



**COLORADO**  
Department of Education

Colorado State Board of Education

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TRANSCRIPT OF PROCEEDINGS  
BEFORE THE  
COLORADO DEPARTMENT OF EDUCATION COMMISSION  
DENVER, COLORADO  
March 11, 2015, Part 5

BE IT REMEMBERED THAT on March 11, 2015, the  
above-entitled meeting was conducted at the Colorado  
Department of Education, before the following Board  
Members:

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



1                   MADAM CHAIR: The next item on the agenda is  
2     Disciplinary Proceedings concerning an Application,  
3     Charge No. 2014 EC 1168.

4                   Is there any discussion?

5                   Is there a motion? Somebody's got to make a  
6     motion.

7                   UNIDENTIFIED VOICE: Would you make a  
8     motion?

9                   UNIDENTIFIED VOICE: I'm sorry. I was  
10    talking.

11                  MS. FLORES: I make a motion --

12                  MADAM CHAIR: We are making -- 14.01, the  
13    first one of those --

14                  UNIDENTIFIED VOICE: Val is ready.

15                  MADAM CHAIR: Val is ready?

16                  MS. FLORES: -- dismiss.

17                  UNIDENTIFIED VOICE: (Indiscernible).

18                  MADAM CHAIR: Well actually, you can say, "I  
19    make a motion to follow the --." We don't have that, do  
20    we?

21                  UNIDENTIFIED VOICE: The recommendation?

22                  MADAM CHAIR: Okay. Make one.

23                  MS. MAZANEC: I'll make one.

24                  MADAM CHAIR: Yes. Go ahead. That's what I  
25    was looking for.



1 MS. MAZANEC: Regarding Disciplinary  
2 Proceedings Concerning an Application, Charge No.  
3 2014EC1168, I move to instruct Department staff to issue  
4 a notice of denial and appeal rights to the applicant,  
5 pursuant to 24-4-104 C.R.S.

6 MADAM CHAIR: Second?

7 MR. DURHAM: I second it (indiscernible)  
8 discussion.

9 MADAM CHAIR: Okay. There is a motion and a  
10 second. Call the roll, please.

11 MS. MARKEL: Steve Durham.

12 MR. DURHAM: No.

13 MS. MARKEL: Val Flores.

14 MS. FLORES: Yes.

15 MS. MARKEL: Jane Goff.

16 MS. GOFF: Yes.

17 MS. MARKEL: Pam Mazanec.

18 MS. MAZANEC: Yes.

19 MS. MARKEL: Marcia Neal.

20 MADAM CHAIR: Yes.

21 MS. MARKEL: Dr. Scheffel.

22 MS. SCHEFFEL: No.

23 MS. MARKEL: Dr. Schroeder.

24 MS. SCHROEDER: No.

25 MADAM CHAIR: What was that, 4-3? We're



1 good at that, aren't we?

2 Okay, then the Department is instructed to  
3 deny the appeal.

4 Regarding Disciplinary Proceeding  
5 2014EC1168. Is there a motion? You are guys are so  
6 enthusiastic today.

7 Jane, let's have a motion here.

8 MS. GOFF: Okay. Regarding Disciplinary  
9 Proceedings Concerning an Application, Charge No.  
10 2014EC2057, I move to instruct Department staff to issue  
11 a notice of denial and appeal rights to the applicant,  
12 pursuant to 24-4-104 C.R.S.

13 MADAM CHAIR: Second?

14 MS. MAZANEC: I second.

15 MADAM CHAIR: Val seconds.

16 UNIDENTIFIED VOICE: That was Pam.

17 MADAM CHAIR: Oh, Pam. Sorry.

18 Call the roll, please.

19 MS. MARKEL: Steve Durham.

20 MR. DURHAM: Aye.

21 MS. MARKEL: Dr. Flores.

22 MS. FLORES: Aye.

23 MS. MARKEL: Jane Goff.

24 MS. GOFF: Aye.

25 MS. MARKEL: Pam Mazanec.



1 MS. MAZANEC: Aye.

2 MS. MARKEL: Marcia Neal.

3 MADAM CHAIR: Aye.

4 MS. MARKEL: Dr. Scheffel.

5 MS. SCHEFFEL: Yes.

6 MS. MARKEL: Dr. Schroeder.

7 MS. SCHROEDER: Yes.

8 MADAM CHAIR: So we have settled that and we  
9 will issue that notice.

10 And we now are moving -- we are jumping  
11 around a whole lot today -- we are moving to our charter  
12 school appeal, number 22 on the agenda, Case No. 14.CS-  
13 04, Launch High School veterans. Colorado Springs School  
14 District 11. If the participants could take their place  
15 at the table we would appreciate that.

16 UNIDENTIFIED VOICE: Madam Chair. Can we  
17 take a quick break.

18 MADAM CHAIR: Okay. We can take a quick  
19 break.

20 (Pause)

21 MADAM CHAIR: All right, Board. We have  
22 come to Item 22. We've been jumping around a great deal.  
23 Before we get going with Item 22, for those of you who  
24 are standing in the back, who I know want to make a  
25 presentation, because we think this is going to be much



1 shorter we will make -- would you kind of talk amongst  
2 yourself and maybe a couple of you decide that you're the  
3 ones who want to speak, because unless somebody else has  
4 got something really different to say. Because we've  
5 really been working on finding time for you to be able to  
6 make your presentations and appreciate the fact that  
7 you're here and ready to do that.

8 So when we finish with this then we'll  
9 address that.

10 All right. I need to find my script. I am  
11 moving around so much today. Here we go.

12 All right, people. Colorado State Board of  
13 Education will now conduct a hearing on Case No. 14.CS-  
14 04, the appeal of the Launch High School from the  
15 decision of the Colorado Springs School District 11 Board  
16 of Education to deny Launch High School charter school  
17 application.

18 During this hearing, the Board is acting in  
19 its capacity to hear appeals of charter schools and will  
20 hold an appellate hearing under the relevant charter  
21 school appeal law, 22-30.5-108.

22 I'd like to ask the person chosen to  
23 represent each party to enter your name in the record  
24 along with the party you represent. Please also  
25 introduce the persons you have designated to answer



1 questions to Board members. Only the individuals  
2 identified by the parties have the opportunity to address  
3 the Board.

4 Would you please identify yourselves?

5 MR. MILLER: Madam Chair and Board and  
6 Commissioner Hammond, I'm Brad Miller. I'm an attorney  
7 for Launch High School. With me is Patrick Cush, the  
8 anticipated executive director of the school, and here in  
9 the capacity of a witness. The board president, Josh  
10 Meuth Alldredge, is here in the room, as is Judi Cole  
11 Larson, a founding board member.

12 MADAM CHAIR: Okay. And let the record show  
13 that there is no one, at this time, at the other table,  
14 to represent Colorado Springs School District, but we are  
15 going to go ahead with this anyway.

16 The role of the State Board is to consider  
17 only those issues raised in the Notice of Appeal. The  
18 Board has been provided with the Record on Appeal.  
19 References to document or testimony not present in the  
20 Record on Appeal will not be considered by the Board. In  
21 relation to those issues contained in the Notice of  
22 Appeal, the Board will apply the following standards of  
23 review following oral argument: the Board will decide  
24 whether it is in the best interest of the pupils, the  
25 school district, or the community to support the local



1 board's decision to deny Launch High School's charter  
2 school application.

3 The parties have already submitted written  
4 arguments and information. Ms. Markel, do we have  
5 written articles from Colorado Springs?

6 MS. MARKEL: Yes.

7 MADAM CHAIR: Okay. A maximum of 30 minutes  
8 will be granted for the oral argument and examination of  
9 each party's issues. You may reserve a portion of the 30  
10 minutes for your rebuttal. But during this time the  
11 party may summarize its written arguments and information  
12 and Board members may ask questions.

13 The hearing shall proceed as follows:  
14 Launch High School, the Appellant, shall present its  
15 arguments, including questions from the State Board.  
16 Colorado Springs School District 11, the Appellee, shall  
17 present its arguments, including questions from the State  
18 Board. The Appellant, Launch High School, shall present  
19 its rebuttal. The State Board may ask questions. The  
20 Appellee, Colorado Springs School District 11, shall  
21 present its rebuttal. The State Board may ask questions.  
22 The State Board shall deliberate and tender its  
23 decisions.

24 We will adhere to the maximum time limits.  
25 Each segment will be timed. You will be notified by Ms.





1 Markel when you have five minutes remaining of your  
2 allotted time.

3 Generally, we ask, at this point, Launch  
4 High School, you may reserve some of your 30 minutes for  
5 your rebuttal. However, if you don't need that 30  
6 minutes then that's up to you. Do you wish to do so, and  
7 how much time would you wish to reserve?

8 MR. MILLER: We'll just take the full 30  
9 minutes, as needed.

10 MADAM CHAIR: Okay. We'll take that.  
11 Likewise, Colorado Springs District 11, do you wish to  
12 reserve some of your 30 minutes for your rebuttal?  
13 Obviously they don't.

14 UNIDENTIFIED VOICE: Marcia's imaginary  
15 friends.

16 MADAM CHAIR: As is customary with any oral  
17 argument in an administrative hearing or judicial  
18 proceeding, we anticipate that Board members may have  
19 questions and they may interrupt counsel with these  
20 questions. This is the only time during the meeting when  
21 the State Board members may question the parties. Board  
22 questions and your responses are included within your 30-  
23 minute maximum time.

24 Are there any questions from the Board or  
25 counsel about the Board's procedures?



1                   Launch High School, would you move into your  
2 additional presentation.

3                   UNIDENTIFIED VOICE: I'm all set. Go ahead.

4                   MR. MILLER: Madam Chair, if it's okay I'll  
5 go ahead and remain seated for the presentation.

6                   MADAM CHAIR: That's okay. Yes, that's  
7 fine.

8                   MR. MILLER: Again, my name is Brad Miller.  
9 Thanks for this opportunity. Thanks for your patience.  
10 I know it's late in the day and it was a squeeze to put  
11 us in, and we do appreciate that.

12                   First a bit of an elephant in the room. The  
13 other party isn't here. Last week, or somewhere prior to  
14 that, they sent a letter, not a motion but a letter,  
15 advising that they didn't intend to participate based on  
16 jurisdictional issues. And I'd like to briefly address  
17 that before we go into the argument.

18                   MADAM CHAIR: Please do.

19                   MR. MILLER: Under the all-relevant  
20 statutes, our recourse, Launch High School's, or Launch's  
21 only recourse is to the State Board of Education. We  
22 don't have an ability to go to the courts. And for that  
23 reason, to remove jurisdiction from you would leave us in  
24 that precarious position of having no alternatives. And  
25 this is Statute 22-30.5-108(3)(d), the decision of the



1 State Board shall be final and not subject to appeal.

2 We don't have anywhere else that we can go.

3 It's common legal principle that once parties meet the  
4 statute of limitations on filing that it's up to the  
5 tribunal to determine the internal time frames, and while  
6 it may be the case that the other side didn't participate  
7 in a decision to extend the time for this hearing, it  
8 really would be absurd to place the power into the  
9 parties to determine those time frames. It's the power  
10 of the tribunal and that's a common legal principle.

11 If the district's argument was correct there  
12 would be nothing to preclude them, for example, from  
13 letting the 75-day initial application period toll, and  
14 then tell us that we were not able to have any other  
15 recourse. It's very analogous.

16 Your authority to rule doesn't emanate from  
17 the parties. You control your deadlines. And, frankly,  
18 that deadline is specifically in place -- and I've talked  
19 to many of the legislators originally involved in this --  
20 to protect the interest of the charter applicant against,  
21 you know, against tribunals and in districts that would  
22 slow things up so that they wouldn't have time adequate  
23 to open under the statutory deadlines.

24 So for all those reasons we believe that  
25 this is properly before you, and I would welcome any



1 questions on that issue.

2 Well, as you know, the Charter School Act  
3 declares that education reform is in the best interest of  
4 the state. Different pupils learn differently and public  
5 school programs should be designed to fit the needs of  
6 individual pupils, and so the charter law is to increase  
7 learning opportunities, to encourage diverse approaches  
8 to learning and education, and the use of different and  
9 innovative approaches to provide parents and pupils with  
10 expanded choices in the types of education opportunities  
11 that are available and to encourage parental and  
12 community involvement in our schools. That's statutory  
13 language. That's why we're able to have charter school,  
14 and Launch embodies those very characteristics.

15 We face an uphill battle. Launch faced an  
16 uphill battle from the outset. The district told us that  
17 we were visionary, nontraditional, innovative, and then,  
18 in its review process it tried to make those into  
19 deficits. It had a sloppy process. They missed,  
20 altogether, on broad sections in our application related  
21 to our metrics, our measures, our parental involvement,  
22 performance goals. They just failed to exhibit any  
23 comprehension around these things.

24 They ignored, altogether, really significant  
25 business partners in this entrepreneurial education, not



1 entrepreneurial in a sense of the charter school being  
2 entrepreneurial but engaging students to look at  
3 entrepreneurial opportunities with people like Virgin,  
4 and Ashoka, and LeadIN. These were genuine partners with  
5 this school from the outset.

6 And the district relied upon inconsistent  
7 assertions. They would say, within the same paragraph,  
8 that we were innovative, and then they'd say "but you're  
9 untested." Which did they want?

10 They were lacking in thoroughness. They  
11 didn't review or understand our assessment, our  
12 professional development plans. This review, in many  
13 respects, relied on the CDE's review of a 25-page sub-  
14 grant request for the startup grant, and based on that  
15 kind of came to their own conclusions. But it's a  
16 different animal. Yes, ma'am.

17 MS. SCHROEDER: Yeah, that's one of the  
18 questions that I had. Could you address that? Are you  
19 in a different place than you were, in terms of your  
20 planning and your documentation? Are you in a different  
21 place than you were when you applied for this grant,  
22 because the grant was not granted.

23 MR. MILLER: Thank you. That's a very good  
24 question. So the school's original budget contemplated a  
25 best case, that included the grant, and a worst case,



1 that was absolutely actionable without the grant.

2 Subsequent, as you'll note in our pleadings, there is a  
3 promise letter of support in excess of the amount of the  
4 grant if the school were to need it, from a private  
5 party. But that wasn't the basis on --

6 MS. SCHROEDER: That's not my question.

7 MR. MILLER: Okay.

8 MS. SCHROEDER: My question is the concerns  
9 that were identified in not granting the grant -- there's  
10 got to be a better way to say that -- they had some real  
11 concerns. To what extent has the school addressed those  
12 concerns? Because I'm going to assume that CDE is very  
13 thoughtful in the expectations that they have of a new  
14 charter school. It's protecting kids.

15 MR. MILLER: Right. I appreciate that  
16 question. Let me try to clarify in a couple of ways.  
17 First, that CDE startup grant, which, in the past, had  
18 actually been granted to a large percentage of applicant  
19 schools as the charter school movement was growing, is  
20 increasingly less likely to be granted. There's more  
21 applicants and less funds, or I don't know that there's  
22 less funds but there's more applicants. And so less than  
23 50 percent, is my understanding, actually receive that  
24 while many of those that don't receive the grant go on to  
25 start very successful schools. So it's not a lever.



1                   The other part would be our 200-plus page  
2 application did not -- wasn't put together in  
3 anticipation of the grant. At the last minute, when the  
4 district asked us, as we pursuing the grant, we put  
5 together, in a very rapid fashion, the 25 pages. It was  
6 never dependent upon that. And so they didn't put the  
7 intentionality into that that they did in their  
8 application and the planning.

9                   MS. SCHROEDER: So do you believe that you  
10 would earn a grant if you reapplied, and are you planning  
11 to reapply? I'm more concerned about the deficiencies  
12 that were identified. Have you thought about them,  
13 talked about them, felt that they were appropriate, made  
14 some changes, or CDE doesn't know what they're doing? It  
15 doesn't matter how many grants we get. I don't think  
16 that's the issue.

17                  MR. MILLER: Ms. Schroeder, I'll begin and  
18 then I'll ask Mr. Cush to answer as well. So we are past  
19 the time frames for a startup or an August startup in the  
20 cycle of startup grants this year. In the event that we  
21 were forced to go another year, I'm certain that we would  
22 contemplate it, and I'm certain, frankly, that this group  
23 would be capable and eligible.

24                   Do you have anything else to add to that?

25                  MR. CUSH: The plan is, yes, to reapply when



1 the time frame comes.

2 MS. SCHROEDER: Okay. And you've looked at  
3 the items?

4 MR. CUSH: Absolutely.

5 MS. SCHROEDER: And you're ready to address  
6 them? You feel that you can address them satisfactorily?

7 MR. CUSH: Absolutely.

8 MS. SCHROEDER: Okay. That's okay.

9 MS. FLORES: Madam Chair, may I ask --

10 MADAM CHAIR: You don't have to ask me.  
11 Remember?

12 MS. FLORES: Oh. Okay. I didn't see a  
13 curriculum. I didn't see a curriculum. And I came here  
14 for three days, and I've spent half a day, and maybe  
15 three hours the other time, and maybe three more hours  
16 another time, and I really went through that, looking for  
17 a curricula. Other than maybe a junior MBA, you know --  
18 we're getting kids -- we're educating kids. We're not  
19 giving them an MBA.

20 MADAM CHAIR: No discussion. Just  
21 questions.

22 MS. FLORES: And so I did not see a  
23 curriculum. I didn't see -- do you have -- maybe I  
24 missed it, but do you have a plan on how you're going to  
25 serve children at risk, which is, by the way, the reason





1 for why we have charters. Do you have a plan for that,  
2 because I didn't see any. In fact --

3 MADAM CHAIR: Let's let him answer the  
4 question.

5 MS. FLORES: Okay.

6 MR. CUSH: I'll just address the last one  
7 first. The whole school is for at-risk kids. That's our  
8 main purpose. With regard to the curriculum, there are  
9 two different curricula. One is the core curriculum, and  
10 the electives, and what makes us unique is the  
11 entrepreneurship curriculum, and there is, indeed, a  
12 curriculum there.

13 For the first year it's with a proven model through the  
14 partnership with Ashoka, which is the largest social  
15 enterprise organization in the world. They actually  
16 sought us out and wanted to partner with us. We didn't  
17 ask them. They have a curriculum that's 18 weeks, so  
18 that's part of our curriculum is to use that nonprofit  
19 type of approach to learning and cutting your teeth, if  
20 you will, with business skills, entrepreneurial skills,  
21 innovation skills.

22 MS. FLORES: That's what I'm addressing. I  
23 did not see anything about standards and how you were  
24 going to address Colorado standards.

25 MR. CUSH: With regard to the core



1 curriculum and electives?

2 MS. FLORES: Yes. Yes, I did not see that.

3 MR. CUSH: That's part of the appendices.

4 Sorry? The Edgenuity curriculum is used in lots of  
5 different schools in Colorado.

6 MS. FLORES: Ingenuity?

7 MR. MILLER: Edgenuity.

8 MS. FLORES: Edgenuity.

9 MR. MILLER: And that was what I was  
10 remarking on earlier is they overlooked the fact that our  
11 appendices contained a complete curriculum, and the  
12 reviewers chose to ignore that. It's a complete, and  
13 Colorado-tested curriculum for these students, and it  
14 meets the Colorado standards.

15 MS. FLORES: Where is another place?

16 UNIDENTIFIED VOICE: There are a couple of  
17 other schools.

18 MS. FLORES: I went through it. I didn't  
19 see a curriculum. I didn't see a philosophy for --

20 MADAM CHAIR: You're arguing. Questions.  
21 It's got to be questions.

22 MR. CUSH: So I think you're asking me about  
23 the Edgenuity curriculum. Is that correct?

24 MS. FLORES: No. I'm asking you about how  
25 you're going to teach math, science, how you're going to



1 teach language arts, English language arts, how you're  
2 going to teach social studies.

3 MR. CUSH: So very basically, it is a  
4 blended curriculum, so we will have teachers in the  
5 classroom, but using the Edgenuity program as our source  
6 of information. So there are many schools, including D-  
7 11 schools, that use Edgenuity for this purpose. It's  
8 widely used throughout Colorado and the nation. I think  
9 14,000 schools.

10 MR. MILLER: In other words, it is a  
11 complete curriculum that involves all of the topics  
12 required under the Colorado State Standards.

13 MS. FLORES: I couldn't find it. I couldn't  
14 find it. And if it was at the very end, it should have  
15 been at the very front, because I went through several,  
16 you know, big binders, and I didn't even see how it  
17 cohered. But it looked to me like it was boilerplate  
18 material, that you're maybe going out across the country  
19 and trying to sell this.

20 MADAM CHAIR: Val.

21 MS. FLORES: Yes, ma'am.

22 MADAM CHAIR: Other people have questions  
23 too.

24 UNIDENTIFIED VOICE: So just one more small  
25 question, and that is, is there any change in -- or maybe



1 it wasn't even in here -- the number of students that you  
2 have -- that have signed letters of intent? I always  
3 think about that as football so I'm a little --

4 MR. CUSH: So would you like to address  
5 that? The number of letters of intent since the  
6 application.

7 MR. MILLER: Since the application.

8 UNIDENTIFIED VOICE: Actually, remind me  
9 what's in the application.

10 MR. CUSH: We had 59 letters of intent for  
11 135 positions, and since that time we're nearing 100  
12 letters of intent for students that would be eligible for  
13 the first year.

14 UNIDENTIFIED VOICE: Eligible or interested?

15 MR. CUSH: I'm not sure of the difference.

16 MR. MILLER: Originally they had some  
17 letters that were students that wouldn't have been able  
18 to enter into this next year's class, so he's saying 100  
19 now --

20 UNIDENTIFIED VOICE: Oh, because they  
21 weren't ninth and tenth?

22 MR. CUSH: Correct.

23 MR. MILLER: Right.

24 UNIDENTIFIED VOICE: Sorry. Okay. Now I  
25 get it.



1 MR. CUSH: So total numbers of letters of  
2 intent is well over 200.

3 UNIDENTIFIED VOICE: Okay. But for the two  
4 years that you want to start with, you're going to start  
5 with 100 kids?

6 MR. CUSH: That would be about 100 out of  
7 135 at this point.

8 UNIDENTIFIED VOICE: Okay.

9 MR. CUSH: But they keep coming in. I think  
10 I got two today.

11 UNIDENTIFIED VOICE: And your growth in  
12 grades, is it you add one more grade next year and then  
13 another grade the following year, and at full you're at  
14 300? Did I read that right?

15 MR. CUSH: That's projected. It's 75 per  
16 class level.

17 UNIDENTIFIED VOICE: Per class.

18 MR. CUSH: Correct. But we suspect that it  
19 will be around 250, which is very purposeful, and we want  
20 to keep the school very small.

21 MS. FLORES: Can you define what coaches --  
22 just your definition of coaches, because there were eight  
23 coaches that you have as teachers. Not teachers. There  
24 are teachers, but very few, and then you have this large  
25 number of coaches. What are coaches?



1 MR. CUSH: I think you're referring to the  
2 personal learning coaches. Is that correct?

3 MS. FLORES: Probably, yes.

4 MR. CUSH: The easiest way to describe this  
5 is a combination of a life coach, an executive coach,  
6 like chief executive officer's have coaches that they  
7 rely on. They also help to implement the  
8 entrepreneurship program in terms of finding mentors,  
9 finding opportunities for these students to engage in  
10 entrepreneurship, helping them settle on what type of  
11 business or nonprofit in which to establish. They prefer  
12 many roles and also counselor roles, the traditional  
13 counselor roles. And kind of got the idea a little bit  
14 from a District 49 school, Falcon Virtual Academy. They  
15 have coaches as well, but ours is a little bit different.

16 MS. FLORES: Tell me about your ESL teacher.

17 MR. CUSH: I'm sorry?

18 MS. FLORES: Tell me about your ESL teacher.

19 MR. CUSH: I'm not sure what you want to  
20 know about the teacher.

21 MS. FLORES: The teacher you're going to  
22 employ in English as a second language. Tell me about  
23 that teacher that you're going to employ.

24 MR. CUSH: I don't know what you're asking.  
25 I'm sorry.



1 MR. MILLER: The school has (indiscernible)  
2 in hiring that hasn't been approved at this point.

3 MS. FLORES: No. The point I'm making is  
4 that I didn't see that you were going to really work with  
5 children at risk --

6 MR. CUSH: I see. I see.

7 MS. FLORES: -- especially minority  
8 children.

9 MR. MILLER: And that's a point of view --  
10 and I'm sorry for the interruption -- that's a point of  
11 view that, frankly, the district took. It was perplexing  
12 to us because the focus of this school was to place it in  
13 downtown urban Colorado Springs, as urban as you can get  
14 in Colorado Springs, to focus on students who wouldn't  
15 otherwise have the opportunities to intersect with  
16 business and other professional opportunities. And so,  
17 and we understand that innovative to some appeared to be  
18 untested.

19 MS. FLORES: Sir --

20 MR. MILLER: However --

21 MS. FLORES: -- but this is something that  
22 all districts in this state have to deal with. They have  
23 to train these kids who are second-language learners.

24 MR. MILLER: You're absolutely correct.

25 MS. FLORES: So the law was really --



1 charters were really created for this type of a child.

2 MS. SCHEFFEL: Let me jump in.

3 MS. FLORES: So that's why I'm asking.

4 MADAM CHAIR: Deb.

5 MS. SCHEFFEL: I guess what I would like to  
6 say is I feel like in your curriculum it suggests to me  
7 that it's very well suited for kids, regardless of  
8 background, ethnicity, socioeconomic status. I mean,  
9 that's the whole point, as I understand, the mission of  
10 the school, and why you placed it where you did, the  
11 nature of the curriculum. Allowing students to have  
12 exposure and access to curriculum and relationships and  
13 networking that they otherwise wouldn't have. So I guess  
14 I feel like it's replete in the application, certainly  
15 explicit, certainly implicit and actually explicitly  
16 stated. So I guess I feel that it serves those students  
17 very well.

18 MS. FLORES: I'm sorry. I really looked.

19 MADAM CHAIR: Did you?

20 MS. FLORES: And I spent a lot of time.

21 Yes, I did.

22 UNIDENTIFIED VOICE: Jane.

23 MADAM CHAIR: No. Did Deb get her question  
24 answered.

25 MS. SCHEFFEL: Well, I'm just saying perhaps





1 you could address that. I did see it. Maybe you could  
2 point out where you feel it is in the application.

3 MS. FLORES: Where is it in the application?

4 MR. CUSH: If I may, Edgenuity's courses are  
5 translated into dozens and dozens of languages and  
6 they're renowned for the Spanish translations and how  
7 students respond to that.

8 MS. FLORES: Some people who come are not  
9 literate in Spanish. Some of these kids are not literate  
10 in Spanish.

11 MR. MILLER: And for that precise reason the  
12 curriculum is calibrated to be accessible to every single  
13 student, and to then identify --

14 MS. FLORES: You didn't say that. That was  
15 not stated in the curriculum.

16 MADAM CHAIR: You are engaging in an  
17 argument and you are only to ask questions. Let's keep -  
18 - and you are --

19 MS. FLORES: Well, I don't know how you can  
20 make statements.

21 MADAM CHAIR: I'm sorry, Val. I'm very  
22 sorry but you are -- you're hogging the conversation.  
23 We've got people down here who would like to maybe speak.  
24 And I'm sorry. I don't mean to be rude or anything, but  
25 we need to let everybody share in the questions and



1 discussion.

2 MS. FLORES: I just wondered --

3 UNIDENTIFIED VOICE: Speaking of electives -  
4 -

5 MADAM CHAIR: Yes. Go ahead.

6 UNIDENTIFIED VOICE: -- and how it relates  
7 to high school, looking at higher ed admission. It's  
8 going to be changing, probably, a little bit over the  
9 next few years, and placement in postsecondary, whatever  
10 that choice may be. I know that I did read, and I  
11 appreciate everywhere where I see second or third  
12 language opportunities. I notice, as well, that most of  
13 that's online-focused or it's an electronic situation.

14 I do have some concerns about -- I don't  
15 know what the right phrase is. Maybe it's an overbalance  
16 of blended learning versus a human being contact and  
17 other opportunity. So take languages or music or art or  
18 drama or some of the technical arts, career and tech arts  
19 types of opportunities. I know those are available, but  
20 I guess looking down the road, how do you see that being  
21 more of an opportunity more often for kids to really  
22 interact with other people? And if part of their  
23 community involvement -- what does that look like and  
24 what do mentorships look like, and internships, and that  
25 sort of thing? What does that look like?



1 MR. MILLER: If I may, with regard to the  
2 electives --

3 UNIDENTIFIED VOICE: Outside of the core.  
4 Outside of the core courses, what does it look like?

5 MR. CUSH: So students that are interested  
6 in certain extracurricular activities, obviously they can  
7 go to their home school -- that's part of the charter  
8 school law. They have the opportunity, if they want to  
9 participate in band or football, they can go to their  
10 home school. That's for extracurricular activities.  
11 With regard to electives specifically, our plan is  
12 actually to get them out of the school. So with blended  
13 learning we do have teachers in the classroom for the  
14 core, but with electives the idea is to connect them with  
15 leaders in their field. In fact, in our application I  
16 think we have three photography studios, people that are  
17 just dying to share their passion of photography with  
18 students. So if we have a student interested in  
19 photography, they to only will learn photography, they  
20 learn how to make it into a business, or some sort of  
21 nonprofit as well.

22 So the connection is actually more than what  
23 you would see in a typical high school.

24 MR. MILLER: I'd like to add that there's a  
25 community center feeling, very inviting environment for



1 the core classes in a less-structured classroom, and we  
2 believe that's going to be very inviting to a certain  
3 cohort of kids, that would appreciate that.

4 MADAM CHAIR: And have you had a lot of  
5 response from the businesses in the area? Are they eager  
6 and anxious to be working with you?

7 MR. CUSH: Yes. Quite a few. In fact, I  
8 would say specifically the Colorado Springs Rising  
9 Professionals -- these are 20- and 30-year-olds, they are  
10 about 300 or 400 strong -- are itching to help these high  
11 school kids relate to -- especially the entrepreneurial.

12 MADAM CHAIR: Do you see that working both  
13 ways, them coming into the classroom and then the  
14 students going out into the business community?

15 MR. CUSH: That's correct. All supervised,  
16 of course.

17 MADAM CHAIR: Yeah. I think it sounds very  
18 exciting.

19 MS. FLORES: And what about special ed?

20 MADAM CHAIR: Pam.

21 MS. MAZANEC: I think it sounds very  
22 exciting. You know, we talk a lot about college and  
23 career readiness, and I remember reading, a few years  
24 ago, about some charter schools starting up in Florida  
25 that were tailored to the aerospace industry. So middle



1 schools and high schools were starting so that those  
2 students were going to be ready to go to work in the  
3 aerospace industry after graduating from high school.

4 So the idea of an entrepreneurship school, I  
5 think it sounds great, and what a more beautiful place  
6 than downtown Colorado Springs?

7 MR. CUSH: And I would add that these types  
8 of skills do not go away. I doubt aerospace jobs go  
9 away. But entrepreneurship skills can be applied to any  
10 profession, any interest. It doesn't have to be a job or  
11 a company or a corporation.

12 MS. MAZANEC: So I say congratulations on  
13 the idea. It's a great idea.

14 UNIDENTIFIED VOICE: And I agree. I thought  
15 I read that there are several other alternative high  
16 schools geographically very close to your proposed  
17 location. Am I right? Is my memory serving me?

18 MR. MILLER: The district points out that  
19 Palmer High School, which also is located downtown, has  
20 some elements of similar programming. And so their  
21 concern was that this would draw from their program.

22 UNIDENTIFIED VOICE: But it's a big school,  
23 right?

24 MR. MILLER: It's a 5A high school.

25 UNIDENTIFIED VOICE: Okay. So when I had in



1 my head that there were a couple of alternative, smaller  
2 high schools in your -- within your geographic area,  
3 that's not correct?

4 MR. CUSH: No, I think you are correct but  
5 it's -- they're not even close to being like Launch High  
6 School.

7 UNIDENTIFIED VOICE: I think that's what I  
8 wanted to hear.

9 MR. CUSH: One is sort of a dropout  
10 recovery, I think life skills. It's a totally different  
11 approach, in my mind.

12 UNIDENTIFIED VOICE: Okay. So you are  
13 differentiated from those schools that are nearby.

14 MR. CUSH: Absolutely.

15 UNIDENTIFIED VOICE: Okay. Thanks.

16 MS. FLORES: How are you differentiated?

17 MADAM CHAIR: By what they just said.

18 MS. FLORES: How are you -- I didn't hear  
19 it.

20 UNIDENTIFIED VOICE: I can't hear you very  
21 well.

22 MS. FLORES: Well, I didn't hear it. I know  
23 it sounds good.

24 MR. MILLER: I've been associated with --

25 MS. FLORES: I read it and it didn't read



1 well.

2 MR. MILLER: -- dozens and dozens of  
3 charters in this state. This is the first time I've come  
4 across anything like this. It's a very unique blend of  
5 blended learning, on-site collegial, collaborative  
6 learning, and entrepreneurship.

7 MS. FLORES: Right, but --

8 MR. MILLER: It's going to draw a particular  
9 cohort of kids that is quite unique.

10 MS. FLORES: -- but I don't think it teaches  
11 basic skills, and I think you have these coaches that are  
12 going to do this and that. And especially at-risk kids.  
13 You need basic skills. So you -- maybe the next time you  
14 could include a package that would, you know, deal with  
15 that area. And, I mean, how are you dealing with special  
16 ed kids, specially gifted and kids who may have mobility  
17 problems, and such?

18 MR. CUSH: We actually are recruiting those  
19 type of kids, especially physically handicapped kids. We  
20 think that entrepreneurship is kind of the --

21 MS. FLORES: I agree, but at this age?

22 UNIDENTIFIED VOICE: Val.

23 MADAM CHAIR: (Indiscernible)

24 MS. FLORES: They could do that at home.

25 MR. MILLER: In the interest of time it



1 looks like we're near the end. Would you like me to just  
2 close? Madam Chair, if you've got more questions, either  
3 way.

4 MADAM CHAIR: I was going to say, when, you  
5 know, you questioned the experience, Mr. Miller's got  
6 vast experience with charter schools. This is the third  
7 or fourth time we've seen you around. So he's seen all  
8 kinds of them and really has a lot of experience.

9 So, yeah, why don't you just -- since we  
10 have this different period, usually we use the end to  
11 kind of wrap it up. So why don't you just wrap it up and  
12 let us know.

13 MS. FLORES: Aren't they going to discuss  
14 it?

15 MADAM CHAIR: Because you're dominating the  
16 conversation.

17 MS. FLORES: No, no, no.

18 MADAM CHAIR: And you're not letting anybody  
19 else talk.

20 MS. FLORES: We're going to have time to  
21 discuss it.

22 UNIDENTIFIED VOICE: He needs to finish his  
23 half hour.

24 MADAM CHAIR: He needs to finish.

25 MS. FLORES: And then we'll discuss it.





1 MADAM CHAIR: We can discuss it, yes.

2 MS. FLORES: Okay.

3 MADAM CHAIR: But let's let him finish.

4 UNIDENTIFIED VOICE: Give him some time  
5 back.

6 MADAM CHAIR: I'm sorry.

7 MS. FLORES: I wish I had gotten the 28  
8 pages and needed to go through all those --

9 MADAM CHAIR: Please go ahead, Mr. Miller.

10 MS. FLORES: -- that big proposal.

11 MR. MILLER: And I appreciate that it's  
12 daunting to do what you do and I appreciate the fact that  
13 you're giving us this opportunity.

14 As I stated earlier, I've seen a lot of  
15 this, and I've sat on both sides of this table. I sit  
16 ore often on the other side and watch my brother-in-law  
17 have to recuse himself and struggle with that, many times  
18 in front of you.

19 I've never seen as innovative and exciting  
20 but yet prudent of an application, and I'm in a position  
21 now where I'm reluctant to take on these sorts of --  
22 these appeals. For me, I feel like it's important for my  
23 reputation, where I want to do personally, to take only  
24 those that are truly quality. In this case, I feel as  
25 though the district didn't adequately vet, didn't



1 completely assess what was contained in this application.

2 We put into our brief the fact that the DAC  
3 had expressed this: "The DAC would like to express a  
4 desire to deny these and future charter applications due  
5 to the negative impact on the district and it relates to  
6 enrollment and funding." That's a quote from their DAC.  
7 This, to us, indicates that there may have been an effort  
8 to push back on a quality application, regardless of what  
9 it contained.

10 This application, this applicant, his board  
11 of all colors, all demographics, the collaboration with  
12 community is unique and I think it's important. And  
13 we're watching online. You barrel down the tracks and  
14 that's not always the best thing, but this blended  
15 approach, that's going to meet unique needs of unique  
16 students, I think it's really important. I don't think  
17 it's just okay to pass this. I think it's important to  
18 move this school forward. And I do appreciate everyone's  
19 time.

20 MADAM CHAIR: Thank you, sir. Is that  
21 closed? I've got to read my script here.

22 That concludes the oral argument in this  
23 appeal and the Board will now deliberate and reach a  
24 decision. All Board members, we need to discuss among  
25 ourselves the issues, and when you feel it is appropriate



1 then we will entertain a motion.

2 Discussion? Go ahead. Val?

3 MS. FLORES: Yes. You know, I just want to  
4 just make a statement. I would like to receive  
5 everything. You know, I'd like to read the proposal. I  
6 would have liked to have read the 28 pages that was  
7 given. I also would like to say that I didn't get -- I  
8 had to really beg for the proposal, for the one before,  
9 and because all I got was the information between the  
10 lawyers and the district. And it would have been very  
11 important.

12 I don't like to sit here and look like a  
13 fool after having read, you know, your proposal, and I  
14 have a lot of experience. I used to read for the U.S.  
15 Department of Education, proposals. I worked with the  
16 Office of Civil Rights and I helped then. So when I read  
17 something I have a lot of experience, you know, many  
18 years of experience in dealing with programs.

19 So I found yours to be very wanting, and so  
20 I could never vote for it.

21 MADAM CHAIR: Okay. Board people, any  
22 comments? Nothing to say?

23 UNIDENTIFIED VOICE: I just appreciate the  
24 presentation. I think it sounds like an exciting model  
25 and good for choice in your geographic area. I like it.



1 MADAM CHAIR: Pam.

2 MS. MAZANEC: I don't need to repeat what I  
3 said earlier. I think it's a great idea.

4 MADAM CHAIR: Jane.

5 MS. MAZANEC: I have no issues.

6 MADAM CHAIR: I have to drag it out of them  
7 today.

8 MS. GOFF: This is interesting. I'm torn.  
9 I've always thought this kind of situation, it's like the  
10 perfect dream, the vision. This is what we kind of all  
11 want, looking down the road.

12 And yet I find it very weird that the  
13 district is not here. It's just really, really hard to  
14 say firmly where I am on this, because as hard as it is  
15 sometimes, one responsibility we have is to hear it all  
16 and try to come to the best balance. I'm having a very  
17 difficult time. I do love the idea. On the mechanical  
18 and logistical side, I have a lot of questions. No  
19 context. I don't share in the intimacy of most people  
20 here about the context of the area, downtown. It's our  
21 home state but we don't live there, so I respect you all  
22 turning into that.

23 But I'm just finding it -- I don't know what  
24 to do here today. I'm finding it real difficult to take  
25 a go-forth you all gave, and you all, not today. But



1 thank you for your efforts. I think it's worth pursuing  
2 and regardless of what this decision is.

3 MS. MAZANEC: I'm ready to make a motion.

4 MADAM CHAIR: What?

5 MS. MAZANEC: I'm ready to make a motion.

6 MADAM CHAIR: Steve?

7 MR. DURHAM: I'll pass. Thank you.

8 MADAM CHAIR: And I -- but I did have a  
9 comment. Do you have one?

10 UNIDENTIFIED VOICE: Nope.

11 MADAM CHAIR: Okay. Yes. I just wanted to  
12 make a comment. Early on, way back in my high school  
13 teaching career, I became involved with a partnership  
14 with a college and the business community, a work-study  
15 kind of thing, and it really changed my life because I  
16 was teaching American history, but I would know kids that  
17 went off and did this. When they came back to my  
18 American history class they just had a different  
19 attitude. They suddenly took American history, which,  
20 you know -- and they dressed a little better, and they  
21 just had such a different atmosphere.

22 It really -- you know, when I retired and  
23 went on the local board I went on their board too because  
24 I was so -- so I -- any time anybody comes around,  
25 there's all kinds of learning. You have the student who



1 sits in the class and learns everything, and he loves  
2 that. But we have so many other students who don't learn  
3 that way. They learn in this different direction. And  
4 so I always tend to, you know, really favor programs that  
5 bring about that kind of education, and I appreciate what  
6 you're doing.

7 So if there's no other comment -- Jane or  
8 Pam? Who was it that wanted to make a motion?

9 UNIDENTIFIED VOICE: Pam.

10 MADAM CHAIR: Pam.

11 MS. MAZANEC: Madam Chair, I move that the  
12 decision of the local board was contrary to the best  
13 interest of the pupils, the school district, or  
14 community, and move to remand this matter to Colorado  
15 Springs School District 11 for reconsideration.

16 MS. SCHROEDER: I'll second.

17 MADAM CHAIR: Seconded by -- shall we call  
18 the roll?

19 MS. MARKEL: Steve Durham.

20 MR. DURHAM: Aye.

21 MS. MARKEL: Dr. Flores.

22 MS. FLORES: No.

23 MS. MARKEL: Jane Goff.

24 MS. GOFF: Aye.

25 MS. MARKEL: Pam Mazanec.



1 MS. MAZANEC: Aye.

2 MS. MARKEL: Marcia Neal.

3 MADAM CHAIR: Aye.

4 MS. MARKEL: Dr. Scheffel.

5 MS. SCHEFFEL: Yes.

6 MS. MARKEL: Dr. Schroeder.

7 MS. SCHROEDER: Yes.

8 MADAM CHAIR: Thank you. I appreciate your  
9 effort, and to you people there who didn't show up, they  
10 saved us 30 minutes.

11 MR. MILLER: Madam Chair. Launch High  
12 School would like to invite you to consider being part of  
13 their board, if you would like to.

14 MADAM CHAIR: Okay. I'll move to Colorado  
15 Springs.

16 UNIDENTIFIED VOICE: So we do have -- I  
17 think we do have a task. When the Board remands to the  
18 district it's required --

19 MADAM CHAIR: Oh yes.

20 UNIDENTIFIED VOICE: -- with written  
21 instructions for reconsideration.

22 UNIDENTIFIED VOICE: Do we have volunteers  
23 to take -- you know what I'm doing, right?

24 (Overlapping)

25 MADAM CHAIR: Good team.



1 UNIDENTIFIED VOICE: We voted on the same  
2 side, though. Does that matter?

3 MADAM CHAIR: Is that okay? He's a happy  
4 man.

5 UNIDENTIFIED VOICE: That makes it easier.

6 MR. MILLER: Thank you for your time.

7 UNIDENTIFIED VOICE: It makes it easier.

8 UNIDENTIFIED VOICE: Thank you.

9 UNIDENTIFIED VOICE: Where the heck are we  
10 now?

11 MADAM CHAIR: I don't know. I've totally  
12 lost track of time and the agenda. Where are we, Robert?

13 MR. HAMMOND: We have about three others, so  
14 graduation guideline, statutory minimums --

15 MADAM CHAIR: Okay.

16 MR. HAMMOND: -- and then --

17 MS. MAZANEC: Excuse me. May I ask a  
18 question?

19 MADAM CHAIR: Yes, Pam.

20 MS. MAZANEC: Is it possible for the public  
21 comment to occur? I just am sensitive to seven members  
22 of the public that came. Based on their work schedules,  
23 they thought there were going to be a 2:00 public  
24 comment, and there isn't, and usually it's -- it's  
25 usually in the afternoon on Wednesdays. And I just feel





1 like if we're going to change it we need to give them  
2 time. These are people that are working.

3 MADAM CHAIR: No, it isn't usually in the  
4 afternoon on Wednesday. It's usually in the afternoon on  
5 Thursday.

6 (Overlapping)

7 MS. MAZANEC: I just feel like they're  
8 standing there, hoping to address us. And I know we have  
9 a full agenda, but we can have a short --

10 MADAM CHAIR: How do you feel about that,  
11 Board?

12 UNIDENTIFIED VOICE: I agree with that, but  
13 I would -- recognizing the number of you, I would ask you  
14 to kind of help us out by looking at our agenda. We are  
15 struggling with volume of items. And so in this  
16 particular case, public participation is on the agenda  
17 for tomorrow afternoon. You are here. We want to hear  
18 from you. But help us out by looking at the agenda,  
19 because that would be really helpful, because we're going  
20 to be here until who knows what.

21 UNIDENTIFIED VOICE: I agree.

22 UNIDENTIFIED VOICE: Is there any way that  
23 you guys can agree on a few items, that we could --

24 UNIDENTIFIED VOICE: (Indiscernible)

25 UNIDENTIFIED VOICE: Fantastic.



1 MADAM CHAIR: Thank you so much.

2 UNIDENTIFIED VOICE: Thank you very much.

3 UNIDENTIFIED VOICE: (Indiscernible) coming  
4 back tomorrow.

5 UNIDENTIFIED VOICE: Excellent. We will be  
6 here tomorrow.

7 MADAM CHAIR: Do you have the three in order, or do we  
8 need a sheet?

9 UNIDENTIFIED VOICE: (Indiscernible)

10 MADAM CHAIR: Just go ahead. If you're in  
11 order we'll keep taking place.

12 Thank you. And you will announce your name  
13 and you will keep it at the three minutes, right?

14 MS. SAMPAYO: My name is Sarah Sampayo and  
15 I'm from D-38. I live in Monument, Colorado.

16 My question to the Board today is why are we  
17 still administering PARCC? Our state statute, House Bill  
18 12-1240, only requires that we participate as a governing  
19 member in a consortium until January 1st, 2014. That  
20 time has expired, so now it's optional.

21 Last month we learned that these interstate  
22 consortiums are illegal entities and violate both  
23 constitutional and federal laws. I have submitted a  
24 letter to the attorney general and am waiting for a  
25 response on that matter.



1                   This month, we discovered that the tests  
2 developed by the consortium do not meet the ESEA  
3 requirements for standardized testing. Let me explain.  
4 These requirements are cited in a letter from the U.S.  
5 Department of Education to Commissioner Hammond. Quote,  
6 "The state assessment must be the same academic  
7 assessments used to measure the achievement of all  
8 children." The current assessments, both written and  
9 computerized, are not the same. There are seven  
10 different versions being administered at each grade  
11 level, in each classroom, and that's just math. The  
12 computerized tests are adaptive. That means the test  
13 questions change according to the answer of the student.  
14 It is not a standardized test that is the same for all of  
15 the students. It does not fulfill the federal mandate.

16                   In addition, the letter to Commissioner  
17 Hammond stated they must be consistent with widely  
18 accepted professional testing standards, objectively  
19 measuring academic achievement, knowledge and skills, but  
20 not measuring personal or family beliefs or attitudes.  
21 The current adaptive testing methodology using computers  
22 is a new experience. It is not a widely accepted  
23 professional testing standard.

24                   Students are reporting disparate numbers of  
25 test questions. A geometry student had only 15 questions



1 on her PARCC test, while everyone else worked for the  
2 entire two hours. And hers were all multiple choice.

3 Principals are reporting that there are,  
4 like I said, seven different tests administered among the  
5 students in the same class. The literature samples given  
6 for the students to analyze are different for every  
7 child. They are not standardized tests.

8 MADAM CHAIR: Time is up.

9 MS. SAMPAYO: Thank you.

10 MADAM CHAIR: Thank you. Next.

11 MS. HOLLAND: Thank you, Board, for your  
12 time today. My name is Tammy Holland and our son goes to  
13 the Byers School District, 32-J. I would especially like  
14 to thank Board Member Durham for his boldness to stand up  
15 for parents' rights. It does speak to your integrity and  
16 I'm thankful for it.

17 First I want to tell you that our school has  
18 still not provided me, since I saw you last month, with  
19 the dates of the end-of-year testing, that I may  
20 reschedule my weekly responsibilities. This is a  
21 problem.

22 Now I want to share with you, with the  
23 Board, part of an article that I found last week on the  
24 internet by Abbie Mitchell, just written at the end of  
25 January, in wordpress.com, concerning statements made by



1 our superintendent, Tom Turrell. The article begins by  
2 saying, in larger districts, district assessment  
3 coordinators are hired to prepare for and proctor tests,  
4 but due to recent cuts in education, Turrell is now the  
5 district's assessment coordinator as well as the  
6 superintendent. Between attending trainings for Pearson,  
7 Pearson Next, PearsonMyLabMastering.com, and CoAlt,  
8 scheduling, preparing for proctoring tests, he has found  
9 himself being stretched rather thin. Quote, "I meet  
10 myself coming and going on being trained just how to use  
11 the system, and that's just to get the kids enrolled."

12 The article goes on to say that with a  
13 growing contingent of teachers and parents and community  
14 members becoming weary and frustrated with the amount of  
15 testing being implemented, tensions have begun to run  
16 high at Byer School District board meetings. Many  
17 parents simply want their children opted out. Mr.  
18 Turrell explained, quote, "It is simply not an option.  
19 As custodian of the school and steward of the community,  
20 I cannot allow that to happen. I just can't condone it.  
21 Even though I am sympathetic to them, their only option  
22 is not showing up during the testing window."

23 This article then states "no matter how  
24 sympathetic Turrell may be, not showing up for 11 weeks,  
25 it is quite extreme and detrimental to the student."



1 I would ask this Board to review this  
2 article, which I will leave you, for themselves and tell  
3 me that our super has absolutely any say in what I decide  
4 on behalf of my minor child. I'm not asking for his  
5 approval and I'm not asking for anyone's approval. Mr.  
6 Turrell may not condone our choice to teach our son how  
7 to handle a weapon. He may not condone our choice to  
8 teach our son how to hunt. But that's not his decision.  
9 It's ours, his parents.

10 You have the power to make that point clear  
11 to our schools, and although missing 11 weeks of school  
12 may be extreme, I believe that spending that 11 weeks  
13 testing is more harmful and damaging to our son.

14 MADAM CHAIR: Thank you. And, finally --

15 MS. MILLER: Mine will be very quick. I'm  
16 speaking for someone else who is going to come.

17 MADAM CHAIR: On the part of Christina?

18 MS. MILLER: I'm sorry.

19 MADAM CHAIR: The name you said?

20 MS. MILLER: My name is Deanna Miller, and  
21 I'm speaking on behalf of Sheila Brown. Her son is Tater  
22 (ph) Brown. He goes to a school in Jefferson County.  
23 He's an honors student. And she was going to be here  
24 today to speak, but because of the change, so I'm going  
25 to make it short.



1                   She had sent a letter to school with him to  
2                   opt him out of the PARCC testing, and he was called into  
3                   the principal's office and was told that if he did not  
4                   take the PARCC test that it would jeopardize his chances  
5                   to get into the honors classes next year. So the boy  
6                   went home upset, told his mother. She went back in and  
7                   spoke with the principal, and everything was cleared up  
8                   and the principal said, "Oh, that's okay. No, that won't  
9                   happen." But she was upset and the son was upset and it  
10                  just wasn't appropriate. And I don't know all the  
11                  details. Like I said, she was going be here but because  
12                  of the change she couldn't make it and I'm speaking on  
13                  her behalf.

14                  So thank you.

15                  MADAM CHAIR: Thank you, and thank you all  
16                  for coordinating and helping us with our time problem.  
17                  We really appreciate it.

18                  All right. Robert, where are we going?

19                  UNIDENTIFIED VOICE: Can we do 15.04?

20                  MADAM CHAIR: No, we can't. Where are we?

21                  MR. HAMMOND: 15.04 has already been --

22                  UNIDENTIFIED VOICE: It has?

23                  MR. HAMMOND: Yeah. Carrie and I talked  
24                  about it. That's already been --

25                  UNIDENTIFIED VOICE: (Indiscernible)



1 MR. HAMMOND: Typo.

2 UNIDENTIFIED VOICE: Oh. Okay.

3 MADAM CHAIR: Carrie, we've been around, so  
4 where do we --

5 MS. MARKEL: Madam Chair, I believe we are  
6 at Item 20.

7 MADAM CHAIR: Twenty? Eighteen?

8 MR. HAMMOND: 18.01.

9 MADAM CHAIR: Graduation Guidelines?

10 MS. MARKEL: 18.01.

11 MADAM CHAIR: 18.01, Graduation Guidelines.  
12 Rebecca will be the lucky person. And, Tony, don't ask  
13 any more of those informative questions. This could go  
14 on for 30 minutes.

15 UNIDENTIFIED VOICE: Do we have any  
16 Starbucks?

17 UNIDENTIFIED VOICE: What?

18 UNIDENTIFIED VOICE: Do we have any  
19 Starbucks coffee?

20 MADAM CHAIR: Do we need a break or are we  
21 okay for another --

22 UNIDENTIFIED VOICE: No. We need coffee.

23 MADAM CHAIR: What?

24 UNIDENTIFIED VOICE: I need coffee.

25 MADAM CHAIR: Okay. Because this is due for





1 30 minutes. Okay.

2 (Overlapping)

3 MR. HAMMOND: Are you ready?

4 MADAM CHAIR: Yeah.

5 MR. HAMMOND: Okay. Yeah, Madam Chair,  
6 we're at 18.01, the Graduation Guidelines Statutory  
7 Minimums. At the last Board meeting you requested from  
8 Assistant Attorney General Tony Dyl what are the  
9 statutory minimums as it relates to graduation  
10 guidelines, which are now called graduation requirements.  
11 Okay. So we're making that change.

12 MADAM CHAIR: And so we're having that  
13 discussion today.

14 MR. HAMMOND: Right. And what you have  
15 before you, and if you don't have your questions answered  
16 we can talk about this at the next Board meeting, however  
17 you want to do that. But Tony Dyl is prepared here to go  
18 over his opinion as you want. Rebecca Holmes and Elliott  
19 Asp will also walk you through kind of what the opinion  
20 was, now that it's released, versus what was originally  
21 approved by the Board a couple of years ago, or a year  
22 and a half ago, and then what the proposal was that was  
23 brought back to you based upon all the public input. So  
24 you have kind of a comparison chart.

25 Again, given the lateness of the hour, I



1 will try and be very brief. This certainly -- we can  
2 defer this to another meeting and talk about it. We'll  
3 try and get as many questions we can answered. Again,  
4 we'll play this by ear.

5 So go ahead, Rebecca.

6 MADAM CHAIR: Rebecca.

7 MR. HAMMOND: Maybe I'll start with Tony.

8 MR. DYL: Well, mine isn't going to be very  
9 long. You each have my memo. You know, as I described,  
10 what I tried to do is go through the statute and  
11 determine what were areas where the statute asked you to  
12 acknowledge or consider certain areas, and others that  
13 were more mandatory, and what the guidelines would  
14 actually have to contain.

15 So I've come up with a list of eight  
16 different areas where there seemed to be actual  
17 requirements and what these guidelines had to contain.  
18 And I'm available for any questions.

19 MADAM CHAIR: Eight different areas. Okay.  
20 Rebecca, are you prepared?

21 MS. HOLMES: I'm happy to talk through this.  
22 What we created, once we had received Tony Dyl's opinion,  
23 was an attempt at giving you a crosswalk, not in  
24 interpreting those eight areas, just vaguely or  
25 theoretically, but in terms of interpreting those eight



1 areas as they applied to two proposals. One, the  
2 graduation guidelines that you all unanimously adopted in  
3 May of 2013, and that's the middle column on this two-  
4 page crosswalk, and then you'll remember that in our last  
5 meeting, in the February State Board meeting --

6 MR. DURHAM: May I interrupt with a  
7 question? These 2013 policies, did districts have to  
8 take any action based on this, or, in fact, are these  
9 existing graduation minimums that districts had to  
10 enforce before issuing a diploma?

11 MS. HOLMES: Madam Chair.

12 MADAM CHAIR: Go ahead, Rebecca.

13 MS. HOLMES: What was adopted in 2013, which  
14 is in your packet, was adopted to go into place for the  
15 graduating class of 2021, so this year's sixth graders.  
16 What districts were then recommended to do, based on that  
17 timeline, was to begin a local district policy review of  
18 their current graduation requirements to begin to see how  
19 they would move their diploma process into compliance  
20 with what you all adopted in 2013.

21 MR. DURHAM: And 2013 was required by a  
22 statutory change in the legislature. Is that correct?  
23 Oh, and some sort of legislative --

24 MADAM CHAIR: Yes.

25 MS. HOLMES: Madam Chair. So the statutory



1 opinion that Tony has provided you with is based on the  
2 2007 and 2008 legislative adoption, both of the  
3 graduation guidelines and then also of the restatement of  
4 that inside CAP4K.

5 MR. DYLAN: Madam Chair?

6 MADAM CHAIR: Yes.

7 MR. DYLAN: And just to clarify, the statute  
8 does say that the State Board must adopt these on or  
9 before May 15th, 2013.

10 MR. DURHAM: So that was done, and now we're  
11 proposed to revise them based on the comments that we  
12 have received subsequent to the adoption of the 2013  
13 guidelines.

14 MR. DYLAN: That's correct.

15 MR. DURHAM: And once again they're not  
16 guidelines.

17 MR. DYLAN: They're minimum, really sort of  
18 minimum requirements.

19 MR. ASP: We're trying. We're trying to  
20 change the nomenclature.

21 MR. DURHAM: Right. Okay.

22 MR. ASP: But, Madam Chair, I might say, Mr.  
23 Durham, one of the things, when the Board adopted this it  
24 was clear they wanted us to go back for more input. We  
25 formed a council, we got it. That's why you're seeing it



1 come back again.

2 MR. DURHAM: Thank you. I appreciate the  
3 history lesson.

4 MR. ASP: You're welcome.

5 MADAM CHAIR: Okay.

6 MS. HOLMES: Madam Chair, I'm happy, to  
7 whatever extent it's helpful, to walk through this  
8 crosswalk document. Again, the middle column is what was  
9 adopted. The right column is what came forward last  
10 month, as a sort of mid-course process update of the  
11 assessment workgroup, which you'll recall was the final  
12 of the seven workgroups. Our intention was to come back  
13 to you in the next Board meeting, in April, with a final  
14 staff recommendation of that menu, based on the final  
15 work of that workgroup. We can do that in April or we  
16 can walk through the way we think those two possible  
17 proposals align with the statutory minimums. We can do  
18 either of those, at your pleasure.

19 MADAM CHAIR: Okay. Yes, Steve.

20 MR. DURHAM: I've met with several local,  
21 small district -- not local but small district  
22 superintendents and board members since this -- since we  
23 had the last meeting with these new proposals, and then I  
24 received, as I suspect all the members of the Board have  
25 received, some sort of, or, I don't know, a lot of



1 correspondence about not lowering graduation standards.  
2 And so I guess the first question I have is, in your  
3 judgment, do these proposed standards, are they lower or  
4 can they be characterized as lower than the 2013 adopted  
5 standards?

6 MS. HOLMES: Madam Chair. In my opinion,  
7 the most substantive change is the distinction of four  
8 subject areas that guide what districts must include, and  
9 taking that as the new policy proposes to do to two  
10 subject areas. We don't interpret that as meaning that  
11 districts would have a policy that doesn't address the  
12 other subject areas -- that would be at their discretion  
13 -- but that the statutory requirement only directs staff,  
14 and primarily State Board, to adopt a policy where we can  
15 identify a requirement of two subject areas.

16 MR. DURHAM: And my conversations with these  
17 rural districts, and I certainly have some sympathy for  
18 them because when you have a graduating class of 20 or 30  
19 people, you certainly can't have the kind of course  
20 offerings that you can have in a Jefferson County high  
21 school. So is it possible -- does the standard have to  
22 be statewide or could it be varied by district size,  
23 under the statute?

24 MS. HOLMES: Madam Chair.

25 MADAM CHAIR: Yes.



1 MS. HOLMES: I would defer to Tony on  
2 interpreting the statute, but what I would point to is  
3 number six, both on his opinion and on our chart, which  
4 says the guidelines must recognize and address multiple  
5 diverse pathways to diplomas offered by school districts  
6 in Colorado, and ensure that each pathway, while not  
7 identical, is equally rigorous. The way that that has  
8 always been interpreted, I think, by the many hundreds of  
9 people now who have provided input, is that the reason  
10 that there is not just an ACT, SAT, or Compass cut score,  
11 and that there are industry certificates, Capstone, IB,  
12 AP, and concurrent enrollment, is to recognize those  
13 multiple and diverse pathways that many districts might  
14 include, based on their local provisions.

15 MR. DURHAM: And if I further understand  
16 this correctly, the new graduation standards are going to  
17 be based not as they were years ago, which is you had  
18 four years of English and three years of mathematics and  
19 two years of social studies, and whatever else was  
20 included, but now, in theory, you're going to have to  
21 attain some minimum score on a test. It's a proficiency  
22 standard that we're implementing, rather than a seat time  
23 standard. Is that a fair characterization?

24 MS. HOLMES: Madam Chair.

25 MADAM CHAIR: Yes.



1 MS. HOLMES: I would say that is a fair  
2 characterization. It doesn't mean that a school district  
3 has to move their entire system to a competency-based  
4 system. They could certainly still require four years of  
5 English, four years of math, et cetera, but the diploma  
6 would transition to being granted based on a  
7 demonstration of some mastery of the skills and  
8 competencies that you all set forward as minimums, or  
9 that the district set above that bar.

10 MADAM CHAIR: Yes.

11 MR. DURHAM: And so we could then reduce the  
12 scores required to actually have the diploma issued, or  
13 our judgment of what proficiency is. We have the ability  
14 to set that. Is that correct?

15 MS. HOLMES: Madam Chair.

16 MADAM CHAIR: Yes. Can I ask a question,  
17 first of all? When you say "we," do you mean the Board -  
18 -

19 MR. DURHAM: The Board, yes.

20 MADAM CHAIR: -- has the ability to reduce?

21 MR. DURHAM: Yeah. I other words --

22 MADAM CHAIR: I guess my first question, why  
23 would we do that?

24 MR. DURHAM: Well, I think I'm going back to  
25 my -- I do actually believe in local control, and, you





1 know, it used to be every district set their own  
2 standards. I'm not convinced that that was bad policy,  
3 by any stretch of the imagination, because trying to do a  
4 one-size-fits-all standard makes less sense to me. And  
5 so if we have to try and figure out a way to accommodate  
6 small districts then a way to do it might be to reduce  
7 what I would characterize as the arbitrary and capricious  
8 standard, the cut score that has been set by someone,  
9 some -- and I always enjoy the conversation of who it is  
10 that sets these scores -- but some group of experts have  
11 forced their interpretation of satisfactory performance  
12 on 179 school districts. And that may work in some of  
13 them. I'm not convinced it works in all of them.

14           And the result of this is if you set these  
15 properly, you will have a lot of kids who won't get  
16 diplomas, and that's going to be the fact. Kids who have  
17 gone to school, and spent four years, but for whatever  
18 set of reasons don't meet the mythical standard set by  
19 the group of experts, they've essentially wasted four  
20 years. And I don't know that -- I mean, while I do  
21 appreciate what the legislature tries to do, I don't  
22 always agree with it, and this is one of those instances  
23 where they've really put a one-size-fits-all on the state  
24 where this is a difficult state for one size to fit all.

25           And so I'm trying to figure out how do we



1 minimize the impact of this, and I know the business  
2 community is interested in being able to have a diploma,  
3 which they think that everybody who graduates can do a  
4 particular level of math. Well, that certainly hasn't  
5 been true up to now, and if the result is -- and I think  
6 probably the run I'd like to see on this is, you know,  
7 how many of these kids who graduate in 20-what --

8 MS. HOLMES: 2021.

9 MR. DURHAM: -- so right around the corner,  
10 in 2021, how many of these kids we project will now not  
11 get diplomas even after completing all the coursework?  
12 Those are the kinds of questions we ought to be asking,  
13 because the impact of that is a real impact on real  
14 people, not the 30 mythical people who set the standards.  
15 And for us to just go blithely forward with that makes  
16 no sense to me, and it fails to recognize the diversity  
17 in the state. So I think we ought to find a way to  
18 accommodate that diversity in graduation standards. We  
19 have a significant amount of obvious testing. I mean,  
20 we're all dealing with those issues. But now we're  
21 trying to take some of those testing, which there's  
22 plenty of objection to, and force that now on all the  
23 districts as a graduation standard, which raises the  
24 stakes, I think, significantly.

25 MADAM CHAIR: Rebecca, I'm sorry, because



1 you're all prepared to report on this, and we have seemed  
2 to have jumped ahead into the discussion of why or what  
3 we should do. And I disagree with Steve on almost  
4 everything he said, in very measured tones. We're not  
5 going to fight about anything. But as a, again, high  
6 school history teacher, as a local school board member,  
7 for years we've had exactly what you say, when you talk  
8 about local control. What we need to do is figure out --  
9 and that's the big thing for me -- is how do we balance  
10 local control with some state control? Because when you  
11 have local control you can go to every graduation and you  
12 can sit there, and I can tell you that 25 percent,  
13 somewhere thereabouts, of those kids who are walking  
14 across that stage and taking that diploma are not well  
15 educated, because all we're giving them is GPA, and it's  
16 very easy to inflate GPA.

17 And I've had experience, when I was --  
18 again, sorry about this, but then Steve took his time --  
19 when I was on our local board, we did something for three  
20 or four years that I thought was very helpful, and we had  
21 somebody round up kids from the year before and bring  
22 them into our board meeting, and we had this roundtable  
23 discussion with them. And we said to them -- and they  
24 were all ranges. Some were in college. Some were out  
25 working -- "What did you think of your school



1 experience?" And almost without exception they said,  
2 "Why didn't they make us work harder?" A couple of them,  
3 the really, really good ones that left, they were just,  
4 you know, "I got out of school." And I remember one  
5 girl, "I didn't even know how to do percentages," she's  
6 going, you know.

7           And so the idea that if we just let the  
8 locals, you know, control this, and we still are going to  
9 have highly educated kids -- now some locals may but not  
10 all of them. And so we have to find a melding place. I  
11 agree with you about local control in that sense. But if  
12 you think that local control is going to give you 100  
13 percent, or even 75 percent highly educated kids, you're  
14 wrong, because we have not, and it's partially because we  
15 have not held them to high expectations. And the sense  
16 has been, oh, you're such a good kid, we'll give you a  
17 passing grade. And we've done that for a long time.

18           And high school kids, all they want is the  
19 grade, you know. They high-five each other over getting  
20 a 60 percent. And many of them are not interested in  
21 high academics, and we have to find a way. You know, the  
22 last charter school we were talking about, that's one of  
23 the ways that that sometimes happens, when they make this  
24 connection with the business world and they go, "Oh, I've  
25 got be able to do this."



1 UNIDENTIFIED VOICE: Excuse me.

2 MADAM CHAIR: But I just disagree with  
3 Steve. I think that local control is great, I'm all for  
4 it, but if you're going to yank it all the way and say  
5 we're going to let the locals do that, you're going to  
6 continue to get graduating students every year who are no  
7 well educated. So, you know.

8 MS. FLORES: Marcia?

9 MADAM CHAIR: Yes, ma'am.

10 MS. FLORES: May I say something?

11 MADAM CHAIR: Sure.

12 MS. FLORES: I don't believe that. I think  
13 we've been wasting a lot of time with testing as opposed  
14 to really looking at what we can do to make kids learn,  
15 kids who you're talking about, who may not be learning.  
16 And certainly putting the emphasis on testing -- we  
17 should be putting the emphasis on teaching and learning.

18 MADAM CHAIR: But how do you measure that  
19 they've learned? How do you know that those kids that  
20 walk across the stage are well educated?

21 MS. FLORES: I think you --

22 MADAM CHAIR: How do you know?

23 MS. FLORES: Well, Elliott Eisner once said  
24 that teachers and people who certify, they're the people  
25 who know -- I'm trying to think of the word. They're the



1 specialists. And I would say that a school community is  
2 a group of specialists, and they know. And we don't  
3 know. I mean, am I going to go to a small, rural school  
4 district and tell them who the connoisseur is? They  
5 know. That's why they got that -- they employed that  
6 community of teachers and administrators, because they  
7 know.

8 No, seriously. I worked in testing.

9 MADAM CHAIR: No, they don't.

10 MS. FLORES: I worked for Educational  
11 Testing Service, and I can be critical, I think --

12 MADAM CHAIR: Okay.

13 MS. FLORES: -- of testing, because it is  
14 not all that it's hyped up to be. And we are missing the  
15 point when we are not working on issues concerning  
16 learning how kids can learn better, how teachers can  
17 teach better. We're missing the whole point. I'm sorry,  
18 but that's my --

19 MADAM CHAIR: We need to decide here whether  
20 we want -- Rebecca and these people are here to tell us,  
21 you know, whatever. Do we want to hear that or do we  
22 want to continue this conversation? What do we want to  
23 do? Pam?

24 MS. MAZANEC: Marcia, Dr. Scheffel has had  
25 her hand up for quite a while and you just didn't notice.



1 So I think we ought to let Dr. Scheffel --

2 MADAM CHAIR: Well, there's something about  
3 the right hand thing. I know. I used to sit over there  
4 and I always said you never -- we never look left to  
5 right. Deb, go ahead.

6 MS. SCHEFFEL: And I --

7 (Overlapping)

8 MADAM CHAIR: Go ahead.

9 MS. SCHEFFEL: And I would want to let  
10 Rebecca continue her presentation. I just have one  
11 comment that relates to this discussion.

12 MADAM CHAIR: Yeah. Go ahead.

13 MS. SCHEFFEL: I think that this statute and  
14 the rules that accompany it and the guidelines, which are  
15 really requirements, and the adjustments that are trying  
16 to be made based on input really represent an approach to  
17 reforming the system based on regulation. And I would  
18 think that if we had a deeper study session on this issue  
19 -- when does regulation translate into quality when it's  
20 top-down like this?

21 MADAM CHAIR: When does local control  
22 translate into quality?

23 MS. SCHEFFEL: Yes, when there's enough  
24 competition in the system to push on the status quo.

25 MADAM CHAIR: Well --



1 MS. SCHEFFEL: And I believe that regulating

2 --

3 MADAM CHAIR: Most of our small districts --  
4 I agree with you but --

5 MS. SCHEFFEL: -- regulating like this will  
6 result in a lot of losers, because of the nature --

7 UNIDENTIFIED VOICE: (Indiscernible)  
8 testing.

9 MS. SCHEFFEL: But anyway, it's a great  
10 discussion for us to have, and I'd like to defer to  
11 Rebecca.

12 MADAM CHAIR: Rebecca finishes quickly, as  
13 quickly as you can, because it's 5:00 and we're still  
14 dragging along here. So, Rebecca, we're sorry.

15 MS. HOLMES: Madam Chair, we don't have a  
16 lengthy presentation today. We just wanted to be  
17 supportive of your request to Tony and sort of how we  
18 might interpret that. I have just a quick comment and  
19 then I think I'll ask Elliott to follow up, and that  
20 might be all we need.

21 UNIDENTIFIED VOICE: And, Rebecca, there  
22 were, you know, with deference to Steve, there were some  
23 valid questions he had asked that I think would beg an  
24 answer for us that we've looked at. Because it gets to  
25 what other people have asked these questions as well.





1 MS. HOLMES: Absolutely.

2 UNIDENTIFIED VOICE: So if we could cover  
3 some of those.

4 MS. HOLMES: I think I can address those.

5 I will say, if I may be so bold, I think  
6 that Dr. Asp and I are quite enjoying this conversation  
7 because it immediately reflects, absolutely reflects the  
8 conversations that have taken place --

9 MADAM CHAIR: Yes.

10 MS. HOLMES: -- in our offices, in the  
11 field, in many school districts for the last three years.  
12 And you can see that intelligent people would disagree  
13 about where to come down on setting this requirement that  
14 we all have from statute.

15 I'll point to a few things that I do think  
16 address Board Member Durham's questions, which are that  
17 when we've wrestled with what we can tell the workgroups  
18 is allowable, we've come back to number five in the  
19 assistant attorney general's opinions, which is that  
20 there is a direction to a certain set of cut scores that  
21 feel -- that read, in statute, as if they were required,  
22 and that is any place where the CCHE, Commission on  
23 Higher Ed, has set a cut score related to higher ed.

24 Now there's certainly a challenge here  
25 because this is meant to be about students being college



1 and career ready, and those are only about college ready.  
2 But they do indicate the three places -- and there's  
3 supporting documents that we gave you today -- where the  
4 CCHE has set cut scores. If you look at the 12 or the 14  
5 options on the menu, three of those are represented and  
6 that's where the cut scores have started. Those are ACT,  
7 ACT Compass, and SAT. Those are the only three places  
8 where there are cut scores adopted by CCHE that statute  
9 seems to point to.

10 Then, if you read to number six, in Tony  
11 Dyl's opinion, it says that each pathway, while not  
12 identical, needs to be equally rigorous. And so that was  
13 the tough task that we've put in front of the task force  
14 that Dr. Asp has led for almost a year now, was to say if  
15 we have three areas where the cut scores are called for  
16 in statute, and we know we want to have multiple pathways  
17 -- we don't want three pathways; we want as many as  
18 possible to represent the kinds of districts and kinds of  
19 kids in the state -- how would you wrestle with that  
20 equally rigorous language in statute? And I'll ask him  
21 just to comment a bit on where that group has come down  
22 in the interpretation there.

23 MR. ASP: Madam Chair.

24 MADAM CHAIR: Yes. I'm sorry.

25 MR. ASP: That's all right. I understand.



1 MADAM CHAIR: Go ahead.

2 MR. ASP: In deference to Dr. Scheffel's  
3 question about regulations, and it's certainly an  
4 important one, and also Mr. Durham's questions, we  
5 recreated this discussion over the last four or five  
6 months with the folks that are on the task force, because  
7 they represented a broad group of folks from both metro  
8 areas and small rural districts, and what they wrestled  
9 with was given that they have a statutory obligation to  
10 develop a response to the statute was to get to a place  
11 where what's a reasonable set of guidelines or  
12 requirements, depending on how you want to phrase it,  
13 that districts could move forward with, and, in essence,  
14 where they came down? And I'm going to make this small.  
15 As they said, it seemed reasonable -- and not every  
16 person in the group has signed off on this -- it seemed  
17 reasonable that districts would certify that students can  
18 read and write and do mathematics at a level that would  
19 allow them to either go into some postsecondary work or  
20 to go to a career training program.

21 And then we had to wrestle with what is the  
22 difference between being ready for that and being already  
23 successful. You heard that last time. And so to make a  
24 long story short, that's why some of these pieces have  
25 changed, because of some of the issues that you raised,



1 Mr. Durham, about what's feasible for districts but also  
2 what's a reasonable score on some of these measures.

3 And then we also have added here, even  
4 though we haven't figured out exactly how to do it  
5 because it would take some additional funding, is what we  
6 called collaboratively developed performance assessments  
7 that could come from districts and be vetted in some way  
8 at the state level. So districts could bring their own  
9 piece there.

10 There are still issues about whether or not  
11 there's enough pathways through here so that all  
12 districts can participate in the same level, in the same  
13 way, and provide a number of different pathways for their  
14 students. But that's what the discussions are about and  
15 where we've gone with these.

16 MADAM CHAIR: Thank you. Any more comments?  
17 Deb?

18 MS. SCHEFFEL: What are the -- what would  
19 the directions be at the top of these columns? Under  
20 English -- choose two? Under math -- choose one? What  
21 are the directions?

22 MS. HOLMES: Madam Chair.

23 MADAM CHAIR: Rebecca.

24 MS. HOLMES: Really, when we've worked with  
25 districts and boards who have begun to adopt this policy



1 early, thinking about those 2021 graduates who are  
2 currently in sixth grade, we've said to them, the  
3 interpretation is pick as many as you would like. And so  
4 if you're a district that offers all 13 of these  
5 pathways, you could construct a diploma policy that says  
6 students may graduate based on the demonstration of  
7 English competency in any of these 13. I think you'll  
8 have not too many districts that come out as offering all  
9 13, but if you were a district, instead that said, "You  
10 know what? We have six of these. We have students who  
11 take the ACT. We offer ACT Compass. We still use the  
12 Accuplacer. We're interested capstones, industry  
13 certificates, and we have a strong military commitment so  
14 we also would graduate students based on the ASVAB."  
15 They might pick those six, or any combination of 1 or 2  
16 or 13, and craft their diploma policy around that.

17 They then, in crafting their diploma policy,  
18 would look at what's not a statutory minimum set by the  
19 board, but what do they want to add? So, for example, a  
20 district might say, "The statutory minimum is only  
21 covering English and math but we're not going to give a  
22 diploma unless a student can also demonstrate some level  
23 of either seat time or competency in science." So they  
24 would then go off and add, and, you know, with the work  
25 of their own local community, add that as their own



1 diploma requirement.

2 Without wading too deeply into the difficult  
3 statutory language, I think that's one of the reasons  
4 between guidelines and requirements is that the statute  
5 asks you all to set the minimums, but then this is a  
6 district-facing document that districts use to then set  
7 their graduation requirements.

8 MS. SCHEFFEL: Can I ask a follow-up?

9 MADAM CHAIR: Yes.

10 MS. SCHEFFEL: So are you saying that if I'm  
11 a district and I see your list of English options I can  
12 choose the capstone and let that be the determination of  
13 whether or not a student gets a high school diploma?

14 MS. HOLMES: Madam Chair.

15 MADAM CHAIR: Yes.

16 MS. HOLMES: As we have worked with  
17 districts, if you all approve this policy that way that  
18 would be an approvable way to move the diploma policy  
19 forward. You could then graduate 100 percent of your  
20 students only based on their capstone project.

21 MS. SCHEFFEL: Okay. And one follow-up.  
22 Why is CDE involved in the detail there? Is that  
23 necessary? It seems like your ability to do that at CDE  
24 would be difficult without a lot of time through FTE.  
25 But why is CDE involved in guidance and implementation



1 toolkits, and all that? Is that just discretionary?

2 MS. HOLMES: Madam Chair.

3 MADAM CHAIR: Yes.

4 MS. HOLMES: We have not been very involved  
5 because, as you can imagine, this was not funded except  
6 for one FTE on Misti's team, Misti Ruthven's team. So  
7 the implementation toolkit was just to be helpful to  
8 districts with resources, co-created by CASB and CAES, to  
9 give them some helpful documents where they wanted. They  
10 are not at all mandatory documents for use.

11 MS. SCHEFFEL: But it seems to me that it  
12 suggests that CDE has to have guidance in the process. I  
13 guess I would suggest that we not require that of  
14 districts.

15 UNIDENTIFIED VOICE: The capstone?

16 MS. SCHEFFEL: Well, I just am saying if  
17 this is the option, this list, I would like to not  
18 require districts to engage CDE in giving them guidance  
19 on it. If they want guidance, they can, but this  
20 suggests that with CDE guidance -- it's just that they  
21 have to have CDE guidance. I guess I prefer they not.

22 MADAM CHAIR: Jane.

23 MS. GOFF: I'm trying to digest that. I'm  
24 not getting it quite yet.

25 Part of it -- what's hard to keep away



1 forever is the fact that this is all bridgework. This  
2 ties in with postsecondary planning and thinking about  
3 the road ahead after high school. So as families and  
4 kids start preparing what they're -- if they're looking  
5 ahead toward what am I going to need to have to get a  
6 diploma, and what are all the avenues I have to go there,  
7 then what? I think, you know, a lot of families are  
8 going to naturally want to say, "So then what?"

9 So that's where some of these other things  
10 come in, and I would imagine that districts, in their own  
11 conversations, are going to be looking at the whole list  
12 and saying, as part of their required package --

13 MADAM CHAIR: Well, we can go ahead.

14 MS. GOFF: Well, I'm not going to assume  
15 anything. The possibility exists that they will see one  
16 or more of these as a recommendation that's very strongly  
17 required, in order to get the whole picture of a student  
18 or their own system's progress on something.

19 But, you know, in thinking about CDE, why  
20 does CDE have to be involved at all, because this is K-12  
21 stuff, and if nothing else being able to provide some  
22 resources, toolkits, some discussion forum avenues, I  
23 would think that -- I don't see where K-12, whatever you  
24 call it, cannot be involved in this conversation, as  
25 supports.





1 MS. HOLMES: Madam Chair, I've just got one  
2 comment, which actually might be more an answer to Dr.  
3 Scheffel's question but is related to that, which is that  
4 primarily what we've seen is there are excellent examples  
5 of pieces of this all over the state already happening.  
6 And so to the extent that we are providing guidance, we  
7 have so far, in most cases, actually been a broker, where  
8 we've said, "If you're a district who is deeply  
9 interested in capstone, here are the four districts we  
10 have discovered in the state who are doing that. Can we  
11 be helpful in sort of that knowledge management versus  
12 resource creation on our own?" So to that point I think  
13 that's largely how we have structured our support.

14 MADAM CHAIR: Thank you.

15 MR. ASP: Madam Chair.

16 MADAM CHAIR: Yes.

17 MR. ASP: And I might add that my own  
18 experience, these capstones have been around for a long  
19 time. I graduated from Wasson High School, I dare say,  
20 in 1968, under a senior speech capstone. My daughters  
21 graduated from ThunderRidge High School in Douglas  
22 Country, again, under a capstone project, and we've had  
23 some other examples of those. You heard the principal of  
24 the University School in Greeley discuss the same thing.  
25 But they're not for everyone. They take quite a bit of



1 development to pull those off.

2 MADAM CHAIR: Okay. Thank you for your  
3 work, and thank all of the Board for their comments.  
4 Very interesting. I don't know where we got, but --

5 UNIDENTIFIED VOICE: Madam Chair.

6 MADAM CHAIR: -- we're going to take a five-  
7 minute break. We're going to take a five-minute break.

8 (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.

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