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March 18, 2009

News Release

Board Meeting Agendas for Thursday, March 19 and Friday, March 20

The Colorado State Board of Education will hold meetings this week on Thursday and Friday, March 19-20.

The March 19 meeting will be held in the first-floor board room at the Colorado Department of Education, 201 E. Colfax Ave., Denver.

The March 20 retreat will be held at the Denver Museum of Nature and Science, 2001 Colorado Blvd., Denver.

The majority of the March 19 meeting will combine work session and regular board meeting business. That day's meeting will begin at 9 a.m. At mid-afternoon that day the board will begin a retreat that will continue through the day on Friday.

Following are the action items on the March 19 agenda. These action items have no fixed time.

Action items:

- Building Excellent Schools Today (BEST) grant award recommendations. The Capital Construction Assistance Board (CCAB) has submitted 11 recommendations for consideration including projects in Alamosa School District RE-11J; Sangre De Cristo School District RE-22J; Centennial School District R-1; Edison School District 54-JT; Buffalo School District RE-4; Weldon Valley School District RE-20(J); Holly School District RE-3; Pueblo City Schools; Sargent School District RE-33J; South

Routt School District RE-3; and Mountain Valley School District RE-1.

- Denver Public Schools' Innovation Schools Act Application – Manual High School and Montclair School of Academics and Enrichment. The requested designations are the first under Senate Bill 08-130, approved by the Colorado State Legislature to support greater school autonomy and flexibility in academic and operational decision-making. The law provides a means for schools and districts to gain waivers from state laws and collective bargaining agreements.
- Four disciplinary proceedings.
- Approval of requests for initial emergency authorizations (11 total).
- Approval of request for one emergency renewal authorizations.
- Certification of amounts payable to school districts for the Public School Finance Act of 1994.
- Decision concerning appeal from administrative law judge's initial decision, case no. ED2009-0001.
- Approval of procedures for appeal to the state board pursuant to ECEA (Exceptional Children's Education Act).

Rulemaking:

- Consideration of adoption of the amendments to the transportation rules. The amendment to the state board's operating procedures would allow for rules to be adopted immediately following a public hearing upon unanimous consent.
- Public rulemaking hearing on amendments to rules for the operation of school transportation vehicles. There are a series of proposed amendments on a variety of topics. These rules are reviewed every five years to stay consistent with federal and state laws. This hearing will begin at 2 p.m.
- Approval of notice of rulemaking and repeal of certain rules pertaining to the State Library. The Colorado State Library conducted an extensive review of existing rules and seeks to

repeal those rules that are no longer necessary or relevant, and seeks to amend those that require amendment to conform to current law.

- Approval of notice of rulemaking for the administration of Colorado Data Reporting for School Accreditation. The rules were originally adopted by the state board in 2006 and met the requirements of state law requiring statewide formulas for calculating various outcome rates, including graduation. The graduation rate section of these rules also met the intent of the National Governor's Association (NGA) Compact on State High School Graduation Data, signed by Governor Owens in July 2005.

The U.S. Department of Education released guidance regarding on-time graduation rates in October 2008. The guidance eliminated the flexibility previously allowed under the NGA compact. No accommodations to provide additional years to graduate are allowed for any group of students. These rules remove all of the special education and English-Language Learner exceptions, expand the mandatory school age to match current law, and revise the timelines to implement the on-time graduation and completion rates. These changes suggesting a 2009-2010 school year implementation allow Colorado to produce on-time graduation rates well in advance of the federal 2012-2013 deadline.

The state board will be requested to approve notice of rulemaking for promulgation of the permanent rules at the March 19 board meeting. At its May 2009 meeting, the state board will be requested to hold a public rulemaking and review and promulgate rules.

- Approval of notice of rulemaking of amendments to the Public School Finance Act of 1994 regarding passing time and request for hearing in August 2009.

In October 2007, two proposals related to Section 2.06(2) of the Rules for the Administration of the Public School Finance Act were discussed among members of the state board. The discussion was centered on seat-time for students or other options that may be used for the purpose of funding students. CDE staff was tasked with establishing a group of interested participants to study options to seat-time. The group (composed

of superintendents, finance officers, representatives from the Colorado Association of School Executives, Colorado Association of School Boards, Colorado Education Association, Donnell-Kay Foundation, Education Center for Statistics, and Colorado Department of Higher Education) met twice and discussed several issues. The group requested additional information the department currently does not have available. The committee, once reconvened, will continue discussing other issues.

Staff suggests the state board move forward to discuss the two options included in the proposed rule change. The proposed rules would apply to the calendars commencing in the 2010-2011 school year. The two options proposed as changes to existing rule include:

1. Option one excludes "passing time" and the time provided for lunch from the definition of "educational process" for the purposes of calculating a student's scheduled hours relative to Section 22-32-109, C.R.S.
2. Option two permits "passing time" in the definition of "educational process" for purposes of calculating a student's scheduled hours relative to Section 22-32-109, C.R.S.

Department staff will solicit input from school districts and other interested parties concerning the proposed rule change between now and the date of the hearing in August 2009 in accordance with the rulemaking procedures set forth in the Administrative Procedure Act.

- Please note: the previously announced public rulemaking hearing scheduled for 3 p.m. on the promulgation of amendments to the Food and Nutrition rules has been cancelled due to the introduction of Senate Bill 09-230, "Concerning The Authorization of Charter Schools As School Food Authorities."

Other Agenda Items:

- Information Only – Appointments to the Colorado Special Education Advisory Committee
- Presentation on Annual Report on Online Programs

- Colorado Cyberschools Association presentation on online education
- Presentation on College in Colorado
- Report from state board members
- Report from Commissioner of Education Dwight D. Jones
- Report from communications office and state board office; legislative update; budget update; federal stimulus package update; and Colorado Model Content Standards Review.

Public Comment:

- The public will be afforded an opportunity to be heard by the state board.

Retreat:

Agenda items for Thursday, March 19 include:

- Update on Forward Thinking
- Communications

Agenda items for Friday, March 20 include:

- Reaffirming state board goals and priorities
- Building agendas for board meetings
- Budgeting state board travel costs
- Priorities and expectations of state board office
- State board employee evaluation process
- Overview of state board's legal responsibilities

For more information, contact Mark Stevens, 303-866-3898, or Megan McDermott, 303-866-2334, in the CDE Office of Communications. To sign up for the CDE e-mail news service, please visit <http://www.cde.state.co.us/Communications/index.html>.

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