



Colorado State Board of Education

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TRANSCRIPT OF PROCEEDINGS  
BEFORE THE  
COLORADO DEPARTMENT OF EDUCATION COMMISSION  
DENVER, COLORADO  
March 9, 2016, Part 3

BE IT REMEMBERED THAT on March 9, 2016, the  
above-entitled meeting was conducted at the Colorado  
Department of Education, before the following Board  
Members:

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



1                   CHAIRMAN DURHAM: We are getting ready to  
2 start and we're going to proceed on the order for the item  
3 that was moved -- removed from the consent agenda, 13.05  
4 Pinnacle Charter School's request for approval as a  
5 designated agency for alternative teacher preparation.  
6 Okay. Colleen, do you wanna start with that see where we  
7 are here?

8                   MS. O'NEILL: Absolutely. So I think my  
9 microphone is on otherwise I can talk really loud, I can't  
10 hear much. So I'm Colleen O'Neill the Executive Director  
11 for Educator Preparation and Licensing. And we had an item  
12 on our agenda 13.05 Pinnacle Charter School's request that  
13 we had some questions about. So Dr. Flores, I think you  
14 had a couple of questions for us. I just wanted to be  
15 prepared to answer them.

16                   MS. FLORES: I do have some questions but  
17 basically I wanted to hear more about the program.

18                   MS. O'NEILL: Oh, okay.

19                   MS. FLORES: I mean, we've already had some  
20 alternative license for teachers and I just would like to  
21 ask why this would be a better certification than a college  
22 certification?

23                   MS. O'NEILL: Okay, certainly. I think I  
24 have two things, one I would love to invite Mr. Bittner,  
25 Todd Bittner up, who is the High School Principal of



1 Pinnacle Charter. So if Mr. Bittner can join me. I think  
2 he's prepared to be able to answer some really good  
3 questions for us about his experience with alternative  
4 education, but one of them at a very high level from our  
5 perspective that we're bringing forward, its very much that  
6 this is a charter school that serves a very high needs  
7 population. It is a Title I charter school and we are  
8 looking at different opportunities as we look at our -- our  
9 ebb, not really the flow of educators but our ebb of  
10 educators coming into the system multiple pathways to  
11 really encourage educators to come in. So with that, we  
12 believe that Pinnacle Charter School is kind of one of  
13 those opportunities, potentially. And with that, I'll turn  
14 it over to Mr. Bittner.

15 MR. BITTNER: Absolutely. Do you have a  
16 specific question you have for me? I mean, 'cause I can  
17 tell you that as someone who went through the alternative  
18 licensure program, I had already had a master's degree in  
19 Criminal Justice and I dealt with awry students for about  
20 nine years. And versus me going back into the education  
21 and taking a gap between my experience and becoming an  
22 educator, it was a great alternative for me personally.

23 As the principal at Pinnacle High School,  
24 we're the only performance high school in our region. And  
25 you know, we have tremendous staff and their abilities



1 there are -- are outstanding. But when I get to the  
2 interviewing process, I'm competing against other  
3 metropolitan areas in which we don't have the same  
4 resources. And so right now I do have a gentleman who is  
5 getting alternative licensure through Metro State.  
6 However, he'd rather be with us because he has to travel in  
7 his evenings to Metro State, whereas he could be doing it  
8 with us.

9 He went into the alternative licensure  
10 program because he worked as an engineer at IBM for 20  
11 years.

12 I also have a young man that has -- has a  
13 master's degree in -- in -- in physical education and he's  
14 worked as a trainer in colleges. And again, not wanting to  
15 go back into the education, will be going through the  
16 alternative licensure. And the other reason that we made  
17 the original proposal was, we are dealing with a high-risk  
18 population. We have over 60 percent free and reduced lunch  
19 and we've got approximately, at this point, 80 percent  
20 Latino population. We're doing amazing things in this  
21 school. And I think that the only way we're going to be  
22 successful in this state in educating the Latino population  
23 is making sure the teachers that are doing good work with  
24 the Latino population, can be spread out throughout the  
25 state. And -- and we realized that if we're running this



1 program that we're going to eventually be an incubator, and  
2 -- and we're really trying to -- to move this forward, to  
3 move our education forward 'cause only -- only we benefit.

4 MS. FLORES: Okay. I -- I don't know, I'm  
5 still stuck with a plan which would be two years -- a two-  
6 year program, which would allow them to -- to work in a  
7 classroom, not by a classroom.

8 MR. BITTNER: No, no, they -- they actually  
9 work in the classroom. They actually are part of the --  
10 they actually are hired employees and they are highly  
11 qualified. They have their 24 credits within subject area.  
12 They're just trying to get an alternative licensure.  
13 Because we're a Title I school, they have to meet the  
14 highly qualified standard. And as our program and our  
15 outline of our program, they have to meet the highly  
16 qualified standard with their particular subject area. So  
17 we know that they're experts in their fields. So that's  
18 why we feel comfortable about putting them in the  
19 classrooms.

20 MS. FLORES: So they have degrees and they  
21 have 24 hour -- 24 --

22 MR. BITTNER: Which is the state  
23 requirement, I mean you might better to that Colleen than I  
24 can.



1 MS. O'NEILL: They demonstrate either degree  
2 in a content area, content, passing of the content  
3 assessment or 24 credit hours in their endorsement area.

4 MS. FLORES: And it's not 36? It's not 36  
5 hours, 24.

6 MS. O'NEILL: It is 24 hours for the state  
7 of Colorado. Yes.

8 MS. FLORES: Okay.

9 CHAIRMAN DURHAM: Dr. Schroeder.

10 MS. SCHROEDER: Just quickly, highly  
11 qualified didn't survive ESSA, did it?

12 MS O'NEILL: No, no. Highly qualified --  
13 highly qualified provision as we know it is not part of  
14 ESSA. Now, as Mr. Bittner talks about his --

15 MS. SCHROEDER: But your program you are  
16 using those criteria.

17 MR. BITTNER: We -- we are. I think -- I  
18 think it's essential especially for someone such as myself  
19 that came out of the private sector and went into -- into  
20 the public sector into education. I think having that  
21 educational foundation is a -- is a key to make sure that  
22 the knowledge is there.

23 MS. FLORES: Right. And -- and when I --  
24 when I say in the classroom, I -- I mean in the classroom  
25 of a teacher that is qualified and has experience, not by



1 the teacher. In other words, the person is not working by  
2 themselves, they're working with a teacher, which I think  
3 is really missing in -- in -- in most programs. I really  
4 believe that -- I believe in the clinical model and I've a  
5 lot of respect for the clinical model.

6 MR. BITTNER: Absolutely.

7 MS. FLORES: And think that at least one of  
8 those years should be in the classroom with a highly  
9 qualified teacher, if I may use that term. And --

10 MR. BITTNER: I -- I -- I --

11 MS. FLORES: And I -- and I think that we  
12 would do if -- if we could even pay for that. If the state  
13 would pay for that and I think it should pay for that even  
14 if it were at -- at \$12 an hour you know that they would be  
15 paying for -- for that.

16 MS. O'NEILL: Thank you, Dr. Flores. I  
17 think one of the things is our alternative programs kind of  
18 offer two different pathways. One is the immediate need to  
19 fill a job that is vacant at that moment and get a teacher  
20 into the classroom to be teacher of record right then. And  
21 then support them very carefully and strongly with a mentor  
22 teacher, and the pedagogical supports that go behind that.  
23 And that's kind of the pathway that Mr. Bittner is talking  
24 about. The other pathway is very much a recruitment



1 pathway, where they're not necessarily the teacher of  
2 record but they're moving into that.

3                   He's actually combined them at the Pinnacle  
4 Charter High School. They are -- Pinnacle High School,  
5 they've actually combined that into I am the teacher of  
6 record entering, but it is a two-year program instead of a  
7 one-year program, which actually is the majority of many of  
8 our alternative preparation programs. So in addition to  
9 ensuring that they are in the classroom highly supported,  
10 there's a two-year program, which is kind of the -- the  
11 ongoing induction process for support.

12                   MR. BITTNER: And we -- and we also -- we  
13 also require a lot of one on one time between department  
14 heads and experienced teachers pushing into those  
15 classrooms and providing direct guidance in that clinical  
16 model. It's -- it's very important for us to have that  
17 foundation.

18                   MS. FLORES: Very good. Those are my  
19 questions, thank you.

20                   CHAIRMAN DURHAM: Okay, any further  
21 questions? We have a motion for the approval of Pinnacle  
22 Charter School's request for approval as a designated  
23 agency for alternative teacher preparation.

24                   UNIDENTIFIED VOICE: So moved.





1 CHAIRMAN DURHAM: So moved, is there a  
2 second, Dr. Flores?

3 MS. FLORES: Yeah.

4 CHAIRMAN DURHAM: Okay. Is there objection  
5 to the adoption of the motion to approve Pinnacle Charter  
6 School's request? Seeing none that motion is declared  
7 adopted by a vote of seven to nothing. Thank you very  
8 much, sir.

9 MS. O'NEILL: Thank you.

10 MR. BITTNER: Thank you.

11 CHAIRMAN DURHAM: All right, let's return  
12 into item 12.0, Virginia -- University of Virginia data  
13 sharing agreement. Commissioner, you want to introduce  
14 this one.

15 UNIDENTIFIED VOICE: Thank you, Mr. Chair.  
16 I appreciate this floor, we -- we had had the opportunity  
17 to hear from the actual professor doing the research last-  
18 last Board Meeting. Just for some follow-up conversation  
19 that we have Marshall Mohenen and Jill Stacey, they'll be  
20 able to present and answer the questions.

21 MS. STACEY: Thank you.

22 UNIDENTIFIED VOICE: I appreciate it.

23 MS. STACEY: Sorry, talking to mic. So we  
24 kind of went through at a high level and responded to some  
25 specific questions at the last Board meeting some



1 information about the UVA data sharing agreement. We were  
2 asked to bring back a little bit more information. You had  
3 a particular question and then also, just to highlight some  
4 couple of specific areas. We actually, have a slide up  
5 here and it's one slide, so it's really just a summary.  
6 But just to -- to walk through that real briefly. The  
7 purpose of the study is to determine whether the charter  
8 schools teaching the Core Knowledge Curriculum have  
9 positive effects on student achievement. There's other  
10 pieces to that purpose but essentially that's -- that's  
11 sort of a high level overview.

12                   We also want to remind folks that any data  
13 that was -- any -- any kids that were participated, they --  
14 the parents have the opportunity to opt into that. And if  
15 they did not opt in then the data was not submitted to the  
16 University of Virginia. And the other reminder I want to  
17 put out is this has been going on for six years and this is  
18 the last data -- set of data that they're requesting from  
19 us and this is actually the results data. So over the  
20 period of the last six years during the -- during the time  
21 of the research study, this is the last installment of that  
22 data and it would provide them with the sort of the -- the  
23 end result of it so that they can do their longitudinal  
24 evaluations. There was one question that was raised at



1 the, I think it was between the last meeting and this one,  
2 and that was about the character study.

3                   The -- the survey that was provided to the  
4 parents and we gave you guys a copy of that and there was,  
5 one of you had a question on that about how that character  
6 question related to the actual study. And we received the  
7 answer from Dr. Grismer and we shared that with you guys.  
8 I don't know if you had a chance to review that. But I  
9 think, it basically was saying that Core Knowledge, and I'm  
10 going to defer to Gretchen here pretty soon if we go too  
11 far down this path. But Core Knowledge is a sort of a  
12 curriculum around character. And they -- they might argue,  
13 they meaning the -- the researchers, might argue that it is  
14 personally a study in character. So there's -- there's  
15 some relationship in that. What they're trying to do is  
16 see what that relationship is between character and the  
17 results, you know, their achievement skills. So is there -  
18 - are there other additional questions on that particular  
19 one? If so, then I might ask Gretchen to come up.

20                   CHAIRMAN DURHAM: Not exactly. Yes, Ms  
21 Mazanec.

22                   MS. MAZANEC: (Inaudible).

23                   MS. STACEY: I probably didn't say it right.

24                   UNIDENTIFIED VOICE: Okay, that's what  
25 (inaudible).



1 UNIDENTIFIED VOICE: Just turn it on, sorry.

2 MS. STACEY: Yes, show you a better job.

3 MS. MAZANEC: I didn't understand it that  
4 way.

5 MS. STACEY: (Inaudible) you might be -- you  
6 may actually be more familiar than I am with this. But I  
7 think what the researcher was describing is more than in  
8 Core Knowledge curriculum. There's reference to a set of  
9 virtues, not that that is like the -- the core thrust of  
10 Core Knowledge, it's a very content driven thing but  
11 there's some exploration of, you know, I think what they  
12 would identify as sort of core American virtues in a way.  
13 And so I think the curiosity of the researcher was whether  
14 instructing kids about those virtues at the same time is  
15 instructing them about content had any sort of impact. I  
16 think that's his question. But honestly, my depth of  
17 knowledge on this is like really shallow. I would invite  
18 you to speak to it yourself.

19 MS. MAZANEC: Dr. Scheffel do you know much  
20 about the Core Knowledge curriculum and any character --

21 MS. SCHEFFEL: No, it's strictly by  
22 inferences in my understanding.

23 MS. MAZANEC: That's what I thought.

24 MS. SCHEFFEL: It's differential like  
25 because the Core Knowledge addresses content in a specific



1 way, the implication is how does it impact questions that  
2 could relate to character education.

3 MS. STACEY: Yeah, I think that's right.

4 MS. MAZANEC: Thank you.

5 MS. STACEY: Yeah.

6 MS. FLORES: But you -- you sort of would  
7 want a curriculum to -- to expose at least outsiders or  
8 people who come from outside our country to know what those  
9 values are. I mean, I think it's very important to get  
10 along and -- and have an understanding of what those values  
11 are. Or else I think -- we don't have a -- a cohesive  
12 society.

13 CHAIRMAN DURHAM: Marshall, could you run  
14 through because I think it's been explained that, I mean, I  
15 think there are a couple of questions pending on this stuff  
16 but that the -- the way we provide the data to Virginia is  
17 that while it's in theory personal data, we don't give it  
18 to them in a format that they could trace to any -- if they  
19 were hacked tomorrow they couldn't trace it -- nobody could  
20 trace it to -- to a Colorado student because we don't give  
21 them those kinds of numbers. So it's just student 1A,  
22 student 1B. So I think -- I think that's an important  
23 thing that while it is individualized data, it's not  
24 provided to them in that format.



1 MS. ANTHES: Yeah, you're correct. You  
2 actually explained it very well. The -- the data itself is  
3 individual, but the name, anything that actually can  
4 connect it to individual Colorado student is masked, so  
5 they don't see that. There is a key that can kind of  
6 unlock that, and CDE has that, but UVA is not -- they don't  
7 have the ability now to actually make those connections and  
8 identify individual students.

9 CHAIRMAN DURHAM: When you say you don't  
10 have the ability now, they ever had that ability?

11 MS. ANTHES: You want to talk through how it  
12 started (inaudible).

13 UNIDENTIFIED VOICE: Yeah. Because the  
14 study was based on opt-in consent, UVA had to tell us which  
15 students had actually opted in. So they provided us with  
16 the list of the student's names. We took that list,  
17 matched it with the said set of those students. Then  
18 masked the said set and returned back to them a list of  
19 masked data. So what they have now is the original opt-in  
20 list and the masked list, but those two don't connect.

21 CHAIRMAN DURHAM: Yes, Dr. Scheffel.

22 MS. SCHEFFEL: Can you explain why CDE  
23 doesn't have an IRB, Institutional Review Board to address  
24 the human subject issues for folks that take this survey?  
25 I know we used to have one, and I'm not sure why we don't



1 have one now. It's nice that UVA has an IRB, but it  
2 strikes me as a problem that we don't have one internal to  
3 CDE.

4 MS. ANTHES: I think Commissioner Crandall  
5 has a comment.

6 CHAIRMAN DURHAM: Commissioner.

7 MR. CRANDALL: We talked about this at  
8 length. Mr. Chairman, Board Member Scheffel, I have  
9 tremendous confidence in a tier one research university  
10 IRB. And so the question becomes, do we take the time,  
11 money, and effort to duplicate that process and think that  
12 we would have the resources to duplicate a tier one  
13 research university IRB? And so are we simply creating  
14 more work for ourselves and just having another checklist  
15 to jump through or do we instead ask for, spend more time  
16 on what is the research trying to accomplish. Does it  
17 provide benefit to the state?

18 MS. FLORES: I know. But you know what?  
19 There are a lot of tier one universities that have done  
20 terrible, horrible things to people, and we really, I -- I  
21 wasn't aware that we didn't have one. This is the first  
22 that I've learned. We need to have an institutional  
23 committee that looks at, you know, the -- the benefits of  
24 doing this kind of research, yes or no. And -- and I think  
25 that it's -- we have the capacity. I think we have very



1 bright people that can look into this at CDE, and I think  
2 we need a committee.

3 MR. CRANDALL: Mr. Chair, can I respond to  
4 that. I -- I appreciate the -- the comment you just made  
5 and I'd have to agree 100%. One of the -- there's a  
6 difference between an IRB and the difference between is  
7 this -- is this research a benefit to the State of  
8 Colorado? Are we following the right protocol? But I  
9 don't -- I'm not sure we necessarily have to be a full  
10 blown IRB with all the components and pieces that have to  
11 be in there for the protection of human rights, you know,  
12 that -- that can be a very lengthy and extensive  
13 organization.

14 UNIDENTIFIED VOICE: That's -- I think  
15 that's very important.

16 MR. CRANDALL: Okay.

17 UNIDENTIFIED VOICE: I mean most school  
18 districts have that.

19 UNIDENTIFIED VOICE: We respond to the Board  
20 because of -- oh, I'm sorry (inaudible) IRB.

21 UNIDENTIFIED VOICE: I mean, most  
22 organizations have that. I don't -- I -- I think there is --  
23 there are committees. I'm sure Denver Public Schools has  
24 one, and I'm sure universities themselves have them, and I  
25 think we should have one if we don't already. And I think





1 the capacity is there to -- to just think through what  
2 they're trying to do.

3 CHAIRMAN DURHAM: Dr. Scheffel.

4 UNIDENTIFIED VOICE: It does.

5 MS. SCHEFFEL: So my thought would just be  
6 that, we have a different level of responsibility to our  
7 constituents and the public in Colorado in terms of  
8 research that's conducted through their -- through access  
9 to them than UVA would have. The university has a much  
10 different allegiances and purposes for doing research than  
11 what the Board might approve in terms of exposing  
12 constituents that can resource. So my sense is that we --  
13 we do need a mechanism internal to CDE.

14 UNIDENTIFIED VOICE: I agree.

15 MR. CRANDALL: Mister -- I'd have to agree  
16 then. We may be saying the same thing (inaudible) I'm not  
17 sure has to be an IRB structure as opposed to some other  
18 type of an entity. We will bring some ideas to you.

19 UNIDENTIFIED VOICE: Okay.

20 UNIDENTIFIED VOICE: Because I -- I -- I  
21 appreciate that piece of it there.

22 MS. SCHEFFEL: My concern is that some folks  
23 who are in charters or want to be in charters feel in some  
24 sense that they must do the survey and I don't want that to  
25 be the case. Also, the linkages and the questions are



1 interesting in terms of the methodology. And again, if we  
2 don't have a lens on the detail behind that, then we are  
3 naive to what's going on in our state, which leaves us all  
4 vulnerable. Thank you.

5                   CHAIRMAN DURHAM: Further questions. I -- I  
6 observe a couple of things. We still have a freeze on the  
7 transmission of data to virtually everyone unless we have  
8 some sort of legal obligation to do so. And I think part  
9 of the problem that I've been concerned about with this  
10 particular study is, I hate to be just plain suspicious,  
11 but there is something about this just doesn't stack up to  
12 me to be quite right. The -- if you look at the purpose of  
13 the study, I think we know the answer to all these  
14 questions already, and determine whether charter school  
15 teaching Core Knowledge Curriculum have a positive effect  
16 on student achievement. Anybody who think that that's not  
17 the case or they want to go talk to Congressman (inaudible)  
18 about it or look at his result as the best performing  
19 school, then we could go look at those things. But -- so  
20 why we got into this, I don't know. But I'm afraid I  
21 probably could guess.

22                   So I -- I think -- I think this was a bad  
23 decision to work with the University of Virginia whoever  
24 made that decision. And I have a -- it'll be very  
25 interesting to see if they can produce a result. But I



1 think we'll have to have some additional discussions about  
2 data sharing and additional data sharing just, and then  
3 finally when I -- and finally I almost get comfortable and  
4 then you ask for -- and let me just say quite clearly,  
5 there are parents out there who aren't buying anything  
6 we're telling them about the study, can't find copies of  
7 opt-in documents. You'd think we could produce those.  
8 Somebody should be able to produce those. Can't find  
9 copies of them. So the documentation appears to be  
10 inadequate on that and I -- I share Dr. Scheffel's concern  
11 that the idea that somehow you had to sign a consent in  
12 order to get your kid into this since there was a waiting  
13 list, probably sends all kinds wrong messages.

14                   It's clearly a lever to be used against  
15 parents and was used against parents to get them to opt in.  
16 So I -- I just -- and then -- then finally then you start  
17 finding character questions embedded in the -- what at  
18 least I thought and was sold initially to all of us, is the  
19 study of academic success when in fact it's more than that.  
20 Then when you -- when you don't get the right -- when you  
21 don't get all the answers the first time, it makes them --  
22 when you still start getting the answers that casts  
23 suspicion on the entire process.

24                   So I don't know exactly. We'll have to sit  
25 down, Dr. Crandall and talk about what to -- what to do



1 with this going forward. But at least at this point in  
2 time, I would hope that we would not -- Colorado's children  
3 are not a research project. And we really -- they deserve  
4 better treatment than to become part of a research project  
5 and I think we need to be extraordinarily careful about  
6 entering into any of these agreements with any of these  
7 people. And unless somebody can clearly show us a benefit  
8 and what allowing the University of Virginia to comment on  
9 whether or not Core Knowledge Curriculum has a positive  
10 result on student achievement, I -- I -- I have been in my  
11 own mind answering that question. So next item is, where  
12 are we? Let's see 13.

13 UNIDENTIFIED VOICE: Next is 14.01.

14 CHAIRMAN DURHAM: Yeah. So it would be  
15 14.01, is that where we are, Elizabeth?

16 MS. CORDIAL: Yes.

17 CHAIRMAN DURHAM: All right. Request from  
18 Cheyenne Mountain School District regarding waiver of  
19 statutes. Yes.

20 UNIDENTIFIED VOICE: (Inaudible) .

21 CHAIRMAN DURHAM: Let me see if we got  
22 everybody here doing -- there we are. Yeah. I tell you,  
23 perfect. Dr. Cooper.

24 MR. COOPER: Thank you, Mr. Chairman and  
25 board members and Commissioner Crandall. Thanks for the



1 opportunity to present Cheyenne Mountain School District  
2 request for waiver of state statutes. I know you have a  
3 compressed agenda this month and time's limited, so in an  
4 attempt to leave as much time as possible for questions,  
5 I'll be brief in my comments to really just to three points  
6 in an effort to maybe add a little background and clarity  
7 to our request and also to register for what it's worth, an  
8 issue that I see is troublesome. So first of all, as you  
9 most likely gathered from the request itself, the main  
10 reason for us pursuing this waiver is our desire to not add  
11 to our present practice the burden of additional  
12 requirements set forth by the School Readiness Initiative,  
13 which we see is redundant.

14                   We understand the importance of screening,  
15 evaluation, and intervention with our younger students,  
16 which is evidenced by the protocols and assessments  
17 contained in our request. I believe, you have those  
18 materials. Although they may not be in a specific manner  
19 with which current statute now requires. We've done this  
20 for nearly a decade and it works. How do we know it works?  
21 Well, beyond teacher, parent, and other anecdotal feedback  
22 as one simple data point around literacy. Specifically, I  
23 suggest the fact that the most recent CDE Annual Report on  
24 the READ Act indicated that 14 percent of primary grade  
25 students in Colorado were classified as having a



1 significant reading deficiency. The data driving this  
2 report simultaneously indicated that Cheyenne Mountain  
3 School District registered 5 percent and current data  
4 indicates our percentage has dropped even further, 4%.

5           So I would argue that clearly we're doing  
6 something right and we were doing so long before there was  
7 a state mandate and approved and prescribed assessment and  
8 data collection tool and forthcoming additional reporting  
9 requirements. So as a result, I think, it would be hard to  
10 argue that our approach does not meet the original intent  
11 of the law, and that is ensuring a child is able to and I  
12 quote from -- from the law, "engage and benefit from  
13 elementary school classroom environments" and meeting the  
14 intent of the laws, obviously the standard identified in  
15 the CVE -- CDE Waiver Fact Sheet in process.

16           The second point I feel compelled to address  
17 is an issue that came to light for me in this process. As  
18 a quick background to this issue, Cheyenne Mountain Charter  
19 Academy, now The Vanguard School, is our charter school and  
20 they were granted a -- a waiver from the School Readiness  
21 Initiative earlier in the school year. Because we --  
22 because we have such an outstanding relationship with them,  
23 they shared all of their information including their  
24 feedback from the Department and directly assisted us in  
25 crafting our waiver requests. This is the initial time



1 that we've ventured into any type of request. So as you  
2 might imagine our request, and at least our view were very  
3 similar, both in content and format, and so you might  
4 understand that I was significantly taken aback by the  
5 level of scrutiny and initial feedback we received from  
6 staff regarding perceived shortcomings of our initial  
7 request.

8                   So when I asked staff to defend the  
9 discrepancy, it was explained to me that the level of  
10 evaluation applied to charter school waiver requests, and  
11 I'm not talking about the automatic requests, was much less  
12 because the assumption is that the charter requests have  
13 already undergone a level of evaluation by the local Board  
14 of Education, which in part is understandable.

15                   What I, and more importantly my board, does  
16 not understand is why our local board's endorsement of a  
17 plan for its traditional schools would receive less  
18 credence by the department than the same board's  
19 authorization of a plan for its charter schools. I don't  
20 know if this issue remains germane to our specific request  
21 or not. I would like to think that after a lot more work  
22 and several revisions to our request, we've now  
23 demonstrated that our plan is at least equal intent -- in  
24 intent to that of our charter schools, which was approved.



1                   But In a state that seemingly prides itself  
2 on local control, there seems to be an inappropriate double  
3 standard that undermines the authority of local Boards of  
4 Education. Again, I have no idea if it's germane to your  
5 consideration of our request, but I think it is an issue  
6 that at least deserves some level of conversation at some  
7 point, and I would gladly en -- entertain that  
8 conversation. Lastly, on the important issue of teacher  
9 recruitment and retention, and you might wonder why I bring  
10 that up, I was excited to read in one of Commissioner  
11 Crandall's recent communications that consideration of a  
12 national campaign around why it is great to be a Colorado  
13 teacher, something I've been for nearly 35 years.

14                   I couldn't agree more with the need for such  
15 an initiative and I would suggest that one way to propel  
16 this is to approve our waiver request and others like it  
17 that may be forthcoming and allow teachers to spend time  
18 doing what they do best, and that is teaching. So thanks  
19 again for allowing me to represent the Cheyenne Mountain  
20 School District here today and in this process and I'll  
21 gladly answer any questions that you might have regarding  
22 our request.

23                   CHAIRMAN DURHAM: Thank you, Dr. Cooper.  
24 Questions for Dr. Cooper? Yes, Dr. Schroeder.





1 MS. SCHROEDER: No, but I do -- I do have  
2 one. I mean, I have a concern. And maybe you don't agree  
3 with me, but I would say that when the legislature passes  
4 laws, they have an intent, and that applies to all schools,  
5 those that are highly successful with their kids, and those  
6 where they're having challenges. And so I think to the  
7 extent that, we or our staff through us, that's a high -- a  
8 high expectation on the placement. The difference that you  
9 want -- the difference in the procedures that you wanna go  
10 through in order to meet the legislative intent, I think  
11 there's really still a very strong expectation that the leg  
12 -- legislative intent is met, and that's the real concern,  
13 and that the reporting that you -- your district with a  
14 waiver provides to the state, can be merged with and  
15 somehow provide the same information back to the  
16 legislature. So we're not in this simple position. I  
17 don't think to just say, "We love local control, therefore,  
18 we're going to ignore what the legislature has said."

19 And so I guess, I would feel a whole lot  
20 better about these things if your district and staff can  
21 come to an agreement that -- that your proposed process for  
22 meeting those expectations really does align with what was  
23 the legislative intent. That's the worry that I think  
24 you're gonna hear from us, and that's the worry that you  
25 heard from staff. The fact that your board, I mean, I



1 don't know if your board goes through your waivers on a  
2 regular basis to evaluate, whether the waiver that you've  
3 received or that you've sought and granted by the state, is  
4 actually meeting the expectations of what the legislation  
5 intended. You do -- do that with a charter, because they  
6 come up for renewals, and that's a scheduled process. I  
7 don't know if you have a scheduled process for any waiver  
8 that you've received from the state as a district for your  
9 regular schools, that has that kind of a schedule. So you  
10 see that it's not -- it's not analogous, it's not  
11 identical, unless you actually create a system where it is  
12 the same thing. In which case, I think I would look at it  
13 differently. Thanks.

14 MR. COOPER: Can I respond, Mr. Chairman?

15 CHAIRMAN DURHAM: Yes, please.

16 MR. COOPER: Thank you, Dr. Schroeder, and I  
17 don't disagree with you. I think that there should be a  
18 very high standard. My point is, I believe that the  
19 standards should be equally applied to -- to every waiver  
20 that is put forth, and -- and that's not the indication  
21 that I got. So if -- if I -- if I seem to think that there  
22 should be a lower standard applied to ours, I don't mean to  
23 say -- I don't mean to say that, I think that our  
24 performance speaks for itself in terms of the standard. So  
25 regardless of- it was the process that -- that I was --



1 that I was referring to. I don't believe, and I haven't  
2 thought through the issue of reporting fully, based on the  
3 -- based on the feedback that we received from staff  
4 relative to the reporting requirement, and maybe staff  
5 could clarify that. I don't believe that it was the  
6 responsibility of- - of us in applying for the waiver to  
7 address the reporting, but I don't -- I also don't believe  
8 that whatever the reporting requirement is, that we're  
9 exempt from that, given the waiver of statute, and maybe  
10 I'm -- I'm confusing components there. But the --  
11 certainly, I'm not asking to lower the standard, that's not  
12 what we're about, and I think that point is well taken.  
13 You talked about --

14 MS. SCHROEDER: I was -- I was describing  
15 process.

16 MR. COOPER: Right.

17 MS. SCHROEDER: Process of reevaluation over  
18 time.

19 MR. COOPER: I -- I admittedly, am a little  
20 bit new to this. You talked about a process by which we  
21 frequently review waivers. We've never been in this arena  
22 before. We've never asked for a waiver. I understand that  
23 it's a -- it's a very common thing in the charter world. I  
24 get that. But I would be surprised if this is the last



1 time you see me in front of this Board with a waiver  
2 request.

3 MS. SCHROEDER: Well, then it would be great  
4 if you would be able to also come forward with a  
5 recommendation of how you plan to continue to evaluate your  
6 system, to ensure that whatever was the legislative intent,  
7 because I think that's our job here is to fulfill that  
8 intent, that it's being met.

9 MR. COOPER: I agree, Dr. Schroeder.

10 MS. SCHROEDER: That's not -- that's not  
11 just scores, right? That -- there are other factors that  
12 are involved there with for kids.

13 MR. COOPER: I agree, Dr. Schroeder, but I  
14 would -- I would say that the intent is, it can be a  
15 strange nexus, and intent does not mean letter of the law.  
16 Intent means, are we at the end of the day, doing what the  
17 legislature and do it by law or the state board by rule  
18 wanted us to do? I think it would be hard pressed for  
19 anybody to argue given our outcomes, that we are not doing  
20 that.

21 MS. FLORES: May I ask a question?

22 CHAIRMAN DURHAM: Dr. Flores, I'm sorry.

23 UNIDENTIFIED VOICE: Dr. Cooper, would you  
24 tell us a little bit about the district, the number of  
25 children, and staff, teachers?



1 MR. COOPER: I'd love to. It's my favorite  
2 thing to do. So we have a proud graduate in the room. I  
3 won't call him out because he's running the meeting. But  
4 the Cheyenne Mountain -- Cheyenne Mountain School District  
5 is the roughly geographically, the Southwest quarter of  
6 Colorado Springs. We are a district of about 5,000  
7 students, 4,000 of those students are at our typical  
8 school, about 1,000 students in the Vanguard School, which  
9 I -- I believe may be the longest standing charter school  
10 in the state. Mrs. Cole is still there. She probably  
11 could -- as a founder of that school, could tell me. We  
12 have approximately 80 percent of the thousand students at  
13 the Vanguard School are non-resident choice students, about  
14 25 percent of our district are typical schools, our choice  
15 students.

16 Often times, I think that Cheyenne Mountain  
17 is seen as an extremely affluent, high property, high  
18 income district, to a large degree it is, but with 25  
19 percent choice students. That demographic has changed  
20 substantially over the years, where a single high school  
21 district on the typical side, Vanguard School as a K-12  
22 campus. We have five elementary schools and one junior  
23 high school.

24 MS. FLORES: Thank you. I was impressed  
25 that you have a speech pathologist for -- that measures the



1 speech of all your kindergarten students. That was  
2 impressive. I don't think that that is something that is  
3 provided for all kindergarten -- for other kindergarten  
4 kids in other districts. Thank you.

5 CHAIRMAN DURHAM: Ms. Mazanec?

6 MS. MAZANEC: This actually is probably not  
7 a classroom for you, Dr. Cooper, but we had another waiver  
8 before as recently, I need my memory refreshed, I think it  
9 was the Kiawah School District. Was it the same request, I  
10 mean, the same waiver?

11 UNIDENTIFIED VOICE: Mr. Chair, it was a  
12 request for a school readiness waiver. The replacement  
13 plans are different based on the district and based on how  
14 they approach that.

15 MS. MAZANEC: But it's the same. It's  
16 basically they're asking for the same waiver --

17 UNIDENTIFIED VOICE: Correct.

18 MS. MAZANEC: -- different plans. Okay, got  
19 you. Thank you.

20 CHAIRMAN DURHAM: (Inaudible) , could you  
21 remind me in that? Did we put any time limit on that?  
22 Kiawah -- was it Kiawah?

23 UNIDENTIFIED VOICE: Yes. I -- I do not  
24 believe you did, Mr. Chair.

25 CHAIRMAN DURHAM: Thank you.



1 MS. MAZANEC: So does that end up being a  
2 forever waiver?

3 CHAIRMAN DURHAM: I think it -- I think it  
4 did. Yes. Who's next? Ms. Rankin?

5 MS. RANKIN: Dr. Cooper, thank you for  
6 coming and -- and presenting this before us, and also thank  
7 you for the good work that you do in -- in Cheyenne  
8 Mountain. I have a question for the staff, to just give  
9 some, maybe, a couple three points on what the difficulty  
10 is with this one, for the record.

11 UNIDENTIFIED VOICE: Yes, Mr. Chair. And  
12 staff I mean just to -- just to give a little bit of an  
13 overview. You all have asked us to provide you, since this  
14 is a little bit of a different process than a charter  
15 process, to provide you with information since you all are  
16 making the decision, rather than the district, about  
17 whether to approve these waivers. So we have just provided  
18 information in that chart that you have around the law  
19 language, and then what was in the replacement plan. Just  
20 questions for you to consider, which is, you know, if there  
21 was a question on staff that we couldn't quite discern if  
22 it met the validity and reliability that the law stated, we  
23 just flagged that for you, saying, we weren't -- we weren't  
24 quite clear if it met the validity and reliability and the  
25 replacement plan.



1                   Doesn't mean it doesn't, doesn't mean that  
2 they don't have a good process. It doesn't, you know, it  
3 just means that since you are making the decision, you've  
4 asked us to flag those things for you. So that's from what  
5 I can see here, just, you know, a little more detail on the  
6 plan and -- and definitely understand Dr. Cooper's, you  
7 know, just -- there is confusion around the differences  
8 between charter, you know, charter process and this waiver  
9 process, as waiver process is new to us as well. And so  
10 we've been giving the Board information to help you make  
11 your decision.

12                   MS. SCHROEDER: Is it true that the waiver  
13 for a charter school then, is a little less rigorous as the  
14 one for the public school?

15                   UNIDENTIFIED VOICE: And I'm going to have  
16 to ask Gretchen Morgan that -- to answer that one.

17                   MS. SCHROEDER: I'm sorry.

18                   CHAIRMAN DURHAM: I knew that was coming.

19                   MS. SCHROEDER: Forgive me.

20                   MS. MORGAN: That's okay.

21                   MS. SCHROEDER: We have to keep reminding  
22 them.

23                   MS. MORGAN: I think the difference there is  
24 that the local board scrutinizes and so to some extent,  
25 there may be greater variability there because that local





1 board may or may not have a high bar in what they look at  
2 the replacement plan. You all look at those things but as  
3 a sort of general practice, as a Board, you largely  
4 referred to that local district. I think, both because  
5 there is a district that reviews it, and also the sort of  
6 scale of impact is smaller, because it's a school within  
7 that district rather than in a district in total. That's  
8 been the previous discussions of the Board.

9 CHAIRMAN DURHAM: Commissioner --

10 MS. SCHROEDER: I'm just gonna say one thing  
11 more. So what you've done is you've taken what you found  
12 successful in the charter school, and you just want to  
13 bring that over into your neighborhood school?

14 MR. COOPER: No -- thank you, Mr. Chairman.  
15 The process by which we crafted the waiver. So our -- our  
16 approach, quite frankly, is in terms of protocols and  
17 assessment and screening, is -- is quite different from the  
18 charter schools. The -- our charter school's waiver really  
19 was more based on, focused on curriculum and -- and  
20 instruction. So I was talking more about the process by  
21 which we categorized what we were doing in terms of our  
22 replacement plan, made sure that the components were there.

23 So our charter schools outcomes are equally  
24 effective, in terms of very -- very few kids being  
25 identified for read plans, very high achieving, with the



1 relatively challenging population. So from that  
2 standpoint, they are -- there were some significant  
3 differences, but from the waiver presentation standpoint.  
4 And -- and quite frankly, the degree -- the -- the level of  
5 scrutiny and degree of feedback that was provided back to  
6 us was significantly different.

7 MS. SCHROEDER: And you're full support of  
8 your Board, correct?

9 MR. COOPER: Absolutely.

10 MS. SCHROEDER: Thank you.

11 CHAIRMAN DURHAM: Yes, Dr. Scheffel?

12 MS. SCHEFFEL: I just want to thank you for  
13 the great work you do, on behalf of your students and  
14 parents and families. Thank you.

15 MR. COOPER: Thank you, Dr. Scheffel.

16 CHAIRMAN DURHAM: Further. Yes --

17 UNIDENTIFIED VOICE: Just a very quick one,  
18 Mr. Chair. Dr. Cooper, thanks so much for being here.  
19 Looking forward to getting to know you better and working  
20 together.

21 MR. COOPER: Thank you.

22 UNIDENTIFIED VOICE: Question, I don't know  
23 if it's for staff, being new enough to the process, I can  
24 understand the frustration Dr. Cooper feels. I -- I'd  
25 probably feel the exact same way, have I had a similar



1 experience already, and I'm trying to do something similar  
2 -- similar but different. And so is it -- is driven by  
3 statute, the differences, or is it driven by personality of  
4 reviewers? You know, I -- I would like to think that all  
5 waivers are bought and have a very intense level of  
6 scrutiny, and that is this the best thing for kids, as  
7 support by the local board? It's almost like it's a vague  
8 question, but I kind of understand frustration, I would  
9 like to make sure this doesn't happen again, or that  
10 there's a reason why -- why we have different processes.

11 MS. MORGAN: Yeah. So there are-- - I think  
12 there actually are two reasons for differences. One, is  
13 there actually is a difference in legal standard for  
14 charter waivers than there are for district waivers, just  
15 in how they're described in law. And later, we can talk  
16 lots about that, if you want to. And so there is actually  
17 a difference. We can ask the Attorney General how  
18 significant those are probably, but there is a difference  
19 in law. And then, the other thing is, again, it's been  
20 just historically as -- and as history is short on this,  
21 right? It's been only six or eight months or so here that  
22 we've had districts start coming and seeking these waivers  
23 that had been in statute for a long time but pretty under  
24 utilized until recently. And so in recent history, I'll  
25 say, with the Board on this, the Board has just considered



1 that, the fact that there is a local review and that this  
2 sort of scale of impact locally is smaller that -- that  
3 their role in scrutinizing against charters might be  
4 different, than their role in scrutinizing things against  
5 district wide waivers.

6                   And I think, in the law for both of these  
7 kinds of waivers, it is the Board's discretion to do that.  
8 And so staff is trying just to offer information into this  
9 process, understanding that, you know, our Board may either  
10 be very excited about, or very uncomfortable with,  
11 actually. The -- the authority and the legal standards  
12 that they have around making these decisions for waivers,  
13 it's not a very clear set of criteria that the Board uses.  
14 And so we are just trying to get enough information from  
15 districts, that we can offer enough information to you all,  
16 that you feel like you have what you need to make  
17 decisions. So there's no desire to be difficult or -- or  
18 differential in ways that are insignificant or based on  
19 personalities, that's not part of the process.

20                   UNIDENTIFIED VOICE: Mr. Chair and Board  
21 Members, I -- I look forward to learning this process more,  
22 because if I have a proactive early adopter district, let's  
23 -- let's make that process work.

24                   MS. SCHEFFEL: I have one more.

25                   CHAIRMAN DURHAM: Go ahead.



1 MS. SCHEFFEL: So do I understand this  
2 correctly, that what you're telling us is how -- you're not  
3 doing anything new or different with regard to screening.  
4 You're saying that you are using a process that you've been  
5 using all along and that helps you identify students who  
6 need intervention and you have all that. It's nothing new,  
7 it's just saying, we don't need to adopt your process,  
8 because we have one that works?

9 UNIDENTIFIED VOICE: Yes ma'am.

10 MS. SCHEFFEL: Okay, thank you

11 UNIDENTIFIED VOICE: Exactly.

12 CHAIRMAN DURHAM: Yes, Dr. Schroeder.

13 MS. SCHROEDER: So I'll be honest with you  
14 and tell you that one of the things I don't love hearing  
15 from the legislators that I've known for a long time is how  
16 PO they are, by virtue the fact that we do grant waivers.  
17 It really pisses them off because they work very hard and  
18 very long to pass these laws because they thought it was  
19 best for the kids of the state of Colorado and here we are,  
20 saying, you know, if we grant waivers for some schools, why  
21 don't we -- why don't we open it up to all schools? So  
22 please recognize that, just recognize the tension.

23 MR. COOPER: Dr. Schroeder, I'm -- I'm a  
24 very familiar face at the Capitol and I have the same  
25 effect on them, many times, so I -- I -- I understand.



1 MS. SCHROEDER: I don't know, so we can  
2 commiserate on that one. 'Cause I've -- if there's  
3 anything I've heard from the legislators, and even some of  
4 the retired legislators, why do they feel free to lead into  
5 me? So -- well, I always worry when we're running for  
6 next, to be honest with you. I think you just said that  
7 the whole notion of the reporting on the school readiness  
8 hadn't -- wasn't right out there in front. And that's  
9 partly because we haven't talked about that, right? We're  
10 looking at that I think today.

11 So my question that I'd like you to either  
12 answer or be thinking about answering at some other time  
13 is, will you be able to give us a report that measures, not  
14 by child but in general, the physical well-being, motor  
15 development, social emotional development, language and  
16 comprehension, et cetera, the various categories that are  
17 actually in the legislation, whether you'll be able to  
18 report to the department so that we can combine the data  
19 from your district to the other districts, so that we can  
20 report back to the legislature where our kids state-wide  
21 are -- where our kids are in school readiness and how it  
22 changes over time. Because I think that's one thing that  
23 we're facing at the moment. I don't know if it was part of  
24 the conversation you had it wouldn't have -- it would have  
25 been a little unfair if we just said to you, you've got to



1 do this this and this one, in fact, we're not there. On  
2 the other hand, we're going there. So I wanted to make  
3 sure you know we're going there.

4 MR. COOPER: So the answer to that, Dr.  
5 Schroeder, is I think absolutely. We have, in the  
6 information that we presented, you show how we assess in  
7 each of those required domains and then some, quite  
8 frankly, but the waiver is specifically around those  
9 domains. We are building a plan for every student, not  
10 just students who are identified as developmentally  
11 delayed, and so I don't -- I don't --

12 MS. SCHROEDER: You'll have the cap- You'll  
13 have the capacity to whatever we decide as being necessary  
14 for reporting it -- it won't be a hardship for you guys to  
15 also provide that information.

16 MR. COOPER: I don't know if it will be a  
17 hardship or not. We'll -- we'll comply with whatever the  
18 rule is, not knowing exactly what the interface of that  
19 data submission would be. We will have that data. At the  
20 local level, we will have that data in each of those  
21 domains, on every kindergarten student. Not utilizing TS  
22 Gold or another approved data collection tool, the data  
23 submission may be less seamless, and that may require some  
24 more issue on our end. However, I would -- I didn't  
25 address the -- the data collection issue regarding TS Gold,



1 which was an initial driver of this. I think we've calmed  
2 those waters with our community, partially because of the  
3 waiver request. So I don't know what level of hardship it  
4 would be because I don't know what that interface or  
5 submission will look like, but Dr. Schroeder, to answer  
6 your first question, yes, we absolutely would have that  
7 data on every kindergarten student.

8 UNIDENTIFIED VOICE: Mr. Chairman, I just  
9 add in, I just wanted to add one note if I may.

10 CHAIRMAN DURHAM: Yes, please.

11 UNIDENTIFIED VOICE: It's just that the  
12 feedback from staff indicated clearly that they don't need  
13 to speak to their ability to do that. It's just, we have  
14 every time this request has come before you, we've reminded  
15 you all that -- that the more variability that you accept  
16 here, there may be implications on data collection. So  
17 that was just the same reminder that you've received  
18 before, that that may be an implication of this, that you  
19 should be aware of.

20 CHAIRMAN DURHAM: And that was made very  
21 clear to us as well.

22 UNIDENTIFIED VOICE: It's not anything you  
23 need to --

24 MS. SCHROEDER: Good, okay.

25 CHAIRMAN DURHAM: Yes,





1 MS. SCHROEDER: So -- so then what you're  
2 saying is, we are gonna possibly approve a program that  
3 hasn't been aligned with some of the things that we need  
4 information on, and so we're -- we're putting the cart  
5 before the horse? Is -- is that where we are right now  
6 with this?

7 MS. MORGAN: So the -- the feedback from  
8 staff specifically was that, some of the -- the mechanisms  
9 they chose to make those determinations per area identified  
10 in statute, were not ones that staff could say for sure  
11 were valid for those purposes. Well, that doesn't mean  
12 that they didn't have data to give you.

13 MS. SCHROEDER: So -- so why is it? Is it  
14 because it's not an off the shelf thing that is aligned  
15 already? Is this that they're developing it locally? Is  
16 that where the problem is, so you have to give it a year or  
17 two or three to see if it's gonna be successful or that  
18 they can align it at CDE? I mean, the fact that that  
19 wasn't proposed initially enough for -- for our staff to  
20 look at it, is troublesome to me.

21 MS. MORGAN: I'm gonna have to infer a  
22 little bit here, because I'm not a content person on this,  
23 but having been in discussions about these reviews, I'm  
24 gonna try and offer something here, and I would invite Katy  
25 here to disagree if you see it differently. I think that



1 what is true is that, staff here when the statute passed,  
2 had to go through processes to -- to determine which kinds  
3 of things would meet the technical requirements, based on  
4 what was in statutes, and the -- the processes that these  
5 guys are suggesting or some of the tools maybe that they've  
6 identified, didn't meet those same criteria that staff used  
7 for previous evaluation for this purpose. I think that  
8 that is what that means.

9 MS. ANTHERS: Yeah, and I think it was just  
10 the level of detail. And so we went back and forth and  
11 just and -- and said you can provide the detail here, and -  
12 - and Dr. Cooper's here, but in the plan, we didn't have  
13 the detail necessary to make the judgment, so we just  
14 didn't make a judgment.

15 MS. MORGAN: Right.

16 MS. ANTHERS: We just provided you the  
17 information to say that we couldn't discern that.

18 MS. SCHROEDER: Appreciate that. But even  
19 though we've talked to him, we don't have that detail. We  
20 -- we would be making a decision without the detail. Thank  
21 you.

22 CHAIRMAN DURHAM: Yes, Dr. Scheffel.

23 MS. SCHEFFEL: Well, this is -- it strikes  
24 me that as we look though at the information that was  
25 presented to us that's supporting documents, they have a



1 very rigorous approach to readiness, and actually we do  
2 have a lot of data and it actually, based on your data  
3 that's longitudinal, suggest that it actually works. So  
4 when -- when -- when the CDE says that there's psychometric  
5 information, or the psychometric technical accuracy of the  
6 assessments isn't -- you can't quote chapter verse as far  
7 as their reliability and validity, that's because they're  
8 using a lot of teacher judgement, right? As opposed to a  
9 standardized assessment.

10                   So I mean, and I think that -- I think that  
11 their data suggest that they're doing this work with a high  
12 degree of effectiveness. So I understand what the  
13 department is saying, I also understand what the district  
14 is doing at the school. So those are, you know, that's  
15 great information but when you look at their supporting  
16 documents, its quite robust.

17                   MS. FLORES: And we all know that humans are  
18 -- are the best instrument.

19                   CHAIRMAN DURHAM: Yes. Dr. Schroeder.

20                   MS. SCHROEDER: This is a bit of an aside.  
21 But I would be grateful for your comment. We are  
22 recommending that there be a bill that when we grant  
23 waivers to districts, that there be a -- I'm not sure that  
24 we have the right word, a review or a come back or some  
25 sort of --



1 CHAIRMAN DURHAM: Expiration.

2 MS. SCHROEDER: Expiration. Exploration?

3 CHAIRMAN DURHAM: Expiration.

4 MS. SCHROEDER: Expiration, so those are  
5 renewal, particularly for the skills of innovation and I  
6 believe the kind of waiver that you're talking about right  
7 now. How would you comment on that? Would you be  
8 comfortable?

9 MR. COOPER: Absolutely. If -- if it's  
10 effective for overrides, I'm fine with it for waivers. I  
11 mean, that's why people buy it, because they know it's --  
12 and -- and I would just add to that -- that -- that upon  
13 that review, one of the things that I learned through this,  
14 and this is no fault of the process nor the -- nor the  
15 department, and this is the waiver request really is all  
16 about inputs.

17 And to Dr. Scheffel's point, talking about  
18 the fact that our outcomes demonstrate that regardless of  
19 whether there is a psychometric tie to reliability and  
20 validity of instrument, the outcome really should be what  
21 tells us if we're doing things effectively. And the waiver  
22 process is all about inputs. I think that actually  
23 revisiting the waiver process, with a -- with a sunset  
24 clause or an expiration date, and having that -- and having



1 part of that review be demonstrated proficiency, I think  
2 could be very powerful.

3 MS. SCHROEDER: And you probably have a --  
4 and you probably have a different Board. I mean, that's  
5 the -- that's the other -- other piece of --

6 MR. COOPER: True. True.

7 MS. SCHROEDER: -- the process, given term  
8 limits, you're going to have sort of a renewal of awareness  
9 of where your district is by virtue of this process. Thank  
10 you.

11 MR. COOPER: I would be especially  
12 supportive of that if -- if demonstrated outcomes were part  
13 of the renewal because that's what it really should be  
14 about.

15 MS. SCHROEDER: Yeah, thanks.

16 CHAIRMAN DURHAM: So thank you. So Dr.  
17 Cooper, if -- if as part of the, the waiver motion to -- to  
18 grant the waiver would include an expiration in five years,  
19 would you have any --

20 MR. COOPER: I would have no objection to  
21 that, Mr. Chairman.

22 CHAIRMAN DURHAM: -- (inaudible) I think --  
23 I think we're struggling as a Board with trying to deal  
24 with the legislature. And -- and, you know, if something  
25 goes wrong with the district that we've granted a waiver



1 to, we have no way to retrieve or go back in any fashion on  
2 that.

3 MR. COOPER: I fully understood.

4 CHAIRMAN DURHAM: I think we -- we feel a  
5 little more comfortable if there were some -- some review  
6 process and but I don't think anybody quibbles with your  
7 results. So --

8 MR. COOPER: I -- I have no aversion to  
9 accountability, whatsoever.

10 CHAIRMAN DURHAM: Thank you very much.

11 UNIDENTIFIED VOICE: (Inaudible).

12 CHAIRMAN DURHAM: No. No. Do you have a  
13 motion?

14 UNIDENTIFIED VOICE: Sure.

15 CHAIRMAN DURHAM: All right.

16 UNIDENTIFIED VOICE: I moved to approve the  
17 Cheyenne Mountain School District waiver request from  
18 school ratings assessment 22-7-1014(2)(a) CRS, with the  
19 request that there be a re-evaluation at the end of five  
20 years.

21 CHAIRMAN DURHAM: Okay. It's a proper  
22 motion. Is there a second? Dr. Flores? Moved in the  
23 second. Is their objection to the adoption of that motion?

24 MS. SCHROEDER: Mr. Chair.

25 CHAIRMAN DURHAM: Yes.



1 MS. SCHROEDER: Can we -- can we make that  
2 three, instead of five years since this is so new to us?  
3 Is that possible? I like three instead of five, and I sure  
4 would like to get the report back on that.

5 MR. COOPER: No objections, Mr. Chairman.

6 CHAIRMAN DURHAM: So if by incorporation, if  
7 the second will accept three versus five. Very good. Now  
8 is our objection to that motion as a three year waiver of  
9 the provisions? Seeing no objection, that motion is to  
10 adopt -- adopted on those seven to nothing. Thank you  
11 Doctor.

12 MR. COOPER: Thank you Mr. Chairman, thank  
13 you Board, Commissioners thank you.

14 CHAIRMAN DURHAM: All right. Excuse me.  
15 Let's proceed to 14 of item 15. We're right, 15 School  
16 Readiness Reporting System. 15.01.

17 (Meeting adjourned)



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C E R T I F I C A T E

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

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

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

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