



**COLORADO**  
Department of Education

Colorado State Board of Education

---

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE  
COLORADO DEPARTMENT OF EDUCATION COMMISSION  
DENVER, COLORADO  
September 10, 2015 Part 2

BE IT REMEMBERED THAT on September 10, 2015,  
the above-entitled meeting was conducted at the Colorado  
Department of Education, before the following Board Members:

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



1                   CHAIRMAN DURHAM: -- to order. The order of  
2 business the Colorado State Board of Education will now  
3 conduct a hearing on Case Number 15-CS-04, the appeal of  
4 Cooperative Community Schools from the decision of the  
5 Aurora Public School Board of Education to deny  
6 Cooperative Community Charter School application. During  
7 this hearing, the Board is acting in its capacity to hear  
8 appeals of charter schools and will hold an appellate  
9 hearing under the relevant charter school appeal law 22-  
10 30.5-108. Appellate hearings are conducted different from  
11 regular board meetings. The procedures are set forth in  
12 the Board's governing documents. We'll review these  
13 procedures -- I think we have reviewed these procedures  
14 before. But we'll start, each side has 30 minutes.

15                   MS. BURDSALL: Yes.

16                   CHAIRMAN DURHAM: Each side has 30 minutes so  
17 let's start, let's see here, all right I'd like to ask the  
18 person chosen to represent each party the interview name  
19 on the record, along with party representative please.

20                   MR. FARMER: Thank you Mr. Chairman. My name  
21 is Timothy Farmer, I represent Cooperative Community  
22 Schools.

23                   CHAIRMAN DURHAM: Thank you.

24                   MS. EDGAR: Good morning Mr. Chairman, my  
25 name is Kristin Edgar I'm with Caplan & Earnest, I



1 represent Aurora Public Schools.

2 CHAIRMAN DURHAM: Thank you. Please  
3 introduce the persons. Let's start with the appellant,  
4 please introduce the persons you've designated to answer  
5 questions from members of the Board.

6 MR. FARMER: Thank you Mr. Chairman. This is  
7 Ms. Roya Brown, she was one of the principle founders of  
8 CCS and was heavily involved in the drafting of the  
9 application and the application process as well so she's  
10 very knowledgeable about the proposal.

11 CHAIRMAN DURHAM: Okay. Anyone else Mr.  
12 Farmer?

13 MR. FARMER: That is all.

14 CHAIRMAN DURHAM: Okay. Thank you.

15 MS. EDGAR: And Mr. Chairman to my left is  
16 Wendy Sullivan. She is the charter school's coordinator  
17 for Aurora Public Schools and to her left is Dr. Lisa  
18 Escarcega who is the chief accountability officer for  
19 Aurora Public Schools. Both of them are tasked with  
20 reviewing charter applications and are well versed and  
21 involved in this application during both rounds.

22 CHAIRMAN DURHAM: Okay. Thank you. The role  
23 the State Board is to consider only those issues raised in  
24 the Notice of Appeal. The Board has been provided with a  
25 record on appeal, reference documents -- references to



1 documents and testimony not present in the record on the  
2 appeal will not be considered by the Board. In relation  
3 to those issues contained in the Notice of Appeal the  
4 Board will have applied the following standard of review  
5 following oral argument. The Board will decide whether it  
6 is in the best interest of the pupils, the school  
7 district, or the community to support the local board's  
8 decision to deny Cooperative Community Charter School's  
9 application. Only those individuals that have been  
10 identified by the parties will have the opportunity to  
11 address the Board.

12 The appellant Cooperative Community will  
13 present oral arguments first. The parties have submitted  
14 written arguments and information, a maximum of 30 minutes  
15 will be granted for oral argument and examination of each  
16 party's issues. You may reserve a portion of your 30  
17 minutes for your rebuttal. During the time the part --  
18 during this time, the party may summarize its written  
19 arguments and information and board members may ask  
20 questions. The hearing shall proceed as follows:  
21 Cooperative Community, the appellant, shall present its  
22 arguments to the -- including its arguments to the Board  
23 including questions from the Board. Aurora Public  
24 Schools, the appellee will -- shall present at oral  
25 arguments including questions from the Board. The



1 appellant Cooperative Community Schools shall have --  
2 shall have its opportunity for rebuttal if it reserved  
3 time, then the appellee Aurora Arapahoe Public Schools  
4 shall presents its -- I think that should be Aurora Public  
5 Schools?

6 MS. EDGAR: Yes.

7 CHAIRMAN DURHAM: Okay. Aurora Public  
8 Schools shall present its rebuttal and the State Board may  
9 ask questions, the State Board shall then deliberate and  
10 render its decision. We will adhere to the maximum time  
11 limit. Ms. Burdsall will be the official timekeeper.  
12 Each segment will be timed, and you will be notified when  
13 you have five minutes remaining so Ms. Burdsall will hold  
14 up a little sign for you at that time and -- okay. Let me  
15 ask for Cooperative Community, do you wish to reserve any  
16 time for rebuttal and if so, how much?

17 MR. FARMER: Yes Mr. Chairman we'd like to  
18 reserve at least ten minutes for rebuttal.

19 CHAIRMAN DURHAM: All right, so ten minutes  
20 will be reserved so at 15 minutes Ms. Burdsall you'll  
21 notify them they have five minutes left in their main  
22 presentation. Aurora Public Schools do you wish to  
23 reserve some of your time for rebuttal?

24 MS. EDGAR: Yes Mr. Chairman we would also  
25 like to reserve ten minutes for rebuttal please.



1                   CHAIRMAN DURHAM:    So noted.  It is customary  
2   with any oral argument in an administrative hearing or  
3   judicial proceeding we anticipate Board members may have  
4   questions and they may interrupt counsel with these  
5   questions.  This is the only time during the hearing when  
6   the State Board members may question the parties, Board  
7   questions and your responses are included within your 30  
8   minute maximum time.  Are there any questions from the  
9   Board or counsel about these procedures?  Hearing none I  
10  now call on Cooperative Community for your allotted 20  
11  minutes of the initial presentation.

12                  MR. FARMER:  Thank you Mr. Chairman and  
13  members of the Board.  The way I'd like to structure this  
14  opening argument is I want to start by highlighting some  
15  of the innovative approaches that are being proposed by  
16  CCS.  I also would like to talk a little bit about the  
17  history of the school and then I will close by addressing  
18  some of the specific concerns cited by the Board in their  
19  resolution to deny the application of CCS.  One of the  
20  things that struck me as I started to review this  
21  application that I found interesting the entire school is  
22  designed and built around the concept of differentiation  
23  and being able to create a customizable education service  
24  for each individual child's special needs.

25                                   Now this was much before I became an



1 attorney, I was a 7th grade reading teacher for a couple  
2 of years, and one of the challenges that teachers commonly  
3 face is you'll be standing in front of a classroom with 25  
4 or so students. And I can actually remember one class in  
5 particular where I had one student a young man named Chris  
6 who was on a prekindergarten level. In fact it was so bad  
7 he really wasn't 7th grade that you could put the alphabet  
8 in front of him A through Z and poor Chris couldn't  
9 organize the alphabet. Now in that same classroom I had a  
10 young lady named Keanna who was reading on a tenth grade  
11 reading level and as I one single teacher in that  
12 classroom was supposed to stand up in front of the class  
13 and teach something that's relevant and applicable to both  
14 of these students it's really, really difficult.

15 What strikes me about the proposal of CCS is  
16 it rethinks the classroom structure, they call them pods,  
17 essentially what it is is you would have 120 students in  
18 one pod as well as seven educators. So what this allows  
19 you to do is with those students you can group them, you  
20 can give them one-on-one instruction throughout the day  
21 and throughout the different disciplines that you're  
22 focused on. You can -- because even sometimes within the  
23 same discipline right, within mathematics sometimes you're  
24 good at one concept but you're not good at the other so  
25 you might get put in the advanced class but when a certain



1 topic comes up you struggle with it. What this format  
2 allows you to do is throughout the day you can break those  
3 students into various different small groups, provide them  
4 a customizable education as they need it. What's also  
5 exciting about it is that it leverages the use of  
6 technology so you might be thinking okay well that sounds  
7 great but what are the kids going to be doing if they're  
8 not in a small group or they're not in the one-on-one  
9 instruction time.

10 They leverage technology, it's the 21<sup>st</sup>  
11 Century a lot of information is disseminated through  
12 technology and even better than that technology can be an  
13 adaptive so when a student sits down with this particular  
14 software it's not going to be something that's way over  
15 their head, right, it's going to figure out where they're  
16 at and it's going to teach directly to them at their  
17 level. So they're going to be getting customizable  
18 education both in person when they're working in the small  
19 groups. They're going to be getting customizable  
20 education when they're working with the technology, and  
21 when I read this again as a former teacher, it was just, I  
22 was like this is it, this is the future of education, this  
23 is what -- these are the types of ideas that students need  
24 something that meets their needs.

25 In addition to that there's a component of





1 project based learning, so students aren't just going to  
2 be, for example, they're not just going to be learning  
3 about fractions but they're going to be building things  
4 where they have to use fractions and tape measures and  
5 things like that to apply what it is they're learning, and  
6 there's also a service based learning component. So  
7 students will be working with members of the community or  
8 community organizations and getting out in their community  
9 and learning real world skills, again applying the  
10 information that they're learning and not just, you know,  
11 rote memorization or reading things in the textbook, both  
12 of which I think again are key components of a quality  
13 education system.

14 In addition to these innovations within the  
15 classroom the actual school model itself is innovative.  
16 It's a teacher-led school, a cooperative, it's in the  
17 title it's a teacher-led school. Now we all can probably  
18 think of a school that we know where there was a school  
19 leader who was dynamic and, you know, just impressive and  
20 built great school culture and did great things with the  
21 school and then that school leader leaves, and the school  
22 slowly descends and, you know, isn't as quality as it was  
23 when that school leader was running it. What this  
24 cooperative proposes is a sustainable model, it's going to  
25 be teachers who sit on leadership committees who



1 essentially make the decisions about the school and that  
2 provide the leadership for the school.

3           Again when I read this, I was thinking this  
4 is great, this is what teachers are looking for. I've had  
5 countless conversations with teachers who always say the  
6 same thing I feel like I have this choice between staying  
7 in the classroom and doing what I love and being  
8 passionate or becoming an administrator and going into  
9 school leadership and I can't do both. The cooperative  
10 model provides that, it allows you to develop yourself as  
11 a school leader while also pursuing your passion as a  
12 classroom teacher. And again if one of those people is to  
13 leave it's not like the whole leadership just collapses  
14 behind that person, it's a sustainable model that I think  
15 is fascinating, it's innovative and it's not totally out  
16 of the box, it's been proven in other parts of the country  
17 that have tried the teacher-run schools. It's actually  
18 been very successful, and it's modeled on a successful  
19 school in Minnesota EdVisions a successful charter school  
20 in Minnesota.

21           The history of CCS is also interesting. It  
22 was truly an organic movement, a group of community  
23 members came together, a combination of educators, people  
24 with diverse backgrounds, you know, diverse degrees.  
25 There were some folks with PhDs involved in the founding,



1 so really diverse groups of people that organically came  
2 together, recognized that there was a need, they  
3 specifically sought out the city of Aurora. They were  
4 attracted by the fact that it's a diverse community, I was  
5 told that the students speak over 130 languages in Aurora  
6 public schools and rather than be frightened or scared  
7 away by this challenge CCS was attracted by it and they  
8 thought you know what, this model that we're proposing,  
9 this customizable differentiated model that we're  
10 proposing, is exactly what those students in Aurora need  
11 and so they went to Aurora. I mean they sought out and  
12 they saw what they saw as an opportunity to provide this  
13 differentiated model.

14 Another interesting piece of the history is  
15 they applied for what we all know has become a very  
16 competitive grant process the CCSP grant process in 2014  
17 and they won and was awarded \$589,000 CCSP grant, a very  
18 competitive process and it wasn't even close they got 83  
19 or 86 points I think, 87 points and you only needed 73 to  
20 get the grant. So they've proven that not only is it a  
21 great concept, and great in theory, but they've put it to  
22 paper, it's been reviewed by some experts and they agreed  
23 that this is a great model to the point that they were  
24 willing to fund it over half a million dollars.  
25 Unfortunately, they had to forfeit those funds because



1 they were not approved by EPS and we know that you have to  
2 be approved in order to accept those funds.

3 CHAIRMAN DURHAM: Who -- who is the grantor  
4 of those funds?

5 MR. FARMER: I believe it comes through the  
6 Department of Education.

7 CHAIRMAN DURHAM: Thank you.

8 MR. FARMER: Yes.

9 CHAIRMAN DURHAM: Yes?

10 MS. SCHROEDER: I'm wondering, I'm assuming  
11 that the curriculum is standards based, that it is online,  
12 is it an online curriculum?

13 MR. FARMER: Correct, it's available 24/7.

14 MS. SCHROEDER: Is it in multiple languages  
15 I'm a little confused about having second language  
16 learners and being able to ensure that they are.

17 MS. BROWN: To its own.

18 MS. SCHROEDER: Pardon me?

19 MS. BROWN: It is not multi-language it is  
20 made for English language learners.

21 MS. SCHROEDER: Learners.

22 MS. BROWN: And we kept this very seriously,  
23 I am the English language learner myself, I speak four  
24 languages. So we use part technology to educate ELL  
25 students who are beyond technology, but we also have



1 project-based which will deepen their understanding with  
2 that application of the curriculum.

3 MS. SCHROEDER: Is it direct instruction?

4 MR. FARMER: I was going to add to that, of  
5 those seven teachers that I was talking about in each pod  
6 one of them will be a licensed and certified English  
7 language development teacher in addition to another one  
8 who is going to be a special education teacher that will  
9 be able to help out with English language development as  
10 well. And again the fact that you can break students up  
11 into these groupings throughout the day they're going to  
12 get that instruction that they need when they need it just  
13 based on the design.

14 MS. SCHROEDER: So tell me a little bit about  
15 the governance, you're describing a teacher-led --

16 MR. FARMER: Correct.

17 MS. SCHROEDER: -- school but without a  
18 hierarchy.

19 MR. FARMER: Right.

20 MS. SCHROEDER: Or is there a hierarchy among  
21 those teachers so that an ultimate decision can be made  
22 when there might be different points of view?

23 MR. FARMER: So just real quick and I'll let  
24 Roya -- so there is what is called a business manager  
25 which is going to do some of the day-to-day operations,



1 the things that as a classroom teacher you just simply  
2 can't do, that's going to manage those day-to-day  
3 operations. In addition to that there's seven leadership  
4 committees and they're going to sort of have, each have  
5 their own responsibilities and they will be the decision  
6 making entities if you will, in addition to of course the  
7 board of directors because it will be a nonprofit  
8 organization as well.

9 MS. BROWN: And differentiated --

10 CHAIRMAN DURHAM: Just let me, sorry just one  
11 thing, when you all respond Ms. Brown please identify  
12 yourself so that if we've switched speakers, I mean  
13 obviously continue to answer the questions once will be  
14 sufficient. So when we start please identify yourself and  
15 also the board is probably not identified because it's an  
16 open process you can interrupt and ask questions. So  
17 perhaps you might want to consider identifying yourself as  
18 which board member it is that's asking the questions.

19 MS. SCHROEDER: If I may continue Angelika  
20 Schroeder still on the governance piece. Tell me a little  
21 bit about the border, has the border been established, are  
22 there parents a part of it, are there members of the  
23 community, et cetera please?

24 MS. BROWN: Yes, our board is established.

25 We have seven board members but at the current time we



1       only have five. And we have recruited one parent from  
2       Aurora and we also -- and she was here yesterday, and we  
3       have recruited one community organizer, Latino community  
4       organizer, and our board are elected are not appointed.  
5       At this point they are appointed --

6                   MS. SCHROEDER: Elected by whom please?

7                   MS. BROWN: Elected by the staff and parents  
8       in the school. And this is not going to happen until our  
9       school is open for one year. For now we are appointing  
10      our board based on the skill sets we need, you know, to  
11      have in our board.

12                  MS. SCHROEDER: What kind of financial  
13      expertise do you have on your board, finance expertise I  
14      should say?

15                  MS. BROWN: Finance expertise, one of our  
16      board member is Gabrielle Bassi(ph), she's in investment  
17      bankers and also, she used to do stock, you know, working  
18      the stock markets and she used to have her own  
19      restaurants. And she also used to be very involved with  
20      Douglas County schools you know in the public school for  
21      her children. And she was a member of accountability  
22      schools when her children were attending Douglas County.

23                  MS. SCHROEDER: Okay, so where are you  
24      getting your budgeting expertise, from where are you  
25      getting your budgeting expertise?



1 MS. BROWN: A variety first of all I used to  
2 be before I became a public school teacher, I used to be  
3 an engineer and I used to do a lot of budgeting and a lot  
4 of manpower, you know, recruitments, you know, public  
5 relations for my engineering projects.

6 MS. SCHROEDER: Okay, thank you.

7 MR. FARMER: And just.

8 CHAIRMAN DURHAM: Go ahead Val.

9 MS. FLORES: Just going along on that are you  
10 going to hire a managing company to hire to do that?

11 MS. BROWN: No.

12 MS. FLORES: You're going to do your own  
13 books?

14 MS. BROWN: My name is Roya Brown and again  
15 you wanted me to -- I will be proposed business manager.

16 MS. FLORES: I see.

17 MS. BROWN: And for the efficiency of school  
18 I would be point of contact for the school to the outside  
19 world. So I go to the outside world, I sign papers, but I  
20 do not have power to make decisions.

21 MS. FLORES: Right.

22 MS. BROWN: I have to bring the decisions to  
23 the school with our faculty council and our board and they  
24 -- we make decisions collectively and then I'm allowed to  
25 sign the papers for outside. Also inside of our school we





1 have two lead teachers that they get elected to become  
2 lead teachers for two years to become point of contact for  
3 our staff and also for our parents. After two years new  
4 lead teachers come about, we rotate our lead teachers, so  
5 everybody has a, you know, term to become accountable and  
6 be in charge.

7 UNIDENTIFIED VOICE: And may I just say that  
8 what you are describing is a differentiated instruction  
9 model, teaching model, that has been around for quite a  
10 long time. And in fact I studied under William Weber,  
11 Doctor William Weber at the University of Houston who was  
12 one of the proponents of differentiated instruction and at  
13 the time working with Teacher Corps which was a new model  
14 as well, bringing in teachers from you know the outside  
15 world. The idea was that at some point teachers indeed  
16 would take over teaching of schools and in fact this whole  
17 idea of charters and I'm trying to think of a union member  
18 who --

19 MS. SCHROEDER: Shanker.

20 UNIDENTIFIED VOICE: Shanker, who come up  
21 with this --

22 MS. SCHROEDER: But could we not use up their  
23 time.

24 UNIDENTIFIED VOICE: -- with this idea --

25 MS. SCHROEDER: Ms. {indiscernible}.



1 UNIDENTIFIED VOICE: -- the idea of --

2 MS. SCHROEDER: No.

3 UNIDENTIFIED VOICE: -- of differentiation  
4 instruction has a long history. And, uh, this is what  
5 you're describing right?

6 MS. BROWN: I don't know.

7 MR. FARMER: No, yeah, that's and, and to  
8 your point Dr. Flores it isn't a completely unproven  
9 model, you know it's not, it's innovative --

10 UNIDENTIFIED VOICE: No, it's been a model --

11 MR. FARMER: -- it's innovative and it's  
12 something that you don't see typically in the mainstream.

13 UNIDENTIFIED VOICE: It's not, it's not --

14 MR. FARMER: -- but it's not unproven, you  
15 know, other schools have tried this and so that's a great  
16 point yeah, it's been around for a long time.

17 UNIDENTIFIED VOICE: No it's been shown, and  
18 it is a model.

19 MR. FARMER: Sure.

20 MS. BURDSALL: Jane has a question.

21 MS: GOFF: May I?

22 CHAIRMAN DURHAM: Yes.

23 MS. BURDSALL: Go ahead Jane.

24 MS. GOFF: I believe your, the estimate of  
25 your desired population enrollment is around 400.



1 MR. FARMER: So year one would be 180.

2 MS. GOFF: Year one but do you have like a  
3 goal enrollment in mind or grade level configuration?

4 MS. BROWN: So at the full capacity, this is  
5 Roya Brown, at full capacity we will have 480.

6 MS. GOFF: Okay, thank you. And then related  
7 to that -- I'm Jane Goff by the way, State Board. Related  
8 to that talk about are these, do you have a secure site  
9 currently. If you were to open soon would you have a  
10 place to go and then what considerations for expansion or  
11 sustainability build out, I believe the term is in the, in  
12 this world. But what about that, and then also related to  
13 that in a way is the whole idea of budgeting, preparing  
14 for staff that will be needed as that occurs, and the  
15 qualifications of those staff people particularly I pick  
16 up on your emphasis and your focus will be on special ed  
17 and English language learners. And that -- that  
18 particular personnel category is something that we have to  
19 think about how you plan to, how you plan to satisfy the  
20 quality needs for teachers.

21 MR. FARMER: I'll talk to facilities.

22 MS. BROWN: The facilities. First I, this is  
23 Roya Brown I'm talking in regards to the facilities. We  
24 did have when Aurora told us you know like if you have a  
25 facility it was told to us if you have a facility you know



1 that we have a very good chance of being approved. In two  
2 weeks I found a facility at Ecotech, it was a building  
3 next to Ecotech in Abilene, it was 43,000 square feet.  
4 You know and we had that place, you know, earmarked and  
5 after we were denied the first time, we lost that facility  
6 and it is going under contract with the church right now.  
7 And meanwhile I have been talking to a consultant who does  
8 banking and facilities together and they are waiting for  
9 us to be authorized before they can move forward and  
10 create that for us, so --

11 MR. FARMER: In the application, excuse me,  
12 Tim Farmer, there was several other proposed locations as  
13 well former I think one of them was like a former Hobby  
14 Lobby in that area so there was proposed locations but  
15 obviously until they get approved you know they can't  
16 officially go into a lease agreement.

17 MS. GOFF: So I assume you've been following  
18 that for viability, current viability, ongoing possibility  
19 for you as well. So you have?

20 MR. FARMER: Right.

21 MS. GOFF: And teachers special ed  
22 particularly right now I'm thinking in terms of --

23 MS. BROWN: Well I am a special ed certified  
24 teacher, I have my masters in the special education and we  
25 will have, as we have a pod in our schools each pod will



1 have a special education teacher assigned to it. And  
2 we're also hiring staff who are you know like teacher  
3 assistants who are a general experience working with  
4 special you know education students to work in each pod.  
5 So we will meet the minimum what is required. You know we  
6 need one spec teacher per 20 students, and we will have  
7 that you know. And we are estimating ten percent of our  
8 students to be based on what APS has on their site as far  
9 as demographics, they have ten percent of special  
10 education. So in each pod ten percent of 120 students  
11 would be 12 and we will have a special education teacher  
12 for her pod.

13 MS. GOFF: Will those, will those 10-12  
14 students as a group remain pretty much together?

15 MS. BROWN: Yes it's inclusive.

16 MS. GOFF: So pull out, I mean you meant like  
17 I've heard pullouts, read about some ideas you have but as  
18 pullouts occur whether that's within the special ed  
19 population, individual students, they are small groups how  
20 does that impact their day? I mean is there going to be a  
21 predictable way for families and parents to be able to  
22 know exactly how their special ed students will look in a  
23 day?

24 MS. BROWN: Yes, of course, if you look at  
25 our pods, we will have an individual and quiet work space



1 if you know our spec student needs to be in a place to  
2 work with the you know teacher assistant or spec teacher  
3 one-to-one they would go those rooms and all will be part  
4 of the small group, you know, it depends on the situation.

5 MS. GOFF: So within each pod, then I'll stop  
6 after this, within each pod there are seven staff members?

7 MS. BROWN: Yes.

8 MS. GOFF: So that within the pod those are  
9 the people that actually do the moving?

10 MS. BROWN: Yes.

11 MS. GOFF: So they plan for that with those  
12 groups?

13 MS. BROWN: Yes.

14 MS. GOFF: Okay, thank you.

15 MS. BROWN: Thank you.

16 MR. FARMER: We've been holding this, this is  
17 actually on page three of Section E I don't know if you  
18 guys have an application in front of you. Okay it  
19 essentially, I think it gives a good visual.

20 MS. GOFF: Thank you.

21 MR. FARMER: And --

22 CHAIRMAN DURHAM: Thank you Mr. Farmer.

23 Let's see here, Aurora Public Schools Ms. Edgar you, you  
24 reserved ten minutes as I recall so your 20 minute  
25 presentation begins now.



1 MS. EDGAR: Thank you Mr. Chairman. Again  
2 this is Kristin Edgar, I'm with Caplan and Earnest on  
3 behalf of Aurora Public Schools. I'd like to start  
4 generally and talk about Aurora Public Schools and their  
5 history with charters because I do think it's important to  
6 hear. Aurora Public Schools in 2007 invited the National  
7 Association of Charter School Authorizers to come to its  
8 district and do an audit to determine whether it was  
9 supporting charters appropriately and offering choice to  
10 its students. As part of that the school became, the  
11 district became a member of that organization and remains  
12 a member of that organization. And they have also adapted  
13 their standards and models which are also shared by the  
14 State of Colorado.

15 As part of that audit there was subsequently  
16 strategic planning. The district took the recommendations  
17 from that audit and built them into their district wide  
18 strategic plan to make sure that they were looking at  
19 charter schools, supporting parents, supporting choice  
20 with charter schools, and making opportunities for  
21 educational choice available to their demographics. So  
22 and right now as you may have read in the briefs  
23 Cooperative Community Schools has actually gone through  
24 two charter application processes with the district. The  
25 first one was in the fall of 2014; the district did deny



1 the application at that time. The district has since  
2 changed its process recognizing that to ensure that  
3 charters are set up for success, they sometimes need more  
4 time between authorization and when they're going to open,  
5 to be able to really get their school up and running.

6 And so now the charter application process is  
7 to have charters apply in the spring of the year prior to  
8 the fall but they will open. So Cooperative Community  
9 Schools also went through the application process in  
10 February 2015. Now as part of that and as part of  
11 offering its charters maximum choice the school district  
12 also partners with the Charter School Institute and it has  
13 a memorandum to do that. And the reason for this is that  
14 it allows charters to elect to become dually authorized  
15 with both of those authorizers and then charters can  
16 determine which of the authorizers is going to provide  
17 them with the support that they need. So in some  
18 instances the district can't always provide the financial  
19 support that Charter School Institute can provide but they  
20 can provide more mentoring hands-on learning support and  
21 some charter schools feel at a certain point that that's  
22 what they benefit from.

23 MS. MAZANEC: Excuse me.

24 MS. EDGAR: Yes.

25 MS. MAZANEC: Pam Mazanec, State Board. So





1 the Charter School Institute reviewed this application and  
2 that was at your request, the district's request?

3 MS. EDGAR: I'm going to defer that to Doctor  
4 Escarcega.

5 MS. ESCARCEGA Thank you. This is Dr.  
6 Escarcega. The charter school applicants have a choice of  
7 whether they want to go through the Aurora Public Schools  
8 and the CSI authorization at the same time or they can  
9 apply solely to the Aurora Public Schools. We encourage  
10 most of them to do both so that they in the end can -- we  
11 allow them to wait until the very end to make a decision  
12 which way they want to be authorized.

13 MS. MAZANEC: I understand that, thank you,  
14 but what I'm trying to determine is why did the Charter  
15 School institute review this application, was it at your  
16 request or was it at the charter school's request?  
17 Because they did review this application, correct?

18 MS. ESCARCEGA: They would formally apply  
19 that the community, Cooperative Community School formally  
20 apply to CSI as well as to Aurora Public Schools. So it  
21 was at the school's request to do the review.

22 MS. MAZANEC: Okay, that's all, thank you.  
23 Go ahead.

24 MS. EDGAR: Thank you very much this is  
25 Kristin Edgar again. So here in both instances and both



1 rounds Cooperative Community Charter Schools apply to both  
2 CSI and the district in terms of looking at authorization.  
3 So that's a little bit about the district's charter school  
4 process. During each of those rounds so in February 2014  
5 the district did approve though they denied Cooperative  
6 Community Charter Schools application they did approve  
7 another charter school that was in the fall of 2014. That  
8 school will open in the fall of 2015, excuse me 16. Then  
9 they also approved a charter school that applied in 2015  
10 along with Cooperative Community Charter School and that  
11 school will also open in Fall 2016.

12 The district also relatively recently  
13 approved a replication charter school that's a charter  
14 school that's already operating in the district and it's  
15 going to have another school that also operates in the  
16 district. And so those three will be coming online in the  
17 next year and a half, and so at that point the district  
18 will have approved 11 charter schools. So this is a  
19 district that has gone out of its way to support charter  
20 schools and offer choice. Now I'd like to move into still  
21 what is in Cooperative Community Charter Schools that the  
22 district saw during each of the application processes as  
23 well as the interview processes. What Cooperative  
24 Community Charter School is proposing is a K through eight  
25 school that's founded on permaculture principles,



1 sustainability, equanimity, a respect for people and the  
2 environment. So those are the principles that will  
3 permeate the school.

4 On top of that then they're going to combine  
5 four distinct instructional models: Mastery learning,  
6 project based learning, service based learning, and  
7 blended learning. And they're going to have that as part  
8 of a teacher cooperative which there's been some  
9 discussion on, it will be a teacher-led school, two lead  
10 teachers in consultation with the business manager will  
11 run the day-to-day of the business along with a faculty  
12 council. The faculty council is comprised of seven  
13 leadership committees, each which will sort of govern a  
14 particular sphere of business. There will also be an  
15 overseeing board of directors, each member of the board of  
16 directors must serve on one of the faculty committees.  
17 The lead teachers also must serve on at least one to two  
18 of the faculty committees and the business manager must  
19 serve on multiple faculty committees. In some instances  
20 the remainder of the faculty committees can be made up  
21 with staff, parents, and in some instances students.  
22 There will also be a student advisory council and a parent  
23 council so that is the governance structure that was  
24 saved.

25 Within that and within the application the



1 only curriculum that is identified for this model is  
2 Compass Learning, which is a vendor online curriculum and  
3 generally it's advertised to be an intervention or a  
4 supplement in a school setting. So here the way its been  
5 presented throughout the application process is that it  
6 will be the core curriculum for the students in this  
7 school. This will primarily be online instruction with  
8 pullouts as has been described to you. The schools that  
9 are cited in the application various of those schools have  
10 pieces of this model but none of them combines this number  
11 of instructional models with compass learning as the core  
12 curriculum. EdVisions was mentioned which is a teacher-  
13 led model, they don't combine these additional  
14 instructional methodologies as part of that. And  
15 EdVisions is different in that they overstaff their  
16 teachers so that they can give their staff release time to  
17 then go and fulfill the administrator duties that they're  
18 expected to serve as part of a successful teacher led  
19 cooperative. None of that is what is present here, at  
20 least not in the first years of this school.

21 So that is what has been presented to the  
22 district and what the district then evaluated. And now as  
23 we set forth in our brief the district has a number of  
24 concerns, the vision is articulated and there. The  
25 problem is that at no point during the application



1 processes was the--was Cooperative Community Schools able  
2 to tell us how they were going to take that vision and  
3 implement a successful school. We're looking at that of  
4 course through the lens of the district's charter appeal  
5 process which sets forth a number of indicators, they're  
6 the leading indicators that tell us or help us predict  
7 whether a school is going to be successful. And the  
8 indicators that the district has they're by no means  
9 unique. They're shared by districts across the state,  
10 they mirror what's in the Colorado statute and they also  
11 mirror what's in the Charter School Institute's rubric as  
12 well. So these are common indicators that educational  
13 experts look at to determine whether a school is going to  
14 be successful. And of course it's important that a school  
15 be successful because we do want to offer choice, but for  
16 the demographic that Aurora is serving, which is a  
17 significant population offering a reduced lunch,  
18 significant population of ELL students, and there's a  
19 significant population of students who are transitional,  
20 transitioning in and out. Stability in their education  
21 choices is critical. And agreeing to open up a school  
22 that has a high likelihood of failing is not going to be a  
23 good choice for them.

24 MS. MAZANEC: Excuse me, Pam Mazanec. Do  
25 you, do you believe that the deficiencies that you found



1 in the application can be overcome?

2 MS. EDGAR: Not at this point, no.

3 MS. MAZANEC: Well as they stand, but can  
4 they be remedied, fixed?

5 MS. EDGAR: Yes I believe deficiencies can  
6 always be fixed with enough time and thought.

7 MS. MAZANEC: Right thank you.

8 MS. EDGAR: To that point however the  
9 application process is not intended as a time to try and  
10 figure out how to implement the educational model. The  
11 application process contemplates that what comes to you is  
12 a final model with perhaps some fine tuning that needs to  
13 be done from feedback that are received from the  
14 educational evaluators as they go through the process.  
15 Here the Board and the Board's decision was based on  
16 several things, it was based on district staff at all  
17 levels within the organization in each of the indicator  
18 areas, the parent community, and the Charter School  
19 Institute all determined that the deficiencies in this  
20 application were highly -- the school is highly likely not  
21 to be successful. And I want to talk about a few of  
22 those, and it's not something that we can approve and hope  
23 to fix then over the next 18 months. There wasn't enough  
24 thought as to the how, there weren't enough explanations  
25 as to the how. So let's talk about that a little.



1                   One of the primary concerns for the district  
2 was how this model and this curriculum was going to be  
3 used to effectively educate the high population of ELL  
4 students that we have. Now, Aurora Public Schools is part  
5 of a resolution agreement with the Office for Civil  
6 Rights, pursuant to that agreement all Aurora Public  
7 Schools have certain minimum criteria of instruction that  
8 they have to offer to ELL students. That means a minimum  
9 of 45 minutes of English language development per day and  
10 45-50 minutes of English language arts per day per student  
11 for ELL. When you look at -- and that discussion a copy  
12 of the agreement, notification that that requirement is  
13 there and is there for district charter schools, that  
14 conversation was had with Cooperative Community Schools  
15 back in 2014 when they were attempting to apply the first  
16 time, so they were aware of it.

17                   That said the application that's here for  
18 your review today and consideration doesn't even begin to  
19 meet that criteria. If you look at the schedule what it  
20 offers is 45 minutes of what is termed English language  
21 development but during the process and the interview  
22 process we were told that that was going to be delivered  
23 through Compass Learning, through an online methodology  
24 which is not best practice, and likely does not meet our  
25 obligations under the OCR agreement. Now, the question



1 may be--

2 CHAIRMAN DURHAM: Ms. Edgar, excuse me.

3 MS. EDGAR: Can we change that, I mean why  
4 can't--

5 CHAIRMAN DURHAM: Do you, is it your position  
6 then that the granting of this charter might put you,  
7 might jeopardize your settlement agreement or however you  
8 ended up with this agreement with the Offices of Civil  
9 Rights?

10 MS. EDGAR: Mr. Chairman what I think I can  
11 say is if the charter were to go forward with the current  
12 schedule yes the district would be in violation of the OCR  
13 agreement. So the follow up question begins well can that  
14 be fixed? And the answer is we don't know because there's  
15 simply not enough time within their instructional day to  
16 add on 45-50 minutes of English language arts, furthermore  
17 there's simply no other curriculum or instruction  
18 identified by which to deliver the English language  
19 development needs for these children.

20 CHAIRMAN DURHAM: Thank you.

21 MS. EDGAR: You're welcome. So that is a big  
22 concern of the district and at this point given scheduling  
23 it is difficult to conceive how that can be fixed without  
24 drastically altering the model, and keep in mind one thing  
25 I didn't say about the model it contemplates that you have





1 highly qualified teachers instructing in the core  
2 component areas. But the project base and the service  
3 based areas those are going to be delivered by community  
4 members who are not going to be highly qualified. So  
5 those hours don't count toward the instructional day. So  
6 if you can't go forward adding on the ELA something would  
7 have to change in the model, and change drastically, is  
8 the point with that.

9           The next issue that's been hit upon is our  
10 budgetary issues. When you look at the numbers there is a  
11 year one deficit of funds operating funds that they're  
12 going to need to run the school in the amount of \$150,000.  
13 This is already -- so this is assuming that the startup  
14 grant is received, and it may be it may not I don't it's a  
15 very, as I pointed out, it's a very, very different  
16 process than the process of evaluating a charter  
17 application for authorization. And though there were  
18 strengths in their grant application in the same grant  
19 application there were a number of concerns that mirror  
20 exactly the ones that the district had. So the budget is  
21 a very big concern for us.

22           CHAIRMAN DURHAM: You have five minutes  
23 remaining.

24           MS. EDGAR: Thank you Mr. Chairman. The  
25 budget is a very big concern for us because they're



1 already starting at an operating deficit of 150,000 with  
2 no contingency plan if that doesn't come through. And  
3 right now the plan is to have that be sourced or be  
4 satisfied through private fund raising efforts, crowd  
5 sourcing, kick starter funds, things of that nature. It's  
6 our past practice that that is a very very large deficit  
7 to overcome. Typically what the district sees in past  
8 experience is a deficit of \$50,000. Now, that in and of  
9 itself is a problem in the budget but the budget also  
10 doesn't account for a number of other costs. First  
11 there's no like contingency rainy day fund just in case  
12 something does go wrong, and it's pretty typical for  
13 charters to budget about one percent of their total budget  
14 for that rainy day situation, that's not there. There's  
15 also been an underestimate on the part of the charter  
16 school as to what the costs are going to be, their food  
17 costs are going to be to be able to serve students lunch.  
18 There's also been an underestimate in the amount of supply  
19 cost that they've allocated for students, they just aren't  
20 there for year one which we've estimated to be about an  
21 \$18,000 deficit. So they're already operating on a  
22 deficit, projected deficit that we think doesn't account  
23 for all of the expenses that they're going to have and so  
24 that is a big concern, that over the next year and a half  
25 that they would be able to balance that sufficiently to



1 open successfully.

2 MS. SCHROEDER: Angelika Schroeder here.

3 Does it include the costs of the facilities in remodeling  
4 or whatever's necessary that's in the equipment, is that  
5 in the budget?

6 MS. EDGAR: We have never been able to get a  
7 clear answer to that question. In responses to us what  
8 the Community Cooperative Schools has said is that build  
9 out expenses are included in the lease payments, and that  
10 may be the case, however it's my understanding that that  
11 was based upon the facility that was available and so at  
12 this point we have no way of projecting what the build out  
13 costs will be and whether they're properly allocated for  
14 in their lease payments. I'm going to defer to Ms.  
15 Sullivan to see if she has anything to add to that.

16 MS. SULLIVAN: No I don't.

17 MS. SCHROEDER: Has Aurora also been  
18 experiencing the significant rise in the cost of  
19 facilities?

20 MS. EDGAR: This is Kristin Edgar again  
21 unfortunately I don't know the answer to that. So I sense  
22 my time is coming to a close at least on opening. I don't  
23 want to belabor the point, we've highlighted the very  
24 serious concerns that we have with this application, are  
25 they insurmountable given the -- given additional years



1 and years to fix and think through these problems, no, but  
2 at this juncture in terms of where we are in wanting to  
3 open in 2016 no we do not think they can be addressed to  
4 open with this model of education with the sustainable  
5 budget. And with that I'll close and reserve the  
6 remainder of my time for rebuttal unless there's further  
7 questions.

8 CHAIRMAN DURHAM: Thank you, how much time  
9 did she have left?

10 MS. BURDSALL: One minute.

11 CHAIRMAN DURHAM: One minute, okay, thank  
12 you. All right Mr. Farmer you have ten minutes.

13 MR. FARMER: Thank you Mr. Chairman. So  
14 these oral arguments just kind of confirm for me what I  
15 found to be the case as I've reviewed the application, as  
16 I spoke with Ms. Brown, as I read the concerns in the  
17 briefs for APS. It seems like there's a lot of  
18 miscommunication that's happening here and perhaps just a  
19 lack of clarity in communication and those are the types  
20 of things that I do think can be overcome and that I do  
21 think particularly given the timeframe before opening.  
22 These are not fatal flaws in this application and as we  
23 all know charter schools get approved all the time without  
24 perfect applications, we understand that. But some of the  
25 concerns that they've continued to raise are things that



1 we feel like have a very simple and easy explanation it's  
2 just a matter of communicating, a matter of sitting down  
3 and figuring this stuff out, whether it's hours in the  
4 school day or budgetary issues. You know those are things  
5 that we can sit down at the table, communicate about, and  
6 find a resolution.

7           So I want to start with the governance piece  
8 where they talked about how members of the board will each  
9 serve on one faculty council, so that's actually, you  
10 know, the examples that Dr. Flores was mentioning, that's  
11 the best practice in these cooperative models across the  
12 country. It allows the -- it creates a democratic process  
13 and allows the board members to be a little bit more  
14 involved, not overly involved but a little bit more  
15 involved in the operation of the school, but that's a best  
16 practice. In terms of the Office of Civil Rights  
17 situation with the 45 minutes a day, again this was a  
18 situation of miscommunication. In the application it  
19 talked about the 30 minutes engaging with the curriculum,  
20 but it also talks throughout the application about how  
21 there's going to be small group and project based time.  
22 It doesn't specifically say that that will be for English  
23 language development, but it was implied that for your  
24 English language development students that that would be a  
25 time that that instructor in the classroom who is



1 certified and specialized in that area will be providing  
2 that instruction. So again the 45 minutes a day will  
3 absolutely be there, they won't be in violation of that  
4 OCR agreement, it was just a simple matter of  
5 miscommunication.

6 In terms of the highly qualified question.  
7 When the community members are teaching the class for the  
8 service based learning there will be a highly qualified  
9 teacher of record involved in that teaching, it's just a  
10 way to connect the community with the students. In terms  
11 of the budget the food costs, again this is a projected  
12 budget, right. The nice thing about projected budgets is  
13 it's fungible and we can move the numbers around until it  
14 works, until it gets balanced, and until it all makes  
15 sense, and this is something that CCS is very eager to sit  
16 down with APS and work on. The food costs was based on a  
17 good faith estimate, they talked with CSI about possibly  
18 using their school food authority and what those costs  
19 would be, and they took those numbers from CSI and they  
20 plugged them into the calculation. Again with the  
21 facilities cost again it's a projection, they did have the  
22 facility next to Ecotech, the buildout was included in  
23 those lease payments and so they took that figure, plugged  
24 it into the budget and that's part of what they projected  
25 in terms of their budget.



1                   In terms of the concerns about trying to do  
2                   too many different educational models for one I think that  
3                   that should be applauded right, I think that's great, not  
4                   all students learn the same, we all have different  
5                   learning modalities and so creating a model that meets  
6                   each student's needs where they're at is important.  
7                   Compass Learning is an adaptive software which again I  
8                   can't stress enough so it's not like they're going to sit  
9                   down at that computer and it's going to be stuff over  
10                  their head. It's going to find out where they're at and  
11                  it's going to teach them where they're at and assess where  
12                  they're at, and I think that's incredibly valuable and  
13                  it's how we can leverage technology today.

14                 MS. SCHROEDER: In that particular area how  
15                 adaptive assessments tailor to where a child is but how  
16                 are you going to know based on state standards and what's  
17                 expected in a certain grade where your kids are? What  
18                 sort of a system have you designed of classroom assessment  
19                 that ensures, assures, that kids are getting to a certain  
20                 level?

21                 MR. FARMER: Yes so one of the nice things  
22                 about the adaptive technology is it creates a feedback  
23                 loop where the students are constantly getting assessed  
24                 and that data is provided to the teacher who can then  
25                 during small group, during direct instruction look at that



1 data and say okay, you know, they have a deficiency in  
2 identifying the main idea whatever the strand is of the  
3 standard and they can work directly with that student  
4 based on that feedback, you know, and then the student  
5 will be assessed again and they'll see did they get it,  
6 they still didn't get it okay let's--

7 MS. SCHROEDER: That's the only assessment  
8 system that you're using, you know for reading?

9 MS. BROWN: We have other formative, this is  
10 Roya Brown, we are using other formative assessments, you  
11 know.

12 MS. SCHROEDER: Such as?

13 MS. BROWN: You know like quizzes, you know  
14 like end of the units assessments, you know, and a variety  
15 of things. You know oral presentations because we do have  
16 you know for example if they learn fractions in the  
17 morning they have an option based on their skill sets to  
18 take classes in cooking class or carpentry class, or  
19 architectural class. And then through that we are coming  
20 with through assessment coming projects to present their  
21 projects. And we have another a technology type of  
22 assessment thing it's called Foundry that actually the  
23 teachers can design their assessments within this unit and  
24 as students turn in their work it can be assessed and also  
25 creates electronic portfolios.





1                   CHAIRMAN DURHAM: Mr. Farmer you indicate  
2 that some of these things could be worked out if you had  
3 better communication. Did you sit down with Aurora Public  
4 Schools and have you tried to -- is your position that you  
5 tried to work these out or you haven't tried to work these  
6 out, or where does that stand?

7                   MR. FARMER: So I was retained by CCS  
8 specifically for this appeal, so I didn't represent them  
9 prior to that. So basically the communication has just  
10 been the briefs.

11                  CHAIRMAN DURHAM: Ms. Brown do you have a  
12 comment on that, have you sat down with the district and  
13 tried to work some of these things out?

14                  MS. BROWN: I have gone many times, I have  
15 written many emails trying to get help as far as  
16 developing our applications. They have sent information  
17 for me to develop an application, I don't know if it was  
18 the best recent information, I don't know about that, but  
19 I use those information trying to create application. But  
20 I often talk to Wendy Sullivan you know and via email, via  
21 phone calls, I even went to a meeting with her and their  
22 budget people, people from the budget department and stuff  
23 and sit down and talks about their, talk about their  
24 special education and their costs and stuff so I can  
25 project those costs in the budget.



1 CHAIRMAN DURHAM: Thank you.

2 MS. SCHROEDER: So, may I ask a question?

3 CHAIRMAN DURHAM: Yes.

4 MS. SCHROEDER: So has CSI then worked with  
5 you and worked with you? Has there been like a three  
6 part, the three of you together talking about this?

7 MS. BROWN: I don't know what you mean by  
8 that. We did apply for CSI and APS on 2014 and we had a  
9 very very good favorable response from CSI, and we have  
10 the records of that to show. And a second time around  
11 even though we had the same application, same things  
12 except we expanded it, included more community network,  
13 more you know stuff that APS had problem with last time,  
14 you know, we didn't have a favorable you know review.

15 MS. SCHROEDER: So in going on maybe not  
16 within the next few months or so would Aurora and Ms.  
17 Brown would you get together and talk these things out to  
18 find a common ground I guess? Would Aurora be amenable to  
19 sitting down with --

20 CHAIRMAN DURHAM: You'll have to ask that  
21 question when they -- on their 11 minutes remaining.

22 MS. SCHROEDER: Oh I'm sorry forgive me.

23 MR. FARMER: And I sense that my time's  
24 almost up so I would just conclude that is what CCS is  
25 eager to do, a favorable vote from the Board this day



1 would I think be helpful in that process. We don't think  
2 that it's in the best interest of the district, the  
3 community, and most certainly not in the best interest of  
4 the students to deny them this potentially innovative and  
5 incredible customizable educational opportunity. And we  
6 respectfully request that the board will remand this  
7 decision with the recommendation that APS approve this,  
8 and we think that that will help those conversations as we  
9 sit down with APS moving forward, thank you.

10 CHAIRMAN DURHAM: Thank you. Okay, now  
11 Aurora Public Schools has 11 minutes for rebuttal.

12 MS. EDGAR: Thank you Mr. Chairman, this is  
13 Kristin Edgar again on behalf of Aurora Public Schools.  
14 First, the district approves conditionally -- conditional  
15 applications all the time, it approves charters with  
16 conditions that they meet certain criteria. Never  
17 applications with this number of concerns, never  
18 applications with this number of deficiencies to overcome  
19 by a fall opening. There are 22 reasons why the Board  
20 didn't approve this application any one of which alone  
21 would be sufficient but all together which make it not in  
22 the best interest of anybody. In terms of the  
23 opportunities for charter applicants to talk with and have  
24 the expertise of district staff the way it works is that  
25 if the charter applicant wants to apply to the district to



1 be considered they first have to do a letter of intent.  
2 They have access to the district staff to ask questions  
3 during that letter of intent period leading up to and I'm  
4 going to ask what is it nine, do they 90 days, how long  
5 before they do their letter of intent?

6 UNIDENTIFIED VOICE: Letter of intent is 90  
7 days.

8 MS. EDGAR: Okay. So the letter of intent is  
9 due 30 days before the application is due and they are  
10 able to reach out to district staff to ask questions about  
11 district processes and things of that nature. Now keep in  
12 mind the district has to operate within the confines of  
13 the law and so it can be innovative under certain  
14 applications to the law, but the onus is on the charter  
15 applicant who proposes a novel approach to education to  
16 come forward not only with the vision for that approach  
17 but also the how to get to a successful school. We cannot  
18 do that for them. Here at no point in the process leading  
19 up to the submission of application in two rounds, so they  
20 put two opportunities to have access to the district to  
21 get feedback on their initial application to submit it  
22 again, and to make changes and in each instance they are  
23 still lacking in the how of how they take this vision,  
24 this novel vision and get it to a successful school that  
25 will work on the ground. So we have not seen that.



1                   In terms of the governance you can call it  
2                   miscommunications, you can call it typographical errors,  
3                   at the end of the day we're the district trying to review  
4                   and trying to discern what is in the application. It may  
5                   be that it is best practice in a teacher-led governance  
6                   structure to have Board members serve on committees. But  
7                   that's internally inconsistent with what's in their  
8                   application in their bylaws that's not contemplated. In  
9                   the application that's not contemplated, it's contemplated  
10                  that the board will remain separate and apart from that,  
11                  it will insulated so that it can then make the greater  
12                  decisions that, that percolate up from that level. So  
13                  there's internal inconsistencies and the district tried to  
14                  clarify some of those during the interview process. They  
15                  gave the Cooperative Community Schools extra time to  
16                  submit, respond to interview questions in writing when  
17                  they couldn't respond to them at the interview, and  
18                  unfortunately they're still lacking in the how as to  
19                  certain aspect of their vision.

20                  In terms of the accreditation issues that was  
21                  another concern for the district board. While we  
22                  understand that Compass Learning, the vendor system,  
23                  offers this feedback that the children are assessed  
24                  throughout the day even on a daily basis there were no  
25                  other assessments identified either that complied with



1 state law or that met with best practice just to determine  
2 whether or not students are making progress. They weren't  
3 identified, they didn't identify a READ Act assessment at  
4 all which is required, they weren't contemplated that  
5 there would be reporting and measuring of these things  
6 within the first few years of the school. So there's real  
7 concern on the part of the district that there's not a  
8 good understanding there as to what needs to be done to  
9 make sure that you're measuring assessments in accordance  
10 with state law, in accordance with the School Performance  
11 Framework, and that was lacking through both application  
12 processes. In --

13 MS. SCHROEDER: Excuse me are we able to ask  
14 questions now?

15 CHAIRMAN DURHAM: Absolutely.

16 MS. SCHROEDER: Did you say that the district  
17 cannot help the charter school do what they need to do to  
18 be a successful model? It cannot help them?

19 MS. EDGAR: No, I don't think so.

20 MS. SCHROEDER: So you don't provide any  
21 advice to them in their process?

22 MS. EDGAR: So maybe I'm not understanding  
23 the question. So we do and the district does provide  
24 advice, it is there particularly with respect to things  
25 that apply for district policies particularly with respect



1 to budgeting, coming up with budgeting numbers, what are  
2 your insurance things. But if a charter applicant is  
3 coming to us with a novel vision here it's combining, it's  
4 a teacher-led governance, it's these additional four  
5 methodoligies in one. We are not necessarily going to be  
6 able to be the ones to sit down with them and think  
7 through the implementation. Certainly, we may ask  
8 questions as we did here during the interview or otherwise  
9 to prompt thoughts, to see if they're thinking about the  
10 right areas, but it's not our job to talk about how  
11 they're going to take the vision they put together and  
12 implement it to a successful school. Mr. Sullivan or Dr.  
13 Escarcega got anything?

14 MS. ESCARCEGA: This is Dr. Escarcega. I  
15 would just add, you know, as the authorizer you're on a  
16 tenuous spot here with supporting them without at any time  
17 indicating if you just do this you will be, you will be  
18 approved. We cannot do that so we give them the best  
19 advice on how they can meet law, how they can meet the  
20 waivers, how they can meet the national standards as to  
21 the extent that we can. But we can't write the  
22 application or tell them change this and it will get  
23 through so there is a line that we have to follow.

24 MS. SCHROEDER: I'm sorry I didn't mean to  
25 indicate that you would do that.



1 MS. ESCARCEGA: No, I know, but it is a  
2 question--

3 MS. SCHROEDER: My question really goes to  
4 how much do you support, how much support do you offer  
5 people who are trying to bring a vision of a charter  
6 school?

7 MS. EDGAR: Ms. Sullivan will you respond to  
8 that?

9 MS. SULLIVAN: This is Wendy Sullivan and I  
10 would say, and I think Roya referred to this. I had  
11 countless conversations with Roya and that is one of --  
12 part of my job. I respond to questions throughout the  
13 application process specific to how the APS might fund,  
14 what our procedures are, what our policies are, those type  
15 of things. So we do offer as much support as we can again  
16 without saying put this in your application. So yes  
17 always available for them.

18 MS. EDGAR: And at this point Mr. Chairman,  
19 members of the Board we really feel that based on the  
20 record on appeal, based on the legitimate and valid  
21 concerns of the staff, the parent community, everyone who  
22 reviewed this application including CSI that approving  
23 this is not in the best interest of the district, the  
24 community, or the students. And therefore we respectfully  
25 request that you uphold the Board's decision here.





1                   CHAIRMAN DURHAM: Any final questions for  
2 Aurora? Hearing none the portion of the hearing is  
3 concluded, thank you. We'll now proceed for -- the oral  
4 arguments been concluded and now the Board will deliberate  
5 and reach a conclusion. Let's start with a motion to --  
6 so we can have discussion about what that motion will be,  
7 what the motion on the table will be. Yes, Ms. Schroeder?

8                   MS. SCHROEDER: I move to affirm the decision  
9 of the local Board of Education on the grounds that it was  
10 not contrary to the best interest of the people, school  
11 district or community and thereby to uphold the decision  
12 of the Aurora Public Schools.

13                  CHAIRMAN DURHAM: There is a motion on the  
14 table seconded by Ms. Goff. So discussion of the motion.  
15 Yes Dr. Scheffel.

16                  MS. SCHEFFEL: So can we address the  
17 question?

18                  CHAIRMAN DURHAM: No, that portion is over so  
19 yes just among the group. Okay.

20                  MS. FLORES: May I?

21                  CHAIRMAN DURHAM: Dr. Flores.

22                  MS. FLORES: I think that a differentiated  
23 model is a great model, I really do. I wish you had  
24 brought teachers today, I wish you had brought identified  
25 teachers, especially ESL teachers. I think that would



1 have been very helpful. I don't quite understand not  
2 having the board issue with not having a board directing  
3 and teachers being, you know, their own board members. I  
4 don't remember the differentiated instruction model or  
5 differentiated model for teacher-led schools in that way,  
6 but I laud you, I think that a school that is especially  
7 in need of ESL instruction and I wish too that the  
8 curriculum had been more defined, and that the -- a model  
9 for language instruction had been defined as well, and I  
10 put out direct instruction but that's, you know, that's  
11 what everybody uses in direct instruction.

12 But I think when you have the, when you have  
13 a large number of kids that are going to learn English  
14 language instruction and you have a knowledge base and  
15 especially given that you have other models there the  
16 career model, the project based, and the service model I  
17 think that needs to be combined somehow and I think this  
18 is what the district is trying to say. It has to cohere,  
19 and I think that is probably what the district doesn't see  
20 is coherence in all that. So -- but I think the vision of  
21 the cooperative with teachers leading a school is, is a  
22 great idea and I laud you for that.

23 CHAIRMAN DURHAM: Ms. Rankin.

24 MS. RANKIN: I thank you all for coming  
25 today. Thank you for doing such a great presentation. I



1 have to say with this type of community I think we almost  
2 need to go overboard with the detail and the organization,  
3 and I think with a little more work you may be able to  
4 accomplish that, but I agree that it's a difficult  
5 situation and thank you all for being here.

6 CHAIRMAN DURHAM: Further discussion Dr.  
7 Schroeder?

8 MS. SCHROEDER: So I hope you recognize that  
9 we are struggling because the vision that you have brought  
10 forward is extremely appealing. But as has already been  
11 said the necessity for specificity in something that is  
12 new and unique is even greater than if you were copying a  
13 model that you don't see in your particular community.  
14 And because this is the second round, I worry that I'm  
15 going to -- that we might discourage you but that's, I  
16 don't think that's our intent. But we have to be able to  
17 understand what does it look like for, four different  
18 kidlets who are in your environment with different  
19 attributes, how they get through a day, how they get  
20 through a week. There are just a number of items here, I  
21 think the lack of communication is a really problematic  
22 reason for the failure of the board to accept this. I  
23 think the need for communication, the need for  
24 understanding and really some serious detail. So I hate  
25 the thought that we are discouraging something that is



1 unique, but it really requires a much greater description.  
2 I'm inclined to agree with Dr. Flores that it would have  
3 been helpful for you to have some staff people that you  
4 plan to hire so they can better articulate exactly what it  
5 would look like for four different kidlets I think that's  
6 where we kind of get lost so I think--

7 MS. BROWN: But I'm a teacher, I'm a public  
8 school teacher.

9 MS. SCHROEDER: And you were not able, you  
10 were not, I'm sorry but you were not able to convince me  
11 that, you were not able to show me what would happen for  
12 four different kidlets in a day, in a week or in a year.  
13 One of my biggest worries that nobody's even brought up is  
14 the fact that for a challenging population more time is  
15 often necessary rather than less and the notion that that  
16 more time comes through technology just isn't what we see  
17 in an awful lot of cases, it's very often one-to-one time.  
18 So there are all sorts of things that still need to be  
19 addressed. I do encourage you not to give up.

20 CHAIRMAN DURHAM: For the record kidlets is  
21 a technical education term that we use here often and so--

22 MS. SCHROEDER: Sorry.

23 CHAIRMAN DURHAM: No, I have no objection.

24 MS. SCHROEDER: I think it's an accountant  
25 term.



1                   CHAIRMAN DURHAM: Any further discussion of  
2 the motion, the motion is to affirm the decision made by  
3 the Aurora Public Schools. Ms. Burdsall will you please  
4 call the roll?

5                   MS. BURDSALL: Of course. Dr. Flores?

6                   MS. FLORES: Aye.

7                   MS. BURDSALL: Jane Goff.

8                   MS. GOFF: Aye.

9                   MS. BURDSALL: Thank you. Pam Mazanec.

10                  MS. MAZANEC: No.

11                  MS. BURDSALL: Joyce Rankin.

12                  MS. RANKIN: Yes.

13                  MS. BURDSALL: Dr. Scheffel.

14                  MS. SCHEFFEL: No.

15                  MS. BURDSALL: Dr. Schroeder?

16                  MS. SCHROEDER: Aye.

17                  MS. BURDSALL: Steve Durham.

18                  CHAIRMAN DURHAM: Aye. The motion is adopted  
19 on a vote of five to two. The hearing is concluded, thank  
20 you.

21                  (Meeting adjourned)

22

23

24

25



1 C E R T I F I C A T E

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

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

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

12

13 /s/ Kimberly C. McCright

14 Kimberly C. McCright

15 Certified Vendor and Notary Public

16

17 Verbatim Reporting & Transcription, LLC

18 1322 Space Park Drive, Suite C165

19 Houston, Texas 77058

20 281.724.8600

21

22

23

24

25