



Colorado State Board of Education

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
COLORADO DEPARTMENT OF EDUCATION COMMISSION
DENVER, COLORADO
February 24, 2017 Meeting Transcript (Legislative Board Meeting)

BE IT REMEMBERED THAT on February 24, 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) - (Excused)
Rebecca McClellan (D)



1 MADAM CHAIR: Good afternoon. This is our
2 legislative board meeting. Ms. Cordial, would you be good
3 enough to call the roll, please.

4 MS. CORDIAL: Board Member Durham?

5 MR. DURHAM: Here.

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? Is unable
11 to attend.

12 UNIDENTIFIED VOICE: Excused.

13 MS. CORDIAL: Excused. Board Member
14 McClellan.

15 MS. MCCLELLAN: Here.

16 MS. CORDIAL: Board Member Rankin?

17 MS. RANKIN: Here.

18 MS. CORDIAL: And Board Member Schroeder?

19 MS. SCHROEDER: Here.

20 MADAM CHAIR: So, we are planning to go over
21 five bills and I'd like to turn this over to Ms. Mello.
22 Thank you.

23 MS. MELLO: Thank you. I want to make sure
24 can the folks on the phone hear me okay?

25 UNIDENTIFIED VOICE: Yeah.



1 UNIDENTIFIED VOICE: Yeah.

2 MS. MELLO: Okay great. All right. So, the
3 first bill we have today is House Bill 1160. The title is
4 Kindergarten Through Third Grade English Learner Reading
5 Assessment Language. The bill has bipartisan, bipartisan
6 sponsorship. It is Representative Millie Hamner and
7 Representative Jim Wilson in the House, Senator Rhonda
8 Fields and Senator Kevin Priola in the Senate. There is a
9 split recommendation coming to you all from the legislative
10 contacts on this bill.

11 Board member Goff recommends a monitor
12 position, board member Durham, recommends an oppose
13 position.

14 What the bill does essentially is to say that
15 -- so, about a year ago, the State Board adopted a policy
16 that said that in the -- in the Read Act that every student
17 had to be tested at least once a year in English, so that
18 was a policy you all adopted as support. This bill is in
19 direct response to that policy, I will tell you.

20 And what it says is that, the school district
21 gets to decide whether students are assessed in Spanish or
22 English. It does allow a parent to come in and ask for an
23 English version of the test, but essentially the school
24 district gets the choice.

25 So that's the essence of the bill; I'm



1 obviously happy to talk about your answer any other question
2 the can. I will say it is specific to Spanish because it's
3 my -- my understanding that is the only read assessment
4 language available right now. There is a component of the
5 bill that says if you all approve let's say Chinese, that
6 then it would kick in for that population as well.

7 MS. FLORES: May I speak?

8 MADAM CHAIR: Yes, go ahead.

9 MS. FLORES: So one of the issues here is
10 that I don't think these representatives really understand
11 what's -- what's at stake in its language. It's reading and
12 that's what it says here, but really, it's language. So if
13 we -- if the district does not give that test in English,
14 reading in English will not really be taught.

15 So we need to give this -- we need to give it
16 in English. You know, I think that parents in this bill are
17 ancillary. They will be told. But if a parent wants their
18 child to have their education in English, then this is not
19 discussed in this bill, but we do know that taking a test in
20 a language -- in a language that is other than English, kind
21 of almost makes that student go to another language.

22 And if you look at the -- I'm a little upset
23 that this has come up again. In fact, I have to go over to
24 the legislative and -- and give deposition last -- last
25 year. Because you know we got it so wrong.



1 And so, I think that oftentimes parents think
2 that the right thing is being done by their kids and they're
3 being taught in English, and they don't know that oftentimes
4 because of three questions that are asked; does another
5 language other than English -- is another language other
6 than English spoken in the home? If the kids say yes, then
7 usually the school makes a decision to put those kids in a -
8 - in -- in only -- only Spanish speaking kids.

9 This is not about Eritrean kids, Ethiopian
10 kids who speak other languages, but -- but only Spanish.
11 And if you look again -- I'll come back to the research that
12 you have -- the data that you guys have -- that we have in
13 the department, it shows that it's only Latino kids that
14 strayed further behind than any other language other than
15 English that is spoken.

16 So, we -- we have to give kids parents the
17 right up front. When you give that -- that test other than
18 English, then you should say would you like your -- your
19 child to be taught in English or in Spanish?

20 Now, if it were dual, what happens in in in
21 Denver public schools, is that yes, they, they tell them
22 it'll be bilingual, but it's not, it it's not dual language.
23 It's usually only in Spanish until maybe the third grade.
24 But then it's too late. If they don't start in the language
25 of the school of -- that we speak, and that's the academic



1 language of the school, which is usually English after third
2 grade, if they only have Spanish, and they only teach only
3 in Spanish up till third grade, then most of the kids are
4 lost because after third grade, they're not given the
5 resources. The resources aren't there after three years or
6 so and to be able to give English as a Second Language.

7 MADAM CHAIR: Board member Flores, can I ask
8 you a question?

9 MS. FLORES: Sure.

10 MADAM CHAIR: Would this bill make you more
11 comfortable if there was a provision in here where Spanish
12 speaking students who were already being tested in Spanish
13 for the Read Act all but one time if the parents are
14 notified?

15 MS. FLORES: Not notified. No, it has to be
16 asked at the very beginning. Especially --

17 MADAM CHAIR: No. We're talking about two
18 different things. You're talking about how they're
19 instructed. This is about determining their capacity to
20 read and based on the rules that we passed last year,
21 students are being Spanish speaking students at the
22 discretion of the district and the teacher probably, are
23 being tested for the Read Act in Spanish. But once -- once
24 a year we required them to be taught, tested in English.

25 Do you want the parents to be notified or to



1 be asked whether they want that one test to be in English?

2 MS. FLORES: No. I think they should be
3 tested in English all along. Other than that first.

4 MADAM CHAIR: That's not what our rules say.
5 That's not what the rules say. Board Member, Durham.

6 MS. FLORES: Or else they're not going to be.
7 They're not going to be taught in English if the test is in
8 Spanish.

9 MADAM CHAIR: Board Member Durham.

10 MR. DURHAM: I think, I mean I, I have talked
11 to our board and talked with a number of lobbyists who were
12 involved in the Read Act, and I think any contention made by
13 anybody that the intent of the Read Act, was to ensure, was
14 anything other than to ensure children could read English is
15 wrong, and I frankly think within any policy that somehow --
16 somehow says that people are proficient in reading if they
17 can't read English is I think wrong. I think this is a bad
18 bill, and I think we ought to oppose it and if there's not a
19 majority of the board here to do it today, then I'd like to
20 just request that Jennifer make appointments for me for
21 Senator Grantham and Priola and Hill and I want to go talk
22 about it because think this is a serious departure from the
23 policy the legislature intended originally. And it's bad
24 policy.

25 MS. FLORES: And Steve may I -- I would like



1 to go with -- with you and explain. I just -- I just saw
2 this bill. And I just read it. And I am, I just cannot
3 believe.

4 MR. DURHAM: I think --

5 MADAM CHAIR: Do we have anyone here who can
6 explain the Read Act? Because we're talking about two
7 different things. There is nothing about this bill that
8 means that children will not learn how to read in English.
9 This is about identifying a disability, unless I am wrong.

10 UNIDENTIFIED VOICE: You are wrong.

11 MADAM CHAIR: Ms. Colsman, can you --

12 MR. DURHAM: I don't believe people are
13 disabled because -- I don't think it has anything to do with
14 disability. The Read Act had everything to do with reading
15 in English. And --

16 MADAM CHAIR: Steve, we have Ms. Colsman.
17 Could we listen to -- Dr. Colsman? Could we listen to her
18 explanation? Because maybe I have it wrong.

19 MS. COLSMAN: So, Madam Chair, are you saying
20 like what -- what is this -- what is this proposed bill
21 doing with the Read Act, or are you saying what's in the
22 Read Act as it's --

23 MADAM CHAIR: What is the purpose of the Read
24 Act to begin with? Board member Durham is suggesting that
25 the purpose was for kids to learn to read English. I would



1 guess he's right.

2 MS. FLORES: He is right.

3 MADAM CHAIR: But the process of testing --

4 MS. COLSMAN: Right.

5 UNIDENTIFIED VOICE: -- it was my
6 understanding, was to identify specific challenges that some
7 students have in learning how to read, not language
8 acquisition but learning how to read. Then it didn't make a
9 whole lot of sense to also be testing their proficiency in
10 English and I thought that was the whole discussion last
11 year.

12 MS. COLSMAN: Okay.

13 MADAM CHAIR: So, I need some help.

14 MS. COLSMAN: So, thank you for clarifying
15 that. So within the READ act and in fact the section of the
16 READ act that this would be modifying, is about the
17 identification of a significant reading deficiency, so it's
18 identifying the children who are most at risk of not
19 attaining grade level reading.

20 MADAM CHAIR: Can you identify some reading
21 disabilities so that we can --

22 MS. FLORES: Deficiencies.

23 MS. COLSMAN: Yeah and so this is -- this
24 actually created like a whole new category essentially of --
25 of reading problems so to speak. So they actually created



1 the term reading deficiency to just indicate

2 MADAM CHAIR: (Indiscernible).

3 MS. COLSMAN: -- right. Those children who
4 under CBLA, this -- this would have been were students who
5 remained in the unsatisfactory category on the CSAP for
6 year, after year, after year. And so the intention here was
7 to identify those kids who are most significantly at risk of
8 not meeting grade-level proficiency, to identify them early
9 using a scientifically-based assessment.

10 MR. DURHAM: But that -- but that's not what
11 the bill does.

12 MS. FLORES: No, it does not.

13 MS. COLSMAN: Right. So --

14 MR. DURHAM: The bill just allows the
15 district to test damn near anybody they want in non-English,
16 if that's what they choose to do.

17 MS. FLORES: That's right. And that means
18 that the -- that the -- well --

19 MR. DURHAM: And the board policy said no.

20 MS. COLSMAN: So this --

21 MADAM CHAIR: I'm trying to get to the
22 purpose of this bill and --

23 MR. DURHAM: Am I -- am I wrong about that.

24 UNIDENTIFIED VOICE: Yes.

25 MS. FLORES: No.



1 MR. DURHAM: I mean, and that's what, the
2 bill doesn't say it's just for kids with deficiencies or
3 learning disabilities. It doesn't -- it doesn't specify
4 that, does it?

5 MADAM CHAIR: It's to identify the ones who
6 do have them, Mr. Durham.

7 MS. COLSMAN: Well and --

8 MS. FLORES: But if they've been --

9 MS. COLSMAN: May I -- just as a point of
10 clarification, this is Jennifer Mello. So, the -- the part
11 of the READ Act that this bill is seeking to alter is the
12 part of the READ Act that talks about testing students to
13 identify significant reading deficiencies, so.

14 MADAM CHAIR: Thank you. Board Member --

15 MR. DURHAM: Well, and --

16 MADAM CHAIR: -- Board Member -- just a
17 minute.

18 MR. DURHAM: Well and -- and -- and the way
19 it's used, and the way Denver wants to use it is, is they
20 want to be able to demonstrate they have more kids that can
21 read than can actually read English. It's strictly -- it's
22 strictly an escape for a few school districts in the state
23 who -- who want to be able to claim something that isn't
24 true.

25 MS. FLORES: And that's right.



1 MADAM CHAIR: Board Member McClellan. Just a
2 moment.

3 MS. MCCLELLAN: Thank you, Madam Chair. I
4 think the chairwoman's point that we're talking about two
5 different things is well taken. From what I'm understanding
6 of the READ act, what we're trying to measure is, whether or
7 not children are coming along at grade level in their
8 ability to read or whether they have a significant
9 deficiency in their reading skill.

10 If you were to test me in Spanish, I wouldn't
11 do very well because I don't speak Spanish. But if you were
12 to test me in my native tongue, which happens to be English,
13 I'll do pretty well because I am literate. So, I think that
14 this is a good bill and I want to voice my support for it.

15 I think it brings us back to a truer
16 interpretation of the purpose of the READ Act. The READ Act
17 is not, to my knowledge, not intended to test whether or not
18 a child has learned to speak English yet, but rather, it is
19 intended to help us gauge whether or not a child has a
20 significant reading deficiency. So, I'm voicing my support
21 for this bill.

22 MS. FLORES: But --

23 MADAM CHAIR: Board member Goff, do you have
24 a comment?

25 MS. GOFF: No.



1 MS. FLORES: But the -- the -- the point here
2 is --

3 MADAM CHAIR: Board member Rankin -- could
4 you just take turns, could you please just take turns?

5 MS. FLORES: I don't know if Rankin wants to
6 speak, do you want to speak?

7 MADAM CHAIR: Board member Rankin, would --
8 do you have a comment?

9 MS. RANKIN: No. I -- I -- I'm listening
10 very carefully, and I understand where we were last year
11 with this and I have to go on the side of English too. I
12 oppose this bill.

13 MADAM CHAIR: Okay. Thank you.

14 MS. FLORES: I oppose this bill, too and I
15 want to give you the reason why, if --

16 MADAM CHAIR: And I'll call on you in just a
17 second.

18 MS. FLORES: Well, I have my hand up.

19 MADAM CHAIR: Board member Flores.

20 MS. FLORES: How would you, if a child has
21 been -- been reading in English, which many parents would
22 like their kids in Denver and in -- and in Adams 14 and in
23 Adams 12, in all these metropolitan areas, which have been,
24 this is where the problem is with the feds. The kids and
25 it's Hispanic kids, it's Latino kids, who do not learn



1 English because they're not taught English.

2 Parents, most of these parents want their
3 kids to learn English. It doesn't happen with kids that are
4 learning Chinese or kids that are learning Japanese. They
5 come right along. But it's the Latino kids where districts
6 like Denver go to Latin America and hire these -- these
7 teachers who are Spanish speaking. They're not teachers,
8 many of them can speak Spanish, many of them are not
9 trained. They come over for a year or two. It's a lot of
10 work for many of the English-speaking teachers to have to be
11 at a meeting and be translating for these -- for these
12 individuals.

13 Some of them are talented, but many of them
14 have not been trained to be teachers and so they come over.
15 They're cheap -- it's cheap labor. They usually pay them a
16 lot less, at least \$10,000 less than a teacher starting out,
17 and they do not teach English for three years.

18 Now if we're a bilingual program, which --
19 which they promise, and they'll say to many parents well --
20 well, you're on a waiting list. But the problem is, that
21 they have so few bi -- actual dual language programs, that
22 the child that is Latino stays in these programs for three
23 years and they never get to be taught in English.

24 It's very difficult, if you're not being
25 taught to read. You're not being taught in -- in English to



1 be able to whether and be proficient and be sufficiently
2 able to read in English after three grade -- after third
3 grade, because usually the support systems aren't there.

4 So, why test a child who speaks in Spanish?
5 And usually these tests are such that, when you get to
6 missing three or four, then it cuts off. So, there are no
7 longer any questions to answer. So, the student basically
8 is not there sitting for 50 minutes or an hour or so,
9 frustrated on this -- on these tests because the test in
10 this case are smart enough to know that they're not going to
11 be tested afterwards. The kid is frustrated.

12 So basically what these districts want, they
13 want cheap labor. They don't know that ethically they are
14 never going to get kids and it's only Latino kids. It's not
15 any other language where you have kids that are so
16 frustrated because they don't have the help in fourth,
17 fifth, sixth, seventh, and eighth grade and finally they
18 just leave in high school and we cannot have that going on.
19 If you test the language --

20 MADAM CHAIR: Board member Flores, can you
21 finish?

22 MS. FLORES: -- you will teach the language.
23 Yes.

24 MADAM CHAIR: Thank you very much. So, I do
25 want to correct one item, Board Member Durham. The authors



1 of the bill did come and speak to us last year and they
2 specifically stated that they -- it was not their intent,
3 with the measures. Their intent was to find out if kids were
4 learning how to read.

5 I can assure you that if you gave me a
6 reading proficiency test in Spanish, I would have a reading
7 disability because I don't understand Spanish. That's the
8 whole --

9 MR. DURHAM: Madam Chair, you are correct,
10 but I can tell you the people who worked on the bill have an
11 entirely different recollection than those sponsors and I
12 have a much greater --

13 MADAM CHAIR: Okay.

14 MR. DURHAM: -- trust of those people who
15 worked on the bill and what their intent was than I do of
16 the sponsors who made the commentary.

17 MADAM CHAIR: Okay, thank you. So, let's call
18 a vote, please.

19 MS. CORDIAL: Would -- would someone like to
20 make a motion?

21 MADAM CHAIR: Oh, make a motion.

22 MR. DURHAM: What's the motion?

23 MS. CORDIAL: It can be to --

24 MADAM CHAIR: I think Val -- did you make a
25 motion?



1 MS. FLORES: I -- I make a motion to not
2 support the bill.

3 MS. CORDIAL: To oppose the bill?

4 MS. FLORES: To oppose the bill.

5 MADAM CHAIR: To oppose it.

6 MS. CORDIAL: Okay. Okay.

7 MADAM CHAIR: Is there a second out there?

8 MS. RANKIN: I'll second it.

9 MADAM CHAIR: Okay. Board Member --

10 MS. RANKIN: Wait, this is an opposed. This
11 is an opposed, correct?

12 MS. CORDIAL: That is correct.

13 MS. FLORES: Yes, it is.

14 MS. RANKIN: Then I'll second it, this is
15 Joyce.

16 MS. CORDIAL: Okay. Board Member Durham; to
17 oppose House Bill 1160.

18 MR. DURHAM: I'd like a minute to explain my
19 vote. I'm going to vote no. I will presume I will be on the
20 prevailing side and I will request to be recognized at the
21 inclusion of the vote. Give me -- notice of intent to
22 reconsider at the next board meeting, so I vote no.

23 MADAM CHAIR: Wait a minute.

24 MS. CORDIAL: Board Member Durham, this is --
25 the motion is to oppose the bill. So he's saying --



1 MR. DURHAM: Right.

2 MS. CORDIAL: Okay. Sorry.

3 MR. DURHAM: I believe the vote's going to be
4 -- I mean, I'm voting no, so I'm on the prevailing side.

5 MS. CORDIAL: Okay.

6 MR. DURHAM: And I'm going to request to be -
7 - because Ms. Mazanec is not here, and I presume cannot vote
8 by proxy. I'm going to give notice of intent to reconsider
9 and I'm going to ask to be recognize at the conclusion of
10 the vote.

11 MADAM CHAIR: Okay.

12 MS. CORDIAL: Board Member Flores.

13 MS. FLORES: I oppose.

14 MS. CORDIAL: So the vote is yes? Yes, that
15 you oppose the Bill?

16 MS. FLORES: Yes, I oppose the Bill.

17 MS. CORDIAL: Board member Goff.

18 MS. GOFF: No.

19 MS. CORDIAL: Board Member Mazanec is
20 excused. Board Member McClellan.

21 MS. MCCLELLAN: No.

22 MS. CORDIAL: Board Member Rankin.

23 MS. RANKIN: Yes, I oppose the Bill.

24 MS. CORDIAL: And Board Member Schroeder.

25 MS. SCHROEDER: No.



1 UNIDENTIFIED VOICE: Madam Chair.

2 MADAM CHAIR: Yes.

3 UNIDENTIFIED VOICE: I just wanted to be
4 clear since we had yes's and no's going in both directions.
5 My vote was against the motion to oppose. Right.

6 MADAM CHAIR: And that motion --

7 MS. FLORES: That's the motion to oppose.

8 MADAM CHAIR: That motion passes. Mr.
9 Durham, did you want to make a comment?

10 MR. DURHAM: Yes, Madam Chair --

11 MADAM CHAIR: Fails. I'm sorry. It fails.

12 MR. DURHAM: Give notice of intent to -- give
13 notice of intent to reconsider this vote having voted on the
14 prevailing side. And request to be made part of the agenda
15 for the next board meeting.

16 MADAM CHAIR: Sure. We'll do that.

17 UNIDENTIFIED VOICE: Okay. Thank you.

18 MADAM CHAIR: Thank you.

19 MR. DURHAM: And I would like to ask Jennifer
20 to get those appointments set up as soon as possible.

21 UNIDENTIFIED VOICE: Sure. You spe --

22 MR. DURHAM: You can work with Sally to do
23 that if you would.

24 UNIDENTIFIED VOICE: Sure.

25 MS. FLORES: No.



1 MR. DURHAM: And Dr. Flores, if you would
2 like to join, I'm sure we can work out that schedule.

3 MS. FLORES: Thank you.

4 MS. COLSMAN: Okay. The next bill for us to
5 consider is House Bill 1178. This bill is coming simply
6 with a recommendation to discuss. So there is no specific
7 position being recommended for you all.

8 This bill is by Representative Jim Wilson who
9 is, as you all know a House Member. The first thing I want
10 to note is this bill -- everything in this bill would apply
11 to rural school districts. That is an established term
12 within the department. There's already clear existing
13 guidance about what a rural school district is. I don't, of
14 course, know that at the top of my head but it exists. And
15 I think, it's important to note that that encompasses a very
16 large number of districts.

17 And I'm going to look around to my friends
18 over here. I think it's approximately 120 to 130 districts.
19 Is that -- well, they're going to look that up while we keep
20 talking. So what the bill does is say that if one of these
21 districts has advertised for at least a month to hire a
22 teacher, so let's say a math teacher, and they cannot --
23 they get an insufficient number of qualified applicants,
24 then that school district may declare an emergency by reso -
25 - by resolution. So the sch -- the local school board can



1 take a vote, say, we declare this to be an emergency. And
2 then the district may enter into an employment contract with
3 a non-licensed teacher.

4 That non-licensed teacher has to meet
5 qualifications that are established by the school board or
6 the superintendent. That person can continue teaching until
7 they are let go or decide to quit. Even if the emergency is
8 gone right, so that emergency declaration may expire, the
9 person can continue teaching.

10 The school district has to provide
11 appropriate ongoing professional development and support to
12 the personnel.

13 MR. DURHAM: Sounds (indiscernible).

14 MS. COLSMAN: The definition of that is
15 determined by the school district under the terms of the
16 bill. And they also treat the non-licensed person as if he
17 or she were a licensed teacher in implementing the
18 requirements of the school district's personal performance
19 evaluation system.

20 So in terms of professional evaluation this
21 person gets treated just like any other teacher. So that is
22 the first part of the bill.

23 There is another significant component of
24 this bill that applies to district waivers. So we've had a
25 waiver conversation, ongoing waiver conversation. And just



1 for context, there's three basic types of waivers, right?
2 There's charter school waivers, innovation waivers, and
3 district waivers. This applies only to that third category
4 of district waivers.

5 And what it does is it allows a rural school
6 district, a group of rural school districts, which I believe
7 is a new idea under this bill or BOCES --

8 MS. CORDIAL: Board Members that are on the
9 phone, if -- if -- would you mind muting your phones while -
10 -

11 MR. DURHAM: Yeah.

12 MS. CORDIAL: Okay. Thank you.

13 MS. RANKIN: I'm sorry. It was just -- it
14 was a -- it's a difficulty on the road. It was an emergency
15 there. I'm sorry.

16 MS. CORDIAL: Okay. No problem.

17 MS. RANKIN: Okay.

18 MS. COLSMAN: I hope everything is okay.

19 MS. RANKIN: No, we're pulling off the road.
20 It's okay now. I'm listening.

21 MS. COLSMAN: Okay.

22 MS. RANKIN: I'm sorry.

23 MS. COLSMAN: Okay. So just to -- so
24 district waivers, a rural school districts -- a group of
25 rural school -- rural school districts or a BOCES can apply



1 to the state board for these district waivers as they can
2 right now. Right? Any school district can come to you all
3 right now and ask for this waiver.

4 For rural school districts or groups of rural
5 school districts under this legislation, you all shall grant
6 those waivers if they meet certain criteria which include
7 that the applicant will meet the intent of the waived
8 statute. That waiving the statutes and the rules will save
9 time or resources. That waiving the statutes or rules will
10 enhance educational opportunity. And that also gives you
11 the specific authority to set a time limit on that waiver.

12 So two -- two concepts that affect rural
13 school districts are -- they're kind of different, right?
14 So there's the -- the teacher licensure hiring piece and
15 then there's the waiver piece. And per -- I would maybe
16 suggest that as -- as you will discuss, perhaps we take
17 those topics separately and maybe start with the discussion
18 of the teacher licensure piece.

19 MADAM CHAIR: Colleagues, comments?
20 Questions? Ms. Goff.

21 MS. GOFF: Going back to my question the
22 first day I heard of this bill, what is in here that
23 districts cannot already do?

24 MS. COLSMAN: Well, I want to defer to
25 Colleen O'Neill because she's the expert on that and I'm



1 going to pass the mic over to her.

2 MADAM CHAIR: Well, you're a little tight on
3 your cord.

4 MS. O'NEILL: Okay, I'll try not to do
5 straight. Thank you. That -- the difference really at this
6 point in time, so districts can already hire anyone they
7 want, put them into an alternative preparation program. The
8 difference is that, right now, the Colorado Department of
9 Education staff makes a recommendation to the Board of
10 Education. Board of Education approves those designated
11 agencies that provide the alternative Educator Preparation.

12 From what I can read of this bill right now,
13 the difference really is that there would be no approval
14 process outside of the waivers coming to the board. It
15 would not be a staff review or an accreditation kind of
16 review or re-authorization process, and it would not require
17 a license of any sort.

18 At this point in time, alternative
19 preparation programs are reviewed, and they are represented
20 by the Board of Education and authorized by the board. The
21 alternative licensee, so the educator, does hold a true
22 educator alternative license credential. The difference
23 that I see in this is that there would be no credential.
24 CDE is not involved, the Board of Education is involved in
25 the approval of those waivers.



1 MS. GOFF: So, there's no -- there's no
2 monitoring, there's no checking, there's no screening of
3 whatever alternative program they would -- they would plan
4 to implement or -- or. Actually, I'm going to go a step
5 back because it sounds like there's no -- there's -- there
6 is no criteria necessarily for involvement with an
7 alternative program. So the law would -- states and calls
8 for the district to assume the -- the duty of professional
9 development and so on. If -- would that be part of the
10 waiver replacement plan --

11 MS. O'NEILL: Well --

12 MS. GOFF: -- and -- or not? Because
13 otherwise, we've just got nobody checking on anything or for
14 that -- on behalf of the district, how do they know that
15 it's going to be a viable effective program whether it's
16 their own professional development or some outside licensing
17 authority?

18 MS. O'NEILL: So, board member Goff, so, the
19 district would not need a waiver from the State Board of
20 Education to -- to do this type of hiring practice under the
21 terms of this bill, so that it is confusing because they --
22 they have to --

23 MS. GOFF: Well, then what -- what's the
24 waiver for?

25 MS. O'NEILL: Well, so, that's just different



1 -- that's in general about district waivers in changing some
2 of the criteria and who can apply, and the standard for
3 review. So it's not -- it's related because it's in the
4 same bill but -- but really, I think they are separate
5 topics.

6 And I -- you are right, that -- that -- it
7 would be the State Board of Ed and the Department of Ed
8 would have no role under the terms of this legislation in
9 how those people are trained and what type of program
10 they're trained in, that is left entirely up to the local
11 district to make those decisions.

12 MADAM CHAIR: Board member Flores --

13 MS. FLORES: Dr. O'Neill, I just wanted to
14 ask you, would -- would the -- would the state have anything
15 to do with it? I mean, in -- in other words, the district
16 would be left alone, they wouldn't even have to come to --
17 to the -- the board as they usually do, and you wouldn't
18 have -- meaning, your department wouldn't have anything to
19 do with it.

20 MS. O'NEILL: With regard to educator
21 licensing, correct.

22 MS. FLORES: And so, now, even today for
23 instance, somehow, they'd have to touch base with your
24 department with the Department of Education in some way or
25 come to the board to ask for --



1 MADAM CHAIR: Emergency license.

2 MS. FLORES: -- an Emergency license.

3 MS. O'NEILL: Correct.

4 MS. FLORES: It seems that as if -- I don't
5 know, if -- if there are no bounds here, I -- I just -- how
6 would we know if -- how would we know if they're doing a
7 good job, if they don't come before the department to -- to
8 look at -- at the --

9 MS. O'NEILL: I -- I think --

10 MS. FLORES: -- (indiscernible)?

11 MS. O'NEILL: At -- at -- the try, I think I
12 understand your question. And -- and again, under the terms
13 of this legislation, the department and the board have no
14 say in what that training looks like. However, these people
15 are subject to the -- how do I say it -- I always want to
16 call SB 191, what's our formal -- to the Educator
17 Effectiveness law -- laws in our state. And so, they would
18 be evaluated through that process, and those results are
19 available on a statewide basis.

20 So that's the only nexus I think, to back to
21 any, sort of statewide review of performance.

22 MADAM CHAIR: Board member McClellan.

23 MS. MCCLELLAN: I -- we have a professional
24 staff here at the department that serves as that safety net
25 that double check that review.



1 MADAM CHAIR: Absolutely.

2 MS. MCCLELLAN: And I just don't see why we
3 wouldn't want to make full use of our professional staff
4 whose job it is to oversee these matters and make sure that
5 some minimal standards are -- are being met where these
6 waivers are in place. So I think this places the board in a
7 -- a pretty difficult and awkward position that really -- we
8 need our professional staff for who are trained in -- in
9 teacher effectiveness and in -- and in making sure that --
10 that these professionals are -- are up to the task.

11 So I'm -- I'm somewhat, I'm comfortable with
12 this one.

13 MS. O'NEILL: And -- and again--

14 MADAM CHAIR: Board -- oh go ahead.

15 MS. O'NEILL: No, no, no. I -- I just want
16 to see if there are more comments on this teacher licensure
17 component of the bill --

18 MADAM CHAIR: Right. I'm going to ask my
19 colleagues on the phone.

20 MS. O'NEILL: -- because we want to type up
21 the other part, too.

22 MADAM CHAIR: Board member Rankin, do you
23 have any comments on this bill?

24 MS. RANKIN: No, I -- I think this is just up
25 for discussion. But I -- I do have some concerns about



1 local control without licensure. I -- I -- I see that as a
2 big concern.

3 MADAM CHAIR: Thank you. Board member Durham?

4 MR. DURHAM: Well, I think the -- the bill. I
5 think if -- as Jennifer is going to get to, has a few things
6 that we may be concerned about, and a few things that we
7 don't particularly care for, but they have some things that
8 we like in the bill as I recall from the early discussion.
9 I just would like to ask Jennifer, what's the status of the
10 bill?

11 MS. O'NEILL: It is scheduled for a committee
12 hearing in approximately two weeks. So it hasn't been heard
13 in committee yet, and I'll confirm that date here just a
14 second.

15 MR. DURHAM: So that would be sometime after
16 our next board meeting?

17 MS. O'NEILL: Yeah. It -- it -- I -- I -- I --
18 - I apologize, it's scheduled for a hearing on March 6th.

19 MADAM CHAIR: That's before.

20 MS. O'NEILL: Correct. Before your next board
21 meeting.

22 MR. DURHAM: Thanks.

23 MADAM CHAIR: So, I'd like to -- go ahead.
24 Are you still speaking, Mr. Durham?

25 MR. DURHAM: No I -- I just, you know --



1 MADAM CHAIR: May I speak? So I'd like to
2 chime in on this one as well. If I'm not mistaken, the
3 State of Colorado and the State Board has responsibility
4 over the quality of the teachers in our state and this means
5 that we are completely severing that responsibility.

6 There's not even anything in this bill that
7 requires a district to tell parents that they are putting
8 unlicensed teachers in their children's classrooms. So, I
9 find this actually a very shocking notion.

10 We have something like 50 alternative
11 programs; am I close?

12 MS. O'NEILL: We -- we have 50 Educator
13 Preparation programs as a whole. So, about 26 all to --

14 MADAM CHAIR: 50 Ways to Leave Your Lover.

15 UNIDENTIFIED VOICE: Yes.

16 MADAM CHAIR: Paul Simon. They're just -- as
17 board member Goff mentioned, there just isn't a really good
18 reason because there are so many different ways for school
19 districts to bring in what is initially an unlicensed
20 individual and then with professional development, et
21 cetera, provide them opportunities over a very long period
22 of time.

23 You can have an emergency license for two
24 years. You can enter an alternative program. I can't
25 imagine that a district would want someone coming to them,



1 who is unlicensed, who doesn't want to get better and
2 approach becoming a real teacher. If they do, then we're
3 just looking for people with a heartbeat and that would not
4 be very helpful for our kids.

5 We are looking over the next three months at
6 some districts where things have not gone well for students
7 and if we believe the notion that the most important thing
8 for a student is the quality of the teacher, we had better
9 not divorce ourselves from that responsibility.

10 So those are my comments. Board member Goff.

11 MS. GOFF: Ditto. And I know, you know, this
12 may not be time yet to -- to talk details. The mention of
13 notice of a teacher shortage crisis. A minimum of 30 days.

14 Well, I kind of want to -- if I'm working in
15 a district and I actually have lived this life a little bit
16 on the teacher recruitment end of things, I'd like to know
17 when -- is there -- is there a certain time of the year
18 allocated for that? And are dis -- would dis -- would
19 districts think ahead enough? You can't just

20 put out a teacher shortage crisis notice the 1st of August
21 and that -- as far as working within the state context, a
22 lot of teachers across the entire state would be interested
23 in where openings are and so forth. So there'd be --
24 there'd be some timeline concerns that I would have.

25 And -- not to repeat Angelica, but it's just



1 -- it's just a real mystery to me to think that this state,
2 after so many years and a pretty high reputation of educator
3 quality, quality of the prep programs which are currently
4 always under consideration for modernization and review and
5 quality checks and monitoring, I'm -- I'm having a hard time
6 believing that local districts would not be pretty diligent
7 in how they go about this. There's no doubt about that.

8 But I do think the messaging that goes to the
9 public, which is the ultimate audience member here is when
10 there are no requirements to keep your people up to speed on
11 the quality of their teachers, and then to -- to basically
12 cut off any other benevolent, helpful, interested in
13 productivity and effectiveness agency, from having a
14 partnership with them in that is -- is -- I'll just use the
15 word mysterious as heck to meet right now.

16 And I would say that this bill, as written
17 and as introduced is not in the best interest of Colorado.

18 MS. O'NEILL: So, I want to make sure we have
19 a chance to discuss both aspects of the bill?

20 MADAM CHAIR: Do you have more to say?

21 MS. O'NEILL: If there's more to say on the
22 teacher component, let's do -- let's continue to do that.

23 MADAM CHAIR: Yeah. Board member Flores. I
24 didn't see you.

25 MS. FLORES: I think I agree with you and I



1 agree with -- with Ms. Goff.

2 MADAM CHAIR: Okay.

3 MS. FLORES: On the matters. I think we need
4 to have -- we have so many programs out there and if there
5 is a short of -- if they can't get anybody that does not
6 mean preclude them from -- from finding a person that may
7 not be licensed, but then not continue, you know, getting an
8 education to -- to do better in the classroom, so.

9 MADAM CHAIR: Thank you. Are we ready to talk
10 about the waiver part, folks? Okay. Ms. Mello, please.

11 MS. MELLO: Okay. It would appear that we
12 are. So again just to -- to refresh, right now, districts
13 can come to you all and ask for what we -- what is called
14 district waivers. That's happening right now. The way in
15 which this bill changes that process --

16 MADAM CHAIR: Can BOCES come to us yet?

17 MS. MELLO: I don't know. That's a good
18 question. The waivers?

19 UNIDENTIFIED VOICE: I'm sorry, I don't have
20 the current law in front of me. This -- this does add
21 BOCES.

22 MADAM CHAIR: I know it does. And I wonder
23 whether --

24 UNIDENTIFIED VOICE: I will double check that
25 for us so that we have an answer.



1 MADAM CHAIR: Okay. Please go ahead.

2 MS. MELLO: It's certainly the fact that a
3 group of rural school districts to come to a request waiver
4 is under my understanding new. And -- and again, these are
5 waivers, really, these are all of the waivable statutes.
6 So, the ones you've heard about most recently are Read Act
7 and the early readiness requirements. So it's not specific
8 to the teacher issues that we were just talking about,
9 right? This is a much broader set of waivers that we're
10 discussing here.

11 So, a rural school district, a group of
12 school districts, or a BOCES, can come to you all. You
13 shall grant the waivers if they meet certain standards. The
14 standards are a little bit different, I would say updated
15 from your current process. They're not in my opinion
16 dramatically different.

17 MADAM CHAIR: A smidge, but not much.

18 MS. MELLO: Right. And then it does give you
19 the specific authority to set a timeline on the -- the
20 duration of that waiver.

21 MADAM CHAIR: Okay.

22 MS. MELLO: Which you do not have right now.

23 MADAM CHAIR: Give me the problem that this
24 bill is trying to solve.

25 MS. MELLO: You know, I mean, that is -- it's



1 difficult for me to answer that question because it's
2 obviously not my bill. My guess is the proponents of this
3 which are primarily rural school districts, would argue that
4 they need more flexibility than they currently have, in
5 these two areas both in requesting waivers from statutes
6 that can be waived and in hiring teachers.

7 MADAM CHAIR: But I don't know what the
8 problem is they're trying to solve. They want waivers, they
9 come to us for waivers. They come with a replacement plan.
10 So if they come as a group, then we have a group of
11 replacement plans? I mean, there's n -- there's nothing in,
12 there's no example that I can think of that I know of that
13 this helps in any way, but if somebody can give me one, I'm
14 open to it.

15 MS. MELLO: Dr. Colsman.

16 MADAM CHAIR: Dr. Colsman, please.

17 MS. COLSMAN: So with the kindergarten school
18 readiness assessment waivers that have come forward, there
19 are a number of small rural districts who have kind of
20 talked among themselves about how they -- how they presented
21 their waiver requests and replacement plans with the notion
22 that they would approach this similarly and might want to
23 come together. I'm assuming that they might want to come
24 together and not have to submit individual waiver plans and
25 have to go through that process individually. I think they



1 might have the idea of if we all want to do a similar thing,
2 we might want to come together --

3 MADAM CHAIR: We get one guy to write it all
4 and then we just copy it.

5 MS. COLSMAN: I think --

6 MADAM CHAIR: This is sort of like the
7 charter plans we used to get where they'd forget to take out
8 the name of the private one. Yeah, I'm really trou -- I'm
9 deeply troubled about this notion because I fear that if --
10 if districts just tag along, then they haven't read the
11 replacement plan. They're not committed to the replacement
12 plan because their teachers didn't develop that replacement
13 plan.

14 I trust them to have gone through the process
15 and if they're not going through the process; isn't going to
16 happen. Board member Goff.

17 MS. GOFF: Just related, maybe Leeann (ph)
18 has this right off the top of her head. Do we have any
19 BOCES that contain districts that are larger than these?

20 UNIDENTIFIED VOICE: Yes.

21 MS. GOFF: See, that would be --

22 UNIDENTIFIED VOICE: We have districts
23 belonging to some BOCES except for a couple of them.

24 MS. GOFF: So this -- this bill doesn't speak
25 to any criteria being that every single district in the



1 BOCES needs to participate or not. So you could have some
2 districts that are not qualified necessarily according to
3 the size limits who would then perhaps be led to assume that
4 they can do the same thing. I mean, you know, I guess, you
5 know, any kind of a waiver application it would have to be
6 made clear. Maybe that had -- when we get -- if they get to
7 that point, the waiver criteria would have to outline that
8 in order for me to listen to it differently.

9 But I just think that would be good for folks
10 to know ahead of time. So just --

11 MADAM CHAIR: Any other -- any other comments
12 from board members? Board Member Durham, Board Member
13 Rankin?

14 MS. RANKIN: No. I have nothing more to add.
15 It was a good discussion.

16 MADAM CHAIR: So since this is coming up, I
17 think it's kind of important that we take a stand on this.
18 Do you all agree, and could I have a motion, please? Board
19 member Flores.

20 MS. FLORES: I will make a motion.

21 MADAM CHAIR: Okay.

22 MS. FLORES: I would like to make a motion to
23 oppose this bill, that we oppose it.

24 MADAM CHAIR: Thanks. Is there a second.

25 MS. MCCLELLAN: Second.



1 MADAM CHAIR: Thank you. Could you call the
2 vote, please?
3 MS. CORDIAL: Board member Durham?
4 MR. DURHAM: I'm sorry. I'm going to need a
5 quick recap of the motion.
6 MS. CORDIAL: The motion is to oppose --
7 UNIDENTIFIED VOICE: House Bill.
8 MS. CORDIAL: -- House Bill 1178.
9 MR. DURHAM: Okay. Yes.
10 MS. CORDIAL: Board member Flores?
11 MS. FLORES: Yes.
12 MS. CORDIAL: Board member Goff.
13 MS. GOFF: Yes.
14 MS. CORDIAL: Board member Mazanec is
15 excused. Board member McClellan.
16 MS. MCCLELLAN: Yes.
17 MS. CORDIAL: Board member Rankin.
18 MS. RANKIN: Yes.
19 MS. CORDIAL: And board member Schroeder.
20 MADAM CHAIR: Yes. Thank you, folks.
21 MS. MELLO: Okay.
22 MADAM CHAIR: Ms. Mello?
23 MS. MELLO: Thank you.
24 MADAM CHAIR: Carry on.
25 MS. MELLO: Carrying on. I do think we are



1 actually getting to bills that are at least a little less
2 complicated. I guess we'll see.

3 The next bill to discuss is House Bill 1181.
4 This is being talked about at the state capital as the
5 compromise Testing Bill of the session. It has very strong
6 bipartisan support, you know, lots of Democrats and lots of
7 Republicans on this bill.

8 What it would do is continue to require that
9 the state have a ninth-grade test for English language,
10 arts, and math. It requires that that test be aligned to
11 the 10th grade test, which is currently required under state
12 law.

13 That is the essence of the bill. That is
14 what it is attempting to accomplish.

15 MADAM CHAIR: And it's also aligned to ninth
16 grade standards?

17 MS. MELLO: That is true. Yes. The -- the
18 bill's -- yes, that is true. Any test selected by the board
19 and the department would also have to be aligned to the
20 standards. So that's -- that's what it does.

21 MADAM CHAIR: Comments, colleagues? Board
22 member McClellan.

23 MS. MCCLELLAN: I think where -- in, in my
24 district, I suspect that this will sharply reduce opt outs
25 at least at the high school level. I think parents are



1 interested in giving their child the best chance to do as
2 well as possible on college entrance exams. And I think
3 this brings our testing at the high school level at least,
4 better in line with what parents are friendly to and what
5 they are viewing as relevant and appropriate for their
6 children.

7 So, I'm strongly in support of this.

8 MADAM CHAIR: Great. Thank you. Board
9 member Goff, do you have a comment?

10 MS. GOFF: Yeah. I -- I am -- I am very
11 supportive of it, but I also think that there needs to be
12 some things kept in mind as we go through this.

13 I listened to the full hearing on this, I
14 also listened to the testimony on all of the other ones that
15 didn't make it out of committee, and I -- I -- I think it's
16 going to be important down the road to be -- help people get
17 clarity on a couple of things.

18 One of them is that this is not -- this is
19 not alluding to any specific exam. And that -- that is --
20 that -- that process rests with us. And tied in with that
21 is the legislated -- legislative role in state assessments.

22 If I am understanding it correctly and hope I
23 have been for the past eight years, is that the
24 legislature's role in all of this is that they are the
25 allocators of the money, so whatever -- whatever bill the



1 state assessment system presents to the state, the
2 legislature has the role of allocating and approving the
3 funding.

4 It's the role of the state board to make
5 determinations around the system itself. And part of that
6 is -- pertains to the choice of working the procurement
7 process system as state law says. But that assessments are
8 our -- they're in our purview in that regard.

9 I like this bill because it does make sense,
10 and it -- it does resonate with the people and frankly, I
11 think we're at a time when we do need to acknowledge that in
12 visible ways. And I -- and I think that we have -
13 - this bill does that, and I was -- I was really pleased --
14 I was pleased by the entire realm -- range of the testimony
15 on this bill. I thought it was balanced and smart, and
16 well-informed and I'm hoping we can give our support to it.

17 MADAM CHAIR: Thank you. And in line with
18 your comments, I guess I'll just mention that this has been
19 a discussion at the department. It's not as though they
20 think it up over there. But, it's okay, it's their purview.

21 UNIDENTIFIED VOICE: I didn't say they think
22 it up.

23 MADAM CHAIR: Right. Board member Flores.

24 MS. FLORES: I don't understand which test
25 they're talking about. Are they talking about a PAST, are



1 they talking about a PARCC? What tests are they talking
2 about?

3 MADAM CHAIR: Ms. Sarkowski.

4 UNIDENTIFIED VOICE: Well, and -- I mean, I
5 want Joyce to weigh in.

6 MS. FLORES: Just to name it.

7 MADAM CHAIR: Oh.

8 MS. MELLO: It doesn't name it because the --
9 the Department of Education and the State Board selects the
10 test. It just -- all it says is that the ninth-grade test
11 has to be aligned to the state standards and whatever test
12 is given in 10th grade. But you all -- the department gets
13 to pick the test.

14 MS. FLORES: So it has to be aligned with
15 ninth grade to the 10th grade test?

16 MADAM CHAIR: Correct.

17 MS. FLORES: And the 10th grade test is PSA -
18 - I mean is PARCC?

19 MADAM CHAIR: No, it's PSAT.

20 UNIDENTIFIED VOICE: No, no, no.

21 MS. MELLO: The 10th grade test currently is
22 PSAT and this is where I'm definitely going to send the mic
23 over to Joyce.

24 MS. FLORES: Okay. So, it is a PPP, so you
25 had another P, posttest to the -- to the SAT? So, is it --



1 I mean, I thought we were trying to streamline testing. And
2 I mean, if it's a -- if it's a practice test for the PSAT,
3 so that then they can do well on the SAT, I -- I don't get
4 it. Why? If -- if the legislature said that they wanted to
5 streamline and cut down on testing, why are we having -- the
6 reason for this test is why? Joyce, that's a -- a question
7 that I'd like to ask you, why the test?

8 UNIDENTIFIED VOICE: So, they are not adding
9 a brand-new test. What they are doing is taking our current
10 ninth grade test, which sits with grades three through eight
11 and they're eliminating the ninth grade from that. So, it's
12 just, instead of being three through nine, it's three
13 through eight. And then what they're talking about is a test
14 that would be given at ninth grade, that would be aligned to
15 the 10th grade test, which has to be aligned to our 11th
16 grade college entrance test. They're not specifying a
17 specific test because there is requirements in law, that we
18 go through an open and competitive procurement once every
19 five years, for that 10th and 11th grade test and the ninth-
20 grade test, longer term will be added into that.

21 So, what they are thinking, I believe, is
22 that they will get greater student and parent buy-in, by
23 having an assessment which is closely tied to the other two
24 high school assessments that Colorado has.

25 MS. FLORES: So, my -- my -- my comment on



1 that would be if many parents already are not taking -- do
2 not want their kids to take the other test.

3 MR. DURHAM: Madam Chair.

4 MS. FLORES: So why add a third test?

5 MADAM CHAIR: Board member Durham?

6 MR. DURHAM: I apologize, I'm going to have
7 to drop off the call.

8 MADAM CHAIR: See ya.

9 UNIDENTIFIED VOICE: Madam Chair, can I --

10 MADAM CHAIR: Yes.

11 MR. DURHAM: Bye-bye.

12 UNIDENTIFIED VOICE: Bye-bye.

13 MADAM CHAIR: Bye.

14 UNIDENTIFIED VOICE: And so I -- I do think
15 that one of the topics that you all have been talking about
16 since last fall is looking at lessons that we could maybe
17 learn based on the 10th grade changes that we made last
18 year. And you may recall that in 2015 in 10th grade, we had
19 participation at about 62 percent. Last year when we made
20 the change to the test, that participation jumped to 88
21 percent.

22 MADAM CHAIR: Ms. Sarkowski, is there -- did
23 -- just -- just a minute. Did -- did I read wrong or did I
24 read somewhere else that there's a length requirement?

25 UNIDENTIFIED VOICE: There is not a length



1 requirement.

2 MADAM CHAIR: Okay, so I read it somewhere
3 else.

4 UNIDENTIFIED VOICE: The -- the department
5 and the board have been having conversations about --

6 MADAM CHAIR: Right. And we've talked about
7 a much shorter test, which would be a much lighter test,
8 lighter touch on the ninth graders. It would be similar to
9 the high school assessments as opposed to the much longer
10 deeper assessments.

11 UNIDENTIFIED VOICE: And I just want to
12 clarify one factual thing. There is a ninth-grade test
13 today required by state law in English and Math and under
14 this bill, there would continue to be a ninth-grade test
15 required in English and Math, so it's not a new test. It's
16 a continuation of an existing test. It's changing what that
17 test has to be benchmarked to a little bit.

18 MADAM CHAIR: And there is the expectation of
19 less time or am I wrong?

20 UNIDENTIFIED VOICE: I'm sure many people at
21 the legislature would appreciate that, there's nothing in
22 this particular bill that specifies anything about length of
23 time.

24 MADAM CHAIR: Okay. Board member McClellan,
25 I know you had --



1 MS. MCCLELLAN: Thank you so much, Madam
2 Chairwoman. I just wanted to say how much I appreciate
3 Board Member Flores's diligence in looking to get down to
4 the detail of the nut and I'm borrowing a little bit from my
5 municipal experience and maybe staff can correct me if I'm
6 wrong, but am I correct that you cannot put into law that
7 you're going to purchase testing or require the purchase of
8 testing from a specific vendor because that would cause us
9 not to be able to go through that necessary legal process of
10 the RFP and the selection process? And I still have follow-
11 up after that.

12 MADAM CHAIR: You may.

13 UNIDENTIFIED VOICE: Madam Chair.

14 MADAM CHAIR: Yes.

15 UNIDENTIFIED VOICE: Historically, Colorado
16 has not specified a specific test within legislation. Yes,
17 I do believe that is in honor of the procurement code and
18 there are a variety of ways to leverage a procurement code,
19 but I don't foresee ever the state at this point specifying
20 a specific test.

21 UNIDENTIFIED VOICE: Or a vendor within --
22 within the law.

23 UNIDENTIFIED VOICE: Or a vendor within the
24 law.

25 UNIDENTIFIED VOICE: Okay, so I hope that's



1 helpful and if this helps from the perspective of the parent
2 --- a parent of a ninth grader and the parent of a new
3 college freshman, we've just been through this extravaganza
4 and we're going through it again. I would say Board Member
5 Flores, for whatever it is worth, my take as a parent is
6 that we're going from a test that is seen as something extra
7 and maybe something that parents aren't feeling is as
8 relevant for them and their children and maybe are seeing as
9 somewhat of a burden and taking it into the sphere of
10 something they actually want because there is some evidence
11 to suggest that practice helps the child do better and these
12 tests matter to parents who want to make sure that their
13 children have the best shot of doing as well as they can as
14 they prepare for college entrance. So, I'm very supportive
15 of this.

16 MS. RANKIN: Madam Chair.

17 MADAM CHAIR: Yes.

18 MS. RANKIN: This is Joyce Rankin. I make a
19 motion (indiscernible).

20 MADAM CHAIR: Board member Rankin. Thank you,
21 do I have a second?

22 MS. MCCLELLAN: Second.

23 MADAM CHAIR: Were there -- were there any
24 more comments? Would you please call the vote, Ms. Cordial?

25 MS. CORDIAL: Board member Durham has --



1 MADAM CHAIR: Escaped.

2 MS. CORDIAL: -- escaped us. Board member
3 Flores?

4 MS. FLORES: Can I ask another question about
5 the test? Is it a -- an achievement test or is it a test to
6 show that you'll do well in college or for a -- for a --
7 what's the word for it -- a technological job or --

8 UNIDENTIFIED VOICE: I think the department
9 and the board have a great deal of discretion in answering
10 that question. The only thing the legislation specifies is
11 that the test has to be tied to the academic standards and
12 has to be tied to the other two -- other two high school
13 tests. So that is all it requires; the rest of it is left
14 up to the department and the board.

15 MADAM CHAIR: You're vote, ma'am?

16 MS. FLORES: No -- yes. I mean, if the test
17 is required, there's no test in place. There's no test in
18 place right now?

19 MADAM CHAIR: No.

20 UNIDENTIFIED VOICE: Madam Chair, right now
21 our ninth-grade assessment is the SEAMUS, PARCC, ELA and
22 mathematics assessment. This bill --

23 MADAM CHAIR: Replaces it.

24 UNIDENTIFIED VOICE: Replaces.

25 MS. FLORES: Yes.



1 MS. CORDIAL: Board member Mazanec is
2 excused. Board member McClellan?

3 MS. MCCLELLAN: Yes.

4 MS. CORDIAL: Board member Rankin?

5 MS. RANKIN: Yes.

6 MS. CORDIAL: Oh, I am sorry -- Board member
7 Goff, I am so sorry.

8 MS. GOFF: Yes.

9 MS. CORDIAL: And board member Schroeder.

10 MADAM CHAIR: Yes.

11 MS. MELLO: Okay. Our last new bill for all
12 of you to consider, we have one bill after this, but it's
13 one you've already talked about before, is a very short bill
14 that simply continues the Education Data Advisory Committee.

15 This is a committee that is in place right
16 now. It is made up primarily of representatives of school
17 districts and that committee works with the department
18 around data collection issues; what kind of data the
19 department can collect, the manner in which it's going to
20 collect. I think it's very much designed to give districts
21 a voice in that process.

22 When we discussed this earlier, you know, and
23 staff is here and can certainly speak for themselves, but,
24 but to express the opinion, this has been a valuable process
25 and they would like it to continue.



1 So, if this bill fails, not here necessarily,
2 but fails across the street, then we will no longer have
3 that committee, and if this bill passes, that co --
4 committee will continue.

5 MS. GOFF: Was it, I'm sorry I'd --

6 MADAM CHAIR: Board member Goff, go ahead.

7 MS. GOFF: I just read -- sorry. I just read
8 this last night. Does that -- does it say that it -- it if
9 it -- if it's passed and continues, is there any end date on
10 it at all anymore or is that just ad infinitum?

11 MADAM CHAIR: Doesn't everything have an end
12 date.

13 MS. GOFF: Well --

14 MS. MELLO: Well, I do not believe this has
15 an end date in it. I think that is an interesting catch
16 because I'm not sure that's intended.

17 MADAM CHAIR: Well, you -- oh.

18 MS. GOFF: You know, you repeal because it --
19 at -- if it had -- and then -- memory test; does the same
20 thing apply to the early childhood leadership council
21 extension? We -- because we did talk about that one as
22 well.

23 MS. MELLO: Board member Goff, it is a
24 similar process. So Colorado -- it is common practice in
25 Colorado that when an entity like this is created in



1 statute, that it -- they put a time limit on it. The intent
2 being, you know, they have those -- you got to come back to
3 the legislature and decide if it's still relevant or should
4 go on. So, we have lots -- they're called sunset bills, and
5 we get lots of them every year.

6 The bill that the board has already decided
7 to support around the early childhood learning commission is
8 a example exactly of that. This bill just is for a
9 different entity and I -- I failed to say and forgive me,
10 that the recommended position on this one is support.

11 MS. GOFF: Right.

12 MADAM CHAIR: Board member Flores.

13 MS. FLORES: Oh, thank you. So, this
14 committee is already in place, is that the committee that,
15 that has Cherry Creek and Denver and Eagle and -- or maybe
16 not Eagle.

17 MS. MELLO: Board Member Flores, the
18 committee is certainly in place. I don't know what the
19 membership of it is.

20 MS. FLORES: Isn't that committee that meets
21 here and --

22 MS. GOFF: Yes, we --

23 MADAM CHAIR: There are a lot of committees.

24 MS. GOFF: It's housed here, and we approve
25 the appointments to it.



1 MS. FLORES: So is -- that it doesn't have an
2 end date, is that a big problem with the bill? I guess so.

3 MS. GOFF: No.

4 MS. FLORES: We've always have
5 (indiscernible) I think.

6 MS. MELLO: So, the bill, in terms of the
7 process, is already through the Senate and is over in the
8 House and that issue did not come up in the Senate hearings.

9 MADAM CHAIR: Comments? Any other comments
10 folks? Board Member Rankin, do you have a comment?

11 MS. RANKIN: No, I don't have a comment but
12 if this is coming up in the House, it's in committee, they
13 should ask that question. I'm just wondering if there was
14 an automatic sunset on this. If the committee is in place,
15 why haven't we -- why -- why are we going through this now?
16 I mean --

17 MADAM CHAIR: Right.

18 MS. RANKIN: -- why are we if the committee
19 is in place? I'm thinking there may be a recurring --

20 MADAM CHAIR: There was a section that said
21 it would be repealed on July 1st, 2017, so that's what's
22 being changed.

23 MS. RANKIN: Oh, okay. Okay.

24 UNIDENTIFIED VOICE: Right.

25 MADAM CHAIR: So, it initially did have a



1 specific date for a sunset.

2 MS. MELLO: And I would say -- I mean, I'm
3 happy to communicate back to the legislature about this
4 question of the end date. It is possible -- this is a
5 rather difficult bill to read because it's referencing
6 sections of statute that aren't printed in the bill, so I
7 think it is possible that it has an end date. I just can't
8 confirm for you as I sit here right now whether it does or
9 not. I'm happy to get more information on that. But just
10 so you know, it's not for sure that there's no end date and
11 I apologize.

12 MADAM CHAIR: Okey doke.

13 MS. RANKIN: That's okay.

14 MADAM CHAIR: Do I have moti --

15 MS. RANKIN: That makes sense, Jennifer.

16 MADAM CHAIR: Do I have a motion? The
17 recommendation was for support.

18 MS. GOFF: I'll move.

19 MADAM CHAIR: Board Member Groff is moving --

20 MS. GOFF: I move that the State Board
21 support Senate Bill 144.

22 MADAM CHAIR: Thank you.

23 MS. FLORES: I second it.

24 MADAM CHAIR: Thank you. Ms. Cordial, would
25 you call the vote, please?



1 MS. CORDIAL: Board Member -- Board Member
2 Durham is absent. Board Member Flores.

3 MS. FLORES: Yes.

4 MS. CORDIAL: Board Member Goff.

5 MS. GOFF: Yes.

6 MS. CORDIAL: Board Member Mazanec is
7 excused. They're both excused. Board Member McClellan.

8 MS. MCCLELLAN: Yes.

9 MS. CORDIAL: Board Member Rankin.

10 MS. RANKIN: Yes.

11 MS. CORDIAL: And Board Member Schroeder.

12 MADAM CHAIR: Yes.

13 MS. MELLO: Okay, thank you.

14 MADAM CHAIR: All right.

15 MS. MELLO: The last thing for your
16 consideration is House Bill 1082. The title of this bill is
17 concerning clarification that Financial Assistance under the
18 Building Excellent Schools Today Act, also known as the BEST
19 Act includes technology grants.

20 The board is current -- was opposed to this
21 bill as it was introduced. I communicated that information
22 to the sponsor of the bill.

23 MADAM CHAIR: Do you remember why we opposed
24 it?

25 MS. MELLO: I do, and I was -- great minds



1 think alike.

2 The two main reasons you all gave in your
3 discussion for opposing the bill were, you didn't like some
4 of the language that told the BEST Board they had to take
5 into consideration where marijuana revenues come from in
6 considering making grants. And then, also, in its original
7 form the bill said that the -- right now the BEST Program
8 gets like the first \$40-million of some stream of marijuana
9 money. The next five million had to be dedicated to
10 technology grants and that was another concern that the
11 board expressed.

12 So, those were the two main reasons I
13 communicated to the sponsor for your opposition. The bill
14 was heavily amended in the House Education Committee and
15 both of those provisions were taken out of the bill.

16 So in its current form, the bill really
17 doesn't do a ton of things.

18 MADAM CHAIR: So this dark stuff is the stuff
19 that was eliminated?

20 MS. MELLO: The dark stuff is -- reflects the
21 amendment that was made in the Education Committee.

22 MADAM CHAIR: Struggled a little bit trying
23 to figure out the --

24 MS. FLORES: Yeah, because it still had the
25 technology.



1 MS. MELLO: Yeah. No, I know. I know it's -
2 - so let me -- I think if you don't mind, let me just
3 describe what the bill would do in the format that you have
4 in front of it, which is to expand the current statutory
5 definition of technology for the BEST Program, to be
6 inclusive of --

7 MADAM CHAIR: Hardware.

8 MS. MELLO: -- hardware devices or equipment.
9 So, that's one thing it does, is expand existing definition.
10 It specifically grants the BEST Board the authority to give
11 grants for this type of technology. They're not required
12 to. There's no set aside, there's no -- I mean the BEST
13 Board could give none of those grants. They simply have the
14 ability to do so if they approve.

15 MADAM CHAIR: And they're not tied to a
16 building grant, right?

17 MS. MELLO: They do not have to be.

18 MADAM CHAIR: They're unique grants?

19 MS. MELLO: Correct. Correct. It -- there
20 is existing requirements on the BEST Board to notify school
21 districts of, you know, that this Grant Program is out
22 there, so when they do that, they have to also tell them
23 that technology grants are part of it. And then finally,
24 there's existing requirements that the BEST Board report to
25 the legislature on all the grants that they approve and so



1 this adds technology grants into that existing reporting
2 structure.

3 MADAM CHAIR: So, does it feel as though this
4 \$5-million should have gone to buildings and is going to
5 technology instead?

6 MS. MELLO: So, the \$5-million, that -- that
7 component is completely stricken -- stricken from the bill,
8 sorry.

9 MADAM CHAIR: Struck.

10 MS. MELLO: Struck, thank you. Embarrassing.
11 I should know that.

12 So, all it does is say within whatever
13 existing appropriations the BEST Board has under, you know,
14 current or in the future, now it can do technology grants
15 alongside the other grants it already has the ability to do.

16 MADAM CHAIR: Thank you. Comments?
17 Colleagues?

18 MS. GOFF: Well, a comment.

19 MADAM CHAIR: Board Member Goff.

20 MS. GOFF: This is -- the BEST related
21 legislation is the only area I can think of where the use of
22 the term "The Board" can be a lit -- You know, it's probably
23 only from our perspective that there are occasional times
24 when that suggestion could be passed along to the bill
25 writers.



1 UNIDENTIFIED VOICE: Right.

2 MS. GOFF: Is that every now and then put in
3 BEST along with that, or the constriction, like, what's the
4 full title of their board name, I can't remember.

5 MS. MELLO: Yeah, I think the reason they
6 don't do that, is this is in the part of statute that
7 affects the BEST Board. This one of things it's hard to
8 read bills sometimes --

9 MS. GOFF: Yeah.

10 MS. MELLO: -- because they don't give you
11 all the surrounding language that's already in statutes.
12 So, I agree, it's hard to read.

13 MS. GOFF: Just a thought, and that
14 occasionally it maybe would be helpful to insert the term.
15 Yeah, I agree. I mean, when we get the amendments
16 summaries, if we could see those, that's impossible without
17 -- without having something to ground it in.

18 MS. MELLO: I requested this version of this
19 bill be produced because I -- I knew that if I handed you
20 the original bill and the amendment which says things like
21 line 22, strike this word, that that's very difficult to
22 interpret. So, my intention -- I hope it was -- I hope it
23 worked, was to give you something that was easier to
24 understand what changes had been made.

25 MS. GOFF: Thank you for that.



1 MADAM CHAIR: Board Member McClellan.

2 MS. MCCLELLAN: I would like to express my
3 appreciation for the sponsors of the bill taking our
4 constructive criticism into account and making changes in
5 the bill. And I'd like to put a motion out on the floor.

6 I move to support House Bill 17-1082.

7 MADAM CHAIR: Is there a second? Can I
8 second bills? No?

9 MS. GOFF: When is this going to the House?

10 MS. MELLO: This bill is out of the House
11 Education Committee and is currently awaiting a hearing in
12 the House Appropriations Committee. That has not been
13 scheduled it could be any time, in that particular
14 committee, but still in the House.

15 MADAM CHAIR: I just want to make a comment
16 for now, which is, I keep thinking about what's the problem
17 we're trying to solve, and this is a real problem. There is
18 a real problem across the State.

19 I am told, but I don't have the evidence,
20 that there are districts that have so little technology that
21 they can barely get through the State assessments. I don't
22 know if that's correct, and I -- what I don't know and what
23 I wish the bill writer could clarify is, do we know what the
24 needs are out there? We know what the needs
25 are for the BEST grants because we've had an analysis done,



1 right? And we've got, what, six billion dollar or whatever.
2 Anyways, a number of folks looked into the building needs,
3 the school needs. We don't have that here.

4 Anecdotally, I hear all sorts of stuff.
5 Every district would actually like to probably have some
6 more machines -- I guess you can't call them machines.

7 MS. MELLO: Well, and I would note --

8 MADAM CHAIR: Devices. Sorry.

9 MS. MELLO: I mean, I think you -- you all
10 know this, but the BEST board, you know, does -- they have a
11 very extensive process that they go through to evaluate all
12 these proposals, but those recommendations actually come up
13 to you all as a State Board for formal action.

14 MADAM CHAIR: Uh-huh (affirmative).

15 MS. MELLO: So you do have a role in this
16 process.

17 MADAM CHAIR: Right. And my concern is, if
18 this \$5-million would go to buildings that -- where the
19 needs are already identified, and I believe that's been Mr.
20 Durham's concern, then, it's a problem. But if it doesn't
21 go anywhere, I do suspect -- I do hope, and I -- I'm going
22 to look into it a little bit, that there's somebody out
23 there who has been looking at, especially the rural
24 districts, where there are acute technology needs, and I'm
25 not talking about bro -- broadband, I'm talking about what



1 they're describing here, which is the hardware.

2 So, that puts me in an uncomfortable
3 position. I have a feeling we should monitor this, guys. It
4 doesn't look like you got a second. So, does somebody want
5 to propose to monitor?

6 MS. GOFF: I will.

7 MADAM CHAIR: Okay.

8 MS. GOFF: Just to satisfy -- to satisfy my
9 legislative duty.

10 MADAM CHAIR: So, we've got a motion to
11 monitor this bill, and I think maybe if we can -- if there's
12 a way, Ms. Mello, that you can get some information from the
13 bill sponsor or anyone else as to what does that me -- where
14 does that five million lang -- oops, Ms. Emm, please.

15 MS. EMM: Yes, thank you. The five million
16 dollar set aside for this has been also struck from the bill
17 language. So, it -- basically what this does is currently
18 there is language in the -- in the statutes that allow for
19 technology grants and this expands that definition of the
20 technology to include classroom technology. So, there's
21 already language that allows it for like broadband use --

22 MADAM CHAIR: You mean in this bill?

23 MS. MELLO: In this current existing
24 statutes. Last year there was a bill --

25 MADAM CHAIR: The BEST -- the BEST statutes?



1 MS. MELLO: Yes.

2 MADAM CHAIR: Okay.

3 MS. MELLO: Yeah. That there was a bill that
4 expanded the ability to grant techno -- it moved up that
5 priority for technology. And so, this expanded that
6 definition of technology to include classroom devices and
7 educational type technology and not just broadband expansion
8 and, you know, the --

9 MADAM CHAIR: Wires and stuff.

10 MS. MELLO: -- lines and wires and all of
11 that kind of thing. But the five million was taken out of
12 this language this year, too.

13 UNIDENTIFIED VOICE: Yes. So there's no --

14 MADAM CHAIR: I don't know that we have left.

15 MS. FLORES: Yeah.

16 MS. MELLO: Just whatever money is in the
17 fund can -- can be used for this, doesn't have to be.

18 MADAM CHAIR: Can be used for devices --

19 MS. MELLO: Yeah. But doesn't have to be.

20 MS. FLORES: May I ask a question of -- Ms.
21 Rankin? Ms Rankin, you -- you serve a population, I think
22 that this bill may be talking about where technology is an
23 issue. Can you tell us or maybe share with us if that is
24 indeed the case?

25 MS. RANKIN: Is that Val talking?



1 MS. FLORES: Yes. Yes. This is Val.

2 MS. RANKIN: Yes. That was an interesting
3 question and I was thinking about it while other people were
4 talking. I do hear people, and this is anecdotal in my
5 district, superintendent, teachers, talking about the lack
6 of access to the hardware. Yet, when I've been touring the
7 schools, there will be computer labs that are sitting
8 unused. And that's -- that's very problematic for me.

9 I would think if there was this much of a
10 demand, teachers would have checked out and had their
11 classes go in there every day, every hour, to get full
12 understanding of not only the hardware, but the software.

13 MS. FLORES: Uh-huh (affirmative).

14 MS. RANKIN: This bill, as it relates to this
15 bill, this is -- this is problematic to me because it -- if
16 there's a lot of amendments, sometimes you need to go back
17 and rewrite a very clear, succinct bill and this seems to be
18 a problem here. Also, the lack of bipartisan support on the
19 top of the bill. That's -- that's interesting to me and I
20 have to concur, and I think it was Angelica that said we
21 should monitor it. And if there is -- if someone had said we
22 -- we need to support this, I -- I would be against that, I
23 am on the side of monitoring this bill because I think it's
24 going to have a lot more questions come up than even, we've
25 brought up today.



1 MADAM CHAIR: Well, at this point, the motion
2 on the table is to monitor.

3 MS. CORDIAL: We do need a second.

4 MS. RANKIN: Oh, okay.

5 MADAM CHAIR: Val -- Val seconded it.

6 MS. RANKIN: Then I'll second that.

7 MS. FLORES: Yeah.

8 MADAM CHAIR: Board member McClellan.

9 MS. MCCLELLAN: Thank you, Madam Chair. I
10 have a procedural question as the newest board member.
11 Because we previously had a successful motion to formally
12 oppose this bill, is a new motion independent of that old
13 motion enough to nullify the old one and also, must it be
14 made by someone who voted in the majority? And I realize
15 that's a moot point at this time because with the exception
16 of our chairwoman, I think all of us voted with the majority
17 to oppose this bill last time. But do I understand
18 correctly that as with any reconsideration, it would be a
19 requirement that the motion be made by someone who voted
20 with the majority on the prior vote?

21 MS. MELLO: What I can speak to is past
22 practice and past practice says that this is essentially --
23 it's not -- basically, we take a new position, right? The
24 board always has the ability to reconsider its position if -
25 - particularly if a bill changes. So, and I understand



1 that's not a Robert's Rule of order answer to your question.
2 I will tell you the vote to oppose this bill was unanimous
3 amongst the seven of you.

4 MADAM CHAIR: It was?

5 MS. MELLO: According to my records it was
6 and I apologize if I have that wrong.

7 MADAM CHAIR: Yes, I voted for it.

8 MS. MELLO: I'm terribly sorry. I had that
9 mistake.

10 MS. MCCLELLAN: Okay. So, thank you for that
11 clarification.

12 MADAM CHAIR: Ms. Goff.

13 MS. GOFF: I'd just like to say that in a way
14 it is -- it's semi statutory and that it's semi state board
15 statutes, as in our policies and procedures, and all of that
16 is outlined and spelled out pretty clearly in the
17 legislative operating procedures of the state board. It
18 talks about why that can happen, some rationale for it, but
19 basically, it lines out what we can do. We are free to
20 watch bills, which we do anyway, and change positions if we
21 -- whenever we see fit.

22 MS. FLORES: This is a new bill and it
23 doesn't really --

24 MS. GOFF: The bill -- a bill does -- a
25 particular bill doesn't have anything to do with it. It's -



1 - outlines our practices, how we go about taking positions
2 and communicating about legislation and so forth. It's all
3 in there. I would say just as a comment, I think jumping
4 from an opposed position, I don't want to be logical about
5 this, but it is logical. It's like you know, to go -- to
6 move from oppose to support while the bill is still in
7 process, it hasn't gone through both houses yet, I think
8 it's better to be watchful. Keep -- keep -- we keep
9 watching, we keep paying attention, amendments do happen
10 frequently between the time we say something, and it ends up
11 in the final stage. So, monitor is -- is a logical, smart,
12 intelligent way to go at this point.

13 MADAM CHAIR: Can we call the vote?

14 MS. CORDIAL: Board member Durham is excused.
15 Board member Flores.

16 MS. FLORES: Yes.

17 MS. CORDIAL: Board member Goff.

18 MS. GOFF: Yes.

19 MS. CORDIAL: Board member Mazanec is
20 excused. Board member McClellan.

21 MS. MCCLELLAN: Yes.

22 MS. CORDIAL: Board member Rankin.

23 MS. RANKIN: I -- I'm sorry I -- I wasn't --
24 it wasn't real clear to me. Did board member Goff say no?

25 MS. CORDIAL: She said yes.



1 MS. GOFF: I said yes monitor -- to mon -- to
2 monitor.

3 MS. RANKIN: Okay. I've got it. Then yes,
4 yes. Thanks.

5 MS. CORDIAL: Thank you. Board member
6 Schroeder.

7 MADAM CHAIR: Yes. Thank you, Ms. Mello.

8 MS. MELLO: Thank you, all.

9 In closing, I will let you know that I have -
10 - I'm working on distributing your legislative priorities.
11 In order to call more attention to them, I've decided to do
12 it on an individual basis with members of the House and
13 Senate Education Committee.

14 MADAM CHAIR: Thanks. That's smart. Yeah.

15 MS. MELLO: And so, I'm about halfway through
16 that process.

17 MS. FLORES: I would just like to add that I
18 wrote a letter, kind of, suggesting that we -- we, the board
19 members other than those appointed to Republican and
20 Democratic members, that we, the other board, the other
21 members, be able to attend the meetings on a -- a weekly
22 basis during the time the legislature is in season. And
23 this is the bill where Ms. Mello comes to the group and it -
24 - discusses the -- the bills with -- with those two board
25 members. And I'd like to have it open as it has been for



1 the past two years, where it has been very -- it -- well,
2 it's very instructional and I am one to -- who likes to hear
3 how other people think about this bill, especially other
4 board members think about the bills --

5 MADAM CHAIR: Well, I agree --

6 MS. FLORES: -- to make a -- to make
7 decisions.

8 MADAM CHAIR: I agree with that. And today
9 was an example of a situation where we talk about that and
10 we see how other board members think about a bill, and so
11 for that reason, I would like to maintain what we do now is
12 to let our two legislative liaisons continue their work,
13 make their recommendations when they want to, but that we
14 have deeper conversations like we did today when we are all
15 together, rather than just having yet another -- yet another
16 meeting. Because there are board members who cannot attend
17 that extra one, and it would be unfair to them.

18 So, this, every two weeks, we will have a
19 board member. We're going to probably ask more of Ms. Mello
20 and staff to help us understand exactly what the
21 consequences of some of the bills might be either to the
22 department or to school districts. So, I agree with you that
23 we -- we need to go into greater depth than we did at the
24 last board member -- at the last board meeting where you
25 felt afterwards that you hadn't really had enough time to



1 process it. And I'm -- I'm not sure whether you were
2 comfortable with it either as a newbie because you had a lot
3 of concerns.

4 And so, I am going to try to allow more time
5 at our board meetings when we get ready to vote to make that
6 decision at that time. But to continue what bo -- board
7 members have done this time.

8 MS. FLORES: Well, that's not --

9 MADAM CHAIR: But, that's not clo -- that --
10 that becomes a closed meeting. It's not a meeting that is -
11 - that is recorded, and so that -- I'm not comfortable with,
12 with doing it that way. I want to, as you mentioned in your
13 letter, you were looking for transparency. If we're going
14 to have transparency, then we want to have it where we can
15 all be here, all discuss it. I agree with you
16 that we probably need deeper discussion and some more help
17 sometimes from both Ms. Mello and from staff.

18 MS. FLORES: Okay. Then -- then --

19 MADAM CHAIR: Like today.

20 MS. FLORES: -- I -- I think that it would be
21 opening up more work for Ms. Mello because I'd like to then
22 get Ms. Mello's telephone number and really discuss it with
23 her, discuss these bills before we even talk about it. I
24 think that the past two years, it has worked well when we
25 come in and when those bills are discussed a couple of



1 times, and I -- I -- I understand --

2 MADAM CHAIR: Ms. Mello, are you willing to -
3 - are you willing to interact one-on-one with us?

4 MS. MELLO: In fact, that was going to be my
5 closing comment. You -- I work for all of you and you are
6 all always welcome to e-mail me any questions you have, to
7 call me. I'm more than happy to, you know, to -- to get you
8 the information you -- you need and want in order to
9 consider the -- the bills that come before you for decision.
10 Absolutely.

11 MADAM CHAIR: Okay, so let's do that.

12 MS. FLORES: Well, can we vote on that?

13 MADAM CHAIR: No. No. It's not a voting
14 item. I believe it's the discretion of the chair to choose
15 the legislative liaisons, which is what we did.

16 UNIDENTIFIED VOICE: Really?

17 MADAM CHAIR: Ms. Goff, board member Goff?

18 MS. GOFF: I'm going to bring them up again.
19 The structure of our meetings, whatever level we're doing it
20 at, is when it comes to legislation, is outlined in our
21 adopted procedures. So, if there should be a -- a call for
22 and a need for just review of those, which technically we
23 should have been doing that, we should have done that a
24 while ago. Then, the chair would take -- has prerogative of
25 calling that and setting a time and place for that. That



1 meeting will also be a public meeting.

2 So, if that is the desire of the chair to
3 pursue the thought of that, that it's one way to go about
4 it. I would agree that the chair has the prerogative at the
5 present time to -- to outline what the procedure's going to
6 be for the current session. That's -- that's my
7 contribution.

8 I'm -- I'm happy to talk about it. I think
9 we all would be in the way that we have outlined for
10 ourselves to -- to do our governance.

11 MS. FLORES: Well, that sounds like double
12 speak.

13 MADAM CHAIR: Val, we can't all come to
14 weekly meetings.

15 MS. FLORES: I know you can't and not
16 everybody has to come.

17 MADAM CHAIR: But we end up coming to them.
18 If it's one, then it's all. We are a board. We are not
19 individuals out doing individual stuff.

20 MS. FLORES: Yes. And some of us --

21 MADAM CHAIR: In this particular --

22 MS. FLORES: And some of us -- and some of us
23 may need a little bit more help than others.

24 MADAM CHAIR: That's --

25 MS. FLORES: And when we hear --



1 MADAM CHAIR: That's fair.

2 MS. FLORES: -- that it's being discussed and
3 we usually more discussions and more time means more
4 understanding. So.

5 MADAM CHAIR: So you have staff to go to and
6 you have Ms. Mello to go to, and as long -- I think it is
7 really important that we get the bills to you a couple of
8 days beforehand, so that you have time to read them and ask
9 your questions.

10 UNIDENTIFIED VOICE: Ask questions.

11 MS. MELLO: And I -- I'm going to -- I was
12 going to make sure you all had my card, so this has my cell
13 number and my email on it in case that --

14 MADAM CHAIR: Great idea.

15 MS. MELLO: In case you don't have --

16 MS. FLORES: I'm sorry that we're -- we're
17 not continuing as we have been in the past two years. I'm
18 sorry that our new chair does not --

19 MADAM CHAIR: It probably didn't work for
20 everyone, Val.

21 MS. FLORES: It worked for me.

22 MADAM CHAIR: I realize that. Passing out.

23 UNIDENTIFIED VOICE: Okay.

24 MADAM CHAIR: And I have a question for you,
25 one-on-one. Oh, meeting's adjourned.



1 (Meeting adjourned)

2

3 C E R T I F I C A T E

4 I, Kimberly C. McCright, Certified Vendor and
5 Notary, do hereby certify that the above -- mentioned matter
6 occurred as hereinbefore set out.

7 I FURTHER CERTIFY THAT the proceedings of such
8 were reported by me or under my supervision, later reduced
9 to typewritten form under my supervision and control and
10 that the foregoing pages are a full, true and correct
11 transcription of the original notes.

12 IN WITNESS WHEREOF, I have hereunto set my hand
13 and seal this 25th day of October, 2018.

14

15 /s/ Kimberly C. McCright

16 Kimberly C. McCright

17 Certified Vendor and Notary Public

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19 Verbatim Reporting & Transcription, LLC

20 1322 Space Park Drive, Suite C165

21 Houston, Texas 77058

22 281.724.8600

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