortly, and there's a
11 link on our website that goes into more detail.

12 MS. MAZANEC: Do you know what rural means?

13 UNIDENTIFIED VOICE: Yeah, Madam Chair and --
14 and Ms. Mazanec.

15 MS. MAZANEC: Only two gas station.

16 UNIDENTIFIED VOICE: Yeah. This is it --
17 this is the official definition. Districts with no
18 population centers in excessive 1,000 persons and
19 characterized by sparse widespread populations.

20 MS. SCHROEDER: Okay. So the dilemma for a
21 few districts that are right on the border, is that one year
22 they are under one set of rules, and then next year they
23 might be under another.

24 UNIDENTIFIED VOICE: Yes. And -- and we've
25 been fielding those calls this week because some have moved



1 one way or the other, just because of this most recent
2 student on October.

3 UNIDENTIFIED VOICE: I would expect most
4 districts would probably adopt a policy around that, even if
5 they move a little bit one way or the other I would be -- I
6 would expect that cause it's possible that they give
7 themselves a break once, you know, when they fall under.

8 UNIDENTIFIED VOICE: Exactly.

9 MS. SCHROEDER: Any other questions? Thank
10 you. Thank you very much. It's very interesting report.
11 We'll look forward to a live. I'd like to next go to item
12 18 point -- is it 18.0 --

13 UNIDENTIFIED VOICE: 02.

14 MS. SCHROEDER: -- 2. The library question.
15 Ms. Rankin, do you have some specific questions or?

16 MS. RANKIN: I do. I just need to dig out --

17 MS. SCHROEDER: The floor is yours.

18 MS. RANKIN: This address is the Colorado
19 Talking Book Library in the Mary Jones Trust. The Trust,
20 from what I determine is \$91,000 and 40 percent is from
21 general funds, state general funds, 40 percent from federal
22 funds, and we are asking for 1.5 FTE staff or is it 1.5
23 equivalent to an FTE, 1.5 FTE staff that we want to give
24 raises to the current employees. I'm confused on that.

25 MR. HAINER: Madam Chair.



1 MS. RANKIN: Yes.

2 MR. HAINER: Hello.

3 MS. SCHROEDER: Introduce -- introduce
4 yourself.

5 MR. HAINER: Yes, I will. My name is Gene
6 Hainer. I am the Assistant Commissioner Director of the
7 State Library under which the Talking Book Library resides,
8 and I'm always happy to talk about one of the little known
9 aspects of this department.

10 Just to clarify some of the statements there,
11 the original Trust was \$91,000. That was back in 1981. The
12 current balance on that is about \$576,000.

13 MS. FLORES: Nice. Nice work.

14 MR. HAINER: So the 40 percent that you're
15 referring to is in reference to how all of the staff at the
16 Talking Book Library are paid. So 8 percent of the Trust is
17 used for salaries of which this represents the 1.5 FTE in
18 question.

19 So the request here before you is tied to a
20 small increase for equity among the staff that are doing the
21 work at the Talking Book Library.

22 MS. RANKIN: Mr. Hainer, is the amount you
23 are asking for proportionately taken from each one of those,
24 or is it all of it taken from the Trust?

25 MR. HAINER: This, there are several staff



1 involved that are paid in different ways. These, one, this,
2 there's two people here, one, person is paid 100 percent on
3 the Trust, one half of the salary of a second person is paid
4 on the Trust, 50 percent on state funds. So the Trust
5 represents 1.5 percent or 1.5 FTE.

6 MS. RANKIN: I have seen it now. That's a
7 good clarification, and then in the original Trust, did it
8 say for employees or did we have the choice of where that
9 money goes to? Because when I think of someone putting money
10 into a trust like that, I think of them directly trying to
11 fund the product which are the books and whatever the
12 Talking Books, whatever -- a braille, whatever they need in
13 that respect.

14 I wasn't quite sure in the trust, it's
15 designated for employees or money directed that way. Is it?

16 MR. HAINER: Madam chair?

17 MS. SCHROEDER: Yes.

18 MR. HAINER: Thank you. Obviously, 35 years
19 ago, none of us were here, but it was, as I understand it,
20 an unrestricted amount that was donated, and it did generate
21 a statute which is referenced in your document there, 2490
22 105, that allowed the committee or the, the state librarian
23 or the state library to use those funds in ways that it
24 needed to be used through, with the approval of the state
25 board.



1 MS. RANKIN: I understand --

2 MR. HAINER: So that's why this this comes to
3 you.

4 MS. RANKIN: Thank you. I just wanted to
5 make that clear through the Trust because I want to make
6 sure we're doing whatever Mary Jones intended this to be.
7 Thank you Mr. Hainer.

8 MR. HAINER: Okay, sure.

9 MS. SCHROEDER: Do I have a motion? Oh, I'm
10 sorry.

11 UNIDENTIFIED VOICE: I have a quick question.

12 MS. SCHROEDER: Question, please go ahead.

13 UNIDENTIFIED VOICE: Did we go through this
14 last year as well?

15 MS. SCHROEDER: Well, I know we've gone
16 through it several times because he -- often when there's a
17 new board member, we're interested in it, and so, I'm pretty
18 sure --

19 UNIDENTIFIED VOICE: Well, it was --

20 MS. SCHROEDER: For the two years I was here
21 where I pulled -- I had the same questions just to get a
22 better understanding of the history to ensure that we are
23 doing right by the intent of the Trust. So just plan to be
24 here every so often.

25 UNIDENTIFIED VOICE: So that's my question.



1 I guess is it was essentially the same thing we were looking
2 at last year is to raise some salaries or and we're going to
3 be doing this every year.

4 MS. SCHROEDER: I'm not sure it was for
5 salaries before, but go ahead.

6 MR. HAINER: Madam Chair, ye -- yes, this is
7 an annual request of the board because we do use these
8 funds, this Trust Fund for this 1.5 FTE, it does come before
9 you annually.

10 UNIDENTIFIED VOICE: Okay.

11 MR. HAINER: So there was a -- an, an agenda
12 item for you in March to approve which was approved at that
13 time for the full amount.

14 UNIDENTIFIED VOICE: I knew it came before us
15 and I knew that we had a discussion but that was all I could
16 recall with any specificity.

17 MS. SCHROEDER: Ms. McClellan.

18 MS. MCCLELLAN: I move to approve the
19 Colorado Talking Book Library's requests for additional
20 expenditure at \$8,150 from the Mary Jones Trust Fund for
21 fiscal year 2016/2017.

22 MS. SCHROEDER: Proper motion, do I have a
23 second?

24 MS. FLORES: I second it, but I -- I'd like
25 to ask a little --



1 MS. SCHROEDER: Oh I'm sorry, did you have a
2 question? I didn't -- I didn't --

3 MS. FLORES: Yeah, I do. Who uses -- who
4 uses the library?

5 MR. HAINER: The Talking Book Library is
6 designed for people who are reading or visually impaired.

7 MS. FLORES: Right.

8 MR. HAINER: We have about 9,000 people
9 across the state that make use of the facility. Obviously,
10 most of those are not able to get in. So some of the staff
11 involved here are what are called reader advisers.

12 They work directly through phone or e --mail
13 or other means to --

14 MS. FLORES: That's great.

15 MR. HAINER: -- to get books delivered and
16 book, by books, I mean the digital audio cassettes that are
17 delivered to them.

18 MS. FLORES: It's wonderful. And, and the
19 other books, there are other books other than --

20 MR. HAINER: We have audio books, we also
21 have a large collection of large print books as well that
22 are circulated out and a fair collection of Braille books as
23 well for those that need it.

24 MS. SCHROEDER: Thank you. Ms. Emm, go
25 ahead.



1 MS. EMM: Madam Chair and board members, I
2 would really encourage you to take a field trip over to the
3 Talking Book Library, it's over on second and Sheridan.

4 I know that the staff over there would love
5 to show you around in its a fascinating experience to go
6 over and see what, see what's happening over there.

7 And also, I'm sure that they will be
8 forwarding you the open house invitation when that occurs
9 later this year. It's really a great asset to the state.

10 MS. SCHROEDER: That's great. Thank you very
11 much.

12 MS. FLORES: So I second it.

13 MS. SCHROEDER: Are there any objections?
14 Done.

15 UNIDENTIFIED VOICE: Thank you.

16 MS. SCHROEDER: Fifteen minutes. Thank you
17 very much, 15 minutes so we just, you, our information items
18 I think are longer than that.

19 MS. CORDIAL: Exactly.

20 MS. SCHROEDER: May I suggest that we have an
21 extra 15 minutes? We -- we can, that's what I'm thinking.
22 Are we ready to announce exact session?

23 MS. CORDIAL: Yeah, we could call that and
24 then if you get out early, I can let staff know and we can
25 just start our presentations 50 minutes earlier for detail.



1 MS. SCHROEDER: So that's the other question,
2 would you like to, instead of starting at one, would you
3 like to start 12:45?

4 MS. MAZANEC: Let's do that.

5 MS. SCHROEDER: Okay. One piece is, o -- or
6 --

7 MS. SCHROEDER: Go ahead, go ahead.

8 MS. RANKIN: Okay.

9 UNIDENTIFIED VOICE: All right.

10 MS. CORDIAL: An executi -- an executive
11 session has been noticed for today's state board meeting in
12 conformance with 24-6-402(3)(a) Roman numeral -- I'm sorry,
13 CRS, to receive legal advice on specific legal questions
14 pursuant to 24-6-402(3)(a)(II) CRS in matters required to be
15 kept confidential by federal law or rules or state statutes
16 pursuant to 24-6-402(3)(a)(III).

17 MS. SCHROEDER: Thank you. Do I have a
18 motion to go into an exec session?

19 MS. GOFF: So moved.

20 MS. SCHROEDER: Thank you. Second?

21 UNIDENTIFIED VOICE: Second.

22 MS. SCHROEDER: Thank you. We are in exec
23 session now. Thank you very much.

24 UNIDENTIFIED VOICE: Great.

25 MS. SCHROEDER: Good enough. I do have it, I



1 know. I need to take--

2 (Executive Session)

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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 25th day of October, 2018.

/s/ Kimberly C. McCright
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