



**COLORADO**  
Department of Education

Colorado State Board of Education

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TRANSCRIPT OF PROCEEDINGS  
BEFORE THE  
COLORADO DEPARTMENT OF EDUCATION COMMISSION  
DENVER, COLORADO  
December 9, 2015, Part 1

BE IT REMEMBERED THAT on December 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: My apologies for the  
2 delay. We're starting a little late. The State Board of  
3 Education will please come to order. And Elizabeth, if  
4 you would call the roll please?

5 MS. BURDSALL: Of course. Board Member  
6 Flores?

7 MS. FLORES: Here.

8 MS. BURDSALL: Board Member Goff?

9 MS. GOFF: Here.

10 MS. BURDSALL: Board Member Mazanec?

11 MS. MAZANEC: Here.

12 MS. BURDSALL: Board Member Rankin?

13 MS. RANKIN: Here.

14 MS. BURDSALL: Board Member Scheffel?

15 MS. SCHEFFEL: Here.

16 MS. BURDSALL: Board Member Schroeder?

17 CHAIRMAN DURHAM: Excused.

18 MS. BURDSALL: And Charmain Durham?

19 CHAIRMAN DURHAM: Present. (Indiscernible)  
20 is present. Let's see; Ms. Rankin, would you lead us in  
21 the Pledge of Allegiance? So everybody please rise?

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



1 CHAIRMAN DURHAM: Thank you. Is there a  
2 motion to approve the agenda as published?

3 MS. GOFF: I move.

4 CHAIRMAN DURHAM: Ms. Goff. Is there a  
5 second? Dr. Scheffel? It's been moved and seconded that  
6 the agenda be approved as published. Is there any  
7 discussion? So none. Ms. Burdsall, please record a six  
8 to zero vote in favor of that motion. I would -- let me  
9 see if I can get a volunteer to make a motion on the  
10 consent agenda, if I give you the -- do you have that?

11 MS. BURDSALL: It's the same as this, right?

12 CHAIRMAN DURHAM: That's it.

13 UNIDENTIFIED VOICE: Yes.

14 CHAIRMAN DURHAM: Yes. Would you -- Ms.  
15 Goff?

16 MS. GOFF: Thank you so much.

17 CHAIRMAN DURHAM: Oh, yes. Read away.

18 MS. GOFF: Read away. All right. I move to  
19 place the following matters on the consent agenda:

20 19.01; regarding disciplinary proceedings  
21 concerning an application charge, number  
22 201(2)(e)(c)(II)616; Direct Department staff to issue a  
23 notice of denial and appeal rights to the applicant  
24 pursuant to 24-4-104 CRS.

25 19.02; regarding disciplinary proceedings



1 concerning an application; charge number 2013(e)(c)(II)  
2 195; signify acceptance and approval of the terms and  
3 conditions of the settlement agreement by directing the  
4 interim commissioner to sign the agreement.

5 19.03; regarding disciplinary proceedings  
6 concerning a license charge, number 201.4(e)(c)(II)45;  
7 Direct Department staff, and the State Attorney General's  
8 Office to prepare the documents necessary to request a  
9 formal hearing for the revocation of the holders license,  
10 pursuant 22-60.5-108 CRS.

11 19.04; regarding disciplinary proceedings  
12 concerning an application charge, number  
13 201.5(e)(c)(III)92, Direct Department staff to issue a  
14 notice of denial, and appeal rights to the applicant  
15 pursuant to 24-4-104 CRS.

16 19.05; regarding disciplinary proceedings  
17 concerning a license charge, number 201.5(e)(c)910;  
18 signify acceptance and approval of the terms and  
19 conditions of the settlement agreement by directing the  
20 interim commissioner to sign the agreement.

21 19.06; regarding disciplinary proceedings  
22 concerning a license charge, number 201.5(())1222; Direct  
23 Department staff and the State Attorney General's Office  
24 to prepare the documents necessary to request a formal  
25 hearing for the revocation of the credential holder's



1 substitute authorization, pursuant to 24-4-104 CRS.

2 19.07; approve six initial emergency  
3 authorization requests as set forth in the published  
4 agenda.

5 19.08; approve one renewal emergency  
6 authorization request, as set forth in the published  
7 agenda.

8 20.01; approve the Charter School  
9 Institute's request on behalf of Global Village Academy,  
10 Colorado Springs, for waiver from state statutes as set  
11 forth in the published agenda.

12 20.02; approve the Charter School  
13 Institute's request on behalf of Global Village Academy,  
14 Fort Collins, for a waiver from state statutes as set  
15 forth in the published agenda.

16 21.01; approve the 2015-16 tuition cost  
17 rates for facility schools, as set forth in the published  
18 agenda.

19 21.02; approve the 2015-16 tuition rates for  
20 Rocky Mountain Deaf School, as set forth in the published  
21 agenda.

22 And 21.03; approve the appointment of  
23 Samantha Gallagher to the Special Education Fiscal  
24 Advisory Committee. This is the end of the consent  
25 agenda.



1                   CHAIRMAN DURHAM: Thank you, (indiscernible)  
2 for that proper motion. Is there a second to that  
3 motion? Yes, Dr. Schroeder seconds the motion. That  
4 requires unanimous consent; is there any objection to the  
5 adoption of the motion for the consent agenda? I see  
6 none. The consent agenda is adopted.

7                   We will now proceed to -- let's see -- Ms.  
8 Burdsall, your report please?

9                   MS. BURDSALL: Thank you, Mr. Chair. Good  
10 morning, Chairman Durham, Members of the Board, and  
11 Interim Commissioner Asp. I would like to, once again,  
12 give me -- give my friendly reminder to please speak  
13 clearly into your microphones, to please also remember to  
14 turn your mic -- microphones back on, if you turned them  
15 off and you are not speaking. Any audio streaming of  
16 these meetings are a critical way in which we ensure the  
17 State Board Meetings are open to the public.

18                   In addition, the audio recording becomes our  
19 official record of our meeting -- or of the Board  
20 Meeting, and it is truly imperative that your  
21 constituents hear your comments and votes. I'd also like  
22 to remind everybody that CDE's wireless is now -- or  
23 guest wireless is now CDE hotspot, and the password is  
24 Silver, capital S.

25                   In your board packets, you have the



1 following materials: You have the Quick Glance Expense  
2 Report in your events calendar. For Item 8.01, you have  
3 a copy of the draft 2016 Legislative Priorities. For  
4 Item 10.01, you have a memo regarding the Reading to  
5 Ensure Academic Development READ Act rules; a copy of the  
6 rules, both clean line and -- I'm sorry, both red line  
7 and clean. A crosswalk of the OLLS rule -- rule review  
8 feedback, in the rules. For Item 11.01, you have a copy  
9 of the School Turnaround Leaders Development Program  
10 Rules; both red line and clean, and a crosswalk of OLLS  
11 rule review feedback and rule. For Item 14.01, you have  
12 a copy of the waiver of statute and rule -- rules; both  
13 red line and clean, and a crosswalk of the statute and  
14 rule. For Item 15.01, you have a copy of the High School  
15 Equivalency Examination Program Rule; again, both red  
16 line and clean, and a crosswalk of the statute and rule,  
17 as well as some written feedback that has been received  
18 regarding these rules.

19 For Item 17.01, this afternoon you will  
20 receive a PowerPoint for the Student Centered  
21 Accountability Project. For Item 18.01, this morning I  
22 have provided you with the Assessment Pilot Proposal  
23 Conceptual Overview PowerPoint, which is sitting before  
24 you on the board bench. For Items 20.01 and 20.02, you  
25 have Charter School Waiver Request materials submitted by



1 the Charter School Institute. For Item 20.03, you have  
2 the Post-Secondary and Workforce Ready PowerPoint --  
3 description PowerPoint. You have the College and Career  
4 Readiness state definitions, and reports on college and  
5 career readiness definitions. For Item 21.01, you have a  
6 copy of the Tuition Cost Rates for Facility Schools,  
7 Fiscal Year '15-'16. For Item 21.02, you have a copy of  
8 the Tuition Rates for Rocky Mountain Deaf School, fiscal  
9 year '15-'16. And for 22.01, you have a copy of the  
10 Public School Capital Construction Assistance Board;  
11 their legislative platform for 2015-16.

12 For Thursday, materials you have for Item  
13 3.01 is a copy of the Education Data Advisory Committee,  
14 EDAC, 2014-15 Annual Report, as well as EDAC membership  
15 for the '14-'15 year, and '15-1'16. For Item 4.01, you  
16 have the data sharing agreements PowerPoint, you have the  
17 data sharing agreements and contracts, you have a data  
18 sharing agreement template, and a signed agreement  
19 between CDE and CDHE. For Item 5.01, you have a memo  
20 regarding the High School equivalency examination  
21 selection process, you have the request for application  
22 PowerPoint, the examination comparison table, and letters  
23 received regarding the High School equivalency  
24 examination selection. For Item 7.01, you have the  
25 Smart (indiscernible) PowerPoint. For Item 7.02, you



1 have a memo regarding the Senate SB-191 update, the  
2 Educator Evaluation and Support PowerPoint, Colorado  
3 Teacher Quality Standards handout, Colorado Principal  
4 Quality Standards handout, a progress report on Colorado  
5 Education -- Educator Evaluation and Support System, the  
6 State Model Evaluation System; a qualitative pilot  
7 district's focus group report, and tools, guidance and  
8 support pertaining to the use of the State Model  
9 Evaluation System. For Item 8.01, you have a -- the  
10 Title I Part A: Allocation Pilot for Multidistrict  
11 Online Schools progress report PowerPoint. For Item  
12 10.01, you have the draft memorandum of Understanding  
13 with Teaching Strategies. And for Item 10.02, you have  
14 the Kindergarten School Readiness Reporting System  
15 PowerPoint, the School Readiness components within CAP4K,  
16 and a summary of the School Readiness initiatives within  
17 CAP4K. And that concludes my report.

18 CHAIRMAN DURHAM: Thank you, Ms. Burdsall.  
19 Any questions for Ms. Burdsall? Seeing none, thank you -  
20 - thank you very much. I will now proceed to Item 7,  
21 Legislative Update. Commissioner Asp, would you like to  
22 proceed with this?

23 MR. ASP: Yes, we would like. Jennifer  
24 Mello, our legislative liaison, to come forward and  
25 provide an update, and to also be available for any



1 questions around the next item on the (indiscernible)  
2 priorities as well.

3 CHAIRMAN DURHAM: Ms. Mello, welcome this  
4 morning.

5 MS. MELLO: Thank you. Good morning,  
6 everyone, it's nice to see you. So would you like me to  
7 do the legislative update first, and then we do the  
8 legislative priorities, just to be sure?

9 CHAIRMAN DURHAM: Yes, please.

10 MS. MELLO: Okay, great. Will do. So I  
11 thought what I would do -- what I typically do this time  
12 of year for you all, is try to highlight what I think  
13 will happen at the capital; that is a challenging game  
14 often, because there is a lot of unpredictability. But  
15 you know, it's certainly fair to say that obviously the  
16 state budget and school finance will be -- with be a huge  
17 topic of conversation at the capital.

18 Given our current revenue projections in the  
19 state, the current limitations on what the state can  
20 keep, and the governor's budget he had proposed that K-12  
21 funding -- I'm going to simplify it a little bit, but  
22 essentially what his proposal is, is to grow by inflation  
23 and enrollment, minus \$50 million. Another way of saying  
24 that, is to increase the negative factor by \$50 million.  
25 I find that a little bit confusing. But -- and you know,



1       Leanne I know will probably talk with you more about that  
2       in more detail.

3                       From my perspective, and the role I play  
4       with you all, just to highlight how big of a conversation  
5       that is going to be. And K-12 is certainly a part of  
6       that, but it's -- they are not the totality of it, right?  
7       Because this is really a conversation about the overall  
8       state budget, the overall amount of revenue we have  
9       available, and how we choose to use that revenue. So  
10      that'll -- that'll be a big one.

11                      Data privacy is another one. As you know,  
12      we have been working on proactively -- at your direction,  
13      I've been working very closely with Representative Paula  
14      Dean, and Representative Alec Garnett (ph) in the House.  
15      They have been talking to, you know, stakeholders -- I  
16      know that's a generic term. I would say -- I would  
17      define stakeholders as districts, as teachers, as some of  
18      our friends in the reform community, as technology  
19      companies. They've really, I think, been doing a  
20      proactive outreach to all of those groups to kind of  
21      understand where they're coming from. And the  
22      legislatures and I have spent a lot of time kind of  
23      talking through ideas, ways we could approach this.

24                      The biggest question I'm getting right now  
25      from all kinds of folks, and I'm -- I would anticipate



1 you too is: Do I have a draft of a bill? No, I do not  
2 have a draft of a bill. Literally don't have one. We  
3 have given our drafter some direction, she is working on  
4 it. As soon as I have a draft, you Board will be the  
5 first to know, and we will -- can use that as a template,  
6 or as a specific document to have conversation around. I  
7 anticipate you will have changes to that. I -- I -- we  
8 will not get it right the first time. We never do. So -  
9 - so that is coming. We will work through the  
10 legislative committee to -- to make sure we're doing what  
11 it is you all want us to do.

12 What I can tell you generally, kind of in  
13 terms of direction I think we're headed, is -- or here is  
14 some of the key principles I would say we're  
15 incorporating: One is ensuring that vendors are not  
16 selling student data in any way, shape or form. Ensuring  
17 vendors are protecting the data, and I'm not a tech  
18 person, so I can only talk about this at a very high  
19 level, but you know, things like encryption. Addressing  
20 issues like data retention and disposition. Training  
21 their folks on data security and privacy issues.  
22 Consequences for failure.

23 Another way to say it might be to say: All  
24 of the things that you all have directed the Department  
25 to do, and the Department has been implementing very



1 actively over the last really couple of years, but even  
2 more intensively over this last summer period -- all of  
3 those things you are telling the Department of Ed to do,  
4 we would incorporate into this legislation to be applied  
5 on a broader scale.

6 And then the other key part, I think, is  
7 increase transparency about what data is collected, and  
8 why. Partly -- for a variety of reasons, but partly  
9 because legislatures were asking for it. The Department  
10 has published on its website all of the data that CDE  
11 collects, and the purpose for that data. So that is  
12 available. I think that's been a step in the direction  
13 of transparency in this field. That's another envelope  
14 we're pushing to increase and enhance that transparency  
15 from other entities who are involved in dealing with  
16 student data.

17 I mean, I think to bottom-line it, what I  
18 have interpreted your direction to me -- and if I've  
19 interpreted it wrong, please feel free to tell me that;  
20 is to pass the strongest possible bill we can, but to  
21 pass a bill. So the strongest bill in the world that  
22 can't pass isn't going to help us. We want it really,  
23 really strong, and we want it to be able to pass. So  
24 that's what I've been -- that's how I've been proceeding.

25 I just want to pause there, because I know



1 that that's a substantive topic and a significant one.

2 Are there any questions on that?

3 CHAIRMAN DURHAM: Questions on data privacy  
4 or comments? I would simply offer one, it's -- while we  
5 would all like to see a bill pass, there's probably  
6 nothing worse than having a bill pass that really doesn't  
7 effectively deal with problem. I think you rarely get  
8 everything you want, but in this instance, we need to  
9 make sure we get enough so that we can, with a straight  
10 face, tell people that we've made a significant  
11 difference; we've reduced the amount of data being  
12 collected, and we've ensured that it has prohibited uses  
13 for that which is collected. So I -- I'm -- I've never  
14 been one in favor of passing a bill just to see how many  
15 trees we can kill for printing. So it's a balance, but  
16 we need to make a difference.

17 MS. MELLO: Thank you, Mr. Chair. I will  
18 work to structure something that achieves that balance  
19 for you all.

20 MS. RANKIN: Mr. Chair?

21 CHAIRMAN DURHAM: Yes, Ms. Rankin?

22 MS. RANKIN: I also would like to add -- I -  
23 - I think this bill, and I don't know how to write it,  
24 but I'm sure you could, needs to be fluid in a way as  
25 more privacy -- whatever type of privacy comes up six



1 months from now, that we stay very current. I mean, what  
2 we say today in the world of technology, changes in a  
3 nanosecond. So I don't know how that's worded, but it  
4 has to include that kind of language.

5 MS. MELLO: Mr. Chair, Board Member Rankin,  
6 yes, I -- I -- we are working to incorporate that  
7 principle as well, and it's a challenge, as --as you know  
8 note, but I would say that the legislatures I'm working  
9 with, and I kind of share that goal. So.

10 CHAIRMAN DURHAM: Further questions?

11 MS. GOFF: I do have --

12 CHAIRMAN DURHAM: Yes, Ms. Goff?

13 MS. GOFF: Where possible, and I'm sure we  
14 will be talking about it, a little pre-thinking in  
15 composing the bill is the timeline -- the relationship to  
16 the timelines currently in place with contracts. If  
17 there's -- something comes out of legislation that  
18 impacts where we already are, and how that would impact  
19 the -- whether it's department contracts, or get further  
20 out into the circle here, I'd just be a -- I'd be  
21 concerned if we're stepping ahead of ourselves without  
22 thinking about all of the other obligations, calendar  
23 wise, that we have.

24 MS. MELLO: Mr. Chair, Board Member Goff,  
25 duly noted. I think that's a great point.



1 CHAIRMAN DURHAM: Okay. Any further  
2 questions on this? Then we'll move on to the legislating  
3 priorities, Item 8, in the agenda. Does anyone -- yes,  
4 Dr. Schroeder?

5 MS. SCHROEDER: I move to approve the State  
6 Board's 2016 legislative priorities.

7 CHAIRMAN DURHAM: It's been moved and  
8 seconded. Is there -- are there commentary? Is there  
9 commentary or question on the legislative priorities,  
10 which are printed in the -- in your folders? Yes, Ms.  
11 Mazanec?

12 MS. MAZANEC: I'm not ready to vote on this.  
13 We -- we talked about this last time that we were going  
14 to discuss, right? Before -- okay, so I'd like to  
15 discuss.

16 CHAIRMAN DURHAM: Yeah, no --

17 MS. MAZANEC: There's where -- okay, great,  
18 thanks.

19 CHAIRMAN DURHAM: Yeah, yeah, please do.  
20 Yeah.

21 MS. MAZANEC: Oh, I'm not that ready.

22 CHAIRMAN DURHAM: Oh. Well --

23 MS. MAZANEC: You go first.

24 CHAIRMAN DURHAM: Well, I'll make one  
25 generic comment that these are generic documents; as I've



1 read it, there are a couple of things I don't  
2 necessarily, personally, agree with, but -- but also the  
3 implementation of this policy falls to Dr. Scheffel and  
4 the legislative committee, Ms. Rankin and Ms. Goff, to  
5 implement -- to implement it in -- in evaluating  
6 legislation that's introduced and/or requesting the  
7 introduction of legislation.

8           And so this -- while this is a very broad  
9 statement, if -- if members of that -- if members of the  
10 committee -- and you'll be meeting with Ms. Mello on a  
11 regular basis, starting soon -- probably very soon, that  
12 you all will be responsible for evaluating legislation  
13 against this general guideline, for example school  
14 finance. I know that Ms. Rankin is interested in a piece  
15 of legislation that would allow a review and study of the  
16 whole School Finance Act. I think that clearly fits  
17 under -- under that particular legislative priority.

18           So I wouldn't view this as a set of  
19 handcuffs, but rather some guidelines to -- to do some  
20 evaluation and no piece of legislation completely fits in  
21 or outside of this -- of this. And I suspect you all  
22 have plenty to do. So my observation would be -- it's a  
23 general statement, it can be referred to, but the devil  
24 will be in the detail, and we do have a committee that's  
25 responsible for the detail. And any member can attend



1 any of those meetings and provide input. So. Yes, Dr.  
2 Schroeder?

3 MS. SCHROEDER: I'm struggling  
4 geographically here, today.

5 CHAIRMAN DURHAM: I'll try not to encroach.

6 MS. SCHROEDER: Yeah. I had a three shot  
7 latte, so -- it's dangerous. I just want to remind you  
8 to please be sure that our legislatures see this, once  
9 the printing is cleaned up, because the feedback that  
10 received was our legislatures did not know that we even  
11 had legislative priorities. So I would be grateful if  
12 you find a way that it doesn't get lost in the three  
13 thousand things they get every day. And I'm not sure how  
14 you can do that, but since you made connections with them  
15 anyway, perhaps that's a good way of doing it.

16 MS. MELLO: Mr. Chair, Madam Vice Chair;  
17 absolutely. And I -- that was such great feedback you  
18 provided a month ago. We have always distributed it to  
19 all of the legislatures. Clearly we have yet to find the  
20 way that makes them remember that they got that in that  
21 big pile of paper. So I think what we'll try to do is  
22 kind of some -- more than one method of distribution, so  
23 that hopefully -- you know, for those who are more likely  
24 to check their email, they'll see it that way. For those  
25 who are more likely to see the piece of paper on their



1 desk, they'll see it that way. So I really appreciate  
2 that input.

3 MS. SCHROEDER: Okay, thank you.

4 CHAIRMAN DURHAM: Further questions or  
5 comments concerning -- I'm sorry, Ms. Mazanec?

6 UNIDENTIFIED VOICE: (indiscernible)

7 MS. MAZANEC: I'm not ready  
8 (indiscernible).

9 CHAIRMAN DURHAM: Okay.

10 MS. MAZANEC: I -- I -- I would -- I would  
11 say I appreciate what you said about (indiscernible)  
12 guideline. I don't agree with everything on it, but --

13 CHAIRMAN DURHAM: Ms. Rankin?

14 MS. RANKIN: What's the process now with  
15 Jennifer and our -- this particular issue of data  
16 privacy? I mean, if -- if we sit down with Ms. Mello, I  
17 -- I wonder if we need more people at the table from CDE  
18 that are involved in data collection in IT Department; I  
19 -- I'm just curious about that because of this particular  
20 issue. How does that work in the process?

21 CHAIRMAN DURHAM: I believe if you request  
22 from Commissioner Asp assistance of staff, I believe  
23 you'll be provided all the staff assistance here that you  
24 -- you need to provide the technical judgements  
25 necessary.



1 MS. MELLO: And I would just say, if you  
2 don't mind, that -- that we have already been tapping  
3 their wisdom, and -- and I need it desperately, because I  
4 -- I know the word encryption, and I really don't know  
5 anything more about what it means. So --

6 MS. RANKIN: And I've talk to them too --  
7 sorry to interrupt you -- but -- but -- and I want them  
8 at our table.

9 MS. MELLO: We have -- we are blessed to have  
10 some really smart, great people who spent a lot of time  
11 thinking about this issue, and absolutely have been, and  
12 want to continue to tap into their wisdom.

13 MS. MAZANEC: Thank you.

14 MR. ASP: Mr. Chairman?

15 CHAIRMAN DURHAM: Yes, Dr. Asp?

16 MR. ASP: And we would just add, Ms. Rankin,  
17 that we're happy to be of service in any way of -- on  
18 this, and we've thought a lot about these data practices,  
19 and learned a lot about -- from the discussion here at  
20 the Board Meeting. So we're glad to have the opportunity  
21 to -- to bring some of that to bear.

22 MS. RANKIN: Yes, thank you.

23 CHAIRMAN DURHAM: Yes, Dr. Schroeder?  
24 Scheffel? Sorry.

25 MS. SCHEFFEL: In terms of the -- the



1 legislative priorities, under number seven, early  
2 childhood education; I can't remember the history of this  
3 wording, but did we ever have the word "voluntary" in  
4 here? You might want to -- I think, your comments are  
5 helpful, Chairman Durham, in the sense that this was not  
6 a handcuffing document; it's general guidelines. But I  
7 guess I -- I don't want language in this early childhood  
8 portion that suggests we're supporting mandatory  
9 preschool. I mean, there's a lot of push on preschool  
10 nationally, and I didn't know if the word "voluntary"  
11 could be inserted. Increase voluntary opportunities for  
12 children to participate.

13 CHAIRMAN DURHAM: If there is -- if you'd  
14 like to make that a -- as an amendment to -- to the  
15 document -- if you'd like to make that motion, we could  
16 proceed.

17 MS. SCHEFFEL: I would.

18 CHAIRMAN DURHAM: So the motion is on Item  
19 7, Early Childhood Education, after the word "children"  
20 to voluntarily participate in programs. Is there a  
21 second to that motion?

22 MS. MAZANEC: I second.

23 CHAIRMAN DURHAM: Yes, Ms. Mazanec. Is  
24 there objection -- first of all, is there is discussion  
25 with that motion? Yes, Ms. Goff?



1 MS. GOFF: Yeah, thank you. Yes, Dr.  
2 Scheffel, I can't remember if -- it might have been just  
3 prior to your joining the Board, but the year that we  
4 discussed the use of the word "voluntary" or "optional";  
5 the choice. It did happen; we did have that  
6 conversation. And there was one -- it was prior to the  
7 time when -- or right around the time that Senate Bill  
8 212 adopted all of these things, and the language in that  
9 bill covered early childhood in some regards. So we did  
10 have at least one year where voluntary, or voluntary  
11 optional, was included in our language. As the  
12 discussions ensued over the years, we came to where the  
13 word "opportunities" there -- opportunities to  
14 participate, was equal to a voluntary definition. But we  
15 -- we did have it, you're right. And it was a good,  
16 healthy discussion. And was as well when we decided to  
17 remove it, because the general feeling was that  
18 "opportunities" took care of the choice factor in the  
19 language.

20 CHAIRMAN DURHAM: Further discussion on the  
21 motion to add the word "voluntarily" -- "voluntary"?  
22 Seeing none. Is there objection? There is objection --  
23 yes?

24 UNIDENTIFIED VOICE: I wanted it read for me  
25 one more.



1 MS. SCHEFFEL: It just inserts the word  
2 "voluntary" right after the word "increase" -- increase -  
3 -

4 UNIDENTIFIED VOICE: And leaves  
5 "opportunities" in?

6 MS. SCHEFFEL: Increase voluntary  
7 opportunities for children.

8 UNIDENTIFIED VOICE: Thank you.

9 MS. SCHEFFEL: And then I had one other --

10 CHAIRMAN DURHAM: All right, so -- well,  
11 let's do that -- is there objection to the adoption of  
12 that motion? Seeing none, that motion is declared  
13 adopted by unanimous vote. Is -- yes, Dr. Scheffel, do  
14 you have additional amendments?

15 MS. SCHEFFEL: I do. And then on 2D, the  
16 language is "Support policies to hold ed prep programs  
17 accountable for the effectiveness of their graduates." As  
18 we know, the research methodology that would make that  
19 work is very complex because universities receive  
20 students from all over the nation, and they bring all  
21 kinds of skills with them, and their tenure during a  
22 teacher prep program is only a part of what they would  
23 bring into a classroom. So I wonder if we would  
24 entertain language like, "Support ed prep programs to  
25 increase their effectiveness with their graduates." I



1 mean, really, we want to support that -- that they are  
2 more effective with their graduates, but this word  
3 "accountable," of course, would have to be defined, and  
4 it -- it's a very hard paradigm in terms of research to  
5 really track students after they've exited a teacher prep  
6 program and figure out if they're -- how effective they  
7 are. Just like it is with teachers being effective with  
8 the achievement of their students. That's even closer to  
9 the teacher prep piece.

10 So certainly we believe in accountability  
11 for teacher prep programs, they are heavily regulated by  
12 the state. Every five years, the state visits teacher  
13 prep programs and go through a pretty rigorous review.  
14 But this word "accountable" for the effectiveness of  
15 their graduates is almost an impossible thing to do when  
16 you look at the factors that would figure into whether or  
17 not the graduates were effective. So I would prefer  
18 language suggesting we are supporting their  
19 effectiveness, but I would object to the word  
20 "accountable" only because of -- defining it is almost  
21 impossible.

22 CHAIRMAN DURHAM: Yes, Dr. Flores?

23 MS. FLORES: But what about if universities  
24 do graduate and the graduates can't -- can't find jobs.  
25 So in a way, you have to hold these schools accountable



1 in some way.

2 MS. SCHEFFEL: I think they are held  
3 accountable.

4 MS. FLORES: But what about these fly by  
5 night schools that train all of these kids, and then are  
6 not able to find jobs? So I don't think it -- it -- it  
7 just applies to schools that are doing their job, but  
8 what about schools that are not -- that are not? So --

9 MS. SCHEFFEL: So I'm referencing not the  
10 fact that they can find jobs, but the issue of  
11 effectiveness of their graduates. So effectiveness  
12 doesn't have to do with if they're able to find a job.  
13 But the implication is effectiveness for achievement with  
14 their schools. And we can leave the language, I mean,  
15 it's -- I suppose it's somewhat ambiguous, you know, but  
16 -- to me it just has the wrong tone. I think we're  
17 trying to support teacher prep programs so that they can  
18 be effective, and have high quality programs. And the  
19 state needs to support that with their regulatory effort,  
20 as they visit them every five years. The word  
21 "accountable" feels like the wrong focus.

22 CHAIRMAN DURHAM: How about -- how about an  
23 -- having it read "support policies for effective  
24 educative preparation" period; striking the balance of  
25 the sentence. Yes, Dr. Schroeder?



1 MS. SCHROEDER: That actually changes -- for  
2 me, that changes the meaning. It's one thing to say that  
3 a prep program is effective, and that's unclear, but we  
4 probably have some ideas. Then there's another thing  
5 that talks about whether the graduates are effective  
6 teachers. There are two different -- to me, they are two  
7 different things. And this talks about when the teachers  
8 are not -- are not effective, or deemed to be  
9 ineffective, that there is some accountability back to  
10 the school.

11 And so I'm struggling a little bit with  
12 changing that, because even though I don't know -- I'm  
13 not -- I would look very carefully at something that  
14 attempts to do that. I think that is what has been the  
15 intent of Educator Effectiveness Program. It's not just  
16 about supporting and helping teachers, but it's also  
17 giving feedback to the schools, that in fact, here's what  
18 your -- here's what your program might need because so  
19 many teachers are not -- seem to be effective. So I'm a  
20 little -- I'm struggling a little bit. It's general  
21 enough for us to have a really rich conversation if  
22 anything comes forward, but I don't think the intent is  
23 to talk about the five year evaluation that's done. The  
24 intent is to talk about what happens if we find that we  
25 have a large group of teachers who are, by some measure,



1 seem to be ineffective. Just a different point of view.

2 CHAIRMAN DURHAM: All right, further  
3 discussion of the original motion to approve the  
4 legislative priorities for calendar year, and let's say  
5 session 2016.

6 UNIDENTIFIED VOICE: As amended.

7 CHAIRMAN DURHAM: As amended. Further  
8 discussion? Going once? All right. Is there objection  
9 to the adoption of that motion? That motion is to  
10 (indiscernible) on a vote of seven to zero. One quick  
11 question before we leave this are: Is this -- we were  
12 going to have the discussion of the Smart Act  
13 presentation? Or does that come later in the agenda?

14 MS. BURDSALL: It's on Thursday's agenda.

15 CHAIRMAN DURHAM: It's on Thursday's agenda;  
16 thank you very much. Okay, we'll now proceed -- let's  
17 see -- we're going to proceed out of order since we're  
18 ahead of schedule.

19 MS. BURDSALL: Mr. Chair?

20 CHAIRMAN DURHAM: Yes?

21 MS. BURDSALL: May I -- is 2D part of the  
22 amended -- striking the word "accountable"?

23 CHAIRMAN DURHAM: No, no, that was -- that  
24 was not adopted.

25 MS. BURDSALL: Okay, thank you.



1                   CHAIRMAN DURHAM: Right, there was no motion  
2                   on that -- that particular topic.

3                   MS. MELLO: I will make the -- I will create  
4                   a clean document for you, reflecting what you just voted  
5                   on, and then make sure obviously you have it, and  
6                   distribute it to the legislatures as well.

7                   CHAIRMAN DURHAM: Just tell all the  
8                   legislatures there will be a test on the content, and I'm  
9                   sure that will spur them to pay extra close attention to  
10                  it.

11                  MS. MELLO: Could it be developed by a  
12                  multistate consortium?

13                  CHAIRMAN DURHAM: Yes, I think it could. If  
14                  you tell them that, they are bound to read it.

15                  MS. MELLO: Education humor.

16                  CHAIRMAN DURHAM: Yes. You have to -- you  
17                  do have to keep a sense of humor. Yeah, okay. Well,  
18                  let's see -- why don't we try proceeding out of order  
19                  since we're a little early for public comment. Let's at  
20                  least start the discussion of the -- of Item 10, which  
21                  are the READ Act -- rules for the administration of the  
22                  READ Act. And -- no, I don't think -- is that  
23                  (indiscernible) -- that's 60 minutes.

24                  MS. BURDSALL: There -- that's -- Mr. Chair?

25                  CHAIRMAN DURHAM: Uh-huh?



1 MS. BURDSALL: It's a timed item. So I'm  
2 going to --

3 CHAIRMAN DURHAM: Okay.

4 MS. BURDSALL: But -- let's see -- there --  
5 I just -- I don't know why --

6 CHAIRMAN DURHAM: Well, we could take a  
7 break for ten minutes.

8 MS. BURDSALL: Why don't we do that, and  
9 then I can check on the microphones too; why they are  
10 making a funny sound.

11 CHAIRMAN DURHAM: All right, committee will  
12 stand in recess until 10:00 a.m.

13 (Meeting adjourned)

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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 25th day of January, 2019.

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

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