



Colorado State Board of Education

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

October 7, 2015, Part 1

BE IT REMEMBERED THAT on October 7, 2015,
the above-entitled meeting was conducted at the Colorado
Department of Education, before the following Board
Members:

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



1 CHAIRMAN DURHAM: All right. All right, if
2 we come to order, please. State Board of Education will
3 come to order. It's now 9:00. Staff will please call
4 the roll?

5 MS. BURDSALL: Dr. Flores?

6 MS. FLORES: Here.

7 MS. BURDSALL: Jane Goff?

8 MS. GOFF: Here.

9 MS. BURDSALL: Pam Mazanec?

10 MS. MAZANEC: Here.

11 MS. BURDSALL: Joyce Rankin?

12 MS. RANKIN: Here.

13 MS. BURDSALL: Dr. Scheffel?

14 MS. SCHEFFEL: Here.

15 MS. BURDSALL: Dr. Schroeder?

16 MS. SCHROEDER: Here.

17 MS. BURDSALL: Steve Durham?

18 CHAIRMAN DURHAM: Here. A quorum is
19 present. If Members and (indiscernible) audience stand
20 for the Pledge of Allegiance, please.

21 ALL: I pledge allegiance to the Flag of the
22 United States of America and to the Republic for which it
23 stands. One Nation under God, indivisible, with liberty
24 and justice for all.

25 CHAIRMAN DURHAM: Thank you. Approval of



1 the agenda?

2 MS. SCHROEDER: A motion?

3 CHAIRMAN DURHAM: We do need a motion for
4 the approval of the agenda.

5 MS. SCHROEDER: I so move.

6 CHAIRMAN DURHAM: So moved. Is there a
7 second to the approval of the -

8 MS. FLORES: I second.

9 CHAIRMAN DURHAM: It's been moved and
10 seconded that the agenda be approved as published. Any -
11 - any discussion? Hearing none, is there an objection to
12 that motion? Seeing no objection, that motion is adopted
13 by a vote of 7-0. The consent agenda? You're on, Dr.
14 Schroeder.

15 MS. SCHROEDER: I move to place the
16 following matters on the consent agenda:

17 18.03. Regarding disciplinary proceedings
18 concerning an application charge number 2011EC347.
19 Direct Department staff to issue of -- for denial and
20 appeal rights to the applicant pursuant to Section 24-4-
21 104, C.R.S.

22 Regarding -- 18.04. Regarding disciplinary
23 proceedings concerning an application charge number
24 2014EC217. Direct Department staff to issue a notice of
25 denial and appeal rights to the applicant pursuant to



1 Section 24-4-104, C.R.S.

2 18.05. Regarding disciplinary proceedings
3 concerning an application charge number 2014EC2228.

4 Direct Department staff to issue a notice of denial and
5 appeal rights to the applicant pursuant to Section 24-4-
6 104, C.R.S.

7 18.06. Regarding disciplinary proceedings
8 concerning a license charge number 2015EC910. Direct
9 Department and the State Attorney General's Office to
10 prepare the documents necessary to request a formal
11 hearing for the revocation of the holder's license,
12 pursuant to Section 22-60.5-108, C.R.S.

13 18.07. Approve eight initial emergency
14 authorizations as set -- as set forth in the published
15 agenda.

16 18.08. Approve two renewal emergency
17 authorizations as set forth in the published agenda.

18 18.09. Approve the Monte Vista School
19 District's request for principal/administrator induction
20 program, as set forth in the published agenda.

21 19.01 through 19.11. Approve the waiver
22 request action items 19.01 through 19.11 inclusive, as
23 set forth in the published agenda.

24 19.12. Approve Denver Public School's
25 Innovation application on behalf of Northfield High



1 School, as set forth in the published agenda. This is
2 the end of the consent agenda.

3 CHAIRMAN DURHAM: The consent agenda has
4 been moved. Is there a second? There is a second. This
5 motion requires unanimous consent. Would any Member like
6 any items removed from the consent agenda? Seeing none,
7 we'll vote. Oh, yes, Dr. Flores?

8 MS. FLORES: Actually, I had questions on
9 all of them, because they didn't fill out the forms. I
10 mean, they just left them blank, many of them. On the --
11 (Overlapping)

12 CHAIRMAN DURHAM: Which -- on which items in
13 particularly?

14 MS. FLORES: Actually, all of them except
15 for the very last one, which was --

16 MS. RANKIN: Are you talking about the
17 waivers, Val?

18 MS. FLORES: Yeah, the waivers.

19 MS. RANKIN: Okay.

20 CHAIRMAN DURHAM: So you're talking about --
21 let's see here.

22 MS. FLORES: All the way -- there's from --
23 (Overlapping)

24 MS. FLORES: -- 19.01 to --

25 CHAIRMAN DURHAM: 19.01 through 19.11 --



1 MS. FLORES: Or 19 --

2 CHAIRMAN DURHAM: And 19.12?

3 MS. FLORES: 19.01.

4 CHAIRMAN DURHAM: I'm sorry, 19.01 through

5 19.11?

6 MS. FLORES: Through 19.15 -- 19.15.

7 MS. RANKIN: What's not --

8 MS. FLORES: I think that was -- I think

9 that one was filled, but most of them just left them

10 blank. And -- and they're asking for changes to

11 something that they need to make a case for, such as in

12 the reading assessment, in --

13 MS. RANKIN: (Indiscernible) comment.

14 MS. FLORES: Reading readiness and all that,

15 that --

16 CHAIRMAN DURHAM: So is it your request that

17 these items be removed from the consent agenda?

18 MS. FLORES: Not removed, but discussed.

19 CHAIRMAN DURHAM: I think -- I think the

20 only proper way to handle that is to remove those, at

21 least at the present time, from the consent agenda. And

22 when we get to them, we may elect to discuss all or none

23 of them, depending on --

24 MS. FLORES: It's all the same issues.

25 CHAIRMAN DURHAM: -- where we are. Okay.



1 Let's -- so there is objection to the inclusion of Items
2 19.01 point -- to 19.11 and Item 19.12 in the consent
3 agenda. So that's objected to. Is there --

4 MS. FLORES: 19.12 is fine. I mean, 19.12.

5 CHAIRMAN DURHAM: 19.12's okay. So it's
6 just 19.01 point 19.11?

7 MS. FLORES: And actually, all of them, up
8 until -- except that one and then the last one.

9 CHAIRMAN DURHAM: Don't -- Dr. Flores, I
10 don't think --

11 (Overlapping)

12 CHAIRMAN DURHAM: I don't think 19.13, 14,
13 15, and 16 and 17 are not consent items.

14 MS. FLORES: Right.

15 CHAIRMAN DURHAM: 19.12 is the last consent
16 items.

17 MS. FLORES: Okay.

18 CHAIRMAN DURHAM: So those, from 19.13 on,
19 we'll be discussing.

20 MS. FLORES: Yes. And 19.12, we don't have
21 to discuss 19.12.

22 CHAIRMAN DURHAM: So -- so your objection
23 then is from 19.01 to 19.1?

24 MS. FLORES: That's correct.

25 MS. BURDSALL: Mr. Chair?



1 CHAIRMAN DURHAM: Yes.

2 MS. BURDSALL: There --

3 UNIDENTIFIED VOICE: Actually, we might be
4 able to address this.

5 MS. BURDSALL: There, before we pull
6 everything from the consent agenda, would be able to
7 point out where the replacement plan is and see if that
8 would suffice? Or would you prefer to take them in the
9 order of the agenda?

10 CHAIRMAN DURHAM: I think we'll take it in
11 the order of the agenda. There --

12 MS. BURDSALL: Okay.

13 CHAIRMAN DURHAM: Dr. Flores's comments
14 constitute an objection. So is there -- so is there
15 unanimous consent to approve the consent agenda with the
16 exception of 19.01 point 19.11? There's no objection to
17 that motion. That portion of the consent agenda will be
18 approved. The other items will be returned to the
19 regular agenda.

20 Okay. We are -- let's see now on Item --
21 Ms. Burdsall, on Number 6, your report, I believe is
22 next?

23 MS. BURDSALL: Yes.

24 MS. SCHROEDER: We still need to vote.

25 CHAIRMAN DURHAM: I asked if it was



1 unanimous.

2 MS. SCHROEDER: Okay. Sorry, I'm sorry.

3 CHAIRMAN DURHAM: And there -- there was no
4 objection.

5 MS. SCHROEDER: Thank you. All right.

6 MS. BURDSALL: Good morning, Chairman Dermot
7 -- Chairman Durham, Members of the Board and Interim
8 Commissioner Asp. Before I begin my report, I'd like to
9 do my friendly reminder to ask all of you to please speak
10 clearly and into your microphone, as if strength -- the -
11 - as the streaming of these meetings are a critical way
12 which we ensure constituents are able to hear your
13 comments and votes, as well as have our meeting available
14 for -- and be open to the public. And so just please
15 remember to speak directly into those.

16 In your Board packets, you have the
17 following materials: You have your events calendar and
18 quick-glance expense report.

19 For Item 7.02, you have a copy of the draft
20 2016 legislative priorities.

21 For 11.01, you have the Department --
22 Department Performance Plan PowerPoint, as well as CDE's
23 2015/'16 Performance Plan.

24 For Item 12.01, you have a copy of the READ
25 Act proposed rules and track changes, along with a



1 crosswalk between the OLLS feedback and the rule.

2 For 13.01, you have a copy of the School
3 Turnaround Leaders Program proposed rules and track
4 changes and the crosswalk of OLLS feedback and technical
5 adjustments with the rule.

6 For Item 14.01, you have the Elementary and
7 Secondary Education Act Flexibility Waiver Renewal
8 PowerPoint, that ESEA waiver renewal request listing of
9 excuse -- excusions and additions, and the proposed
10 ESEA waiver renewal request.

11 For Item 16.01, you have the Accountability
12 Work Group PowerPoint, which has been provided to you
13 this morning and is sitting at the Board bench in front
14 of you.

15 For Item 17.01, you have the Kindergarten
16 School Readiness Reporting System PowerPoint and a
17 summary of the School Readiness initiatives within
18 CAP4Kids, which is the Colorado Achievement Plan for
19 Kids.

20 For 18.07, you have a copy of the request
21 for initial emergency authorizations.

22 For 18.08, you have a copy of the request
23 for renewal authorizations.

24 For 18.09, you have a copy of Monte Vista
25 School District's Principal and Administrator Induction



1 proposal program -- program proposal.

2 For Item 18.10, you have the Educator
3 License -- Licensure Fee Proposal PowerPoint and a
4 revised copy has been provided to you this morning and is
5 sitting in front of you on the Board bench.

6 For Items 19.01 through 19.11, you have
7 copies of materials pertaining to the charter school
8 waiver requests.

9 For 19.12, you have materials pertaining to
10 the Denver Public School's request for its Innovation
11 application.

12 For 19.13, you have copies of materials
13 pertaining to the Woodlin School District R-104's request
14 for a waiver pursuant to 22-2-117, C.R.S.

15 For Item 9.14, you have copies of materials
16 pertaining to Academy District 20's request for a waiver
17 pursuant to 22-2-117, C.R.S.

18 For 19.15, you have a copy of Elbert County
19 (indiscernible) update replacement plan and CEE staff's
20 response.

21 For Item 19.16, you have a copy of the rules
22 for the administration of the waiver of statute and rule
23 and track changes, along with the crosswalk between OLLS
24 feedback and rule.

25 For Item 19.17, you have a copy of the rules



1 for the Administration of the General Education
2 Development Testing Program, GED, and track changes.

3 And for Item 20.01, you have a copy of the
4 draft policies and procedures for private gift -- gifts,
5 grants, and donations. And you also have your new 2015
6 lawbooks before you. And that concludes my report.

7 (Overlapping)

8 MS. BURDSALL: Good. Your homework for
9 tonight.

10 CHAIRMAN DURHAM: Any questions of Ms.
11 Burdsall? Now, seeing none, Commissioner Asp, would you
12 introduce our guest for the first presentation?

13 MR. ASP: Thank you very much, Mr. Chair.
14 We're glad to have with us Lieutenant Governor today to
15 give his updates to the Board and appreciate taking the
16 time out of his schedule to be here. Thank you so much.

17 MR. GARCIA: Mr. Chair.

18 CHAIRMAN DURHAM: Mr. Garcia, thank you for
19 joining us.

20 MR. GARCIA: Thank you, Mr. Chair, Members
21 of the Board. And first I'd like to welcome and
22 congratulate your newest board member, Ms. Rankin. It's
23 a pleasure to see you here. We've had the opportunity to
24 work together a little bit on higher ed issue, especially
25 involving rural communities. And it's a pleasure to see



1 you bring that perspective here to the Board.

2 I will be -- I'll try to be brief, but there
3 are a number of things I want to -- to mention. First
4 and foremost, that the Department of Higher Ed and the
5 Department of Education are continuing to collaborate on
6 multiple projects. I really want to commend and thank
7 Dr. Elliott Asp for continuing that effort. I meet
8 regularly with the Commissioner and his senior staff to
9 talk about things going on in both -- on first floor of
10 the Capital and over at the Department of Higher Ed.

11 We have several things that we're work on
12 together. I'll just put them in four big buckets. One
13 is educator effectiveness; one is federal programs; one
14 is information technology; and one is educator
15 preparation.

16 So on that one, I want to mention that in
17 order to support our secondary schools and teachers, the
18 Department is working with CDE's office of federal
19 programs to provide funding to send high school teachers
20 back to school to become qualified to teach concurrent
21 enrollment courses.

22 We've seen the use of concurrent enrollment
23 courses really expand dramatically in the last several
24 years. You all know that you all supported it; really
25 appreciated it, because it is helping to increase college



1 enrollments. It is helping to decrease the need for
2 remediation. And it's reaching a lot of kids who we
3 would not have reached before through, for example, AP
4 courses. So we know that about a fourth of all Colorado
5 juniors and seniors are now involved in concurrent
6 enrollment. We know they're more likely to enroll in
7 college and we know they're more likely to earn college-
8 level credits in that -- in that critical first year. So
9 we want to continue to work on that.

10 We also know that in our rural communities -
11 - and again, this is nothing new to you. In fact, you've
12 heard a lot reported just in the last couple of weeks.
13 Rural schools continue to struggle to recruit teachers,
14 especially in the areas of science and math and special
15 education. And if those small rural school districts
16 cannot recruit teachers in those areas, it's going to
17 dramatically limit the ability of them to produce
18 graduates who are college ready. It's going to limit the
19 opportunities available for those students. We know we
20 need to work with that.

21 So after meeting with HR directors and CASE
22 and rural superintendents and educator prep faculty, we
23 are -- we heard about the need to increase recruiting and
24 training. And so we're going to use the federal funds
25 that are provided by the U.S. Department of Higher -- of



1 Education toward an institution or more institutions, up
2 to \$210,000 to build and develop a pipeline, the teacher
3 pipeline, to rural districts. And we're going to
4 announce the institution that wins that award on October
5 23rd.

6 I also want to mention that in -- one of the
7 things that I've been working on since I became
8 lieutenant governor was focus on early literacy. We know
9 that throughout our school system, too many students
10 leave third grade not reading at grade level. We know
11 that those students are less likely to graduate and if
12 they do, they're less likely to be college ready. We
13 know those students are more likely to be English-
14 language learners and low income. And so we've been
15 trying to do is promote a focus on early literacy
16 throughout the state and recognize that it can't be the
17 responsibility only of our K-12 system to help those
18 kids. We've got to be working with families, with local
19 communities, early childhood education providers. We've
20 got increased availability, a number of slots available -
21 - available in quality early childhood education.

22 So last week, as I've done every year, we
23 did a statewide tour to promote -- we call it sort of the
24 -- the Colorado Reads Initiative. We focus on and talk
25 about what's happened as a result of the READ Act of



1 several years ago. We give away free books as part of
2 our One Book for Colorado effort that's books that we
3 give away that are raised entirely -- and the money's
4 raised with private funds. We try to put a book in the
5 hand of every three and four-year-old in the state.
6 Again, talk to parents and communities about the
7 importance of reading.

8 Now, I will tell you, as I was out in those
9 communities, I saw a lot of great work going on. But I
10 also heard a lot of concerns, concerns you hear every day
11 from superintendents and teachers about the lack of
12 resources available to support those efforts. I heard a
13 lot of questions about the negative factor, when the
14 State's going to be able to address that, what's the
15 future for funding. You all know that that's tied up
16 with the challenges we face overall when you look at the
17 constraints we have statewide. And one of the things
18 that the administration is working on with a lot of
19 allies is to properly classify the funds that approach
20 \$600, \$700 million that come from the hospital provider
21 fee to properly classify those as fees and take them out
22 of the bucket that they go into now with the general
23 education -- or the general fund dollars. That really
24 will limit the amount of money available to address the
25 negative factor, will limit the ability of the State to



1 support public institutions of higher education. We've
2 heard overwhelming support for that fix and we intend to
3 of course move forward with that.

4 We also heard a lot about making sure that
5 college -- or that high school graduates are actually
6 ready to succeed in college. This is, again, nothing
7 new. Remediation has been a challenge for our state and,
8 frankly, all the other states as well. That is, students
9 who arrive in higher education but test into remedial
10 courses. In the past it's been as high as 40 percent of
11 all students.

12 As a result of good work done in the K-12
13 system and a change in the way we approach remediation in
14 higher ed, we have seen substantial gains. It is
15 reducing the number of students entering higher ed who
16 need remediation. Over the last years, we have seen
17 statistically signal declines in the number of students
18 needing it. Now, we know that we still have schools
19 where virtually all of the students need remediation. We
20 know we have school districts. You saw the front page of
21 the *Denver Post* today talking about Aurora public
22 schools, where a significant percentage of those who
23 graduate and enroll in college, so presumably their best
24 students, still need remediation. So that's something we
25 continue to have to work on.



1 I think rigorous standards and consistent
2 guidelines, graduation guidelines, are going to be key.
3 And I want to commend the Board for its last board
4 meeting taking a positive step in establishing graduation
5 guidelines. We need consistency around the state if we
6 want to make sure that all of our students, wherever they
7 graduate, wherever they attend school, have the
8 opportunity to succeed in -- in higher education.

9 We also have been working in conjunction
10 with CDE to roll out guidelines for how to start what we
11 call P-Tech schools, Pathways in Technology, early
12 college high schools here in Colorado. They'll be public
13 six-year high schools where students can get an industry
14 -- industry-recognized associate -- associates degree, as
15 well as a high school diploma.

16 Those schools would be operated as a
17 partnership between a school district, a community
18 college, and an employer in a high-growth industry and
19 will offer programs in education -- or excuse me, in
20 science, technology, engineering, and mathematics. We're
21 accepting applications for schools to begin in the fall
22 of 2016.

23 Last couple of things briefly: College in
24 Colorado, which is part of the Department of Higher Ed,
25 will go again host College Application Month this month



1 around the state. It's where we reach out to high school
2 students and try to assist them -- assist college seniors
3 in applying for college, identifying which college might
4 be best for them. We target primarily first generation
5 and other underserved students and try to bring them in
6 with giveaways like with -- like -- like free laptop
7 computers. We're getting more and more participation
8 every year.

9 Lastly, I'll mention the FAFSA Completion
10 Collective. There's a completion -- excuse me, the FAFSA
11 Completion Project Collective Impact Initiative. It's
12 led by Colorado. We're one of 13 states across the
13 nation using an online portal and a professional learning
14 community to assist low-income and first-generation
15 students in completing the FAFSA form. We know that
16 students who complete the FAFSA form much more likely to
17 of course get aid and much more likely to enroll. But on
18 the other hand, it's a very complicated document. The
19 Feds are still looking at how to simplify that process.
20 But we have too many students who start and never finish.
21 This project allows us to identify those people who have
22 started, but not finished, and then reach out to them to
23 help them finish, because we know that will be more
24 likely that they will enroll.

25 We have to of course be concerned about



1 things like data privacy, you know, what -- what
2 technology is available to do this. But we are leading
3 an effort around the country. In fact, our efforts now
4 have resulted in invitation to attend an event at the
5 White House through the First Lady's Reaching Higher
6 Initiative. And so we'll have staff from the Department
7 of Education and the Department of Higher Education
8 attending a FAFSA summit later this month in Washington,
9 D.C.

10 So those are just some of the things that
11 are going on that I think reflect the collaborative
12 efforts of the Department of Education and Department of
13 Higher Education to work together to help us reach our
14 statewide goal, our statewide goal of increasing the
15 number of adults with a post-secondary credential and
16 closing our degree attainment gap. Just like you face an
17 achievement gap in the K-12 system, we know we face a
18 degree attainment gap, because the percentage of our
19 adult white population with a post-secondary credential
20 exceeds by about 30 points the percentage of our adult
21 population from our Hispanic and other minority
22 communities with a post-secondary credential.

23 We know that it's not important just to
24 those members of the minority community, but it's
25 important to the future of our state, to the strength of



1 our economy, to our ability to compete with other states
2 and other countries. We have to do a better job of
3 serving all of our students. Thank you and I'm happy to
4 take any questions.

5 CHAIRMAN DURHAM: Thank you, Lieutenant
6 Governor Garcia. Any questions from Members of the
7 Board? Yes, Dr. Schroeder? And I apologize for the
8 little confusion up here. We had a little spill. So if
9 you notice some activity, that was --

10 MS. SCHROEDER: That was I.

11 CHAIRMAN DURHAM: It was not
12 inattentiveness.

13 MR. GARCIA: I understand.

14 MS. SCHROEDER: It was I, but I was so
15 mesmerized that I knocked over something. I'm sorry,
16 sir.

17 Remediation rates in general. My first
18 question is when would the next year's data be available?
19 You are still collecting that information year by year,
20 am I correct?

21 MR. GARCIA: We -- Mr. Chairman.

22 CHAIRMAN DURHAM: (Indiscernible) just you
23 may proceed without doing that.

24 MS. SCHROEDER: We -- we don't do that
25 anymore.



1 MR. GARCIA: Okay. Yes, we do collect that
2 annually. We do produce a report annually. And we break
3 it down by actually even which districts and every which
4 high schools.

5 MS. SCHROEDER: Which high schools, yeah.
6 When is that? When does the 2015 --

7 MR. GARCIA: I don't know. Let me turn to
8 someone here from Department of Higher Ed staff and see
9 if they know the answer. I don't really --

10 MS. SCHROEDER: I'm just curious, because I
11 --

12 MR. GARCIA: -- know off the top of my head.

13 MS. SCHROEDER: I do look for that for other
14 reasons.

15 (Overlapping)

16 UNIDENTIFIED VOICE: Spring of '16.

17 MR. GARCIA: Pardon me? Okay, spring of --

18 MS. SCHROEDER: Spring of '16.

19 MR. GARCIA: Spring of 2016, we'll know
20 about the remediation rate.

21 (Overlapping)

22 MR. GARCIA: For those who graduate in 2015.

23 MS. SCHROEDER: Okay. What's the change?

24 You said that the remediation rate has decreased because
25 of some changes, as well as perhaps as some genuine



1 improvements.

2 MR. GARCIA: Yes, it has. And the reason is
3 because we've also in Higher Ed changed how we classify
4 people and move them into remedial classes. In the past,
5 we would put people -- we had, for example, three levels
6 of remedial math. We've tried to combine those, shorten
7 the sequences, so that there's no more than two levels at
8 some schools.

9 Community colleges have also in the past
10 where they might have put someone kind of on the edge
11 between one remedial class and the next or between a
12 remedial class and a college class, are instead finding
13 that the research shows that if we put people in that
14 next higher level, they're more likely to be success and
15 to persist.

16 So what we're doing is re-examining how an
17 higher education we categorize and place students. And
18 that has really helped. Again, it's cost community
19 colleges, frankly, some money and it's caused them to lay
20 off some remedial adjunct faculty, because they are
21 placing fewer people into remedial classes. And at four-
22 year schools that previously were not authorized to offer
23 remedial classes, we're saying that students who test in
24 the highest level of remediation should be placed in a
25 college-level class and get what we call supplemental



1 academic instruction on the side. So they're getting
2 their remediation on an individualized basis, but taking
3 and completing college-level classes in their first
4 semesters. Those things, we think, are both reducing the
5 need for remediation and will increase persistence in
6 graduation.

7 MS. SCHROEDER: Okay. And that was my next
8 questions. Are you going to be able to track the -- any
9 changes in persistence with change -- with decreases in
10 remediation? Do you have a -- a process for tracking
11 that?

12 MR. GARCIA: Yes, right now we already track
13 both of those things and we can link persistence rates to
14 which -- to where students began --

15 MS. SCHROEDER: Okay.

16 MR. GARCIA: -- both by institution and by
17 course level.

18 MS. SCHROEDER: Good. I think that'll be
19 helpful. I have one final question. I'm not sure that
20 you can answer it, but at the state level, we have
21 absolutely no control or -- or influence over private
22 higher ed institutions, is that right? What process is
23 there or is there a process for a student looking to a
24 private higher ed institution for either accreditation or
25 some assurances of information that that's a place where



1 they are likely to be able to complete? Can you help me
2 with that?

3 MR. GARCIA: Yes, and that's a -- there's --
4 there's a lot of pieces to that question. Because we
5 have private non-profit institutions, like DU, Colorado
6 College, Regis, Colorado Christian. And then we have the
7 private for-profit industry, and that's a whole other set
8 of schools. Actually, many more than people realize, in
9 excess of 300 statewide, some degree granting and some
10 not. They are all in some way regulated by the
11 Department of Higher Ed. But really, what we rely on is
12 the accrediting agency, so that, say, the for-profit
13 schools do have to get licensed with the State. But
14 that's a fairly low bar. We don't look at their academic
15 qualifications. Again, for academic quality, we rely on
16 the accrediting organizations. We just try to make sure
17 the institutions are financial sound so that we can
18 protect students in the event a school were to close
19 overnight, for example. Could the student get its -- his
20 or her tuition back?

21 But we also then -- so the -- the -- I guess
22 the short answer to your question is students need to
23 look to the school they're thinking of attending and look
24 to who accredits them and find out whether, again, they
25 are accredited. And most of them in our state, but by



1 differing accrediting bodies.

2 MS. SCHROEDER: That's what I'm wondering.

3 Are there multiple accrediting organization?

4 MR. GARCIA: There absolutely are. There's
5 both the regional ones that most of our non-profit
6 schools are accredited by. There are some national
7 accrediting bodies. And then there are some specialty
8 accrediting organizations that will accredit certain
9 specialty programs.

10 MS. SCHROEDER: Programs. Okay. Thank you.

11 CHAIRMAN DURHAM: Dr. Flores?

12 MS. FLORES: I'm interested in the Pathways
13 to Career. Is that a program very well defined?

14 MR. GARCIA: Dr. Flores, it is a program
15 that we are working to define more. We are working to,
16 both with higher education, but also with the employers,
17 to identify what skills specifically do students need to
18 move into particular careers? And so we're doing that
19 not just for degrees, but for certificates we call
20 badges, that indicate a level of proficiency that
21 employers help us to define. But what we're trying to do
22 is make sure that students have a better sense. If they
23 know what they want to do, well, what credentials, what
24 courses, in fact, do they need to take in order to be
25 prepared to move into that particular degree program? So



1 -- or -- or particular profession? And that's
2 particularly important with the middle schools jobs that
3 don't require a Bachelor's degree and sometimes not even
4 an Associates degree, but again, a certain that
5 demonstrates the ability to do certain kinds of work.

6 MS. FLORES: So six years you think is -- is
7 enough with -- that would entail four years of -- of
8 college? I -- I -- sorry, four years of high school and
9 then possibly two years of community college or training,
10 technical training of some kind in --

11 MR. GARCIA: Right.

12 MS. FLORES: -- in that area?

13 MR. GARCIA: Yes, Dr. Flores. Now, when I -
14 - my previous answer was respect to Pathways generally.
15 But the P-Tech role and the P-Tech schools, the Pathways
16 in Technology, that is folks in a particular kind of
17 school that would allow students to both get their high
18 school diploma and a post-secondary credential,
19 preferably an Associates in applied sciences, in a
20 particular area. But it could be a certificate. It
21 would just allow them, really, without having to pay
22 tuition to get post -- a post-secondary credential in a
23 specific field generally related to advanced
24 manufacturing, science, or technology in some way.

25 MS. FLORES: Thank you.



1 CHAIRMAN DURHAM: Ms. Mazanec and then --

2 MS. MAZANEC: You mentioned that whites
3 graduate college at about 30 percent higher rate than
4 Hispanics. What is the graduation rate for students in
5 Colorado generally? I think nationally it's less than 50
6 percent of students who start college actually persist
7 and get a degree. What is it in Colorado?

8 MR. GARCIA: Ms. Mazanec, this is a really
9 good question, because a lot of the reason that our white
10 population is so much better educated than minority
11 populations is because so many people move to Colorado
12 with their post-secondary credential. So it's not so
13 much just reflection on graduation rates within Colorado.

14 But you're also correct that minorities both
15 enroll in college at a lower rate and graduate at a lower
16 rate. Every one of our institutions is -- is very
17 different. So you'll see community colleges with a
18 three-year graduation rate that is barely above single
19 digits. You'll see our research institutions will have a
20 four-year graduation rate of barely over 50 percent and a
21 six-year graduation rate in the mid-60s. Those are our
22 best institutions. So it varies dramatically depending
23 on which institution you look at. So I couldn't tell you
24 the statewide average. It -- it also depends on whether
25 you're looking at a two-year or a three-year for



1 Associates degrees or a four-year or six-year or
2 graduating ever from a four-year school. And we measure
3 all those things, but the numbers are very different.
4 But Colorado is about average, frankly when you look at
5 (indiscernible), when you look at the -- the -- the
6 students who enroll versus the students who graduate.

7 So we're one of the best educated states in
8 the country, partly, again, because a lot of people come
9 here with a degree. We're second in the country among
10 all states. But we're mediocre in terms of graduating
11 students who actually enroll and graduate within 150
12 percent of time.

13 MS. MAZANEC: Thank you.

14 CHAIRMAN DURHAM: Ms. Rankin?

15 MS. RANKIN: Lieutenant Governor Garcia,
16 thank you for your report today. I really appreciate
17 that, but it disturbs me greatly that we have to do
18 remediation at all --

19 MR. GARCIA: Yes.

20 MS. RANKIN: -- in colleges. So it sounds
21 like you're trying different things. And if they're
22 successful, I applaud that. But how can we reach down to
23 the high school students with some of these ideas so that
24 we're not graduating students that aren't college ready?

25 MR. GARCIA: Such a good question. And



1 first, let me point out that a lot of the students who
2 arrive at community colleges who need remediation are not
3 recent high school graduates or not from Colorado. When
4 I was president of Pikes Peak Community College and we
5 looked at the remediation rates, we realized that the
6 remediation rates, for example, for adults over the age
7 of 30 who were returning. They hadn't been in high
8 school. They hadn't sat in a high school algebra class
9 in 15 or 20 years. Probably many of us would test us
10 into remedial math, just because it's been so long since
11 we sat in a classroom.

12 So we've got those populations. But you're
13 right, if we look at recent high school graduates, we
14 still see we have a problem. So I think the keys are we
15 need to expand the use of concurrent enrollment and make
16 sure it's available in all districts; we need to focus on
17 remediation earlier, not wait until students graduate,
18 but identify students who have academic deficiencies
19 early on in high school, beginning in ninth grade, and
20 address those deficiencies so they graduate college-
21 ready. And again, the graduation guideline, some
22 consistency, because we have some school districts,
23 frankly, where virtually all of their students who show
24 up at college need remediation and other districts where
25 very few do. That wouldn't be the case, I think, if we



1 had consistent quality in all schools.

2 MS. RANKIN: Thank you.

3 CHAIRMAN DURHAM: Dr. Flores?

4 MS. FLORES: One of the issues that has come
5 up that I have found with people, especially parents, who
6 come to me and say, well, my child entered this community
7 college and then went on to another college. And they
8 have to take these courses over and over again with the
9 same material that -- the same knowledge base and such.
10 So they go around and it seems like the syllabi or
11 somehow it -- it is different and if they take it in one,
12 then they have to retake it in another, which doesn't
13 seem fair if it's the same material.

14 And one particular person that I know, a
15 young woman, has just decided not to, you know, proceed
16 in -- in college anymore, because there's the money
17 involved, so much money, you know, taking courses,
18 especially when the courses are repetitive. They go to
19 another college and it's the same, but they don't get
20 credit for what they took before. What is -- what --
21 what are you doing or what is the system doing to -- to
22 keep this problem from getting out of -- well, it's
23 frustrating students and they drop out.

24 MR. GARCIA: Absolutely. And that's what we
25 want to avoid. And so this state, years ago now, said



1 we've got to address that, at least at our state
2 institutions. And so the community colleges worked with
3 higher ed to identify those core academic courses that
4 would count for credit wherever you took them.

5 Now, what it doesn't apply is in, for
6 example, those private institutions, whether for-profit
7 or non-profit. It also doesn't apply, for example, if
8 you start at one of those private institutions and then
9 want to transfer to a public institution. So we've
10 addressed it with respect to our public institutions.
11 And so we see far fewer students facing that frustration.

12 But when we know that many students now
13 don't go to one school and stay there and graduate, there
14 they we call they accumulate credit hours over time at
15 many institutions. I look to my youngest son as an
16 example, who started at Fort Lewis for one year and went
17 to Pikes Peak Community College for a year and a half,
18 ultimately graduated from Colorado State University in
19 Pueblo, but was able to carry credits with him. But it's
20 largely a function of, first, staying within the state
21 system, and, second, getting good advise so that you, for
22 example, don't, at a community college, take career in
23 tech courses, let's say welding program, perfectly good
24 program, but those credits won't transfer to an academic
25 program at another institution. So it's getting also



1 good advising on the front end and knowing what you want
2 to pursue.

3 So for example, my son took automotive
4 technology courses at Pikes Peak. Well, those were not
5 going to transfer to a university for academic credit.
6 They were great courses and he know a lot about cars, but
7 it didn't help him get that degree.

8 So those are the challenges we face, but
9 again, the -- we have common course numbering. All of
10 the institutions, state institutions, will recognize an
11 English 100-level course wherever it was taken, if it was
12 taken at a state institution.

13 MS. FLORES: Thank you.

14 CHAIRMAN DURHAM: Thank you. Yes, Ms. Goff?
15 We'll make this the last question.

16 MS. GOFF: Thank you.

17 CHAIRMAN DURHAM: If that's all right with
18 (indiscernible).

19 MS. GOFF: Thank you for coming over, as
20 always. It's good to see you again. We've missed you.
21 Along with -- well, let me organize -- just five seconds
22 to organize my head. Part of the -- the graduation
23 guidelines we've been discussing, there's -- there's a
24 different kind, if not greater, highlight, spotlight on
25 the I-Cap (ph) coming up here. That's -- that's going to



1 be something that is in many -- many of our schools.

2 It's already a -- a presence, has become part of the
3 tapestry. But that's going to be developing further.

4 That along with the notion of not only
5 planning, but the careers, the Pathway's consideration of
6 possibilities there, there are districts in each of our
7 representational areas, but also not within ours, but we
8 know about throughout the state. I just wonder what is -
9 - do -- do we have as a higher ed system, do we have a
10 handle yet on how -- how the internship opportunities or
11 arrangements or conversations in communities about that -
12 - apprenticeships, internships -- it's -- is it part of
13 concurrent enrollment enough yet? Could it be, should it
14 be? Should we all be really looking and encouraging
15 communities to start looking at a coordinated, aligned
16 without being cookie cutter, honoring the -- the -- the
17 needs of local districts and communities in there and
18 trusting in them to be able to provide what's -- is the
19 best type of integration into the communities? I'm just
20 wondering if -- if we can continue? A goal ought to be
21 admission among all of us if we're going to continue to
22 promote and nurture a P-20, we're still calling it that,
23 but a full spectrum of -- of learning. Can -- what is it
24 we could all start looking at together message-wise and
25 communication-wise about what opportunities are available



1 in -- in various school districts and within our -- our
2 regions as well?

3 I'm just -- I -- I -- I am -- I'm -- I --
4 I'm at once frustrated and yet excited about the things
5 that we -- that we hear going on all the time, but it's
6 just a big challenge to get the word out and -- and cover
7 a broad range of channels of information so people know
8 what is possible and -- and how post-secondary learning
9 can be fostered and promoted a little clearer than what I
10 think the majority of the population knows about them.

11 MR. GARCIA: Yeah, Ms. Goff, great question.
12 And again, in the interest of time, I'll try to keep it
13 short but you're right, a lot of it right now is -- is
14 rather piecemeal when we look at internship
15 opportunities. We do need to connect, for many students,
16 their education to their work opportunities. Too many
17 students don't see any connection. We are now working
18 and the governor recently signed an executive order
19 creating a group of business leaders who are looking for
20 trained graduates from high school who can move into the
21 careers there, but working with them to identify what
22 specific skills students need and then move them into
23 internship opportunities, in some case, for which they
24 can earn credit as well as -- as money.

25 And that's what we really need to do. And



1 we need to do that more consistently. We see it in some
2 communities when you've seen business leaders come
3 together with educators and create these collaborative
4 efforts. What we need to do is expand that so it's
5 available in all communities. Right now you're
6 absolutely right, it's not. But we have seen a lot of
7 growth, tremendous growth, more so in the -- in the rural
8 -- I mean, in the metro areas and in areas where there's
9 strong STEM employers who really need more people in the
10 areas. For example, advanced manufacturing.

11 CHAIRMAN DURHAM: Thank you very much,
12 Lieutenant Governor Garcia. You've been very generous
13 with your time and we appreciate it. And we hope you'll
14 return at your convenience in the next several meetings.

15 MR. GARCIA: Thank you very much, Mr. Chair.
16 Thank you.

17 CHAIRMAN DURHAM: All right, Commissioner
18 Asp, the legislative update and legislative priorities?

19 MR. ASP: Thank you very much, Mr. Chair.
20 We have Jennifer Mello (ph), our legislative liaison here
21 that helped the Board discuss the legislative priorities
22 and provide any updates that she may have.

23 MS. MELLO: Thank you. It's nice to see you
24 all. I'll start with a brief legislative update. Again,
25 being early October, we're not really in the heart of the



1 legislative season. So there, as you know, we've talked
2 about there are two interim committees meeting that have
3 some overlap, the work that -- that happens here at the
4 Board and the Department. One is the School Readiness
5 and Early Childhood Commission. They are in the process
6 now. They've identified some bills to be drafted. They
7 will vote on those at their next meeting, which is at the
8 end of the month.

9 The things they're looking at primarily is
10 expanding the Colorado preschool program by 3,000 slots.
11 They are looking at a proposal to modify the Educator
12 Effectiveness system to, quote, "better define student
13 growth measures for teachers in preschool through second
14 grade." They are looking at the Colorado care -- child
15 tax and increasing access to that by low-income families
16 and current state law that is somehow tied back to some
17 federal action and they want to not make it contingent on
18 federal action.

19 So those are a handful of the proposals that
20 they are looking at. Again, I want to emphasize that
21 they have not -- all they have done is vote to draft
22 these. They have not voted to move them forward. They
23 may very well draft these proposals and then decide not
24 to move them forward as bills.

25 MS. MAZANEC: Excuse me.



1 CHAIRMAN DURHAM: Yes.

2 MS. MAZANEC: (Indiscernible) and ask
3 questions?

4 (Overlapping)

5 CHAIRMAN DURHAM: Yes. Yes, Ms. Mazanec, go
6 right ahead.

7 MS. MAZANEC: I'm sorry, Jennifer, you talk
8 faster than I type.

9 MS. MELLO: I'm sorry.

10 MS. MAZANEC: What did you say they were
11 looking at legislation to modify the -- the educator
12 effectiveness regarding K through 3 teachers?

13 MS. MELLO: It's actually preschool through
14 second.

15 MS. MAZANEC: Preschool.

16 MS. MELLO: And -- and, you know, the -- the
17 way that this has been discussed is to not have
18 provisions of Senate Bill 191 apply to preschool teachers
19 through second grade teachers.

20 Now, the title they chose was perhaps
21 intentionally more broad than that, right? So you'll
22 note the title doesn't say don't apply. The title says,
23 "Modify to better define student growth." When we see a
24 draft of what that looks like, I think we'll have a
25 better sense of where they're actually trying to head



1 with that. All of these right now are just title that
2 they've talked about and voted to draft. We don't have
3 draft bills yet either. So I don't know exactly how that
4 one will -- will look.

5 MS. MAZANEC: And I'm sorry, the very first
6 one too, I didn't -- the second one you said was expand
7 preschool by 3,000 slots and the first one was about
8 school readiness?

9 MS. MELLO: Well, the task force is called
10 the School Readiness Commission.

11 MS. MAZANEC: Oh, that was -- okay.

12 MS. MELLO: Yeah.

13 MS. MAZANEC: Got you.

14 MS. MELLO: Yeah. The School Safety
15 Commission is -- our interim committee is the other one
16 that's been meeting. Again, they're at the exact same
17 point in the process, so they have given approval to some
18 titles to be drafted. We haven't seen the drafts of
19 those bills, so I don't -- I can't tell you exactly what
20 they'll look like, right, until you -- until you see it,
21 you don't know what it's going to say. And then at their
22 final meeting, which is also towards the end of the
23 month, they will vote on whether or not to send any of
24 these proposals forward.

25 I will read you through the list and I just



1 want to acknowledge that some of these are -- I find to
2 be very, very, very general. I wish I could tell you
3 more about what they mean by that. I can't do that until
4 we see the draft of the bill.

5 So they want to, quote, "Clarify the legal
6 effect of Senate Bill 213." That was the bill last year
7 that limited governmental immunity protections for school
8 districts in instances of school violence. They want to
9 expand awareness of the Safe to Tell program. They want
10 to establish terms by which a school district may prevent
11 a waiver of government immunity. They want to look at
12 best practices for school safety by using some sort of a
13 pilot program. They want to look at training certain
14 persons to assist youth in crisis. And they want -- this
15 is the one I find the most broad -- they want to direct
16 certain public entities to take certain measures to
17 improve school safety. So we'll see.

18 I -- you know, and I don't in any way mean
19 to disparage the work of the committee. I -- it just --
20 we just don't -- I can't -- my guess is you're going to
21 say to me, what does that mean? And I wish I could tell
22 you. I'll know more when we see the drafts of the bills.
23 For now, that's the title that they voted to move forward
24 with.

25 CHAIRMAN DURHAM: Ms. Mello, it's your job



1 to read the minds of legislatures and report to us on
2 that. So are there further -- any further questions or
3 comments from -- yes, Dr. Schroeder?

4 MS. SCHROEDER: I'm really twerped here
5 today, for some reason. You've been attending the
6 meetings, right?

7 MS. MELLO: Uh-huh.

8 MS. SCHROEDER: So do you have a sense of
9 what these things mean, based on the discussion? Because
10 I'm -- I'm a little lost.

11 MS. MELLO: Dr. Schroeder, I -- I have been
12 attending the meetings. And I -- I am too. I will tell
13 you, they have had I think an incredibly robust set of
14 conversations around really hard issues, right? And --
15 and it's not just legislators. They've had a number of
16 members of the public who were appointed to the interim
17 who I think have worked really, really hard to really
18 kind of figure this out, right? What is going on? What
19 can we do to prevent these type -- types of horrible
20 instances more effectively? How much of it is mental
21 health related? How much of it is school safety
22 resource? How much of it is culture? How much of it is
23 insurance requirements, right? And is there a way
24 through the insurance system? I mean, I think there has
25 been a lot of interest in that particular component. And



1 it's if -- if you could have a school in a district say,
2 yeah, we're doing these things, then maybe that impacts
3 their insurance rates. And that might serve as a nice
4 incentive for them and also, you know, get good policies
5 in place.

6 I think it's also incredibly important to
7 know that my takeaway from any of those meetings is that
8 schools and districts are already taking this very
9 seriously and they are working really hard in this area.
10 I don't think -- I mean, certainly has any evidence
11 presented that there's any kind of cavalier attitude on
12 behalf of schools and districts to those. I think
13 sometimes different communities have different needs.
14 You know, an urban high school and a rural high school
15 might have different needs when it comes to school
16 safety.

17 And so -- so that's -- I -- I wish -- I -- I
18 really do wish I could give you more --

19 MS. SCHROEDER: So is there --

20 MS. MELLO: But --

21 MS. SCHROEDER: Is there a discussion about
22 whether there's a one-size-fits-all and therefore you
23 have legislation or whether you create either guidelines
24 or let the insurance companies direct or some other
25 thing? I mean, I'm wondering how -- how the conversation



1 goes in terms of legislation. Because that tends to be a
2 one-size-fits-all. And what things have surfaced that
3 are applicable to all district as opposed to, as you just
4 said, unique challenges in different communities?

5 MS. MELLO: I think that's one of the things
6 we're struggling with, is how do we, you know, have a
7 comprehensive statewide approach, right, that ensures --
8 because we want to make sure our kids are safe regardless
9 of where they live. And at the same time acknowledge
10 that different communities have different -- different
11 actions would be appropriate in different communities.
12 And -- and when I -- when we get the language in these
13 bills, I think that'll be much -- give us much more
14 clarity as to what side of that they're coming down on.

15 But again, the members of the commission, I
16 think have really taken that issue on, much like you all
17 do in many of the debates that you have, right? That's a
18 hard one.

19 The other theme that I will tell you I think
20 has been very prevalent throughout all of the
21 conversations is data and availability of data or -- or
22 not, or lack thereof. And -- and we have field a number
23 of questions here as the department around what data do
24 you collect? And -- and the answer, as you all know, we
25 only collect data that we are told to collect by state



1 and federal government. That is a legal obligation on
2 our part. And I think they've been a little frustrated
3 in some ways that we don't have more data. And because
4 we haven't been authorized to collect.

5 So I think you may see some of that come out
6 in some of these legislative proposals too, is what data
7 would they like to see more? Who's the appropriate
8 entity to be collecting that? How robust do they want
9 that collection to be, right? Do they just want it to be
10 kind of a certification, like the school districts says,
11 yep, we're doing that? Which doesn't take a lot of staff
12 resources. It takes some, but not -- versus, you know,
13 intensive kind of data collection and processing and
14 analysis, which would entail resources too.

15 And this department works on these issues as
16 the Department of Public Safety. The School Safety
17 Resource Center is actually housed within the Department
18 of Public Safety. I'm really proud of the -- at the
19 staff level, the partnership we've had throughout this
20 process with them. And -- and again, both, I think,
21 agencies trying to be resources for legislators, trying
22 to put out there what's happening, what we know, what we
23 can do, and -- and now we're at the point where the
24 ball's kind of in their court to put their thinking onto
25 paper. And when we have that, we'll -- we'll need to



1 discuss more.

2 CHAIRMAN DURHAM: Yes, anything, Dr. Flores?

3 MS. FLORES: I've been thinking about maybe
4 just society as a whole, and especially school society,
5 where I think a lot of these students may feel this idea
6 of anomia where they don't fit in. And I know that
7 there's not much -- and -- and the idea comes from Emile
8 Durkheim, when he was looking at these people that
9 committed suicide that would go and just not be part of
10 it. And I know that in the '50s and '60s, there was a
11 big movement in the comprehensive high school to have
12 clubs, mini clubs, trade clubs, where kids would meet
13 after school, meet during lunch, and there was a club for
14 everybody.

15 And -- and I just don't see that. I see
16 that kids are so into being protected and not allowed to
17 -- a lot of time to explore who they are through
18 possibility clubs. And I see that that's missing a lot.
19 And maybe if, you know, instead of who are we going to
20 hire in case we have this, really look at the society of
21 -- of -- of students today and -- and see that, you know,
22 there's a lot of things, especially out in the media,
23 that says you're not going to be able to work. I mean, I
24 think it's very negative, I think, for students. And we
25 need to bring somewhat of a positive culture that they



1 have a future and that they're going to do well and that
2 you belong. The sense of belonging, I think, is -- is
3 what's missing, I think, in society as a whole. And I
4 think that the high school may mirror that.

5 MS. MELLO: Dr. Flores, I think you see some
6 of that concern and -- and reflected in the work of the
7 interim committee. They've had a lot of discussions and
8 presentations from student groups around suicide
9 prevention, specifically in some ways, but also in
10 general about what you're talking about as student
11 engagement and -- and community building in a school so
12 that you I guess ideally kind of prevent something from
13 spiraling out of control. So I -- I think your concerns
14 are being reflected in the work of the committee.

15 MS. FLORES: Thank you.

16 CHAIRMAN DURHAM: Yes, Ms. Goff?

17 MS. GOFF: Thank you. Jennifer, at this
18 point, do you -- do you have a read on what the expected
19 product of this interim of the Safety -- Discipline and
20 Safety -- do you -- do you pick up yet that their --
21 their intention is to come out with proposed adjunct
22 legislation? Or is this -- is this -- at this point, is
23 this primarily a study term, research term? Along with -
24 - and depending on what the -- what their thinking is,
25 their goal for now is, I -- I'm -- I'm surprised -- I



1 don't know if disappointment is quite the word -- I am
2 surprised that there is a lack of awareness about Safe to
3 Tell. That program, that service, has been around for a
4 long time. Is the shortage of awareness in a -- in a
5 particular type of area of the state demographic -- is it
6 geographically pertinent or not? Are there expenses
7 around having that available the preclude it happening in
8 some places? I just think that it's curious to me that
9 there have been some safety measures, some safety
10 practices, if not direct laws, around for quite a long
11 time. And to hear that -- that a lot of those are not
12 yet fully -- fully there, it bothers me a lot.

13 The other thing is, too, depending on a
14 little bit on the intention of the group, there are -- I
15 know of at least one very large suburban school district
16 that is, as we speak, in process of talking about
17 budgetary adjustments around school safety things. Next
18 year's -- next year's budget has been approved and so
19 forth, but there is conversation about what other
20 measures, how -- how do -- what else do we need, whether
21 it's staffing increases, equipment, facilities, changes,
22 and so on?

23 So in light of -- of the -- the law that 213
24 that did pass and what that set districts up to be
25 thinking about, how -- how -- I would really encourage



1 that group, and we can help, is to get the word out about
2 what these bills say and what is -- what can they be
3 expecting to have to be thinking about? Because I -- I'm
4 -- this is such an important -- it's a pretty personal
5 topic to me. I -- I just would hate to have 178 school
6 districts operating on a different knowledge level about
7 what that bill says and what the ramifications of that
8 probably will be.

16 MS. MELLO: Absolutely. And -- and to be
17 clear, those -- one, two, three -- there were six
18 specific things I had named off. Those are bill ideas.
19 Now, they still need to be fleshed out, but that, exactly
20 yes, this -- this is a body that will propose
21 legislation. Now, there are many other steps in the
22 process. Just because they propose it doesn't mean it's
23 enacted, of course.

24 But, so yes, they absolutely are working
25 towards legislation and -- and I mean, I think that the



1 districts in CASE and Casbee (ph) and -- and the folks
2 that represent them have also been very engaged in these
3 conversations and I think are doing their best to keep
4 districts informed. Certainly could explore ways we
5 could do that as well.

6 CHAIRMAN DURHAM: Thank you. Thank you, Ms.
7 Mello. We're going to change the way a little bit this
8 year that the Board will deal or will work with. And I'm
9 actually going to appoint a committee in lieu of the
10 legislative liaisons. So you'll have three members. Dr.
11 Scheffel will be chair, Ms. Rankin, and Ms. Goff.

12 Also, I'd like to note that any members
13 willing to -- everybody that is willing to attend those
14 legislative meetings is willing to do so, and I'm sure
15 that their input will be considered by Dr. Scheffel and
16 I'm sure participation will be encouraged.

17 So that'll be the structure. I know you're
18 already working on the privacy question that -- that
19 we've raised and look forward to and update maybe at our
20 next meeting on the privacy issues and perhaps one or two
21 other things that I think have been forwarded to you. So
22 we look forward to -- to working with you in the coming
23 year.

24 MS. MELLO: Mr. Chair, I sense the hook.
25 And -- and which is fine, but we haven't done the



1 legislative priorities discussion.

2 CHAIRMAN DURHAM: Of course.

3 MS. MELLO: Would you like to table that for
4 next time or would you -- do you want to proceed with
5 that?

6 CHAIRMAN DURHAM: I think given where we are
7 on the schedule, I -- I read the legislative priority. I
8 think they're by and large generic and to be anticipated.
9 We'll -- we'll put those on the agenda for the November
10 meeting for a quick discussion.

11 I think in terms of specific legislation,
12 that was really where the focus is going to be. A lot of
13 the -- the ideas included in here, I suspect, will be
14 reactive, that we -- we want to introduce our school
15 finance act probably. So be my guest.

16 MS. MELLO: I work at your direction.

17 CHAIRMAN DURHAM: Let's not do that.

18 MS. MELLO: Well, can I -- do you mind? Can
19 I just make one comment about --

20 CHAIRMAN DURHAM: Sure.

21 MS. MELLO: -- the -- the document you all
22 have in front of you? Just for clarity sake as you go
23 into your -- to -- to think about the discussion of next
24 month.

25 So what this is to last year's agreed upon



1 legislative priorities, the 2015. And I just made some
2 very minor updates that I think -- so one thing we got
3 done last year, so I took that off. I thought we didn't
4 need to keep that on. And I updated the data privacy
5 language, I hope to reflect more of the -- your
6 conversations that you've been having. And I think also
7 the conversation of the capitol.

8 So my suggested changes are almost kind of
9 technical in nature. If you like those, you can tell me
10 so at the next meeting. If you don't like them, you can
11 tell me so and we can adjust them. And otherwise this is
12 your document and I'm -- I'm happy to adjust it as you
13 direct.

14 CHAIRMAN DURHAM: Okay. Thank you very
15 much, appreciate it. Yes, next -- next item is -- are
16 you -- anything else, Commissioner? Next item is public
17 comment. First off, we have a list. We will proceed
18 with our usual approach, which is three minutes per
19 participant for those who wish to address the Board.

20 (Pause)

21 Thank you. Okay, we'll start with Chaer
22 Robert. I'm sorry, I apologize if I didn't get the name
23 right.

24 MS. ROBERT: Actually, that was perfect.
25 I'm Chaer Robert of the Colorado Center on Law and



1 Policy. I'm also an coordinator of the Skills to Compete
2 Coalition. Frank Waltress (ph) from Bell Policy Center
3 is also here from Skills to Compete Coalition. It is a
4 cross-sector policy advocacy coalition comprised of
5 skills training providers, community-based organization,
6 research and policy advocates, governmental agency, and
7 legislative staff, foundations, adult ed providers,
8 businesses, and others.

9 Our interest is in people being able to
10 access skills training to qualify for in-demand jobs,
11 particularly those that require some post-secondary
12 training, although not necessarily a two-year or four-
13 year degree. We proposed and successfully advocated for
14 2014's House Bill 1085, which funded adult ed work for us
15 partnerships. And more recently we have advocated on
16 issues related to the implementation of WIOA, the
17 Workforce Innovation and Opportunity Act.

18 We want to see all students in Colorado
19 become educated and productive citizens capable of
20 succeeding in society, the workforce, and life.
21 Currently in Colorado, over nine percent of the adult
22 population or 300,000 working-age adults lack a high
23 school diploma or equivalency diploma. CDE administers
24 the high school equivalency program, and that is why I am
25 here.



1 While a majority of those without a high
2 school degree work, the work options are limited to a
3 small fraction of the available jobs, because having a
4 high school credential is a commonplace prerequisite for
5 most jobs. Some are blocked from jobs they could
6 otherwise do for lack of this credentials. So some do
7 seek training opportunities, only to find out that most
8 training opportunities do require a high school degree or
9 equivalency diploma. And secondly, most financial aid --
10 aid, such as Pell grants, generally require that a person
11 already have a high school degree or equivalency diploma.

12 This creates a wall in the path to upward
13 mobility. Adult education programs and the high school
14 equivalency exam represent a gate in that wall. The
15 Skills to Compete Coalition wants to stress the critical
16 role of adult ed and the high school equivalency sort of
17 granting high school equivalency certificates to meeting
18 the workforce demands of the future in helping people
19 achieve upward mobility. And that's all. Thank you.

20 CHAIRMAN DURHAM: Thank you very much.

21 Cindee Will from James Irwin School?

22 MS. WILL: There we go. Good morning, Mr.
23 Chairman and Members of the Board. My name is Cindee
24 Will and I am the principal of James Irwin Charter
25 Academy down in Colorado Springs. CAP4Kids is on your



1 agenda today and I felt compelled to leave 312 students
2 in order to talk to you about concerns most educators are
3 fearful to discuss.

4 CAP4Kids' goal of aligning preschool
5 students through the post-secondary education system
6 includes a requirement for all children and publically
7 funded schools to receive an individual school readiness
8 plan. This readiness plan must be informed by a
9 readiness assessment.

10 In 2010, the State Board of Education
11 adopted attributes that are featured in this State's new
12 assessment system and the first approved readiness
13 assessment system was TS Gold, Teaching Strategies Gold.
14 But it once was said all that glitters is not gold. In
15 fact, it just might be fool's gold.

16 Let's not be fooled any longer. The first
17 claim for CAP4Kids in Gold is to improve student learning
18 by supporting school readiness. In truth, at our school
19 teachers lose an average of 25 percent instructional time
20 throughout the year due to Gold. In order to do 38
21 objectives and 66 subcategories, photo'd, videotaped, and
22 uploaded into -- for future use, we have to put special
23 and specific labels on and off style. This requires an
24 average of one and a half hours per child every 10 to 12
25 weeks.



1 These mandates impose a view of children as
2 data generators rather than learners. Gold teachers are
3 directed to forego instruction, to be observers and data
4 managers. The CAP4Kids claim if for increased student
5 learning amounts. In truth, to a significant loss of
6 instructional time, 25 percent lost of instructional
7 time.

8 The second claim for CAP4Kids in Gold is to
9 improve teaching effectiveness by assessing the whole
10 child. In truth, assessing the whole child is nothing
11 new. Traditionally, we've been doing that. What's new
12 is the intrusion and into confidential matters.

13 Teachers are required to upload private and
14 personal information. And this has been done
15 traditionally when kids are having difficulty. Maybe
16 they're having difficulty using a toilet, sitting still
17 in class, talking during instruction, or crying when
18 mother leaves a classroom. Why must this be uploaded?
19 To what purpose? Why does the State need to know this
20 otherwise private information? Why does this data need
21 to follow a student throughout their school years and
22 potentially into their careers? Could the peddling of
23 detailed and personal data allow corrupt moneymakers and
24 corporations to learn how to better profit from
25 education? Could Gold be the assessment's name to remind



1 us our children are being mined for gold? Please bring
2 back education to the Gold classroom. Thank you.

3 CHAIRMAN DURHAM: Thank you, Ms. Will. And,
4 Ms. Burdsall, I would, if you have a chance, have that
5 transcribed so we might consider it further in a future
6 meeting. Deborah Cole (ph)?

7 MS. COLE: Mr. Chairman, Members of the
8 Board, good morning. My name is Deborah Cole. According
9 to the Colorado Endorsed Diploma Task Force in 2011,
10 quote, "Post-secondary and workforce readiness is not
11 just academic preparation, but also an indication of the
12 level of skills students have developed that will help
13 them succeed in the 21st century workforce and post-
14 secondary environment," close quote.

15 CDE defines these 21st century skills as
16 critical thinking, collaboration, information literacy,
17 invention, and self-direction. In the Colorado academic
18 standards for reading, writing, and communicating, the
19 overview section of Change section begins with this
20 statement: "Begin with the end in mind. Define what
21 prepared graduates need in order to be successful using
22 21st century skills in our global economy."

23 A question arises: Who can determine what
24 skills students will need in order to be successful in
25 our global economy in the coming decades? We may ask



1 ourselves what skills equips students for success in
2 earlier periods of our history? For example, what was
3 the education that paved the way for the invention of
4 assembly-line production, which transformed our country
5 beyond recognition. What was the education that
6 harnessed electricity and made daily life unrecognizable
7 over the 50-year span from 1880 to 1930 in the United
8 States?

9 It should be obvious that nobody can predict
10 skills students will need that are specific to the 21st
11 century. In 1850, it would've been predicted that
12 students needed to apprenticed in the equestrian arts, of
13 blacksmithing, buddy construction, or horse breeding. In
14 1950, it would've been predicted they needed to be
15 prepared to work in the transistor industry.

16 My husband, who was a successful IT
17 professional before his retirement, used to say that the
18 best preparation for that career was a broad liberal arts
19 education. He was a history major. What is being put
20 forward is a vision for education that time freezes
21 student for an economy that looks just like the present
22 one into the indefinite future.

23 I have just demonstrated the such thinking
24 as fallacious. Beyond that, each of the 21st century
25 skills that propose to create this time freeze deserves



1 close scrutiny. Did a little probing of the term
2 "critical thinking" a few months ago before this board.
3 I demonstrated that its meaning is quite different from
4 the way it is marketed to the public. I would ask the
5 Board and our political leadership to use their critical
6 thinking skills to determine who benefits from a time-
7 frozen economy? I would strongly recommend revisiting
8 the assumptions that underlie this broad vision of
9 education. I -- you owe it to the children of this state
10 and to the future of this nation. Thank you.

11 CHAIRMAN DURHAM: Thank you very much, Ms.
12 Cole. George Walker (ph)?

13 MR. WALKER: Good morning, Mr. Chair,
14 Members of the Board, Commissioner and audience. I'm
15 George Walker. For some reason, call it a public radio -
16 - and I've hesitated for over two months bringing this
17 month -- reported about the recent test scores in July,
18 says the gaps in scores between ethnic groups -- groups
19 are still very wide. And they reported out a group
20 called two or more racial groups. And it would seem the
21 fifth grade science and they were between Asians, quote-
22 unquote, Anglos, and blacks and Hispanics. In other
23 words, they're in between on their test scores two or
24 more races being reported.

25 I listened to the lieutenant governor,



1 Harvard Law graduate, expert on civil rights. And I'm
2 disappointed he did not refer to and describe for us his
3 opinion about the fact that the Supreme Court once again
4 is revisiting a University of Texas, quote-unquote,
5 affirmative action case.

6 I understand that when the court decides
7 something, they decide on the specific issue and the
8 issue is should race should be a consideration in
9 admissions at the University of Texas? Race is a factor
10 in everything we do and always has. And when you start
11 talking a broad category of affirmative action, it shifts
12 it down. And it may not be about K-12 directly, but as
13 you saw this morning from your questions and the
14 lieutenant governor statement, we're very, very related
15 in everything that we do.

16 Now, this is something that I think I'm an
17 expert on. In 1994, U.S. District Court Judge Richard
18 Matsch ruled that in effect he ruled that I was qualified
19 to be president of the University of Colorado. Then he
20 overruled magistrate judge (indiscernible) in order to go
21 forward with a Title 7 case, I would have to pass for
22 Anglo, black, Jewish, or Native American Indian, because"
23 -- and this is his decision from Case 92-M-372 -- "The
24 Honorable Judge Matsch rejected multi-racial persons as a
25 protected class" -- and this is a direct quote --



1 "because it would be impractical to apply and could be so
2 self-limiting that a particular person's only
3 identifiable member of the group. In this state, there
4 are more students in our colleges who classify themselves
5 mixed race or multi-racial than blacks and Native
6 American Indian combined. And I've talked to several
7 lawyers about this. If they were to go in the court and
8 then sue under Title 7 --

9 CHAIRMAN DURHAM: Mr. Walker --

10 MR. WALKER: -- it would not fly.

11 CHAIRMAN DURHAM: Your three minutes has
12 expired.

13 MR. WALKER: What I'm trying to say, sir --
14 (Overlapping)

15 MR. WALKER: What I'm trying to say, sir, I
16 admire the students who are not passing for one -- one
17 race or another, but they do not have Title 7 rights.
18 And I think they need to be made aware of that. And I
19 think we need to write a letter, our attorney general and
20 our -- our lieutenant governor, saying we have to keep
21 considering --

22 CHAIRMAN DURHAM: Thank you, ma'am, Mr.
23 Walker.

24 MR. WALKER: -- race and at this city.

25 CHAIRMAN DURHAM: Thank you.



1 MR. WALKER: Thank you for your extra time,
2 Mr. Chair.

3 CHAIRMAN DURHAM: Thank you, Mr. Walker.
4 Sarah Sampio (ph)?

5 MS. SAMPIO: Thank you, Mr. Chair and Board.
6 My name is Sarah Sampio and I have three children at the
7 Monument School District. Last year, I came before you
8 several times speaking about the brazen data collection
9 being done in our schools without parental permission or
10 even informing parents. The Healthy Kids Colorado Survey
11 came to the forefront as the primary focus and our
12 attorney general office issued two opinions on the
13 matter.

14 The first conceding the rights of informed
15 consent of the parents and, the second, carving out an
16 exception for the Healthy Kids Survey. Parents did not
17 have a right to informed consent, because that survey was
18 voluntary. I now come before you on the matter of the
19 surveys being issued through the Naviance Company. The
20 state of Colorado has laws requiring schools to provide
21 access to college and career planning for our students.
22 As this mandate trickled down to this -- to the CDE and
23 the local schools, access too has morphed into required
24 participation for a class grade.

25 The Naviance Company surveys ask our



1 childrens question like, "My learning disability is; my
2 greatest fear is; I can face my fear by; what is the
3 highest education of your mother or your father." Others
4 such -- others, such as surveys, such as the What You Do
5 What You Are and the Strengths Explorer survey are truly
6 psychological evaluation measurement diagnostic tools
7 that as a parent I feel fall within the category of
8 medical treatment similar to a physical.

9 I am not told my child is being given these.
10 And when I asked, I was not allowed to see the questions.
11 Our state and federal laws in the past have protected
12 children from -- and parents from being required to
13 answer such questions as part of a public school's
14 curriculum or other official school activity. Mandating
15 participation is a direct violation of the parent's right
16 to refuse participation. The current vendors allow
17 access to the results to parents, but do not give access
18 to the questions that will be asked.

19 The contract with Naviance states, quote,
20 "The client," which is the school, "grants to Naviance
21 the non-exclusive worldwide right to use, copy, and store
22 and transmit and display client," -- that's the student -
23 - "and user -- user," -- that's the student -- "data
24 hosted on the service by Naviance.

25 I now ask the State Board of Education to



1 rein in this brazen license that public schools are
2 exercising regarding access to our children's personal
3 attitudes, values, and beliefs and put in place
4 safeguards that will protect the rights of parents to be
5 the primary guide and influence over shaping the belief
6 systems of our children and the school's be limited to
7 the area of academics, reading, writing, math, science,
8 and history. This is the main reason for the concept of
9 separation of church and state in our schools. Thank
10 you.

11 CHAIRMAN DURHAM: Thank you, Ms. Sampio.

12 Let's see --

13 MS. SCHEFFEL: Excuse me, Chair? I would
14 like to have a transcript of that public comment too
15 (indiscernible).

16 CHAIRMAN DURHAM: Yes, thank you. Tammy
17 John (ph)?

18 MS. JOHN: Hi, thank you. I'm a retired
19 psychiatric and pediatric registered nurse, a licensed
20 foster parent, and a mother of nine children. My
21 children range from age 29 to four. The quality of
22 education has taken a shift that is extremely concerning.
23 I used to feel confident in what my children were being
24 taught in school and trusted the professionalism that was
25 occurring within the schools.



1 Currently today though, through multiple
2 experiences, I am no longer able to feel that way. There
3 are actions, such as the term "passive consent" that
4 allows for schools to proceed with such things as
5 surveys, assessments, such as the invasive, intrusive TS
6 Gold, Naviance program, and -- and many other things that
7 are being done without parental oversight.

8 My children are having extensive,
9 unnecessary, intrusive data collecting placed within
10 their school database that no longer is wisely protected
11 by the focal laws which recently changed. There is
12 little parental oversight with technology. And I'm not
13 against technology. Technology is good, but it is making
14 it very difficult for me to know what my children are
15 being exposed to and taught.

16 I'd like to feel confident and trust the
17 educational system. Many experiences, again, through the
18 research and data collecting purposes or decreasing the
19 amount of academics that are being taught. With my
20 background, my psychological -- the psychological
21 development of children is not appropriate. It's not
22 appropriate age-wise. I'm sorry, I kind of lost my train
23 of thought here.

24 With my psychological expertise of child
25 development, the age appropriateness in academic



1 exposures being taught within the classroom are not
2 congruent with the normal maturity and brain development
3 of our children. Children are being required to sit
4 through lengthy test-taking of which they may only be
5 capable, due to their age, for 15 minutes of that time.
6 And so then the test no longer is really measuring
7 academics. So what's the purpose of the test then if --
8 if we're asking our kids to perform in a manner in which
9 they are not ready for or their brain has not been
10 developed and capable of doing?

11 Teachers no longer have the ability to
12 church some of the things that they've been skilled and
13 have had professional knowledge on. They are being asked
14 by mandates that are placed upon them to do tasks that is
15 out of the realm of their expertise. So that is my
16 concern as a parent. Thank you.

17 CHAIRMAN DURHAM: Thank you very much, Ms.
18 John. That concludes this segment of public comment.
19 The Board will stand in recess and --

20 MS. MAZANEC: Mr. Chair? Mr. Chair?

21 CHAIRMAN DURHAM: Yes?

22 MS. MAZANEC: I would like to have Deborah
23 Cole's read into the --

24 CHAIRMAN DURHAM: Okay.

25 MS. MAZANEC: -- record too, please. Thank



1 you.

2 CHAIRMAN DURHAM: Transcript?

3 MS. MAZANEC: Transcript.

4 CHAIRMAN DURHAM: And so we will stand in
5 recess until 10:30.

6 (Meeting adjourned)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25



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.

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

10 IN WITNESS WHEREOF, I have hereunto set my hand
11 and seal this 5th day of February, 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