



Colorado State Board of Education

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

February 18, 2015, Part 3

BE IT REMEMBERED THAT on February 18, 2015,
the above-entitled meeting was conducted at the Colorado
Department of Education, before the following Board
Members:

Marcia Neal (R), Chairman
Angelika Schroeder (D), Vice Chairman
Valentina (Val) Flores (D)
Jane Goff (D)
Pam Mazanec (R)
Steve Durham (R)
Debora Scheffel (R)



1 MADAM CHAIR: Item 14. The next item on the
2 agenda is a request to issue a notice of rulemaking
3 concerning revisions to the rules of the administration of
4 the READ Act. Commissioner, is staff prepared to present
5 an overview?

6 MR. HAMMOND: Yes, they are. In August of
7 2014, after much discussion, as some of you quite well
8 know, we received a formal opinion from the Attorney
9 General -- General -- excuse me, Attorney General's Office
10 as it relates the READ Act. And based upon that, and work
11 that transpired since then, we have modified the rules for
12 discussion today, and for your appropriate notice today.
13 We've tried to be very strategic, very -- tried to keep
14 this as small as we can, and not expand it. And so with
15 that, I'll turn it over to Ms. Holly.

16 MS. HOLLY: Madam Chair?

17 MADAM CHAIR: Go ahead.

18 MS. HOLLY: Yes, to -- to build on
19 Commissioner Hammond's comments -- today we are coming
20 forward to just talk about approval of a notice of
21 rulemaking. So this would start the process. The first
22 rulemaking hearing would be in April. The purpose of the
23 rulemaking is to align our rules with the formal opinion
24 that we received in August related to determination of a
25 significant reading deficiency.



1 And by way of background, last year was the
2 first year that we implemented the READ Act. We worked
3 closely with districts in this process, and during our work
4 with districts, it was brought to our attention that there
5 were some concerns about the impact of the law on English
6 learners, particularly those being served in bilingual and
7 dual language programs. There was concern about
8 misidentifying students, potentially identifying a student
9 as having a significant reading deficiency, when actually
10 it was a language concern. And the second was concern
11 about double testing and over testing.

12 So we made progress in meeting with these
13 districts last year. We worked very closely with them, and
14 developed some guidance to help us navigate through the
15 year. At the same time, Commissioner Hammond asked for an
16 opinion from the Attorney General to look at our rules to
17 see if they were aligned with statute. And as Commissioner
18 Hammond mentioned, we received a formal opinion last
19 August. That formal opinion is provided to you in your
20 materials. We also presented it to you and discussed it in
21 August or September of last year. And essentially said
22 that the districts could use a Spanish -- a state-board
23 approved Spanish assessment to make a determination of a
24 significant reading deficiency.

25 So we -- after getting that ruling, worked



1 with stakeholders and have developed draft rules to conform
2 with the formal opinion. Alyssa Dorman, who is our
3 Executive Director of the Office of Literacy will walk you
4 through those changes, and explain why the changes were
5 made. As Commission Hammond said, we tried to keep it
6 pretty narrow, just to address the items made -- made by
7 the formal opinion. Melissa Colsman is here as well; she
8 was deeply involved in the stakeholder process, and can
9 answer questions that may come up related to that. We also
10 have Tony Dyl here to answer questions that you might have
11 related to the opinion, since it's been a while since we
12 discussed it.

13 We've also invited a district to be here to
14 answer questions, should you have questions from a district
15 that was impacted and brought forward some of these
16 concerns to us. But right now, I'm going to turn it over
17 to Alyssa to talk us through the proposed changes.

18 MS. DORMAN: Thank you. Madam Chairperson?

19 MADAM CHAIR: Please.

20 MS. DORMAN: Members of the Board. I'd like
21 to start by introducing you to what you received in your
22 packet, just to familiarize yourself with what's in front
23 of you. You have a copy of the Attorney General's opinion,
24 you should have a copy of the four slides that we'll use to
25 create some context. You have a copy of the proposed rule



1 changes, and you also have a copy of what is a table that
2 aligns those changes, and their reference to statute or
3 opinion.

4 I'm going to start with the PowerPoint
5 presentation that you'll see on this screen, that will help
6 just sort of contextualize what we're talking about here,
7 in reference to that opinion. So as Ms. Holly just said,
8 we have in front of us the opportunity to look at rule
9 revisions in response to the Attorney General's opinion,
10 which speaks specifically to students who are English
11 learners who are receiving their instruction in both
12 English and Spanish literacy.

13 So we wanted to talk about what those
14 literacy models looked like for English learners within the
15 state, so you'll see that on the first slide here. There
16 are really two types of literacy programs operating in the
17 state. One program is an English literacy model, the other
18 is a bilingual literacy model. In the first English
19 literacy model, English learners primarily receive their
20 instruction in English only, and they are supported in
21 their English language development through an English
22 development program -- English language development
23 program.

24 In bilingual programming, however, it
25 differs in that these students will receive instruction



1 primarily in their native language, supporting them to
2 become proficient in English. They still continue to
3 receive English language development along the way, and
4 additionally, those program models for bilingual
5 programming differ at the local district level.

6 If you think about the State of Colorado,
7 and the READ Act, it impacts kindergarten through third
8 grade. So we're really looking at a population of 270
9 students, K-3, that are a part of READ Act. Of those
10 270,000, approximately 50,000 of them are English learners.
11 Of the 50,000 that are English learners, approximately 38
12 or nine thousand are Spanish speaking. And on the next
13 slide, you'll see here, of those that are Spanish speaking,
14 only about 6800 of them are impacted by this decision.
15 They receive programming in both English, as well as
16 Spanish literacy. There are approximately 11 districts
17 across the state that offer such literacy models, as
18 mentioned in the bilingual programming.

19 Over the last several months -- we have on
20 the next slide, you'll see -- we have been able to engage
21 the field in lots of dialogue. We've worked with
22 constituents, groups that represent both parents and school
23 districts. We've been listening to their feedback about
24 these rule changes. Considering their feedback, in light
25 of the opinion, and what we have that will go through next,



1 is the document that describes each of those changes as
2 they relate specifically to the opinion, or to the feedback
3 we've received from constituents.

4 So on the proposed rule changes, you'll see
5 in Section 1.0, we simply notice that these changes are
6 made in response to the opinion. That's on Page 1 of the
7 document. On Page 4 of the document, in Section 3.0, this
8 is what the opinion really nailed specifically, is how we
9 identify students as having a specific, significant reading
10 deficiency. And what we have stricken, is that these
11 decisions will be based on an English assessment, and we've
12 replaced that -- that the deficiency will be identified on
13 a Board approved assessment.

14 We also use the opportunity to clean up one
15 point of -- I guess I would say "point of confusion" in the
16 field that we receive a lot of feedback on. In this
17 section, 3.01 -- and that is the difference in what is
18 considered days for the assessment window opportunities.
19 And we wanted to be sure that it is contact days that the
20 school district has had with the student, so that we're not
21 just seeing from the days of enrollment, but those days in
22 which they've actually been able to impact that student's
23 instruction.

24 You'll notice in Section 4.0, same page,
25 Page 4, in 4.01(c), that we have simply cleaned up the



1 language; we struck through the minimum skill competencies,
2 because they are all of Section 5.0. So we didn't need to
3 be redundant.

4 In Section 5.00, we outline here that the
5 minimum skill competencies are really driven by the
6 Colorado Academic Standards, and speak to what we should
7 include in both instruction every day, as well as
8 intervention, for students in need. And we have taken it
9 at opportunity at 5.01, and 5.02, 5.03, and 5.04, to simply
10 again, strike language that is redundant and that's already
11 been addressed in other sections of the rules.

12 Now in Section 6.00, on Page 11 of your
13 document, what you'll see is that Section 6 really
14 references what universal instructions should look like.
15 So what you would see as part of instruction every day in a
16 classroom. At 6.01, we just wanted to be clear that beyond
17 what has been addressed in statute, we are not restricting
18 local decisions about instruction related specifically to
19 language of instruction that students may be receiving.

20 And then you'll see on Page 12, at the
21 bottom, on 9.00, and specifically on 9.01(d), this is where
22 we have stricken language in reference to the type of
23 assessments that will be used, and that we have said that
24 the Spanish -- the assessment norm for Spanish speaking
25 students may stand as it is, without having to be



1 supplemented with an English assessment.

2 So those are the changes that we are
3 requesting notice on today. And I would be pleased to
4 answer any questions that you have.

5 MADAM CHAIR: Thank you. Questions? Deb?

6 MS. SCHEFFEL: Thanks for the presentation,
7 I appreciate it. I know it takes a lot of time to think
8 through how to make this work. I guess I question if this
9 is in keeping with the decision, and if it's necessary.

10 So when I look at the language on the top of
11 Page 13, 9.01(e), it says: The district's criterion
12 documentation must be assessed in the language of reading
13 instruction, leading to their proficiency in reading
14 English. So we know that that's the goal. We know that
15 the word "interim" is used actually as an outcome
16 assessment, so that's confusing to people that don't
17 understand the language in this law. Because what it
18 really suggests is that a child could be, and I understand
19 that it's potentially 6800 students, which is a subset of
20 all of the students. But still, those 6800 students could
21 be receiving these funds and could be -- based on the
22 intent of the law, trying to learn to read, and they are
23 trying to learn to read in English, based on 9.01(e), and
24 they've never been tested in English before, between
25 kindergarten and third grade.



1 Now, we know that the research says if kids
2 are not on grade level by the end of third grade, they have
3 a very low likelihood of ever being on grade level. So
4 we've allocated these state funds -- it's our only state
5 literacy initiative per se. It's designed to target K-3
6 kids, because we know that the overall impact is huge.
7 Even though this only affects 6800 students, these students
8 -- we have no way of knowing if we are achieving the intent
9 of the law, because these students don't have to be tested
10 in English.

11 And so when we look at -- 9.01(d), by
12 excising the language: Norm for performance of students
13 who speak Spanish as their native language, assessments
14 available in both English and Spanish may be used to
15 supplement, but not replace, the use of an approved interim
16 assessment. With that language, essentially you said they
17 can barely be tested in Spanish. And I guess I'm
18 questioning the need for excising that language, because
19 the students are already being tested in Spanish as a
20 requirement if their native language is Spanish. But to
21 take out the English piece strikes me as counterintuitive,
22 and counterproductive to the funds in the first place, at
23 least for 6800 students.

24 MS. DORMAN: Madam Vice Chair? So just --
25 thank you for your question, and just to clarify, districts



1 will have the option -- those who offer this programming --
2 to identify the students with significant reading
3 deficiencies with either an English interim assessment, or
4 a Spanish interim assessment. That will still be left at
5 local district discretion. The striking of the language in
6 9.01(d), was specifically in response to the Attorney
7 General's opinion, which said that we went beyond the scope
8 of the -- of the statute by saying that the Spanish
9 assessment, the one norm for Spanish speaking students,
10 could not stand alone as a method of identification for
11 significant reading deficiencies.

12 MS. SCHEFFEL: Say that again.

13 MS. DORMAN: In 9.0 --

14 (Overlapping)

15 MS. SCHEFFEL: Could not stand alone.

16 MS. DORMAN: -- it -- it -- that what we had
17 said in 9.01(d) previously, is that the assessment norm for
18 Spanish speaking students could not stand by itself as an
19 interim assessment to identify for SRD or significant
20 reading deficiencies. We were saying previously, it could
21 be used, but had to be supplemented with an English
22 assessment. The opinion said we went to far in the rules
23 by requiring that. So by striking this, we're simply
24 giving districts the choice to choose either a Spanish
25 literacy assessment, or an English literacy assessment in



1 this type of programming, to identify kids for the
2 resources that READ Act provides the targeted resources.
3 And it aligns with what is in statute.

4 And then also you mentioned 9.01(e), which I
5 think is an important acknowledgement that students in this
6 subset, who are 6800 approximately; the majority of them,
7 in fact more than half of them are served in one school
8 district. And in that particular, you know, situation,
9 we're -- we're saying through the rules and through the
10 guidance that schools will do what's best for kids. And
11 here you specifically call out that they will continue to
12 assess the development of their reading skills in the
13 languages in which they receive instruction. You have that
14 already as part of your rules. And so we believe we have a
15 great opportunity to flush that out in greater detail
16 through the guidance document that we're able to provide to
17 districts; the 11 in particular, that offer this type of
18 programming.

19 MS. SCHEFFEL: I have one follow-up.

20 MS. DORMAN: Sure.

21 MS. SCHEFFEL: So my only follow-up is, how
22 shall we hold districts accountable to test students in
23 English and Spanish, so that we can ensure that they are on
24 a path leading to proficiency in reading in English? I
25 don't know the answer to that with these rules.



1 MS. DORMAN: Madam Vice Chair?

2 MADAM CHAIR: Yes.

3 MS. DORMAN: I think that -- excuse me -- I
4 think that what we will do, I mean clearly, currently in
5 our READ Act collection, we collect information on students
6 identified and the assessment that's used for the
7 identification. And so I think it is through our guidance
8 document where we have the best opportunity to really
9 support implementation in practice, and to serve the
10 students that are in this type of programming according to
11 the best interest intent of the law, aligned with statute,
12 and aligned with your rules.

13 MADAM CHAIR: Val?

14 MS. FLORES: I think second language
15 learners; English language learners, have always been
16 tested for English, even in kindergarten, a grade that I
17 taught. And so --

18 UNIDENTIFIED VOICE: Excuse me, (inaudible).

19 MS. FLORES: Speak up, I'm sorry. They --
20 they are tested in English all along. How would we know
21 that children are gaining in English language -- in English
22 language development -- in their development of English, if
23 they are not tested? And you have to know what the next
24 steps are. So they are tested in English. And I don't --

25 UNIDENTIFIED VOICE: Are they?



1 MS. FLORES: They are. And actually, one of
2 the issues is that second language learners are so overly
3 tested, because of this dual language. That they have, you
4 know, that they have to be tested in English, and they have
5 to be tested in Spanish. So there's no question that --
6 that second language learners are not tested in English. I
7 have never taught at a school where that was not the case.

8 MADAM CHAIR: Do you want to comment on
9 that, please? Is it a requirement, for example? That
10 there is a language acquisitions?

11 MS. DORMAN: So Madam Vice Chair, and to the
12 -- to the point that was made by Board Member Flores, there
13 are in place through language development, English language
14 development programs, the opportunities to assess students
15 with their English language development. So I believe that
16 that --

17 (Overlapping)

18 MADAM CHAIR: Are those assessments in -- do
19 they include reading? I mean, are they oral assessments?
20 Or are they -- do they include reading?

21 MS. DORMAN: I think it depends on the
22 assessment in which they are using, Vice Chair. Thank you.

23 MADAM CHAIR: Yes, please?

24 MS. COLSMAN: Madam Vice Chair, all English
25 language learners who are not English proficient or have



1 limited English proficiency are assessed using the Access
2 Assessment each year; and that's kindergarten through 12th
3 grade. And it had five components: One is around social
4 instructional language, then there are assessments specific
5 to the language of language arts, language of mathematics,
6 language of social studies, language of science. So it's
7 important to kind of see this in -- in relation to all of
8 the other kind of accountability measures that are in place
9 for schools and districts.

10 It also -- I think it's important to -- to
11 know that all districts and schools are held accountable
12 through the school and district performance frameworks to
13 show academic growth and achievement in reading, writing
14 and mathematics for all of their students. And that data
15 is disaggregated for English learners. So I think it's
16 important to kind of see that whole picture as we have this
17 discussion.

18 MADAM CHAIR: Okay, thank you. Other
19 questions?

20 MR. DURHAM: There was somebody from a
21 district here that was going to be available? Is that
22 correct? Did I understand that? I would just like to hear
23 their comments, and specifically, and answer the question,
24 if this rule is adopted, how will you ensure that children
25 will eventually become proficient in English from the



1 district standpoint?

2 MADAM CHAIR: Yes, please.

3 MS. WHITEHEAD-BUST: Madam Chair, I'm Alyssa
4 Whitehead-Bust; I'm the Chief Academic and Innovation
5 Officer for Denver Public Schools. Joined here by Darlene
6 LeDoux, who oversees our English Language Achievement
7 Programming. We appreciate the opportunity to come and
8 answer a couple of questions, and very much appreciate the
9 collaborate spirit through which we've been able to work
10 with the CDE staff members. We have felt very much a
11 collaborative endeavor to ensure that all students are both
12 on track to be proficient in English, and that we are able
13 to have the program flexibility that is important in our
14 context, where more than a third of our students do speak
15 another language as their native language, and many of
16 those students speak Spanish as their first language. And
17 in our context, we have seen dramatic results for students
18 by starting English sooner, and maintaining Spanish longer.

19 I'm happy to share some of the specifics;
20 but we have seen in our context, when we focus both on
21 bilingualism and biliteracy, our students not only maintain
22 the asset of their native language, but also actually
23 ultimately have stronger proficiency rates on assessments
24 such as the TCAP in English, as well as stronger high
25 school graduation rates, and far lower remediation and



1 dropout rates. And so we are seeing that -- the approach
2 that we are taking that is serving our English language
3 learners, are getting strong results, including ensuring
4 English proficiency.

5 MADAM CHAIR: Thank you. More questions?

6 MR. DURHAM: This change affects that how?

7 MS. WHITEHEAD-BUST: We really appreciate
8 the change in so far as it allows us to target the right
9 levels of supports for students. Students who are
10 developing English, some of them in fact, do need supports
11 in their literacy development. Some of those students,
12 however, are proficient in reading in their own native
13 language and are developing a second language, in this
14 case, English. We believe that the development of literacy
15 skills in need of language, ultimately transfer to the
16 development of literacy skills in the second language, in
17 this case, English. And ultimately, lead to those stronger
18 results.

19 MR. DURHAM: Thank you.

20 MADAM CHAIR: Thank you very much; appreciate
21 you coming by.

22 MS. WHITEHEAD-BUST: Oh, you're welcome.

23 Thanks for having us.

24 MADAM CHAIR: Oh, I'm sorry, Pam?

25 MS. MAZANEC: I would like to --



1 MADAM CHAIR: Sorry.

2 MS. MAZANEC: So I think I heard you say
3 that you believe that introducing English sooner and
4 retaining Spanish longer helps these children. It's still
5 very unclear to me though, if we do not test these children
6 in Spanish -- or I mean, in English, I'm sorry, for their
7 reading proficiency in the English language as opposed to
8 the Spanish, are you telling me that you assume that their
9 literacy skills in English are proven by their literacy
10 skills in Spanish?

11 MS. WHITEHEAD-BUST: Madam Vice Chair --

12 MS. MAZANEC: And what actually happens to
13 these children? You say they are on track to become
14 proficient. Do they become proficient, and when? What's -
15 - it seems to me that children in kindergarten through
16 third grade, they are little sponges. That's an excellent
17 time to teach them another language. Why would we not do
18 that?

19 MADAM CHAIR: Go ahead.

20 MS. WHITEHEAD-BUST: Thank you. So as Ms.
21 Colsman explained, the Access Assessment helps us ensure
22 that all of our English language learners are developing
23 English skills, and are on track to English proficiency.
24 And so like other districts across the state, we administer
25 the Access Assessment and ensure that we're using that data



1 to make sure that we are focusing on English language
2 development. That happens both through designated courses
3 called ELD in our context; English language development
4 courses for which all students who are not native English
5 speakers are required to have a daily dose of ELD, in
6 addition to which, it allows us to ensure that
7 interventions and supports, and other core contents are
8 appropriately aligned to the student's proficiency
9 development of English. What would you add to that?

10 MS. COLSMAN: The only thing I would add to
11 that is that -- I could add a whole lot, but I'm going to
12 not do that. Just -- I hope to answer the question. Based
13 on our research, and for example, looking at the access
14 trajectory, which is the -- how quickly it takes our kids,
15 or how long it takes children to learn English. Our
16 students who are in our native language instruction
17 programs actually go through that trajectory sooner, and
18 exit the program, than students who never have native
19 language instruction.

20 So we're using a combination of the Access
21 Assessment, and in addition, other interim assessments to
22 gauge students' literacy in English and in Spanish, so
23 we're doing both. But there is an issue of over testing
24 our kids constantly on both assessments, so we absolutely
25 want to make sure our kids are proficient in English



1 speaking, reading, writing, listening. And we also want to
2 make sure that they maintain their native language, and can
3 use that for college and career.

4 We know there is a huge market for students
5 who speak other languages out in the world, beyond -- in
6 Colorado and beyond. In fact, I just want to note, I heard
7 some information here from our colleagues at CDE regarding
8 the dual language programs. They are proliferating. They
9 are not going to stop there. They -- they are increasing
10 not only in Denver, but in Colorado, and in the nation. So
11 we anticipate more than six -- the 6,000 students that I
12 think we're addressing here. We're also going to continue,
13 and continue, and also believe that it's going to be beyond
14 just English and Spanish. It's going to be English and
15 other languages. Which is it is now, but I think it's
16 going to continue to grow.

17 So I don't want to get off track, but I just
18 want you to note that we are very serious about ensuring
19 that our kids are going to be proficient in reading,
20 writing, speaking, listening in English, but we also want
21 them to maintain their language, because we have found that
22 it has huge benefits academically for our students, and
23 they are actually exceeding students who have never been
24 English learners, because of this.

25 So that's why we would like to have local



1 control, and be able to have the decision making at the
2 site, and also based on the Attorney General's decision.

3 MADAM CHAIR: Thank you. Deb?

4 UNIDENTIFIED VOICE: (Inaudible).

5 MADAM CHAIR: One more? Okay. Thanks --
6 thank you very much for coming, bye.

7 MS. SCHEFFEL: I'm just wondering if it's
8 possible for us to actually have more time to see the
9 Access test, hear from more districts, and from parents, to
10 ensure that we get -- we get bilingual outcomes on behalf
11 of this test.

12 MADAM CHAIR: We do have -- this -- this
13 will come back for a hearing in April. We are not voting
14 on this today.

15 MS. SCHEFFEL: But we are opening rulemaking
16 though, and once we do that, certain stipulations kick in.
17 From what I understand from -- from Carey.

18 MADAM CHAIR: But the research is out there.

19 MS. SCHEFFEL: I'm just saying I would like
20 to hear -- I would like to see the Access test, and I'd
21 like to hear from parents and other districts what the
22 impact of this is to ensure that we do have viable
23 outcomes. And also, I would like to look at the data on
24 the 6800 students. I don't know if anyone else
25 (inaudible). I guess I --



1 UNIDENTIFIED VOICE: I agree with that, I'm
2 still very -- quite --

3 MADAM CHAIR: Right, but two months isn't
4 enough time for you to seek that out?

5 UNIDENTIFIED VOICE: We vote next month,
6 right?

7 MADAM CHAIR: No, two months. We have a
8 hearing in two months.

9 MS. SCHEFFEL: Maybe I can ask Carey, once
10 we vote open rule making, what are the -- what are the
11 limitations that kick in? We can't do certain things once
12 we open rulemaking.

13 MS. MARKEL: The opening of rulemaking
14 allows for public input to actually officially (inaudible)
15 again. That's been -- and under our process for ruling,
16 Dr. Scheffel, if we were to approve (inaudible) today, what
17 I would do tomorrow is send out the (inaudible) with a copy
18 of the rules, the (inaudible) and the supplemental material
19 to all superintendents, all (inaudible) directors, to CAES,
20 and to CASB, letting them know that (inaudible) the hearing
21 has been set, what time it will be, encourage them to
22 provide written comments to the State Board, encourage them
23 to attend the rulemaking hearing if they are interested in
24 provider feedback.

25 So the limitations -- I suppose the biggest



1 limitation of opening the rulemaking process is that it
2 does put an end to, you know, a decision will ultimately be
3 made, and that decision has the effect of forced law.
4 That's a rule, once adopted by the State Board, and
5 approved by the Attorney General's Office, and goes through
6 all of its reviews, it does have a (inaudible)of law, so
7 that would be a limitation if you are -- that I can, you
8 know, identify for you.

9 But the public comment period does allow for
10 public feedback to be directed to the Board, and the Board
11 has an opportunity to receive that feedback. So that --
12 that part is not limited, it's actually opened even further
13 than this informal process.

14 UNIDENTIFIED VOICE: I'll just follow up;
15 have we had any public feedback on this, thus far? Is this
16 the beginning of the public feedback?

17 UNIDENTIFIED VOICE: The public feedback --
18 the official public feedback, doesn't begin --

19 UNIDENTIFIED VOICE: Any correspondence, or
20 any -- anything submitted that would suggest that this is
21 on people's radars? So that if they want to get the
22 rulemaking going?

23 UNIDENTIFIED VOICE: I think that staff
24 would probably address that, because they've been part of
25 that (inaudible).



1 MS. FLORES: May I make a comment? I mean,
2 wasn't it mistake by the CDE not to include tests for
3 second language learners? And now we're rectifying this
4 and the --

5 UNIDENTIFIED VOICE: No, no --

6 MS. FLORES: -- the Attorney General's
7 Office has said you were remiss in this area?

8 (Overlapping)

9 UNIDENTIFIED VOICE: Madam Chair.

10 UNIDENTIFIED VOICE: (inaudible)

11 UNIDENTIFIED VOICE: Tony, could you speak
12 to that?

13 MR. DYI: Well, not necessarily, because the
14 -- I mean, the -- the statute required of the State Board
15 to adopt English and Spanish language assessments, and they
16 were -- they were adopted. The -- the only part of the
17 rule that -- that caused problems, and that for only some
18 of the programs, was -- was whether or not the rules
19 requirement that the assessment be conducted in Spanish,
20 would lead to double testing. Again, for the subset of
21 people who are in bilingual literacy programs. So that was
22 really where the -- where the relocating was focused on.

23 MADAM CHAIR: Do you want to make another
24 comment?

25 MS. DORMAN: Madam Vice Chair, I was going



1 to say --

2 (Overlapping)

3 MADAM CHAIR: The same thing.

4 MS. DORMAN: -- exactly what was said, is
5 that we do have -- just to be clear, we presently do have
6 Board adopted, interim assessments in both English, and in
7 Spanish that are available to districts.

8 UNIDENTIFIED VOICE: It's the double
9 testing.

10 MS. SCHEFFEL: Could you answer my question
11 in terms of any public input?

12 UNIDENTIFIED VOICE: (Inaudible).

13 MS. DORMAN: Madam Chair?

14 MADAM CHAIR: Yes.

15 MS. DORMAN: Vice Chair. So we have
16 conducted outreach informally through our districts who
17 offer -- who serve bilingual students. We have an English
18 Learner Literacy Task Force. From that, we drew districts
19 who specifically offer biliteracy programs, and so they've
20 been involved from -- from the beginning of the Attorney
21 General's opinion release. We've also received from
22 Literate Nations in correspondence, in relation to this
23 Attorney General's opinion.

24 UNIDENTIFIED VOICE: Did we receive that?
25 Or do we have it?



1 UNIDENTIFIED VOICE: Yeah, yeah.

2 UNIDENTIFIED VOICE: Or do we not receive
3 that until the --

4 UNIDENTIFIED VOICE: We had a long time ago,
5 I thought.

6 UNIDENTIFIED VOICE: Literate Nations?

7 MS. COLSMAN: And Madam Vice Chair, we -- we
8 did also reach out to beyond the districts and those
9 interested stakeholders from those offering this type of
10 programming. We did reach out to other groups who
11 represent parents, who represent other voices of advocacy
12 for children and students in this range for their literacy
13 outcomes. And that we have presented and shared with many
14 groups through webinars, at CAES, at CAS -- you know, with
15 CASB, through an EL webinar, supported by our Federal
16 Programs Office. So we, I believe, have been extensive in
17 our outreach to the extent that was possible.

18 MADAM CHAIR: Thank you.

19 MS. SCHEFFEL: Can you get the Literate
20 Nation information? Maybe I missed it.

21 MS. DORMAN: No. Madam Vice Chair? Thank
22 you, Board Member Scheffel, I was forwarded communications
23 from two individuals who each have put onto letterhead --
24 Literate Nation letterhead. One from Dr. Susan Smart, who
25 is vice chair -- vice president, excuse me, of Science



1 Corps Group. And also from Richard Long -- Dr. Richard
2 Long, who is the president, who supports the continued --
3 in their communications, continued practice of ensuring
4 that students receive -- as an outcome -- biliteracy. And
5 that they'd be measured through programming in their
6 acquisition of both Spanish literacy, and English literacy
7 skills.

8 MS. SCHEFFEL: So there comment was to just
9 test the students in Spanish in K-3, can undermine
10 bilingual outcomes? Is that the -- because I didn't see
11 the letters. I'm just saying, is the sense of that
12 messaging?

13 MS. DORMAN: Madam Vice Chair?

14 MADAM CHAIR: I'm sorry.

15 MS. DORMAN: That's okay.

16 MADAM CHAIR: Distracted.

17 MS. DORMAN: That's all right. Madam Vice
18 Chair, may I respond?

19 MADAM CHAIR: Please.

20 MS. DORMAN: I actually -- these came to me,
21 one just today, and so I've only reviewed very briefly. I
22 think that what I take away as the essence of the comments,
23 is that they believe that the rules that have been created
24 by this Board are strong in ensuring literacy outcomes for
25 kids in K-3. Their specific support would be to continue



1 the process that is in place, rather than revising. So
2 that is the summation of their comments, as I read them
3 here. And I would be pleased to make these available. I
4 believe that they are, in the Board office as well.

5 MADAM CHAIR: Thank you. So if there are no
6 other questions, I'll entertain a motion. Please.
7 Anybody? A motion to -- can I make a motion since nobody -
8 - so I move to approve the Notice of Rulemaking Hearing for
9 the Rules of the Administration of the READ Act. Do I have
10 a second?

11 UNIDENTIFIED VOICE: I second.

12 MADAM CHAIR: Any objections?

13 MS. BURDSALL: Madam Chair, (inaudible)?

14 MADAM CHAIR: Yes? Okay.

15 MS. BURDSALL: Steve Durham?

16 MR. DURHAM: Aye.

17 MS. BURDSALL: Dr. Flores?

18 MS. FLORES: Aye.

19 MS. BURDSALL: Jane Goff?

20 MS. GOFF: Aye.

21 MS. BURDSALL: Pam Mazanec?

22 MS. MAZANEC: Aye.

23 MS. BURDSALL: Marcia Neal? Dr. Scheffel?

24 DR. SCHEFFEL: No.

25 MS. BURDSALL: Dr. Schroeder?



1 MADAM CHAIR: Aye.

2 MR. DURHAM: Take a break?

3 MADAM CHAIR: I realize that we have a 2:00
4 rulemaking hearing, however, we would love to have a break.

5 UNIDENTIFIED VOICE: Thank you.

6 MADAM CHAIR: The Colorado State Board of
7 Education will now conduct a public rulemaking hearing for
8 the rules for the administration of the Colorado Schools
9 Award Program. State Board approved notice of rulemaking
10 in its November 12, 2014 Board Meeting. A hearing to
11 promulgate these rules was made known through publication
12 to a public notice on November 25, 2014, through the
13 Colorado Register, and by State Board notice on February
14 11, 2015. State Board is authorized to promulgate these
15 rules pursuant to Article 9 Section 1, Colorado
16 Constitution, and Sections 22-2-106(1)(a), and (c), CRS.
17 Commissioner, is the staff prepared to provide an overview?

18 MR. HAMMOND: Yes, thank you, Madam Vice
19 Chair. As you know, this is new grant -- a new grant
20 award program that goes to high schools that -- that fit
21 the classification of the highest ranking by the Statewide
22 Association of High School Athletic Persons, for the sport.
23 So it's kind of an interesting one that was developed last
24 year, and -- Pete, do you want to go ahead?

25 MR. PETE: Madam Vice Chair?



1 MADAM CHAIR: Sure.

2 MR. PETE: Good afternoon. In May, 2014,
3 HB12 -- 13.85 was passed, adding a new award to the
4 existing Colorado School Awards Program. The purpose was
5 for new high school academic growth award that requires the
6 State Board of Education to present an award to public high
7 schools that demonstrate the highest levels of student
8 academic growth, with each classification used by the
9 Statewide Association for High School Activities for the
10 sport of football. Seventy-two (inaudible)appropriations
11 trophies are given to each award recipient.

12 It's a process we used -- emergency rules
13 were based on the (inaudible) legislation, were drafted to
14 a (inaudible) to begin administering this award during the
15 fall of 2014. There were changes made in the emergency
16 rules pertaining to the newly specified requirements for
17 the High School Academic Growth Award. As required by
18 statute, the criteria for the High School Academic Growth
19 Awards were developed with the Technical Advisory Panel for
20 longitudinal growth, which is referred to as TAP. CDE
21 shared initial thoughts, questions, with the TAP on
22 September 4, 2014. The feedback provided by this group was
23 used to refine the criteria.

24 We then shared the final award criteria with
25 the group back on October 2nd, 2014. No concerns were



1 expressed about the requirements for the TAP. We also
2 submitted an announcement to the (inaudible). We did have
3 one comment that came in from EDAC. That comment was
4 specific to Section 3.04(c)(3), and the "should be" was
5 changed to "will be" to match the rest of the language in
6 the rules. So it was a grammatical change, and we thought
7 they were correct, so we made that change.

8 And so again, the emergency rules were
9 approved by the State Board back in November 2014. Final
10 rules for the programs were noticed at that time, and
11 today, we are asking for your approval of the final award -
12 - final rules.

13 MADAM CHAIR: Thank you. Is there anyone
14 here to testify on behalf, or against these rules? I
15 noticed that no one has signed up. Is there anyone here?
16 Okay. This concludes the rulemaking hearing for the rules
17 for the administration of the Colorado Schools Award
18 Program. Is there any further discussion? Deb?

19 MS. SCHEFFEL: Could you just speak to the
20 funding issue that says: Public or private gifts, grants,
21 or donations, and then "3.05 State (inaudible) Awards
22 funding to... Is that just for the trophies? What is the
23 funding again?

24 MR. PETE: Madam Vice Chair?

25 MADAM CHAIR: Uh-huh.



1 MR. PETE: That's correct, Dr. Scheffel; for
2 trophies. And now we're -- we originally thought there was
3 an allocation in the statute, came to find out that wasn't
4 accurate, so we've tried to figure out ways to support the
5 funding of those trophies. But it's for the trophies in
6 each of those classifications.

7 MS. SCHEFFEL: Okay, thank you.

8 MADAM CHAIR: Steve?

9 MR. DURHAM: Can you run through the
10 classifications again, very quickly?

11 MR. PETE: (Inaudible)?

12 UNIDENTIFIED VOICE: Sure. Madam Chair?

13 MADAM CHAIR: Yes.

14 UNIDENTIFIED VOICE: Or, Madam Vice Chair.

15 The way the statute is written was that we needed to
16 provide an award, or identify a high school based on the
17 high school size. Based on the classifications given for
18 high school football from CCS -- CHSAA. (Inaudible). So
19 based on the enrollment, they are identified in A6, A8, 1A,
20 2A, 3A, 4A, or 5A. And then of the schools in those
21 classifications, the one with the highest median growth
22 percentile for all content areas, is the one identified.
23 And in the case of a tie, both are identified.

24 UNIDENTIFIED VOICE: But it's just among
25 athletes?



1 UNIDENTIFIED VOICE: No, no.

2 UNIDENTIFIED VOICE: No.

3 UNIDENTIFIED VOICE: All Ches --

4 UNIDENTIFIED VOICE: All students.

5 UNIDENTIFIED VOICE: All CHASA (ph) type

6 activities? Or --?

7 UNIDENTIFIED VOICE: Madam Chair?

8 MADAM CHAIR: Go ahead.

9 UNIDENTIFIED VOICE: So it's -- it's

10 confusing, because there are -- telling us to do it like

11 the football classifications, but it doesn't have anything

12 to do with students in football, or any specific sport or

13 another; it's all students in the school. It's really just

14 saying, based on the size of the school, because they want

15 us to look at small schools and find the highest performing

16 small schools, separate from the highest performing --

17 performing largest school, and all the way in-between.

18 MADAM CHAIR: Highest performing, or highest

19 growth?

20 UNIDENTIFIED VOICE: Highest growth. Thank

21 you.

22 MADAM CHAIR: Any other questions? Steve?

23 MR. DURHAM: When was this bill passed?

24 UNIDENTIFIED VOICE: Last session.

25 MR. PETE: Madam Vice Chair? May, 2014.



1 MR. DURHAM: And was there an appropriation
2 for it to cover the cost of the rulemaking?

3 MR. PETE: Madam Vice Chair. We originally
4 thought there was an appropriation, and that was included.
5 I think \$1500 is what they reference in the statute for the
6 awards -- for the trophies. We came to find out with our
7 CFO that that appropriation actually was struck in a
8 different way that did not allow that appropriation to come
9 through. So there is no funding for these awards. We have
10 tried to figure out ways through reallocating additional
11 resources that we had city try to meet the intent of this,
12 and give some type of trophy to the schools that qualified
13 and won the award. So we're trying to figure out ways to
14 fund that, and do that. But there was not an appropriation
15 that came with it, like we thought there was.

16 MR. DURHAM: Don't you usually put a fiscal
17 note on a bill that requires rulemaking? Did we not do
18 that in this instance?

19 MADAM CHAIR: Wait a minute, are you asking
20 for money for the rulemaking, or money for the --

21 MR. DURHAM: For the rulemaking.

22 MADAM CHAIR: Oh, we don't ever --

23 MR. DURHAM: So you don't -- you make rules
24 for free?

25 MADAM CHAIR: How much are you getting paid?



1 MR. DURHAM: Well, the -- most agencies, if
2 they have to do rulemaking, will apply a fiscal note.

3 MADAM CHAIR: What about a certificate?

4 MR. PETE: I don't know.

5 MADAM CHAIR: I mean, I just had this
6 conversation with another group.

7 MR. DURHAM: This is just --

8 MADAM CHAIR: Do you want a response from
9 Mr. (Inaudible) --

10 MR. DURHAM: Well, don't -- so we -- if
11 there's a bill that requires extensive rulemaking, which is
12 gonna stay -- take significant staff time, as a matter of
13 policy, we do not apply a fiscal note -- we, meaning the
14 Department, does not apply a fiscal note to the bill.

15 MR. PETE: Madam Vice Chair? We -- we do
16 try to look at the impact overall to staff, CDE staff, to
17 carry out the requirements of the law. Again, we -- we
18 send those estimates over, and whether they're incorporated
19 into the actual fiscal note that's left up to the other --
20 to the fiscal analyst --

21 MR. DURHAM: To fiscal -- your analyst.

22 MR. PETE: Yep, yep, so we -- we do try to
23 look at the impact on this -- this specific bill, and we
24 did put a fiscal impact, and again, we thought it was
25 included, and came to find out it was struck.



1 MR. HAMMOND: Madam Chair?

2 MADAM CHAIR: Yes?

3 MR. HAMMOND: Last year we got thoroughly

4 chastised for nickelizing and diming it. Okay?

5 MADAM CHAIR: (Inaudible).

6 UNIDENTIFIED VOICE: (Inaudible).

7 MR. DURHAM: Various people.

8 MR. HAMMOND: We call it death by fiscal

9 note, but it might have been a good target that.

10 MADAM CHAIR: It squeaked by.

11 MR. HAMMOND: Oh, it went by.

12 MADAM CHAIR: Is the Board ready to adopt

13 these rules? May I have a motion, please? Jane?

14 UNIDENTIFIED VOICE: Can we count on you for

15 --?

16 MADAM CHAIR: Jane, are you ready for a

17 motion?

18 MS. GOFF: I move to approve the rules for

19 the administration of the Colorado School Awards Program.

20 MADAM CHAIR: Is there a second?

21 UNIDENTIFIED VOICE: I second.

22 MADAM CHAIR: Thank you. Any discussion?

23 More discussion? All in favor? Anyone not in favor? Call

24 the roll please.

25 MS. BURDSALL: Steve Durham?



1 MR. DURHAM: No.

2 MS. BURDSALL: Dr. Flores?

3 MS. FLORES: Yes.

4 MS. BURDSALL: Jane Goff?

5 MS. GOFF: Yes.

6 MS. BURDSALL: Pam Mazanec?

7 MS. MAZANEC: No.

8 MS. BURDSALL: Marcia Neal? Dr. Scheffel?

9 DR. SCHEFFEL: No.

10 MS. BURDSALL: Dr. Schroeder?

11 MADAM CHAIR: Yes. So it fails.

12 UNIDENTIFIED VOICE: (Inaudible)?

13 UNIDENTIFIED VOICE: So then what do we do?

14 Bring the rules back the next time?

15 UNIDENTIFIED VOICE: Couldn't we suggest,

16 instead of -- I know that these statues cost money, but

17 what a certificate with the letterhead from -- your

18 beautiful letterhead?

19 UNIDENTIFIED VOICE: That's not the point of

20 --

21 (Overlapping)

22 MADAM CHAIR: Commissioner?

23 UNIDENTIFIED VOICE: -- doing that.

24 UNIDENTIFIED VOICE: Guys.

25 MR. HAMMOND: Madam Chair?



1 MADAM CHAIR: Yes.

2 MR. HAMMOND: That's not what the statute
3 calls for.

4 UNIDENTIFIED VOICE: (Inaudible).

5 MR. HAMMOND: I don't know, we haven't
6 turned out a rule, so I'm not quite sure what we're doing.

7 MADAM CHAIR: I'm not either.

8 MR. HAMMOND: You suggest --

9 UNIDENTIFIED VOICE: This is --

10 MR. DURHAM: Well, there's no money to
11 provide the trophies in the first place, right?

12 MR. PETE: Correct.

13 MR. DURHAM: So you really don't need rules
14 to distribute that what you don't have.

15 UNIDENTIFIED VOICE: What about those poor
16 school districts?

17 (Overlapping)

18 UNIDENTIFIED VOICE: Okay, I'll write that
19 right now, okay?

20 MADAM CHAIR: Debbie, who do we say that to?

21 MS. SCHEFFEL: So there's a law to which --
22 (Overlapping)

23 MADAM CHAIR: (Inaudible).

24 MS. SCHEFFEL: -- that we're supposed to
25 write the rules. What do you all suggest we do? We could



1 take a collection among us and pass it.

2 MR. DURHAM: Is there a high school up north
3 that's giving an award, that we know of?

4 UNIDENTIFIED VOICE: All right.

5 MR. OWEN: Madam Vice Chair?

6 MADAM CHAIR: Yes, Mr. (Inaudible). Dr.
7 Owen.

8 UNIDENTIFIED VOICE: I will leave that up to
9 him to --

10 MR. OWEN: So these are the initial scores
11 that got the 2004 Highest Co-Academic Growth recipients.
12 The Charter School Institute had a school victory
13 preparatory academy for the A-6 classification. Mesa
14 County Valley 51 had a school -- Mesa Valley Community
15 School, A-8 classification. Sangre de Cristo, in the
16 Sangre de Cristo Undivided High School, A-8. (Inaudible)
17 Liberty Common Charter School had --

18 UNIDENTIFIED VOICE: There you go.

19 UNIDENTIFIED VOICE: -- a classification 1-
20 A. Cheyenne Mountain --

21 (Overlapping)

22 UNIDENTIFIED VOICE: I knew that, I didn't
23 want to mention that one.

24 MR. OWEN: -- a school 1-A. Denver County,
25 was Green Valley Ranch High School, 2-A. Harrison High



1 School had one for 3-A. Mesa County again; Palisade for 4-
2 A. And Cherry Creek High School, Grandview High School,
3 had one for 5-A. Those are the (inaudible).

4 MR. DURHAM: Thank you. What was the one
5 for Cheyenne Mountain again?

6 MR. OWEN: Cheyenne Mountain was the
7 Vanguard School -- high school.

8 MR. DURHAM: In that case, I'll move to
9 reconsider, we voted on the prevailing side. Presuming I
10 can get a ruling from the Chair, that it was a prevailing
11 side on a tie vote.

12 MADAM CHAIR: Should we do it again?
13 Please?

14 UNIDENTIFIED VOICE: Yes.

15 MR. DURHAM: Bless your heart.

16 UNIDENTIFIED VOICE: Is there a motion?

17 MR. DURHAM: I made a motion to reconsider.

18 MS. BURDSALL: Steve Durham?

19 MR. DURHAM: Aye.

20 MS. BURDSALL: Dr. Flores?

21 MS. FLORES: Aye.

22 MS. BURDSALL: Jane Goff?

23 MS. GOFF: Aye.

24 MS. BURDSALL: Pam Mazanec?

25 MS. MAZANEC: Aye.



1 MS. BURDSALL: Marcia Neal? Dr. Scheffel?

2 DR. SCHEFFEL: Yes.

3 MS. BURDSALL: Dr. Schroeder?

4 MADAM CHAIR: Aye.

5 UNIDENTIFIED VOICE: Thank you.

6 UNIDENTIFIED VOICE: What a service.

7 MADAM CHAIR: (Inaudible) an atta boy.

8 UNIDENTIFIED VOICE: (Inaudible).

9 UNIDENTIFIED VOICE: Way to go.

10 UNIDENTIFIED VOICE: Thank you.

11 UNIDENTIFIED VOICE: Thank you.

12 MADAM CHAIR: Item 18.

13 UNIDENTIFIED VOICE: Go take a collection

14 across the street.

15 UNIDENTIFIED VOICE: I'll find out.

16 MADAM CHAIR: Concerning statutory changes

17 to eliminate medicinal marijuana tax-free transfers. We

18 want -- the Board's been asked to consider a resolution

19 concerning those statutory change to eliminate marijuana

20 tax-free transfers. Commissioner, please.

21 MR. HAMMOND: This is a request from the

22 last Board, and this is brought forward to you at the last

23 meeting. Lyndon Burnett --

24 MADAM CHAIR: He's here.

25 MR. HAMMOND: Here on behalf of the Board.



1 Please step forward. He's the one asking for the money.

2 MADAM CHAIR: Good luck, Lyndon.

3 MR. BURNETT: Thank you, Assistant Madam
4 Chair.

5 MADAM CHAIR: Proceed.

6 MR. BURNETT: State Board of Education,
7 Commissioner Hammond. So we were here last month, and
8 requested this as a discussion item, and so we're here
9 today to ask you for your support once again. This was
10 just the -- the one time pass through from medical
11 marijuana facilities to retail marijuana facilities, where
12 they decided in rulemaking at the Department of Revenue, to
13 not tax or give a one time waiver on the tax to go through
14 that. And so I think the estimate we had last time we
15 discussed, was about five million dollars. And this going
16 forward, where one medical marijuana company may be giving
17 five, or ten or twenty different retail facilities that one
18 time pass through, we thought it's going to add up it. So
19 we're going to go back and ask for the clean-up bill, if we
20 can change that language to actually preclude the fact that
21 they can't bypass the tax-free status of it, which we think
22 was below the voters.

23 MADAM CHAIR: Thank you, are there any
24 questions, or comments? Steve?

25 MR. DURHAM: Is there a clean-up bill?



1 MR. BURNETT: Madam Vice Chair?

2 MADAM CHAIR: Yes.

3 MR. DURHAM: Has one been introduced?

4 MR. BURNETT: I don't know that it's been
5 introduced. We keep hearing that there are, and it may
6 have been introduced. I've been out of town and I don't
7 know what what's happened this last week, quite frankly.
8 But I think there are several things in addition to this.
9 This would be a very small part of it, and I'm -- I'm not
10 sure what all of that entails. There may be other people
11 in the room that are better aware of it.

12 UNIDENTIFIED VOICE: We may be out of time.

13 UNIDENTIFIED VOICE: (Inaudible).

14 MR. BURNETT: So (inaudible) thinks possibly
15 it will be a part of school finance.

16 MADAM CHAIR: Any other questions or
17 comments? Since this is a resolution, the Board must do so
18 through a super majority vote. First of all, is there a
19 motion?

20 UNIDENTIFIED VOICE: Okay, I move to approve
21 the resolution concerning statutory changes to eliminate
22 medicinal marijuana tax-free transfers. Second?

23 MADAM CHAIR: Thank you. Will you please
24 call the roll?

25 MS. BURDSALL: Steve Durham?



1 MR. DURHAM: No.

2 MS. BURDSALL: Dr. Flores?

3 MS. FLORES: Yes.

4 MS. BURDSALL: Jane Goff?

5 MS. GOFF: Yes.

6 MS. BURDSALL: Pam Mazanec?

7 MS. MAZANEC: No.

8 MS. BURDSALL: Marcia Neal? Dr. Scheffel?

9 DR. SCHEFFEL: No.

10 MS. BURDSALL: Dr. Schroeder?

11 MADAM CHAIR: Yes.

12 MR. BURNETT: Thank you.

13 UNIDENTIFIED VOICE: (Inaudible).

14 MADAM CHAIR: Does anyone want to

15 reconsider?

16 UNIDENTIFIED VOICE: Not on that one.

17 (Meeting adjourned)

18

19

20

21

22

23

24

25



1 C E R T I F I C A T E

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

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

10 IN WITNESS WHEREOF, I have hereunto set my hand
11 and seal this 22nd day of January, 2019.

12

13 /s/ Kimberly C. McCright

14 Kimberly C. McCright

15 Certified Vendor and Notary Public

16

17 Verbatim Reporting & Transcription, LLC

18 1322 Space Park Drive, Suite C165

19 Houston, Texas 77058

20 281.724.8600

21

22

23

24

25