



Colorado State Board of Education

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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 Colzman 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 12<sup>th</sup>  
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 Colman 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, then 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. DYL: 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 2<sup>nd</sup>, 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 nickeling 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)

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C E R T I F I C A T E

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

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

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

/s/ Kimberly C. McCright  
Kimberly C. McCright  
Certified Vendor and Notary Public  
  
Verbatim Reporting & Transcription, LLC  
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