
Colorado State Board of Education

BOARD REPORT

Members of the Board

Jared Polis, Chairman, Member-at-Large

Randy DeHoff, Vice Chairman, 6th Congressional District

♦ **Christine Baca**, 7th Congressional District ♦ **Peggy Littleton**, 5th Congressional District

♦ **Evie Hudak**, 2nd Congressional District ♦ **Rico Munn**, 1st Congressional District

♦ **Clair Orr**, 4th Congressional District ♦ **Pamela Jo Suckla**, 3rd Congressional District

William J. Moloney, Commissioner of Education and Secretary to the State Board of Education

Karen A. Gerwitz, Director of State Board Relations

Board Actions – May 13, 2004 Department of Education, Denver

BROWN V. BOARD OF EDUCATION – 50 YEARS LATER

A Tribute by Board Member Rico Munn, 1st Congressional District

May 17, 2004 marked the 50th anniversary of the U.S. Supreme Court's landmark decision in *Brown v. Board of Education*, Topeka, Kansas. In that case, the Court recognized the societal harm which resulted from forced segregation in education. More importantly, the Court recognized that separate systems, divided by race, could never be equal.

The lessons of *Brown* continue to inform our national discussion about race. We continue to see Americans divided by race, ethnicity and economic power. Almost invariably those divisions are accompanied by disparities in educational opportunity and academic performance. In recent days we have dubbed those disparities as the "achievement gap."

The achievement gap is not a new phenomenon. For years, decades, we have seen a difference in how our educational system serves students of separate

demographic categories. Those differences include unequal funding, lowered expectations and substandard facilities. The question must then be asked, what have we achieved since 1954?

While victory cannot be declared, progress should be applauded. State and federal accountability measures have made it difficult for schools to hide low performing students. Legislation has been crafted which seeks to bolster the opportunities offered to students of color and poverty. Community groups have become more active in challenging systemic failures to serve all students. Some measures have been more successful than others, but, the collective will to improve is gaining momentum.

As a society, we must continue to make progress in the spirit of *Brown*. We cannot accept half-measures or any efforts which would weaken our ability to maximize the opportunities for every child. Fifty years is a long time but not long enough to erase the disparities created by our history of slavery and the vestiges of second-class citizenry. There is still work to be done.

2004 NOTABLE EDUCATION BILLS

Annually, over the legislative session, over 500 bills are introduced. Of those related to education, the State Board of Education followed the following bills closely that passed both the House and Senate.

Charter School Bills

HB04-1141 Representative King Creation of state charter schools
Senator Andrews

Repeals and amends certain provisions of existing charter school law.

HB04-1362 Representative Carroll State Charter School Institute
Senator Groff

Creates the State Charter School Institute as an agency within CDE and authorizes it to approve "institute charter schools" in school districts which do not meet State Board of Education criteria demonstrating commitment to charter schools.

School Accountability Reports

HB04-1124 Representative Spence School Accountability Reports
Senator Arnold

Adds the federal No Child Left Behind Adequate Yearly Progress (AYP) indicators to the state SARs.

HB04-1217 Representative Lee Parental Questions on SARs
Senator Arnold

Provides for a Question/Answer panel on the SARs, the contents of which would be based on each school's academic performance and improvement ratings.

SB04-83 Senator Sandoval High-risk Alternative Schools & SARs
Representative Spence

Broadens current definition of "alternative schools" (for SARs) and allows for the elimination of the academic performance rating on SARs for such schools.

HB04-1433 Representative King Longitudinal Student Academic Growth
Senator Grossman

Replaces the school improvement rating on SARs with a growth rating and provides diagnostic tool to support teachers.

Other Bills of Note

HB04-1397 Representative King School Finance
Senator Anderson

The School Finance Act is always a bill the Board follows closely, as it often includes a broad range of laws regarding the entire educational system.



ITEMS ON THE CONSENT AGENDA (approved by unanimous vote)

State Board / Commissioner

- Approved the interagency agreement between the State of Colorado – for the use and benefit of the Department of Education, Exceptional Student Services Unit, and the University of Colorado at Denver – Leap Project, in the amount of \$149,997.00, from July 1, 2004 through June 30, 2005
- Adopted a Board Resolution Urging the United States Congress to Compensate Western States for the Impact of Federal Land Ownership on State Education Funding

Educational Services

- Scheduled a Hearing for the July 8, 2004 Colorado State Board of Education meeting to repeal the rules for the Administration of the Pilot Programs Concerned with an Alternative School Year, 1 CCR 301-13

State Library

- Reappointed 8 members, appointed 2 new members to the Colorado Library Advisory Board
 - Roberta Ponis (Congressional District 7)
 - Fred Wilson (Congressional District 4)
 - William Weeks (Congressional District 5)
 - Benjamin Keefer (At-large)
 - Deborah Dauenheimer (Represents persons with special needs)
 - Nancy Edmonds (Represents community colleges)
 - Deborah Grealy (Represents library education)
 - Kathy Lawrence (Represents large/urban public libraries)
 - David Selden (Represents special libraries)
 - John Wilkinson (Library trustee)

Professional Services

- Established evaluation fees and CBI/FBI charges for FY 04/05 according to the following schedule:

	<u>7/1/04-9/30/04</u>	<u>10/01/04 – 6/30/05</u>
Evaluations	\$44	\$ 60
One-year substitutes	22	30
CBI/FBI	39.50	39

- Approved the Type III Authorizations as follows:
 - a. Initial - 30

b. Renewal - 11

- Instructed department staff and the attorney general's office to prepare the documents necessary to request a formal hearing for the revocation of the holder's license pursuant to §22-60.5-108, C.R.S., concerning License No. 191103, Charge No. 2004EC01
- Dismissed the charge concerning Charge No. 2004EC05
- Instructed department staff to issue a notice of denial and appeal rights to the applicant pursuant to §24-4-104, C.R.S., and instruct department staff and the attorney general's office to prepare the documents necessary to request a formal hearing for the revocation of the holder's authorization pursuant to §22-60.5-108, C.R.S., concerning Authorization No. 216289, Charge No. 2003EC19
- Signified acceptance and approval of the terms and conditions of the settlement agreement by directing the commissioner to sign the original copy of the agreement concerning the following:
 - License No. 208511, Charge No. 2003EC23
 - Charge No. 2003EC29
- Approve the listed Colorado school districts, boards of cooperative services, independent schools and institutions of higher education as Designated Agencies for the preparation of teachers through the Alternative Teacher Programs
 - a. Boulder Journey School
 - b. Centennial Board of Cooperative Educational Services
 - c. Cherry Creek School District
 - d. Colorado Academy
 - e. Colorado Christian University
 - f. Denver Arts and Technology Academy
 - g. Denver Public Schools
 - h. Douglas County School District RE-1
 - i. Metropolitan State College of Denver Academy
 - j. Peak to Peak Charter School
 - k. P.S. 1 Charter School
 - l. Rocky Mountain School of Expeditionary Learning
 - m. Southeastern Board of Cooperative Educational Services
 - n. South Central Board of Cooperative Educational Services
 - o. Stanley British Primary School
 - p. University of Colorado at Colorado Springs
 - q. Weld County RE-3 (J) School District
 - r. Western State College
- Approved the proposed licensure preparation program content of the programs at Colorado State University – Pueblo

- Approved the proposed licensure preparation program content at the University of Colorado at Boulder, which will then be forwarded to CCHE

Special Services

- Approved the waiver requests for a 3-year period ending June 30, 2007 as follows:
 - a. Denver Public School and Highline Academy Charter School: 22-9-106; 22-32-109(1)(t); 22-32-110(1)(h)(ee); 22-32-126; 22-63-101 et. seq., C.R.S.
 - b. Denver Public School and Southwest Early College Charter School: 22-9-106; 22-32-110(1)(h)(ee); 22-32-126; 22-63-101 et. seq., C.R.S.
 - c. Steamboat Springs and North Routt Community Charter School: 22-9-106; 22-32-109(1)(b) (f)(n)(I)(z); 22-32-110(1)(h)(i)(k); 22-32-120; 22-32-126; 22-33-105; 22-63-201, 202, 203, 206, 301, 302, 401, 402, C.R.S.
- Approved waiver request for Colorado Springs District #11 for the Life Skills Center of Colorado Springs Charter School for a 57-day period ending July 8, 2004 as follows: 22-9-106; 22-32-126; 22-63-201, 202, 203, 206, 301, 401, 402, & 403, C.R.S.
- Approved the waiver request for Falcon School District #49 for Pikes Peak of Expeditionary Learning Charter School for a 57-day period ending July 8, 2004 as follows: 22-7-106, 107, 207; 22-9-106; 22-32-109(1)(b)(f)(n)(t)(z)(cc); 22-32-109.1; 22-32-110(1)(h)(i)(j)(k)(y)(ee); 22-32-110.7; 22-32-118 & 119; 22-32-126; 22-32-104(4); 22-63-201, 202, 203, 205, 206, 301, 302, 401, 402, & 403; 22-87-104 & 105, C.R.S. and deny 22-9-107; 22-11-303(1); 22-32-117; and 22-63-103, C.R.S.

Management, Budget and Planning

- Approved payments to school districts for the Public School Finance Act of 1994 (as amended) state share of total program for June 2004 in an amount not to exceed \$226,531,420.91
- Approved the published list of special education excess cost rates
- Approved the published list of payments to administrative units in the total amount of \$500,000.00

ITEMS NOT ON CONSENT, REQUIRING A VOTE OF THE MEMBERS
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State Board / Commissioner

- Approved the interagency agreement between the Colorado Department of Education and the Colorado Department of Public Health and Environment in the amount of \$100,000.00 to meet the grant requirements for the CDC Coordinated School Health Program Grant. This agreement will be effective the date of the Controller's signature until February 28, 2005

(4-3 Mr. Polis, Mr. DeHoff, Mrs. Hudak, Mr. Munn concurred. Mrs. Littleton, Mr. Orr, Mrs. Suckla dissented. Mrs. Baca was absent.)

- Adopted the amended permanent rules for the Administration of the School Improvement Plan, 1 CCR 301-52

(7-0 Mr. Polis, Mr. DeHoff, Mrs. Hudak, Mrs. Littleton, Mr. Munn, Mr. Orr, and Mrs. Suckla concurred. Mrs. Baca was absent.)

Learning & Results

- Conducted a hearing and adopted the Rules for the Administration of the Colorado Cyberschools, 1 CCR 301-56, as proposed, in order to provide a basis for cyberschool operation before the 2004-05 school year

(6-1 Mr. DeHoff, Mrs. Hudak, Mrs. Littleton, Mr. Munn, Mr. Orr, and Mrs. Suckla concurred. Mr. Polis dissented. Mrs. Baca was absent.)

- Scheduled a public hearing to consider proposed amendments to the Rules for the Administration of the Colorado Cyberschools, 1 CCR 301-56 for the September 9, 2004 Board meeting.

(7-0 Mr. Polis, Mr. DeHoff, Mrs. Hudak, Mrs. Littleton, Mr. Munn, Mr. Orr, and Mrs. Suckla concurred. Mrs. Baca was absent.)

Special Services

- Adopted the amendments to the rules for the Colorado Basic Literacy Act, 1 CCR 301-42

(7-0 Mr. Polis, Mr. DeHoff, Mrs. Hudak, Mrs. Littleton, Mr. Munn, Mr. Orr, and Mrs. Suckla concurred. Mrs. Baca was absent.)

Management, Budget and Planning

- Conducted a hearing on the proposed rules for the Administration of the School District Capital Construction Assistance Program, CCR 301-63, closed the oral portion of the hearing, directed revisions, and scheduled for a Board-only discussion at the next meeting.

(7-0 Mr. Polis, Mr. DeHoff, Mrs. Hudak, Mrs. Littleton, Mr. Munn, Mr. Orr, and Mrs. Suckla concurred. Mrs. Baca was absent.)

- Conduct a hearing on the proposed rules for the Administration of the Capital Construction Expenditures Reserve, CCR 301-64, closed the oral portion of the hearing, directed revisions, and scheduled for a Board-only discussion at the next meeting.

(7-0 Mr. Polis, Mr. DeHoff, Mrs. Hudak, Mrs. Littleton, Mr. Munn, Mr. Orr, and Mrs. Suckla concurred. Mrs. Baca was absent.)

Final Disposition of State Board Disciplinary Action

Charge No.:	2003EC19
Applicant:	Christina M. McCann
Last Known Employment:	Eagle County School District No. RE 50
Last Known Residence:	Edwards, Colorado
Reason for Disciplinary Action:	Christina M. McCann pled guilty to one felony count of theft.
Final Action of the State Board:	Denial of the application
Date of State Board Action:	May 13, 2004

Final Disposition of State Board Disciplinary Action

Charge No.:	2003EC23
License Holder:	Benjamin W. Greer
License Number:	208511
Last Known Employment:	Park School District R-3
Last Known Residence:	Estes Park, Colorado
Reason for Disciplinary Action:	Benjamin W. Greer was convicted of one misdemeanor count of interference with a student of an educational institution.
Final Action of the State Board:	Permanent revocation
Date of State Board Action:	May 13, 2004

Final Disposition of State Board Disciplinary Action

Charge No.:	2003EC29
Applicant:	James F. Profirio-Bond
Last Known Employment:	Denver Arts and Technology Academy (Denver Public Schools)
Last Known Residence:	Aurora, Colorado
Reason for Disciplinary Action:	James F. Profirio-Bond was convicted of one felony count of larceny in a bank.
Final Action of the State Board:	Denial of the application with provisions for reapplication.
Date of State Board Action:	May 13, 2004

Future Business

June 9 -10	RETREAT – Copper Mountain Colorado	
July 7	Work Session	9:00 a.m.
July 8	Regular Meeting	9:00 a.m.
August 11	Work Session	9:00 a.m.
August 12	Regular Meeting	9:00 a.m.
September 8	Work Session	9:00 a.m.
September 9	Regular Meeting	9:00 a.m.
October 13	Work Session	9:00 a.m.
October 14	Regular Meeting	9:00 a.m.
November 10	Work Session	9:00 a.m.
November 11	Regular Meeting	9:00 a.m.
December 8	Work Session	9:00 a.m.
December 9	Regular Meeting	9:00 a.m.

Future Hearings

July 8, 2004 10:30 a.m.	Repeal Rules for the <u>Administration of the Pilot Programs Concerned with an Alternative School Year, 1 CCR 301-13</u>
September 9, 2004 10:30 a.m.	Consider Amendments to the Rules for the <u>Administration of Colorado Cyberschools, 1 CCR 301-56</u>

Charter School Appeal Hearings

June 8, 2004 4:00 p.m.	Community Leadership Academy v. Adams County School District 14 CANCELLED
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Board Report provides a monthly summary of Colorado State Board of Education business to the Department of Education, Colorado school districts, education-related agencies, and concerned citizens.

For additional information, contact:

Karen Gerwitz, Director of State Board Relations

Phone: 303.866.6817

FAX: 303.866.6938

Mail: Office of the State Board of Education, 201 E. Colfax Ave., Denver, CO 80203

E-mail: gerwitz_k@cde.state.co.u