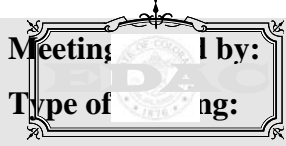




Colorado Department of Education EDAC Committee

March 18, 2022
9:30 a.m.-11:30 a.m.
Virtual Meeting



Meeting Title by:
Type of Meeting:
Facilitator:
Note taker:

Educational Data Advisory Committee

Scheduled Data Review Meeting

Jan Petro

Peter Hoffman

Attendees:

Janice Cook	Lazlo Hunt
Mimi Livermore	Eric Mason
Patrick Mount	Mina Parthasarathy
Andrew Pippin	Lorraine Saffer
Chris Selle	Cheryl Taylor
CDE:	
Jan Petro	Marcia Bohannon
Peter Hoffman	Annette Severson

Agenda topics

General Business

- Meeting Minutes March 4, 2022 - Approved
- Tentatively Scheduled May Collections
- Late Item Submissions (MARKED IN RED)
- EDAC Credit Renewal
- Data Pipeline Advisory Committee
- EDAC Transcript Discussion – Are we required to post a video since we are public committee? EDAC to make decision until after open board meeting training at April / May meeting.
 - EDAC 03-04-2022_AutoGeneratedCaption_Ver1
 - EDAC 03-04-2022_AutoGeneratedCaption_Ver2
- Patrick made proposal to move May meeting to another day due to scheduling conflicts with other meetings. April 29th may be the date that works best. Email or poll will be sent to all members to confirm if date change will work. Also ask about moving to an earlier time. Ask if 8:30 start time works for EDAC?
- EDAC sunset hearing discussion – Bill was to indefinitely continue EDAC with no sunset. EDAC would exist until someone decides to end EDAC. There was also an amendment that if there is a disagreement between EDAC and CDE’s final determination over a collection, see 39:00 for amendment, Committee unanimously voted to move HB22-1265 on to appropriation. It is believed that on CDE’s side, Commissioner Anthes and Deputy Commissioner Pearson both were consulted about the amendment.

Update Approvals – All Approved

- DMC - 110 Data Pipeline-Special Education IEP Interchange
- DMC - 111 Data Pipeline-Staff Interchange
- DMC - 120 School Discipline
- DMC - 133 Kindergarten School Readiness Data Collection SY 22-23
- DPSE - 138 Educational Stability Grant - **Pulled**
- DPSE - 138B Educational Stability Grant End-of-Year Grant Reporting Guidance – **Pulled** – Grant to be submitted every year, End of Year grant will only be submitted if changes are made. End of Year report will be submitted as part of package for grant in the future. The End of Year reports for grants like this will not be brought back every year unless something is changed. No major concerns from EDAC. EDAC thinks it will be helpful if districts know what is on the End of Year reports ahead of time to help them gather the data ahead of time.
- EDL - 103 Designated Agency Data Collection (DADC)
- ELA-117 Funding Opportunity - Migrant Education Program
- ESL-422 Assignment of an Educational Surrogate Parent (ESP)
- PSF - 108 Assurances for Financial Accreditation
- PWR - 105 ILOP LEP End of Year Data Collection Template
- SPS - 135 UIP Template

Biennial Update Approvals – All Approved

- DMC - 105 Financial December Pipeline
- DMC - 107 Data Pipeline - Title I Interchange
- DMC - 111A Educator Shortage Survey
- ELA - 104 National Certificate of Eligibility
- ELA - 106 Migrant Education Program Residency Verification Form
- ELA - 109 State Migrant Student Information System - Students Migrant Academically on the Right Track (SMART)
- ELA-427 Colorado Migrant Education Program Priority for Service (PSF)
- PSF - 110 Transportation Reimbursement
- STL - 106 State Grants to Libraries
- STU - 7 Used School Bus Dealers Registration
- STU - 8 School Transportation Vehicle (Small Vehicle) Pre-Trip and Post Trip Requirements
- STU - 9 School Transportation Vehicle (School Bus) Pre-Trip and Post Trip Requirements
- STU - 17 Multifunction Small Vehicle Operators Medical Information Form
- STU - 20 Application for Annual Inspector Qualification or Recertification
- STU - 22 Application for Inspecting Site Certification
- STU - 24 Brake Inspector Qualification Certificate
- STU - 25 Affidavit of Annual Inspection for School Transportation Vehicles
- STU - 26 CDE Annual Inspection Preventative Maintenance Checklist
- STU - 27 Trailer Annual Inspection Preventative Maintenance Checklist

15 Minutes

ELA - 115 Out of School Youth Profile (Review)

Lauren Radin

Overview: Out of School Youth (OSY) is the fastest growing MEP population. Out of school youth are not currently enrolled, who do not hold a diploma or GED, and who are entitled to a free public education through grade 12. OSY have unique needs resulting from their migrant lifestyle. They face all the obstacles to education encountered by other migrant students and have little or no access to federal or state resources. Given that most out of school youth are highly mobile, limited in English proficiency, and lack interest or time for long term programs, serving this population presents unique challenges. The state’s main objectives are to increase the number of OSY identified and recruited, serve a larger number of OSY with dropout recovery, GED, and

pursuit of identified education or career goals. MEP Regional Programs will utilize this document to identify the OSY academic and support needs and provide MEP funded services based on need.

Discussion: None.

Conclusion: Approved.

15 Minutes

NU - 148B P-EBT Quarantine Guidance Survey (New)

Rachael Burnham

Overview: Districts and/or schools with a reported COVID outbreak (based on CDPHE data) followed varying quarantine length guidance. The approved P-EBT plan for Colorado requires CDE to assess the average number of quarantine days for COVID related circumstances. This information only resides at the district or school level.

Discussion: All the questions appear to be required – Question 4 has an assumption that the district didn't follow the CDE guidelines. Question 4 is tied to Question 3 and the answer that is given there. Is this a Mandatory? No it is Required to Obtain Benefit. The conundrum has been that the data burden is on the districts, but the benefit is to the parents and not directly to the school districts. Also, it is difficult sharing parent information that is not normally shared. This has been the difficulty with P-EBT from the beginning. Does this meet the definition of Required to Obtain Benefit? It seems service is a better name for this. Please make it clear that districts are not getting benefits – but that a service is being provided to parents directly.

Conclusion: Approved.

5 Minutes

STU - 5 Application for School Transportation Entry Level Theory Instructor (New)

Susan Miller

Overview: This application is for School Transportation Driver Trainers that want to become CDE Entry Level Driver Theory Instructors to ensure that they are meeting the minimum standards per State Board Rule and new federal law regulations.

Discussion: Can this form be filled out online? Yes, it is sent to them electronically with a fillable form, or can be printed and returned. How is the E-Signature handled? The majority are printed, signed and returned although some are electronically signed.

Conclusion: Approved.

5 Minutes

STU - 6 Application for School Transportation Entry Level Behind the Wheel Instructor (New)

Susan Miller

Overview: This application is for School Transportation Driver Trainers that want to become CDE Entry Level Driver Behind the Wheel Instructors to ensure that they are meeting the minimum standards per State Board Rule and new federal law regulations.

Discussion: Can this form be filled out online? Yes, it is sent to them electronically with a fillable form, or can be printed and returned. How is the E-Signature handled? The majority are printed, signed and returned although some are electronically signed.

Conclusion: Approved.

5 Minutes

STU - 30 Application for Qualification Recertification of Annual Inspector Hands-On Tester (Biennial Review)

Susan Miller

Overview: This application is for Annual Inspectors that want to become Testers that observe people that desire to become CDE Annual Inspectors to ensure that they are performing the Annual Inspections properly.

Discussion: EDAC appreciates that the Rule was put into the document exactly as the Rule is stated for the clarity it provides.

Conclusion: Approved.

15 Minutes

SIS - 106 ESSER Expanded Learning Opportunities Grant Program (New)

Scott Jones

Overview: This program exists to support districts, other LEPs, and community-based organizations in creating new or expanding existing expanded learning opportunities programs in an effort to address students' academic and personal needs, ensure families can continue to engage in and support their students' learning, and ultimately continue to strengthen schools and communities during COVID-19 recovery. This is targeting after school and summer school programs. This is a new RFA and only interested applicants will submit applications. At this point there are no applications with similar scopes of work. CDE has combined what could have been multiple grant applications into a single application system to allow districts to submit multiple program proposals through one application.

Discussion: Is there a limit to what an applicant will receive? There is a limit – up to \$2000 per student, and a total of \$2 million per applicant. There is currently only \$10 million available, so CDE is trying to be as flexible as possible while maintaining as wide a reach as possible. Districts won't be weeded out if they have already received the after school stabilization grant? CDE does not believe this would weed out existing grantees, there are questions built into this grant that detail how this is an expansion on some grants. Is there a lost learning provision in this grant? There is a focus on academics and their prioritization around English Language Arts and proficiency and Mathematics. CDE has tried to define this fairly broadly and after school means anything outside of the normal school day but within the school year, and summer school means anything that happens outside of the normal school year. CDE appreciates the evaluation and reporting section. It would be hard to require a minimum growth on CMAS. CDE is trying to meet the minimum requirements of the Federal Government while being as flexible as possible.

Conclusion: Approved.

60 Minutes	DMC - 106 Data Pipeline – Student Interchange (Review)	Brooke Wenzel, Reagan Ward, Andy Tucker, Robin Russel
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Overview: The Student Interchange consists of data fields shared by many different collections required by state and federal law, such as Student End of Year, Student October, Special Education December Count, and more. Student Biographical Data, pulled from the Student Interchange data fields, allows districts the opportunity to verify the accuracy of the demographic data submitted for each student participating in state assessments. State and federal accountability reporting including school and district performance framework ratings, Title III Annual Measurable Achievement Objectives (AMAO), and priority and focus school designations all rely on accurate demographic and test score data.

Discussion: High level summary of State Board meeting from Marcia: CDE presented a history or Grad Guidelines, and the issues associated with it, and the interconnection between Graduation Guidelines and higher bar. They asked about when, how, and why the different statues were passed and why CDE tried to combine them. They also talked about the timelines of the data collection. The State Board of Education did not give any direction to do anything differently.

Eric: To be clear, the State Board of Education was not asked to give any direction.

Marcia: While that is true, the State Board is not shy if they want to give different directions.

Eric: The chair of the board made clear that districts retain the right to graduate students however they need to which is solidified in Title IX 15 of the constitution. Deputy Commissioner Pearson made clear that the menu of options or graduation guidelines does not require a data submission. There were some things that came out that were quite clear and Eric is surprised that the data submissions is not reflecting these concerns. ACEE main concern remains surrounding Code 90 business rule where graduates will be rejected if they don't have information in the graduation guidelines file, and that data unrelated to the higher bar is required.

Can Andy Tucker speak to these concerns? What are these concerns?

Main concerns are: the business rule that rejects a graduate that rejects a student that does not have data in the graduation guidelines file and the mandatory submission of data unrelated to the higher bar. While just a business rule issue, it is significant since rejecting a graduate for any reason since it is considered by CASB as a violation of Title IX 15.

Andy Tucker: EDAC has approved these all along to my knowledge. It is my understanding that the file layout is as the file layout is currently and it is up for EDAC vote.

Jan: The package of the student interchange is up for vote.

Andy Tucker: As far as the business rule goes, using the term rejecting a graduate might be...

Eric: The actual instructions say if a student is rejected the district should reconsider their graduation code and they recommend a 5th year senior which is about as big a rejection as you can give.

Andy Tucker: Exceptions, like in every other collection, there is an exception process. This exception process will allow districts to explain why there is not a graduation guidelines entry for that student.

Eric: That is a violation of Title IX 15. The re-envision process in my mind is about giving the department and EDAC an opportunity to talk about these challenges. In the meantime, CDE should defer to the least burdensome collection, and the collaboration should be in deference to major organizations in the state. Students are being brought back to take tests to check a box in the Graduation Guidelines file which is unacceptable because they are feeling forced to submit that data. If you remove this and just collect on the higher bar and those three fields are left voluntary, and we remove this error code in the business rules, you will take the pressure off the districts, students, and counselors across the state. These administrative non policy / legislative related changes will make a huge difference to districts

Mina: Could we temporarily add a new code that says you are graduated with local guidelines. Is this an option for the time being - and this would mean the business logic doesn't need to change.

Andy Tucker: This could be considered – but would this be viewed as less burdensome?

Eric: The challenge comes from Graduation Guidelines requiring something be checked. Students with unique circumstances should not have to go through any negotiated exceptions process. The department has no choice but to accept our graduates. The constitution says that LEP's decide if a student graduates, and the graduation guidelines file requires something be checked. Districts can graduate a student however they need to, and this file is forcing thing that is going being mandate of statute for higher bar and the constitution. If the department will consider this tiny administrative change this whole balloon deflates. All the department has to say you don't have to submit any data on capstones, industry certificates and performance-based assessments, and the code 90 issue where they reject students and ask for details. It is not the state's business, it is the LEP's business to graduate students.

Mina: Could there be an exemption code similar to the READ collection, or like previous years met local guidelines option.

Eric: I agree – last year we had met local guidelines, but then the board said we couldn't do that, and it was removed as an option. This would have to go back to the board to see if they will change their mind. Eric's current suggestions avoid having to go to the board. What is the intransigence on making these minor administrative changes?

Andy Tucker: I want to be very clear: The department is not saying that you cannot graduate a student because the exception process exists. If a student does not have an entry into the Graduation Guidelines file, there is an opportunity to submit an exception to that rule. It does not mean that student will not be able to graduate. I want to be really clear on that, it is not an accurate statement to say that the department is saying that the student may not graduate.

Eric: The problem is that this is not clearly communicated on the website or town halls. Dates need to be updated on student demographic file layout. CDE needs to clarify the process for allowing students to graduate that have no clear path or are not meeting these Graduation Guidelines. Students are taking multiple different exams to check a box in this list. The department needs to be clear in their communications that an LEPs graduates will not be rejected. An LEP can graduate a student in any way the LEP sees fit.

Andy Tucker: Graduation Guidelines is a legislative requirement.

Eric: It is a legislative requirement for districts to put it in their graduation guidelines.

Andy Tucker: Therefore – a student must meet graduation guidelines to graduate.

Eric: Districts have done this and therefore they have met the letter of the law. The people that make the decision, not the legislation, not the State Board, not the Department, the constitution says that school boards control graduation. No one can take that right away. You shouldn't collect this data and you shouldn't force it. CASB and superintendent group agrees. The chairman of the state board agrees, and he

said clearly you do not have the right to control education and districts in this way, and he said if it hurts kids, its bad.

The student demographic file's headers say 2021-22 and need to be changed and will be updated by CDE.

Eric Mason – Move to Deny

Janice Cook – Seconded Motion.

Those in favor: Eric Mason, Andy Pippin, Janice Cook

Motion to deny discussion:

Patrick Mount: Would it be satisfactory if the clarification that Eric is seeking from Andy to make more public to address that CDE and legislature cannot deny a graduation would that satisfy if that was written in the interchange document?

Eric: One concern is a privacy issue related to performance-based assessment, industry certificate, and capstone – why does the state need to know exactly how a student graduated in that regard. This can be a very individualized conversation. Why are they collecting this data? If this was voluntary / optional data districts would be on board. Concern is largely around the mandate – so adding this verbiage would not alleviate the concerns. Concern is largely only over 3 items in the type field: capstone, industry certificate, performance based assessment. They are not part of the higher bar. There is no mandate for a collection of menu of options. If they made these optional or removed them, and changed the business rule, this simple administrative changes everyone would go home happy.

Reagan Ward: We had the talk about these three fields as part of the re-envision process. We didn't feel we could turn these fields off now since we don't have feedback and data from the field and how this would impact how they are currently doing their data.

Jan: In the past when we have taken separate items and pushed them into one item, the small and medium sized districts don't like this since it creates additional work for them. They have said in the past please don't aggregate those into one.

Janice: Could these be made optional and language clarified? That this is not CDE saying you cannot graduate these students.

Eric: I think they can, in order to calculate the higher bar, you need numbers. There are numbers related to the higher bar and those are other field in this data submission. For example, the numbers for the SAT, AP, etc. They already are collecting the data in other fields that by default would let them know what type the score is. Eric feels it is possible to make the one field optional quickly, or another field that lets districts say something other than that. It feels like an administrative change and that requiring two years to make this change feels like a stretch.

Reagan: Clarification can be added to the message districts get. If we were to make a field optional, we would have to add a field and completely restructure the file layout. You cannot make an option in a field optional.

Eric: You can make the whole field optional since you have data from the scores in the other field. So you will be getting 99% of the data you need, you are just not mandating the type.

Reagan: The guideline type column should be an optional field, but the score is not optional? When you put in industry certificate, you get a field that says 1 or 0. How can we make this not error out, to avoid blank fields which can cause a bigger issue.

Eric: Who is the manager that handles these exceptions, and how do they evaluate it? Are you going to do this for 5000-10000 students? We have 330 students right now who don't meet this.

Andy Tucker: Why? If these are minimum graduation requirements, exceptions always exist but they don't exist at these numbers. We have heard from many districts the exact opposite. Many districts are excited to

report what students have done and to show what tell people and show the hard work they have done to get students post-secondary and workforce ready.

Eric: The challenge is, once the data becomes public and we have exceptions, there will now be public data that says a district has a certain number of students that did not meet their own graduation requirements. Which is not true since graduation guidelines are set strictly by the district. If the board decides a student graduates, then the student has met the graduation guidelines. There is a moment where a student looks at their diploma and thinks that “that’s probably me, I’m the one who’s diploma is not worth the paper it is written on.” We have trust that we have to retain with the community that is inviable. If you want this data, ask for it voluntarily / optionally. Ask for it with the University of Denver and run a study and we will all be glad to submit the data.

Mina: Andy, for 3-4 years we have been having conversations on Graduation Guidelines. What is some of the feedback that you have from districts at that point that can maybe answer some of Eric’s questions?

Andy Tucker: We publish graduation rate, we don’t publish how students have met graduation guidelines. We did not get any requests, to Andy’s knowledge, to ask how students graduated. The policy was passed in 2007, it’s been 15 years in the making and something that has been coming for a long time. We have brought this to EDAC on many occasions over the past 4-5 years. The information we have gotten from districts – we can look at numbers and how people have reported last year when local measure did exist. CDE does not have the authority to add local measure back in. Local measure did come up at the State Board meeting and they did not direct us to put it back in. From Andy’s understanding, they are not hearing feedback / extensive feedback from districts about this Graduation Guidelines collection. There was a letter that was sent, this is the only communication to my knowledge surrounding this collection.

Eric: This letter was signed by all the superintendent groups in the state. There was no request by the department, this was an information only session. They were literally never asked to vote on anything or give direction.

Andy Tucker: Just like your local board, the State Board sets their own agenda. They called it an information session and not us.

Eric: What is stopping you from making the changes?

Andy Tucker: We do not feel like we’ve heard from the field enough.

Eric: You haven’t heard from the field enough / you want to hear from the field more. Is it a legislative reason why this change is not being made? Is it statutory?

Andy Tucker: We are statutorily required to collect these data.

Eric: You are not required to collect the data on the capstone. If you have a statute, put it into the submission to EDAC. Find the statute that requires you to collect capstone data. You say it is legislative but can’t point to it. Is there any other reason CDE is collecting information on capstone, industry certificate, and performance-based assessment in the Graduation Guidelines file?

Andy Tucker: One of the things that the State Board asked us to do is validate the measures on the menu and make sure that they are measures that are equally rigorous and have equal value to the field. They are also fields that the industry wanted to see as being valid measures for post-secondary and workforce readiness. We have brought this file to EDAC multiple times, over and over again, and it has been approved. If these concerns had been raised from the beginning, but it has been approved over and over again.

Eric: I am bringing this forward now because I have to go home to different groups and this is coming up as a major issue at PPRSAC, ACEE, CASB, and superintendent groups. Would letters from these groups be enough to make a change?

Andy Tucker: I cannot answer that questions because it is not ultimately my decision.

Eric: What I'm trying to get to bring to my constituents is, "if we got these things, CDE would make this change." What does CDE need to make this change? So, you are saying research is wanted, and the group that put together the guidelines and industry representatives want research on this? You believe that there is a legislative requirement to collect data on all of the menu of options. Can you provide the legislation that requires collection of this data? Finally, you say that you haven't heard enough from the field. This allows me to go back to my constituents and share your reasoning. Maybe they can come up with a pathway to move forward. Eric thinks we should delay the vote until we get the answers this question.

Andy Pippin: This notion that we've always done this is a terrible argument, there is always room to move forward and while Eric may be the loudest voice we are all united in getting something changed in this.

Patrick Mount: How does it play out when a student is listed as code Capstone but with value of 0 – non passing grade, but they are submitting them in the file. It seems like this is a contradiction that the student graduated.

Eric: An example – Students take a course they thought concurrent course that ends up being removed from the list of eligible concurrent enrollment courses. These students then graduated early, they are done as of December even though they are technically still in the district. They will walk in May. Technically, we would be required to bring them back to take another CE course or test or capstone to check a box. When in truth what will happen is the district and board will agree that these students are done since they passed all their required classes, and we are not going to bring the back for a faux checkbox. They would have nothing in the Graduation Guidelines submission for this – Concurrent Enrollment and 0. The submission would reject this student with a Code 90 and ask the district to change the code or go through an exception process. We don't have time for this. The students are done, and they are going to walk in May and the board president is the final authority on this.

Patrick: So the principal for starters would say the student does graduate even though the course they thought was concurrent was not. How does that work out in districts across the state?

Eric: Its pretty normal. For example – a student that didn't complete the ICAP but graduated early. This is a checkbox in our district, but the principal in our district has the final say, and then it goes to the board president. There is no higher authority than that. There is no rule that sits out there above the board. They can choose to do whatever is right for the kids, in the State Constitution instruction stops at the school board. The very insinuation that a rule is higher than the board is already one that CASB did not like at all. They control the rules in their district, and they control that decision making process. You can see where this becomes a sensitive issue. The key goal is to make sure we do what is right for the family and student. We are not going to tell a student they are a 5th year senior and pull their diploma. Andy, I see your comment that it is a good example of an exemption, but this is not the department's business. It is the business of the school, LEP, at that student and their family.

Andy Tucker: It is not intended to be something that infringes on the student. The state law does require graduation guidelines to be part of the graduation requirements in an individual school district. Even though the Board Chair doesn't believe the General Assembly shouldn't have gone there, they did, and it is in law. So if a student is not meeting graduation requirements that is an exception. These are exceptions exactly how they are stated, and there is a process to go through to document those exceptions. We've processed thousands of exceptions a year it is not uncommon.

Eric: In the preamble to the higher bar legislation there is a short sentence that is really important. It says, you already know who meets the menu of options in the district. You know how you know it? The graduation file. You know who graduated, you know who met the local guidelines. The legislators knew - we already know who is graduating in a district, we collect that data and count it and it goes on the SPF and DPF. What we need is to count the students with the higher bar. So, if you already have the data you need

in the graduation file, and it says in the higher bar legislation you already have the data, why are you collecting more than the higher bar, if it says it right there in the bill?

Patrick Mount: To move this forward, is there a place to satisfy all the needs here by removing those three specific concern items? I appreciate that there is an interest from the industry to collect this information, Eric offered that this could be collected voluntarily separately. Would that allow us to move forward, satisfying the law and what CDE seeks to obtain?

Andy Tucker: At this moment I cannot answer this question without consultation.

Eric: Here is the text -

Thus, the performance of the school district or charter high school in enabling students to successfully complete the demonstrations will be reflected in the school district's and the state charter school institute's overall graduation rate and in the individual graduation rates of the public schools of the school district and the institute charter high schools.

It is right there in the higher bar legislation. You do not need anything more than what you need to calculate the higher bar, it is in the higher bar legislation. You have what you need, you need nothing more. If you want more, ask for it, plenty of districts will provide it voluntarily. Remove these three things from the file. Taking out capstone, industry certificate, and performance-based assessment will meet the above legislation.

I would ask that until you have heard from the field and done that due diligence in communication, and until you can provide legislation that requires the submission of this data, and until you have clarity from the SBE on what it really wants in regards to this (with input from people like us, so they can understand why this is such an issue), then I say we delay for 2022-2023. I think we can do this without re-envision, without going through another full year of debate, and deal with it now.

Patrick Mount: Can we resolve this by making these field optional? I think the information would be valuable for the cases that districts decide to provide that. Maybe they provide that information for 90% of the students and just say the rest have graduated. Would that kind of solution be satisfying for the 2022-2023 Graduation Guidelines? I realize you may have to go back for approval.

Andy Tucker: I can certainly ask the question. **Eric:** Who would you be asking? **Andy Tucker:** I would be talking to multiple people in the department including the deputy commissioner, and they would need to get the input of the state board. **Eric,** I know you mentioned you want the state board to have your input – you are always welcome to give the state board your input. There is public comment at their meetings. To answer Patrick's question, I will go back and consult with others in the department.

Lazlo: Is local measure a possibility while we do the re-envision process?

Jan Petro / Reagan Ward: this would require State Board approval.

Mina: We shouldn't be delaying this too much longer since we need to get this to the vendors for October count.

Janice: Do we have the option of a special meeting, so Andy has the time to get the answers to these questions?

Patrick: Can we approve the other 3 parts of the document and just save Graduation Guidelines for a future vote?

Jan: No, interchanges do not get separated out. If this is not approved today, this will go to the executive team to make a decision. Last time this happened, we decided that we did not want to get another letter from the commissioner.

Eric: I appreciated the letter from the commissioner as he thought she laid out the perspective of the department. It was very helpful.

Jan: As long as we understand that – I had heard EDAC members say we don't want to go through that again. Talking about the release of data, in the past we have had the commissioner create a policy that says we will not release data to other individuals, or public release certain levels of data, would that assuage some of these concerns?

Eric: Aggregate numbers by district can be gained, and while they can't drill it down by school they can say by district, this is the number of graduates and how they have graduated. They are going to share this with industry, so it is going to be public.

Jan: In the past the commissioner has put their foot down that we will not share the data for x number of years.

Andy Tucker: To be clear, there is no interest or intention to share anything but state level aggregate data over time with industry. This is likely not going to be shared at the school or even district level.

Janice: If a district reports a student with a 90, how much work is it for it to not pull an error if a student hasn't met a graduation guideline menu of options? Maybe it is a warning, but not an error?

Reagan Ward: This is not a huge programming challenge but may need to be discussed within CDE.

Eric: If no information is submitted in a graduation guidelines file or a 0 is submitted, will this throw an error?

Reagan: This will throw an error, Janice is suggesting that we turn this into a warning.

Eric: Capstone is running the risk of becoming met local guidelines if the collection is sent out as it currently is. We don't want this because we want high quality capstone. Andy, you know this is going on, right?

Andy Tucker: Capstone is a district level decision. Do we hope that capstone will be viewed as an equally rigorous measure and is that the intent? Yes. Frankly I'm not sure how that changes, if we move to some other way of collecting information around other types of guidelines. The intent here is that students are post-secondary and workforce ready. It can be a very meaningful experience for students to show what they know, and that is why the grad guidelines exist. The meaning can get lost when we get bogged down to talking about the compliance part of this.

Eric: It is impossible to try and fit 80,000 kids into 8 boxes. The beauty of the system in trusting LEP's to do their work that they've done for hundreds of years means that those districts are making sure that students are post-secondary and workforce ready, and that is what the graduation code means – ready.

Patrick: What is the next step / outcome if we change the Code 90 error to a warning.

Reagan: Districts can still submit data as is with the warning in play, but it gives them an opportunity to see all the circumstances where they submitted a student as Code 90 but didn't give a record. It wouldn't prevent a data submission.

**Vote on motion to deny by Eric Mason,
Motion Seconded by Janice Cook:**

Janice: Should we delay and see if we can make these minor changes such as changing it to a warning?

Marcia: A delay impacts a lot of other collections and vendors.

Janice: Delay wouldn't want to be until April, could we resolve this in March? Delay would only be for the

next couple of weeks. If denial is approved, do we lose the opportunity to discuss the delay? Before voting, I would like to hear about this possibility.

Janice Cook: No on denial

Lazlo Hunt: No on denial

Mimi Livermore: No on denial

Eric Mason: Aye on denial

Patrick Mount: No on denial

Mina Parthasarathy: No on denial

Andy Pippin: No on denial

Motion to deny not approved.

Motion from Janice Cook to hold off on vote, and schedule special meeting before end of March to give CDE time to get answers to questions to work through this temporarily for the 2022-23 SY. Motion amended to delay vote as late as March 31st. Questions for the motion:

Can this be changed if a student graduates with a code 90, the language be clarified from CDE that there is no question the student graduated. Clarify language in the business rules and file layout that CDE is not saying that they are not allowing a student to graduate. No error is triggered but a warning triggered instead something that the districts don't have to respond to. Question from Mina – if this can't be done, is there an option for a different code in school association file or graduation guidelines file that indicates another situation that met local guidelines for graduation?

Seconded by Eric Mason and Patrick Mount.

Motion Approved.

Additional meeting on March 31st. 8:30 – 9:30am. Peter Hoffman to schedule extra meeting.

Conclusion: Delayed.

March 31, 2022 8:30 a.m. – 9:30 a.m.	DMC - 106 Data Pipeline – Student Interchange Special Meeting Members Present: Janice Cook, Lazlo Hunt, Mimi Livermore, Eric Mason, Patrick Mount, Mina Parthasarathy, Andrew Pippin, Chris Selle Marcia Bohannon, Peter Hoffman, Jan Petro,	Reagan Ward, Brooke Wenzel, Andy Tucker, Joe Peters, Amanda Callanan, Lisa Medler
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Overview: The Student Interchange consists of data fields shared by many different collections required by state and federal law, such as Student End of Year, Student October, Special Education December Count, and more. Student Biographical Data, pulled from the Student Interchange data fields, allows districts the opportunity to verify the accuracy of the demographic data submitted for each student participating in state assessments. State and federal accountability reporting including school and district performance framework ratings, Title III Annual Measurable Achievement Objectives (AMAO), and priority and focus school designations all rely on accurate demographic and test score data.

Discussion: On Joe Peter's presentation:

Eric Mason: It speaks to authority, the department has the authority to collect just about any data it needs, and it has the authority to determine what it needs which has been well established.

Patrick Mount: To be clear – there is a purpose for those needs. For example, to determine post-secondary workforce readiness. In other words – they couldn't request all of our employee's height and weight since there is not a reason for that set out in statute.

Joe Peters: That is what I was hoping to accomplish with the second slide. Section 204 that explains how the department uses the data. The department has to determine and calculate the levels of achievement on post-secondary workforce indicators.

Chris Selle: I think we all understand the department makes determinations about what data they feel they need, that is useful for their benefit. One of the conflicts we run into in districts is that we are requested to submit data that may be of use to someone outside of the district but not useful internally to the district

submitting the data locally. Are there any statutes that go over situations like these, where the local district doing the work does not benefit from the collection?

Joe: The best I could suggest is that the purpose of EDAC, and this is clear in the statute that creates EDAC and gives you a task to do, you are here to advise CDE on how to reduce data reporting burdens. You get to establish the data dictionary. CDE is the entity that makes the last call, you have an advisory role not a decision-making role. That is your goal here – that is your statutory objective – to give CDE your feedback on when there just isn't enough value in what they are collecting to anybody. That includes the data reporting burdens. You don't get to make the ultimate call, but your job here is to provide the feedback and hope that CDE listens appropriately.

Eric: Thank you for your presentation. I'd love some clarity on it and that is that you know, EDACs role sort of is twofold, right? So, we do this advisory role and then we have sort of an informative role. We advise the CDE and then we informed the LEPs about the nature of the data collection and so the statute is, you know, it's fairly clear it's either mandatory by statute or rule, optional (required to obtain benefit) by statute or rule or voluntary because not required specifically by statute and rule. How do you interpret that?

Joe: I would interpret the statute that I started with on my first slide as specific. It is an express duty to report what is necessary for the accountability data reporting system. It is an express authority for CDE to determine what it needs for that data reporting system. The EDAC statute therefore encompasses that. In terms of the specificity that is required, I would encourage you to offer as much advice as you wish to offer as to what is specific and what is necessary.

Eric: You agree that there's sort of that two-fold piece that we give advice, and we also inform districts. And then there's this kind of weird gray area where we have to figure out what to do when we have a reporting requirement that seems controversial? And of course, we have an amendment coming which might help us in those conversations, but you know where we have given advice and then we end up in a situation where we have a reporting requirement that includes both required data that must be and everybody kind of agrees is needed - this is necessary. And then there's some that seems extraneous and where you have conflict with the field and things like that. That EDAC stamp that we have relied upon as our notification piece of our legislation. Do you think that's sufficient in that case? Maybe it be good to have a bigger conversation at the retreat or something like that where we can talk more in depth about that. Like are we doing enough with just a simple stay up when sometimes there is a mixed bag in a in a data collection?

Joe: The stamp itself is something EDAC has created and is not described in statute. I'm not sure there is a statute for the EDAC stamp. You are all here in your capacity as representatives of school districts. The statute says that the Commissioner selects the volunteer school districts, the school districts appoint representatives. You are all here in your capacity as representative of school districts, not individual capacities. If EDAC expresses its opinion and CDE disagrees, and CDE adopts something that EDAC doesn't believe CDE should be adopting that becomes a conversation that for the district to have with its attorney about its legal options for resisting. As EDAC members and as an EDAC committee, there isn't any such thing as "well we disagree so we're going to go our own way". You are an advisory body, and if you do disagree that becomes a conversation for you to have with your district and your districts attorney's. Does that make sense?

Eric: It does. In the end, the committee, our notification duty, is still the committee's duty not CDE's duty.

Patrick Mount: While all of us work for school districts, many of us sit on and represent statewide and regional committees.

Joe: Patrick on that point you are all appointed as representatives because you have a body of experience and knowledge that makes you valuable to this committee. That does not mean you are here in a capacity representing everybody you've ever worked with or are currently affiliated with. You are appointed here as a representative of a school district.

Patrick: so even though we have a diverse background...

Joe: I'm not telling you that is irrelevant. That is why you are here, because you know things and understand things, however, this is a committee of school district representatives. I understand now why the stamp exists. The stamp exists as EDAC's official position that this a mandatory reporting requirement. CDE cannot force you to put a stamp on something.

Mina: Code 92 will create problems. In the districts eyes the student is meeting the local guidelines and is getting a diploma. 92 says they have a non-diploma certificate. In our eyes they are getting a diploma and are meeting local measures. That is why my recommendation was not to use code 92 but a new code that is graduated with local guidelines or measures.

Andy Tucker: The problem is that is kind of asking for local measure back like last year's graduation guidelines, and CDE does not have the authority to do this. If we want to add local measure back, the State Board could theoretically add back local measure. The statute is clear, Graduation Guidelines need to be included in local graduation requirements. There is no such thing as local graduation requirements without graduation guidelines. Graduation guidelines are the floor, and students should technically not be counted as a graduate if they haven't met graduation guidelines. CDE is not going to chase students down and take diplomas away, but we have to count graduates as graduates, and to count a student as a graduate, the student has to have met the graduation guidelines, the law is clear on that. There really isn't an option to have another code that says met local guidelines that is different from exit code 90.

Mina: If you bring up Code 90 from the graduation guidelines file, it says that they have to have met the graduation guidelines also. We are saying if a district is deeming a student as a graduate, but they have not met the specified graduation guidelines, you cannot use code 90 even though the district is considering this student a graduate. We were asking about the possibility of a new code that says yes you are a graduate in the district's eyes, without having met CDE's graduation guidelines. Using 92 is not an option we would like to use since it is some how saying you don't have a diploma, even though in the districts eyes the student does have a diploma.

Andy: Per state law, for a student to be a graduate, starting with this year's class, they need to have met graduation guidelines in addition to any additional local graduation requirements. This has been something that has been worked towards for almost a decade and a half. We understand this is a big policy change, indeed is one of the biggest we've seen implemented in a long time. Our goal and responsibility as CDE is to make sure we are collecting accurate data and providing accurate data around graduation and completion rates. Beginning with this year's class, as I understand it, they must have met graduation guidelines, there is not flexibility there as I understand it.

Joe: Under the statutes, 22-2-106, 22-32-109, one is the statute that tells the State Board to propagate graduation guidelines that will be what every district must meet or exceed. 22-32-109 (1)(KK) is the one that says school districts must adopt graduation standards that meet or exceeds the States graduation guidelines. So, we have a duty put on the State Board and every school district that match each other. They both say that local graduation standards must meet or exceed the standards set by the State Board. What does this mean? Can a school district give a diploma to a student who has not met or exceeded the state grad guidelines? Probably that is illegal, I don't know you would have to ask the district's attorney. CDE doesn't enforce that, we don't come take away diplomas, that's not a thing that CDE has statutory authority to do – to second guess your diplomas. We set standards that the General Assembly has told you to meet those standards and if you don't want to that is a conversation you have to have with the General Assembly. For CDE's purposes, we are just collecting data. State law says that local graduation standards meet or exceed the state grad guidelines, so we cannot create a data code for a thing that legally is not supposed to exist. What we can do is give you a completer code for the things that you tell us you are doing that the General Assembly told you not to do. We cannot code it as a graduate when the General Assembly has told us it is not a graduate.

Eric: For clarity: The General Assembly has said, then, that no student can graduate unless they fit or exceed in the graduation guidelines boxes.

Joe: The General Assembly has said you can't have graduation standards that do not. They didn't say anything about individual case by case students.

Eric: I think the law says that nothing will take away the right of districts to have unique graduation guidelines that meet or exceed, so that is in there as well. But in addition to that, I am assuming that the graduation guidelines still fit within the constitution which Title IX 15 that says all instructional decisions are left to the school board.

Joe: That's not what that says, it says control of instruction is left to the school board. There is lots of case law – you might review the case on balancing the Booth case on balancing the State Board's duty of general supervision versus local school board's power to control instruction. However, that is neither here nor there, if you believe the General Assembly did something they are not constitutional allowed to do, that is a conversation for the district to have with the General Assembly.

Eric: The collection is the only thing I care about. The collection – one of the arguments has been that the data collection needs to be constrained to the higher bar legislation because that is the only thing that needs to be calculated for PWR. There has been no change to how the state will collect graduation data because very specifically in the higher bar legislation it states that the state already knows who the graduates are – that's reported in their list of graduates – and that means it already knows who has met the menu of options that's listed in the preamble to the higher bar legislation.

Joe: Let me interrupt. I see where you are going with this point. I don't understand exit codes 90 and 92 to be limited to the higher bar PWR standard. This is a foundational data element that goes into lots and lots of collections, the accountability – several performance indicators in the accountability act, and it goes into student data outside of the accountability act, it is a broad-based data thing. I'm not aware of any context in which CDE can code somebody as a graduate where the General Assembly has told us it is not a graduate.

Eric: Districts code the graduate, its not the CDE. The districts report to the state what the graduates are, that's what the code 90 means. It's the duty of the LEP to graduate students, the school board makes those decisions. The local LEP decides who the graduates are based on local requirements, and they report them to the state with code 90. The only issue in how this interacts with the higher bar, there is an error code being thrown, if I were to submit a graduate, but not submit any data on the graduation guidelines, maybe this a student who came in at the last minutes, maybe they met the graduation guidelines in a unique way, there's a lot of different, literally thousands of different contingencies there, but there would be no honest way to put them in one of those categories, then that may be blank for that particular student. Since we don't have the met local guidelines or other category, its going to reject that student as a graduate. That's the way an error code works. A warning code says you have data here, but you don't here, check on this. What we have argued in this sort of gray area of who gets the right to graduate students and who gets the right to hand out diplomas that is completely out of the legal conversation of EDAC, rather than an error code lets do a warning code, that way we don't end up in a situation where come this next summer we get folks trying to submit diplomas and they can't.

Joe: If this is a conversation about what do with students who do in fact meet the states graduation guidelines and we're not sure how to prove that, that is a data integrity question for Jan, not a legal question. That is your conversation. and I don't need to be involved in it. I am fully confident you all are capable of resolving that. If it's a question about how to assign codes to a student who the district says is a grad and has not in fact met the States graduation guidelines that's just a thing that CDE can't do, we can let that come in as a 90 because that is a thing the General Assembly has told us not to do.

Eric: Joe can you clarify that language, you said the States graduation guidelines, is that the right language? Is it not an LEP's graduation guidelines as dictated by the state?

Joe: If this is a conversation about how to report students that the district says is a graduate who has not in fact met or exceeded the State grad guidelines, that is a thing that should not exist according to the General Assembly and we're not going to allow that as a 90. Can't, the General Assembly has told us we can't. That is the logical implication of the statute.

Andy Tucker: I'm going to jump in real quick – we're kind of jumping into the error code and warning. Long and short of it – it's clear that from the advice we are getting from our legal counsel and from what statute tells us that we cannot have a separate code for students who have met local graduation requirements

and not met grad guidelines because grad guidelines are minimum graduation requirements from this point forward. Districts have the authority and ability to add graduation requirements on top of that. This is about coding students, it is about how students are counted as graduates. This is not specifically about awarding diplomas though you can go there. This is about the codes.

Janice: Let's say you have a senior that transfers from out of state in the Spring (April) and they haven't met any of the states graduation guidelines because they haven't lived here. How does this work then with this, because if they haven't met any of these, a student who absolutely should be able to graduate not get to graduate from the states perspective because they didn't meet one of the menu of options?

Reagan Ward: This will be answered in a few slides.

Joe: CDE will count graduates according to the state law requirements for what it is to be a graduate for accountability purposes. If the district has a different definition of graduate, you are welcome to it but that is not how CDE is going to count it.

Eric: What I meant to ask was will the CDE reduce an LEP or school's graduation rate if a student is reported as given a 90 diploma but did not meet the menu of options.

Joe: That is going to get beyond my understanding of how that kid got into a 90 code.

Jan Petro: Are you asking if a student has an exception will they be counted as a graduate?

Eric: I am not going to weigh in we are at a hard stop here on the exception issue. There is a lot of debate on whether or not that is going to be manageable process for the CDE. I don't think you have the staff to manage the tens of thousands of exceptions you'll be seeing. What I'm asking is a question from CASB. CASB legislative group is asking what are the consequences for granting a diploma under local decision-making authority, because you can't fit them into one of those boxes, and there is no other category, will that lower the LEP or schools graduation rate?

Andy Tucker: I think the answer to that question is that a 90 should be used for students that have met local graduation requirements that include graduation guidelines as per state law. (Or has an approved exception)

Eric: The CDE approves the exception?

Andy Tucker: Yes, as we always have, for all collections.

Eric: Request to provide slide deck, Joe's slide deck, and link to video as soon as possible.

Motion to Approve by Patrick Mount.

Seconded by Mimi Livermore.

Conclusion: Approved. Colorado Springs 11 Opposed.

Graduation Guidelines Collection (part of DMC-106)

EDAC
March 31, 2022



Today's Goal

- EDAC final vote on the Student Interchange (DMC -106) file layouts for the 2022-23 school year.



Questions from EDAC members

- Can we add an additional code for students who have not met a Graduation Guidelines measure but have met other local graduation requirements?
- Rather than having an error and exception process for missing completed Graduation Guidelines measures in the Graduation Guidelines collection, can we instead use a warning?



Notes to all EDAC Members

- CDE staff take the concerns expressed in EDAC meetings regarding the GG collection very seriously.
- We share EDAC's desire to reduce impact on schools and districts while still being legally obligated to uphold our statutory requirements to collect necessary data and to use data informed policy making.
- We have met many hours to discuss and to consider options.
- CDE is not in the business of taking diplomas away from students.
- CDE must accurately count graduates and completers according to state law.
- The re-envision process is designed to look at each element of the data collection, to solicit broad stakeholder input, and to address other concerns raised by EDAC members and the field.

4

Colorado Department of Education



Additional Code?

- Graduation Guidelines are minimum graduation requirements, so if students have not met them, they cannot be coded as a graduate (exit code 90).
- However, they can be coded as a completer (exit code 92).
 - Completed (non-diploma certificate) - A student who has received a certificate of completion, attendance, or achievement. Also includes students who have not received a high school diploma but have been granted admission to an institution of higher education. This exit code should also be used for special education transition students (who are receiving a non-diploma certificate and (2) will not continue transition services in the following year.

5

Colorado Department of Education



Definitions: Errors & Warnings

Error

- Must be addressed to submit data
- Some can be addressed with exceptions for extenuating circumstances
- Student End of Year errors are focused on ensuring the accuracy of student data when deriving graduation, dropout mobility, and stability rates

Warning

- Indicates possible data inconsistencies/coding issues
- Data can be submitted even if warnings are present

6

Colorado Department of Education



Generic Exception Process

Used if the student's data is coded accurately (and within the parameters of the collection), but their data doesn't fall within the expected values identified in the business rules for a given collection.

1. Data Respondent: Complete an exception request template
2. Data Respondent: Upload exception request template to your district's SyncPlicity folder (collection specific)
 - a. Note: Some exceptions may require additional documentation
3. Data Respondent: Notify the collection lead that you've uploaded a document for review.
4. CDE Collection Lead: Review request (including additional CDE departments as needed) and notify Data Respondent of the outcome
 - a. Approved Requests– Data respondent refreshes data upload/snapshot to clear error
 - b. Denied Requests– Collection lead provides next steps for clearing the error
 - c. Additional Information Needed – Collection lead will request additional information



Current Cross Check (SE301) Graduation Guidelines to Student End of Year

- If student's Exit Type indicates graduate
- And Student's AYG is ≥ 2021
- Search for matching Graduation Guidelines records in data pipeline by SASID
 - At least one matching English (Reading, Writing, Communicating) at/above minimum benchmark
 - At least one matching Mathematics record at/above minimum benchmark
- If corresponding GG records are found, no business rule triggered
- If missing a GG record for English and/or Math, business rule triggered



Supporting Documentation for SE301 Exceptions

Supporting Documentation:

Reason for Request:

Please provide detail regarding extenuating circumstances that have led to this request. Please include your district's process for making this decision.

Possible reasons for exception

- Missing or incorrect information (most common)
- Late transfer (senior year) from another state or country
- Military compact (late transfer from another district/state)
- Documentation delays (i.e. test results delayed)



- Approval of the interchange file layouts today does not mean that conversations about errors/warnings cannot continue for the 2022-23 school year.
- In the coming months, if EDAC is interested, we can discuss the pros/cons of errors vs. warnings as we work through the revision process.



Discussion and vote on the Student Interchange (DMC-106) file layouts for the 2022-23 school year



CRS 22-11-504

(1) Each school district shall annually report to the department for each of the district public schools:

. . .

(d) The high school graduation requirements adopted by the local school board . . . including the options adopted by the local school board and each district charter high school by which a high school student may demonstrate college and career readiness; and

(e) Any additional information required for the department to implement the accreditation process described in part 2 of this article

11.

CRS 22-11-204

(1)(b) In addition, the department shall annually determine the level of attainment . . . on the postsecondary and workforce readiness performance indicator, based on the measures specified in subsection (4) of this section.

. . .

(4)(a) For each public high school, the department shall calculate . . .

(4)(b) For each school district and the institute, the department shall calculate . . .

(4)(c) For the state, the department shall calculate . . .

CRS 22-11-501

(1) The department shall administer, manage, and maintain a comprehensive data collection and reporting system for collecting and reporting the data specified in and required to implement this article. The department shall ensure that the state data reporting system is capable of:

. . .

(b) Producing data to support decision-making and learning . . .

. . .

(d) Including all the information and data elements needed to measure student, public school, school district, institute, and state performance.

CRS 22-11-501

(3) The department shall have the following duties and responsibilities with regard to the state data reporting system:

...

(c) To determine the information and specific data elements required for the performance decisions made at each public school, recognizing that the time and effort of instructional personnel expended in collection and compilation of data should be minimized. . .

...

(k) To perform such other actions as are necessary to carry out the intent of the general assembly that the needs of the state data reporting system for performance decision-making and reporting are met.