



COLORADO
Department of Education

Colorado State Board of Education

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
COLORADO DEPARTMENT OF EDUCATION COMMISSION
DENVER, COLORADO
September 9, 2015, Part 4

BE IT REMEMBERED THAT on September 9, 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: Let's see, we're now at
2 Item 13.04, which is the page -- where I'm at? Yeah,
3 here it is. 13.03 -- 13.01 -- 13.03.

4 MS. SHEFFEL: Glad you're 13.05.

5 CHAIRMAN DURHAM: Let's go for it. Okay, so
6 all right, this is a waiver on behalf of Golden View
7 Classical Academy. Yes, Mr. Matlick, are you in charge
8 of this presentation? Gretchen?

9 MS. MORGAN: I'll just do a brief
10 introduction.

11 CHAIRMAN DURHAM: Go right ahead.

12 MS. MORGAN: Thank you, Mr. Chair. So
13 again, Gretchen Morgan from the Department. And again,
14 just as a reminder, when folks come seeking waivers that
15 have not been sought before, we usually flag those for
16 you, and are the couple of those in the -- the set that
17 this school is asking for, with the support of their
18 authorizer.

19 And we also always try to offer you context
20 that we hope is useful to you in making decisions. In
21 this case, that context is that we're not sure actually
22 that to do the things they want to do, as described in
23 their replacement plans, they actually need a waiver from
24 you. I think -- I don't want to speak for you, Tony, but
25 I think Tony would say that you can still give them a



1 waiver; even if you don't determine that they need it,
2 you still have the ability to give it.

3 MR. DYLAN: You still have the ability to give
4 it, even if you determine that you -- that they do not
5 need it, so --

6 MS. MORGAN: So again, this is just context
7 for you to use it in making your decision. But I wanted
8 to invite these guys to speak on behalf of the school and
9 the district about why they are seeking these waivers and
10 -- and what their sort of rationale for seeking them,
11 knowing that we may have a view that they aren't
12 necessary.

13 CHAIRMAN DURHAM: Okay. All right.

14 MS. MORGAN: Okay.

15 CHAIRMAN DURHAM: Mr. Matlick, if you'd like
16 to give us your quick overview of the waivers you're
17 requesting?

18 MR. MATLICK: Sure. I'm actually going to
19 let --

20 CHAIRMAN DURHAM: Oh.

21 MR. MATLICK: -- Golden View Classical
22 Academy do that.

23 CHAIRMAN DURHAM: Perfect.

24 MR. MATLICK: My name's Tim Matlick and I'm
25 -- I'm the achievement director for charter schools in



1 Jefferson County. It's my second year in that role.
2 Really pleased to support charter schools in my role.
3 Before that, I was a charter school principal. And
4 before that, I served on the board as well. So been in
5 the charter school side for about 14 years.

6 We do support Golden View Classical Academy
7 in seeking clarity on some of the waivers that they have
8 brought before you. And with that, I will turn it over
9 to Derec.

10 CHAIRMAN DURHAM: All right, please.

11 MR. SHULER: So great.

12 CHAIRMAN DURHAM: Please identify yourself.

13 MR. SHULER: Yeah, my name is Derec Shuler.
14 I'm the board president of Golden View Classical Academy.
15 Thanks for letting us be here today to talk about
16 waivers. As you all know, waivers are really the heart
17 of what makes a charter school a charter school, allowing
18 charter schools to innovate and exercise local control on
19 the educational program, curriculum, operations, and
20 selection of highly qualified teachers, as intended of
21 the Charter School Act.

22 Golden View Classical Academy is here today
23 to request our initial waivers to operate a K-12
24 classical school in Golden and Jefferson County,
25 Colorado. You have those five waivers in front of you.



1 We have reviewed the staff comments on the waivers and we
2 want to ensure the State Board is aware of our rationale
3 for requesting these waivers.

4 We actually support the -- the staff
5 position that several of these waivers should not be
6 necessary. But unfortunately, due to some poor statutory
7 construction or statute construction or a lack of clear
8 rule precedent or clear rule of precedent, we've
9 requested these waivers be individually considered, as
10 our authorizer represents -- as our authorizer mentioned,
11 just to ensure some clarity in our relationship. We just
12 have the State Board just weigh in on these.

13 So our -- our first waiver pertains to
14 Colorado revised statute 22-32-120, food service. It is
15 indeed the case that at this time we are not working with
16 a food service authority. If that were the entire
17 context of the waiver -- of the statute, we'd be fine
18 with that. However, there's an unrelated section of --
19 of this statute whose title and intent is not included --
20 exclusion -- the school's not participating in the school
21 food service authority. And that section is Section 3,
22 which states, "Upon the written request from a parent or
23 a guardian of school-age pupil enrolled in a school, such
24 pupil shall be required to -- shall not be required to
25 participate in a food service program or remain on the



1 school premises during a school lunch."

2 Golden View Classical Academy is a closed
3 campus and we do not allow our students to leave campus
4 for lunch, so this -- this single part of the entire
5 statute directly conflicts with local control and the
6 culture and operation of our school.

7 In the event we did want to establish a food
8 service authority at some point in the future, which we
9 don't have any plans at this time, I just want to note to
10 the Board that we would still be responsible for
11 complying with all applicable federal statutes in that
12 case.

13 Moving on to the second request, Colorado
14 revised statute 22-32-134(5), again, the comments from --
15 from staff mentioned this statute should not apply to
16 Golden View Classical Academy, since we do not
17 participate with the food service authority. Again, we
18 are in absolute agreement that the federal guidelines
19 under the Smart Snack portion of the National School
20 Lunch Act should not apply to our school. However again,
21 the construction of this statute does not include the
22 required exclusionary language. Specifying it only
23 applies in the case a school participates in the National
24 School Lunch -- the school lunch authority.

25 As a school supporting healthy choices, both



1 in mind and intellect, we emphasize the virtue of making
2 healthy lifestyle choices. And we ask the Board to
3 support the position the statute should not apply,
4 support local control, and again provide clarity by
5 approving this waiver request.

6 MS. FLORES: May I ask a question?

7 CHAIRMAN DURHAM: Yes, Dr. Flores?

8 MS. FLORES: What about -- what about the
9 issue that the Feds require that if you have a charter
10 school, it has to have 40 percent for -- for free-and-
11 reduced lunch kids? What about that -- that area?

12 MR. SHULER: I'm -- I'm not familiar with
13 any federal requirement that we have with 40 percent --

14 MS. FLORES: Well, I think it's --

15 MR. SHULER: -- free-and-reduced lunch.

16 MS. FLORES: It's a -- I just read the
17 federal guidelines. And it goes into if -- if you're
18 going to have a charter school or you're going to have to
19 kind of have 40 percent kids that are free-and-reduced
20 lunch.

21 MR. SHULER: Right.

22 MS. FLORES: And which brings into maybe
23 being --

24 MR. SHULER: If I could --

25 MS. FLORES: -- having more minority kids in



1 there. And what if -- what would you -- what would these
2 kids do, not have lunch if you have poor kids?

3 MR. SHULER: Right. Dr. Flores, if -- if I
4 could refer that question to staff. I -- I'd like them
5 to answer that.

6 CHAIRMAN DURHAM: Ms. Morgan?

7 MS. MORGAN: Thank you. I'm not sure. I
8 think you might be referring to Title 1 requirements.

9 MS. FLORES: Title 1. So you don't take
10 Title 1 kids?

11 MR. SHULER: No, ma'am. No, I'm sorry, we -
12 - we take (indiscernible) all children. We don't -- we -
13 - right now we're not accepting Title 1 dollars.

14 MS. MORGAN: So you -- it -- it's possible
15 that they would not be taking Title 1 funds, and
16 therefore not accountable to parameters of those funds --

17 MS. FLORES: Right, but --

18 MS. MORGAN: -- in partnership with their
19 authorizer.

20 MS. FLORES: But yet they're a charter
21 school.

22 CHAIRMAN DURHAM: So you --

23 MS. FLORES: And a charter school must have
24 a certain amount, and I think it's a third, of --

25 MS. MORGAN: I'm not aware of anything in



1 either state or federal law or --

2 (Overlapping)

3 MS. FLORES: Well, the reason for charter
4 schools to begin with was to educate poor kids where
5 there wasn't an opportunity for them to get a good
6 education. And so that's the reason for charters back in
7 1996 and here too in this state. So how would we not --
8 why would we not have a school that would admit poor
9 kids?

10 MR. MATLICK: If -- if I may, if I could
11 just jump in here. Once again, Tim Matlick with the
12 district. I'm not -- I'm not sure of the numbers you're
13 talking about. I will tell you, with Golden View, one of
14 the parts of their application --

15 MS. FLORES: It's a charter school?

16 MR. MATLICK: It is a charter school.

17 MS. FLORES: Well, it falls --

18 MR. MATLICK: One of the parts of their --

19 MS. FLORES: -- under the charter school
20 law.

21 MR. MATLICK: Correct. One of the parts of
22 their application that we were pretty excited about
23 actually as an authorizer was the fact that they had
24 received a Daniels fund to market to significantly
25 impacted students, because their intent was to -- to



1 market to school, not just to the affluent students, but
2 also to impacted students. Now, how that plays out,
3 they've been --

4 MS. FLORES: And how do you -- what's a
5 definition of impacted students to you?

6 MR. MATLICK: It would be financially
7 impacted, educationally impacted, socially impacted, any
8 -- any student that needs another opportunity in the --
9 in the school environment.

10 And so one of the things that some of the
11 charter schools do -- and I -- they've been a school a
12 week, just over a week now, because I started September
13 1st, because of construction issues. A lot of schools
14 bring -- have the students bring their own lunches and
15 then have lunches available for the students in the
16 school. Where I was, we always had lunches available for
17 the students that didn't bring them. And then we would
18 monitor that. Just to address your concern, we would
19 monitor that and then after the third day that we noticed
20 a student wasn't bringing a lunch, then we would begin to
21 intervene and we would call the families and try and find
22 out what was happening to see if we could provide support
23 services for them.

24 So I don't know that a school that's a week
25 old has all that in place yet, but I do know that their



1 intent was to serve those kids as well.

2 MR. SHULER: Dr. Flores, and just -- and I -
3 - I don't -- so out contract and application has been
4 absolutely with compliance with all laws, but while we
5 don't use a food service authority, we have contracted
6 with a vendor to provide lunches to all of our students
7 who require them. So but we are -- but there is a legal
8 distinction between us doing that and actually working
9 with a food service authority.

10 MS. FLORES: Which -- so what is the
11 percentage of poor and culture and poor kids, free-and-
12 reduced lunch kids?

13 MR. SHULER: Right. And we've been in
14 school a week and we don't have all of that information
15 yet. Again, it's parents have to self-identify whether
16 they want to be included and designated as such. And
17 it's when school starts, we don't ask that anywhere
18 during the application process, which is in compliance
19 with federal law, because we don't want -- we want to
20 avoid any impression there's any type of discriminations.
21 We don't collect any demographic data until a student has
22 a seat and is starting to attend our school.

23 MS. FLORES: I have no idea how your school
24 got passed your -- the Board.

25 MR. SHULER: I think this is common --



1 MS. FLORES: I think the Board approved it.

2 MR. SHULER: -- practice throughout -- with
3 charter schools throughout Colorado.

4 MS. FLORES: I don't (indiscernible).

5 MS. MAZANEC: I don't know any requirement
6 of 40 percent free and reduced that you're referring to
7 (indiscernible).

8 MS. FLORES: Well, I know that when I was on
9 CACT (ph), on the DAC (ph) for about five, six years in
10 Denver, we looked at that data before, you know, how many
11 kids were they taking? We ended up with segregated
12 schools, but we did look at all that data.

13 MS. RANKIN: Yeah, are we on a certain time
14 schedule here or --

15 MS. FLORES: Well, that's -- I think it's
16 very important --

17 MS. RANKIN: It is. I'm not saying it's
18 not.

19 CHAIRMAN DURHAM: We're not on a legal time
20 schedule. We're not on a legal time schedule.

21 MS. RANKIN: Okay.

22 CHAIRMAN DURHAM: So did you --

23 (Overlapping)

24 CHAIRMAN DURHAM: Are you --

25 MS. FLORES: I'd like to --



1 CHAIRMAN DURHAM: Dr. Flores, are you
2 finished?

3 MS. FLORES: Yes, I am.

4 CHAIRMAN DURHAM: Okay. Mr. Shuler, is it
5 safe to say that or is it fair to say that you don't
6 discriminate in your acceptance of students based on
7 income, race --

8 MR. SHULER: That would be absolutely
9 correct. And again, just to request the type of identify
10 -- identifying data that Dr. Flores is requesting is
11 actually prohibited by federal law.

12 CHAIRMAN DURHAM: And then -- and you do
13 have a grant, which from the Daniel's Foundation to try
14 and encourage the attendance of -- of disadvantaged
15 children, is that correct?

16 MR. SHULER: That is correct. And we've
17 already received some additional grants from other
18 organizations to help provide additional support for
19 families that have -- that are financially impacted, as
20 Mr. Matlick says, to help them, assist them. So while we
21 don't participate in the National School Lunch program,
22 we do have processes and support in place to provide
23 assistance for those families.

24 CHAIRMAN DURHAM: Thank you. Yes, Ms. Goff?

25 MS. GOFF: I -- I know I read it, I followed



1 somewhat. I have -- did Golden View Academy decide from
2 the get-go during the time of your application to take 95
3 percent or 100 percent of the PPOR? Are you -- are you
4 operating on 100 percent of the regular PPOR and then
5 making your in-house decisions, which including no food
6 service?

7 MR. SHULER: Right. So -- and -- and the
8 way that works, there's some -- and this is in the
9 contract with Jefferson County. So I think Jefferson
10 County, out of the 100 PPR that we would receive, I
11 believe it takes 2.2 percent out for administrative
12 overhead that's common for all students and across the
13 district. There's additional 2.8 percent that we're
14 paying for back office services in purchasing and payroll
15 and some other things. So we are operating on 95 percent
16 of PPR in house.

17 MR. MATLICK: And to address that question,
18 one other piece of it is Jefferson County does after --
19 offer a list of purchase services that they can actually
20 purchase off the district. So schools can do those with
21 -- in conjunction with the district or they go outside
22 the district as well for a variety, insurance being one
23 of them, for instance. So it depends on the individual
24 school.

25 MS. GOFF: And I don't recall right off the



1 top of my head, is there a list of pre-approved food
2 service providers? And then don't they have to make --
3 meet certain criteria? This was probably five or six
4 years ago. I know we went through this early on.

5 MR. DYLAN: Yeah, for -- for participation in
6 like the USDA free-and-reduced lunch program. You -- you
7 do have to either --

8 MS. GOFF: Well --

9 MR. DYLAN: Yeah, there --

10 MS. GOFF: I'm thinking in terms of our
11 charter schools --

12 MR. DYLAN: You have to be approved by the
13 State as a school food authority or belong to a school
14 food authority. And then there is a -- there is a
15 different food providers that, again, are -- I -- I -- we
16 have to meet certain criteria from the state before you
17 can contract with them.

18 MS. GOFF: Okay, so --

19 CHAIRMAN DURHAM: Yes, (indiscernible).

20 (Overlapping)

21 MS. GOFF: That's good for now. I
22 appreciate this.

23 MS. SCHROEDER: Sorry, we just got
24 (indiscernible) left.

25 MS. FLORES: We're not (indiscernible).



1 (Overlapping)

2 MS. SCHROEDER: Now I'd want to know -- like
3 to know how you -- how you fund (indiscernible). Do you
4 get that from the district? Do you not have any special
5 ed students?

6 MR. SHULER: Right. So we -- we actually
7 have a good number of special ed students and we provide
8 -- so Jefferson County uses an insurance model for
9 special education. So there is an assessment of \$400 per
10 student, roughly, that we pay to Jefferson County for
11 special education services. And then we also, out of our
12 operating budget, we have -- we also fund additional
13 special education students for our -- for our students in
14 house.

15 MS. SCHROEDER: I'm really sorry, just
16 Jane's question just --

17 MR. SHULER: No, absolutely.

18 MS. SCHROEDER: Just trying to visualize how
19 you -- how you manage.

20 MR. MATLICK: So the schools hire their own
21 staff. And then the district supports -- the districts
22 supports behind that. So we provide liaisons. We
23 provide all the extra support that a student -- that a
24 school would need, but the school does hire their own
25 staff. And they are expected to meet the same standards



1 as a neighborhood school as far as the students that they
2 serve.

3 MS. SCHROEDER: Thanks.

4 MS. FLORES: So you bring in a -- a special
5 ed person to service your students?

6 MR. SHULER: Yeah, we actually -- we
7 actually have several people on staff. So yes, we have a
8 director of what we call student services who manages our
9 IEPs, our ALPs, advanced learning plans, for the other
10 side of the spectrum, who manages our response to
11 intervention work, any additional support as needed. So
12 we do handle a wide range of special education needs and
13 we've actually requested JeffCo. allow us to serve a
14 broader spectrum, just because of our program. We think
15 we can serve more kids. But we do have people on staff
16 who are in the building every day providing that support.

17 CHAIRMAN DURHAM: All right, thank you, Mr.
18 Shuler. If you'd kind of return to -- kind of nickel
19 version of the waiver request.

20 MR. SHULER: Well, that was actually a good
21 breaking point in the rationale. So just kind of wrap up
22 the first we mentioned, again, the food service, it's --
23 it's a particular part of the statute that doesn't
24 pertain to us providing -- being part of a school service
25 -- food service authority or not that we have an issue



1 with that we would like a clarity and seek the waiver.
2 And on the second, again, there's no exclusionary
3 language. Since we're not participating in that program,
4 the statute doesn't provide that exclusionary language
5 that staff thinks should not apply in -- in our -- in our
6 case as well.

7 So the remaining three are curriculum
8 waivers. If you'll look at the staff comments, the
9 staff's position is that these really shouldn't apply or
10 we shouldn't need these waivers, because of our automatic
11 waiver under Colorado revised statute 22-32-109(1)(t),
12 which is a waiver for us to determine our education
13 program and prescribe our textbooks. Again, we support
14 the staff position that this waiver should allow us to
15 waive a number of statutes related to education program
16 and books in our library. But the -- the -- I guess the
17 idea of this super waiver position, it's not backed -- or
18 documented clearly in statute rule or precedent of the
19 Board. Absent a documented position, approved by the
20 State Board of Education, that this automatic waiver
21 clearly waives other statutes. We're requesting this
22 specifically in interest of our relationship between us
23 and our authorizer. Again, we want these additional
24 statutes be specifically acted on and waived, just
25 provide the clarity that we need from the State Board and



1 just establish that precedent.

2 If the Board shares the position that all
3 the three remaining waivers should fall under that
4 premise, supporting local control and the intent of the
5 Charter School Act, we'd be glad to stop our discussion
6 on details of the remaining three. Again, it's the same
7 rationale for all of them. We agree we shouldn't need
8 the waiver. We just need the State Board to weigh in and
9 recognize that fact. If there's not a consensus, then
10 we'd be glad to go in and discuss each three separately.

11 CHAIRMAN DURHAM: You said there are three
12 more. Could you just give us the --

13 (Overlapping)

14 MR. SHULER: So -- so the first one is --
15 it's the exclusion of materials from our school library.
16 It's the drugs or alcohol education and the sex education
17 waiver.

18 CHAIRMAN DURHAM: All right, thank you.
19 Questions from the Board? Any interest in dividing this
20 interest into more than one motion? If not, is there a
21 motion to approve the waiver request of the Golden View?
22 Yes, Ms. Mazanec?

23 MS. MAZANEC: So moved.

24 MS. FLORES: Oh, I have some questions.

25 CHAIRMAN DURHAM: Dr. Scheffel?



1 MS. SHEFFEL: Motion or are we discussing?
2 Motion one?

3 CHAIRMAN DURHAM: Motion one.

4 MS. FLORES: You made motion --

5 (Overlapping)

6 MS. MAZANEC: Well, was that the one to --

7 CHAIRMAN DURHAM: Yeah, to approve.

8 MS. MAZANEC: Provide? Yes. Sorry.

9 CHAIRMAN DURHAM: Yes.

10 MS. MAZANEC: I could read it, if you'd
11 like.

12 MS. GOFF: At least key words that would
13 help.

14 CHAIRMAN DURHAM: Motion -- I'll -- I'll go
15 ahead and get it. Motions to approve the waiver from the
16 statute set forth in the published agenda requested by
17 Jefferson County R-1 on behalf of Golden View Classical
18 Academy. It's been moved and seconded.

19 (Overlapping)

20 MS. SCHROEDER: Debora seconded it. Well --

21 CHAIRMAN DURHAM: Yeah. Yeah.

22 MS. RANKIN: I'll third it.

23 (Overlapping)

24 CHAIRMAN DURHAM: Yes, Ms. (Indiscernible).

25 MS. GOFF: I -- I heard the first part. I -



1 - I'm hoping I didn't hear this last part the way I think
2 I did. Tell me a little bit more about this -- this
3 curriculum point you just made, parts of the curriculum
4 that you want waived or one part of that was the sex
5 education program or comprehensive health. How did you
6 phrase that?

7 MR. SHULER: The statute number is 22-1-128,
8 which is a comprehensive sex education.

9 MS. GOFF: So -- so part of your waiver
10 request includes waiver from teaching the standards for
11 health?

12 MR. SHULER: It's -- it's not the standards.
13 Those are not waivable. But it is to have the autonomy
14 for us as a school community and within the Classical
15 curriculum to approach that that it's in a manner that's
16 appropriate for our -- for our community.

17 MS. GOFF: Thank you. I -- I needed
18 clarification that it was standards -- it was not
19 standards, which is (indiscernible) curriculum. Thank
20 you.

21 Where is the school located?

22 MR. SHULER: South Golden, right off I-70.
23 There's a big banner right behind the Home Depot and
24 Kohl's in there in South Golden.

25 (Overlapping)



1 MR. SHULER: South Golden.

2 MS. GOFF: Okay, well, I'm (indiscernible)
3 familiar with the area.

4 MR. SHULER: Okay, C470 and I-70.

5 (Overlapping)

6 MS. GOFF: Just the cross-streets.

7 MR. SHULER: So it's in Corporate Circle,
8 which is, again, behind the Home Depot and Kohl's in
9 South Golden.

10 MS. GOFF: Yeah.

11 MS. FLORES: So --

12 MS. GOFF: Thank you. I -- Jefferson County
13 is my -- it's also my -- my hometown county place.

14 MR. SHULER: Yes, ma'am.

15 MS. GOFF: So I'm following it. I wish you
16 well. I -- I think it's important that all charters that
17 enter Jefferson County are ready to uphold the really
18 good record of community rapport and development of good
19 charter schools in JeffCo. And I -- I wish you all the
20 best. I wish the district the best in that endeavor as
21 well. I do appreciate the unique -- unique approach of
22 asking for waivers you don't really need to ask for,
23 because you can have them anyway, but just want to be
24 sure. I -- I appreciate that. I think that's a good
25 affirmation to be able to provide to the public and --



1 and also to the community. I -- I find it interesting.
2 I just wanted to comment --

3 MR. SHULER: Thank you.

4 MS. GOFF: -- that's the case. Thank you
5 very much.

6 CHAIRMAN DURHAM: Dr. Flores?

7 MS. FLORES: And I'm sorry, I'm thinking
8 that all of Colorado is under federal court order, as is
9 Denver. So the reason for my pointed questions about
10 percentages and such, I'm sorry.

11 MR. SHULER: I appreciate that, Dr. Flores.

12 CHAIRMAN DURHAM: Problem? Next? Anybody
13 else? Comments before we vote? Question before the
14 Board is the approve --

15 MS. MAZANEC: Dr. Scheffel had
16 (indiscernible).

17 CHAIRMAN DURHAM: Oh, I'm sorry. Dr.
18 Scheffel?

19 MS. SHEFFEL: So you were saying that you'd
20 like the -- the Board to vote on each of these. They're
21 delineated here, but we have a motion to vote all them
22 summatively?

23 CHAIRMAN DURHAM: Yes, there was no --
24 there's no request to sever.

25 MS. SHEFFEL: Okay, and is that because



1 they're all delineated in this document?

2 MR. SHULER: Right, and -- and -- and the
3 comment I just made is we just -- to avoid wasting your
4 time making three of the same points that we just not go
5 into detail in the last three, because it's the same
6 argument for all of them.

7 MS. SHEFFEL: Thank you.

8 MR. MATLICK: Can I have just a minute to --

9 CHAIRMAN DURHAM: Please.

10 MR. MATLICK: -- check with him?

11 CHAIRMAN DURHAM: Go ahead, Mr. Matlick.

12 (Pause)

13 CHAIRMAN DURHAM: Okay, any -- all right,
14 Members of the -- the motion before the Board is the
15 approval of the waivers for the Golden View Classical
16 Academy requested by Jefferson County. Is there
17 objection to the approval of those waivers? Seeing none,
18 the staff will record a vote of 7-0 in favor of that
19 motion. Next item is --

20 MR. SHULER: Thank you.

21 MS. MAZANEC: Thank you.

22 MR. MATLICK: Thank you.

23 CHAIRMAN DURHAM: Thank you very much for
24 being here. Next item is -- where were we? Oh, proposed
25 meeting dates, Item 14. I knew we'd get there.



1 (Overlapping)

2 CHAIRMAN DURHAM: I didn't do it. I think
3 everybody received the proposed meeting dates for
4 Calendar Year 2016. They appear to be roughly the same
5 schedule that we have had -- we've had in the past. So
6 let me just -- yes?

7 MS. SCHROEDER: For a motion?

8 CHAIRMAN DURHAM: Yes, please, go ahead.

9 MS. SCHROEDER: I move to approve the 2016
10 meeting dates as proposed with the amendment that the
11 February board meeting start at noon on Wednesday,
12 February 10th, and a full day on Thursday, February 11th.

13 CHAIRMAN DURHAM: That's a proper motion.
14 Is there a second?

15 MS. FLORES: I second it.

16 CHAIRMAN DURHAM: It's been seconded by Dr.
17 Flores. Let me just say in comment before we take the
18 vote that I will request that staff, we do make an
19 attempt to move a couple of these meetings outside of the
20 Denver metropolitan area and that I would look for the
21 June meeting to be in Pueblo and the August meeting to be
22 in Grand Junction.

23 MS. MAZANEC: Hey, hey, hey --

24 CHAIRMAN DURHAM: That's peach season.

25 MS. MAZANEC: Sorry, we need one in the



1 fourth district. We need one out in Burlington or --

2 CHAIRMAN DURHAM: We'll work on that for
3 some other meeting. You want to work on it now, I take
4 it.

5 MS. MAZANEC: We've already done a Grand
6 Junction meeting before. I know it's a lovely place to
7 go in --

8 CHAIRMAN DURHAM: Particularly in peach
9 season.

10 MS. MAZANEC: Okay, yes.

11 MS. SCHROEDER: I think we've got -- I think
12 we've got --

13 MS. MAZANEC: But we need to go to the
14 fourth district. We need to go to the east --

15 CHAIRMAN DURHAM: All right, well, I'll --
16 I'll work then on a -- perhaps a June meeting someplace
17 in the -- in the fourth district.

18 MS. FLORES: (Indiscernible) my district.
19 (Indiscernible).

20 CHAIRMAN DURHAM: Sorry. So if the motion's
21 been moved and seconded to approve --

22 (Overlapping)

23 CHAIRMAN DURHAM: -- the -- don't worry,
24 we'll get you there -- the -- to approve the 2015 meeting
25 dates.



1 MS. SCHROEDER: '16. '16.

2 CHAIRMAN DURHAM: Let's make it '15, what
3 the he'll. 2016. Is there an objection to that motion?
4 Seeing none, that motion is adopted by a vote of 7-0.

5 MS. MAZANEC: And -- and thank you for the
6 accommodation on the February --

7 MS. SCHROEDER: You're welcome.

8 CHAIRMAN DURHAM: Yeah. We'll -- we'll find
9 something for the fourth district. Burlington.

10 MS. FLORES: Don't ask too much here today.

11 MS. MAZANEC: Yeah, I guess not.

12 MS. FLORES: (Indiscernible).

13 CHAIRMAN DURHAM: All right, Item 15, and I
14 think which is a report on the ESL waiver, is that
15 correct? Waiver request update, is that what this is?
16 Dr. Asp?

17 MR. ASP: Yeah, this is a update. We
18 brought you some information about this at our last
19 meeting around the progress in obtaining a waiver from
20 the Elementary and Secondary Education Act from the U.S.
21 Department of Education. We continue to have
22 negotiations and conversations with the Department
23 personnel. And we wanted to give you a -- a brief update
24 on where we are with this waiver. We -- while you have
25 some sample motions in your -- with you today about



1 whether or not you want to approve this piece, we also
2 understand there's a lot of moving parts to it and we
3 could certainly come back. There's not the sense of
4 urgency that we need to have a decision today. We can
5 certainly come back in November, because we're still in -
6 - in a -- trying to finalize our -- our discussion to the
7 U.S. Department of Education. I'll turn it over to Alisa
8 Pearson and also Pat Chapman, our executive director of
9 federal programs.

10 MS. PEARSON: Thank you. Good afternoon.
11 Mr. Chair, do you want to have a motion to discuss this
12 around? We don't feel like there's a need.

13 CHAIRMAN DURHAM: No, I don't think so at
14 this point --

15 MS. PEARSON: Okay.

16 CHAIRMAN DURHAM: -- in time. We'll --

17 MS. PEARSON: Okay.

18 CHAIRMAN DURHAM: We're likely to -- if we
19 don't have to act on this, I think we're likely --

20 MS. PEARSON: Okay.

21 CHAIRMAN DURHAM: -- to wait for more
22 information.

23 MS. PEARSON: That sounds good.

24 CHAIRMAN DURHAM: So just give us the update
25 on status of our --



1 MS. PEARSON: Okay.

2 CHAIRMAN DURHAM: -- contacts with the
3 Department of Education.

4 MS. PEARSON: Sounds wonderful, thank you.

5 MS. SHEFFEL: Oh, is there a
6 (indiscernible).

7 MS. PEARSON: There's a PowerPoint. You all
8 got it this morning. And the reason why we waited is
9 we've been talking with U.S. Department of Education
10 staff up through actually today. So we wanted to make
11 sure we had the most up-to-date information, which is
12 also why we're glad you don't feel the need to make a
13 decision today, that you have some time to look through
14 and find out where we're at, figure all that out.

15 MS. SHEFFEL: Found it, thank you.

16 MS. PEARSON: Okay. So our goals for the
17 conversation today, we just want to give you a summary of
18 the waiver process where we are so far, what's happened
19 in this past month since we talked to you, where we've
20 gotten with the Department of Education.

21 Then we want to spend some time clarifying
22 the requirements between the ESEA waiver and the
23 implementation of No Child Behind without a waiver. Just
24 so you understand, we had a really good conversation last
25 month about why we have a waiver and what do we -- what



1 do we get from having it and what obligations do we have
2 as a result. So we want to pull those pieces apart for
3 you and then discuss next steps of where we can go with
4 this process after that.

5 So just a little recap, we started last
6 March, came to you with a draft of the waiver to submit
7 to the U.S. Department of Ed. You all approved that
8 then, but asked to see any changes that were made. Last
9 month in August we brought the changes back that we moved
10 so far, knowing that there was still some additional
11 issues we were working back and forth on with the U.S.
12 Department of Education.

13 Staff here have been talking back and forth
14 with U.S. Department of Ed over this last month trying to
15 get some more clarification, proposing language, making
16 sure we'll meet the U.S. Department of Education's needs.
17 They -- we had some good conversations with them
18 yesterday. I think we're almost to a place of being
19 solid on language with them and we want to give you that
20 update. And then after today's meeting, depending on the
21 way the conversation goes, share with you all the exact
22 language and (indiscernible).

23 Does that kind of cover it? Okay? So Pat's
24 going to go into the details of what the remaining issues
25 are and then talk through waiver versus no waiver.



1 CHAIRMAN DURHAM: Please identify yourself
2 for the tape.

3 MR. CHAPMAN: Patrick Chapman, executive
4 director of federal programs unit at CDE. So when last
5 we met, we -- we talked about a little bit of a back-and-
6 forth dialogue that we've been having with the U.S.
7 Department of Education. And we'd gotten the -- the
8 negotiation to the point where there were really three
9 lingering issues pertaining to a educator evaluation, the
10 new assessments that House Bill 1323 legislates, and --
11 and assessment participation.

12 So with regard to educator evaluation, what
13 they really wanted, they -- they wanted additional
14 language about the implementation of our educator
15 evaluation system and were really wanting to know that
16 all districts were either implementing or will be
17 implementing or on track to implement educator
18 evaluation, such that it meets the Federal requirements.
19 And the key piece being that we -- schools and districts,
20 they use state assessment data as part of that -- the
21 growth calculation. And I think we've -- we've satisfied
22 them, we've given them the language that they -- they
23 need to feel comfortable that that's the case.

24 The other issue related to educator
25 evaluation that's come up was with regard to waivers that



1 had been granted to educator evaluation in the case of
2 Holyoke and then also another one waiver was approved
3 that was after the passage of 191, but prior to the
4 implementation of 191 that was granted to Kit Carson. So
5 they wanted to know more details about exactly what
6 Holyoke and -- and Kit Carson are doing with regard to
7 educator evaluation. We've given them some language that
8 I think satisfies them. Katy, thank -- thank you, Katy,
9 that satisfies them with regard to Holyoke and -- and
10 Katy's had contact with the superintendent in Holyoke.
11 And -- and I think we're -- we're good on that one.

12 They -- they do want additional information
13 with regard to Kit Carson. And so we're trying to supply
14 them with information that -- that they've requested
15 along those lines. And we wanted to make sure that that
16 the language that we use is -- is okay with you prior to
17 actually formally submitting it.

18 With regard to the new assessments under
19 1323, Joyce Sirkowsky (ph) developed a procurement and
20 implementation plan for the new assessments that was
21 submitted and they're -- they're fine with that as
22 written.

23 The other -- the third issue, assessment
24 participation -- and really there was not a lot of
25 discussion about it for a month or two. It did resurface



1 last month, as we indicated to you. And what they are
2 looking for is a plan that addresses schools and
3 districts that do not meet the 95 participation rate
4 requirement. They view parent refusals as non-
5 participants. And really, their -- the point being that
6 assessment participation is an issue with or without the
7 waiver. So it's -- it's -- it's not something that had
8 been waived under the ESEA flex process. So we need to
9 grapple with that -- that issue regardless of whether we
10 have a waiver.

11 We shared possible language with the -- the
12 USDE and we're -- we did receive some feedback regarding
13 that language. And in the next slide, we kind of lay out
14 a little bit what we said and -- and what seems to be
15 okay with the U.S. Department of Education. And so as --
16 as it reads, they've indicated that the following would
17 meet their requirements for addressing participation:

18 First that we calculate and report state
19 assessment participation rates for all schools, all
20 districts, and -- and their disaggregated groups.
21 Schools and districts that fall below 95 percent
22 participation in one or more of the state administered
23 ELA or math assessments, that they address that low
24 participation as part of their unified improvement plan.

25 That we raise the issue of low participation



1 rates when applicable with all the -- the federal
2 categories of low-performing schools. There's priority
3 schools, focus schools, and then they have a third
4 category, other Title 1 schools. And in addition to our
5 priority improvement and turnaround districts so that we
6 -- we raise it as an issue and we ask that they -- they
7 consider it as an important data point in doing their
8 planning.

9 And then finally to provide information to
10 low-assessment participation rate schools and districts
11 to share with our communities regarding the state
12 assessments, why -- the reasons for administering them,
13 and how the results are used.

14 MS. MORGAN: Can I?

15 MR. CHAPMAN: Yeah, yes, please.

16 MS. MORGAN: Just to -- that's where we felt
17 we -- we've been trying really carefully to figure out
18 the line between what the U.S. Department of Education
19 requires and staying in line with your State Board around
20 no liability for districts and schools. So this is where
21 we need feedback from you all is -- is this toeing the
22 line? Like are we -- did we walk the right place? Are
23 we -- have we gone too far one way? So any feedback from
24 you all would be really appreciated on that one.

25 CHAIRMAN DURHAM: Yes, Ms. Mazanec?



1 MS. MAZANEC: So they want us to address the
2 less-than-95-percent participation by having -- by -- by
3 providing lots of data, which we already do, right?

4 MS. MORGAN: Yes.

5 MS. MAZANEC: Every school has to provide
6 that data. And addressing that in their UIPs, which is
7 we promise we'll try to get more --

8 MR. CHAPMAN: It's --

9 MS. MAZANEC: -- participation, we'll
10 explain more to parents how important this is and --

11 MR. CHAPMAN: I think what we're saying --

12 MS. MAZANEC: What are they looking --

13 MR. CHAPMAN: We -- we tried to be careful
14 in the language that they consider it. It's another data
15 point. It's an important data point, like attendance
16 rate or --

17 MS. MAZANEC: Right.

18 MR. CHAPMAN: That they consider it and --
19 and think about why the participation's low. Our
20 reaction would be non-judgmental regarding, you know,
21 approving their -- the degree to which they have
22 addressed it or not. But really sort of that they --
23 they consider it as a draft or unified improvement plan,
24 and all schools and districts do a unified improvement
25 plan. And we're all calculating and -- and we'll be



1 reporting the participation rates.

2 CHAIRMAN DURHAM: There's no questions? Dr.
3 Flores?

4 MS. FLORES: Yes, and that will come out in
5 October for the participation of PARCC, this?

6 MS. MORGAN: I think we'll have state level
7 participation rate in October, maybe November, that we
8 have more details. We're still working on exactly the
9 timeline of when we'll have the data we need from PARCC
10 to be able to calculate all that information.

11 MS. FLORES: For every school district and
12 every school?

13 MS. MORGAN: Yes, that I know we will not be
14 able to have in October. That'll be later than that. I
15 believe from when -- from our understanding of timeline
16 with PARCC right now.

17 MS. FLORES: Okay.

18 MS. MORGAN: We will get it to you as soon
19 as we can. It's just we're trying to work on the date of
20 availability.

21 CHAIRMAN DURHAM: Dr. Scheffel?

22 MS. SHEFFEL: I don't know if this is true,
23 but it strikes me that we're giving away more than we're
24 gaining in negotiating this waiver. I could be wrong,
25 but it strikes me that we're -- really a lot of strings



1 attached here. And correct me if I'm wrong, but we're
2 trying to, by having this waiver in place, attenuate the
3 results of the AYP data being reported. Is that the main
4 thing we get out having a waiver?

5 MR. CHAPMAN: I think the next slides will
6 kind of cover that as sort of if we have a waiver, if we
7 don't have a waiver, and what happens.

8 (Overlapping)

9 MS. MORGAN: yyhh

10 MR. CHAPMAN: Yeah.

11 MS. SHEFFEL: But I mean --

12 MS. MORGAN: But -- yes?

13 MS. SHEFFEL: Is -- is it true that what
14 we're trying to eliminate is the negative impact of the
15 AYP data to becoming public, although it's already
16 public, right? Or having high-stakes implications? What
17 are doing this for?

18 MS. MORGAN: Yeah, I think it's really the
19 dual accountability systems that was the main reason why
20 we went to the waiver in the first place is so that we
21 didn't have a state system saying your school's
22 performing here and a federal system saying something
23 different, because that was what has happening. But
24 we'll get into those details. Just know that regardless
25 of waiver, no waiver, we still have to deal with the



1 participation issue with the U.S. Department of
2 Education.

3 MS. SHEFFEL: Right. So okay, thank you.

4 CHAIRMAN DURHAM: Do you know what -- how
5 that Department of Education of dealing with states that
6 have admittedly fallen far short of 95 percent? State of
7 New York at 80, for example? What are they doing there?

8 (Overlapping)

9 MR. CHAPMAN: I think if, in talking with
10 them, they would like to point out that it's not a done
11 deal. It's not a fully-baked bun. But what they have --

12 CHAIRMAN DURHAM: Well, they only had 80
13 percent in New York. That's fully baked.

14 MR. CHAPMAN: So I think that they say --
15 they've indicated that they will not take any direct
16 action with those districts that -- that are falling
17 short. They're leaving it to the state to work with the
18 districts. I think that maybe New York is sort of
19 proposing something similar to -- to what we're
20 proposing. But it's -- in talking with the U.S.
21 Department of Education, they're -- they're quick to
22 point out that it's -- it's -- they're not -- the
23 conversation isn't over yet.

24 MS. MORGAN: There's been some articles in
25 Ed Week about what was going to happen in New York and



1 saying that no money would be withheld and the U.S.
2 Department of Education was very clear on the phone with
3 that that wasn't accurately reported in those articles.

4 CHAIRMAN DURHAM: So you think they might
5 hold some money -- withhold money from New York?

6 MS. MORGAN: I don't -- I think they wanted
7 to leave it open and that wasn't (indiscernible).

8 (Overlapping)

9 CHAIRMAN DURHAM: Dr. Schroeder?

10 MS. SCHROEDER: So I think that what's on
11 this slide is kind of what we talked about the last time.

12 MS. MORGAN: Yeah.

13 MS. SCHROEDER: And I -- I would be grateful
14 for your opinion. I mean, is this a nightmare for
15 districts?

16 MR. CHAPMAN: The --

17 MS. SCHROEDER: Or --

18 MR. CHAPMAN: What's been proposed with
19 regard to participation?

20 MS. SCHROEDER: Uh-huh.

21 MR. CHAPMAN: I --

22 MS. SCHROEDER: Because I actually think
23 that will tell families a lot.

24 MR. CHAPMAN: In -- in having -- if --

25 MS. SCHROEDER: In having those disclosures,



1 that if you're not -- if you're not participate in
2 assessments, here's what's going on in your school.
3 Either your top-achieving kids are skipping out or none
4 of your special ed kids are taking the assessments. And
5 those are very -- two very different kinds of
6 information. I know that in my community that would be
7 looked at extremely carefully as to which subgroups and
8 which schools have different participation rates. But I
9 -- I also realize when I look at this, there's some more
10 -- just some more stuff that has to be reported. So I'm
11 interested in what -- in your comments one way or the
12 other.

13 MS. MORGAN: In terms of the reporting
14 piece, that -- the State can do that and we can make that
15 available publically, like we talked about. We already
16 do a lot of that. In fact --

17 (Overlapping)

18 MS. SCHROEDER: So that's on the computer
19 and you just pull it.

20 MS. MORGAN: That shouldn't be -- that
21 shouldn't be --

22 MS. SCHROEDER: Okay.

23 MS. MORGAN: -- a burden on districts --

24 MS. SCHROEDER: I think that's --

25 MS. MORGAN: -- in terms of the improvement



1 plan. I think we should get some district's input on
2 what does -- does that feel like too much like of a
3 burden? What --

4 MS. SCHROEDER: Okay.

5 MS. MORGAN: -- what does that do? Because,
6 again, this was just last few days we've been trying to
7 work out the details with the U.S. Department of Ed. So
8 I think it would be worthwhile to get some feedback.

9 MR. CHAPMAN: I think as part of the UIP
10 process, you'd consider a lot of data, a lot of data
11 points, and -- and this would be adding one more.

12 MS. SCHROEDER: But you'd actually be giving
13 the district that information.

14 MS. MORGAN: Absolutely.

15 MS. SCHROEDER: You'd be plugging that in
16 there.

17 MR. CHAPMAN: Yes.

18 MS. MORGAN: Yeah.

19 MS. SCHROEDER: Because I'm just sitting,
20 thinking they're some small district doing all sorts of
21 calculations, and that's --

22 MS. MORGAN: No, they wouldn't have to do
23 that.

24 MS. SCHROEDER: -- not my goal.

25 MS. MORGAN: No.



1 MS. SCHROEDER: Okay, that helps, thank you.

2 CHAIRMAN DURHAM: I think one other thing.

3 I think what -- whatever you're proposing, I think needs
4 to be -- needs to be brought to the Board in very simple
5 terms, clearly delineating what, if anything, we are
6 agreeing to force and/or ask districts to do. And
7 probably force is the wrong word, given where we are. So
8 I think it -- we need to fully understand exactly, not in
9 bureaucratese, but in sort of laymen's terms. If we
10 agree to something to get this waiver, we can -- anyone
11 of us can explain to the district involved exactly what
12 it is we're asking them to do.

13 And so before you get too far down that
14 road, you might want to run this, whatever language you
15 have, by.

16 (Overlapping)

17 MS. MORGAN: That sounds great.

18 CHAIRMAN DURHAM: And -- and -- and in plain
19 English, rather than in something I don't understand.

20 (Overlapping)

21 CHAIRMAN DURHAM: Yeah. Yes, Ms. Goff?

22 MS. GOFF: Again, mechanical. Do we have
23 any idea before the application is processed or looked
24 at, the length of time for it? Because we're hearing
25 some states are being given two years, like, extensions



1 or up to four. I think the biggest I heard was four
2 longest. So I don't know if we have any idea about that.

3 And -- and part of my thinking in that is
4 that we are -- we are likely off and on in the middle of
5 some other related changes that will make a lot of
6 difference here. Perhaps the opt-out rate or the non-
7 rate will be what it is if our -- if our assessment
8 systems adjusts itself to the point where that for the
9 opting out or not, it doesn't really become the same
10 level of issue in decision making. I mean, that -- but
11 that's going to take us some time.

12 Who knows whether we -- we can't seem to
13 predict with great certainty whether House Bill --
14 whether House Bill 1323 will even make it as intact as --
15 as it is now through next session. So we're -- we're
16 really kind of strung on little ropes here when --

17 (Overlapping)

18 MS. GOFF: -- whether -- whether what --
19 what do we know? What will we not know? By when? And I
20 -- I think that makes a lot of difference. So it's --
21 it's a smart spot and it's a I don't want to say safe,
22 that's very safe at all, but it's a securer place to go
23 to save that, to have the real simple language -- here
24 I'm getting blabby -- the real simple language key words
25 -- key terms for districts about the consequences and the



1 possibilities. So if not this, then what? And I think
2 we have to be able to give them some options about what
3 we expect in light of (indiscernible) loosey-goosey
4 predictable times, right?

5 MR. CHAPMAN: If we were eligible for up --
6 up to a three-year waiver -- I know they have granted
7 only a single-year waiver to some -- if we're granted a
8 waiver, a one -- a single-year waiver, it would extend
9 through the end of '15/'16 school year. But they may --
10 they may grant us a three-year waiver. We'd be pushing
11 for a -- a three-year waiver to hopefully get us to
12 reauthorizations.

13 CHAIRMAN DURHAM: (Indiscernible).

14 MS. FLORES: How would --

15 MR. CHAPMAN: I'd have to be.

16 MS. FLORES: Yeah, he has to be.

17 MS. SCHROEDER: I'm having a little trouble
18 lining up in my head --

19 MS. FLORES: He's working too hard.

20 MS. SCHROEDER: -- how a one-year waiver
21 that takes us through '15/'16 lines up with the fact that
22 pretty much the country is on a whole harmless here now
23 anyway. It -- it just seems weird to try to -- weird --
24 sorry for that word. It's -- it's hard to imagine, it's
25 hard to picture, how districts operate within that kind



1 of a context, not really knowing anything.

2 CHAIRMAN DURHAM: Steve?

3 MR. CHAPMAN: So we're going to run just
4 quickly through whether the Elementary and Secondary
5 Education Act, the core requirements of the -- the
6 legislation itself and then the requirements of the ESEA
7 flex waiver. There are four things that are cornerstone
8 issues that are regardless of whether or not we have a
9 waiver that need to be addressed: Challenging academic
10 content standards, assessments in grades three through
11 eight and once in high school, assessment participation,
12 and annual determinations of school and district progress
13 towards 100 percent proficiency adequate yearly progress.

14 For the ESEA waiver, the waiver proposals
15 must adhere to the following principles: College and
16 career-ready standards and aligned assessments, annual
17 assessment of school and district performance, and then
18 educator evaluations that include the use of state
19 assessment results as a significant factor. That's in
20 red, because it's really the others sort of line up with
21 each other -- the assessments, the content standards, the
22 assessment participation. Those really are true
23 regardless of whether we have a waiver. Education
24 evaluation is something that we don't have to implement
25 without a waiver.



1 So the next couple of slides sort of, within
2 those four areas, really try to lay out what -- what it
3 would be like with a waiver, if the waiver's renewed, and
4 what might it be like without a waiver. So our
5 assessment system, we -- regardless of whether or not we
6 have a waiver, we'll be implementing the required
7 assessments pursuant to state and federal law. Ninety-
8 five percent participation is an issue regardless of
9 whether we have a waiver. School and district
10 accountability, we've applied for an accountability hold
11 as part of our -- our waiver request. But if we don't
12 have a waiver, we can apply for -- if we don't get the
13 ESEA flex waiver, we can apply for a waiver and
14 accountability hold outside of the -- the waiver.
15 Regardless, we report participation and performance.

16 If we do renew our waiver, what we'd be
17 implementing is our state accountability system with
18 those certain federal requirements that we identify
19 priority schools and focus schools the lowest -- the
20 lower performing schools. We would be implementing in
21 2016/'17 based on the '15/'16 results. Without a waiver,
22 we'd be implementing all of our state accountability
23 requirements in 2016/'17 based on 2015/'16 results. But
24 we would also have to start implementing adequate yearly
25 progress again in 2016/'17.



1 Basically we would have to go out -- go back
2 to the year prior to the year that we had a waiver and
3 calculate adequate yearly progress for all schools and
4 districts for the -- for that year and subsequent years
5 to the -- through 2015/'16 and we would implement in
6 2016'/17. We would have to negotiate with the U.S.
7 Department of Education exactly what they would be
8 looking for in terms of corrective actions. The
9 Elementary and Secondary Education Act lays out a lot of
10 consequences for schools that don't make adequate yearly
11 progress, including being placed on corrective action or
12 for schools, restructuring. And so some -- some of our
13 schools might be in restructuring year four or five or
14 six.

15 And but I do think that -- I've said this,
16 but I think the U.S. Department of Education would be in
17 a little bit of a difficult place to ask for compelled
18 estate to compel a district to take action on a school,
19 like replacing 50 percent of the staff because they
20 aren't reaching 100 percent proficiency. I think it
21 would be -- you know, I'm -- again, I'm --

22 MS. SCHROEDER: Right.

23 MR. CHAPMAN: -- I'm in a -- but I don't
24 think that that makes sense. And so that, we would be in
25 that negotiation with the U.S. Department of Education.



1 That's what we would want clarification on. Do you
2 really expect us to implement restructuring in schools
3 that may have a 80, you know, 85 percent proficiency
4 rate?

5 CHAIRMAN DURHAM: Dr. Asp? Thank you.

6 MR. ASP: Just to -- or emphasis what Mr.
7 Chapman is saying, because the requirements of AYP, there
8 wouldn't be very many schools that actually made it.

9 MS. SCHROEDER: Yeah.

10 MR. ASP: And so what happens in that
11 situation is that people start to disbelieve the system,
12 because schools that they are operating at a high level
13 don't make that. And that's some issues we have actually
14 --

15 MS. SCHROEDER: We already had that years
16 ago.

17 MS. MAZANEC: Yeah.

18 MR. ASP: Years ago, yeah.

19 MR. CHAPMAN: Yeah, so that credibility of
20 it as a -- a meaningful accountability tool is -- comes
21 into question. And now with regard to educator
22 evaluation, if the waiver is renewed, we would continue
23 to implement our educator evaluation system. I'm sure
24 that -- that we're doing it in a way that's consistent
25 with ESEA flex requirements. If we don't have a waiver,



1 then education evaluation becomes a non-issue with regard
2 to the U.S. Department of Education.

3 MS. MORGAN: We'd still be accountable for
4 state law, but --

5 MR. CHAPMAN: Yes.

6 MS. MORGAN: -- just the fact that U.S.
7 Department of Education would be involved in that
8 process. Sorry.

9 MR. CHAPMAN: Now, did you want to -- did
10 you want to pick up the last one or next steps?

11 MS. MORGAN: Sure. So we wanted to -- next
12 steps is we see them is confirm with U.S. Department of
13 Education that the proposed adjustments would meet their
14 requirements. Then we would want you all to have some
15 time to review. I think we probably should get some
16 feedback from districts and some other stakeholders as
17 well. And then it would be up to you all, maybe the next
18 board meeting and one after that, to determine whether or
19 not you want to submit the ESEA flexibility waiver
20 renewal application. So that's kind of how we see it
21 laid out, but if you all have different processes or if
22 we're missing steps, please share that with us and let us
23 know what you think.

24 CHAIRMAN DURHAM: Yes, Ms. Mazanec?

25 MS. MAZANEC: What -- what does the -- the



1 let from USDE to North Dakota, what -- what's the --

2 MS. FLORES: (Indiscernible).

3 MS. MAZANEC: What's the impact of that for
4 us?

5 MR. CHAPMAN: If -- if we were to decide
6 that we no longer want to pursue a waiver or -- or lose
7 the waiver in some way, we would be going back to
8 adequate yearly progress. What that does, the letter
9 from the U.S. Department of Education in North Dakota,
10 really lays out what they need to do in order to access
11 what they need to agree to in order to get that
12 accountability hold, that accountability pause for a
13 single year. And it's similar to what we've heard that
14 they still have to collect, calculate, report
15 performance. And there's a -- I think there's like eight
16 or nine or ten different requirements, but that's the
17 gist of it, is that we would still have to basically
18 calculate adequate yearly progress and report
19 performance, but we don't have to use it to drive
20 accountability decisions. We don't have to actually
21 implement it --

22 MS. MAZANEC: So --

23 MR. CHAPMAN: The results.

24 MS. MAZANEC: I'm not -- I'm sorry, I only
25 glanced at this. Are you say North Dakota now has to do



1 adequate yearly progress?

2 MR. CHAPMAN: Yes, they're no longer --

3 MS. MAZANEC: Or --

4 MR. CHAPMAN: -- a waiver state, so they're
5 an adequate yearly progress state. So in applying for
6 the accountability pause, they're doing so as an -- as an
7 AYP state. And so the letter from the USDE to North
8 Dakota sort of lays out what's required of them to -- to
9 access that accountability hold.

10 MS. FLORES: That was awful.

11 MS. MORGAN: So U.S. Department of Education
12 shared that with us? We would know what was -- if we
13 were not going to have a waiver and wanted to have a hold
14 and AYP, what -- what that would look like here?

15 MS. MAZANEC: You could look like this.

16 MS. MORGAN: Yeah.

17 CHAIRMAN DURHAM: Dr. Schroeder?

18 MS. SCHROEDER: So tell me about this
19 guidance December 2014. Is that we're talking about?
20 This is --

21 MR. CHAPMAN: Yes.

22 MS. SCHROEDER: This is roughly what's going
23 to --

24 MR. CHAPMAN: It's a -- a Q&A related to if
25 we were to transition back to --



1 MS. SCHROEDER: To --

2 MR. CHAPMAN: -- adequate yearly progress to
3 non-waiver status, they produce --

4 MS. SCHROEDER: They sent this out to all
5 the states?

6 MR. CHAPMAN: I don't think they've actually
7 sent it. I -- they -- they --

8 MS. SCHROEDER: Or published it, maybe
9 guidance?

10 MR. CHAPMAN: -- developed it a couple years
11 ago and then they -- they updated it, I think it was last
12 year November -- yeah.

13 MS. SCHROEDER: December, December 16.

14 MR. CHAPMAN: Then I don't think they sent
15 it to us, but -- but I -- I found it.

16 MS. SCHROEDER: Okay.

17 MR. CHAPMAN: And in --

18 MS. SCHROEDER: Got all excited --

19 (Overlapping)

20 MR. CHAPMAN: -- trying to figure out what
21 it might look like if we had to go back to AYP.

22 MS. FLORES: That's true.

23 MR. CHAPMAN: And that's where included in
24 that guidance, that's where it states that you go back to
25 the year prior to you having -- having a waiver and you -



1 -

2 MS. SCHROEDER: Okay, so that's the source -

3 -

4 MR. CHAPMAN: -- calculate --

5 MS. SCHROEDER: -- of some of your --

6 MR. CHAPMAN: Yeah. So it's actually kind
7 of interesting reading, if you --

8 MS. SCHROEDER: If --

9 MR. CHAPMAN: If you have a chance.

10 MS. MORGAN: (Indiscernible).

11 MS. FLORES: Yeah.

12 CHAIRMAN DURHAM: Yes, Dr. Schroeder --
13 Scheffel?

14 MS. SHEFFEL: This strikes me that the fed
15 seems to want us to get a waiver. And if you look at the
16 language in the letter to North Dakota, it's -- it's
17 fairly threatening and burdensome.

18 MS. SCHROEDER: Yeah.

19 MS. SHEFFEL: And I think that was the
20 reason for providing it to us. Are -- do we have any
21 other options? I mean, what are other options besides
22 going back to AYP, which has some threatening, you know,
23 concomitant actions that would be burdensome for the
24 state? On the other hand, I find this waiver quite
25 burdensome also. And it really has a lot of strings



1 attached to --

2 MS. FLORES: Yeah.

3 MS. SHEFFEL: -- what we need to do. And I
4 just wondered if we had contemplated any --

5 MS. FLORES: (Indiscernible).

6 MS. SHEFFEL: -- options? Had any states
7 contemplated any options? I find it interesting and
8 instructive that the Feds really want us to get the
9 waiver, because it ties us to them in ways that I think
10 are problematic in many ways. The third option --

11 MR. CHAPMAN: The --

12 MS. SHEFFEL: Is the state entertaining a
13 third option?

14 MR. CHAPMAN: Prayer -- praying nightly for
15 reauthorization is one approach.

16 (Overlapping)

17 MR. CHAPMAN: But really, I don't -- I don't
18 think they're -- I think it's sort of either going back
19 to ESEA and AYP and implementing it in a -- you know,
20 trying to implement it in the -- the best possible way,
21 most meaningful way, or the waiver.

22 I do think -- I have been thinking a little
23 bit about are there other waivers that we could pursue
24 outside of ESEA flex that might be helpful to us? I --
25 I'm not sure that there are, I'm not sure that there



1 aren't. So it could be pursuing additional waivers that
2 haven't been offered up by the U.S. Department of
3 Education. I think they're pretty strategic in the
4 waivers that -- that they made available to states. So
5 that might be one other thing to look -- look at.

6 MS. SHEFFEL: What is the money that's tied
7 to this waiver?

8 MR. CHAPMAN: It's -- so around -- it's
9 about \$150 million in Title 1, around \$25 million in
10 Title 2, about \$10 million in Title 3. The waivers
11 themselves, I think they're primarily under Title 1. But
12 I do think that in -- in the communication from the U.S.
13 Department of Education, they identified a whole bunch of
14 others, you know. The big one's Title 1, but they --
15 they point out that really other federal funds are -- are
16 jeopardized by non-compliance as well.

17 MS. SHEFFEL: Could you just repeat that
18 \$150 million and Title 1? Is that a yearly amount?

19 MR. CHAPMAN: It's an annual amount.

20 MS. SHEFFEL: And Title 2?

21 MR. CHAPMAN: \$25 million, and around \$10 in
22 Title 3 are the biggest of the -- the funding sources
23 that -- that might be jeopardy.

24 MS. SHEFFEL: So to disassociate ourselves
25 completely with this would be to jeopardize at least



1 those three pockets of money?

2 MR. CHAPMAN: Yes.

3 MS. SHEFFEL: And is -- are any states
4 contemplating that?

5 MR. CHAPMAN: Well, there are a number of
6 states that -- that I don't know if it's -- if it -- if
7 there's a trend towards sort of dropping out of a -- the
8 waiver. But there are a number of states that don't have
9 a waiver. I think California is -- is one state. And so
10 you can -- you can survive would a waiver and I don't
11 know -- to be honest, I don't know how California's
12 dealing with adequate yearly progress, given the 100
13 percent proficiency as a target. But we could certainly
14 try and touch base -- touch based with them as to how
15 they're handling that.

16 MS. SHEFFEL: When did their lack of a
17 waiver begin?

18 MR. CHAPMAN: I don't think they ever --
19 they never applied for one.

20 (Overlapping)

21 MR. CHAPMAN: So Los Animas School District
22 applied --

23 MS. MORGAN: Yeah, there's like six
24 districts.

25 MR. CHAPMAN: Yeah, so there are several



1 districts that applied directly to the U.S. Department of
2 Education for a waiver and were granted a waiver, which
3 created some conflict between the state and the U.S.
4 Department of Education.

5 MS. SHEFFEL: But the state never had a
6 waiver?

7 MR. CHAPMAN: No.

8 MS. SHEFFEL: It would be interesting to
9 know how they're handling AYP. Maybe we could get a
10 little (indiscernible).

11 (Overlapping)

12 MS. FLORES: Has Governor Hickenlooper
13 stated that he would maybe put up the money?

14 MS. MORGAN: What?

15 MR. CHAPMAN: I haven't asked. But --

16 MS. MAZANEC: Maybe you'd like to Val.

17 MR. CHAPMAN: It would be hard to -- it
18 would be hard to replace. It is a lot of money and --

19 MS. FLORES: But surely he knows about this.
20 He knows about the waiver.

21 MR. CHAPMAN: Yes. They -- the governor's
22 office was involved when we were developing our original
23 waiver request and were supportive of it.

24 CHAIRMAN DURHAM: Further questions at this
25 point in time?



1 MS. FLORES: (Indiscernible).

2 CHAIRMAN DURHAM: Okay, so we'll have this
3 discussion again next month.

4 MR. CHAPMAN: And -- and can I just clarify?
5 So you -- would it be helpful to show the exact language,
6 but also synthesize it and condense it and simplify it
7 too, like so it -- so you can actually see the -- the
8 text that's been submitted and then sort of a simpler
9 version of it?

10 CHAIRMAN DURHAM: I think the evaluation has
11 to be on how burdensome the waiver is to -- to achieve
12 and weigh that against how burdensome the North Dakota
13 situation is or perhaps California's situation. And just
14 how much we would really have to comply with the demands
15 of this -- of North Dakota.

16 MR. CHAPMAN: I do what we presented is --
17 is -- the indication is that we're close to or -- or if
18 not there, to what they -- they need to see. And I do
19 think that the unified improvement plan process that we
20 offered up is -- might be the most burdensome aspect of
21 what we've presented to them to try to get TS. So that -
22 - I think that would be an area of focus.

23 CHAIRMAN DURHAM: Well, we'll have to take a
24 look at that. Thank you.

25 MS. FLORES: So we're not going to take



1 action this --

2 CHAIRMAN DURHAM: No, I don't think there's
3 any need for action at this point. So we'll --

4 MS. FLORES: Okay. So they're still
5 looking at it?

6 CHAIRMAN DURHAM: Correct.

7 MS. FLORES: Okay.

8 MS. MORGAN: We'll send you all the language
9 in the next probably week or so, so that you have it in
10 plenty of time to look before next Board meeting
11 (indiscernible).

12 (Overlapping)

13 MR. CHAPMAN: Thank you.

14 MS. FLORES: Thank you.

15 CHAIRMAN DURHAM: Thank you very much.

16 (Overlapping)

17 CHAIRMAN DURHAM: Okay, we're now ready for
18 the fun item for which we've all been waiting, which is
19 Item 16, graduation guidelines. And I expect this will
20 be complicated and difficult. The motion I think that
21 would be made would be to accept these graduation guide -
22 - number one. Let me get back here.

23 MS. SCHROEDER: Want a motion? Do you wan
24 the motion that's on here?

25 CHAIRMAN DURHAM: Yeah, it's -- it's



1 graduation. They're not guideline, first of all. There
2 are minimum requirements. We need to go back to that.
3 But this -- the motion's once made and seconded is
4 subject to all kinds of amendments and changes and so
5 we'll -- we'll work -- so if you have ideas, amendments
6 idea, please try and jot them down. We'll get them in
7 some good order as we proceed. I expect this will be a
8 long and somewhat discussion. Dr. Schroeder?

9 MS. SCHROEDER: So if I make the motion, am
10 I totally committed to that motion or can I still --

11 CHAIRMAN DURHAM: No.

12 MS. SCHROEDER: Okay.

13 CHAIRMAN DURHAM: You can still vote now.

14 MS. SCHROEDER: Okay. Okay. I move to
15 adopt the revised menu recognizing it is the floor, not
16 the ceiling, and recognizing that districts may bring
17 waiver requests to the Board that meet the intent of the
18 law. I further move that CDE staff convene a group to
19 revisit and seek to expand career and technical education
20 options and clarify the collaboratively developed
21 performance assessment options over the next two months.

22 I further move that CDE convene a group of
23 parents K-12 educators, post-secondary educators, and
24 industry representatives in 18 months to determine
25 whether other additions to the menu should be considered



1 by the Board two years from now and that such a process
2 be repeated every two years after.

3 CHAIRMAN DURHAM: It's a proper motion. Is
4 there a second? I'll second it if no one else wants to.

5 MS. MAZANEC: I'll second it.

6 CHAIRMAN DURHAM: Okay, all right.

7 MS. FLORES: I'll --

8 CHAIRMAN DURHAM: Yes, Dr. Flores?

9 MS. FLORES: Discussion. So that means that
10 all those tests and/or scores, that's what we're voting
11 on?

12 (Overlapping)

13 CHAIRMAN DURHAM: If -- if without
14 amendment, that would be one of the things we're voting
15 on. So we'll see how this --

16 MS. FLORES: I would not (indiscernible).

17 CHAIRMAN DURHAM: -- progresses. Yeah, and
18 I -- but we -- let me just make a couple -- couple of
19 general comments. One, this is -- this is a tough issue.
20 There's a lot -- a lot of cross currents that I've been
21 exposed to in the past few weeks. I think -- and -- and
22 I would like to say specifically to those individuals in
23 the audience and who received some criticism that somehow
24 these standards are -- these graduation requirements are
25 somehow too -- I think they were characterized as dumb



1 down.

2 At the present level, if you were to take
3 those with which we've been able to calculate a numeric
4 value based on student taking the test today, you'd have
5 approximately one-third fewer graduates that you have
6 today, because that's the number that would not graduate
7 --

8 MS. FLORES: Right.

9 CHAIRMAN DURHAM: -- given these so-called
10 low standards. So if the -- anyone in the audience wants
11 to comment on why we should raise these higher, I'd love
12 to hear it. Maybe we could disqualify 50 percent of the
13 graduates if that's deemed to be appropriate. So I -- I
14 really am a little tired of getting messages from people
15 saying that these standards have somehow been dumbed down
16 in some fashion.

17 So we'll proceed. Gretchen, are you back?

18 Oh, Dr. Aspect.

19 MR. ASP: (Indiscernible).

20 CHAIRMAN DURHAM: I'm sorry.

21 MR. ASP: Thank you, Mr. Chair. Just a -- a
22 brief overview, we're -- what you see is the revised --
23 the suggested revised menu that our assessment work group
24 had put together and shown you last spring. We revisited
25 it here. I'll have Gretchen Morgan in a moment talk more



1 in detail, but we had an opportunity that to -- to meet
2 with some representatives of -- of constituents,
3 particularly rural constituents. And we've had a chance
4 to think about how we might be able to open more avenues
5 for your districts.

6 We also have some district representatives
7 here who chose to come and -- and want to speak about
8 those pieces. And so after Gretchen's had a chance to
9 give you an overview, we'd also like to turn and let
10 these folks share their thoughts. I'll turn it over to
11 Gretchen.

12 MS. MORGAN: Great, thank you. So as Dr.
13 Asp said, we just want to provide you a little bit of
14 background. We had some conversations with folks
15 representing some rural communities. We've also just
16 heard from other folks that there were some points they
17 would like clarified. And so my remarks today will be
18 limited primarily to those points of clarification.

19 So one is that there's a question about the
20 capstone and portfolio component of the menu. It is
21 clear in the menu that it says a district-approved
22 capstone or portfolio. And I think although it says that
23 in there, there still is some confusion about that. So I
24 just wanted to state clearly that there was no suggestion
25 from the working group that CDE would have any kind of



1 oversight role associated with portfolio or capstones.
2 So there's no process by which people would submit those
3 to the State or that we would approve those here at the
4 State. That is really meant to be something which is
5 approved locally by that school district and that the
6 district determines that their portfolio in the body of
7 evidence they would consider or the capstone experience
8 that they would consider is adequately rigorous against
9 the other measures that are in this menu. So just wanted
10 to offer that clarification.

11 Similarly, there was a question about sort
12 of how are those defined? And we had one of the many
13 working groups that we've talked about before was a
14 working group on portfolio and capstones. And that again
15 was people from the field -- parents, K-12 educators,
16 post-secondary educators. And we facilitated them in
17 looking at a variety of models, and then from that, they
18 generated a description and a sample process a district
19 could use to create a portfolio or capstone for this
20 purpose. And then they selected some of those examples
21 as models that they felt were good examples. And those
22 have been out for quite a while now in the form of a
23 little guidebook essentially that -- that we produced on
24 behalf of that group.

25 And that group described these two things in



1 this way. I just want to read you the description. This
2 is -- this is on our website. This is just from the --
3 the guide that they created and also a little one-pager
4 that's on our website. I don't think this is in your
5 materials, but I'm just going to read it, just again to
6 help clarify:

7 So a capstone project is a multi-faceted
8 body of work that serves as a culminating academic and
9 intellectual experience for students. Capstone projects
10 could include a portfolio of the student's best work,
11 curriculum or research-based, could feature a set of
12 experiments organized around a central problem and/or
13 could showcase a community service project or learning
14 activity.

15 Portfolio is a purposeful collection of
16 student work that exhibits effort, progress, and
17 achievement over time and against a set of clearly-
18 defined outcomes. Portfolios include collections of work
19 that demonstrate evidence of work in progress, including
20 documentation of I-Cap, or content, knowledge, and
21 skills, could be a workforce readiness or college
22 readiness.

23 So I think this group was trying to use that
24 part of the menu to offer some room to -- to local
25 districts in helping define some of these things. And



1 we've definitely heard from the folks in that group that
2 they are looking forward to or have already started, or
3 some of them already have these kinds of things in place
4 and -- and liked the community process around informing
5 what should be involved in a capstone or portfolio. So
6 that's just one bit of clarification.

7 The second one was -- and this is in the set
8 of motions that you shared, the suggestion that there
9 should be some things that are revisited over time. And
10 it -- I just want to be clear in saying that we have
11 heard, I think as you have, the -- some urgency from
12 districts to have you make a decision about this and have
13 what is in the menu be in the menu.

14 We also heard that people would like a way
15 to add to the menu over time. So, you know, want to be
16 settle this and be able to have their local community
17 process using the menu that's in place, but also want
18 some recognition that districts might learn something as
19 they go through these processes. And they would like
20 some routine way to be able to share that learning and to
21 get other things considered as additions to this menu
22 over time. So that's where that recommendation came
23 from, is those conversations.

24 And then two of our specific things in that
25 category, one is this -- right there's a -- a row in



1 there about industry certificates, which certainly
2 includes some career tech ed industry certificates. And
3 one of the -- the communities that has expressed a desire
4 to get greater breadth soon in their area are the career
5 tech ed folks who feel like industry certificates is
6 maybe too narrow, as compared to some other things that
7 might also suffice or have the same sort of -- sort of
8 comparability value in the career tech ed space.

9 So, you know, that's why in -- in these
10 motions, again, there's a suggestion that that might be a
11 topic to take on sooner than others, just because it's
12 one where that community has expressed a readiness to
13 help identify a broader range of options. So that's one.

14 The last one is the item on the menu that is
15 the -- the last item, the collaboratively developed
16 standards-based performance tests, which has this little
17 asterisk next to it that says pending funding and support
18 and a lot of other things, but it was sort of an -- an
19 idea that that group thought was a good idea and wants to
20 see happen. And one of the letters I have, I'll share
21 with you a little bit, was from somebody who was in that
22 group and really feels like that's an important component
23 of the menu.

24 And because it's waiting on legislation and
25 things, it seems to us, like, that's one of those things,



1 again, that on that sort of 18-month to two-year schedule
2 would be a good thing to revisit. There of course may be
3 changes in legislation.

4 The other thing that's happening totally
5 independent of legislation is that there are a large
6 number of districts who are right now building capacity
7 in this area, for a variety of reasons. Some of them
8 have been working on building tasks as part of their
9 educator effectiveness, local assessments that they want
10 to build. There are some districts in the state who are
11 very interested in competency-based learning. They're
12 trying to build performance tasks to get it sort of
13 higher levels of -- of learning in their classroom
14 assessments.

15 So I guess I would assert that in a couple
16 of years maybe, you know, maybe without legislation,
17 there may be some capacity for some districts to
18 collaborate on some effort like this. And so that would
19 be a nice, you know, thing to plan to revisit, based on
20 changes in capacity, as well as potential changes in the
21 legislation.

22 So that's it for us on background. If you
23 don't have questions for me, then the -- the rest of the
24 plan is that I'll share with you highlights from a couple
25 of letters, their two laundry, the whole thing. So I'll



1 try to do my best and be very representative of their
2 writing in choosing some highlights. One was kind enough
3 to bold their text, and that makes it easy to know what
4 to share with you.

5 And then we have these folks here, as Dr.
6 Asp said, from districts who are part of the working
7 group who would like to speak to you. Then you'll have
8 time to deliberate. So any questions on just the
9 background that I shared?

10 CHAIRMAN DURHAM: Yes, Dr. Schroeder?

11 MS. SCHROEDER: Just for a clarification,
12 it's a menu, but I -- am I on a three-course meal, a
13 five-course meal? I don't think we've ever clarified
14 that this is a menu and we expect a district to adopt at
15 least --

16 MS. MORGAN: I think the requirement is at
17 least. I think many districts would tell you that they
18 would like to offer as many of them as they can.

19 MS. SCHROEDER: Okay, and that leads to my
20 second question that's important --

21 MS. MORGAN: Yeah, one per content area.
22 I'm sorry to interrupt.

23 MS. SCHROEDER: -- to me --

24 MS. MORGAN: Yeah.

25 MS. SCHROEDER: -- is that districts are



1 allowed to give kids choices, is that correct?

2 MS. MORGAN: That's correct. They can offer

3 --

4 MS. SCHROEDER: So there's not a uniform
5 graduation requirement for the entire district? I mean,
6 I -- theoretically a district could do that.

7 MS. MORGAN: Yes.

8 MS. SCHROEDER: But also a district can have
9 the kind of options or menu that we're talking about
10 there.

11 MS. MORGAN: That's correct. There's room -
12 -

13 MS. SCHROEDER: Okay, thank you.

14 MS. MORGAN: -- for them for that.

15 MS. SCHROEDER: I just wanted to get that
16 straight.

17 MS. MORGAN: Yeah. Any other points of
18 clarification?

19 CHAIRMAN DURHAM: Ms. -- Ms. Mazanec?

20 MS. MAZANEC: Just one quick question.

21 MS. MORGAN: Sure.

22 MS. MAZANEC: I know we talked about this by
23 email, but just point of clarification, in Colorado,
24 there -- there currently are no minimum credit hour
25 requirements for high school graduation. The -- every



1 district sets their own.

2 MS. MORGAN: That's correct.

3 MS. MAZANEC: So there's no -- no floor of
4 21 or 22 credit hours?

5 MS. MORGAN: No.

6 MS. MAZANEC: No, the only -- the only state
7 requirement we have for high school graduation is a half-
8 credit of civics?

9 MS. MORGAN: That's correct.

10 MS. MAZANEC: I want to get that out there
11 for people who have asked me. Just can't quite believe
12 it.

13 MS. MORGAN: Yes.

14 CHAIRMAN DURHAM: Yes, Ms. Goff?

15 MS. GOFF: Short and sweet, most of them. I
16 appreciate Angelika's question, because I'm still not
17 getting -- that was helpful. I'm not getting the clarity
18 though overall. One item from the menu, does the menu
19 include the two columns that we've been looking at with
20 various assessments, performance, and content base
21 primarily? Does the menu also include choosing C-time
22 (ph) credits?

23 MS. MORGAN: Now, I think --

24 MS. GOFF: Well, and -- and in --

25 MS. MORGAN: -- I'm going to try and --



1 MS. GOFF: Let me -- I'll try to finish it a
2 little easier.

3 MS. FLORES: (Indiscernible).

4 MS. GOFF: But within that C-time credit
5 choice option menu, column, whatever it is, what -- where
6 are we still? Have we changed anything about core
7 content? We've been operating in this state up -- I'm
8 sorry to use the same old words and not necessarily new
9 ways, but we have what has always been called core
10 courses.

11 When we talk with in terms of higher ed
12 admission standards and we talk about remediation policy
13 at the higher -- higher ed level, there are things
14 referenced to as core -- core courses. Now, this is
15 where our four big core areas -- math, science, language
16 arts, and social studies, kind of -- although that's a
17 little loosey-goosey.

18 So I'm just wondering how does -- the menu
19 is what? If -- if -- if the notion of picture of the
20 future of the child before they're given their high
21 school diploma is I've taken one ASVAB test, one in math,
22 one in -- in language arts and I passed it, I was
23 proficient on in it, I'm good to go, I have -- diploma
24 work is done, is that actually what could feasibly happen
25 if a -- if a district is given one choice in both content



1 areas? Yeah, I will do that.

2 But I -- I still need help with that. And
3 the other -- the other area that I -- I completely
4 appreciate this work. This is actually -- it doesn't
5 sound like it, I'm sure. This is my view of what the
6 culmination of a good, well-rounded, balanced education
7 ought to be like. There ought to be great opportunities
8 for kids to go out and prove they can do what they can
9 do. And what's that's through CTE and apprenticeships
10 and internships and hands-on building a house, that kind
11 of thing, I'm all for it.

12 But I guess I need a little more detail,
13 because I think it will be important to family. We have
14 said to this state, and I'll to science again, we've said
15 science is a core value to us. We -- we value the
16 teaching and the learning of science. We value the
17 teaching and the learning of all the social studies
18 disciplines. And yet where is that kind of thing? Where
19 are we in what we're looking at nowadays that is really -
20 - it encompasses all the beauty and wonder and
21 opportunity and possibility around language arts, the
22 English language, and expression, as well as
23 mathematical, good, common -- well-grounded, basic
24 mathematical ability to use numbers and symbols and
25 concepts in productive ways?



1 So we've got math and science -- or math and
2 language arts. I think we're all clear on that. But
3 where are the arts? What kind of capstone project will a
4 district propose? Will we ever see examples of that? I
5 would love to see that. I trust districts explicitly,
6 implicitly too, to be able to design the best program for
7 their -- for their -- their families in their area. But
8 I would like to think that State Board and beyond, I
9 think if -- if we don't all get to see those great ideas
10 and learn from them and have some kind of an interaction
11 with what happens as a result of this decision we're
12 about to make, that would -- might be the most
13 unfortunate thing of all.

14 And frankly, I care about the -- the welfare
15 and the outcome and the future of every single child, no
16 matter what size the district is. I've spent time A to Z
17 over my career and my life. And I -- I am concerned that
18 we're not -- we're not necessarily asking ourselves
19 enough what does that look like? I -- I want to -- I
20 want to bolster the desire of local communities to have
21 my child, if they're in -- if they're in AGET (ph) or if
22 they're in the -- the heart of DPS. Do they have access
23 to the arts? Or it's the whole big integrated value of
24 education being utilized to best advantage as we send our
25 kids through education?



1 And I -- I'm just -- I'm still concerned
2 about that. If it's -- if it really is true that one
3 thing off that one choice off of that entire menu -- menu
4 suffices for a high school diploma, if we still call it
5 that --

6 MR. ASP: Mr. Chair?

7 CHAIRMAN DURHAM: Dr. Asp?

8 MS. GOFF: I can't find -- I can't find
9 peace with that motion.

10 MR. ASP: I -- I go back to -- to Pam's
11 observation that she brought out earlier. Pam, thank you
12 for -- for bringing this up. The current situation right
13 now is those decisions are all up to local districts to
14 set. So if they value social studies, they can require
15 four years of that, some do, some don't, as well as other
16 course offerings and -- and credits that -- that students
17 have to learn.

18 I think the issue here is saying is there a
19 state floor that you think is reasonable for kids to
20 demonstrate, rather than take a course, and you can --
21 you can argue about whether you demonstrate competency in
22 -- in certain areas in a course. But what -- what this
23 menu is saying is essentially students would, to graduate
24 from high school in Colorado, demonstrate that they have
25 the language arts and math skills to be able to move into



1 higher education or some sort of career training program
2 or move into the military on a career track, for example.

3 And then it's up to local districts to
4 decide how much they value the arts, how much they value
5 particular core courses as they -- as they're doing right
6 now by how they determine graduation requirements. If
7 you want to move that farther, then you'd have to think
8 about a -- a revised menu.

9 What we were able to see is we work with
10 folks is when we ask kids to demonstrate what it means to
11 be prepared for post-secondary or career readiness, when
12 we went beyond language arts and math, we got to a place
13 where we started to try to understand what that really
14 means and whether that was appropriate for the State to
15 set those levels.

16 Our group came back and said, "We think
17 reading and writing or English, language arts, and math
18 would raise the bar dramatically in terms of what we're
19 asking kids to do. And still we might find a way to
20 provide avenues for students who -- who are impacted by
21 this requirement to make it through somehow."

22 The -- the -- piece I point out to you when
23 we sent this to you and -- and what Mr. Durham referred
24 to earlier is the kids who take the ACT -- ACT -- SAT in
25 Colorado, almost 90 percent of them are going to meet



1 these college ed -- excuse me, 78 percent of them are
2 going to meet the --

3 CHAIRMAN DURHAM: Ninety.

4 MR. ASP: Yeah, I think it's 90 on the -- on
5 the SAT. Of kids who take AP courses, almost 90 percent
6 of them will earn a -- a two. There's a whole lot of
7 kids for whom this menu's not relevant, but there are
8 some, a big chunk, a third or so, for whom we're going to
9 raise the standards for them to graduate. And then other
10 -- the district would have to figure out what they want
11 to do with the rest of it. It's kind of a combination.

12 Right now we have no state requirements
13 (indiscernible). I'm sorry for the long-winded answer.
14 Just trying to get it. Because your point's really well
15 taken.

16 CHAIRMAN DURHAM: May I ask --

17 (Overlapping)

18 CHAIRMAN DURHAM: May I ask a question?

19 Going back to this capstone, I -- I have to admit I don't
20 understand what a capstone is. So if you could perhaps
21 in kind of laymen's term describe it to me and then go
22 back to the point you made that there's no state
23 oversight over a capstone, but the district is sort of
24 obligated by law and by the standard to somehow at least
25 demonstrate to itself that the capstone meets one of



1 these numerical -- that the person who got -- who was
2 able to achieve the capstone would be able to pass --
3 meet one of these scores in these -- in these tests. Is
4 that a fair statement and can you tell me what a capstone
5 would be?

6 MS. MORGAN: Sure.

7 CHAIRMAN DURHAM: Specific example?

8 MS. MORGAN: So first, I think that is an
9 accurate statement, that it would be the local district's
10 responsibility to determine that what is asked of a
11 student in a capstone or a portfolio is as rigorous as
12 the bar that's described by these set of other indicators
13 in the menu.

14 CHAIRMAN DURHAM: Yeah.

15 MS. MORGAN: And -- and then in terms of
16 examples of capstones, again, I speak from personal
17 experience a little bit here, I -- I used to teach in a
18 school that has these for third graders and fifth graders
19 and eighth graders and 12th graders, actually, to try and
20 demonstrate, like, at any time when you're about to shift
21 from one part of the school to the next or to exit, that
22 you have a -- a sort of public demonstration of
23 readiness.

24 And so for the seniors at that high school,
25 when I was there, that meant that they had to do two



1 things. They had to have a portfolio that demonstrated a
2 body of evidence against academic standards. So they
3 needed to say here's my body of work for language arts
4 and here is me as a student explaining to you and
5 justifying why this body of evidence meets these
6 standards.

7 CHAIRMAN DURHAM: Body of work doesn't mean
8 anything to me. Tell me what's in the body?

9 MS. MORGAN: Work that they created. So
10 because I was in my language arts class and we read this
11 book, I wrote a literature response to that and it
12 demonstrates my ability to do a literary analysis and to
13 write with correct grammar, punctuation, and whatever.
14 And so the kid would have this work, there was a rubric
15 associated with the work that the teacher had created.
16 And the kid was having to -- to justify, essentially,
17 this set of work that I created over whatever period of
18 time is good evidence of having reached this far. And
19 they did that for all academic areas.

20 In addition to that, they did a capstone
21 project, which was basically an independent study
22 project, where they had to by themselves decide what's a
23 thing I want to learn about? What's the best way for me
24 to learn about it? And so they sort of plan to a teacher
25 at the school who is like an advisor to them in their



1 capstone. And that person would approve the plan was
2 they thought it was, you know, sound, like when they
3 thought, yep, if you follow your plan, you're actually
4 going to learn something meaningful about whatever your
5 question is.

6 Then the kid was given some time and support
7 to go and do that. Then they had to summarize that in
8 some way. And schools -- the school that I was at then
9 and many other schools who do this now, have quite a bit
10 of flexibility for students about the product associated
11 with their capstone. You know, they might write a
12 lengthy paper. They might produce a video. You know,
13 format might vary quite a bit.

14 But I think in most cases, the -- the thing
15 that sort of unifies these -- these things, these
16 portfolios and capstones, especially in a graduation
17 situation, is that the student defends those things in
18 writing, but also in person. There's usually some
19 presentation, where they're asked to present to some
20 folks in their community and justify to the people in
21 their community that they are ready, that they have met
22 those criteria that were laid out for them by their
23 school and that that they are ready to go wherever is
24 next. Is that a sufficient description for you?

25 CHAIRMAN DURHAM: Yes, thank you.



1 MS. MORGAN: Okay.

2 CHAIRMAN DURHAM: It is. I -- I'm not sure

3 --

4 MS. FLORES: High school --

5 (Overlapping)

6 CHAIRMAN DURHAM: -- at the high school

7 level, but --

8 (Overlapping)

9 CHAIRMAN DURHAM: I -- I do understand that,
10 yes.

11 MR. ASP: Thank you. I --

12 MS. MORGAN: Yeah.

13 MR. ASP: -- I graduated from high school in
14 1968. I'm scared to admit that publically and I went to
15 Wasson High in Colorado Springs and we had a capstone
16 project. To graduate, we had to -- we had a combination
17 of American history and a speech class. And what our
18 faculty had determined was what would -- what would get
19 us ready for post-secondary education is the ability to
20 do a research project and then present that in a 20-
21 minute speech into earn a passing grade in American
22 history one had to earn a passing demonstration in giving
23 that speech in a -- and there was a -- a long
24 instructional period that taught us how to do that. We
25 started out with little speeches and got to where we



1 could do a 20-minute speech.

2 So it was a tradition in the school that
3 they -- school community determined this is what you
4 needed to demonstrate if you were going to go off and be
5 ready to go to school. You also turned in a written
6 paper as part of this. And there were some criteria that
7 you had to meet.

8 So that community determined that's what was
9 important to them. It's -- it's not necessarily a new
10 idea. The jargon may be new, but it was a requirement
11 for us to graduate. And if we couldn't demonstrate that,
12 we couldn't -- we couldn't graduate. I don't know if
13 that helps at all.

14 CHAIRMAN DURHAM: Dr. Schroeder, did you
15 have a comment?

16 MS. SCHROEDER: Are we finished with the
17 presentation?

18 CHAIRMAN DURHAM: Yes, I think they were.

19 MR. ASP: (Indiscernible).

20 MS. SCHROEDER: I guess I feel that when we
21 -- when we read from the -- the (indiscernible) Governor
22 Ritter's guidelines (indiscernible) which was supposed to
23 motivate this word. It says, "Graduation guidelines will
24 be a reflection of proficiency and identified standards.
25 They're not a list of classes completed, not similarly



1 measured by course credits obtained, not solely measured
2 by performance on high-stakes tests."

3 Then when we look at the menu, ten of 12 are
4 test driven. And the one -- and of the two that are not,
5 the collaboratively developed standards-based performance
6 assessment, is based on statewide scoring criteria. So
7 in a sense, we've centralized this with high-stakes
8 assessments and cut scores. And I guess the estimate
9 (indiscernible) suggest that perhaps a third fewer
10 graduates that we have currently now graduating would
11 graduate if we adopt this current menu? I -- I have a
12 number of problems with it as far as the fact that the
13 statute doesn't require us to tie graduation standards to
14 high-stakes cut scores, the fact that districts, because
15 all of these are score-based --

16 MS. FLORES: Seriously.

17 MS. SHEFFEL: -- why wouldn't -- it's much
18 easier than providing a -- a subjective approach using a
19 capstone. My concern is that the districts will just
20 take the easy road and say, well, use the cut scores.
21 Make it or break it. And I -- I think that we're really
22 devaluing the nature of education using a cut score
23 approach to graduation and creating essentially two
24 options: Either make these cut scores and be ready to go
25 to college or don't graduate. And I think that's a huge



1 problem as far as (indiscernible). So I don't know, I --
2 I guess I'm disappointed in the cut score approach to
3 graduation when we know what's implicitly standardized
4 assessments as far as bias, as far as item development,
5 the language (indiscernible). There's a host of
6 variables that would systematically make it hard for some
7 kids to pass these tests.

8 MS. FLORES: And that's a narrow
9 (indiscernible).

10 MS. SHEFFEL: That's true too.

11 MS. MORGAN: Mr. Chair, if --

12 CHAIRMAN DURHAM: Yes?

13 MS. MORGAN: If we're ready to move on, I
14 can share with you the couple of letters that we received
15 and then also hear from the district folks right here.

16 CHAIRMAN DURHAM: Okay, thank you.

17 MS. MORGAN: Is that okay? So we received
18 two letters in advance of today from people who wanted to
19 express views but couldn't be here. One of them is from
20 Colorado Succeeds. And it signed by their board of
21 directors. And I'm just going to read this sort of
22 introduction, bold test, and conclusion from this. It's
23 in your packet. It's also on the board docs.

24 CHAIRMAN DURHAM: Right.

25 MS. MORGAN: "Dear Mr. Chairman and Members



1 of the State Board of Education, as a coalition of
2 business leaders, Colorado Succeeds is committing to
3 ensuring that Colorado's kids are prepared for Colorado's
4 jobs. We recognize that a quality education system is
5 imperative for a prepared workforce, foundational for a
6 prosperous economy, and vital for our students' futures.

7 "We have grave concerns about recent
8 attempts to weaken the state's high school graduation
9 guidelines and urge you to clarify -- urge you to
10 carefully consider the dire consequences associated with
11 lowering expectations for students at a time when the
12 economy is demanding more of them.

13 "A high school diploma needs to mean more
14 than a certificate of good attendance. While maintaining
15 high expectations for Colorado's high school graduates is
16 difficult work, it's a necessary step toward improvement.
17 The vitality of our economy rests on the ability of our
18 education system to produce workforce and students
19 desperately need honest measures of their skills and
20 knowledge as they enter the real world. We hope you
21 choose to maintain and strengthen Colorado's graduation
22 guidelines." That's from Succeeds.

23 CHAIRMAN DURHAM: Okay.

24 MS. MORGAN: The other one is -- is -- it's
25 two pages now, so this is from Holly Sample, who is the



1 high school principal of University School, which is a
2 charter school in Greeley. And we reached out to her and
3 asked either is there a part we should read or should we
4 try to summarize? And she said she was okay with either.
5 So I'm going to try to summarize. But I hope that she
6 will not be mad at me if I somehow do this incorrectly,
7 but here's my best -- my best try.

8 She was a member of the working group and
9 was here previously in front of the Board last February
10 as part of that group to present information to you. And
11 she wanted you to remember that. And she expressed an
12 appreciation for the non-standardized test components of
13 this. So that would be, as you've identified, the
14 portfolio, capstone, and also the common assessments
15 maybe to be built later. And she wanted to be clear that
16 she believes that it is the -- the State Board's job to
17 establish a floor and not a ceiling and is critical of
18 some of other folks who have expressed the -- the second
19 menu as a lowering of standards.

20 She also goes on to describe what their
21 school already has in place in -- in terms of
22 requirements and believes that those are rigorous and
23 still feels like this menu will push her school. And
24 then generally ended with a statement of support for the
25 process that she was a part of in coming up with the



1 second menu.

2 CHAIRMAN DURHAM: Thank you.

3 MS. MORGAN: So there you go. So those are
4 those two. We have, as we said, some people here. We
5 just thought we would call them up to the podium to try
6 and speed --

7 CHAIRMAN DURHAM: Sure.

8 MS. MORGAN: -- this along a little bit.
9 Actually, do you want to just call out?

10 MS. BURDSALL: Sure. Dr. Floyd Cobb with
11 Cherry Creek Schools?

12 CHAIRMAN DURHAM: Let me just ask all of the
13 speakers to try and keep it within three minutes if
14 possible, but also to address Dr. Scheffel's concern that
15 -- that the standards, as currently here, would likely
16 reduce the number of graduates by a third in Colorado.

17 MR. COBB: Sure. Good afternoon.

18 CHAIRMAN DURHAM: (Indiscernible) that. If
19 you don't agree with it, please make that clear.

20 MR. COBB: Good afternoon. Thank you very
21 much. Again, my name's Floyd Cobb from Cherry Creek
22 Schools. I was on the assessment working group and I've
23 had the pleasure to speak before you a number of times.

24 I -- I guess what I would say is as we've
25 engaged in this conversation in my system, one of the



1 things that we've looked at, and with the revised menu,
2 is there's been a sort of a general opinion that the new
3 menu is a good first steps, by no means is it complete.
4 But I think the conversations in which we've been engaged
5 have been more about trying to make sure that we can
6 start to move forward and engage in a conversation with
7 our community about what is important and what's
8 meaningful in terms of what we value as a system.

9 I have heard conversations about specific
10 course requirements, making sure that the arts are
11 honored and on -- arts are values or particular content
12 areas continue to be valued. And -- and I think that's
13 also an important conversation, but more importantly,
14 it's one that we feel could be valued as a local
15 decision.

16 We begin to engage in conversations in our
17 community about what this would look like, because we do
18 realize that our students are currently in the seventh
19 grade right now and this -- this is a decision that needs
20 to get made in order to give us clarity to be able to
21 move forward.

22 And so a change of this sort is going to
23 take our system some time to be able to get through and
24 also just to make sure that we honor the community and
25 honor our parents in terms of what they would expect. My



1 own children will be a part of this system. And so I
2 have a very personal stake in this as well. And so when
3 we think about the conversations related to C-time, those
4 are things that we look to continue to hold on to, and
5 certainly don't see a benefit in any way, shape, or form
6 from conversations about lowering graduation rates.
7 Specifically as we look at the menu, the conversations
8 that we've had have been very specific about trying to
9 engage in multiple pathways to engage that all of our
10 students have ways to meaningfully demonstrate what it is
11 that they're capable of doing as a -- as a reflection of
12 the content that's been taught over their four years of
13 high school specifically.

14 So with that, I would say that we -- we are,
15 more than anything else, looking forward to getting
16 clarity in terms of where we need to be going -- moving
17 as a system so we can begin having conversations with our
18 community.

19 CHAIRMAN DURHAM: Thank you very much.

20 MS. BURDSALL: Next we have Chris Selle,
21 superintendent of Meeker Schools.

22 MR. SELLE: Thank you for the opportunity to
23 speak again. I involved myself in the assessment working
24 group primarily because as I looked at the assessment
25 menu that was adopted in May of 2013 and what that meant



1 for students in a small rural district system, I was very
2 concerned about the limitations of opportunities for that
3 students.

4 Specifically, you know, there was -- there
5 was some conversation earlier around moving back to just
6 English and math. Specifically one of the concerns I had
7 is that in the social studies area, giving the -- given
8 the changes that have occurred with CMES (ph), the only
9 way for students in my district to demonstrate
10 proficiency based on that 2013 menu in the area of social
11 studies was through concurrent enrollment. Not all of
12 our kids qualify for concurrent enrollment. And so we
13 had a significant percentage of our students that would
14 not have any option to be able to demonstrate proficiency
15 in social studies. So that was my motivation for getting
16 involved in the group was try to make that menu more
17 expansive, provide more flexibility, provide
18 opportunities to review it as we move forward.

19 So the question in front of this Board right
20 now is, you know, should we adopt the revised menu? I
21 would -- I would advocate that if you need to adopt a
22 menu, the second one, the revised one, provides more
23 flexibility, provides more opportunities for students in
24 rural districts. I think there's questions probably
25 about whether or not there needs to be a menu. I don't



1 know if this is the appropriate time to talk about that.

2 I would argue -- I said I don't know if it's
3 appropriate, but I'm going to go ahead and talk it. I --
4 I get -- I get frustrated when I hear C-time, when I hear
5 that, you know, a -- a letter that a diploma should be
6 more than about attendance. When I go into classrooms in
7 my school district, I don't see kids just sitting there
8 watching the clock, hoping that the time will pass so
9 that they can leave. I see teachers engaged in teaching
10 and I see students engaged in learning. And the idea
11 that professional educators in this state, in my district
12 (indiscernible), I can't talk for the whole state. I can
13 talk about the district that I serve. The idea that
14 they're interested in just C-time quite frankly is
15 offensive to me.

16 MS. FLORES: Yeah.

17 MR. SELLE: We engage in teaching and
18 learning and kids demonstrate that in a variety of ways.
19 And so I -- I would ask that this -- this Board look at
20 that menu from the standpoint of how could we provide as
21 much flexibility, as many opportunities for kids to
22 demonstrate that proficiency in as many ways, as diverse
23 as those students are as well too. Thank you.

24 CHAIRMAN DURHAM: Thank you.

25 MS. BURDSALL: Patti Turner from Littleton



1 Schools.

2 MS. TURNER: Thank you. Patti Turner,
3 director of learning services with Littleton Public
4 Schools. And I guess I -- I really echo what my
5 colleagues Floyd and Chris have said. I was also in the
6 working group. We really left that working group feeling
7 like the menu represented a floor, not a ceiling. We
8 thought it represented readiness for post-secondary
9 versus success in post-secondary, which I think is an
10 important distinction and resulted in some changes in
11 those cut scores.

12 We also felt it really represented some
13 true, actual differentiated pathways that the first
14 adopted menu did not represent. We also really feel like
15 it is a way, especially the last item on the menu, the
16 collaboratively developed assessments, are really a way
17 that we can begin to have the conversation of marrying
18 our Carnegie unit system with the idea of competency,
19 because we aren't -- we don't intend to or -- or feel
20 it's appropriate to get rid of that system. So we think
21 that that's a way to marry those two things together.
22 And in absence of some decision, we are really in a state
23 of suspension as a system in having this conversation.
24 So I'm just here to support the proposed menu at this
25 time.



1 CHAIRMAN DURHAM: Thank you.

2 MS. BURDSALL: Cathy Van Suse (ph), Greeley
3 Schools -- excuse me.

4 MS. SUSE: Good evening, Mr. Asp and Members
5 of the Board. So good to be here. We, in the Greeley
6 Evan School District, would like to propose the support
7 of the newly revised demonstrations of competencies. And
8 we -- we know and understand that this is a floor and
9 that we would like to achieve greater in our expectations
10 for our students.

11 As a large school district of low poverty
12 status, 65 percent students on free-and-reduced meals and
13 a high population of English learners, including refugee
14 students, we know and understand that our students have a
15 higher challenges in the area of the development of
16 language. Moving to proficiencies in English and math,
17 rather than all four areas, would be beneficial to our --
18 our students in -- for them to demonstrate that.

19 We value science and social studies very
20 much and we want these opportunities for our students as
21 well. But to demonstrate the proficiency levels, the
22 competency levels in English and math would be beneficial
23 to us as a school district and to our students. I do
24 agree with Dr. Scheffel's analogy that it could very well
25 reduce our -- our graduation rate very far down.



1 We have -- we have really beaten the odds in
2 our district given our high percentage of poverty. We
3 have shown and are in the high 70s and even achieved 80
4 percent graduation rate two years ago. It's been through
5 a lot of work, a lot of work in the development of
6 language. But for us to -- to meet these requirements
7 that you supported back in May of 2013 would reduce our
8 graduation rate. And we would appreciate your
9 consideration. Thank you.

10 CHAIRMAN DURHAM: Thank you.

11 MS. BURDSALL: And Bret Miles, Northeast
12 BOCES.

13 MR. MILES: Dr. Asp, Mr. Chairman, State
14 Board. Today I'm here on behalf of 12 districts in
15 northeast Colorado. We average from 100 kids K-12 to 800
16 kids K-12. In the past, Dr. Asp has been subject to many
17 of my letters on behalf of the Holyoke Board of
18 Education. But this is from 12 different districts. So
19 as you can imagine, getting 12 superintendents to agree
20 takes sort of a miracle.

21 But we did find a few areas where all of our
22 superintendents were in agree. And that is that
23 determining the graduation requirements is best done at a
24 local level. And when these things are done at a state
25 level, we are much less likely to meet the needs of our



1 individual students in our communities.

2 We believe that there are still enormous
3 equity issues, even in the second menu, and that a -- a -
4 - student should have the same number of opportunities
5 regardless of their ZIP code. And we believe that that
6 is especially an issue with small rural districts far
7 from the metropolitan area.

8 Positions of individual districts that we
9 wanted to have stated here today, so not all 12 in
10 agreement, but certainly enough to have it on our
11 document, and that is that the second menu is definitely
12 much improved. We feel like it has better options for
13 the students, so if we are to move forward with one
14 today, the second is getting better.

15 We believe that there's still a great deal
16 of work to be done to clarify the capstone so that we
17 know that we can do that and not as an unfunded mandate.
18 We have think that there are some things that could be
19 done. I like in your motion for it to be reviewed at
20 least every two years, because we believe that there are
21 innovative things happening in school districts all over
22 that could be included here, such as some of our
23 districts talking about tying their MSLS with their
24 teacher evaluation and creating a system where that works
25 with graduation requirements.



1 We think there's -- there's a lot of room
2 from improvement still. So we'd also like to see an
3 option for districts who are using Colorado academic
4 standards, using the sample curriculum, put together by
5 this Department or with resources from this Department
6 and think that that's a good measure for graduation,
7 rather than an ACT test that isn't aligned with that.

8 So we think that there is a lot of promise
9 in the collaboratively developed standards-based
10 performance assessments. We've had many conversations
11 about that and feel that that should be further developed
12 before these are put into place. But in the end we would
13 like to say thank you for allowing us to comment. Thank
14 you for Dr. Asp's work in looking for other solutions and
15 especially reaching out to districts who aren't fans of
16 this from the very beginning. So we appreciate that and
17 look forward to your decision that today's motion is
18 headed in a better direction from the view of the
19 northeast corner.

20 CHAIRMAN DURHAM: Thank you. Okay.

21 MS. BURDSALL: That's it.

22 CHAIRMAN DURHAM: That's it, okay. All
23 right, what's the pleasure of the Board? We have a
24 motion on the table.

25 MS. SCHROEDER: (Indiscernible)?



1 CHAIRMAN DURHAM: Yes, time for discussion.
2 Dr. Schroeder?

3 MS. SCHROEDER: Well, I just want to bring
4 up a couple more thoughts. When the committee came
5 before us some time this past spring, committee members,
6 and it's all a blur when, and I believe you're the one --
7 you're the one, Steve, who asked what's good about this
8 change? And the comment from one individual was by
9 having this kind -- having some kind of outcomes in the
10 graduation expectations, you get the kids to own it, that
11 they -- that they know about it and they become
12 responsible for whatever choice it is that they make for
13 their graduation, whether it's the collaborative --
14 whether it's the, what's it called, the capstone project
15 or any other kind of projects and that the folks that
16 talked about it felt that that was a significant change
17 in the way kids look at high school, that this is
18 something that will be important to them and they'll
19 figure it out -- they'll -- they'll decide what it is
20 that interests it, whether it's a career project,
21 whatever, and that's important.

22 And I guess the other thing that I want to
23 mention is the -- you know, I -- I keep hearing
24 repeatedly the concern about scores and data. And I just
25 want to remind us that these are proxies for answering



1 the questions how are our kids doing? And we -- it's
2 really hard to come up with measures that don't have some
3 kind of a -- ultimately some kind of a grade or number or
4 something attached to it. So we're always going to have
5 this dilemma of having at least some of our outcomes that
6 are actually measurable. And we do that because we think
7 those are appropriate proxies.

8 I'm glad there are some non-testing items.
9 I'm also very pleased about the industry certificates,
10 because I think that's where we're going to engage some
11 of our kids at the high school level, that they find some
12 interest and that they pursue that, even if it turns out
13 that that's not ultimately what they do. They at least
14 learn a heck of a lot about a particular industry item.

15 So I think this is a -- a start. I would
16 recommend or I would hope that even though this is a --
17 districts are going to decide what their graduation
18 requirements are going to be that we learn about what
19 they're doing. And I don't -- I don't want to make that
20 cumbersome, but I would guess all districts are going to
21 put it on their website and that maybe we can pull it off
22 the website so we get some idea on what are the values in
23 our communities and are there consistent values or are
24 they dramatically different? I think those will tell us
25 something.



1 Because we got to this place in Senate Bill
2 212 because there was a question that what is a Colorado
3 high school diploma mean that we're supposedly the only
4 state that doesn't have any kind of common requirements
5 and therefore we need to answer that question. And I
6 think we're trying pretty darn hard to answer that
7 question in a way that still allows for an awful lot of
8 community input, but it would be interesting to see what
9 it is that the communities do expect. And I'm assuming
10 that in those communities, our industry folks who are
11 supposedly the ones driving this wish, that they will
12 participate and they will have some strong -- some good
13 conversations with the school district, but also with the
14 parents, so they come to some kind of agreement.

15 CHAIRMAN DURHAM: Dr. Flores?

16 MS. FLORES: I disagree with you. I think
17 that teachers are -- are really disrespected with this
18 measure. I think it's going to disrespect it in -- in a
19 sense of you have a profession that is not allowed to
20 take the onus of creating a -- a creation. You've taken
21 creation away from that profession. And I think that
22 that's -- that's sinful. I mean, I will, yes, call it
23 that. And I think that we created mammon with this data
24 silo that somebody talked about today. I would call that
25 -- I mean, they probably think of it as a holy of holies,



1 but I think of it as -- as mammon. And I think that it's
2 -- it's just terrible.

3 How can we think about data being -- compare
4 that to -- to content, to knowledge, to the development
5 of society, to the development of the individual? I
6 think that is what an education is about, not about data
7 points. And I think we've gone way off the other end of
8 the spectrum as far as education.

9 I have here a course of study for elementary
10 schools had was developed by the state of Colorado in
11 1936. And I must tell you that this is more informative
12 than -- than what we have. Sure, those standards, but
13 those standards have to hold on to something. This talks
14 about concepts by grade level. There's nothing like that
15 out there. We need to do this. We -- if we're going to
16 have a capstone, I think we need to have something like
17 this that delineates what that means.

18 We -- we have people -- we're hiring people
19 from Teach for America who are smart people, but they
20 don't have a background in teaching. They go -- they're
21 hired by these schools that are serving hard-to-serve
22 kids, needy kids who don't have, you know, the
23 wherewithal, their parents do not to teach concepts,
24 maybe not even the time to -- to have those things that
25 most middle class parents teach their kids. They come to



1 school not learning to read.

2 I -- I was lucky in that I had -- when I was
3 teaching kindergarten, I had a lot of kids who came to
4 school having learned how to read by -- at --at home.
5 And so that's an easier type of -- of job than when --
6 and I've also taught at schools where kids didn't know
7 their numbers, didn't know the -- the alphabet. And back
8 to the teachers -- I'm just going to stop it there on
9 that issue, but they need something like this.

10 When we don't require textbooks, well,
11 textbooks actually do have a -- a course of study and
12 they have ideas that you can develop. And this is what
13 this is. This does not have lesson plans. You know,
14 Pearson's making a lot of money off of lesson plans right
15 now, because that's what's demanded by many of these
16 schools. That's not what education is.

17 Let me reiterate what education is about.
18 It's about the development of an individual and what they
19 want in life. It -- the development of society with the
20 individual. It could be that. Or it could be knowledge.
21 And we're not even talking content maybe in this case,
22 but knowledge. And we have been seen as, you know, a
23 state. I mean, I came to this state, well, to marry, but
24 also because I -- I -- I was just in wonder and I -- I
25 really like this state. It -- there's so much freedom.



1 And I think that giving local control, giving teachers,
2 giving districts that control to say this is what, you
3 know, we think is -- is a final outcome, I think that is
4 -- that's how it should be. And we shouldn't just be
5 limiting it to test scores, which is what most of this
6 is. I'm sorry.

7 CHAIRMAN DURHAM: Ms. Rankin? It's no
8 problem.

9 MS. RANKIN: I see -- I -- I -- I'm looking
10 forward, as others are, to see this implementation
11 toolkit for industry certificate capstone and also the
12 collaboratively developed standards-based performance
13 assessment. Those are the ones I'm not really
14 understanding. The other ones, I -- I find are very
15 clear. So I see that there is a lot of diversity here as
16 far as I see subjectivity between districts as to what
17 the requirements might be.

18 But I am confused about District A offering
19 all of these and District B maybe offering more of the
20 subjective area and students wanting to take some of the
21 other test, or if they're college bound, so -- I mean,
22 will they -- will a student have the opportunity to take
23 all the tests and they'll pass one in each of those
24 areas, which will give them a high school graduation
25 certificate or are the certificates going to -- to have



1 different meaning because of what's offered in that
2 district? So I -- and maybe that's something I just am
3 unclear about.

4 MS. MAZANEC: These are all --

5 CHAIRMAN DURHAM: Dr. Scheffel?

6 MS. MAZANEC: The district driven or student
7 driven?

8 (Overlapping)

9 MS. MAZANEC: They're -- they're decided by
10 districts --

11 CHAIRMAN DURHAM: Districts.

12 MS. MAZANEC: -- right?

13 MS. MORGAN: District determines which of
14 the things in the menu to offer.

15 MS. MAZANEC: So a student can't decide
16 even, you know, the district --

17 (Overlapping)

18 MS. MAZANEC: The Cherry Creek District
19 offers all six, but Jefferson offers five and a student
20 wants that sixth one, too bad?

21 MS. MORGAN: You're going to have to engage
22 locally to sort that out.

23 MS. MAZANEC: Okay. Sorry, Debora.

24 CHAIRMAN DURHAM: Dr. Scheffel?

25 MS. SHEFFEL: Yeah, I think we're not



1 achieving the comparability that we hope for with this
2 menu. What concerned me is how many kids do we have who
3 will not (indiscernible) school needed, but who have the
4 persistence and work ethic to be successful in college or
5 how many will not pass the earned industry certificate
6 but could enter the workforce and still be quite
7 successful?

8 MS. GOFF: Right.

9 MS. SHEFFEL: I feel like we're putting in
10 place a pass/fail obstacle-based system using externally-
11 defined, fee-based commercial assessments in ten out of
12 12 -- in ten out of 12 items on the menu with -- and some
13 -- I wouldn't say arbitrarily-defined results, but I -- I
14 don't see the reason we choose a certain cut score. I
15 mean, does it sound okay that 65 percent of the kids can
16 get 70 on reading comprehension? Why not 70 percent?
17 Why not 50 percent?

18 I mean, I feel like the cut scores
19 themselves are not comparable and then I don't know the
20 basis on which we're creating them, where as in one test,
21 58 point of kids could pass, on another, 69 could pass.
22 I mean, the arbitrary nature of ten out of 12 of these
23 items strikes me as quite glaring and I -- I see access
24 issues. And again, this creates an obstacle-based system
25 for graduation, as opposed to getting comparability to



1 people that want it. And I -- I just don't see it
2 meeting the intent of the law either. So I -- I know
3 there's been a lot of work that's gone in it. I know
4 there are many that support it, but when you look at how
5 it will affect kids and educators, I have a lot of
6 concern.

7 CHAIRMAN DURHAM: Ms. Rankin?

8 MS. RANKIN: I -- I just have one more thing
9 to add on to that. Are -- are any of these -- I -- it
10 looks like all of them can be optional in some way. Is
11 there anything that's required when they say, you know,
12 comparing states or comparing our county in the world.
13 Are -- will we now be so different and -- and diverse
14 with our -- our high school graduation requirements that
15 we don't know where we fit?

16 MS. MORGAN: (Indiscernible).

17 MS. MORGAN: I don't think I understand that
18 question.

19 CHAIRMAN DURHAM: No, go ahead.

20 MS. RANKIN: No, go ahead.

21 CHAIRMAN DURHAM: Well, I'm just going to
22 try and move things forward a little bit, but we're in --
23 we're in a kind of a difficult spot. And I think, you
24 know, the business community started this -- started this
25 pressure on the theory that a Colorado diploma didn't



1 mean anything. It meant something in one district and
2 something in another, and they wanted to be able to rely
3 on -- on the fact that a piece of paper's been given to a
4 student evidencing graduation and that -- that meant
5 something.

6 Reality is any companies that hire based on
7 the fact that somebody has a piece of paper, please tell
8 me who you are so I don't own any stock in that company,
9 because I don't think that's a -- it could be a measure,
10 it could not, but I wish -- I wish a couple of things.

11 One is there must be -- Gretchen, there must
12 be some -- and I certainly have letters from people who
13 don't approve these standards. I don't know if they were
14 invited or not, but they -- if not, they should've been,
15 because I think they might've been able to make some
16 helpful suggestions.

17 Two, we're now up against these time
18 pressures that we, I think at least in theory, we need to
19 deal with. So I'm going to try and move this along by a
20 couple of things. One, Dr. Schroeder, if you'd descend
21 the chair for a minute, I'd like to a motion, an
22 amendment to the motion.

23 MS. SCHROEDER: Sure.

24 CHAIRMAN DURHAM: I'd like to move to remove
25 the PARCC assessment from the menu, for the following



1 reasons: One is, as far as I can tell, it's not
2 administered in high school. Ninth grade is the last
3 time a PARCC test is administered. I can't imagine
4 anybody that we should -- we should allow a graduate --
5 somebody to get a diploma based on a test that's given in
6 ninth grade. So this makes no sense to me why this is
7 part of the menu. And I would move, first of all, to
8 remove the PARCC test from the menu.

9 (Overlapping)

10 MS. SCHROEDER: That's an amendment to the
11 motion?

12 CHAIRMAN DURHAM: It's an amendment to the
13 motion.

14 MS. SCHROEDER: Should we --

15 CHAIRMAN DURHAM: Is there --

16 MS. SCHROEDER: Is there a second?

17 MS. MAZANEC: I would second that, yes.

18 MS. SCHROEDER: Do we have a discussion and
19 then we'll vote on the amendment? But you had multiple
20 amendments?

21 CHAIRMAN DURHAM: That's the only one I have
22 at the moment.

23 MS. SCHROEDER: Okay.

24 CHAIRMAN DURHAM: I mean, (indiscernible)
25 something else.



1 (Overlapping)

2 MS. BURDSALL: Mr. Chair, we just had one
3 note here from staff, which is that there are some
4 districts who are inquiring right now about being able to
5 use PARCC at higher grade levels.

6 (Overlapping)

7 MS. MAZANEC: What do you mean "able to use
8 it at higher grade levels"?

9 MS. BURDSALL: Yeah, (indiscernible).

10 MS. MAZANEC: You mean take it or use it?

11 MS. FLORES: Thank you.

12 MS. MORGAN: Elliott, do you have
13 (indiscernible)? I just know that Joyce has talked about
14 they've gotten calls from districts that have been asking
15 if they can opt in to those other assessments. I don't
16 know the details and I don't know if it's in this
17 context, but I just wanted to make sure you guys were
18 aware of that.

19 MR. ASP: What -- what -- what they mean by
20 that is could we voluntarily have our kids take the tenth
21 grade PARCC and the 11th grade PARCC test that might be
22 available? But they're not necessarily in this context.

23 CHAIRMAN DURHAM: But I would -- I would
24 simply say (indiscernible) the test we allow everybody to
25 opt out of that not getting a graduation certificate



1 because he didn't take it (indiscernible) impose a
2 penalty on the student under Colorado law. That's
3 another reason to remove it from the list.

4 MS. MORGAN: Yeah, go ahead.

5 MS. MAZANEC: I had one more. We -- the
6 original motion says that we will consider additions to
7 the menu two years from now. Could we be doing it one
8 year from now?

9 MS. SCHROEDER: Yeah. Every year?

10 MS. MAZANEC: Instead of two? I mean, given
11 that this is a relatively new thing, it's been
12 controversial, all of us are a little uncomfortable,
13 there may be better ways to do this. That after a year
14 we'll -- we may not know everything, but we may know
15 something more than we know now.

16 MS. SCHROEDER: What my -- no. If I may --
17 is the kinds of discussions that have occurred in the
18 districts. And I think that will be some excellent
19 feedback for us. I will say this: I -- I did get a call
20 from one of my superintendents saying that he was okay
21 with this, he just said, "Please get us something,
22 because we are running out of time. We want to have the
23 time in our community to have the discussions. And if
24 you don't adopt this pretty soon, then we run out of
25 time, because we have to have this done by May or June so



1 that we can notify the incoming eighth graders. Help me
2 --"

3 MS. MORGAN: Yeah, for --

4 MS. SCHROEDER: "-- please."

5 MS. MORGAN: Yeah, for many districts, they
6 have local policies that require them to notify students
7 at the beginning of eighth grade about what will be their
8 graduation requirements. So for many districts who have
9 that policy, that means that by May or June of this year,
10 they need to have it in place.

11 MS. SCHROEDER: So there's a sense of
12 urgency. So as long as we -- I mean, this motion, the
13 way -- the way it is stated, allows us to add, but it
14 doesn't say we're going to change it. And I think if we
15 talked about just completely changing it, that would set
16 some of our superintendents on fire.

17 MS. MORGAN: I would say I have -- I have
18 heard that same thing.

19 MS. SCHROEDER: Okay.

20 MS. MORGAN: Yeah.

21 MS. SCHROEDER: Yes, Joyce?

22 MS. RANKIN: On -- on this paper that I have
23 that's the menu, it says to convene the working group
24 every 18 months beginning 26 -- "to continuously evaluate
25 menu" -- to me, that "continuously evaluate" means that



1 it changes, additions, and deletions can be brought
2 forwarded to us at any time. I don't see that we have to
3 wait two years, three years. I -- I think this is a work
4 in progress. That's the way I see it on our paper.

5 MS. SCHROEDER: Any other comments? Jane?

6 MS. GOFF: Yeah, I don't know, I guess I'd
7 have to -- I'd have to think about it a while, not to
8 hold anybody up. I just -- I would like to know how that
9 impacts other parts of things that are sort of required.
10 For one, I-Cap. So if you're going to start looking at
11 changing these lists and these lists of options and all
12 of that, it does -- it does come down and touch around on
13 planning. So when you're -- I-Cap is one example of that
14 that could be impacted. I don't have a problem with the
15 year-and-a-half review of 18 months, every other year,
16 every two years, every six years. I just think that's
17 something that we really have to learn a little bit
18 about, because if we're going to be changing something
19 like this every 18 months, I don't know, that's what I'm
20 envisioning in school districts be what now. And I -- I
21 -- I just think we need to be a little bit careful as far
22 as the -- it's important right, the here and now, we seem
23 to be -- we need to do something about this newly
24 proposed menu. Either we accept it or we don't. And
25 with the understanding that this newly proposed, the



1 newest revised, menu involves one choice in language arts
2 and math, and that's it.

3 MS. MAZANEC: God.

4 MS. GOFF: That to me, that's the decision.
5 That's the decision that we're presenting to districts.
6 Really quickly and maybe Gretchen and Misty (ph) would be
7 perfect, maybe Katy and maybe Alisa, out of all of these,
8 I mentioned ASVAB earlier in my rant. Out of the rest of
9 these, are there any that are rates specific, other than
10 (indiscernible). We know ACT. At least in Colorado, ACT
11 is connected to 11th grade. Somewhat satisfied kind of
12 has a -- has a little range in there too. But --

13 (Overlapping)

14 MS. GOFF: -- are there any others that if -
15 - if a student takes -- uses one of these criteria to
16 meet a graduation diploma requirement, whether he's a
17 ninth grader, considered high school student or not, what
18 -- are there any of those where a student could be done -
19 -

20 MS. FLORES: Yes.

21 MS. GOFF: -- technically done, satisfying
22 graduation requirements in the ninth grade?

23 MS. FLORES: In the eighth grade, probably.

24 MS. GOFF: Well --

25 (Overlapping)



1 CHAIRMAN DURHAM: Yes? (Indiscernible).

2 MR. ASP: Remember, the -- the graduation
3 requirements are set by the local school districts and
4 most districts I know of have in place a number of core
5 course requirements that students have to take, so I
6 doubt, you know -- it certainly is possible, Jane, that
7 that that could happen, but I doubt that I know of any
8 schools, school districts that are going to graduate
9 anybody on a ninth grade test score, even though they
10 might meet it.

11 The other point, and I -- I appreciate Dr.
12 Scheffel's --

13 (Overlapping)

14 MR. ASP: -- points earlier, but I think
15 it's really important to understand that these -- these
16 cut scores were not arbitrarily set. They're aligned
17 with the requirements of higher ed to -- to reach
18 enrollment credit bearing courses. In fact, we were
19 required to have that alignment in that legislation that
20 puts us into this piece. So every one of these cut
21 scores is based on alignment either into higher ed or in
22 cases -- in case of the ASVAB, a lot of discussion with
23 the -- the -- with the U.S. Department of Army that said
24 this is where you need to set this so that kids could, if
25 they met that, they would be able to go into a career



1 training. So I just want to make sure we were clear on
2 that.

3 MS. FLORES: But I -- I -- I just think that
4 you're going to have more problems or issues -- district
5 are going to have more -- more issues -- I don't want to
6 say problems -- with kids who may do an 18 -- at seventh
7 or eighth grade and would want to pressure the school to
8 get a diploma so they can march on to college. And I
9 think that would be --

10 MS. SCHROEDER: They can't do that if the
11 district sets graduation requirements. Those are the
12 graduation requirements. We are only providing a floor.
13 It is the district that is going to decide. And I can't
14 imagine a district that's going to allow any one of these
15 items to be --

16 MS. FLORES: Well, we said one.

17 MS. SCHROEDER: -- included, not the sole
18 graduation requirement. Who --

19 MS. MORGAN: Yeah, I -- I would say based on
20 conversations with districts thus far, it would be very
21 surprising if someone were to decide that the only
22 requirements for graduation would be the couple of thing
23 that they would select out of this menu. I -- I've not
24 had any conversation with any districts -- you're asking
25 as well --



1 MS. SCHROEDER: No.

2 MS. MORGAN: -- that indicated that that was
3 the direction they were headed. I think the much more
4 common path is the one you heard described as some of the
5 districts who spoke last time about maintaining a set of
6 coursework requirements and adding this to
7 (indiscernible).

8 MS. SCHROEDER: But I wasn't talking about
9 districts. I was talking about parents.

10 MS. MORGAN: But the districts have the
11 authority under the law to establish their requirements
12 and to graduate, to earn a diploma in that district, a --
13 a student has to meet whatever is established locally.
14 That's true now too. That still is true going forward.

15 MS. FLORES: I know kids who have gone to
16 Harvard after their junior year who did not graduate,
17 because they did not meet the district graduation
18 requirements --

19 MS. MORGAN: Sure.

20 MS. SCHROEDER: -- and then went on. That's
21 -- that's why. I -- I -- before we vote on this, I just
22 want to clarify there's nothing in 212 that requires us
23 to keep PARCC, to keep our statewide assessment in our
24 graduation.

25 MS. MORGAN: I don't think so. Anything in



1 the original statute --

2 (Overlapping)

3 MS. SCHROEDER: Good. Are we ready to vote
4 on the amendment?

5 MS. SHEFFEL: I have a follow-up question.

6 MS. SCHROEDER: Please. Go ahead.

7 MS. SHEFFEL: So let me clarify your comment
8 there. This -- are you saying that a 61 on the
9 (indiscernible) and a 19 on the ACT math and a 63 on the
10 ACT (indiscernible) and a bronze on ACT (indiscernible)
11 are all comparable scores not in my understanding?

12 MR. ASP: The -- the bronze would not be,
13 but the others all came from our -- I'm sorry, do you
14 want to --

15 MS. MAZANEC: Debora might.

16 MS. SCHROEDER: Debora, could you make that
17 --

18 (Overlapping)

19 MR. ASP: Oh, I'm sorry. I'm sorry. Oh,
20 no, thank you.

21 MS. SHEFFEL: My question is a follow up to
22 Dr. Asp is that I think -- I think, if I'm clarifying, is
23 he meaning that a 61 on the (indiscernible) and a 19 on
24 the ACT and a 63 on the ACT (indiscernible) and a bronze
25 on ACT (indiscernible), et cetera, are all comparable



1 scores and knowing a fair amount about these tests, I
2 don't think that's the case. So I'm wondering if you
3 could clarify.

4 MR. ASP: Our -- our information came from
5 the Colorado Department of Higher Education, and who
6 brought us the -- the scores that community colleges are
7 -- are four-year schools and Colorado used to allow kids
8 to move into credit bearing courses.

9 Now, I can't say the same thing about the
10 work (indiscernible) certificate, but all the other
11 scores were added to the menu because they're being
12 commonly used in -- in higher ed to -- is a -- a gateway
13 into credit (indiscernible) courses.

14 The bronze one came to us from ACT in a -- a
15 presentation to the group and some discussion in the
16 group to say this is -- appears to be one that's on par
17 with college and career readiness. And so we used their
18 recommendation in that piece.

19 MS. SHEFFEL: Thank you.

20 MS. SCHROEDER: Are we ready to vote? Could
21 you please call the roll?

22 MS. BURDSALL: May I please (indiscernible)
23 microphone?

24 MS. SCHROEDER: Oh.

25 MS. BURDSALL: And just to make sure this is



1 for the motion that was made by --

2 MS. SCHROEDER: The amendment.

3 MS. BURDSALL: And -- and the amendment or
4 just --

5 CHAIRMAN DURHAM: Just --

6 MS. SCHROEDER: No, this is for the
7 amendment.

8 CHAIRMAN DURHAM: Just for the amendment.

9 MS. BURDSALL: Just for the amendment, okay.

10 MS. SCHROEDER: To remove the PARCC scores.

11 MS. BURDSALL: Okay.

12 MS. GOFF: Yes.

13 MS. BURDSALL: Dr. Flores?

14 MS. FLORES: Aye.

15 MS. BURDSALL: Jane Goff?

16 MS. GOFF: Aye.

17 MS. BURDSALL: Pam Mazanec?

18 MS. MAZANEC: Aye.

19 MS. BURDSALL: Joyce Rankin?

20 MS. RANKIN: Aye.

21 MS. BURDSALL: Dr. Scheffel?

22 MS. SHEFFEL: Yes.

23 MS. BURDSALL: Dr. Schroeder?

24 MS. SCHROEDER: Yes.

25 MS. BURDSALL: And Steve Durham?



1 CHAIRMAN DURHAM: Aye.

2 MS. SCHROEDER: That passes.

3 CHAIRMAN DURHAM: Thank you.

4 MS. SCHROEDER: You want to take the machine
5 back here?

6 CHAIRMAN DURHAM: Sure. We use it so much.
7 Okay, all right, what's now before us is --
8 (Overlapping)

9 CHAIRMAN DURHAM: -- is the --

10 MS. SCHROEDER: Amendment.

11 CHAIRMAN DURHAM: -- motion made by Dr.
12 Schroeder with that one amendment removing PARCC. And
13 let me -- let me make one final comment, that if this
14 passes and any -- I will commit to any member of the
15 board that if you have an addition to this menu, I will
16 put it on the agenda for consideration whenever you give
17 it to you. So if we can come up with better ideas, we
18 will add -- add to this menu from which the districts may
19 choose. I -- I won't make that same commitment to -- to
20 -- for removal of any of these items, but I will make the
21 commitment for addition to the menus -- to the menu from
22 which districts may choose. And so should this pass, I -
23 - I will -- I will make that commitment to -- to all of
24 you. And it could be we can come up with a standard or
25 two that may make sense to districts. We may be able to



1 adopt, and I think we'll -- we'll be able to go back and
2 revisit at a later date the waiver process if the -- some
3 districts thinks that's valuable, allows to get that
4 input, allow us to have time. So I would -- I would just
5 make that commitment if this passes, so -- and any
6 further discussion?

7 MS. FLORES: So --

8 CHAIRMAN DURHAM: Yes, Dr. Flores?

9 MS. FLORES: Excuse me. So at any time --

10 CHAIRMAN DURHAM: Any --

11 MS. FLORES: Next week?

12 CHAIRMAN DURHAM: Well, yeah, but next week
13 for the next meeting, yeah.

14 MS. FLORES: Okay.

15 CHAIRMAN DURHAM: Yeah, it'll be on the
16 October meeting if we --

17 MS. FLORES: Okay.

18 CHAIRMAN DURHAM: If we get enough time. We
19 set the agenda about ten days in advance. Now, I don't -
20 - not asking anybody necessarily to vote for this on that
21 basis, but it's commitment I would like to make in case
22 people will feel more comfortable with a yes vote, so --
23 Ms. Burdsall, will you call the roll, please?

24 MS. BURDSALL: Yes. Dr. Flores?

25 MS. FLORES: Aye.



1 MS. BURDSALL: Jane Goff?
2 MS. GOFF: Aye.
3 MS. BURDSALL: Pam Mazanec?
4 MS. MAZANEC: Aye.
5 MS. BURDSALL: Joyce Rankin?
6 MS. RANKIN: Aye.
7 MS. BURDSALL: Dr. Scheffel?
8 MS. SHEFFEL: No.
9 MS. BURDSALL: Dr. Schroeder?
10 MS. SCHROEDER: Aye.
11 MS. BURDSALL: Steve Durham?
12 CHAIRMAN DURHAM: Aye. Okay, I think we'll
13 proceed out of order, since we have a guest here. We'll
14 proceed out of order for update on the Commissioner's
15 search. Mr. Ray, I see in the audience, if you'd like to
16 come forward and --
17 MS. RANKIN: Can we have a two-minute break?
18 CHAIRMAN DURHAM: And we will take a two-
19 minute break.
20 MS. RANKIN: (Indiscernible). Geez -
21 (Meeting adjourned)
22
23
24
25



1
2
3
4
5
6
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.

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

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 5th day of February, 2019.

/s/ Kimberly C. McCright
Kimberly C. McCright
Certified Vendor and Notary Public

Verbatim Reporting & Transcription, LLC
1322 Space Park Drive, Suite C165
Houston, Texas 77058
281.724.8600