



**COLORADO**  
Department of Education

Colorado State Board of Education

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

BE IT REMEMBERED THAT on September 9, 2015,  
the above-entitled meeting was conducted at the Colorado  
Department of Education, before the following Board  
Members:

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



1                   CHAIRMAN DURHAM: Okay. State Board of  
2 Education will come to order. Staff, please call the  
3 roll.

4                   MS. BURDSALL: Dr. Flores?

5                   MS. FLORES: Here.

6                   MS. BURDSALL: Jane Goff?

7                   MS. SCHROEDER: She's on her way  
8 (indiscernible).

9                   CHAIRMAN DURHAM: Excused.

10                  MS. BURDSALL: Excused. Pam Mazanec?

11                  MS. MAZANEC: Here.

12                  MS. BURDSALL: Joyce Rankin?

13                  MS. BURDSALL: Here.

14                  MS. BURDSALL: Dr. Scheffel?

15                  MS. SHEFFEL: Here.

16                  MS. BURDSALL: Dr. Schroeder?

17                  MS. SCHROEDER: Here.

18                  MS. BURDSALL: And Steve Durham?

19                  CHAIRMAN DURHAM: Here. Quorum is present.

20 For everyone, members in the audience, we'll stand for  
21 the Pledge of Allegiance. Dr. Scheffel, if you would  
22 lead in pledge.

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



1 and justice for all.

2 CHAIRMAN DURHAM: Okay. First item on the  
3 agenda is the approval -- or it's approval of the agenda.  
4 Do we have a motion to approve the agenda?

5 MS. SCHROEDER: I move.

6 CHAIRMAN DURHAM: Is there a second?

7 MS. FLORES: I second.

8 CHAIRMAN DURHAM: It's been moved and  
9 seconded that the general -- that the agenda be approved  
10 as published. Is there objection to that motion? Seeing  
11 none, the staff will record a vote of 6-0 in favor of  
12 that motion.

13 MS. SCHROEDER: (Indiscernible).

14 CHAIRMAN DURHAM: We'll do one -- one from  
15 the consent agenda, so --

16 (Overlapping)

17 CHAIRMAN DURHAM: Which one? Oh, no,  
18 (indiscernible). Yeah. Okay, consent agenda, Elizabeth,  
19 do you intend to read that?

20 MS. BURDSALL: It's typically the vice  
21 chairman that reads the consent agenda.

22 CHAIRMAN DURHAM: Okay. I'm not sure she --  
23 she's going to be very hoarse. She's not, okay.

24 UNIDENTIFIED VOICE: (Indiscernible) mouth.

25 MS. SCHROEDER: I move to please the



1 following matters on the consent agenda:

2 12.01. Regarding disciplinary procedures  
3 concerning a license charge number 2014EC69, direct  
4 Department staff and state attorney general's office to  
5 prepare the documents necessary to request a formal  
6 hearing for the revocation of the license holder  
7 alternative license pursuant to Section 24-4-104, C.R.S.

8 12.02. Regarding disciplinary proceedings  
9 concerning an application, charge number 2015EC666,  
10 direct Department staff to issue a notice of denial and  
11 appeal rights to the applicant pursuant to Section 24-4-  
12 104, C.R.S.

13 12.03. Approve six initial emergency  
14 authorizations, as set forth in the published agenda.

15 13.04 through 13.50. Approval of waiver  
16 request action items 13.04 through 13.50 inclusive, as  
17 set forth in the published agenda. This is the end of  
18 the consent agenda.

19 CHAIRMAN DURHAM: Is there a motion for the  
20 approval of the consent agenda?

21 MS. SCHROEDER: I made the move -- I made  
22 the move. Oh, you're second.

23 MS. FLORES: I second.

24 CHAIRMAN DURHAM: Okay, it's been moved and  
25 seconded that the consent agenda be approved. That



1 requires unanimous consent. Ms. Rankin, I understand you  
2 had some issues you might want to remove from the consent  
3 agenda, so if you would just note those and that will  
4 for, for those particular items, that will not be  
5 unanimous consent and they will be returned to the  
6 calendar.

7 MS. RANKIN: 13.17.

8 CHAIRMAN DURHAM: Okay.

9 MS. RANKIN: 13.22; 13.25.

10 CHAIRMAN DURHAM: So those -- those three  
11 items will be removed from the consent agenda. This  
12 might be an appropriate time for me to simply say that  
13 any items that -- that are on the consent agenda and that  
14 the Member wishes to have reconsidered, if they vote on  
15 the prevailing side, they -- we can reconsider those or  
16 they can give notice of intent to reconsider any of those  
17 items, if we become concerned later. So clerk will --  
18 staff will call the roll for -- or let me say, is there  
19 objection to the approval of the consent agenda as  
20 without the three items enumerated by Ms. Rankin?

21 MS. BURDSALL: I believe we need a second  
22 for Ms. Rankin's --

23 CHAIRMAN DURHAM: No.

24 MS. BURDSALL: We don't? Okay.

25 CHAIRMAN DURHAM: It requires unanimous



1 consent.

2 MS. BURDSALL: Okay.

3 CHAIRMAN DURHAM: She's withheld her  
4 consent, so those items are removed from the agenda.

5 MS. BURDSALL: Okay. Thank you.

6 CHAIRMAN DURHAM: Okay, is there objection  
7 to the approval of the consent agenda with the items  
8 removed by Ms. Rankin? Seeing no objection, that motion  
9 passes by a vote of 7-0. Okay, where are we here? Okay.  
10 Ms. Burdsall, you have your -- you have your report,  
11 please?

12 MS. BURDSALL: Yes. Yes, I do. Good  
13 morning, Chairman Durham, Members of the Board, and  
14 Interim Commissioner Asp. Before I begin my -- my  
15 report, I'd like to ask everyone or remind everybody to  
16 please speak clearly into your microphones. We've been  
17 hearing from a number of constituents and members of the  
18 media who have tried to listen to the Board meetings  
19 through our live stream and they're frequently saying  
20 they cannot clearly hear your comments or votes on  
21 important issues. So I just ask that you make an extra  
22 effort to speak into your microphones.

23 The other reason is the audio streaming of  
24 these meetings are a critical way in which we ensure that  
25 State Board meetings are open to the public that aren't



1 able to be here. And in addition, the audio recording  
2 becomes our official record and -- for the meeting, so  
3 it's truly imperative that your constituents can hear  
4 your comments and votes. In realizing that we don't have  
5 the most sufficient sound system, the microphones are  
6 adequate as long as you are speaking directly into them.  
7 So just wanted to put that little disclaimer out there  
8 and then thank you all very much.

9           So in your Board packets today, you have the  
10 following materials: You have your events calendar and a  
11 quick-glance expense report.

12           For Item 10.01, you have a copy of Sheridan  
13 School District's position statement, CDE's position  
14 statement, and CDE's PowerPoint to accompany their  
15 position statement. We have, just so you know, on the --  
16 your Board bench, we have replaced -- we replaced a  
17 revised version of CDE's PowerPoint. There were two  
18 slides with the -- had the incorrect year on their  
19 header, and so we just wanted to correct that.

20           For Item 12.03, you have a copy of the  
21 request for initial emergency authorizations.

22           For 12.04, you have a copy of the educator  
23 preparation licensing rule alignment PowerPoint. I'd  
24 also note that the rules are available on Board docs.  
25 Given the length of these rules, hard copies were only



1 provided by request.

2 For Item 13.01, you have a copy of Adam  
3 County 50 letter to the State Board, their request for  
4 instatement of their exclusive chartering authority. We  
5 also have Crown Pointe Academy's letter to the State  
6 Board and the signed settlement agreement from the August  
7 12th Board meeting.

8 For Item 13.02, you have a side by side of  
9 Elbert County, also Kiowa's, waiver request and CDE  
10 staff's request. You have Elbert County, Kiowa's request  
11 for waivers pursuant to 22-2-117, C.R.S., the rational --  
12 rationale and replacement plan. And then as well, up on  
13 your Board bench, me provided the memo from Michelle  
14 Murphy that we had sent to you electronically yesterday.

15 For Item 13.03, we have a copy of the  
16 considerations from CDE staff review of Golden View  
17 Classical Academy's waiver request, as well as the state  
18 waivers they are requesting.

19 For Items 13.04 and 13.50, we have copies of  
20 materials pertaining to the charter school waiver  
21 request. I'd like to make a note -- another note that  
22 moving forward, we will only provide copies of these  
23 requests -- provide copies of these waiver requests by  
24 request, given the amount, the quantity that we have been  
25 receiving lately.





1                   For Item 14.02, you have a copy of the  
2 proposed 2016 Board Meeting dates.

3                   For Item 15.01, you have a copy of the  
4 letter from the U.S. Department of Education -- of  
5 Education to the State Superintendent Baesler of North  
6 Dakota Department Public Instruction. You have another  
7 letter from the U.S. Department of Education from -- to  
8 the Title One directors, as well as the guidance on  
9 transitioning from Elementary and Secondary Education Act  
10 flexibility to the Elementary and Secondary Education Act  
11 of 1965 as amended from the U.S. Department of Education.  
12 And then additionally, we've provided on your Board bench  
13 the PowerPoint to accompany that presentation this  
14 morning. And again, like last month, just due to the  
15 quick-changing nature, we wanted to be sure to provide  
16 you with the most accurate and up-to-date information.

17                   For Item 16.01, you have a copy of the  
18 graduation guidelines fax sheet. Their menu of college  
19 and career-ready demonstrations, that was adopted in May  
20 of 2013. You also have the draft proposed Colorado menu  
21 of college and career ready demonstrations. You have the  
22 guidance for the graduation waiver request pursuant to  
23 22-2-217, C.R.S. And then letters pertaining to the  
24 graduation guideline discussions, that was provided to  
25 you electronically yesterday and a hard copy is on your



1 bench.

2 For Items 17.01, you have a copy of the  
3 finance policies and procedures, the FPP, revenue  
4 reporting discussion item and its recommend --  
5 recommendation to the State Board.

6 And that is it for Wednesday. For Thursday,  
7 September 10th, you have a copy of the draft policies and  
8 procedures for gift -- gifts, grants, and donations.

9 For Item 8.01, you have a copy of the  
10 licensure fee analysis and proposed -- and proposal  
11 PowerPoint and a fact sheet on the functions of the  
12 Office of Professional Services and Educator Licensure.

13 For Item 8.02, you have a copy of the  
14 kindergarten school readiness assessment PowerPoint, a  
15 summary of the school readiness initiatives within CAP4K,  
16 a copy of the objectives, the West Ed and California  
17 Department of Education assessment tools, desired results  
18 development profile for kindergarten. You have Teaching  
19 Strategies Gold tools -- or I'm sorry, Teaching  
20 Strategies Assessment Tools Gold and Houghton Mifflin  
21 Harcourt assessment tool, the Riverside Assessment of  
22 Early Learning.

23 For Item 9.01, you have a copy of the State  
24 Board operating procedures. And that is the end of my  
25 report.



1                   CHAIRMAN DURHAM: Any questions of Ms.  
2 Burdsall? I have one. Is -- are we -- are we in waiver  
3 season and will this number of waivers start to decline?

4                   MS. BURDSALL: I believe so, after -- we've  
5 already started receiving some for October, so I'm sure  
6 if the October Board meeting is when we'll start to see  
7 the decline, but it should.

8                   CHAIRMAN DURHAM: Okay, thank you. This  
9 might an appropriate time for me to run through a couple  
10 of procedural things. At the last meeting, we -- we  
11 instituted and I want to continue where if a Board Member  
12 is recognized to question a member of staff or a witness,  
13 that that continues until the Board Member has concluded  
14 the questions.

15                   I would like to ask though, because -- and  
16 because of the audience that we have, the Internet, that  
17 we -- that whoever answers the question themselves. And  
18 as long as the -- the exchange between those two people,  
19 there doesn't need to be any further record --  
20 recognition or identification. If a different staff  
21 person starts -- answers a question, please identify  
22 yourself for the record there.

23                   And let me just say for example, if Dr.  
24 Flores asks -- wants me first to question, I recognize  
25 Dr. Flores. Once she's finished, then if Dr. Scheffel is



1 asked to second, has raised her hand, then I'll -- I'll  
2 try and recognize the Members in order which -- in which  
3 they have requested to be recognized. But we can always  
4 make sure, at least in the -- the first that we identify  
5 the Member by my calling on them and then -- and then the  
6 staff person identifies themselves. It will help improve  
7 the -- the -- the transcript and the record that we do  
8 have.

9 Also, when we're dealing with an action  
10 item, I'd like to start with a motion, because the -- the  
11 motion should -- should direct discussion. And so if we  
12 can start with a motion, a second, that will hopefully  
13 pinpoint the discussion as to -- confine it to the issues  
14 at hand and we can be more on point. So with those  
15 changes, hopefully they're not really much in the way of  
16 changes. We'll try and -- we'll try and use the  
17 procedures we did at the last meeting.

18 Also, if you get a chance, try and keep your  
19 microphones close and on, because that is a serious  
20 problem. So I know I don't do a good job of that. I'll  
21 try and do a little better.

22 So next item is the recognition of  
23 Colorado's outstanding educators. And let's see.

24 MR. ASP: Indsic.

25 CHAIRMAN DURHAM: Dr. Asp?



1 MR. ASP: Thank you, Mr. Chair. We're very  
2 proud of these teachers. Even though they're directly  
3 representing Cheyenne Mountain and Cherry Creek  
4 (indiscernible) places that are near and dear to our  
5 hearts, they exemplify the best of our profession from  
6 across the state. And I'd like to turn it over to Dr.  
7 Mary Pittman, who's our math content specialist, and also  
8 Joanna Bruno, who's our science content specialist, to  
9 introduce our honorees.

10 MS. PITTMAN: Good morning, Board. Thank  
11 you very much for taking some time to honor our two award  
12 winners. They are very impressive and we're -- we're  
13 very honored to have them as part of our teachers within  
14 the state of Colorado.

15 Just to give you a little bit of information  
16 about the Presidential Award. The Presidential Awards  
17 for Excellence in Mathematics and Science Teaching is the  
18 highest honor bestowed by the U.S. government for K-12  
19 mathematics teachers.

20 Established by Congress in 1983, the PAEMST  
21 program authorizes the President to bestow up to 108  
22 awards each year. The award recognizes those teachers  
23 who develop and implement a high quality instructional  
24 program that is informed by content knowledge and  
25 enhances student learning. Since the program's



1 inception, more than 4,200 teachers have been recognized  
2 for their contributions in the classroom and to the  
3 profession.

4 Recipients of the award receive the  
5 following: A certificate signed by the President of the  
6 United States, a paid trip for two to Washington, D.C. to  
7 ascend -- to attend a series of recognition events and  
8 professional development opportunities, and a \$10,000  
9 award from the National Science Foundation.

10 In addition to recognizing outstanding  
11 teaching in mathematics or science, the program provides  
12 teachers with an opportunity to build lasting  
13 partnerships with colleagues across the nation. This  
14 growing network of award-winning teachers serves as a  
15 vital resource for improving science, technology,  
16 engineering, and math education, and keeping America  
17 globally competitive.

18 I'd like to take this time and introduce  
19 Kirstin Oseth. Kirstin is our math awardee. She has  
20 taught mathematics at Cheyenne Mountain Junior High  
21 School and Cheyenne Mountain School District for 28 years  
22 -- is it 29 now? We started 29. She currently teaches  
23 Algebra I to seventh and eighth graders, as well as  
24 seventh grade mathematics. Kirstin fosters a class --  
25 classroom environment that empowers students by creating



1 a student-centered classroom in which students construct  
2 viable arguments and critique the reasoning of others.  
3 Students use formative assessment to self-assess, conduct  
4 air analysis, and communicate a variety of ways to solve  
5 problems.

6                   Kirstin also uses differentiated instruction  
7 to reach students both above and below grade level. She  
8 specializes in reaching students who have been previously  
9 at at least one year below grade level. Kirstin has  
10 presented at workshops on formative assessment, the  
11 mathematical standards of practice, and the student-  
12 centered classroom.

13                   She has co-presented at state conferences on  
14 the response to intervention and an apprentice model of  
15 working with student teachers. She served on the  
16 District Autism Committee that resulted in district  
17 accreditation by the Colorado Department of Education.

18                   Kirstin described being a recipient of this  
19 prestigious award in the following manner: I am honored  
20 and humbled to receive the Presidential Award. It is a  
21 tribute to the outstanding teachers, administrators, and  
22 students of Cheyenne Mountain School District with whom I  
23 work. I feel fortunate to be a representative of the  
24 thousands of teachers throughout our country who deeply,  
25 creatively, and endlessly to push our students to be



1 critical thinkers and problem solvers. I am proud to  
2 accept this award on behalf of my colleagues and  
3 students.

4 (Applause)

5 I'm going to give Kirstin just a minute.  
6 She wants to address the Board (indiscernible).

7 MS. OSETH: I would like to thank you for  
8 having us here. And I also really want to thank the  
9 Cheyenne Mountain administrators to having the foresight  
10 that over ten years ago to see the direction that  
11 education was headed toward and getting me the training  
12 way ahead of time on the -- on things that are now in the  
13 mathematical standards of practice and formative  
14 assessment that by the time those things came into our --  
15 into our classrooms, I was already head -- I was already  
16 on that bus and way ahead of it. But I really need to  
17 thank the Cheyenne Mountain administration. When there  
18 is leadership that that is that good, it makes a huge  
19 difference in what we as teachers are able to do, so  
20 thank you.

21 (Applause)

22 CHAIRMAN DURHAM: Kirstin, just let me say  
23 I'm a Cheyenne Mountain alum and --

24 MS. OSETH : Did I have you in one of my  
25 classrooms?





1                   CHAIRMAN DURHAM: You're not nearly that --  
2                   that old. But I wish you -- I wish you had, because I  
3                   needed a lot of math help in junior high. And it was  
4                   also the location of my short but undistinguished  
5                   teaching career, at Cheyenne Mountain Junior High School.  
6                   So congratulations.

7                   MS. OSETH: Thank you.

8                   CHAIRMAN DURHAM: And we'll -- we'll have a  
9                   presentation here in a moment.

10                  MS. BRUNO: Thank you. Good morning, Mr.  
11                  Board -- Chair and Commissioner Asp. My name's Joanna  
12                  Bruno, for those listening on the Internet.

13                  CHAIRMAN DURHAM: (Indiscernible).

14                  MS. BRUNO: I'd like to present to you this  
15                  science Presidential Award winner, Mark Paricio. You can  
16                  come join me, please.

17                  (Applause)

18                  MS. BRUNO: Mark Paricio has taught science  
19                  in Cherry Creek School District for 27 years, spending  
20                  the last 11 at Smoky Hills High School in Aurora,  
21                  Colorado. He teaches Advanced Placement, International  
22                  Baccalaureate, and Honors Physics for tenth and 11th,  
23                  12th -- tenth, 11th, and 12th graders. Mark's motto is  
24                  "Science is not a spectator sport." He engages his  
25                  students with hands-on projects, whether building



1 launching catapults in the hallway or rowing cardboard  
2 boats down the school pool. Mark's students find the  
3 need to apply physics and ingenuity to solve practical  
4 problems.

5 For seven years, Mark has partnered with ACE  
6 mentor program to give his students the opportunity to  
7 work with professional engineers, architects, and  
8 construction managers to design solutions for  
9 developmental projects in the Denver area. He is a  
10 national board-certified teacher and holds a Master  
11 Teacher certification in secondary science.

12 In Mark's words, "To me, the Presidential  
13 Award means our country recognizes the important  
14 contributions of teachers in the process of creating  
15 capable citizens. As our challenges grow increasingly  
16 more sophisticated, it is essential that excellence in  
17 science teaching continues to be rewarded in order to  
18 attract a new education of innovative educators. I am  
19 humbled to be considered for this honor. This award is a  
20 reflection on my colleagues and mentors who have shared  
21 and sparked my curiosity in science and teaching."

22 Please help me in honoring Mark Paricio.

23 (Applause)

24 MR. PARICIO: Thank you. I also would like  
25 to thank you for having us here today and for honoring



1 us, but mostly I'd like to thank you for struggling with  
2 the same things that keep me up at night, the parts of,  
3 you know, where do we get out -- how do we -- how do we  
4 fill the hunger of our children for knowledge when  
5 they're hungry? And how do we keep our kids excited  
6 about AP classes when they can't afford college? And  
7 these are issues that are real. And then also, how do we  
8 attract and keep outstanding young teachers? I've --  
9 I've watched them come and go in the last 27 years and I  
10 really honor you and thank you for fighting with those  
11 issues.

12 I'd also like to thank Cherry Creek schools  
13 for their amazing ability to let us, with research-based  
14 decisions, make new programs. I'd like to thank the  
15 Asymmetric Foundation, the Polar Track (ph) Foundation.  
16 Mostly I'd like to thank also the Boettcher Foundation  
17 for putting me through college. Without it, I would not  
18 have gone through college. And so these are the  
19 partnerships that we need to continue. And I'd like to  
20 thank those people and the many, many parents of the  
21 students that I've had the honor of getting to send  
22 experiments home to their house, which have made some  
23 serious messes in their kitchens. But this is the kind  
24 of partnerships that we need to have and we need to  
25 continue, because we cannot do it alone. And I am



1 certainly proof that I cannot do this alone. Thank you  
2 very much.

3 (Applause)

4 (Overlapping)

5 (Pause)

6 CHAIRMAN DURHAM: Congratulations to the  
7 winners, and -- and enjoy your time at Washington, D.C.  
8 The Board will come back to order. The next order of  
9 business is the Commissioner's report, Dr. Asp. And I  
10 understand we're going to concentrate on the legislative  
11 update.

12 MR. ASP: Yes, we are, Mr. Chair. In fact,  
13 we have Jennifer Mello, our legislative liaison here to  
14 give an update to the Board.

15 CHAIRMAN DURHAM: Thank you.

16 MS. MELLO: Good morning. It's lovely to  
17 see you all. It's been a few months. Shall I proceed?

18 CHAIRMAN DURHAM: Please.

19 MS. MELLO: So what I plan to do primarily  
20 today is talk about a couple of the interim task forces  
21 that are happening at the capitol that impact educational  
22 issues. There are two. The first is the Early Childhood  
23 and School Readiness task force. Some of you may  
24 remember that there was a similar interim committee last  
25 year and -- and I think the year before as well, so this



1 is one that has been around for a little while. The  
2 second that I'm going to talk about is the School Safety  
3 in Youth in Crisis task force, which is meeting as we  
4 speak.

5 The Early Childhood task force has already  
6 met several times. The next meeting is September 28th.  
7 That committee is being chaired by Senator Beth Martinez-  
8 Humenik. She's one of our newer legislators. At the  
9 next meeting they will propose and discuss and vote on  
10 bills to draft. So they haven't -- up till now, they've  
11 been talking about a lot of issues: you know, child  
12 welfare issues, teachers, how to recruit teachers, how to  
13 pay teachers, licensing, making sure everyone has access  
14 to early childhood if they want it. But -- but it's been  
15 a more general discussion up to this point. And the  
16 meeting we have coming up at the end of the month, that  
17 will get much more specific. And so we'll at that point  
18 know if they're planning to propose any bills.

19 Just by way of background, the way the  
20 interim committee process works is each interim committee  
21 can propose use to five pieces of legislation. Those  
22 then go on to what's called the Legislative Council  
23 Committee, which is a legislative committee primarily  
24 made up of leadership. And then those folks kind of get  
25 to bless or not bless the legislation as well. If they



1     bless it, then whoever carries that bill, it doesn't  
2     count against -- technically legislators are limited to  
3     five bills per session. And then it doesn't count  
4     against that five-bill limit. So that's the advantage of  
5     having an interim committee bill is you can do that and  
6     still do a bunch of other things. So anyways, that  
7     process will start soon with the Early Childhood Task  
8     Force.

9                     The one specific proposal that has been  
10     publically mentioned by a member of the task force is  
11     Senator Merrifield and he has expressed some interest in  
12     exempting preschool teachers from Senate Bill 191. These  
13     would obviously be teachers employed in the public school  
14     system. Those would be the only ones subject to the  
15     requirements of 191. And then perhaps also kindergarten,  
16     first, and second grade teachers. So he's talked about  
17     that.

18                     (Overlapping)

19                     MS. MELLO: Yes. He has -- I mean, he --  
20     what he -- he made a public statement at the last meeting  
21     that he was considering legislation either through the  
22     committee or on his bill, maybe one bill, maybe two, to  
23     exempt preschool teachers and then perhaps also  
24     kindergarten through second grade.

25                     MS. FLORES: Exempt --



1 CHAIRMAN DURHAM: Drsl?

2 MS. FLORES: Exempt (indiscernible) from  
3 what?

4 MS. MELLO: From Senate Bill -- the  
5 requirements of Senate Bill 191.

6 MS. FLORES: Okay, so it's preschool through  
7 third grade?

8 MS. MELLO: Through second grade.

9 MS. FLORES: Through second grade. Thank  
10 you.

11 MS. MELLO: Okay, so moving on to the School  
12 Safe and Youth in Crisis Task Force, again, that -- that  
13 one is meeting right now. That is being chaired by the  
14 majority leaders in both chambers. So we have Majority  
15 Leader Mark Scheffel from the Senate and Majority Leader  
16 Crisanta Duran from the House. That also gives it  
17 bipartisan chairmanship.

18 There are also -- this is one that doesn't  
19 just have legislators on it. And the bill that passed to  
20 create this commission, it was specified that there would  
21 be some parents on there, that there would be some  
22 representatives of school districts, and kind of other  
23 perspectives on this particular topic.

24 The charge of that committee is to look at  
25 issues relating to school safety and threat prevention,



1 to look at programs and methods for identifying students  
2 in crisis, to standardize criteria for school personnel  
3 and identifying threats. They're also charged with  
4 studying and evaluating the implementation of Senate Bill  
5 213, which is a bill that was just passed this past year  
6 this last year by the legislature that impacted  
7 governmental immunity for school districts when there are  
8 violent incidents of the type that took place at Arapaho  
9 High School in our -- our memories. So they're supposed  
10 to be looking at that.

11 Now, the bill was just passed and signed  
12 into law, so it hasn't had a lot of time to be  
13 implemented. Nonetheless, I think in part this task  
14 force was set up in response to some of the concerns that  
15 were raised about that legislation, which, again, did  
16 pass. But this is a way, I think, to continue that  
17 dialogue amongst all those stakeholders.

18 So that's my presentation on interim  
19 committees. I'll just pause for a second, see if there's  
20 any questions about any of that.

21 CHAIRMAN DURHAM: Questions from the Board?  
22 Please proceed.

23 MS. MELLO: Okay. The last that I'll close  
24 with, I mean, I'm sure it would be lovely if I could sit  
25 here and tell you about all the bills that will





1 introduced in January. I can't do that, and that's  
2 because we're really at the very beginning of that  
3 process. The fall is typically the time when folks get  
4 serious about planning legislation.

5 So I don't have -- right now it's a lot of  
6 just kind of vague ideas and -- and people are talking to  
7 people, and that kind of thing right now. I do think  
8 it's possible that we will see some legislation to -- and  
9 these are their terms, not mine, to fix 1323, which -- so  
10 if you remember, that was the big bill that passed at the  
11 very end of session last year that addressed some of the  
12 testing issues that were discussed quite passionately at  
13 the capitol last year. And I think that you will see  
14 some folks think that it went too far in some ways or  
15 that it didn't go far enough in other ways. So you may  
16 see proposals to both of those ends, to further perhaps  
17 reduce testing or to perhaps regain some of the tests  
18 that were eliminated through that bill. We'll probably  
19 see proposals on both sides. So something to look  
20 forward to. The -- the assessment conversation, I  
21 believe, will continue with the capitol next year.

22 CHAIRMAN DURHAM: Additional questions from  
23 Members of the Board? Yes, Dr. Schroeder?

24 MS. SCHROEDER: I'm trying to figure out  
25 what are the rules around 191 for preschool teachers?



1 Were they just lumped into all teachers?

2 MS. MELLO: Madam Vice Chair, and I can see  
3 my friend Katy over here is reaching for the mic, and so  
4 I'll defer to her in just a second. Just from my  
5 perspective to be clear that it's -- it's only those that  
6 are employed by the public school districts.

7 MS. SCHROEDER: Right, I get that part.

8 MS. MELLO: Okay, okay.

9 MS. SCHROEDER: I get that part.

10 MS. MELLO: So I'll -- I'll phone a friend  
11 and let Katy --

12 MS. ANTHERS: Thank you, Mr. Chairman and --

13 CHAIRMAN DURHAM: Please identify yourself.

14 MS. ANTHERS: Sure, Katy Anthes, executive  
15 director for Educator Effectiveness and interim  
16 commissioner -- interim associate commissioner. I just  
17 gave myself a raise.

18 MS. SCHROEDER: Good luck.

19 MS. ANTHERS: Too many words in there. So  
20 yes, the -- the requirements currently under 191 for  
21 preschool teachers are if a preschool teacher is licensed  
22 by CDE and teaching in a public school, then they would  
23 be under the same requirements as all other teachers,  
24 including the 50 percent student growth and the 50  
25 percent professional practice. So, you know, sometimes



1 there's confusion around if a preschool teacher does not  
2 have a CDE license and they work in a private setting or  
3 some other setting. Then they would not be required  
4 under Senate Bill 191.

5 MS. SCHROEDER: Have you had feedback from  
6 districts around this particular --

7 MS. ANTHES: We -- we have had feedback,  
8 yes.

9 MS. SCHROEDER: (Indiscernible).

10 MS. ANTHES: I think -- I think it has been  
11 a -- a challenge for the very, very early grades and  
12 early childhood. And we've worked, actually, with a lot  
13 of educators to develop additional tools and supports  
14 with sort of what we call practical idea guides around  
15 how do you make some of those appropriate judgments and  
16 translations for how you would measure student growth in  
17 that situation, for how you would -- you know, the types  
18 of growth you would be seeing children make or -- or  
19 teachers' types of practices in different settings. So  
20 once we've done some of those tools, we've gotten some  
21 positive feedback around that, around supporting teachers  
22 in those environments.

23 MS. SCHROEDER: Thank you.

24 CHAIRMAN DURHAM: Further questions? Ms.

25 Mello, we had a chance to talk by telephone I think last



1 -- earlier this week or last week about possibility of  
2 trying to initiate legislation, finding sponsors, and  
3 being responsible for the passage of legislation in the  
4 area of student privacy and data privacy. I will hear  
5 shortly probably at the next meeting a point of  
6 legislative liaison committee. Hopefully they will share  
7 my concern at us actually taking a lead on a bill, which  
8 is a little different than we've done in the past, but to  
9 see if we can help move some legislation forward that  
10 might put this issue to rest. So do you have any  
11 comments on -- on that generically?

12 MS. MELLO: No. I -- I mean, other than to  
13 say obviously this has been a very heated conversation  
14 for a couple of years. I'll -- I'll just remind you all  
15 that two years ago we played a fairly active role. We  
16 didn't initiate it, but in some legislation that  
17 strengthen the data privacy requirements for the  
18 Department.

19 What that didn't address was districts or  
20 vendors. Last year's conversation was primarily about  
21 restrictions on vendors. And based on the conversation I  
22 had with Mr. Chair, I think perhaps with some different  
23 approaches, I think that's -- that's the direction we may  
24 be headed this year as well.

25 CHAIRMAN DURHAM: Questions for Ms. Mello?



1 Thank you, anything else? Thank you very much.

2 MS. MELLO: Thank you.

3 CHAIRMAN DURHAM: Okay. We now -- we now  
4 have time allotted for public comment. Please be  
5 respectful of the three-minute limit if you're signed up  
6 for comment. Yes?

7 MS. BURDSALL: We are ahead of the timed  
8 item.

9 CHAIRMAN DURHAM: Oh.

10 MS. BURDSALL: We can start after 10:00, but  
11 we aren't supposed --

12 CHAIRMAN DURHAM: Oh.

13 MS. BURDSALL: -- to start before.

14 CHAIRMAN DURHAM: Okay. Let me make a note  
15 of that. Let's see, why don't we proceed out of order  
16 for Item 10? Let's see, no, that won't work. Okay.

17 MS. BURDSALL: Do you want to --

18 MS. MAZANEC: Let's do lunch.

19 CHAIRMAN DURHAM: Who didn't have breakfast?

20 MS. BURDSALL: Would you want to address the

21 --

22 (Overlapping)

23 CHAIRMAN DURHAM: 12.04.

24 MS. FLORES: She just made a suggestion,

25 Steve.



1 CHAIRMAN DURHAM: Yes, please?

2 MS. BURDSALL: Would -- that one could work.  
3 I mean, that's allotted 30 minutes. Or I was going to  
4 say any of the items pulled off the consent agenda.

5 MS. SCHROEDER: Oh, that's a good idea.

6 CHAIRMAN DURHAM: Okay.

7 MS. FLORES: Okay.

8 CHAIRMAN DURHAM: All right, why don't we  
9 proceed out of order? Dr. Asp, I notice you taking notes  
10 on those. Could you identify those?

11 MR. ASP: Yes, they're --

12 CHAIRMAN DURHAM: First would be?

13 MR. ASP: 13.17.

14 MS. BURDSALL: Correct.

15 CHAIRMAN DURHAM: All right, let's start  
16 with 13.17. Okay, Ms. Rankin?

17 MS. RANKIN: Oh, give me a minute.

18 CHAIRMAN DURHAM: Certainly.

19 (Pause)

20 MS. RANKIN: Mr. Chair, are we ready? We  
21 ready?

22 CHAIRMAN DURHAM: Yes. I'm sorry, Ms.  
23 Rankin.

24 MS. RANKIN: So I received 8,000 pages of  
25 reading materials in the last couple weeks and -- in the



1 last week. And I'm looking at -- I -- I just have a  
2 question, because maybe I'm too new at this, but in  
3 13.17, the last page, it says "duration of the waiver."  
4 It's for Frontier Academy Elementary. And therefore it  
5 says their waiver is requested until 2031.

6 I just have a question. Maybe we just  
7 automatically approve these, but it seems like between  
8 now and then, there's an awful a lot of time that's going  
9 to pass and -- and possibly we need to either have us  
10 look at it or someone take another look to make sure  
11 we're on the right track. I -- I feel if we're voting  
12 now, 2031 is a long way off. So I just need some  
13 direction on that.

14 CHAIRMAN DURHAM: Okay.

15 MR. ASP: I'd be happy to --

16 CHAIRMAN DURHAM: Yes, Dr. Asp.

17 MR. ASP: Thank you, Mr. Chair. Basically  
18 the -- the waivers that you see that are on the consent  
19 agenda here are -- are standard waivers that are issued  
20 as a matter of course to charter schools. They come  
21 through the districts.

22 MS. RANKIN: Yes.

23 MR. ASP: So districts do review -- review  
24 charter school performance on a regular basis depending  
25 on the -- the term of the contract that they've set up



1 with their school. So there is some review process at  
2 the -- the district level. And we typically accept the  
3 district's approval of the waiver request as -- as  
4 certifying that -- that this is an appropriate waiver and  
5 -- and we pass it along to you.

6 MS. FLORES: But may I also add --

7 CHAIRMAN DURHAM: Just to say that Dr. --

8 MS. RANKIN: Mr. Chair, I -- I have --

9 CHAIRMAN DURHAM: Yeah, Ms. Rankin has the  
10 floor (indiscernible).

11 MS. RANKIN: -- a -- a question again for,  
12 what is it, Assistant Commissioner? I'm sorry, I --

13 MR. ASP: How about Elliott? That would  
14 work.

15 MS. RANKIN: Well --

16 MR. ASP: That's fine.

17 MS. RANKIN: Okay. So can you just tell me  
18 when the district reviews these, who is on that  
19 committee? Would it be stakeholders and -- and the  
20 administration or is it just the principal? Do you have  
21 an idea of who -- who that entails?

22 MR. ASP: It may vary some, but typically it  
23 goes to the -- this -- the school board in the -- in the  
24 district. And they -- they review it for a -- a final  
25 approval (indiscernible).





1 (Overlapping)

2 MS. RANKIN: Thank you.

3 MS. FLORES: (Indiscernible) committee?

4 CHAIRMAN DURHAM: Yes.

5 MR. DYL: Mr. Chair, under the Charter  
6 Schools Act, a -- a waiver is for the term of the charter  
7 for which the waiver is made. So if it's going out to  
8 2031, what that tells me is that they have a very long  
9 charter term, probably because they're financing a -- a  
10 building --

11 MS. SCHROEDER: Right.

12 MR. DYL: -- for that period of time.  
13 However, it also says that a waiver of state statutes or  
14 State Board rules by the State Board "is subject to  
15 periodic review, as provided by State Board rule and may  
16 be revoked if the waiver is no longer deemed necessary by  
17 the State Board." So although I don't have the rules  
18 handy with me that that does tell me that there will be  
19 an opportunity to periodically review the waivers over  
20 time.

21 MS. RANKIN: Oh, okay.

22 CHAIRMAN DURHAM: For the record, that was  
23 Mr. Dyl speaking. Dr. Asp?

24 MR. ASP: I think Gretchen Morgan could also  
25 add some information as well here.



1 MS. MORGAN: Hi. Thank you. Yeah, just two  
2 quick things. One is the local school board has to  
3 approve this waivers as part of approving the contract  
4 for the school. So the local board has already said that  
5 they support this.

6 And the second thing is we as the state  
7 agency offer guidance about things like contract terms,  
8 and statute dictates a minimum for a first contract. But  
9 these sort of renewal terms are very much up to the local  
10 district.

11 MS. RANKIN: Thank you.

12 MS. MORGAN: Yeah.

13 CHAIRMAN DURHAM: Dr. Flores?

14 MS. FLORES: Yes, I -- I -- I would agree  
15 with -- with Joyce that I think that to look at it, 1931.  
16 I mean, I know when I worked on the DACC committee, which  
17 was the parent community committee for Denver public  
18 schools, we gave two years -- one year sometimes if, you  
19 know, it was really bad and to improve -- two years,  
20 three years. And then the max was five years. But  
21 usually it was two, three years. And five is just  
22 extraordinary, you know, that they're so superior. And -  
23 - but I think that that's one of the things that we need  
24 to, you know, really look into. And I agree with you. I  
25 think there should be work for the Board to look at not



1 letting kids -- and just because the school does not have  
2 -- some of these school districts don't have the support  
3 to do that, that Denver public schools does have that  
4 support, but smaller school districts don't have the  
5 support and they need to be under the jurisdiction of  
6 some kind of evaluation, just like others can, you know?  
7 And I think teachers should be in those schools. They're  
8 not right now, but they should be evaluated, just like  
9 regular public schools.

10 CHAIRMAN DURHAM: Ms. Goff?

11 MS. GOFF: Thank you. For the -- for the  
12 sake of information going forward and anyone who hasn't  
13 had the joy of these conversations before, Mr. Dyl, so --  
14 so one of the adjustment options we have as a board for  
15 hearing about waiver -- hearing waiver requests and --  
16 and such, a question related to that. And even Jennifer  
17 might be able to help with this as well. What is -- is -  
18 - can -- can anyone give an example of recent  
19 legislation, say within the last five years, that has  
20 impacted waivers for charter schools? Because seeing I -  
21 - thank you for bringing it up. I've been wondering  
22 about that for a while. Actually, as long as I've been  
23 on the Board. Why are some of these waiver requests for  
24 terms as long as 31 years and --

25 MS. RANKIN: Yeah.



1 MS. GOFF: -- and even down to ten,  
2 occasionally something about in that range pops up. But  
3 as legislation develops that impacts only charter school  
4 authorization and rules for that and processes, but the  
5 whole educational program impact -- that could pertain to  
6 any school.

7 So you're saying that it -- within the next  
8 year or so, if any of thesis 59 sets of waiver requests  
9 that we're dealing with, 46 this month, if a -- if a  
10 piece of legislation passes that could impact that waiver  
11 or change the list of automatic waivers or make some  
12 unnecessary, as far as that goes, are we then required or  
13 -- are we obligated to relook at certain waiver packages  
14 that we may have passed just the prior year? Is that --  
15 is that part of the modification that time goes by option  
16 for the Board?

17 MR. DYL: It could -- yes, it could possibly  
18 be. I -- I -- and -- and someone could correct me if I'm  
19 wrong, I believe, for instance, that there was recently  
20 legislation that took certain statutes off the automatic  
21 waiver list and indicated that there would be a -- a, you  
22 know, independent action on -- by the State Board to  
23 waive them.

24 MS. GOFF: Okay.

25 MR. DYL: How that would generally be caught



1 is that the waivers do come up for periodic review with  
2 renewal. And -- and so I presume that -- that for the  
3 most part, those would be handled when they come up for a  
4 renewal review. And those will be flagged by the  
5 Department. There's always the possibility, however,  
6 that there might be a legislative action that will say  
7 this is now no longer waivable with point in time. I  
8 think we have to go back and look. I -- I -- probably  
9 staff personnel would look and see who has that waiver  
10 and -- and determine, based on the legislation, what  
11 happens at that point.

12 MS. MORGAN: If I may add to that? The --

13 CHAIRMAN DURHAM: Please identify.

14 MS. MORGAN: Thank you. Gretchen Morgan  
15 from the Department. The change in legislation that Mr.  
16 Dyl's referring to changed the nature of when automatic  
17 waiver was. So previously, automatic waivers had been  
18 waivers that the Board had delegated staff the authority  
19 to give. In the change of legislation, they became truly  
20 automatic. It had been a confusing term before,  
21 actually, and so now they are waivers which the moment  
22 you have a contract as a charter school, you are given  
23 those waivers by law.

24 And so the list of what was given  
25 automatically was revisited at that same time,



1 understanding that there would be no process associated  
2 anymore with those that were truly automatic. But that  
3 wasn't something that caused there to be, like, something  
4 that was non-waivable anymore. It just was not  
5 automatic. So to Tony's point, I don't think we've seen  
6 a change in statute that added to the list of those  
7 things that are not waivable. So I don't know exactly  
8 how we'd respond to that, because I don't think that's  
9 happened previously.

10 MS. GOFF: But, well, thank you. Yes, you  
11 have responded to my need --

12 MS. MORGAN: Okay.

13 MS. GOFF: -- for that. I -- I appreciate  
14 that. So the waiver, the waiver packages that we're  
15 seeing now -- today, last month, and -- and in the  
16 current time -- is a reflection of waivers that districts  
17 -- or charter schools and their districts are applying  
18 for that are not on the automatic waiver list?

19 MS. MORGAN: That's correct.

20 MS. GOFF: So every -- for information, so  
21 everything we're seeing each month is -- there's a  
22 question about it, because it's not on the list?

23 MS. MORGAN: Yeah, it not being on the list  
24 just means that -- that they are obligated to offer a  
25 replacement plan that describes what they will do to meet



1 the intent of the law.

2 MS. GOFF: Thank you.

3 MS. FLORES: But that also --

4 CHAIRMAN DURHAM: Dr. Flores?

5 MS. FLORES: That also doesn't mean that we  
6 automatically just say okay to them, but we can. For  
7 instance, in the case, of which Ms. Rankin just proposed,  
8 31 years. I don't know if I'm going to alive by then.  
9 And I certainly think that those schools need to be  
10 looked at. And I think probably if -- if the school is  
11 doing so badly one year, two years, if they're doing, you  
12 know, better and three, and three years should be  
13 probably a max. They should be looked at every year by  
14 that school district and not just automatically be not  
15 looked at.

16 MS. MORGAN: Mr. Chair, could I add one  
17 thing to that? There is also --

18 CHAIRMAN DURHAM: Please.

19 MS. MORGAN: -- a requirement in statute  
20 that every authorizer does an annual bit of review and  
21 feedback to their charter schools.

22 MS. FLORES: (Indiscernible).

23 MS. MORGAN: So independent of their charter  
24 contract term, which may be one, three, five, however  
25 many years, every year they're obligated to evaluate



1 what's going on in the school and give them feedback.  
2 That includes minimally responding to what's in their  
3 school performance framework provided by the State. But  
4 also it's supposed to include some things around  
5 financial viability and other things like that. So we  
6 offer some guidance to authorizers and some tools to  
7 authorizers about how to do that with quality on an  
8 annual basis, but by law they're required to at least  
9 look at the performance of their schools each year.

10 MS. FLORES: Right. Is that the issue that  
11 we're having presently with -- oh, what's that school  
12 district? I'm sorry. Sheridan School District?

13 MS. MORGAN: Sheridan doesn't currently have  
14 any charters. The one charter that you all have remanded  
15 back to them will be their first. So --

16 MS. FLORES: Okay. So SOAR is --

17 MS. MORGAN: -- they don't have --

18 (Overlapping)

19 MS. FLORES: SOAR is not a charter? The  
20 SOAR Academy?

21 MS. MORGAN: No, that is -- that is a  
22 district alternative education campus.

23 MS. FLORES: Okay.

24 MS. MORGAN: Yeah.

25 CHAIRMAN DURHAM: Ms. Mazanec?





1 MS. MAZANEC: Well, I was just going to try  
2 and -- and summarize this. So all of these waivers that  
3 are being requested now before the State Board of  
4 Education are non-automatic waivers?

5 MS. MORGAN: That's correct.

6 MS. MAZANEC: That doesn't mean that they're  
7 controversial necessarily?

8 MS. MORGAN: That's also correct.

9 MS. MAZANEC: So -- and for instance, in the  
10 -- in -- in the case that Ms. Rankin brought up, that is  
11 a case where the local school board has -- which has the  
12 most direct control over the charters has decided to have  
13 this -- this waiver in place for 33 years, because they  
14 have a contract in place with the charter, so they have a  
15 lot of confidence in this charter school. That doesn't  
16 mean they're reviewed every year. They still are. But  
17 the fact that these are non-automatic waivers does not  
18 mean that they're controversial. They may or may not be.

19 MS. MORGAN: I think what's controversial is  
20 probably up to you.

21 MS. MAZANEC: I like that answer, thank you.

22 MS. FLORES: And I think it is  
23 controversial.

24 CHAIRMAN DURHAM: Dr. Schroeder?

25 MS. SCHROEDER: I guess I -- I would just



1 like to clarify the reasoning for the long contracts.

2 MS. MAZANEC: Are you saying I didn't  
3 clarify?

4 MS. SCHROEDER: No, I'm not -- I -- I  
5 thought what you were talking about is that it was  
6 acceptable to the school board that they are long-term  
7 contracts, but they -- this originates from, sometimes,  
8 the requirements of the lenders, that they want to be  
9 assured that this is a long-term school, because they're  
10 loaning money for a certain period of time and they want  
11 to be --

12 MS. MAZANEC: That's true.

13 MS. SCHROEDER: -- have some confidence that  
14 that organization will be there. So it's a going concern  
15 concept. And I know that school -- at the school board  
16 level, that at times has been a struggle to grant a  
17 contract for that long a period of time. But it ends up  
18 being economically the only way that -- that lender will  
19 provide the money. And therein lies the dilemma. So  
20 that puts a huge responsibility on the school district to  
21 continue to monitor it, because they have given such a  
22 long-term contract.

23 MS. FLORES: Dr. Schroeder, are you talking  
24 about a lease?

25 CHAIRMAN DURHAM: Dr. (indiscernible) -- did



1 you get an answer to your question?

2 MS. SCHROEDER: I didn't ask a question. I  
3 was trying to sort of expand on why we have these really  
4 long-term contracts.

5 CHAIRMAN DURHAM: Okay. Dr. Flores?

6 MS. FLORES: And I -- and I was asking  
7 whether you -- you were talking about a lease on a  
8 building or what kind of a loan are you talking about?

9 MS. SCHROEDER: A building loan.

10 MS. MAZANEC: Charter school --

11 MS. SCHROEDER: So a charter school has --  
12 buys a piece of land and they build a school, a  
13 structure, and they borrow money in order to do that, in  
14 the same way that you and I might buy a home and go to a  
15 lender.

16 MS. FLORES: Okay, so it's kind of a lease.

17 MS. SCHROEDER: Well --

18 MS. FLORES: And -- and building  
19 (indiscernible) houses.

20 MS. SCHROEDER: -- it's not a lease. A  
21 lease is -- a lease is something that you pay annually.

22 MS. FLORES: Right.

23 MS. SCHROEDER: Whereas a loan is something  
24 you pay off the full amount.

25 MS. FLORES: But just like houses, you know,



1 you may leave for another job and you sell the house. So  
2 the property still has value and it can be sold, but to -  
3 - to tie a program for 31 years is different than tying,  
4 you know, property down. I think --

5 MS. SCHROEDER: So I'm not trying to justify  
6 it. I'm trying to explain that the districts often grant  
7 these long-term contracts because the lender wants some  
8 assurance that this is a long-term effort.

9 MS. FLORES: Well, I mean --

10 MS. SCHROEDER: I'm not trying to justify  
11 myself --

12 (Overlapping)

13 MS. SCHROEDER: -- but this is the economics  
14 of it.

15 MS. FLORES: Look what happened in -- with  
16 what just happened in Washington State and the Supreme  
17 Court's -- the Supreme Court in Washington State out --  
18 said that charter schools were no -- were  
19 unconstitutional. So we'll probably see more of that.  
20 So in the long term, you know, there's -- there is  
21 certainly going to be issues that are -- in 31 years, we  
22 may not even have charter schools in 31 years.

23 CHAIRMAN DURHAM: Further discussion of Item  
24 13.17? Is there a motion to --

25 MS. SHEFFEL: Yes.



1 CHAIRMAN DURHAM: -- grant the waiver?

2 MS. SHEFFEL: I have.

3 CHAIRMAN DURHAM: Yes, Dr. Scheffel?

4 MS. SHEFFEL: Is it possible, and maybe  
5 we've already received this before, can we get a list of  
6 the automatic waivers?

7 MS. GOFF: I was going to ask that. Great.

8 MS. SHEFFEL: Because (indiscernible)  
9 someone had mentioned to me that the teacher licensing  
10 and certification portion of the waiver was not on the  
11 list any longer. What is the list of automatic waivers  
12 for which CDE has really no oversight they take it  
13 automatically by law? And then is there another category  
14 of waivers that would help us categorize this ballooning  
15 list of waivers so we can understand it better. And  
16 perhaps that exists already.

17 CHAIRMAN DURHAM: Gretchen, do you --

18 MS. MORGAN: Mr. Chair, may I --

19 CHAIRMAN DURHAM: Do you have that list?

20 MS. MORGAN: Yeah, that list is -- it's I  
21 think in your documents. Yeah, it's on the waiver  
22 request form as a reminder. It's also on our website.

23 MS. SHEFFEL: Can you comment on the  
24 teaching licensing and certification waiver? Is that  
25 still on the automatic waiver list?



1 MS. MORGAN: There was the two that were not  
2 included on the automatic waiver list in that last  
3 legislative process where educator evaluation and  
4 licensure and highly qualified, and they were taken off  
5 largely because they are confusing, which is that  
6 sometimes schools perceived previously that if they  
7 received a waiver to licensure, they were also being  
8 waived highly qualified, which is not true. Highly  
9 qualified is a federal requirement and obviously we don't  
10 have the authority in our state to waiver those. And  
11 there had been some schools that had gotten themselves in  
12 trouble employing someone at the start of the year who  
13 was not highly qualified. Then the highly qualified  
14 audit came in like January. And their authorizer  
15 realized when they submitted their documentation that  
16 they had a person who was not highly qualified, required  
17 that they remove them. And so it was taken off the  
18 automatic list just to ensure that there would be some  
19 communication with the school to avoid that kind of  
20 confusion.

21 MS. SHEFFEL: Thank you.

22 MS. MORGAN: Yeah.

23 CHAIRMAN DURHAM: Dr. Flores?

24 MS. FLORES: So then, Angelika, what you  
25 told me last time about there was some issue -- I had



1 read through some of these proposals the last time and I  
2 was told that it was -- it had nothing to do with a  
3 board. It had to do with -- with a local board. So now  
4 I'm confused, because here, you know, I had many  
5 questions about the ones before. And these, I just,  
6 after you said they're just automatic, I didn't look  
7 through them very well. And I have a feeling that maybe  
8 we shouldn't vote on these today until, you know --  
9 because they're not as automatic as you're saying, that  
10 we really do need to look through them.

11 And I'm -- I'm -- I'm glad that Joyce  
12 brought this -- this issue up -- 31 years is too -- is  
13 too -- is too long. It's just too long. And we need to  
14 then take the time, which I didn't, because I thought  
15 they were just automatic on all of these that we -- that  
16 we got. They're not automatic and they do have -- some  
17 of them probably do have issues that I would be concerned  
18 with.

19 CHAIRMAN DURHAM: Gretchen, is it safe to  
20 say that items that are truly automatic don't appear on  
21 our agenda?

22 MS. MORGAN: That's correct. Things that  
23 are truly automatic don't come to us or to you.

24 CHAIRMAN DURHAM: Thank you.

25 MS. FLORES: So then I was given wrong



1 information.

2 CHAIRMAN DURHAM: Let's see, Ms. Rankin, do  
3 you wish to move approval of this waiver or do you wish  
4 it to lay over? Do you have a preference?

5 MS. RANKIN: No, I -- I would approve it at  
6 this point, but I just want to add I think it's 16 years  
7 from now.

8 CHAIRMAN DURHAM: Yeah. It's -- it's 2031.

9 MS. MAZANEC: It's later than you think.

10 CHAIRMAN DURHAM: Yeah, I'm afraid the  
11 answer to Dr. Flores's question about my condition in  
12 2031. I really don't want to go there. All right, it's  
13 been moved to granting of waiver number 13.17. Is there  
14 a second?

15 MS. SCHROEDER: I'll second that.

16 CHAIRMAN DURHAM: Second. Is there  
17 objection to the approval of that -- or to the granting  
18 of that waiver? Hearing none, that is declared passed by  
19 a vote of 7-0. Let's proceed to 13.22. Ms. Rankin?

20 MS. RANKIN: Thank you, Mr. Chair. On the  
21 last page, page -- and I'll refer to which one it is so  
22 we don't have any confusion -- Jefferson Academy. There  
23 are two points to this that I have. And -- and I -- it's  
24 just a misunderstanding on my part, I'm sure.

25 "Additionally, the charter school will not





1 be required to report their teacher evaluation ratings as  
2 a part of the Commissioner's report as required by C.R.S.  
3 22-2-112." And I am questioning just if -- if we're  
4 moving toward 191, how do we know how the teachers are  
5 doing? Is this something that's kept in the school  
6 itself? I -- I just don't understand that as a -- as  
7 part of -- of this waiver request.

8 CHAIRMAN DURHAM: Gretchen, can you  
9 enlighten us to --

10 MS. MORGAN: I think so.

11 CHAIRMAN DURHAM: It's a good question.

12 MS. MORGAN: Yeah, I think so. So charter  
13 schools, many of them already have the flexibility to  
14 evaluate using their own tools. So they have received  
15 flexibility already from this Board to do things a little  
16 bit differently than is specified in 191.

17 And because of that, some of them have also  
18 requested that they don't have to submit their teacher  
19 evaluation scores. And because they're not using a  
20 similar system, I think there's some question about  
21 whether those scores would be comparable or useful. And  
22 so that has been the conversation among charter schools  
23 and with the Department about this, is is data from an  
24 evaluation system that is not necessarily comparable, is  
25 that useful data toward the research question which is



1 associated with that data collection. That data  
2 collection, as you know it, doesn't have accountability  
3 associated with it. It has a research agenda. And so  
4 the -- the question about the -- the sort of value of  
5 that data I think has been the conversation.

6 CHAIRMAN DURHAM: Ms. Rankin, you --

7 MS. RANKIN: And -- and I -- I want to say  
8 further, on this particular waiver, it says, "duration of  
9 the waiver." It says, "The charter school requests the  
10 waiver be for the duration of its current contract."  
11 Well, to me that's open-ended, because I -- I don't know  
12 -- I don't have any other information. This could be  
13 2056 as far as I'm concerned. And it bothers me to have  
14 that along with not having accountability that we can  
15 work with. So these two things, I -- I have difficulty  
16 with.

17 MS. MAZANEC: Yeah.

18 CHAIRMAN DURHAM: Gretchen.

19 MS. MORGAN: May I?

20 CHAIRMAN DURHAM: Yes, please.

21 MS. MORGAN: Thanks. I think we probably  
22 could've helped with that. This is someone who is in a  
23 current contract who's adding this little waiver because  
24 we discovered that if people wanted to not have the data  
25 collection requirement, they needed an additional little



1 waiver. So when they first sought their waivers to add  
2 effectiveness, they didn't seek this little tiny part.

3 We realized they needed it. We put a bunch  
4 of information on the field and we said, hey, if you  
5 don't want this, you actually also need this little  
6 waiver. So they're adding to their current contract. We  
7 could in future requests make sure that you know the term  
8 of that contract.

9 MS. RANKIN: Mr. --

10 CHAIRMAN DURHAM: Would you care to guess  
11 the term?

12 MS. MORGAN: I don't know, I'm sorry.

13 MS. RANKIN: Mr. Chair, in the future --

14 MS. MORGAN: I don't --

15 MS. RANKIN: -- I would like to have the  
16 numbers on all of them so we know what --

17 (Overlapping)

18 MS. MORGAN: Yeah, that's reasonable. I'm  
19 happy to do that.

20 CHAIRMAN DURHAM: Thank you.

21 MS. FLORES: And -- and may I add another  
22 thing?

23 CHAIRMAN DURHAM: Dr. Flores?

24 MS. FLORES: Yes, and I -- I just don't  
25 think it's fair to have teachers in public schools rated



1 and teachers in charter schools not held to the same  
2 standards. Specifically I'm talking about what happens  
3 in -- in Denver, where most of these charter schools have  
4 98 percent minority kids and those teachers are not  
5 rated. They're Teach for America, many of them, that  
6 these charters hire. And they have only had maybe six  
7 weeks of training in education. And I don't think it's  
8 fair. It's not fair to the kids. And that's why I think  
9 we're getting the results that we are, which is not good  
10 results, not good results for those charter schools. And  
11 that has to be -- I -- I hope that we become aware of  
12 that, all of us. And where -- and where most of these  
13 charter schools are in Denver, most of them are 95  
14 minority and most of them hire people that do not have  
15 licenses and are working on a license. And that's just  
16 not fair, not fair at all. Thank you.

17 CHAIRMAN DURHAM: Further comments from the  
18 Board? Yes, Dr. Scheffel?

19 MS. SHEFFEL: I think we should at some time  
20 -- this is a brief discussion, but we probably should go  
21 back to why we have a charter school in the first place  
22 and the kind of competition it was designed to infuse  
23 into the system and why the waivers exist in the first  
24 place. And I think that the fairness issue has to do  
25 with teachers having choices as far as where they teach.



1 And people teach in charter schools, they're extremely  
2 competitive to get into, many of them. And teachers  
3 choose to teach there, because of the flexibility.  
4 Principals choose to take jobs there because they have  
5 flexibility.

6 MS. FLORES: Get paid more.

7 MS. SHEFFEL: So I think this is a great  
8 discussion, but I don't think we want to go back to  
9 having a one-size-fits-all education system, even though  
10 it still remains quite one size fits all for many kids,  
11 many teachers, and many administrator. But it's a great  
12 discussion.

13 MS. FLORES: Well, I was just talking --

14 CHAIRMAN DURHAM: Dr. Flores.

15 MS. FLORES: Thank you. I was just merely  
16 trying to make people aware that the teachers at charter  
17 schools are -- are not graded every year, as our public  
18 schools. And sometimes the quality of teachers at  
19 charter schools is not as equal or better than what  
20 public schools offer.

21 CHAIRMAN DURHAM: Further discussion? Is  
22 there a motion to grant 13.22, Waiver Request by  
23 Jefferson County for Jefferson Academy?

24 MS. RANKIN: So move.

25 CHAIRMAN DURHAM: That has been moved. Is



1 there a second?

2 MS. SHEFFEL: Second.

3 CHAIRMAN DURHAM: Dr. Scheffel. Any  
4 comments or questions? Is there objection to the  
5 adoption of that motion? Seeing none, that's declared  
6 passed unanimously. While we're on it, so we're now a  
7 little behind schedule.

8 MS. RANKIN: Mr. Chair --

9 CHAIRMAN DURHAM: Yes?

10 MS. RANKIN: -- my next one will take just  
11 two seconds.

12 CHAIRMAN DURHAM: All right, please proceed  
13 with Item 13.25.

14 MS. RANKIN: This is along the lines of the  
15 first one. The waiver was supposed to go until June  
16 30th, 2033. So I would like to just move we accept this,  
17 because I understand where my question was.

18 CHAIRMAN DURHAM: Okay. Is there a second  
19 to that motion? Dr. Schroeder. It's moved and seconded.  
20 And just let me, by way of comment, say thank you for  
21 raising those issues. It was very helpful to me in my  
22 learning process. Is there objection to the adoption of  
23 the motion to grant Item 1325, a waiver request by  
24 Littleton Public Schools for Littleton Academy? Seeing  
25 none, that motion's declared adopted by a vote of 7-0.



1 We will now proceed to public comment (indiscernible)  
2 10:00 having arrived and passed, actually.

3 So let's see, do we have a list of those who  
4 might want to comment?

5 MS. SHEFFEL: Excuse me, sorry.

6 CHAIRMAN DURHAM: Let's see like we have a  
7 significant list. We do have four people, or actually a  
8 fair number who are on the charter school appeal for  
9 CCCS. That is actually scheduled for tomorrow. If you  
10 plan on coming back for that specific appeal, you might  
11 want to comment tomorrow. If you're here today only,  
12 we'll be happy to listen to your comments for today. So  
13 let's start with looks like Sarah Peck (ph). Did I get  
14 that right? And please remember that the -- be  
15 respectful of the three-minute limit. And Ms. Burdsall  
16 will let you know when your time is up.

17 MS. PECK: Thank you. Good morning, Mr.  
18 Chair, Mr. Commissioner, honored Members of the State  
19 Board -- school board -- State Board of Education. I  
20 come to you today as the proud, although sometimes  
21 exhausted, parent of a three-year-old and two teenagers  
22 to ask you that you give me my young son and all the  
23 other Colorado parents of young children the support we  
24 deserve by guaranteeing school readiness assessment for  
25 all children.



1 I am lucky to have experienced the  
2 incredible value and support of these assessments first  
3 hand. My son attends a preschool that uses the TS Gold  
4 assessments. This thorough, accurate, and incredibly  
5 helpful -- this has been thorough, accurate, and  
6 incredibly helpful to me as a parent.

7 Assessment not only helps my son's teachers  
8 to better support his learning and development, but also  
9 truly helps me to be a better parent. All of the people  
10 surrounding my three-year-old truly understand where he  
11 is developmentally and what his and our next steps are.

12 Particularly powerful for me -- this was  
13 particularly powerful and poignant for me as my son began  
14 to struggle around two-and-a-half. He was acting out in  
15 class, which we've all known two-year-olds to act out a  
16 little bit. And it -- but his assessment showed that he  
17 was bored by the curriculum. His literacy development  
18 was at the -- at almost a four-year-old level. So his  
19 teachers and his school director moved him up to the  
20 other classroom. And immediately the problems stopped.

21 The fact that they had a full comprehensive  
22 development that also included socio-emotional  
23 development allowed them to continue to support that  
24 social development that was still really at the two-and-  
25 a-half-year-old level while he was challenged really





1 academically at that level.

2 I also want to emphasize that the benefits  
3 are only available to my son, because all children in his  
4 classrooms are given the assessments. Teachers are aware  
5 and give each child what he or she needs and classes can  
6 be staffed based on those needs. This is only thanks to  
7 the universal use of TS Gold at my son's wonderful  
8 preschool, even more important that every parent and  
9 every young child have the guaranteed support of these  
10 assessments as they enter kindergarten.

11 In kindergarten, their teachers don't yet  
12 know the children in their class and that can take a year  
13 for them to naturally discover what a -- what a strong  
14 assessment can tell them much sooner. Often, they  
15 struggle with large class size and often there is more --  
16 even more difference in the children's abilities and  
17 developmental stages. So there's an even greater need  
18 for this kind of comprehensive data to guarantee that all  
19 kindergarten classes are staffed appropriately --

20 CHAIRMAN DURHAM: Time has -- time has  
21 expired. You can conclude, please.

22 MS. PECK: Okay. I want to say that I  
23 understand and respect parent's concern about the data  
24 privacy issue, but that can be handled and that throwing  
25 away assessments for the sake of -- sake privacy is



1 truly throwing out the babies with the bathwater. And I  
2 ask you, please don't throw our babies away.

3 CHAIRMAN DURHAM: Cindy Schulz?

4 MS. SCHULZ: Good morning. My name is Cindy  
5 Schulz. I'm with the Cydney and Tom Marsico Family  
6 Foundation. And I am a teacher of kindergarten for 30  
7 years. And that's basically who I'm here to talk about.

8 Colorado school readiness assessment are  
9 research-based and it's a reliable instrument for  
10 measuring readiness assessment. It's extremely  
11 beneficial, extremely beneficial, to teachers, students,  
12 and their families. It's a roadmap. And I'm going to  
13 skip over some of the things I had written. Teachers  
14 want to be able to have a consistent assessment tool to  
15 meet the needs of all learners coming into kindergarten.

16 The school readiness test is not a  
17 standardized test. It is an assessment. It is a tool.  
18 As a kindergarten teacher, we get children coming in. We  
19 have no -- many times, no idea where they've gone to  
20 school. Parents are very helpful, but that readiness  
21 assessment tool is so important for a kindergarten  
22 teacher to know where to start and how to start and how  
23 to provide for that child.

24 You know, the hard thing is the word  
25 "assessment" is so overused, but this is a tool. And



1 what we're really talking about is being able to give  
2 teachers time to measure the progress by being a keen  
3 observer of the child in the classroom and being able  
4 then to inform the parents and work together with those  
5 parents on their goals and the process of learning for  
6 the maximum growth that they can have. It's a snapshot  
7 of readiness of the whole child to see the child develop  
8 socially as well as emotionally.

9 Each child is a unique puzzle. It -- I can  
10 -- I could tell you story after story of kindergarten  
11 readiness assessments that I have given are amazing and  
12 how much we learned about the family, the children, and I  
13 think everyone deserves to have a start where that child  
14 is able to begin. And by taking away the school  
15 readiness tool will not -- will not solve anything.

16 You know, I was -- everything has to be on  
17 an even basis. I was thinking about the kindergarten  
18 readiness tool as -- it's probably the most -- the key  
19 resource to support healthy development, early learning,  
20 and school success for all children.

21 I was thinking the other day can you imagine  
22 if we --

23 CHAIRMAN DURHAM: Okay, thank you very much.  
24 Your time is concluded.

25 MS. SCHULZ: Thank you.



1 MS. FLORES: May I ask a question?

2 MS. SCHULZ: Sure.

3 (Overlapping)

4 MS. FLORES: Just the foundation.

5 CHAIRMAN DURHAM: Dr. Flores, yeah, we --  
6 during public comment, we don't question witnesses.

7 MS. FLORES: Oh, no, it was the foundation  
8 that she was representing.

9 CHAIRMAN DURHAM: Oh, okay.

10 MS. SCHULZ: Oh, the Cydney and Tom Marsico  
11 Family Foundation. We're very philanthropic in the area  
12 of early childhood education and supported from a  
13 philanthropic private standpoint. Many of the --

14 MS. FLORES: Thank you.

15 MS. SCHULZ: Thanks. In the public schools.

16 CHAIRMAN DURHAM: Gloria Higgins?

17 MS. HIGGINS: My name is Gloria Higgins and  
18 I am the president of Executives Partnering to Invest in  
19 Children, which is an organization of business leaders  
20 who are keenly committed to early childhood education.  
21 So the question is why would the business community  
22 really be keenly interested in early childhood education?  
23 And what we're -- our interest lies is from the  
24 employer's view of what they expect of the new hires for  
25 the 21st century. They expect the children and the



1 adults at -- that they've grown to be academically and  
2 technically competent. But they also expect that they  
3 have strong interpersonal skills that give them the  
4 ability to give -- get along well with others, to problem  
5 solve, to work independently, to communicate well.

6           These new hire expectations present an  
7 element of expectation for the K-12 educational community  
8 that may be more effectively delivered prior to the  
9 children entering kindergarten. Additionally, academic  
10 success for K-12 students is rooted in some of the  
11 social/emotional skills that are developed in infancy and  
12 preschool. Let me explain.

13           According to recent working institute White  
14 Paper (ph), social and emotional development, the new  
15 school frontier -- and I'm going to quote this --  
16 "Students who struggle perpetually in school often lack  
17 the social and emotional skills needed to succeed  
18 academically. They act out, they interact poorly with  
19 teachers and classmates, and they pay scattered to class  
20 and skip school."

21           Another study that the business community  
22 relies on was a collaborative for academic and  
23 social/emotional learning that explains that youngsters  
24 who are socially and emotionally developed manage their  
25 emotions, calm themselves when angry, establish positive



1 relationships, make responsible and safe decisions, and  
2 handle challenging situations constructively.

3 From the perspective of the workplace skills  
4 of the 21st century, these non-cognitive skills are  
5 consistently identified, and this is how: Business --  
6 businesses look for employee that collaborate and work  
7 well with teams, have creative and -- are creative and  
8 imaginative and problem-solving. They have critical  
9 thinking skills and they are flexible and adaptable.

10 Couple this with another research piece that  
11 the business community look -- looks at, which is Hanover  
12 Research, a Crosswalk to the 21st Century Skill, they  
13 describe a student's transition from -- from education  
14 environments to employment is based on their employable  
15 skills. Again, this is communicate and working  
16 productively with others, adapting to various roles and  
17 responsibilities and climates of ambiguity, demonstrate  
18 leadership, demonstrate initiative and self-direction,  
19 and demonstrate productivity and accountability.

20 So this is why the -- the business community  
21 is interested. And we would have you --

22 CHAIRMAN DURHAM: Thank you --

23 (Overlapping)

24 MS. HIGGINS: -- have you look back at their  
25 Harvard School and the brain development studies as you



1 make these decisions. Thank you.

2 CHAIRMAN DURHAM: Deborah Cole (ph)?

3 MS. COLE: My name is Deborah Cole, Mr.  
4 Chair, Members of the Board. Good morning. Competency-  
5 based education is fully enthroned in Colorado. The  
6 Center for American Progress defines it as "an outcomes-  
7 based approach where the emphasis is on what comes out of  
8 post-secondary education, what graduates know and can do,  
9 rather than what goes into the curriculum." With a  
10 competency-based approach, you do not preparing a course  
11 syllabus by identifying content and readings. Instead,  
12 you begin by identifying competencies and then select the  
13 content readings and assignments to support student  
14 attainment of these competencies," close quote.

15 This describes to a T the methodology used  
16 by the Colorado Academic Standards. Competency-based  
17 education is another iteration of outcomes-based  
18 education, which suffered an ignominious defeat in the  
19 '90s, but came back to fight another day under its new  
20 name.

21 During the last Board meeting, it was  
22 acknowledged that the legislature went down the  
23 competency path at the request of the business community.  
24 This accounts for the fact that education in Colorado has  
25 been pushed away from traditional academics, the mastery



1 of body of knowledge, and toward a hybrid of technocratic  
2 education and socialization, otherwise known as 21st  
3 century skills.

4 But CBE, although presented as a home-grown  
5 methodology designed to meet the needs of local business,  
6 is not a Colorado or indeed an American phenomenon. The  
7 organization of Economic Cooperate -- Cooperation and  
8 Development, the OECD, based in Paris, promotes CBE  
9 through a competencies program and through the highly  
10 tattered international PISA assessments.

11 A working paper of the OECD defines 21st  
12 century skills and competencies as, quote, "Those skills  
13 and competencies young people will be required to have in  
14 order to be effective workers and citizens of the  
15 knowledge society of the 21st century," close quote.  
16 Thus we have workforce readiness, a phrase that evolved  
17 out of the school-to-work push of the '90s. The purpose  
18 of education is to prepare not Marxes workers of the  
19 world, but Microsoft, Intel, and Ciscos workers of the  
20 21st century.

21 It is all set -- all set to prepare them to  
22 unite, as it observes the approval that, quote, "Young  
23 people are already experiencing the new forms of  
24 socialization and social capital acquisition that  
25 information and communication technology developments are





1 contributing to," close quote.

2           Thus the educational vision of Colorado is  
3 virtually indistinguishable from that outlined in a paper  
4 issued in Paris in 2009. The OECD papers on competencies  
5 date back at least as far as 1996. Although Colorado  
6 business has supported CBE, the idea did not originate  
7 with Colorado business. The identity between the  
8 Colorado business community's vision for education and  
9 that of an international organization in France developed  
10 almost 20 years ago further erodes the fiction that  
11 education reform in the United States has been state-led.

12           CHAIRMAN DURHAM: Thank you, Ms. Cole.

13           MS. COLE: Thank you.

14           CHAIRMAN DURHAM: Dr. Adrian Bryant (ph)?

15           MS. BRYANT: Just give me a minute here.

16 Good morning, Board and Chairman. My name is Dr. Adrian  
17 Bryant and I'm here to speak on behalf of cooperative  
18 community -- community cooperative schools. This is a  
19 charter school that is fighting its way through the  
20 system to provide education to our children.

21           Right now community cooperative schools is a  
22 school that is going to teacher-led and student-centered.  
23 I feel this is very important. It's something that we  
24 have not had here in the state of Colorado and they are  
25 really -- we are really trying to get a foothold here



1 where teachers are now in charge of their outcomes with  
2 students.

3 I also would like this mode or this type of  
4 school, because in the community cooperative school, they  
5 focus on children with unique needs, in particular,  
6 children with special needs. I've been a special needs  
7 teacher for 18 years and I know it's the teacher in the  
8 classroom that makes a difference.

9 I'm here because we're fighting for this  
10 type of school here in the state of Colorado. And I hope  
11 you can see the value in trying something new and  
12 something dynamic and something different to help our  
13 students. Thank you very much.

14 CHAIRMAN DURHAM: Thank you. Let's see, Ms.  
15 Jacobs? I couldn't quite get the first name there.

16 MS. JACOBO: Good morning.

17 CHAIRMAN DURHAM: Please introduce yourself.

18 MS. JACOBO: My name is Gabriela Jacobo.

19 And this past month I turned in my application to become  
20 a board member for the cooperative community schools and  
21 just been accepted. I am a community organizer for the  
22 last 13 years. I've closely worked with the Latino  
23 community, specifically with parents and students from  
24 different public schools in Aurora. Out of the many one-  
25 to-one meetings that I have conducted with students and



1 their parents from middle schools and high schools, I  
2 have heard and identified their main concerns as being  
3 the difficult -- difficult educational experience.

4 Individual -- in individual meetings and  
5 community meetings, the students share -- have shared  
6 situations like their lack of confidence throughout their  
7 classes per relationships with their teachers and  
8 frustrations when dealing with homework. When talking to  
9 the parents, they also share the frustration because of  
10 the -- most of the Latino parents do not understand the  
11 North American educational system. When attending  
12 parent-teacher conference, they leave this meetings  
13 understanding not even half of -- of what the teachers  
14 and other school administrators have shared with them.

15 The disappointment of not being able to  
16 support their students is overwhelming. Parents share  
17 with me the lack of understanding from school staff  
18 towards their culture and the -- and their students have  
19 -- have different -- and the -- the -- the different ways  
20 of learning of their -- of their students. Parents  
21 recognize include -- clearly express they feel their  
22 students a lot of the times are being ignore and never  
23 know if their students be able to graduate school and be  
24 an encourage and prepare to attend college.

25 It is time to support students based on



1 their unique needs and the cooperative community schools  
2 has this as the main goal, where the student's culture  
3 and specific way of learning is understood by -- by the  
4 teachers and the individual -- individual supported in a  
5 daily basis. The students need to be encouraged and  
6 guided, understanding the individual emotional experience  
7 and -- and educational challenges. I know Royal Brown  
8 (ph), the CCS founder, and I admire her commitment.  
9 Royal comes along with me to visit and hold community  
10 meetings. This gatherings are with the different  
11 communities, such as Latino, Korean, Vietnamese,  
12 (indiscernible), African-American, and other. She's  
13 always participating, approaching families, interacting,  
14 and building community. She is a truly community member  
15 and leader. I ask that you please consider your vote to  
16 the cooperative community schools. Thank you.

17 CHAIRMAN DURHAM: Okay, thank you. Wendy  
18 Bickford (ph)?

19 MS. BICKFORD: Good morning. My name is  
20 Wendy Bickford Allen (ph) and I'm a parent with a toddler  
21 in a program who uses Teaching Strategies Gold. We have  
22 been enrolled in this program since Asher was three  
23 months old and we have been using the online parent  
24 portal for communication with Asher's teachers for over a  
25 year and a half.



1 My husband and I frequently receive emails  
2 letting us know that his teacher has shared something new  
3 with us on the TS Gold website. Both of us are eager to  
4 log in to see what was posted, because we know it might  
5 be a photo or a video or a story about our son doing  
6 something important during his day while we couldn't see  
7 it ourselves.

8 At a Monday morning drop-off recently, I  
9 mentioned to his teacher that we took a hike over the  
10 weekend. Later that day, she posted a story about the  
11 conversation they had with him about hiking with his mama  
12 and his dada and that he liked stepping on the big rocks,  
13 as Asher would say it.

14 It is such a benefit that his teacher has an  
15 efficient way to both document the fact that our toddler  
16 is having conversations about his weekend and to  
17 immediately share her observation with us so that his  
18 excitement about hiking becomes something that we all  
19 know about Asher.

20 My husband got so excited about Asher  
21 talking about the experience at school that later that  
22 evening he posted several photos of him climbing on the  
23 big rocks to share with his teachers. We have learned a  
24 lot about Asher through this documentation that we would  
25 not otherwise learn at the hurried drop-off and pick-up



1 times.

2 We know which books and toys he -- he is  
3 particularly fond of. We know stories about he cares for  
4 his friends. We know he talks about rockets just as much  
5 at school as he does at home. We know what things our  
6 child does that really gets his teachers to laugh. And  
7 we know that he is being cared for and learning while we  
8 are not there. As parents, we feel confident that Asher's  
9 teachers knows what he is capable of doing and what he is  
10 still striving to do, because we are a part of the  
11 process every day as well.

12 I urge the Board to consider all of the  
13 benefits that this technology can bring to families when  
14 used appropriately and make sure that our fears about  
15 privacy do not prevent teachers and families from  
16 exchanging all of those sweet moments that matter for  
17 each child's development and well-being. Thank you for  
18 allowing me the time to be here and to comment. And  
19 thank you for your consideration on this important  
20 matter.

21 CHAIRMAN DURHAM: Amber Ford (ph)?

22 MS. BURDSALL: Okay. Just start the time,  
23 right?

24 MS. FORD: Good morning. My name is Amber  
25 Ford. I'm a student -- can you hear me? I'm sorry. I'm



1 a student at University of Colorado Denver. I've been  
2 working with Royal for around two years now on the  
3 Colorado cooperative community schools. And I'm also a  
4 mother of a young girl who will be turning two this  
5 month. Really excited.

6 And I want to let you know why I support  
7 this school so much, even at, you know, just this young  
8 again, being a mother and a student. As it stands, the  
9 public school system was made for me. And by that, I  
10 mean for a student that can thrive in a lecture-driven  
11 class setting. But in that same -- in the same  
12 generation as me and the same household, my brothers  
13 struggled extremely getting through school, even though  
14 we went to the exact same schools. We had the same  
15 homework. They, you know, were -- were worried about  
16 graduating when I was worried about an I getting my  
17 (indiscernible) diploma, where graduation wasn't even a  
18 thought on my mind, because I knew it was going to  
19 happen.

20 Colorado cooperative community schools is a  
21 school that will cater to students like my brothers, who  
22 are easily bored, who need constant interaction and need  
23 to feel the material of what they're learning and who  
24 need to know how it will be applicable to their lives.  
25 They are not as theoretical as I am. They're very



1 practical. And so cooperative community schools is  
2 designed to make them engaged, to make them want to  
3 pursue things like calculus that I could never -- I could  
4 never understand, because I'm theoretical and math is  
5 just not my thing. I'm languages.

6 Colorado cooperative community schools is a  
7 school that is designed for students who are otherwise  
8 marginalized. They are seen as they -- they're not  
9 taking notes in class, therefore they're not paying  
10 attention, therefore they're not worth the -- the  
11 attention of the -- of the teacher. And being in public  
12 schools my entire life, that is what I have seen very  
13 often, where smart students are disregarded because  
14 they're not the ideal student. So I strongly urge your  
15 Board to support this school and to help us get approved  
16 and started in changing lives of students in Aurora.  
17 Thank you.

18 CHAIRMAN DURHAM: Sean Parkins (ph)?

19 MR. PARKINS: Thank you guys very much. I'm  
20 Sean Parkins. I have my degree in neuroscience. I've  
21 done a lot of research, and specifically around learning  
22 styles. I currently am executive director of a non-  
23 profit that does youth empowerment and creative arts  
24 education around the world. We have programs in  
25 Guatemala. Most of designing curriculum for ESL out of





1 Shanghai, which is based on blended learning models.  
2 I've been very extensively involved with the education  
3 model development for CCS and kind of inputting as much  
4 as I possibly can, given my current world context.

5 I just kind of wanted to address the fact  
6 that in the charter school movement here, and especially  
7 with this particular case in Aurora, we look at the  
8 approval process and how this particular school is denied  
9 approval last year while two other schools were given  
10 approval that were rated lower on the assessment. You  
11 look at the current state of APS school systems, which is  
12 barely above turnaround status on their performance for  
13 the entire school district, sitting at 40 percent  
14 approval, and we're sitting here saying, okay, what can  
15 we do to offer something better for those students? And  
16 CCS is an amazing option that is saying, okay, we have a  
17 different model.

18 And so I just kind of wanted to put that out  
19 there that an independent federal organization granted a  
20 \$600,000 grant that was not able to be used due to some  
21 politics. So I want everybody in this room to really  
22 look at kind of the politics and the underlying red tape  
23 behind this and really look at what's better for the  
24 students versus what's better for current power structure  
25 district situations. Thank you very much.



1 MS. SCHROEDER: Thank you. Steve Smith  
2 (phone)?

3 MR. SMITH: Mr. Chairman, Members of the  
4 Board, my name's Steve Smith and I'm a parent of three,  
5 the oldest of which is six and two of which are at Edison  
6 Elementary in northwest Denver. Last year I was able to  
7 procure twice as many Chromebooks through a third party,  
8 refurbished as my school would have through DPS. And as  
9 part of that process, I had to buy the Google Chrome  
10 management. Now, those are \$30. So the district told me  
11 to get in touch with the private company that sells this  
12 to the district. When I called them, I -- I said I would  
13 like to buy 50 licenses. And they said that would be  
14 \$4,000. And I said that's not 50 times 30. And they  
15 said, oh, you don't want the white glove service? To  
16 which I replied I can assure I don't, but could you tell  
17 me what that includes? And they began to explain how  
18 that actually includes actually entering the registration  
19 key that you get when you have software and also an  
20 etching and inscription of the DPS. And I said, well, we  
21 can do that and there's no need to etch anything in,  
22 because I'm going to put a protective cover on these  
23 Chromebooks for when the nine-year-olds knock them off of  
24 the table.

25 Prior to raising my children for the past



1 five years, I worked in education policy for governors  
2 and state legislators. And I don't tell you that to  
3 sound pompous, but more to explain why I'm the type of  
4 person that would then investigate the issues of district  
5 staffing levels and expenditure levels and to kind of  
6 assure that these numbers aren't created by a completely  
7 crazy person, relatively speaking, at least.

8 In regards to adequacy, I think both sides  
9 of the aisle can agree that we need to maximize our  
10 expenditures and why I think there's probably a need for  
11 more funding in education. I can certainly understand  
12 the position that we can address that question once we  
13 know that all expenditures within the current system are  
14 being spent in the most efficient manner. And in -- in  
15 that regard, I'm in favor of accountability for schools  
16 and I might have to take some issues with the specifics,  
17 but what I see in Colorado and in DPS in particular is a  
18 lot of accountability for schools, but then I have some  
19 questions about what accountability metrics and measures  
20 DPS is operating under. Because when I ran these  
21 numbers, I'd be happy to share with the staff and anybody  
22 else that wants them. The amount that's being spent on  
23 administration at DPS is not in line with the rest of the  
24 state or with a 50 peer group compiled by the National  
25 Center of Education statistics.



1                   And -- and finally, I don't know to what  
2                   extent the State Board of Education has or can work with  
3                   our legislature to implement some sort of best financial  
4                   management practices for districts. Thank you very much.

5                   MS. SCHROEDER: Thank you, Mr. Smith. Don  
6                   Brent (ph), please?

7                   MR. BRENT: My name is Don Brent. I am not  
8                   an educator. I spent -- I have seven children who have  
9                   attended the Aurora schools. Now, I've got great-  
10                  grandchildren attending the Aurora schools. And I think  
11                  that we can see that there are improvements that need to  
12                  be made in some areas and -- and in many areas in most  
13                  instances.

14                 I spent ten -- over a decade in law  
15                 enforcement. And between my parents and my law  
16                 enforcement background, it has done one thing. It's made  
17                 me very observant. The thing that I see that is  
18                 happening is something that I'm -- the next three words I  
19                 use are all -- you're all familiar with. The first one  
20                 is "change." The other one is "cultural diversity." And  
21                 I think makes me feel like I'm preaching to the choir,  
22                 because you're all very much aware of this.

23                 I see in my life experience here and all the  
24                 time the 30, 40 years, I guess now 50 years I've been in  
25                 Aurora, that there are many changes in the culture



1 diversity is what's driving lots of this. And I think  
2 these children in particular need lots of help. I think  
3 we have to look at different approaches. And that's why  
4 I'm in favor of the community cooperative schools,  
5 because I think this model is something that we should  
6 look at.

7 I'm not saying it's perfect, but I think  
8 it's something that could have great benefits and there  
9 is no change without a little risk involved. What is --  
10 what can we not benefit from by giving this school a  
11 chance to prove that their model would be beneficial for  
12 all involved? Thank you very much.

13 CHAIRMAN DURHAM: Thank you. Karen Derrick  
14 Detrieck (ph)? Derrick. I apologize if I mispronounced  
15 your last name.

16 MS. DAVIS: It's okay. Karen Derrick Davis,  
17 thank you. Good morning. I am a community development  
18 professional, but I'm here speaking as a parent. I'm  
19 also supporting the -- the cooperative community schools.  
20 I'm a DPS parent whose children have been educated in a  
21 variety of settings. We started out as homeschoolers,  
22 then we participated in the Aurora options program, the  
23 Denver Sight, and that's a homeschool support program.  
24 And then now my kids are full-time DPS students. One's  
25 at East and one's at the wonderful Denver Public



1 Montessori Junior/Senior High, which is not a charter.  
2 It is a DPS school and we're very happy with both  
3 schools.

4 I support the CCS, because I support an  
5 expanded variety of options for students. Although we  
6 have many types of full-time school options, there are no  
7 options that allow for the flexibility of a hybrid model  
8 at the elementary level that allows students to  
9 participate part time or a combination of home and  
10 school-based education. And that is part of what CCS is  
11 proposing to offer.

12 I homeschooled my children full time because  
13 the model for which I was looking did not exist. We were  
14 not wanting to live in a closet. I didn't want to keep  
15 my kids from everywhere. We were out in the community  
16 every single day. People joke often, saying that we  
17 don't homeschool, we carschool. I also did it because I  
18 liked my kids. I enjoy being with my kids and I wasn't  
19 ready when they turned six to stop seeing them 40 hours a  
20 week.

21 We participated in options, but because it  
22 was a homeschool support program, it's only allowed to  
23 have kids there one day a week. We would've loved to go  
24 there two days a week, three days a week, or three half  
25 days, but that was not allowed.



1                   While teaching my kids, I learned so much.  
2           I have to say I learned a lot more than I learned in  
3           school by teaching my kids. We sought out group learning  
4           opportunities, but had to create most of them on our own  
5           from scratch. You can imagine that that takes a lot of  
6           time. I started a homeschool cooperative in Texas. We  
7           had ten families who we took turns teaching classes. You  
8           know, I called museums, created classes, recruited  
9           families to participate. We had to create everything  
10          that we were doing.

11                   I would've really liked to have had the  
12          opportunity to participate in flexible programs and plug  
13          into opportunities that existed instead of creating every  
14          single thing on our own. I think that part-time  
15          elementary education should be something that you  
16          consider. There are a lot of families that would  
17          participate in that. They -- you can -- I don't think  
18          that full-time elementary education was set up because  
19          you need that many hours a week to teach kids. There are  
20          a lot of things that -- I mean, you can get a lot done in  
21          half a day, half a week. And I think that those options  
22          should be out there for parents that want it. Thank you  
23          so much for your time and the opportunity to share my  
24          comments.

25                   CHAIRMAN DURHAM: Thank you. Kat Rogers



1 (ph)?

2 MS. ROGERS: Hi, there. Excuse me. I'm Kat  
3 Rogers. I'm a design team member for CCS, cooperative  
4 community schools. I am also a recent graduate and will  
5 soon be pursuing a Masters of Science. And I'm also a  
6 product of DPS. So I'd like to first draw a little  
7 attention to the vision you have here on your Board,  
8 because that's very important to me that all students in  
9 Colorado become educated and productive.

10 I would like to say that at this point in  
11 time, I feel like I'm an educated, empowered, and  
12 productive member of society. However, I can't say that  
13 this a product of my -- my time in DPS. I didn't really  
14 see education as a tool of empowerment until I spent a  
15 year on my own after graduating high school, teaching  
16 English as a volunteer at a small province in Thailand.  
17 The fact that I didn't grasp that education has the power  
18 to move you forward in life, to make you feel capable, to  
19 open up your mind to new possible is disheartening.

20 The fact that I learned differently in  
21 school and was told that I learned incorrectly stuck --  
22 stuck with me my whole life. There's not a day that goes  
23 by that I'm convinced I still can't do math right,  
24 because I got the right answer, but did the problem  
25 wrong.





1                   So this is something that I want to change  
2                   for the future students, for the students who are in  
3                   school now and who are trying to figure out what they can  
4                   do for this world. To be empowered in your education is  
5                   one of the most important tools we can give kids. It  
6                   means the difference between people who feel like they  
7                   are going to be stuck with lives in dead-end jobs and  
8                   people who believe that they can make tomorrow better for  
9                   future generations, which is something I hope to do.

10                   So the reason I'm involved in this school is  
11                   because of the students, is because I believe that  
12                   something needs to change in order for students to step  
13                   away from their education feeling engaged, feeling  
14                   connected to things that interest them, to things that  
15                   they would like to put their hands on in the world, which  
16                   is why I believe that this model that so seriously  
17                   employs application in learning is crucial. It would've  
18                   been a gamechanger for me as a student.

19                   So I can only imagine that students who are  
20                   facing challenges that I did not, kids who are not  
21                   cisgender, kids who are not white, kids who are not  
22                   speaking English as a first language or who have parents  
23                   that speak English. There's a whole set of social  
24                   structures that make learning even harder for students  
25                   than the limitations that exist in the classroom. So we



1 need a model that incorporates all of it, incorporates  
2 community, incorporates teachers and the power that  
3 teachers have, and incorporate students and what they  
4 want to do with what they learn.

5           If it weren't for a very few exceptional  
6 teachers that I had throughout my time at DPS, I truly  
7 don't think that I would've ever engaged with my  
8 education or felt the need to pursue it even further,  
9 which I'm very interested in doing, by the way. So the  
10 idea that we can change this would be great. I urge you  
11 --

12           CHAIRMAN DURHAM: Thank you.

13           MS. ROGERS: -- to consider this as an  
14 option. Thank you.

15           CHAIRMAN DURHAM: Thank you for your time.  
16 And now public testimony is closed. That's all that's  
17 signed up. We're going to take a short hopefully five-  
18 minute recess. I apologize to the people who are here for  
19 the -- the appeal of Sheridan's district's rating for  
20 starting a little late.

21           Let me just say to the Board, I want to  
22 apologize for you for listening -- for putting us through  
23 this last testimony about school. While it was all very  
24 interesting, I think it's perilously close to ex-parte  
25 communication on what I think is a quasi-judicial matter



1 that we're going to face. And in the future, Bizzy, I'm  
2 going to ask you, when you notice public comment, to note  
3 that there will be no public comment taken on quasi-  
4 judicial matters where we have to made essentially a  
5 judicial ruling that we are required to make our decision  
6 based on the record and -- and then the record alone. So  
7 that kind of comment that we heard today, while not  
8 unappreciated, is inappropriate. So I would encourage  
9 you to, when you make your decision on that charter  
10 school appeal, to refer to the record that we have in  
11 front of us. We'll -- we'll reconvene at five minutes  
12 till 11:00.

13 (Meeting adjourned)

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C E R T I F I C A T E

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 5th day of February, 2019.

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

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