



Colorado State Board of Education

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

September 13, 2017 Meeting Transcript - PART 2

BE IT REMEMBERED THAT on September 13, 2017,
the above-entitled meeting was conducted at the Colorado
Department of Education, before the following Board Members:

Angelika Schroeder (D), Chairman
Joyce Rankin (R), Vice-Chairman
Steven Durham (R)
Valentina (Val) Flores (D)
Jane Goff (D)
Pam Mazanec (R)
Rebecca McClellan (D)



1 UNIDENTIFIED VOICE: There we go.

2 MS. SCHROEDER: The next item on the agenda
3 is consideration of Pueblo District 60's innovation
4 application on behalf of Heroes K-8 high- Academy and
5 Bessemer Academy. Before we begin discussion, is there a
6 motion on the table please?

7 UNIDENTIFIED VOICE: Heads up motion.

8 UNIDENTIFIED VOICE: I move to affirm the
9 innovation school application from Pueblo District 60 on
10 behalf of Heroes K-8 Academy and Bessemer Academy.

11 UNIDENTIFIED VOICE: I second it.

12 MS. SCHROEDER: That's a proper motion; thank
13 you for the second. Commissioner, is staff prepared to
14 provide an overview?

15 MS. ANTHERS: Yes, thank you. I'd like to
16 turn it over to Bill Kottenstette and -- our Executive
17 Director of Schools of Choice and Innovation and Alyssa
18 Pearson our Associate Commissioner, just to give you an
19 overview of this week. We told you a little bit about it
20 this morning but just to set the context.

21 MR. KOTTENSTETTE: Great. Thank you. Thank
22 you, Katy. So, thank you and it's great to see you all
23 again for my second meeting. Glad to be here and we have
24 with us today from Pueblo School District Superintendent
25 Macaluso, Assistant Superintendent Maury and Ted Johnson who



1 is overseeing the innovation work in the district.

2 And so they'll be here today to answer any
3 questions that you have about the plans within CDE. The
4 reviews that we have is that the innovation team has
5 reviewed the application to ensure that it's complying with
6 the requirements of the innovation plan submission. We have
7 confirmed that the district has met all the requirements for
8 submitting the plan.

9 There was supplemental materials that were
10 provided to you including the analysis of the licensure
11 waiver and I have Alyssa here as well if there are any
12 questions about the context leading to the plan at a high
13 level, the plan's submission follows the work that has been
14 happening with the two schools and -- over the past year.
15 And so one of the last requests was to come with the updated
16 innovation plan for the -- for the board and so the plan is
17 here for you today.

18 MS. SCHROEDER: Thank you. Superintendent,
19 do you have some comments you'd like to make?

20 MS. MACALUSO: Sure. Good afternoon, Madam
21 Chair Schroeder, Commissioner Anthes, members of the Board
22 of Education, it is our pleasure to be in attendance with
23 you today as we re -- request approval of the innovation
24 plans for specifically Bessemer and Heroes Academy.

25 As you know that we came before this board a



1 few months ago, a couple of months ago, in conjunction with
2 the CDE accountability hearing and I know that you are all
3 well-read and at that time you received copies of the
4 innovation plan and we presented an in-depth presentation
5 with details regarding those plans in conjunction with the
6 performance management plan. And so at this time we don't
7 specifically have a presentation so to speak but I do have,
8 as Mr. Kottenstette indicated, I do have Suzanne Maury here
9 who is my Assistant Superintendent and also Ted Johnson who
10 is Executive Director of Continuous Improvement and
11 Innovation. And Ted will be able to speak to any elements
12 or components regarding the innovation plan and Mrs. Maury
13 is prepared to talk to you about our Performance Management
14 Plan partnership that we have with Achievement Network and
15 how that's going. And we are in full operation and had a
16 great start to the school year so, if you have any specific
17 questions or request any additional information, we're happy
18 to provide that information to you at this time.

19 MS. SCHROEDER: Thank you very much.
20 Colleagues, do you have questions? Mr. Kottenstette, thank
21 you for being more detailed about the licensure case.

22 MR. KOTTENSTETTE: Sure thing.

23 MS. SCHROEDER: That was my concern. Would
24 you be good enough to call the vote?

25 MS. CORDIAL: Of course. Board member



1 Durham.

2 MS. SCHROEDER: He's excused.

3 MS. CORDIAL: Okay. Board member Flores.

4 MS. FLORES: Yes.

5 MS. CORDIAL: Board Member Goff.

6 MS. GOFF: Yes.

7 MS. CORDIAL: Board member Mazanec.

8 MS. MAZANEC: Yes.

9 MS. CORDIAL: Board member McClellan.

10 MS. MCCLELLAN: Yes.

11 MS. CORDIAL: Board member Rankin.

12 MS. RANKIN: Yes.

13 MS. CORDIAL: Board member Schroeder.

14 MS. SCHROEDER: Yes.

15 UNIDENTIFIED VOICE: Thank you for coming and

16 thank you very much.

17 UNIDENTIFIED VOICE: Thank you. Thank you.

18 UNIDENTIFIED VOICE: Thank you.

19 (Pause).

20 MS. SCHROEDER: You remember we went to

21 Pueblo.

22 UNIDENTIFIED VOICE: Yeah.

23 UNIDENTIFIED VOICE: You're gonna be here

24 tomorrow?

25 UNIDENTIFIED VOICE: No. I'm just saying



1 that you're gonna drive tomorrow.

2 UNIDENTIFIED VOICE: Thank you guys for
3 coming.

4 UNIDENTIFIED VOICE: All right. No worries.

5 MS. SCHROEDER: Next item on our agenda is a
6 notice of rule making for the Rules for the Colorado School
7 Counselor Corps Grant Program 1CCR301-74. Is there a motion
8 on the table, please?

9 MS. RANKIN: This just starts the process
10 right?

11 MS. SCHROEDER: Yes. Apparently we -- go
12 ahead Joyce.

13 MS. RANKIN: I move to approve the notice of
14 rule-making for Rules for the Colorado School Counselor
15 Corps Grant Program 1CCR301-74.

16 MS. SCHROEDER: That's a proper motion is
17 there a second?

18 MS. GOFF: Second.

19 MS. SCHROEDER: Jane.

20 MS. GOFF: Thank you. Yes, it's second.

21 MS. SCHROEDER: Commissioner, is staff
22 prepared to provide an overview?

23 MS. ANTHES: Yes. Thank you. I'll turn this
24 over to Misti Ruthven Director of Postsecondary Readiness --
25 Executive Director of Pathways.



1 MS. RUTHVEN: Thank you, Commissioner Anthes.

2 MS. ANTHES: Sorry.

3 MS. RUTHVEN: It's all good. Good afternoon,
4 everyone. So before you today is the notice of rule-making
5 for School Counselor Corps Grant. The reason why this is in
6 front of you today is because of the change to the Senate
7 bill 17068 that requires the department to add additional
8 grantee eligibility to include elementary schools.

9 So this is the only change to this rule to
10 these rules in front of each day. And so where previously
11 it referenced secondary schools is the addition of all
12 schools. So that's that's what's before you.

13 MS. SCHROEDER: Any questions, colleagues?
14 Board member Rankin.

15 MS. RANKIN: Could you just briefly describe
16 what that counselor program is?

17 MS. RUTHVEN: Sure. Thank you so much board
18 member Rankin. So the School Counselor Corps Grant was
19 established in 2008 and it was established to increase the
20 availability of school counselors and secondary schools
21 originally and for the purpose of increasing the number of
22 students that are prepared for the next step beyond high
23 school specifically call it going into college.

24 And at that point the sc -- counselor school
25 counselor student ratio in our state was about 550 to 1.



1 The recommendation is about 250 to 1 and since since that
2 time the counselor ratio in our state has been reduced to
3 about 400 or 450 to 1 over the past seven years or so.

4 The other the other purpose of the grant is
5 to ensure that hi- the highest need schools for counselors
6 in secondary schools at that point in our state had
7 available counselors that they could add to their staff and
8 to organize the students specifically for career and college
9 counseling.

10 MS. RANKIN: So how now that we have them in
11 elementary school how does that relate to career counseling?

12 MS. RUTHVEN: Sure. So, several other states
13 have career school counselors in all levels as some -- some
14 states are required, some states are voluntary and in those
15 other states they do have standards essentially for school
16 counselors associated with college and career readiness.

17 And so that's something that we would be
18 looking at as staff in order to help provide districts
19 guidance in these areas and really look at some of those
20 other career and college counseling areas for their
21 counselors focus on and on actually.

22 MS. RANKIN: So as a grant, an elementary
23 school would apply for that if they wanted a counselor in
24 their school?

25 MS. RUTHVEN: Yes.



1 MS. SCHROEDER: Board member Mazanec.

2 MS. MAZANEC: But it's supposed to be for
3 career planning, career and school planning. This grant.

4 MS. RUTHVEN: Career and college counseling,
5 correct.

6 MS. MAZANEC: Elementary school.

7 MS. RUTHVEN: So the Senate bill directed us
8 to add elementary schools to rules .

9 MS. MAZANEC: Yep. Can you, can you give us
10 any background on that? What was the thinking behind adding
11 elementary schools for career counseling?

12 MS. RUTHVEN: Sure, Madam Chair. So my
13 understanding is that, we heard, from several districts,
14 that there was an interest and their- they saw this as an
15 opportunity to also add elementary school counselors and
16 Counselor Corps, has been acknowledged as a high performing
17 grant program and that this -- they saw this as a great
18 addition to, and a way to add elementary school counselors
19 potentially.

20 MS. MAZANEC: I have some follow-ups.

21 MS. SCHROEDER: Please, go ahead.

22 MS. MAZANEC: First of all, what's the source
23 of this grant? Who provides the monies?

24 MS. RUTHVEN: These are state funds.

25 MS. MAZANEC: State funds. So as directed by



1 our legislature right? And these counselors don't provide
2 just academic career counseling, either. Isn't that
3 correct? Don't they also provide mental, social counseling
4 as well?

5 MS. RUTHVEN: The -- the purpose of the grant
6 of the school counselor corps grants for this purpose is
7 college and career counseling and that's the type of support
8 that we provide school counselors in the grant program.
9 School counselors generally so, for example, in licensure,
10 have three domains that focus on college and career
11 readiness, academic supports and social emotional supports.

12 MS. MAZANEC: So I mean so, so therefore a
13 elementary school could request one of these counselors,
14 primarily use them for the -- the third support reason, the
15 social emotional. Or do they have to prove that they're
16 using them for academic and counseling.

17 MS. RUTHVEN: They don't. Yes.

18 MS. MAZANEC: And one more question. This,
19 this is the program, so it's kind of a separate issue but
20 the, I want to, I want you to remind me that the application
21 process when schools apply for this grant, they have to
22 agree to participate in the Healthy Kids survey. Correct?

23 MS. RUTHVEN: So this is a -- madam ch --
24 this is a, different grant program.

25 MS. MAZANEC: This is a separate --



1 MS. RUTHVEN: Yes.

2 MS. MAZANEC: So the other one is called
3 what?

4 MS. RUTHVEN: The other one is called School
5 Health Professional Grants.

6 MS. MAZANEC: Okay. School Health
7 Professional.

8 MS. RUTHVEN: And this one is School
9 Counselor Corps and I can see how it'd be confusing because
10 this edition of elementary was added to both grants.
11 However, they are very different grant programs and
12 different from one another.

13 MS. MAZANEC: Okay. Thank you.

14 MS. RUTHVEN: Yes. Thank you.

15 MS. SCHROEDER: Board member Flores.

16 MS. FLORES: I just want to ask another
17 question but I'd like to add to that in that, there's a lot
18 of research to show that clubs really help kids, in the idea
19 of formulating what they wanna do later in life. It used to
20 be that the research said that it was.

21 It started in middle school but now the
22 research says that, states that it's really up as early as
23 elementary that kids start formulating and having ideas
24 about what they wanna do. So. I think it's it kind of goes
25 along with that. The question I wanted to ask is, is this



1 any part of what the governor of the -- of the counselors,
2 the monies that went for counseling, that the governor
3 appropriated or the legislature appropriated that 9.8
4 million dollars is this, this is this part of it?

5 MS. RUTHVEN: Thank you for your question.
6 So I -- so I hear that there's two things that might seem
7 related that aren't being discussed that have been talked
8 about now in August and September with you.

9 So in August we did bring forward the School
10 Health Professional Grant which also has had a new infusion
11 of resources part to the 9.8 million dollars and that is
12 separate from the School Counselor Corps Grant. There have
13 not been additional dollars added to the school prog --
14 School Counselor Corps Grant and the original appropriation
15 was made in 2008.

16 MS. FLORES: Thank you.

17 MS. MAZANEC: Maybe in the future we could do
18 this both at the same time.

19 MS. SCHROEDER: Without, that's okay. Yeah,
20 yeah. Confusion is confusion that probably doesn't happen
21 with us.

22 MS. MAZANEC: No, but if they are both in
23 front of us then we, you know.

24 MS. SCHROEDER: Board member Goff.

25 MS. GOFF: Thank you. Again forgive me if



1 you've said this today the original School Counselor Grant
2 for high schools primarily, the schools needed to meet
3 certain criteria as to at risk rates and all that that goes
4 into when you're talking about post secondary matriculation
5 and/or barriers that those kids have faced.

6 I -- I've tried to find it in here Misti and
7 I couldn't but I -- it could be there. What -- does the
8 same criteria apply for the elementaries? In other words
9 does there, is there a minimum number of rate of high risk
10 kids at risk that have to be present in the general in this
11 elementary level?

12 MS. RUTHVEN: Sure. So thank you for your
13 question board member Goff. So part of the statutory
14 guidance to the department ,as far as the administration of
15 the grant is three pri -- criteria that are used to them
16 prior -- prioritize a good priority.

17 So that's a percentage of free and reduced
18 lunch, percentage of the students that need remediation and
19 percentage of the students that go on to higher education.
20 So if those are at or below the state average then there is
21 a priority given for those schools in the process for those
22 districts in the process.

23 One of the things that we have seen, and not
24 seen yet cause this isn't in place but we have talked to
25 districts about is, thinking through how they might



1 implement this and how they see it is really looking at
2 their feeders with their elementary, middle, and high school
3 and not necessarily thinking of it as independent
4 elementaries that we'd be applying. However, in partnership
5 with their feeder middle and high schools,.

6 MS. GOFF: That -- that would have been my
7 next question was not that because we haven't im --
8 implemented this part of it yet would possibly, would there
9 be a look at how many of the -- feeder area or articulated
10 high schools already have a Counselor Corps Program and then
11 bring some of these elementaries in the same area into it.

12 I -- I -- I mean, it could happen but I guess
13 my interest today is, is that a priority, would it be a
14 priority? Would the -- the department think that that might
15 be something that could be separately studied even or
16 followed from -- from a whole community viewpoint rather
17 than individual schools.

18 MS. RUTHVEN: So we could certainly take a
19 look at that and get -- bring that information back to you
20 when there is a hearing with additional information. What
21 I'm hearing you say is that you'd like to know how many
22 elementary schools might be able to be served that are
23 currently participating at -- have their districts currently
24 participating. Right. They would meet the criteria.

25 MS. GOFF: I don't wanna throw a wrench in



1 current rule making and writing, but just a thought about
2 the whole idea of more cohesiveness perhaps, opening up that
3 possibility for the areas to do that.

4 MS. RUTHVEN: Abs -- and so we would be happy
5 to add that as it edit if that's something that you all like
6 to do.

7 MS. GOFF: Possible further study, further
8 research. I'm sorry. I don't want it, I'd -- like I said I
9 don't wanna throw any wrenches in this but it's a -- just
10 thoughts.

11 MS. SCHROEDER: Yeah there's questions. So
12 folks this is a notice of hearing, rulemaking hearing, so
13 are there any objections? Since there are none, proceed. I
14 just asked for you -- whether anyone rejected whether
15 (indiscernible).

16 UNIDENTIFIED VOICE: (Indiscernible).

17 MS. SCHROEDER: Okay. Good. So we're
18 rolling on to 13.03. Next item is notice of rulemaking for
19 the rules for the administration with waiver of statutes.
20 Before we begin our discussion is there a motion on the
21 table? Board member McClellan.

22 MS. MCCLELLAN: I move to approve the notice
23 of rule making for Rules of the Administration of the Waiver
24 of Statute 1CCR301-35.

25 UNIDENTIFIED VOICE: I second that.



1 MS. SCHROEDER: Thank you. Commissioner, is
2 staff prepared to provide an overview?

3 MS. ANTHERS: Yes, thank you. I'll turn it
4 back over to Bill Kotten -- is stette?

5 MR. KOTTENSTETTE: Yeah.

6 MS. ANTHERS: I always get that last part
7 right, Kottenstette, Executive Director of Schools of
8 Choice. Give us an overview.

9 MR. KOTTENSTETTE: All right, hi everyone,
10 good to see you again. Yes. So this action item is just to
11 begin a notice of rulemaking for a waiver by Charter Schools
12 and automatic- or I'm sorry, a waiver- I guess waiver from
13 state statute, and the purpose and the reason for coming
14 forward with this is to implement one part of House Bill 17-
15 1375, which was on mill levy . This doesn't really talk
16 about mill levy equalization, but as part of that piece of
17 legislation, there was a section that said, one, there are
18 two parts of statute that are no longer eligible to be
19 automatic waivers. The list of automatic waivers is in this
20 part of rule make -- of the rules. And so, the notice is to
21 say remove those two statutes as automatic waiver options.
22 And then one other part of the statute says that the dis --
23 school districts have to post their waivers online and
24 charter schools have to post their waivers online. And so
25 it clarifies into this area because this part of rulemaking



1 talks about district waivers and charter waivers. So
2 there's a clause that's added that says both districts and
3 charter schools cannot waive this part of statute.

4 MS. SCHROEDER: All right, thank you.
5 Questions? Miss Mazanec?

6 MS. MAZANEC: So this is maybe more of an --
7 a question about the statute. The district waivers, the
8 2.04(b) where it requires a school district of 3000 or more
9 princ -- pupils, but they have to provide signatures
10 demonstrating that they have the consent of the appropriate
11 number of the accountability committees, a majority of the
12 affected licensed administrators and a majority of the
13 affected teachers, and shall indicate how they were
14 determined. And this applies to only waivers in those two
15 categories?

16 MR. KOTTENSTETTE: So that --

17 MS. MAZANEC: Or does it apply to all
18 waivers?

19 MR. KOTTENSTETTE: Yeah 2.0 is, that is
20 talking specifically to waivers that are requested by the
21 district. So I know we have a -- like a crosswalk that
22 shows the -- the three different types of waivers that can
23 be requested. One is when the district is requesting a
24 waiver. One is when an innovation school is requesting
25 waiver and one is when charter schools.



1 And so the part that you're talking about
2 with the different approvals that need to be in place only
3 applies to the district waiver when the district has
4 requested.

5 MS. MAZANEC: Right. But like what I'm
6 wondering about is, what kind of district waivers might make
7 it difficult for the district to meet those like a school
8 teacher licensure, do districts ever ask for those kinds of
9 waivers so no -- to be able to hire teachers that are non-
10 licensed?

11 MR. KOTTENSTETTE: I'm -- I'm not familiar --

12 MS. MAZANEC: Or is that usually just for
13 schools?

14 MR. KOTTENSTETTE: I -- I can go back and
15 research that. I'm not familiar if a district has ever
16 requested that waiver, but --

17 MS. MAZANEC: But this rule though is already
18 in statute, right? It's not negotiable anyway?

19 MR. KOTTENSTETTE: Yeah, this process is
20 specified in the statute, yeah.

21 MS. SCHROEDER: Board member Mazanec, I think
22 just recently, a few districts have requested this, or
23 within the innovation waiver, have requested this, you know,
24 the licensure waiver.

25 MS. MAZANEC: Well, and we might -- but it



1 was always attached to the innovation plan, right? I was
2 just wondering if we might see more of that kind of thing,
3 considering the teacher shortage issue. But this could make
4 it difficult.

5 MS. SCHROEDER: Board member Flores.

6 MS. FLORES: I guess I don't understand. The
7 waiving of -- for competitive bidding and accepting gifts.

8 MR. KOTTENSTETTE: Okay. Yeah. Those were
9 both called out explicitly in House Bill 1375.

10 MS. FLORES: So, if a district is going to
11 accept gifts --

12 MR. KOTTENSTETTE: So yeah, the way that this
13 was put in as an automatic waiver is that that part of
14 statute says that the district will adopt a policy for
15 receiving gifts, grants, and donations, and competitive
16 bidding. And so when charter schools request that waiver,
17 they say delegating that to the charter school to establish
18 those policies.

19 MS. FLORES: Okay.

20 MR. KOTTENSTETTE: And so this would still --
21 like charter schools would still do that. But rather than
22 having it automatic, they would have to propose a rationale
23 for it.

24 MS. FLORES: And that would be for the state
25 board and then they bring it to us and?



1 MR. KOTTENSTETTE: Yeah, so in the -- in the
2 -- sorry. In the charter school application, they would
3 say we're requesting the following automatic waivers in
4 addition to the automatic, well, request that these waivers
5 and they may choose to request those waivers as non-
6 automatic moving forward.

7 MS. SCHROEDER: Go ahead.

8 MS. FLORES: I -- this is a second question.
9 And maybe it's just a concern that I have, that the public
10 will know only when it is posted on the website.

11 MR. KOTTENSTETTE: Okay.

12 MS. FLORES: And I have problems with that
13 because I know that there's lots of people who have problems
14 with that or may not have a computer and may not know. So
15 it is not really tell -- letting the public know seriously
16 that it's -- it's almost a -- a little hold up your hand. I
17 think it should be in -- in -- in a local paper. I think
18 there should be -- certainly there's these committees that
19 school districts have, like the, the school improvement and
20 accountability councils and such.

21 And these people would be able to -- I think
22 it should be told to them, and then find a way to -- to make
23 it known to the community. There should be meetings and
24 such. But putting it up, I know this is legisla -- the
25 legislature did that, but I don't think it's right. I think



1 that there needs to be more.

2 And I don't know, Steve, what -- I don't know
3 if you would agree but I -- I just think that more needs to
4 be done about accountability, letting the public know that
5 this is going on. And we do it for so many other things
6 where they have to place it in newspapers.

7 I mean, then I was thinking about, oh another
8 one, I think that we had here, where they had to place it
9 four times or eight times in the newspaper. And I'm
10 thinking, "Boy, that's gonna cost a lot of money." But
11 there's also community, community papers and there's all,
12 all kinds of ways to, to let the community know the
13 neighborhood associations and such that I think need to
14 know.

15 I mean, they -- Denver Public Schools. It's
16 -- it's like trying to get -- trying to get gold out of a,
17 an old well or something because they won't give you any
18 information. And the public -- and -- and I -- I mean, I
19 hear it all the time, that they just didn't know that this
20 was available or -- or this was going to happen, especially
21 when the closure of schools. And only a small segment of
22 the population knows and then everybody gets upset. And
23 guess who gets the phone calls?

24 MR. KOTTENSTETTE: Okay.

25 MS. FLORES: And it's -- I think that they



1 need to do a better job. And if it means going back to the
2 legislature and making it -- making them -- making it more
3 forceful, I think, to -- to put it out into the public, to
4 state it, because I -- I don't think this is enough. I'm --
5 I'm sorry.

6 MS. SCHROEDER: Board member Goff.

7 MS. FLORES: I know it's not the department's
8 fault, I understand that. But I'm wondering if there is
9 some way that we can be up-front in -- in telling the
10 legislature that this is just not enough.

11 MS. SCHROEDER: Board member Goff.

12 MS. GOFF: Mr. Kottenstette, what -- what
13 we're being asked to do today is to say yes on having a rule
14 making hearing --

15 MR. KOTTENSTETTE: Yes.

16 MS. GOFF: -- as it applies to the two new
17 parts --

18 MR. KOTTENSTETTE: Yeah. So --

19 MS. GOFF: -- and by whatever bill number I
20 forgot what that was.

21 MS. FLORES: 1713.

22 MS. GOFF: So what -- what we're talking
23 about here in up forthcoming rules to vote on, is the new
24 language around gifts grant -- to make non-automatic two --
25 two waivers that have been automatic up to this point.



1 MR. KOTTENSTETTE: Yeah.

2 MS. GOFF: And so all we're being asked to do
3 today is just say, "Yes, let's have a hearing."

4 MR. KOTTENSTETTE: Correct. Yes. To open up
5 rulemaking on 35.

6 MS. GOFF: Okay.

7 MR. KOTTENSTETTE: Yes.

8 MS. GOFF: But overall the general content of
9 the current legislation on waivers, automatic waivers will
10 stay the same except for the removal of these two parts of
11 it from the automatic list.

12 MR. KOTTENSTETTE: Correct.

13 MS. GOFF: Is that accurate enough?

14 MR. KOTTENSTETTE: Yeah, yeah.

15 MS. GOFF: Okay.

16 MR. KOTTENSTETTE: Our -- our intention is
17 just to update the rule to align to statute.

18 MS. GOFF: Okay.

19 MS. SCHROEDER: Thank you, Ms. Goff.

20 MS. GOFF: Then, Dr. Flores, future
21 conversations can be held around what kind of new, new
22 language and or new legislation we could, should we would
23 like to have considered.

24 MS. FLORES: Well, I'm just putting it on the
25 table because --



1 MS. SCHROEDER: Yes, that's a good idea. So,
2 does anyone have an objection to the notice of hearing?
3 Board member Durham.

4 MR. DURHAM: This is the, is the method of
5 notification that is -- the method of notification and is on
6 publishing and on the website is up prescribed in statues up
7 prescribed in rule?

8 MR. KOTTENSTETTE: I'm pretty sure it's
9 prescribed in statute. The notification prog -- method
10 would be consistent with --

11 MR. DURHAM: So that's --

12 MR. KOTTENSTETTE: -- any time we do notices.

13 MR. DURHAM: So that -- that's the
14 legislature's deemed that to be adequate notice. So, I see
15 Julie.

16 UNIDENTIFIED VOICE: It is, it's in statute.

17 UNIDENTIFIED VOICE: Yeah.

18 MR. DURHAM: Sorry. I mean, I -- I think
19 personally, don't believe that's adequate notification but
20 that's --

21 UNIDENTIFIED VOICE: Thank you, Steven.

22 MR. DURHAM: That issue has been
23 unfortunately dealt with by higher authorities.

24 UNIDENTIFIED VOICE: All right. But I think
25 we did -- we do appreciate your concerns. Thank you. We



1 can talk about it, when we talk about rules. Are we ready
2 to go under 14? Right now.

3 MR. KOTTENSTETTE: All right.

4 MS. SCHROEDER: Thank you, sir.

5 MR. DURHAM: Yeah.

6 MS. SCHROEDER: Next item on our agenda is
7 consideration of the three research requests per student PII
8 personal identifiable information. Is that correct?

9 UNIDENTIFIED VOICE: Yes.

10 MALE SPEAKER: Right.

11 MS. SCHROEDER: Before we begin, I would
12 appreciate a couple of motions, please.

13 MS. ANTHES: Madam Chair, can I have a
14 clarification before you read the rest of the motion?

15 MS. SCHROEDER: Thank you.

16 MS. ANTHES: The staff have determined that
17 we would like to take more time on option two, before it
18 goes before a vote as you all have asked for more
19 information and as we reviewed that information, that's
20 something we would like to dig into a little bit more. So
21 we're not prepared to recommend that to you right now.

22 MS. SCHROEDER: Uh-huh.

23 MS. ANTHES: So, we would like to take that
24 one off the table, so you would really only have two
25 research requests to be dealing with today and Miss Bohannon



1 can clarify any of that if I got it wrong.

2 MS. BOHANNON: You didn't, you got it quite
3 right.

4 MS. SCHROEDER: Please go ahead.

5 MS. BOHANNON: Thank you.

6 MS. SCHROEDER: Yeah, I did want a motion and
7 this is gonna be a little clumsy, so I would like a motion
8 for the Mackrell request please and a motion for the
9 Colorado Youth for a Change request. Am I correct?

10 MS. CORDIAL: That is correct.

11 MS. SCHROEDER: Okay. Some -- do I have a
12 motion there? Ms. Mazanec, do you want to make those
13 motions?

14 MS. MAZANEC: Which one are you? 14.0.

15 MS. SCHROEDER: Mackrell. And Colorado
16 Youth for Change.

17 MS. MAZANEC: I move to deny the research
18 requests from Northwest BOCES and Mackrell International to
19 use student PII for research on the evaluation of the system
20 for educator effectiveness and development.

21 MS. SCHROEDER: Is there a Second? Do you
22 want to explain the motion?

23 MS. MAZANEC: I don't find the research
24 compelling or the need of personal PII.

25 MS. SCHROEDER: Ms. Flores.



1 MS. FLORES: First of all, I think that, I do
2 believe that teachers and educators, principals,
3 administrators, they are very important in schools. I mean,
4 they're just so important to the lives of -- of -- of
5 schools that I can't imagine having denying a motion, for
6 more research in this area and we have already talked about
7 PII and what they asked is not it -- it will be filtered and
8 we're not going to give PII that they shouldn't have. So I
9 -- I think this should be a positive. But I understand that
10 we need to possibly the department to look at it some more
11 but I -- I can't go along with the not -- motion of denying
12 it at this point.

13 MS. SCHROEDER: Board member McClellan.

14 MS. MCCLELLAN: I just wanted to confirm my
15 understanding that the students in question that their
16 families have given consent for this information to be
17 released. Am I understanding correctly?

18 MS. BOHANNON: That's correct. It's an opt,
19 it's an opt out consent.

20 MS. MCCLELLAN: Okay. Thank you.

21 MS. SCHROEDER: Can we call the vote, please?

22 MR. DURHAM: Madam Chair?

23 MS. SCHROEDER: Yes.

24 MR. DURHAM: A clarification; we're dealing
25 only with request one; is that correct?



1 MS. SCHROEDER: Only with request one.

2 MR. DURHAM: Okay.

3 MS. FLORES: Uh-huh.

4 MS. SCHROEDER: And if you vote yes, then you
5 move to deny and if you vote no, then we move on to a
6 different motion, okay.

7 MS. FLORES: Now, would you say that again
8 please?

9 MS. SCHROEDER: If you vote yes on this
10 motion, it means you want to deny it.

11 MS. FLORES: Oh no. If you say no-

12 MS. SCHROEDER: If you say no, then we can
13 move on. If it doesn't pass, we can go to a different
14 motion.

15 MS. FLORES: Okay. Thank you.

16 MS. CORDIAL: Board member Durham.

17 MR. DURHAM: Yes.

18 MS. CORDIAL: Board member Flores.

19 MS. FLORES: No.

20 MS. CORDIAL: Board member Goff.

21 MS. GOFF: No.

22 MS. CORDIAL: Board member Mazanec.

23 MS. MAZANEC: Yes.

24 MS. CORDIAL: Board member McClellan.

25 MS. MCCLELLAN: No.



1 MS. CORDIAL: Board member Rankin.
2 MS. RANKIN: Yes.
3 MS. CORDIAL: Board member Schroeder.
4 MS. SCHROEDER: No. So I now need a
5 different motion on this, please.
6 UNIDENTIFIED VOICE: We are skipping the
7 second option?
8 MS. FLORES: Well, no.
9 UNIDENTIFIED VOICE: We're not there yet.
10 MS. FLORES: Can I read that?
11 UNIDENTIFIED VOICE: Yes.
12 UNIDENTIFIED VOICE: Motion to
13 (indiscernible).
14 MS. SCHROEDER: Proper motion. Is there a
15 second?
16 MS. FLORES: I second.
17 MS. SCHROEDER: Do you want to call the roll,
18 please?
19 MS. CORDIAL: Board member Durham.
20 MR. DURHAM: No.
21 MS. CORDIAL: Board member Flores.
22 MS. FLORES: Yes.
23 MS. CORDIAL: Board member Goff.
24 MS. GOFF: Yes.
25 MS. CORDIAL: Board member Mazanec.



1 MS. MAZANEC: No.

2 MS. CORDIAL: Board member McClellan.

3 MS. MCCALLEN: Yes.

4 MS. CORDIAL: Board member Rankin.

5 MS. RANKIN: No.

6 MS. CORDIAL: Board member Schroeder.

7 MS. SCHROEDER: Yes. So now if I could have
8 a motion, please, for Colorado Youth for a Change request.

9 Do you have a comment? Okay. Board member Flores.

10 MS. FLORES: I move to approve the request
11 from the American Institute for -- or is that the one that
12 we're not doing?

13 MR. DURHAM: No, we are not doing that.

14 MS. FLORES: Okay.

15 MS. SCHROEDER: It's the one on page --

16 MS. FLORES: So page --.

17 MS. SCHROEDER: -- page three.

18 MS. FLORES: Thank you. I move to approve
19 the research request from the Colorado Youth for a Change to
20 use student PII for research on the evaluation of a Colorado
21 Youth for a Change -- a chance initiative.

22 MS. SCHROEDER: It's a proper motion. Is
23 there a second?

24 MR. DURHAM: Second.

25 MS. SCHROEDER: Comments, questions? Could



1 you please call the roll?

2 MS. CORDIAL: Board member Durham.

3 MR. DURHAM: Yes.

4 MS. CORDIAL: Board member Flores.

5 MS. FLORES: Yes.

6 MS. CORDIAL: Board member Goff.

7 MS. GOFF: Yes.

8 MS. CORDIAL: Board member Mazanec.

9 MS. MAZANEC: No.

10 MS. CORDIAL: Board member McClellan.

11 MS. MCCLELLAN: Yes.

12 MS. CORDIAL: Board member Rankin.

13 MS. RANKIN: No.

14 MS. CORDIAL: Board member Schroeder.

15 MS. SCHROEDER: Yes. Our next item is the

16 update on the Every Student Succeeds Act ESSA state plan.

17 Commissioner?

18 MS. ANTHERS: Thank you. I will be turning

19 this over to Pat Chapman, executive director of Federal

20 Programs and Alyssa Pearson. And we may have some other

21 folks Mary Hudston (ph) and Nazie Mohajeri-Nelson (ph).

22 And this is the ongoing communication around our federal

23 Every Student Succeeds Act plan and the feedback we have

24 received from the U.S. Department of Education and

25 presenting some options to you moving forward based on that



1 feedback. So, I'm now turning this over to you, Pat, first.

2 MR. CHAPMAN: Okay. All right. We're right
3 here, aren't we? Perfect for a discussion.

4 MS. MAZANEC: Is that making you
5 uncomfortable?

6 MR. CHAPMAN: No, it's -- it's actually
7 really nice.

8 MS. MAZANEC: Would you like to move back a
9 little?

10 MR. CHAPMAN: Maybe just a half a foot.

11 So we are here today to provide some
12 clarifying information regarding the feedback we received
13 from the US Department of Ed, regarding our ESSA state plan,
14 and that plan approval process. And then, to share some
15 options with you with regard to how best to move forward
16 after receiving their feedback.

17 Just to ground you a little bit in -- oops,
18 that's -- okay. To kind of round you and where we are in
19 the- the process. As you know, we submitted our plan on May
20 9th in mid August. On the 9th and the 11th, we received
21 feedback from the US Department of Education both in a phone
22 call and in writing. They requested that we submit a
23 revised plan within 15 days. We felt given the feedback
24 that it would be best to request an extension to submit our
25 revised plan.



1 We did that on August 24th. We received
2 confirmation from them, that they received that request, and
3 they were okay with us taking some additional time to work
4 with the board and stakeholders in -- in identifying how
5 best to respond to their feedback. And they said okay.

6 We -- we indicated that we would be in a
7 position to submit our revised plan in late -- in late
8 October. So today, we're here to share some additional
9 information with you. It's a little bit deeper information
10 with regard to the -- the nature of the feedback that we
11 received on the 21st. Alyssa and Nazzy and Marie will be
12 convening the accountability work group, the ESSA
13 accountability spoke committee along with the Hub Committee,
14 to talk in detail about the feedback that we have received
15 and to -- to put to -- pull together some feedback that we
16 will share with you at your October meeting, and then, we'll
17 go from there.

18 Just a little bit about the areas that we
19 receive feedback on. It was primarily related to
20 accountability, the -- how we calculate the achievement
21 indicator and participation for the accountability
22 achievement indicator. They -- during a phone call I
23 believe with Alyssa and the US Department of Education, they
24 raised the issue of K2- K1 and K2 schools. How we will
25 calculate and what we will use for accountability for those



1 schools. Some information about our long term achievement
2 goals and the interim targets. So those are the areas that
3 we will be looking to -- to you guys to provide direction.

4 And then there are also a couple of other
5 areas that we will discuss more in more detail over time.
6 That is the other indicator that we're allowed to utilize
7 under the new ESSA statute and then long term goals and
8 interim targets for English language proficiency.

9 And so with that, I'm going to turn it over
10 to Alyssa and others to go into -- oops, to go into detail.
11 Sorry.

12 MS. PEARSON: Thank you. Okay. You all I
13 know it's the afternoon, it's hitting, isn't it? We're
14 gonna wake everybody up with ESSA. All right. Or help you
15 with a nap time, one of the two.

16 Before we go any further into the details, I
17 just wanna do a little bit of framing because I think as we
18 start talking about the US Department of Ed requesting or
19 telling us, giving us direction that we need to go in a
20 certain direction to be approved federally, there's been
21 confusion about state versus federal systems and how well
22 aligned they are already.

23 Already with what we wrote in our plan, we
24 have distinct state and federal identification. We were
25 able to bring our state and federal system together quite



1 closely through the waiver process when we had an NCLB
2 waiver. Not entirely, but the closest that it's ever been.

3 With the ESSA plan that we submitted, it was
4 already a bit distinct. Remember, we talked about those, we
5 had those kind of this kind of a Venn diagram circles, and
6 that we showed that there's not a perfect overlap in an
7 identification of schools under ESSA and schools under the
8 state system.

9 So ESSA requires identification of
10 comprehensive lowest 5 percent of schools. And we've able -
11 - been able to iden -- align, I'm sorry. We've been able to
12 align that identification with our state system. But then,
13 ESSA also looks for schools that have low graduation rates,
14 and that are identified based on the performance of
15 individual disaggregated groups. And those are targeted in
16 additional targeted.

17 And those areas, those kinds of
18 identifications, are identifying important challenges that
19 schools have, but they are not aligned with how our state
20 system all the time identifies schools and districts. So we
21 are already at this place where we know we're gonna have
22 different identification.

23 The way we wrote the ESSA plan to begin with
24 was so that we could use the baseline data. That same data
25 that we use for the school performance frameworks, to alig -



1 - to identify schools federally. So, to use those same
2 calculations. I think where we're gonna get into the
3 conversation today is that base calculation level. There's
4 an option to looking at that differently.

5 So it will veer it off or it could have the
6 potential to veer things up a little bit more. But we are
7 not at a place right now anyway with the ESSA plan that were
8 in perfect alignment state and federal. So I just wanted to
9 kind of start with that.

10 We're gonna go probably spend the majority
11 depending on how you all wanna spend time on the achievement
12 and participation calculation. I think it's where you all
13 have the most interest. But, you know, if -- if you don't
14 have a lot of questions, we can move through that more
15 quickly.

16 Mr. Durham's questions about the
17 participation rates and the kind of the distributions of
18 those. We just wanted to follow up and show that here
19 before we get into the details so you can know what the data
20 looks like a little bit more. Oh, that's super teeny.
21 Sorry. Thanks, Mikey (ph).

22 I'll read it out loud, but it'll also be up
23 there bigger in a moment. We looked at the English Language
24 Arts participation rates for schools. Just used English
25 Language Arts as a kind of a -- as an example.



1 Two hundred eighty nine schools in the state
2 had participation rates below 85 percent in English Language
3 Arts in 2017. About almost 16 percent of our schools.
4 There were 393 schools or about 21 percent, that had
5 participation rates between 85 and 95 percent. So they'd
6 have that kind of low participation flag there or indicator
7 but they weren't as low as you know, below 85 percent. And
8 then, we had 1,900 or 1,097 schools, about 60 percent of our
9 schools, that are at or above 95 percent. So it's kind of
10 the high level distribution. There's 57 schools and sized
11 as too small to report what that participation rate was.

12 So that's kind of the distribution of what
13 we're looking at in terms of where our schools are falling
14 in terms of percent of the students participating. That's
15 high level. We can get you more nuanced if you guys want
16 more nuanced data. But thought that would help. Thank you,
17 Mikey.

18 Thank you. So we, after we talked with you
19 all in August, we told you we were -- we were going back to
20 the US Department of Ed to get some real solid clarification
21 from their perspective about what -- what they saw was the
22 need for us to fix or to change in order to have an approved
23 plan. What they told us is that when we calculate
24 achievement for purposes of identifying schools for those
25 ESSA categories, we can't exclude parent excusals those from



1 the denominator. We can't exclude anybody like from that
2 denominator calculation.

3 Basically, once you exceed that five percent
4 of students not participating, they have to be in the
5 denominator. They have to count as a non-proficient reading
6 in some way or another. So they were very clear about that.
7 So it's about the identification of schools under ESSA.

8 We have flexibility as a state and how we
9 report the results and our state accountability system. So
10 according to what they shared with us, this is about ESSA
11 identification of schools. We have flexibility with
12 reporting and with our state accountability system.

13 So I think a good way to kind of show all
14 these components is to do a little crosswalk. Thank you,
15 (Indiscernible). Like you got to screen right here. You
16 don't need to look up.

17 So the -- there's a federal component, and
18 there's a state component, and there's thinking about
19 achievement calculations that, you know, proficiency kind of
20 measurement and participation. I'm gonna walk through the
21 different requirements and where we're at currently.

22 So in terms of achievement for the -- for the
23 federal law. Again, when we exceed that five percent of
24 students counting as -- as nonprof -- nonparticipants, they
25 have to be counted as non-proficient. That's what the US



1 Department has said. So again we -- I think we went through
2 this example in August. If you had 100 students in the
3 school, 50 tested, 50 didn't, what the Feds say is the
4 calculation would be 50 divided by 95 because you can have
5 your five percent non-participants. You'd have a part -- an
6 achievement rate of 52.6 percent. And we would use that not
7 necessarily for reporting, but for calculating which schools
8 get identified under ESSA.

9 So currently, you know, for the state, we do
10 things differently. In our mean scale score calculations, w
11 e only use students that actually have a valid score on the
12 assessment for our calculation. So, a kid that didn't test
13 for whatever reason, we have the participation rate, and
14 it's very clearly marked right next to the achievement. But
15 when we calculate what that mean scale score is, we're only
16 including kids that actually have a score.

17 So again, it needs to be taken into
18 consideration. You've got to look at that. You know, if
19 you got half your kids tested and 100 percent are
20 proficient, you have to know that half of them did not test.
21 So, we know how half of the students did, we don't know what
22 the other half did. So you still need to, you know, look at
23 the data carefully.

24 In terms of the participation requirement,
25 the US Department of Ed confirmed or clarified for us that



1 the -- their minimum requirement for how states hold their
2 schools and districts accountable district schools
3 accountable for participation, is by doing what's in that
4 achievement, the federal achievement square. That's all we
5 need to do is do that calculation the way they want.

6 When there were regs in place before the regs
7 got removed, there was all these different options of what
8 we needed to do. Those regs have been removed. They are
9 not in place and they've clarified that the only -- the
10 minimum par -- minimum requirement is just to do the
11 calculation the way the -- the law is going to do the
12 calculation.

13 Currently in our state plan, in our ESSA plan
14 that we submitted, we have some other ways that we included
15 because at that point, we thought we needed to do more, so
16 we included requirements around improvement planning,
17 reporting, communication tools the state would provide, and
18 program reviews, specifically around the accountability
19 participation rate when we remove the parent excusal. So
20 not the overall participation rate, just that accountability
21 participation rate.

22 And then finally, in terms of our state
23 system, what we do for accountability, and we talked about
24 it a little bit earlier, is we lower the rating one level if
25 schools or districts don't meet the 95 percent



1 accountability participation rate. That's what the choice
2 is, you know, that we've made as a state to do there.
3 Again, we also add the descriptors that we talked about this
4 morning.

5 So for purposes of today, what's in this
6 yellow-orange color, that's what we need to address for the
7 U.S. Department of Ed. That's what they're telling us. In
8 our state plan, we need to respond to this concern about how
9 we're calculating achievement and what we're doing there.

10 MS. SCHROEDER: Let me --

11 MS. PEARSON: Yeah.

12 MS. SCHROEDER: May I just clarify?

13 MS. PEARSON: Yes.

14 MS. SCHROEDER: So the option that we had
15 earlier of just lowering the accreditation rating, that was
16 a state option.

17 MS. PEARSON: Uh-huh.

18 MS. SCHROEDER: And the Feds even then
19 required a zero, or did our waiver allow us to do that for
20 NCLB?

21 MS. PEARSON: The -- the language around the
22 95 -- like when you exceed the five percent participation,
23 that is new language. That was not in NCLB.

24 MS. SCHROEDER: Okay.

25 MS. PEARSON: So this is a new requirement,



1 or a new way of holding everybody accountable.

2 MS. SCHROEDER: Right.

3 MS. PEARSON: In NCLB, what there was though
4 before the waiver when we had adequate yearly progress or
5 AYP, if a school didn't make -- or district didn't make 95
6 percent participation overall or for even in one individual
7 of disaggregated group, it did not make AYP. So, there was
8 this very, you know, all or nothing.

9 MS. SCHROEDER: Right. And they -- the --
10 the scores were counted as zeros.

11 MS. PEARSON: The scores of the non-
12 participants were not counted in zeros. They were counted
13 in the participation rate as a nonparticipant. When we
14 calculated the percent partially proficient or above, for
15 AYP, the nonparticipants were not in that calculation.

16 MS. SCHROEDER: Thank you.

17 MS. FLORES: So, I know you didn't answer
18 this. May I?

19 UNIDENTIFIED VOICE: That's about it.

20 MS. SCHROEDER: Do you have a question?

21 MS. FLORES: I do.

22 MS. SCHROEDER: Okay.

23 MS. FLORES: I know that last time I had
24 asked about the Fed rule, which was that parents have the
25 right to say no if they chose that their kids not take the



1 test. Okay. That was -- and then we followed and then our
2 legislature followed. Meaning, when we followed, the same
3 rule that was when we voted and then legis -- our
4 legislature voted that they would not be counted or schools
5 would not be censured for -- for what parents -- the
6 decision that parents had made.

7 Okay. But that was the -- the order. So now
8 they're saying that that doesn't go. I mean, even, even if
9 our legislature says that --

10 MS. PEARSON: So, let -- can I clarify a
11 little bit? The -- the -- kind of the old -- the policy path
12 that we were on. And, Joe, feel free to jump in if I -- if
13 you want to better explain this. You all made a motion in
14 February of 2015 that said CDE don't hold districts
15 accountable if parents choose to opt their students out.

16 MS. FLORES: Well, I think we said don't
17 censure.

18 MS. PEARSON: Yeah.

19 MS. FLORES: Don't censure.

20 MS. PEARSON: Don't hold them liable --.

21 MS. FLORES: Do -- don't hold them liable for
22 what parents, for the decision their parents made.

23 MS. PEARSON: Yes. Yes.

24 MS. FLORES: And that's because there was a -
25 - a -- a federal law still on the books when we, when we



1 made that decision that -- that was -- that was Federal.
2 The State did the same thing.

3 MALE SPEAKER: So, there's still a, a law in
4 ESSA in the federal -- the federal statute that says that
5 parents have the right to opt out, or rather, that federal
6 law does not change state law on parental rights to opt out.
7 But the federal statute and US DOE's position is that that
8 question of parents' rights doesn't control the question of
9 what happens as a consequence to districts and schools.

10 And on that particular question, I think the
11 statute is quite clear that US DOE's position is not
12 ambiguous here or the statute's not ambiguous. They're
13 pretty clearly right.

14 MS. FLORES: But our state statute is not
15 ambiguous.

16 MS. PEARSON: So, can I clarify on our state
17 statute and then --.

18 MALE SPEAKER: Uh-huh.

19 MS. PEARSON: So that -- hat we have in state
20 statute is not around school and district accountability,
21 it's around having a policy so that students can -- so
22 parents can know how if they want their students not to take
23 the test, what that -- how they do that.

24 And then it goes on to say, you know, schools
25 and districts cannot put an undue burden on students that



1 wanna take the test, nor can they, nor th -- nor can they
2 encourage students not to take the test. What am I
3 forgetting?

4 UNIDENTIFIED VOICE: They can't --

5 MS. PEARSON: So it's about student and
6 parents. Yeah. They can't penalize students who do choose,
7 whose parents choose to opt them out of the state
8 assessment. But it's all about students. It does not talk
9 about the school or district consequence at that level.
10 It's just silent on it.

11 MS. SCHROEDER: Board member Durham?

12 MR. DURHAM: Thank you, Madam Chair. Is I --
13 am I correct that we would, for purposes of -- of
14 distribution of funds and that sort of thing, we would -- we
15 would use the federal rule and use that now in terms of
16 assessing -- assessing -- treating those scores as zero and
17 then assessing and the aid would go that way.

18 The only -- the only thing our current policy
19 does is prohibit us downgrading a school's performance
20 rating one mark if they fail to meet 95 percent. And that's
21 really -- that's really the only thing at question is
22 whether or not we impose that penalty. Is that a fair
23 statement that wouldn't change distribution of funds from
24 current methodologies? Is that correct?

25 MS. PEARSON: So I think that's helpful for



1 me to hear you say because I think that's been an area that
2 we haven't totally clear on exactly where you all mean in
3 terms of liability.

4 In terms of -- if you're asking in terms of
5 if we took the federal policy and put that into place, what
6 would happen? Is that what you're asking?

7 MR. DURHAM: Well, have we ever changed
8 really? I mean, haven't we -- have we always calculated
9 which schools and districts are entitled to -- are -- are
10 entitled to funding? I- it doesn't, and maybe it doesn't
11 affect funding at all. This doesn't, this is just a penalty
12 question. In fact, it doesn't affect Title 1 funding as to
13 the distribution?

14 MS. PEARSON: Yeah. So it doesn't affect any
15 state funding. None of our state accountability --

16 MR. DURHAM: Right.

17 MS. PEARSON: -- affects state-based funding.
18 And in terms of federal, it doesn't impact the, the general
19 Title 1 Funds that go to the districts. We get about \$10.5
20 million dollars in school improvement funds from the Feds to
21 direct to those, to the schools that are getting identified.
22 And so based on -- and we can talk about this options more -
23 - but based on how we identify those schools, it may -- we
24 may get some schools in that identification that we wouldn't
25 have otherwise.



1 What the US Department of Ed has said to us
2 is that when we -- when we run our comprehensive lowest five
3 percent list with the calculations they way -- they want, we
4 can differentiate the schools that are in that list because
5 of participation from the ones that aren't. And then we can
6 have different supports for them.

7 So we could say, "Yeah, you 20 schools fell
8 on this list because we don't know how your kids did.
9 You're not the priority for the funding to support
10 improvement because we just don't know how you're doing.
11 We're going to prioritize the funding for the schools over
12 here that we know, based on participation, we know kids are
13 struggling."

14 MR. DURHAM: So there's at least no reward
15 for non-participation.

16 MS. PEARSON: There's no reward for non-
17 participation.

18 MR. DURHAM: In other words, you -- you've
19 actually, since they're not under consideration because they
20 have low performance.

21 MS. PEARSON: I think that that is up to our
22 discretion to say if we want to prioritize the funding to
23 them or not to them based on why they're identified.

24 MR. DURHAM: I don't think there should be a
25 reward, I just don't think there should be a penalty. But



1 nothing -- nothing really has changed other than -- or
2 nothing really has changed in that the federal law
3 recognizes a student's -- a parent's right to opt out.
4 State law represe -- recognizes a parent's right to opt out
5 and goes one step further, that says that there are no
6 penalties that can be imposed by the district to the school.

7 UNIDENTIFIED VOICE: That's our rule. That's
8 not the law.

9 MR. DURHAM: No, that's the State.

10 UNIDENTIFIED VOICE: That's the state.

11 MS. PEARSON: On the student. On the
12 student, yeah.

13 MR. DURHAM: That's the legislature and ours
14 then says you can't penalize the district for that which
15 they cannot control. And so -- so nothing fundamentally is
16 changing other than the only thing that would change is that
17 we would impose a downgrade of one -- of -- of one
18 performance rating, we would reduce it one mark, which would
19 then incentivize all the school districts to violate the
20 statute and try and penalize students for not participating.

21 MS. FLORES: Which they're -- they already
22 are.

23 MR. DURHAM: Which they already do, but at
24 least we've minimized it to some extent. Is that a -- is
25 that a fair outline of the issue?



1 MALE SPEAKER: Well, we don't have to do that
2 for the state calculations.

3 MS. PEARSON: Like the decrease in the
4 participation.

5 Yeah.

6 MS. PEARSON: Your Board Rules have a
7 requirement that participation is taken into account in the
8 overall rating but not in the percent of points. So you've
9 got something in your current state Board Rules. You all
10 clearly have authority over that. You can change that if
11 you want to do that. But right now, it's -- your decreased
12 rating is around the accountability participation rate.

13 MR. DURHAM: Right.

14 MS. PEARSON: So you're not making anybody
15 accountable for the parent excusals.

16 MR. DURHAM: Right, and that's -- and so it
17 alr -- if we maintain that, we're being -- we're being -- if
18 we -- if we refuse to hold districts or if we refuse to
19 penalize districts for that of which they have no control,
20 then we're -- they're threatening to withhold funds. That's
21 really the bottom line. Because we can't get an approved
22 plan, if we can't get improved plan, they're threatening to
23 withhold funds.

24 MS. PEARSON: If you interpret the
25 calculating those students as non-proficients -- non-



1 proficient as holding the district liable. I think it's --
2 it's your interpretation. So if your interpretation of
3 holding the district liable is downgrading the rating, the
4 Feds are not telling us we have to do that. All the Feds
5 are saying that we have to do is count those students as
6 non-proficient.

7 MR. DURHAM: So that -- but that then has the
8 -- that will certainly have the effect of, could have the
9 effect of downgrading them more than one.

10 MS. PEARSON: For the federal -- for the
11 federal identification, not for the State. They -- they're
12 not telling us anything about our state system. They're
13 telling us for those federal comprehensive and targeted iden
14 -- additional targeted identifications. That's how we have
15 to calculate things. You all are still, everything in green
16 is up to you all.

17 MR. DURHAM: So do those get re -- do those
18 getting reported any place? In the federal?

19 MS. PEARSON: We have control over the
20 reporting. We will let -- we definitely need to let
21 districts know schools that are identified. Do we have to
22 report a list of the schools identified?

23 UNIDENTIFIED VOICE: We have to, yes.

24 MS. PEARSON: Okay. But we can differentiate
25 on that list those identified by -- because of



1 participation, and those that are not identified for the
2 other reasons from actual performance.

3 MS. SCHROEDER: But. Just a minu -- one
4 moment.

5 MS. RANKIN: Madam Chair.

6 MS. SCHROEDER: Board Member Rankin.

7 MS. MAZANEC: Sorry.

8 MS. PEARSON: This is not real clear to me.

9 MS. MAZANEC: Okay. No. But, let me just
10 look at an example. Let's say a school or district even,
11 the top kids opted out. So, their scores are lowered,
12 they're non-proficient, so more Federal money gets directed
13 -- earmarked that school as being -- and then those top kids
14 are back in the classroom, but the money is going where?

15 MS. PEARSON: So we have discretion on
16 whether or not we send the additional money to those schools
17 that are identified, because of students not taking the
18 test.

19 UNIDENTIFIED VOICE: So, even -- so, but ESSA
20 Federal money --

21 MS. PEARSON: Sorry, we have discretion --

22 UNIDENTIFIED VOICE: -- is still our
23 discretion?

24 MS. PEARSON: Yes. Yes.

25 MALE SPEAKER: Yeah. It -- it might render



1 some schools eligible for School Improvement Funding that
2 otherwise wouldn't be eligible. But we in the awarding and
3 --

4 UNIDENTIFIED VOICE: But we can step in.

5 MALE SPEAKER: -- allocating of those funds,
6 we can take that into consideration and direct the funds to
7 those that have been, I guess, more correctly identified for
8 improvement.

9 UNIDENTIFIED VOICE: Okay. That was --

10 MS. FLORES: How do we know?

11 UNIDENTIFIED VOICE: I think we would -- we
12 would say we know the ones that are struggling, that have
13 the participation right there. The ones that don't have the
14 participation, we don't know if there are enough, right? So,
15 it's really about, there are some unknowns. We may be
16 identifying them, we may be misidentifying them, we don't
17 know. But, the ones that do have the participation rate, I
18 think we feel pretty confident that we know they -- that
19 they've got challenges.

20 MALE SPEAKER: I think one of the -- the
21 things that they, the feedback that we got from the USDE is
22 that how you do state accountability, or State
23 Accountability System, is up to the State. But for the
24 purposes of implementing the Federal Statute, those are --
25 these are the rules.



1 UNIDENTIFIED VOICE: Yeah.

2 MS. ANTHES: Reporting?

3 MALE SPEAKER: Reporting, and to count those
4 non-participants, the parent refusals as zeros in effect,
5 and then those kinds of things. So, that's what's stated in
6 the statute.

7 MR. DURHAM: Miss Chairman, is that reporting
8 to the Federal Government, or reporting generically?

9 UNIDENTIFIED VOICE: Steven, you are next.

10 MALE SPEAKER: Publicly reporting --

11 MALE SPEAKER: Publicly?

12 MALE SPEAKER: -- the results.

13 UNIDENTIFIED VOICE: Everything in green, up
14 on the slide, is where you all have some discretion and
15 ability to change things. And, the U.S. Department of Ed
16 is not telling us to do anything on that. That's all of
17 what you all wanna do, what's in statute and rule too, but
18 that's where we have got discretion. It's really just the
19 yellow-orange section that, that's where we're getting the
20 feedback in the U.S. Department of Ed.

21 MS. FLORES: The question -- the question I
22 wanna ask, and actually I'm -- I'm -- I'm asking, is this
23 true? And I'm gonna make your district a comparison to my
24 district.

25 MS. SCHROEDER: Go right ahead.



1 MS. FLORES: Okay. So, there's Denver Public
2 Schools and then there's Boulder. There -- Boulder, of
3 course, has a large number of white students that opt out.
4 Denver has a large number of students, especially minority
5 students, that don't opt out. So, that would mean that
6 priority would be given possibly to Denver because Denver
7 has a good rate of, of kids taking the test, whereas,
8 Boulder, does not.

9 So, priority would be given -- and there's a
10 need too, the big need that Denver has a larger number of --
11 of minority students. And the need is there and they score
12 lower than do the kids in Boulder. So, would I -- would I
13 be right in my assumption?

14 MS. PEARSON: Yes. So, I think when we run
15 the results, we'll be -- if we run the results the way the
16 U.S. Department of Ed is asking us to, and we, we are
17 working on it. We're not there yet. So once we have the
18 data, we can be a little bit more informed on all of this.

19 Run the results the way the U.S. Department
20 of Ed wants us to. We will look at, you know, the
21 calculations that we do now, the way we do it, and then the
22 way they want us to go with the non-participants counting as
23 zeroes. We'd pull out the schools that are identified in
24 the categories because of the zeroes. Like if they're
25 identified there, but not there -- identified because of our



1 normal calculations, and look at the difference.

2 So if Boulder schools are popping up on the
3 lowest 5 percent list just because kids aren't taking the
4 test, and we don't know how they're doing, we would have
5 that -- we'd move them to one pile. We'd keep the schools
6 that would be identified based on the actual performance and
7 actual participation in another pile, and then we can
8 prioritize the ones that their actual per -- performance is
9 low and warrants support, and put those supports there.

10 MS. SCHROEDER: The dilemma is-

11 MS. FLORES: So my last -- my last question-

12 MS. SCHROEDER: Let me just addre --

13 MS. FLORES: My last question -- please, let
14 me finish. So, my last question is, that Colorado would
15 still -- would still get the monies for ESSA. Those are not
16 -- are not going to be taken away. The -- the monies are
17 not in question.

18 MS. PEARSON: We need an approvable plan.

19 MS. FLORES: Okay.

20 MS. PEARSON: With the U.S. Department of
21 Ed.

22 MS. FLORES: On -- on that issue?

23 MS. PEARSON: On -- yeah. There's -- on the
24 -- the, you know, there's a few issues that they have.

25 MS. FLORES: Right.



1 MS. PEARSON: This is the one that's somehow
2 hardest to resolve.

3 MS. FLORES: But that -- on -- but on that,
4 if we work it out it's okay.

5 MS. SCHROEDER: The dilemma, Ms. Flores, is
6 that Boulder and a number of other districts that have very
7 high achieving students, they also have Title I schools
8 where 60 percent to 80 percent of the kids are on free and
9 reduced lunch. And when they don't have the kind of
10 participation, that -- for the particular schools, that
11 information is lost and those resources are lost for those
12 students.

13 So it -- the -- the -- the dilemma is in the
14 -- the groupings of kids within the districts. And that is
15 all I believe, all over the State and in several -- several
16 of the other high achieving districts that also have
17 congregated poor kids.

18 MS. FLORES: Okay. I was just --

19 MS. SCHROEDER: And that's what we lose.

20 MS. FLORES: I was just making a -- a gross
21 kind of --

22 UNIDENTIFIED VOICE: Can I ask a question?

23 MS. FLORES: -- assumption. And also, I
24 think there are statistics that -- metrics that you could
25 use to show that it was kids who score high, usually,



1 because of past grades and past years, that would show that.
2 And I'm not saying that I'm being -- that I want that to
3 happen-

4 MS. SCHROEDER: I'm just pointing out the
5 fact that when you look at it globally, this is why we
6 disaggregate and why we look school to school. Because if
7 you just look at the big picture of the districts, you don't
8 --

9 MS. FLORES: That's what I'd --

10 MS. SCHROEDER: -- get -- get the detailed
11 information.

12 MS. FLORES: And exactly, I'm saying the same
13 thing. We're talking about the same thing.

14 MS. SCHROEDER: Ms. Mazanec.

15 MS. MAZANEC: Is it possible, either for you
16 Pat, or Alyssa, or whoever, to explain this? The -- the DOE
17 wants us to report that way, which has an effect on the
18 funding. Correct? But, if I'm hearing you right, and this
19 is what -- this is what I'm hearing and I would like you
20 guys to put it into a nicer package that makes more sense.

21 But I'm also hearing that the state has some
22 ability to parse those numbers out, so that they know how
23 much of that non-participation is because of opt out, and
24 how much is just non-participation. And based on what we
25 know statewide, you know, as a state, we may be able to



1 direct the monies in the right. So, I just wanna know if
2 that's what I'm hearing, that regardless of what the
3 Department of Ed is asking for, does the state have pathways
4 and ways to make sure those funds are directed to the right
5 place? And, is that -- is the problem that we don't think
6 that, that the Department of Ed will approve our plan? Or
7 what is that plan?

8 MS. PEARSON: Let me move forward because I
9 think we'll get to it. But, let me just clarify the
10 beginning of what you said. What the U.S. Department of Ed
11 is saying it's not about reporting. It is about identifying
12 schools under ESSA for support, that we have to do the
13 calculations the way they are saying.

14 MS. MAZANEC: But, the reporting determines,
15 right?

16 MS. PEARSON: We can report the data in -- in
17 ways to be more clear and transparent about it, about what
18 it's actually reflecting. We don't have to report the
19 individual calculations. I mean, it doesn't make a lot of
20 sense. You'd want to report the data that's behind the ide
21 -- the identification.

22 But when we are talking about, when we put
23 out our achievement reports and we can -- we can report
24 achievement by showing here are the percent of kids that
25 participated, here's what the ones that did participate,



1 what their scores are. We can do that the way we want. We
2 don't have to give this misleading piece of information when
3 we report the part -- the achievement rates of 52 percent of
4 kids are a benchmark, when actually 100 percent of the kids
5 that tested are meeting expectations.

6 MS. MAZANEC: Okay.

7 MS. PEARSON: So, we -- we don't need to do
8 that for reporting. We just need to do that for like, for
9 identifying schools for support under ESSA. Does that make
10 a little more sense?

11 MS. MAZANEC: Okay, and keep going. So --

12 MS. PEARSON: Okay. So let me --

13 MS. MAZANEC: -- we identify --

14 MS. PEARSON: Yeah. If I can go through the
15 options, I think were gonna get to the rest of your
16 questions.

17 MS. MAZANEC: Okay.

18 MR. DURHAM: Let -- let me clarify one thing
19 before we do. I think --

20 MS. SCHROEDER: Board member Durham.

21 MR. DURHAM: -- I think it's important to
22 note that -- that because of the situation you describe, Dr.
23 Flores, where in Boulder, generally high performing students
24 don't test and their rating might be lowered. And in
25 Denver, there is -- that they may very well meet 95 percent



1 if not, they're close --

2 MS. FLORES: Right.

3 MR. DURHAM: -- because everybody--
4 essentially everybody tests. Because of that particular
5 issue, no money that should go to Denver, flows to Boulder.
6 And that's currently true and would be -- and I think would
7 continue to be true that regardless of whether or not we
8 take any action.

9 So there's -- there's not money flowing to
10 places where it doesn't belong. This is -- this is issue --
11 the only place money comes into play in the entire
12 discussion of this issue, is you have to believe that for
13 the first time in recorded history the US Department of
14 Education would withhold funds if we don't dance to the tune
15 they want to play. That's -- that's really the issue.

16 I don't personally happen to believe that
17 that's going to occur. Whether we take all the action they
18 want or whether we take none of the action they want.

19 Now, everybody can have an opinion on that
20 but at least historical perspective is certainly on the side
21 of likely not seeing any funds withheld because of the --
22 the pure politics and optics of -- of that and I think it's
23 much less likely now than it would have been a year ago.

24 So that's really the only issue. All this
25 debate is really about whether or not we're gonna have an



1 approved plan. And -- and if -- if whether or not we have
2 an approved plan really affects anything, I -- I -- I'd like
3 to find out.

4 Because I don't -- I don't think it does.
5 And I think we ought to -- we ought to manage -- we ought to
6 manage what goes on in Colorado in the best interest of our
7 students. And the legislature has made it clear that it's
8 in the best interest of our students not to be penalized if
9 their parents opt them out of testing. That they shouldn't
10 be held up to ridicule, denied the opportunity to
11 participate in extracurricular activities or any of those
12 things.

13 That's really the issue. And the issue is
14 are we gonna uphold the intent of the legislature, who I
15 think clearly has the basic authority in Colorado education,
16 or are we going to allow Washington to dictate what I
17 think's a very important policy? And I think that's really
18 all it boils down to.

19 And -- and -- and perhaps the saddest part of
20 this is the policy -- when you go to the meetings where
21 there are Federal people, they tell you the reason for the
22 policy is they believed that school districts, in order to
23 raise their scores would discourage free and reduced lunch
24 students from taking the test. Obviously that hasn't
25 happened.



1 What's happened is, parents who are very
2 concerned about whether or not their students benefit from
3 this test, have decided they should not take. So, the --
4 even the intent of what -- of what the Federal Statute was -
5 - the intent of the Federal Statute is not being violated by
6 this policy because there is no evidence whatever that
7 anybody is encouraging poor kids not to take the test. If
8 anything it's quite to the contrary. So, I -- it's the pol
9 -- the Federal policy is bankrupt on several levels.

10 That being the most sig -- and I think that
11 being the most significant. The policy is completely
12 useless because it -- it tries to deal with a problem that
13 does not exist. And I don't think they were ever concerned
14 about good students opting out, as -- as- as it's -- has
15 been made clear in a number of meetings I've attended, where
16 the Federal officials have said in no uncertain terms, we
17 really don't care about -- about white students in Boulder,
18 this is a Civil Rights Act. It doesn't have a darn thing to
19 do with that.

20 Well, the Civil Rights Act -- the civil
21 rights of all these students are being protected by the
22 existing law. No one is encouraging a violation to
23 encourage those people not to test. So the question is, are
24 the parents gonna have the right to make the decision they
25 believe is in the best interest of their kids?



1 And I -- and I appreciate what you all are
2 trying to do in trying to avoid a confrontation, but I don't
3 -- as long as the legislative -- I mean, I -- if -- if we're
4 going to take some action we ought to notify the legislature
5 that -- that the -- the Statute they've passed not allowing
6 a penalty is creating a problem and whether or not they
7 wanna con -- reconsider that. And if they reconsider, we
8 should reconsider. But until that happens, I don't think we
9 should reconsider our existing policy. Thank you.

10 MS. SCHROEDER: So, Mr. Durham, I'm gonna
11 say this one more time. Boulder does not have a 100 percent
12 high achieving kids. And my point was that when sta -- our
13 staff has the opportunity to distinguish between schools
14 that should have the funding for free and reduced lunch kids
15 or low achieving kids or in particular special ed kids,
16 which by the way, there are efforts to keep them from taking
17 the test. Your information is not 100 percent correct
18 there. It makes it really difficult because we really are
19 not seeing the picture. That's all. I'm not suggesting any
20 kind of changes --

21 MR. DURHAM: But I don't --

22 MS. SCHROEDER: -- but it's not as ideal as
23 you describe it.

24 MR. DURHAM: But I don't -- I don't think
25 that the -- the staff is still al -- is misallocating funds.



1 I think they are --

2 MS. SCHROEDER: I think they're doing the
3 best they can with the information that we provide.

4 MR. DURHAM: Well, and I think they're
5 getting more than enough information to make those
6 decisions.

7 MS. SCHROEDER: Go ahead.

8 MS. PEARSON: Okay. So, let me talk through
9 the high level -- these are kind of big categorical options.
10 Clearly, there's gonna be a lot of nuance within these and
11 other -- a lot of other options. More kind of nuanced
12 options out there. But we wanted to pull together like the
13 three big ones that we saw and then let you all have a
14 conversation about that.

15 So, this -- one, we could adjust the
16 achievement calculations for Federal purposes only. So that
17 one checks at section do what the US Department of Ed is
18 telling us we need to do on that and do that only for our
19 Federal calculations. You all could do that for Federal
20 calculations and then choose do it for state calculations
21 too. It's an options you have.

22 Or the third option is stay firm on our
23 calculation policy, don't make adjustments to our ESSA plan,
24 and then see where things go from there. And then
25 additionally, clearly you all know, all that green section,



1 you have flexibility if you want to do anything with the way
2 we do any of that you can, that's just not anything you need
3 to do for ESSA.

4 UNIDENTIFIED VOICE: Ms. Pearson, can I jump
5 in just --

6 MS. PEARSON: Yeah.

7 UNIDENTIFIED VOICE: And Board member
8 Mazanec, I don't know if this helps but, I'm just trying to
9 clarify- I'm trying to simplify option one which is all the
10 stuff we just talked about, and my team will jump in if I
11 get this wrong, is that for ESSA, they want to cal -- they
12 want us to calculate -- they want us to calculate using
13 students as a zero if they don't participate, just for the
14 identification of the lowest performing schools. It does
15 not mean we need to change our ratings.

16 UNIDENTIFIED VOICE: Right.

17 UNIDENTIFIED VOICE: Okay. So I -- I kept
18 hearing people jumping on ratings, like lowering a rating
19 level or lowering. Option one, going back one slide is,
20 would not mean that we would have to change our
21 accountability framework ratings, all the things you saw
22 earlier today. All it would mean is, how we put the pool of
23 schools and districts into a support pool, and then we could
24 identify the criteria with your help, if you'd like, to say
25 how that money is allocated.



1 UNIDENTIFIED VOICE: I think --

2 UNIDENTIFIED VOICE: Does that help?

3 UNIDENTIFIED VOICE: I think that is what I
4 was trying to say that I thought I was hearing.

5 UNIDENTIFIED VOICE: Yes. I think and I just
6 want to be sure because --

7 UNIDENTIFIED VOICE: So it wouldn't have
8 anything to do about the -- our accountability rating.

9 UNIDENTIFIED VOICE: Yeah.

10 UNIDENTIFIED VOICE: Okay. Yeah. Right.
11 This is not about -- and this is where --

12 UNIDENTIFIED VOICE: Yeah, the purpose of it
13 versus the effect of it.

14 Yeah.

15 UNIDENTIFIED VOICE: And how we can make
16 those decisions.

17 UNIDENTIFIED VOICE: Right. So, the ratings,
18 our accountability ratings, are not in this mix.

19 UNIDENTIFIED VOICE: Right.

20 UNIDENTIFIED VOICE: Thank you.

21 MR. DURHAM: Excuse me, I -- I just -- I
22 don't -- I mean, is the claim from staff -- is the claim
23 that there'll be nothing published that will cause the
24 public at large or the residents of a parti -- particular
25 school district, to believe their students performed worse



1 than they actually performed, because you used in the
2 calculation you have, you gave 50 students a zero.

3 UNIDENTIFIED VOICE: That's correct.

4 MR. DURHAM: And the answer is, there is --
5 there are going to be publications that contain this
6 information. The districts are not going to like that kind
7 of publicity. And they're going to try and do something
8 about it, probably in violation of the law, which forbids
9 them from penalizing students. Because frankly, even with
10 no penalties, I get reports on a very, very regular basis of
11 coercion and -- and penalties to students.

12 And problem is, the legislature didn't --
13 didn't make it a misdemeanor or a felony to violate that
14 law. So the only option is to find a parent with enough
15 money to see if they can spend two or \$300,000 suing their
16 school district. So, we're the only protection they have.

17 UNIDENTIFIED VOICE: Yeah. So, you're
18 correct, and I was -- all I was saying was that the rating
19 on the accountability framework --

20 MALE SPEAKER: Right.

21 UNIDENTIFIED VOICE: -- would be lowered.

22 MR. DURHAM: Right.

23 UNIDENTIFIED VOICE: But there would be other
24 places that they could find the information with this
25 calculation.



1 MR. DURHAM: Correct. And -- and you can bet
2 they're going to be -- that information's going to be well-
3 publicized.

4 MS. SCHROEDER: But Mr. Durham, wouldn't a
5 school board that allows parents to opt out, simply explain
6 that different calculation? And say, based on the
7 preferences of our parents, this is a -- this is a whole
8 different measure, this is not accountability measure.
9 Based on that, this is a measure in order to identify -- to
10 help identify students who seek federal -- from whom we seek
11 federal funds for additional money. I don't know -- I don't
12 see that districts will get all or rather about it, if it's
13 explained well.

14 MR. DURHAM: Well, I guess we could find out
15 by seeing if there are some funds or grants we could make
16 people ineligible for if we receive complaints about them --
17 about them treating students and violating their rights
18 under the statute. I suspect that will -- plea would if I
19 were to make those motions and bring those rules forward
20 would not get a majority vote on this board. So, the answer
21 as to what the district will and won't do, is I think pure
22 speculation.

23 But -- but the serious reality is, there --
24 the only place parents have to go for protection is right
25 here at this board. If a district decides they're going to



1 play hardball with parental opt out, unless you -- unless
2 you have three or \$400,000 to throw around for litigation,
3 you're all done and you sit back and take it.

4 MS. SCHROEDER: Board Member Flores?

5 MS. FLORES: Is it possible and -- and didn't
6 the Department -- U.S. Department of Education offer this,
7 that we can have a -- we can have a report for them
8 according to their rules. Our report for us, our state,
9 according to our rules. So, that's an option.

10 If that's an option, then we should take
11 that. I mean, say yes, we'll take the option for reporting
12 for Caesar, what Caesar wa -- you know, what Caesar needs
13 and wants, and then one for us, for our state, according to
14 our rules. And would that be just too awful? Would it be
15 too much work for the Department?

16 MALE SPEAKER: I think that's what we're here
17 to discuss today.

18 MS. FLORES: Yeah.

19 MALE SPEAKER: Just to Board Member Durham's
20 point, they -- so, what we're talking about when we were
21 saying rendering schools eligible for funding, the
22 calculations that we're talking about lead to the
23 identification of some schools for comprehensive improvement
24 and some schools for target improvement. Those schools have
25 to write an improvement plan and they do need to consult



1 with the parents and the community in the development of
2 that plan. So they -- it will be known to districts and
3 schools, that they have been identified for support and
4 improvement.

5 So it's -- that may lead to a greater
6 discussion within the community about why and so forth, and
7 then that might not be a bad thing. But there -- they are
8 being identified for both support and improvement, and do
9 have to write a plan as a result of that designation.

10 MS. PEARSON: Thank you. So to dig -- dig in
11 a little bit more on option one. That would be just as Dr.
12 Flores said, adjusting the calculations for the ESSA
13 identification, but keeping our state system exactly as it
14 is. We've received indication from the U.S. Department of
15 Ed that that will lead to an approvable ESSA plan. It would
16 also allow us to keep our state system intact in the way we
17 calculate.

18 Some cons to that, or concerns about doing
19 that, is like you talked about, there's gonna be somewhere
20 where we need to do these calculations and do some
21 reporting. So, it may re -- misrepresent schools with low
22 participation of their performance. And it doesn't, you
23 know, we di -- have -- that's where we make that divergence
24 from the base calculations between state and federal.

25 There are some things that we can do to



1 mitigate it like we've already talked about and really think
2 about we can put those schools that are identified because
3 of participation into a different category. We can label
4 them differently. We can talk about them differently. We
5 can prioritize them for the support funds differently. You
6 still have to report -- write a plan.

7 So that's option one of what we can do.
8 Option two, really gets that when you could change the state
9 system to. We're just putting all options on the table,
10 we're not advocating for anything in particular or
11 something. We just try to, kind of, the big ways that you
12 all could go.

13 You could align both, right? You could have a
14 consistent set of data that's used. We're still going to
15 have that not perfect overlap of schools and districts but
16 we'd have -- we'd have consistent data being used. We'd
17 probably have a approvable ESSA plan based on what the U.S.
18 Department of Ed -- Ed has said.

19 Some cons of that is, it does really
20 compromise the ratings for schools and districts with low
21 participation. It puts them into this category that we
22 don't know if they should be there or not. Right?

23 And then again, resources which we can do
24 some mitigation of an attention is set to schools that may
25 not need that. We just don't know if they do or not and we



1 don't see that aligning with the approach in the direction
2 that you all have given us. Mitigation again, we can we can
3 do some of that differentiation between the schools for
4 participation issues as well as for actual performance.

5 And then finally, the big kind of, bucket of
6 ideas of options is to stay firm with our policy and send
7 our plan back to the U.S. Department of Ed with no changes
8 and saying we're -- we're still sticking with this. That
9 would uphold your approach and consistency in your approach.
10 It would ensure that when we report data, it's clear and
11 transparent this is the percent and this is the actual
12 achievement of the kids that participated, but here's the
13 participation rate.

14 Likely, it means we won't have enough
15 provable plan. That triggers a full process with the US
16 Department of Ed which Joe has done a lot of research on and
17 can talk through what that would mean if we submit our plan
18 back with no changes and then they decide it's unapprovable.
19 And then, potentially, who knows what would happen, but
20 there's potential loss of federal funds on that.

21 Mitigation for this, is if you all wanted to
22 explore that more and you could also explore it under the
23 path of getting an approvable plan first and then going back
24 and asking for a waiver or an amendment to change what we
25 have in place and kind of do that. Let's get ourselves



1 approved and then let's go back and revise and try and get
2 our systems more aligned with each other. So, that's an
3 option as well.

4 MS. FLORES: So, there's waiver still?

5 MS. PEARSON: There are waivers that you can
6 still ask for. What the U.S. Department of Ed has told us
7 though is that they -- they're not considering those until
8 states have an approved plan. So you've got yourself doing
9 approved plan and then you can come in have a conversation
10 with them about.

11 MS. SCHROEDER: Board member McClellan.

12 MS. MCCLELLAN: Thank you, Madam Chair. I
13 appreciate you mapping out these options for us. And I just
14 wanted to say that I would be interested in getting the
15 perspective of Mr. Peters from the Attorney General's
16 Office with respect to possible ramifications for option
17 three. And I also would be interested in knowing what
18 federal funding and for which students in need would we
19 potentially be placing in jeopardy were we to go with that
20 radical option?

21 It would help my understanding to know just
22 what we would be putting at risk and which students would
23 see their federal funding that they need placed at risk and
24 how. And I'd also be interested in the financial impact or
25 the potential financial impact in increased legal fees for



1 the department should we go that route.

2 MS. SCHROEDER: Mr. Peters.

3 MR. PETERS: So, I can't answer anything
4 specific about legal fees. I haven't done that kind of
5 math.

6 In terms of possible ramifications, as Ms
7 Pearson said, there's sort of two different ways to do the
8 legal fight. If you go and -- and don't -- you know, if you
9 fight now, in the planning approval process. As a
10 theoretical matter, all of the tunnel one funds can be
11 placed at risk. If you lose, that would come at the end of
12 litigation. And there's a long extensive process that goes
13 into that.

14 Separate from that, ESSA has another penalty
15 provision that allows the portion of funds set aside for
16 state administration to be withheld. I tried to figure that
17 out, I think it's about a million and a half dollars, but
18 don't hold me to that. In theory, they can hold that back
19 without any process whatsoever until they get us to cave.

20 As Ms. Pearson said, there's also a post
21 approval process. You come back for plan support or for
22 plan amendment or for a waiver and there would be no money
23 at risk because you would have an approved plan in place.
24 You'd be in compliance with their position and try to move
25 out of it.



1 UNIDENTIFIED VOICE: Madam Chair, can I just
2 jump on that? And Joe has really very much been the point
3 person from our office on this and will continue to be, but
4 one piece I did want to add is -- as to make clear, that
5 we're not talking about a moment where the board has to
6 decide at the October meeting whether to jump off a cliff or
7 not.

8 I mean, this is really -- there is a process
9 that, you know, if you all wanted to take a last shot at
10 that proverbial line in the sand and say, "Here's what we
11 want to do and why." And then if the plan were formally
12 rejected -- because what we've got right now is more of an
13 informal feedback process -- there's still an opportunity
14 fundamentally, to capitulate, for lack of a better term.

15 So there are some intermediate steps if one
16 of the things I know as board member Durham mentioned is,
17 your know, a sort of, I think they're bluffing. I guess,
18 that would be the moment when you would find out.

19 UNIDENTIFIED VOICE: Yeah, and you just said
20 in theory.

21 UNIDENTIFIED VOICE: Yeah, and it's down the
22 road.

23 MS. SCHROEDER: Board member Flores.

24 UNIDENTIFIED VOICE: (Indiscernible).

25 MS. SCHROEDER: Oh, sorry. Oh, go ahead.



1 UNIDENTIFIED VOICE: Just as a follow up.
2 Thank you so much for that information. I would be very
3 worried about placing all of our Title I funds at risk. And
4 I also just want to say I think we're all wanting to act in
5 good faith and recognize that one of the goals of the
6 accountability system is to help us understand where
7 improvement is needed. And so having these gaps in the data
8 leaves those who would benefit from that identification and
9 the help that it might bring, kind of in the lurch.

10 And certainly, I don't think anyone means to
11 leave those kids in the lurch. I would certainly hope not.
12 So, to that end, I think that making these tests as relevant
13 as we possibly can to the parents who are having the
14 greatest degree of heartburn, may be a positive step in the
15 right direction so that, for example, basing some of our
16 high school tests on a more college preparatory model is
17 giving some of these parents things that I know where I
18 live, parents are going out of their way to pay for
19 privately anyway, so there clearly is a value in allowing
20 children an opportunity to get comfortable with college
21 preparatory or college entrance exams, generally.

22 So, I think those moves are taking us, I
23 hope, in the right direction so that these tests are
24 relevant, not only to the children who need the help in the
25 form of federal funds after identification of the need for



1 improvement but also those who are choosing to opt out in
2 greater numbers. So thank you very much for bringing this
3 before us.

4 MS. SCHROEDER: Board member Flores.

5 MS. FLORES: Well, I -- I don't think that --
6 I think that board member Durham is correct. I mean, in
7 saying that the monies wouldn't be compromised in going to
8 the wrong people or the wrong kids or the wrong schools who
9 don't need it, I think you're right because we do know that
10 it's more white kids who -- it's -- who really do well but
11 whose parents think they're wasting their time on taking
12 this test.

13 I think those are the kids that mostly don't
14 take the test. So, in a way, I think we should -- we
15 shouldn't even take up your time and go to the Attorney
16 General and ask for -- for all that time.

17 I mean, I really think that we should go with
18 option one. And I think that if we think about it right
19 now, that is basically the wise -- the wise thing to do.

20 I mean, is it possible to take a vote right
21 now on that issue? Well, I think that parents have the
22 right.

23 MS. SCHROEDER: Dr. Flores, we're going to
24 get some input from the Hub committee. There's sort of a
25 process. We will address it in October, but we're looking



1 for some further input from the folks who've been -- the
2 accountability folks who've been looking at this --.

3 MS. FLORES: Right.

4 MS. SCHROEDER: -- whole ESSA plan.

5 MS. FLORES: Well --.

6 MS. SCHROEDER: So it wouldn't be appropriate
7 for us to be voting on this right now.

8 MS. FLORES: Well, we know where they came
9 from. I mean, these are people that -- that stated that
10 they didn't want kids to come up --

11 MS. SCHROEDER: Board Member Flores.

12 MS. FLORES: -- to come up to -- to -- to --

13 MS. SCHROEDER: Board Member Flores.

14 MS. FLORES: -- level.

15 MS. SCHROEDER: Let's just let the --

16 MS. FLORES: To grade level. And I -- I -- I
17 don't know. Maybe I just don't have much respect for a
18 group that doesn't believe that kids can come --

19 MS. SCHROEDER: Board Member Flores, please
20 don't do this.

21 MS. FLORES: -- to grade level.

22 MS. SCHROEDER: Please don't do this. I
23 forgot who's running the --

24 UNIDENTIFIED VOICE: Okay. We're about to
25 pass things on.



1 MS. SCHROEDER: Okay.

2 UNIDENTIFIED VOICE: So again, like you just
3 said, Chairman -- Chairwoman Schroeder, we -- we -- this is
4 just information today. We're going to get more feedback on
5 the 21st. We'll bring it back to you in October. We would
6 really appreciate your direction in October. The US
7 Department of Ed would like us to resubmit by October 23rd,
8 if we're ready to do that. If we're not ready to do that,
9 we're not ready to do that and that's okay, but that's the
10 time line we're, kind of, looking at and hoping for.

11 MALE SPEAKER: Did you say that you're going
12 to get more feedback from the Hub committee?

13 MS. SCHROEDER: Yes.

14 UNIDENTIFIED VOICE: Yeah, we're on -- on
15 September 21st, we've got a joint Accountability Work Group
16 and Hub committee meeting to talk about this and some of the
17 other issues that we're going through today, just to get
18 their deeper, you know, we're gonna spend a whole seven
19 hours with them digging into this. Luckily, you guys
20 hopefully, you'll have just an hour and a half today.

21 MS. SCHROEDER: Board Member, Goff.

22 MS. GOFF: Thank you. Does this -- does this
23 jeo -- jeopardize -- I don't want to use that word, but does
24 it impact our time line for implementation? I mean, the
25 farther we go back in this fall -- well, on the other hand,



1 if we get a federal.

2 UNIDENTIFIED VOICE: Yeah.

3 MS. GOFF: -- budget, that would -- that
4 might be big news, too.

5 UNIDENTIFIED VOICE: So --

6 MS. GOFF: We don't have (indiscernible), but
7 I would just -- for everyone's logistical --

8 UNIDENTIFIED VOICE: Yeah.

9 MS. GOFF: -- piece of mind, well, how are we
10 doing with that? Because the farther we go, is there an
11 ultimate drop dead date this has to be approved, or it's
12 just -- so, we're ready to implement in -- in '18/'19. Is
13 that all --

14 UNIDENTIFIED VOICE: The US Department of Ed
15 said this is for the 2018 identification. So starting in
16 2018, beginning of the 2018/19 school year for identifying
17 schools based on the -- the data coming out this school
18 year, that's when, that's when our ESSA plan takes into
19 effect. We've got some flexibility for what we're doing for
20 this current school year in terms of support.

21 MS. GOFF: It still seems like it would be a
22 more amenable situation for us here if this was known. If
23 we had -- if we had a good handle on schools that needed
24 comprehensives that we wanna target for either of the two
25 categories before the year starts, because all of that ties



1 in with not only that, but we've got an assessment season
2 coming up and the beginning of a new performance framework
3 ca --

4 UNIDENTIFIED VOICE: I think this --

5 MS. GOFF: -- calendar year.

6 UNIDENTIFIED VOICE: -- we've heard from the
7 schools and districts that they appreciate knowing what and
8 how they're going to be held accountable as soon as possible
9 into the school year.

10 MS. GOFF: Okay.

11 UNIDENTIFIED VOICE: I'd say I've heard
12 concerns --

13 UNIDENTIFIED VOICE: Yeah, you know.

14 UNIDENTIFIED VOICE: Yeah, so, it's -- just
15 something that -- for you all to take into consideration.

16 UNIDENTIFIED VOICE: And we're certainly
17 concerned about parents, too.

18 UNIDENTIFIED VOICE: Yeah. Okay. So, we're
19 going to move on now. I'm gonna pass the clicker to Marie
20 and talk about some of the other issues that the US
21 Department of Ed wanted us to resolve, that we really need
22 some policy direction from you all. Again, not today, just
23 to try and get your feedback on it for going for -- or for
24 your information on it for today if we're going forward
25 later.



1 UNIDENTIFIED VOICE: Hopefully --

2 UNIDENTIFIED VOICE: But you still want us to
3 ask questions about it today, right?

4 UNIDENTIFIED VOICE: You -- oh, you can
5 definitely ask questions. You just don't need to make a
6 vote or anything on it today.

7 UNIDENTIFIED VOICE: And hopefully these are
8 not quite such contentious issues that we're going to be
9 getting into.

10 MALE SPEAKER: But you never know.

11 UNIDENTIFIED VOICE: You never know.

12 MALE SPEAKER: Oh, don't worry. We can -- we
13 can find a way.

14 MS. MURRAY: So the first one that actually
15 came as a bit of a surprise to all of us when we were
16 talking to the USDE was that we need to have a process for
17 identifying K-2 schools for the comprehensive and targeted
18 support and improvement.

19 In the past, because of our state system,
20 mostly looking at data from grades 3 through, you know, 12,
21 we have not actually given ratings to the K-2 schools. So
22 this is a bit of an unexpected challenge that we are facing.
23 So they -- they specified that we do need a mechanism to
24 identify those K-2 schools.

25 And thinking about the available data that



1 CDE has on K-2 schools, it is pretty limited. But we do
2 have things like the percent of students identified with
3 significant reading deficiencies on READ Act assessments,
4 the percent of students no longer identified as having a
5 significant reading deficiency on READ Act assessments,
6 chronic absenteeism or attendance and that we'll be
7 collected starting in 2017/18.

8 We also have English Language Proficiency
9 Growth. I mean, it's a pretty limited list. We are, as
10 Alyssa had said, said, getting the Hub and AWG working group
11 back together on the 21st, to, sort of, dig into these
12 different possibilities and to -- hopefully to get a
13 recommendation for them on what they think would be
14 meaningful identification for this. I mean, it's a pretty
15 small number of K-2 schools that we have. There's 15 of
16 them. So, it is a small very specialized set of schools.

17 UNIDENTIFIED VOICE: So, this is only for
18 schools that are strictly kindergarten through second grade?

19 UNIDENTIFIED VOICE: Exactly. Sorry. Yes,
20 so this is only for kindergarten through second grade
21 schools, because as soon as a school has, you know, third
22 grade through 12th grade, we have additional data for them.
23 So this is only for those schools that we really don't have
24 data that we use in the traditional performance framework.

25 MS. FLORES: And there is 15?



1 MS. MURRAY: Fifteen.

2 UNIDENTIFIED VOICE: We had written our state
3 plan basically, to say, you know, they don't have the data
4 that we're using to identify, so they won't be identified.
5 And the US Department of Ed didn't like that. They said you
6 can't automatically just say they're not identified. So --

7 UNIDENTIFIED VOICE: Some have been Title I
8 schools?

9 UNIDENTIFIED VOICE: Yeah, some of them are
10 Title I schools.

11 UNIDENTIFIED VOICE: So, I get it.

12 UNIDENTIFIED VOICE: Yeah.

13 MS. FLORES: So --

14 MS. SCHROEDER: Board Member, Flores.

15 MS. FLORES: Thank you. So wouldn't it be
16 easy to identify these students who go to the feeder school,
17 which is in third grade --

18 UNIDENTIFIED VOICE: Yeah.

19 MS. FLORES: -- and -- and give that option?

20 UNIDENTIFIED VOICE: Now, that would be
21 another option; that's a good suggestion, that we can just
22 look at the performance of the feeder school and connect
23 that back. Sometimes it's not as clean as a single school,
24 you know, mapping to one other school, but we can look at
25 that.



1 UNIDENTIFIED VOICE: It's only if they go
2 directly to one school.

3 MS. FLORES: Right. And usually there are
4 feeder schools, that's why they're called feeder schools.

5 UNIDENTIFIED VOICE: So, that's something
6 that we can also include in the -- the discussion that we
7 have with the Hub and AWG and bring back for you in October,
8 to see, sort of, what our options are.

9 MS. SCHROEDER: We didn't take a break at the
10 time we had planned because we were ahead of schedule, but
11 now I'm thinking that people are wiggling in their chairs
12 and maybe we should have a -- could we keep it to seven
13 minutes, please?

14 UNIDENTIFIED VOICE: Sure. It's a good break
15 point.

16 (Break in meeting)

17 MALE SPEAKER: Anyway, we didn't even look --
18 can we look --

19 MS. SCHROEDER: All right. We stopped at
20 long term achievement goals and interim targets. I think
21 were on page 24. I still haven't figured out who's in
22 charge. I guess it doesn't matter. If somebody will --
23 Marie?

24 UNIDENTIFIED VOICE: Yeah. For the moment,
25 I'm -- I'm the presenter.



1 MS. SCHROEDER: Marie, please move forward.

2 UNIDENTIFIED VOICE: Right. So, another
3 topic that we had discussed with USDE was the long term
4 achievement goals and interim targets. And so, just to
5 remind everyone, we did include the ESSA statutory language,
6 you know, that says we must establish ambitious state
7 designed long term goals, which all include measurements of
8 interim progress toward meeting such goals. And then sort
9 of, you know, some additional details which says that we
10 must take into account the improvement necessary on such
11 measures to make significant progress in closing statewide
12 proficiency and graduation gaps.

13 So, the expectation is that, you know, groups
14 that are farther behind need to make faster progress in
15 order to catch up with that piece of it. So, in our initial
16 ESSA plan submission, we had included normative long term
17 targets where all student groups were expected to reach a
18 baseline 53rd percentile of academic achievement within six
19 years. And so, this wound up creating some quite ambitious
20 targets for certain groups and then for other groups, they
21 were not particularly ambitious.

22 So, USDE has clarified with us that the long
23 term achievement goals do not need to be the same for all
24 disaggregated groups. That had actually been a requirement
25 under the now defunct regulations, but when we were having



1 all those original AWG and HUB conversations, those
2 regulations had been in place and had very much shaped our
3 thinking. And so, with the rollback of those regulations, I
4 think we're like, oh, there's new possibilities that we were
5 not aware of previously.

6 And so now, we just have to have the same
7 methodology for creating the long term goals and targets,
8 and the same time line for all of our groups. So, that
9 gives us a little more flexibility, you know, time line and
10 methodology.

11 So, in our original thinking, we thought that
12 all of our students had to get to the same end goal within
13 the same point of time. Now we can create a methodology
14 where they can -- we're gonna get into the details of this,
15 say half the distance to the -- to a certain achievement
16 goal within a certain period of time. So we're gonna get
17 into some of the details of what they were really meaning.
18 They were really looking for a gap closure methodology.

19 So we -- but we did -- we did clarify with
20 them that we probably do have the option to continue using
21 the current Colorado targets. Oh, actually I lied. I
22 skipped ahead, sorry about that.

23 So this is the slide we just -- we just
24 wanted to say that, you know, they were critical of some of
25 our targets, you know, not being too ambitious and others



1 being a little bit too ambitious. And so, this is the
2 picture that we had originally presented to the hub that
3 caused some consternation, in that when you were looking at
4 the Asian and, you know, white students, that they wouldn't
5 -- would actually go down and still be meeting our long term
6 achievement goals, and that was, you know, problematic. And
7 then also when you were looking at the children with
8 disabilities, that they have an extremely steep, you know,
9 trajectory that would be basically unattainable, and that,
10 you know, maybe that is not the best thing for our long term
11 targets as a state.

12 MS. FLORES: But we are still going to expect
13 all kids -- we will still expect our kids to -- to get to --
14 to the academic level that they should be. I mean, we're
15 still expecting that. Maybe take a little bit more time,
16 but targeted level of academic --

17 MS. SCHROEDER: Can -- can we get through
18 this, and then -- and then bring your questions? Because
19 it's important.

20 MS. FLORES: Well, I -- I think we forget. I
21 just would like a response.

22 I mean, we're expecting minority kids to get
23 to a proficient level of academic learning just like
24 everybody else because they're not, and the gap stays there
25 and we talk about the gap and closing the gap and such, but



1 we don't do anything. And I think a lot of it has to do
2 with attitudes.

3 I think many of our -- of our teachers and
4 many of our administrators and maybe the whole system, does
5 not believe that kids can get to -- minority kids, kids of
6 color, Mexican American kids, Latino kids, and black kids,
7 cannot get to proficient levels. And -- and if we're going
8 to really give them the opportunity, an opportunity to
9 succeed, then we need to expect that and we can't be blasé
10 and say, oh, well, you know, they're minority kids, or just
11 say, well, all kids can learn a platitude like that. And --

12 MS. SCHROEDER: Dr. Flores, can we finish
13 this and then we -- I value what you have to say, but --.

14 MS. FLORES: Thank you.

15 MS. SCHROEDER: This is what -- this is what
16 they want to present to us. It's a process to get all kids.

17 UNIDENTIFIED VOICE: But as a high level
18 answer to your question that we are absolutely saying that,
19 that -- that we want all kids to reach the same academic
20 standard. It's the path and the targets that are reasonable
21 attainable for them to get to along the way. So, we're
22 talking about this --

23 MS. FLORES: Well, see, you're already saying
24 for them, a target for them.

25 UNIDENTIFIED VOICE: For all students, every



1 student.

2 MS. FLORES: Well, yes.

3 UNIDENTIFIED VOICE: And I -- I think --

4 MS. FLORES: But not platitudinous.

5 UNIDENTIFIED VOICE: Yeah, I think also the
6 differentiation. We all have to think through if it -- this
7 all makes sense, but this is about system targets, like,
8 school and districts in state level. It's not about saying
9 what we want for an individual kid. Clearly, it rolls up to
10 it, but this is looking at how do we move systems along from
11 where they are.

12 I think there's a lot that we can do and that
13 we do doing looking at the purpose of Title I. It is about
14 individual kids and getting all kids to meeting the - the
15 standards and the expectations. Especially in Title I,
16 focusing on the kids that are furthest from getting there,
17 how do we move them and get them to that level? So, I think
18 that might be a little bit of a helpful differentiation.
19 Sorry.

20 UNIDENTIFIED VOICE: Yep. No, it's good.
21 And I think there -- there is some flexibility in the long
22 term targets. I think that the minimum target we would have
23 for all of our students is to get students to proficiency.
24 The question comes in when you already are proficient on an
25 -- on average when you're looking at Asian and white



1 students, and finding targets that are also meaningful for
2 those groups as well.

3 UNIDENTIFIED VOICE: Absolutely.

4 UNIDENTIFIED VOICE: Marie, which -- that
5 paragraph you just read -- the one you just read,
6 performance levels allowable by US -- you mean, they have
7 an allowable achievement level for (indiscernible) students?

8 UNIDENTIFIED VOICE: It's more like what they
9 -- what they said was allowable was that Asian students have
10 to maintain or increase performance. That our previous sort
11 of expectation was that Asian students who were already at
12 82nd, just needed to be above 53. And they felt that that
13 was not rigorous enough. The Asian students should stay at
14 least at the 82nd percentile or increase over time as well.

15 UNIDENTIFIED VOICE: So, I can define that as
16 what allowable is.

17 UNIDENTIFIED VOICE: Yes.

18 UNIDENTIFIED VOICE: I think --

19 UNIDENTIFIED VOICE: Sorry for choice of
20 words.

21 UNIDENTIFIED VOICE: What's hard is when we -
22 - when we were going into this before the- the understanding
23 was that all students had to be at the same -- same end
24 point. So, if we said 53rd for -- if we said 83rd for
25 everybody we would have -- it would be great if we could get



1 everyone there. Clearly we want that. But -- but the
2 trajectory to get there would be really challenging from
3 where we currently are with what we currently are doing in
4 our system. And so, the USDE clarified that no, you don't
5 need to have that same 53rd for everybody. Those groups
6 that were already ahead you could do something different for
7 them.

8 UNIDENTIFIED VOICE: Exactly. You can -- you
9 can say that they will maintain or also make progress based
10 upon where they're currently at.

11 So, that is one of the options we have, you
12 know, specifically for the Asian and white students. And
13 so, in the handout that we just gave you, the option one top
14 graph shows you what that would look like. So you can see
15 that we would still be maintaining those high expectations
16 and high targets for the groups that are currently below
17 sort of the state expectation of the 53rd percentile. And
18 then for the two groups that are already outperforming the -
19 - the state, they would maintain their current level of
20 performance. And that would be considered a success and
21 they would be, you know, reaching their goals.

22 MS. FLORES: That's like no child left
23 behind.

24 UNIDENTIFIED VOICE: Except no child left
25 behind is at 100 percent for everybody, right?



1 MS. FLORES: Yeah, that's true.

2 MALE SPEAKER: Within a certain amount of
3 time.

4 UNIDENTIFIED VOICE: But it did say --

5 UNIDENTIFIED VOICE: Yeah, by 2014.

6 UNIDENTIFIED VOICE: Yes.

7 UNIDENTIFIED VOICE: We're there.

8 UNIDENTIFIED VOICE: So -- so we're not
9 saying that this is what we have to do. These are sort of
10 options that are up for discussion. We can also choose, you
11 know, to have more rigorous targets for Asian students and
12 for white students. I think that these are kind of all on
13 the table now. And that's what we're going to have the
14 conversation with the HUB and the AWG about. But this is
15 just sort of to conceptually ground you in where the con --
16 where the conversation is and where we are -- where we think
17 we're going.

18 And so, then the other methodology, option
19 two that we have on here is to rework our target setting
20 methodology to use that gap closure approach, which seems to
21 be what a lot of other states, have put forward in their
22 ESSA plans. And so this is an expectation for a
23 disaggregated group to reduce the gap between their current
24 achievement and then a target level of achievement.

25 And so the target could be the proficiency



1 rate of another group, such as, you know, White or Asian
2 students or all students. Or it could be a performance
3 criteria on the underlying assessment, such as, you know,
4 the -- the proficient cut score on the CMAS assessments.

5 So, there is -- there is again some
6 flexibility in some places for us to figure out what -- what
7 targets we want to be, you know, aiming for. What I will
8 say is, having looked at some of the other states, we might
9 need to revise the time line for our goals.

10 Most of the other states have set very --
11 very ambitious targets but their timelines are also by 2030
12 or maybe later. So the fact that we had originally, you
13 know, set a six-year time line, means that sort of getting
14 to, you know, 100 percent proficiency is probably not going
15 to happen in six years.

16 So -- so, that's another thing to consider,
17 you know, in the -- in the conversations we have with the
18 HUB, is do we want to adjust that time line?

19 So, as we've said, so we are having -- we
20 have meetings set up for the Spoke and HUB members and we'll
21 get to revisit all these targets setting conversations. So,
22 they're going to, you know, review our presented options
23 discuss these pros and cons and potato -- potential data
24 impacts. We're gonna spend -- I know -- potato packs.

25 MALE SPEAKER: We wanna avoid those.



1 UNIDENTIFIED VOICE: As long as they're chips

2 UNIDENTIFIED VOICE: It's true and thanks.

3 And sort of think about some of the alternatives that we
4 might have.

5 You know, if -- if there's something that we
6 have not thought of or that the other states haven't done,
7 we are definitely open to alternatives. And then hopefully
8 from them we can get some recommendations for revisions for
9 our ESSA plan, that we will then bring back to you at the
10 October board meeting. That will be a little more specific
11 instead of just sort of this high level conceptual options.

12 MS. SCHROEDER: Board member Flores.

13 MS. FLORES: So, could we say that maybe 60
14 percent of Latino kids would be proficient; 60 percent
15 because not all white or Asian kids are proficient. I mean,
16 collectively they get to 82 percent. So if we could --
17 because we know that we can. I mean, I know that we can,
18 because I've done it. So I -- I -- I think.

19 UNIDENTIFIED VOICE: Yes, there is the
20 possibility, I think that that's the conversation that we're
21 going to have with the HUB in terms of do we want to use a
22 percent -- percent proficient or advanced metric median
23 scales or mean scales score. Some of the other options that
24 we have to try to figure out what is most meaningful to
25 represent all of our students, and -- and their current



1 levels of performance and being able to measure how much
2 improvement they make over time towards our end targets.

3 So, I think that those are conversations
4 we're going to have in more detail with the HUB and the AWG.
5 So then and sort of the -- the next moving onto are areas
6 for future conversation. Oh, I -- I'm sorry, I also didn't
7 notice.

8 MS. SCHROEDER: Board member Goff.

9 MS. GOFF: Well, quickly. I'm looking at
10 this one and at the top, well on each, but there's a
11 children with disabilities. Is that -- is that looked at
12 separately from special education? Special needs?

13 UNIDENTIFIED VOICE: So --

14 MS. GOFF: Other categories?

15 UNIDENTIFIED VOICE: The- the children with
16 disabilities, in this case refers to students who are on
17 IEPs. So it is a subset.

18 MS. GOFF: Okay. So -- so this -- would this
19 or not include kids that are, you know, that are being --
20 that are- that have special support for dyslexia or if -- if
21 they are autistic. May not be just -- not -- would not
22 necessarily have to be with a disability, but they have
23 some, yeah some other -- some other thing.

24 And then the other part of that is, what- if-
25 if it's separated out. What about is this purely or



1 primarily demographic groups? Our sub -- our typical
2 subgroups. I get -- I'm gonna get asked again and I want to
3 talk about where are the high achievers? Meaning
4 specifically the GT kids. And so, what are we doing about
5 goals for them, as far as achievement levels within the time
6 frame, whether it matches everyone else or not. It -- it
7 keeps coming up.

8 UNIDENTIFIED VOICE: Yes.

9 MS. GOFF: And I think it's important we try
10 to do -- get a start on really where can they go?

11 UNIDENTIFIED VOICE: So, I mean, I think the
12 challenge that we sometimes have with this is, you know,
13 within ESSA, it's actually very specific which groups --
14 which disaggregate groups need to be included in these, you
15 know, target conversations. And it is, you know, as
16 economically disadvantaged students, individual race --
17 race, ethnicity categories, English learners and students
18 with disabilities.

19 So -- so GT is not included in -- in -- in --
20 this dis-aggregated group. And we had done some previous
21 work and continue -- continue to do. So, we sort of what
22 would be the impact for disaggregated students, and looking
23 at, you know, their current performance and setting
24 meaningful targets for that group.

25 I don't -- I would probably not recommend



1 that we include that in our ESSA state plan, but I will
2 leave that open to someone else up here to clarify.

3 MALE SPEAKER: Yes, I would just say that
4 there are gifted students in each of these groups.

5 UNIDENTIFIED VOICE: That's true.

6 MS. MARY: It is true. They have been called
7 that explicitly.

8 MS. GOFF: And at the same time it's -- it's
9 kind of hard to talk to people about where they can find
10 that specifically brought out for that particular group of
11 kids and you know -- you know all this.

12 MS. GOFF: But it must be collected in --

13 UNIDENTIFIED VOICE: We're talking about lots
14 of other tangential areas as well.

15 MS. SCHROEDER: Must be identified in our
16 accountability system, because I see data for GT kids all
17 the time.

18 UNIDENTIFIED VOICE: So, it's reported. We
19 have quite a bit of reporting for GT students, but it is not
20 included in the accountability system. Either the state or
21 the one that we're proposing for the Feds.

22 UNIDENTIFIED VOICE: But we report it --

23 UNIDENTIFIED VOICE: We report the
24 information. With the achievement results and the growth
25 results. Absolutely.



1 UNIDENTIFIED VOICE: Okay. District by
2 district?

3 UNIDENTIFIED VOICE: District by district,
4 school by school and actually the gifted and talented unit,
5 CDE has worked with the UIP team and they have a UIP addend
6 -- addendum. But they've also made a whole data report that
7 really disaggregates the gifted and talented data. So they
8 look at gifted and talented overall, but then they also look
9 at representation by race, ethnicity and FRL and really dig
10 into it when schools and districts have the -- the
11 (indiscernible) to be able to do it.

12 UNIDENTIFIED VOICE: I've seen it but I don't
13 know where I saw it. Do you wanna --

14 UNIDENTIFIED VOICE: We can, yeah.

15 UNIDENTIFIED VOICE: Yes, thank you. That
16 would be a good. I mean, there's been some great steps
17 forward made about being more specific to it. And -- and I
18 think with everything -- like everything else depends on
19 what your end -- the number is.

20 UNIDENTIFIED VOICE: Yes.

21 UNIDENTIFIED VOICE: So, when you have these
22 real small communities, it could be that the number of GT
23 identified kids is a large percentage. But because the
24 number --

25 UNIDENTIFIED VOICE: Small count.



1 UNIDENTIFIED VOICE: -- a lot of times that
2 is never well -- really well known. But you're right I
3 think -- I just wanna keep it in mind, you know.

4 UNIDENTIFIED VOICE: Absolutely.

5 UNIDENTIFIED VOICE: And Jane, I think you
6 also asked about students with disabilities. So the -- the
7 students in that category like Mary said, are the students
8 with an Individualized Education Plan, with an IEP. So,
9 they're getting services through special education in their
10 school. It does not include students with a 504 plan, and
11 that's about as far as I can talk. But Pat may be able to
12 get into more detail if you need more detail.

13 UNIDENTIFIED VOICE: That's all right. Leave
14 it to him.

15 UNIDENTIFIED VOICE: Okay, yeah.

16 UNIDENTIFIED VOICE: We have to get --

17 UNIDENTIFIED VOICE: But definitely if -- if
18 a student is getting services because they've -- they're
19 autistic and they -- they've been identified with needing an
20 individualized education plan then they would be included in
21 that reporting.

22 UNIDENTIFIED VOICE: So IE -- IEPs, what
23 about severe special needs?

24 UNIDENTIFIED VOICE: Those students would
25 have an IEP, yeah.



1 UNIDENTIFIED VOICE: Those are under IEPs.

2 UNIDENTIFIED VOICE: Okay. So, now moving on
3 to the areas for future conversation.

4 English language proficiency, long term goals
5 and targets. So at the August State Board of Education
6 meeting, you, the board indicated that a planned study
7 session on English learners will provide better context for
8 reviewing the work for you guys, and in the meantime, the
9 board was comfortable with CDE staff reworking the targets
10 based on historical data and then including language in the
11 ESSA plan that the board will be revisiting the -- these
12 goals and targets in the coming year so that we can update
13 the historical data with, you know, the -- the new data that
14 we have.

15 So we are sort of working on doing that right
16 now. We're bringing back together the culture and
17 linguistically diverse education stakeholder group and they
18 will provide recommendations for revising our current
19 English language learner target -- targets in the ESSA plan
20 using historical data.

21 The accountability spoke and -- and the hub
22 group will review CLDE recommendations at that September
23 21st meeting, and then CDE is planning to update our ESSA
24 plan with recommendations based on this historical data for
25 resubmission to USDE, and then have our study session with



1 you guys in October and it will incorporate discussion of
2 these ESSA EL targets as appropriate in that conversation.
3 And then in the future we can revise and update our ESSA
4 plan if, you know, the state board would like to adjust the
5 goals and targets that we have put forward.

6 So it's kind of we're -- we're -- we're in
7 this gradual process of -- of making incremental changes and
8 sort of getting information available and making everyone --
9 sure everyone's on the same page. But we do know that it is
10 going to take a little bit of time.

11 So then I'm going to pass this back over to
12 Alyssa to do the final components that will talk about with
13 USDE.

14 MS. PEARSON: So this is another
15 conversation, an area you have some flexibility, and we --
16 we don't need to make any decision now at all or with the
17 resubmission of the state plan either. But the US
18 Department of Ed has indicated that for the academic
19 achievement indicator that is only English, language arts,
20 and Math. That's how they define it, and how it's defined
21 in statute. So science, we can include in our -- in our
22 calculations, but it needs to be listed as an other
23 indicator.

24 So based on that, then we have some options
25 with our other indicator. We can continue to use science



1 along with chronic absenteeism and dropout rates which is
2 how, you know, we've started to redraft the plan. We just
3 kind of moved science around and the points around and it
4 won't change how we do anything at all, it's just how we're
5 writing and presenting it in the plan.

6 We could do science instead of chronic
7 absenteeism, the elementary and middle and high school are -
8 - are elementary and middle level where we have chronic
9 absenteeism. So we've got that option. We can continue
10 working on those longer term options for additional
11 measures. If there's other additional measures, we want in
12 there. So there's just some flexibility there, it's just
13 something to think about. We'll talk with the
14 accountability work group about this.

15 They also -- they've been thinking a lot
16 about those longer term options, that was something that we
17 wrote into the ESSA plan that we would be continuing to have
18 those conversations and figure out if there really are other
19 measures we'd want to build out long term in Colorado for
20 accountability.

21 MS. SCHROEDER: Board member Flores.

22 MS. FLORES: Yes. I -- I'm -- I'm just very
23 concerned when we add absenteeism, especially concerning one
24 of my districts which is Denver, which has choice and no
25 transportation. So there are -- this is -- these are real



1 cases, and Sunday, I just kind of almost wanted to do this
2 because, you know, there were all these parents who're
3 saying, "I have to take my kid to this school, this kid --
4 this school and this school. And you know, there's only two
5 of us, like two parents, and how are we going to take three
6 kids to three different places."

7 So I mean, choice does present a problem in
8 Denver when transportation is not provided for kids. So
9 it's a double whammy. So I wouldn't even think that -- and
10 I would imagine that that may be a case in other places, but
11 particularly in -- in Denver. And we hear this -- not only
12 do I hear this personally, but we read about it and I just
13 think that science is important. Absenteeism, I -- I -- I
14 think that would be a kind of a double negative on -- on
15 poor -- poor kids.

16 MS. PEARSON: And that's something for you
17 all to discuss whether you wanna keep that in there or not.
18 And we'll get feedback for you from the accountability work
19 group in the hub conversation and then that's something you
20 all have plenty of time to think about, discuss whether --
21 where you want to go with it.

22 MS. SCHROEDER: Is that group looking at the
23 -- what -- what's often referred to the California model?
24 Where -- the way I understand it is that they are looking at
25 a lot of indicators sort of a dashboard to be presented to



1 families, and that part of the dashboard information is what
2 actually goes into their accountability measure and then the
3 other parts are things that, in fact, the district has
4 control over that they want to share with the parents, but
5 because it's -- it may not be in every district or it may be
6 very difficult, it may be a very sub -- subjective measure
7 et cetera, it's still disclosed, but it's also a part of the
8 same report that goes to parents.

9 Joyce and I had a chance to hear -- I think
10 you were there, too -- to hear from the chair of the State
11 Board in California and they've been working on this for
12 some time.

13 He did say they really are struggling with
14 figuring out the weights to give the items in their
15 accountability measure, but they're still working on it,
16 something to watch, but I think there's some folks here in
17 Colorado that have the same -- have a similar vision and I'm
18 not sure if they're organized and if they've joined the --

19 MS. PEARSON: The work group.

20 MS. SCHROEDER: -- the work group.

21 MS. PEARSON: We definitely -- the student
22 centered accountability project which is --.

23 MS. SCHROEDER: That's it. That's it.

24 -- probably the most organized in the state,
25 is -- they have membership on the accountability work group



1 and have shared what they've been doing and they shared that
2 as we've been talking about other indicator.

3 I think what's challenging with the federal
4 aspect of this is the -- what's in statute requires the same
5 measure for every school across the state.

6 MS. SCHROEDER: Right.

7 MS. PEARSON: So if we -- what we're hearing
8 a lot from the state is we want some choice. We want to
9 talk about our local priorities and have that highlighted.
10 I think that's something we can talk about as a state.
11 Federally, they're saying nope, you've got to have the same
12 thing across the board.

13 MS. SCHROEDER: Right. Right. So but while
14 we're during the federal, we ought to be able --

15 MS. PEARSON: Yes.

16 MS. SCHROEDER: -- to have the conversation
17 because I think there are people who -- who believed that we
18 could have different measures for different districts. And
19 that's become a great frustration to them. That doesn't
20 mean that we can't figure out a way to allow districts to
21 share with their communities --

22 UNIDENTIFIED VOICE: Absolutely.

23 MS. SCHROEDER: -- items that they think are
24 really important. And most of them are inputs rather than
25 outputs, but nevertheless, they're seen as being very valid



1 information.

2 MR. DURHAM: Madam Chair?

3 MS. SCHROEDER: Oh, Board Member Durham?

4 MR. DURHAM: Before we conclude, can I ask a
5 few background questions? The -- Mr. Chapman, when we're
6 talking about the potential federal funds that -- that we
7 might conceivably lose, we are talking about Title I funds,
8 is that correct, or is it broader than that?

9 MR. CHAPMAN: We're -- we're talking about
10 funds that -- all the funds that are a part of the elem --
11 every student succeeds act. So, Title I, Title II, Title
12 III, Title IV.

13 MR. DURHAM: Okay. Can you --

14 MR. CHAPMAN: The -- most of the requirements
15 reside in Title I, but all funds are --

16 MR. DURHAM: Can you tell me approximately
17 how much money that is in Titles I through IX?

18 MR. CHAPMAN: Title I is about 152 million,
19 Title II is about 23 million, and Title III is around nine
20 million, and then Title IV is around four million. And --
21 oh, IDEA, I think that's around 150 -- there's multiple
22 parts of IDEA, and I'm kind of looking back at folks, I
23 think that the main IDEA Part A is -- it's around \$150
24 million. So, and then I think there's another \$50 million
25 part of money for C or something like that. But it's around



1 200 million.

2 MR. DURHAM: So, total?

3 MR. CHAPMAN: Two hundred million for IDEA
4 and around 200 million for ESSA.

5 MR. DURHAM: Oh, so -- so, 150? So, that's
6 \$350 million in those particular federal grants?

7 MR. CHAPMAN: No, it's -- it's around 200
8 million for ESSA, and around 200 million for IDEA. So
9 around 400 million.

10 MR. DURHAM: Four hundred million?

11 MR. CHAPMAN: Yeah.

12 MR. DURHAM: So, we have 400 million at
13 stake. Now, according to the US Census Bureau of 2013,
14 Public Education Finance Table One, the federal contribution
15 to Colorado Education is -- is 6 -- 896 million or -- or
16 7.93 percent of -- of all the money that is spent in
17 Colorado on -- on students. Forty two percent of the money,
18 42.06 percent of the money is State, 50.01 percent is local.

19 So, of the \$896-million, rough -- a little
20 less than half of that, a little less than half of the
21 essentially eight percent, would be jeopardized. So we're
22 talking something less -- right around three percent give or
23 take of all -- of all state funding would be in play.

24 MR. CHAPMAN: And just to clarify, I don't
25 know that -- I think we -- it might be possible for us to be



1 in -- in compliance with IDEA and not -- and out of
2 compliance with ESSA.

3 MR. DURHAM: So -- so, you know, talking
4 maximum numbers to -- to appease Ms. McClellan. So, we're
5 talking -- we're talking maybe three percent maximum of
6 state -- of -- of all funds that are spent on the state.

7 Now, would you say that the State Department
8 of Education spends at least three percent of its resources
9 trying to comply with this?

10 MS. SCHROEDER: You get money.

11 MR. CHAPMAN: Well, I think that certainly
12 this plan development process has been lengthy. I -- I
13 would -- I would --

14 MR. DURHAM: On an ongoing basis, we have 500
15 employees, three percent of that would be what 15 if my math
16 is right. So, you think we use the equivalent of 15 FTE in
17 all departments, a lot of the accountability work is -- is
18 related at least in part. So, three percent, fair estimate?

19 MR. CHAPMAN: I -- I would think it -- it --
20 I guess --

21 MR. DURHAM: Be a little more than that but -
22 -

23 MR. CHAPMAN: -- it kinda depends on how you
24 def --

25 MR. DURHAM: Yeah.



1 MR. CHAPMAN: -- define being in compliance.
2 So, I think that developing our plan and getting that plan
3 approved is separate from being in compliance with the law.
4 Once the plan is approved --

5 MR. DURHAM: But all of the -- all of the
6 monitoring, all of the reporting --

7 MR. CHAPMAN: But there has certainly have
8 been some fair amount of time spent on big parts.

9 MR. DURHAM: It wouldn't be -- it wouldn't be
10 outrageous saying more than three percent. Do you think if
11 you went -- went to a big district like Denver, do you think
12 that they might answer the question that they spend three
13 percent of their resources attempting to comply with all of
14 the things that are put on them by ESSA and its predecessor
15 acts?

16 MR. CHAPMAN: I -- I -- what you account for
17 that --

18 MR. DURHAM: You wouldn't wanna speak for
19 them? But --

20 MR. CHAPMAN: Yeah. I would not.

21 MR. DURHAM: -- it wouldn't -- it wouldn't be
22 a completely outrageous --

23 MR. CHAPMAN: But I do think that there is a
24 fair --

25 MR. DURHAM: Yeah.



1 MR. CHAPMAN: -- there's a feeling that that
2 there's a fair amount of time devoted to being in compliance
3 with federal requirements.

4 MS. SCHROEDER: But they're getting the money
5 for it from the Feds.

6 MR. DURHAM: Yeah. Well, and -- but --

7 MS. SCHROEDER: Right? So --

8 MR. DURHAM: -- but -- but if it's a break
9 even proposition which is where I'm going, Dr. Schroeder.
10 If it's a break even proposition, one would question whether
11 all of this effort might be better spent trying to actually
12 teach children something as opposed to comply with the
13 federal law.

14 And I simply, I think -- I -- I -- I think
15 the statistics and the numbers are- are a lot more valuable
16 in analyzing the value of a federal program than a motion
17 that's attached to oh, my God, we might lose some money.

18 I -- I've talked to a few administrators over
19 time who would be happy to give up the money in exchange for
20 not having to do all of the things.

21 MS. SCHROEDER: Yeah.

22 MR. DURHAM: And I think -- I wouldn't be
23 surprised if every member of the board hasn't heard that at
24 one time or another from one or more districts. So, I think
25 when we -- when we lament -- when we lament the lo --



1 potential loss of federal funds, I just like to keep one
2 thing in mind, there is no free lunch and if I'd be willing
3 to make a bet that we could accurately count -- if we could
4 accurate -- accurately calculate compliance costs throughout
5 the system, that taking this federal money is a losing
6 proposition for Colorado students. Thank you.

7 MS. SCHROEDER: Thank you.

8 MS. SCHROEDER: Board Member, Rankin.

9 MS. RANKIN: I -- I wanna to go back to the
10 slide on 34, where it says, "USDE has clarified that the
11 academic achievement indicate a limited to English,
12 Language, Arts, and Math." And I -- I -- I know we work at
13 our academics and we test kids on the- on the SAT test which
14 is evidence-based reading and writing and -- and supposedly,
15 this test, the SAT that we use, is based on -- on the
16 standards that we have.

17 How does this work in with the English
18 Language Arts and Math or --

19 UNIDENTIFIED VOICE: And that's a good
20 question. I -- we would need Joyce to get into the details
21 of what's in the assessment, and unfortunately she's not
22 here. But, I think that evidence-based reading and writing
23 it's just how SAT calls English Language Arts contents.

24 MS. RANKIN: I know. But the -- the -- the -
25 - it interests me that they include writing. I mean, we



1 include writing there, which must be part of our standards.

2 UNIDENTIFIED VOICE: It interests us, too.

3 Yeah.

4 MS. RANKIN: And that -- that they don't have
5 that there in it. To me that kind of goes together but --

6 UNIDENTIFIED VOICE: That the US -- that the
7 federal law doesn't say writing? I think when generally,
8 Melissa you help me out, English Language Arts is considered
9 those reading and writing skills.

10 MS. RANKIN: So this definitely, I mean, we
11 can use a lot of our information from what we already have
12 for -- to meet this requirement?

13 UNIDENTIFIED VOICE: Yeah. So, we are -- our
14 -- our state assessments is CMAS, English Language Arts and
15 Math assessments absolutely meet this requirement.

16 MS. RANKIN: Okay.

17 UNIDENTIFIED VOICE: That -- the
18 differentiation is just that, you know, when we look -- when
19 you look at the school performance framework, they're just a
20 performance fra -- frameworks, under achievement, we have
21 English Language Arts, Maths, and Science, right? They're
22 saying you can't -- when -- when they talk about their
23 category, science doesn't go there, science goes in their
24 other indicator category instead.

25 MS. RANKIN: Oh, yeah.



1 UNIDENTIFIED VOICE: It doesn't change how we
2 are gonna do our calculation.

3 MALE SPEAKER: It's just -- it's partly just
4 a technicality with regard --

5 UNIDENTIFIED VOICE: Yeah.

6 MALE SPEAKER: -- to how the statute is
7 written. That it clearly states English Language Arts and
8 Math.

9 UNIDENTIFIED VOICE: And to go back, just --
10 just a little bit from what --

11 MALE SPEAKER: Yeah.

12 UNIDENTIFIED VOICE: -- we talked about
13 earlier with K-2, I -- if -- if reading and -- and math are
14 our key focus, all of those tests assessments that we give
15 up to that, they should meet the requirements of ESSA,
16 should they not?

17 UNIDENTIFIED VOICE: That -- which side?
18 Which assessments? That they're through eighth grade?

19 UNIDENTIFIED VOICE: The -- the K2. Remember
20 we were having a hard time evaluating?

21 UNIDENTIFIED VOICE: Yes.

22 UNIDENTIFIED VOICE: But we do have
23 assessments there in reading.

24 UNIDENTIFIED VOICE: We don't have a single
25 state line assessment.



1 UNIDENTIFIED VOICE: Okay.

2 UNIDENTIFIED VOICE: Right.

3 UNIDENTIFIED VOICE: Yeah.

4 UNIDENTIFIED VOICE: So --

5 MS. SCHROEDER: Yeah. Because in reading,
6 the -- the district picks. Board member McClellan.

7 MS. MCCLELLAN: Thank you, Madam chair. I
8 had a very small technical question. I know that on this
9 sampl -- supplemental handout and the accompanying chart
10 within our packet, that children with disabilities includes
11 children with an IEP. Does that also include children with
12 a 504 plan?

13 UNIDENTIFIED VOICE: No. Only --

14 MS. MCCLELLAN: It does not?

15 UNIDENTIFIED VOICE: Only students with an
16 IEP --

17 MS. MCCLELLAN: Okay.

18 UNIDENTIFIED VOICE: -- is what -- how it's
19 been defined.

20 MS. FLORES: 504, please remind me.

21 UNIDENTIFIED VOICE: You guys are -- can I --

22 MALE SPEAKER: It's -- you can qualify for a
23 504 without having an IEP, but I- I was trying to find stuff
24 on the Internet and I -- I couldn't, I couldn't get enough
25 information. So we'll have to get back --



1 UNIDENTIFIED VOICE: And students -- students
2 may be exited from an IEP and instead of just being fully,
3 you know, year off in general, having no support they may be
4 exited to a 504 plan, which is more monitoring but not as
5 quite in-depth as having a whole full in the Individualized
6 Education Plan. Is that- you wanna add to --

7 UNIDENTIFIED VOICE: It -- It can include an
8 accommodation such as extra time for testing, if a child has
9 a, a focus challenge, for example.

10 UNIDENTIFIED VOICE: Thank you.

11 UNIDENTIFIED VOICE: You wanna wrap it up?

12 UNIDENTIFIED VOICE: Yeah. So, this is time
13 line like we've talked about. Next week we'll have that
14 joint accountability work group, hub meeting for those that
15 can attend. There was a challenge with scheduling because
16 we were trying to have that meeting soon enough that we
17 could get feedback back to you for the October materials.
18 The K superintendents meeting starts that same day. But the
19 superintendents that are involved I've reached out to and
20 let them know that we'd be happy to have a conversation with
21 them separately. And we'll have the board meeting with you
22 all and looking for your direction so that we can resubmit
23 the plans by the 24th- 23rd.

24 MALE SPEAKER: It's 21st to 24th of November.

25 UNIDENTIFIED VOICE: It's 23rd I thought we



1 had initially, so the 20 -- right around then, so, after
2 that board meeting, we'll write like mad hopefully, and
3 then, get it back to them.

4 UNIDENTIFIED VOICE: Thank you very much.

5 MALE SPEAKER: Thank you.

6 UNIDENTIFIED VOICE: Thank you.

7 UNIDENTIFIED VOICE: Thank you for all your
8 hard work.

9 MS. SCHROEDER: Appreciate it. Thank you.

10 Next time on our agenda is consideration of our 2018 regular
11 state board meeting dates. I'd like to have a motion,
12 please.

13 MR. DURHAM: Move we adopt the dates
14 published in the agenda.

15 MS. SCHROEDER: Thank you.

16 MR. DURHAM: (Indiscernible) meeting.

17 UNIDENTIFIED VOICE: I second that.

18 UNIDENTIFIED VOICE: Right, thanks. Is there
19 any discussion? I'm sure you all looked at him. Do you see
20 any problem? All right. Is there anyone opposed to this
21 motion? All right. We have 2018 dates.

22 UNIDENTIFIED VOICE: Thank you.

23 MS. SCHROEDER: So we can publish them now?

24 UNIDENTIFIED VOICE: Yes.

25 MS. SCHROEDER: For folks?



1 UNIDENTIFIED VOICE: Yep.

2 MS. SCHROEDER: Believe it or not, there are
3 people who wanna know.

4 UNIDENTIFIED VOICE: I know.

5 MS. SCHROEDER: They are not in this room.

6 UNIDENTIFIED VOICE: I tend to see --

7 MS. SCHROEDER: The next items are all
8 consent items, so we're on item 18?

9 UNIDENTIFIED VOICE: Yes.

10 MS. SCHROEDER: The last item on our agenda
11 is a discussion on student safety and parental notification.
12 Board member Durham, since you requested that this item be
13 placed on the agenda, would you like to begin the
14 conversation?

15 MR. DURHAM: Thank you, Madam Chair. I do
16 have a motion actually, and I'll start with the motion which
17 is to --

18 MS. SCHROEDER: This is not -- this is an
19 information item today, sir.

20 MR. DURHAM: Well, maybe I'll just make it a
21 request then of the attorney general to -- to review the
22 statutes that have -- have been enacted by the General
23 Assembly relative to student safety and the responsibilities
24 of this board to provide information relative to student
25 safety and see if any of those acts would lend itself to



1 rulemaking authority that would allow us to do something
2 similar to the -- to the rule that was passed on -- I forget
3 the year 2000-

4 UNIDENTIFIED VOICE: Eleven.

5 UNIDENTIFIED VOICE: Eleven, '10?

6 MR. DURHAM: -- 2011. And -- and just to --
7 the -- there's a copy of the rule in your board packets, but
8 just as a quick reminder, it says after consulting with the
9 charging or arresting criminal justice agency, the -- the
10 school board or -- or charter school shall notify all the
11 parents of the stool -- school -- in a school in which an
12 employee or former employee of the local board is charged
13 with one of the following offenses. And those are then on
14 page 3.

15 While that list is a little more exhaustive
16 than I probably would personally support, there are
17 certainly some of those things that I think merit that.
18 And I think given some of the recent issues that have come
19 up particularly in, in Cherry Creek Schools that the lack of
20 notification has come to the attention of --.

21 MS. SCHROEDER: Yes.

22 MR. DURHAM: -- of a number of us and I think
23 it's appropriate that the board take a look and see whether
24 or not it might be time to revisit this issue. And I will
25 say that in lieu of that, I believe there's likely to be



1 legislation on this topic to -- that would probably get us
2 to the same place that we were. And I think that given the
3 recent events, that legislation will be much harder to
4 defeat than it was after the 2011 incident.

5 So, I would request that the attorney general
6 conduct that review and see if there's any rulemaking
7 possibility for us in that regard. Thank you.

8 MS. SCHROEDER: So we will bring that back
9 again as an information item or, if you feel that we have
10 some leeway, perhaps draft a rule that you think would
11 withstand evaluation. Does that sound right, colleagues?

12 MR. DURHAM: Thank you. Yes.

13 UNIDENTIFIED VOICE: Yes.

14 UNIDENTIFIED VOICE: Does that mean we would
15 use this -- this new rule up until the time legislation is
16 passed to change it?

17 MS. SCHROEDER: This is not a rule. It's a
18 repeal.

19 UNIDENTIFIED VOICE: The one that we were
20 just -- you were just talking to her about. That's my
21 question.

22 MS. SCHROEDER: I think it's based on -- on
23 your recommendation actually, Ms. Tolson (ph).

24 MS. TOLSON: Okay.

25 MR. DURHAM: Yeah, if we have the authority



1 then we could -- we could proceed. If we don't, then we
2 would rely on the legislature to enact the appropriate
3 statute.

4 MS. SCHROEDER: Good. Any other questions,
5 comments about this topic? All right. We are rolling. So,
6 at this time, state board member reports. Do I have folks
7 who wanna make a report? Ms. Mazanec?

8 MS. MAZANEC: I just want to say that we are
9 meeting in Burlington because Burlington is in -- in the
10 fourth congressional district and since my time on the
11 board, and I represent the fourth district. Since my time
12 on the board, we have had a couple of meetings in Grand
13 Junction in Miss Rankin's district -- Director Rankin's
14 district. We have another one in Pueblo, also in your
15 district and I -- I have been nagging for a few years,
16 haven't I, that we need to have a meeting in the fourth
17 district and preferably on the eastern plains --

18 UNIDENTIFIED VOICE: Good for you.

19 MS. MAZANEC: -- at a small or rural
20 district. So, I am very pleased that we are finally here in
21 the fourth district, and thank Burlington Superintendent
22 Satterly, and their board. They've been very helpful in
23 getting this set up. And -- and I -- and I feel a little
24 bit like I'm at home 'cause I grew up about an hour east of
25 here in northwest Kansas, so this feels a lot like home.



1 So, anyway, that's my report. I'm really pleased to be
2 here.

3 MS. SCHROEDER: Thank you. Board member
4 Goff, do you have a report?

5 MS. GOFF: Well, I would like to invite
6 anyone who would like to come to CB seven and have a state
7 board meeting there.

8 MS. MAZANEC: Where is CB seven? What is it,
9 Lakewood?

10 UNIDENTIFIED VOICE: Denver.

11 MS. MAZANEC: We could find a place.

12 MS. GOFF: I would love it there. I -- In
13 addition to the mention I made earlier today about Kearney
14 middle school and the Adams 14.

15 MS. MAZANEC: Speak up.

16 UNIDENTIFIED VOICE: Is it not on? Oh I know
17 and you're right. Kearney Middle School Adams 14 made great
18 -- making and the beginning of a great road ahead for them
19 in improvement.

20 They have recently held a nice big
21 celebration ceremony with their whole community to observe
22 the movement from priority improvement school and
23 improvements steadily upward toward performance. So, for
24 Adams 14 it was one piece of very encouraging news for them
25 to receive and with the promise that other schools are about



1 ready to jump to that on that level as well and continue on.
2 I have been out and about in -- in Adams County quite a bit
3 which is usual and som- somewhat more lately in Jeffco
4 observing the start of the school year. There seems to be a
5 good healthy motivated optimistic tone out there in our
6 schools.

7 And as far as communities coming together
8 and, and appreciating what hard work there is to be done
9 right now, it feels generally like we're --we're all on a
10 good track for moving some things ahead. I will be speaking
11 next couple of weeks to -- to different types of groups
12 about general terms of what's going on with the state, what
13 is the state board doing these days and what some thrust of
14 our work is, but also some of the most important issues for
15 Colorado in education.

16 So any time for anyone, feel free to just
17 throw out a thought to me at any time and I'm -- I'd really
18 like to be able to incorporate what I hear from everyone
19 about each person's picture of what is a very important
20 thing we're talking about now kind of bring it all together
21 a little bit. So, that's primarily it.

22 MS. SCHROEDER: Thank you. Board member
23 McClellan?

24 MS. MCCLELLAN: I just wanted to -- to say a
25 special thank you to our staff for helping to get me



1 prepared for a speaking engagement. I gave an update to
2 stakeholders in which they asked me to report on what's been
3 happening on the board and what we're going to be covering.
4 And I was speaking for an hour including questions.

5 So as you can imagine I wanted to make sure I
6 had lots of information so that I wouldn't be repeating let
7 me get back to you on that if they asked me questions at the
8 granular level. So thank you very much. It went well and I
9 was able to answer questions without having to, to be vague
10 or tell them I was going to get back to them.

11 So that went well and I appreciate it. I
12 also wanted to reiterate my congratulations especially to
13 Aurora Public Schools, to Superintendent Munn and all the
14 way down to the classroom level teachers who worked hard to
15 make a difference in achieving their progress and
16 improvement. And so, I congratulate that district on
17 getting off the clock. That's terrific.

18 And then all of that information that was
19 shared with me by staff, which I so appreciate, is going to
20 come in handy because I will be giving an update at my
21 regional CASB meeting next week, not for an hour I'm sure.
22 And I also look forward to joining Commissioner Anthes this
23 month when we meet with stakeholders in Aurora.

24 So thank you for joining us out in my
25 district in the Sixth Congressional. And also, Ms.



1 Mazanec, if you would extend our thanks for the hospitality
2 here in Burlington, especially for the baked goods, that
3 really made it all the more special to visit your district.
4 Thanks.

5 UNIDENTIFIED VOICE: Board Member Rankin.
6 Thank you.

7 MS. RANKIN: The first thing I'd like to
8 bring up is something I've brought up in the past and that
9 is our financial transparency icon on our CDE website. I've
10 been trying to promote that throughout the district. I
11 think it's so easy for parents to get on and understand some
12 of the finance and if, if you need more information you can
13 auger into the site.

14 I met with Bright Bytes the other day to talk
15 about some other things and tell them how excited I was
16 about the site that we have. Before it was bur -- when it
17 first came out, it was on the front page, the home page of
18 CDE website. It now is buried more in the finance area and
19 I would love to see that icon come back to the front page
20 until people get very familiar with it and how to find
21 things within CDE.

22 So I would recommend that CDE does that, it
23 would be very helpful. I also want to again give a shout
24 out to Superintendent Mike Upright at West End Schools for
25 the improvement he has on the performance frameworks and the



1 celebration he's gonna have in his district which I plan to
2 attend.

3 And then I -- I have a slide up here to- to
4 show you an opening September 31st, an open house and ribbon
5 cutting for the ring for school districts. Neher School,
6 Neher School, Riverview and I think there were probably 200
7 parents and students that came.

8 It's a project based school dual language and
9 it was really an interesting layout for a school and it can
10 be incorporated for other uses in the community. Very
11 interesting and I wish them all the best of luck and I'll be
12 keeping up with that. It was part of a \$122 million bond
13 issue that was passed in 2015.

14 UNIDENTIFIED VOICE: Wonderful.

15 MS. RANKIN: And then I'd like to move to De
16 Beque and this is part of a, a trip I took down there and I
17 wanted to show you their log cabin school house.

18 UNIDENTIFIED VOICE: I love this.

19 MS. RANKIN: It's located at High Lonesome
20 Ranch in De Beque outside of Grand Junction and their plans
21 are to turn it into a museum. Back in the 1800s, W.A.E- Dr.
22 W.A.E. De Beque was looking for a location for a ranch and
23 the town itself of De Beque was historically a location
24 where wild horses were prevalent in the surrounding lands
25 and they were rounded up and sold. And that was in the late



1 1800s. It's a great, great area, I recommend anyone to
2 visit De Beque, it -- it's good.

3 There are also noted in 2014, it was the
4 first incorporated town in Mesa County to approve the retail
5 sale of recreational marijuana.

6 Next slide is, the inside of the schoolhouse
7 and that's one of the desks just here and the old potbelly
8 stove where the kids kept warm, kind of fun. And then I
9 just have to digress on just a little bit. This is a dude
10 ranch now and we stayed there for two days and my husband
11 and I did a little fishing and I just have to bribe just a
12 little bit. This is a 20 -- 23 inch block.

13 MS. SCHROEDER: Wow.

14 UNIDENTIFIED VOICE: You called?

15 MS. RANKIN: Trout that I caught and if you
16 know anything about fishing, this is on an Adams 16 fly. I
17 tie flies this one is so small, it's like half the size of
18 your little fingernail and that big guy just -- and it is
19 catch and release. People keep asking me how it tasted and
20 this -- this is not what this is for. This is just fun in
21 catching them, so.

22 Which is why it got that big. It's probably
23 been caught a lot of times.

24 MS. RANKIN: I had to -- I just had to share
25 this. This is the guy that helped -- he was trying to show



1 me how to hold it but it just kept falling on the ground,
2 but anyway --.

3 UNIDENTIFIED VOICE: Great picture.

4 UNIDENTIFIED VOICE: And slippery.

5 UNIDENTIFIED VOICE: Good thing you didn't
6 show us dropping it.

7 MS. RANKIN: I know. That's why.

8 MS. SCHROEDER: Thank you. Board member
9 Durham, do you have a report?

10 MR. DURHAM: Yeah. I had -- the fish I
11 caught was this big. I did have the opportunity about a
12 week and a half ago to -- I was invited to speak to a number
13 of officers of the Colorado National Guard about education
14 issues. It was -- it was really a great opportunity to all
15 of them -- almost all of them have families with children in
16 Colorado. They're all very concerned about education.

17 Obviously, they have significant duty
18 sometimes that take them outside the state, and it was a
19 great opportunity to hear their concerns about Colorado
20 education and to answer questions about where the state's
21 headed and what kind of progress we might be making.

22 So that's probably the -- the best
23 opportunity I've had to relate to people that I think do a
24 lot for the state of Colorado about what we're trying to --
25 to do to help them.



1 MS. SCHROEDER: Thank you. Board member
2 Flores.

3 MS. FLORES: I had a chance to speak to a
4 social justice committee group, which is interested in
5 looking into the confinement of children in jail or special
6 jails for juveniles, and were surprised to learn that 10-
7 year-old kids and 11-year-old kids were confined. And I
8 think that there was enough interest that there are several
9 committees, I think, within Denver that are -- where people
10 are looking into this.

11 And I -- I -- I think we need to really
12 consider this whole issue of kids who are placed in
13 detention centers because they cannot attend schools, given
14 the problems that exist for transportation, and also giving
15 -- giving mind to parents who can't really attend court --
16 court hearings to help represent their kids and because of
17 their -- they're immigrants and they're scared.

18 And there's a lot of fear out in -- in many
19 of our communities because of this. And so, I just can't
20 tell you enough how -- how sad it is that- that, for
21 instance, that kids are put in detention centers and for a
22 parent to -- to feel so helpless that, you know, but know
23 that there might be repercussions for attending and
24 representing their child in court. So, anyway, that's --
25 that's it for me. Thank you.



1 MS. SCHROEDER: Thank you. I had attended --
2 attend -- I attended an interesting presentation by Donald
3 Kay educating - educator housing summit and what they've
4 done is - what they did was invite a number of different
5 organizations that are working to help provide affordable
6 housing for teachers. Some of it was rural.

7 So, in some cases, it was providing housing
8 with reduced rents, and in other cases, it was housing where
9 either there was a grant for a part of a down payment or a
10 less expensive housing opportunity that's basically
11 affordable housing. So that when they -- the teachers move
12 out, the appreciation is limited just as typical affordable
13 housing is done so.

14 But I thought it was kind of impressive that
15 around the state, school districts are attending to the
16 challenges of providing housing for teachers because they
17 really can't aff -- can't afford it.

18 What I found interesting is that many school
19 districts, of any kind of size, do have excess land, and
20 they're now working in partnership with the banks in their
21 communities, businesses in their communities, to really put
22 together the funding in order to provide the opportunities
23 for either rental properties or purchase properties or in
24 some cases both.

25 Roaring Fork has done -- has a pretty



1 extensive effort. Custer County has some apartments that
2 they are finishing. And -- and one of- I think it was
3 Custer County example, the students, the high school
4 students, are actually finishing a building that was -- that
5 they happened to acquire or was given to them. They're
6 turning it into four different apartments as part of their
7 career curriculum.

8 It was very encouraging. We -- one of the
9 joys I think of local control is that pretty soon you just
10 roll up your sleeves and figure out some way to address your
11 most critical problem. And housing is definitely one of the
12 most critical problems for our rural communities because
13 there isn't very much housing, period. And what is
14 affordable is too expensive, particularly not-- really not
15 just in the resort areas, but there are so many retirees who
16 are moving to Colorado, to these small towns, that they too
17 are essentially raising the costs of the housing that's
18 available and so our teachers can't afford it.

19 It was -- it was a great presentation. You
20 might want to look on Donald Kay website if you want to
21 learn more about it. I did attend the first CASB regional
22 meeting, and as I hope I wrote you, I was on the fly asked
23 to talk about the State Board and what we were doing and
24 answer questions.

25 There were -- yeah, it was a yikes, but it



1 was fine. There was a lot of interest in the opt out.
2 There's some concern more -- I think there's more awareness,
3 all of a sudden, among school board members that the
4 information, you know, their -- their staff made them or
5 gave them a presentation on the results of the assessments.
6 But they were frustrated by the lack of conclusions that
7 they could reach by some of them -- some of them.

8 I also heard a number of kudos to the
9 department for the kind of support. The -- the -- the one
10 that I attended had both fourth CD and second CD school
11 board members. And so, I have a -- I have a hunch there
12 were some Greeley folks there, I'm not sure, but there were
13 some -- a lot of compliments that came specifically to Ms.
14 Pearson and the Field Services Department and to Katie as
15 well.

16 So, I think we are -- I think the department
17 is definitely being recognized as something other than
18 purely a regulatory agency, which has taken a long time.
19 Katie and I attended the Colorado Rises launch yesterday as
20 she presented. What I'm here to tell you is that Deb
21 Scheffel sends her greetings. She was there.
22 Superintendent Munn was there, and boy was he cheerful and
23 friendly and happy.

24 So, one of the nice things about, in addition
25 to hearing a little bit about the -- the launch was also to



1 see a number of people who are really dedicated to Colorado
2 kids. So, and Deb looked great and introduced me to some of
3 -- we actually had a consent item today on our agenda for a
4 program, so I met some of her colleagues or one of her
5 colleagues, I should say. It was a great presentation.

6 I guess the one other comment I would make in
7 response to Board member Rankin's comment about financial
8 transparency. I have used that when folks have said to me,
9 well, such and such school spends money or gets money. And
10 I've said, well, let's go look and look it up.

11 And I agree with you, I expected it on the
12 front page. I'm not the best about going through stuff, and
13 I also had to go to the finance. And so I would -- I would
14 second that request that it be on the top because it really
15 inspired the few -- the few people that I did this with to
16 go, oh, I didn't know I could do this. And then I actually
17 had to write out for them the process to get into that. It
18 would be nice -- it would be probably easier if it were just
19 were on the front page. Okay. Great. Thank you.

20 MS. FLORES: We're gonna put you in jail.
21 We're gonna put you in jail because of what you did,
22 discussing an item that was to be decided.

23 MS. SCHROEDER: What?

24 UNIDENTIFIED VOICE: We approved it.

25 MS. SCHROEDER: What?



1 UNIDENTIFIED VOICE: We already approved it.

2 MS. SCHROEDER: We already approved it.

3 UNIDENTIFIED VOICE: Oh, I had to check.

4 MS. SCHROEDER: So, the next part of --

5 MS. FLORES: Couldn't help it.

6 MS. SCHROEDER: I don't know what you're
7 talking about, but we'll talk about that later. It's not
8 new. So, we have another session of public participation.
9 Do we have any? In that case, I would --

10 MS. MAZANEC: Well, I think this is the
11 caterer walking in and we can all applaud him for --

12 MS. SCHROEDER: Yes. Thank you.

13 (Applause)

14 MS. SCHROEDER: Thank you. Thank you, Ms.
15 Mazanec. Yeah. The food's been great. So we'll stand
16 an adjournment until tomorrow morning at 9:00 a.m. Thank
17 you, folks.

18 (Meeting adjourned)

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C E R T I F I C A T E

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 25th day of 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