



Colorado State Board of Education

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TRANSCRIPT OF PROCEEDINGS  
BEFORE THE  
COLORADO DEPARTMENT OF EDUCATION COMMISSION  
DENVER, COLORADO  
February 10, 2016, Part 1

BE IT REMEMBERED THAT on February 10, 2016,  
the above-entitled meeting was conducted at the Colorado  
Department of Education, before the following Board  
Members:

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



1 MS. SCHROEDER: Good morning ladies and  
2 gentlemen. We'd like to call the meeting to order please.

3 Ms. Burdsall, would you please call the roll.

4 MS. BURDSALL: Board Member Flores.

5 MS. FLORES: Aye.

6 MS. BURDSALL: Board Member Goff.

7 MS. GOFF: Here.

8 MS. BURDSALL: Board Member Mazanec.

9 MS. MAZANEC: Here.

10 MS. BURDSALL: Board Member Rankin.

11 MS. RANKIN: Yes, here.

12 MS. BURDSALL: Board -- Board Member  
13 Scheffel.

14 MS. SCHEFFEL: Here.

15 MS. BURDSALL: Board Member, I'm sorry, Vice  
16 Chairman Schroeder.

17 MS. SCHROEDER: Here.

18 MS. BURDSALL: And Chairman Durham.

19 MS. SCHROEDER: He will be here shortly. We  
20 expect. Thank you. Would you please rise for the Pledge  
21 of Allegiance Mr. De Stefano, Board Member from PARCC,  
22 please would you lead us.

23 MR. DESTEFANO: I pledge allegiance --



1 ALL: To the flag of the United States of  
2 America and to the republic for which it stands, one nation  
3 under God, indivisible, with liberty and justice for all.

4 MS. SCHROEDER: Just grabbing some paper  
5 towels. Thank you. Thank you, John. Is there a motion to  
6 approve the agenda? Jane.

7 MS. GOFF: So moved.

8 MS. SCHROEDER: Second. A second please?

9 UNIDENTIFIED VOICE: Second.

10 MS. SCHROEDER: Thank you. Do I need to get  
11 closer? Yes. Thank you. All in favor. Yes?

12 ALL: Aye.

13 MS. SCHROEDER: Next please, the consent  
14 agenda. Joyce would you please make a motion for us.

15 MS. RANKIN: I move to place the following  
16 matters on the consent agenda. 15.01, approve Jefferson  
17 County School District, the waiver request to waive 22-  
18 30.5-107(1)(b) CRS.

19 16.01 regarding disciplinary proceedings  
20 concerning a license charge number 2014 EC69, to signify  
21 acceptance and approval of the terms and conditions of the  
22 settlement agreement by directing the commissioner to sign  
23 the agreement.

24 16.02 regarding disciplinary proceedings  
25 concerning a license. Charge number 2015 EC 396 directing



1 department staff and the state attorney general's office to  
2 prepare the documents necessary. To request a formal  
3 hearing for the revocation of the credential holders  
4 professional principal license pursuant to 24-4-104 CRS.

5 16.03, approve nine initial emergency  
6 authorization requests as set forth in the published  
7 agenda.

8 16.04, approve one renewal emergency  
9 authorization request as set forth in the published agenda.

10 16.05, approve University of Colorado Denver  
11 Aspire request for authorization of teacher preparation  
12 program and the endorsement of early childhood education  
13 8.01.

14 16.06, approve Relay Graduate School of  
15 Education's request for initial authorization.

16 MS. SCHROEDER: Can we -- can we put a hold  
17 on that.

18 MS. RANKIN: Not yet.

19 MS. SCHROEDER: Wait a minute. Yes.

20 MS. RANKIN: Authorization as an institute  
21 of higher education in the state of Colorado to offer post  
22 baccalaureate teacher preparation programs in elementary  
23 education 8.02, and in -- and the secondary education  
24 endorsements of English Language Arts, 8.09, Mathematics,  
25 8.14, Science, 8.17, and Social Studies 8.1.8.



1 17.01, approve the 2016 state review  
2 panelists as set forth in the published agenda. This is  
3 the end of the consent agenda.

4 MS. SCHROEDER: So that's the proper motion  
5 is there a second? Thank you.

6 MS. MAZANEC: Well I.

7 MS. SCHROEDER: I just need a second and  
8 then we'll -- and then we'll do the -- okay. Pam go ahead  
9 and then.

10 MS. MAZANEC: I would -- I would like to  
11 take two items off the consent agenda.

12 MS. SCHROEDER: Sure.

13 MS. MAZANEC: One is item 15.01 and the  
14 other one is item 17.01.

15 MS. SCHROEDER: Okay. Val?

16 MS. FLORES: Sixteen zero one, 16.06 and --

17 MS. SCHROEDER: Wait a minute, 16.01?

18 MS. FLORES: Sixteen, that's the approve  
19 Relay Graduate.

20 MS. MAZANEC: That's 16.06.

21 MS. SCHROEDER: 16.06, okay.

22 MS. FLORES: And then 17.01.

23 MS. SCHROEDER: Okay. So that's already  
24 been pulled.

25 MS. FLORES: Okay.



1 MS. MAZANEC: Madam Chair?  
2 MS. SCHROEDER: Yes.  
3 MS. MAZANEC: 16.05, the Aspire request.  
4 MS. SCHROEDER: Any others. So I think the  
5 motion --  
6 MS. CORDIAL: So --  
7 MS. SCHROEDER: -- is --  
8 MS. CORDIAL: Let me just make sure I've got  
9 this. We have Pam pulling 15.01, is that correct?  
10 MS. MAZANEC: Yes.  
11 MS. CORDIAL: And then she, you're also  
12 pulling 16.0 --  
13 MS. MAZANEC: 17.01.  
14 MS. CORDIAL: 17.01.  
15 MS. MAZANEC: Val has 16.06.  
16 MS. CORDIAL: -- 0.6, and then Joyce is  
17 pulling ---  
18 MS. MAZANEC: 16.05.  
19 MS. CORDIAL: 16.05. So then I think it  
20 would just be a -- or a motion to approve --  
21 MS. SCHROEDER: As amended.  
22 MS. CORDIAL: Yeah, as amended even though  
23 that is pulled.  
24 MS. SCHROEDER: Is that fine?  
25 MS. MAZANEC: Yes.



1 MS. SCHROEDER: Any objections as amended?  
2 Okay. So could you let -- Bizzy could you let staff know?

3 MS. CORDIAL: Yes.

4 MS. SCHROEDER: Because they may have  
5 questions.

6 MS. CORDIAL: And these items will fall back  
7 to the order of the agenda.

8 MS. SCHROEDER: Right. Yes. And actually  
9 you're next.

10 MS. CORDIAL: Perfect. Well, good morning  
11 Vice chairman Schroeder, Members of the Board and welcome  
12 Commissioner Crandall to your first Colorado State Board  
13 Meeting. I'd like to just give my friendly reminder to  
14 please speak clearly into your microphones. I've already  
15 heard that people in the audience are unable to -- it's a  
16 little hard to hear. So if you do turn your microphones  
17 off when you're not speaking, please remember to turn them  
18 back on. For anyone needing to connect with CDE's guest  
19 wireless, the locate the CD hotspot, and the password is  
20 Silver, capital -- capital S.

21 In your Board packets, you have the  
22 following materials, you have your events calendar and a  
23 quick glance expense report. You have a memo for, I'm  
24 sorry, for item A.01 you have a memo from Alyssa Dorman,  
25 regarding the READ Act rules. A copy of the READ Act rules



1 both red line and track changes clean. A crosswalk between  
2 OLLS feedback and rule, and we will be providing you with  
3 the comments and response document that Alice has put  
4 together. We received one more comment this morning, and  
5 also all of the comments are available on Board docs.

6 For item 13.01, you have a copy of the  
7 resolution in recognition of former interim commissioner  
8 Dr. Elliott Asp.

9 For item 13.02, and this is before you, was  
10 a copy of the resolution in support of the seal by  
11 literacy.

12 For item 14.01, you have a copy of the  
13 school bullying prevention and education grant program  
14 PowerPoint. A copy of the draft rules for the  
15 administration of the school bullying prevention and  
16 education grant program. The crosswalk of the statute and  
17 draft rule. You have two examples survey questions and a  
18 10 year trend data the Colorado State suspension and  
19 expulsion incidence.

20 For item 14.02, you have a copy of the  
21 kindergarten school readiness PowerPoint. The summary of  
22 the school readiness initiative within capital K, the  
23 school readiness components within capital K, and then we  
24 also have provided you with comments that we've received  
25 pertaining to school readiness.





1                   For item 15.01, you have materials  
2 pertaining to Jefferson County's waiver request.

3                   For item 15.02, you have materials  
4 pertaining to Whitefield school district innovation  
5 application requests.

6                   For item 16.07, you have a copy of the  
7 Educator Preparation and Licensure rules exceptions  
8 document that sitting on -- sitting on the Board bench  
9 before you. I just would like to let you know the red line  
10 and clean version of the rules are available on Board docs,  
11 but due to the size, we do not print fresh copies.

12                  For item 17.01, you have a memo from Lisa  
13 Medler, regarding the state review panel selection process  
14 and the overview of the state -- state review panel  
15 applicants, and the process -- and the proposed panelists  
16 list for 15, 16.

17                  For item 18.01, you have a copy of the  
18 concurrent enrollment PowerPoint, which we have sitting  
19 before you. We received the final version the other day,  
20 and then the district added grants document.

21                  For Thursday February 11, for item 3.01, you  
22 have a copy of the following bills, you have House Bill  
23 161131, House Bill 1121, Senate bill 45, and Senate bill 72  
24 sitting on the Board bench before you.



1                   And for item 4.01, as this pertains to the  
2 University of Virginia's data sharing agreement, and we  
3 have a copy of the parent opt out letter and form, the  
4 parent consent form, and two preliminary reports for UVAs  
5 core knowledge study.

6                   For item 5.01, you have a copy of the  
7 educator effectiveness rules, the educator effectiveness  
8 matrix performance evaluations report, and an accompanying  
9 PowerPoint. For item 6.01, you have a school and district  
10 performance framework state exceptions PowerPoint.

11                   And for item 8.01, you have the district  
12 account, school and district accountability PowerPoint  
13 which has -- which has been set up for you on the Board  
14 bench this morning. And that concludes my report.

15                   MS. SCHROEDER: Thank you. Could you please  
16 get the list of speakers. The next item is public  
17 participation. And if you've signed up for public  
18 participation but it's your wish to speak to the READ Act  
19 hearing, please note that we will be -- we will be having  
20 that hearing immediately following public participation or  
21 10:30, whichever comes sooner.

22                   CHAIRMAN DURHAM: Thank you Dr. Schroeder.  
23 My apologies for being tardy. We'll start the public  
24 comment with Kat Rogers. Ms. Rogers.



1 MS. ROGERS: Hello, my name is Kat Rogers, I  
2 am an educator and a design team Member with Cooperative  
3 Community Schools. A proposed K through 8 charter school  
4 awaiting approval with DPS. I wanted to share why I've  
5 decided to dedicate my time and energy toward such a  
6 school. Sustainability is one of the most important and  
7 appealing aspects of CCS. Students and educators will be  
8 learning in a creative environment that encourages  
9 environmental awareness, problem solving, participation in  
10 green initiatives, and skill sets to become inspired and  
11 necessary leaders. However, one of the unfortunate  
12 pitfalls of, sorry, one of the unfortunate pitfalls of  
13 ambitious leaders is that they don't stick around forever.  
14 Too often, we as a people collectively sit back and wait  
15 for someone with answers, drive, and vision to move all of  
16 us forward towards meaningful solutions to a host of  
17 problems.

18 At CCS, the critical component of  
19 sustainability is that our students and educators will  
20 flourish in an environment where there is no waiting, where  
21 the loss of one leader does not mean that the entire  
22 enterprise is lost, and that any individual can steer the  
23 ship should they wish to. How can undeserved and neglected  
24 students come to feel so empowered? When a student looks  
25 at their educators, the staff at their school and doesn't



1 see a single person that looks like them, how can they  
2 possibly envision themselves to be capable leaders?

3 Representation is important and transformative. However,  
4 diversity alone does not necessarily foster inclusivity.

5 CCS places strong emphasis on the acceptance  
6 of a variety of backgrounds by integrating them into the  
7 mainstream culture of the school, rather than promoting the  
8 assimilation to one overarching potentially marginalizing  
9 school culture. This gives students the unique opportunity  
10 to become culturally responsive and aware in a diverse  
11 environment while simultaneously ensuring that each student  
12 is represented and included in that school culture.

13 Diversity is not divisive, but the -- the key to innovation  
14 and positive change. I stand proudly behind the school  
15 that is actively and sustainably seeking to pursue these  
16 shifts in the institution of education. I know that your  
17 support will lead to bright futures for our students and  
18 teachers. Thank you.

19 CHAIRMAN DURHAM: Thank you very much, Ms  
20 Rogers.

21 MS. SCHROEDER: Excuse me chair.

22 CHAIRMAN DURHAM: Yes.

23 MS. SCHROEDER: Would you repeat the name of  
24 that school.

25 MS. ROGERS: Cooperative Community Schools.



1 MS. SCHROEDER: Thank you.

2 CHAIRMAN DURHAM: Tony Sapper.

3 MR. SANCHEZ: Sanchez.

4 CHAIRMAN DURHAM: Sanchez, I'm sorry. Mr.  
5 Sanchez, don't mind me, I can't read.

6 MR. SANCHEZ: Hello. Good morning. I'm  
7 Tony Sanchez. Some of you may know me because I ran for  
8 state senate in Jefferson County. I'm now Executive  
9 Director of Freedom for Education. It's a statewide group  
10 that is asking for more transparency in the education  
11 system, protecting families privacy, cutting down on a lot  
12 of the national mandated testing. I wanted to just briefly  
13 just speak about what you are going to talk today about,  
14 the kindergarten school readiness reporting system. Just  
15 had some concern with the -- the, particularly the part  
16 about the behavioral social emotional skills measuring  
17 this. I'm concerned about the lack of transparency.  
18 Concerned about the impact this will have on some of the  
19 children and their futures. Concerned about the fact that  
20 some of the parents already don't -- are not able to access  
21 some of this information, already with the curriculum,  
22 already with the data when they have questions. Concerned  
23 about the purpose of this as we expand it or continue it.  
24 I also have concern about whether or not this data is  
25 shared, and if it's not shared, then why do we need to do



1 it? I would also think that we are already providing a lot  
2 -- a lot of information more than enough.

3                   And I would -- my biggest concern though is,  
4 who has ultimate say? Do parents and guardians, or does  
5 the government? And having had many people come up to me  
6 with these concerns, I've had, at different events, I've  
7 had parents with their children and -- and some of them say  
8 they can't afford to either get them out or home school or  
9 go to private schools and so, why are they subjected to  
10 these special things or these kinds of things. And  
11 ultimately, I would like to just put this out there. That  
12 this -- this issue is not a partisan issue. This is an  
13 issue that is basically, I have found already that many  
14 people in our community in Colorado, throughout Colorado  
15 are very concerned about.

16                   And so whatever we do, we should limit this  
17 as much as possible if we do it at all. Because this --  
18 this has an impact on people wondering if they should say  
19 something, how they should approach it, and ultimately,  
20 there's a lot of micromanagement going on too. And so you  
21 have teachers not wanting to do this or saying if I do,  
22 should I do. And -- and so, when you're thinking about  
23 more and more of this data collecting, more and more of  
24 this common core, I'm just going to put that out there that



1 this is becoming a bigger and bigger issue for families  
2 across the Board. And so, thank you very much.

3 CHAIRMAN DURHAM: Thank you Mr. Sanchez.  
4 Lynn Roberts.

5 MS. ROBERTS: Good morning, Members of the  
6 Board and Commissioner Crandall.

7 MR. CRANDALL: Good morning.

8 MS. ROBERTS: Good morning. I don't have  
9 prepared comments but I would like to share with you some  
10 documents string that I've redacted as well as a narrative  
11 that's been happening at my children's school. My children  
12 attend a public Montessori School in Denver public schools.  
13 They are nine and seven. And we received our PARCC scores  
14 last month. And there was concern about where our scores  
15 came in. So one of the things that I did and I've -- I've  
16 shared it with our own district Board is -- is create a  
17 chart that shows the linear relationship between free and  
18 reduced lunch, which as you know is our measure of poverty  
19 in Denver public schools, And last year's CMAS PARCC scores  
20 and I kid you not, it -- this is what it looks like. And  
21 I'm sure you believe me because I'm sure you have seen this  
22 information too. So immediately our governing Board of CSC  
23 acted to -- I -- I don't think it was a CSC, it was  
24 actually the staff leadership team acted to implement an  
25 additional third grade technology class at our school. And



1 it was very apparent from the meeting that I attended that  
2 this was specifically to train children on PARCC CMAS test  
3 taking skills.

4                   So we alerted our school that we wanted to  
5 opt out of both the PARCC test, which they knew that we've  
6 been talking about for months, as well as the test prep  
7 class. We were denied that request, the reason being that,  
8 we were told the parents aren't allowed to opt out of  
9 curriculum other than sex, age, family life end. We  
10 haven't been provided with proof of that. But we were --  
11 we were given the chance- we were offered- we- the  
12 agreement not to have our daughter be given any test prep,  
13 that agreement was violated then retracted. And our  
14 concern is that we fought very hard at our school to create  
15 a model where children are in their multi-age groupings,  
16 which is part of the Montessori model. At this point,  
17 because there's panic about prep test scores, my daughter  
18 and her peers are pulled out of that authentic Montessori  
19 environment that we -- we fought for, and being given park  
20 specific test taking skills that we're being told we must  
21 do even if we're not taking the test. And so, I present  
22 you with the question of, can we make this more practical  
23 for families and allow them to also opt out of test prep  
24 now that there is the legal right to opt out of the park  
25 tests?





1 I just wanted -- oh, can I share with you a  
2 brief quote? Okay. This is from David Berliner. He's one  
3 of the leaders of the National Education Policy Association  
4 working with Kevin Welner, and I'm sure you've heard his  
5 name. But he writes about us at our school, "The  
6 inevitable responses to high stakes testing where student  
7 test scores are highly consequential for teachers and  
8 administrators, include cheating, excessive test  
9 preparation, changes in test scoring and other forms of  
10 gaming." He goes on to say, "But perhaps, the most  
11 pernicious response to high stakes testing is the most  
12 rational, namely, curriculum narrowing. In this way, more  
13 of what is believed to be on the test is taught. It  
14 reduces many students chances of being talented in school,  
15 and results in a restriction in the creative and enjoyable  
16 activities engaged in by teachers and students." And I'm  
17 sure there's more to be investigated there. But thank you  
18 for your time.

19 CHAIRMAN DURHAM: Thank you. Rachel  
20 (inaudible).

21 MS. RACHEL: Good morning. We're a little  
22 grumpy, so I'll try to make this work.

23 UNIDENTIFIED VOICE: Will you be able to  
24 hold them together?



1 MS. RACHEL: You know, I don't know if he'll  
2 do it. If he will, I'm happy to have someone, any of you  
3 are welcome to have.

4 ALL: Yeah, that big smile. He looks really  
5 grumpy.

6 UNIDENTIFIED VOICE 2: I may need a little  
7 practice, because you are designated holder.

8 UNIDENTIFIED VOICE 3: With a little  
9 practice you may be able to see

10 MS. RACHEL: (Inaudible).

11 CHAIRMAN DURHAM: Go ahead please. I'm  
12 sorry.

13 MS. RACHEL: Good morning. I am going to  
14 speak sort of off the curve, and it falls probably well  
15 after the last two people. We're at a time in history  
16 where 20 years from now, what happens in this room, what  
17 happens in our legislature, is going to be, are you on the  
18 right side or the wrong side of history? Both with regards  
19 to how we deal with education and the patchwork of rules,  
20 legislation mandates, revisions. And also, in terms of  
21 what it looks like for our children, and the success that  
22 they can have, not just because they've been given  
23 opportunities in their schools, but because they've been  
24 valued in their communities, and their communities are  
25 similarly valued by the people who are making these



1 decisions now. We are currently taking a lot of data. And  
2 for some families, that's good some families, if they were  
3 part of a medical practice, and a medical practice said, I  
4 want to use all of your information for research because I  
5 think it's going to be great for the system, they would  
6 say, sure.

7                   But some families might not be comfortable  
8 with that, for a variety of reasons, because you can't  
9 answer what's going to happen in 20 years with that data,  
10 because this aggregating data doesn't necessarily mean that  
11 it's not identifiable or aggregating data it does not make  
12 it not identifiable. We know this from various studies  
13 from MIT, we know this from various studies in the last few  
14 years. We know this because we see that quantum  
15 cryptography is becoming available to more people than we  
16 thought would be, ever, quickly. Because that's how  
17 technology is running today. And my problem today isn't so  
18 much, that we want to do the best for our kids by making  
19 sure there's accountability. My problem is that  
20 accountability is not being questioned in terms of the  
21 actual foundation of what we want to do, where we're going,  
22 and the kinds of permissions that we're giving our families  
23 to make decisions for themselves.

24                   As Linda Scott, she doesn't have the same  
25 decisions that she should have with regards to some serious



1 issues. I don't. It took me six months to get a waiver on  
2 TS Gold, and I have, it doesn't even align to the  
3 particular curriculum and foundation of the school that my  
4 children are in, which is an accepted curriculum with 100  
5 years of research behind it, that there is not a national  
6 test that supports that right now, it means that it's not  
7 going to be able to be given the same rights and -- and --  
8 and adequacies as another school that's adopting as a  
9 result of trickle down accountability standards from  
10 federal government to -- to the state, to you, to the  
11 districts, TS Gold. And TS Gold has its value, but it's  
12 not necessarily end all be all, and there are some  
13 problems, and the data is part of it, and how that data is  
14 dealt with as part of it.

15                   And I, very much, worry about what we're  
16 doing here. So what I'm going to do now is ask you to  
17 please try to put the brakes on. I know that it's coming.  
18 I know barging is coming. I know standards of letting  
19 government entities and corporations eventually have access  
20 to sort and figure out who is best for their -- their  
21 groupings, is coming. I know it's coming. But I don't  
22 want to be among the parents and say, I only can homeschool  
23 because I don't have choices. We need to create a  
24 situation where people that want choices carve out those  
25 choices for their families with permission from everyone



1 involved. So they- and if there is transparencies, they  
2 can decide if it's for them or not.

3 CHAIRMAN DURHAM: Thank you very much,  
4 Rachael (inaudible).

5 MS. RACHAEL: Thank you.

6 CHAIRMAN DURHAM: Catherine Richard. You  
7 should include in the agenda in the future during the  
8 section childcare is -- are included.

9 UNIDENTIFIED VOICE: Childcare is the same  
10 thing.

11 MS. RICHARD: Hello. Before my three  
12 minutes talk, can I ask a procedural question? What --  
13 based on this public comment and all -- are comments  
14 reported as they are stated and not summarized?

15 MS. BURDSALL: That's correct.

16 MS. RICHARD: Okay. And then what  
17 responsibility does the Board have to respond to those  
18 comments? Are you required to respond to the comments?

19 CHAIRMAN DURHAM: I don't believe that we  
20 are.

21 MS. RICHARD: Okay. So I'm going to give  
22 you some comments, and I'm gonna ask you to take an action  
23 to respond to them, and of course that will be up to your  
24 discretion. So my comments are related to the discussion  
25 of correcting data on -- from kindergarten to third grade.



1 Similar to what other people were talking about. So my  
2 first question is, what is the driver or issue from this  
3 program? How is this program going to solve the specific  
4 problem that's been identified? These following questions  
5 need to be considered and answered, please provide, and in  
6 excruciating detail, every single piece of data being  
7 collected, not just a sample. Who will be collecting this  
8 data? Who will pay for the collection of this data? Where  
9 and when has this data been collected? Where is the data  
10 being stored? How was the data being protected? Who is  
11 paying for the protection of this data? Who has access to  
12 this data and why? What qualifications do the people who  
13 look or analyze this data have? Who is paying for this  
14 expertise? How are parents informed and involved? Is CDE  
15 willing to, and able, to absorb liability costs that will  
16 arise from lawsuits if the data is hacked? What actions  
17 will be taken as a result of these analysis? Who will pay  
18 for -- for this? How will changes be implemented? What  
19 research justification evidence has been provided for  
20 implementation of this program?

21 Some personal observations, I live in a  
22 school district and I didn't tell you that I live in the  
23 JeffCo school district. I am a parent of a 14-year-old and  
24 a 16-year-old. I live in a school district that was unable  
25 to enforce its own policy regarding obtaining parental



1 permission before releasing students from school. In my  
2 own research into a particular curriculum in JeffCo, I have  
3 found that it neither meets the CDE standards nor Colorado  
4 state law. There seems to be no mechanism or procedure  
5 that exists at the state level to ensure that districts are  
6 following state law and state Board policy. I actually  
7 have a message in to Mr. Durham, from a week ago, to  
8 address this specific topic.

9                   Finally, I object to the data being  
10 collected based on town hall meetings and other school  
11 districts across the nation, and based on the  
12 inappropriateness of the data being collected with  
13 implementation of the co-curriculum. In light of my  
14 earlier comments, I question this Board's ability to  
15 implement, execute, oversee, a project of this magnitude,  
16 and ensure its proper implementation at the school level.  
17 I request that the Board take an action to provide answers  
18 to my questions, and provide them to every single parent  
19 and citizen in the state of Colorado. As my parents say,  
20 the -- the devil is in the details. Thank you for your  
21 time.

22                   CHAIRMAN DURHAM: Thank you Ms. Richard.  
23 Tony -- looks like --

24                   MS. TYSON: Tyson.

25                   CHAIRMAN DURHAM: Tyson.



1 MS. TYSON: Yes.

2 CHAIRMAN DURHAM: Yes, Ms. Tyson.

3 MS. TYSON: Good morning Board Members,  
4 Chair Durham and Commissioner Randall, well, Crandall,  
5 excuse me. Excuse me, I can't see the C in front of that.  
6 My name is Tony Tyson, and I'm the World Language  
7 Coordinator, and our new dual language immersion Atossa in  
8 the Thompson School District. I'm here to speak to the  
9 Seal of Biliteracy, and the Seal of Biliteracy as a game  
10 changer. Last time we were here, we talked about the 16  
11 states that have already adopted this. Since we've been  
12 here, two more have done that, New Jersey and Utah and  
13 Iowa, just proposed it yesterday. So if you take a look at  
14 the Seal of Biliteracy, I want you to think a little bit  
15 about this, because last time some of your concerns were,  
16 well, we don't really want to approve this set of  
17 standards. What does it mean for elementary students, et  
18 cetera.

19 Let me just assure you that in the Colorado  
20 Academic Standards, with English and with world languages,  
21 rules are already there. This is just a little perk,  
22 something else says, congratulations to you. You have two  
23 languages. And what that has done for California, you  
24 would not believe. When employers see that, oh, you know,  
25 instead I'm saying, I've got a four or five on the AP test,





1 I have two languages. How wonderful is that? And it  
2 really says -- speaks to the need that we have. And we  
3 talk a little bit about the evidence that has the cognitive  
4 benefits. We're just starting at our Elementary Tosser  
5 program, our kindergarteners are taking math only in  
6 Spanish, and their scores are off the charts compared to  
7 their monolingual peers. Because operating in two  
8 languages really gives a lot of cognitive benefits. It  
9 also have some benefits of saying, here in this country we  
10 value that people speak English and they speak in other  
11 world language. You know, that is their heritage language,  
12 their native languages.

13                   And really, this is not something that says,  
14 you have to do this. This is a choice. And districts can  
15 take what the requirements are, which we all have in our  
16 standards and say, this is -- we want to adopt it like  
17 this, or we want to add some other things to it, as you see  
18 some of our colleagues in DPS, Adams 14 and Eagle have  
19 already done, they're leading the way, they're helping us  
20 out. Thompson district, our Board of Education and our  
21 administrators keep asking you, "What's happening? What's  
22 happening?" Because they are so excited about all of this  
23 that- there could be the possibilities. So I really want  
24 to say to this, let's take a look at this and say, yes,  
25 let's give this Seal of Biliteracy, this resolution that



1 says, go for it. Because we do that with STEM. We do that  
2 with math. We do that with- we do that with a lot of  
3 things, why not languages? And you gonna to say to me,  
4 Well, you already have this in the standards. Well, let's  
5 take the world language standards because I cherish the  
6 writing of the world language standards, Okay? And it was  
7 fun. Can I say one more thing?

8 CHAIRMAN DURHAM: Sure.

9 MS. TYSON: I was just getting warmed up  
10 here. But it talks about being at this level. But only 17  
11 percent of our students get to that highest level, because  
12 we don't simply think that it's important to go there. So  
13 with this, we would encourage them, and we would have  
14 bilingual students ready to be part of Colorado and help  
15 out our economy and our society. Thank you very much.

16 CHAIRMAN DURHAM: Thank you very much. That  
17 concludes the public comment period. We'll now proceed to  
18 Item 8.0, which is the rules for the administration of the  
19 Read Act, and, let's see here if there is anything else.  
20 Okay, Colorado Board of Education will now conduct a public  
21 rulemaking hearing for the rules of the administration of  
22 the reading to ensure academic development Read Act 1-CCR-  
23 3.01-92. The state Board voted to read notice, the notice  
24 of rulemaking as December 9th, 2015 Board meeting. A  
25 meeting- a hearing to promulgate these rules was made known



1 through publication of a public notice on January 10th,  
2 2016, through the Colorado register and by state Board  
3 notice on February 3rd, 2016. The state Board is  
4 authorized to promulgate these rules pursuant to 22-2-  
5 107(1)(c) Colorado Revised Statute. Commissioner, is your  
6 staff prepared to provide an overview?

7 MR. ASP: Absolutely, we are.

8 CHAIRMAN DURHAM: Perfect.

9 MR. ASP: Thank you so much, Board Members.  
10 We have a fantastic staff and they are working hard on  
11 this. There's always a doorman, and there is a cold --  
12 cold -- cold --

13 UNIDENTIFIED VOICE: (Inaudible).

14 MR. ASP: There. I'm trying to learn all  
15 613 names, I've got 20 of them down the last three weeks.  
16 So I have to be a long time to get through that. But  
17 thanks so much for your -- your -- all of your work on  
18 this. I've been able to observe quite a bit over the last  
19 few weeks that I've been here sat in -- on a -- on a very  
20 long training session where we discuss this. And so, with  
21 that, we are ready to go.

22 CHAIRMAN DURHAM: Please proceed.

23 MS. CORDIAL: Thank you Mr. Chair, Members  
24 of the Board. Briefly, before we move to public comment, I  
25 will just remind you what you have in front of you as part



1 of your Board packet. And today you have a copy of the  
2 redlined version or the track changes version of the rules,  
3 as were presented to you as an information item last month.  
4 You also have a version of the changes accepted or the  
5 clean version, if you were to vote adoption. You  
6 additionally have a copy of the crosswalk of changes. I  
7 just want to remind you that this rule revision process was  
8 prompted by the passage of House Bill 13-23 in the last  
9 legislative session, and a subsequent review by the Office  
10 of Legislative legal services.

11 So the changes that you see here presented  
12 to you are largely directed by those two actions.  
13 Additionally, at the December Board meeting, Chairman  
14 Durham directed us to visit with staff who had concerns  
15 about an additional section within the rules. That section  
16 I'll draw your attention to a Section 3.04, at the request  
17 of the Board, some additional changes were made to that  
18 section. And if you have any questions, we'll be pleased  
19 to answer, and following public comments, for now chairman,  
20 we can pass to you copies of the written comments that were  
21 received as of this morning, all the ones for today, we  
22 began receiving written comment last Wednesday, and staff  
23 has prepared a document for you that summarizes the written  
24 comments as long- as well as staff responses to those



1 written comments.. So I'm pleased to provide this now  
2 after the public comment phase of this hearing.

3 CHAIRMAN DURHAM: We'll provide those after  
4 we heard public comment. There are those trying to  
5 testify. So we'll start with the Superintendent Susan  
6 Cordova.

7 MS. CORDOVA: Thank you for this opportunity  
8 to speak about the proposed READ Act rule changes. We  
9 appreciate and share the State Board's commitment to  
10 advancing early literacy across the state, particularly for  
11 English learners as they gain proficiency in literacy while  
12 they're learning English. DPS has invested deeply in  
13 improving literacy for our early learners, and over 40  
14 percent of our students are learning English as a second  
15 language. With the support of the READ Act, we are proud  
16 to -- to say that Denver ELL's have consistently been  
17 reading at higher levels than ELL's outside of Denver for  
18 the past four years. In that spirit of shared commitment  
19 to improving early literacy, I'm here to express our deep  
20 concern over the proposed change to rule 3.04 of the READ  
21 Act, which we believe conflicts with the spirit of the act,  
22 and will have a damaging impact on our English learners.

23 This proposed change would require that we  
24 double test students who are learning to read in Spanish as  
25 they are simultaneously learning English. Our goal is to



1 have all students reading proficiently in -- by third grade  
2 as well as demonstrating proficiency in English language.  
3 We offer transitional native language instruction as well  
4 as supported English language instruction, and we know that  
5 all models can be effective in helping students acquire  
6 English proficiency. Over half of our students, choose  
7 transitional lent -- native language instruction, their  
8 families do. Meaning that their children receive  
9 instruction in Spanish literacy while they're learning  
10 English. The model must be -- implemented with fidelity  
11 given that many of our English learners enter school with  
12 less readiness than their higher income native English  
13 speaking peers. English learners have double the work, so  
14 to speak, and yet are also subjected to the most  
15 assessments.

16 In addition to CMAS, English learners also  
17 participate in access testing as well as the READ Act  
18 Assessment. This new READ Act rule change would require  
19 assessment in the language of instruction, frequently  
20 Spanish to determine if a child has a significant reading  
21 deficiency as well as a READ Act Assessment in English  
22 along with the CMAS tests in literacy, mathematics, and the  
23 access assessment given in four parts over multiple days.  
24 Parents and teachers may rightly question when we are  
25 teaching these most fragile students, so that they can



1 demonstrate their learning on this multitude of  
2 assessments. We strongly believe in the power of  
3 assessments, but this additional requirement will take  
4 valuable instructional time away with very little return in  
5 instructional value that we don't already have from other  
6 resources.

7                   Furthermore, we risk having students over  
8 identified as significantly below grade level, when, in  
9 fact, they are making progress in reading while they are  
10 learning English. We urge you to preserve our local  
11 autonomy so that we can continue our focus on early  
12 literacy without mandating additional assessments which we  
13 believe will impede our progress with our English learners.  
14 We also fully support the previous version of the proposed  
15 rule change that would allow parents or students were being  
16 instructed and assessed in Spanish to request an additional  
17 assessment in English. Thank you.

18                   CHAIRMAN DURHAM: Thank you, Ms. Cordova.  
19 Kara? I apologize, Alyssa?

20                   MS. VIESCA: Alyssa, sir.

21                   CHAIRMAN DURHAM: I get close?

22                   MS. VIESCA: Closer.

23                   CHAIRMAN DURHAM: Coming on.

24                   MS. VIESCA: Much better.



1                   CHAIRMAN DURHAM: At least somethings coming  
2 up to you.

3                   MS. VIESCA: Yeah, I know it's me and you  
4 can't say my name. Right, it's okay. My name is Kara  
5 Viesca, I'm a Professor at CU Denver. And I lead a group  
6 in Colorado that's called HEALDE, it stands for Higher  
7 Educators and Linguistically Diverse Education. And as a -  
8 - as an organization, we're here to stand against the  
9 passing of the new rules where we would add an assessment  
10 burden to our bilingual learners. We stand in agreement  
11 with Susana Cordova's recent, you know, what she just said.  
12 And also, while I'm here to talk about the READ Act, I also  
13 want to emphasize that we are in support of the seal up by  
14 literacy, and I've already seen some really positive things  
15 happen in the state.

16                   In fact, in NDPS over 600 students have  
17 already applied for the seal this year. It's something  
18 that we really need to move forward. So with the READ Act,  
19 our concern lies in a couple of things. First of all, that  
20 it is an unnecessary assessment burden. When we assess  
21 students in a language of -- that they are still learning,  
22 that data that we collect is actually invalid and  
23 unreliable. And we recently had an assessment law passed  
24 in Colorado that suggested we shouldn't be worrying about -  
25 - we shouldn't be utilizing unreliable and invalid data in





1 our work here in Colorado. And I -- I would urge you to  
2 allow for the local control decisions to be made around who  
3 should be given assessments and with -- which languages  
4 because otherwise, we're likely collecting invalid,  
5 unreliable, and quite frankly, useless data.

6 We are also concerned about some of the  
7 statements we've heard from the Board where there appears  
8 to be a lack of acknowledgement that there are other laws,  
9 there are other accountability measures in place that are  
10 ensuring students are learning English and becoming fully  
11 proficient users of English. And in fact, we know from the  
12 data from DPS that students in their bilingual programs  
13 over time outperform students in -- in many other programs  
14 because they're so strong and so well implemented. So we  
15 ask you to please pay attention to the practitioners in the  
16 state, to the researchers in the states, to the teacher  
17 educators in the state, we represent decades and decades of  
18 expertise and service and work and -- and we do not need  
19 this new rule to be passed to require more assessment for  
20 bilingual learners. We're concerned that it also  
21 represents a civil rights violation and that it target is -  
22 - it targets only a particular subgroup of students, the  
23 other students would not be subjected to the same  
24 additional testing burden. And so we urge you to please  
25 not pass that provision. Thank you.



1 CHAIRMAN DURHAM: Thank you very much.  
2 Let's see Mr. Garcia?

3 MR. GARCIA: Good morning. Jorge Garcia,  
4 BUENO policy center and the Colorado Association for  
5 Bilingual Education. Do not change Rule 3.04. The initial  
6 rules for the implementation of the READ Act were  
7 problematic, and they were resisted by teachers  
8 administrators, community, researchers, and others. The  
9 attorney general provided guidance for us and the current  
10 rules were then adopted. Legislative Legal Services found  
11 no problems or issues with the current rule. The attorney  
12 general has not indicated the problem, teachers haven't  
13 come to you with problems, administrators haven't come to  
14 you with problems, students have had no issues with not  
15 being double tested. If it's not broken, don't fix it.  
16 These other rules that are being considered were broken,  
17 fix those. This rule is not. The proposed change is  
18 problematic. Well, not required for the determination of  
19 significant reading deficiency, the rule requires an  
20 English a -- assessment. It says, to inform rate plan  
21 development.

22 Please look at Section 22-7-1206. Which  
23 sets minimum requirements for the plan development, and it  
24 does leave out languages of assessment. So therefore,  
25 anything beyond this minimum that the Board -- excuse me,



1 anything beyond this minimum is left to the local education  
2 providers, not to this Board. They have the authority to  
3 make their decisions and to set their own district  
4 assessment strategy. The attorney general states that the  
5 READ Act in the Constitution give authority to a local  
6 school districts to determine which assessment strategy  
7 best fits. This rule -- the proposed rule replaces local  
8 assessment strategy with a state mandated assessment  
9 strategy. Here's where I disagree with -- with Tony Dill.  
10 The former -- the formal attorney general opinion at Page 5  
11 is clear on its face, this would replace local decision  
12 with a state decision. This is an unfunded state mandate.

13                   Another test only for Spanish speakers, more  
14 and bigger government replacing local decisions with state  
15 decisions and without in our opinion, the authority to do  
16 so. Implementation of this rule can be accomplished in  
17 only -- in only one of two ways, and both of those ways are  
18 detrimental to Spanish speakers and only to Spanish  
19 speaking Latino students. First, replacing one data point  
20 with the English test is one way to implement it. So you  
21 take away a Spanish test and give the English test in which  
22 case that data point is gone and the opportunity to receive  
23 additional services or to be redesignated without a  
24 deficiency is lost for those students, that's one way to do  
25 it. The second way to do it is to do double testing. When



1 you do double testing, you're removing the opportunity for  
2 those students to be receiving instruction that could take  
3 them out of that reading deficient category. One more  
4 sentence.

5 CHAIRMAN DURHAM: Go ahead.

6 MR. GARCIA: Targeting Spanish speaking  
7 Latino students with rules that would negatively  
8 disproportionately impact them, will deny them rights under  
9 the Equal Education Opportunities Act. The Civil Rights  
10 Act of 1964 and the Equal Protection Clause of the U.S.  
11 Constitution, and would be against the sensibilities of the  
12 majority of Colorado residents. Thank you.

13 CHAIRMAN DURHAM: Thank you. Nicole  
14 Chapman.

15 MS. CHAPMAN: I'm here with.

16 CHAIRMAN DURHAM: You didn't sign it. Okay.  
17 All right. Thank you very much.

18 MS. CHAPMAN: Thank you.

19 CHAIRMAN DURHAM: Thank you. All right.

20 All right. Ms. Dorman, do you wish to make some comments  
21 about the effect of the rules and what you think the  
22 practical effect will be see any changes or suggested you  
23 may have?

24 MS. DORMAN: Yes, Mr. Chair. That's a  
25 document to share with you. One set is a summary document



1 that highlights the comments that we received. Here, the  
2 written comment phase, we received three. We're the close  
3 of business yesterday. And one this morning that I've  
4 simply attached the letter to but was not able to add to  
5 the document. Additionally, last week through some  
6 internal discussions within the staff here at the  
7 Department, we have for your consideration, presented to  
8 you on this particular page. And when -- when Bizy gets  
9 back, she can put it on the screen. It's a possible new  
10 language for consideration to Section 3.04. But we would  
11 be happy to entertain any questions that you may have about  
12 these rule changes or about the comments that have been  
13 received.

14 CHAIRMAN DURHAM: Questions from Members of  
15 the Board? Dr. Scheffel, would you wish to start?

16 MS. SCHEFFEL: Thank you. Really appreciate  
17 all the comments. Can you just tell me if this is an  
18 accurate sort of summary? It strikes me that this is our  
19 only state initiative in literacy that's K3. Is designed  
20 to help close achievement gaps for students, so that they  
21 can -- we can have a larger percentage of kids on grade  
22 level by the end of third grade which we know is highly  
23 predictive for the rest of their school career in life,  
24 right? So that's what this is intended to do, the money is  
25 tied to the student's. It seems that these rules are



1 designed to help parents and teachers and kids. No, if  
2 they're progressing toward being able to be proficient in  
3 reading by the end of third grade in English and Spanish,  
4 and that's why the two tests make sense. And the parents I  
5 talked to want their kids to be proficient in English when  
6 they read. And if we don't have the ability to find out  
7 whether the money works, we probably shouldn't have the  
8 state initiative which is our only -- and it's -- and it's  
9 a fair amount of money that the public has allocated to  
10 this initiative. So the question is based on the attorney  
11 general's comment or decision, is that possible for us to  
12 do to give that data to people that are in charge of  
13 instruction to these students so that we can see if they're  
14 making progress and hopefully provide greater resources if  
15 they're not? Is that an accurate summary of what we're  
16 trying to decide here? And some feel that's double  
17 testing, others would say, "I want my child to be  
18 proficient in English and if we don't -- if we can't test  
19 them in English in reading not just the access test which  
20 is more focused on our language in reading, then we don't  
21 know if the money works for the public and for the students  
22 themselves and for the parents."

23 MS. DORMAN: I would say that the rule  
24 change that -- that is being proposed would accommodate as  
25 you just -- as you just described the ability to know in a



1 particular program model. If students were progressing  
2 across that years, kindergarten through third grade to meet  
3 the goal and the outcome for the program model which would  
4 be literacy or biliteracy in both English and Spanish. I  
5 would like -- our legal counsel Tony Dill responds to his  
6 thinking around whether or not this means that criteria.  
7 It is my understanding that it does. That it's a -- that  
8 it's allowed language.

9 MS. SCHEFFEL: Thank you.

10 CHAIRMAN DURHAM: Mr. Dill?

11 MR. DILL: I -- I believe it is allowed  
12 language. The attorney general's formal opinions dealt  
13 with which test to use to determine significant reading  
14 deficiency. The problem with mandating that all students  
15 be deter take the English language test to determine --  
16 reading deficiency is that it would result in over  
17 identification of -- of certain students who might be  
18 proficient in reading in their -- in their native language.  
19 What the -- what the new rules do is to let the school  
20 districts decide what to give the tests to determine  
21 significant reading deficiency in either English or Spanish  
22 determine what is appropriate for the particular language  
23 acquisition program that they use. However, to require the  
24 additional test in English to inform the reading plan. The  
25 State Board of Education, of course, has constitutional



1 authority, a general supervision of the public schools.  
2 And more specifically, has given statutory authority to  
3 promulgate rules as necessary to implement provisions of  
4 this part 12, part 12 being the entire READ Act. It seems  
5 to me that at -- at least a clear reading of that language  
6 would be -- that it would be within this Board's authority  
7 promulgate rules that would inform some of the content of  
8 the READ Act.

9 MS. FLORES: Thank you. I would just like  
10 to add that --

11 CHAIRMAN DURHAM: Dr. Flores?

12 MS. FLORES: And I'm reading from an article  
13 that was written by Susan Hopewell and Kathy Escamilla. It  
14 was in the journal of literacy research, and it  
15 substantiates what we're talking about here in that -- and  
16 I'm quoting, "Reading and writing progress is measured  
17 annually in Spanish and English. Because of this, we are  
18 in a unique position to be able to examine and address  
19 questions of biliteracy development since." So in essence,  
20 if you're going to make sure that kids are gaining, not  
21 only in a fluency in speaking the language, the second  
22 language, and also reading, you have to test it in both  
23 languages. And it may be that indeed the second language  
24 la -- lags behind. You may score a 10 in the -- in the  
25 test but score three in English, but that keeps gaining





1 until by third grade you should be at grade level. And I  
2 think too, that when -- when we think that it -- it's --  
3 it's noted a lot that fluency should really be first that  
4 you should gain fluency and not start actually teaching  
5 reading until you gain fluency. If you -- if you do that,  
6 that's gonna take many years. I know in my case, I  
7 wouldn't say I was very -- very fluent in -- in -- in  
8 learning -- in speaking Spanish.

9                   But I could sure, you know, score in the  
10 eighth grade, in fourth grade in reading, in -- in, you  
11 know, in scored in the 98 percentile, and giving me as an  
12 example. But I know lots of other kids, you can read and  
13 be learning the language, fluency is actually very hard. I  
14 think fluency is much harder than reading. So I don't  
15 think we should base everything on when you speak. When  
16 you're able to be very fluent or fluent like native, and --  
17 and start teaching -- reading in the second language. So  
18 that should be going along and we should test if indeed  
19 kids are gaining in literacy during the time that they're  
20 in school from K through 12.

21                   CHAIRMAN DURHAM: Ms. Dorman, do you have  
22 any comment?

23                   MS. DORMAN: I -- I can -- I can wait. I  
24 didn't know if I had comments,



1 CHAIRMAN DURHAM: Okay. Understood.  
2 Correct.

3 MS. DORMAN: I did want to draw your  
4 attention to some of the things that have any impact.

5 MS. FLORES: So there are enough circles  
6 going around that I'm having trouble figuring out which of  
7 these things you're talking about, and exactly what the  
8 difference is?

9 MS. DORMAN: Thank you that's where I was  
10 going.

11 MS. FLORES: That would be great because I  
12 actually don't know which one you're talking about and why.

13 MS. DORMAN: Okay.

14 MS. FLORES: What I'm hearing. But let me  
15 just -- Correct me now if I'm wrong. What I'm hearing is  
16 that the districts who object to the wording as it is now  
17 are saying that we are using in order to determine whether  
18 a student has a significant reading disability. We are  
19 using two tests in two languages. What I'm hearing over  
20 here I think is that it's okay to test in the native  
21 language. But I also wanna know how they're coming along  
22 in English. Those are two different conversations. So  
23 those are two different things. One.

24 MS. GOFF: How are they coming along in  
25 literacy?



1 MS. FLORES: I'm sorry in literacy. Thank  
2 you. So those are two different things because three- the  
3 section of diagnosis. It sounds to me like folks are  
4 saying that should be in Spanish. As the kids are moving  
5 along, we also wanna see how they're doing in English, and  
6 that's not what 3.04 says to me.

7 MS. MAZANEC: Can I ask you to clarify?

8 MS. FLORES: Yeah.

9 MS. MAZANEC: We have to make sure we're  
10 distinguishing oral language and written language.

11 MS. FLORES: Right.

12 MS. MAZANEC: When you say literacy or  
13 Spanish --

14 MS. FLORES: Thank you.

15 MS. MAZANEC: -- or English. We don't know  
16 what we're talking about.

17 MS. FLORES: Thank you. We are just talking  
18 about reading.

19 MS. MAZANEC: So the testing should be in  
20 reading in English and Spanish.

21 MS. FLORES: Got it.

22 MS. MAZANEC: Because the oral language is  
23 actually an, an additional issue. But what we're saying is  
24 the READ Act is designed to teach students to read. So we



1 need reading assessments in English and Spanish to find out  
2 if the programs work.

3 MS. FLORES: But, but in three, we're  
4 talking about diagnoses. Are we not? And if you diagnose,  
5 if I don't speak a word of English, and you asked me to  
6 read something in English or let's try German. Right? I'm  
7 actually very fluent in German and I can't read German at  
8 all.

9 MS. MAZANEC: But they're interims.

10 MS. FLORES: So you, I would have --

11 MS. MAZANEC: So there are interims.

12 CHAIRMAN DURHAM: So go ahead.

13 MS. FLORES: So we have to be really care --  
14 I mean, I -- I -- I need to understand what you're talking  
15 about. It looks to me like you're saying we are going to  
16 diagnose a student with a significant reading deficiency in  
17 two different languages, and then do what?

18 MS. RANKIN: But let's let at least --

19 CHAIRMAN DURHAM: Let Mr. Dorman finish.

20 MS. FLORES: Thank you. Okay. I'm not  
21 okay.

22 UNIDENTIFIED VOICE: That's not --

23 MS. FLORES: Thank you.

24 MS. DORMAN: I've got to thank you've  
25 actually brought up what I was hoping that I would be able



1 to sort of answer and clarify. So the attorney general's  
2 opinion --

3 MS. FLORES: Yeah, which we have.

4 MS. DORMAN: -- which was written very  
5 specifically for a program model. So I wanted to just  
6 clarify one thing just for a moment. Students who are  
7 English learners, who are not in bilingual or do language  
8 programming test only in English. The attorney general.

9 MS. MAZANEC: Could you repeat that?

10 MS. DORMAN: Students who are English  
11 learners, who are not in bilingual or dual language  
12 programming, continue to test in English for significant  
13 reading deficiency according to the READ Act. When the  
14 opinion was handed down, the attorney general said that any  
15 Board approved assessments would be allowed to be used for  
16 the definition or identification of a significant reading  
17 deficiency. Programs then, and local districts could  
18 choose which one of your Board adopted assessments they  
19 would use for the designation of a significant reading  
20 deficiency. That designation has the, the launching of a  
21 couple of things.

22 One, it launches the distribution of your  
23 per pupil intervention dollars to support kids where they  
24 showed that they have a deficit. And it also launches a  
25 formal reading plan to support that child in the areas in



1 which they are deficient. The proposed language of 3.04 as  
2 it has been being amended here was really in response to  
3 the language you adopted in May, which already had  
4 highlighted English learners, and through the discussions  
5 with the Board, and the request to add in considerations  
6 for their development in a biliteracy program model to also  
7 check in on their literacy development in English. The  
8 Board prompted this revision in 3.04. We have before you  
9 and here what we recognize may have singled out English  
10 learners in that program model separately from non-English  
11 learners in that program model.

12                   So if that's the Board's desire to ensure  
13 within the program model that students will meet the goal  
14 of biliteracy then the proposed language on the bottom here  
15 would address concerns that it had separated a particular  
16 type of student within that program model, and it would say  
17 within the program model, any student can be tested with  
18 any Board approved interim assessments Spanish or English  
19 determined locally. But additionally, the Board's desire  
20 is to measure once annually their development in the second  
21 language of their instruction. So since the opinion is  
22 only about programs that teach both in English and in  
23 Spanish their literacy, it's only applied to those programs  
24 and those students. There are presently this year for the  
25 October count. There are 12 districts that say that they



1 operate this program model with students ranging from 16  
2 all the way up to, you know, nearly 4,000. So for those 12  
3 districts, they still have the choice to determine the  
4 assessment for the designation of a significant reading  
5 deficiency.

6 But per the Board's recommendation and your  
7 request of staff to offer language, you also asked for  
8 those students to be tested in another language of  
9 instruction. So either English or Spanish which is the  
10 opposite of what their designation of a significant reading  
11 deficiency would be. Does that clarify what the discussion  
12 is and what you want --

13 CHAIRMAN DURHAM: Would it be -- would it be  
14 a reasonable summary to say as a specific example that for  
15 children that are in this dual track that the district  
16 would choose which test to administer, and let's presume  
17 its Spanish test, and if they are found to be or let's  
18 presume it's an English test, and are found to be  
19 proficient in English. The district could then, and would  
20 administer tests in Spanish to determine their, their  
21 progress in that language as well, and vice versa is that.

22 MS. DORMAN: So your first set of language  
23 here would not allow for that.

24 CHAIRMAN DURHAM: I am talking about the  
25 other bottom half.



1 MS. DORMAN: And the bottom half that you  
2 could consider. Yes, it would allow that for any student  
3 in- in this particular program model.

4 CHAIRMAN DURHAM: Ms. Mazanec.

5 MS. DORMAN: And that seems to.

6 CHAIRMAN DURHAM: Sorry.

7 MS. DORMAN: Be in response to some of the  
8 concerns that have bubbled up here today.

9 CHAIRMAN DURHAM: Okay, Ms. Mazanec?

10 MS. MAZANEC: So I'm not sure I am following  
11 this right. In order to test students in yellow learners  
12 for a significant reading deficiency, they can choose to  
13 test that in Spanish in their native language.

14 MS. DORMAN: Yes, you talk --

15 MS. MAZANEC: They can choose either.

16 MS. DORMAN: Correct you talk to them last  
17 year.

18 MS. MAZANEC: And so, this provision though  
19 doesn't change that it just asked that you also test them  
20 for English reading proficiency.

21 MS. DORMAN: Or Spanish in this case. Well,  
22 in your proposed rules, yes in English as well for the  
23 English learner. Yes ma'am.

24 MS. MAZANEC: Okay. Thank you.

25 MS. DORMAN: Yes.





1 CHAIRMAN DURHAM: Yes, Ms. Scheffel.

2 MS. SCHEFFEL: I'm confused about the  
3 proposed language. I don't feel like it says what you just  
4 said. Am I wrong?

5 MS. DORMAN: So any student --

6 MS. SCHEFFEL: Don't we still have the issue  
7 where students in a certain model receiving READ Act funds  
8 in Colorado, you may not still be able to find out if  
9 they're progressing in English in reading. Am I right?

10 MS. MAZANEC: It's on that second set of  
11 language?

12 MS. DORMAN: So the second set of language  
13 which does not have to be considered here, is simply  
14 language that says for any student an EL or a non-EL, who  
15 receives their literacy instruction this program model  
16 which is literacy instruction in both English and Spanish.  
17 The local provider still has the option to choose whichever  
18 interim assessment they would wish for the designation of a  
19 significant reading deficiency.

20 MS. MAZANEC: Right.

21 MS. DORMAN: That is consistent with the  
22 opinion, it's consistent with statute, and it's consistent  
23 with the rules you adopted last spring. The second part of  
24 that says in programs where literacy instruction is  
25 provided in both English and Spanish, students shall also



1 be assessed with a State Board approved assessment in the  
2 language of instruction not used for the significant  
3 reading deficiency determination. So if they chose to use  
4 the Spanish assessment for the determination of a  
5 significant reading deficiency. Once annually according to  
6 the proposed rules, would allow you to know how they're  
7 progressing in the second language of instruction as a  
8 reader.

9 MS. MAZANEC: But it could be a whole  
10 another language.

11 MS. DORMAN: Exactly, except that the  
12 opinion did not account for that. That's a consideration  
13 that you may wish to discuss but the opinion is very narrow  
14 and specific to only assessments in English and Spanish,  
15 and only program models that teach literacy in English and  
16 Spanish. So as an example, we've worked with immersion  
17 schools who may teach in different languages through  
18 guidance to help them determine. They'll test first in  
19 English but how they might collect a body of evidence to  
20 show just as you said that they are reading in a language  
21 like German, which is not addressed here. Our guidance has  
22 always been and remains to be that if an English learner is  
23 tested in English first, that a body of evidence can be  
24 used to validate and/or refute that designation of a  
25 significant reading deficiency. So that has always been



1 our guidance to the field, and it remains our guidance to  
2 the field. You would be in considerations where Spanish  
3 assessment was used that you would potentially as you asked  
4 not have a gauge for development of literacy in the other  
5 language of instruction.

6 MS. MAZANEC: So may I ask a follow up?

7 CHAIRMAN DURHAM: Yes.

8 MS. MAZANEC: So what does the dataset look  
9 like at the end of the day? The public allocates the  
10 money. The money follows the kids. We know at the end of  
11 third grade, we want kids to be proficient in reading. We  
12 know that English is the target. We know that kids speak  
13 lots of languages and that love the language of instruction  
14 needs to accommodate that. What does the dataset look like  
15 so that legislators in the public might be able to say,  
16 "This program makes a difference or this program doesn't  
17 make a difference?"

18 MS. DORMAN: Thank you for your question.  
19 The dataset as it has currently programmed, collects  
20 information on those students based on an English interim  
21 assessment score.

22 MS. MAZANEC: And so, every child that  
23 receives READ Act money?

24 MS. DORMAN: Presently --

25 MS. MAZANEC: As what kind of data points?



1 MS. DORMAN: They have significant reading  
2 deficiencies as determined by an English assessment. Up to  
3 this point, that's the only type of assessment that's been  
4 allowed in the collection because your rules changed late  
5 in the year. Last year, this collection cannot accommodate  
6 an assessment in Spanish yet. Future collections could  
7 accommodate an assessment in either English or Spanish.

8 MS. MAZANEC: So some kids will just have an  
9 interim assessment in Spanish, and some kids will just have  
10 their assessment score in English?

11 MS. DORMAN: That would be correct.

12 MS. MAZANEC: Then what are we doing with  
13 these rules. I don't know if they address the concerns of  
14 some at least that we don't know that we still don't have  
15 data on a subset of students in Colorado in English. It  
16 just doesn't help us with that. Is that correct?

17 MS. DORMAN: It would not tell you if they  
18 have met.

19 MS. MAZANEC: They're becoming proficient in  
20 reading English?

21 MS. DORMAN: It would not tell you if they  
22 had met great little competency which is the outcome for  
23 the READ Act in English.

24 MS. MAZANEC: English. So I'm confused that  
25 these rules help us. At least address that concern.



1 CHAIRMAN DURHAM: So the 3.04, the bottom of  
2 second suggestion is the one that doctor Scheffel just  
3 described.

4 MS. SCHROEDER: And that would not give you  
5 the data point. Assuming that that was a adopted.

6 CHAIRMAN DURHAM: Not give you the data  
7 point if that's the question.

8 MS. DORMAN: If we were to build into the  
9 collection both data points.

10 MS. SCHROEDER: Okay, so we can.

11 CHAIRMAN DURHAM: But.

12 MS. FLORES: But if we do.

13 CHAIRMAN DURHAM: Would it give you, would  
14 it require at least the second test so that parents and  
15 teachers might know the outcome is just not being reported.

16 MS. DORMAN: Correct.

17 CHAIRMAN DURHAM: So that the value of the  
18 second proposal is that while it doesn't, doesn't change  
19 the aggregate data of literacy, it would at least provide  
20 an information to the interested parties of the success or  
21 failure of the second language.

22 MS. DORMAN: And it would, yes and it would  
23 allow for access to READ Act dollars that would not  
24 potentially be accessible. If we use a singular language  
25 of assessment.



1                   CHAIRMAN DURHAM: Potentially, it could draw  
2 down some additional funds but.

3                   MS. ANTHERS: Potentially, it could support  
4 students who were not yet revealed as deficient in their  
5 second language of instruction.

6                   CHAIRMAN DURHAM: So -- so there's I think  
7 some value in, in this but it doesn't, won't change the  
8 statistical result. Who was next I'm sorry. Yes. Ms.  
9 Goff.

10                  MS. GOFF: Thank you. It just seems that, I  
11 mean, I'm seeing both sides of this which I usually do.  
12 It's frustrating sometimes. It seems on the timing of if-  
13 if a parent, if a school district, and everybody involved  
14 decided made the decision, yes, we want to have an English  
15 test as well to build up the database, give us some  
16 information. It seems important about what the timing of  
17 that would be. If there's -- it, it needs to be after the  
18 student has had some chance to learn something.

19                  MS. ANTHERS: So non-English proficient  
20 students are not required to be tested?

21                  MS. GOFF: But maybe -- But on the other  
22 hand, I can see where there does come a point where how  
23 long can that just go on. There, there needs to be  
24 literally an interim point where it's time to age  
25 appropriately. Give them an English test, even though we



1 have a lot of conversation these days around extending the  
2 number of years for English language learners in general.  
3 The legislators talked about it going from a three-year  
4 Colorado status to five. Somebody is talking seven. Based  
5 on language learning research, it takes seven years minimum  
6 of -- depending on the age to begin. And that's the other  
7 thing. But I don't get off on that but I just think, I can  
8 agree with both. It is not the same type of, of assessing  
9 and trying to what are we trying to learn from this? If  
10 it's two languages. If I don't, if I don't have the  
11 vocabulary, if I don't have the structure background, I'm  
12 not going to be able to read it, no matter what. It's not  
13 going to work that way.

14 MS. FLORES: But that's what literacy is  
15 about.

16 MS. GOFF: Yes, and that's where that I  
17 think we're all learning how to define some terms these  
18 days. So I -- I -- I know that you can't just put a -- put  
19 an exam in front of a child about reading if you know what  
20 you're trying to get out of it without understanding, and  
21 accepting that, that may be a whole different scenario for  
22 someone who's going to be reading in a whole other  
23 language. It's literally two cultures in some ways. So I  
24 -- I agree with both but I do, I do think I agree with  
25 having two, having the option, having a semi option of make



1 sure they get assessed in a reading in English at some  
2 point in there. I -- I just agree with that. I'm not sure  
3 I like it with a brand new kindergarten first grader.  
4 Okay.

5 CHAIRMAN DURHAM: Ms. Mazanec.

6 MS. MAZANEC: I'm just wondering where we  
7 are on this, what our options are, from my perspective, and  
8 I think from many of the Board Members perspectives are, we  
9 are happy to have students who are bilingual strong and in  
10 their native language. I think we all agree that they're  
11 best served by learning English as well. We want them to  
12 know English as well. So is there any room in these roles  
13 for us to require that they are tested in English as well?  
14 Whether they're, I -- I -- I don't have a problem with  
15 being assessed for proficiency in reading in their native  
16 language, particularly when they're young. I think we  
17 still want to know where they're at on reading proficiency  
18 in English.

19 MS. DORMAN: Your first set of proposed  
20 rules that are in red line at the top will be asking for  
21 exactly that. It was through the feedback that we  
22 received, that we wanted to offer you consideration, that  
23 in this program model, there are students that are not  
24 English learners. And we just wanted you to have the  
25 option to consider. Did you want 3.04 as it was proposed





1 and written? Which does do what you just asked, which  
2 allows for the local decision about which assessment to use  
3 for the designation, a significant reading deficiency --

4 MS. MAZANEC: But still required.

5 MS. DORMAN: -- but still requires they test  
6 annually in English for those English learners who had took  
7 -- who took the Spanish test. The legal counsel has  
8 already said that is within your purview to do it.

9 MS. MAZANEC: Okay. But is the data  
10 included? I mean, is that data reported?

11 MS. DORMAN: So and not presently --

12 MS. SCHEFFEL: Because --

13 MS. DORMAN: -- but we would --

14 MS. SCHEFFEL: -- we would add.

15 MS. DORMAN: -- we would respond to whatever  
16 your directive was and make sure our collection was  
17 prepared to respond based on your decision.

18 MS. SCHEFFEL: Because certainly, that's  
19 another aspect, is not only do we -- do we want to assess,  
20 we want to know how it's working --

21 MS. DORMAN: Sure.

22 MS. SCHEFFEL: -- whether it's working.

23 MS. DORMAN: I understand.

24 CHAIRMAN DURHAM: Dr. Scheffel?



1 MS. SCHEFFEL: Now, my sense is that the  
2 first set of language is much clearer if we take out  
3 English learners and replace with students. I mean, the  
4 second set of language strikes me as very hard to follow.  
5 I -- I think the first set of language is clear. But if we  
6 take out English learners, let's replace it with students  
7 as in your second iteration.

8 MS. DORMAN: Yeah.

9 MS. SCHEFFEL: That creates more generic  
10 language.

11 CHAIRMAN DURHAM: Yes, Dr. Schroeder?

12 MS. SCHROEDER: But that isn't -- isn't the  
13 part, the second part, then talk about testing native  
14 English speakers who were in these programs to see if they  
15 are --

16 MS. SCHEFFEL: They are already tested. We  
17 already have to test them in their native language. It's  
18 just asking that we also --

19 MS. SCHROEDER: I'm sorry, I'm talking about  
20 native English speakers.

21 MS. SCHEFFEL: Yes.

22 MS. SCHROEDER: The second part says that  
23 are in the bilingual programs that we find out if they are  
24 biliterate or not. So it is actually an expansion of sort.  
25 I- I may be way off base, but I'm not a literacy teacher.



1 I'm not any kind of a K-12 teacher. Is there a way for you  
2 just to come up with a classroom example of X number of  
3 kids, identify some kids that are identified based on which  
4 assessment, and what happens during the year? So that we  
5 actually understand those of us, who are not steeped in  
6 this, what's the READ Act? What's the access piece? And  
7 what does it assess? And what are we learning in the two  
8 different options?

9 MS. DORMAN: I didn't know if the  
10 Commissioner had something to add first or if he wanted to.

11 MS. SCHROEDER: I'm sorry.

12 CHAIRMAN DURHAM: Commissioner Elliot, I  
13 thought you wanted to make a comment.

14 MR. ASP: Mr. Chair, actually, I had the  
15 exact same question, but I want to use a real life example,  
16 because I'm having a very difficult time following the  
17 different language, and specifically those who spoke make,  
18 sure that we're addressing their concerns at the same time.  
19 So my twins, my twins came last, boy, girl, put them into a  
20 bilingual program when they were first grade. Spanish in  
21 the morning, English in the afternoon. Does this apply  
22 only to bilingual programs that- that parents opt their  
23 children into? Because you keep referring to ELL, this  
24 does not apply to ELL students who --



1 MS. SCHEFFEL: Are not in bilingual  
2 programs.

3 MR. ASP: -- who are not in bilingual  
4 programs.

5 MS. SCHROEDER: They're only in self  
6 programs.

7 MR. ASP: Correct. So we're talking only  
8 about opt in dual language emerging bilingual programs.

9 MS. DORMAN: Correct.

10 MR. ASP: Okay. Okay. So my -- my kids  
11 then, Red and Savannah, would be assessed in English  
12 because they speak English, and that at some point, under  
13 the second, under the 3.04, the part two, the way I  
14 understand it, they would be assessed in their reading  
15 capability in Spanish also, and the score would be  
16 assigned.

17 MS. DORMAN: Yes. That could happen  
18 according to 3.04 on the bottom, not on 3.04 on the top.

19 MR. ASP: Okay. Now, let's assume that my -  
20 - my kids only spoke Spanish. I wish they did. The school  
21 was too far away for second grade, and my wife wasn't  
22 willing to drive the four to 10 miles road trip every time.  
23 But let's say they spoke Spanish, they would be assessed in  
24 Spanish that first semester. And at some point, and this



1 is the top line or the bottom, they're going to be assessed  
2 in English, and a school will be assigned.

3 MS. DORMAN: Yes. And I would say that  
4 because program models are different, it is not always the  
5 case that the English learner in that program model will be  
6 assessed in Spanish. We have examples to answer your  
7 question, of all kinds of things, so we have examples of  
8 program models where it's a bilingual program.

9 MR. ASP: Okay. Mr. Chair and Lisa, I don't  
10 want to go too far down the road because this then goes  
11 back to what? Member Scheffel, I was trying to figure out  
12 how to say it appropriately. What she was saying is that  
13 we will however have an English data point for those  
14 students, not necessarily have a Spanish data point for  
15 them, because you said some will not necessarily be -- to  
16 be assessed in Spanish. It's not required by the READ Act.  
17 Is it not what you just said Lisa?

18 MS. DORMAN: An annual assessment is -- I'm  
19 going to try to track, annual assessment is required, local  
20 districts choose which assessment form or versions, Spanish  
21 or English, to use in a bilingual or dual language program  
22 model.

23 MR. ASP: Okay. Then, I guess the one  
24 clarifying point I need to understand is, is it the intent  
25 of the legislation that created the READ Act for us to have



1 an English data point for every single student whether  
2 they're dual language, ELL, ESL?

3 MS. SCHROEDER: But especially in the  
4 bilingual program, if you are in a bilingual program --

5 MR. ASP: That -- If you can -- if you she  
6 answer really quick that.

7 MS. SCHROEDER: Well.

8 MR. ASP: Was it the READ Act that we have  
9 an English data point for every single student regardless  
10 of what program they're in?

11 MS. DORMAN: I'm -- I'm going to, if it's  
12 okay, refer to Mr. Dill --

13 MR. ASP: Okay.

14 MS. DORMAN: -- because that is a legal  
15 interpretation of the READ Act, and I would feel more  
16 comfortable if he were able to respond to that question. I  
17 think his opinion may have responded to that.

18 MR DILL: Well, if I understand the  
19 question, I believe the answer is no. The -- the READ Act  
20 actually seemed to take a rather great pains in avoiding  
21 saying which language the determination has to be made in.  
22 And -- and leaving that, it's the particular aspect of it,  
23 up to the local districts.

24 MR ASP: Mr. Chair, final comment, and that  
25 -- that greatly changes my -- my opinion of this whole



1 conversation and provides, now I understand better, the  
2 individuals who are here to testify this, what we got on  
3 this bill.

4 MS. DORMAN: Thank you.

5 CHAIRMAN DURHAM: Yes, Dr. Scheffel --  
6 Schroeder, I'm sorry.

7 MS. SCHROEDER: It's okay. I don't think --  
8 I won't bite.

9 CHAIRMAN DURHAM: I'll be confused most of  
10 the days.

11 MS. SCHROEDER: I'd be grateful for some  
12 feedback from the folks who came and spoke based on your  
13 recommendations here, to see what their comment would be.

14 MS. DORMAN: Is that-

15 MS. SCHROEDER: Well, we're not going to  
16 vote in this today because I don't think there will be  
17 unanimous vote. Come back.

18 MS. BURDSALL: We are up for a vote either  
19 way, you'll either vote adoption or you unanimously, or you  
20 won't vote adoption unanimously, and we'll come back in  
21 March.

22 MS. DORMAN: Well, I can assure you we will  
23 be announced. Because I'm not sure I understand what we  
24 voted on.



1                   CHAIRMAN DURHAM: I -- I think it's  
2 perfectly helpful if superintendent would like to come back  
3 for a moment, and perhaps could answer a few questions, and  
4 I know we're running a little late. We'll -- we'll have to  
5 learn to live with that unfortunately. Yes. Let -- let me  
6 start, if I understood your comments correctly, you don't  
7 see a necessity to test some students in English if they're  
8 proficient in their native language, and you don't want to  
9 make that test. Is that, regardless of whether we're in A  
10 or B here, is that the substance of your comments?

11                   MS. DORMAN: So it is. And let me give some  
12 context around the rationale for the why. When we have  
13 looked at our data. So I wanna make it clear for all of  
14 our students, the overwhelming goal is for students to be  
15 proficient both in content, the content of reading as well  
16 as in English. And the reason that we are so committed to  
17 the program model that we are talking about here are  
18 bilingual program, is because when we look at our data, our  
19 students who are instructed in Spanish, families who choose  
20 this model, who are native Spanish speakers, who are  
21 instructed in Spanish, and who are assessed in Spanish and  
22 have a full program until they reach the point that we use  
23 by access to determine that transition into English,  
24 perform, not only better in Spanish, stands to reason  
25 they've had instruction in Spanish, but they perform better





1 in English than their peers who have not had that  
2 foundational program in Spanish.

3                   They perform higher in third grade when they  
4 take the third grade what has been the Lectura test. But  
5 they also perform higher in fourth grade on the reading  
6 test in English, and in fifth grade on the reading test in  
7 English. And so, the purpose for our- our desire to have  
8 strong program implementation of bilingual programming for  
9 families who choose that is, we very strongly believe in  
10 the role of native language in maintaining culture and the  
11 opportunities that come out of that, but that actually is  
12 almost secondary to the overwhelming goal, which is for  
13 students to be proficient in English. And this is a very  
14 effective way for us to have that foundation and students  
15 to make that transfer into very strong English proficiency  
16 as well.

17                   MS. SCHEFFEL: May I ask a follow up?

18                   CHAIRMAN DURHAM: Yes, Dr. Scheffel?

19                   MS. SCHEFFEL: Would you be clear when you  
20 say English reading or oral language? And then, how do you  
21 --

22                   MS. DORMAN: Yeah. Thank you. It's a great  
23 question. I -- I'm talking about English reading as  
24 demonstrated in the past with our TCAP scores. So students  
25 who are assessed, who are instructed and assessed in



1 Spanish through third grade and then transitioned into  
2 English language assessments of reading, perform at a  
3 higher level in English than their peers who did not have  
4 that foundation in Spanish. And so, our goal is English  
5 proficiency in reading, in writing, in mathematics, and we  
6 believe that the strong foundation of bilingual program  
7 provides us that opportunity.

8 MS. SCHEFFEL: So that doesn't hold up to  
9 the data I've looked at, but I may be looking at the wrong  
10 data, but I guess it's irrelevant if you're saying that the  
11 law does not require a data point in reading in English.  
12 Then, this first set of language, if you replace the word  
13 English learners with students, requires the districts give  
14 an English data point locally, the state has no access to  
15 the data, and the only thing it does is give parents access  
16 to that data point if they want it. That's really what  
17 we're discussing here. We're not asking, apparently based  
18 on the intent of the laws understood, that there be a data  
19 point in English for every child who gets money through the  
20 READ Act. That's not happening anyway. The question is,  
21 will the districts be required to test in English for  
22 parents who want that information to show that the students  
23 are becoming literate in English and Spanish or whatever  
24 their native language is.

25 CHAIRMAN DURHAM: Dr. Flores.



1 MS. FLORES: And also, it's -- it's just  
2 logical, that if you are in a bilingual program, you are  
3 going to be testing in two languages, and -- and -- and you  
4 must do that. I mean, how will -- how will you know  
5 whether they are progressing in reading? You -- you -- you  
6 won't know, and there won't be any data to know. And what  
7 I hear from a lot of the community, and this is Denver,  
8 lots of parents who are complaining at least in some of our  
9 high schools, where we have second language learners who  
10 are not reading, who are not doing well in -- in English.  
11 And so, there is too much of that going on. I'm- I'm out  
12 in the community, and I hear it.

13 And so, they are very upset. I just went to  
14 a meeting last week. I -- I heard it again. Parents are  
15 very concerned, and that's my area, that's where my doctor  
16 (inaudible). And I know that if you are in a bilingual  
17 program, you test in English and you test in Spanish, and  
18 it's the same thing. I mean, I know it's Denver, but  
19 there's programs in Texas, there's programs in Nevada,  
20 there's programs in other states. And if you look at the  
21 research, you may be talking about just Denver and your  
22 program, but the research for everybody in this country  
23 says that you have to test in two languages.



1 MS. DORMAN: And thank you. And I do want  
2 to assure the State Board, we absolutely do collect  
3 information in both languages.

4 MS. SCHEFFEL: But testing -- collecting  
5 data and testing in English, you must do that.

6 MS. DORMAN: And we absolutely would do.

7 MS. SCHEFFEL: And we need to find out  
8 whether they can read.

9 MS. DORMAN: We do absolutely do.

10 MS. SCHEFFEL: And especially in the third  
11 grade, by third grade, kids have to know how to read in  
12 English because they're gaining all this information in  
13 English. They're learning from- from reading. So it's  
14 very important that we know that they are gaining and --  
15 and succeeding --

16 MS. DORMAN: Sure.

17 MS. SCHEFFEL: -- in -- in learning English  
18 and literacy. Thank you.

19 CHAIRMAN DURHAM: Okay. Thank you, Dr.  
20 Schroeder.

21 MS. SCHROEDER: So help me out again since  
22 I'm a novice at this. What did you learn from the access  
23 tests, which I believe is given every year?

24 MS. DORMAN: Yes.



1 MS. SCHROEDER: What do you learn, what  
2 don't you learn?

3 MS. DORMAN: Sure. So the access test gives  
4 us multiple sets of information, both around oral language  
5 but not only around oral language. It gives us information  
6 on reading, writing, that combines into a literacy score.  
7 On speaking and listening, that combines into a  
8 comprehension score, and so we actually have very robust  
9 information on our English learners. K-12 within our  
10 district, that we used to -- to inform both what we're  
11 doing and structurally, alongside with the assessment data  
12 that we're collecting inside classrooms through informal  
13 assessments data points that we are sharing in both  
14 languages, both with our teachers and their -- the families  
15 of our students.

16 MS. SCHROEDER: And is the access data  
17 shared with parents?

18 MS. DORMAN: Absolutely, yes.

19 MS. SCHROEDER: So if parents are getting  
20 information, K through seventh or eighth grade that their  
21 students, actually it shouldn't take -- they shouldn't be  
22 in an ESL program or ELL program that long anyway. I mean,  
23 I'm trying to figure out the high school example you gave,  
24 which is very rare, but I've heard it before, too. But  
25 there are very often kids that come in later, they're not



1 kids that have gone all the way through the system or are  
2 the kids that have been going all the way through the  
3 system?

4 MS. DORMAN: And I -- I wanna be really  
5 transparent about the fact that Denver, like many urban  
6 districts, has an issue with long term ELs. We -- we know  
7 that, we've looked at our data. Frankly, part of what --

8 CHAIRMAN DURHAM: Long term what? I'm  
9 sorry.

10 MS. DORMAN: Long term English learners.  
11 Right. And part of what we have self-diagnosed is, for  
12 many years, we had a program that pushed students into  
13 English very quickly, did not create a strong foundation  
14 and resulted in students who get to higher grade levels,  
15 not fully proficient in first language and certainly not  
16 proficient in English. That's something that we are really  
17 working on is, making sure that we've built what we call an  
18 access on track trajectory, so we can determine when are  
19 kids on track in their language development and when are  
20 they off track. We use that also to inform what we do in  
21 literacy instruction, so that we can make the kind of  
22 adjustments, that interventions in reading, based on how on  
23 track or off track kids are with their language  
24 acquisition.



1 CHAIRMAN DURHAM: Ms. Goff and then Dr.  
2 Scheffel.

3 MS. GOFF: Just very briefly, the -- for the  
4 past few years anyway, it's been statewide. The growth of  
5 yellow learners on proportions of our state assessments,  
6 has been at a greater rate than other groups. So it's a  
7 state wide. It's not only Denver, always glad to hear it.  
8 But it is -- It's a phenomenon that's happened in this --  
9 in the state over several years. So looking a little  
10 deeper at the reason for that, the program make up, what is  
11 everyone using, what seems to be working, why is it  
12 working. It's all part of the conversation we're having  
13 here today. So the importance of knowing -- it's a --  
14 literacy is literacy, and it's -- it's easier to acquire it  
15 in a -- in a new, second, third, fourth for some of these  
16 kids. If you've got that foundation in your native  
17 language. So appreciate that. I mean, I just wanted to  
18 make sure everybody realizes this is a Colorado picture.  
19 It's not just a portion of this.

20 MS. DORMAN: No. And -- and the research is  
21 clear. We all learn to read one time. We learn -- we can  
22 learn multiple language and apply our knowledge of reading  
23 to those languages as we acquire the language, the second  
24 language or the third.



1 CHAIRMAN DURHAM: Okay. Ms. Rankin, do you  
2 have a question? I've ignored your --

3 MS. RANKIN: I just have a brief one. Do  
4 you give parents the opportunity to opt either for English  
5 or for Spanish when their students take a test, and what  
6 grade level is that?

7 MS. DORMAN: Sure. So the way parents  
8 exercise their choice is through the selection initially of  
9 the program model. So all parents have the right to  
10 determine for their English learners. Do I want a  
11 supported English language program, do I want transitional  
12 native language programs, or do I want a dual language  
13 program? Once they're selected into those programs, we  
14 communicate with parents about the progress of students.  
15 We've worked very closely, you know, as many of you realize  
16 we are under a federal consent decree that governs lots of  
17 aspects of our instructional program. So we assess  
18 students based on their language of instruction and  
19 classroom program type, and their access scores before we  
20 transition them into an English assessment. However, when  
21 parents come to us and talk about wanting a program change,  
22 parents always can opt for a different program model. So  
23 if they're in a classroom where instruction is primarily in  
24 Spanish, while kids are learning English and they'd like to





1 transition them into supported English classroom, we make  
2 those changes based on parent request.

3 MS. FLORES: I just wanted to ask a question  
4 about the statement.

5 CHAIRMAN DURHAM: I'm sorry.

6 MS. FLORES: Oh, I'm sorry.

7 MS. MAZANEC: You said 40 percent of your  
8 students are English Language Learners. Of those 40  
9 percent, what percentage do parents opt into the English  
10 program or tracked?

11 MS. DORMAN: Yeah. So it's about half and  
12 half for our earliest learners. It tends to be a little  
13 bit higher than 50 percent or as our students progress it  
14 tends to be lower. So our upper grade students are,  
15 generally, is more like in the low 40s to mid 40s.

16 MS. MAZANEC: Thank you very much.

17 CHAIRMAN DURHAM: Dr. Flores and Dr.  
18 Schroeder?

19 MS. FLORES: I think a lot of the parents  
20 that I hear from say that -- that they don't have -- that  
21 their -- they take that scale that asks them three  
22 questions, and then if parents say that they speak Spanish  
23 at home, usually you just put them in there. Parents often  
24 say that they want their kids to learn English from the  
25 very beginning and the school or it's just common knowledge



1 that -- that if -- if Spanish is spoken in the home, you  
2 push them into a Spanish language program even though  
3 parents want their kids to learn English. And that is just  
4 been true. It was very difficult. I know, when I was  
5 teaching with Denver public schools, to get a child or a  
6 parent who wanted their child to learn in English, to get  
7 that kid in English, when they said that they spoke Spanish  
8 at the home. And I think from the very beginning, parents  
9 need to have an option. They -- and it should be given. I  
10 mean, it's given. Choice is your big mantra word and if  
11 it's choice in language, parents definitely have the right  
12 to have their children in school instructed in the language  
13 that they choose. And I think that you should do more or  
14 else there wouldn't be all that discussion out in the  
15 public. The public is very angry about this, that their  
16 wishes are usually not heard and not taken into account.

17 MS. DORMAN: Thank you.

18 CHAIRMAN DURHAM: Dr. -- I'm working on it.  
19 Dr. Schroeder.

20 MS. FLORES: Just come up with a word that  
21 combines our names (inaudible).

22 CHAIRMAN DURHAM: I won't drag you for the  
23 next meeting.



1 MS. SCHROEDER: I wanted to talk now to the  
2 CDE staff, so I don't know what Ms. Cordial would have to  
3 say.

4 CHAIRMAN DURHAM: Yeah. Okay, thank you  
5 (inaudible).

6 MS. SCHEFFEL: Thank you so much, I  
7 appreciate it. I just want to make a comment, you know,  
8 this is all about detail, there's a lot of detail here and  
9 that's why there's a level of confusion. But when we look  
10 at the access test, if we were to bring the protocol in and  
11 look at it, and look at the content of the assessment and  
12 the nature of the questions. Those who would know a lot  
13 about literacy and how to predict whether or not student  
14 will be on grade level by the end of third grade would not  
15 be satisfied with that as an assessment in English for  
16 parents who care about that data point. So to say that  
17 we're testing in excess already and that that works, is  
18 really not accurate. And I think if we were to look at the  
19 protocol would become very obvious. The second issue is  
20 what other districts besides Denver Public School, have  
21 issues with districts providing an English data point to  
22 parents that are not reported to the state. And also  
23 Spanish which is required already. What other districts  
24 had problems with this language?



1 MS. DORMAN: We did not hear from any other  
2 districts.

3 MS. SCHEFFEL: So we have Denver public  
4 which has issues, but we haven't heard from any of the  
5 other districts. And I -- I guess I just feel that for  
6 parents who want their students to speak in English, they  
7 need a data point tied to these funds which is our only  
8 state initiative, K-3 in illiteracy, and it predicts that  
9 trajectory throughout the rest of their schooling. So that  
10 would be my thought on this language.

11 CHAIRMAN DURHAM: I think we're gonna lay  
12 this over at this point and bring back the next meeting.  
13 Let's see -- it would be helpful if we took a vote now. We  
14 had at least one no vote, then it would tear it up for  
15 final action next time.

16 UNIDENTIFIED VOICE: I'll be the number --  
17 first or the second (inaudible)?

18 CHAIRMAN DURHAM: We'll take a motion on --  
19 would somebody care to move the amendment to the rules,  
20 that would be the one of the above. Yes?

21 UNIDENTIFIED VOICE: Ms. Burdsall has a  
22 question.

23 MS. BURDSALL: It's not necessary to have --  
24 to take a -- do a motion or take a vote.



1 CHAIRMAN DURHAM: Okay. So we can come back  
2 to this without --

3 MS. FLORES: But can we vote on the testing.

4 CHAIRMAN DURHAM: Oh yes, yeah. We're --  
5 yeah. Oh yes, we're --

6 MS. FLORES: On the issue of whether we  
7 should have testing in English, and testing in Spanish.

8 UNIDENTIFIED VOICE: Next time, uh-huh.

9 CHAIRMAN DURHAM: Yes. That's -- that's  
10 going to be the --

11 MS. FLORES: And not -- and not on the  
12 language.

13 CHAIRMAN DURHAM: Yeah. That's gonna --  
14 gonna be before us next time. Either this language or some  
15 language that we work on between now and then. And I think  
16 that, if -- if I understand all, I think virtually everyone  
17 on the Board, and if I understand the legislative intent,  
18 it is to provide data -- data points for English  
19 performance so that everyone can determine, parent  
20 included, that adequate progress is being made toward  
21 proficiency in the -- in the economic language of the  
22 country. So that -- that seems to be the objective.

23 And I jut think we need to reach that in the  
24 most simple way so that -- because this can be confusing in  
25 a way that we can all understand that we've in fact reached



1 that and we've reached that with a minimal amount of  
2 intrusion required to reach it. So it would seem to me  
3 that if -- that I don't quite understand why the district  
4 would object for the testing in English and I'm sure  
5 there's quite reasons that I don't understand. But when  
6 you take this off table for now, we gonna work on this,  
7 come back with (inaudible) perhaps a third option that we  
8 might deal with -- on the English test. So --

9 UNIDENTIFIED VOICE: Just one more question,  
10 maybe?

11 CHAIRMAN DURHAM: Yes. One more question.

12 UNIDENTIFIED VOICE: So one more question  
13 is, why is this in 3.404 in section three rather than four.  
14 This would confuse me because it's a -- I'm assuming that  
15 we're using Spanish, by choice to determine a significant  
16 reading deficiency. Then if we wanna follow up that would  
17 be section four. And so I'm still struggling with where  
18 this particular issue of additional testing should be. And  
19 I guess I would say that the opinion from Attorney General  
20 Suthers did specify that this was not about English. He  
21 actually makes a point in his opinion to say the whole Read  
22 Act is nothing about English, that it's about being able to  
23 read. That's just his opinion, may not be ours, but that  
24 is what is in that opinion.



1 MS. SCHEFFEL: If I can just tell you why  
2 it's in 3.04 --

3 MS. SCHROEDER: Yeah, that would be good.

4 MS. SCHEFFEL: -- and we could consider 4.0,  
5 I would just want to answer your question and then let you  
6 have that for your feedback between now and next meeting.  
7 It's in 3.04 because it is -- that particular section that  
8 speaks to the requirements around assessment, section 4.0  
9 speaks to what happens after a deficiency of determined.  
10 It is possible that you would have a student who might not  
11 be deficient in one of their languages of instruction but  
12 would be deficient in another language instruction, and  
13 that I think is why it was initially built into 3.04. It's  
14 about the testing aspect and not the services aspect.

15 MS. SCHROEDER: But isn't that the issue  
16 we're worrying about. The fact that if you give a kid a  
17 test in a language they don't speak, I assure you I am -- I  
18 have a severe reading deficiency in a bunch of languages.  
19 And so I thought that's what we're trying to do, is to  
20 identify severe reading deficiency in the language of that  
21 child, that that student knows, and then move forward, as  
22 opposed to diagnosing in a language they don't know. And  
23 not, this is not --

24 MS. SCHEFFEL: Something is not making sense  
25 to me.



1 MS. FLORES: They're two languages --  
2 they're two languages, you could have a deficiency in the  
3 second language. You could not have one --

4 MS. SCHEFFEL: Of course you would, if  
5 you're still learning it.

6 MS. FLORES: -- if not and not one and the  
7 other one. And you have to measure sequentially, you know,  
8 in a sequence whether have they're coming along.

9 MS. SCHEFFEL: I don't disagree with that,  
10 but to diagnose a severe reading disability, and it's  
11 different to me, then progress.

12 MS. FLORES: And you know that, a teacher  
13 who knows reading, and -- and a reading person who is a  
14 technical person and knows this area, would know that it's  
15 the language or -- or just that it's -- it's language. I  
16 mean, it's bad. The two languages are very -- Spanish and  
17 English are different. I know that you have the same  
18 letter sounds and such, but English has it's -- it's own  
19 issues and we have a lot of -- a lot of kids in this  
20 country who speak English, who have a lot more problems  
21 because of the language in English. In Spanish, it's very  
22 easy. It's -- the sound and the letter match. English is  
23 not the same. There are exceptions and so that's why we --  
24 I mean, maybe we should change English so that it's like  
25 Spanish.





1 MS. SCHEFFEL: This is not helpful. I've  
2 had to learn English, so I get that. That's -- that's not  
3 relevant to what we're --

4 MS. FLORES: It is very relevant. English  
5 is a difficult language.

6 CHAIRMAN DURHAM: I think -- I think  
7 (inaudible). So --

8 UNIDENTIFIED VOICE: It's a different  
9 language.

10 CHAIRMAN DURHAM: -- I think we know where  
11 we'd like to get. Let's see if we can get there.

12 UNIDENTIFIED VOICE: We can.

13 UNIDENTIFIED VOICE: I'm sure we can.

14 MS. SCHEFFEL: Can I have --

15 UNIDENTIFIED VOICE: I'm sure we can.

16 CHAIRMAN DURHAM: I'm sorry, and we will  
17 take -- Yes. One last question.

18 MS. SCHEFFEL: Can I ask Ms. Burdsall to  
19 clarify whether or not this -- putting this off another  
20 month, what does that do to our time line?

21 MS. BURDSALL: So I don't think it impedes  
22 on it at all, because the -- because the way the rules are,  
23 the Board either can vote at the time of the hearing only  
24 if it's unanimous. If not, then the norm is to put the  
25 rules as an action item on the falling bag.



1                   CHAIRMAN DURHAM: So we're not on the clock,  
2 yet, with these, but we will need to take action next  
3 month. So let's all become prepared to -- to take action.  
4 So okay. Thank you very much.

5                   UNIDENTIFIED VOICE: You are very welcome.

6                   UNIDENTIFIED VOICE: And can you represent  
7 the information to us in kindergarten.

8                   CHAIRMAN DURHAM: I know this has been very  
9 long but it's an important issue.

10                  MS. SCHEFFEL: We will -- we'll be happy to  
11 answer any questions (inaudible).

12                  CHAIRMAN DURHAM: All right. Let's try and  
13 get to the next item which would be the honoring the  
14 Colorado Outstanding Distinguished School. And we'll take  
15 a five minute break while they're bringing those folks in.  
16 We apologize once again for being behind schedule.

17                  UNIDENTIFIED VOICE: Yes.

18                  (Pause)

19                  CHAIRMAN DURHAM: All right. The next item  
20 on the agenda is the recognition of the 2015 Title One at  
21 distinguished schools. Commissioner Crandall if you  
22 please, take charge.

23                  MR. CRANDALL: Hold on just one second. I  
24 just kinda feel very excited about this. This is -- this  
25 is -- it's right. This is a highlight of the -- of the



1 first couple of days to celebrating success in Colorado  
2 education. So we're -- we're pleased to honor the two  
3 recipients. The two -- 2015 Title I Distinguished Schools,  
4 and this is -- it falls under the purview of Alyssa Pearson  
5 who runs this area. She has the people with her here  
6 today. But these are two of our best schools that we are  
7 gonna be recognizing. I appreciate you making a trip to be  
8 here. So listen, please.

9 MS. PEARSON: Thank you. Today, we will  
10 honor our 2015 Title I Distinguished School Award winners.  
11 Since 2006, Colorado, in conjunction with the National  
12 Title I Association has selected examples of superior Title  
13 I school programs for recognition through the national  
14 title in distinguished schools program. Schools are  
15 selected in one of two categories, exceptional student  
16 performance for two or more consecutive years or closing  
17 achievement gaps between student groups. In order to be  
18 eligible, schools must meet the following criteria; a  
19 poverty rate of at least 35 percent, demonstrated high  
20 academic achievement for two or more consecutive years and  
21 meet or exceed state criteria for at least two consecutive  
22 years. From among the more than 670 Title I schools in the  
23 state of Colorado, the 2015 Title I Distinguished School  
24 Award for closing the achievement gap, was presented to



1 Palmer Lake Elementary School in Lewis-Palmer School  
2 District.

3                   Students at Palmer Lake Elementary increased  
4 their performance in both reading and math, going from 80  
5 percent to 82 percent proficient and advanced in reading  
6 and 74 percent to 82 percent in math. The most noteworthy  
7 increase in performance occurred in their disaggregated  
8 groups resulting in reduction of achievement gaps for all  
9 students subgroups in both reading and math from 2013 to  
10 2014. Achievement gaps in reading for English learners and  
11 minority students decreased by approximately 20 percent and  
12 more than 4 percent in math. Even while the math  
13 performance of non-English learners and non-minority  
14 students increased at the same time. English learners  
15 increased from 58 percent proficient in advanced to 81  
16 percent proficient or advanced in reading and 56 percent to  
17 67 percent in math. Minority students performance  
18 increased from 68 percent proficient in advanced to 86  
19 percent in reading and from 58 percent to 69 percent in  
20 math.

21                   MS. CRANDALL: Mr. Chair, just to clarify,  
22 in a single year?

23                   MS. PEARSON: Mm-hmm.

24                   MS. PEARSON: And then, for the other  
25 school, for the second year in a row, Benjamin Eaton



1 Elementary School from the Eaton School District has won  
2 the 2015 Title I Distinguished School award for exceptional  
3 student performance. Students have performed above 78  
4 percent of all Colorado elementary schools in math and  
5 about 69 percent in reading for the last three years.  
6 Their overall performance has placed them above 93 percent  
7 of all Title I Elementary Schools for both reading and  
8 math. In 2014, 81 percent of students scored proficient or  
9 advanced in reading and 84 percent scored proficient or  
10 advanced in math. Also in 2014, 70 percent of students who  
11 were eligible for free or reduced meals, scored proficient  
12 or advanced in reading and 72 percent in math, which is  
13 well above our state average.

14                   So these schools have a lot to teach us that  
15 we can learn about for the rest of the state. These  
16 Colorado schools joined hundreds of other distinguished  
17 schools nationwide in making a difference for our Title I  
18 children. At an awards ceremony at each school on this  
19 summer -- December, Interim Commissioner, Dr. Elliott Asp,  
20 presented each school with their award, including a banner  
21 commemorating their incredible achievement and a check for  
22 \$10,000 for the schools discretion. I'd like to introduce  
23 both of the Title I Distinguished Schools now, and ask that  
24 their principal say a few words. So first from Palmer Lake  
25 Elementary School, we have Peggy Griebenow.



1 MS. GRIEBENOW: Thank you, Chairman Durham,  
2 and Members of the Board. We are thrilled and honored to  
3 receive the Title I Distinguished School award. I would  
4 also like to recognize Karen Braft, our superintendent to  
5 schools who is here also this afternoon -- or this -- this  
6 -- this morning. When I found out that I would have a few  
7 minutes to say a few words this morning, I hoped that I  
8 would come up with something that would adequately convey  
9 what it means to our staff to be recognized for this award.  
10 Several weeks ago, I had the privilege to attend the  
11 National Title I Conference in Houston, Texas. Thank you  
12 CTE for your generous \$10,000 award that allowed us to go  
13 to the conference. It was a wonderful opportunity for two  
14 of my staff Members and me to attend a variety of sessions  
15 that were specifically tailored to educators who work with  
16 populations of impacted students.

17 I had several takeaways from my time there  
18 that are applicable to this time to recognize excellence.  
19 Levar Burton from Reading Rainbow, Roots, Star Trek, was a  
20 keynote speaker. And he shared his passion for reading and  
21 his desire to create lifelong learners. He spoke of  
22 closing the hope gap more than he spoke of closing the  
23 achievement gap or the growth gap. While we're here today  
24 to recognize Palmer Lake and Benjamin Eaton for closing the  
25 latter two gaps, it is also important to note that as we



1 close the achievement and growth gaps, we also close the  
2 hope gap for our most struggling students. Closing the  
3 hope gap for Palmer Lake students means that our staff  
4 helps our students feel empowered to shape their own future  
5 by teaching them to manage conflict, solve problems,  
6 communicate more effectively and, oh yes, to read write and  
7 be mathematical thinkers.

8                   We are a team that puts our students first  
9 and sets aside anything that would hinder that priority.  
10 Giving our kids confidence in themselves as readers and  
11 mathematicians, bequeaths to them the power over their  
12 future as they go into the 21st century. They can choose  
13 to do anything, go anywhere, be anyone they want to be.  
14 American author, Alex Haley, said, "Find the good and  
15 praise it." Thank you for finding the good in our efforts  
16 as we work with our children who come to our school each  
17 day with many deficits that put them at a disadvantage for  
18 a productive future. Our greatest reward comes from  
19 knowing that we work each day to equip a new generation  
20 with literacy in math skills that puts the world literally  
21 at their fingertips. Thank you.

22                   MS. PEARSON: Now, Kenny Gartrell, the  
23 principal from Benjamin Eaton. Will you share a few  
24 insights?



1 MR. GARTRELL: Thank you. Chairman Durham  
2 and Members of the Board, thank you for allowing me to come  
3 up here and speak today. Being that this is our second go  
4 round through this award, we got a chance to reflect what  
5 doesn't always happen in this situation. I have to think  
6 back to when I got the chance to tell Peggy and -- and --  
7 and the folks that CDE called us, and I called the meeting,  
8 and they think it's a negative thing when you call a  
9 meeting as a principal in the afternoon without telling  
10 them what's it's about and had a lot of shock faces when I  
11 said, "You've won the award for a second consecutive year,  
12 because it is you, it is a team effort, they're doing it."

13 And after not a lot of response, I had a  
14 chance to question along the way and -- and they were in  
15 shock because winning it last year, it was more of, we won  
16 the contest, yay, won, we're good. Second time, they were  
17 really deep in thought that it was a validation of the  
18 efforts that they've been putting forth, no matter what the  
19 award was or what the achievement gap or the achievement we  
20 attain as a school. So it was a really great moment for us  
21 to come together as a staff and realize, you know what,  
22 this does really confirm it. It wasn't just a one shot  
23 thing. We are doing the right things and it's -- it's  
24 showing and the kids are benefiting from it. As a staff,  
25 we also got a chance to reflect and say, "Okay, now why is





1 that? Is there the great curriculum, is it great  
2 materials, the staff that's great." Yes, all of those  
3 things are there.

4                   But we came up with four things that we  
5 thought that are a little more on the outside that benefit  
6 us and get us to go in the right direction. One of those  
7 is just high expectations. The simplest thing of, no  
8 matter where you're at in the -- the realm of your academic  
9 or social or behavioral elements as a student walking into  
10 our building, we're going to take that and we're going to  
11 set a bar for you, and you're going to achieve that, and  
12 you're going to work on those things and everybody's going  
13 to be held to that accountability. And I think that works  
14 really well and it's -- it's a challenge for kids to move  
15 into the district that have not been here for a while, but  
16 we -- we have that high expectation of everybody. The  
17 staff puts that on themselves and I think that, that pays  
18 off. We have a common work ethic through the school.

19                   And in fact, when we did have our assembly,  
20 I brought back some Members of our state volleyball team,  
21 which, athletically, they won three in a row at the state  
22 level class 3A. But they came back now to reflect on that,  
23 to say, you know what, we learned what it was like to work  
24 hard back in that three through five building Benjamin  
25 Eaton. And those lessons of, "Yeah, we have homework, we



1 have this expectation put on us," And those things led them  
2 to develop those habits, to build on. And all of them, if  
3 I would ask them grade point averages, are 4.0 or above and  
4 yet they're -- they're succeeding on and off the -- the  
5 athletic fields as well. So they're good students. So  
6 setting that tone with the worth -- work ethic is a great  
7 thing. We don't forget about the whole student approach.  
8 They are kids, in my building, they are three through five.  
9 And we make sure that we take care of them socially,  
10 emotionally as well and make an environment that they want  
11 to come to, that they want to be a part of, even if that  
12 means I have to dress up as Darth Vader to promote the book  
13 fair or go out.

14 UNIDENTIFIED VOICE: That's good.

15 MR. GARTRELL: Yeah, thank you. Coming up  
16 in the future, I think I'm getting pied in the face because  
17 we're trying to raise some money for the -- the parent  
18 group. So putting myself out there but making it a great  
19 fun environment for them, and that leads into the one thing  
20 that we didn't have the year before, and that was  
21 necessarily we had a great school, we won the award, but we  
22 didn't necessarily have a positive or welcoming  
23 environment. And this being my first year and being in the  
24 district, I saw some of these things and that has been the  
25 -- the main focus we've had, is to get the parents get



1 those stakeholders back into our building, make it that  
2 welcoming environment for them.

3                   And again, I'll share another fact that we  
4 had a literacy night, probably the best attended we've ever  
5 had, and actually supper that serves 120, served 250. And  
6 so we're getting the people in there and we're making the -  
7 - the environments that the parents are wanting to come to  
8 as well. And the final thing is the professionalism. We  
9 hear people say that act professional, be professional and  
10 we don't need to worry about that. The -- the staff at --  
11 at my building is professionals, because they come in  
12 early, they stay late. We don't have to worry about them,  
13 they're in on the weekends as well. They do everything  
14 they can to help these kids. And that goes above to the  
15 district office people, our school Board, they treat us as  
16 such and allow us to have these great successes.

17                   So thank you for the grant and the  
18 opportunity to be able to do some things for the school.  
19 We're already working on helping to get that gap of a one  
20 to one with computers in our building. This -- this helps  
21 bridge that, we're working to make that STEM push that -  
22 that sometimes you just can't reach to get, and weather  
23 station on the building, different things. We're having a  
24 summer camp this summer with that kind of a focus. So  
25 we're always looking for different things and -- and having



1 that -- that set amount of funds is helping us to maybe do  
2 some things that we thought were in the future but they're  
3 here now for us, okay? So thank you again for allowing me  
4 to come here to speak. I invite you to come to their  
5 school or our school to see at any moment. Just come on  
6 down, we're -- we're very welcoming and we'll let you see  
7 what we do and how we do it, awards or not. So thank you,  
8 Chairman.

9 CHAIRMAN DURHAM: Thank you. I want to  
10 commend the award winners for their dedication to student  
11 achievement and raising expectations. We appreciate what  
12 you've done and we'd appreciate it if you'd join us for a  
13 picture with the Commissioner. We'll start with the Palmer  
14 Lake Elementary.

15 (Pause)

16 CHAIRMAN DURHAM: Okay, the Board will come  
17 back -- back to order. We're now going to proceed into  
18 executive session. So let's see.

19 UNIDENTIFIED VOICE: Oh, wait. No, no, no.  
20 We've got two and a half hour presentation.

21 CHAIRMAN DURHAM: Oh, we've got the  
22 commissioner's -- Let's -- let's -- let's come back to that  
23 and let's do executive session at this point and time.

24 MS. BURDSALL: So go ahead to executive  
25 session?



1                   CHAIRMAN DURHAM: Yeah, you want to read the  
2 appropriate language, we'll get to you, don't worry.

3                   UNIDENTIFIED VOICE: Can we get things --  
4 Aren't we gonna get lunch?

5                   CHAIRMAN DURHAM: We are. That's -- yeah.  
6 That's -- that's the whole point, yeah. It's okay.

7                   MS. BURDSALL: An executive session has been  
8 noticed for today's State Board meeting in conformance with  
9 24-6-402(3)(a) CRS to receive legal advice on specific  
10 legal questions pursuant 24-6-402(3)(a)(II) CRS in matters  
11 required to be kept confidential by Federal laws or rules  
12 or state statutes pursuant to 24-6-402(3)(a)(III) CRS.

13                  CHAIRMAN DURHAM: Oh, okay. All right, is  
14 there -- is there a motion for executive session? Is there  
15 -- is there second that requires a two thirds vote. Is  
16 there any objection to the adoption of that motion. We  
17 know that motions adopted and those that are not eligible  
18 to be here for privileged information will -- we should --  
19 we are gonna try hard to reconvene at 1:00 p.m. We'll  
20 start with the commissioner's report I think.

21                  (Meeting adjourned)



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C E R T I F I C A T E

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

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

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

/s/ Kimberly C. McCright  
Kimberly C. McCright  
Certified Vendor and Notary Public  
  
Verbatim Reporting & Transcription, LLC  
1322 Space Park Drive, Suite C165  
Houston, Texas 77058  
281.724.8600