

Colorado State Board of Education

# BOARD REPORT

## Members of the Board

**Jared Polis**, Chairman, Member-at-Large

**Randy DeHoff**, Vice Chairman, 6<sup>th</sup> Congressional District

- ♦ **Evie Hudak**, 2<sup>nd</sup> Congressional District
- ♦ **Peggy Littleton**, 5<sup>th</sup> Congressional District
- ♦ **Karen Middleton**, 7<sup>th</sup> Congressional District
- ♦ **Rico Munn**, 1<sup>st</sup> Congressional District
- ♦ **Clair Orr**, 4<sup>th</sup> Congressional District
- ♦ **Pamela Jo Suckla**, 3<sup>rd</sup> 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 HIGHLIGHTS OF 2004

The State Board of Education would like to extend best wishes for 2005 to its staff of the Colorado Department of Education, to the entire professional education community, and to all of Colorado's students. The Board would also like to thank all who supported the State Board's efforts in 2004, making it quite the memorable year. The Board experienced two changes in its membership this year and looks back over the year with a sense of pride and accomplishment, remembering some of the highlights of 2004 including:

January	Chairman Jared Polis elected and hosts a reception at CDE
February	Board member Peggy Littleton Replaces John Burnett in the 5 <sup>th</sup> C.D.
February	Board visits students at Fountain-Ft. Carson
March	Board Receives a Presentation from Jeffco - Colorado's Largest District
March	Rules for the Educator Licensing Act Amended
April	3 <sup>rd</sup> Grade Reading Results Show Slow but Steady Improvement
May	Board Receives Informative Presentation from Cesar Chavez Academy in Pueblo
May	Board Recognizes <i>Brown vs. Board of Education</i> 50 <sup>th</sup> Anniversary
May	Rules for the new Charter School Institute (School Improvement Plan) and the Colorado Basic Literacy Act Amended
July	Members Attend the Children's Land Alliance Supporting Schools (CLASS) Conference in Oregon
July	Board Resolution Proclaiming Year of World Languages
August	Board Releases 2003-04 CSAP Results, Which Show Steady Progress
August	Board Hosted by Sierre Grande School District and Meets with Rural Schools Caucus and BOCES
August	Rules for Capital Construction Adopted and Rules for Alternative Campuses Amended
September	Board Reviews "State of the State" for Mathematics

September	Board Passes First Official Legislative Priorities Agenda for 2005 Session
October	Board Hosts Colorado Reading Summit
November	Board Member Karen Middleton Replaces Christine Baca in the 7 <sup>th</sup> C.D.
November	State Board Chooses KIPP to Run Cole Middle School in Denver
November	State Board Endorses the Commission's Closing the Achievement Gap Report
November	Rules for Online Programs Amended
December	Board Joins Governor Owens for the 2004 SAR Release
December	Board Receives a Dynamic Presentation by Mapleton School District

**Board Actions – December 9, 2004  
Department of Education, Denver**

<b>ITEMS ON THE CONSENT AGENDA</b> (approved by unanimous vote)
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**State Board / Commissioner**

- Approved distribution of 2005 funds to eligible school districts in accordance with the English Language Proficiency Act (Article 24 of Title 22, CRS) in the amount of \$3,766,630

**Professional Services**

- Approved the Type III Authorizations as follows:
  - Renewal – 14
  - Initial – 49
- Approved the proposed teacher induction program for Colorado Academy
- Signified its 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 License No. 142132, Charge No. 2003EC40 and License No. 212369 and No. 212857, Charge No. 2004EC10
- 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. 252104 and Application for an Authorization Charge No. 2004EC31

- 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. 261914, Charge No. 2004EC37
- Dismissed the charge concerning Application for an Authorization, Charge No. 2004EC44
- Approved PS 1 Charter School's proposal to offer the Special Education Generalist endorsement through its approved Alternative Licensing Program

### **Special Services**

- Approved waiver request for a 5-year period ending June 30, 2009 for Weld County RE-4 and Windsor Charter Academy as follows: 22-9-106; 22-32-109(1)(b)(f)(n)(t)(z); 22-32-109.7, 109.8 & 109.9; 22-32-110(1)(i)(j)(k)(o)(w)(y)(ee); 22-32-119; 22-32-126; 22-33-104(4), 105 & 108; 22-63-201, 202, 203, 301, 302, 401, 402, & 403, C.R.S. and note that 22-32-109.7, 109.8 & 109.9, C.R.S. are delegation waivers
- Approved waiver request for a 36-day period ending January 13, 2005 for Moffat County RE-1 and Dinosaur Charter School as follows: 22-9-106; 22-32-109(1)(x); 22-32-110(1)(h)(i)(k)(z)(ee); 22-32-126; 22-63-201, 301, 302, 401, & 402, C.R.S

### **Management, Budget and Planning**

- Approved special education excess cost rates for Eligible Facilities for FY 2004-05
- Approved \$231,498,572.52 payable to school districts for the Public School Finance Act of 1994 (as amended) state share of total program for December 2004

ITEMS <b>NOT</b> ON CONSENT, REQUIRING A VOTE OF THE MEMBERS
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### **State Board / Commissioner**

- Adopted amendments to the Rules for the Administration of the School Improvement Plan, 1 CCR 301-52

8-0 (The motion was carried unanimously)

- Conducted a hearing to consider the amendments to the Rules for the Administration of the Exceptional Children's Educational Act, 1 CCR 301-8 Closed the oral portion of the hearing, directed revisions and scheduled for consideration at the January 13, 2005 board meeting

8-0 (The motion was carried unanimously)

- The English Language Development Standards were removed from the agenda.

### **Professional Services**

- Adopted the Rules for the Educator Licensing Act of 1991 – 1 CCR 301 – 37

8-0 (The motion was carried unanimously)

- Instructed department staff to issue a notice of denial and appeal rights to the applicant pursuant to §24-4-104, C.R.S. concerning Application for a License, Charge No. 2004EC36

7-1 (Mr. Polis, Mr. DeHoff, Mrs. Hudak, Mrs. Littleton, Mrs. Middleton, Mr. Munn and Mrs. Suckla concurred. Mr. Orr dissented)

- Instructed department staff to issue a notice of denial and appeal rights to the applicant pursuant to §24-4-104, C.R.S. concerning an Application for an Authorization, Charge No. 2004EC42

8-0 (The motion was carried unanimously)

### **Special Services**

- Conducted a hearing to consider amendments to the Rules for the Administration of the Waiver of Statute and Rule, 1 CCR 301-35. The oral portion was closed, directed revisions and scheduled for consideration for the January 13, 2005 board meeting

8-0 (The motion was carried unanimously)

- **Exclusive Chartering Authority**

To be granted exclusive chartering authority, the State Board must vote in the affirmative to allow a district to be the sole charter authorizer within its district. If this does not occur, the State's Charter School Institute would continue to have jurisdiction to charter schools in those districts.

The results on separate motions to *deny* exclusive chartering authority pursuant to 22-30.5-504, C.R.S. for these districts are as follows:

- Adams County District 50 – Motion carries, *Exclusive Chartering Authority Denied*  
5-3 (Mr. DeHoff, Mrs. Littleton, Mr. Orr, Mr. Polis, and Mrs. Suckla concurred; Mrs. Hudak, Mrs. Middleton, Mr. Munn dissented)
- Boulder Valley School District – Motion Fails on Tie Vote, *Exclusive Chartering Authority is Neither Granted or Denied*  
4-4 (Mr. DeHoff, Mrs. Littleton, Mr. Orr and Mr. Polis concurred; Mrs. Hudak, Mrs. Middleton, Mr. Munn and Mrs. Suckla dissented)
- St. Vrain Valley RE 1J School District – Motion Fails, *Exclusive Chartering Authority is Granted*  
3-5 (Mr. DeHoff, Mrs. Littleton, and Mr. Polis concurred; Mrs. Hudak, Mrs. Middleton, Mr. Munn, Mr. Orr and Mrs. Suckla dissented)

Affirmative motion to approve exclusive chartering authority carries.

- 5-3 (Mrs. Hudak, Mrs. Middleton, Mr. Munn, Mr. Orr and Mrs. Suckla concurred; Mr. DeHoff, Mrs. Littleton, Mr. Polis dissented)
- Poudre R-1 School District – Motion Fails on Tie Vote, *Exclusive Chartering Authority is Neither Granted or Denied*  
4-4 (Mr. DeHoff, Mrs. Littleton, Mr. Orr, and Mr. Polis concurred; Mrs. Hudak, Mrs. Middleton, Mr. Munn and Mrs. Suckla dissented)

The result on a separate motion to *deny* Harrison 2 School District pursuant to 22-30.5-504(a)(I)(A), C.R.S. is as follows:

- Harrison 2 School District – Motion carries, *Exclusive Chartering Authority is Denied*  
7-0 (Mr. DeHoff, Mrs. Littleton, Mrs. Middleton, Mr. Orr, Mr. Polis, Mr. Munn and Mrs. Suckla concurred; Mrs. Hudak was absent)

The results on separate motions to *approve* exclusive chartering authority pursuant to 22-30.5-504, C.R.S. for these districts are as follows:

- o Adams-Arapahoe 28J – Motion carries, *Exclusive Chartering Authority is Granted*
  
- 5-3 (Mrs. Hudak, Mrs. Middleton, Mrs. Polis, Mr. Munn and Mrs. Suckla concurred; Mr. DeHoff, Mrs. Littleton, and Mr. Orr dissented)
  
- o Jefferson County R-1 – Motion carries, *Exclusive Chartering Authority is Granted*
  
- 7-1 (Mrs. Hudak, Mrs. Littleton, Mrs. Middleton, Mr. Munn, Mr. Orr, Mr. Polis, Mrs. Suckla concurred; Mr. DeHoff dissented)

**Final Disposition of State Board Disciplinary Action**

Charge No.:	2004EC36
Applicant:	John S. Diliberto
Last Known Employment:	Cherry Creek Schools
Last Known Residence:	Denver, Colorado
Reason for Disciplinary Action:	John S. Diliberto was convicted of one misdemeanor count of 3 <sup>rd</sup> degree sexual assault
Final Action of the State Board:	Denial of application
Date of State Board Action:	December 9, 2004

**Final Disposition of State Board Disciplinary Action**

Charge No.:	2004EC31
Applicant:	Maureen M. Green
Last Known Employment:	Beacon Center
Last Known Residence:	Pine, Colorado
Reason for Disciplinary Action:	Maureen M. Green was convicted of one felony count of forgery
Final Action of the State Board:	Denial of application
Date of State Board Action:	December 9, 2004

**Final Disposition of State Board Disciplinary Action**

Charge No.:	2004EC10
License Holder:	Richard M. Gonzales
License Numbers:	212369 and 212857
Last Known Employment:	Denver Public Schools
Last Known Residence:	Lakewood, Colorado
Reason for Disciplinary Action:	Richard M. Gonzales improperly disciplined students
Final Action of the State Board:	Permanent revocation

Date of State Board Action: December 9, 2004

**Final Disposition of State Board Disciplinary Action**

Charge No.: 2004EC42  
Applicant: Eric B. Hicks  
Last Known Residence: Colorado Springs, Colorado  
Reason for Disciplinary Action: Eric B. Hicks was convicted of one felony count of 2<sup>nd</sup> degree assault, a crime of violence  
Final Action of the State Board: Denial of application  
Date of State Board Action: December 9, 2004

**Final Disposition of State Board Disciplinary Action**

Charge No.: 2003EC40  
License Holder: Anthony W. Saragossa  
Last Known Employment: Denver Public Schools  
Last Known Residence: Denver, Colorado  
Reason for Disciplinary Action: Anthony W. Zaragoza engaged in improper conduct toward two female students and warehoused an extensive collection of pornographic materials in his classroom  
Final Action of the State Board: Permanent revocation  
Date of State Board Action: December 9, 2004

**Future Business**

January 12	Work Session	
<b>January 13</b>	Regular Meeting	
February 09	Work Session	
<b>February 10</b>	Regular Meeting	
February 11-12	Board Retreat –	<b>Off Site TBA</b>
March 09	Work Session	
<b>March 10</b>	Regular Meeting	
April 13	Work Session	
<b>April 14</b>	Regular Meeting	
May 11	Work Session	
<b>May 12</b>	Regular Meeting	
June 8-9	Board Retreat -	<b>Off Site / TBA</b>
July 13	Work Session	
<b>July 14</b>	Regular Meeting	
August 10	Work Session -	<b>Off-site / TBA</b>
<b>August 11</b>	Regular Meeting -	<b>Off Site / TBA</b>
September 14	Work Session	
<b>September 15</b>	Regular Meeting	

October 5	Work Session
<b>October 6</b>	Regular Meeting
November 09	Work Session
<b>November 10</b>	Regular Meeting
December 7	Work Session
<b>December 8</b>	Regular Meeting

## Future Hearings

### **RULE HEARINGS:**

January 13, 2005 10:15 a.m.	<u>Rules for the Administration of the School District Capital Construction Assistance Program, 1 CCR 301-63</u>
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### **CHARTER SCHOOL HEARINGS:**

January 12, 2005 3:00 p.m.	Mountain Peaks Montessori School vs. Jefferson County School District
January 12, 2005 4:30 p.m.	Teddy Roosevelt Academy vs. Jefferson County
February 9, 2005 3:00 p.m.	Madison Charter High School vs. Jefferson Count School District
February 9, 2005 4:30 p.m.	Colorado Arts & Achievement Academy vs. Jefferson County
February 10, 2005 10:30 a.m.	College Prep High School vs. Jefferson County
March 9, 2005 1:30 p.m.	Lotus School for Excellence vs. Adams Arapahoe 28J

### **EXCLUSIVE CHARTERING AUTHORITY - CHALLENGE**

January 13, 2005 09:30 a.m.	Pinnacle Charter School and Adams 12 Five Star
January 13, 2005 1:00 p.m.	New Vision Charter School and Thompson Valley R-2J
January 13, 2005 1:45 p.m.	Leadership Preparatory Academy and Widefield Leadership Prep

*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.

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