



Colorado State Board of Education

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
COLORADO DEPARTMENT OF EDUCATION COMMISSION
DENVER, COLORADO

June 8, 2016, BEST, CCU, Relay, Accreditation, Public Comment

BE IT REMEMBERED THAT on June 8, 2016, 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 MS. SCHROEDER: These charter schools go out
2 and get funding from these banks, and then, I mean, it --
3 it becomes almost a property. It's a school, it belongs to
4 the public good. But all of sudden, it belongs to an
5 outside entity that's not like and so it belongs to, you
6 know, other than the public and I don't think that's right.
7 And when they go out and look for funding. So I mean, did
8 the legislature approve funding charter schools?

9 CHAIRMAN DURHAM: Please.

10 UNIDENTIFIED VOICE: So two -- two
11 responses. First, our statute says we can provide, an
12 eligible applicant must be one that neither owns or has the
13 right to own their facility in the future. So we can't
14 provide funding to somebody that's in a sole lease
15 agreement. If they're in a lease purchase agreement, with
16 an option to buy, they can apply and receive best funding.
17 So when you -- when you see awards going to charter schools
18 they either own, have the right to own or maybe they're in
19 a district building in that they have a 100 year lease with
20 or something like that. And we can build new ones too.

21 So if they're in a leased space and they say
22 the make a case of the health and safety requirements are
23 bad and their solution is to build something new, we can
24 build that new. And I think you should just know too that
25 we also -- we also do give out in our office, we have



1 another program which is specific to charter school capital
2 construction. This last year, we gave out 22 million only
3 to charters for -- for capital construction. A few -- a
4 few years ago when they, with the excise tax dollars, they
5 made eight amendment statutes, so 12 and a half percent of
6 that, each year, goes into that fund additive to the state
7 appropriation.

8 MS. SCHROEDER: So if the charter school
9 goes, you know, it's no longer there, and they don't have
10 the authority to charter, then who owns the building at the
11 end? Do they take it with them? Is it the charters
12 property?

13 UNIDENTIFIED VOICE: Mr. Chair.

14 CHAIRMAN DURHAM: Yes.

15 UNIDENTIFIED VOICE: In our -- in our
16 contracts, we have a five year kind of repayment clause
17 that appreciates at 20 percent each year. Beyond that, we
18 -- we haven't had it happen yet, so we haven't had to
19 approach the subject. When we were doing lease purchase
20 grants and we actually collateralized buildings, we -- we
21 looked a lot at the school district would take over that
22 asset or we had clauses in those subleases that we could
23 find a new tenant that had an educational purpose in there
24 of some respect, but it's not something that's been --



1 MS. SCHROEDER: But it's still -- it's a
2 public domain.

3 UNIDENTIFIED VOICE: Yeah.

4 MS. SCHROEDER: Okay. I just -- I wanted to
5 go to bankers in Wall Street.

6 CHAIRMAN DURHAM: Okay. Yes, Dr. Schroeder.

7 MS. SCHROEDER: So I'm wondering if it would
8 be possible for us to look for the last, let's say three
9 years, the best funding and then the other funding that you
10 were just speaking about that was specific to charter
11 schools, and maybe any other funding stream that's been
12 devised to help school districts with their tremendous
13 needs. We get a bigger picture than just looking at them
14 separately.

15 UNIDENTIFIED VOICE: Sure.

16 MS. SCHROEDER: Is that possible.

17 UNIDENTIFIED VOICE: Yes. So I have the
18 last -- the last three years for our charter school Capital
19 Construction Grant. We've had 42 million available.

20 MS. SCHROEDER: Total over three years?

21 UNIDENTIFIED VOICE: Yeah. For that -- for
22 that grant. For the best funds this year we had 60, last
23 year we had 50, and the year before that was a really low
24 year and I believe it was now much lower, it was about 25.



1 MS. SCHROEDER: Are there other sources for
2 capital construction for school districts besides those
3 two?

4 UNIDENTIFIED VOICE: In the former grants,
5 No. We also have a -- a federal accuse Avalon that they
6 can do, that we have authorization for each year, but as
7 far as --

8 MS. SCHROEDER: It's a loan that's not up.

9 UNIDENTIFIED VOICE: Yeah, as far as grants
10 are concerned, those are the two capital grants that we
11 have with the state.

12 MS. SCHROEDER: So charter schools, I'm
13 sorry, the League of Charter Schools sort of gave us a list
14 of the uniqueness of their needs compared to school
15 districts which again vary because some school districts in
16 fact incorporate, either provide the building, incorporate
17 their needs in bonds et cetera, and some don't. To what
18 extent do you take that into consideration when they're
19 making an application for a best Grant?

20 UNIDENTIFIED VOICE: Can you just repeat
21 that again, I'm sorry.

22 MS. SCHROEDER: Let me try the specific
23 ones. So Boulder Valley provides now in some buildings for
24 some charter schools but also funding when they get a bond,
25 and when they plan their bond they include the needs of the



1 charter schools. Some other district down the road does
2 not. Do you incorporate that difference in the districts?

3 UNIDENTIFIED VOICE: So part of the -- the
4 match requirements look at factors like that, which will
5 influence their contribution. When we're awarding projects
6 too oftentimes, they'll see those -- those partnerships.
7 We've had a few this year that had bond proceeds from the
8 district as their source, imagine others didn't, and they
9 had -- had reasons why. And that also influences their
10 ability and capacity to provide.

11 MS. SCHROEDER: But do you put that into
12 consideration when you are --

13 UNIDENTIFIED VOICE: Most of it comes in a
14 match. So part of that too, there are -- there are several
15 factors involved. In particular with charter schools, I
16 want to say there's 10. They look at the amount of
17 attempts, amount of success, their size relative to the
18 district, you know, likelihoods to go out for an
19 independent question or things like that. So that comes
20 into their match which will, pending on how those shake out
21 will lower or raise their contribution, which then in turn
22 comes back with their obligation to it. So those directly
23 yes in there.

24 Then we have other questions in the
25 application, that are the same with -- with traditional



1 schools about collaboration with other entities we've
2 worked with on that, and those all are part of an as sundry
3 data points that they look at when looking at proposals.
4 And if you want to add to that from your end.

5 UNIDENTIFIED VOICE: I would just add that
6 we have a waiver letter in often times, because charter
7 schools don't have access to extra funds they put in a
8 waiver letter. And I think this year we had more waiver
9 letters we passed, and we've redone that waiver letter
10 several times. It used to be, I would say subjective,
11 maybe in my viewpoint and we've gotten rid of pretty much
12 all of that. If you answer the questions in there, and
13 there's some sort of answer to it -- it passed and most of
14 those waiver letters passed this year.

15 I've never seen so many waiver letters. The
16 Board, from our viewpoint, looks at the waiver letter as
17 money that we're given additionally, to district or
18 charter, whoever it is, then that does not go down the list
19 and help another school that has problems. So we'd really
20 like to see schools make their match, but we really waived
21 a lot of matches this year, or reduced them considerably in
22 some cases. So there is that other option to look at that
23 to help them.

24 MS. SCHROEDER: Thanks.



1 CHAIRMAN DURHAM: Further -- further
2 questions? Okay. Thank you very much. I appreciate it.
3 Is there a -- let's see, we have another motion.

4 UNIDENTIFIED VOICE: Mr. Chair.

5 CHAIRMAN DURHAM: Ye -- yes.

6 UNIDENTIFIED VOICE: Can I have a moment
7 further? We had a plaque we wanted the Board for the
8 Capital Construction Assistance Board to present Scott for
9 his nine years of service, and -- and guiding us. I'll
10 just read this to you quickly, if I may, from the Capital
11 Construction Assistance Board to Scott in recognition an
12 appreciation for your dedication and years of service to
13 the children and school districts of Colorado. So
14 congratulations and thank you, Scott. Thank you, Mr.
15 Chair.

16 CHAIRMAN DURHAM: Thank you very much.

17 UNIDENTIFIED VOICE: Didn't I make a motion?
18 Did we make a motion? Yes. We did. Oh, good. Good,
19 good. I forgot.

20 CHAIRMAN DURHAM: All right, is there
21 objection to the -- Well, we just call the roll on this,
22 Ms. Burdsall.

23 MS. BURDSALL: Board Member Flores.

24 MS. FLORES: Aye.

25 MS. BURDSALL: Board Member Goff.



1 MS. GOFF: Aye.

2 MS. BURDSALL: Board Member Mazanec.

3 MS. MAZANEC: Aye.

4 MS. BURDSALL: Board Member Rankin.

5 MS. RANKIN: Because of procedure, aye.

6 MS. BURDSALL: Board Member Scheffel.

7 MS. SCHEFFEL: Yes.

8 MS. BURDSALL: Board Member Schroeder.

9 MS. SCHROEDER: Yes.

10 MS. BURDSALL: Chairman Durham.

11 CHAIRMAN DURHAM: No. The motion is adopted

12 on a vote of six to one. Thank you very much.

13 UNIDENTIFIED VOICE: Thank you.

14 CHAIRMAN DURHAM: Okay. Now, we are -- we

15 are at 14.08.

16 MS. BURDSALL: 14.07.

17 CHAIRMAN DURHAM: I knew that. 14. --

18 MS. BURDSALL: I'm sorry, 14.06.

19 CHAIRMAN DURHAM: 14.06. Yes. Okay. Yeah,

20 14 -- it's not. Do we have a motion on 14.06?

21 MS. SCHROEDER: I move to approve Colorado

22 Christian Universities Authorization request of a principal

23 preparation program.

24 CHAIRMAN DURHAM: So second to that motion,

25 second to that -- thank you, Ms. Mazanec. Let's see. Dr.



1 Scheffel, do you wish to excuse yourself from voting due to
2 a conflict of interest on 14.06?

3 MS. SCHEFFEL: Yes.

4 CHAIRMAN DURHAM: You do. Okay, thank you
5 very much. Ms. Burdsall would you call a roll, Please.

6 MS. BURDSALL: Board Member Flores.

7 MS. FLORES: Yes.

8 MS. BURDSALL: Board Member Goff.

9 MS. GOFF: I've got to ask a question. Was
10 is part of the consensus agenda?

11 CHAIRMAN DURHAM: No.

12 MS. GOFF: No. So why are we voting on this
13 when, are we voting on all because --

14 UNIDENTIFIED VOICE: Board Member Scheffel
15 had conflict.

16 CHAIRMAN DURHAM: Because Dr. Scheffel has
17 conflict.

18 MS. GOFF: Okay. Last time when that same
19 situation presented itself, I think we were aware ahead of
20 time that was going to happen. Was that announced earlier
21 today and I just missed it?

22 CHAIRMAN DURHAM: It was never on the
23 concerned agenda.

24 MS. BURDSALL: The last time that we oversaw
25 that, and this time had caught it ahead of time.



1 UNIDENTIFIED VOICE: But you did. Alright.

2 MS. GOFF: I'm aware of that. I'm going to
3 vote yes, only because I don't see that being fair to the
4 general assistant process that we have. I just think it's
5 -- it's a way for us to work on being more consistent.

6 UNIDENTIFIED VOICE: Something's taken of
7 and put -- something's taken off the concerned agenda one
8 time and the same basic topic was coming up here. I think
9 we should do it the same way.

10 MS. GOFF: I appreciate it. Last time
11 knowing it was coming was so -- it doesn't matter. I vote,
12 yes.

13 CHAIRMAN DURHAM: Sure, we'd observe that
14 the agenda's been published for some time. It's never been
15 on the consent agenda and this is the more appropriate way
16 to handle the issue. Please continue the roll call, Miss
17 Burdsall.

18 MS. BURDSALL: Board Member Mazanec.

19 MS. MAZANEC: Yes.

20 MS. BURDSALL: Board Member Rankin.

21 MS. RANKIN: Yes.

22 MS. BURDSALL: Board Member Scheffel.

23 MS. SCHEFFEL: No.

24 CHAIRMAN DURHAM: Excused.



1 MS. BURDSALL: Sorry. Board Member
2 Schroeder.

3 MS. SCHROEDER: Yes.

4 MS. BURDSALL: Chairman Durham.

5 CHAIRMAN DURHAM: Yes. But the motion was
6 adopted by a vote of six to nothing with one excused.

7 UNIDENTIFIED VOICE: Six-zero.

8 CHAIRMAN DURHAM: Six - zero. Thank you.
9 (Inaudible). I think that's probably in order. Okay. Now
10 we're -- I'm sorry I missed that. Now we're on to 14.08.
11 Okay (inaudible).

12 MR. MADDIN: This is Brent Maddin, I am a
13 Provost at Relay.

14 MS. AUSTIN: Hi. My name is Kimberly Austin
15 and I am the Interim Director of Research at Relay.

16 CHAIRMAN DURHAM: All right. Let's see.
17 Why don't we start with the motion and then we'll go to
18 discussion.

19 MS. SCHROEDER: Sure.

20 CHAIRMAN DURHAM: Dr. Schroeder.

21 MS. SCHROEDER: I move we approve the Relay
22 Graduate School of Education request for authorization as a
23 designated agency, for alternative teacher preparation.

24 CHAIRMAN DURHAM: Is there a second to that
25 motion? Ms. Mazanec seconds motion.



1 MS. FLORES: I have a question.

2 CHAIRMAN DURHAM: Yes, Dr. Flores.

3 MS. FLORES: Relay is out of New York. Is
4 that where you're from? Am I correct in that?

5 CHAIRMAN DURHAM: Did you hear the question?
6 Can they hear the question?

7 MS. FLORES: Did you hear my question? My
8 name is Val Flores and I represent Congressional District 1
9 on the Board. And my question is, you are from New York.
10 Relay is from New York. Correct?

11 MS. HUTCH: Chairman Durham. This is Katie
12 Hutch. May I respond?

13 CHAIRMAN DURHAM: Yes, please.

14 MS. HUTCH: Relay Graduation School of
15 Education did start in New York and we operate in eight
16 states, and recently received approval to operate in
17 Colorado as the teacher and Master of arts in teaching
18 program. That is correct that we did start in New York.

19 MS. FLORES: Okay. So I think we approved
20 an administration license or administration training from
21 your outfit, and now you're going into teacher training.
22 And my question is, what is your pedagogy on teacher
23 training?

24 CHAIRMAN DURHAM: Please proceed with the
25 answer.



1 MR. MADDIN: This is -- this is Brent
2 Maddin, the Provost. The pedagogy on teacher training, I
3 mean, I think that it takes a few different forms and the
4 highest levels to describe is highly practical but grounded
5 in theory approach so that we are learning some of the best
6 practices, both with respect to content knowledge,
7 pedagogical content knowledge and the -- the actual
8 implementation of that knowledge. And then our candidates
9 are practicing, putting in to -- to -- to actual practice
10 what it is that they've learned and then -- and then they
11 are held accountable for the actual work. And so it is
12 really truly a blend of both theory and the practice in a
13 highly chronicle model.

14 MS. FLORES: So how is it different than,
15 say a general pedagogy that's taught, say at the University
16 of Colorado at Boulder? Or Colorado State University in
17 Fort Collins or at the University of Northern Colorado?

18 UNIDENTIFIED VOICE: (Inaudible) on the
19 National Dean here at Relay, and without knowing the very
20 specific details of those programs, I can't make direct
21 comparison. But I can say the feedback that we've gotten
22 from external observers from other institutions of Higher
23 Ed, as well as the feedback that we've gotten from graduate
24 students here at Relay who've also attended other teacher
25 preparation programs in another places, or with other



1 institutions Higher Ed, and the -- the feedback from those
2 groups is very similar, that our program to them feels much
3 more practice focused, in that the theory the people are
4 reading and learning, is immediately translated into
5 classroom factor, both in the Relay classroom setting. So
6 imagine a graduate classroom where when you learn about a
7 particular theory of early reading instruction, you are
8 immediately trying out what's that application of reading
9 instruction.

10 Feels like with your colleagues getting
11 feedback on them, but this might work with how you want to
12 get my work (inaudible) from both them and a professor, and
13 because your professor is going out to see you in your case
14 classroom, you're getting feedback on that application with
15 your actual students. Very quickly after having had the
16 instructions and the graduate school set --

17 MS. FLORES: I'm sorry.

18 UNIDENTIFIED VOICE: -- Tight link between
19 what people are learning, what they're practicing with
20 colleagues input in a Relay classroom. Then what they are
21 doing professionally in their case (inaudible) Teacher's
22 field is different than the observers quite different from
23 what other programs are offering. There's quite a bit of a
24 stretch between the learning and the application.



1 MS. FLORES: So are you saying that there is
2 more of a practical, more of onsite learning for your
3 students?

4 UNIDENTIFIED VOICE: Well, again I don't
5 know how much practicum coursework associated with those
6 other programs? But what (inaudible) of a very tight link
7 between the learning, the practice, and the work in
8 (inaudible).

9 MS. FLORES: Okay. Thank you.

10 CHAIRMAN DURHAM: For the discussion on the
11 motion. Yes, Dr. Scheffel.

12 MS. SCHEFFEL: So is it right that we just
13 have the memo and our board packets, is that correct?

14 UNIDENTIFIED VOICE: (Inaudible).

15 MS. SCHEFFEL: So I just see the memo. Is
16 there something else I'm missing?

17 (Overlapping)

18 CHAIRMAN DURHAM: It was it was a consent
19 item. Ms. O'Neill, would you like to respond?

20 MS. O'NEIL: Absolutely.

21 CHAIRMAN DURHAM: Thank you.

22 MS. O'NEIL: Dr. Scheffel you said just
23 include the Board memo, item because it was a consent
24 agenda item. However, there is a body of evidence that we



1 would be happy to provide the Board of Education with more
2 --

3 UNIDENTIFIED VOICE: Just describe what it's
4 submitted for this application?

5 MS. O'NEIL: Absolutely. So they had to
6 submit a crosswalk document that identified the Educator
7 Preparation or licensing standards, as well as the Colorado
8 academic standards, and then a crosswalk to their
9 curriculum as it was identified for their teacher
10 alternative preparation program. And then they also had to
11 submit a crosswalk documentation and then the associated
12 syllabi associated with their teacher and principal quality
13 standards as well.

14 UNIDENTIFIED VOICE: And then an
15 institutional report also, content review and all that.

16 MS. O'NEIL: They have not submitted a full
17 because the authorization not the reauthorization of it.
18 They have not submitted the full content review. That
19 would be similar to the reauthorization process for an
20 institute of higher ed or designated agency.

21 UNIDENTIFIED VOICE: And am I correct saying
22 that legally the role the Board in approving or not
23 approving these programs is merely whether or not they --
24 their content aligns with the standards?



1 MS. O'NEIL: I would say it's the content
2 aligned with the standards, but then also with the teacher
3 and principal quality standards. Teacher in this case,
4 specifically teacher quality standards the alignment with
5 that as we go forward.

6 UNIDENTIFIED VOICE: In terms of their
7 course learning outcomes?

8 MS. O'NEIL: Yes.

9 UNIDENTIFIED VOICE: And their syllabus?

10 MS. O'NEIL: Yes.

11 UNIDENTIFIED VOICE: And the department has
12 done that review?

13 MS. O'NEIL: Yes. The department in
14 conjunction with three other individuals and a team have
15 completed that review. This has actually been an extended
16 review for this program, and we have completed about two
17 different rounds. That's a two and a half different rounds
18 of review for this particular alternative preparation
19 program. In addition to the initial preparation program
20 that went to the Colorado Commission of Higher Education.

21 UNIDENTIFIED VOICE: And the findings of the
22 CDE just was that those alignments were in place.

23 MS. O'NEIL: Correct.

24 UNIDENTIFIED VOICE: Okay. And so then I
25 don't know if these questions are relevant. But I wondered



1 about how this program is funded? How it's subsidized?
2 What the online component does? I mean I don't know if
3 that's taken into consideration when you do the content
4 review.

5 MS. O'NEIL: It is not taken completely into
6 consideration now with the exception of you mentioned
7 online content. Anything that shifts over to a syllabi and
8 or the pedagogical presentation of a we do review for
9 alignment within the system. The financial backing is not
10 part of our preview.

11 UNIDENTIFIED VOICE: Is that an appropriate
12 question Mr. Chair? I just wondering how the program is
13 funded and subsidized, and who's funding?

14 CHAIRMAN DURHAM: It's certainly a question
15 for the applicants on the phone.

16 UNIDENTIFIED VOICE: Okay, great. So I
17 can't recall your name on the phone. But could you relay?
18 Could you address that, please?

19 UNIDENTIFIED VOICE: If I'm hearing the
20 question correctly with the funding, what is our funding
21 source?

22 UNIDENTIFIED VOICE: Right. How are the
23 programs funded and subsidized? I mean obviously this is
24 kind of a new model bringing in an entity not associated
25 with the university and just offering these programs in our



1 state. So I'm just trying to figure out how traditional
2 universities would compete with this program and how you're
3 funded and how the programs are subsidized as far as just
4 the cost and so forth?

5 UNIDENTIFIED VOICE: Certainly, Relay
6 received start up funding on a number of local donors
7 including the (inaudible) Foundation, (inaudible)
8 Foundation, Don (inaudible) Foundation and others. And
9 then our kids do contribute tuition as well which we
10 believe is a very reasonable amount out of packets toward a
11 masters degree which often over two years come to \$17,500
12 dollars. But many of our students received scholarships
13 that further reduce fluctuation to about \$6,500 dollars for
14 a master's degree over two years.

15 CHAIRMAN DURHAM: Dr. Scheffel, does that
16 answer your question?

17 MS. SCHEFFEL: It does. Thank you.

18 CHAIRMAN DURHAM: Okay. Further your
19 questions from the Board? We're seeing none, we have a
20 motion on the table for the approval of the Relay requests
21 as a designated agency proprietary alternative for teacher
22 preparation. Is your objection to the adoption of that
23 motion, seeing none that motions adopted by a vote of seven
24 to nothing. And thank you very much for calling in. We
25 appreciate it. We'll proceed now out of Item 15. --



1 UNIDENTIFIED VOICE: Thank you very much.

2 CHAIRMAN DURHAM: Alternative teacher
3 preparation, yes.

4 (Overlapping)

5 CHAIRMAN DURHAM: And (inaudible) Ms.
6 O'Neill, you have escaped or you tried to. Nice try. Yes,
7 Ms. Goff has a question about what we voted on last month
8 on that or -- several months ago on this topic.

9 UNIDENTIFIED VOICE: Can we take in two
10 votes for Relay?

11 UNIDENTIFIED VOICE: You have taken.

12 UNIDENTIFIED VOICE: One for the teaching
13 growth program and one for administrators, correct?

14 UNIDENTIFIED VOICE: No. So it is we took a
15 vote for the contents, the approval of their content for
16 their teacher preparation program to go to the Colorado
17 Commission of Higher Education. So when they go for to be
18 approved as it is to the Higher Education offer Educator
19 Preparation programs, there are two steps to that. The
20 very first step is the step that we go through as a
21 Colorado Department of Education to improve their content.

22 And then the next step is the Colorado
23 Commission on Higher Education approves them as an entity,
24 as an institute of higher education in the state of
25 Colorado. Today, what came before us was to approve them



1 as a designated agency for alternative preparation of
2 Educator Preparation. Is that helpful? It's right. And
3 it is the same content that is overlapping both of the
4 programs delivered in a different way. Does that help?

5 UNIDENTIFIED VOICE: Yes.

6 CHAIRMAN DURHAM: Further questions? Okay.
7 All right. So we did vote on that as I recall. So now
8 we'll go to 15.01, consideration knows rulemaking for rules
9 for the administration, accreditation of school districts'
10 1CCR301-1 is there a promotion, Dr. Schroeder.

11 MS. SCHROEDER: I move to approve the notice
12 of rulemaking for the rules of administration of the
13 accreditation, the school districts. Is there a second to
14 that motion? Ms. Mazanec seconds. Okay, it has been moved
15 in second. Commissioner, you would turn this over to --

16 MS. ANTHES: Yes, Mr. Chair. Ms. Pearson
17 will give us an overview.

18 CHAIRMAN DURHAM: Ms. Pearson, welcome back.

19 MS. PEARSON: Thank you. Nice to be back.
20 Almost done, right? So this notice of rulemaking has come
21 at the request of the Board last month, you all asked to
22 pulled together from rules concerning how schools and
23 districts. The policies around assessment in
24 administration especially in terms of parents being able to
25 excuse their students from testing. Basically, pulling the



1 language from House Bill 151323 that required districts to
2 have a policy in place to let parents know how they can
3 excuse their students from testing and to ensure that
4 schools and districts don't have a negative burden placed
5 on parents or students that choose to excuse their students
6 from testing, as well as to ensure that there is no
7 unreasonable burden or requirement on a student that would
8 discourage the student from taking the state test.

9 So that kind of balancing things on both
10 sides. So Mr. Dill looked into this for us and with us and
11 we determined that we could put this rule into the
12 accreditation contract section of the rules and to Section
13 3.05. So that as part of accreditation contracts,
14 districts will assure us that they are following those two
15 parts of 1323 namely, not to impose negative consequences
16 on the student or parent if the parent excuses his or her
17 student from participating in the state assessment, and
18 also not impose an unreasonable burden or requirement on a
19 student that that would discourage the student from taking
20 a state assessment or encourage the student's parents to
21 excuse the student from taking the state assessment. And
22 then the consequences for not abiding by those provisions
23 or those assurances would be the same as others when
24 schools and districts don't meet the requirements of their
25 accreditation contract. So you all have a memo with a



1 notice. You have a red line version of the rules with
2 suggested language included, and then you have a crosswalk
3 between statutory requirements and what the proposed rules
4 would be.

5 CHAIRMAN DURHAM: Thank you, Ms. Pearson.
6 As I recall, this was in response to a large number of
7 complaints we were receiving during the testing season
8 about our districts and our schools going back to the --
9 you have to take the test or you can't play basketball or
10 the standard problems that we're having and trying to think
11 once and for all put that to rest, and peers to draft rules
12 accomplish that. Mr. Dill, do you have any comments on
13 those?

14 MR. DILL: No, I just to clarify that
15 (inaudible) relations.

16 UNIDENTIFIED VOICE: We can't hear you.

17 CHAIRMAN DURHAM: I'm sorry. Sorry too.

18 MR. DILL: The part of the issue here was
19 finding the right place in the rules for this to go. And
20 the reason it's in the accreditation contracts section is
21 that by statute. The accreditation contracts contain an
22 agreement by the districts, that they'll comply with all
23 the statutory and regulatory requirements and entitled 22.
24 This particular requirement is entitled 22. So it looked
25 like the logical place to put it. And it also has a ready



1 made sort of review and sanctions portion which will allow
2 that department to review, if there's been complaints and
3 there's issues with compliance.

4 CHAIRMAN DURHAM: Thank you very much. Any
5 further questions or is there a motion on this?

6 UNIDENTIFIED VOICE: I made.

7 CHAIRMAN DURHAM: You made a motion, I'm
8 sorry. It's been moved and seconded to provide notice of
9 rulemaking, is there an objection to the adaption of that
10 motion? Seeing none that motions adapted by a vote of
11 seven to nothing. We are now I believe -- we'll proceed
12 out of order. No, we won't. We're staying on. We're
13 almost in order to item 20, public comment. Spurts all the
14 we have a sign up sheet. (Inaudible) I (inaudible). Okay.
15 We have a few people signed up. So we'll start with --
16 First of all, we have three minutes. Ms. Burdsall will be
17 the time keeper. When this little alarm goes off and
18 she'll hold up a sign. I'll start with Randy DeHoff.

19 MR. DEHOFF: Thank you. I'm name is Randy
20 DeHoff. I'm the Chief Executive Officer of Summit
21 Education Group. The cover page of the document that
22 Debbie Rose gave you this morning includes a statement. It
23 is our understanding that the Career Builder Academy is
24 involved in the possible beginnings of the relationship
25 with a with animal school district, partnered with Summit



1 education group. Ms. Rose repeated the allegation of a
2 working relationship between TCBA and Summit Education
3 Group in her comments this morning. I would like to state
4 for the record that there are no partnerships or
5 agreements, academic or otherwise between the TCBA and
6 Summit Education Group. Nor has TCBA been part of any of
7 our partnership conversations with the Los Angeles School
8 District. We object to these baseless and unfounded
9 allegations associating Summit with any alleged misdeeds on
10 the part of TCBA.

11 Summit Education Group has had conversations
12 with TCBA about possible synergies, just as we have had
13 similar conversations with several both these school
14 districts and other organizations. So an education group
15 has received applications from students currently enrolled
16 in several schools including of for the two proposals that
17 a small district online school. I thank the Board for the
18 opportunity to correct the misrepresentation of Summit
19 Education Group from this morning's public comments. Thank
20 you.

21 CHAIRMAN DURHAM: Thank you, Mr. DeHoff.
22 Judge Dennis Mays, he's not okay. We'll see if he gets
23 here before we conclude. Rick Johnson, okay. Mr. Johnson.

24 MR. JOHNSON: Good afternoon, Board. My
25 name is Rick Johnson. I'm the founder and CEO of the



1 Career Building Academy. We were up in Denver, Joy. Just
2 got in today. And I just wanted to set a couple of things
3 straight. You know there are two sides to every story from
4 what I was what was Texas USA Today. And I know when
5 they're out all that laundry in front of you today.

6 But I just want to let you know that the
7 beginning this year, our funding stopped from CSA and
8 (inaudible) and we continued on to make sure these kids, 27
9 kids graduated high school this year. And we're hoping for
10 an opportunity that the kids that wanted to return the next
11 school year are possibly looking for an opportunity to do
12 that. So I just wanted to share that with you today that
13 we can get back in touch with you on other details of what
14 took place this morning. But a lot of that is not true at
15 all. And I just want to express that today, okay? Thank
16 you.

17 CHAIRMAN DURHAM: Thank you, Mr. Johnson.
18 Judge Mayes, I saw you just arrived. Judge Mayes.

19 MR. MAYES: Thank you. I just pulled in
20 from Denver. So I'm little bit out of breath right now.
21 But thank you for the opportunity to address you this
22 afternoon and share a few thoughts with you. My name is
23 Dennis Mayes. Four years ago, I retired after serving 24
24 years as a District Court Judge here at Pueblo. The last
25 17 years of that, I served as the chief district judge. My



1 assignments for a number of years, after I was appointed
2 were to handle the mental health cases here in Pueblo. I
3 was a Water Judge for the division to the Arkansas River
4 Basin, and I was the presiding judge over all juvenile
5 delinquency cases and truancy cases, the vast majority of
6 truancy cases.

7 I have a special interest in kids and I have
8 a particular interest, and our children are at risk. And I
9 come here today for one reason and one reason only and that
10 is to advocate on behalf of children, and their opportunity
11 to access the very best educational system that is
12 available to them. And I put it in those words because
13 it's not the same prayerful community. The larger
14 communities have more resources available to them. The
15 smaller communities struggle at times. And they need to
16 rely on partnerships in order to provide full array of
17 services to their children.

18 And that's what this application from Los
19 Animas is an opportunity to say with this partnership that
20 we are comfortable with, we will be able to increase the
21 services and the access for those children to have every
22 opportunity they can to succeed. And I have found through
23 my experience particularly working with our risk students,
24 if the community comes together and provides them with
25 resources to help, the love, and the care that they



1 deserve, that not only can they, but they will rise to the
2 occasion.

3 And I think that's what this school district
4 is asking of you folks today to give or tomorrow I guess it
5 is to give their children the opportunity to access every
6 resource that is available in order for them to have a
7 successful educational career.

8 And I thank you very much for your time this
9 afternoon. I'm sorry I was late. If I was in my truancy
10 court, I'd probably be giving myself a lecture. Thank you.

11 CHAIRMAN DURHAM: Looks on time to us,
12 Judge.

13 (Meeting adjourned)



1 C E R T I F I C A T E

2 I, Kimberly C. McCright, Certified Vendor and
3 Notary, do hereby certify that the above-mentioned matter
4 occurred as hereinbefore set out.

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

10 IN WITNESS WHEREOF, I have hereunto set my hand
11 and seal this 25th day of October, 2018.

12

13 /s/ Kimberly C. McCright

14 Kimberly C. McCright

15 Certified Vendor and Notary Public

16

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