



Colorado State Board of Education

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
COLORADO DEPARTMENT OF EDUCATION COMMISSION
DENVER, COLORADO
June 9, 2016, ESSA, Part 2

BE IT REMEMBERED THAT on June 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'll come back to order.
2 We'll proceed to Item 4, which is the update on the ESSA
3 listening tours and State plan development. Commissioner, if
4 you would like to bring us up to date, please.

5 MS. ANTHES: Yes, thank you. Mr. Chair, yes.
6 Today's an update on where we're at with the ESSA work.
7 Actually, we have a couple folks in front of us. Mostly Pat
8 Chapman will be delivering this, but I just wanted to
9 introduce and welcome Barbara Hickman to her first time up
10 at the -- whatever we call that, the desk, the presentation,
11 deities (ph), I don't know. And yes, so and Allyson Pearson
12 is also here, because she's been actively engaged in the
13 ESSA accountability work as well. So at this point, I'll
14 turn it over to Mr. Chapman.

15 MR. CHAPMAN: Thank you, Commissioner Anthes.
16 Thanks for the opportunity to come here and provide an
17 update regarding what's happening on the ESSA front. We
18 want to create as many of these opportunities as possible so
19 that you have a good sense of what's happening and -- and
20 have an opportunity to redirect us if we're heading down a
21 path that we shouldn't go down.

22 So what -- what has been happening, we're --
23 we're just wrapping up the ESSA listening tour. We had 14
24 sites. We had 14 sessions as part of that tour. We also met
25 with a number of additional constituency groups along the



1 way. It was really -- it was a lot of work. And thanks to
2 our communication folks and -- and offices around the
3 department, I think it was pretty successful.

4 And one of the reasons it was successful is
5 that a lot of people gave of their time. We had 731 folks.
6 One of the first sessions was right here in Pueblo, and we
7 really did have a broad array of representation. We had
8 lots of teachers, we had Board members, a lot of district
9 administrators, BOCES administrators. We had higher ed. We
10 had a number of parents, and so as we mentioned, I believe
11 it was last month, that we had an evening session with the
12 intent of reaching those that were unable to attend during
13 the day, and that included a lot of teachers and a number of
14 parents and -- and some students.

15 So it was really -- it was really a joy to be
16 able to talk with folks about federal education and state
17 education policy who don't, you know, talk about those kinds
18 of things every day. So I think we've heard a lot of new
19 perspectives, and -- and it gave us a good grounding for the
20 State plan development work to follow.

21 The reports, we -- we collected all -- pretty
22 much everything everybody said. We've begun to post the
23 reports. Basically, it's raw data, comments that we've
24 received from attendees. We're posting that on our website.
25 We're sending that back to the groups that attended each of



1 the sessions, and we're working on compiling a full summary
2 report right now. As I said, it's pretty much raw data.
3 We're beginning to try to pull out some themes that we heard
4 along the way.

5 So what did we hear along the way? One of the
6 things that I -- I -- I did want to mention is that when we
7 -- when we address the requirements related to standards, we
8 did note that the standards are scheduled for review
9 pursuant to state statute. So there wasn't a lot of
10 discussion about the standards themselves as part of the
11 tour, but we did talk about how best to measure student
12 progress toward meeting the standards. And -- and a lot of
13 what we have heard -- what's included in the PowerPoint
14 isn't necessarily intended to be summative or definitive in
15 -- in any way, it's just comments that we heard along the
16 way. And -- and for most -- the most part, these comments
17 were provided to us in a number of sites from a number of
18 people.

19 I think there is a general feeling to
20 increase the emphasis on local assessments, performance task
21 portfolios to think more broadly than -- than relying so
22 heavily on the state -- state assessments. There was a lot
23 of discussion about the state assessments themselves.
24 What's the purpose of them? What's the utility of them?
25 The timing, and what's possible with regard to modifying our



1 state assessments so that they're -- that they're more
2 useful, I guess, from -- from both an accountability
3 standpoint but useful to provide useful feedback to schools,
4 districts, and teachers.

5 There's a lot of interest in the -- the
6 possibility of using interim assessments and -- and rolling
7 them out to a single end-of-year result. And then there are
8 some questions about some -- what is the -- the purpose of
9 the state assessments, and if they're primarily for
10 accountability purposes, might we be able to do them another
11 way.

12 With regard to school accountability and
13 improvement, one measures of school quality or student
14 success should be included in the school accountability
15 system. We hear a lot of this. This was really sort of all
16 over the -- the place, but I think that's they're -- they
17 really wanted to be able to utilize their local information,
18 their local data, their local context and as part of the
19 accountability process. So measuring opportunities. What
20 are the opportunities that they provide to students in
21 addition to our -- the student outcomes?

22 The caution to be aware of: unintended
23 consequences as soon as something has become an
24 accountability indicator, there's a risk that the system
25 will be gamed or be changed, or as an example, if you use



1 discipline, will districts be reluctant to support
2 discipline issues. There is a strong request to -- to not
3 create a process or a system that's overly burdensome to --
4 to schools and districts. I think particularly from a rural
5 perspective. And lots of comments regarding how to -- how
6 to include measures of climate and culture and health and
7 wellness, metrics into our accountability system, because
8 they've been missing thus far.

9 One of the questions was well, what's -- what
10 can CDE do to provide support that's helpful to districts,
11 particularly those districts that have schools on
12 improvement. One of the things that we heard was those that
13 have been participating in -- in CDE's turnaround network
14 that they've really like that. It's been invaluable to
15 them. The professional development that's tied to that the
16 -- the network has been hugely helpful. One of the comments
17 is listed here that the ability to network with other
18 schools and -- and deal with the hard questions and -- and
19 the use of their performance -- performance management tool
20 has been helpful to them in their turnaround efforts.

21 A lot of it was regarding what can CDE offer.
22 Some sort of online menu, a menu of supports. What are the
23 supports that we have? How can we organize them in such a
24 way that -- that schools and districts can request them or
25 that we can be more intentional in our offer of support, so



1 that it's clear the supports that we can -- that we provide.
2 So things like professional developments, curriculum
3 instruction, UIP development those kinds of things.

4 But that -- we also heard that -- that one of
5 the things that they appreciate is for us to, when we
6 identify best promises and practices, schools or districts
7 that are --really seem to be succeeding and connecting those
8 schools and districts with schools and districts that are
9 struggling, and so that they can learn from the -- the
10 high-performing schools and districts and -- and adopt some
11 of their practices that seem to be key to their success.

12 Feedback regarding teacher qualifications and
13 support, ESSA changes the rules. It does away with highly
14 qualified. One of the questions we were asking is in
15 addition to holding a license, should teachers be required
16 to demonstrate competency -- competency in the subject area
17 in which they teach. And there is a lot of consistency in
18 yes, but the feeling that -- that they're already doing
19 that as part of educator evaluation and licensing
20 requirements. A lot of discussion about focusing on -- on
21 student outcomes as opposed to inputs and credentials of
22 teachers.

23 And also, you know, while there is a desire
24 for high quality, there's a -- there's a reality that a lot
25 of districts are struggling with recruitment and retention.



1 There's a teacher shortage, and how do we balance that
2 desire for increasing teacher effectiveness with the reality
3 that there's a teacher shortage and then the caution that we
4 shouldn't really make it more difficult to get a license.

5 What support should CDE provide to help
6 teachers provide effective instruction? Again, it was sort
7 of a menu of options specific to student -- specific
8 learning needs of students. More time and more for and more
9 professional development and support of those diverse
10 learners. Increase the emphasis on MTSS. Utilize that
11 framework and provide more support for MTSS implementation
12 in the field. Oh, Multi-Tiered System of Supports. It's
13 like are RTI and PBIS. I'm sorry.

14 MS. SCHROEDER: You know me, sir.

15 MS. ANTHERS: It's okay. It's the system of
16 inventions for different levels of help for students.

17 MS. SCHROEDER: Yeah, I'm anti-anacronym

18 MR. CHAPMAN: Yeah. Sorry about that. And
19 then again, organize a menu of sorts with training available
20 to teachers that have been scheduled for training and how
21 teachers can go about accessing that training and the funds
22 that they might be able to utilize in support to access that
23 training.

24 So what were the -- the general themes that a
25 lot of it was there was appreciation. They like what appears



1 to be the greater state and local flexibility and discretion
2 provided under ESSA when compared to No Child Left Behind.
3 And they appreciate the opportunity to provide input and
4 help develop Colorado's ESSA plan. And while there's relief
5 that AYP and highly qualified and some of the other more
6 burdensome requirements of No Child Left Behind have been
7 eliminated, there's concern that that ESSA doesn't turn into
8 another No Child Left Behind with new requirements and new
9 administrative burden. So really putting us on notice to
10 not -- not develop a plan that creates unnecessary work.

11 Appreciation of the ESSA focus on the whole
12 child, consideration of what it means to be healthy and
13 well-rounded, those -- those things that are tied to
14 academic success. But those haven't necessarily received a
15 lot of attention through No Child Left -- Left Behind or
16 accountability system. And there is a lot of good
17 conversation around there. Again, I think this is what you
18 heard last month. The relationship between state and federal
19 law and policy specifically with regard to standards
20 assessments, accountability, teacher qualification. So
21 what -- what state and what's federal, and what are our
22 opportunities given both?

23 So there was a lot of -- a lot of good
24 helpful feedback. It was really good to be able to meet
25 with folks face to face and -- and discuss some of these



1 requirements at length and -- and not just the requirements,
2 the opportunities. So that was -- there's a lot of good
3 feeling, and there's a real collaborative effort across CDE.

4 But meanwhile, back in Washington, D.C.,
5 while we were talking about this with the field and going
6 out there and -- and really feeling that there is some
7 promise and -- and some opportunity to do things
8 differently, in Washington, they are writing proposed rules
9 regarding accountability state plans and data reporting, and
10 they released those rules on May 31st. And what's included
11 here is that basically the first sentence of the summary of
12 the proposed rules with the part of it highlighted in red --
13 and I don't know. I can't think of the name of the movie but
14 there's the movie, Show me the Money and Renee Zellweger
15 says, "You -- you had me at hello."

16 CHAIRMAN DURHAM: Jerry Maguire

17 MR. CHAPMAN: With Jerry Maguire. They lost
18 me with -- with the goal of giving states the flexibility.
19 And that's the first sentence. And it's followed by 192
20 pages. I -- I meant to delete the reference of 192 pages. I
21 forgot, but it is 192 pages. And while it's -- it's -- it's
22 good that a lot of the rules -- and I -- I do think they --
23 they wrote many of the rules from the perspective of
24 students with diverse learning needs and with an intent of
25 protecting the civil rights of students, in many cases I --



1 I really believe they -- they got it wrong. So what we're
2 doing is we're really going through the -- the rules, and --
3 and -- and we just received them I think it was a week ago,
4 Tuesday. And really looking -- vetting them to identify
5 areas where rules might be helpful or supportive of parents
6 and children, and they're missing, but also trying to
7 identify the rules that are totally unnecessary or -- and
8 serve only to limit state and local discretion given
9 especially the promise of -- of increased flexibility.

10 Rules that are in conflict with statute or
11 have no basis in statute seemed to have appeared sort of out
12 of thin air, and I hope to have a draft of our -- our
13 comments by -- by late June in the next -- next several
14 weeks and really going through it rule by rule. There are
15 many cases where they -- they just restate statutes and
16 don't add anything to the statute. I think the statute was
17 really pretty prescriptive to begin with. And in many
18 cases, the rules that they have created limit state and
19 local discretion. They -- they create a requirement that
20 doesn't exist in statute, and then it's part of our State
21 plan in order to meet that requirement or make a case for
22 why what we propose is better. And so it really sort of
23 sets up our process of minimizing flexibility as part of the
24 State plan process or monitoring down the road. And there
25 is a concern that if these rules are in place for ten years



1 or so that now is the time to react and express our concern
2 about the proposed rules.

3 I -- we've sent you the invite to -- to
4 comment on the rules and regs. I think that the comments
5 from our State Board of Education would carry a really a lot
6 of weight, and I'd be happy to help you, walk you through
7 the proposed rules in relation to what is in statutes and
8 develop your own comments if you so choose. The window for
9 submitting the comments closes on August 1st, so it's a 60-
10 day period. They have to be finalized by the end of the
11 calendar year. The expectation is that they might try to
12 finalize them in -- in October or November. But again if --
13 if these rules go through as is, I don't know what would
14 happen under a new administration. But also feeling like
15 this administration is on the way out, and they're writing
16 rules that will be for plans that will be approved by the
17 next administration, and so there is that concern as well.

18 MS. FLORES: Can I interrupt you? Let me
19 just stop you for a second.

20 MR. CHAPMAN: Sure.

21 MS. FLORES: If -- if it's so important. I
22 mean, I think it is important that we respond. Is it
23 possible before June is over to have a --

24 (Meeting adjourned)



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C E R T I F I C A T E

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

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

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

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

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