



Colorado State Board of Education

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
COLORADO DEPARTMENT OF EDUCATION COMMISSION
DENVER, COLORADO
December 15, 2016, Part 1

BE IT REMEMBERED THAT on December 15, 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 CHAIRMAN DURHAM: Okay. The Board of
2 Education will please come to order. Let's see. Would you
3 call the roll please, Ms. Cordial?

4 MS. CORDIAL: Thank you. Here it is. Board
5 Member Flores.

6 MS. FLORES: Here.

7 MS. CORDIAL: Board Member Goff. Board
8 Member Mazanec.

9 MS. MAZANEC: Here.

10 MS. CORDIAL: Board Member Rankin.

11 MS. RANKIN: Here.

12 MS. CORDIAL: Board Member Scheffel.

13 MS. SCHEFFEL: Here.

14 MS. CORDIAL: Board Member Schroeder.

15 MS. SCHROEDER: Here.

16 MS. CORDIAL: And Chairman Durham.

17 CHAIRMAN DURHAM: Here. Quorum is present.

18 Ms. Goff is excused. Thank you. Excuse me. All right
19 we'll start with -- I think I'll start with a -- a motion
20 that I'll make. Having voted on the prevailing sign on
21 item 14.01 yesterday, I moved to reconsider that to give
22 notice of intent to reconsider and ask for approval to --
23 for reconsideration of item, and we'll place it on the
24 agenda for discussion later. Is there a second to that
25 motion?



1 MS. FLORES: Second.

2 CHAIRMAN DURHAM: Dr. Flores seconds it.

3 Would you please call the roll, Ms. Cordial?

4 MS. CORDIAL: Yes. Board Member Flores.

5 MS. FLORES: Aye.

6 MS. CORDIAL: Board Member Goff.

7 UNIDENTIFIED VOICE: She's excused.

8 MS. CORDIAL: Board Member Mazanec.

9 MS. MAZANEC: Aye.

10 MS. CORDIAL: Board Member Rankin.

11 MS. RANKIN: Aye.

12 MS. CORDIAL: Board Member Scheffel.

13 MS. SCHEFFEL: Yes.

14 MS. CORDIAL: Board Member Schroeder.

15 MS. SCHROEDER: Sure.

16 MS. CORDIAL: Chairman Durham.

17 CHAIRMAN DURHAM: Aye. That motion is
18 adopted and we'll place it on the agenda following item 7
19 for today so -- all right. Let's see. Now Ms. Mazanec, if
20 we -- the item that we added to the agenda yesterday, if
21 you would -- if you have a motion, if you would care to
22 make that motion.

23 MS. MAZANEC: I move that Board direct
24 department staff to issue a Request for Proposals for the
25 English Language Arts and Mathematics Assessments in grades



1 three through eight by spring 2017 to contain the following
2 specifications. One, the department will have decision
3 making authority over test design, form development, and
4 test administration policies. Two, the English Language
5 and Mathematics average standard testing time for the
6 operational assessments will not exceed four hours in
7 length. A maximum -- a maximum of eight hours in total.
8 Three, individual student level results will be made
9 available to the school districts within 30 days of receipt
10 of all tests. And four, an intent to award will be
11 announced no later than June 2017. Further, the department
12 will issue a separate request for proposals for ninth grade
13 English Language Arts and Mathematics.

14 CHAIRMAN DURHAM: It's probable motion. Is
15 there a second? Dr. Scheffel seconds the motion.
16 Discussion? Any discussion? Yes, Dr. Schroeder.

17 MS. SCHROEDER: Is there any requirement
18 that the group assessment be comparability to the three
19 years prior?

20 MS. MAZANEC: No.

21 MS. SCHROEDER: I'll repeat that. Is there
22 any requirement or should there be a requirement that this
23 be -- have some comparability to the prior assessment so
24 that we can measure growth or do we throw growth out the
25 window, potentially?



1 CHAIRMAN DURHAM: Maybe I could -- maybe I
2 could respond to that. I think the -- the answer to that
3 question is that -- that it's inappropriate to try and
4 direct the outcome of the selection of a vendor via this
5 action. Now, could comparability be a consideration? I
6 suppose it could.

7 Although in my judgment, I view the four-
8 hour requirement and the reporting of the results within 30
9 days to be absolute minimum bid requirements with an
10 anticipation that the Commissioner will not award a
11 contract that does not contain those elements. That --
12 that -- and I would -- I would simply say -- I would simply
13 observe that -- that two years ago when we started -- when
14 I started, everybody, all of the interest groups, CAES,
15 CASB came in and -- and I mean, we were all beaten up very
16 severely about this PARCC test. It's awful, it doesn't
17 work, it takes too long, it doesn't serve the students yet
18 -- and we don't get the results back in a timely fashion.
19 And I think all of those observations at the time proved to
20 be true.

21 We're now in a situation and I -- and it's
22 one that does cause me to be more cynical than usual. That
23 two years later because the adults are now comfortable with
24 the test that whether it serves students or not has become
25 an irrelevant consideration. And I think that's



1 inappropriate and I think -- I think those groups that
2 opposed this test and criticized it two years ago have an
3 obligation to come in and tell me -- and tell this Board
4 why they've changed their mind. And I think it's -- and
5 why it now serve students when it didn't serve students two
6 years ago. And I don't think the answer is it doesn't
7 serve students then, it doesn't serve -- serve students
8 now.

9 I think it's time to rebid this and rebid it
10 in a fashion where this Board imposes some requirements
11 that I think are common sense. That is how long should
12 this exam be. Four hours may even be too long but I
13 certainly wouldn't go for any longer. And -- and having
14 the results back when they can be used by the teachers and
15 the students is certainly not unreasonable. In fact, why
16 else would you give a test if you didn't have that as one
17 of your objectives?

18 So I think that this is important. I
19 anticipate that the Commissioner will enforce these bid
20 criteria and not award a contract that doesn't meet them.
21 And that this Board will look out for the best interest of
22 the kids. And comparability is an adult issue, it's not a
23 kid issue. Would we like to have comparability I suppose
24 but if it doesn't serve students then in my judgment it
25 doesn't serve the people of state of Colorado. So I



1 support this motion. I think it's -- I think it's time
2 that the Board started to set some policies on this issue.
3 Policies that we think are common sense and good for kids
4 and so I support the motion.

5 MS. SCHROEDER: So I don't actually disagree
6 with a lot of what you said but you didn't really address
7 my concern which is that in addition to all those things
8 that you talking about, Colorado has a growth model and we
9 learn about how kids are doing both on their basic
10 proficiency but also their change from year to year. Have
11 they made a year's growth in a year, and if we throw that
12 out we throw out a major part of our accountability
13 measures which is that 40 percent at the elementary and I
14 think middle school. The measure is about growth and we
15 will again not have growth and I don't really understand
16 why we couldn't make that a part of the RFP.

17 I don't -- I don't see that there in any way
18 mutually exclusive. I think they are part of what we
19 should be doing at the state so that we can tell parents
20 your kid made a year's growth in a year or more or less.
21 We're known nationally for the model that was developed
22 here. And it's used by other states as well and now we are
23 at risk of possibly picking an assessment that doesn't
24 allow us to do that because we don't have any kind of
25 comparability with the assessments we've been using.



1 MS. FLORES: But wouldn't you like to know
2 whether a kid was able to grow a year?

3 MS. SCHROEDER: Yeah, that's my point.

4 MS. FLORES: And -- well but it doesn't have
5 to be that you'd compare, all this comparing this and that,
6 I mean we don't have to that.

7 MS. SCHROEDER: Then how else do you measure
8 it?

9 CHAIRMAN DURHAM: Well --

10 MS. FLORES: You just grow.

11 CHAIRMAN DURHAM: I --

12 MS. FLORES: You just grow one and -- they
13 were -- they were doing it back in the -- in the middle
14 ages I -- and I'm talking about in education. In the 50's
15 and so.

16 MS. SCHROEDER: Dep --

17 CHAIRMAN DURHAM: Yeah, Dr. Scheffel. Oh,
18 I'm sorry go ahead, Dr. Flores.

19 MS. FLORES: And -- and so I don't know why
20 we can't do it now. And we need to have something that --
21 that's more content based and that really measures at least
22 in Math that measures Math and not the language for that --
23 that -- that the problem is written in, I mean I just don't
24 think -- I just don't like this tests and for a good
25 reason.



1 CHAIRMAN DURHAM: Dr. Scheffel.

2 MS. SCHEFFEL: I would say that

3 compatibility could be estimated by correlations, right?

4 Which -- which we've done for many years. And I think that

5 that would be a way to solve that issue.

6 MS. SCHROEDER: Can you be more specific?

7 For example I should say --

8 MS. SCHEFFEL: You know we -- for years

9 we've used different tests and they are not they don't --

10 every test has a range of -- of you know there's the

11 standard error and all those features of the test cycle

12 metrically and when you're trying to have multiple measures

13 of measuring one thing you can use correlation to figure

14 out how much does one -- how much does performance on one

15 test predicts performance on another. And so when you're

16 trying to establish comparability you could use that

17 approach to look at what we have versus what we might

18 propose that would better meet the needs of students and

19 families and teachers.

20 MS. FLORES: And there might be some tests

21 out there that already do that and that are comparable.

22 And I think some of these -- our school districts are

23 already using those tests.

24 CHAIRMAN DURHAM: I think -- I think I would

25 -- would make at least one of the comment and that is that



1 when we engage vendors we engage them for the purpose of
2 serving the students of the state of Colorado. I think the
3 PARCC Consortium has been completely upside down in that
4 those members have served the consortium. Now will PARCC
5 be able to bid on this and meet these criteria? I don't
6 know. That's entirely up to them as to whether or not they
7 wanna serve the best interests of the students of the state
8 or whether they continue to expect us to serve their
9 interests which is exactly where we are now, so --

10 MS. SCHROEDER: How do you measure that?

11 CHAIRMAN DURHAM: How do I measure it?

12 MS. SCHROEDER: Uh-huh.

13 CHAIRMAN DURHAM: And I would start with the
14 attitude of my discussions with people in the PARCC
15 Consortium followed up by people who are now supporters of
16 PARCC that they really don't care about students. They
17 care about whether or not we can provide a database that
18 somehow helps them achieve some greater objective that is
19 national in scope or international in scope and not -- and
20 not Colorado centered.

21 MS. SCHROEDER: Haven't had those
22 conversations.

23 CHAIRMAN DURHAM: Yeah. Okay. Yes, Ms.
24 Mazanec.



1 MS. MAZANEC: The only comment I would make
2 too is that I would like this RFP to be wide open. I don't
3 want to limit our possibilities. I -- I want us to be able
4 to look at a wide range of -- of assessments and be able to
5 choose. I don't want to limit our scope. I -- I don't
6 want to make -- I don't wanna limit it to only test that
7 would align with our current tests, I mean we're trying to
8 possibly get a new test -- it doesn't -- I don't want to
9 limit.

10 CHAIRMAN DURHAM: Further discussion?
11 Saying none. Ms. Cordial recall the role, please.

12 MS. CORDIAL: Board Member Flores.

13 MS. FLORES: Aye.

14 MS. CORDIAL: Board Member Goff.

15 UNIDENTIFIED VOICE: Excused.

16 MS. CORDIAL: Board Member Mazanec.

17 MS. MAZANEC: Aye.

18 MS. CORDIAL: Board Member Rankin.

19 MS. RANKIN: Aye.

20 MS. CORDIAL: Board Member Scheffel.

21 MS. SCHEFFEL: Yes.

22 MS. CORDIAL: Board Member Schroeder.

23 MS. SCHROEDER: No.

24 MS. CORDIAL: Chairman Durham.



1 CHAIRMAN DURHAM: Yes. That motion is
2 adopted by a vote of five to one. And I think Commissioner
3 I think you understand the -- the intent of the board and -
4 - and unless changed, I think -- I think this action sends
5 a significant message to -- to those who have had a
6 significant hand in directing Colorado education in a way
7 that I think has been inappropriate. So we'll now move on
8 to our -- our two hour set of fun here. The review of the
9 ESSA planned development so.

10 UNIDENTIFIED VOICE: The first one. The
11 first one. Just making sure (inaudible).

12 CHAIRMAN DURHAM: Commissioner, will you go
13 ahead and introduce if you would please (inaudible).

14 MS. ANTHES: So yes hold on to your seats.
15 Two hours now to give you our continuously rolling
16 briefing, the work -- happens to all of us, doesn't it? So
17 this is our continuous rolling briefing as the Hub and the
18 Spokes continue to do their work on different topic areas
19 and so for the first part of the briefing, I'll turn it
20 over to Pat Chapman and Joyce Zurkowski. And Joyce can
21 introduce the guest with us, so thank you.

22 MR. CHAPMAN: All right. Thank you very
23 much. As always our goal today is to give you information
24 related to Every Student Succeeds Act, the committee work
25 that supports it and our state plan development. On the



1 agenda for today are the Assessment Spoke Committee, the
2 Accountability Spoke Committee, and the School Improvement
3 Spoke Committee. The idea that we group these three Spoke
4 committees as to show and demonstrate their connectivity as
5 one feeds into the other. And we're also looking for any
6 feedback or directives that you may have related to these
7 topics.

8 First just wanted to give you a few ESSA
9 updates. The U.S. Department of Education has been very
10 active over the last couple of months in releasing non-
11 regulatory guidance but also regulations related to ESSA in
12 the last couple of weeks. They have released regulations
13 related to accountability, data reporting, and the
14 requirements of ESSA state plans, as well as assessment and
15 I'm drawing a blank on the name, Joyce will correct me but
16 I refer to it as the accountability pilot which she does
17 not want me to do but that's how I know it. And she'll --
18 she'll talk to you more and more detail regarding some of
19 those rules and regulations, and Alyssa and Nazie will
20 cover some of the regulations related to accountability.

21 In that they've finalized the rules related
22 to ESSA state plans on the following day. They released
23 the consolidated state plan templates and the assurances
24 templates, those are the materials that we will use to
25 complete and submit our plan. You guys received a copy of



1 those but also in the rules one of the key points we got so
2 I think it's safe to say that we've got some of what we
3 asked for in our comments in response to the proposed rules
4 but in other cases we didn't necessarily get what we are
5 hoping for in releasing the -- the final rules. They've
6 created two new windows of opportunity for states to submit
7 state plans. They pushed them back from the original
8 proposed dates which were March and July. The new windows
9 are April -- April 3rd of next year and September 18th.

10 We're anticipating that you would prefer to
11 continue to be on the early -- among the early states. If
12 we do submit there our plan after April 3rd we will be part
13 of the September review so they won't consider our
14 application until September. We're hoping to bring our
15 state plan to you in February, March, and April. February
16 and March has an information item. April is an action item
17 unless you feel that we should alter that course. Do you
18 guys want us to continue as in targeting the April, you had
19 given us until April 30th so we're anticipating bringing it
20 to you in April it's -- that is that -- okay. So with
21 that, I will turn it over to Joyce who will cover
22 assessment.

23 CHAIRMAN DURHAM: Yes, Dr. Schroeder has a
24 question.



1 MS. SCHROEDER: I set a question Every
2 Student Succeeds Act, Accountability blah, blah, blah. You
3 didn't write this, right?

4 MR. CHAPMAN: No. I think that's a summary
5 of the regulations I have. I don't have my glasses.

6 MS. SCHROEDER: It didn't have Pat Chapman
7 tone to it because it was so positive (laughs) about what
8 they'd just come out with. So as I was reading it I
9 thought (inaudible). This is not from staff; is this from
10 the department?

11 MR. CHAPMAN: We do try to stay positive.

12 MS. RANKIN: I just wanna say that I
13 appreciate your -- your tone.

14 CHAIRMAN DURHAM: I like the old Pat
15 Chapman.

16 MS. SCHROEDER: This isn't Pat Chapman but I
17 wondered because it was so (inaudible).

18 MR. CHAPMAN: Yeah. And that -- that was
19 the summary produced --

20 MS. SCHROEDER: Did they send out?

21 MR. CHAPMAN: -- by with that the CCSS so
22 summary of the USDE. Yeah.

23 MS. SCHROEDER: Yeah. That's exactly what
24 it -- it's the old Pat -- Pat yourself on the back kind of
25 thing.



1 MR. CHAPMAN: Yeah.

2 MS. SCHROEDER: Okay. It had information in
3 it so I don't -- I appreciate your including it. But it
4 just didn't sound like any of the other things that had it
5 from you, go for it.

6 MR. CHAPMAN: All right, Joyce.

7 MS. RANKIN: Mr. Chair.

8 CHAIRMAN DURHAM: Yes.

9 MS. RANKIN: With me today is Remy Rummel.
10 She is a member of our Assessment Spoke Committee. She is
11 also a member of the English Learner Stakeholder Group, and
12 she also happens to work for Douglas County as the English
13 Learner Coordinator and she will be providing you with some
14 information regarding a meeting we had with the English
15 Learner Group for our second piece of this presentation.
16 In this presentation notice I have updated it since we
17 provided the Board with materials we have had a technical
18 advisory committee meeting and we have also had a Hub
19 Committee. And the tax recommendations are reflected in
20 the changes as well as the Hub conversation.

21 MS. SCHROEDER: So don't use this.

22 MS. RANKIN: Just for warning ahead of time
23 but there's a couple of updates. As Pat indicated there is
24 definitely new information that has come out in the last
25 couple of weeks from the Federal Department of Ed. One of



1 those is the final version of the state plan template. In
2 that final version, we have gone from having seven areas
3 that we need to address with assessment down to two areas
4 that we have to address with assessment. Those two areas
5 deal with advanced mathematics coursework and assessments
6 in languages other than English.

7 CHAIRMAN DURHAM: (Inaudible) when you talk
8 about advanced, mathematics of course -- of course were --
9 you're talking about that and for all grade levels since we
10 assess three through eight, I mean is there kind of common
11 definition something of advance?

12 MS. RANKIN: So Mr. Chair, within the state
13 plan template they are specifically looking at our eighth
14 grade students in mathematics who are taking high school
15 level work. So that is specifically what's within ESSA
16 itself and that's what the rules deal with. So you'll
17 notice within the template it does ask whether or not the
18 state currently administers. And of course mathematics
19 assessments to high school students in order to meet
20 federal requirements which we currently do. And then
21 number two is, do we want to use the exception for students
22 in eighth grade to take such assessments. Historically --

23 CHAIRMAN DURHAM: So there's -- there's no
24 (inaudible) on the assessments grades three, four, five?

25 MS. RANKIN: Correct.



1 CHAIRMAN DURHAM: Correct. So --

2 MS. RANKIN: Correct.

3 CHAIRMAN DURHAM: So thank you.

4 MS. RANKIN: Sorry. So going back in time
5 for states that utilized end of course assessments in
6 middle school and also had end of course assessments. If
7 they had eighth grade students who were taking advanced
8 math courses, those students were -- were required to take
9 both the grade level assessment, the eighth grade
10 assessment as well as the end of course assessment. Under
11 the waiver that we requested under NCLB, we requested that
12 students not have to engage in that double testing. And
13 that our students who were in middle school who are taking
14 that math -- advanced math coursework could just take that
15 assessment and be excused essentially from the grade level
16 assessment. In ESSA, that's what's reflected for eighth
17 grade.

18 So in terms of a decision point and next
19 steps the conversations have been, will this state continue
20 to use the exception for advanced mathematics students in
21 eighth grade to take an end of course high school
22 mathematics assessment. This folks recommendation was yes
23 we should continue that practice that we have had
24 historically in Colorado. The Hub approved that Spoke
25 recommendation and in terms of next steps we would like to



1 post draft language for public comment in January. Any
2 questions about that advanced math piece?

3 MS. FLORES: Yes.

4 CHAIRMAN DURHAM: Yes, Dr. Flores.

5 MS. FLORES: What is advanced math in eighth
6 grade?

7 MS. RANKIN: So what we have had in Colorado
8 is students who are in eighth grade can take the eighth
9 grade assessment, Algebra one assessment, Geometry
10 assessment, integrated one assessment or Integrated two
11 assessment. So there have essentially been five
12 assessments for districts to choose from. And to select
13 the assessment that best matches what's happening and
14 structurally with their students. That was a shift that
15 was made when we moved to the CMAS assessments when we go
16 back to CAP/TCAP there was only a single eighth grade
17 assessment that all students took.

18 MS. FLORES: And so that stands?

19 MS. RANKIN: So that stands.

20 MS. FLORES: Okay.

21 UNIDENTIFIED VOICE: What is integrated one
22 and integrated two?

23 MS. RANKIN: So there are essentially two
24 pathways and I'm oversimplifying. Let me know if you want
25 me to get more granular but there are essentially two



1 different pathways for high school mathematics. One is the
2 traditional pathway that a lot of us experience when we
3 were going through school that Algebra, Geometry, Algebra
4 two pathway. There's a second pathway that covers the
5 exact same content just in a different order and that's
6 called integrated one, Integrated two and Integrated three.
7 And essentially what happens there is that students are
8 learning Algebra and Geometry content at the same time
9 throughout those three courses.

10 MS. SCHROEDER: It's more a problems based
11 usually. Same -- same material though but (inaudible).

12 CHAIRMAN DURHAM: Yes. I'm sorry, Dr.
13 Scheffel.

14 MS. SCHEFFEL: Did you say who -- who the
15 author or who the vendor is for the high school end of
16 course assessment; excuse me for the eighth grade for the
17 end of course assessment?

18 MS. RANKIN: Mr. Chair.

19 CHAIRMAN DURHAM: Yes, please.

20 MS. RANKIN: So right now, those assessments
21 are currently CMAS PARCC math assessments. So that is a
22 contract that we have with Pearson.

23 MS. SCHEFFEL: So take end of course high
24 school math assessments. That's the PARCC, right?



1 MS. RANKIN: Those are the highest -- right.
2 So that's the Algebra one, Geometry, Algebra two,
3 Integrated one, two and three.

4 MS. SCHEFFEL: Okay. Thank you.

5 MS. RANKIN: Okay.

6 CHAIRMAN DURHAM: Yes, Dr. Schroeder.

7 MS. SCHROEDER: Seventh grade?

8 MS. RANKIN: So for a seventh grade, that is
9 where we started our flexibility in Colorado. So for the
10 last couple of years students who are in seventh grade
11 could take the seventh grade assessment or take Algebra one
12 or take Integrated one. The expectation is that Colorado
13 will continue that practice. In terms of what goes into
14 the state plan the only thing that they ask about --

15 UNIDENTIFIED VOICE: Ask about, okay.

16 MS. RANKIN: -- is eighth grade, so the
17 suggestion from the spoke committee was that we focus on
18 answering the question that was presented within the
19 template but that we continue with our current practice.
20 Since the time that we had met with our spoke committee, as
21 Pat mentioned, the rules for assessment or the regulations
22 for assessment have come out and there is reference in
23 there to states being able to request a waiver to extend
24 beyond eighth grade. The law itself restricts this to
25 eighth grade. So I would expect that down the road --



1 MS. SCHROEDER: That's really weird.

2 MS. RANKIN: -- when there are conversations
3 about waivers that Colorado would seek again that waiver to
4 extend to seventh grade. In the meantime, we are going to
5 cur -- move forward with current practice which it allows
6 for that flexibility at seventh grade.

7 MS. SCHROEDER: So there's a whole body of
8 math folks who say that Algebra one should be in eighth
9 grade for all kids? And I don't know where that comes in
10 but -- I guess one of the comments that I made at the Hub
11 Committee, which is a parking lot issue is that we -- we
12 come out with our math scores, seventh, eighth grade that
13 we are -- do a better job of explaining what the scores
14 really are which is that we have a number of advanced kids
15 and here are their scores, and their assessments state,
16 something. I mean I -- obviously I don't want to direct
17 how it's, but I think it's very misunderstood that the --
18 the -- the results of the PARCC assessment, eighth grade
19 PARCC assessment exclude probably a pretty fair number of
20 students in some school districts. Because they're, you
21 know if they start being moved up in elementary school in
22 their math learning. So I hope we can stick that on
23 (inaudible).

24 UNIDENTIFIED VOICE: Mr. Chair?

25 CHAIRMAN DURHAM: Yes.



1 MS. RANKIN: I absolutely agree with you.
2 We have attempted in the past to put out some information.
3 We have concentrated more at the state level than at the
4 school and district level. We have put out cautions in
5 terms of how to interpret results across districts when
6 you're looking at eighth grade versus Algebra. But I -- we
7 can definitely make that a priority for this next year's
8 release to make that even clearer and bolder.

9 MS. SCHROEDER: Yeah. And I say that partly
10 because some of the national assessments are showing that
11 eighth -- there's improvement in eighth grade scores. And
12 then depending on how you interpret what we have, it -- it
13 may look like the opposite.

14 MS. RANKIN: Noted.

15 CHAIRMAN DURHAM: (Inaudible) note that Ms.
16 Goff is present. Thank you.

17 MS. RANKIN: Mr. Chair?

18 CHAIRMAN DURHAM: Yes.

19 MS. RANKIN: Moving on to our second area
20 that we need to address within the state plan template.
21 That deals with the ESSA developing a definition for
22 languages other than English that are present to a
23 significant extent in the participating student population.
24 And I'm going to ask Ms. Rummel to talk a little bit about
25 the conversation that was held with the English Learner



1 Stakeholders Group that led to their recommendation to the
2 Spoke Committee which then led to the recommendation taken
3 to the Hub Committee. Ms. Rummel.

4 MS. RUMMEL: Thank you. Mr. Chair, on
5 November 14th, the Assessments Spoke Committee held a
6 meeting, held a facilitated discussion I should say, at the
7 Culturally and Linguistically Diverse Education Stakeholder
8 meeting. That stakeholder cohort consists of higher
9 education institutions, Denver Public Schools, Littleton
10 Public Schools, Jeffco Douglas County, Colorado Springs
11 schools including D11 Monument, D20, a large consortium of
12 our state members including (inaudible), our Northern
13 Colorado districts, a lot of people. So these are well-
14 attended and very appreciated meetings in our -- in our
15 department. And so we were very pleased to have the
16 opportunity to collaborate with this Spoke Committee and
17 give -- give some them feedback and some recommendations
18 based on that discussion and that opportunity.

19 We were able to review accommodations that
20 are currently available for English learners and their
21 usage. We discussed what's currently happening across a
22 lot of districts in -- in reality in terms of the students
23 native language and instruction around that. We reviewed
24 the number of students by language group and we also looked
25 at OCR precedent and the current practices and expectations



1 and guidance from OCR. And we also discussed and made a
2 recommendation regarding the definitions of languages other
3 than English that are present to a significant extent in
4 the participating student population. So we were able to
5 give recommendation to the Assessment Spoke Committee, and
6 it truly was a collaborative discussion.

7 MS. RANKIN: So Ms. Remmy, referenced some -
8 -

9 MS. MAZANEC: Excuse me, can I --

10 CHAIRMAN DURHAM: Ms. Mazanec?

11 MS. RANKIN: Sorry.

12 MS. MAZANEC: I didn't understand that. A
13 definition?

14 MS. RANKIN: Mr. Chair. So yes, within our
15 state plan we are required to provide a Colorado definition
16 for languages other than English that are present to a
17 significant extent in the participating student population.

18 MS. MAZANEC: What would the definition look
19 like instead of a list?

20 MS. RANKIN: We are going to show you.
21 Thank you. Thank you for that prompt. So as we were
22 having some conversation and asking that very same question
23 of what does it mean to develop a definition and not just
24 have a list of the languages that we are going to utilize.
25 We did look through some precedent and what we found --



1 MS. MAZANEC: There's a precedent?

2 MS. RANKIN: There's some precedent out
3 there. And what we have found is guidance that has been
4 provided by the Office of Civil Rights as well as included
5 in some agreements between the Office of Civil Rights and
6 governmental entities in terms of how they should be
7 addressing issues of providing information and languages
8 other than English. And what we found was five percent or
9 a thousand persons, whichever is less of the LEP population
10 eligible to be served or likely to be affected basically by
11 a particular service or a product, and in our case that
12 particular service or product are our grade specific tasks.

13 MS. MAZANEC: I'm sorry, what is LEP?

14 MS. RANKIN: Sorry. Limited English
15 Proficient.

16 MS. MAZANEC: Okay.

17 UNIDENTIFIED VOICE 2: Just not used to it.

18 MS. RANKIN: In some arenas, that is not
19 used. In some arenas, it continues to be used. So in
20 terms of a decision point, the Spoke recommendation was
21 consistent with the English learners stakeholder group.
22 And they recommended taking that definition but making some
23 adjustments to it. And their suggestion was to have it
24 referenced two point five percent or 500 persons.



1 UNIDENTIFIED VOICE: And -- and what exactly
2 does it mean?

3 MS. RANKIN: Mr. Chair. That would mean
4 that as we look at a particular grade level, we would have
5 two point five percent or 500 of our English learners from
6 a particular language group. So the Hub Committee --

7 CHAIRMAN DURHAM: (Inaudible) that when you
8 have a decision point that's not a decision point
9 necessarily for the day, because --

10 MS. RANKIN: Thank you for --

11 CHAIRMAN DURHAM: -- when we get around plan
12 approval because that's, I did express my concern about
13 this and personally don't favor this two point five percent
14 and we can discuss it at the appropriate time when we're
15 actually gonna deal with. Dr. Flores.

16 MS. RANKIN: Mr. Chair, thank -- apologies.
17 Thank you for the clarification. That decision point is
18 really in relationship to the state plan as a whole.

19 CHAIRMAN DURHAM: Right.

20 MS. RANKIN: It is not a decision point for
21 today.

22 CHAIRMAN DURHAM: Right.

23 MS. RANKIN: Today we are just giving you an
24 update in terms of where we are in the process and what our
25 next steps are.



1 CHAIRMAN DURHAM: Yes. Dr. Flores and then
2 Dr. Scheffel.

3 MS. FLORES: But in Lau versus Nichols 1973,
4 the number was 20. The number of 20 in a -- in a grade
5 level where you needed to provide some kind of service.
6 Twenty in Lau versus Nichols and -- and it is --

7 MS. SCHROEDER: What was the percentage; do
8 you remember?

9 MS. FLORES: I'm sorry?

10 MS. SCHROEDER: What was the percentage; do
11 you remember?

12 MS. FLORES: No. It was just 20. Twenty
13 kids in Lau versus Nichols. It was a (inaudible) decision.
14 It's like (inaudible).

15 MS. SCHROEDER: I get that. But I'm trying
16 to figure out how it relates to the five that was -- was
17 that five percent or was it five percent?

18 MS. FLORES: Well no. I'm just giving you a
19 fact . Where you -- that's -- I don't think nobody is
20 taking that -- that Supreme Court case down, it's still
21 standing.

22 MS. RANKIN: Mr. Chair.

23 CHAIRMAN DURHAM: Ms. (Inaudible).

24 MS. RANKIN: I will not claim to be an
25 expert in that particular case but as I recall that was



1 dealing with at which point a school needed to be providing
2 instructional services as opposed to what it is that we
3 need to be doing from a providing documents in a language
4 other than English. So it's school-based as opposed to
5 state level based. And it's instructionally related in
6 terms of providing services not specific to providing
7 services or products in that native language.

8 CHAIRMAN DURHAM: Dr. Scheffel and then Dr.
9 Schroeder.

10 MS. SCHEFFEL: So is the implications of
11 this is that the test would be translated into those
12 languages or that there would be other supports or some
13 other procedures invoked?

14 MS. RANKIN: Mr. Chair.

15 CHAIRMAN DURHAM: Yes.

16 MS. RANKIN: So I'm going to take this
17 opportunity, if that's okay to do a little bit of
18 backtracking as Ms. Rummel referenced when we were having
19 our conversations with the English Learner Stakeholder
20 Group. We did review the accommodations that are currently
21 provided under our CMAS assessments. And so under, and I'm
22 just gonna summarize. Feel free to pump me if I forget
23 something.

24 So within our current system, we already
25 provide a written version of our Math, Science, and Social



1 Studies tests in Spanish. We do have two different
2 versions of that but so for students who are in bilingual
3 Spanish programs, they do have the opportunity to see that
4 test -- those tests either totally in Spanish or in what we
5 call a stacked version that has Spanish and English. We
6 only provide that for Spanish.

7 For other language groups, and also for some
8 of our students who have first language of Spanish, they
9 also can receive the instructions to the test in their
10 native language, they can ask for clarification of those
11 instructions in their native language, again we don't want
12 kids to be confused about what they are supposed to do. So
13 however, the test administrators need to get that across,
14 they can do that in that native language. Students --

15 MS. SCHEFFEL: And how many languages is
16 that? Where they get the la -- the con -- the instructions
17 in their native?

18 MS. RANKIN: Mr. Chair. So for our Math,
19 that is provided through the assessment for the top 10
20 languages but in Colorado we have a longstanding tradition
21 of allowing that to be provided at the local level with
22 onsite translation.

23 MS. SCHEFFEL: And how many languages? Any
24 language?



1 MS. RANKIN: For any student who has a first
2 language other than English they may get the test
3 directions clarified, translated in their first language.
4 So for as many languages that we have in Colorado that can
5 happen. We also have available, the use of word to word
6 glossaries. Those are glossaries they're not in
7 dictionaries, right? So they don't provide the definition.
8 They merely provide the word in English and then provide
9 the word exactly the word in the native language.

10 We are lucky to have one of the leaders in
11 the country on our technical advisory committee. And up to
12 this point, the use of words for glossaries is one of the
13 most effective accommodations that he has found. We also
14 provide scripts that can be utilized and translated at the
15 local level. That translation is obviously, well not
16 obviously, but it is provided orally, and that tends to fit
17 a lot of the Colorado models that when we do have students
18 who are in Colorado who have a home language other than
19 Spanish and they are more recently arrived English
20 learners.

21 When there is some translation that is
22 occurring at the school site that is happening orally,
23 although the materials are still in English, so there is a
24 match in terms of what we're trying to do with the
25 assessment and what is happening instructionally. So



1 again, Colorado already has a fair number of accommodations
2 that are available to our English learners both in terms of
3 language accommodations and in what we call non-linguistic
4 accommodations. This specifically relates to whether or
5 not we would provide a written version of the test in
6 another language. Does that make sense?

7 MS. SCHEFFEL: That is what I want
8 (inaudible) makes (inaudible). I knew we had a lot of
9 accommodations already existing. This definition applies
10 to which tests would be actually translated in full in
11 another language.

12 MS. RANKIN: Absolutely. So there is no
13 intent to reduce the number of accommodations that we
14 currently have. This is strictly whether or not we would
15 expand the number of languages that we are providing that
16 written test in.

17 MS. SCHEFFEL: Thank you.

18 CHAIRMAN DURHAM: Dr. -- Dr. Schroeder and
19 then Dr. Flores.

20 MS. SCHROEDER: So that was -- thank you
21 Debora, that was really helpful.

22 CHAIRMAN DURHAM: Yeah, that --

23 MS. SCHROEDER: I think some kind of a
24 tutorial in writing would be helpful for us, for those of
25 us who have not -- because I -- I become unclear what



1 you're talking about the districts are doing for kids, that
2 are not a part of the decision that we have to make here.
3 And I think the decision we have to make here is only about
4 the assessments. I think we need to be very clear about
5 that because I think they'll be pushed back in concern that
6 we are, whether we do two and a half percent or do five
7 percent, that we are reducing the kinds of services that
8 districts are, well one, districts can provide, and then it
9 would be helpful if you shared with us what CDE provides to
10 help districts serve those kids. This is just an area that
11 I don't think all of us are anywhere on the same --

12 CHAIRMAN DURHAM: It's very technical.

13 MS. SCHROEDER: Yes, thank you.

14 CHAIRMAN DURHAM: Dr. Flores?

15 MS. FLORES: Yes. I think one of my -- one
16 of my biggest concern is that I know that there are lots of
17 parents who choose to teach their home language at home.
18 And I think that parents should be given that ability to
19 choose whether they want to teach their children the
20 language they speak at home, and that school, public
21 schools, be given the ability to teach English and using
22 strategies to teach English as a second language in school.
23 And I don't think -- I know my experience with Denver has
24 been that that is not the case. And I think one of the
25 things that we have is the office of Civil Rights coming



1 down on us and the Department of Justice coming down on us
2 for that -- for that reason.

3 So I think parents definitely need to be
4 told that they -- they have that right. And I think it's
5 one of the most fundamental rights that people have. The
6 language that they speak at home and the language of the
7 school. And they should be told their rights. That they
8 don't have to, you know I know that sometimes we don't have
9 people at the school that can teach a language as well as a
10 -- a family member can. And so I think that that right
11 needs to be very explained and we need to be very careful
12 and not to go overboard and say, Well you can't go to -- to
13 this school because, you know you -- you speak a language
14 other than English at the home. So consequently, we're
15 going to have to -- we're going to have to teach you in
16 that language. Parents have the right to -- to choose the
17 language that they want their kids in and have the right to
18 teach them at home, if they choose to.

19 MS. SCHROEDER: That's good clarifying
20 question.

21 CHAIRMAN DURHAM: Yes, Dr. Schroeder.

22 MS. SCHROEDER: May I ask you a clarifying
23 question?

24 MS. FLORES: Yes.



1 MS. SCHROEDER: Are you saying we need to
2 make it clear that parents have a right to have their
3 children taught English in school while they teach their
4 home language at home?

5 MS. FLORES: I'm saying that we give them
6 the -- that it -- just because they speak another language
7 at home, it -- the school shouldn't end to it just because
8 of those three questions that are asked. That that's the
9 language that the parent wants their kid to be taught in.
10 And maybe they're bilingual at home and they want two other
11 languages, you know that are taught in their home.

12 And so if they choose to teach English and I
13 know that there are a lot of families in Denver that have
14 not had that ability to choose English as a language that
15 they want their kids taught at school and it's been very
16 difficult. And I hear it all the time. And I found that
17 to be true when par -- when kids came and parents came to
18 me at the schools and then when I was teaching, it was just
19 so typical. What is the -- the problem? The parent want
20 is their kids to be in an English classroom. They have
21 that right. And let's not make it difficult for them. If
22 another language is there, fine. I think we're getting
23 into a big issue with spending a lot of money on testing on
24 -- this is I mean I -- I think of 150 languages and tests



1 for 150 languages. I'm sorry but I don't think that money
2 is well spent.

3 MS. SCHROEDER: Thanks for clarifying.

4 CHAIRMAN DURHAM: Thank you. Ms.

5 (Inaudible). Oh I'm sorry, Ms. Goff.

6 MS. GOFF: Thank you. Yes and this might
7 come up later. We currently have policies around some
8 other things regarding assessments. Will -- can we, will
9 we be able to continue the choice of parents to decide
10 whether or not these particular assessments their child, if
11 -- if parents prefer they can be tested in English rather
12 than receive the language accommodation.

13 MS. RANKIN: Mr. Chair. So in terms of how
14 decisions are made about accommodations, those decisions
15 are made at the individual student level and we always
16 strongly encourage a -- actually for that to be documented.
17 And as a result of a conversation that has occurred between
18 educators and parents. And then from an assessment
19 perspective, we always say maximize the match in terms of
20 what's happening instructionally to how you have a student
21 tested. So students who are receiving the vast majority of
22 their instruction in English, it makes sense for those
23 students to be tested in English. We do sometimes have
24 conversations with folks who -- where students are, they
25 have a home language that is highly -- highly valued and



1 they utilize that language at home and for social reasons
2 but their academic language is English. You would not want
3 to have a student take an academic assessment --

4 MS. GOFF: Right.

5 MS. RANKIN: -- in that home language under
6 those cases, right? Very rarely does photosynthesis come
7 up in casual conversation, right? That's part of science
8 content in a science classroom. The student more than
9 likely would not know the word for photosynthesis in that
10 home language under those conditions.

11 MS. GOFF: Okay.

12 MS. RANKIN: Now when a student is receiving
13 instruction in that home language and again in Colorado
14 that tends to be only Spanish, then it might make sense for
15 that student to have the opportunity to see that word in
16 that language.

17 MS. GOFF: Okay.

18 MS. RANKIN: So --

19 MS. GOFF: So the options are there
20 (inaudible).

21 MS. RANKIN: Again the -- the state does not
22 at our level say this student must take this test with this
23 accommodation. What we provide is guidance about how to
24 provide appropriate conversations at the local level and
25 make good decisions about an individual student.



1 MS. GOFF: Thank you.

2 MS. RANKIN: And we --

3 MS. FLORES: I think districts need to be
4 made very well aware of you know what -- the parents have
5 that right that I'm talking about.

6 UNIDENTIFIED VOICE: Agreed.

7 MS. FLORES: Thank you.

8 MS. RANKIN: So in terms of the Hub
9 conversation -- thank you. The Hub had a conversation
10 about, you know that recommended definition. And their
11 recommendation or where they're already leaning is they
12 would like to pull back and go back to the five percent or
13 a thousand persons. Whichever is less of the LEP
14 population eligibly -- eligible to be served or likely to
15 be affected as the trigger for one who would provide a
16 written test in that other language.

17 There was a request for clarification about
18 what does that mean eligible to be served or likely to be
19 affected. So we did provide some additional language that
20 talks about students other language background within a
21 grade level who have received instruction in that language
22 within the last year. And that is consistent with again, I
23 believe the interpretation of the spoke committee as well
24 as the English Learner Stakeholders Group. We just made it



1 a little bit more concrete here so that folks would
2 understand what it is that we we're referring to.

3 The Hub recommendation from Monday was that
4 we add in a second piece and suggest that when LEP language
5 group within the grade level reaches two point five percent
6 or 500 persons, whichever is less of the state LEP
7 population, the department will evaluate the need for
8 additional translations. Notice it's not an automatic
9 trigger for additional translations it is a trigger for us
10 to investigate.

11 So we could imagine in the future that there
12 would be a particular geographic region of Colorado that
13 was significantly impacted by a particular language.
14 Locally those districts may choose to start providing
15 bilingual programs in that language. And if that's the
16 case we would might -- we may want to have a conversation
17 about how to make sure that those students are getting
18 appropriate accommodations on the test. So that is what
19 fair the conversation was at the Hub Committee. When we
20 look at this and sorry --

21 MS. FLORES: Do we have to put that in our
22 plan though or can that just be a policy?

23 MS. RANKIN: Mr. Chair.

24 CHAIRMAN DURHAM: Yes.



1 MS. RANKIN: I do not believe that we need
2 to include that in the plan. The definition is that top
3 part, that second part I think is more policy. I believe
4 that and feel free to clarify for me that the conversation
5 that was occurring with the Hub Committee and I can say
6 that the conversation that was occurring at the Spoke
7 Committee as well as the English Learner Stakeholders Group
8 was to make sure that we are providing a signal that we
9 would attend to needs, we would evaluate but the definition
10 itself is that first paragraph.

11 CHAIRMAN DURHAM: I think the --

12 MS. RANKIN: So I think you could make a
13 decision as a Board about whether or not you wanted to
14 include that second part or whether you would want us to --
15 to direct the department that that would be our policy,
16 that would be our trigger to investigate.

17 MS. SCHROEDER: You know Joyce it would help
18 -- it would help me if we had some concrete examples. For
19 example the -- the meeting that I missed had some second
20 language data in it that help me to see why Spanish was the
21 only language that was going to be triggered by either
22 senate ,I think.

23 MS. RANKIN: We're dancing for a moment.

24 MS. SCHROEDER: And I --



1 MS. RANKIN: So what you have here is home
2 languages other than English for grade three. And you may
3 remember that Ms. Rummel talked about how with the English
4 Learner Stakeholder Group and the Assessment Spoke
5 Committee, we ran through this data and we looked at it
6 grade by grade. And so you can see here that for grade
7 three in Colorado we have over 10,000 of our English
8 learners have a home language of Spanish. Our next most
9 common language is Vietnamese with 200 students at about
10 two percent of our LEP population, about 200 for Arabic,
11 then we get closer to a 100 for Russian, Mandarin, Amharic,
12 Somali and then we fall below 75 for Korean, French and
13 Nepali.

14 We had this information available for each
15 of the grade levels. You will notice that there is some
16 flip flopping of languages and the top 10 languages across
17 grade levels are not the same. Which makes sense, right?
18 When we start dealing with such low numbers we would expect
19 there to be some shifting and some trading across grade
20 levels and things like that. But we did go through that
21 data with those groups and that is --

22 MS. SCHROEDER: But that's -- that's
23 statewide data.

24 MS. RANKIN: That is state wide data.



1 MS. SCHROEDER: So for DugCo, tell me what
2 would trigger -- what -- what would capture your attention
3 as you suddenly had an influx of second language learners -
4 -

5 MS. RANKIN: Mr. Chair.

6 MS. SCHROEDER: -- in a certain language?

7 MS. RANKIN: So in Douglas County for
8 example, we might have a large group of Russian speakers
9 who've had instruction in Russian or Chinese or Vietnamese
10 populations where there is a larger community of people who
11 have created their homes in a place that's kind of a common
12 school. That is kind of the conversation that is happening
13 at the CLD stakeholder meeting because there are some
14 populations in some districts that are showing more need
15 and showing that kind of settlement. When community --
16 when communities come together you often have more people
17 come when it's something that they like.

18 MS. SCHROEDER: So does the --

19 MS. RANKIN: So --

20 MS. SCHROEDER: Does the -- the two -- two
21 and a half percent versus five percent affect? That does
22 that decision affect the work you're doing at the district
23 level?

24 MS. RANKIN: It does in that if that two and
25 a half percent were met or exceeded, then there would be



1 state support to have a translated or trans adapted
2 assessment. When a community get large enough to have
3 benefit. If there's, you know if there's a very small
4 percentage that makes it very difficult. But it's looking
5 at the trend in an area or in a state or area of the state
6 that would assist and potentially benefit students who've
7 had instruction in that language.

8 CHAIRMAN DURHAM: Dr. Flores.

9 MS. FLORES: When you really think about
10 that population, have you talked to -- you say about
11 benefit that you think they benefit.

12 MS. RANKIN: Uh-huh.

13 MS. FLORES: But have you asked the parents
14 which language they would like their kids taught in at
15 school? I mean that's a big difference. You may have one
16 point six percent Arabic but yet only maybe two percent
17 would like their home -- you know the home language taught
18 at school other than English, that's a big difference now.
19 And I see that, I don't know I've kind of worked with a big
20 population that -- that came to Denver.

21 And -- and having been at the schools where
22 you know the parents would say, seriously we speak Spanish
23 at home and we'd have that committee that would come
24 together and they say, well we think that -- that the child
25 should be taught in Spanish because Grandma speaks in



1 Spanish and so and so. And then the mother and the parent
2 -- the parents would come and say, yes, we do speak this
3 language at home but we would like to have our kids taught
4 in English. And so, you know that's -- you have to
5 consider that. That yes you have the population but then
6 you have parents that want their kids just to be taught in
7 the language that you know English, which is the language
8 of the country.

9 MS. RANKIN: Mr. Chair.

10 MS. FLORES: (Inaudible) school.

11 MS. RANKIN: So it is -- obviously the issue
12 of how Colorado instructs their students who happen to be
13 English learners is a topic of high interest, right? And
14 we we're -- we're hearing a lot of that within this
15 conversation. Within Colorado there are a variety of ways
16 that districts choose --

17 UNIDENTIFIED VOICE: That's right.

18 MS. RANKIN: -- to provide that instruction
19 and so we don't want to provide anything as a universal.
20 And when we're coming in from the assessment perspective
21 you have heard me say many a time that I'd like assessment
22 to follow standards. When it comes to accommodation we
23 like assessment to follow the instructional approach that
24 has been selected locally. I think there's a lot of room
25 for conversation about how we approach the instruction of



1 our English learners and how particular districts do. I
2 think we may want to have more time for a more in-depth
3 conversation about that. At this point what we can share
4 with you is that in terms of raw numbers --

5 CHAIRMAN DURHAM: Let -- let me just ask a
6 question about the raw numbers.

7 MS. RANKIN: Yes.

8 CHAIRMAN DURHAM: Those are statewide
9 numbers. We have 66 Russian language. How many students
10 are there in Jefferson County Ms. Rummel?

11 MS. RUMMEL: I don't know the particulars
12 about JeffCo, but I do know --

13 CHAIRMAN DURHAM: I'm -- I'm sorry, in
14 Douglas.

15 MS. RUMMEL: (Inaudible) coming, sorry.

16 CHAIRMAN DURHAM: I'll -- I'll get my
17 account.

18 MS. RUMMEL: We have about 3,800 students
19 who are NEP or LEP. So Non-English Proficient or Limited
20 English.

21 CHAIRMAN DURHAM: No. What's your total
22 number of students?

23 MS. RUMMEL: About 68,000.



1 CHAIRMAN DURHAM: So it's 68,000 students.
2 If you had all of the Russian speakers or any of these, if
3 you had 100 percent of these speakers --

4 MS. RUMMEL: Uh-huh.

5 CHAIRMAN DURHAM: -- in your district, you
6 wouldn't meet the two and a half percent and in fact, you
7 don't even get close to the two and a half percent. So I
8 would like to suggest to this particular smoke -- Spoke
9 Committee that focus on solving problems we have not
10 inventing problems that we don't have. We may have this
11 problem someday but you know I sat through the meeting,
12 that portion of the meeting of the -- of the Hub Committee
13 on Monday. And God knows how much time was spent on that,
14 and now we've spent how much time on this issue here when
15 you would have to have an enormous influx of any of these
16 groups to reach a critical mass and certainly a district
17 your size, where it -- we're dealing with it in terms of
18 translation other reasons is relevant. So I would just
19 encourage everyone working on the ESSA compliance, let's
20 focus on -- let's focus on solving real problems for real
21 people today, let's not worry about the problems we can all
22 imagine might exist someday. Please proceed (inaudible).

23 MS. RANKIN: Mr. Chair. So following that
24 in terms of next steps and what we are intending on doing
25 is moving forward with providing that definition out for



1 public comment. We also are going to develop some
2 supplementary materials that will not be included in the
3 final plan but would be provided as context so that people
4 would understand. First of all, what is Colorado's context
5 in terms of English learners and language background and
6 how we arrived at this decision. That's what we intend to
7 do in January.

8 CHAIRMAN DURHAM: Dr. Flores.

9 MS. FLORES: Yes. Okay. I -- I know that
10 districts are very interested. And I'm happy that
11 districts are very interested in serving kids. But we --
12 we have to understand that the right of language is so
13 basic to the individual. It's not the right of the
14 district, it's the right of the individual maybe family
15 unit. Which language and I -- I -- I just can't say that
16 enough because in your little summation afterwards, you
17 didn't include what I said which was -- I -- to and -- and
18 that you understand that the family unit is the most
19 important. And that they make decisions about that
20 language and which language their child -- they prefer
21 their child to be taught in at school and there's a
22 difference.

23 MR. CHAPMAN: So in January we will be
24 coming back. One of the requirements under ESSA is that we
25 establish some criteria -- statewide criteria related to



1 English Language Development Programs, entrance and exit
2 criteria. So I think that during it -- when we come in
3 January we'll talk a little bit about the parents who were
4 thought were right to refuse services and -- and what to
5 select the services that their child will receive. So
6 we'll be covering that more in January.

7 MS. SCHEFFEL: May I ask one?

8 CHAIRMAN DURHAM: Yes, Dr. Scheffel.

9 MS. SCHEFFEL: This relates follow up to
10 Chairman Durham's comment with respect to the two point
11 five percent of the five percent. How is that calculated
12 because if you add up these numbers across all the grades
13 maybe that you are approaching that two point five or five
14 percent. How is that calculated, by grade, by district or
15 summatively across the State; summing all the grades,
16 summing all the districts?

17 MS. RANKIN: Mr. Chair.

18 CHAIRMAN DURHAM: Yes.

19 MS. RANKIN: So we looked at the data across
20 grades and then we looks grade specific. And neither case
21 do we exceed the five percent. Again when we go back to
22 the intent of that --

23 MS. SCHEFFEL: How about two point five?

24 MS. RANKIN: We do not exceed the two point
25 five either.



1 MS. SCHEFFEL: So when you sum it?

2 MS. RANKIN: Even when you sum it, you do
3 not exceed that two point five.

4 MS. SCHEFFEL: Okay. So his -- his comments
5 are accurate. Thank you.

6 MS. RANKIN: Uh-huh.

7 CHAIRMAN DURHAM: Thank you. Other
8 comments? Please proceed (inaudible).

9 MS. RANKIN: Mr. Chair, that concludes the
10 assessment portion of your -- as a presentation for today.

11 MR. CHAPMAN: All right.

12 CHAIRMAN DURHAM: You look very happy.

13 MR. CHAPMAN: Thank you very much.

14 UNIDENTIFIED VOICE: (Inaudible).

15 MS. RANKIN: Always a pleasure.

16 CHAIRMAN DURHAM: Escape while you can. All
17 right. Mr. Chapman.

18 MR. CHAPMAN: So -- okay. So now that we've
19 assessed all the children in Colorado, we can use that data
20 for the purpose of accountability. And Alyssa Pearson and
21 Nazie Mohajerie-Nelson will be presenting the
22 accountability portion today.

23 MS. PEARSON: You guys doing okay? We got
24 to keep going. We built in a break for you but we want to
25 do some of this first and then take a break later.



1 CHAIRMAN DURHAM: Sure. (Inaudible) 10 to
2 15 minutes.

3 MS. PEARSON: Okay. Well get you going.

4 CHAIRMAN DURHAM: I know Dr. Flores wants a
5 break. We're not going to let her have one yet.

6 MS. PEARSON: So to talk about
7 accountability and ESSA today we want to do three things.
8 We want to give you a high level summary of the
9 accountability regulations that were just released by the
10 U.S. Department of Ed. We wanted to describe the public
11 input process for the accountability decision points that
12 we've put out and provide a progress check on the options
13 and the recommendations of those decision points.

14 Based on the time that we have available and
15 where you all are at, we're going to move more quickly
16 through this but if there's anything you want to talk about
17 we're happy to take time. Nazie also put together a note
18 catcher to get information from you all and what areas you
19 would like to spend more time talking about in January when
20 we bring it back to you because that will help us one
21 prepare and address any questions you have and to just make
22 sure we organize our time best way possible based on your
23 needs. Do you want to pass that?

24 MS. NELSON: Yeah.



1 MS. PEARSON: Do you mind if we go pass this
2 out?

3 MR. CHAPMAN: Just give one to each?

4 MS. PEARSON: Yeah, it's just a little. A
5 little way for you all to take notes as we go. So those of
6 you who are at the Hub meeting on Monday, I apologize for
7 the repeat. The final regulations from the U.S. Department
8 of Education around accountability, reporting and the State
9 Plan came out on November 29th. If you remember we got a
10 draft proposed rules at the end of May. We spent a lot of
11 time over the summer talking to you about those and giving
12 you share in the comments that we wanted to put forward and
13 did submit to the U.S. Department of Ed in August about
14 some of our concerns with them. So there were final
15 regulations are out now. They are in effect as -- as of
16 January 30th.

17 As Dr. Schroeder noted, that summary
18 document, U.S. Department of Ed has a very positive take on
19 these regulations. They say the final regulations provide
20 new flexibility for states and districts. I think that's
21 true especially for some districts -- for some states that
22 were not under a waiver that were still under NCLB. But
23 there some really specific requirements in those rules.
24 And new requirements that were not in the proposed rules
25 that we're just trying to figure out how do we make sense



1 of it all and how does it fit with Colorado's system,
2 there's some challenges there.

3 There some challenges with some internal
4 consistency of the rules themselves. They are very clear
5 about the public reporting that needs to happen with data.
6 And at the same time ensuring data privacy. But when they
7 require some metrics with how we have to report that data,
8 it makes it very difficult to do both of those things.
9 They also want us to meaningfully differentiate and support
10 schools that are being identified that some of the
11 requirements for identifying those schools are so specific
12 and vast that differentiating and narrowing down who needs
13 the most support is going to be hard to do with the -- the
14 rules that they've put out.

15 So it's just some things to think about
16 going forward and I think where it's led us is to a
17 question and a conversation for you all that there might be
18 some areas in our state plan that we want to put forward
19 that are not in alignment with the rules because they make
20 sense and because they're right for students in Colorado
21 and for making the system work. So we'll -- we'll put that
22 out there for you all to think about. So this color coded
23 sheet right here we wanted to try and give you an update of
24 what was in the rules, what we had comments on, and what
25 was changed, and what wasn't changed. So the green font on



1 this page are things that we put comments on and had
2 concerns about the didn't get changed by the final rules.
3 The brown are things that stayed the same that they didn't
4 change based on any comments and the red is a new
5 requirement.

6 So they did adjust the timelines as talked
7 about through the -- with this plan submission and then
8 they also adjusted the timelines for when the
9 accountability would need to be in effect because those
10 proposed rules had us putting the new ESSA accountability
11 into effect next August for those ratings where when all
12 the decisions about what that will look like wouldn't be in
13 place until summer next fall which makes it really hard for
14 schools and districts to know what they're working towards
15 if they don't know what they're accountable for ahead of
16 time. So that did get adjusted, the reporting timelines
17 did not get adjusted.

18 Some of the other accountability
19 requirements that we talked to you about them having
20 concerns about having a single accountability system, about
21 having to use the four year grad rate, about weighting of
22 indicators, esteem minimum and participation in each racial
23 and ethnic group, those things did not change. So we'll
24 have to work through where we want to go with those. They
25 also added a new requirement that we have to use when we



1 measure achievement like the, you know in the past has been
2 the percent of students that are proficient that we have to
3 use that metric of percent of students at -- at benchmark
4 or proficiency.

5 If you remember Colorado has moved to use a
6 means scale score for accountability this year because of
7 ensuring that we're not focusing on bubble kids, those kids
8 right at the cusp of the proficiency mark or the bench mark
9 -- mark and also for data privacy. But the new rules came
10 out or the final rules came out saying that we have to use
11 that other metric that wasn't anything in the proposed
12 rules. So we'll have to problem solve around that too.
13 And then the reporting requirements they did --

14 CHAIRMAN DURHAM: I'm sorry. What -- can
15 you -- which other met -- metric do you have to use? I'm
16 sorry.

17 MS. PEARSON: They -- they are requiring
18 that we use the percent of students at benchmark or in old
19 language the percent of students that -- that hit that
20 proficiency rate.

21 CHAIRMAN DURHAM: Okay. All right.

22 MS. PEARSON: So which is a very valuable
23 measure but we just have challenges with doing that with
24 data privacy at the same time. So it's kind of -- it's
25 trade off there. So that's why the state went to mean



1 scale score to address that data privacy and the bubble
2 kid. So they just got real specific.

3 MS. SCHEFFEL: How does --

4 CHAIRMAN DURHAM: Dr. Scheffel.

5 MS. SCHEFFEL: -- that address the data for
6 privacy issue to use a mean scale score?

7 MS. PEARSON: If you use a mean scale score
8 and you meet the minimum end, because we're still using
9 minimum end. It's really hard to subtract you can't -- If
10 you know the mean scale score for females and there's, you
11 know 20 females in a school and there's 10 males in the
12 school and you have the overall mean scale score and the
13 female mean scale score, you can't -- from the mean scale
14 score figure out what those 10 males scored. Whereas with
15 -- you can do the subtraction with.

16 MS. SCHEFFEL: I've got it.

17 MS. PEARSON: So it's totally nerdy, sorry.
18 Not geeky stuff which I know like, you know on the rags
19 they didn't think about it and then talked to people like
20 us and we're like this doesn't work. So sorry for the --
21 for the no fun ones. And then the last thing they did and
22 just in the proposed regulations they said that we needed
23 to ha -- report a high level summary of data for the public
24 for each district and for the state on a single piece of
25 paper. And then they went on to list all the things and



1 all the things that we needed to report. And I didn't know
2 what a single piece of paper would look like that you could
3 get all of that on there.

4 So we're working on high level reporting
5 anyway. But to meet all those requirements on one piece of
6 paper and we think they're going to be fought like this or
7 the paper was going to be the size of this building. So
8 that changed which is good. So this we're just we talked -
9 - we've shared this slide with you before just some of the
10 misalignment areas with our current policy and some are
11 smaller -- smaller issues and some are larger issues but
12 they're just the issues that we're trying to work through.

13 So that reporting for each major racial and
14 ethnic group, you know currently Colorado has been using
15 the minority group for accountability and then we report
16 for all the different groups in lots of different places
17 but in terms of accountability with that minority level.
18 So this -- the new Reg say we want to report for each major
19 racial and ethnic group. So we're working on we've got a
20 lot of feedback from the Hub on Monday to run data and
21 let's look at what the impact is of doing things their way.
22 So we're going to work on that and I think that will help
23 inform where we want to go next to.

24 UNIDENTIFIED VOICE: So -- so what would be
25 each major, I mean what's major racial --



1 MS. PEARSON: That's another thing we'd have
2 to decide what that means.

3 UNIDENTIFIED VOICE: (Inaudible).

4 MS. PEARSON: I think -- I think the law
5 list --

6 UNIDENTIFIED VOICE: -- based on number.

7 MS. PEARSON: -- up to us to decide in the
8 numbers what we would, you know say meets that for the
9 state. We also have to use the four year grad rate. You
10 all know that we've been using the best of the four, five,
11 six, or seven year with our early college schools that you
12 know, kids aren't intended to graduate in four years. We
13 don't want a disincentive there.

14 CHAIRMAN DURHAM: Dr. Schroeder.

15 MS. SCHROEDER: Can't we push back? May I
16 just --

17 MS. PEARSON: Yeah.

18 MS. SCHROEDER: -- I just refuse to hear
19 that we have to -- if it's something that we don't believe
20 in we think in this particular case it potentially harms
21 kids --

22 MS. PEARSON: Yup.

23 MS. SCHROEDER: -- in the sense that schools
24 might discourage students from participating in, what's the
25 program (inaudible).



1 MS. PEARSON: (Inaudible), yeah.

2 MS. SCHROEDER: And any -- any other
3 programs that some of these communities are coming up with.

4 MS. PEARSON: Absolutely and we'll just look
5 to you all for that direction on where you'd like to push
6 back or at least put forward what seems right for Colorado.

7 MR. CHAPMAN: There is some in the statute
8 itself. There are some restrictions that the final rules
9 seem to ignore. Restrictions on the U.S. Department of
10 Education creating rules in certain areas and I think in
11 the final rules they have created rules in areas that were
12 discouraged in statute.

13 CHAIRMAN DURHAM: I think that --

14 MS. SCHROEDER: So help us with that --

15 MR. CHAPMAN: In other words I do think we
16 have a basis --

17 MS. SCHROEDER: -- so we could just talk to
18 our legislators, talk to our congressmen and say here's --
19 here's what this does, here's why we don't think it's great
20 and see if they'll (inaudible). I mean a couple of these
21 things really worry me because they stop a trend that I
22 think this board is very committed to which is to have
23 these kids reach higher while they are still in high
24 school.



1 CHAIRMAN DURHAM: And I think Dr. -- Dr.
2 Schroeder, I think that -- that -- I think you'll find
3 significant support if there's a decision that you're
4 interested in and trying to push back and simply say, A we
5 don't think this is within the scope of the Federal rules
6 or B we think it's likely to be reconsidered and simply
7 doing what we think is best for Colorado's children. And I
8 think -- I think this is clearly one of those areas that --
9 and I guess the worst what could have happened is that
10 somebody would send it back to us and give us a chance to
11 decide whether we really care they sent it back, so. Yes.

12 MS. SCHROEDER: I think I'm saying I need
13 some help with those details.

14 CHAIRMAN DURHAM: Where -- where those are.

15 MS. PEARSON: Yes.

16 MS. SCHROEDER: I'm not -- I'm (inaudible).

17 MS. PEARSON: We'll absolutely put those
18 forward to you all.

19 MS. SCHROEDER: About the (inaudible) they
20 say.

21 UNIDENTIFIED VOICE: I think we're hearing
22 some feedback on this particular case that this might
23 (inaudible).



1 CHAIRMAN DURHAM: Yeah. And I -- I think
2 those are things you need to flag for us because memory is
3 being what they are.

4 MS. PEARSON: No problem.

5 CHAIRMAN DURHAM: Ms. Goff, she has a
6 perfect memory on those. You're on.

7 UNIDENTIFIED VOICE: (Inaudible). Pretty
8 good.

9 MS. GOFF: I remember, we had a -- I thought
10 we had a conversation and you had provided us with a
11 picture of the extended break. And I -- so my question
12 would be what does it mean here that may can also use
13 extended and then we ha -- I think last time we met we
14 thought -- we had -- we had a side chart that showed what
15 would happen if we had the extended put on there. And so
16 it didn't -- how do those two line up? Must use four year
17 and then can also --

18 UNIDENTIFIED VOICE: Yeah. (Inaudible).

19 MS. GOFF: Do we have that?

20 MS. PEARSON: So yeah. It does allow for us
21 to use extended but for the (inaudible) I'll get into it a
22 little bit later about the identification of comprehensive
23 schools. Any school that is below 67 percent graduation
24 rate on the four year graduation rate needs to be
25 identified. So I think we could write some exceptions in -



1 - for some different types of schools that have some
2 reasons why because they haven't sent program because they
3 have recently arrived students so we could --

4 MS. GOFF: Okay.

5 MS. PEARSON: -- we can -- all of these
6 things we can brainstorm around and figure out how to do
7 it. It's just we want to flag those issues for you.

8 MS. GOFF: I agree with all of this previous
9 conversation. I think -- I think we do need to make sure
10 that it's clear and understood why we're not agreeing with
11 -- with that.

12 CHAIRMAN DURHAM: Ms. Rankin.

13 MS. RANKIN: I -- I really want to sort out
14 what -- what congress has told us to do.

15 MS. PEARSON: Uh-huh.

16 MS. RANKIN: And then what the Board of
17 Education, that -- that the rules that they have made and
18 also how that crosswalks with our state. Because I -- I
19 want to be very clear which side we're pushing back on when
20 we push back.

21 MS. PEARSON: Yes. Absolutely. We will --
22 we -- I don't know if you remember back to the summer we
23 had those charts that had what was in the State -- and the
24 Fe -- State Statute and Federal Statute and then a proposed
25 regs. So we'll op -- update those with the final regs and



1 then we can show you where the pieces are fitting or not
2 fitting.

3 MS. RANKIN: Is that a -- a conversation
4 that ESSA is having; the -- the different committees are
5 questioning at this point?

6 MS. PEARSON: Yeah. And we just -- we made
7 those charts for the accountability decisions. But yeah,
8 we've been talking about where all that fits together.

9 CHAIRMAN DURHAM: Okay.

10 MS. RANKIN: Thank you.

11 MS. PEARSON: Thanks. So some of the other
12 misalignment pieces and we want to keep moving here. You
13 know the opt out challenge is counting those as non-
14 proficient nonparticipants. The achievement metric that we
15 talked about. These ones in italics, I think there's more
16 area that we can work around now, the participation,
17 considerations, and accountability ratings. They changed
18 the language in the final regulations from equally rigorous
19 to sufficiently rigorous for the state's options. So I
20 think -- I think we have a little bit more flexibility
21 there in what we put forward if we want to stay within the
22 bounds of the regulations. Some of the requirements for
23 weighting of indicators may be an issue it may not be and
24 the alternative education campus frameworks and our ability
25 to have those. It's not clear but I think again that's our



1 state law so we probably want to go forward with what's in
2 our state law --

3 UNIDENTIFIED VOICE: (Inaudible).

4 MS. PEARSON: -- and see what happens.
5 Yeah. Yeah.

6 MS. FLORES: May I just ask a question?

7 CHAIRMAN DURHAM: Sure, Dr. Flores.

8 DR. FLORES: You know I have been to
9 (inaudible) have met people from other states but you guys
10 have been out there, so what is the move of the -- of
11 states out there, do they feel that the -- that the feds
12 are just pushing so much? I mean is there -- is there any
13 movement for states, say a group of states it say, Men we
14 just have it with you, why don't you just -- why don't you
15 just kind a leave us alone for a while, Is there?

16 MS. NELSON: Yes, Dr. Flores. Mr. Chair.
17 We have heard that from around the -- the country and I
18 think different states are in different positions around
19 that but there, I mean especially in response to the first
20 set of rules that came out, there were a number of states.
21 I mean, it could have been, I don't quote me on this, but
22 it could have been around 20 or 23 states that pushed back
23 on those, we were one of those states. And so as Ms.
24 Pearson's talked about at the beginning they changed they
25 took that push back and changed some of the rules but not



1 all of them so I'm not sure we know exactly how all the
2 states are feeling now since they've -- since the new regs
3 have come out because those only came out a couple of days
4 ago really. So but there is substantial, you know movement
5 to say we should keep the flexibility that the actual as
6 the law provides.

7 DR. FLORES: Thank you.

8 MS. NELSON: Okay.

9 CHAIRMAN DURHAM: Go ahead.

10 MS. PEARSON: Just real quick on the next
11 steps with the regulations. You know that there's a new
12 administration coming in and so the -- the way they are
13 implemented or monitored or regulated, we just don't know
14 yet. I think you also have heard there's a -- a
15 Congressional Review Act that allows congress to repeal
16 regulations within the first 60 days. So there's been, you
17 know, there's always talk about different things but there
18 is --

19 UNIDENTIFIED VOICE 2: Exactly offers legal
20 services?

21 MS. PEARSON: -- congress's version of it.
22 Well, it's congress coming together and saying we want to
23 repeal those rules, we think they are not appropriate.
24 It's -- it's a little different. I mean, its happened --



1 my understanding is its happened once, it's been proposed
2 41 times but its happened once.

3 CHAIRMAN DURHAM: Colorado has it there,
4 Review of Agency Rules and Regulations Bill that has to
5 actually pass every year in order for the regulations to
6 remain fact so we've had that since 1976 I believe. And
7 one of the first states to do that and while it is unusual
8 that rules are not approved, it does in fact happen but
9 they all are reviewed for consistency of the statute.

10 UNIDENTIFIED VOICE: Does -- does -- does it
11 apply federally line by line or is it the body of rule
12 making?

13 MS. PEARSON: It's the body. It's my
14 understanding that they pull all the rules back and then
15 the -- the new rules, if they put new rules into place
16 would have to be substantially different from what the old
17 ones are. So when some of it works and some of it doesn't
18 work and a lot of the regulations are the law, they just
19 took, you know we talked about that and they took the
20 language over, so then had to have something substantially
21 different than the law is there. So, you know people are
22 just talking. There's a lot of talk going on.

23 CHAIRMAN DURHAM: All right. I think this
24 is good spot for a break. We'll come back in 10 minutes,
25 the accountability decision plans. Thank you.



1 MS. PEARSON: Sounds good. Thanks.

2 (Pause)

3 CHAIRMAN DURHAM: All right. I think we
4 have most everybody back, and we do have everybody back.
5 That's all right. Go right ahead. Ms. Pearson.

6 MS. PEARSON: Mr. Chair, can we just -- we
7 just wanted to check in (inaudible) about time frame for
8 this morning and how like I think we're scheduled to about
9 11:15 for this item. So we can go faster or slower because
10 there's still the school improvement section to go after
11 us. We just wanted to gauge from you if you would like to
12 end at 11:15.

13 CHAIRMAN DURHAM: Let's try and -- let's try
14 and do that because we do have the -- the Mancos --

15 MS. PEARSON: Okay.

16 CHAIRMAN DURHAM: -- consideration at 11:15.
17 We'll try and stay close to schedule for that.

18 MS. PEARSON: Great. Then we'll try and
19 just really keep this high level and if you all have
20 follow-up questions, please write those down for us and let
21 us know and we'll -- we -- we can get back to you that way
22 on it, okay. So I'm going to turn it over to Nazie now.

23 MS. NELSON: Thank you, Mr. Chair.

24 CHAIRMAN DURHAM: Yes, ma'am.



1 MS. NELSON: We have created a note catcher
2 for you guys to use to provide us input on how much
3 information we should provide in between now and when we
4 come back on January 26th, I believe is our next
5 presentation to you. And if you have specific items you'd
6 like to provide us before that meeting or if there's
7 analyses or additional information we can bring for you to
8 that study session, please let us know so that we can
9 present those recommendations and options to you and ha --
10 have you -- have the information that you need in order to
11 make that final decision on what should go into the state
12 plan.

13 On November 30th, we, along with our
14 Accountability Spoke Group created some prerecorded
15 presentations that for the public could view and provide us
16 input on the decision points. As you might remember, the
17 decision points for the Accountability Spoke Group were
18 around the English Learner Assessment Policy and how we
19 would or would not test English learners within that first
20 year in -- in the US. Long term goals and interim measures
21 that we have to create for our accountability system. And
22 the low -- English Learner Progress Measure that we would
23 use within our accountability system.

24 We also have to create another indicator of
25 school quality and students or students success that would



1 be added to our accountability system with these 18-19
2 school year. And the minimum number of students that we
3 would continue to use for accountability and reporting
4 purposes. And the method that we would use for identifying
5 and exiting schools in need of improvement and support.

6 We solicited information and input from all
7 of the stakeholder groups listed here. We've provided
8 those links to you as well, and hope that you've had the
9 opportunity to either read the scripted presentations or
10 listen to the recordings or would have time to do so before
11 January 26th. They provide explicit detail in regards to
12 the work of the Accountability Spoke Group in developing
13 the options for each one of these decision points. And if
14 they are prepared to make a recommendation, the
15 recommendation that's being put forth. Yes, ma'am.

16 MS. SCHROEDER: In your discussions of the
17 long term goals and interim measures, did you put in there
18 what we, as a Board have? I mean we have some -- we have
19 identified some measures that we expect that -- that
20 certain scores, et cetera, have you included that so that
21 we get a sense for what we've done in the past?

22 MS. PEARSON: In the presentation, we had --
23 we did not put the -- the current target that you all have
24 approved in that presentation but we -- the -- the goal
25 would be to align that. That's a good point.



1 MS. SCHROEDER: I think that would be a
2 worthwhile example so people were actually know what --

3 MS. PEARSON: What that looks like.

4 MS. SCHROEDER: -- what that looks like.

5 MS. PEARSON: Thank you.

6 MS. SCHROEDER: You know, I need examples, I
7 need examples -- I need examples, please.

8 MS. NELSON: Okay. We also have announced
9 these recordings and the opportunity for public comment to
10 the other Spokes -- the other ESSA Spokes in the scoop to
11 let superintendents know. We've also introduced them on
12 social media. Our survey's closed on December 14th, and to
13 date we have varying -- we provided the opportunity to give
14 input on all decision points or the ones that folks were
15 interested in the most. And we have -- on the EL decision,
16 we have 166 respondents, EO growth we have 76, minimum and
17 indicator or decision point we have 69, goals and measures
18 we have 87, we have a 100 respondents on the other
19 indicator and 70 respondents have given input on the
20 identification of schools.

21 We are going to be synthesizing all of that
22 and meeting back with our Spoke Committee on January 4th to
23 review all of that information and that input and any
24 information input that we receive from you today or moving
25 forward. And then we're going to come back in January 26



1 with the final recommendations. Today, what we're going to
2 do is just go over where we are and provide a progress
3 report on the work of our Spoke Committee and start to
4 highlight some of those options that are being put forth
5 and any recommendations that they currently have already
6 made.

7 On the survey, we did ask for the role and
8 location for the each respondent so that we would have a
9 note -- we would know if how representative the input is in
10 regards to whether we have -- good rural representation, if
11 we have parents, educators, those are some of the folks
12 that we have targeted for this input. So just to give you
13 a little bit of context and background, we last met with
14 our Accountability Spoke on November 20th and then at that
15 point, they had made all of the options and recommendations
16 that they were going to put forth. And then the rules got
17 finalized on November 29th, which significantly impact the
18 work of the Accountability Spoke. So for -- for now, what
19 we've done is highlighted for you where a recommendation
20 may not align with what federal regulations say, and we'll
21 definitely clarify that even more so with what comes from
22 statute and what comes from the regulations.

23 Just real high level, there are three of the
24 decision points where the Accountability Spoke has already
25 reached recommendation level and those will be shared with



1 you today. And then there are three decision points where
2 they've put forth options but with their recommendation but
3 they are deferring the final option to the Hub and the
4 State Board. So the first decision point is the English
5 Learner Assessment Policy and just -- with the results of
6 this -- we -- ours -- a group of our committee went and met
7 with the culturally and linguistically diverse education --
8 educator, stakeholder group and got their input on the
9 decision points that had to do with English learners and in
10 consultation with them and collaboration with our spoke.

11 We've -- we have been able to propose a
12 statewide procedure for testing English learners in that
13 first year and their recommendation is to base it on the
14 language proficiency of the student who is new to the
15 United States. So if they're -- if they've been in the US
16 for less than 12 months and they're classified as non-
17 English proficient, then the recommendation would be for
18 them but -- that they would not or they would be exempt
19 from taking the CMAS PARCC English Language Arts
20 Assessment.

21 However, for students parents can opt the
22 child into testing if they choose and then at that
23 juncture, their score would be used for accountability and
24 would be provided growth calculations in the second year.
25 But it would be up to the parents to choose for non-English



1 proficient. For students that entered into the United
2 States and have been here less than 12 months and are
3 classified based on the WIDA Access Screener or any -- and
4 the local body of evidence as low -- limited English
5 Proficient or fluent English Proficient then they would be
6 required to be tested within that first year.

7 So language proficiency would drive whether
8 they would be tested or not. And that flexibility is a
9 factor in the decision making and it was explicitly allowed
10 under the proposed and the finalized regulations and it's
11 been well received but with any stakeholders that we've met
12 with so far. The second English learner decision point has
13 to do with measuring progress and the specific decision
14 point is on how Colorado will incorporate progress in
15 acquiring English Language Proficiency for ELLs into our
16 state accountability system.

17 Based on federal requirements and Colorado
18 stakeholder input, the Accountability Working Group
19 recommends continuing to use the existing sub-indicator for
20 English Language Proficiency that we've been using in our
21 state accountability system so far and that is the median
22 student growth percentile on WIDA Access. So we would just
23 continue to calculate and use that median growth percentile
24 in accountability moving forward. The MGP or Median Growth



1 Percentile metric provides information on how much progress
2 students with two or more --

3 CHAIRMAN DURHAM: Dr. Schroeder.

4 MS. SCHROEDER: You know I was gonna jump
5 here.

6 MS. NELSON: I'm sorry.

7 MS. SCHROEDER: You knew I was going to jump
8 here.

9 MS. NELSON: Oh, please do.

10 MS. SCHROEDER: Does every state have a six-
11 year, I mean this just drives me bonkers; have a six-year
12 time span for English acquisition measures?

13 MS. NELSON: The -- our calculation of that
14 was based on Colorado data national research says that
15 English learners that enter into -- as level one take five
16 to seven years but I don't know if that's -- that's a
17 metric that they're using in their state accountability.

18 MR. CHAPMAN: Most states do not have
19 English Language Proficiency or growth. In their
20 accountability systems, this will be new for a lot of
21 states under ESSA.

22 MS. SCHROEDER: Oh.

23 MR. CHAPMAN: So there aren't a lot of
24 states to look to.

25 UNIDENTIFIED VOICE: (Inaudible) research.



1 MS. SCHROEDER: I know that's research. It
2 depends on how much you do to help the kids.

3 UNIDENTIFIED VOICE: Right.

4 MS. SCHROEDER: I mean that's my point. It
5 depends on how much inter -- intervention is provided. And
6 I think that's a Colorado conversation whether we want to
7 speed that up or not.

8 MR. CHAPMAN: And it's based on where they -
9 - where they are when they enter the system too.

10 MS. SCHROEDER: Right.

11 MR. CHAPMAN: So if their LEP, when they
12 enter system they would not have that same expectation of
13 six years before they exit.

14 MS. PEARSON: You know, we always try to set
15 our targets ambitious yet attainable -- attainable on
16 those. So the previous measures we had on adequate growth
17 for students taking the access test was about a six-year
18 time frame and that was really based on the progress we
19 were seeing in the state. Now we may -- may want the
20 progress to speed up. But on something that is realistic
21 for what we're seeing but also still pushing a little bit
22 it was kind of around that five -- the six-year timeline.
23 But we can look at our data. We have done a new WIDA
24 access assessment and we're just trying to learn from that
25 and see what --



1 MS. SCHROEDER: That would be great --

2 MS. PEARSON: -- that's were looking at.

3 MS. SCHROEDER: -- if you would.

4 MS. PEARSON: Uh-huh.

5 MS. SCHROEDER: Thank you.

6 CHAIRMAN DURHAM: Yes, Ms. Goff.

7 MS. GOFF: Listen, is our -- is our current
8 statute -- statute -- thank you, has been changed recently
9 or not from five to six years in our state statute; or is
10 it five?

11 MS. PEARSON: So the only thing that I
12 understand to be in our state statute and this came up, I
13 think at the Interim Legislative Committee, it was
14 something this week. Is that (inaudible) funding, the
15 English Language Proficiency Act funding, and you guys jump
16 in but it used to be just two years of funding for
17 students. I don't think there was any expectation that
18 students -- I don't -- I don't think it is specific to when
19 students would reach language proficiency. It was just the
20 funding with that for two years and now it's for five.

21 MR. CHAPMAN: Five.

22 MS. GOFF: That's what -- and that was kind
23 of recently when that was extended.

24 MR. CHAPMAN: It's two years ago, I believe
25 in 2014.



1 MS. GOFF: Which is not the same question as
2 the research on proficiency levels and the length of time
3 should reach. Yeah, so. Thanks.

4 MS. SCHROEDER: Isn't there a research on
5 different programs that might accomplish different results.

6 MS. PEARSON: Yeah. I'm hearing a lot of
7 questions from you all today about English Language
8 Proficiency and instruction and assessment so maybe we can
9 put that on --

10 MR. CHAPMAN: Yeah.

11 MS. PEARSON: -- your future and go
12 (inaudible).

13 MR. CHAPMAN: And then we will be coming
14 back to you guys in January with regard to English learner
15 entrance and exit requirements -- entrance requirements for
16 English Language Development Programs and exit
17 requirements. So that would be a natural fit to discuss
18 length of time and -- and program and -- and the services
19 that they receive.

20 UNIDENTIFIED VOICE: Next.

21 MS. NELSON: Okay. So in that regard, the -
22 - for that decision point, the recommendations were to
23 continue using median growth percentile and add the growth
24 to standard as part of that as well. The next decision
25 point is the other indicator of school quality or student



1 success. And this is one where we're going to be taking
2 advantage of the option to put a forth an interim plan
3 right now and then revise it in the long run when we've had
4 more time to develop a more meaningful long term options
5 that are valid and useful indicator for all of our schools
6 and districts.

7 In the interim, what's being proposed to be
8 put forth for the 2018 school year is to use student
9 absenteeism which would help us eliminate the burden of
10 additional data collection in the short run. And it would
11 work with our current frameworks and provide a robust
12 measure of school performance that we can use until we can
13 fully develop something for the long run based on school
14 climate adding to the Post Workforce Readiness indicator or
15 the -- are adding something about social emotional
16 learning.

17 So that's going to require more work with
18 our stakeholders to develop something more useful and
19 meaningful. So the proposal will be for elementary middle
20 school to use absenteeism and then use -- the current PWR
21 meets the requirements under ESSA to use that for high
22 schools.

23 UNIDENTIFIED VOICE: So are you talking
24 absenteeism or chronic absenteeism?



1 MS. NELSON: So there's several different
2 the same --

3 UNIDENTIFIED VOICE: I don't think that the
4 same.

5 MS. NELSON: Yeah. And it's under what
6 they're proposing that we do is track changes in
7 absenteeism. So there are measures that could be used are
8 improving chronic absenteeism rates or improving truancy
9 rates or improving of lowering of mobility rates. Those
10 are all things that are being considered and they're
11 looking at that data to see what it would look like.

12 CHAIRMAN DURHAM: Dr. Scheffel.

13 MS. SCHEFFEL: And what is the social-
14 emotional learning long term possibility?

15 MS. NELSON: That's one that's going to
16 require some research and work, and the work of the -- the
17 accountability Spoke so far has just been looking at if
18 there are any current options available through other
19 states. They don't have any options fleshed out right now.

20 MS. SCHEFFEL: Are we required to come up
21 with one thing and then those long term possibilities are
22 what? We were required to think of something so we thought
23 of student engagement. Is that right or the committee
24 recommends it?



1 MS. PEARSON: That's what the committee
2 recommended for short term with the data that we have
3 available. The other ideas are things that we heard on the
4 listening tour and came from committee members and came
5 from practitioners about information that they felt would
6 be valuable to be held accountable for. But as you know
7 well, especially with social- emotional and people are just
8 learning that there's not statewide standards built on it
9 there is no statewide measure, there's nothing like that in
10 place. So I think it's something --

11 CHAIRMAN DURHAM: Does anybody think that's
12 a bad idea?

13 MS. PEARSON: I think that there's a lot of
14 concern. No, no. I think there's different perspectives
15 and I think individual schools and districts are starting
16 to use some of those measures for themselves. When they
17 start thinking about that having to be statewide, they get
18 more nervous about thinking about it statewide. So, yeah.

19 CHAIRMAN DURHAM: I think that's strictly
20 the purview of the parents. And I don't think we ought to
21 have anything in our plan that has anything to do with
22 social-emotional learning. And frankly districts that are
23 involved in the plan, need to -- need to re-think their --
24 let's teach people to read first, if once we get that down
25 path, may we move on to some of these other things.



1 MS. SCHROEDER: Yeah. I would agree --

2 MS. NELSON: The other part. Oh, sorry.

3 MS. SCHEFFEL: I would agree and I -- I does
4 that since their long term does that mean they go in our
5 plan, or can that be excised.

6 MS. PEARSON: You are if you -- you -- you
7 have the ultimate decision on that plan and we can take
8 that out of the plan. It was just ideas that came forward
9 of things to investigate long term.

10 MS. SCHEFFEL: That would be my
11 recommendation.

12 CHAIRMAN DURHAM: Dr. Flores.

13 MS. FLORES: But don't you think there's a -
14 - there's kind of a -- a code been human that would
15 preclude some kids not learning that being kind and being
16 honest and being (inaudible) issue I think that -- that
17 some kids would have problems socializing if they didn't
18 have the social emotional and -- and I'm glad that
19 districts are thinking about it, and I think they're
20 important. We shouldn't (inaudible) them this --

21 CHAIRMAN DURHAM: Ms. Rankin and Dr.
22 Scheffel, (inaudible).

23 MS. RANKIN: I might understand that student
24 engagement means absenteeism.



1 MS. PEARSON: I think when the group was
2 working they were thinking of kind of categories for
3 different measures. And the category that they were
4 talking about was like the broad idea of student
5 engagement. And under that thinking about that what
6 measures we have in place because really one of the goals
7 was to minimize data collection at this point. Because you
8 all know, I know you hear it all the time how much people
9 love us collecting data from them that we wouldn't be
10 asking for anything new. So what information do we already
11 have here that would be a meaningful indicator that has
12 tied to research on what meet our successful outcomes for
13 kids.

14 MS. RANKIN: I understand all those words.
15 Why don't we call it student attendance.

16 MS. PEARSON: Absolutely. We can work on
17 being real clear about what we're talking about when we get
18 to the metric. We're asking for feedback right now about
19 whether it's chronic absenteeism, whether it's truancy,
20 whether it's changing, whether it's excused or unexcused.
21 And we've got some really good feedback at the interim
22 legislative committee the other day about excuse versus
23 unexcused.

24 MS. RANKIN: I would also like more of a
25 definition of climate when they go to the long term



1 possibilities. I -- I think we tend to obfuscate when we
2 could simplify and --

3 MS. PEARSON: Sure.

4 CHAIRMAN. DURHAM: Dr. Scheffel.

5 MS. SCHEFFEL: Yes, I want to respond to Dr.
6 Flores' comment. And just to say that social-emotional
7 learning is really important. I think what we don't want
8 is the government defining and measuring it. And if you
9 talk to parents who've experienced that even in pilots, I
10 mean there's just so much subjectivity and intrusiveness
11 that occurs when one puts a metric on social-emotional
12 learning. So while it's recognizable as an important
13 feature we don't want the government defining and measuring
14 it.

15 CHAIRMAN. DURHAM: MS. Goff.

16 MS. GOFF: Thank you. So we should
17 understand from what I'm hearing that this other indicator
18 is -- is needs to be completely outside of academic issues.

19 MS. PEARSON: It's a measure of school --
20 school quality or student success. So there's -- the in
21 the law there are some measures of advanced coursework
22 especially for Postsecondary Workforce Readiness or it's --
23 can be -- it's -- the examples they give it more time. I
24 think that there could be some examples of that that we
25 could figure out for elementary and middle to that are more



1 academic. But it's really it was put forward as an
2 opportunity to think beyond because we hear a lot of
3 criticism that while we're holding schools accountable for
4 those outcome measures on the state assessment. So it's an
5 opportunity to think about other things that schools and
6 districts are responsible for being on that.

7 CHAIRMAN. DURHAM: Dr. Scheffel.

8 MS. SCHEFFEL: Could it be related to
9 literacy and reading. I mean, I know we assess English
10 Language Arts per say and as a state with (inaudible). I
11 mean this is our ESSA state plan and we know that literacy
12 correlates with student success so very highly as a gateway
13 skill. I mean why would we make it an academic additional
14 assessment or additional indicator, suggesting that, you
15 know evidence-based practices are used to fidelity. And
16 that they impact student achievement giving students the
17 skills to be successful in other areas.

18 CHAIRMAN. DURHAM: Okay. Ms. Pearson.

19 MS. NELSON: Thank you for that very helpful
20 feedback. The next decision point that we will be
21 discussing in, on the January 26 meeting is the long term
22 goals and interim measures. This is one where options and
23 recommendations have been developed. The green font
24 represents the recommendations of the committee as of
25 November 16th without having seen the final regulations.



1 And the first one is where there is not alignment with the
2 finalized regulations and that is the recommendation had
3 been to use mean scale score. But as Alyssa pointed out
4 earlier the final regulations are requesting that -- are
5 requiring that we use percent benchmarks.

6 So this is an area of misalignment that we
7 are going to be looking to you all for direction on, do we
8 continue to do what's best for Colorado students or do we
9 align ourselves better with final regulations? The grad
10 rate is also another area of misalignment in that the
11 statute says four years can -- the four-year grad rate can
12 be used and at the state's discretion the extended grad
13 rate can also be added. Final regulations called for using
14 the four-year only in identification of schools. So we
15 would say the long term but the recommendation of the
16 committee is to use four year and extended year for setting
17 long term goals and interim measures for schools.

18 The next two decisions are pertaining to
19 methodology that we will use and the options are to use
20 historical data or criterion reference and a timeline of
21 five to 10 years. And for the interim targets we can
22 either use the same interim targets for all disaggregated
23 groups or differentiated by disaggregated group and we can
24 increase the targets annually every two years or every
25 three years. So if there are specific information that you



1 guys would like to see or hear about more in detail before
2 or during the next session so that you can help pinpoint
3 those final recommendations.

4 CHAIRMAN. DURHAM: Dr. Schroeder.

5 MS. SCHROEDER: Provide us please with an --
6 with an example of disaggregated groups being
7 differentiated. I really worry about that, because the
8 goals need to be attainable. And the starting point is
9 different but the message it sends is not right either.

10 MS. PEARSON: So the -- the law is clear and
11 I need to go back, this is one part of the final regs that
12 I wasn't clear on. The end goal, that long term goal needs
13 to be the same for everybody. That is fixed it's -- like
14 think back to AYP days when you had 100% of the end, right?

15 MS. SCHROEDER: (Inaudible) right.

16 MS. PEARSON: Like whatever it is that it's
17 a -- each group has the same end goal. We need to check in
18 the regs but there maybe some flexibility so that the
19 individual disaggregated groups have the same end goal but
20 because of their starting points being different you have
21 different interim targets along the way.

22 MR. CHAPMAN: That's -- that's the way I
23 interpret it.

24 MS. PEARSON: Is that --



1 MS. SCHROEDER: (Inaudible) was different
2 timelines?

3 MS. PEARSON: What?

4 MS. SCHROEDER: Different time lines then?

5 MS. PEARSON: Same time lines to get the --
6 to the end goal but different targets along so there -- the
7 -- some groups may have a much steeper set of targets to
8 get up here where other groups are closer so their target
9 to account like that. But I think that's -- I think it's
10 an important thing for us to consider because we've never
11 done that in the state.

12 MS. SCHROEDER: Right.

13 MS. PEARSON: We've always had the same
14 targets for our students.

15 MS. SCHROEDER: Right. Right. I worry
16 about it a little bit.

17 MS. PEARSON: Yeah.

18 MS. SCHROEDER: Thank you.

19 MS. NELSON: We'll also be discussing
20 minimum end of student groups and disaggregated groups.
21 And there's two sub categories -- sub -- sub decisions that
22 need to be considered. One, is the minimum end that's to
23 be used for accountability when especially once we start
24 breaking down into disaggregations. There's three
25 different options that were being posed under that decision



1 point. And then the next cat -- decision point is race
2 ethnicity category. We have the option of using the
3 overall minority but as was mentioned earlier, the final
4 regulations specify that we have to use each major racial
5 group and ethnic group separately. And this is an area --

6 CHAIRMAN. DURHAM: Dr. Schroeder.

7 MS. NELSON: -- where we are going to be.

8 CHAIRMAN DURHAM: Excuse me.

9 MS. SCHROEDER: You are just flying through
10 this stuff and I understand why --

11 MS. NELSON: Okay.

12 MS. SCHROEDER: But I don't see how minimum
13 end is -- if that discussion is going to be helpful as you
14 explain why each of those decisions matter to my
15 colleagues. I'm sorry.

16 MS. NELSON: That's okay. I just I'm trying
17 (inaudible).

18 MS. SCHROEDER: I know, I know and
19 (inaudible) and you know we sat -- we sat for six hours on
20 Monday and it was totally overwhelming --

21 MS. NELSON: Yeah.

22 MS. SCHROEDER: -- to go to the materials in
23 six hours. And now we're doing it --

24 MS. PEARSON: Even shorter.

25 MS. NELSON: Even shorter.



1 MS. PEARSON: Yeah.

2 MS. SCHROEDER: But I don't, I -- I fear and
3 always and I'm challenging you guys a bit is that I think
4 that come January and February, if we don't -- if we don't
5 deeply understand a few of these decision points, you're
6 going to have to go back to the basics and so we might as
7 well get to the basics right now.

8 UNIDENTIFIED VOICE: We only have 10 minutes
9 though, right? And then what's our option and then come
10 back to that --

11 MS. SCHROEDER: What do you -- do you know
12 about the ends. I mean, do you care about the ends?

13 UNIDENTIFIED VOICE: No, no. But I think
14 (inaudible) timeline in 10 minutes (inaudible).

15 MS. SCHROEDER: It worries me. Yeah. I
16 mean, I don't know. You guys decide.

17 CHAIRMAN. DURHAM: Is -- I think we've had
18 this debate somewhat on the -- the minimum number. And --
19 and -- and the effect was that -- that there were a number
20 of districts for which there were no reports or subgroups
21 for which there were no reports. Which led to I think some
22 of the press being critical that somehow something was
23 being hidden when in fact you were protecting student
24 privacy. And as I told a member of the press it isn't our
25 job to make their job easy.



1 UNIDENTIFIED VOICE: That is the issue. The
2 issue there is the tech -- Is the really technical --
3 (inaudible).

4 CHAIRMAN DURHAM: It -- It's a very -- It's
5 a very technical issue but --

6 MS. SCHROEDER: For growth.

7 CHAIRMAN. DURHAM: -- but we did -- we did
8 adopt the 16 as I remember by a vote. I think that's still
9 the standard. And -- and I think that at least what we'll
10 have to look for is whatever standard we choose protects
11 individual privacy. And if (inaudible) can't figure it out
12 that's their problem.

13 UNIDENTIFIED VOICE: (Inaudible).

14 CHAIRMAN DURHAM: Not on my -- my list.

15 UNIDENTIFIED VOICE: The question is whether
16 we go to (inaudible) and that has to do -- that's a --
17 that's a different issue.

18 CHAIRMAN DURHAM: And I understand and it
19 may be different issue, but I know where I stand on that
20 issue already. So -- so any rate I think will go through
21 the details later (inaudible) because that debate maybe
22 important but the -- the -- the issue is really simple,
23 it's a balance between privacy and disclosure. Dr. Flores.



1 MS. FLORES: I just would like to ask a
2 question. Did the -- is it the feds that are asking for 20
3 or is it the state or -- or -- I thought --

4 MS. NELSON: The statute requires that we
5 identify a minimum end that is statistically sound and in
6 addition, protects personally identifiable information. So
7 historically we have used minimum of 16 to protect student
8 privacy and we don't report anything publicly that has a
9 greater or less than 16 within a given cell. Twenty is a
10 gross minimum end because less than 20 the median gross
11 percentile becomes more volatile and it's much more stable
12 if we use 20 or larger. So that's the explanation for why
13 we have landed in those numbers.

14 MS. SCHROEDER: And then do we -- do we go
15 ahead and fight with them and say we want to --

16 MS. NELSON: Yeah.

17 MS. SCHROEDER: -- stick to 16 for
18 achievement and 20 for growth --

19 UNIDENTIFIED VOICE: Uh-huh.

20 MS. NELSON: Yeah.

21 MS. SCHROEDER: -- or do we -- basically do
22 we change it to 20? That's the question (inaudible) item.

23 UNIDENTIFIED VOICE: Yeah. Yeah. Yeah.



1 MS. NELSON: And what -- Sorry. And the
2 final regulations do require the same -- the same minimum
3 end so --

4 MS. SCHROEDER: Right. And I don't care
5 what the final (inaudible).

6 MS. NELSON: Okay.

7 MS. SCHROEDER: Right. I mean, that's why
8 we should talk about (inaudible).

9 CHAIRMAN. DURHAM: (Inaudible) the
10 regulation.

11 MS. PEARSON: Talk about it.

12 CHAIRMAN. DURHAM: Okay.

13 MS. SCHROEDER: (Inaudible).

14 MS. PEARSON: And I think what --

15 CHAIRMAN. DURHAM: Yeah.

16 MS. PEARSON: What are the really helpful
17 for you -- for you all is when we run these numbers, and
18 show impact in schools included and not in groups included
19 and not and what happens we'll have that ready for January
20 because I think that's what you need.

21 MS. SCHROEDER: Yeah.

22 MS. PEARSON: Next step with that same with
23 her.

24 MS. SCHROEDER: Thank you. Thanks for the
25 detour.



1 UNIDENTIFIED VOICE: Okay. Sure.

2 UNIDENTIFIED VOICE: And finally the
3 decision point there, we're going to be wrapping up with
4 which will be a nice segue to your next presentation. As a
5 method for identifying and exiting schools for support and
6 improvement. The state has to set the criteria and the
7 methodology for identifying and exiting schools from the
8 comprehensive support category. And we have to set the
9 method and criteria for identifying schools for targeted
10 support. However, the districts would be responsible for
11 determining how long and what the exit criteria would be
12 for exiting from the school targeted support status.

13 There are -- there are about seven sub-
14 decisions that have to be considered in order for us to be
15 in a position to write a state plan that defines how we're
16 going to meet these criteria. These are listed here, the
17 green fonts represent again the recommendations of the
18 committee. The first thing that we have to identify is how
19 we're going to identify or define our lowest performing
20 five percent. And the options include using percent --
21 percent points earned on the SPFs or the plan type and the
22 recommendation is going to be used the percent points.

23 There are pros and cons to each one of those
24 that are discussed in our PowerPoint that we have on the
25 website. And then there's decisions around how many years



1 of data will we use to identify schools. Once they're
2 identified how long would they stay. As I get in that, I
3 have identified category and how often will we identify
4 schools. The statute requires that we do it every three
5 years so the option would be we could do it annually, every
6 other year, or every third year and there again pros and
7 cons to each one of those options.

8 And here's where there is disconnect between
9 what the work of the accountability spoke group has been
10 and the recommendation in comparison to what's in the final
11 regulations and the accountability spoke group feels that
12 the four year plus extended year will be the best for
13 Colorado high schools, and it's the most fair and equitable
14 measure for identifying schools as comprehensive.

15 For in need of comprehensive support is by
16 adding that extended graduation rate. However, just again
17 the final regulations require the use of four year grad
18 rate only. We do have to also identify an addition -- an
19 additional category of schools for additional targeted
20 support. And that definition is that any school that on
21 its -- has a subgroup of students that on its own meet the
22 -- meet the criteria for the lowest five percent would be
23 identified as additional targeted.

24 And if they don't meet the state defined
25 exit criteria within a certain number of years then they



1 would be moved up into that comprehensive support. Again
2 this is a decision that has a lot of pros and cons and some
3 of the factors that need to be considered is the states
4 capacity to support and provide funding to all of these
5 schools that are identified as comprehensive. That
6 targeted school --

7 MS. SCHEFFEL: May I ask you a question?

8 CHAIRMAN DURHAM: I'm sorry. Dr. Scheffel.

9 MS. SCHEFFEL: Is the -- can you -- I know
10 it's probably a longer question but in terms of the support
11 that's provided to schools in these categories. Is it
12 analogous to what's provide -- provided for -- provided for
13 turnaround schools or is it a different kind of support?

14 UNIDENTIFIED VOICE: There's -- that's the
15 decision point that's gonna be presented to you by the next
16 spoke. But I can tell you just in general that there's
17 gonna be a variety of options available, some of which will
18 resemble the current turnaround.

19 MS. SCHEFFEL: Thank you.

20 UNIDENTIFIED VOICE: And the targeted
21 schools are schools that have under -- consistently under
22 performing subgroups. And there's a couple of sub -- sub-
23 decision points including how many years of data are we
24 going to use to identify schools. The final regulations,
25 this is another area of misalignment with the final



1 regulations and that they indicate that you cannot -- we
2 can only allow up to two years or we have to justify why we
3 need more data. But the term consistency to our sub
4 committee really made them feel like three years of data is
5 how you would identify a school that's consistently under
6 performing for that subgroup.

7 The requirement is that the -- we define
8 targeted schools using all indicators that are in the
9 accountability system. And the term all indicators can be
10 defined in a variety of different ways. It can be all
11 indicators for which a school has enough data to be
12 assessed on that indicator. It can be when they have
13 enough data for all of the indicators. In other words if
14 they don't have a large enough subgroup for one of those
15 indicators then they would not be in the calculations. Or
16 we can set a minimum of three indicators that are required
17 or another number of indicators that need to have enough
18 students to be calculated, or in the calculations before
19 that school can be identified for targeted support.

20 In other words the recommendation is that we
21 don't base that on one indicator. If a school only has
22 English learners for example, or has English Language Arts
23 Assessment, achievement results, only for their English
24 language learners but they don't have any growth or they
25 don't have language -- they don't have a large enough in



1 size for any of the other categories then they would not be
2 identified just based on that one indicator. So if you
3 could please make comments and requests for additional
4 information and especially areas where we flew through
5 today. If you could let us know how much time would be
6 helpful to set aside for discussion and consideration for
7 some of those topics then we can try to accommodate your
8 requests by the January 26 session.

9 CHAIRMAN DURHAM: Thank you very much.

10 MS. PEARSON: So you -- you all have one
11 more session -- session in here that --

12 CHAIRMAN DURHAM: We can go on (inaudible).

13 MS. PEARSON: Do you wanna do that first?

14 CHAIRMAN DURHAM: Basically it's 10 minutes
15 only. All right.

16 MS. PEARSON: Okay.

17 CHAIRMAN DURHAM: Kurt.

18 UNIDENTIFIED VOICE: Please go ahead when
19 you are ready, whenever you're ready.

20 MR. SHERMAN: Good Afternoon. Good morning,
21 I guess. We are representing -- I'm Peter Sherman. Lisa
22 Medler, Brad Bills we're representing the School
23 Improvement Spoke Committee for ESSA. Our goal today was
24 to share with you similar to the other groups just some
25 overview of some of the three decision -- different



1 decision points that we are focused on with our committee.
2 I know we do -- we're not asking for your decision on
3 those points today but rather to give you some background
4 and to give you an overview of -- of some of the work that
5 our school committee has been working on.

6 There are a couple of folks from the Spoke
7 here who just want to acknowledge folks. We have about 25
8 people on this committee from a variety of schools,
9 districts and -- and different organizations across the
10 state. One of the tools that we -- we've developed a
11 survey as well which will -- we're planning to have go live
12 later today or tomorrow. It'll go out to this -- to our
13 school committee as well out -- as well as out to the
14 public. And Bizy's sharing the suit to look a little bit
15 different online. But this is these are the three
16 different decision points. So we wanted to share that with
17 you today because there are pros and cons and some of the
18 details within this that -- that will help you as you
19 consider and we would welcome your -- your -- your input
20 into this as well.

21 So the three different decision points that
22 are -- that we're focusing on in this committee are around
23 the SCA or the CDE supports for identified schools. The
24 evidence based interventions is something that's written
25 out specific in the -- in the statute. And the allocation



1 of School Improvement resources and how resources are
2 allocated (inaudible) to different schools and districts
3 across the state. I'm gonna go through these fairly
4 quickly just given the time frame. So and this slide
5 represents an overview of some of the different components
6 of the supports that we have as Nazie was -- and Alyssa
7 were just explaining there are identification for two
8 different types of schools, targeted schools and
9 comprehensive schools. And so we've broken that down in
10 this slide.

11 Three of the big components are around
12 planning and evidence based interventions and around
13 different menus of supports. In terms of plans under ESSA,
14 schools that are identified as comprehensive they need to
15 submit their -- their improvement plans to CDE and we
16 review them and give them feedback. To the targeted
17 schools do not need to do that. Under ESSA we have to
18 identify evidence based interventions. We're -- we've
19 talked about a lot of different ways to do this but
20 generally for targeted schools the -- that burden lies on
21 the district.

22 For the comprehensive schools, we see it as
23 somewhat of a continuum as schools -- as schools engage in
24 different support programs that those programs would be,
25 may have entered more specific or more prescribed



1 interventions or strategies that would be part of those
2 support services. And then again on the sort of the menu
3 of supports I think to your question Dr. Scheffel, as Nazie
4 said some of the supports would be things that we -- the
5 support structures that are currently offered and some
6 would be new or different support structures.

7 We see the comprehensive schools as needing
8 and as getting access to and having eligibility for more
9 intensive supports over time. I'll skip to these two
10 slides, so just on that question about supports some of the
11 structures around supports that we know are -- are
12 important around needs assessments, around goal setting and
13 action planning, around applying for co -- for funds. So
14 thinking about our consolidated application and the funding
15 -- and funding that goes out to support these support
16 structures, consultation with districts and with schools.

17 The idea of short cycle performance
18 management or progress monitoring, so that we can support
19 schools and districts to know in much shorter intervals how
20 they're doing and what are those indicators are of their
21 success. So that if they need the course correct or change
22 direction they can do that. And then to help both them and
23 us evaluate the work that we're doing and the planning that
24 they're doing. We will share with you, I know there were
25 questions yesterday, as well there maybe today around the



1 impact of the support structures that we offer and we will
2 -- we our intention. And hope is to be able to have the
3 opportunity to share some of those impacts with you in
4 January when we meet with you again.

5 MS. SCHROEDER: Can I --

6 CHAIRMAN DURHAM: Yes, please.

7 MS. SCHROEDER: Can I just interrupt? Can
8 you also give us a report on the -- the activities that you
9 have. I -- I know you go out and help districts, but if a
10 district says no, I don't want your help and they should
11 want it. I think those are important numbers too. Are we
12 really helping the ones that should be asking for it and
13 should -- and do need it? Just to give us an idea of the
14 numbers.

15 MR. SHERMAN: Sure. I'll be glad to prepare
16 that for you.

17 MS. SCHROEDER: (Inaudible). Breakdown the
18 (inaudible). I really like it.

19 MR. SHERMAN: Of course.

20 CHAIRMAN DURHAM: Yes, Dr. Scheffel.

21 MS. SCHEFFEL: How do you close the gap
22 between saying and doing? So, you know we hear a lot of
23 feedback on the unified improvement plan and the voluminous
24 document that it is. In the back and forth that occurs
25 when schools submit it and then they get some changes and



1 then they resubmitted and then when you look at the
2 language here, goal setting, action planning, consultation,
3 short cycle performance management tools, whatever they
4 are. Is lots of language here. But when it comes down to
5 it, you're in a classroom with a teacher and kids and some
6 curriculum and some instructional practices and some data,
7 whether formal or informal. And things have to be going
8 on to create cognitive change with the conditions for it.
9 How do you get to that when we're in a sea of language?

10 MS. NELSON: Sure. So I think if you think
11 about what's being offered as a continuum of services. The
12 plan is just one of the -- just one piece of that process.
13 So the plan is a way that -- to actually get specific and
14 concrete to write it down. That's not the end necessarily.
15 In some cases it may be. Those that are perhaps earlier on
16 our accountability clock, that might be enough for them to
17 motivate action and follow up on it. So the state may not
18 necessarily need to be involved. Some of these more
19 intensive supports that have been laid out though do
20 involve much greater participation by the state and by the
21 district and more visits, and much more direct interaction
22 with the staff. So getting at some of those behaviors and
23 really addressing some of the issues that you're bringing
24 up. So the plan is just one potential piece of a -- a wide
25 variety of strategies.



1 MS. SCHEFFEL: (Inaudible) follow up
2 question.

3 CHAIRMAN DURHAM: Yes please.

4 MS. SCHEFFEL: I guess what I'm getting to
5 is the impact of embedded coaching. When people are
6 actually invited in as a guest and yet as a -- as a person
7 with expertise and is actually in the classroom, because a
8 lot of this language one has to picture what it really is.
9 Like in any kind of change that any of us are seeking. You
10 have to see what it looks like, and if somebody comes
11 alongside in a very authentic way in an actual classroom as
12 opposed to an imagined one, that can really subserve some
13 changes to combat instinct really isn't set up to do that.
14 And so I'm just saying when we look at assistance, what --
15 where's the role for embedded coaching?

16 MR. SHERMAN: Just a quick answer in
17 response to that question there are across a number of
18 different support structures. I think we do touch on some
19 of the pieces that you're talking about. We have a lot of
20 -- we have a number of grants and we have a number of
21 different programs where we invite people to visit other
22 schools. Often for very targeted reasons to say hey maybe
23 there's a school that needs to really build up their --
24 their PLCs or their Professional Learning Communities. So
25 we may bring a group of staff or administrator to another



1 school that's doing that particularly well. So there are
2 ways that we do that and I think to Lisa's point and to
3 your earlier question, the progress monitoring tools are
4 some of the forgive the jargon that's on the slide but some
5 of the language that we've put up there, these are tools
6 and ways to support school staff to say how are we
7 monitoring what we're -- what our goals are and how that's
8 working and what impact it's having.

9 MS. SCHEFFEL: So just one follow up, I
10 guess I would say that if that could be 90 percent of it
11 and the rest of his planning could be 10 percent it might
12 get a bigger bang for the dollars just because this is
13 what's been going on as and I have discussed for decades,
14 you know trying to figure out how to make the money work.

15 MR. SHERMAN: Thank you.

16 MS. SCHEFFEL: And -- and, you know,
17 planning is great but doing is really off.

18 MR. SHERMAN: Thank you.

19 MS. SCHEFFEL: Execution.

20 MR. SHERMAN: Right. At least I'm
21 knowledgeable.

22 MS. PEARSON: Okay. So onto the second
23 decision item. I will not actually just in the interest of
24 time go through in detail the pros and cons that were laid
25 out by the Spoke Committee. I do, you know, in -- in



1 recognition of the conversation that was had on Monday with
2 the Hub Committee though I will point out that it was
3 brought up that these don't necessarily need -- doesn't
4 need to be set up as a pure dichotomy of one way or
5 another, they can be a blend of the two. And that is
6 certainly an option. But the Spoke really did spend some
7 time laying out what it would mean to have a pre-approved
8 list of, you know providers, partners, strategies,
9 interventions.

10 So there are certainly some pros and there
11 are certainly some cons on either side. But there's cert -
12 - there's a lot of gray in between and some different ways
13 to blend those together. There's an example of one on
14 there in -- in yellow and that is maybe pre-approving and
15 some circumstances when we're working more intensively with
16 sites and then really just leaving much more to the sites
17 to identify and certainly providing tools and ways to
18 select some of those evidence-based interventions though.
19 So I'm gonna pass along to Brad though because that is
20 definitely where with a minuscule amount of time, you're
21 gonna want to spend most of your time. Okay.

22 MR. BILLS: We could advance to that nice
23 little pie chart.



1 UNIDENTIFIED VOICE: Oh, yes, yes. Oops,
2 I'm going backward though. Didn't I? No, I didn't -- I
3 did turn it right.

4 MR. BILLS: So whenever we have this
5 conversation we -- we always want to give a bit of
6 perspective regarding the -- the funds that we're talking
7 about here. So the entire pie represents our Title I funds
8 that this -- this state receives every year and then
9 allocates out to districts. So as you can see the majority
10 of that is allocated out to districts on a formula basis.
11 The pie piece that we're speaking about today is a yellow
12 pie piece or orange pie piece which represents seven
13 percent of our that Title I allocation which now the state
14 must set aside to support schools that have been identified
15 for improvements. So that's comprehensive support and
16 targeted support schools.

17 That seven percent, if you take \$150 million
18 and take some percent off the top is \$10.5 million
19 approximately on an annual basis that the state must
20 distribute to districts with a large number of these
21 schools. So 95 percent of that seven percent must go to
22 districts to implement evidence-based strategy in the
23 schools that are struggling. So one of the decisions that
24 we are -- are working through as a Spoke, is whether to



1 distribute those funds on a formula basis, on a competitive
2 basis, or perhaps on a hybrid.

3 So there are some pros and cons on -- on the
4 sheet in front of you and I do want to make it quite clear
5 that regardless of how these funds are distributed, the
6 schools and districts have to develop a plan on how they're
7 going to be using those funds. So that's one of the things
8 that I think there's a bit of confusion when we talk
9 formula that the funds just flow to the -- the district and
10 they can use them for whatever they want. The -- the law
11 is quite clear that they -- the schools have to develop a
12 comprehensive plan on how they're going to be using those
13 funds to address their -- their greatest needs.

14 CHAIRMAN DURHAM: Dr. Flores.

15 MS. FLORES: We couldn't use that money to
16 give to the -- to that five percent. That's not doing well
17 and -- and -- and possibly saying well if you, ESL, I mean
18 if you have a large population or second language learners
19 maybe this money could be used for ECE, you know earlier
20 for these -- for these kids. I mean that's the strategy,
21 and it's worked for some states instead of, you know this
22 RFP and I'm sure it takes a lot of time to write the RFP
23 and then targeted to, you know you going to be at Denver
24 which is about \$750 million, close to a billion dollars



1 will you get that money to them or will you give it to, you
2 know someone that really needs it.

3 MR. BILLS: That's a -- that's a great
4 question and that is -- those are some of the questions
5 that the school improvement support, school Improvement
6 Spoke are working through how to distribute those funds in
7 a meaningful way. One of the things the law does require
8 is for us to -- to -- to allocate a large portion of those
9 funds to those -- those that lowest five percent.

10 So in the regulations, if you remember in
11 earlier conversations the regulations required us to -- to
12 set aside \$500,000 for each of those comprehensive support
13 schools. That would go away very quickly. So if we're
14 identifying 47 schools and -- and I just a conjecture at
15 this point how many schools will we be identifying for
16 comprehensive support? But if -- if we had to set aside
17 that \$500,000 for each of those schools, we'd only be able
18 to serve 22 of those proposed 47 schools.

19 So that -- that creates a bit of an issue.
20 Then the regulations that were finalized still does have
21 that language in the regulations but it does allow an
22 opportunity for the states to determine an amount that we
23 believe could have a positive impact. So we're not
24 necessarily locked into that \$500,000 for each
25 comprehensive support schools. So one of the decision-



1 items would be what is an amount that could have
2 significant impact on these schools. And how can we
3 distribute those funds in a way that will could impact the
4 largest number of schools that are under-performing.

5 CHAIRMAN DURHAM: Dr. Schroeder.

6 MS. SCHROEDER: Am I dreaming or were there
7 some actually some numbers that talked about \$460 per kid
8 and where was that? Was that in our materials for Hub or -
9 -

10 UNIDENTIFIED VOICE 2: It seems -- it seems
11 to get into a little -- a little bit more granular than
12 helping us make a decision.

13 MR. SHERMAN: As a follow up to the Hub
14 meeting, I think we -- we generated some responses to some
15 of the questions that came up in relation to this, and so
16 we sent that to you, I think a couple of weeks ago.

17 MS. SCHROEDER: Okay.

18 MR. SHERMAN: Sort of the what -- what this
19 funding does to the per-pupil amounts and how much might be
20 awarded per-pupil.

21 MS. SCHROEDER: And how little difference
22 theoretically it could make, right?

23 MR. SHERMAN: Yes.



1 MS. SCHROEDER: If we just distributed as
2 opposed to having some grants that have a subs --
3 substantive amount of money.

4 MR. BILLS: Correct. And -- and that's --
5 that's again one of the -- the, I think misconceptions is
6 that even -- even through formula, the state has to
7 determine an award amount that is going to have a
8 significant impact. So we don't believe -- I don't believe
9 that we could just distribute, take the funds and divide it
10 by the -- divided it by the number of schools that have
11 been identified and distributed in that manner because you
12 will get down to like \$3,000 per school which obviously
13 would not --

14 MS. SCHROEDER: Would not make difference,
15 yeah.

16 MR. BILLS: -- have any significant impact.
17 Well --

18 MS. FLORES: Were you sent in schools and --
19 and then you have 10 million or something? Why not just
20 give them, to -- to -- to those schools instead of, you
21 know all these bring them along with the RFP. Some
22 districts may not have the capacity or the people to
23 respond to your RFPs?

24 MR. BILLS: Right. Regardless again whether
25 we distribute it to them, they will have to develop a plan



1 on how they're going to be using those funds to address --
2 to address the needs in that -- in that specific school.

3 CHAIRMAN DURHAM: Dr. Schroeder.

4 MS. SCHROEDER: Talk to me about how using a
5 BOCES could help to have a greater impact. Have those
6 funds have a greater impact if you've got two or three
7 districts within a BOCES that are, say comprehensive?

8 MR. BILLS: Yes. So we are identifying
9 schools for -- for improvement, not districts. So there
10 might be a BOCES that has several districts in their -- in
11 their or several schools in their district that might have
12 been identified. So there could be an opportunity for them
13 to leverage some of the --

14 MS. SCHROEDER: Have we done that in the
15 past that you can recall?

16 MR. BILLS: As far as the funds -- as far as
17 the funds that I administer for school improvement funds,
18 those are -- have been administered at the school level.
19 But in our consolidated application we do have BOCES that
20 administer the Title I, the blue -- the big blue pie piece
21 so they can leverage the funds to increase. Because some
22 of the districts receive such a small amount, they pool
23 that, those funds together. They can receive the
24 professional development that -- that could impact, for
25 example could impact in (inaudible).



1 MR. SHERMAN: A BOCES could apply on behalf
2 of a couple of districts that have schools that have been
3 identified for comprehensive or targeted improvement. So
4 if a BOCES has a few couple of member districts they could
5 be the applicant and the fiscal agent of these funds and
6 provide some of the services.

7 MS. SCHROEDER: Right. And have a bigger
8 impact, a larger amount of money and a bigger impact. And
9 I'm just trying to think of some different ways to do this
10 because it -- I understand there are some worries that we
11 won't even get what we think we're gonna get --

12 CHAIRMAN DURHAM: Uh-huh.

13 MS. SCHROEDER: -- for Title I.

14 CHAIRMAN DURHAM: Dr. Flores.

15 MS. FLORES: I think I was heard. I was --
16 I really suggested that we give the monies to classrooms,
17 to -- to teachers, to schools that really need it. And I
18 mean, the research that was reported in The New York Times
19 yesterday, you know we've -- we've been under this kind of
20 impression that throwing that well, I'll use the term
21 that's used by the opponents of giving schools more money,
22 and that is throwing money at schools doesn't do anything.

23 But these several studies including this
24 real -- really big one yesterday has on finance has been
25 showing that it does help to give the monies to these very



1 low performing and schools that are -- are poor. And so
2 Connecticut yesterday, I think it was yesterday or the day
3 before really cited that they needed to give, Connecticut
4 needed to provide more monies for these poor schools. So I
5 think that the research is just mounting to say that we
6 need to provide, we need to give more monies to these
7 schools that are poor and low performing.

8 MR. SHERMAN: I think the idea is that the
9 funds will go to the schools, that's I think part of the
10 discussion is how best to do that. Either competitively or
11 formula, formulaically or as a hybrid. I think Brad is
12 almost to the -- that point.

13 UNIDENTIFIED VOICE: Right.

14 UNIDENTIFIED VOICE: (Inaudible) like.

15 MR. BILLS: Right. So -- so those -- those
16 are some of the questions we'll be working through is
17 should it be through formula only, should it be
18 competitively only or could it be a hybrid? And so the
19 survey in front of you has again the pros and cons. We
20 certainly appreciate your input prior to when we return to
21 you on January 26th, so that we can have your input for us
22 directions you think we should take thoughts that you might
23 have to help us as we formulate our response to how we'll
24 be distributing -- distributing those funds.



1 MS. SCHROEDER: Some hypothetical numbers
2 would be helpful.

3 CHAIRMAN DURHAM: Go ahead, Dr. Flores.

4 MS. FLORES: I don't want -- I don't want to
5 be crass but I -- I just want to, I mean I'm thinking how
6 much do you cost, how much do you cost and how much, you
7 know is this whole system cost and how much do the BOCES
8 cost? And I'm thinking some school districts might really
9 just want that money in that classroom. All this money
10 because I know you guys cost a lot of money and I know
11 those BOCES people cost a lot of money. But if we gave
12 that money to schools that are -- that really have a need,
13 I -- I'm just wondering whether that money would be better
14 spent that way.

15 UNIDENTIFIED VOICE 1: Okay.

16 CHAIRMAN DURHAM: Thank you very much.
17 Okay. Any other -- yes, Ms. Rankin.

18 MS. RANKIN: Did the -- did the committee
19 have a -- a -- a recommendation on which area they would
20 like to (inaudible).

21 UNIDENTIFIED VOICE 1: So it's a good
22 question and I know we're trying to rush through so much of
23 this. So it's kind of hard to -- to understand the full
24 process. The Committee is voting on these now, so they've
25 -- we spent the last couple months really digging in and



1 this is -- this particular issue is big topic of
2 discussion. They're -- they're gonna get this survey and
3 so that we'll have some numbers on kind of where they're
4 hedging on these decision points so that you'll always have
5 that sense of that -- of what they've said and then
6 remember we've got information from the listening tours and
7 other feedback from and we'll get more it, we'll get more
8 information from the public. But we'll be able to separate
9 out specifically the Spoke Committee and where they -- how
10 they tended to vote on this decision points.

11 UNIDENTIFIED SPEAKER 1: Thank you.

12 MR. SHERMAN: We will share that with you
13 when we return (inaudible).

14 CHAIRMAN DURHAM: All right. Yes.

15 MS. SCHROEDER: You know, I would just like
16 to -- to say one thing. I -- I think about this after I
17 leave but I've been out in the field a lot. And Mr.
18 Sherman I have to tell you I get a lot of compliments about
19 CDE and the work that you do for the districts. And I -- I
20 just wanna commend you for that because when I'm out there
21 and it's a small school district and they say, We've
22 reached out to CDE and they've been very helpful, I -- I
23 just don't think we hear that enough and I'm hearing it on
24 the field and I appreciate it. Thank you.



1 CHAIRMAN DURHAM: Thank you. I do have one
2 final wrap up question which no one should feel obligated
3 to answer. If it's causing embarrassment and all but I
4 think we're talking here this ESSA plan. And we're talking
5 about its impact on about \$150 million of funding. Is that
6 correct, Mr. Sherman?

7 MR. SHERMAN: Yeah. On Colorado receives
8 around 150 million annually under Title I.

9 CHAIRMAN DURHAM: And so -- so 150 million
10 out of what do we spend total in the States 6.8 billion in
11 state and local share, sound about right? No -- no -- no
12 one ever treat \$150 million casually but it's not an
13 enormous percentage of effort. And yet the staff, this
14 department staff has labored mightily to try and comply
15 with these requirements. And I think the effort you've
16 made will ultimately pale in comparison while the effort
17 will have to be spent by the 179 school districts in the
18 state to comply. So the question is and in your opinion,
19 and I just will ask Ms. Pearson, Mr. Chapman same question
20 that you said don't feel obligated to answer. In your
21 opinion, will the majority of the students of the State of
22 Colorado or for that matter are a significant minority of
23 the students get any better education as a result of this
24 exercise? And if it's a put on too much of a spot just say
25 that's a very good question.



1 MR. SHERMAN: Well I think that's -- that is
2 a very good question and I think that's the -- we're trying
3 to develop a plan that will result in as many students
4 receiving direct -- the -- the direct benefit of these
5 funds as possible. So I think the idea is to really get
6 the funds to a place where they can have a -- a real impact
7 on real life kids. So I would -- if I were a betting guy
8 which I'm not, I would say that yes they -- they will
9 ultimately result in better things for Colorado students.

10 CHAIRMAN DURHAM: Thank you, Mr. Sherman.

11 MR. SHERMAN: Our goal is to do that with
12 this little administrative burden as possible and to
13 leverage them as much as we can.

14 CHAIRMAN DURHAM: Thank you very much.

15 MS. PEARSON: Mr. Chair can I add to that?

16 CHAIRMAN DURHAM: Yes. You're (inaudible).

17 Ms. Pearson the (inaudible).

18 MS. PEARSON: I'm trying to make a lot of
19 eye contact here --

20 CHAIRMAN DURHAM: Yeah.

21 MS. PEARSON: -- but it's difficult. I -- I
22 do think that there is -- there's different impacts of the
23 Title I dollars for different school districts. And I
24 think for some school districts that impact would be large.
25 We do have an evaluation of some of the impacts of our



1 previous dollars, and there are some successes there. It
2 doesn't mean they're all successes but there are some
3 successes and some school districts have made great use of
4 that -- that -- those dollars to see improvements for
5 students.

6 CHAIRMAN DURHAM: Thank you very much.

7 MR. SHERMAN: Okay. Thank you guys.

8 CHAIRMAN DURHAM: All right. I think we'll
9 now start to -- we have -- we have Mancos for about 45
10 minutes scheduled.

11 DR. FLORES: Could we -- we take a break?

12 CHAIRMAN DURHAM: Yes, we can. Go ahead.
13 While they're setting up, we'll take a break, Dr. Flores.

14 DR. FLORES: Thank you.

15 CHAIRMAN DURHAM: Uh-huh.

16 UNIDENTIFIED VOICE: I know, nobody's paying
17 attention to me. He's -- he's asked me to do it. Yes, he
18 did. Lets start.

19 UNIDENTIFIED VOICE: (Inaudible).

20 CHAIRMAN DURHAM: Please don't break my nice
21 systems. Yeah (inaudible). I wanted to work for best
22 promotion system when I was a cable director. So anyway,
23 (inaudible) back to Washington (inaudible), and I don't
24 blame him. All right. Where are we? Steve needs to read
25 the introduction. That's where (inaudible).



1 Okay. Next item on the agenda is a
2 consideration of the Mancos School District Innovation
3 Application Contingent Plan. Before we begin, why don't we
4 wait for the motions until after we've had the
5 presentations. I think it would be more appropriate and
6 we'll take those. And since we have the item off the
7 consent agenda, we have a couple of motions to consider.
8 So why don't we start with to -- Brian Hanson, who's not
9 here, he's on the phone I presume. Brian are you there?

10 MR. HANSON: Yeah, I'm here.

11 CHAIRMAN DURHAM: The beauty of technology.
12 Welcome aboard. Would you want to introduce this and go on
13 from there?

14 MR. HANSON: Yeah, sure. I -- I can do that
15 for you. So I think -- I think -- I can't see but I think
16 sitting at the table is Tim Farmer who has put together
17 this application. And then we have our Elementary School
18 Principal, Cathy Epps, who is sitting in my place, and our
19 School Board President, Blake Mitchell is there as well. I
20 -- I'm just gonna read something really quick because I'm -
21 - I'm actually looking at the clock and my folks have a
22 trip (inaudible) flight so I don't wanna a whole lot of
23 time getting on my soul-box about -- about why we're doing
24 this other than just set the stage and -- and let those
25 folks that are there answer some questions.



1 So, you know I would like to apologize for
2 not being there in person but in addition to doing this
3 innovative status application, we're also writing a Best
4 grant application. And we have to submit the rough draft
5 by end of business today and I'm sitting here with my grant
6 writer and we're trying to put the final touches on that.
7 But I do appreciate the opportunity that (inaudible) added
8 just give a brief statement you know. When I -- when I
9 type this last night, I struggled with what to say other
10 than just on our preferred application (inaudible), I know
11 that's probably that is not gonna happen.

12 And so -- so I torn between speaking
13 specifically about each of the points or just giving a
14 brief overview of -- of why we're doing this, and I think I
15 chose to give an overview of why we want to do this. Now
16 many of you remember, the last part (inaudible) districts
17 who received permission to develop a different
18 accountability system siting that accountability should not
19 be based on one single test. And I really truly believe
20 that that is true. Our school district is ready to help
21 and should not based on a single test each year, and I a
22 single test by the way that my district does not even
23 evaluate.

24 I believe that that is still the right work
25 that work that needs to be done. As I reflect, I realized



1 that the issues facing our systems today are much deeper
2 than testing and accountability. And I strongly believe
3 that we've -- want -- while we are asking the right
4 question, we are not focusing on the right solution. The
5 right question is quite simply, why with over 20 years of
6 testing do we still continue to see flat achievement rate?
7 Bear with me for a while because I set the stage for the
8 reason for innovative status application.

9 If we look at state wide assessments
10 (inaudible) the state, for example, third-grade reading.
11 Well I couldn't find anything on 1998, the earliest I could
12 find was 2004. So I'm gonna use that for my base line.
13 2004, the state average for third-grade reading was 66
14 percent. In 2014, the state average for third grade
15 reading was 68 percent. If you look at 2015, they fall
16 into 38 percent but that's a different conversation. Two
17 percent gain in student achievement over 10-year period
18 beginning in 2004 and ending in 2014 is -- is concerning to
19 me.

20 Now I can't recite from memory which 199
21 scores (inaudible) they were summer between 65 to 68
22 percent. My point here, and -- and (inaudible) I'm making
23 a statement from 50,000 (inaudible) level is achievement
24 scores (inaudible) the state that they've flattened since
25 1998. And even in my district, well we have consistently



1 scored higher than state average, our scores too have been
2 appealing, and have for the most part remain flat.

3 Now I ask, why? How could this possibly
4 happen. Given the millions of dollars that have spent for
5 educational reform. The district's buying every
6 (inaudible) box (inaudible) guarantee to raise student
7 achievement. Our mandate (inaudible) high standard I think
8 -- I think assessment label, (inaudible), et cetera, that
9 would surely scare us all into doing better. How can
10 legislation and mandate were passed to make sure every
11 teacher was evaluated every year, 50 percent of the
12 evaluation was on student growth and threatening to take
13 away tenure, which surely (inaudible) and increase the
14 rates of student achievement to close achievement gap.

15 How when we are required to report
16 everything from -- from -- about the student from to the
17 shoe size (inaudible) each year. And I'm being sarcastic
18 here by the way. That none of these reforms work and have
19 not -- have -- and we had not seen achievement growth.
20 I'll always left with the question, why are we not seeing
21 achievement growth? And this is something that I thought
22 about for -- for quite few years. I believe the answer is
23 (inaudible) -- that the answer is simple. I believe that
24 the system, and by that, I mean the educational system that
25 we operate in today's world cannot and will not support the



1 achievement results we want from the system that we are
2 operating until today was not designed for today's
3 students.

4 The educational system that we operate in
5 today was designed for (inaudible) of education for some
6 and not for today's expectations of education (inaudible)
7 for all. We want to see improvements and achievements,
8 achievements scores and closing the achievement gap. We
9 must redesign the system that we educate our students in
10 today. If we keep trying to braise up reforms efforts
11 against an outdated educational system, we will continue to
12 get the same results, 10 years from now we're gonna be
13 standing here, stretching our legs saying what happens.

14 But here's the reason that we are here
15 today. Here's the reason that we're asking you to consider
16 our proposed, innovative status application. I'm gonna ask
17 you to realize that the standard reforms efforts for the
18 last 20 years never worked. (Inaudible) I'm gonna ask you
19 to realize that the system must be changed and give me --
20 and give my district the permission to come up with some
21 real, tangible, effective educational reform.

22 Today, you can shield my district from the
23 things we know do not work, have not worked, and will not
24 work. And allow my team and (inaudible) my stuff to
25 develop what's needed to support the achievement level



1 (inaudible) system that will allow (inaudible) to achieve.
2 Take a leap of faith here, give me three years, invite me
3 back (inaudible) three years and I will show you what
4 educational reforms should look like. I cannot reform
5 education while operating under yesterday's system that's
6 burdens by today's mandate that do not work. Thank you for
7 allowing me to take the time to read this quick statement.
8 I will turn it over to Blake, Cathy and Jim, and I'll also
9 stay in the line to answer any question that I may be able
10 to from -- from my office. (Inaudible). Thank you.

11 CHAIR DURHAM: Thank you, Mr. Hanson. Dr.
12 Schroeder asked if I wrote your speech and answer is I
13 could have. So it was a -- it was a brilliant recitation
14 of the problem. Who wants to take charge here? Ms. Epps,
15 Mr. Farmer.

16 MR. FARMER: Sure.

17 CHAIRMAN DURHAM: Thank you.

18 MR. FARMER: Mr. Chairman with your
19 permission, we -- there are four elements of the preferred
20 plan that we'd like go ahead and talk about all four of
21 those elements. And in the contingent plan contains just
22 two of those four elements. So for the purposes of
23 efficiency, we can talk about all four and then the Board
24 can deliberate both motions rather than splitting in two if
25 that's agreeable?



1 CHAIRMAN DURHAM: Certainly.

2 MR. FARMER: And I -- and I just want to
3 turn it over to -- to Mr. Mitchell to sort of frame and
4 paint a picture of the Mancos community and also the work
5 that their community has done in preparation of this
6 innovation plan.

7 MR. MITCHELL: Thank you Tim. My name is
8 Blake Mitchell, I'm President of the School Board. I would
9 like to thank you all for letting us come in today and talk
10 to you and for pulling the preferred item off the consent
11 and putting it in today's agenda. I have been in Mancos
12 since 1974. I went to school in Mancos, graduated from
13 Mancos. My kids went to school in Mancos and graduated
14 from Mancos. I've been very involved in our community for
15 25 years in the Fire Department. After I retired from the
16 Fire Department, I just spend more time with my kids in
17 school when they were in middle and high school. Got them
18 through one of the stated involved in the community.
19 School Board was a good place to -- to go, so that's where
20 I went.

21 Soon as I got there, Mr. Hanson brought
22 innovative status to my attention. I had no idea what he
23 was talking about. He explained it, it had a lot of
24 intrigue to me. I like the fact that we want to do things
25 differently because they're not working for us. We've



1 reached out to our community and a lot of people have come
2 together to put this preferred plan together. We've got
3 community support, we've got staff and administration
4 support, and we've got kids' support. We've got a lot of
5 people excited about being able to do something different.

6 And ultimately, what we're looking for is
7 the end product of what we're in business for and that's
8 educating our kids. We have 58 percent free and reduced
9 lunch kids. We have a lot of minorities, about 30 percent.
10 And we have the opportunity here to do something really
11 fantastic. And up what we're want to do is -- and that's -
12 - when those kids cross the stage in May, after 13 years of
13 school, we are putting out the highest level of graduating
14 seniors that we can. So when they go out in the world
15 they're ready to -- to go to college, go to the military,
16 go to work. Whatever they choose to do with all the tools
17 that they need. That's why we're here and asking for your
18 approval in our preferred plan. Thank you.

19 MR. FARMER: So as I mentioned, there's four
20 components of the preferred plan and I'll just go over each
21 of the four. Briefly, the first one has to do with teacher
22 hiring and -- and qualifications and it's essentially a
23 request for a waiver from licensure requirements. The
24 second has to do with evaluation and providing more
25 flexibility to the school district and how they evaluate



1 their employees. The third one has to do with reporting
2 requirements and freeing the administration so they can
3 focus more on education and working with their teachers
4 rather than filling out reports. And then the fourth one
5 is a request for a waiver from the state assessment system
6 to replace that with assessments that they're already doing
7 at the local level.

8 So in regards to the first one, we all know
9 that every community has folks in the community that are --
10 are interested in teaching, and learning, and pedagogy and
11 have certain qualifications that would make them very
12 effective in the classroom. Whether that's specific
13 content knowledge. Whether it's just an interest and a
14 love of learning in education and pedagogy. But they may
15 not have a license to teach. This is particularly acute in
16 your rural communities where high premium and high value is
17 placed on somebody in the community that may have a
18 particular set of skills or set of knowledge trying to get
19 those folks in the classroom.

20 It may be different for a metro community
21 where they literally have hundreds of applicants for every
22 teaching position and surely there's somebody of -- of high
23 quality within that applicant pool. I can share in the
24 last -- Ms. Epps to share some more anecdotal situations in
25 which frequently in these rural communities, there may only



1 be one person. There may be nobody in the community that
2 actually holds a license to teach a particular subject.
3 And we are talking over breakfast this morning recently.
4 You guys had a Spanish teaching back and see you want to
5 speak just brief about that.

6 MS. EPPS: Certainly. This actually comes
7 to light even just within the last 10 days, we had our high
8 school Spanish teacher and English teacher that has become
9 ill and needs to take care of herself so she had to resign.
10 So there's two pieces within that is that we're such a
11 rural school a town of 1,300 people, and to find a position
12 and -- and someone to teach -- they have to be able to
13 teach English and the Spanish classes as well. And that's
14 a difficult position to fill especially when you have
15 Durango 35 miles east of us that their salaries are a
16 little bit higher as well. And so we have people in the
17 community that are qualified to teach Spanish, that
18 portion, but they aren't a licensed teacher to do that.

19 And so, we have had to just in the last 10
20 days change that position to be a full time English
21 position and then have to offer the Spanish portion for
22 high school students through online coursework. Which we
23 can do that but is that the ideal situation for that
24 position. No, within that. And then we look at too, I
25 think of the teacher pool in the population that we have



1 4,500 positions open, 1,400 students graduating in the
2 teaching profession. Where in a town we get one
3 application for our special education position, last year
4 in middle school, we had zero.

5 So how we meet those needs and how we're
6 able to service our students because that is our number one
7 goal is to make sure we meet the needs of our students. We
8 have to be more creative within that, and -- and how we get
9 the best people in front of our students. And if that
10 means that we have to get them in so that we can allow
11 three years for them to get their teaching license, of
12 course that's our -- that's our number one. But we have to
13 offer some alternative options in our area for what we're
14 doing, so that's what we're asking in regard to the
15 licensure piece. With that that we can put the best
16 possible person in front of our students.

17 MR. FARMER: And I -- I would believe at
18 this point but we know under new federal guidance that
19 school districts now are allowed to waive licensure. And I
20 know when I was here a couple months ago with the
21 Burlington school district, this was discussed a lot. So I
22 won't rehash all of that, but just as a reminder that --
23 that this is new flexibility being given to school
24 districts through ESSA.



1 On the evaluation piece, this one primarily
2 comes down to this notion that in a small rural community,
3 the administrators know their staff. Mr. Hanson
4 represented me, a lot of these teachers he's known for
5 decades. They have a good sense of who the quality
6 teachers are in their building and who aren't the quality
7 teachers. They know them all on a personal level. They've
8 seen them grow over time as -- as teachers. And what they
9 find selves doing, is because of certain laws that require
10 them to evaluate these teachers formally each year. It
11 takes a lot of time, particularly when they already have a
12 small administrative staff.

13 It takes a lot of time and that's time that
14 they could be spending with their newer teachers helping
15 them and helping them improve their practice, improve their
16 class. So essentially what this waiver is asking for is
17 the ability to change the every year cycle for every
18 teacher to those teachers that are rated effective or
19 higher, moving them through a three year cycle . And it
20 doesn't mean that they won't work with those teachers and
21 they won't even still evaluate them but they won't have to
22 go through the formal legally required process right now.

23 And this will -- this will like I said
24 essentially free up these administrators to focus on those
25 who -- who mostly need it, and they're also requesting some



1 flexibility with regard to the cut scores on the -- the 50
2 percent that's based on the test scores. Again, Mr. Hanson
3 is, I've talked to him and he said he, he's often dismayed
4 or -- or confused when scores come back for teachers that
5 he thinks frankly are struggling. But yet when the test
6 scores come in because the way the cut scores are set up,
7 they still rate very high.

8 And so he proposes raising the bar actually
9 on the way those cuts scores are usually designed to -- to
10 make sure we're really holding teachers accountable and
11 that the -- the way that their evaluation plays out is
12 truly reflective of -- of how effective they are in the
13 classroom. Did you want to add anything?

14 MS. EPPS: All right, I would love to. In
15 regard to that process, and I -- I -- I believe Mancos is
16 really one to take the innovative status in terms of the
17 evaluation process. And that three year piece, isn't to
18 say that those teachers that are rated highly effective or
19 effective don't deserve or need that -- that room to grow.
20 Every one of us does and that is the mindset of Mancos.
21 And -- and Katie has been there and knows how deeply we are
22 invested in peer coaching and teachers growing.

23 And so in looking that, at that within the
24 three year cycle, it's not that okay we're not paying
25 attention to those teachers. But wow, we can really allow



1 those teachers to dive even deeper into their peer coaching
2 with each other and to grow and the foster that growth even
3 more so. And as we know that SB191 in that rubric really
4 defines outstanding teaching. And within that, there's a
5 lot, there's a lot. And to -- to perfect your craft and to
6 get even better at it, it takes a really focused,
7 determined, really set focus on exactly what you wanna grow
8 in and to accomplish every single thing at -- at once is --
9 is -- is a large task.

10 So looking at this three-year cycle, we have
11 highly effective and effective teachers that can really
12 hone in on those two parts that are so critical that what
13 are our students doing? When you're in front of a
14 classroom and you're teaching, you need an extra set of
15 eyes to really help you identify what are our students
16 doing? What are we doing? How can we get better at that?
17 And that, what this allows is this allows whether it's a
18 20-year teacher or whether it's a teacher that's been in --
19 in the classroom for three years, that they can really hone
20 in and -- and perfect their craft together.

21 And it comes from teacher leadership and
22 looking at the expertise within teachers. So allowing them
23 that freedom and flexibility to do that and to work
24 together within that and then putting for our position in -
25 - in terms of educational instructional coach, we're still



1 our teachers and making sure that we are making sure all of
2 our teachers are growing. And so, to devote and put that
3 more time into supporting those folks, everyone in Mancos,
4 every single teacher is trained, even our paraprofessionals
5 in peer coaching and everyone engages in that. It is a
6 part of standard for of our rubric and we take that very
7 seriously.

8 And so, that is teachers that have been
9 engaged in peer coaching and we're in year three of that,
10 have said hands down, it is the best professional
11 development I've ever had. It is the most I've ever
12 ground. So we want to foster that and we want to continue
13 making that happen and putting that piece for those
14 effective and highly effective teachers for taking that
15 even farther. So that's -- that's the reasoning for it,
16 for doing that.

17 MR. FARMER: And I'll pause here just
18 procedurally, so the two things we just covered, those are
19 what our contingency plan are requesting. So that's what
20 you're being asked to consider with the contingency plan.
21 The preferred plan includes those two items plus the next
22 two items that we'd like to talk about briefly. Item
23 number three is the reporting requirements. Dr. Flores was
24 speaking earlier about how in a lot of these small -- small
25 school districts that have small administrative staffs,



1 they spend way too much time doing paperwork, and Mr.
2 Hanson has -- has talked to me at length about the -- the
3 amount of time that he wish he could be spending with his
4 teachers, he wishes he could be spending with students.
5 Instead, he's sitting in his office filling out reports.

6 Basically, the waiver we're requesting is
7 saying that we will do the October County report, we'll do
8 the end-of-year report, and we'll do any reports required
9 by the Financial Transparency Act. In addition to that,
10 we're willing to sit down and in good faith talk to CDE
11 about other reports that are genuinely required, perhaps
12 for federal funding and the like. And -- and to find a way
13 to streamline and reduce the amount of reporting
14 requirements that would be placed on these -- these small
15 rural districts. But essentially, that's -- that's the
16 waiver request that's being asked for. I don't know if you
17 had anything to add on that or Brian if you're still there,
18 did you have anything to add on the reporting piece?

19 MR. HANSON: No. The only thing I'll add on
20 the reporting piece is that it's -- it's frustrating for me
21 when I get a report and I fill it out like going and
22 getting a report that I have already filled out and
23 checking information, and putting it on the new report.
24 And -- and the one I rely on (inaudible) and more heavily
25 is the end-of- year report, that's -- that's (inaudible).



1 MS. EPPS: I know for -- for myself in
2 regard to looking at the additional reporting, there's --
3 currently, I'm working on a -- a Go Code Grant for the
4 schoolyard initiative. And that's, that can almost be a
5 full time job in itself and working on that. So to provide
6 a nature based playground and we have 30 year old
7 equipment. And so it's -- it's critical to work on that.

8 For our students, we have a low income area
9 and to provide a place space that safe and educational for
10 students is a real priority and -- and it's important. And
11 so, taking that time to do that and then the other time
12 too, there's it's -- it's added within that. So to be able
13 to release some of that so that we could work and -- and
14 invest in these other pieces of paperwork that do directly
15 impact our students too.

16 MR. FARMER: So saving the best for last
17 item number four is the state assessment. We are
18 requesting a waiver from having students take the PARCC and
19 CMAS assessments on an annual basis. And we're well aware
20 that the reaction or response from CDEs have been that this
21 is unwaivable. It is our position that we think there's a
22 credible argument to be made that the -- the -- the law,
23 the legislation that states that it's unwaivable says one
24 thing but that the Colorado Constitution says another.



1 And the Colorado Constitution reserves
2 instruction for local school districts which we have school
3 Board members sitting right here, and it also vests the
4 State Board of Education with general supervision of those
5 school districts. And we frankly think that the
6 legislature has acted out of their authority in making that
7 an unwaivable statute and we would contend that you
8 actually do have the authority to waive the statutory
9 requirement under the state constitution.

10 It's not to say that the district doesn't
11 want to assess students. It's not to say they don't wanna
12 be held accountable. It's not to say that they don't want
13 to be measuring the growth of their students. It's simply
14 saying that they don't value PARCC and CMAS. They have
15 very high opt out rates. Their community doesn't value it
16 as an assessment, and they're already value or they already
17 assessing their students so it becomes duplicative.

18 In the -- the application, we know that the
19 -- the school district will continue even with this waiver
20 to do formative assessments using MasteryConnect or use
21 research base and recognize some of the assessments
22 including the ACT, SAT, NWEA, MAPS assessments, DABOS,
23 ASCA, and College acceptance and readiness reports with an
24 emphasis on meaningful ICAPs as well as college career
25 ready, Workforce Readiness. They're not asking for a



1 waiver of accountability. They're not asking for a waiver
2 even from testing. They're asking for a waiver from PARCC
3 and CMAS. And we hope that you would -- would consider
4 this in good faith. And did you have anything to add to
5 that?

6 MS. EPPS: I guess I do. In -- in Mancos,
7 we -- we talk a lot about M and M's and when we do that
8 what we're saying is things need to be meaningful and
9 manageable. And if one is missing, if it's not meaningful,
10 it's not gonna make a difference in students lives and if
11 it's not manageable, it's not gonna make a difference and
12 an impact on students lives.

13 And so, when we -- we look at what
14 assessments are meaningful and manageable, and meaningful
15 not just to us that are grown adults but the meaningful to
16 students. And that students are looking at their growth
17 and they are vested in their learning and what's happening
18 in those targets. And our -- our community has shown there
19 where they are in terms of their commitment to PARCC and
20 where they feeling that we have 93 percent that have opted
21 out. And that's happened in the last two years.

22 And what I've been able to see in students
23 and in teachers in the last two years has been amazing to
24 see the different growth came from a different mindset of
25 kind of where teachers felt all of the fun interactive



1 learning happens in April and May. Whether anyone wants to
2 admit that or not that's been truth with that because
3 there's a lot of stress up until that assessment happens
4 and -- but the real learning when we're doing as hands on
5 kids are best they're -- they're really doing this critical
6 thinking skills all year long. That's when the learning
7 happens.

8 And what I've seen in our growth from our
9 assessments that we can get back immediately, and kids know
10 what that means and they know the growth targets, and
11 they're sending them in higher and higher and their rigor
12 and our school keeps going up and up as well as the
13 achievement. When we go from -- I have data that looks at
14 we had even 78 percent of students meeting, maintaining or
15 achieving a year's growth up to 94 percent the next year of
16 students doing that. That's powerful information. I have
17 students that are come into my office continually saying,
18 "Mrs. Epps, I reached my goal. I made it, look at this."
19 And they're hitting another higher one. They know what it
20 means. They don't know I've never had a student do that
21 about a test they took before.

22 Does it show us as a --- as an overall
23 district perhaps what we're doing in one shot, but the --
24 the power and the impact is when students know what they're
25 doing and teachers are able to teach and teach at a higher



1 rigor and a higher level, and -- and they have that -- that
2 ability to do that. And so, to be able to waive out of the
3 PARCC Ps in our district, and our community and in a rural
4 setting, it is important.

5 And for us to really foster and work with
6 the assessments that are meaningful and manageable, we can
7 get them completed in a days time and -- and then keep on
8 moving on with teaching. We can sit and meet as a team and
9 say, okay, it's not one task. When we even meet as a team
10 we don't -- we look at okay on doubles maybe this student
11 wasn't achieving at a higher level with that, but let's
12 look at maps and star and some other things and look at all
13 the data they gather to see really where they are and then
14 we make changes for those individual students. We have
15 that ability for preschool through 12th grade to do that.
16 And -- and that's what's important to us that we can
17 directly immediately impact our students. And by waiving
18 from this it's not all of the focus on PARCC, it's a focus
19 on achievement for all students at all times.

20 MR. FARMER: And with that we'll take
21 questions.

22 CHAIRMAN DURHAM: Questions from members of
23 the board. Yes, Ms. Goff.

24 MS. GOFF: Let me start here. I think I'll
25 -- I'll just start with the licensure and the highly



1 qualified issues and such as that. I assume you're all,
2 well we've all been working with the hiring and the
3 placement and the qualifications issues for years, well
4 beyond the sphere of any of these topics we're talking
5 about. Licensure requirements themselves are pretty clear
6 cut and dried part of it. An undergraduate program perhaps
7 graduate and so -- so many things are required to get a
8 license such as that.

9 However, with ESSA right now, I do think
10 you're in error to say that licensure requirements are a
11 new thing. There were some reference to it, I don't want
12 to try to quote you exactly. But there was some reference
13 to licensure and regard to this being new things under ESSA
14 that yes, they actually freeze -- freeze licensure
15 requirements. I would ask you know why over the past
16 several years have you not subscribed to or used the highly
17 qualified which does allow for possible in many cases long
18 term and successful placement of teachers not necessarily
19 fully licensed but they are on a path to become licensed
20 or, and made aware that there are alternative programs for
21 doing that. I'm -- I'm just not getting it connect here
22 with that particular point.

23 In regard to the weighting of the metric cat
24 -- and the categories under 191 evaluation processes, I
25 just -- I -- I heard a conflicting message there. I -- I



1 would -- you might want to reinforce what your answer was.
2 I'm hearing on the one hand that you are -- you are very
3 much supportive of and in favor of 191 lays out as far as
4 interchange feedback and emphasis on growth of teacher or
5 instructor and opportunities to continue learning.

6 On the other hand I'm -- I'm hearing you say
7 that -- that you really would like to see 191 go away which
8 or at least some part of 191 and -- and that not
9 necessarily specific to the time required of observation or
10 whatever other factors you've built into it you have in
11 your school and are asked for as part of the law. So it's
12 -- I'd -- I'd like to hear some qualifications on that. I
13 am confused a bit about your -- your high -- high opt out
14 rate in a role in a small district. There are as regards
15 data reporting and some other things that flow from all of
16 these things go on. There is already a break if you want
17 to call it that from data reporting for small districts
18 under a thousand students who are high achieving.

19 I'm -- you know I would -- I would hope I
20 would assume that you're aware of and are taking advantage
21 of that as it might apply to you so there's not quite the
22 same burden on -- on a smaller districts for -- for the
23 reporting. And -- and I guess I would ask just last about,
24 and I probably won't need to comment any further, when you
25 use the word innovation, what do you mean? What -- what is



1 going to be innovative here that actually is moving these
2 kids further or exploring and allowing exploration on their
3 part further, what's new is what I'm asking? You're --
4 you're already a highly achieving districts based on what
5 we know which is kind of small right now. But what -- what
6 is it that's going to result from this that you don't have
7 already? And I realize that's a personal definition of
8 innovation that we all seem to have a different degree of
9 agreement on what that means. I -- I just kind of like to
10 know yours as far as this plan is concerned whether it's
11 the -- the preferred one or the contingent. I'm curious as
12 to how you, I mean use that one.

13 MR. FARMER: So let me run through my
14 responses briefly and I'll let you. So, just on the ESSA
15 licensure once who're under NCLB. Every teacher and court
16 centenaries had to be highly qualified and for district
17 schools a piece of that requirement was state licensure.
18 There was no way out of that. Now there was -- there was a
19 caveat for charter schools, but that was the only caveat,
20 even Innovation District schools couldn't apply for that.
21 That's the change now that that no longer exists under
22 ESSA.

23 In terms of the alternative licensure, if
24 you read the application we've said that actually our goal
25 is to hire a licensed teacher first, to try and hire



1 somebody that would go into an alternative licensure
2 program. You know, second, it's our preference to do that,
3 and then potentially if we can't find anybody or there's a
4 person that's a -- quality that doesn't fit those two
5 categories to just have the flexibility and these rare
6 circumstances to hire somebody that's not licensed. So,
7 it's not the intent of the district to have all of their
8 teachers all of a sudden be unlicensed. They plan to use
9 it rarely, but just to have the flexibility to do that.

10 In terms of Senate Bill 191, I know I've
11 talked to Brian and Cathy, both they love the evaluation
12 tool, it's not about the evaluation tool, it's not so much
13 about the frameworks, really it came down. The primary
14 thing was being able to change the cycling so it's not
15 every teacher every year the effective teachers can do
16 every three years and then staff around the cut scores. We
17 -- we really the two primary drivers behind that waiver.

18 We recognize that there is now a little bit
19 less of a burden for high -- higher effect in these
20 districts regarding the uniform prudent plan, they have to
21 do it every other year instead of every year. And talk
22 with Brian he can tell you even with sort of some of the
23 cutting of the red tape there's still way too much and
24 still way too burdensome which is why we've asked to reduce
25 it to just the three reports. The innovation question, the



1 term that came up the most I think in talking with him was
2 flexibility, creativity, and -- and trying to do things in
3 a 21st Century way. But I don't want to put words in your
4 mouth so.

5 MS. EPPS: Well and I can address that or
6 Brian would you like to address that first?

7 MR. FARMER: What is innovation mean to you
8 Brian? He's still there?

9 MR. HANSON: That's a great question. And -
10 - and I'm going to try to explain it. You actually caught
11 me surfing on my phone so, I apologize. Oh, no I wasn't
12 surfing, I was reading a text from my wife who said how's
13 it going? And I was trying to respond. So, I came from
14 50,000 foot level. I'm looking for every opportunity I can
15 to free up time. To free up time and burden on our staff,
16 so that we can focus more on the real question of how do we
17 -- how do we reform our grade system. And -- and -- and
18 working with (inaudible) and going to statutes and finding
19 where are some possible thing that we can ask for waivers
20 in order to free up time for this bigger picture, this
21 bigger vision, this bigger goal that we have which is to
22 truly reform education. Did I answer the question?

23 MS. GOFF: Well, thank you. Partly it does.
24 I'm just -- right now I'm in the mode where all I'm feeling
25 that I'm hearing is cutting off or backing away from rather



1 than a contribution made in return that is a new idea, a
2 new approach. I totally appreciate always do, always have
3 what the different context of our districts present to
4 those individuals who live there. And -- but at the same
5 time as you know we are -- we are all in the middle of
6 talking a lot. This ESSA is planning process is pretty
7 huge and it's all encompassing and all of these ideas are
8 coming into what we would like to see is our state reality,
9 someday, hopefully. And I guess I'm -- I'm just trying to
10 line up the -- the timing of all of this put my head in the
11 right aisle here. And you -- you did say your district has
12 been part of the accountability work group.

13 MR. FARMER: Did you hear that Brian, she
14 asked.

15 MS. GOFF: Is that Brian? Maybe that was
16 Brian. Yes.

17 MR. FARMER: She was asking about that group
18 that your district was a part of looking at different
19 assessments, what that entailed?

20 MS. GOFF: Well maybe I should -- I'm sorry.
21 Maybe I should rephrase that to mean rural council. And
22 I'm not sure if Mitchell is still here. But if Mancos has
23 been actively involved in the ongoing conversations over
24 the past few years among rurals primarily. And their --
25 their needs, their context, their realities, I would -- I



1 would probably be curious to know at some point why other
2 members and your BOCES, why other members of your BOCES
3 haven't come forth like this. Now we did have a similar
4 conversation based on parts with Burlington and Ray
5 actually to some extent, but this is not -- this all
6 encompassing list is not something we've heard yet which
7 means nothing, means you have the right to do that. But I
8 just -- I'm just -- I just wanna know what's going to be
9 brand new that others can build on rather than we focus on
10 the tearing down and getting rid of? That's -- that's it.
11 That's rhetorical but that's my basic concern.

12 CHAIRMAN DURHAM: Any comments Mr. Farmer?

13 MR. HANSON: And I'll answer that question.
14 Ask me back in three years and I will show you something
15 then, I guarantee it.

16 CHAIRMAN DURHAM: Okay. Any other -- Dr.
17 Flores you have question?

18 MS. FLORES: Yes I do.

19 CHAIRMAN DURHAM: Go ahead. I know, Dr.
20 Flores.

21 MS. FLORES: I just wanted to say that, you
22 know in the -- in the 90s, we were really -- really ahead
23 with this whole thing with teacher training and teacher
24 assessment, and teacher creating their own assessments. We
25 were just flying. Teachers were flying in that -- in that



1 area and I think that we kind of have just cut those wings,
2 you know poor teachers were soaring like eagles, and
3 they're just not doing that anymore.

4 We're being creative. We have always in the
5 United States been the model for creativity and ingenuity.
6 And that's why we sit where we sit, and I think we -- we
7 just can't -- can't forget that. I'm also reminded of
8 working for a testing company, ETS that had an SAT, and the
9 little Senate at the very beginning at the bottom of the
10 test that said that teachers were a better predictor of
11 success in four years of school, but the SAT was better at
12 -- in freshman -- the freshman year.

13 I don't think that has changed. I don't
14 think that has changed at all. The teachers we have to
15 rely on teachers, and teachers can and do usually train
16 teachers many principals are master teachers, and master
17 teachers are -- are -- are still lit. And human beings,
18 you know another -- another measurement idea that -- that
19 people live by is that human beings are a better predictor
20 of human ability than is any test. There isn't anything
21 better.

22 Now, when we get to big systems, you know
23 and again, that's where comparability comes in for big
24 systems like Denver and Jefferson County. That's where
25 they do, you know they can if somebody is cheating or



1 whatever, but for a small system, you know the human, the
2 teachers they're the best, and I -- I don't think that will
3 ever change.

4 CHAIRMAN DURHAM: Okay. Any further? Yes,
5 Dr. Schroeder.

6 MS. SCHROEDER: So just a couple of things.
7 On the 15 year issue, I always have to smile. I wonder if
8 anything has changed in the last 15 years. I wonder if we
9 haven't either doubled or tripled the number of poor kids
10 who've come into our schools, who don't have any early
11 childhood opportunities. I wonder if we haven't, I guess
12 doubled or tripled the number of second language learners.
13 So to suggest that this straight line has had no impact
14 from other factors, isn't really necessary helpful. So you
15 know why I shake when.

16 UNIDENTIFIED VOICE: If you want this
17 (inaudible).

18 MS. SCHROEDER: Thank you. But I -- I don't
19 think it's necessary to have the particular ones, but it is
20 a different world. There are different expectations, and
21 so it's not necessarily helpful and there are different
22 tests on top of that. The other thing that I would have to
23 say about progress is that we have schools that are
24 serving, challenging populations that are accomplishing
25 amazing things for those kids, and I don't think it's



1 helpful to just kind of ignore the notion that we just
2 can't make any progress given where we are. There is
3 progress being made. We need to look really carefully at
4 places where that's happening. And I think given -- given
5 your efforts at least your teacher evaluation program, you
6 certainly have an opportunity to do that.

7 I would prefer that you looked at
8 alternative education licensing rather than giving up
9 licensing. And so, I'm not going to support either one of
10 your schools. I think it's really pretty important that
11 we have a teachers that have a somewhat rounded background.
12 The other thing I'm kind of worried about is you haven't
13 said anything about fingerprinting, whomever you bring into
14 the schools. Do you -- do you have a program that insures
15 number one, that all folks who get in contact with your
16 kids do go through the CBI -- CBI background check.

17 CHAIRMAN DURHAM: Background check.

18 MS. SCHROEDER: And that if you find someone
19 who has not been good with your kids that you report it to
20 the department. Because that's part of licensing, right?

21 MS. EPPS: Yes.

22 MS. SCHROEDER: And so, I find this
23 potential omission.

24 MS. EPPS: We -- we actually even we have a
25 very strong volunteer program to parent volunteer we have a



1 coordinator that works part time with that and the folks
2 that are involved in that program are also fingerprinted
3 before they become full volunteers. We also have within
4 our preschool the -- the beauty of being on one block with
5 preschool through 12th grade is that that early childhood
6 piece is really now we're able to -- to make that more
7 seamless within the peer coaching piece that we're putting
8 into place with that. There are early childhood
9 differences in terms of the laws with -- with school within
10 that. However, there's an additional fingerprinting that
11 even goes in to that place too. So absolutely, but whether
12 it's substitute, whether it's a -- a volunteer on a regular
13 basis, teacher, anyone that's employed by our school is
14 fingerprinted and background checked.

15 MS. SCHROEDER: So finally I would say I
16 would probably not be as concerned about this if in fact
17 your kids participated in the assessment. The fact that we
18 have no information other than potentially formative
19 assessments, is not helpful. There's a difference between
20 a formative assessment and an accountability assessment.
21 And you guys have chosen to blow off the accountability
22 piece. And so, I don't know from my tax dollars that go to
23 your district, how you're accountable to -- to me. If I
24 don't get the student assessment data, you're not making
25 the reports that are necessary, et cetera.



1 MR. FARMER: Well they do use NWEA.

2 MS. SCHROEDER: It's not an accountability
3 assessment.

4 MR. FARMER: It's formative (inaudible).

5 MS. SCHROEDER: It's a formative. No, no,
6 no. See, that's the -- the misconception that we have.
7 That everybody has that -- It's all of that -- that the
8 PARCC is about teachers, the PARCC is not for teach -- the
9 PARCC is for the public and for the parents. That's what
10 the intent of that assessment is, and you're skipping that
11 particular piece. It's kind of a -- to me it's kind of
12 important.

13 CHAIRMAN DURHAM: Dr. Flores.

14 MS. FLORES: Well, when I had a discussion
15 with -- with Michael, Senator Michael Johnston about this
16 area, when he said before a large audience and -- and the
17 across the -- the street that the legislature, he didn't
18 ever say he said and we had a discussion afterwards that
19 when he was talking about evaluation, and the instrument
20 that 50 percent did not have to be by the PARCC. It could
21 be an accumulation for several tests that added up to 50
22 percent --

23 MS. SCHROEDER: Right.

24 MS. FLORES: -- of -- of that information.

25 MS. SCHROEDER: Right.



1 MS. FLORES: So one test.

2 MS. SCHROEDER: Evaluation is not
3 accountability these are -- you're talking about two diff -
4 - two different pieces. You're -- you're absolute correct.

5 MS. FLORES: And we do have -- we also --

6 MS. SCHROEDER: Mancos, doesn't have an
7 accountability --

8 MS. FLORES: Do have (inaudible). We -- we
9 also do have --

10 MS. SCHROEDER: -- system at this time
11 unless, it's something different that you are building, and
12 unfortunately that doesn't yet work in Colorado. I think
13 it's great that there are some efforts being made to
14 develop some different systems.

15 CHAIRMAN DURHAM: Go ahead, Dr. Flores.

16 MS. FLORES: And I do really believe that
17 the test is only a one shot deal. And that teachers
18 really, I go back to human beings being able to measure and
19 being the best measure of -- of kids. And I really do
20 believe that, and I think so does most of the world. And
21 we need to, you know make exceptions where you have a PARCC
22 build for Denver Jefferson County and -- and not for a
23 small school district.

24 CHAIRMAN DURHAM: Okay. Thank you for the
25 discussion, for the comments. Okay. I think I -- I would



1 want to advise anybody else to join me in that effort. So
2 do -- do we have a motion on the preferred plan.

3 MS. RANKIN: You want me to do it
4 (inaudible)?

5 UNIDENTIFIED VOICE 4: Yeah. Go ahead.

6 MS. RANKIN: Okay.

7 CHAIRMAN DURHAM: Is this on the third plan
8 or the.

9 MS. RANKIN: You just said the preferred
10 plan, but whichever one you want.

11 MS. SCHROEDER: I do both of them.

12 CHAIRMAN DURHAM: We -- yeah we probably
13 have to do both. Why don't we start with the preferred
14 plan if you don't mind Ms. Rankin.

15 MS. RANKIN: And I take a motion. We deny
16 the innovation plan application from Mancos School
17 District. Title application (inaudible) as the state board
18 does not have the authority to waive the statutes and rules
19 included in this application.

20 CHAIRMAN DURHAM: Is there second? Doctor -
21 - Dr. Schroeder seconds that motion. Further discussion?
22 Would you please call roll, Ms. Cordial?

23 MS. CORDIAL: Board Member Flores.

24 MS. FLORES: No.

25 MS. CORDIAL: Board Member Goff.



1 MS. GOFF: Aye.

2 MS. CORDIAL: Board Member Mazanec.

3 Ms. MAZANEC: .Aye

4 MS. CORDIAL: Board Member Rankin.

5 MS. RANKIN: Aye.

6 MS. CORDIAL: Board Member Scheffel.

7 MS. SCHEFFEL: Yes.

8 MS. CORDIAL: Board Member Schroeder.

9 MS. SCHROEDER: Yes.

10 MS. CORDIAL: Chairman Durham.

11 CHAIRMAN DURHAM: No. That motion is

12 adopted by a vote of seven to two.

13 MS. CORDIAL: Five to two.

14 CHAIRMAN DURHAM: I'm sorry five to two.

15 UNIDENTIFIED VOICE: We have --

16 CHAIRMAN DURHAM: Common core math. I'm

17 sorry. Yeah. Okay. Now, the second motion please, Ms.

18 Rankin.

19 MS. RANKIN: Innovation plan application for

20 Mancos School District Contingent Plan. I moved to prove

21 Mancos school district as a district of innovation pursuant

22 to Section 22-32.5 -107(3)(a) CRS on behalf of Mancos Early

23 Learning Center, Mancos Elementary School, Mancos Middle

24 School, and Mancos High School with their contingent plan.



1 CHAIRMAN DURHAM: Is there a second to that
2 motion?

3 MS. FLORES: I second.

4 CHAIRMAN DURHAM: Yes. Dr. Flores. Further
5 discussion. Ms. Cordial call a roll please? Oh, I'm
6 sorry. Yes.

7 MS. SCHEFFEL: First of all, I -- I agree
8 with you Chairman Durham. In order to change what we're
9 doing we have to make big bold changes. I think this is
10 one of them. I agree that we need achievement growth as
11 Ms. Epps said, and a lot of rigor in our programs. We're
12 gonna prove in three years that we're there. My
13 recommendation is take the test.

14 UNIDENTIFIED VOICE: Yes.

15 MS. SCHEFFEL: The board is at the 50,000-
16 foot level. We're the ones that have to oversee what is
17 going on. What happens in Mancos is very detailed, it's at
18 the student and teacher level. I have to agree with Ms.
19 Goff, Board member Goff that -- that's where the rubber
20 meets the road. That's where my concern is too, but I -- I
21 just commend Mr. Hanson and all of you here today for
22 reaching out taking that bold move. And with that, I'm
23 gonna err, maybe on the side of going with you, and
24 hopefully in three years I'd like to see you back here
25 proving what you tell us is true.



1 CHAIRMAN DURHAM: Okay. Further discussion.
2 Thank you. Ms. Cordial call role, please.
3 MS. CORDIAL: Board Member Flores.
4 MS. FLORES: Aye.
5 MS. CORDIAL: Board Member Goff.
6 MS. GOFF: No.
7 MS. CORDIAL: Board Member Mazanec.
8 Ms. MAZANEC: Aye.
9 MS. CORDIAL: Board Member Rankin.
10 MS. RANKIN: Aye.
11 MS. CORDIAL: Board Member Scheffel.
12 MS. SCHEFFEL: Yes.
13 MS. CORDIAL: Board Member Schroeder.
14 MS. SCHROEDER: No.
15 MS. CORDIAL: Chairman Durham.
16 CHAIRMAN DURHAM: Yes. That motion is
17 adopted on a vote of a five to two.
18 MS. CORDIAL: Perfect.
19 CHAIRMAN DURHAM: I'm getting better. So
20 let's make it (inaudible).
21 UNIDENTIFIED VOICE: (Inaudible) common core
22 (inaudible).
23 CHAIRMAN DURHAM: That could be it, could
24 be. So you all of the 3:00 plan. I suggest you hurry in
25 Denver traffic. Thank you very much.



1 UNIDENTIFIED VOICE 3: Thank you very much.

2 UNIDENTIFIED VOICE 5: Thank you. Good to
3 see.

4 CHAIRMAN DURHAM: And I think will now stand
5 and Reese -- Ehrlich, could you read this into executive
6 session Ms. Cordial?

7 MS. CORDIAL: Yes.

8 CHAIRMAN DURHAM: And then we'll -- we'll
9 clear the room and we'll start executive session
10 immediately. Go ahead.

11 MS. CORDIAL: Perfect. An executive session
12 has been noticed for today state board meeting, and
13 conformance with 246-4-2(3)(a) CRS to receive legal advice
14 on specific legal questions pursuant to 246-4-02(3)(a)(II)
15 CRS matters required to be kept confidential by federal law
16 or rules or state statutes pursuant to 246-4-02(3)(a)(III)
17 CRS.

18 CHAIRMAN DURHAM: It's there a motion for an
19 executive session? Has been moved. And has been seconded.
20 We have an executive session. Objection to the adoption of
21 that motion? Seeing none, that the motion has adopted
22 unanimously. Will stand (inaudible). In recess until the
23 conclusion for the Executive session.

24 (Meeting adjourned)



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 25th day of October, 2018.

/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