



Colorado State Board of Education

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
COLORADO DEPARTMENT OF EDUCATION COMMISSION
DENVER, COLORADO
December 10, 2014, Part 6

BE IT REMEMBERED THAT on December 10, 2014,
the above-entitled meeting was conducted at the Colorado
Department of Education, before the following Board
Members:

Paul Lundeen (R), Chairman
Marcia Neal (R), Vice Chairman
Elaine Gantz Berman (D)
Jane Goff (D)
Pam Mazanec (R)
Debora Scheffel (R)
Angelika Schroeder (D)



1 CHAIRMAN LUNDEEN: Next item on the agenda
2 is a report from the Special Education Advisory
3 Committee. Mr. Commissioner.

4 COMM. HAMMOND: Thank you, Randy, are you
5 going to kick us off on this? Dr. Randy Boyer in our
6 exceptional Student Services Unit, and along with the
7 staff, and the Special Ed. Advisory Committee. So, go
8 ahead.

9 MR. BOYER: Good afternoon.

10 CHAIRMAN LUNDEEN: Thank you.

11 MR. BOYER: Chairman Lundeen, state board
12 members, Commissioner Hammond, we are cognizant of the
13 time constraints, so we're going to move rather quickly.
14 As Commissioner Hammond said, I'm Randy Boyer, Assistant
15 Commissioner for the Exceptional Student Services Unit.
16 I would like to introduce Cindy Dasher, our supervisor
17 for our Parent and -- for our Parent and Family School
18 Partnering Leadership Team. Cindy will introduce our
19 presenters and also talk about our purpose here today.

20 CHAIRMAN LUNDEEN: Thank you, and welcome.

21 MS. DASHER: Chairman Lundeen. Can you hear
22 me?

23 CHAIRMAN LUNDEEN: I can hear you. You're
24 doing great.

25 MS. DASHER: Okay. The Individuals with



1 Disabilities Education Act requires that every state
2 establish and maintain a State Advisory Panel. The
3 Colorado Special Education Advisory Committee, or SEAC,
4 is our State's Advisory Panel. SEAC is charged with
5 advising on the education of students with disabilities,
6 and provides for diverse stakeholder representation.
7 In its advisory role the committee submits an annual
8 report to the State Board, which you have before you
9 today.

10 Today it is my pleasure to introduce the
11 Chair's -- the Co-Chairs who will present and discuss the
12 committee's activities. To my immediate left is Zoann
13 Holmes (ph), Zoann is serving in her sixth and final year
14 on the Colorado Special Education Advisor Committee. She
15 is the parents of five children, including a daughter
16 with multiple disabilities, with 20 years teaching
17 experience, she is teaching a Douglas County School
18 District while also attending UNC working towards a
19 master's degree in educational leadership. Zoann
20 believes in collaboration to best meet the needs of
21 schools, and enjoys seeing parents become active in their
22 schools educational processes.

23 Next to Zoann is Pat Chamberlain (ph). Pat
24 earned a Bachelor of Science Degree in Elementary
25 Education from Penn State University, a Master's Degree



1 in Human Resources Administration and Specialist Degree
2 in Educational Administration from Rutger's University.
3 She has eight years' teaching experience and many years
4 of management experience in the field of human resources.
5 She is the mother of three children, including a son with
6 multiple disabilities. This is Pat's sixth and final
7 year on SEAC.

8 CHAIRMAN LUNDEEN: Welcome. A familiar
9 face. Hi, Zoanne.

10 MS. HOLMES: Thank you, it's good to see
11 you. In the essence of time we have given you a packet
12 in advance, and I'd hope you have had the opportunity to
13 glance through it, but it does talk about the federal
14 laws and what we must do as a SEAC Committee. And we've
15 given an overview of each of our subcommittees. There's
16 a communication, membership bylaws committee, public
17 policy and legislative committee, and a state performance
18 plan subcommittee.

19 In more detail in your annual report our
20 activities they have done, and we had posted those up on
21 the screen for you. We are going to kind of skip past
22 those, and you can look at those. Some big highlights of
23 what we have accomplished in that year. And with that,
24 I'm going to turn it over to Pat.

25 MS. CHAMBERLAIN: Hello, everybody,



1 Chairman.

2 CHAIRMAN LUNDEEN: Welcome.

3 MS. CHAMBERLAIN: Thank you. We try to just
4 respect your time and shorten our report.

5 CHAIRMAN LUNDEEN: We'll you've been patient
6 with us, so we will be patient with you as well.

7 MS. CHAMBERLAIN: Okay. One of the big
8 accomplishments -- and I must share with you that we
9 prepared this report for June, which is when we typically
10 present, and for a variety of reasons it's been
11 postponed. So, we're just getting to you, and we're glad
12 we're here.

13 MS. NEAL: In December.

14 MS. CHAMBERLAIN: I -- we are on the slide
15 that's on the Mental Health Ad Hoc Sub Committee, and it
16 was a group of people in the SEAC that gave
17 recommendations, or actually wrote a paper, which is also
18 included in your paperwork on what feelings were, or what
19 SEAC thinks we should do for -- to help schools who have
20 mental health issues. One of them is to implement the
21 Colorado Department of Education Comprehensive Health and
22 Physical Education Plan. And the reason that's really
23 being supported is to support the social and emotional
24 health of kids as well as the physical health. Use
25 multi-tiered system of supports, including response to



1 intervention and positive behavior interventions and
2 support. Trained school about families -- trained
3 school, staff, and family members about mental illness.
4 And then there is support, the legal mandates in the
5 House Bill 12-1345 and House Bill 11-1254.

6 In essence, 1345 is an old-fashioned school
7 finance act. It allots \$480,000 for a school counselor
8 core grant program, and basically puts licensed school
9 counselors in middle and high schools in areas that
10 ordinarily wouldn't be able to afford them. This bill
11 also allows \$3.8-million to reimburse school districts
12 and charter schools for serving at-risk schools. And
13 what -- the concern is that at-risk students is a funding
14 factor in the school finance formula that sometimes once
15 it's embedded in the formula, the product per people
16 amount it gets lost and doesn't always follow the at risk
17 school to where they're being served, and that's a
18 concern. It also provides \$3-million for literacy
19 assessment equipment and training for students.

20 Then House Bill 11-1254 is an anti-bullying
21 bill and I think we're making progress in schools with
22 anti-bullying and, of course, schools with disabilities
23 are often involved in bullying situations.

24 On our next slide we'd like to share with
25 you the meat of probably our presentation, and these are



1 discussions that SEAC has heard regarding parental
2 concerns, something you might not ordinarily hear from
3 CDE, and these bullets are not, like, a consensus, these
4 are just things that have been shared with us. There're
5 no statistics behind them or anything, that's CDE's job.
6 We're just going to share with you what we have heard.

7 There is some concern about extended school
8 year. I served on the committee of a couple years ago as
9 a SEAC representative where guidelines for extended
10 school year were changed. In prior years extended school
11 year was offered to students with IEPs who had not
12 completed or -- the progress they need to make on their
13 IEP goals, and their IEP goals could be continued in the
14 summer. There's a very small percentage of the lowest
15 achieving kids, basically, so it's not a huge number of
16 kids.

17 In the past, regression of recruitment has
18 been the standard, and now additional factors have been
19 able to be considered, including what they -- what other
20 services they have available, that students have
21 available to them in the summer in a variety of other
22 things.

23 ESY by law is driven by individual student's
24 IEPs, and should be different for most students,
25 logically. But the standard practice that we hear



1 parents bring up is, in many school districts, is there's
2 three weeks in the summer where the pre-determined
3 offering.

4 As the state goes forward with results
5 driven accountability, and we look at the gaps between
6 students with disabilities and how they're achieving. I
7 think what we should give consideration to what the
8 parents are saying and try to narrow that gap by
9 extending school year services the way they were supposed
10 to be determined, by individually looking at IEP goals
11 and the progress on the IEP goals. This will boost
12 student achievement in areas that are being measured by
13 the state and close that achievement gap of students with
14 disabilities.

15 Early dispute resolution is the next bullet.
16 I also worked on that committee, and I believe that CDE
17 is making progress in trying to get to solving disputes
18 before they happen. And that's definitely the strategy
19 we would support developing an ongoing and positive
20 relationship with families and schools, making sure that
21 the -- it's -- positive communication occurs throughout
22 the school year, but it's not just one meeting and the --
23 and you knock heads, and so it's an ongoing thing, and we
24 support the work and hope to continue to partner with CDE
25 in making that process go forward.



1 Funding for special education is pretty no-
2 brainer, won't speak to that, there's not enough of it.
3 it's like -- it's just, you know, I don't have -- so
4 IEPs, goals, need to be individual, parents are saying
5 that they'd like to see student progress on goals and
6 accountability for the progress on the goals. So, some
7 parents report that when a student doesn't make progress
8 on a goal it gets dropped off the IEP and the individual
9 education plan.

10 And so, the results-driven accountability
11 for parents translates to what are the goals and results
12 for my child, what progress is my child making and how do
13 we account for that, who's responsible, and how do we go
14 forward with it? One of the things that might support
15 that is the statewide initiative for a statewide IEP,
16 Individual Education Plan. So if we have available two
17 school districts the option of using a statewide IEP and
18 we have a computerized system of tracking individual
19 goals on those IEPs, and the state's going to be able to
20 capture progress and see, well, you know, here's what
21 individual growth is on IEPs, what do we need to do about
22 it? What are the key areas that we're not addressing?

23 The next one you might think why is that up
24 there? Lack of inpatient hospital beds for students with
25 mental health needs, especially those with dual-



1 diagnoses. The reason it's up there, is because there
2 are four beds in the State of Colorado for the children
3 with developmental disabilities and co-concurring mental
4 health illnesses. That's in the -- that's in Children's
5 Hospital. My family's been through it, my son's been
6 there. We've literally slept in the emergency room for -
7 - I think the most that we personally have done is about
8 six days where our family goes and sleeps there until a
9 bed becomes available. I know families that have slept
10 there for two weeks for bed to turn over of the four
11 beds.

12 Why does -- why should you care about that?
13 Just because the school districts and the families are
14 having to provide services for these kids that are not
15 getting beds in hospitals, so school districts are -- and
16 administrators, educators, teachers, staff are saying: We
17 can't support these kids. We don't have the tools. We -
18 - there's too many of them, too severe, so we just want
19 to bring that to the forefront.

20 The park assessment for -- and testing. I'm
21 sure you've heard a lot of, and I know you are
22 reconsidering those things, but for students with
23 disabilities there are many obstacles that parents have
24 shared. One is simply attendance -- attention span of
25 their kids, able to sit down for hours at a computer and



1 take the test. Other is the computer and tech savvy
2 necessary to complete the test. I know that I have -- I
3 have three kids and two of my daughters are pretty
4 computer savvy, but my son is not. You know. He can get
5 onto the computer, but that's about it. He doesn't know
6 how to pick an eraser tool, erase the answer, and I don't
7 know how that's going to happen.

8 There's a tremendous language load in the
9 PARCC testing, so you have to be a great reader to be
10 able to read on grade level and perform well. The -- and
11 we have heard particularly at our September meeting, we
12 had a parent come forward who's also a para-education in
13 a -- educator in a school district, and she said to us:
14 What can we do about requiring kids to test on their
15 grade level? And according to Colorado law, all students
16 need to test on their grade level.

17 But if you have kids, for instance, an 11th
18 grader, that reads at a 3rd-grade level, and you stick
19 them in front of a computer that's got 11th-grade reading
20 material, what's the outcome going to be? How valid and
21 reliable will that PARCC test be for those students? So,
22 what can -- we believe that that should be addressed,
23 hopefully by the legislature or some other means. Maybe
24 the IEP team can determine at what level kids should be
25 tested. So, one year that kid could test at a 4th grade



1 level, the next one could be a 5th grade, and even though
2 he's in 11th grade you can see progress and people would
3 get credit for the progress.

4 MS. HOLMES: Some further parental concerns
5 were revolving around the graduation rates of students
6 with disabilities and the likeliness that that might
7 decrease when the new graduation guidelines are
8 implemented. We've had several members that have served
9 on the state graduation guidelines committee, and there's
10 been great concern around that in that it -- when you get
11 to a point where it's hopeless, there's -- you're not
12 going to meet all of the local district's graduation
13 requirements, why finish school?

14 And so, I know Randy could speak to what
15 those numbers look like. We heard from that in November
16 at our SEAC meeting from CDE, and the numbers are not at
17 all pretty, and they likely will drop when students feel
18 like: Well, if I'm not going to graduate, if I'm only
19 going to get a certificate that says I participated in
20 high school -- Which also, sometimes, makes it difficult
21 for individuals to go on to higher education.

22 Another concern brought up was inconsistent
23 transition services across the state, and the post-
24 secondary outcomes, including employment for students
25 with disabilities. As a state -- as a state it's been



1 difficult for students to find employment, or to figure
2 out what they're going to be doing next with the
3 postsecondary outcomes. We brought in some speakers this
4 year that talked about some phenomenal services that were
5 going on in regards to transition services, but we've
6 heard over and over from parents that that's not every
7 district, that's an occasional district, and many parents
8 are concerned about what transition looks like. And
9 sometimes, even having it put inappropriately in a
10 child's IEP at an early age, so the inconsistent
11 transition services have been a concern.

12 Also, the significant need for vocational
13 education, a lot of our students with an IEP may not head
14 towards college. We'd love for them to have that option
15 and opportunity, and some of them do with support, but
16 vocational education is almost a thing of the past. I'm
17 looking at you guys thinking: Back in my day in high
18 school there was a lot more opportunities for vocational
19 education for students, and if that is a track that they
20 would like to pursue, the opportunities are slim to try
21 to find a school that even offers vocational education
22 for a lot of students who aren't going to go the academic
23 route.

24 And then, of course, the READ Act, which
25 we've talked about in depth with you, Dr. Scheffel, and



1 as a group. Pat, do you want to address the new
2 direction for some of them?

3 MS. CHAMBERLAIN: Okay. Well, we -- SEAC
4 does support the results-driven accountability shift. In
5 the past CDE has focused on compliance indicators:
6 Whether the IEP has been filled out in enough time,
7 whether a notice has been sent to the parents. And now
8 we're hoping that the results will be what we're looking
9 at. How are kids on IEPs doing? What progress are they
10 making towards their goals? How does that impact their
11 overall education and success? Graduation rates. So,
12 the results, as I shared before, should be what progress
13 we're making on IEPs.

14 SEAC urges meaningful transition planning
15 and vocational education options to increase both student
16 graduation rates, and post-secondary outcomes. And
17 vocational education, unfortunately, has evolved to a
18 negative state. A lot of vocational education offerings
19 in this state require kids to take college-level classes,
20 for instance. Even in food science and, like, the
21 medical careers plans, and the vocational ed, so it
22 eliminates a lot of kids with special needs from those
23 programs automatically. They don't get in the front door
24 to the vocational education programs. So, we
25 wholeheartedly support more offerings in vocational



1 education.

2 We recognize the benefits of individually --
3 individualizing extended school year. We've spoken to
4 that.

5 MS. HOLMES: We've also had individuals that
6 have served on the early dispute resolution committee,
7 and we want to value that CDE Early Dispute Resolution
8 Initiative to reduce our disputes and our complaints and
9 the related costs for families in school districts.

10 When Pat alluded to the fact; yes, we don't
11 have enough money, let's figure out a way that we can
12 wisely use that and try to avoid going into dispute
13 resolution meetings. And if we can handle that in a
14 collaborative manner, save ourselves some money, and put
15 it towards what's best for the child we're in support of
16 that.

17 We support Colorado State Systemic
18 Improvement Plan, that SSIP, and we collaborated with CDE
19 to develop the State Identified Measurable Result, which
20 is the SIMR Plan, and all of that just to support where
21 we're going as OCEP shifts from just compliance to
22 compliance with accountability and with results.

23 SEAC also encourages the monitoring of the
24 results for students with Disability on the part of
25 testing, just to kind of see was that a successful



1 endeavor or not. There has been a few comments as to
2 whether students can take it on pen and paper, but then
3 again, that has to be written in their IEP plan as an
4 accommodation, or they do the PARCC on the computer as it
5 is.

6 So, I think we've got one more quick slide.
7 SEAC wants to thank Dr. Scheffel, we so want to
8 appreciate that you have been our liaison with the State
9 Board of Education and then your input and your phone
10 calls, and your attendance when you -- when you can to
11 keep us informed of what's going on and what's coming
12 down, and so we have an opportunity to be a forerunner in
13 giving comments, and we really appreciate what you've
14 done. We also thank the work that you've put into it,
15 Mr. Lundeen, and also Commissioner Hammond, we appreciate
16 that. And the State Board of Education, because without
17 you our whole state would fall apart in the educational
18 world, so we just appreciate --

19 CHAIRMAN LUNDEEN: Wow.

20 UNIDENTIFIED SPEAKER: Wow, yeah.

21 CHAIRMAN LUNDEEN: Okay, you can keep
22 talking (indiscernible).

23 MS. HOLMES: We mean that. In CDE then the
24 Exceptional Student Services Unit we appreciate all the
25 effort and work that you guys put in, and working along



1 side of those and giving us, you know, what's coming up and
2 where our statistics are. And sometimes how sadly that
3 looks for us, but we just appreciate your advocacy in the
4 area of children and youth with disabilities and so thank
5 you to both of you and all of your group that works with
6 you.

7 MS. CHAMBERLAIN: And the very last thing I'd
8 like to say is SEAC decided to focus this year on going
9 back to our legal mandates, and our primary legal mandate
10 is to advise the State Board of Education in the CDE on
11 unmet needs of students with disabilities in the State of
12 Colorado. We -- and we wanted -- we continued to do our
13 annual report in June, but we're trying to figure out ways
14 to get communication to you. And just say maybe one piece,
15 one little tiny thing, every couple months, instead of
16 having this report like this, and we're working on it. So,
17 you might see our faces just very short periods of time
18 more frequently.

19 COMM. HAMMOND: We're done.

20 MS. NEAL: Thank you.

21 UNIDENTIFIED SPEAKER: Thank you.

22 UNIDENTIFIED SPEAKER: Thank you.

23 CHAIRMAN LUNDEEN: Questions? I've got one
24 question. So, I'm trying to understand, there's two reports
25 and two voices, I'm thinking, am I understanding the



1 situation? It seems like one's the SEAC reporter, who right
2 now I describe as the SEAC voice, and then the other's kind
3 of more of a departmental report that goes over to the
4 legislature as --

5 MR. BOYER: Right.

6 CHAIRMAN LUNDEEN: So, help me understand the
7 voices at the table here.

8 MR. BOYER: The -- we have -- you have two
9 reports. You have a fiscal advisory report, which is for
10 the high cost pool for in-district, out-of-district
11 funding, which is a report that goes to general assembly.

12 CHAIRMAN LUNDEEN: Okay.

13 MR. BOYER: And then you have the Advisory
14 Report for the two separate committees, Chairman Lundeen.

15 CHAIRMAN LUNDEEN: Oh, okay. And so, tell me
16 what's the advisory -- because as I'm looking at the what
17 is SEAC and the duties of SEAC, it seems to me that SEAC is
18 essentially designed to feed information to CDE, to the
19 board, so that we have an opportunity hear that voice. I'm
20 seeing the reports on a -- the standard CDE letterhead, and
21 I'm curious, you know, what the structure is, how this comes
22 to us.

23 I'm -- I get, essentially, trying to
24 understand is there an extra filter in the mix as this
25 report is prepared?



1 MR. BOYER: Well, currently in -- we're
2 establishing bylaws within the SEAC that would set up an
3 annual report, but there is a -- there is a branding piece
4 to this that SEAC did originally have their own branding,
5 but when the state moved to a branding process, they were
6 branded as well. So, am I answering your questions,
7 Chairman Lundeen?

8 CHAIRMAN LUNDEEN: You're probably getting at
9 it, yeah. So, am I using the wrong brand at this point on
10 my letterhead?

11 MR. BOYER: I'm not sure. I'll let
12 Commissioner Hammond respond to that.

13 COMM. HAMMOND: I'm not aware of it. If I
14 was, I'd probably tell you, Chair.

15 CHAIRMAN LUNDEEN: Okay so to -- so just so
16 I do understand, the voice of this report is SEAC.

17 COMM. HAMMOND: Correct.

18 CHAIRMAN LUNDEEN: But because it's an
19 advisory board to feed information to CDE now who made
20 the decision that their brand was the same brand as the
21 states?

22 COMM. HAMMOND: We've requested that
23 information through communications as to which -- how we
24 should brand and since they are an advisory to the board,
25 to the department, that they should use the branding of



1 the state (indiscernible).

2 CHAIRMAN LUNDEEN: Okay. So, but as I read
3 this, again, back to my original question of voice, as I
4 read this report, I should perceive this report as the
5 voice of SEAC, not the voice of CDE.

6 COMM. HAMMOND: That is absolutely correct.

7 CHAIRMAN LUNDEEN: Okay.

8 MS. HOLMES: Chairman Lundeen?

9 CHAIRMAN LUNDEEN: And so, would you respond
10 to that as well?

11 MS. HOLMES: I will. We had asked that
12 question ourselves, because in the past we had used the
13 SEAC branding that has been in place for the previous six
14 years, and sought that advice, and I think Randy went to
15 the communications claim, but it is two different. I
16 mean, we're not employees, we're volunteers, we're not
17 employees of CDE.

18 CHAIRMAN LUNDEEN: So, I'm just trying to be
19 clear. This is an independent voice, even though it's
20 got the department logo on it.

21 MS. HOLMES: Yeah. It's an independent
22 voice, as we honor SEAC in effort to communicate to the
23 State Board of Education.

24 CHAIRMAN LUNDEEN: Pat.

25 MS. CHAMBERLAIN: I would just like to say



1 we tremendously value our partnership with the CDE, but
2 in order to -- for us to fulfill our legal mandates, we
3 have to have a separate identity. We have to be able to
4 take a position or a stand that might be somewhat
5 different than CDE, and it should be a voice -- I believe
6 we should have separate branding for SEAC, and I --

7 CHAIRMAN LUNDEEN: Okay, so I picked out an
8 issue here, then.

9 MS. CHAMBERLAIN: Yeah.

10 CHAIRMAN LUNDEEN: I was just trying to
11 understand who was speaking.

12 MS. CHAMBERLAIN: Yeah. That's -- we --
13 we've talked about it, and I think that with any advisory
14 committee you need to have some independence. We have a
15 very wide constituency group, so we have educators, we
16 have administrators, we have teachers, we have parents,
17 we have, you know, state law enforcement agencies,
18 homeless commissions. That's a pretty big group of -- so
19 it's not just CDE. There might be a little -- some of us
20 that have ties to CDE, but in essence we're an
21 independent body.

22 CHAIRMAN LUNDEEN: Okay.

23 MR. BOYER: Mr. Chair, may I follow up with
24 that as well?

25 CHAIRMAN LUNDEEN: Sure, please.



1 MR. BOYER: We did ask for an informal
2 opinion from the Attorney General's office regarding
3 SEAC's role.

4 CHAIRMAN LUNDEEN: Wow, this has really been
5 developed.

6 MR. BOYER: Regarding SEAC's role in
7 legislation, in testimony, and since the IRA Advisory to
8 the state, they as a group, cannot testify necessarily on
9 behalf of the department they would have to testify
10 individually. So --

11 CHAIRMAN LUNDEEN: So, the branding would be
12 separate in that case.

13 MR. BOYER: In -- absolutely separate, yes
14 sir.

15 CHAIRMAN LUNDEEN: Okay. So, I guess just
16 footnote, this is something worth clarifying, perhaps, as
17 you move forward, if they -- if they desire an
18 independent voice and there are legal regulations that
19 would require that they be an independent voice in
20 certain circumstances, you know. Making it clear before
21 this board is probably worth the effort, as well. Oh,
22 Jane.

23 MS. GOFF: I would like to ask Carrie, is the
24 SEAC a State Board committee? The gifted -- the Gifted
25 Education Advisory Committee is also State Board



1 established, I guess. We appoint members of both
2 advisory committees. I don't remember right now if
3 there's a list that it contains more than that. But the
4 same exact role parameters works with the gifted
5 education advise -- state advisory committee as well.
6 They lobby, they meet with legislators separately, they
7 take their own positions, they advocate for issues, or
8 programs, things that are voted on, agreed to by their
9 group of representative way.

10 So, I would suggest that, you know, I think
11 that's a worthy question to ask, but it also -- it's part
12 of the department by function of being part of us. So,
13 it is -- it's part of the state agency, so you can't
14 really separate it -- separate --

15 CHAIRMAN LUNDEEN: So back to my point.
16 This is -- I just wanted to be clear on the voice
17 irregardless (sic) of the logo at that top of the page,
18 the voice is that of SEAC.

19 UNIDENTIFIED SPEAKER: Sapphire's probably
20 the same thing. Right?

21 UNIDENTIFIED SPEAKER: Yeah, probably is.
22 Yes, it would be. So --

23 CHAIRMAN LUNDEEN: Okay, other questions?
24 Comments? Dr Scheffel?

25 MS. SCHEFFEL: Yeah, thank you so much for



1 the opportunity to serve on this committee with all of
2 you. It's been a great honor, and I appreciate just
3 engaging with you on some great issues. I think there's
4 sort of a natural tension between SEAC and its roles in
5 terms of statute to advice the board and the role of CDE
6 in compliance in administering the funds.

7 So, your role is a little different. It's
8 advising the board on issues relating to meeting the
9 needs of individuals with special needs, the department
10 administers the funds and more toward compliance, right?
11 So, I think that is a bit of a tension there. And it
12 kind of relates to a couple questions I have with respect
13 to response to intervention. We know special education
14 is a huge entitlement program. There's billions of
15 dollars associated with it nationally, and there's always
16 been an issue with how well do the funds work, and do
17 they serve the needs of individuals with special needs,
18 and so response to intervention was a big deal, about 5,
19 10 years ago, and also Special Ed Reinvented, which Keith
20 will know, will recognize, was a reform effort within the
21 state to say how can we ensure the money's actually do
22 something?

23 I mean, it's one thing to have an
24 entitlement program to attach funds to students based on
25 their category of disability. It's another thing to hold



1 individuals accountable that receive the funds to ensure
2 that the money actually matters. And when we look at
3 numbers of months gained in achievement areas
4 particularly in literacy and math for identification in a
5 category, we don't see a lot of great outcomes. So, what
6 can we do about that? So, response to intervention was
7 supposed to address that.

8 Does this -- does anybody have any data?
9 How well did RTI work -- is there another initiative that
10 replaced it? How are we doing with Special Ed
11 Reinvented, which was all about holding entities
12 accountable for the money, and the fact that might impact
13 student achievement and you might have different
14 responses to that in the state versus the SEAC, where are
15 we with that? Which is the whole return on investment.

16 MR. BOYER: Mr. Chair, may I go ahead and
17 respond to this?

18 CHAIRMAN LUNDEEN: Please.

19 MR. BOYER: You know, in -- we're currently
20 in a process of transitioning to, as was mentioned,
21 results-driven accountability, which is going to put us
22 into the metrics of achievement at a very high level,
23 looking at return on investments, looking at not just
24 compliance side of special education, but truly seeing --
25 looking at the outcomes for kids, what they're actually



1 learning, what we expect them to learn, and the response
2 to intervention process is in rule. It is -- it is the
3 law of Colorado regarding one eligibility for a specific
4 category of specific learning disability.

5 So, I think we struggle with it, though,
6 across the state. We truly do as school districts, and
7 as we look at how we are implementing that, it's a
8 challenge to, in a very short time frame, using response
9 and intervention to identify a student with a disability.

10 So, I guess back to -- we are looking to
11 really advance how we're working with students, what were
12 our expectations around what they ought to learn, how
13 soon it takes them to learn it, and how we basically
14 interact within the whole growth model, and how much we
15 really should be expecting. We don't want to eliminate
16 high expectations for students with disabilities, but we
17 want to be reasonable about their developmental approach
18 to moving and to growing as learners. So, I don't know,
19 Dr. Scheffel, if that fully answered your question, but I
20 think --

21 MS. SCHEFFEL: What are the impediments to
22 getting answers to some of those questions? Because I
23 know we've been talking about it for years.

24 MR. BOYER: Well, I think the historic
25 legend of special education has been compliance, and now,



1 39 years of compliance, we're moving into 40 years --
2 2015's, 40 years' of special education policy, 39 years
3 of compliance with -- this is a new approach that we're
4 moving towards outcomes for students with disabilities,
5 and it's hard for us to retool around that strictly
6 compliance focus into learning outcomes, and I think
7 that's -- we are -- we've got to work together as a
8 department, we've got to look at the strengths that other
9 -- that other units have in terms of how kids learn, how
10 we assess those kids, and we truly have to work together.
11 We cannot be siloed over special education any longer.

12 And I think this is -- these are the
13 challenges you heard today from the group, is that this
14 conflict between, you know, the struggles of kids
15 learning and what we expect them to learn. It's the --
16 those gaps are significant, and we've really -- we've got
17 to work hard. We have a lot of work to do, and so the --

18 MS. SCHEFFEL: So -- but we don't have a
19 database that (indiscernible) answers to those questions.

20 MR. BOYER: We do. We have databases around
21 the, you know, the assessments that are being used, but the
22 way special education's been built, it's been a very
23 individual process, and a lot of the assessments and things
24 that are used are very individual in nature, and are not --
25 - they're not the type that are -- can be put into cohorts



1 and aggregated up, I guess you would.

2 So -- but as a nation we are really struggling
3 with students with disabilities educationally speaking. We
4 know that, and I think that's why Office of Special
5 Education Program is under significant pressure to start
6 looking at this, looking at the investments they've been
7 making, and looking -- asking for outcomes for students
8 with disabilities.

9 CHAIRMAN LUNDEEN: Thank you.

10 UNIDENTIFIED SPEAKER: I hope we can maybe
11 consider some leadership nationally in that area in
12 Colorado, because there's some great models where states
13 are making great progress on achieving metrics related to
14 response. Intervention associated with return on
15 investments, so it's a great opportunity for us.

16 MR. BOYER: Right.

17 CHAIRMAN LUNDEEN: Thank you very much. We
18 will now move out of order in the agenda. And I realize
19 we've got some other public servants in the room, and they
20 know that the service of the public is something that --
21 it's about the people. And we have family members of public
22 servants in the room who know more, or better than most,
23 exactly how challenging and personally sacrificial serving
24 the public sometimes can be. So, I know you will all
25 forbear as we take some public comment here, and then Ms.



1 Neal has for the next item, which will be taken out of
2 order. We're going to take that out of order.

3 MS. NEAL: Now we were going to do that first
4 (indiscernible) that --

5 CHAIRMAN LUNDEEN: Okay, well you go ahead how
6 you want things.

7 MS. NEAL: The board has adopted -- formally
8 adopted two resolutions in honor of our departing members
9 (indiscernible).

10 CHAIRMAN LUNDEEN: Dear departed.

11 MS. NEAL: Our retiring members. I will read
12 those resolutions later when we are having our reception in
13 the foyer, so we'll go ahead with public comment, and then
14 we will retire and read the resolutions and have a
15 celebration in honor of these two, fine people.

16 CHAIRMAN LUNDEEN: Well, and we appreciate the
17 honor, but in honor of the public, whom we serve, we will
18 now take public comment. First name on the list is Deanna
19 Miller (ph). Please limit your comments to three minutes.
20 If you have a thought as we -- you hear the buzzer you may
21 complete your thought, but limit yourself.

22 MS. MILLER: All right, thank you for the
23 opportunity to speak. I'm here today to ask that the
24 Colorado State Board write a letter to the College Board,
25 and I'm not asking for a resolution. I know that takes the



1 super majority. I'm just asking for a simple letter
2 encouraging them to go back and invite some conservative
3 history professors to help them rewrite the new AP History
4 course to include a more balanced view of U.S. History.

5 Trevor Parker is the Senior Vice President of
6 the AP Instruction for College Board, and he said an
7 education week in September 2014, and I quote, "It's very
8 difficult given the dominance of liberal perspectives in
9 college and high school history departments for faculty
10 committees to avoid unintentionally muting, eliding, or
11 obfuscating the perspectives of the right."

12 So, by his very own words he is acknowledging
13 that the new AP History riders did not represent a balanced
14 coalition of world views. The trick, as always, is to find
15 a balance where truth is told. Students should come away
16 with a comprehensive picture of American History that does
17 not push them in any ideological direction.

18 I know that there have been many Colorado
19 citizens who have voiced concerns over the new AP History,
20 so I am hopeful that you will relay our concerns on to the
21 College Board, and thank you. And I'd like to thank Paul
22 Lundeen for being such a wonderful chair.

23 CHAIRMAN LUNDEEN: Well, thank you very much.

24 MS. MILLER: For all these years you've been
25 great, and thank you.



1 CHAIRMAN LUNDEEN: Thank you very much.
2 William Baldiccini (ph), and please correct me if I've
3 mispronounced your name, sir.

4 MR. BALDICCINI: Thank you, that's very close.
5 Thank you. Good afternoon, I'm here because there is a
6 serious problem in our educational system, and to
7 paraphrase a line from our preamble to our constitution: We
8 as American citizens have a responsibility to preserve the
9 blessings of these liberties for ourselves and our
10 posterity.

11 I am an American citizen. I'm also a veteran
12 of the Korean War and member of the American Legion,
13 Chairman of the Proud to be an American Committee, and the
14 Korean War Veterans Association.

15 I was very concerned with the acceptance of
16 the AP United States History curriculum and framework by
17 this board. Pushing aside the week premise of raising the
18 bar on national education standards, the core provisions
19 presented diminish or eliminate the historic development of
20 the United States of America on which the heritage of this
21 nation has prospered on. We can't deny that.

22 The United States of America is an exceptional
23 country, based on the wisdom and foresight of our founding
24 fathers, of which we should be very proud, in which we
25 should be a define -- which should be the foundation of our



1 American history so that each new generation will have solid
2 core values to know who they are and where they came from
3 as American citizens.

4 Peter Wood, president of the National
5 Association of Scholars calls the new AP U.S. History
6 framework a briefing document on progressive and leftist
7 views of the American past. One which leads together a
8 vaguely Marxist, or at least materialistic leading of the
9 key elements that the whole literary litany of identity-
10 group grievances.

11 Conservative author, Stanley Kurtz asserts the
12 College Board is pushing the U.S. History as far to the
13 left as they can get away with at the high school level.
14 This trend is an insult. This trend is an insult to every
15 American, especially those veterans who served, and those
16 who've died defending this nation. It's heritage and it's
17 constitution.

18 This trend must be reversed. The position of
19 this board is to take that action, to have this happen as
20 soon as possible so that we can really, truly secure the
21 blessings of liberty for ourselves and our posterity. Thank
22 you.

23 CHAIRMAN LUNDEEN: Thank you, sir. Daniel
24 Stain (ph). I'm sorry. Yeah, Daniel Stain. Do I have
25 that right? Am I mispronouncing? Okay, Ron Cosis (ph).



1 MR. COSIS: I'm 71, I first start school in
2 1966 in upstate New York, and I got a job offer I couldn't
3 refuse. It was a big company, had an operation going on in
4 Southeast Asia, you may have heard of it, called the Vietnam
5 War.

6 I, at that time, went and talked to a professor
7 I had -- a teacher I had had, and he explained to me that
8 the federal government was lying to the American citizens
9 that the Chinese and the Vietnamese would never join forces,
10 because they'd been at odds for 300 years.

11 This is the kind of message that the federal
12 government is very good at giving out. When they want to
13 persuade people to do what they want, they're willing to
14 put out any kind of message, and I would ask this: If we
15 want our students to be accountable, and if we want our
16 teachers to be accountable, why don't we demand that the
17 Department of Education in Washington is accountable? How
18 many trillions of dollars have they spent and how much has
19 it improved the educational standards of our students in
20 this country.

21 I challenge you that it has not -- done nothing
22 to improve them except spend money, and now they want to
23 dictate how all of our students should be instructed across
24 this country. The idea that they can put out a whole
25 educational agenda and we're going -- and you are going to



1 sit here as board members and abdicate your responsibility
2 to evaluate what our students are taught is antitheta to
3 me.

4 It's against everything I believe as far as
5 freedom in this country, and the idea that they -- that one
6 of the quotes from the College Board's Debbie Pennington,
7 she said: This is designed -- you've got to remember this
8 is not the story of dead white men as taught by almost dead
9 white men. So, they leave out Abraham Lincoln, Martin
10 Luther King in this advanced placement core -- curriculum.
11 This is what we want our teach -- our students learning
12 that we don't want to respect are the founding -- the
13 founders of this country.

14 If I sound angry, I am. This is ridiculous.
15 The idea that our country is going so far to the left now
16 and much of that is happening in our -- in our schools and
17 our colleges. As an example, there was one time where it
18 -- they showed on during -- prior to the last election for
19 president they had a voting booth, or voting area set up in
20 a school, and Barack Obama's picture was on a mural where
21 it's -- in the -- in where the election was being held.
22 This is -- and nobody seemed to mind that.

23 CHAIRMAN LUNDEEN: Thank you, Mr. Cosis.
24 Angelique Matthews (ph).

25 MS. MATHEWS: Excuse me. Good afternoon. It's



1 always a pleasure to speak to the board. I don't have much
2 of an agenda today other than to, first of all, thank this
3 current board for this service that you've given us and
4 know that it's not a paid position, that you volunteer your
5 time. And so, I do really appreciate that.

6 And then the second is just a request, or a
7 couple of requests, for the board. I feel I -- I've seen
8 you guys so much this year that we almost feel like family.

9 I would like to -- my second is a request to
10 the board to keep an open dialogue with the public
11 specifically on issues such as common core, the standards
12 testing data mining, and also the new AP U.S. History.

13 And with that I would like to ask the board to
14 address the public's concern regarding the AP U.S. History
15 framework by pressing -- excuse me. I have a frog in my
16 throat.

17 By pressing the College Board to review and
18 rewrite the framework to include items that we feel have
19 been erroneously left out of the framework, such as the
20 founding fathers seminal documents, World War II battles
21 that the U.S. was involved in, American Exceptionalism, and
22 most concerning to me is that there is not enough emphasis
23 placed on the founding fathers.

24 America's history is exceptional, and I didn't
25 see that in the framework. I don't -- I do understand that



1 it is a framework, and that teachers may add at will to the
2 framework, however, children are going to be -- children
3 will be tested on that particular framework, which forces
4 the teachers who are pressed for time to teach to the test.
5 And so, I don't see how teachers will have the time to add
6 what I believe are really crucial segments in the U.S.
7 History. I think Texas has great -- some great frameworks.
8 Why don't we just copy their frameworks?

9 Last, I would like to ask that the -- in
10 conjunction with this public comment, that the board would
11 consider a two-way open dialogue with the public in some
12 format. I know that we've requested that before, and for
13 some other reason it's not been accepted, but I would just
14 ask that that be a consideration to where we can speak
15 freely with you guys instead of just this one-way dialogue.
16 And thank you again for your service and Merry Christmas.

17 CHAIRMAN LUNDEEN: Thank you very much.

18 MS. NEAL: Thank you.

19 CHAIRMAN LUNDEEN: Sheila Brown (ph)

20 MS. BROWN: Hello. Thank you for letting me
21 speak today. I am here because I am very concerned about
22 the revisions to the AP U.S. History test. So concerned
23 that I'm opting that my son not take it next year. He'll
24 be a junior in high school, and I will not have him take
25 this test.



1 Jane Robins, of US Today, USA Today, writes:
2 Defenses of the College Boards revised APUSH test framework
3 have ranged from it's a balanced document, to teachers will
4 have flexibility, to what's wrong with a leftist slant?
5 None of these defenses should be acceptable. To the balance
6 document argument, we say read it. A Pioneer Institute
7 study by experts describes the new framework as, "A portrait
8 of America as a dystopian society, one riddled with racism,
9 violence, hypocrisy, greed, imperialism, and injustice."

10 She says: Our view is that critics don't know
11 much about history. American exceptionalism has been
12 scrubbed from the seminal document such as the Gettysburg
13 Address, George Washington's Farewell Address, and Thomas
14 Jefferson's first inaugural address. They have vanished.
15 Dr. Martin Luther King's I have a dream speech, gone. No
16 mention of -- no mention of Hitler at all, the holocaust,
17 the liberation of Europe that America provided. American
18 -- the American Revolution, the World War II battle, such
19 as D-Day and the Battle of the Bulge, and most of all, the
20 things that's left out of this test, is the sacrifice of
21 men like these, right here. Our U.S. military that have
22 given up everything for us, everything for us. It just --
23 it really, really bothers me.

24 It truly bothers me that they're trying to
25 change our history. I'm very upset about it.



1 UNIDENTIFIED SPEAKER: Thank you.

2 CHAIRMAN LUNDEEN: Thank you very much. Anita
3 Stapleton (ph)

4 MS. STAPLETON: Hi. I'm Anita Stapleton from
5 Pueblo, and today we are turning in 108 letters of
6 opposition to the common core, bringing us to a total of
7 3366 voices of Coloradoans who would like us to be out of
8 common core.

9 I do thank you, this board, for the work that
10 you have done this past year, however, we have a lot of
11 work to do in the next year, and we do -- we do vow, at
12 least I do, to bring solutions each time I come. I know
13 we've done a lot of nagging, ranting, and I just thank you
14 for listening to that. However, the solutions that we have
15 are too many to go over in three minutes, so I'm going to
16 quickly highlight to end this year, the thing -- the things
17 that are important to me.

18 One, I request that the state board do write
19 that letter of recommendation or thoughts, anything. Take
20 a public stand against the rewrite of American History
21 through the new APUSH. We need to take a stand with other
22 states across the nation who have done just this. I do
23 also ask that you please reject the next generation
24 sciences. I know, I feel it in my bones, they have not
25 gone away. They are still on the table for a vote, I see



1 them in classrooms just under different verbiage, and I am
2 working diligently to make sure that districts across this
3 state are aware of that and will reject it as well.

4 Dr. Stotsky (ph), here's a positive: She still
5 is willing to come out and help us, and I'm not going to
6 read all of these, but these are alternative pathways of
7 standards in ELA, math, science, history and geography of
8 all things.

9 Can you remember reading a map? I love
10 geography. She works with STEM programs. Her and Dr.
11 Milgram put these alternative pathways together. She is
12 willing to come here, guys, for free and help us. This is
13 with common core still in our state. This is an alternative
14 to get past that, to keep ahold of exceptional education in
15 our classrooms, so I do encourage you to be interested in
16 that. I will be emailing that to you.

17 Last and final thing of concern is data
18 privacy. We all know that FERPA has been gutted. We have
19 no protection under FERPA. I have a couple articles that
20 I'll be passing out to you at the end. First and foremost,
21 Pueblo, Colorado, my home town, District 60. A student, a
22 student hacked the student data, got into not only academic
23 stuff, but personally identifiable information.

24 He came forth to his district and said how
25 easy it was and he's not even that high in high school.



1 The IT guy new nothing of this happening. This is a
2 tragedy, but it's an eye opener to this board and all boards
3 across the state that we have to do the duty to tighten up
4 privacy on our student's information, our parent's
5 information, and our teacher's information.

6 And with that being said, one of the questions
7 I wanted to ask, and I'm going to end with this, is that I
8 wanted to know what qualified an education agency person -
9 - literature that was being passed out by the CDE, it does
10 state that we have to disclose who those education agencies
11 are that we share information with.

12 That is very important with the second article
13 that I'm attaching for you all to read, and it shows that
14 student data has become a marketplace, and what are we going
15 to do at the state level, like California, who developed
16 the student online person -- personnel -- information
17 protection act to do that, and I'm asking Colorado to please
18 follow suit.

19 CHAIRMAN LUNDEEN: And that would be final
20 thought in there. Thank you very much.

21 MS. STAPLETON: Thank you. Merry Christmas.
22 That's my final thought.

23 CHAIRMAN LUNDEEN: Okay, thank you very much.
24 It -- is there anyone else who cares to make public comment?
25 Okay, seeing no ne -- and the next item on the agenda would



1 be board member reports, but I would ask our -- my fellow
2 members to forbear.

3 MS. NEAL: If anything, we're foolish --

4 CHAIRMAN LUNDEEN: All right, now. With that
5 said I'm going to do something I have never done before,
6 and that is I'm going to adjourn us as opposed to recess
7 us.

8 MS. NEAL: Oh, dear.

9 CHAIRMAN LUNDEEN: So, the State Board of
10 Education will be adjourned until its next regularly
11 scheduled meeting. Thank you very much.

12 MS. NEAL: And we will --

13 (Meeting adjourned)

14

15

16

17

18

19

20

21

22

23

24

25



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 9th day of March, 2019.

/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