



Colorado State Board of Education

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
COLORADO DEPARTMENT OF EDUCATION COMMISSION
DENVER, COLORADO
January 7, 2015, Part 2

BE IT REMEMBERED THAT on January 7, 2015,
the above-entitled meeting was conducted at the Colorado
Department of Education, before the following Board
Members:

Marcia Neal (R), Chairman
Angelika Schroeder (D), Vice Chairman
Steven Durham (R)
Valentina (Val) Flores (D)
Jane Goff (D)
Pam Mazanec (R)
Debora Scheffel (R)



1 MADAM CHAIR: The Colorado State Board of
2 Education will now conduct a hearing in Case Number 14-CS-
3 103. The appeal of the TriCity Academy and Delta's Schools
4 Inc. from the decision of the Sheridan School District
5 Number 2, Board of Education to deny TriCity's Charter
6 School application.

7 During this hearing the Board is acting in
8 its capacity to hear appeals from chartered schools -- of
9 charter schools, and will uphold an Appellate Hearing under
10 the relevant Charter School Appeal Law 22-30.5-108.

11 Appellate hearings are conducted very
12 differently from regular Board meetings, and I think that's
13 really important for our new Board Members to understand.

14 The procedures are set forth in the Board's
15 governing documents. I will review these procedures before
16 we begin the hearing. Are they here? I guess not.

17 I'd like to ask the person chosen to
18 represent each party to enter your name on the record,
19 along with the party you represent.

20 MR. SPARKS: My name is Dustin Sparks. I
21 represent TriCity Academy and Delta Schools Inc. Shall I
22 do it again?

23 UNIDENTIFIED VOICE: Yeah.

24 MR. SPARKS: Okay. My name is Dustin
25 Sparks. I represent TriCity Academy, and Delta Schools



1 Inc.

2 MADAM CHAIR: Thank you.

3 MS. REESTER: Adele Reester. I am the
4 attorney for the Sheridan School District.

5 MADAM CHAIR: All right. And would -- would
6 you introduce the people that are with you?

7 MS. REESTER: Yes, certainly. I have
8 Superintendent Michael Clough, Deputy Superintendent,
9 Jackie Webb, and Board President, Ron Carter.

10 MADAM CHAIR: Thank you. And would you do
11 the same?

12 MR. SPARKS: I have Denise Mund, the founder
13 of Delta Schools. Rick Gillit, who is the lead applicant
14 for TriCity Academy, and Luke Mund (ph), who also works for
15 Delta Schools.

16 MADAM CHAIR: All right, thank you.

17 UNIDENTIFIED VOICE: (Inaudible).

18 MADAM CHAIR: Mrs. Markel (ph), it says for
19 the Appellant, TriCity, whom have you designated? It
20 doesn't say designated as what. Do they know?

21 MS. MARKEL: Designated to answer questions
22 (inaudible).

23 MADAM CHAIR: Okay. For the Appellate
24 TriCity, whom have you designated to answer questions?

25 MR. SPARKS: Rick Gillit.



1 MADAM CHAIR: And for the Appellate Sheridan
2 School District Number 2, whom have you designated?

3 MS. REESTER: In terms of the oral argument,
4 Michael Clough is designated for the oral argument. Oh,
5 thank you. And for the witnesses, myself, Mr. Carter, and
6 Ms. Webb.

7 MADAM CHAIR: All right, thank you. The
8 role of the State Board is to consider only --

9 MR. SPARKS: Madam Vice Chairman --

10 MADAM CHAIR: Pardon?

11 MR. SPARKS: May I make a clarification?

12 MADAM CHAIR: Sure.

13 MR. SPARKS: So I will be presenting oral
14 arguments on behalf of TriCity Academy, and Delta Schools,
15 and Rick Gillit will answer questions as a witness on
16 behalf of TriCity Academy, but Denise Mund, and Luke Mund
17 will answer questions on behalf of Delta Schools.

18 MADAM CHAIR: All right. Thank you for that
19 clarification. The role of State Board is to consider only
20 those issues raised in the Notice of Appeal. The Board has
21 been provided with a record on appeal. References to
22 documents or testimony not present in the record on appeal
23 will not be considered by the Board. In relation to those
24 issues contained in the Notice of Appeal, the Board will
25 apply the following standard review following oral



1 argument.

2 The Board will decide whether it is best
3 interest of the pupils, the school district, or the
4 community to support the local Board's decision to deny
5 TriCity's Charter School application.

6 Only the individuals identified by the
7 parties have the opportunity to address the Board. Where's
8 the part -- where's the part in here that talks about the
9 fact that we can interrupt?

10 UNIDENTIFIED VOICE: If it's denied.

11 MADAM CHAIR: I want to know. That's
12 something we don't -- yeah, I just got through lecturing
13 about Robert's rules. This is one time when we can
14 interrupt, and I -- I'm reading from the script here. I'm
15 not seeing that.

16 UNIDENTIFIED VOICE: It's further on.

17 MADAM CHAIR: It's further on?

18 UNIDENTIFIED VOICE: Yes.

19 MADAM CHAIR: Okay. So we will go --

20 UNIDENTIFIED VOICE: You did that.

21 MADAM CHAIR: So I read all the way through
22 here before we start talking. Okay. All right.

23 UNIDENTIFIED VOICE: Starting with --

24 MADAM CHAIR: Okay.

25 UNIDENTIFIED VOICE: -- next (inaudible).



1 MADAM CHAIR: And start right there. Thank
2 you. I'm getting new -- new at the job.

3 The parties have already submitted written
4 arguments, and information. A maximum of 30 minutes will
5 be granted for the oral argument, and examination of each
6 party's issues. You may reserve a portion of that 30
7 minutes for your rebuttal. During this time, the party may
8 summarize it's written arguments, and information, and
9 Board Members may ask questions, and that is one of the few
10 times when you can interrupt. It's okay.

11 The hearing shall proceed as follows:

12 TriCity, the Appellant, shall present its
13 arguments, including questions from the State Board.

14 Sheridan School District, the Appellee,
15 shall present its arguments, including questions from the
16 State Board.

17 The Appellant, TriCity, shall present its
18 rebuttal. The State Board may ask questions.

19 The Appellate, Sheridan School District
20 Number 2 shall present its rebuttal. The State Board may
21 ask questions.

22 The State Board shall deliberate, and render
23 its decision.

24 And at this time I also need to ask you, do
25 you, Mr. Sparks, and Ms. (inaudible), do you prefer to use



1 the whole 30 minutes or will you -- you reserve ten minutes
2 for rebuttal?

3 MR. SPARKS: I would like to use 20 minutes
4 to start, and reserve ten minutes, please.

5 MADAM CHAIR: Fine, thank you. And --

6 MS. REESTER: The district will be doing the
7 same.

8 MADAM CHAIR: Okay, thank you. As is
9 customary with any oral argument in an administrative
10 hearing or judicial proceedings, we anticipate that Board
11 Members may have questions, and they may interrupt the
12 council with those questions. This is the only time during
13 the hearing when State Board Members may question the
14 parties. Board questions and your responses are included
15 within that 30 minute maximum time.

16 Are there any questions from the Board? Or
17 the council about the Board's procedure? If there are no
18 questions --

19 MR. SPARKS: No, ma'am, Vice Chairman.

20 MS. REESTER: No, ma'am.

21 MADAM CHAIR: We now call on TriCity for the
22 allotted 20 minutes of time for the initial presentation.

23 MR. SPARKS: Thank you, Chairman. Thank you
24 Board Members, and welcome new Board Members. Thank you
25 Commissioner, and CDE staff.



1 I know this appeal has taken up significant
2 amount of your time, and we greatly appreciate your
3 attention to these important matters.

4 The overview of my presentation I will
5 address some of the district's perceived shortcomings
6 throughout my presentation, and will directly address some
7 of those perceived shortcomings at the end of my initial
8 presentation, if time permits.

9 What I'm going to focus on is the parties
10 involved, the TriCity community, and area, the application
11 process. I want to talk about the standard of review, then
12 if time permitting the perceived shortcomings, and then
13 I'll make a -- a request to the Board orally.

14 So I want to address the party's first,
15 because as you are aware there are two appellants in this
16 situation, which is unique. The two appellants are TriCity
17 Academy, which is the actual applicant group, and Delta
18 Schools, which refers to itself as a charter school
19 incubator.

20 First off, TriCity Academy is the group that
21 would hold the charter, and then presumably become the
22 founding Board at the school, if granted a charter. The
23 team is made up of the following individuals: Rick Gillit,
24 who is here to answer questions for you about the
25 application process, how hearings went, community support,



1 and how he's personally promoted the school.

2 He is a resident of Englewood, and the
3 grandparent of former Englewood students, although his
4 grandchildren moved to Littleton, because they preferred
5 the schools there.

6 He is also a city councilmen since 1999 from
7 the city of Englewood. And as pointed out in the
8 district's brief, he has not officially formed a
9 partnership on behalf of the city, but that is not
10 something that is commonly done. Government entities don't
11 typically form partnerships with charter schools. It's
12 individuals within the community often who are parts of
13 government, that in their individual capacities make those
14 partnerships, which he has done.

15 Nancy Doty is also one of the team members
16 of TriCity Academy. She is a centennial Colorado resident,
17 which is within our Arapahoe County, and the same county in
18 which Sheridan is in. She has extensive experience as a
19 CPA, in both the public, and private sector, and she is
20 currently serving her first term as Arapahoe County
21 Commissioner. Again serving that Sheridan community. Not
22 directly as their representative, but in -- in -in whole.

23 Teresa Martins, (ph) a resident of
24 Centennial, Colorado has spent most of her career teaching
25 in the Englewood and Centennial school districts, and she



1 is the grandmother of children living in the Englewood
2 School District.

3 George Culpepper, Jr. (ph) is a resident of
4 Littleton, Colorado, formerly a resident of Englewood. His
5 children were attending Littleton schools, and moved to
6 make that easier for their lives. He has extensive
7 experience in the private sector, as well as with the U.S.
8 Department of Veteran Affairs, and is currently president
9 of a political consulting firm.

10 Sherri Slaughter (ph) is a resident of
11 Englewood, and a parent of school aged children residing
12 within the district, that district.

13 Delta schools was formed as a Colorado
14 nonprofit corporation, and has a tax exempt status. It was
15 formed for --

16 UNIDENTIFIED VOICE: Excuse me. Did I not
17 hear of anyone being a resident of Sheridan or did I miss
18 that?

19 MR. SPARKS: No, you are correct. There are
20 no Sheridan residents on the applicant team.

21 Delta schools is a charter school incubator.
22 It was formed by experienced charter school leaders for the
23 purpose of helping schools start through the application
24 process, and founding with the intent of helping them adopt
25 best practices, and hit the ground, you know, running with



1 the experience of -- of many years.

2 They are not a charter school management
3 company. They provide no management services. They
4 provide no educational services, and are consultants to
5 primarily the Founding Board, and then to the
6 administration that they choose. The advice that Delta
7 school gives bears no weight, if not adopted by the Board.
8 Similar to the advice I give, if my clients do not choose
9 to follow it, I have no authority to do anything on their
10 behalf.

11 The Delta Schools team is made up of Denise
12 Mund, who has been involved with charter schools in
13 Colorado since 1993 as a founder, Board president, parent,
14 consultant, public policy advocate, and director of the
15 Colorado Department of Education Schools of Choice unit.

16 Dr. Karen DeShriver, (ph) who was a founding
17 member of Kit Denver is a former director of Academic
18 Achievement at the Colorado Charter School Institute, is a
19 former director of Accountability and Compliance at Go
20 Academy, and has worked as an education consultant for
21 numerous organizations.

22 Brad Fisher, who is primarily responsible
23 for preparing the budget for TriCity Academy has worked as
24 a CPA for several organizations, and currently serves as
25 the director of SOAR Academy in Denver, now going on four



1 years.

2 Tony Fontana is an experienced teacher who
3 worked at Peak to Peak Charter School beginning as an
4 assistant principal, then retiring as the executive
5 principal in 2011.

6 Dr. Barbara Medina, who is working as an
7 education consultant with Delta schools, was a director of
8 English language acquisition for Denver public schools, and
9 served as the assistant commissioner and executive director
10 of the Language Culture, and Equity Office at the Colorado
11 Department of Education.

12 Luke Mund, who is the graduate or is a
13 graduate of one of Colorado's first charter schools is a
14 charter school teacher, is currently working at Aspen View
15 Academy in Castle Rock as the technology coordinator,
16 assessment manager, and technology teacher. He was also
17 heavily involved in preparing the budget, and finding all
18 of the -- the technology portions of the curriculum.

19 Dr Ed Steinberg --

20 MADAM CHAIR: Mr. Sparks?

21 MR. SPARKS: Yes.

22 MADAM CHAIR: I don't mean to be rude, but I
23 think we're really more interested in, you know, what the
24 charter school is, what the proposing, and you're -- you've
25 probably used up half of your time in introducing people.



1 So I -- I -- I may be wrong, but I -- I'd like to hear more
2 details about the charter.

3 MR. SPARKS: Ms. Chairman, the reason I'm --
4 I'm spending so much time is the extensive experience that
5 it was involved in the Delta schools team, and the TriCity
6 application is -- is -- is overwhelming. I've -- I've
7 never seen a charter school that was put together by so
8 much experience, and expertise, and I -- I find it
9 important to share that with this --

10 MADAM CHAIR: Okay.

11 MR. SPARKS: -- this Board.

12 MADAM CHAIR: Appreciate it.

13 MR. SPARKS: So I -- I will try and speed
14 through.

15 Dr. Ed Steinberg, who was formerly with the
16 Colorado Department of Education. Jonathan Berg (ph), who
17 is a chief executive at James Owen Charter Schools. Dr.
18 Catherine Knox, (ph) who is currently -- who was a former
19 founder of Liberty Commons, and currently serving at
20 Colorado Virtual Academy. Dr. Don Griffin, Executive
21 Director of Monument Academy, and, Jeanette Darnell, who
22 was the founder of a former Denver Charter School.

23 Now, the district is Sheridan School
24 District, so some brief information. The district has less
25 than 2,000 students. It is geographically very small,



1 which is important to this appeal, because students in that
2 district can easily cross borders to attend schools in
3 other districts. And so given its geographic size, it's a
4 short walk or an even shorter drive for students to leave
5 that district.

6 It has no charter schools, which means it
7 has no experience running charter schools, authorizing
8 charters schools. And, in fact, it has never even received
9 a charter school application in the past, so this is its
10 first time experiencing that evaluation process.

11 UNIDENTIFIED VOICE: Do you assert -- do you
12 assert that there are evaluation process over your
13 application was inappropriate, inadequate, incorrect?

14 MR. SPARKS: That it was incorrect, I -- I
15 don't --

16 UNIDENTIFIED VOICE: And the fact that they
17 brought in outside experts.

18 MADAM CHAIR: Don't (inaudible) don't --

19 MR. SPARKS: The experience of the Delta
20 schools team versus they're experts in the combined
21 experience of -- of their entire district is, you know,
22 minuscule. The -- the Delta schools team has so much
23 experience with charter schools, and the district had to
24 bring in outside experts whose resumes in charter schools
25 do not compare to the team that made the application.



1 UNIDENTIFIED VOICE: That's your position.
2 Thank you.

3 MR. SPARKS: So I do question the validity
4 of their scoring. So there are three districts that are
5 contiguous to Sheridan School District, Englewood School
6 District, Littleton School District, and Denver public
7 schools. This is important, because a charter school must
8 enroll a majority of its students from within the district
9 that it -- that authorizes it or from within one of its
10 contiguous districts. And given the small geographical
11 size of Sheridan, it is very realistic that it's going to
12 draw from those contiguous districts, and it has three
13 districts to draw from to make up the majority of -- of its
14 student.

15 MADAM CHAIR: What is your estimated
16 population in this charter or do you have students already
17 enrolled? How many will we -- there will be approximately?

18 MR. SPARKS: Well, the hope is to enroll
19 with approximately 400 students, which is approximately the
20 number of students that are leaving the Sheridan school
21 district every year to attend schools outside of the
22 district. And then there are, I believe -- I'm sorry. I
23 think that -- I think that's incorrect. There are
24 thousands of students within that TriCity area of Sheridan,
25 Englewood, and Littleton that are choicing out of their own



1 district to attend other districts.

2 MADAM CHAIR: And have you already solicited
3 interest in from those students?

4 MR. SPARKS: Absolutely. Before --

5 MADAM CHAIR: They -- they are showing you
6 that they plan to attend?

7 MR. SPARKS: Yes.

8 MADAM CHAIR: Okay.

9 MR. SPARKS: Sure. And there was a --

10 UNIDENTIFIED VOICE: And do you have -- may
11 I --

12 MADAM CHAIR: Sure.

13 UNIDENTIFIED VOICE: -- ask a question. And
14 do you have data to show that you have actually spoken to
15 these people, to these parents, and students? And do you
16 have data to support the 400 students that would be in your
17 -- in your school?

18 MR. SPARKS: So there are not 400 students
19 that have signed letters of intent. That's the goal for --
20 for signing up for an open.

21 UNIDENTIFIED VOICE: How many do you have?

22 MR. SPARKS: Approximately 75 submitted
23 letters of intent when the application was submitted August
24 1st.

25 UNIDENTIFIED VOICE: Do you find that the



1 Sheridan School District is a opposed to charter schools in
2 general? Do you find that to be the case?

3 MR. SPARKS: Well, they have never received
4 a charter school application in the past, so I have no past
5 history in which to base that information. But the
6 application process, and the hearing process certainly seem
7 to put the applicants at a disadvantage, and they showed no
8 willingness to work towards addressing any shortcomings
9 that they proceed, and instead appeared to be set on
10 denying the application instead of working with the
11 applicant group.

12 UNIDENTIFIED VOICE: Thank you.

13 UNIDENTIFIED VOICE: Are those 77 from
14 Sheridan? Is that -- is that you're -- is that what you're
15 saying?

16 MR. SPARKS: No, they are not all from
17 Sheridan. They --

18 UNIDENTIFIED VOICE: How many are -- do you
19 know how many are from Sheridan?

20 MR. SPARKS: I do not know how many are from
21 Sheridan.

22 UNIDENTIFIED VOICE: Ms. Mund, do you know
23 how many are actually from Sheridan?

24 UNIDENTIFIED VOICE: We -- we had done an
25 initial breakdown -- we had done an initial breakdown by



1 ZIP code. We -- the problem is some of that ZIP code is
2 Englewood. Some of it Sheridan. Some of it's actually
3 part of the Littleton as well, so it's hard to tell exactly
4 which ones are which.

5 UNIDENTIFIED VOICE: You don't have
6 addresses? I mean, I -- I'm familiar with a sheet for each
7 person with intent to attend, and name, address, where they
8 are now attending school, et cetera.

9 UNIDENTIFIED VOICE: When -- when we --

10 UNIDENTIFIED VOICE: Sorry.

11 UNIDENTIFIED VOICE: -- when we took the
12 application, we did receive the addresses. I do not have
13 those with me.

14 UNIDENTIFIED VOICE: They were included in
15 the application, and broken down by ZIP code. We did not
16 ask on the application form their current (inaudible) or
17 current school that they --

18 UNIDENTIFIED VOICE: Right.

19 UNIDENTIFIED VOICE: -- were attending, and
20 that was requested by the district, and we were unable to
21 provide it.

22 MADAM CHAIR: Okay. So you couldn't look at
23 a map and figure out based on the address which district
24 the students actually live in?

25 UNIDENTIFIED VOICE: We could. Like, for



1 instance, one of the events that we worked, and received a
2 lot of positive support from was the Sheridan Celebrates
3 this fall, and those letters of intent were collected after
4 the submission on August 1st. And so we believe we have
5 solid support out of the Sheridan School District.

6 MADAM CHAIR: But you don't have a number?

7 UNIDENTIFIED VOICE: No.

8 MADAM CHAIR: Thank you.

9 MR. SPARKS: So to that point, this school
10 was located within what the applicant team is called the
11 TriCity area, because the applicant team desired to serve
12 the students on the borders of the Sheridan in Englewood
13 School District, and was hoping to draw a little bit from
14 Littleton. And because the way the statute is written
15 while they -- the school is required to be authorized by
16 one district, it's intent was to serve those contiguous
17 districts, and can draw that majority population from any
18 one of those districts.

19 So there wasn't a concerted effort to
20 determine which one of those three districts they were
21 coming from, so long as they're coming from one of those
22 contiguous districts. And --

23 UNIDENTIFIED VOICE: Madam Chair, may I ask
24 a question?

25 MADAM CHAIR: Yes.



1 UNIDENTIFIED VOICE: So this charter school,
2 what is its -- its specialty or what makes it special?
3 But, I'm speaking about curricula, teachers, and -- and
4 such that is not provided by the school district.

5 MR. SPARKS: Ms. Mund, would you like to
6 address that since I think you are more passionate
7 (inaudible) that. You can just use the mic on there.

8 MS. MUND: Okay. There's a high degree of
9 technology that will be used, and it's a Core Knowledge
10 charter school. We'll be starting with grades K through
11 five, and growing through eighth grade, so the students
12 will be able to have full benefit of that Core Knowledge
13 curriculum, which has had great success.

14 UNIDENTIFIED VOICE: Okay.

15 UNIDENTIFIED VOICE: But then again, I think
16 you'll probably be using Core Knowledge as well. Will you
17 be?

18 UNIDENTIFIED VOICE: It's on or turned on.

19 MADAM CHAIR: No.

20 UNIDENTIFIED VOICE: Oh.

21 MADAM CHAIR: You can't talk to her.

22 UNIDENTIFIED VOICE: Okay.

23 UNIDENTIFIED VOICE: No, no, no.

24 MADAM CHAIR: You can't do that.

25 UNIDENTIFIED VOICE: So I would presume that



1 they will be too.

2 MADAM CHAIR: And we -- we don't --

3 UNIDENTIFIED VOICE: So what is the
4 specialness?

5 MR. SPARKS: Well, so --

6 UNIDENTIFIED VOICE: Technology, they
7 probably will use that too. What is the specialness of
8 this curricula?

9 MR. SPARKS: Yeah. So I -- I don't know if
10 that -- this is your assumption, but we often get this
11 where people will get Core Knowledge and Common Core
12 confused. And so Core Knowledge is a curriculum that's
13 used by many successful charter schools across the state.

14 It's aligned to the Core Knowledge standards
15 as well as, you know, it has to be aligned to the other
16 state standards where Core Knowledge is -- is unique in its
17 approach. But this school is -- it differs from most of
18 the Core Knowledge schools in that it takes a very blended
19 learning, and individualized approach with a high use of
20 technology to personalize the education plans of each of
21 the students, so that they can either stay behind if
22 they're -- they're stuck on a particular issue, or they
23 can, you know, move ahead of the rest of the class.

24 And it allows teachers to spend more one-on-
25 one time with students, because they're using a computer



1 based delivery method for much of their work that is
2 analyzing what they're doing, changing questions, adapting
3 to how they're responding.

4 But that actually has been shown to allow a
5 teacher to spend more individualized time with each
6 student, because as they're working throughout the
7 classroom the teacher can go see and how each student's
8 doing, where they're struggling, what their needs are. And
9 so, that's really where this school differs from most Core
10 Knowledge schools, and Core Knowledge is -- is not the --
11 the general curriculum offered by the district.

12 UNIDENTIFIED VOICE: (Inaudible). Okay.

13 UNIDENTIFIED VOICE: So --

14 UNIDENTIFIED VOICE: One -- one other
15 question. Just one last question.

16 MADAM CHAIR: Okay. Don't (inaudible).

17 UNIDENTIFIED VOICE: All right. Has the
18 School Improvement and Accountability Council in this
19 school district supported you? Do you have the support of
20 the School Improvement and Accountability Council?

21 MR. SPARKS: No, we do not.

22 MADAM CHAIR: No. He probably wouldn't
23 anyway. That's not from the way they work.

24 UNIDENTIFIED VOICE: May I ask a question?

25 UNIDENTIFIED VOICE: Well, they should.



1 They should.

2 UNIDENTIFIED VOICE: May -- may I ask Ms.
3 Mund another question about the Core Knowledge? I'm -- I
4 am aware of what a strong curriculum that is. It's used in
5 charter schools. It's used in our district schools as
6 well. Very often used with more high achieving students.
7 And so, I'm wondering whether there's a lot of -- I mean I
8 look at the success of school, science, and technology, et
9 cetera, where we have strategies for at risk kids. Kids
10 who are quite a bit behind.

11 Is there evidence from some other program --
12 from other schools using what you're proposing that it does
13 have dramatic effects? Cause I have not heard of this
14 particular process.

15 UNIDENTIFIED VOICE: Yes, and the reason
16 we're using Core Knowledge is because of the broad base of
17 information provided to the students, because that's
18 considered a great equalizer of all students. And so Core
19 Knowledge is actually touted as doing very well with lower
20 income, underachieving students.

21 One of the curricula we have chosen is ST
22 Math, which there were over 25,000 students in the Los
23 Angeles area. It was, like, a study that was done, like,
24 two, three years ago, and they had gains of a year-and-a
25 half in just one year. And so we have chosen curricula.



1 Most of it computer based that will be able to advance the
2 kids more quickly.

3 And in the RTI Program, and the Special Ed
4 Program, Dr. Steinberg has designed so that it specifically
5 addresses student needs. And it's not like a -- a bribe
6 based general kind of a thing. It's more focused on what
7 are the individualized needs of the students.

8 UNIDENTIFIED VOICE: Okay.

9 MADAM CHAIR: Thanks for clarifying that.

10 UNIDENTIFIED VOICE: I have one more
11 question. I have one more question.

12 MADAM CHAIR: No. Is anybody else, Pam?
13 Okay.

14 UNIDENTIFIED VOICE: I -- Core knowledge is
15 not known for being very culturally sensitive.

16 MADAM CHAIR: No, no. You can ask
17 questions, you can't make comments.

18 UNIDENTIFIED VOICE: Okay. Following that
19 comment, how -- and -- and -- and the district I know is --
20 is a very large and multicultural district. How do you --
21 how -- how will you supplement that curricula with knowing
22 the population that is very culturally different, and
23 knowing that Core Knowledge is not?

24 UNIDENTIFIED VOICE: We've had a very high
25 value since the very beginning of working on this



1 application to include the different cultures. And so at
2 every single one of our events we have had a Core Knowledge
3 Spanish speaking teacher who was able to speak directly
4 with the families about their questions. And all of our
5 materials have been provided in two languages. And as
6 Dr. Medina would attest, there's a high value to include
7 all different cultures.

8 It's -- it's been a value of ours since the
9 beginning.

10 UNIDENTIFIED VOICE: Thank you.

11 MR. SPARKS: Ms. Markel, could you tell me
12 how much time I have?

13 MS. MARKEL: Thirty-five seconds.

14 MADAM CHAIR: Thirty-five seconds.

15 UNIDENTIFIED VOICE: All of our questions
16 cut into their time, correct?

17 MADAM CHAIR: Yeah, but it's okay.

18 UNIDENTIFIED VOICE: It is?

19 MADAM CHAIR: Yeah, oh, yeah.

20 UNIDENTIFIED VOICE: That's how -- that's
21 how --

22 MADAM CHAIR: I would have liked to have
23 heard a little more from them, but --

24 MR. SPARKS: I'll --

25 UNIDENTIFIED VOICE: I'll give him his 35



1 seconds back.

2 MADAM CHAIR: Yeah, he gets 20. He'll have
3 ten minutes we can (inaudible).

4 MR. SPARKS: I'll -- I'll reserve the rest
5 for my remaindering -- remaining ten minutes. Thank you.

6 MADAM CHAIR: All right. Sheridan.

7 MR. CLOUGH: Good morning, Chairman Neal.
8 Congratulations on your appointment as Chair.

9 MADAM CHAIR: Thank you.

10 MR. CLOUGH: I'm Michael Clough. I'm the
11 superintendent of Sheridan School District, and I'm here to
12 talk about the application today. And again, just I know
13 Chairman Neal did a great job of discussing it, but really
14 it's the State Board's role to take the position, and
15 understand, and either support or deny the position of the
16 Sheridan School district. And that also includes as a
17 fiduciary steward of the public's money. So I hope that we
18 can present.

19 There were so many problems with this
20 application that we've done our best to glean down, and
21 hope we can make sense of -- of why it is problematic.

22 The first is, is that you just didn't hear
23 anything Sheridan. I think the reason that so much time
24 was spent at the beginning is spending time on the Delta
25 Group, and the TriCity Group was I find it a bit offensive



1 that we in Sheridan have done a wonderful job of improving
2 our academic achievement. And we are not a bunch of
3 buffoons sitting there not knowing, and understanding
4 what's going on.

5 We do know. We did very, very, very
6 thoughtful consideration of this application. It is
7 important to us. School choice is important to us.
8 Mr. Sparks was correct. There are 429 students that do
9 leave our district, and choice out, everywhere from the
10 Falcon School District to Mapleton, but we also bring in
11 409 students that choose Sheridan as their choice school.
12 So I think that is a little bit of a -- of a misnomer that
13 has been presented.

14 Talk a little bit about Sheridan School
15 District. We've had a chance to be here before, and talk
16 about several things. Sheridan School District has just
17 under 1600 students. We are 85% Hispanic. Our district is
18 definitely, if you look at our scores, the trajectory of
19 our district is up. We've been recognized by the U.S.
20 Department of Education for some of the highest gains in
21 achievement in the schools. That would be the target
22 schools. And if the Board would like, I can ask Ms. Webb
23 to explain a few more of the performance frameworks, and
24 some of the scores of the schools that would be the
25 targeted area.



1 But we are a definitely a district on the
2 move. We are the district. Very interesting to be a
3 district of a -- in a city of 5,000 in a metropolitan area
4 of over three million. So sometimes we feel like we're a
5 rural Colorado district, which I know very well from my
6 years on the plains. And sometimes we feel like we're in
7 the middle of the inner city. But what we are is a very,
8 very proud community that has a rich tradition.

9 In fact, it's kind of interesting, Sheridan
10 lost as we understand from Sheridan archives by ten votes
11 of being the county seat of Arapahoe County in the late
12 1800s. How would have life been different had Sheridan
13 been the county seat and not Littleton?

14 But, so you can see that the community has
15 coalesced around the Board of Education on this. I think
16 you had a chance to hear from the community unsolicited, on
17 our part, but they were able to come, and wanted to come
18 and voice their opinion that we elected the Sheridan Board
19 of Education, and we trust the Sheridan Board of Education
20 to represent our best interests. And on this particular
21 issue they have done that.

22 And what I would say is probably one of the
23 greatest accolades for our teachers, and staff that going
24 through this process how the community has stood up and
25 said, you know what, we -- we are welcome to choice. We



1 are welcome to charters, but it must be a charter of
2 quality, and it must be a charter that represents our
3 Sheridan values. So that's a bit of the story about
4 Sheridan.

5 UNIDENTIFIED VOICE: Madam Chair.

6 MADAM CHAIR: You don't need to.

7 UNIDENTIFIED VOICE: You don't need to?

8 MADAM CHAIR: You just interrupt, but that's
9 okay.

10 UNIDENTIFIED VOICE: Superintendent Clough.
11 I'm curious. You've been in front of our Board talking
12 about your district's performance framework, and you've
13 discussed the challenges you have, the -- the student
14 population, and their challenges to achieve. And I know
15 your latest scores were in the right direction, but is it -
16 - is it your position that you would entertain a charter
17 school only if you thought it would do a better job than
18 you're doing?

19 MR. CLOUGH: Absolutely. And one of the
20 things that we have done in the process is we have started
21 discussion with our -- with our state's charter
22 organizations. And we would absolutely be welcome to a
23 charter that could do something different to offer our
24 students a choice or something better that we're doing. We
25 absolutely would entertain.



1 We are not unfriendly to charters. I don't
2 think a standard for being unfriendly to charters is not
3 ever receiving an application. I think that's an unfair
4 standard. In fact, we've -- we've learned a great deal in
5 the -- in the past 45 days about what indeed a charter
6 could possibly do for the Sheridan School District in -- in
7 -- in looking at choice.

8 But I do -- I'm a firm believer that there
9 needs to be a basis of support that rises up from your
10 community. Someone on the Board, parents that are coming
11 to our meetings, and -- and requesting for us to take a
12 really good look at the charter. What our parents have
13 through the process we owe a great debt. Our parents have
14 learned a great deal about charters, and the possibility of
15 choice.

16 One of our parents' comments at a meeting
17 said it best. "Where were you five years ago? Had you
18 been here five years ago we would have been beating down
19 the door." And I -- I think that's absolutely true. But
20 the trajectory, if you -- if you look at our scores, and
21 you look at the achievement, the trajectory is up, and the
22 community definitely feels that in their support.

23 UNIDENTIFIED VOICE: What -- what's the
24 status of your district currently?

25 MR. CLOUGH: The -- the status of the



1 district we are priority improvement, and we are in
2 negotiations with the Colorado Department of Education. We
3 would have been able to have our AEC, which is our
4 Alternative Education Campus removed, had they not dropped
5 a category to improvement. So we are priority improvement.

6 UNIDENTIFIED VOICE: Well, that is the what,
7 second lowest --

8 MR. CLOUGH: That is the --

9 UNIDENTIFIED VOICE: -- rating?

10 MR. CLOUGH: Yes.

11 UNIDENTIFIED VOICE: Is that correct?

12 MR. CLOUGH: Yes. Excuse me. Yes, it is.

13 UNIDENTIFIED VOICE: So your contention is
14 that this particular charter school would be worse than
15 second lowest. Is that your contention?

16 MR. CLOUGH: Well, the -- the target
17 population comes from Sheridan Middle School, which is a
18 performance school, and Sheridan Elementary School, that's
19 our target population that we would be drawing from. Those
20 are only schools, and that missed performance by .8. So
21 the highest ratings of a school can receive is performance,
22 and right under.

23 So the reason for the priority improvement
24 is for the postsecondary options that we've discussed
25 before. And also because of the -- we cannot remove our



1 AEC, because a drop of in their accreditation.

2 So most specifically I would like to get to
3 first the process we use, because we do believe the process
4 was fair. As I understand, when we did receive the
5 application on August 1st, we did not have a great deal of
6 experience. It is -- is it a bit of a misnomer. We did
7 receive an application in 2008, which was an application
8 that was dropped on 72 districts concurrently. And we did
9 some investigation, and that application was pulled
10 immediately off. So we -- that was our extensive
11 experience.

12 So, yes, we did enlist the help of outsiders
13 to help us do a fair evaluation of -- of it. Amy
14 Slothower, Dr. James Duffy, and Dr. --

15 UNIDENTIFIED VOICE: Have -- have these
16 outsiders that you enlisted, did you get a track record
17 from them on how many times they have recommended approval
18 of the charter school vis-a-vis how many times they have
19 recommended disapproval?

20 MR. CLOUGH: We -- we did not.

21 UNIDENTIFIED VOICE: So you don't know if
22 this group or you didn't hire them with the intent that
23 they might lean toward not approving schools?

24 MR. CLOUGH: We -- we did not hire them
25 based upon that. We hired them -- we hired Amy Slothower



1 because she was a recommendation from the Charter School
2 League, and we hired Dr. James Duffy because of his
3 experience around working, and working successfully with
4 English language learners. And we hired Dr. Ranelle Lang
5 because of her experience as a superintendent in the broad
6 base in looking at the business model.

7 UNIDENTIFIED VOICE: Thank you.

8 MR. CLOUGH: So we looked at the process.
9 We held several community meetings. We wanted to hear from
10 the community. We wanted to make every opportunity for the
11 community to speak, either for in support of the charter or
12 against the charter. We had many opportunities, and the
13 community did indeed come forward, and the community let us
14 know in no uncertain terms that they were very welcome --
15 welcoming to a charter, but not this one. And -- and not
16 at -- at this time.

17 The application was also given to two teams
18 from within the district. The first was an administrative
19 team, which on one side was on our instructional team, our
20 instructional experts, which was head -- headed by our
21 Deputy Superintendent, Jackie Webb. And on the operations,
22 looking more at the budget, which is headed by our CFO, and
23 COO, Kristin Collenell, (ph) and thoroughly went through
24 the evaluation.

25 And the final step was to give the document



1 to the District Accountability and Advisory Committee to
2 take a look at from our community, so that they could make
3 a recommendation in -- in -- in the final stages to the
4 Board of Education. It was my instructions to the Board of
5 education that this is TriCity, and Delta have put a -- an
6 amazing amount of work, and effort into this process, and
7 we owe it to the process to be fair.

8 And in their fairness I stress that it is
9 probably not in our best interests to do a lot of talking
10 about it, that let us wait for our professionals to do an
11 analysis of what's going on. We'll have several different
12 views, several different looks, and when -- when the time
13 is right we will ask those groups to present to us, and
14 present their findings.

15 It's a little bit different concept, because
16 it became pretty apparent early on that the application was
17 not written for or with Sheridan in mind. The first
18 egregious error that came out was a population of 38,442
19 students that was in the application. We also looked at
20 some of the demographic data that was to be presented that
21 we thought possibly was Sheridan's, was not. So there's
22 two things that happen. Either we had a cut and paste
23 application, which is very possible given the fact that I
24 believe we're the fourth application to come in or the
25 second is, is that the -- the group failed to do a thorough



1 analysis, and a real understanding of Sheridan School
2 District, and the Sheridan community.

3 So either way, to us it is really
4 problematic, because we do believe that the size of the
5 charter is really looking at a district of 38,442. At its
6 maximum of 732 students, there are 990 students in Sheridan
7 for the target group to be drawn from. So again, it makes
8 a little more sense to put a school of 732,432 in the
9 startup in a district that's much larger than the size of
10 Sheridan.

11 In fact, Amy Slothower pointed out that it
12 defies best practices that in a district the size of
13 Sheridan, a startup of 432 kids is probably not a great
14 idea.

15 UNIDENTIFIED VOICE: Excuse me though.

16 MADAM CHAIR: Yes. You can go ahead.

17 UNIDENTIFIED VOICE: Okay.

18 MADAM CHAIR: You don't have to ask.

19 UNIDENTIFIED VOICE: Did the Sheridan School
20 Improvement and Accountability Council approve?

21 MR. CLOUGH: They unanimously did not
22 approve.

23 UNIDENTIFIED VOICE: Okay. Thank you.

24 MR. CLOUGH: There was -- we could not get
25 one person on the committee to support.



1 UNIDENTIFIED VOICE: But isn't it true,
2 though, the TriCity Academy made it clear that while they
3 would like to be authorized are located within the district
4 of Sheridan, they intended to draw students from
5 neighboring districts as well. So Sheridan does not need
6 to show that it can provide all of the students for TriCity
7 Academy, correct?

8 MR. CLOUGH: That -- that is correct. I
9 believe in -- in my recollection of the application, there
10 is a -- a belief that about 50% of those students would
11 come from the Sheridan community, which is also a second
12 problem with the application. When we -- when we looked at
13 the ZIP codes, one entire ZIP code of Sheridan is -- is
14 missing. Eight, two, three, six, which is a Denver ZIP
15 code, which is our northern boundary was entirely missing.
16 I -- I think the model is a little flawed our --

17 UNIDENTIFIED VOICE: But they aren't -- but
18 they aren't required to show support from every ZIP code,
19 are they?

20 MR. CLOUGH: Not exactly required to show
21 support for every ZIP code, but the Board repeatedly asked
22 so that we could look at how many Sheridan families ask for
23 addresses, names redacted, or at least what school that the
24 students would be coming from.

25 We were first told that we didn't have to



1 present that, but the law is fairly clear that that is a --
2 is a viable ask.

3 Secondly, we were told that there was not
4 time to get it, and finally they said we don't have that
5 information. So it's very hard to ascertain where the
6 children are coming from. But we do know from some of the
7 ZIP codes that they're south of 470, which would be
8 Highlands Ranch, and they are west of Deer Creek Middle
9 School in Jefferson County.

10 To correct something that Mr. Sparks said,
11 we are -- there are four districts that we are contiguous
12 to. Jefferson County is also very, very close to us on our
13 western border.

14 So when we looked at that -- that the -- the
15 absence of support in the community partnerships or parents
16 or students support from the Sheridan community was -- was
17 one huge issue. One of the other reasons for denial was
18 facilities. We asked continually for the possibility of
19 where facilities may be located in Sheridan. We -- we know
20 our community well. That's one of the advantages of the
21 local Board of Education.

22 It was -- we -- we collectively were
23 thinking where could the school be? And there's a very
24 good reason. TriCity, and Delta do not plan to provide
25 transportation in -- in this particular grant, which means



1 most of the children, especially those children that come
2 from Sheridan would be walk-ins. I don't know if you know
3 Sheridan, but you know, we do not have an extensive walking
4 structure in our community. There are not sidewalks.

5 Some of the areas that might be considered
6 are -- thank you, along -- along Oxford, for instance, and
7 would be very, very dangerous for students to have a walk
8 in location in some of our Sheridan communities where
9 walking is -- is -- is just not that viable.

10 So in addition, I have about five minutes
11 left, Carrie tells me, so I want to get. That the budget.
12 Technology was one of the strengths that they, TriCity
13 talked about in their application. But if a -- a thorough
14 analysis of the budget by both our reviewers, and by our
15 operations team showed that indeed the budget does not
16 support technology. There was nothing in -- in the
17 application as far as projectors, and one of the biggest,
18 no support for even bandwidth. So there's a lot of things
19 that are -- are being planned to come from a very, very
20 small contingency.

21 So as we look at this, and as the Sheridan
22 Board really examined, they needed to look at the business
23 plan. Is this a viable plan to put a charter in Sheridan,
24 and will it work given all the information that is
25 contained in the budget? And indeed we have determined



1 that it is -- it is very problematic, and the chances of
2 success we believe would be minimal given the amount of
3 work, and the amount of -- of students, and community
4 support from the Sheridan community. I just really think
5 that there would be some possibilities of pulling some of
6 those enrollment numbers from the other communities. But
7 the evidence was simply not there to -- to support that.

8 And lastly, we had a -- a question. This is
9 different. This is an incubation. It feels like let's,
10 you know, put -- put eggs in the incubator, and let's see
11 what pops out. And it -- it is -- it is fascinating that a
12 lot of what we were very unable to really get our hands
13 around, which was very important to us was the management.

14 If you look at the budget, and I'm sure you
15 did as you had a chance to go through the materials the one
16 thing that was pretty solid was there was a very large
17 management expense that was moving to an outside company,
18 and that the Delta group would be a very open end. In
19 fact, we asked the Delta group very specifically for more
20 explanation. And it was definitely a management contract,
21 which we have yet to see, which was built on we'll put it
22 forward. We'll bill for services as they come, which to me
23 is very, very much an open ended contract.

24 So the Sheridan Board of Education found it
25 very, very difficult to get its hands around the business



1 plan, all the way from enrollment projections, to
2 contingency plans, to what happens if it opens with 123,
3 and not 432. And then finally looking at the -- the
4 management structure, and how many dollars would actually
5 be going in -- into management.

6 So for those reasons that we have selected
7 from a list of many, I am asking the State Board to support
8 Sheridan School District's decision to deny this
9 application for a charter in our school district. Thank
10 you.

11 MADAM CHAIR: Thank you. Any -- any Board
12 Members have any questions before we --

13 UNIDENTIFIED VOICE: Okay. May I ask a
14 question?

15 MADAM CHAIR: We have -- because he has some
16 extra time, so --

17 UNIDENTIFIED VOICE: Okay. So you have the
18 community, which said no. You have people within
19 administration that said no. You had people, outside
20 people that came in. They were experts that said no. So
21 you had everybody in -- in -- in the process.

22 MADAM CHAIR: Is that a question?

23 UNIDENTIFIED VOICE: No. I -- I'm asking --

24 MR. CLOUGH: Yes.

25 UNIDENTIFIED VOICE: -- because I just want



1 everybody to hear.

2 MR. CLOUGH: That -- that is correct. One
3 of the tell --

4 UNIDENTIFIED VOICE: Because that's what I
5 heard.

6 MR. CLOUGH: -- tell signs we had a full
7 Board room --

8 UNIDENTIFIED VOICE: Right.

9 MR. CLOUGH: -- and -- and our president,
10 Ron Carter said, "I just need to get a sense, because who -
11 - who is here in support?" And we had the Delta, and
12 TriCity folks. There were three in the audience raise
13 their hand, and who here is not in support of the
14 application, and the entire room --

15 UNIDENTIFIED VOICE: Right.

16 MR. CLOUGH: -- raised their hands. So at -
17 - at this point, I think it's fair to say we haven't found
18 anyone in the Sheridan community that is in support of this
19 application.

20 UNIDENTIFIED VOICE: And my last question
21 is, and do your people -- you have a management company
22 that's going to do it. You guys are going through --

23 MADAM CHAIR: You can't ask them yet.

24 UNIDENTIFIED VOICE: Oh.

25 MADAM CHAIR: We'll have -- we'll have them



1 again.

2 UNIDENTIFIED VOICE: Okay.

3 UNIDENTIFIED VOICE: (Inaudible) question.

4 UNIDENTIFIED VOICE: Okay. Thank you.

5 MADAM CHAIR: Is that conclude your
6 presentation?

7 MR. CLOUGH: That does conclude my
8 presentation.

9 MADAM CHAIR: All right. Thank you very
10 much. We will now call on -- where am I? I lost my --
11 we're talking the TriCity again too for your ten minute
12 rebuttal.

13 Did you have something you want to start
14 with or you want us just to start with questions?

15 MR. SPARKS: I -- I would actually like to
16 address some of the points raised by Sheridan --

17 MADAM CHAIR: Okay.

18 MR. SPARKS: -- and actually finish going
19 through --

20 MADAM CHAIR: Do this quickly, and then
21 we'll ask you some questions.

22 MR. SPARKS: And feel free to interrupt me
23 throughout the -- my presentation as -- as I'm sure you
24 will. So thank you.

25 So as pointed out by Sheridan, they're



1 experts were -- were not charter school experts. They had
2 one person who was recommended by the Colorado League of
3 Charter Schools, and they had a former superintendent, the
4 districts, but nothing of the actual charter school
5 experience, but experience similar to the Sheridan
6 superintendents running a school district.

7 And they also had an English language
8 learning expert, not a charter school expert. Funny that I
9 had trouble pronouncing English. So they're experts that
10 they drew from the outside we're not really charter school
11 experts, but really more of a setup to blame them for, you
12 know, the poor evaluation scores they gave.

13 UNIDENTIFIED VOICE: May -- may I ask a
14 question, Madam Chair?

15 MADAM CHAIR: Ms. Scheffel.

16 MS. SCHEFFEL: Will you please describe the
17 kind of support that the school feels it has to start the
18 school in Sheridan?

19 MR. SPARKS: So does -- well, actually Mr.
20 Gillit, would you like to speak to that?

21 MR. GILLIT: Sure. Through our community
22 efforts from talking with community we had numerous parents
23 that were looking for an option. This started with for me
24 back in about 2009, and, you know, walk in the community,
25 and meeting families door-to-door, my district serves the



1 Sheridan School District, and Englewood School District.
2 So that's how I got involved as being -- knowing both, what
3 both districts are looking for.

4 And there was -- and in speaking with them
5 there was this constant question, what can you do about our
6 school? And I'm -- I'm, like, I can't do anything about
7 your school. And eventually teamed up with TriCity to --
8 to be a representative as a private person, not a city
9 councilman, but just as a private person concerned about
10 the community.

11 And these I -- I met well over a 100 parents
12 who are concerned about, and were telling me that they were
13 moving their children out of the district, and that if
14 there was nothing going to change, they were going to
15 change. And that's what prompted me to realize that they -
16 - are voting on -- on this issue by taking their children
17 out. They are -- they are voting by their feet.

18 And -- and my -- our -- our hope was that we
19 wanted to provide an opportunity, not only for the
20 economically disadvantaged students in Sheridan, but also
21 those parents who wanted an -- a -- a viable option for
22 their children who -- and we felt that there was enough
23 support to get this thing going.

24 We also felt that the School board, as Mr.
25 Clough said at the beginning, you know, he said that they



1 weren't buffoons. They've always treated us a little --
2 they've been real sensitive about us even being there to
3 present. There's -- there's been this intention of that
4 uh, we shouldn't, you know, how dare us come do something.

5 So the community kind of sees what's
6 happening with the school board, and they're -- they're not
7 going to come and say anything. And as for the members
8 that were there that day, most of those members were --
9 were teachers, and people involved in the school district
10 already that stood up and said that they did not support.
11 There were very actually few parents.

12 So we feel we have plenty of support. We
13 feel if we'd open we'd be -- we'd be successful on day one,
14 and that it be a success.

15 UNIDENTIFIED VOICE: Thank you.

16 MADAM CHAIR: Mr. Sparks, have you identified
17 the principals of your school, the principal, the -- you
18 know, who's -- you have that list of people all ready to go
19 to work?

20 MR. SPARKS: We --

21 MADAM CHAIR: Denise has --

22 MR. SPARKS: -- we have identified a -- a
23 potential principal, who's currently employed by another
24 charter school, who has not, you know, made that public or
25 committed to it yet, particularly after the application was



1 denied so that he -- he is still interested. And I believe
2 Ms. Mund spoke with him this week to see if he is still
3 interested, and so he is -- he's still ready to go.

4 MADAM CHAIR: And -- and the building, have
5 you identified a building?

6 MR. SPARKS: We have one building identified
7 in the Englewood School District, but given the fact that
8 the application was denied, we -- we haven't been able to
9 secure anything.

10 MADAM CHAIR: No, but you have identified
11 where you would like to be?

12 MR. SPARKS: Yes, we have identified one
13 location.

14 MADAM CHAIR: Okay.

15 MR. SPARKS: And --

16 MADAM CHAIR: And one other question.

17 MR. SPARKS: -- are continue to (inaudible).

18 MADAM CHAIR: How many students have
19 committed to -- to you?

20 MR. SPARKS: (Inaudible) --

21 MADAM CHAIR: Denise.

22 MR. SPARKS: -- do you have that updated
23 number, Mr. Gillit?

24 MADAM CHAIR: Somebody said 123. I just
25 wondered if (inaudible).



1 MR. GILLIT: Right. I -- I believe in our
2 application we had 329 letters of intent, but those were
3 for all three districts. Since we were denied, we have
4 done no marketing to find out.

5 MADAM CHAIR: Okay.

6 MR. GILLIT: You know, we -- we've not taken
7 any more letters of intent, but these were also parents who
8 are on waiting lists at other charter schools.

9 MADAM CHAIR: Okay.

10 MR. GILLIT: And that's why you see the --
11 the very ZIP codes is there's people in Highlands Ranch who
12 still have their kids, you know, on number 300 on a -- on a
13 waiting list, and -- and --

14 MADAM CHAIR: So you're saying you -- there
15 -- there are plenty of -- of --

16 MR. GILLIT: There are more than enough.

17 MADAM CHAIR: -- possible students.

18 MR. GILLIT: The closest charter school has
19 a waiting list of 600.

20 MADAM CHAIR: Okay.

21 MR. GILLIT: So their -- their parents eager
22 to come --

23 MADAM CHAIR: Thank you.

24 MR. GILLIT: -- over and make the move.

25 UNIDENTIFIED VOICE: Right. Do you know



1 about the state mandated School Improvement and
2 Accountability Council? Do you know that they are the
3 council in the district that has responsibility for looking
4 into charter schools, and approving or disapproving?

5 MADAM CHAIR: At this --

6 UNIDENTIFIED VOICE: I don't think we can
7 ask comment.

8 MADAM CHAIR: No.

9 UNIDENTIFIED VOICE: (Inaudible).

10 MADAM CHAIR: You can't have the discussion.

11 UNIDENTIFIED VOICE: No, no, but I -- I'm
12 asking him a -- a -- a

13 UNIDENTIFIED VOICE: Well --

14 UNIDENTIFIED VOICE: valid question.

15 UNIDENTIFIED VOICE: We need a question.

16 MADAM CHAIR: We need a question, yeah.

17 UNIDENTIFIED VOICE: I asked the question.

18 Do you know about the School Improvement and Accountability
19 Council that is state mandated?

20 MADAM CHAIR: And, he said, "yes." Right?

21 MR. SPARKS: I -- I do know they exist, and
22 that they have a role in reviewing charter schools.

23 UNIDENTIFIED VOICE: And do you know what --

24 MADAM CHAIR: Well, that's enough, because

25 Jane's got a question here, and --



1 UNIDENTIFIED VOICE: Yeah.

2 MADAM CHAIR: -- everybody has to have,
3 okay, equal time here.

4 UNIDENTIFIED VOICE: But it was a question.
5 Forgive me for --

6 UNIDENTIFIED VOICE: Two questions.

7 UNIDENTIFIED VOICE: -- asking for some
8 clarification. The -- the application has been submitted
9 to three separate school districts, correct?

10 MR. GILLIT: Initially, correct.

11 UNIDENTIFIED VOICE: The -- the -- and your
12 initial application. And we are hearing today, in addition
13 to Sheridan, we're hearing from one of the other districts.
14 So the third one doesn't really have anything to do with my
15 question. My question is what if by chance, what if the
16 decision is that in both cases, just here today, it's
17 remanded back to districts?

18 So conversations would then ensue, followup
19 conversations would then happen in both districts or
20 whenever, how many. And then what? Does that -- does that
21 put everybody back to a possibility that we're going to
22 have two or other school districts back in the same at step
23 one talking about where to put this school? Unless the --
24 the intention is, or the hope, or the possibility is we --
25 there would be two separate schools established. But that



1 seems to defy the basics of what we know about you're
2 populate, your eligible or thinking about it population,
3 and the demographics, and the costs, and all the budget and
4 all that. So what do you see, Mr. Sparks, with that?

5 MR. SPARKS: The intent is to open only one
6 school on as close to the border between Sheridan and
7 Englewood as possible. We're pursuing both of those
8 applications here today, because we want the best
9 opportunity to be in the best position to get a facility
10 that's at the lowest cost, and -- and serve the needs of
11 the students best. Only one school will be open. Only one
12 facility will be taken.

13 We would love to have both remanded back to
14 the districts, have both approved, and then be in a
15 position to choose between which district we would like,
16 based on a facility. And we'd love actually your
17 encouragement in your -- in a remand to the districts to
18 work together on allowing the school to be located in
19 either district, regardless of who authorizes the school.
20 But the intent is only to have one location, one school.

21 UNIDENTIFIED VOICE: Okay. And -- and
22 really very quickly, and Mr. Gillit, maybe you could help
23 with this. So has Jefferson County been involved in the
24 conversation at all?

25 MR. GILLIT: No, we have not.



1 UNIDENTIFIED VOICE: Okay.

2 MR. GILLIT: And to clarify are the three
3 applications, we did start with Littleton, and because
4 Littleton did already have charters, we felt that there was
5 a greater need in Englewood, and Sheridan, and therefore we
6 pursued what we felt was the greater need.

7 UNIDENTIFIED VOICE: Okay. Thank you.

8 MR. SPARKS: Okay. So very quickly, I just
9 want to run through some quick points. Delta schools is
10 not providing any management services. The school board,
11 the TriCity Board will employ the principal, and all of the
12 teachers. The Delta Board has no authority to tell anyone
13 to do anything. They are a consultant, like, I am a
14 consultant to the Board.

15 If -- if they have an opinion about how they
16 could do things better, and -- and advice on setting things
17 up, they will provide that to the Board, and as the Board
18 allows to the administration. They will provide training
19 for teachers, but they are not providing any management
20 services for the school.

21 The school is not required to provide any
22 management contracts of other types for legal services,
23 accountants or -- or any of that, so it is not statutorily
24 required or necessary that they provided a contract from
25 Delta schools. If the district wants to look at that



1 during the contract process, that would absolutely be
2 appropriate.

3 Transportation, the district is less than
4 three miles wide. Already 400 students a day are leaving.
5 So those students are finding a way to get out of the
6 district, and going somewhere else. Those same students
7 can find their way to a charter school within the district.

8 And to say that the whole community was
9 behind not supporting the school, well, 400 of those
10 families have already disengaged, and have left the
11 district anyway, even though they're still living there.
12 So that's a big portion there that's not even currently
13 paying any attention to what's going on in Sheridan.

14 UNIDENTIFIED VOICE: (Inaudible).

15 MR. SPARKS: So there were errors made in --
16 in the application. We admit that. The -- the application
17 was not written for 30,000 students. It was written for a
18 small district that had three, possibly four contiguous
19 districts. That was an error. That was taken from another
20 application. That person who is working on a section was
21 working on, had failed to put it in there. But the
22 application as a whole was not written to those 30,000
23 students. It was written to the Sheridan School District.

24 There's a \$200,000 contingency fund that was
25 included in the budget. So anything that the district



1 feels is lacking can be drawn from that, but this, for the
2 curriculum, (inaudible).

3 UNIDENTIFIED VOICE: I'm sorry. That --
4 that's an area that I have a question on, this contingency
5 fund. And there is an estimated amount for the rental for
6 the building. Is that correct? In the 400 and --

7 MR. SPARKS: My -- my time (inaudible).

8 UNIDENTIFIED VOICE: -- 400,000 or something
9 like that. Okay. I'm -- I had trouble following that in
10 there.

11 MADAM CHAIR: Thank you. Okay. We now call
12 Sheridan for the allotted ten minutes of your rebuttal.

13 MR. CLOUGH: Thank you. A couple of points
14 that I do indeed want to stress is first is be very, very
15 clear that the building location in the last brief is where
16 we learned that the primary site is located in the
17 Englewood district, not in the Sheridan district.

18 Secondly, the Appellant conceded in their
19 reply brief that the application is not in the best
20 interest of the district financially.

21 Three, as far as the 100 parents, that
22 strikes me as a bit of surprise. One of the measures that
23 we've had of whether or not our parents in our community
24 are supporting our local school district is a -- a bond
25 issue passed in 2012 at 61 to 39, which was one of the



1 highest, if not the highest percentage in the Denver Metro
2 area for support of a bond. So I -- I think that
3 demonstrated support from the community. And that's
4 support for -- for the school district from our school
5 district community.

6 I also want to just restate that although
7 the district is priority improvement, none of our district
8 schools are priority improvement or turnaround. The middle
9 school, again, is performance, shared in elementary missed
10 performance by 8.8 of a point, just a fraction, so that
11 puts them at improvement.

12 Our high school is improvement, and our SOAR
13 Academy, which is our alternative education campus is also
14 at improvement. So I think it is -- it is more about the
15 accreditation system, and we didn't want to spend a lot of
16 time on that, because I don't think that's really what
17 we're -- what we are indeed here to talk about.

18 One of the other weaknesses of the
19 application in terms of looking at the contingency budget
20 is we know Sheridan, and a deep analysis would say also
21 that there is a great deal of money put into revenue. I
22 believe it's 50,000 to be collected from parents for -- for
23 fees. That in -- in the population that they are
24 targeting, it is a -- it is a challenge to collect student
25 fees from a population that lives in poverty. So I think



1 some of those contingencies will definitely need to be
2 diverted to -- to pay for the lack of fees that indeed will
3 be collected.

4 We gave our -- our parents many chances to
5 have opportunity to comment. We do have besides our Board
6 of Education meeting, we have very large meetings that take
7 place in the morning, especially for our Spanish speaking
8 parents. So they have opportunity for voice in our
9 district.

10 And we have -- we have four parent liaisons
11 in our district that work directly with our parents, and
12 families in order of keeping families connected. And so we
13 -- we very much used our parent liaisons to -- to -- to see
14 if we could get the voice that indeed may be an allegation
15 that was made by TriCity and Delta was that our parents
16 were not willing to come forward and -- and -- and speak in
17 front of the Board. But after I gave that some thought, I
18 thought, well, they're willing to come, and not speak in
19 support. I -- why can't we get them here to speak in
20 support of this, if that's what -- what they would like to
21 do.

22 So we -- we were a accommodating to the
23 schedule to move some times, so that we could have a
24 variety of times, because we thought perhaps our -- our
25 parents were working and couldn't make it, so we moved



1 another time. We offered even one -- one additional
2 session for the Board to hear from the parents.

3 We -- we're building a new school, which is
4 very exciting. The Board went for the tour. We said we'd
5 be happy to come back, go into recess. If -- if we have
6 one parent, we will go back, and reconvene the meeting, so
7 that we can hear from the parents. And were informed that
8 no parents indeed signed up to speak in favor of the
9 TriCity Academy Charter.

10 So I believe we did our due diligence to try
11 to shake out those voices in the community that were in
12 support of the charter.

13 MADAM CHAIR: Any other questions?

14 UNIDENTIFIED VOICE: How do you respond --

15 MADAM CHAIR: Yes.

16 UNIDENTIFIED VOICE: -- to the comment that
17 there's 600 -- did you say 600 students on a waitlist, 400?

18 UNIDENTIFIED VOICE: Six hundred.

19 UNIDENTIFIED VOICE: Six hundred on a
20 waitlist to the closest charter school?

21 MR. SPARKS: Well, like, I also believe that
22 there's probably some duplications on -- on those lists.
23 We were very interested in how many of those 600 on the
24 waitlist are actually Sheridan students. That's why we
25 were very interested in trying to gather as much



1 information as -- as we possibly could gather about those
2 students, because we -- we wanted -- we wanted to know.

3 I don't know how far. I -- I'm not as
4 familiar with -- with how the -- the charter schools, how
5 far charter school people who choose charter -- charter
6 schools are willing to travel from the waitlist. So that
7 was one of the considerations.

8 So basically all the information that we
9 could gain was a list of students and their ZIP codes. So
10 we put a ZIP code map together to see, okay, where are
11 these students coming from, and what is the probability of
12 those students actually coming into our district? And
13 especially that we are not going to provide any
14 transportation.

15 So we -- we definitely would have liked to
16 have more study of those 600 people on -- on the waitlist.

17 MADAM CHAIR: Okay.

18 MR. SPARKS: Thank you.

19 MADAM CHAIR: That concludes your
20 presentation.

21 MR. SPARKS: That concludes.

22 MADAM CHAIR: Thank you. That concludes the
23 oral argument in the -- in this appeal. The Board will now
24 deliberate and reach a decision.

25 Board Members may discuss the issues



1 relevant to the case, but they may not ask questions of
2 either of the parties. So if you have any questions or
3 points you'd like to raise at this time, we can do that or
4 if not, we can go right to a motion. Anybody have any
5 comments?

6 UNIDENTIFIED VOICE: Oh, yeah.

7 MADAM CHAIR: Ms. Schroeder?

8 MS. SCHROEDER: Sorry. First I have a
9 question, a -- a -- a legal question that I did not pay
10 sufficiently.

11 MADAM CHAIR: You cannot ask.

12 MS. SCHROEDER: Not of them. Of (inaudible).

13 MADAM CHAIR: Oh, are you're asking
14 (inaudible). All right. (Inaudible).

15 MS. SCHROEDER: So there -- there --

16 MADAM CHAIR: Or, yeah.

17 MS. SCHROEDER: -- were comments about
18 attendance, and contiguous districts. And I guess I'm not
19 up to snuff on that one at all. What's the responsibility
20 of the charter folks in terms of students within district
21 versus contiguous districts? I -- I -- I heard the term,
22 and I don't know what the rules are about that. Can you
23 help me with that please?

24 MADAM CHAIR: You ask them a good question.

25 UNIDENTIFIED VOICE: As we're both running



1 for our books.

2 MS. SCHROEDER: Do you want me to -- why
3 don't I start jabbering.

4 UNIDENTIFIED VOICE: Take a look. Because
5 as -- as --

6 MS. SCHROEDER: Okay.

7 UNIDENTIFIED VOICE: -- I recall, there is
8 something in the -- in the Charter Schools Act that talks
9 about drawing from both the -- the district where you're
10 applying, and from the contiguous districts.

11 MS. SCHROEDER: Right.

12 UNIDENTIFIED VOICE: So I think that's --
13 and of course charters as really choice schools, you do
14 expect --

15 UNIDENTIFIED VOICE: (Inaudible).

16 UNIDENTIFIED VOICE: -- that they -- they
17 will draw from a -- from a --

18 MADAM CHAIR: Another district.

19 UNIDENTIFIED VOICE: -- wider geographic
20 area.

21 MS. SCHROEDER: Okay. So I'll give you a
22 second while I just mentioned from -- I -- I served on a
23 Board that had the first charter school in Colorado, and
24 has several charter schools, and experienced charter school
25 applications. I'm also aware of the value of choice.



1 In our district, which was a high performing
2 district, every single school, every single school in that
3 district had open enrollment in, and every single school
4 had opened enrollment out. And the reasons vary as to why
5 parents moved their kids to different schools. Very often
6 I have learned it has to do with where the parents work or
7 where the grandparents or other babysitters live.

8 So it's a tough discussion to have about
9 whether how many kids leave the district, can come into a
10 district, unless you actually know that they're leaving for
11 specific reasons, and you know what those reasons are. So
12 I don't find that a particularly compelling -- particularly
13 compelling argument, especially coming from having
14 experienced where, you know, the top schools in the state,
15 and there are people leaving those particular schools.
16 It's just a reality of choice.

17 UNIDENTIFIED VOICE: And it's also -- it was
18 also stated, I --

19 MS. SCHROEDER: Can I finish, please?

20 UNIDENTIFIED VOICE: Oh, I'm sorry.

21 MS. SCHROEDER: Can I finish, please?

22 UNIDENTIFIED VOICE: Forgive me.

23 MS. SCHROEDER: And -- and I'm going to
24 jabber a little bit until these guys have an answer to my
25 question.



1 I have a lot of worries about having
2 experience with charters, and being part of a school
3 district that saw its charter school students as our
4 students.

5 UNIDENTIFIED VOICE: Yes.

6 MS. SCHROEDER: They never stop being
7 students from our district. An effort to share resources.
8 Recently there's a huge bond issue passed, and some of
9 those resources for the bond issue are going to the charter
10 schools. How does that work when hardly any of the kids
11 from your district actually are going to be attending that
12 charter school, if it's your charter school?

13 So I have a little -- I'm challenged to try
14 to figure out where is the appropriate place for these guys
15 to -- to be chartering.

16 MADAM CHAIR: I think (inaudible) answer.

17 UNIDENTIFIED VOICE: I think they found the
18 answer.

19 MS. SCHROEDER: Fantastic. Thank you.

20 UNIDENTIFIED VOICE: And then I'd like to
21 jabber a little bit.

22 MS. SCHROEDER: Okay.

23 UNIDENTIFIED VOICE: Turning to state
24 statute, charter applicant cannot apply to or enter into a
25 charter contract with a school district unless a majority



1 of the proposed charter schools pupils, other than online
2 pupils will reside in the chartering school district or in
3 school districts contiguous there too. So.

4 MADAM CHAIR: Okay.

5 UNIDENTIFIED VOICE: So it's or.

6 UNIDENTIFIED VOICE: Or --

7 UNIDENTIFIED VOICE:: In the district or.

8 UNIDENTIFIED VOICE: Yes, correct.

9 UNIDENTIFIED VOICE: (Inaudible).

10 UNIDENTIFIED VOICE: So by --

11 UNIDENTIFIED VOICE: Will reside in the
12 charter school district or in the (inaudible).

13 UNIDENTIFIED VOICE: Thank you.

14 UNIDENTIFIED VOICE: Well, thank you very
15 much for --

16 UNIDENTIFIED VOICE: Okay.

17 UNIDENTIFIED VOICE: -- clarifying that.

18 And I have some more comments, but I'll wait till.

19 UNIDENTIFIED VOICE: Yes.

20 MADAM CHAIR: Val.

21 MS FLORES: One of the numbers I heard was
22 that 40 -- 429 districts leave the district, but then 409
23 students come into the district. So that's almost a wash.
24 You know, we're talking about basically no need for -- for
25 a charter.



1 MADAM CHAIR: Pam, did you have --

2 MS. MAZANEC: Well, I would just make the
3 comment that I do think it's a valid argument that we have
4 large numbers of students on waiting lists all over the
5 state of Colorado for charter schools. So I don't think
6 it's necessarily a question of need as in do we need a
7 better school? But we -- I think our parents are telling
8 us we need more choices. Clearly.

9 MADAM CHAIR: Steve, did you have a comment?

10 MR. DURHAM: No.

11 UNIDENTIFIED VOICE: I have another.

12 MADAM CHAIR: Jane? Deb? No comment?

13 UNIDENTIFIED VOICE: I just think we need a
14 lot of -- I think I like this application. I feel like the
15 expertise that you've engaged in setting up the program is
16 excellent, and a lot of the people who are working on it, I
17 think that this kind of a school that a lot of parents
18 would be attracted to.

19 UNIDENTIFIED VOICE: I appreciate --

20 UNIDENTIFIED VOICE: I think it's --

21 UNIDENTIFIED VOICE: -- the expertise that
22 you brought to bears is substantial.

23 UNIDENTIFIED VOICE: I'd like to ask a
24 question.

25 MADAM CHAIR: You can't ask a question.



1 UNIDENTIFIED VOICE: May I ask, Madam Chair,
2 may I ask a question?

3 MADAM CHAIR: Me? You can't ask them?

4 UNIDENTIFIED VOICE: No. Okay.

5 MADAM CHAIR: Well, you can make
6 (inaudible).

7 UNIDENTIFIED VOICE: Of the attorney.

8 UNIDENTIFIED VOICE: You can ask the
9 attorney.

10 MADAM CHAIR: It's much more -- oh the
11 attorney.

12 UNIDENTIFIED VOICE: Of the attorney.

13 MADAM CHAIR: Okay.

14 UNIDENTIFIED VOICE: That's who I wanted to
15 ask the question. Okay. Did -- did you look into social
16 economic status? Did you look into the cultural status
17 when you were reading this as to the -- the numbers? I
18 mean, sometimes choice is for white upper middle class in
19 some, you know, schools.

20 MADAM CHAIR: (Inaudible), right?

21 UNIDENTIFIED VOICE: So there's more --
22 there's more segregation that happens, because of choice
23 then should be. So I question the segregation that often
24 takes place, (inaudible)

25 UNIDENTIFIED VOICE: I don't think the data,



1 I don't know if we're engaging in this type of a
2 discussion.

3 UNIDENTIFIED VOICE: Oh, I thought they had.

4 UNIDENTIFIED VOICE: But if you look at the
5 data of the numbers of the --

6 UNIDENTIFIED VOICE: No, no, no. I was
7 asking --

8 UNIDENTIFIED VOICE: -- children in the
9 charters, I don't think your comment is accurate.

10 UNIDENTIFIED VOICE:, I'm sorry.

11 UNIDENTIFIED VOICE: If you look at the data
12 of the children that are enrolled in charters, I don't
13 think your assertion would hold up, but if --

14 UNIDENTIFIED VOICE: Well, it -- it does in
15 one school district that I know, a large school district
16 that I know.

17 UNIDENTIFIED VOICE: Just -- just feeling
18 that generally what we would do is review what's -- what --
19 what is in the record, and -- and -- and what is on the law
20 books.

21 UNIDENTIFIED VOICE: Okay.

22 UNIDENTIFIED VOICE: That said, you are one
23 seventh of the trier of fact.

24 UNIDENTIFIED VOICE: Correct.

25 UNIDENTIFIED VOICE: You know, who gets to



1 judge on this --

2 UNIDENTIFIED VOICE: Correct.

3 UNIDENTIFIED VOICE: -- and -- and you could
4 certainly take judicial notice of -- of, you know, what you
5 know about the demographics on that, and argue from there
6 as you -- as you strive to -- to convince your -- your
7 other members of the Board.

8 UNIDENTIFIED VOICE: Thank you. Thank you
9 very much.

10 MADAM CHAIR: Okay. Keep it short.

11 UNIDENTIFIED VOICE: I only gave up a little
12 bit. I -- you know, I can't keep it too short. I just
13 want to say why I'm going to vote in favor of the district
14 in this particular case.

15 One, I don't think this is going to be a
16 charter school for Sheridan per se. I'm -- as I've already
17 mentioned, I'm worried about location. If you've got the
18 school building in a different district, the majority of
19 kids coming from somewhere else, it doesn't make sense to
20 me that Sheridan should be the authorizer.

21 I'm a little amazed that a number of folks
22 found this to be an inadequate or substandard application
23 given the kind of expertise. And that worries me a little
24 bit knowing that there's no experience in running this
25 school, and running any charter school, despite your back -



1 - general background you haven't actually run a charter
2 school, and I don't know given that poor performance, I'm
3 not confident that this is going to work very well,
4 especially given the amount of time left.

5 I'm concerned about the absence of community
6 support. I think you will find a facility, and it doesn't
7 sound like it will be there, but I will tell you what I am
8 most concerned about, and that is the goals that you've set
9 for the kids. And this is why I not yet convinced that you
10 have the school that you're dreaming of.

11 Former Commission Maloney often talked about
12 the soft bigotry of low expectations. The soft bigotry of
13 low expectations for poor kids who are behind is not to
14 make one year's growth in one year. And so, the reason is
15 one that I ask you about your particular program, is I need
16 you to demonstrate to me that for the kids that you want to
17 serve, and I'm glad there are folks out there who want to
18 serve those students, I want you to show me that you're
19 going to make a year and a half, two-and-a-half years
20 growth for those kids. That's what I think, given all
21 balances, is what we need for children who are behind.

22 And so I encourage you to go back and work
23 on that, but that worries me more than any of the other
24 little things we've been talking about here back and forth.

25 MADAM CHAIR: Ms. Scheffel.



1 MS. SCHEFFEL: Thank you. If you look at
2 the -- the Core Knowledge curriculum, and the nature of the
3 direct instruction that it employs, it has a robust
4 history, direct instruction of creating accelerated growth.
5 So the fact that they said "One year's growth in one time,"
6 was not suggesting low expectations at all. I think it's
7 probably creating a floor, a threshold, but when you look
8 at the nature of the instruction, it's used with Core
9 Knowledge. It has a great history of -- of -- of producing
10 substantial accelerated growth.

11 UNIDENTIFIED VOICE: Steve.

12 MADAM CHAIR: Yes.

13 MR. DURHAM: Thank you Madam, Chairman. I
14 think the -- you have a district that clearly, while it may
15 be improving, clearly it still has problems, and to hold
16 the charter school to a higher standard than the district
17 can apparently meet, I don't think makes any sense. And --
18 and I intend to vote for this application on the basis that
19 I believe that they can at least meet, and hopefully exceed
20 the current standards of the -- of the school district, and
21 they should be given that opportunity.

22 I believe that there are plenty of
23 individuals, parents who would -- who'll choose an option
24 if available to them. And -- and I'm not persuaded by the
25 -- by the so called lack of public support. And I probably



1 should have asked the question, but whether there was a --
2 an attempt to mold public opinion. I suspect there may
3 have been on the part of the district to oppose this.

4 So I intend to vote for this. I think the
5 standards that they proposed to meet are at a minimum
6 reasonable, and -- and I think would -- would likely exceed
7 the performance of the district.

8 UNIDENTIFIED VOICE: One more time.

9 MADAM CHAIR: One more time, and let's --
10 move along --

11 UNIDENTIFIED VOICE: And I (inaudible) much
12 shorter than --

13 MADAM CHAIR: -- quickly, thank you. Thank
14 you.

15 UNIDENTIFIED VOICE: (Inaudible), okay.

16 MADAM CHAIR: Yes. No, I appreciate it.
17 Go ahead.

18 UNIDENTIFIED VOICE: Which isn't all that
19 hard, Angelika.

20 MADAM CHAIR: You know me. I'm always let's
21 move it.

22 UNIDENTIFIED VOICE: And I would just like
23 to say that I really like the curriculum proposal, the
24 Blended Learning Proposal. And I also intend to vote for
25 this charter.



1 UNIDENTIFIED VOICE: I would like to be the
2 seventh on the Board, and say that I would not vote for
3 this proposal. I would not vote for it, because obviously
4 Mr. Sparks, you don't think enough of English second
5 language people as experts. I also think that -- I also
6 think that we have to have these school, these charter
7 schools at a higher level than what or different.

8 My first question was, how will it be
9 different, and how will it serve second language learners,
10 and culturally different learners? That's very important,
11 because I think that's not just an issue in Sheridan.
12 That's an issue in the whole state of Colorado. And we
13 have to be culturally relevant.

14 And I also believe that this Core Knowledge
15 curriculum really needs to have a -- a cultural, a big
16 cultural. It does. It's -- it's very needy in that area.
17 And, of course we -- I don't -- I didn't even think that
18 there was any question that there was blended learning
19 going -- not going on. But not to your district, but
20 another district.

21 Obviously I was -- I was wrong on that, but
22 we do need to have kids that are able to -- to learn in --
23 in different registers, and we need to provide those for
24 them. And -- and also be responsive to their cultural
25 needs. I see that many universities are, you know, going



1 towards that, and training towards that area. And I'm
2 hoping that school districts are also going in that area.
3 Thank you. Thank you both.

4 MADAM CHAIR: Thank you. Thank you all for
5 your attention, and your comments, and your words. We now
6 have to make a motion, and -- and, Ms. Markel, I need to
7 ask you a question. Angelica and I, because this is one of
8 the great things that the vice president gets to do is to
9 choose.

10 We have the two motions, and she gets to
11 choose which one she would make. Does she have to make the
12 one that she will vote for? I mean, does she have to vote
13 the way? So, yeah, you -- you make the choice.

14 UNIDENTIFIED VOICE: Okay.

15 MADAM CHAIR: Now, if that --

16 UNIDENTIFIED VOICE: Sorry.

17 MADAM CHAIR: -- fails, then we'd go back
18 and we do the second motion.

19 UNIDENTIFIED VOICE: Right.

20 MADAM CHAIR: So just so you know that. And
21 so we will see where -- where Angelika is with her motion.

22 UNIDENTIFIED VOICE: We already know that.

23 UNIDENTIFIED VOICE: Madam Chairman.

24 MADAM CHAIR: We know where she is, but
25 what?



1 UNIDENTIFIED VOICE: Madam Chairman, we
2 support. I stand correct. Senior Assistant Attorney
3 General (inaudible) has indicated that Dr. Shorter can vote
4 against her own motion.

5 MADAM CHAIR: What?

6 UNIDENTIFIED VOICE: It's happened before.

7 UNIDENTIFIED VOICE: She can vote against
8 her own motion.

9 MADAM CHAIR: You can vote against your own
10 motion. Well, that probably won't change her what, but
11 it's good to know.

12 UNIDENTIFIED VOICE: It's good to know,
13 because I think we got -- I think some -- somebody got
14 after Marsha one time when she made a motion, and then
15 voted in the opposite way. So thanks very much for clear.

16 MADAM CHAIR: So you have the --

17 UNIDENTIFIED VOICE: Thanks for clarifying.

18 MADAM CHAIR: -- you should have -- I think
19 you have in your --

20 UNIDENTIFIED VOICE: I have it.

21 MADAM CHAIR: -- your package --

22 UNIDENTIFIED VOICE: Yeah.

23 MADAM CHAIR: -- the two motions, so if you
24 listen to that, okay.

25 UNIDENTIFIED VOICE: I move to affirm the



1 decision of a local Board of Education for Sheridan on the
2 grounds that it was not contrary to the best interests of
3 the pupils, school district or community, and thereby
4 uphold the decision of the Sheridan School District Number
5 2.

6 MADAM CHAIR: Is there a second?

7 UNIDENTIFIED VOICE: I second it.

8 MADAM CHAIR: Is there any further
9 discussion? Roll call please.

10 MS. BURDSALL: Steve Durham?

11 MR. DURHAM: No.

12 MS. BURDSALL: Val Flores?

13 MS. FLORES: No.

14 UNIDENTIFIED VOICE: What?

15 MADAM CHAIR: No. Well --

16 UNIDENTIFIED VOICE: Yes.

17 MADAM CHAIR: -- were you at informative?

18 UNIDENTIFIED VOICE: Yes.

19 MS. BURDSALL: Jane Goff?

20 MS. GOFF: Aye.

21 MS. BURDSALL: Pam Mazanec?

22 MS. MAZANEC: No.

23 MS. BURDSALL: Marcia Neal?

24 MADAM CHAIR: No.

25 MS. BURDSALL: Debora Scheffel?



1 MS. SCHEFFEL: No.

2 MS. BURDSALL: Angelika Schroeder?

3 MS. SCHROEDER: Yes.

4 MADAM CHAIR: So now you get --

5 UNIDENTIFIED VOICE: Okay.

6 MADAM CHAIR: -- to do the second one.

7 UNIDENTIFIED VOICE: I move that the

8 decision of the local board was contrary to the best

9 interests of the pupils, the school district or community,

10 and move to remand the matter to the Sheridan School

11 District Number 2 --

12 UNIDENTIFIED VOICE: Excuse me. Why are we

13 (inaudible)?

14 UNIDENTIFIED VOICE: -- for (inaudible).

15 UNIDENTIFIED VOICE: This is (inaudible) --

16 UNIDENTIFIED VOICE: Because the motion

17 failed.

18 UNIDENTIFIED VOICE: Because the motion

19 failed.

20 UNIDENTIFIED VOICE: The motion failed.

21 UNIDENTIFIED VOICE: My motion failed.

22 MADAM CHAIR: She made a motion. It failed.

23 She have to vote again.

24 UNIDENTIFIED VOICE: This is very confusing.

25 MADAM CHAIR: I know. It's always confused



1 me too, but that's the way it works.

2 UNIDENTIFIED VOICE: Christmas breaks really
3 kill us, don't they?

4 MADAM CHAIR: We hope to vote yes.

5 UNIDENTIFIED VOICE: Or holiday breaks. I'm
6 sorry.

7 UNIDENTIFIED VOICE: Did you have a break?
8 I didn't go to break.

9 UNIDENTIFIED VOICE: I'm sorry. Should I do
10 it again or --

11 MADAM CHAIR: Yes. Go, go. I know. Go
12 ahead. Repeat it. Yes.

13 UNIDENTIFIED VOICE: I move the decision of
14 the local board was contrary to the best interests of the
15 pupils, the school district, and or the community, and move
16 to remand the matter to the Sheridan School District Number
17 2 for reconsideration.

18 MADAM CHAIR: Is there a second?

19 UNIDENTIFIED VOICE: Second.

20 MADAM CHAIR: Is there further discussion?
21 Roll call, please.

22 MS. BURDSALL: Steve Durham?

23 MR. DURHAM: Aye.

24 MS. BURDSALL: Val Flores?

25 MS. FLORES: Aye.



1 MS. BURDSALL: Jane Goff?

2 MS. GOFF: Aye.

3 UNIDENTIFIED VOICE: Is that no? Am I
4 supposed to say no (inaudible)?

5 UNIDENTIFIED VOICE: Say whatever you want
6 to say.

7 UNIDENTIFIED VOICE: No, no, no. But I want
8 to make sure.

9 MADAM CHAIR: You should you -- what --

10 UNIDENTIFIED VOICE: The way I --

11 UNIDENTIFIED VOICE: The way you been
12 talking I think you should have said no.

13 UNIDENTIFIED VOICE: No. I'm --

14 MADAM CHAIR: You want (inaudible), good.

15 UNIDENTIFIED VOICE: It's no.

16 MS. BURDSALL: Val Flores?

17 MS. FLORES: No.

18 MS. BURDSALL: Jane Goff?

19 MADAM CHAIR: We get confused what we're
20 doing. You want to vote no, Jane?

21 UNIDENTIFIED VOICE: I want to say no.

22 UNIDENTIFIED VOICE: Yes.

23 MS. BURDSALL: Pam Mazanec?

24 MS. MAZANEC: Yes

25 MS. BURDSALL: Marcia Neal?



1 MADAM CHAIR: Yes.

2 MS. BURDSALL: Debora Scheffel?

3 MS. SCHEFFEL: Yes.

4 MS. BURDSALL: Angelika Schroeder?

5 MS. SCHROEDER: No.

6 MADAM CHAIR: Motion carries. Okay.

7 UNIDENTIFIED VOICE: And it's going to need
8 a second motion (inaudible).

9 MADAM CHAIR: It says and -- is this the one
10 --

11 UNIDENTIFIED VOICE: It's just the --

12 MADAM CHAIR: We just did this.

13 UNIDENTIFIED VOICE: -- (inaudible).

14 MADAM CHAIR: Yes, come up here, please.

15 UNIDENTIFIED VOICE: The sight of the
16 instructions.

17 MADAM CHAIR: But we need --

18 UNIDENTIFIED VOICE: Oh, yeah.

19 MADAM CHAIR: -- to do this about the
20 (inaudible) --

21 UNIDENTIFIED VOICE: We need some volunteers
22 here.

23 MADAM CHAIR: -- of the instructions.

24 UNIDENTIFIED VOICE: We need volunteers.

25 UNIDENTIFIED VOICE: Volunteers to help



1 write the instructions.

2 UNIDENTIFIED VOICE: You want to volunteer,
3 write the instructions?

4 UNIDENTIFIED VOICE: Sure (inaudible).

5 MADAM CHAIR: All right. Okay. Yeah.

6 UNIDENTIFIED VOICE: Sure.

7 MADAM CHAIR: All right.

8 UNIDENTIFIED VOICE: So let's --

9 MADAM CHAIR: We need to have a person who
10 is willing to -- to work with --

11 UNIDENTIFIED VOICE: Yeah.

12 MADAM CHAIR: -- now you -- to work with, to
13 write instructions to the local Board of Education with
14 specific recommendations concerning the matters requiring
15 reconsideration to reflect the State Boards discussion
16 during this hearing. Is there a volunteer?

17 UNIDENTIFIED VOICE: Or more.

18 MADAM CHAIR: Or more?

19 UNIDENTIFIED VOICE: Steve.

20 MADAM CHAIR: Steve?

21 UNIDENTIFIED VOICE: Steve's willing.

22 Anyone else?

23 UNIDENTIFIED VOICE: Is that okay.

24 UNIDENTIFIED VOICE: Yeah.

25 MADAM CHAIR: I move to delegate Steve



1 Durham --

2 UNIDENTIFIED VOICE: And Jane Goff.

3 MADAM CHAIR: -- and Jane Goff the
4 responsibility to write instructions to the local Board of
5 Education with specific recommendations concerning the
6 matters recording reconsideration to reflect the State
7 Board's discussion of this hearing.

8 UNIDENTIFIED VOICE: I'll second that.

9 MADAM CHAIR: Okay. Second. Any
10 discussion? Any --

11 UNIDENTIFIED VOICE: No.

12 MADAM CHAIR: Please respond by saying Aye.

13 MR. DURHAM: Aye.

14 UNIDENTIFIED VOICE: Aye.

15 UNIDENTIFIED VOICE: Aye.

16 MADAM CHAIR: Aye. Aye.

17 UNIDENTIFIED VOICE: All in favor. Yeah.

18 MADAM CHAIR: All in favor? Okay. And we
19 thank you all for your time, and effort, and very
20 interesting. We always have these really great
21 discussions, so thank you very much. Appreciate it.

22 (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 14th day of January, 2019.

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

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