

Joint Budget Committee Hearing

Department of Education

December 19, 2017



COLORADO
Department of Education

DEPARTMENT OF EDUCATION
FY 2018-19 JOINT BUDGET COMMITTEE HEARING AGENDA

Tuesday, December 19, 2017

1:30 pm – 5:00 pm

1:30-1:50 INTRODUCTIONS AND OPENING COMMENTS

1:50-2:30 EDUCATIONAL EQUITY, SCHOOL FINANCE, AND CONCURRENT ENROLLMENT

School Finance and Educational Equity

- 1 Please discuss the state of equity of educational opportunity in Colorado. Please address how the State can improve the equity of opportunity given the prevalence and distribution of mill levy overrides depending on local property wealth, as well as the variation in opportunities available to local students simply based on where they live. Is the system providing equitable opportunity and meeting its Constitutional requirements? Please explain.*

Response:

Of the 178 districts, 119 have mill levy overrides and 59 do not. A district's mill levy override as a percent of the district's total program funding can vary widely as shown in the following table:

Range of Mill Levy Override Funding as Percent of Total Program Funding	Number of Districts
0%	59
Less than 5%	25
5% to 10%	30
10% to 15%	20
15% to 20%	15
20% to 25%	17
Over 25%	12

As shown above, the availability of mill levy override funding can notably increase the financial resources available for some districts, which may expand the educational opportunities available to students in these districts. This can raise equity questions. The question regarding if the system is meeting its constitutional requirements is a challenging one and one that there are varying perspectives. We know that several groups are looking at this issue and we continue to be engaged and serve as a resource to them. The Department is willing to work with the General Assembly, including the Interim Committee on School Finance and staff from Legislative Council and the Joint Budget Committee to model the impact on various school finance and mill levy policy changes. We do believe this is an important issues and we, with our Board, hope to continue the conversation with various groups to support equity of funding for districts.

Early College High Schools and Concurrent Enrollment

[Background Information: The FY 2018-19 JBC Staff Briefing Document for the Department of Education discusses the increasing prevalence of early college high schools, increasing enrollment in the programs, and the increased cost to the State (through the school finance formula) of students remaining in early college programs beyond the fourth year of high school.]

- 2 *Please discuss the apparent increase in students remaining in early college programs beyond the fourth year of high school. Were additional costs for such students anticipated when the legislation (H.B. 09-1319) was enacted? Please explain.*

Response:

To fully understand the increase in students who are remaining in early college, CDE staff will need to ask the early college high schools. Given the tight turnaround of this request, we have not been able to connect with all of these schools. If desired, we can work on this request in the coming weeks and provide more complete information. In reviewing the fiscal note for HB09-1319, early college was not addressed as a cost factor.

- 3 *The JBC Staff briefing document notes that eligible students that have officially graduated from high school could receive Pell Grant funding and defray the cost of providing higher education to eligible students. Does the Department have information regarding the number and percentage of early college students that would be eligible for Pell Grants? Please explain and, if possible, provide the data.*

Response:

Free and reduced lunch (FRL) information is a close proxy to Pell Grant eligibility. The overall free and reduced lunch rate for the 19 early colleges operating as an early college high school for the 2016-17 academic year is 55 percent. This information suggests that up to 55 percent of students that stay for additional years of high school may be eligible for a Pell Grant. The early college high school free and reduced lunch rate is higher than the statewide rate for high school students of 37 percent.

- 4 *Can the Department provide information on the number of home school students attending early colleges? How many of the fifth- (or subsequent) year early college students are coming from home school backgrounds, and how does that impact the equity of funding the additional years of high school? Please explain.*

Response:

None of the students enrolled at an early college high school have been submitted for part-time funding as a home school student over the past six years. However, some of the early college students have come from a home school background. For example, in 2017-2018, there are 356 fifth-year (or subsequent year) early college students. Of these students, 46 students (13 percent) came from a home school background: 44 of these students were submitted for part-time funding as home school student at least one of the prior five years and two students were reported as a home school student not submitted for funding.

- 5 *Please provide a side-by-side comparison of all concurrent enrollment options and opportunities available to Colorado students, including cost per student, enrollment data for each program, the outcomes provided, and success rates of the program (if the success rate is defined). Please discuss the potential interaction between programs. For example, are ASCENT and early colleges mutually exclusive or do fifth year early college students participate as ASCENT students? Please explain.*

Response:

In Colorado, 1 in 3 Colorado 11th graders and graduating seniors take college courses in high school (33 percent). Additionally, 85 percent of students enrolled in dual enrollment enroll in college, which is higher than the statewide average for all high school students at 56 percent. Please see the table below for a comparison each program: Concurrent Enrollment, ASCENT, and Early Colleges.

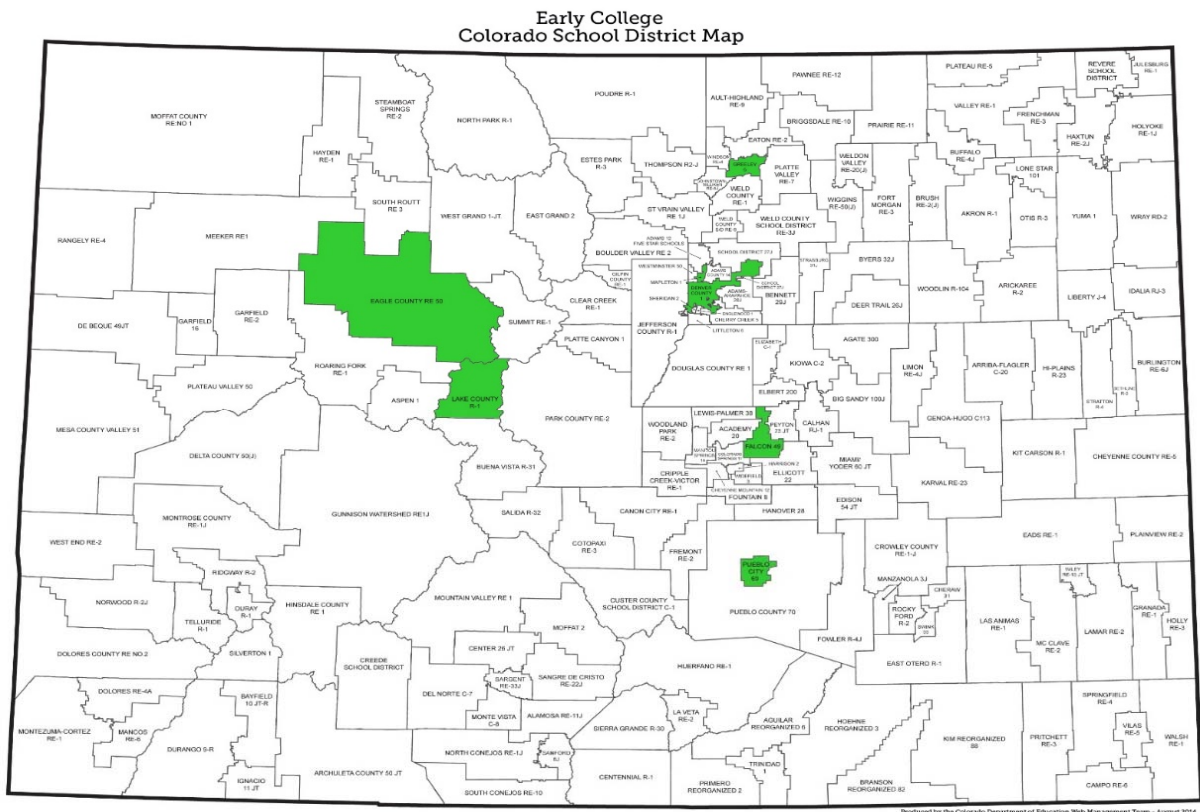
	<u>Concurrent Enrollment Program</u>	<u>ASCENT (Accelerating Students through Concurrent Enrollment)</u>	<u>Early College</u>
<u>Legal Authorization</u>	House Bill 09-1319, Senate Bill 09- 285, Colorado Revised Statutes 22- 35-101, State Board Rules 1 CCR 301-86	House Bill 09-1319, Senate Bill 09- 285, Colorado Revised Statutes 22- 35-101, State Board Rules 1 CCR 301-86	Colorado Revised Statutes 22-35-104(10)
<u>Grade/Age Requirement</u>	Open to 9th, 10th, 11th and 12th graders who receive academic plan approval, meet application deadlines, and meet college course requirements. 12th graders not meeting graduation requirements and who are held back for instructional purposes may not enroll into more than 9 credit hours for the academic year.	5th year program for students prior to high school graduation and who are on schedule to complete 12 credit hours of postsecondary work prior to completion of 12th year. Participants are selected by high school admin and must meet class requirements and prerequisites.	Open to students at a secondary school that provides only a curriculum that is designed in a manner that ensures that a student who successfully completes the curriculum will have completed either an associate's degree or sixty (60) credits toward the completion of a postsecondary credential.
<u>Funding</u>	School district required to pay the tuition up to the community college tuition rate. COF stipend eligible. Parents can be charged more than community college rate for four-year institutions.	School District required to pay the tuition up to the community college residential tuition rate. COF stipend eligible. Parents can be charged more than community college rate.	Funded through the annual K-12 school finance act/PPR. Exempt from concurrent enrollment act.
<u>Number of Participating Students (2015-16)</u>	25,534	485	3,120
<u>Estimated Annual Cost per Student</u>	Full-time: \$7,662 (12+ credits) excludes COF Part-time: \$3,831 (3-11 credits) excludes COF	Full-time: \$7,018 (12+ credits) Part-time: \$3,509 (3-11 credits)	Full-time: \$7,633 (7+ credits) Part-time: \$3,816 (3-6 credits)

6 ***Please discuss potential disparities in access to concurrent enrollment opportunities in Colorado, including higher education opportunities provide through early colleges.***

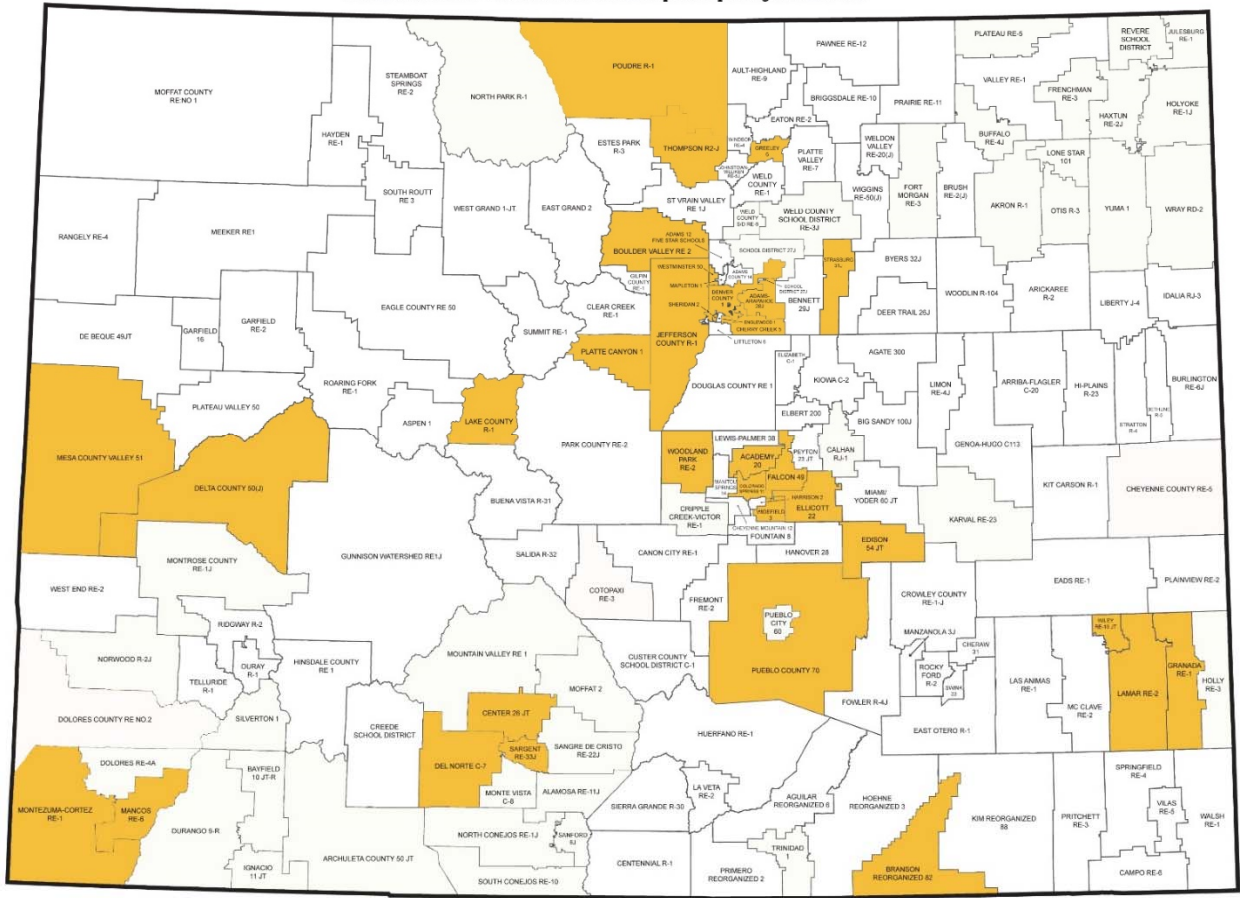
Response:

The maps below highlight the geographic location of early college high school locations across Colorado, concurrent enrollment participation by school district, and ASCENT student participation statewide.

- Early college high schools are primarily located along the I-25 and western I-70 corridors.
- Regarding school district participation in concurrent enrollment, 50% of participating school districts have less than 10% of high school students participating in concurrent enrollment and 25% have less than 5% of students participating.



Colorado ASCENT Map 2015-16
Shaded districts = at least one student participating in ASCENT



Produced by the Colorado Department of Education Web Management Team - February 2016

2:30-3:00 **DECISION ITEM REQUESTS**

R2 Categorical Programs Increase

[Background Information: Request R2 seeks an increase of \$8,928,668 cash funds from the State Education Fund to support the inflationary increase for categorical programs required by Amendment 23. The request distributed the increase among the following seven categorical programs.]

- 7 ***Request R2 includes increases for the Expelled and At-risk Student Services Grant Program and Comprehensive Health Education, neither of which has received an increase in recent years. Please provide additional background and justification for the requested increases for those programs.***

Response:

The State Constitution requires funding for categorical programs to increase based upon the annual inflation rate. Typically, the Department requests the increase is allocated to categorical programs based on their proportional percentage of “gap funding” between the revenues the programs receive from state and federal sources and the funding the school districts actually spend to support those programs. The majority of the increase is requested to be allocated based upon this methodology. The remaining portion of the increase is requested to be allocated to two categorical programs that have not received funding increases in several years.

Expelled and At-Risk Student Services (EARSS) Grant Program

- The EARSS state categorical has not received an increase since 2011. Today, there is a need for additional funds to curtail the alarming rise in the number of habitual truants. In addition, an increase in school suspensions warrants an additional investment in the grant program.
- Since 2012, there has been a 42 percent increase in the number of habitual truants. Local education agencies reported that 115,054 students were habitually truant in 2016-17.
- The number of suspensions had increased by 15 percent in three years. In 2017, there were 86,456 suspension incidents.
- The increased number of habitual truants and rising suspensions are warning signs that a growing number of Colorado students are in the process of dropping out of school.
- These alarming trends must be stemmed or the state will predictably see a rise in the number of annual dropouts.

Comprehensive Health Education Program:

- CDE distributes funds to districts to increase student wellness and implement the Colorado Comprehensive Health and Physical Education Standards.

- The Comprehensive Health categorical program has not received an increase in funding since 2011. During this time, Colorado’s education system has served approximately 10 percent more students.
- Additional factors that prompted this request include the obesity epidemic that continues to affect close to 20 percent of the youth population, with ethnic minority and students in poverty being disproportionately affected.

8 *During the briefing presentation, JBC Staff alluded to an issue preventing the Department from being able to spend the full allocation of English Language Proficiency Act categorical program funds in FY 2017-18. Please explain the issue and discuss potential remedies to allow the Department to maximize the effective use of those funds.*

Response:

Description of Problem:

The cap on English Language Proficiency Act (ELPA) student allocations as stated in statute prevents CDE from distributing 100 percent of the ELPA funds allocated by the Colorado General Assembly to school districts.

ELPA requires that 75 percent of the funds be directed to students who are Non-English Proficient (NEP) or with Limited English Proficiency (LEP) while 25 percent of funds be directed to students who are in years one and two of monitoring after being designated as Fluent English Proficiency. The statute also caps the annual per pupil funding for NEP and LEP at \$400 (or equal to 20 percent of average PPR) and caps the monitoring per pupil funding at \$200 (or equal to 10 percent of average PPR).

The cap on per pupil funds and the percentages required in statute are preventing the state from distributing all ELPA funds to districts. Specifically, the 75 percent of funds for NEP and LEP students was calculated and distributed at \$232.14 per pupil. The 25 percent of funds for students in years one and two of monitoring was calculated at \$801.96 per pupil, however, the cap on pupil funds required the department to only distribute \$742 per pupil.

This results because the number of students in years one and two of monitoring in FY 2017-18 significantly decreased. This occurred because a large number of students were no longer eligible after being included in the funding calculation for five years. As such, the denominator in calculating the per-pupil funding has been significantly reduced, creating a much larger per pupil amount as shown below:

<u>2016-17</u>	<u>2017-18</u>
\$4,696,446	\$5,070,762
23,023 students	6,323 students
= \$203.99 per pupil funding	= \$801.96

In 2017-18, the General Assembly appropriated \$20,283,048 for ELPA. Under the current formula, CDE was only able to distribute \$19,903,952. CDE reverted close to \$380,000 this fiscal year and anticipates this reversion to continue going forward. In fact, the reversion could increase to almost \$508,000 in FY 2018-19 if the number of students in years one and two of monitoring stay the same and the categorical funding request is approved.

The state and federal funding for English Language Learners only represents approximately one quarter of the funding districts allocate to educating these students. Therefore, CDE would like school districts to receive the full amount of ELPA funding that the Colorado General Assembly allocates to support programs for English Learners so districts do not have to allocate additional local funding to account for the reversion of funds.

Potential solution:

Remove the following statutory citations found in Article 24, ELPA 22-24-104 - Funding:

C.R.S §22-24-104(3)(b)(II): A student shall not be funded pursuant to this paragraph (b) for more than four hundred dollars per year or an amount equal to twenty percent of the state average per pupil revenues, as defined in section 22-54-103(12), for the preceding budget year as determined by the department, whichever is greater.

C.R.S §22-24-104(3)(c)(II): A student shall not be funded pursuant to this paragraph (c) for more than two hundred dollars per year or an amount equal to ten percent of the state average per pupil revenues, as defined in section 22-54-103(12), for the preceding budget year as determined by the department, whichever is greater.

R3 Staffing Information Management Systems

[Background Information: Request R3 seeks an increase of \$462,865 General Fund and 3.0 FTE to improve the Department’s information management systems, particularly focused on information security and modernization of the Department’s public and private data reporting processes and systems. This request represents the operating funding associated with a \$2.3 million capital information technology (IT) request submitted to the Joint Technology Committee in October 2017, bringing the total (operating and capital) cost of the request to \$2.8 million in FY 2018-19.]

- 9 *Please discuss the potential duplication of efforts related to cyber security. Why does the State need so many different cyber security efforts, and why can't the Department cyber security needs be addressed on a statewide basis (through the Office of Information Technology (OIT))? Please explain how the Department interacts with OIT on cyber security matters and why the Department requires separate staffing and resources.*

Response:

Appropriate investment in cybersecurity is critical. There are many components to securing the technology enterprise, especially given the many applications the state provides and the different audiences that the state serves. For example, one of CDE's cyber security requests seeks to enhance the login process for districts inputting sensitive student information, and improve the checks employed to confirm identity when a user logs in. This is an area that industry best practices indicate is one of the most vulnerable. CDE's sign on system has been used and actively modernized for eleven years, and we have customized applications that utilize this particular method. Additionally, we require, by contract, that CDE vendor applications use this authentication system. So this particular aspect of security is tailored to CDE's unique needs and the unique customers we serve – districts and students.

In contrast, securing the wide area network (used for access to Internet services) is just as important, but focuses on a different aspect of cybersecurity. This is secured by OIT, and is a service that CDE takes advantage of on a daily basis, but is not the particular security component we seek to improve at this time. One of our requested resources is specifically needed at and for CDE to manage our unique authentication process (which OIT does not do), and because of this, there is also no duplication of effort with OIT coverage. It is important to note that the system in use at CDE is very complex and has been tailored for use by CDE and the local education provider (LEP) employees that we serve, noting that the data our users require access to is extremely sensitive.

CDE is currently managing over 30,000 user accounts across approximately 200 LEPs, with local resources identified at each LEP to take responsibility for their district or school. This model is very different from the current model that is being implemented at OIT now, and any new authentication system that would be considered would require considerable development and expense. Additionally, OIT is managing 45,000 to 60,000 users in the current pilot system, so adding our large number of users would overtax their resources and also require CDE to add even more resources to transition to their systems going forward. Significant analysis would be needed to determine if there is enough benefit to outweigh the costs of such a transition.

The other security resource requested is not specific to a particular cybersecurity tool or application, but is requested to supplement CDE staff in the areas of information security and privacy training of school districts. It's been shown that the most vulnerable areas in education are at the school level, and one of the most important mitigation steps to protect student data is formal training and awareness sessions for school staff. Social engineering and phishing attacks are some of the more common ways for bad actors to obtain access to student data, and the best defense is training staff so they know how to respond so sensitive data is not compromised. Please note that CDE is required by law to provide training resources for districts, while OIT's training audience is limited to executive agency staff only. CDE needs at least one dedicated FTE to build curriculum and adult training modules to deliver to the approximately 200 Local Education Providers across Colorado.

CDE and the State Board of Education believe that the current relationship with OIT works very well, particularly in the area of security. The State Board is an elected board who is ultimately responsible for protecting student and educator data. The Board's role in protecting student data is specified in law at C.R.S. 22-16-101 et. al.

- a) The State Board of Education (SBE) is required to approve a process for vetting research requests for Student personally identifiable information (PII). The approved process requires the SBE to be involved in the vetting of requests and also requires CDE's Data Privacy Office to develop data sharing agreements with the researchers that outlines compliance guidance for all parties. If OIT would be involved, they would be required to treat student data as "high risk," which is different from their current categorization of student data, and we would also have to engage in a data sharing agreement with OIT as well, as OIT is an external agency.
- b) The SBE must approve and administer a policy for instances when an individual or entities has a material breach of the contract that involves the unauthorized use of our access to Student PII. This will include a public hearing and decision by the SBE of whether to terminate the contract. This could be very difficult to manage, since there would need to be a data sharing agreement between CDE and OIT, as well as between CDE and the vendor or entity. Because the SBE is obligated by law to protect the student data, this model could make that very difficult for accountability. By adding another party to the agreement, it not only complicates the escalation path, but if OIT were to have a breach, then the SBE could require CDE to terminate that agreement with OIT and take that event in-house.
- c) The SBE must also approve a transfer of Student PII to a local, state or federal agency outside of Colorado except in a few circumstances outlined in the law. Just the logistics of this could become very complicated, and would require extra administration to track all data being managed and/or stored within OIT systems.

Ultimately, the SBE is accountable for managing student data and needs the accompanying authority to do so.

Although OIT is investing heavily in information security, they are focused primarily on the policy level and providing guidance for state agencies on how to better design, develop and protect against today's bad actors. The security they provide is also very focused on the specific services provided within the state's technology infrastructure, e.g., Internet access for most agencies, including CDE. They also provide the ability to use e-fort as a hosting site for agency data centers, which CDE utilizes, and is proposing extending usage of that facility. So we do actually use much of what OIT offers all agencies. Where it makes sense to deviate is in the area of focused security around specific applications provided to school districts, BOCES and other educational entities in Colorado. Those are all developed or implemented by CDE, and now are maintained and secured by CDE. An example would be CDE's data collection system, called Data Pipeline. This is specifically designed for student and educator data collection and processing, and integrates with CDE's data warehousing structures to enable the legislatively required aggregated reporting to the US Department of Education. This, and others, are unique systems with unique needs, that OIT is not currently equipped or resourced to assume responsibility for. Additionally, these systems do not present any consolidation value, since OIT is not currently managing any similar systems for any other agency. CDE also provides phone support, both levels 1 and 2 for these systems, which would be additional burden on OIT. If we continue to use the data collection system as an example, there is no other equivalent system in the state that performs this type of function that could immediately start collecting student data.

- 10** *Some other state agencies have commissioned external reviews of their information security systems, processes, and procedures. Has the Department had such an external review. Please explain why or why not.*

Response:

CDE utilizes the statewide Colorado Information Security Policies, which are based upon the National Institute of Standards and Technology (NIST) framework, to validate and assess gaps in our program. At this time, we have identified gaps in compliance, and gaps in our ability to provide the necessary security services that are required per the new legislation that went into effect in 2016. When reviewing this budget request with our State Board of Education, it was determined that our deficiencies were well known and that the costs of an external audit would likely highlight these deficiencies we were already aware of and was not necessary at this time. Per their request, it was felt that as long as we are collaborating with OIT as a second set of eyes to review our cybersecurity measures that would be adequate. CDE annually submits an agency cyber security plan for approval by the Colorado Chief Information Security Officer in accordance with this requirement in 24-

37.5-404 C.R.S. If CDE does not receive the requested funding, the department is at risk for potential system failure and security breaches. Because of this urgency, we elected not to request the funding for an external review and instead, request funding for what we have already identified as critical needs.

As breaches involving personally identifiable information (PII) have increased nationwide in the past few years, additional security is required to reduce this risk and avoid harms including identity theft, embarrassment, blackmail, loss of public trust, legal liability, and remediation expense. In this challenging day and age, all organizations, both private and public, need to keep up with hackers and invest in security on a regular basis.

In this ever-changing environment, user names and passwords are no longer sufficient for protecting sensitive data. As mentioned before, we rely on external standards and guidelines to ensure that we are using the best, up-to-date practices such as the NIST cyber security frameworks, which provide principal guidance for modern access control best practices, specifically *NIST SP 800-14 Principals for Securing IT Systems* and *NIST SP 800-63B Digital Identity Guidelines*. These guidelines require multi-factor authentication for access to personal information.

For data security, *NIST 800-188, De-identifying Government Data* provides guidance surrounding reducing the risk of linking information revealed in the dataset to specific individuals, reducing the privacy risk associated with collecting, processing, archiving, distributing or publishing data.

CDE actively monitors its network 24x7 for anomalies, attacks, and malicious software, amounting to real time monitoring and assessment. Desktops and laptops are benchmarked to current industry security standards and various data sources are monitored for any new developments that may impact CDE. The tools and techniques used daily in the CDE cyber security program are many of the same or similar tools that would be used by an expert third party contracted to perform this service. Additionally, it is highly likely that such an external review would note the areas at hand to be addressed and of value, they are common controls for protecting sensitive data. For these reasons, it is recommended that CDE initiate an external review after receiving the funding and executing on the services for which it was provided.

R7 Career Development Success Pilot Increase

[Background Information: The request includes an increase of \$1.0 million General Fund for the Career Development Success Pilot Program created in H.B. 16-1289. The requested increase would double the FY 2017-18 appropriation of \$1.0 million General Fund for a total of \$2.0 million in FY 2018-19. The program provides financial incentives for participating school districts and charter schools that encourage high school students to complete a qualified workforce program, including the following in priority order: industry credential programs, internships, residencies, construction pre-apprenticeship or apprenticeship programs, or qualified advanced placement courses.]

- 11** *Please provide data regarding the number of industrial placements that have resulted from this program in FY 2017-18. How many additional placements did this program generate? How were the incentives paid? How does the program interact with the Career West program?*

Response:

NOTE: The Governor’s Office initiated the following request for an increase in the Career Success Pilot Program and asked CDE to incorporate into its budget request.

In the Career Success Pilot Program, participating districts or charter schools could receive up to \$1,000 for each student who successfully completes any of the qualified programs. The specific dollar amount of each incentive depends on the total number of completed programs in the state and the number and type of completed programs reported by districts. The 2016-17 academic year was the program’s first year.

- Per statute, incentives are distributed in tiered order:
 - Tier 1: industry-recognized certification programs;
 - Tier 2: internships, residencies, construction pre-apprenticeships or construction apprenticeships;
 - Tier 3: computer science Advanced Placement courses.
- Twenty-seven school districts in Colorado reported a total of 3,086 qualified credentials earned by their students between July 1, 2016 and June 30, 2017.
- Available funding allowed for 1,807 industry-recognized certificates (Tier 1) to be funded at a reduced, prorated amount of \$553.40. Tier 2 and Tier 3 incentives, which included 1,279 credentials were not funded due to the high number of certificates reported/funded.
- Students at all high school grade levels were reported as having received various qualified industry credentials or completed AP course, the majority in 11th and 12th grades; with the exception of Construction Pre-Apprenticeships for which 55 percent of student completers were 10th graders and 33 percent were 9th graders.

Industry placement is not a component of the program. Additionally, CDE does not have authority to link K-12 and labor data to determine how many students enter the work force directly after high school.

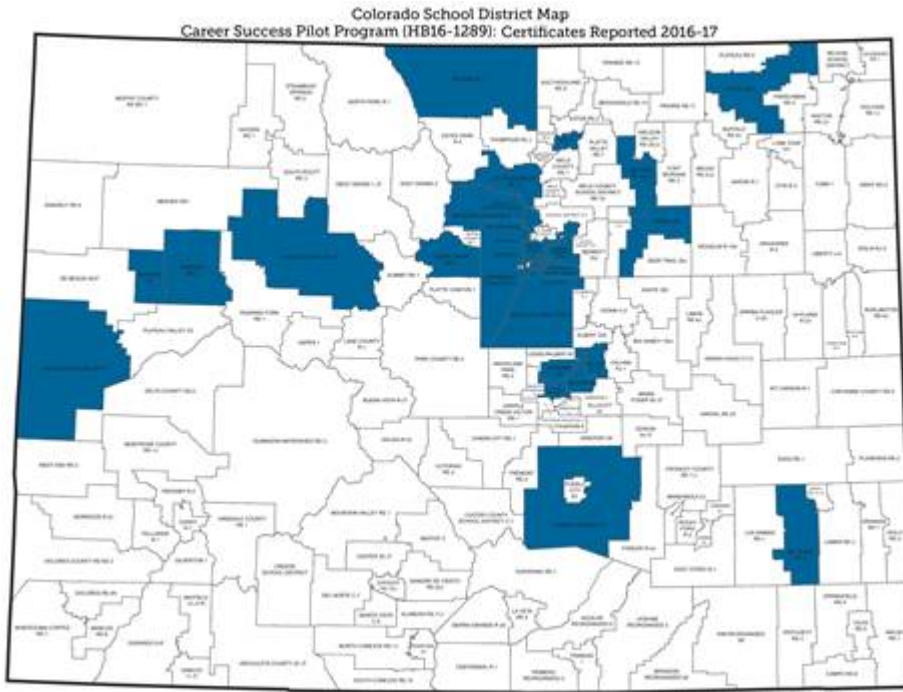
The Career Success Pilot Program is indirectly related to CareerWise in that both programs have the goal to improve career outcomes for Colorado students. CareerWise frequently requests technical assistance from CDE staff regarding related programs that connect education, business and higher education.

12 *Please provide additional data on increasing participation in the programs incentivized through the bill. How does the Department define success for this program? Who is participating in the programs (which districts and how many students in each district)?*

Response:

The available baseline information regarding industry certificates and credentials earned is from the Colorado Department of Higher Education. These data show a 60 percent increase in the number of industry certificates earned by students in the participating districts between the baseline year of 2015-16 and the first year of incentive payments 2016-17. Of these districts, six are districts with no or extremely low number of students earning a credential, while 12 others had increases of greater than 70 percent. While we cannot determine an exact correlation, data would suggest that the program encouraged participation increases in students earning postsecondary credentials in the participating school districts.

The map and chart below outlines school district participation in the Career Success Pilot Program.



<i>District/School</i>	<i>Industry Certificates</i>	<i>Internships</i>	<i>Pre-Apprentice</i>	<i>AP</i>	<i>Total Credentials</i>
Academy 20	50			24	74
Adams 12	178				178
Adams-Arapahoe 28J	12				12
Boulder Valley - RE2	76			163	239
Byers 32J	2				2
Cherry Creek 5	466			160	626
Clear Creek	1	15			16
Colorado Springs D11	157	16			173
Douglas RE1 *	111			94	205
DPS	57	260	11	95	423
Eagle RE 50	20	59		12	71
Englewood 1	2				2
Falcon 49	38		4		42
Garfield #16	5	4			9
Garfield RE-2	34			1	35
Greeley 6	61				61
Jefferson R-1	180			28	208
Littleton 6	18				18
McClave - RE2	13				13
Mesa 51	2			21	23
Peyton 23 JT	13				13
Poudre R-1	106	82	71	40	299
Pueblo 70	19	27			46
St. Vrain RE 1J	141			64	205
STEM School & Academy*	2			41	43
Valley RE-1	17				17
Westminster	26				26
Wiggins RE-50(J)		7			7

- 13 *A variety of schools have been providing these types of opportunities for years, predating this legislation and the incentives provided by the program. Please explain whether and how this program is generating new opportunities for students. How does the program interact with local programs that predate the incentives authorized in the bill? Please explain.*

Response:

- The Career Success Pilot Program builds from the existing foundation of industry credential attainment, apprenticeships, internships, and advanced placement courses, by providing incentives to new, emerging and existing programs to assist student in attaining these types of credentials.
- Of the 27 participating school districts, data show a 60 percent increase in the number of industry certificates earned by students in the participating districts between the baseline year of 2015-16 and the first year of incentive payments 2016-17. Of these districts, six are districts with no or extremely low number of students earning a credential, while 12 others had increases of greater than 70 percent. While we cannot determine an exact correlation, data would suggest that the program encouraged participation increases in students earning postsecondary credentials in the participating school districts.

- 14 *How does the Department plan to use the additional funds requested through R7? Does the Department expect the additional funds to be able to support the demand for the program, including incentives for the options identified in the legislation? Please explain.*

Response:

- CDE would use additional funding as directed by the current statute.
- Due to the high number of industry-recognized certificates reported, in the first year of operation only the first tier of credentials was funded at the reduced, prorated amount of \$553.40 per certificate (instead of the \$1,000 directed in statute). None of the 2nd and 3rd tier credentials (1,299) were able to be funded.
- The total amount of funding that would have been required to fund all requests was \$3 million.

3:00-3:10 BREAK

3:10-3:25 MARIJUANA-FUNDED PROGRAMS

- 15 S.B. 17-267 (Sustainability of Rural Colorado) provides \$30.0 million in one-time funding (originally from marijuana taxes) for per pupil distributions to rural and small rural school districts in FY 2017-18. Please provide information on the amount distributed to each category of school per pupil and how much each district is receiving under this provision. Please also discuss the impact of the funds and the impact of the one-time nature of the funds. That is, how are districts using the funds, and what does the one-time nature of the funds mean to recipient schools?*

Response:

The following table outlines how the \$30.0 million was calculated for small rural and rural school districts and the associated per pupil funding amount:

	Total Pupil Count	Amount	Per Pupil
Small Rural (45%)	37,390.1	\$13,500,000	361.06
Rural (55%)	94,972.7	\$16,500,000	173.73
Total	132,362.8	\$30,000,000	

Pursuant to Senate Bill 2017-267, allocations to each district were based on the district's prior budget year's actual funded pupil count. The table on the following pages outlines the allocation amount for each district. Distributions are made monthly to districts.

These allocations equate to an average of 2.73 percent additional funding as compared to the total program funding received by these small rural and rural districts. The Department does not have information available on how these funds are being used by each district. Districts are aware these are one-time funds.

Rural Schools Distributions per SB17-267

FY 2017-18

District #	District	2016-17 Actual		
		Funded Pupil Count	Annual	Monthly*
0050	BENNETT 29J	1,021.3	177,434.67	14,786.22
0060	STRASBURG 31J	954.3	344,557.78	28,713.15
0100	ALAMOSA RE-11J	2,348.9	408,084.11	34,007.01
0110	SANGRE DE CRISTO RE-22J	299.4	108,100.81	9,008.40
0170	DEER TRAIL 26J	173.4	62,607.48	5,217.29
0190	BYERS 32J	2,888.8	501,883.17	41,823.60
0220	ARCHULETA COUNTY 50 JT	1,537.6	267,133.61	22,261.13
0230	WALSH RE-1	141.9	51,234.15	4,269.51
0240	PRITCHETT RE-3	50.0	18,052.91	1,504.41
0250	SPRINGFIELD RE-4	284.6	102,757.15	8,563.10
0260	VILAS RE-5	50.0	18,052.91	1,504.41
0270	CAMPO RE-6	50.0	18,052.91	1,504.41
0290	LAS ANIMAS RE-1	1,110.4	192,914.38	16,076.20
0310	MC CLAVE RE-2	251.9	90,950.55	7,579.21
0490	BUENA VISTA R-31	909.1	328,237.96	27,353.16
0500	SALIDA R-32	1,161.9	201,861.69	16,821.81
0510	KIT CARSON R-1	121.5	43,868.56	3,655.71
0520	CHEYENNE COUNTY RE-5	172.0	62,102.00	5,175.17
0540	CLEAR CREEK RE-1	826.9	298,558.98	24,879.92
0550	NORTH CONEJOS RE-1J	998.5	360,516.55	30,043.05
0560	SANFORD 6J	376.7	136,010.60	11,334.22
0580	SOUTH CONEJOS RE-10	213.5	77,085.91	6,423.83
0640	CENTENNIAL R-1	221.7	80,046.59	6,670.55
0740	SIERRA GRANDE R-30	285.1	102,937.68	8,578.14
0770	CROWLEY COUNTY RE-1-J	452.4	163,342.70	13,611.89
0860	CUSTER COUNTY SCHOOL DISTRICT C-1	361.9	130,666.94	10,888.91
0870	DELTA COUNTY 50(J)	4,772.5	829,146.17	69,095.51
0890	DOLORES COUNTY RE NO.2	254.1	91,744.87	7,645.41
0920	ELIZABETH C-1	2,385.2	414,390.66	34,532.56
0930	KIOWA C-2	285.6	103,118.21	8,593.18
0940	BIG SANDY 100J	283.6	102,396.09	8,533.01
0950	ELBERT 200	203.0	73,294.80	6,107.90
0960	AGATE 300	50.0	18,052.91	1,504.41
0970	CALHAN RJ-1	442.9	159,912.65	13,326.05
1050	ELLCOTT 22	977.6	352,970.44	29,414.20
1060	PEYTON 23 JT	642.6	232,015.96	19,334.66
1070	HANOVER 28	248.7	89,795.16	7,482.93
1120	EDISON 54 JT	187.8	67,806.72	5,650.56
1130	MIAMI/YODER 60 JT	271.4	97,991.18	8,165.93
1140	CANON CITY RE-1	3,695.2	641,982.38	53,498.53
1150	FREMONT RE-2	1,396.0	242,532.85	20,211.07
1160	COTOPAXI RE-3	200.1	72,247.73	6,020.64
1180	ROARING FORK RE-1	5,474.3	951,072.78	79,256.07

Rural Schools Distributions per SB17-267

FY 2017-18

District #	District	2016-17 Actual		
		Funded Pupil Count	Annual	Monthly*
1195	GARFIELD RE-2	4,761.2	827,182.97	68,931.91
1220	GARFIELD 16	1,100.6	191,211.79	15,934.32
1330	GILPIN COUNTY RE-1	402.2	145,217.58	12,101.47
1340	WEST GRAND 1-JT	436.0	157,421.35	13,118.45
1350	EAST GRAND 2	1,187.8	206,361.41	17,196.78
1360	GUNNISON WATERSHED RE1J	1,947.6	338,364.60	28,197.05
1380	HINSDALE COUNTY RE 1	98.1	35,419.80	2,951.65
1390	HUERFANO RE-1	528.6	190,855.33	15,904.61
1400	LA VETA RE-2	212.2	76,616.54	6,384.71
1410	NORTH PARK R-1	178.6	64,484.98	5,373.75
1430	EADS RE-1	174.6	63,040.75	5,253.40
1440	PLAINVIEW RE-2	64.7	23,360.46	1,946.71
1450	ARRIBA-FLAGLER C-20	175.2	63,257.39	5,271.45
1460	HI-PLAINS R-23	106.2	38,344.37	3,195.36
1480	STRATTON R-4	187.5	67,698.40	5,641.53
1490	BETHUNE R-5	113.9	41,124.52	3,427.04
1500	BURLINGTON RE-6J	710.2	256,423.49	21,368.62
1510	LAKE COUNTY R-1	990.2	357,519.77	29,793.31
1520	DURANGO 9-R	4,811.5	835,921.80	69,660.15
1530	BAYFIELD 10 JT-R	1,326.0	230,371.46	19,197.62
1540	IGNACIO 11 JT	831.0	300,039.32	25,003.28
1570	ESTES PARK R-3	1,068.9	185,704.42	15,475.37
1580	TRINIDAD 1	1,088.3	189,074.86	15,756.24
1590	PRIMERO REORGANIZED 2	187.2	67,590.08	5,632.51
1600	HOEHNE REORGANIZED 3	355.3	128,283.96	10,690.33
1620	AGUILAR REORGANIZED 6	112.7	40,691.25	3,390.94
1750	BRANSON REORGANIZED 82	452.9	163,523.23	13,626.94
1760	KIM REORGANIZED 88	50.0	18,052.91	1,504.41
1780	GENOA-HUGO C113	162.5	58,671.95	4,889.33
1790	LIMON RE-4J	487.2	175,907.53	14,658.96
1810	KARVAL RE-23	50.0	18,052.91	1,504.41
1828	VALLEY RE-1	2,137.9	371,426.21	30,952.18
1850	FRENCHMAN RE-3	186.8	67,445.66	5,620.47
1860	BUFFALO RE-4J	309.7	111,819.71	9,318.31
1870	PLATEAU RE-5	166.8	60,224.50	5,018.71
1980	DE BEQUE 49JT	173.6	62,679.69	5,223.31
1990	PLATEAU VALLEY 50	442.3	159,696.02	13,308.00
2010	CREEDE SCHOOL DISTRICT	82.1	29,642.87	2,470.24
2020	MOFFAT COUNTY RE:NO 1	2,081.1	361,558.11	30,129.84
2035	MONTEZUMA-CORTEZ RE-1	2,717.5	472,122.52	39,343.54
2055	DOLORES RE-4A	704.7	254,437.67	21,203.14
2070	MANCOS RE-6	465.0	167,892.04	13,991.00
2180	MONTROSE COUNTY RE-1J	5,884.1	1,022,269.03	85,189.09
2190	WEST END RE-2	267.0	96,402.52	8,033.54
2395	BRUSH RE-2(J)	1,484.3	257,873.58	21,489.47

Rural Schools Distributions per SB17-267				
FY 2017-18				
District #	District	2016-17 Actual Funded Pupil Count	Annual	Monthly*
2405	FORT MORGAN RE-3	3,033.5	527,022.50	43,918.54
2505	WELDON VALLEY RE-20(J)	215.9	77,952.45	6,496.04
2515	WIGGINS RE-50(J)	553.3	199,773.47	16,647.79
2520	EAST OTERO R-1	1,358.8	236,069.94	19,672.50
2530	ROCKY FORD R-2	803.5	290,110.22	24,175.85
2535	MANZANOLA 3J	130.9	47,262.51	3,938.54
2540	FOWLER R-4J	400.0	144,423.26	12,035.27
2560	CHERAW 31	202.3	73,042.06	6,086.84
2570	SWINK 33	361.9	130,666.94	10,888.91
2580	OURAY R-1	175.3	63,293.49	5,274.46
2590	RIDGWAY R-2	325.1	117,380.00	9,781.67
2600	PLATTE CANYON 1	957.9	345,857.59	28,821.47
2610	PARK COUNTY RE-2	612.7	221,220.32	18,435.03
2620	HOLYOKE RE-1J	589.2	212,735.46	17,727.96
2630	HAXTUN RE-2J	297.1	107,270.37	8,939.20
2640	ASPEN 1	1,664.5	289,180.47	24,098.37
2650	GRANADA RE-1	195.1	70,442.44	5,870.20
2660	LAMAR RE-2	1,510.8	262,477.53	21,873.13
2670	HOLLY RE-3	286.8	103,551.47	8,629.29
2680	WILEY RE-13 JT	248.0	89,542.42	7,461.87
2710	MEEKER RE1	682.7	246,494.39	20,541.20
2720	RANGELY RE-4	491.7	177,532.29	14,794.36
2730	DEL NORTE C-7	451.2	162,909.43	13,575.79
2740	MONTE VISTA C-8	1,119.5	194,495.37	16,207.95
2750	SARGENT RE-33J	422.8	152,655.38	12,721.28
2760	HAYDEN RE-1	374.1	135,071.85	11,255.99
2770	STEAMBOAT SPRINGS RE-2	2,477.8	430,478.44	35,873.20
2780	SOUTH ROUTT RE 3	353.4	127,597.95	10,633.16
2790	MOUNTAIN VALLEY RE 1	125.8	45,421.11	3,785.09
2800	MOFFAT 2	193.8	69,973.07	5,831.09
2810	CENTER 26 JT	656.5	237,034.67	19,752.89
2820	SILVERTON 1	74.1	26,754.41	2,229.53
2830	TELLURIDE R-1	895.8	323,435.88	26,952.99
2840	NORWOOD R-2J	250.9	90,589.49	7,549.12
2862	JULESBURG RE-1	591.7	213,638.10	17,803.18
2865	REVERE SCHOOL DISTRICT	130.5	47,118.09	3,926.51
3000	SUMMIT RE-1	3,352.4	582,426.32	48,535.53
3010	CRIPPLE CREEK-VICTOR RE-1	345.5	124,745.59	10,395.47
3020	WOODLAND PARK RE-2	2,375.3	412,670.69	34,389.22

Rural Schools Distributions per SB17-267				
FY 2017-18				
District #	District	2016-17 Actual Funded Pupil Count	Annual	Monthly*
3030	AKRON R-1	357.3	129,006.07	10,750.51
3040	ARICKAREE R-2	101.9	36,791.82	3,065.99
3050	OTIS R-3	230.5	83,223.90	6,935.33
3060	LONE STAR 101	111.8	40,366.30	3,363.86
3070	WOODLIN R-104	93.3	33,686.72	2,807.23
3080	WELD COUNTY RE-1	1,870.2	324,917.58	27,076.47
3085	EATON RE-2	1,882.7	327,089.26	27,257.44
3090	WELD COUNTY SCHOOL DISTRICT RE-3J	2,224.8	386,523.71	32,210.31
3100	WINDSOR RE-4	5,738.0	996,886.47	83,073.87
3110	JOHNSTOWN-MILLIKEN RE-5J	3,622.0	629,265.04	52,438.75
3130	PLATTE VALLEY RE-7	1,126.7	195,746.25	16,312.19
3140	WELD COUNTY S/D RE-8	2,226.8	386,871.17	32,239.26
3145	AULT-HIGHLAND RE-9	853.8	308,271.44	25,689.29
3146	BRIGGS DALE RE-10	167.7	60,549.45	5,045.79
3147	PRAIRIE RE-11	202.3	73,042.06	6,086.84
3148	PAWNEE RE-12	78.2	28,234.75	2,352.90
3200	YUMA 1	768.7	277,545.39	23,128.78
3210	WRAY RD-2	648.7	234,218.42	19,518.20
3220	IDALIA RJ-3	204.9	73,980.81	6,165.07
3230	LIBERTY J-4	68.3	24,660.27	2,055.02
Totals		843,172.60	29,999,999.93	2,500,000.06

16 *Please discuss the effectiveness of the Early Literacy Competitive Grant Program and the impact of the program on the State's early literacy efforts under the READ Act.*

Response:

Early Literacy Grant Program Background

The Early Literacy Grant (ELG) is a competitive grant program designed to distribute funds to local education agencies to ensure the implementation of scientifically-based reading research in all aspects of K-3 literacy instruction to assist all students in achieving reading competency. Evaluation of applicants for the grant program includes a consideration of the prevalence of students with significant reading deficiencies within the school, with priority given to schools demonstrating greater need.

Requirements of participation in the Early Literacy Grant include:

- Selection and use of scientifically- or evidence-based instructional materials from the Colorado Department of Education Advisory List (<http://www.cde.state.co.us/coloradoliteracy/readact/programming>).
- Use of one of two State Board approved interim assessment and progress monitoring tools.
- Monthly consulting with a CDE approved professional development provider.

Continued funding for the grant program is contingent upon schools meeting one or more performance goals:

- Goal 1: Make above to well-above average progress improving the performance of students reading well-below grade level.
- Goal 2: Make above to well-above average progress increasing the number of students on track for reaching grade level proficiency.
- Goal 3: Move 50 percent of students performing well-below grade level to at least one higher level of reading proficiency.

The Early Literacy Grant funds schools for three years and has been able to support three cohorts of schools since its inception. The first cohort of the Early Literacy Grant ran from 2013 to 2016. Following participation in the grant program, 24 of these schools were offered small awards to help with sustainability of grant processes. The second cohort of the ELG runs from 2017 to 2019. After the second cohort was funded, budget savings allowed for a third smaller cohort of schools which will run from 2018-2020. Table 1 provides an overview of the number of schools, districts, and regions impacted by these grant funds. A complete list of these schools can be found on the ELG Website (<http://www.cde.state.co.us/coloradoliteracy/readact/programming>) and at the end of this response.

Table 1: Cohorts Within the Early Literacy Grant Program

	Schools	Districts	Regions
Cohort 1: 2013 – 2016	30	15	7
Cohort 2: 2017 – 2019	21	14	6
Cohort 3: 2018 – 2020	11	6	5

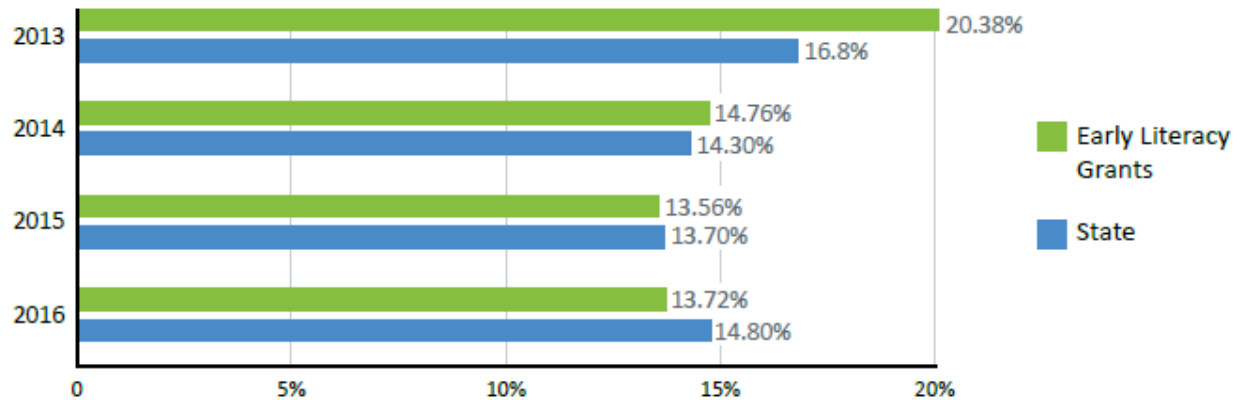
Early Literacy Grant Program Outcomes

Outcomes for the ELG program are positive and persist over time.

Outcome 1: ELG Schools Reduce Significant Reading Deficiency Identification at a Greater Rate than the State

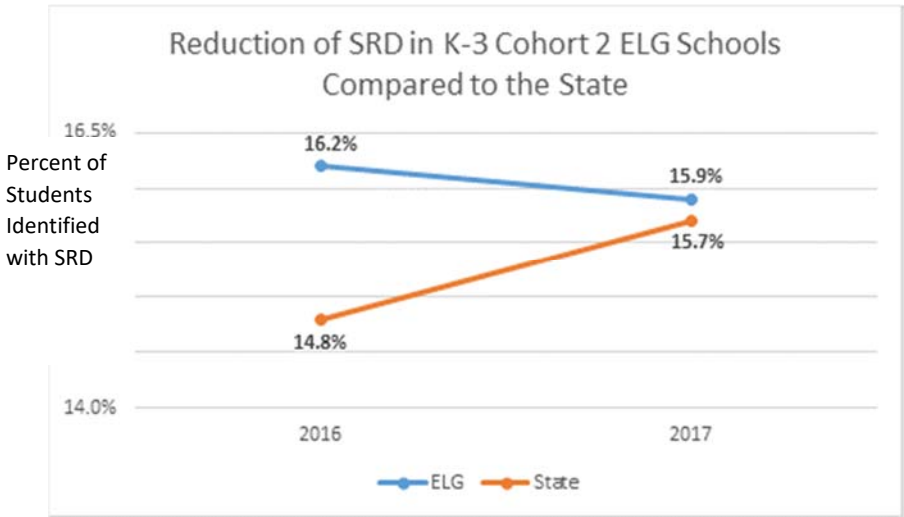
One of the metrics of success for the ELG is through comparison of the significant reading deficiency (SRD) rates of awardee schools against the state average. At the beginning of the ELG program in 2013, awardee schools had a greater percentage of students identified with an SRD than the average for the state (see Figure 1). However, across three years of implementation, these ELG schools decreased their SRD percentages below the state average. Moreover, in 2016, districts were for the first time able to appropriately assess and identify significant reading deficiencies for students who were blind, deaf or had significant support needs. As a result of this inclusion of more students with greater needs, the state saw an increase in the percentage of students who were identified as having an SRD. However, even with the addition of more students with these disabilities, the SRD rate in ELG schools only increased by 0.2 percent and remained below the state average.

Figure 1: Significant Reading Deficiency Rates of Cohort 1 ELG Schools Compared with the State



Cohort two of the ELG program is showing similar positive results in just one year of funding. Illustrated in Figure 2 below, ELG cohort two schools started with a higher rate of SRD identification than the state average. After one year of implementation, they showed a small reduction of identification of students with a significant reading deficiency while the state actually showed an increase.

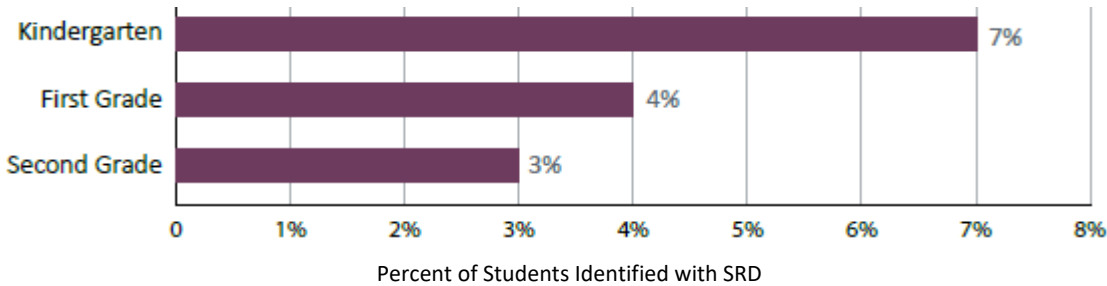
Figure 2: Significant Reading Deficiency Rates of Cohort 2 ELG Schools Compared with the State



Outcome 2: Students in ELG Schools Show a Decrease in SRD Identification over Time

Cohort 1 ELG schools were able to decrease the rate of SRD identification for students from kindergarten through third grade for students who remained in the same school. Figure 3 illustrates the reduction of SRD identification of the students in Cohort 1 as they progressed from kindergarten to first and second grade. Of the 7 percent of students who were identified with an SRD in kindergarten, only three percent still had an SRD at the end of third grade. This indicates that remediating reading difficulties is possible with early identification and consistent, research-based intervention.

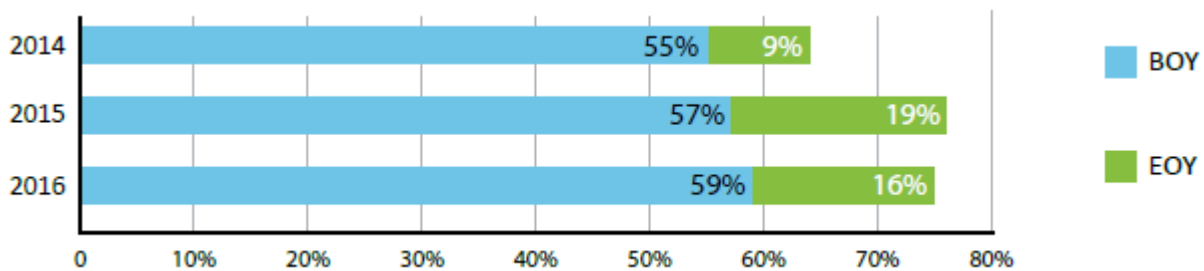
Figure 3: Reduction of SRD in the Students Served in Cohort 1 Schools



Outcome 3: ELG Schools Show an Increase in Students on Track to Meet Grade Level Reading Outcomes

ELG schools increased the percentage of students who are on track to meet grade level reading outcomes across each year of the grant from the beginning of the year (BOY) to the end of the year (EOY). Each year, ELG schools slightly increased the number of students who began the year on track. Figure 4 illustrates for each year the percent of students on track at the beginning of the year (BOY) in blue with the addition of students who were also on track by the end of year (EOY). Essentially, more students were on track to meet grade level reading outcomes by the end of the year across the three years of the grant, although there was a slight decline in 2016.

Figure 4: Percent of Cohort 1 Students On Track in Reading at the Beginning of Year (BOY) and End of Year (EOY)



Percent of Students on Track to Meet Reading Expectations

Outcome 4: Improved Instructional and Leadership Practices

The impact of the grant on teachers and practices in school is captured through a Literacy Evaluation Tool which focuses on key aspects of strong instructional and leadership practices. Through consultant observations at grant schools, there is growth across all areas including:

- School-wide scheduling to allow at least a 90 minute block of literacy instruction.
- Daily literacy instruction in both differentiated whole group and small group formats based on students' needs.
- Systematic and explicit instruction in the 5 components of literacy, utilizing a research-based scope and sequence, with an appropriate depth and complexity.
- Increased proficiency in data analysis which enables teachers to identify and implement impactful instructional next steps.
- Improved school-wide assessment practices (assessment schedule, efficient progress monitoring, data team times).

Early Literacy Grant Schools and Districts by Cohort

Cohort 1: 2013 – 2016

District	Participating School(s)
Academy 20	Frontier Elementary, High Plains Elementary, Pioneer Elementary
Adams County School District 50	Skyline Vista Elementary, Sherrelwood Elementary, Harris Park Elementary
Bennett School District 29J	Bennett Elementary
Bethune School District	Bethune Elementary
Burlington School District Re-6J	Burlington Elementary
Delta County School District	Lincoln Elementary
Denver Public Schools	Cole Arts and Sciences Academy, Cesar Chavez Academy
Harrison School District 2	Bricker Elementary School, Giberson Elementary School, Stratmoor Hills Elementary School
Jefferson County Public School District	Westgate Elementary
Lamar School District Re-2	Washington Elementary, Parkview Elementary, Alta Vista Charter School
Mesa County Valley School District	Rocky Mountain Elementary
Morgan County School District Re-3	Sherman Early Childhood Center, Columbine Elementary
Park County School District Re-2	Edith Teter Elementary
Re-1 Valley School District	Campbell Elementary, Ayres Elementary, Caliche Elementary
Roaring Fork School District	Basalt Elementary, Crystal River Elementary, Sopris Elementary, Glenwood Springs Elementary

Cohort 2: 2017 – 2019

District	Participating Schools
Canon City School District RE-1	Canon Exploratory School, McKinley Elementary, Lincoln School of Science and Technology, Harrison School, Washington Elementary
Center Consolidated School District 26JT	Haskin Elementary
Delta County School District	Cedaredge Elementary School, Hotchkiss K-8
Dolores School District 4A	Dolores Elementary School
Englewood School District	Clayton Elementary
Falcon School District 49	Odyssey Elementary, Remington Elementary, Stetson Elementary
Fountain-Fort Carson School District 8	Aragon Elementary
Gunnison Watershed School District RE-1J	Gunnison Elementary School
Hayden School District RE-1	Hayden Valley Elementary
Jefferson County Public School District	Stevens Elementary
Norwood School District RE-2JT	Norwood Elementary
Pueblo City Schools District 60	South Park Elementary
South Routt School District RE-3	South Routt Elementary School
Yuma School District 1	Kenneth P. Morris Elementary

Cohort 3: 2018 – 2020

District	Participating Schools
Denver Public Schools	International Academy of Denver at Harrington
Harrison School District 2	Stratton Meadows Elementary Oak Creek Elementary
Moffat County School District RE-1	East Elementary Sandrock Elementary Sunset Elementary Ridgeview Elementary
Morgan County School District RE-3	Green Acres Elementary Baker Elementary
Pueblo City School District 60	Ben Franklin Elementary
Sangre de Cristo School District RE-22J	Sangre de Cristo Elementary

- 17 *Current law dedicates the first \$40.0 million of annual marijuana excise tax funds to school capital construction, including \$35.0 million per year for the Building Excellent Schools Today (B.E.S.T.) Program and \$5.0 million for charter school capital construction. Please discuss the current need for school capital construction funds in Colorado. What is the status of the B.E.S.T. Program's efforts to update the inventory of school capital construction needs statewide? Please discuss the current state of capital construction funding and the potential need.*

Response:

In 2009, the Financial Assistance Priority Assessment was conducted of all Colorado public schools as part of the Building Excellent Schools Today Act. This Assessment identified \$13.9 billion in facility deficiencies for school buildings, which includes \$9.4 billion to address condition needs. To date B.E.S.T. has funded \$1.7 Billion in facility improvements.

In FY 2015-16, the Joint Budget Committee approved a request to implement recommendations from a performance audit conducted by the Office of the State Auditor. The request included a one-time reconfiguration of the financial assistance priority assessment data and an on-going addition of 6.0 FTE that would act as assessors to update the data on a regular basis.

Based on results from the first 121 school buildings which have been assessed (7 percent of total schools), facility needs have grown by 28 percent since the 2009 estimate for condition needs. However, it is too early to predict the total need.

Based upon assumptions recommended by the consultant who conducted the 2009 assessment, the request noted that all of the schools in the state would have an updated facility assessment within three years. Based upon the first year of in-house assessments, it became clear that a three-year assessment cycle was not achievable. Further, the Department learned that the industry standard refresh rate for building assessments is five years. The Department will be able to implement a five year assessment cycle with the addition of three assessors, which can be accomplished within our current operating budget. In scheduling the facility assessments, the Department is prioritizing those school buildings which are likely to be submitted for a B.E.S.T. grant in order to ensure that the Capital Construction Assistance Board has an updated assessment prior to evaluating grant proposals.

3:25-3:35 EDUCATOR LICENSURE (OFFICE OF PROFESSIONAL SERVICES)

18 Under current law, the continuous appropriation of the Educator Licensure Cash Fund will expire at the end of FY 2017-18. Please discuss whether and how the continuous appropriation (in place for FY 2011-12 through FY 2017-18) has benefited the Licensure program, including both operational benefits (such as flexibility) and outcomes (such as reducing the backlog of license applications). Does the Department wish to see an extension of the continuous appropriation? Please explain.

Response:

The department would like to see legislation to extend the continuous appropriation. Below, please find background information on the Educator Talent Division (formerly the Office of Professional Services and Educator Licensing) regarding how continuous spending authority has made a significant positive impact on the management of the office, and continued need for the flexibility afforded by continuous spending authority.

Background

CDE's Educator Talent is responsible for:

- authorizing and reauthorizing all educator preparation programs
- authorizing and supporting new-to-education educator induction programs
- evaluating applications and issuing educator authorizations, credentials and licenses to qualifying individuals
- performing background checks on all applicants for educator licensure
- investigating potential educator-related statutory violations and recommending appropriate disciplinary action to the State Board of Education

The office oversees the licensing of approximately 38,000 applications a year with approximately 10 percent of those cases entering into enforcement for investigation associated with possible revocation, denial, or suspension of a license. The office also oversees educator preparation across the state which includes 28 designated agencies that offer alternative educator preparation programs and, in conjunction with the Colorado Department of Higher Education (CDHE), approximately 21 institutes of higher education educator preparation programs.

Because of the complexity of the licensing process and high volume of applications, in 2011 and prior, the evaluation process commonly required 16 weeks or longer to complete. Everyone, including CDE, acknowledged this was too long so in 2011, the legislature passed H.B. 11-1201, concerning measures to facilitate the issuance of educator licenses. One of the provisions of this bill was to permit CDE continuous

spending authority for the educator licensure cash fund during the 2011-12, 2012-13 and 2013-14 fiscal years. Subsequently, CDE requested and received an additional three years of continuous spending authority. This extension has proven to be just as effective and impactful.

License Processing Time

During the past three years, CDE's Educator Talent Division has used its continuous spending authority to quickly onboard staff during periods that it has received a particularly high volume of applications and to promptly respond to problems in the online e-licensing system that has played a significant role in reducing cycle times. Additionally, the team has been able to ramp up and onboard staff more quickly to help ensure we have approved and authorized educator preparation programs to support our new educators in Colorado.

To date, the Division has effectively reduced processing times to fewer than six weeks and applications now commonly require just two weeks. Customer service has also improved considerably, with call center wait times averaging three minutes most days and reaching up to 8 minutes during incredibly heavy times, rather than the 17-21 minutes that they previously averaged.

Continuous spending authority has allowed flexibility in allocating staff to accommodate workload and priorities. For example, staff has been added and reduced with significant consideration to workload, priorities and stakeholder needs. As the system improved and the timelines shortened, staff was able to be trimmed and/or moved to support other services such as the evaluation of license and call center support, educator preparation and student safety through educator enforcement and investigations.

Specifically, many of our educator licensure applications come in the months of May through September. Continuous spending authority has allowed us to quickly hire and train team members for the heavy season of May through September and then trim those FTE or reallocate them to a different area of need such as investigations, background and fingerprints.

As it stands today, this flexibility still allows us to quickly move staff to support the needs of the field by assigning staff to areas such as investigations to speed up time-intensive and deeply complicated educator enforcement investigations. This ensures that we take swift action with educators who have engaged in inappropriate conduct and ensure the safety of our students.

In the last several years, continuous spending authority has also allowed us to address eLicensing issues. Several issues with the display of district-level background information existed. Those specific issues have been addressed, however, additional technology and data infrastructure needs continue as educator requests for more streamlined applications

and access to their own data come to CDE. As with the nature of all data systems and processes, additional needs will continue to arise in the future.

Ongoing Need for Continuous Spending Authority

While significant progress has been made in processing licenses and the call center support is better meeting stakeholder needs, we must be diligent to ensure the challenges for educators do not rise again. There are two areas of **continuous need** in the office: 1) investigation requirements 2) addressing educator shortages and educator preparation.

If CDE had permanent continuous spending authority we could ensure that staff and office needs are constantly flexible with the ever-changing needs of the state. This flexibility allows managers to use best management practices in prioritizing resources to support educator licenses.

Investigation and Enforcement

The first area in which continuous spending authority would support the office is in the investigative work that is conducted by the enforcement unit. Research over the last year indicates that educator enforcement cases are becoming more complex and more egregious in many ways. For example, a single case in the 2017 year yielded more than 30 counts of sexual assault over the span of several years. Another case involved child abuse in a classroom with special education students. This type of case, often requires a great deal of investigation, resources, time and knowledge.

The investigation process can be time consuming, detailed and difficult. When difficult cases arise, continuous spending authority is used to hire and/or move resources directly to the point of need. The ability to apply additional resources to this area when needed can reduce processing times and can significantly reduce a backlog that has existed, although been decreasing as we have been able to use staff flexibly. Additionally, the number of enforcement cases has not and will not decrease. The cases that require attorney general support are becoming increasingly complex. More complex cases require more time and effort on the part of the investigators as well as more time and support from the attorney general's office.

- 19** *Please provide an update on the current status of the educator licensure backlog and the Department's turnaround time for processing licenses.*

Response:

Because of the ability to quickly address needs of our educators through continuous spending authority and flexible hiring needs, there is not currently a backlog of licenses.

- The average processing time of a full complete application from October 1, 2017 to December 1, 2017 is 5.7 days.

- From the beginning of fiscal year 2017-18 to December 1, 2017, the average processing time of a full and complete application is 14.3 days.

The time to process a license varies throughout the course of a year based on the amount of license requests we receive at any given time.

3:35-4:00 DEPARTMENT OVERSIGHT OF THE SCHOOL FOR THE DEAF AND THE BLIND

[Background Information: A briefing issue starting on page 55 of the JBC Staff Briefing Document discusses potential concerns about both the operations of the School for the Deaf and the Blind (CSDB) and the Department’s oversight of CSDB.]

- 20 The JBC Staff Briefing Document raises several potential concerns about the Department’s oversight of CSDB and recommends that the Committee ask the Department to conduct (contract for) an independent external performance and financial audit of the school’s operations.*
- a. Please discuss potential concerns regarding the Department’s authority to oversee the CSDB given its Type 1 agency status. Please explain further why the Department does not believe it has oversight authority of the CSDB given that Section 22-2-112 (1)(m), C.R.S., lists the following as a duty of the Commissioner: “To supervise, manage, and control the Colorado school for the deaf and the blind at Colorado Springs”. Given the Department’s internal expertise, is additional oversight authority necessary? Would the Department require statutory clarification of its authority? Please explain.*
 - b. In addition to communicating with the Joint Budget Committee, the same stakeholders have voiced their concerns to the Department. The Department appears to have argued that it does not have the authority to conduct a program review in response to those external complaints or the other issues raised in the JBC Staff briefing document. Does the Department argue that it does not have the authority to conduct proactive monitoring and response to issues raised in complaints from parents and/or the public regarding educational operations and outcomes at CSDB (or another school or district)? Please provide the statutory or regulatory basis prohibiting the Department from acting on this type of concern (from stakeholders, the Committee, or others) rather than an internal policy or procedure under which the Department is choosing not to conduct such a review.*
 - c. Please discuss the concerns (raised in the briefing document) about the application of the statewide accountability process to CSDB. Currently, as an alternative education campus (AEC), the CSDB’s performance is compared to other AECs for accountability purposes. The JBC Staff recommendation is to shift to a comparison*

against results for other deaf and/or blind students statewide and the school districts serving a large enough population for comparison purposes. Does the Department support that recommendation? Please explain. Would legislation be necessary to change the frame of comparison? Please explain.

- d. Please respond to the concerns raised in the briefing document regarding special education oversight of CSDB by the Exceptional Student Services Unit (ESSU). For example, are the compliance measures used for the administrative unit (AU) determination process relevant to CSDB? According to the JBC Staff Briefing Document, the 2017 determination provided “free points” to each AU for specific results measures based on the lack of relevant data from FY 2015-16. How did that change the results of the 2017 determination?*
- e. Please respond to the concerns raised in the briefing document regarding the ESSU’s lack of proactive oversight and monitoring of AUs (including the CSDB). Specifically, how would/does the Department respond to potential concerns highlighted in disaggregated data (e.g., a specific disabled population not being served well) in a district with a favorable overall determination?*
- f. Please discuss the role of the Department (state education agency) in ensuring adequate and appropriate education services for all disaggregated groups.*

See Individual Responses (below):

The JBC Staff Briefing Document raises several potential concerns about the Department's oversight of CSDB and recommends that the Committee ask the Department to conduct (contract for) an independent external performance and financial audit of the school's operations.

Response:

The Colorado Department of Education (CDE) is providing an introductory section regarding its understanding of the Department's administrative oversight authority to give background information for the Committee.

The oversight authority of the Department (in general) and the Exceptional Student Services Unit (specifically) regarding students with disabilities derive from federal and state law, the Individuals with Disabilities Education Act (IDEA) and the Exceptional Students Education Act (ECEA) respectively. The oversight responsibilities of the Department are to: (1) ensure districts and administrative units (AUs) are in compliance with federal and state laws pertaining to students with disabilities, (2) make determinations annually about the performance of each district/AU on specific categories including educational results and functional outcomes for all children with disabilities, (3) report annually on the performance of each district/AU, (4) implement general supervision that includes monitoring, state complaints, mediations, and due process, (5) ensure that any special education funding is expended in allowable ways.

As a part of its oversight authority under IDEA, the ESSU conducts annual determinations for each AU based on student performance measures and compliance measures. The Department is phasing in this process, assigning greater weight to the student performance measures each year. IDEA requires the State to report to the public on each AU's performance compared to state targets and state performance for 14 indicators from the State Performance Plan/Annual Performance Report and to make annual determination of the AU's status. Historically, the determinations were based on compliance indicators (such as timely evaluations, prior written notice, inviting the correct people to meetings) all of which were set forth by the Office of Special Education Programs at the United States Department of Education. These indicators apply to all schools/districts/administrative units delivering special education services. Beginning in 2014, IDEA began to require that annual determinations for AUs be based on a mixture of compliance and performance indicators rather than on compliance measures alone. To develop a process for including performance indicators in the determination process, the Department engaged a workgroup. The outcome was the development of a results matrix to add to the existing compliance matrix.

Starting in 2017, the Exceptional Student Services Unit began using both compliance and student results for AU determinations by weighting compliance at 75 percent of

the whole and results at 25 percent respectively to allow AUs to adjust to the new results portion of the accountability system under IDEA. This 75/25 weighting will continue for the 2018 determinations. The Department plans to weight compliance and results equally beginning in 2019. Additionally, the Department is authorized to consider any special conditions data (i.e. fiscal, non-compliance, improperly licensed staff, etc.) to make its determinations. As a new system, it will continue to be refined over time based on what the Department learns through implementation.

Finally, staff suggests that CDE has funding available to pay for an independent audit, though there was no specificity provided. Since the briefing, CDE has looked into the issue. This would be an allowable use of federal IDEA funds; however, there are some details that would need to be addressed. Additionally, any funds spent on the audit would not be available for budgeted uses including distribution to schools and districts.

- a. *Please discuss potential concerns regarding the Department’s authority to oversee the CSDB given its Type 1 agency status. Please explain further why the Department does not believe it has oversight authority of the CSDB given that Section 22-2-112 (1)(m), C.R.S., lists the following as a duty of the Commissioner: “To supervise, manage, and control the Colorado school for the deaf and the blind at Colorado Springs”. Given the Department’s internal expertise, is additional oversight authority necessary? Would the Department require statutory clarification of its authority? Please explain.*

Response:

The Department sought clarity regarding its legislative authority in response to questions from stakeholders. The information in this section is based on our interpretation of the legal advice we have received. From the mid-1970s to 2003, CDE’s oversight authority with respect to the Colorado School for the Deaf and the Blind (CSDB) extended beyond the authority granted under IDEA and ECEA as CSDB was under the direct control of CDE as a Type 2 agency. In 2003, the legislature converted the Colorado School for the Deaf and the Blind (CSDB), from a Type 2 to a Type 1 agency. After this conversion, the Commissioner and the CDE no longer had general management authority over the Colorado School for the Deaf and the Blind. Oversight in this context statutorily transferred from the Department of Education to the CSDB Board of Trustees, which is appointed by the Governor with the consent of the Senate. The school’s Trustees have independent authority over admissions policy, fiscal management, selection and supervision of the school’s superintendent, and are entrusted with “charge of the general interests of the school” (§ 22-80-103 and 105, C.R.S.). By statute, the Commissioner or her designee may sit on the CSDB Board of Trustees as a non-voting member. In the wake of this statutory change in 2003, the school has operated with a level of autonomy and self-

governance more akin to a school district or BOCES than a division of the Department of Education. Choices regarding staffing, curriculum, pedagogy, and budget are all made at the school level, and there is no legal authority under which CDE can direct them.

When the legislature transferred CSDB to a Type 1 agency, it did not remove old language in Section 112(1)(m) about the Commissioner's duty to manage the school which is in direct conflict with the role of Board of Trustees' as defined in statute. As a legal matter, there are specific rules, mandated by the General Assembly, that apply when statutes are irreconcilable.

The Committee's questions use the term "oversight." To provide the best answers to the Committee's questions, the Department needs the term clearly defined. If by "oversight" the Committee envisions a context in which CDE could direct a change in practice, policy, etc., the General Assembly would need to substantially revise the statutory authority for which CSDB operates. Otherwise, current statute allows CDE oversight of CSDB to the same degree as it has with other public schools in Colorado, which includes school accountability.

As part of CDE's authority under the federal Individuals with Disabilities Education Act (IDEA) and the state Exceptional Children's Educational Act (ECEA), the Department has a set of oversight and enforcement tools available, which apply to CSDB just as it would to any school district or BOCES. Those tools allow a performance audit, but they do not allow CDE to direct CSDB to change its pedagogical philosophy or its personnel. ESSU has authority to conduct a performance audit under general supervision, outside of systemic monitoring, when there are state complaints, due process complaints, and if the entity is not meeting identified compliance targets on the indicators set forth by the Office of Special Education Programs. As a proactive measure, the Department is instituting a general supervision and monitoring schedule to ensure that each AU participates in a comprehensive performance review at least once every 5-6 years regardless of their determination ratings, compliance status, and state complaint/due process status.

The Department's internal expertise in fiscal management, deaf education, and blind education is adequate for administering general supervision and monitoring as authorized under IDEA and ECEA and for CDE's role with CSDB as we currently understand it. Should the legislature determine that the Department should take a greater role in the operations of the school, there would need to be changes to statute. Due to the nature of educating the Deaf and Visually Impaired, the Department would need to add capacity to "oversee" the CSDB if the committee envisions a level of hands-on management beyond what is currently authorized.

- b. In addition to communicating with the Joint Budget Committee, the same stakeholders have voiced their concerns to the Department. The Department appears to have argued that it does not have the authority to conduct a program review in response to those external complaints or the other issues raised in the JBC Staff briefing document. Does the Department argue that it does not have the authority to conduct proactive monitoring and response to issues raised in complaints from parents and/or the public regarding educational operations and outcomes at CSDB (or another school or district)? Please provide the statutory or regulatory basis prohibiting the Department from acting on this type of concern (from stakeholders, the Committee, or others) rather than an internal policy or procedure under which the Department is choosing not to conduct such a review.*

Response:

The Department and its Exceptional Student Services Unit are deeply committed to supporting children and their families to know their rights and to working with districts, schools, and AUs to improve outcomes for students with disabilities. We take our responsibilities seriously and work to resolve issues with stakeholders productively and within our jurisdiction.

As this Committee and its Staff are aware, Colorado is a “local control” state. Under Article 9, section 2 of the Colorado Constitution, the Department is charged with providing a thorough and uniform system of education, but it is also prohibited, under Article 9, section 15 of the Colorado Constitution, from interfering with local control of instruction by school districts. Numerous Colorado Supreme Court cases outline the tension between these provisions, most prominently the Booth case in 1999 and the Owens case in 2004. To be sure, CSDB is a state agency, and is not exactly like a school district. But its statutory structure, as a Type 1 agency with an independent board of trustees, makes it very similar in terms of its legal relationship to the Department. The Department’s oversight tools are tied to specific programs and accountability processes; the Department simply does not have managerial or hierarchical control over any school or district.

The ESSU has authority to investigate allegations that there are violations of the Individuals with Disabilities Education Act. Such allegations are to be submitted to the ESSU through a state complaint process. Upon receiving the letter from stakeholders the Department determined that the letter was informative in nature and was requesting specific actions that the Department does not have the authority to make. The letter submitted by the stakeholders to the Department was deemed to have been submitted to the incorrect agency based on the Type 1 Transfer described in an earlier response. Because of this, the Department worked to connect the

stakeholder group with the CSDB Superintendent and Board and has continued to engage with CSDB, its Board, and the stakeholder group to work toward a resolution of the concerns.

Stakeholders have not submitted any allegations to the Department through the State Complaint Process that would enable the Department to determine if any potential allegations would warrant an investigation. The regulatory basis for accepting a state complaint is based on the procedural safeguards under IDEA and ECEA (<https://www.cde.state.co.us/spedlaw/2011proceduralsafeguards>). In simple terms, the state complaint process involves providing the Department with a statement that an administrative unit has violated a requirement of the IDEA or its regulation, a description of the problem, and a proposed resolution.

The Department wishes to clarify that it has taken action in this specific case and continues to do so outside of any formal complaint process. The Department:

- Met with the CSDB Superintendent and members of their Board to discuss how the CSDB would respond to the requests for information.
- Visited the CSDB a number of times since receiving the information.
- Met with the authors of the inquiries.
- Named an ex-officio member to the Board of the CSDB as allowed under statute.
- Is collecting information from parent inquiries to identify potential issues.
- Is developing more user-friendly procedures so that parents and/or the public are more aware of their ability to formally submit a state complaint.
- Is reviewing its own policies and procedures relative to all dispute resolution activities including state complaints, mediations, due process, and recently added facilitated individual education program.
- Has been responsive to inquiries from JBC staff within the context of our jurisdiction.

Finally, as mentioned above in response 1a, the Department is developing a process to ensure that each AU is proactively monitored at least once every 5-6 years regardless of their determination ratings, compliance status, and state complaint/due process status.

- c. *Please discuss the concerns (raised in the briefing document) about the application of the statewide accountability process to CSDB. Currently, as an alternative education campus (AEC), the CSDB's performance is compared to other AECs for accountability purposes. The JBC Staff recommendation is to shift to a comparison against results for other deaf and/or blind students statewide and the school districts serving a large enough population for comparison purposes. Does the Department support that recommendation? Please explain. Would legislation be necessary to change the frame of comparison? Please explain.*

Response:

As noted in the briefing document, CSDB does qualify as an Alternative Education Campus (AEC) per C.R.S. 22-7-604.5(1)(a)(VI)(B) due to the fact that 100 percent of students have individualized education plans. As such, the school is evaluated through the AEC School Performance Framework (SPF). The current Alternative Education Campus School Performance Frameworks have targets for performance set based on the performance of all AECs in Colorado.

To clarify what was included in the briefing document, CSDB earned 33.5 percent of points on the traditional School Performance Framework in 2016 (<https://cedar2.cde.state.co.us/documents/SPF2016/9000-1924.pdf>) and 35.2 percent of points in 2017 which would be a Priority Improvement rating (<https://cedar2.cde.state.co.us/documents/SPF2017/9000-1924-3-Year.pdf>). The school is actually rated on the AEC SPF which looks at additional and adjusted measures of performance: academic achievement, academic growth, student engagement and postsecondary workforce readiness. On the AEC SPF, the school earned 60.43 percent of points in 2016: (<https://cedar2.cde.state.co.us/documents/SPF2016/9000-1924-AEC.pdf>) and 64.88 percent of points in 2017: (<https://cedar2.cde.state.co.us/documents/SPF2017/9000-1924-AEC.pdf>), which are both AEC: Performance Plans.

There have been conversations among AEC stakeholders that not all AECs serve the same types of students, as some are focused on dropout recovery, while others (5, including CSDB) serve 100 percent students with disabilities. The 2015 AEC Accountability Work Group formed by C.R.S. 22-11-210(1.5), recommended CDE investigate more specific comparison groups for each AECs level of performance based on type of AEC. In order to complete this recommendation, CDE would need additional resources for the data analysis. Please note that the work group did not specifically recommend setting targets for CSDB based on the performance of students with similar disabilities across the state, but to set targets for all AECs based on the types of students they enroll and the mission of the school.

We believe the state board has the authority and ability to set accountability performance targets specific to the type of AEC, if they so choose. No legislation would be required to make the change if the board determines that they support this recommendation. However, as noted in the JBC briefing, further analysis is needed to determine if the comparison data shared is an appropriate comparison group to the students at CSDB for use in accountability. The comparison data includes deaf, as well as hearing impaired students; blind, as well as visually impaired.

Further analysis would be needed to determine the impact on the overall AEC School Performance Framework should this comparison data be implemented. If the state board was inclined to specify targets by type of school, CDE would suggest that this should be done for all AECs, and not just CSDB.

- d. *Please respond to the concerns raised in the briefing document regarding special education oversight of CSDB by the Exceptional Student Services Unit (ESSU). For example, are the compliance measures used for the administrative unit (AU) determination process relevant to CSDB? According to the JBC Staff Briefing Document, the 2017 determination provided “free points” to each AU for specific results measures based on the lack of relevant data from FY 2015-16. How did that change the results of the 2017 determination?*

Response:

The 2017 AU determination was made based on AUs’ performance during School Year 2015-16, which included results from the 2016 Colorado Measures of Academic Success (CMAS). A crucial growth measure (adequate growth), which is the most heavily weighted part of an AUs’ determination, could not be calculated due to limited CMAS results (only 2 years of the new assessment). With consultation from the accountability stakeholder group, ESSU decided to hold all AUs harmless for the missing data by assigning “meets” to all AUs. This resulted in the ESSU allocating a set of points to all AUs, as a placeholder for “rise up” growth that is based on adequate growth. This methodology created the same impact on the determinations as a decision not to award any points for the missing data.

The Department cannot predict how the CSDB’s determination might be different if “rise up” growth results had been included in the 2017 determinations, as that data is not available. Because the final determination scores are normed (compared to the performance of other AUs) to determine the AUs with most pressing needs (such AUs are identified with determination of “Needs Assistance” or “Needs Intervention”), we cannot say how CSDB’s (or any other AU’s) determination would have been different.

- e. *Please respond to the concerns raised in the briefing document regarding the ESSU's lack of proactive oversight and monitoring of AUs (including the CSDB). Specifically, how would/does the Department respond to potential concerns highlighted in disaggregated data (e.g., a specific disabled population not being served well) in a district with a favorable overall determination?*

Response

The Department routinely analyzes performance data by disability category and shares that data with local directors of special education in a proactive manner. Administrative Unit directors are tasked to further analyze the performance data with their Superintendent, principals, and other school staff to identify areas of focus or instructional changes. The unified improvement plan requirements in state law require districts and schools to analyze the performance data of all students and create plans to address areas of concern, regardless of the overall performance of the school or district.

The Department is developing resources and tools to support districts that are identified for targeted or intensive support that will also be available for AUs that demonstrate similar needs regardless of their overall determination.

- f. *Please discuss the role of the Department (state education agency) in ensuring adequate and appropriate education services for all disaggregated groups.*

Response

Under the federal Every Student Succeeds Act (ESSA) and state accountability statutes, the Department is required to track student performance of disaggregated groups – including race, ethnicity, gender, migrant status, English proficiency, and children with disabilities. Under ESSA, any school that has consistent, low performance for a disaggregated group of students is identified for Targeted Support and Improvement. Additional support and accountability are required for these schools.

Under the federal Individuals with Disabilities Education Act and the state Exceptional Students Educational Act, all schools are required to provide disabled students with a free appropriate public education, in the least restrictive environment appropriate to each student's individualized needs. The Department has an oversight role for special education services and related civil rights, under both federal and state law, with a handful of limited enforcement mechanisms.

Under the IDEA, the Department is required by federal law to examine compliance data about disabled students, looking for specific types of racial or ethnic discrimination. See 20 U.S.C. § 1412(a)(22)(A) (discriminatory disciplinary practices); 20 U.S.C. § 1416(a)(3)(c) & 34 CFR § 300.647 (discriminatory classification as special needs). It appears that JBC staff has concerns about these criteria and their relevance to CSDB, but the Department feels quite strongly that they are relevant to every local education agency. Further, they are legally required as a condition for federal funding.

Also, the Department retains 10% of federal IDEA funds for state-level activities, passing the remaining 90% through to local education agencies. Of that 10%, the Department can use a portion of it to provide technical assistance to local education agencies, especially if those schools or districts are receiving additional supports under ESSA because they are not adequately serving special-needs students. See 20 U.S.C. § 1411(e)(2)(C)(x)-(xi) & 34 CFR § 300.704(b)(4)(x)-(xi). The Department can also use ESSA funds to provide additional support to districts that have been identified for improvement based on the performance of their disaggregated groups.

The Department employs 5 FTE through IDEA funds to support individuals with complaints about the provision of services or the violation of the Individuals with Disabilities Education Act. Staff includes three state complaints officers, a paralegal and administrative support. The support includes: conducting a thorough investigations of state complaints, monitoring and coordinating due process hearings, and monitoring and supporting the implementation of any corrective action plans that may be required of a district or AU as a result of findings related to a state complaint or due process hearing.

The provisions of the IDEA, by contrast, require free appropriate public education in a more individualized sense.

4:30-5:00 COLORADO SCHOOL FOR THE DEAF AND THE BLIND

4:00-4:10 INTRODUCTIONS AND OPENING COMMENTS

4:10-4:30 RESPONSE TO QUESTIONS AND CONCERNS

- 21** *Please respond to the issues and concerns raised in the JBC Staff briefing document.*
- a. Please respond to the external concerns highlighted in the briefing document (academic results, AEC designation and accountability, CSDB Board and CDE oversight, lack of spoken language instruction and exposure, admissions and enrollment, CSDB's regional vs. state role, outreach services, and early intervention services).*
 - b. The JBC Staff has recommended that the Committee ask the Department (CDE) to contract for an independent external financial and performance review of the school. Would the CSDB support such a review? Please explain.*
 - c. Currently, CSDB's performance is compared to other AECs for accountability purposes. JBC Staff has recommended changing to a comparison against outcomes for deaf and/or blind students served in local school districts. Would CSDB support such a change? Please explain.*
 - d. Please discuss the appropriate roles of the CSDB Board and the Department in oversight of CSDB. Would statutory clarification regarding the oversight role of the Department be beneficial? Please explain.*

Individual Responses Below:

- a. Please respond to the external concerns highlighted in the briefing document (academic results, AEC designation and accountability, CSDB Board and CDE oversight, lack of spoken language instruction and exposure, admissions and enrollment, CSDB's regional vs. state role, outreach services, and early intervention services).*

Response:

Academic Achievement

The data provided, in the JBC Briefing Report, focused solely on results of the CMAS assessments. The data compared CSDB students to students who are served in public schools. This is not an appropriate comparison, due to the diverse CSDB student body. A deeper analysis of CSDB data, on the CMAS assessment, indicates that students who demonstrate foundational skills of language and braille, on

average, demonstrate typical or high growth. Students who lack foundational skills are not meeting expectations and demonstrating low growth. Students need to develop foundational skills, in order to demonstrate progress and growth on an academic assessment that is tested at the student's grade level.

Students attend CSDB to receive comprehensive and specialized services. CSDB teaches academics and provides a wealth of other individualized services including speech-language therapy, American Sign Language, braille, orientation and mobility, occupational therapy, physical therapy, and counseling. CSDB also supports students in their social-emotional development through the use of identified curricula (PreK-12), daily interactions with students and staff in a Positive Behavior Interventions and Supports (PBIS) environment, provision of counseling and participation in athletics and student leadership opportunities among others. In addition, CSDB provides an Expanded Core Curriculum which addresses orientation and mobility, recreation and leisure, career education, compensatory skills, assistive technology, independent living skills, self-determination, sensory efficiency, and social skills.

CSDB measures growth and achievement, on an individual basis, in the following areas: literacy, math, science, braille, American Sign Language, social-emotional, Expanded Core Curriculum, language/communication, gross and fine motor, technology/assistive technology, and cognition. Often, students need to develop other skills before achievement is obtained in academics. The identified assessments, to include standardized assessments, allow CSDB to measure where the student functioned upon enrollment and where the student is currently functioning. CSDB identifies appropriate assessments to measure identified areas of need for students, on an individual basis, and often utilizes more than one assessment to measure growth and monitor progress.

Due to the individualized needs of the population served by CSDB, over 11 other nationally-normed assessments are given, in addition to the CMAS assessments. CSDB carefully utilizes this data to inform instruction and make adjustments where needed. Staff members receive professional development to assist them in knowing what to look for in the data, so they can adjust their instruction accordingly. This is part of the continuous improvement process CSDB utilizes to maximize the use of the data. CSDB consistently examines practices to look for areas where we may improve and/or enhance our services. For example, this year, the Director of Curriculum, Instruction, and Assessment is providing professional development to principals and teachers to increase the effectiveness of utilizing data to inform instruction across CSDB programs, in an effort to increase academic achievement and growth for all students.

AEC Designation and Accountability

CSDB is required to meet the performance indicators for accreditation as an Alternative Education Campus (AEC), as well as all of the special education requirements which other school districts are held (District Determination). A school must meet certain criteria to become an AEC. § 22-7-604.5(1)(a), C.R.S. (2017). For example, a school must have a specialized mission and serve a special needs or at-risk population. § 22-7-604.5(1)(a)(I), C.R.S. In order to become an AEC, a school must also serve a student population in which more than 90% of the students have an Individualized Education Program (IEP) under § 22-7-108, C.R.S. § 22-7-604.5(1)(a)(VI)(B), C.R.S. CSDB, however, serves a 100% special education population. To expect CSDB, with a 100% special education population, to meet the same targets and standards for accreditation as school districts who only have 8% -15% of their population in special education is unrealistic. In order to qualify for special education and to have an IEP, the student must show the disability has an educational impact that may prohibit the student from increasing his/her achievement at the same rate as other students at their grade level. The impact of a disability on education varies greatly for each student, as does the Least Restrictive Environment (LRE) for each student. The purpose of AECs is to serve students who are high risk, which accurately reflects the students at CSDB. It is also important to note that the AEC designation was called for in the original legislation that established the new state accountability system in Colorado, in 2009, and was further clarified in the work groups called for as part of HB15-1350.

This legislation did not describe this as lowering expectations. It spoke to the fact that expectations needed to be modified, just as those students' educational programs are modified to address their risk factors, or in the cases of students with IEPs, their disabilities.

CSDB is also required to meet all of the special education compliance and performance benchmarks that are set by the Exceptional Student Services Unit within CDE. This is summarized in the "District Determination" system. Currently, CSDB is meeting all special education compliance indicators, as well as the performance indicators that are established for all special education students across the state.

Lack of Spoken Language

The School for the Deaf, at CSDB, serves as a critical option for students, statewide, who require a visual language. Many school districts are not able to provide the necessary education and support to students, who are Deaf, who require sign language as a primary mode of communication. CSDB does provide listening and spoken English to those students who, through the IEP process, have been identified as benefiting from those services. The CSDB Student Communication Policy states "CSDB shall emphasize each student's individual educational needs within a

linguistically-rich environment that promotes high levels of academic achievement utilizing each individual's primary mode of communication..."

In addition, there are always differing schools of thought regarding instructional methodology. This happens in each and every district across the state as people choose the research-based strategies they deem right for their school and population. Those decisions are made within the context of a student's IEP and should never be a political decision.

It should also be noted that members of the groups that have expressed concerns have been invited to CSDB to observe the educational program in action and have not taken advantage of that opportunity.

Admissions and Enrollment

CSDB is a State Operated Program (SOP) which functions much differently than an Administrative Unit (AU) or a school district. CSDB was established to meet the specific needs of students throughout the state who are deaf, blind or deafblind. As part of the Least Restrictive Environment (LRE) full continuum of services, CSDB is considered the most restrictive, since it is a separate school with 100% of the students having an IEP. The IEP is the mechanism to meet not only the needs of the student, but the student's hopes for the learning environment. Most often students come to CSDB, with support from their local district, for the unique opportunity of participating in a community of similar learners which CSDB provides, when they are not making progress within their current program, or if their home school district is unable to meet their educational needs.

CSDB has four enrollment guidelines. These guidelines include: 1) the student must have an IEP which indicates s/he meets the Colorado criteria for a student with a hearing impairment, a visual impairment, or both; 2) the student's cognitive ability is at 40% of age equivalent or higher; 3) the student does not require 1:1 assistance within the CSDB educational environment; and 4) the student is not a danger to themselves or others. These guidelines are referred in statute, § 22-80-109, C.R.S. (2017), and described within CSDB Policy, "JF – Admission & Denial of Admission". CSDB teachers are either Teachers of the Deaf, or Teachers of the Visually impaired, and are trained to work with students whose primary disability lies in those areas.

There are individual students who may not meet CSDB enrollment guidelines, but the Local Education Agency (LEA) still believes that CSDB would be the appropriate educational place for that student. In those rare situations, the enrollment guidelines do allow for the school district to request a waiver of criteria from the superintendent. Typically, CSDB has 4-5 students each year with 1:1 aides, and most of those students attend the School for the Blind.

Regional Program vs. State Role

CSDB has seen approximately a 10% reduction in the number of residential students, over the past ten years. The reason for this is not because CSDB serves as a regional program. Many families move to Colorado, and Colorado Springs in particular, to access the services of CSDB without needing to place their child in the residential program. Peterson Air Force Base and Fort Carson are sites for “compassionate reassignment,” within the military, to allow service families who have children who are Deaf or blind to relocate to Colorado Springs to access services at CSDB. Approximately 50% of the 20 PreK - 12th grade students, who have enrolled at CSDB during this academic year, have moved to the Colorado Springs area specifically to attend CSDB.

All districts in the Pikes Peak region provide services to students who are deaf or blind within their district. The Pikes Peak region does have a regional Deaf and Hard-of-Hearing program that is located within School District 11 (D-11). D-11 serves students in a center-based program located in an elementary, middle, and high school. The current per student cost, for D-11 to educate a student who uses sign language in their center-based program, is \$45,942.

Outreach Services

The Colorado School for the Deaf and the Blind Outreach Program is guided by the Strategic Plan. The goal of Outreach Services is to respond to needs of consumers through collaboration and implementation of an action plan to meet the identified needs. Consumers are family members, professionals, students with hearing/vision loss or both, and community members.

The Outreach Program provides services as determined by the IEP team. Services are provided as requested by the school district. Outreach team members advocate for appropriate services, when meeting with districts and families. Ultimately services are an IEP team decision.

The rates charged to schools, for services, are well below the fair market rate. In 2015, the most recent market analysis, hourly rates of professional staff revealed hourly rates of up to \$125/hour for teachers, speech/language therapists and other staff who have specialized training and experience in working with students who are deaf/hard of hearing or blind/visually impaired. CSDB has charged \$70 an hour for teacher and specialist time for the past 8 years. This charge is significantly lower than the top range of costs for specialists who contract independently with BOCES and school districts.

The Request for Information recently completed between CSDB, the Colorado Department of Education and the Colorado Commission for the Deaf and Hard of Hearing clearly outlines services provided by each state agency.

Early Intervention Services

Staff allocation decisions are based upon data collected and identified needs. Vacant positions are filled, following CSDB policy, based upon the individual's ability to meet the requirements of the job.

The FTE allocation for CO-Hears staff has remained fairly consistent for the past ten years. A review of data shows the program is adequately staffed, given current numbers.

Since the inception of the Colorado Home Intervention Program we have followed and continue to follow the Joint Committee on Infant Hearing (JCIH) Position Statement: Principles and Guidelines for Early Intervention After Confirmation That a Child Is Deaf or Hard of Hearing.

- b. The JBC Staff has recommended that the Committee ask the Department (CDE) to contract for an independent external financial and performance review of the school. Would the CSDB support such a review? Please explain.*

Response:

CSDB does not believe an external financial and performance review is necessary. As already described, we must meet AEC performance frameworks and District Determination Performance Indicators, as required by the State, which we meet.

As a Type 1 agency within CDE, CSDB is included in the annual financial and compliance audit, carried out by the State Auditor's Office. CSDB is always open to program visits and input, as it relates to improving the growth of our students.

- c. Currently, CSDB's performance is compared to other AECs for accountability purposes. JBC Staff has recommended changing to a comparison against outcomes for deaf and/or blind students served in local school districts. Would CSDB support such a change? Please explain.*

Response:

CSDB students are served in a separate special education setting 100% of the time and require a visual language environment. There are only two other AECs of which we are aware (Rocky Mountain Deaf School and Fletcher Miller) that serve a 100% special education student population. CSDB is open to a comparison to other AEC schools, similar to ours, but there are few available. CSDB is accredited through the legislatively mandated method used by all districts. As is mentioned earlier, the

AEC accreditation system is a state-approved system for a school who serves all special education students. CSDB should not be required to change its accreditation, especially when Colorado law specifically allows CSDB to have an AEC accreditation.

- d. *Please discuss the appropriate roles of the CSDB Board and the Department in oversight of CSDB. Would statutory clarification regarding the oversight role of the Department be beneficial? Please explain.*

Response:

Further statutory clarification is not needed. It has already been provided by the Office of the Attorney General. The CDE Commissioner's designee is serving as an ex-officio member of the CSDB Board of Trustees. CSDB meets CDE requirements, as already discussed.

- 22 *Please discuss the CSDB's plan for moving forward in response to the variety of concerns raised by external groups and through the briefing document. Does the school plan to improve collaboration and engagement with the Department? How does the school intend to respond to the external concerns to improve services provided to deaf and blind students served at CSDB and elsewhere. Please explain.*

Response:

CSDB has been engaged in strategic planning for thirteen years. The CSDB 2016-2019 Strategic Plan was developed collaboratively with a diverse group of stakeholders representing a variety of agencies to include school districts, CDE, Vocational Rehabilitation, and adult agencies. This Plan identifies goals with a focus on continual improvement.

CSDB is collaborating with the United States Air Force Academy and Boston University on research and other educational projects. Currently, CSDB is collaborating with Boston University on training for teachers to support students' literacy development in ASL and English. CSDB often works with universities and teacher training programs, as requested, to support student teachers and research efforts in the fields of deafness and vision.

CSDB is involved in discussion with the Colorado Association of the Deaf relative to ways in which we can collaboratively support students' growth in all aspects (i.e., academically, socially, emotionally). CSDB works with the Colorado Center for the Blind, on a frequent basis, sharing mentors and educational opportunities. CSDB receives

numerous requests from individual schools and organizations, across the country, who have heard about CSDB programs/services and are requesting information and on-site visits.

The CDE Commissioner has appointed a designee to serve as an ex-officio member of the Board of Trustees. All Board meetings are open to the public with time set aside for comments to the Board. Public comments have always been welcomed. The Board takes those comments into consideration, when making decisions, always with the best interest of students in mind.

CSDB welcomes individuals and organizations to dialogue and partner with us regarding ways in which we can better support the needs and encourage the growth of students. This is a practice we will continue.

4:30-5:00 COLORADO STATE CHARTER SCHOOL INSTITUTE

4:30-4:40 INTRODUCTIONS AND OPENING COMMENTS

4:40-5:00 RESPONSE TO QUESTIONS

23 Please explain the requirements for school district's to equalize override funding for district-authorized charter schools under H.B. 17-1375. Is the override funding to be equalized on a flat per pupil basis or will districts be able to adjust the equalization based on the needs of students? How does the policy proposed in R6 align with the requirements in H.B. 17-1375? Please explain.

Response:

H.B. 17-1375 specifically states that school districts may either:

- 1) Distribute at least 95 percent of the district's mill levy dollars to each charter school and innovation school authorized by the district on an equal per pupil basis, OR
- 2) Create and implement a plan that distributes mill levy dollars for programs that support "meeting the needs of and equitably supporting the education" of all students in the district
 - a. If the district chooses to implement a plan, the district's charter school(s) may choose to:
 - i. Participate in the district's program, OR

- ii. Receive the per pupil program share in lieu of participating in the district's program but must use those funds to provide a program or service to meet the needs of students identified in the district's plan.

The Charter School Institute (CSI) will adhere to statutory requirements for distributing funds to CSI schools to ensure that all public school students have the same access to funding.

- 24 ***Please discuss the timing of the request (for FY 2018-19) given that H.B. 17-1375 does not require sharing until FY 2019-20. Please explain why equalization in FY 2018-19 is appropriate or necessary.***

Response:

The CSI request seeks to bring CSI charters in to line with the current (i.e., pre-HB1375 implementation) status of district authorized charters. The CSI request recognizes that there are districts sharing some level of MLO revenues today and that CSI schools have no legal mechanism to access local tax revenue, which has caused a significant disparity between CSI charter schools and all types of district schools (including charter and traditional).

The request would not put CSI on an accelerated implementation timeline for full equalization. It merely seeks to bring CSI in line with all other charter schools under current conditions. We maintain that CSI schools should stay on the same timeline as other schools for district-charter equalization.

H.B. 17-1375 acknowledges the existing disparity between CSI charters and district schools and includes the CSI mill levy equalization fund provision as a means to eliminate this disparity. The CSI request, in line with H.B. 17-1375, seeks to reduce this disparity by requesting that dollars are appropriated to this fund for distribution to serve students of CSI schools.

Furthermore, while the district sharing provision of H.B. 17-1375 specifically states that it does not take effect until 2019-2020, the CSI mill levy equalization fund provision does not specify an effective date and therefore went into effect when the bill was signed.

- 25 ***Please explain how CSI's reporting and compliance requirements compare to those of the district-authorized schools that will receive override equalization under H.B. 17-1375. Are CSI schools subject to all of the same reporting and compliance***

requirements?

Response:

The state and federal compliance and reporting requirements of CSI charter schools are the same as those of district-authorized charter schools. Similarly, the compliance provisions related to the posting of waivers included in H.B. 17-1375 are the same for CSI charter schools and district-authorized charter schools. Furthermore, all charter schools adhere to the same approval process for any waivers being request: first approval by the charter school's governing board, then approval by the authorizer's board (i.e. the district's board of education or the CSI board), and finally approval by the State Board of Education.

ADDENDUM: OTHER QUESTIONS FOR WHICH SOLELY WRITTEN RESPONSES ARE REQUESTED

- 26** *Please explain the status of the Breakfast After the Bell Program? Has the Department received federal funds to support the program? Are all students in eligible schools receiving free breakfast? Please explain how and students at eligible schools are receiving free breakfasts and how any associated costs are paid.*

Response:

The Breakfast After the Bell Nutrition Program was established by House Bill 13-1006. The purpose of this program is to offer a breakfast after the tardy bell, at no charge, to each student enrolled in a public school that has 70 percent or more students who are eligible for free or reduced price meals under the U.S. Department of Agriculture (USDA) National School Lunch Program (NSLP). Currently there are 44 school food authorities with 432 sites participating in the Breakfast After the Bell Nutrition Program. School food authorities offer breakfast to their students via various methods including but not limited to serving in the classroom, cafeteria, hallway, and breakfast carts.

School food authorities submit monthly claims of their meals served for [federal reimbursement](#). The breakfast meals served to reduced-price eligible students also receive Colorado Start Smart reimbursement at \$0.30 per meal. The school food authority's food service fund covers any associated costs for meals served to paid students.

For FY 2016-17, the total number of breakfasts served was 30 million, 17 million of these were served through the Breakfast After the Bell program. During this year, federal funds for the Child Nutrition School Breakfast program totaled approximately \$49 million, with \$29 million distributed to schools participating in Breakfast After the Bell. The Start Smart state funds for were roughly \$940 thousand. Of this, \$450 thousand was distributed for Breakfast After the Bell participating schools.

Please reference Exhibit A which provides the fact sheet for this program.

- 27** *The JBC Staff briefing document identified 12 grant programs within the Department's statutes that have not been funded in at least five years. Please provide additional background (where possible) on each of those programs, why the program is no longer funded, and whether the Department believes those programs should be funded going forward. Please identify any programs for which the Department would or would not support the recommended repeal.*

Response:

The department has added the column “Department Feedback” to the Briefing spreadsheet.

Statute	Program	Purpose	Cash Fund Created	Year Last Funded	Department Feedback
22-5.5-106	Funding for Regional Services Areas	Grant funds from the State Education Fund supported planning and implementation of regional service cooperatives.	No	FY 2009-10	This program should be repealed. Subsequent legislation (HB 12-1345) removed the need for funding for this program.
22-7-305	Parent Involvement in Education Grant Program	Grants to support the creation and implementation of programs to improve parent involvement in schools.	Yes (gifts, grants, donations)	None	This statute was part of SB 09-090, the same legislation that created SACPIE. One of SACPIE's legislated responsibilities is to determine recipients of the grant program. However, the Council has never done this because it has never been funded. The current fiscal allocation designated within SB 13-193 is sufficient for CDE's FSCP programs and outreach. Repeal of this particular portion of the law would not impede SACPIE and the Department's current work.
22-7-701 through 708	Teacher Development Grant Program	Grants (originally GF) to schools to provide teacher development schedules (professional development).	Yes	FY 2001-02	This program is currently not funded, and it has not been for at least 10 years. The Department supports the intent, and should the legislature appropriate additional funding; however, the Department has no concerns about repealing this program.
22-7-801 through 807	Summer School Grant Program	Grants to support summer school programs for specific students entering grades five through eight.	No	FY 2009-10	The program was first repealed in 2003. It was then reenacted in 2006 in its current form. The Department has no concerns about repealing this program.

22-9.5-101 through 104	Principal Development Scholarship Program	Stipends for school principals to support on-going professional development.	Yes	FY 2006-07	The program was originally authorized in 2006 through HB 06-1001. It received an appropriation under that bill, but was not funded in subsequent years. The Department has no concerns about repealing this program.
22-9.7-101 through 104	Early Childhood Educator Development Scholarship Program	Stipends for early childhood educators to offset costs of obtaining associate of arts degree in early childhood education.	Yes (gifts, grants, donations)	None	The Early Childhood Educator Development Scholarship Program was never funded or implemented. The Department has no concerns about repealing this program.
22-37-101 through 105	Grant Program for In-school or In-home Suspension	Grants to encourage experimentation in the management of suspended students and to evaluate education programs for such students.	No	FY 2001-02	This program is not currently administered by the department. The Department has no concerns about repealing this program.
22-69-104	Alternative Teacher Compensation Plan Grant Program	Grants to school districts to support the design and development of alternative compensation plans.	No	FY 2008-09	This program was originally authorized in 2008 through HB 08-1388. However, the program has not received funding for several years. The Department has no concerns about repealing this program.
22-81-203	Science and Technology Education Center Grant Program	Grants to provide matching funds for the development and operation of science and technology education centers.	Yes	FY 2008-09	The Department has no concerns about repealing this program.

22-81.5-101 through 107	Colorado Information Technology Education Grant Program	Grants to support integration of information technology into curricula for grades nine through twelve.	Yes	None	This program first passed in 2001, but has not been funded in recent years. The Department has no concerns about repealing this program.
22-82.3-101 through 109	Healthy Choices Dropout Prevention Pilot Program	Grants to provide services to improve academic achievement and physical and mental health and improve high school completion.	Yes	FY 2010-11	This program was added in 2009, but has not received funding in recent years. The entire article is scheduled to repeal in 2019, so the Department supports a repeal a year early.
22-89-101 through 105	Wind for Schools Grant Program	Grants from the Colorado Energy Office (CEO) to fund wind energy projects at qualified schools. Note: The CEO requested the repeal of this program as part of the FY 2017-18 budget process.	No	Inactive federal program	CDE concurs with the Colorado Energy Office to repeal.

28 *Provide a list of any legislation that the Department has: (a) not implemented, or (b) partially implemented. Explain why the Department has not implemented or has only partially implemented the legislation on this list. Please explain any problems the Department is having implementing any legislation and any suggestions you have to modify legislation.*

Response:

The Department has identified several education statutes that were intended to be implemented with gifts, grants or donations or other resources that in some cases, may not have been made available. While CDE has attempted to meet the intent of such statutes, where possible, there are some that have not been fully implemented. Please find a description of these areas below:

- Section 22-27.5-106 (2) requires CDE to provide an annual report on the number and amounts of Dropout Prevention Activity Program grants awarded, a description of the programs that received grants, the number of students participating in each program, and the student dropout rates of the schools at which the programs were operated. CDE has not received funding to administer this grant program for the past 5 years and so has no available data to report.

- Section 22-69-106 (1) requires CDE to provide a report on the Alternative Teacher Compensation Grant Program, “so long as grant moneys were awarded to at least one school district pursuant to the grant program during the preceding calendar year.” CDE has not received funding to administer this grant program for the past 5 years and so has no available data to report.
- Section 22-2-108 (4) requires the state board to submit an annual report detailing the total amount of federal funds received by the State Board of Education in the prior fiscal year, accounting how the funds were used, specifying the federal law or regulation that governs the use of the federal funds, if any, and providing information regarding any flexibility the board has in using the federal funds. To CDE staff’s knowledge, this report has never been funded or completed. The department’s annual budget submission to the JBC does include a schedule that lists most, if not all, federal funds received and/or distributed by CDE, the authorizing statute, and the purpose of those funds. In addition, the recent reauthorization of the Elementary and Secondary Act, the Every Student Succeeds Act (ESSA), offers potential flexibility to Colorado in some areas. CDE staff has worked with the board, the state legislature, and a variety of stakeholders on the ESSA State Plan to ensure that Colorado takes advantage of whatever flexibility is available that is supportive of student learning.
- Section 22-11-503.5 (4) requires CDE to create a Student Course Participation and Achievement Report. CDE is in the process of fully implementing this statute. The full reports are available to districts through secure access.

The Student Course Participation and Achievement report and data collection is significantly complicated and labor intensive for districts. While some districts have been able to submit accurate and comprehensive data, some districts still need support to complete the data reporting. As such, the department, as feasible, is working to help districts with their reporting, so that comprehensive student course participation and achievement reports can be made public at the end of 2017. For more information, please go to this webpage: <http://www.cde.state.co.us/cdegen/studentopportunitygaps>.

Additionally, there are other grant programs that were created by the legislature in the past but have not been funded recently. These programs do not require CDE to report information to the legislature, but are also not currently being implemented. These include:

- Strengthening Civic Education Grant (22 -1-104(6)(a), C.R.S.);
- School CPR and AED Training Grant (22-1-129, C.R.S.);
- Funding for Regional Service Areas (22-5.5-106, C.R.S.);
- Parent Involvement in Education Grant Program (22-7-305, C.R.S.);
- Closing the Achievement Gap Program (22-7-611 to 22-7-613, C.R.S.);
- Teacher Development Grant Program (22-7-701 to 22-7-708, C.R.S.)
- Summer School Grant Program (22-7-801 to 22-8-807, C.R.S.);
- Principal Development Scholarship Program (22-9.5-101 to 22-9.5-104, C.R.S.);

- Early Childhood Educator Development Scholarship Program (sections 22-9.7-101 to 22-9.7-104);
- Grant Program for In-School or In-Home Suspension (22-37-101 to 22-37-105, C.R.S.)
- Second Chance Program for Problem Students (22-52-101 to 22-52-107, C.R.S.);
- Science and Technology Education Center Grant (22-81-203 C.R.S.);
- Colorado Information Technology Education Grant Program (22-81.5-101 to 22-81.5-107, C.R.S.); and
- Healthy Choices Dropout Prevention Pilot Program (22-82.3-101 to 22-82.3-110, C.R.S.).

Finally, below is a list of 2017 legislation that the department has partially implemented. Though these are listed as partially implemented, the department is on track to meet any deadlines or later effective dates noted in the legislation.

- HB 17-1041 Inform Students and Parents of Education Leading to Jobs: Implementation is underway, and the State Board of Education is expected to adopt amendments to its current rules by January 2018.
- HB17-1082 BEST Technology Grant Fund: Implementation is underway. The Capital Construction Assistance Board is expected to adopt final rule amendments in January 2018.
- HB17-1184 Modern Technology in Public Schools: Implementation is partially completed. The department will continue to develop a resource bank and incorporate information and technology skills into the Colorado Academic Standards review and revision as practicable.
- HB17-1276 Restrict Restraints on Public School Students: Implementation is partially complete. The State Board has approved amendments to its rules to align with the legislation and the department has set up a process by which students and parents can file a complaint. CDE will make conforming updates to the Safe School Plan Checklist by March 2018.
- HB17-1332 Teachers in Nonpublic Child Care and Preschool Facilities: Implementation is partially completed. The State Board is expected to complete rulemaking in order to align with the new legislation by January 2018.
- HB17-1359 CDE Positions Exempt from State Personnel System: Implementation is nearly complete. The department has conducted its analysis of the classification of positions and has implemented the recommendations based on the third-party report. The department plans to submit the required report to DPA by December 31, 2017.
- HB17-1375 Mill Levy Override Revenue to Schools: Implementation is partially complete. The State Board has adopted amendments to its waiver rules to reflect changes in the bill and plans to complete rulemaking for its school finance rules in the early summer of 2018.

- SB17-025 Marijuana Education Materials Resource Bank: In accordance with the timeline set forth in the bill, CDE will publish a resource bank on marijuana education by July 1, 2018.
- SB17-103 Early Learning Strategies in Education Accountability: Implementation is partially complete. The department has drafted changes to its rules to align with the provisions in the bill and expects the State Board to adopt rule amendments in the spring of 2018. CDE continues to provide technical assistance to the field related to the quality and availability of early childhood education.
- SB 17-272 Measures of Postsecondary and Workforce Readiness: The department has started to implement elements of this bill, including work around graduation guidelines and examining demonstration options. Much of this work will not be finalized until 2019, when the State Board will need to adopt amendments to its rules on accreditation of school districts and must approve the demonstration options and achievement standards as set forth in the legislation.
- SB 17-296 Financing of Public Schools: Implementation is underway. The Department continues to implement the school finance formula with the new total program funding in law. In addition, the State Board has adopted rules for the Teacher Grants for Computer Science Education Program. The department is currently drafting the RFP for these grants and expects to award funding by June 2018.

29 ***Does the Department have any HIGH PRIORITY OUTSTANDING recommendations as identified in the "Annual Report: Status of Outstanding Audit Recommendations" that was published by the State Auditor's Office and dated June 30, 2017 (link below)? What is the Department doing to resolve the HIGH PRIORITY OUTSTANDING recommendations? Please indicate where in the Department's budget request actions taken towards resolving HIGH PRIORITY OUTSTANDING recommendations can be found.***

<http://leg.colorado.gov/audits/annual-report-status-outstanding-audit-recommendations-june-30-2017>

Response:

No. The Department has no outstanding recommendations.

30 *If the Department receives federal funds of any type, please respond to the following:*

- a. *Please provide a detailed description of any federal sanctions or potential sanctions for state activities of which the Department is already aware. In addition, please provide a detailed description of any sanctions that MAY be issued against the Department by the federal government during FFY 2017-18 or 2018-19.*

Response:

CDE does not currently have any sanctions, conditions, or corrective actions placed on any of its federal grants. In addition, the Office of Special Education Programs (OSEP) has not imposed any sanctions against the Department related to funding associated with the Individuals with Disabilities Education Act (IDEA). Based on current information from OSEP the Department does not anticipate any future sanctions at this time.

For the last several years, CDE has been involved in an inquiry with the U.S. Department of Justice (DoJ). The inquiry is related to educator preparation, qualification, and readiness to instruct English learners within all classrooms. The DoJ has expressed concern that although the number of English learners has grown dramatically over the last 10 years and now comprise over 14 percent of Colorado's student enrollment, less than 5 percent of Colorado educators holding a license have an endorsement in Culturally and Linguistically Diverse Education. There is concern that Colorado is not doing enough to ensure that educators of English learners have the skills necessary to provide effective instruction. Currently, CDE is working with the State Board of Education and the Office of the Attorney General to determine appropriate next steps.

- b. *Are you expecting any changes in federal funding with the passage of the FFY 2017-18 or 2018-19 federal budget? If yes, in which programs, and what is the match requirement for each program?*

Response:

There is no matching requirement for any of the following grants. The allocation formula and process to school districts for the ESSA, Title II, Part A formula grant has changed. Changes to Title IIA Allocation formula and process are as follows:

Congress is currently engaged in the federal appropriations process for 2018-2019. They must finalize appropriations for 2018-2019 by December 22, 2017 in order to avert a government shutdown. The President, House, and Senate have all requested different amounts for some of the federal programs administered by CDE. Consequently, any projections CDE provides are purely speculative. However, we are able to anticipate some cuts to ESSA programs as they are built into statute.

Title IIA – Beginning in Fiscal Year 2017-18 there is no longer a “hold-harmless” provision governing the calculation of allocations to the LEAs. This hold harmless provision was based on the amount of funds an LEA received for FY 2000-01 under the former Eisenhower and Class-Size Reduction programs.

CDE will now make allocations using the following formula:

1. 20 percent to LEAs based on the relative number of individuals ages 5-17 who reside in the area the LEA serves, and
2. 80 percent to LEAs based on the relative number of individuals, ages 5-17, who reside in the area the LEA serves and who are from families with incomes below the poverty line.

In addition, due to reduced numbers of migrant students, Colorado will be operating under a hold-harmless provision tied to the Migrant Education program and can anticipate a 10 percent cut to funding over the next several years.

Federal Program	Colorado 17-18 Allocation	Projected for 18- 19	Projected for 19 - 20
ESSA Title I, Part A	\$151,548,853	Level Funded	Level Funded
ESSA Title I, Part C (Migrant)	\$6,268,477	10% decrease	10% decrease
ESSA Title II, Part A	\$22,742,402	Decreased based on new USDE allocation formula. Possible decrease as part of the appropriations process.	Decreased based on new USDE allocation formula. Possible decrease as part of the 2018-2019 appropriations process.
ESSA Title III, Part A	\$9,401,943	Level Funded	Level Funded
ESSA Title IV, Part A	\$3,953,594	Level Funded	Level Funded
ESSA Title IV, Part B	\$11,633,559	Possible decrease as part of the appropriations process	Possible decrease as part of the appropriations process
ESSA Title V, Part B	\$592,216	Level Funded	Level Funded

As with the other federal grants, there is no matching requirement for IDEA funds. At this time the Department is not anticipating any reductions or increases in federal funding levels for IDEA. However, due to the ongoing passage of continuing resolutions to fund the Federal Government, the Departments has experienced a rescission of IDEA funds. Under previous administrations, once

Congress has passed a budget these funds have been restored.

c. Does the Department have a contingency plan if federal funds are eliminated?

Response:

In the event of significant cuts to existing programs, CDE would employ the following strategies to make up for the shortfall:

- Utilization of carryover funds from the program that has been cut.
- Use of other appropriate funding sources to make up for the shortfall.
- Reduce state level projects that utilize federal funds as their primary funding source.
- Attrition – not filling vacant positions that are supported with the program that has been cut.
- Lay-offs of staff funded by the program that has been cut.

31 Is the Department spending money on public awareness campaigns? If so, please describe these campaigns, the goal of the messaging, the cost of the campaign, and distinguish between paid media and earned media. Further, please describe any metrics regarding effectiveness and whether the Department is working with other state or federal departments to coordinate the campaign?

Response:

The CDE Office of School Nutrition (OSN) annually receives federal funds to support the administration of the Summer Food Service Program (SFSP). The management and administration plan of the program includes state-wide marketing and outreach strategies and in 2017, \$40,000 was dedicated to these efforts. Paid media advertising included Family Dollar receipt ads, RTD bus and light rail ads, AMC movie theater ads and geofencing, Facebook and Instagram ads, and magnet distribution. The CDE OSN collaborates with the Colorado Department of Public Health and Environment (CDPHE) to distribute magnets at WIC clinics throughout the state.

The marketing campaigns were targeted to low income communities with summer meal sites and messaging was targeted to parents and caregivers. Messaging (in both English and Spanish) included:

- Kids eat free all summer long! To find a site near you, visit kidsfoodfinder.org or text FOOD to 877-877
- Summer fun is here with free meals for CO kids and teens! Find free #summermeals at a site near you: kidsfoodfinder.org or text FOOD to 877-877

- Have your kids eat free nutritious meals this summer in a safe and fun environment. Find a summer site near you at kidsfoodfinder.org or text FOOD to 877-877

The overall measure of effectiveness is an increase in program participation over the previous year. Specific campaign results from program year 2017 are currently being analyzed. Campaign results from 2016 include:

- An increase in the number of hotline texts from 82 to 700; a 754 percent increase.
- The CDE Facebook advertisements reached over 108,000 people.
- The magnet distribution at WIC clinics reached 5,415 English speaking households and 2,710 Spanish speaking households.
- The AMC movie theater advertisements achieved an overall click through rate of 0.90 percent with the industry average of 0.06 percent.
- The Family Dollar receipt ads circulated over 790,000 prints in 92 stores statewide. The RTD bus and light rail interior and exterior ads cover Denver, Longmont, Boulder, Commerce City, and the east metro area.

32 *Based on the Department's most recent available record, what is the FTE vacancy and turnover rate by department and by division? To what does the Department attribute this turnover/vacancy? Do the statewide compensation policies administered by the Department of Personnel help or hinder in addressing vacancy or turnover issues?*

Response:

Based upon our data for CY 2017 the turnover rate by Division is as follows:

Annualized Turnover by Division								
	IMS	Assessment	Student Learning	Accountability, Performance and Support	School Finance and Operations	Educator Talent	Innovation, Choice and Student Pathways	Commissioner's Office / State Board's Office
January	2	0	0	0	2	0	1	0
February	0	0	0	1	0	0	1	0
March	0	0	1	0	0	1	0	0
April	1	0	4	1	0	0	2	0
May	1	0	2	0	2	2	2	0
June	0	0	12	0	2	2	1	1
July	0	0	3	1	1	2	0	0
August	1	1	2	1	2	1	0	0
September	0	0	2	0	1	0	2	1
October	1	0	1	0	1	1	1	0
November	1	0	3	0	0	1	2	0
December								
Total # of Separations	5	1	30	4	11	10	12	2
Average Number of Employees	38	16	150	18	113	36	37	16
Turnover Rate by Division	13%	6%	20%	22%	10%	28%	32%	13%
CDE Avg. # of FTE's	424							
CDE Separations	75							
CDE's Annualized Average Turnover	18%							

Based upon the separation data, 29 percent of the overall separations were attributed to employees who retired from the state system. The second largest reason for separation was attributed to staff accepting a job outside of the state system. This accounted for 21 percent of the total separations. Over 20 percent of those that separated either declined to give a reason or stated the reason was “personal” in nature.

In regard to DPA compensation policies in relation to our separations, these policies do not have as big of an impact on our staff since the vast majority (over 80 percent) of CDE staff are at-will and follow a separate salary schedule.

- 33 *Please provide an update on the Department’s status, concerns, and plans of action for increasing levels of cybersecurity, including existing programs and resources. How does the Department work with the Chief Information Security Office (CISO) in the Office of Information Technology (OIT)? Have your information technology infrastructure and policies been audited for cybersecurity capabilities? If so, was the audit completed by the legislative auditor or an outside entity? Do you have dedicated cybersecurity personnel? How do your cybersecurity staff interact with the CISO in OIT? What unique security issues does your Department have? Do you handle private or sensitive data? What unique cybersecurity processes or tools do you use to protect this data?*

Response:

Note: Due to the multiple components of this question, each response is preceded by its question for clarity.

Please provide an update on the Department’s status, concerns, and plans of action for increasing levels of cybersecurity, including existing programs and resources.

The department is planning several initiatives, including firewall upgrades, moving to a secure class four OIT data center, implementing multi-factor authentication for critical applications, and data masking where appropriate. To increase levels of cyber security, the department has implemented finer grained monitoring of its network to detect threats, instruction attempts, data leaks, and has increased our end user awareness training, especially around social engineering, and implemented full encryption for sensitive data. Additionally, the SANs Institute top 20 security controls and National Institute of Standards and Technology (NIST) cyber security frameworks are used to guide our daily efforts, and we monitor and patch to 90 percent compliance with the Center for Internet Security (CIS) endpoint benchmarks. As part of the Student Data Privacy Act, CDE has an outreach program to Colorado School Districts and other Local Education Agencies for training in cyber security and privacy, and have provided security policy templates for

these organizations to leverage to create their own local programs, as well as training in Data Privacy specifically focused on the state's Data Privacy Act.

How does the Department work with the Chief Information Security Office (CISO) in the Office of Information Technology (OIT)?

CDE participates in the monthly OIT cybersecurity status meetings, and is a member of the Secure Colorado advisory board, CDE uses the secure Colorado State Network, endpoint security system supported by the OIT CISO office. The OIT CISO office also monitors all CDE outbound network traffic for threats and intrusion attempts.

Have your information technology infrastructure and policies been audited for cybersecurity capabilities? If so, was the audit completed by the legislative auditor or an outside entity?

CDE has not had a formal audit of this scope, primarily due to resource limitations, but consider our cybersecurity program to be up to standards within these limitations.

Do you have dedicated cybersecurity personnel? Do you handle private or sensitive data?

We have one FTE who is primarily dedicated to cybersecurity, our Information Security Officer. This is a position made available by a previous Decision Item. However, he also manages two infrastructure teams who are NOT dedicated to cybersecurity, so his time is shared. CDE does have private and sensitive data for students and educators related to their enrollment and employment in public education in Colorado.

What unique security issues does your Department have?

CDE is required by law to collect student and educator data from the more than 200 Colorado Local Education Agencies or LEAs. LEAs are made up of school districts, Boards of Cooperative Education Services or BOCES, and Administrative Units or AUs. The data collected must be secured, stored, processed and then reported back out to various stakeholders. Some examples of reports provided are the School and District Performance Frameworks required for accountability and performance tracking, aggregated results for districts to use for comparison purposes, general education data for the public to review and compare district and school performance, specific school and district results for parents to compare while making choices for their children, educator effectiveness metrics for public accountability, and many others. The data required for these reports must be secured, both in transit and at rest, and are consider highly sensitive. Federal law requires CDE to protect individual students, which means the department is not allowed to release any data that may allow a reasonable person to identify an individual student. Given the amount of data that is available on student demographics and other categories of data, CDE must be extremely careful about what is released since

a user can put together many pieces of data to identify individuals. As an example, on its own, CDE's release of the number of students in a given grade and school to represent those who are on Individual Education Plans would be fine and would not reveal individual identities. But if the members of that school's community are also privy to other demographics, possibly from the school or district or even from another CDE report, it may become possible to identify an individual, especially if the community is small. So all of these types of challenges must be considered while managing and releasing data.

In addition, the way the data is released must be secured, via encryption or other similar methods. One of CDE's key responsibilities is to provide detailed results back to each school and district with their accountability ratings. Because that data is all student level and identifiable, great care must be taken for it to be securely transmitted.

Other factors to be considered include the technology status of the districts themselves, e.g., some districts are very small and don't have adequate funding to implement and maintain encrypted email systems or other methods of secure data transmission. Because of this, it falls to CDE to ensure any data transmissions to/from those districts are secured. It is also critical to ensure that only authorized personnel are allowed access to CDE's data-related systems. Managing the large number of district and school personnel who need access to systems that contain highly sensitive data is a large task and is one of CDE's most important.

And finally, in 2016 Colorado passed the Student Data Transparency and Privacy Act, requiring vendors, CDE and others to maintain transparency about what data they collect, how they use it, who they share it with, and when it is destroyed. The passage of this bill demonstrates what an important task it is for CDE to maintain effective cybersecurity controls to protect valuable student data and is unique in that it only applies to CDE and no other agencies.

How do your cybersecurity staff interact with the CISO in OIT?

The CDE information security officer is an attendee at the CISO monthly cybersecurity status and planning meetings designed to discuss issues, ongoing efforts, active and upcoming projects. The CDE ISO is also a member of the Secure Colorado Advisory board and the CDE ISO regularly meets with the CISO and staff on other topics, is involved in procurement and RFP efforts at OIT as an evaluator, and consults on various other topics such as multi-factor authentication and rural broadband.

What unique cybersecurity processes or tools do you use to protect this data?

1. Network monitoring for 24x7 alerting on potential threats and intrusion attempts.
2. Advance predictive behaviorally based endpoint data protection.

3. Full management of all endpoints including mobile devices.
4. Full encryption, at rest and in transit for sensitive data.
5. Next generation firewall technology for application level network control, web filtering, and malware detection and the perimeter.
6. Incident detection, response, and management.
7. Enterprise identity management and single sign on for critical applications.

34 *What impact do the SMART Act and Lean processes have on your budget requests? Could they be used more effectively?*

Response:

The SMART Act does not formally inform budget requests from the Department. However, CDE's budget requests are designed to increase our ability to accomplish the department's mission and goals set forth in the department's performance plan required by the SMART Act. As an example, the department's FY 2018-19 budget request for Information Management Services will improve the security and delivery of data and technology services to school districts and internal business units so that those units can more effectively make progress on the key initiatives outlined in the department's performance plan.

In addition, CDE has greatly appreciated and benefited from the Lean process facilitators provided through the Governor's office. The Department has implemented Lean projects in the following areas: Concurrent enrollment process; school UIP review process; school codes; fiscal note process; school and district performance frameworks; and educator licensure. As a result of these efforts, the department has found ways to do our work more effectively and efficiently, potentially decreasing the need for additional budget requests.

35 *Does your Department use evidence-based analysis as a foundation for your budget request? If so, please provide a definition for your use of "evidence-based," indicate which programs are "evidence-based," and describe the evidence used to support these programs.*

Response:

Yes. Evidence-based analysis is the foundation for any change request and all programs within the Department's Long Bill and budget request. Moreover, every program at the Department collects and utilizes data in its programs to measure effectiveness, make improvements, and support districts. For example, the Department's Accountability Framework and the data/evidence therein drives the following programs and processes, which are all part of the Department's budget:

- Growth on CMAS and English Language proficiency for Colorado students.
- School and District Performance Frameworks
- The Department’s accreditation process
- Provides student outcome data to stakeholders statewide.

Overall, the Department’s embraces an evidence-based approach not only for its budget request, but all aspects of program and department management.

36 *Please identify how many rules you have promulgated in the past two years (FYs 2015-16 and 2016-17). With respect to these rules, have you done any cost-benefit analyses pursuant to Section 24-4-103 (2.5), C.R.S., regulatory analyses pursuant to Section 24-4-103 (4.5), C.R.S., or any other similar analysis? Have you conducted a cost-benefit analysis of the Department’s rules as a whole? If so, please provide an overview of each analysis.*

Response:

The table below provides details on the number of rulemakings promulgated by the State Board of Education, the Charter School Institute, and the Capital Construction Assistance Board from July 2015 through June 2017. Please note that in some cases, a set of rules was amended twice over the two-year period. The figures below represent the number of complete permanent rulemaking processes enacted by each entity.

	All Complete Rulemakings	New Rules	Rule Amendments	Rule Repeals
State Board of Education	25	1	15	9
Capital Construction Assistance Board	3	0	3	0
Charter School Institute	2	0	2	0
Total	30	1	20	9

The department has not conducted any cost-benefit analysis pursuant to Section 24-4-103 (2.5), C.R.S. or regulatory analysis pursuant to Section 24-4-103 (4.5), C.R.S., as these have not been required for any of the rulemakings in the last two years. However, the department actively engaged in the review of its rules as required by Section 24-4-103.3, C.R.S. The review includes an examination of the effectiveness and necessity of the department’s current regulations and has resulted in recommendations for improving and sometimes repealing rules. This process has informed some of the rulemakings in the past two years and will continue to do so in the coming year.

- 37 *Describe the expected fiscal impact of proposed changes to PERA made by both the Governor's Office and the PERA Board of Directors. In addition to direct budgetary impacts, please describe any anticipated secondary impacts of an increase in employee contribution rates. For instance, does the Department anticipate a need to increase employee salaries to compensate for the increase in PERA contributions?*

Response:

The proposed changes to PERA made by the PERA Board of Directors include a 2.0 percentage point increase in employer contributions from 20.15 percent to 22.15 percent, which will have a direct budgetary impact on the department. DPA will provide a statewide estimate for this impact. PERA's proposal makes this change starting January 2020, thus it will affect the department's budget starting with FY 2019-20. The PERA Board proposal also includes a recommendation for contributions to be made on gross pay rather than net pay, which increases the salary base upon which the annual contribution is calculated for both employers and employees. This would have a direct impact on the department's budget as well as employee take home pay. OSPB and DPA are looking into whether this impact can be estimated, and if so, a statewide response will be provided by DPA. The PERA Board proposal also includes a 3.0 percentage point increase in employee contributions—from 8.0 percent to 11.0 percent of pay—beginning in January 2020. Without an increase in employee salaries, these changes would reduce take home pay for state employees beginning in FY 2019-20.

The Governor's proposed changes to PERA will not have a direct budgetary impact on the department, with the exception of maintaining the PERA Board's recommendation for employee and employer contributions to be made on gross pay rather than net pay. As mentioned above, this would increase the salary base upon which the annual contribution is calculated for both employers and employees. OSPB and DPA are looking into whether this impact can be estimated, and if so, a statewide response will be provided by DPA. The Governor's proposal includes a 2.0 percentage point increase in employee contributions— from 8.0 percent to 10.0 percent of pay—beginning in January 2019, a year earlier than the PERA proposal. The Governor's budget request includes an across-the-board salary survey increase of 3.0 percent for most state employees beginning July 1, 2018. With the proposed increase in employee contributions, this will average to a take home pay increase of 2.0 percent for the fiscal year.

- 38 *Senate Bill 17-267 required Departments, other than Education and Transportation, that submit budgets to OSPB to propose a budget that is 2.0 percent below the total funds budget in FY 2017-18. Please highlight the following regarding the 2.0 percent reduction:*

- *Where these reductions can be found in the Department's request;*
- *What programs are impacted by the reduction; and*

- *Total amount of the reduction.*

Response:

As noted in the question, the Department is exempt from this requirement.

39 *Please provide the following information for the Department's custodial funds and continuously appropriated funds:*

- *Name of the fund;*
- *Amount of funds received;*
- *Whether the revenues are one-time or multi-year;*
- *Current cash fund balance;*
- *Source(s) of the funds;*
- *A list of FY 2015-16 and FY 2016-17 expenditures from these funds;*
- *Expected uses of the funds in FY 2017-18 and FY 2018-19; and*
- *Legal authorization and restrictions/limitations on the Department's use of these funds.*

Response:

The State Board of Education annually adjusts fees charged for licensing purposes, if necessary, so that revenues generated approximates the direct and indirect costs of administering the Colorado Educatory Licensing Act. Fee revenues are deposited into the Educator Licensure Cash Fund. Further, this stature provides that for fiscal years 2011-12 through 2017-18 the monies in the fund are 'continuously appropriated.

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
Federal Funds						
Adult Education - Basic Grants to States	Federal	M-Y	The Adult Education and Family Literacy Office administers administrators the federally-funded adult education grant program in Colorado, as authorized by the Adult Education and Family Literacy Act (AEFLA) under Title II of the Workforce Investment Act. The AEFLA grant funds local adult education programs to provide English as a Second Language, Adult Basic Education, and Adult Secondary Education to adults over the age of 17.	\$6,447,984.25	\$6,634,466.87	\$9,672,971.68
Advanced Placement Program (Advanced Placement Test Fee; Advanced Placement Incentive Program Grants)	Federal	M-Y	Funds have been used to provide for exam fees incurred by eligible students taking advanced placement or International Baccalaureate exams.	\$824,727.00	\$602,536.00	\$30,915.00
Affordable Care Act (ACA) Abstinence Education Program	Federal	M-Y	Competitive grants were awarded to fund local community non-profits or school districts for educational programs that emphasizes abstinence education for youth. The primary goal is to support local efforts, in communities (64 counties, 178 school districts) and programs, throughout the state to reduce the rate of teen pregnancy and sexually transmitted diseases.	\$658,881.22	\$823,988.93	\$1,406,201.19
ARRA RACE TO THE TOP-PHASE 3	Federal	M-Y	The Race to the Top funds are being used to build staff capacity to manage the RTTT grant, implement the state's educator effectiveness law and the Colorado Academic Standards, establish a resource bank to make available assessments and instructional tools, increase access to STEM through the creation of the STEM in Action program, and advance Colorado's education reform initiatives	\$2,018,622.48	\$803,133.67	\$ -

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
Charter Schools	Federal	M-Y	CDE is charged with increasing the number of new high-quality charter schools that enable all students to achieve state content standards, graduate from high school and enter college or career with the requisite knowledge and skills to succeed. This grant also helps build capacity among authorizers, board members, administrators and teachers at new and existing charter schools to conduct quality authorizing, exert effective school leadership, and engage in high-impact teaching. 95% of funds are used to distribute start-up grants to charter schools in their planning year as well as their first two years of operation. These funds help cover expenses in the following areas: professional development, board training, facility code issues, curriculum, library development and technology, etc. The remaining 5% covers administrative costs at CDE associated with managing the grant.	\$8,519,854.85	\$7,185,998.71	\$24,457,918.00
Child Nutrition Discretionary Grants Limited Availability	Federal	M-Y	Direct Certification Grant -- The USDA provides funds to the CDE Office of School Nutrition (OSN) to assist States agencies in improving their direct certification processes and rates.	\$278,236.20	\$525,540.21	\$782,687.23
Cooperative Agreements to Promote Adolescent Health through School-Based HIV/STD Prevention and School-Based Surveillance	Federal	M-Y	Staff will collect and use data to guide program planning and improvement related to adolescent health risk behaviors	\$43,843.70	\$91,082.59	\$80,000.00

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
Education for Homeless Children and Youth	Federal	M-Y	This program works to implement the McKinney Vento Homeless Assistance Act and to increase educational access, school stability and academic success for students experiencing homelessness in public school districts. As part of the program, Colorado schools districts provide supplemental programs and services to help meet needs and promote success for students experiencing homelessness. Examples of services include coordination between schools and community agencies; school supplies; tutoring or other instructional support; referrals for medical, dental, and other health services; transportation; assistance with participation in school programs; counseling; before and after school mentoring; summer programs; obtaining or transferring records necessary for enrollment; expedited evaluations; staff development and awareness; early childhood programs and emergency assistance related to school attendance	\$662,688.42	\$639,179.35	\$997,346.19
English Language Acquisition State Grants	Federal	M-Y	Title IIIA-Provides funds to assist limited English proficient children attain English proficiency and meet State academic standards. Title III Set-aside funds for Immigrants are awarded to school districts that have experienced a significant increase (as compared to the average of the 2 preceding fiscal years) in the number of immigrant children who have enrolled during the preceding fiscal year in which the sub-grant was made.	\$127,032.63	\$8,825,644.84	\$14,200,919.40
Fresh Fruit and Vegetable Program	Federal	M-Y	School Fresh Fruit & Veg--The USDA provides funds to the CDE Office of School Nutrition for the Fresh Fruit and Vegetable Program. Elementary schools with high free and reduced eligibility percentages are eligible to apply annually. Selected schools provide fresh fruits and vegetables during the school day to enrolled students, outside of breakfast and lunch times. The schools' respective districts file a reimbursement claim with the OSN. The OSN pays these claims on a monthly basis, and districts use the funds	\$2,695,358.62	\$3,005,319.30	\$3,752,203.65

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
			primarily to pay for food costs. 10% of the reimbursement may be used for administrative expenses. Funds received by CDE from the USDA go directly to school districts for reimbursement.			
Grants for State Assessments and Related Activities	Federal	M-Y	Partial Payment of Assessment Contract with CTB McGraw-Hill for annual CSAP or TCAP testing of Colorado students.	\$5,816,357.09	\$6,092,192.17	\$16,891,451.49
Grants to States	Federal	M-Y	The Colorado State Library uses funds to support statewide initiatives and services and distributed through sub-grant competitions to public, academic, research, school, and special libraries in the state. The State Library promotes literacy, education, and lifelong learning in all types of libraries.	\$2,642,747.69	\$2,820,068.14	\$2,993,143.81
High School Graduation Initiative	Federal	M-Y	This grant represents a five-year, 14.1 million grant through the U.S. Department of Education's High School Graduation Initiative Program. This grant involves partnering with 55 Colorado high schools to increase graduation rates. There are two level of activities. Level 1 involves providing resources to 33 schools to implement dropout prevention and recovery projects that are research based and provide support, enrichment and motivation to students at risk of dropping out or that seek to reenter and complete school. Examples of services include: credit recovery programs, truancy interventions, review of school policies to determine if they are promoting a positive school climate and aligned with effective practices. Level 2 involves providing professional development and training opportunities for staff to build capacity in implementing best practices to decrease dropout rates. Examples include: training on early warning	\$1,098,569.89	\$309,982.43	\$ -

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
			systems to identify students off-track to graduate and review of best practices in credit recovery.			
Improving Teacher Quality State Grants	Federal	M-Y	Title II, Part A is intended to increase student academic achievement by improving teacher and principal quality. These funds can be used to prepare, train and recruit high-quality teachers and principals capable of ensuring that all children will achieve to high standards.	\$26,458,973.39	\$24,337,313.65	\$32,939,656.60
Mathematics and Science Partnerships	Federal	M-Y	Title II, Part B is a competitive grant that is intended to increase the academic achievement of students in math and/or science by enhancing the content knowledge and teaching skills of classroom teachers. This grant provides districts and schools with the opportunity to partner with institutions of higher education.	\$1,905,610.58	\$1,464,509.89	\$1,833,676.84
Migrant Education Coordination Program	Federal	M-Y	The purpose of these funds was to complete work agreed upon by states within two migrant consortia, LEARN (grant for Literacy for migrant students), MASTERS (grant for math for migrant students) and SOSY (grant for serving Out of School migrant youth). The money was used to attend and participate in consortia meetings, steering committee meetings and trainer of trainer meetings. It was also used to conduct professional	\$38,298.01	\$49,564.03	\$194,341.96

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
			development around literacy, math, and school re-engagement.			
Migrant Education State Grant Program	Federal	M-Y	The purpose of these funds are to provide supplemental academic and social services to migrant students and families. 72% of the total funds are used as sub-grants to local education agencies or BOCES serving a migrant region of the state. They used these funds to provide supplemental academic support through direct instruction, tutoring, GED prep, or other educational programming needed per our state needs assessment. A large part of the funds are used for identification and recruitment of students. Funds are also used for family literacy and social services (i.e. dental care, glasses, healthcare, counseling, etc.). The other 18% of the funds are used for a combination of state administration of the grant and state activities to support the regions and their staff. Administration includes, but not limited to, applications, monitoring of regions, state training, state parent advisory councils, re-interviewing of families for quality control, data management, professional development for regional staff, and travel for required federal meetings. The state activities include professional development for capacity building, assistance with identification and recruitment, conducting a state needs assessment and service delivery plan, as well as evaluation of the program.	\$6,963,319.36	\$6,955,352.24	\$11,944,821.52
National Leadership Grants	Federal	M-Y	The Colorado State Library uses funds to address current and future needs of the library fields and that have the potential to advance practice in the profession so that libraries can improve services for the public.	\$118,752.86	\$60,771.60	\$ -

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
National School Lunch Program	Federal	M-Y	National School Lunch Program--The USDA provides funds to the CDE Office of School Nutrition (OSN) for the National School Lunch Program. School districts across the state serve reimbursable meals (meeting strict criteria) each day to enrolled students and then file a reimbursement claim with the OSN. The OSN pays these claims on a monthly basis, and school districts use the funds especially to pay for the costs of food and labor. All lunch funds received by CDE go directly to school districts for reimbursement.	\$132,141,086.80	\$134,423,584.02	\$65,971,306.76
OIES-NCES-Basic Participation	Federal	M-Y	These funds defray the cost of sending participants to the National Forum on Education Statistics, the Management Information Systems (MIS) Conference and the Elementary and Secondary Education Statistics Data Conference (STATS-DC) each year.	\$151,302.30	\$147,682.51	\$285,332.17
Professional Standards Training Grant	Federal	M-Y	The Healthy, Hunger-Free Kids Act (HHFKA) of 2010 (P.L. 111-296) made significant changes to the National School Lunch and School Breakfast Programs in all aspects of program administration. These changes require that school nutrition personnel at every level of administration have the knowledge, skills, and abilities to properly operate and oversee the programs. Among these requirements, Section 306 of the Act directed the Department of Agriculture (USDA) to establish minimum national professional standards for all school nutrition employees who manage and operate the School Meal Programs. Establishing professional standards will ensure that school nutrition personnel have the knowledge and training necessary to perform their duties and responsibilities effectively.	\$44,182.32	\$54,782.61	\$58,028.59

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
Right 4 Rural	Federal	M-Y	Right 4 Rural provides services to selected administrative units (AUs) so that the proportionality of diverse student groups in their respective gifted populations becomes more similar to that of their total school community and to the state total gifted population average of 7%. To this end, leaders and teachers within the administrative units receive professional development tailored to reframing their gifted program and instructional practices to address unique local needs and resources.	\$41,033.31	\$477,313.17	\$561,157.52
Rural Education	Federal	M-Y	Part B of Title VI of the No Child Left Behind Act of 2001 establishes three separate Rural Education Achievement Program (REAP) initiatives. Each is designed to help rural districts that may lack the personnel and resources to compete effectively for federal competitive grants and that often receive grant allocations in amounts that are too small to be effective in meeting their intended purposes. The three initiatives are: •The Alternative Uses of Funds Authority •The Small, Rural School Grant Program •The Rural and Low-Income School Program	\$540,257.70	\$456,541.22	\$967,282.37
Safe and Drug-Free Schools and Communities National Programs	Federal	M-Y	The purpose of Safe and Drug-Free Schools (Title IV) is to promote the prevention of drug abuse and violence related activities in elementary and secondary schools. Prevention of those activities provides an atmosphere conducive to learning.	\$156,708.20	\$208,776.94	\$33,710.30
School Breakfast Program	Federal	M-Y	School Breakfast Program--The USDA provides funds to the CDE Office of School Nutrition (OSN) for the School Breakfast Program. School districts across the state serve reimbursable meals (meeting strict criteria) each day to enrolled students and then file a reimbursement claim with the OSN. The OSN pays these claims on a monthly basis, and school districts use the funds especially to pay for the costs of food and labor. All breakfast funds received by CDE go directly to school districts for reimbursement.	\$48,605,242.67	\$48,937,297.16	\$23,653,747.46

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
School Improvement Grants	Federal	M-Y	The No Child Left Behind Act of 2001 requires that states allocate resources for intensive and sustained support to schools and districts designated as in need of improvement. The purpose of this grant is to provide funds to eligible Title I schools and districts to support a focused approach for improvement.	\$5,991,388.01	\$4,458,016.73	\$10,377,550.00
Special Education - State Personnel Development	Federal	M-Y	The award to Colorado is used to improve professional development and coaching support for educators across the state, in order to improve academic and behavioral outcomes for students with disabilities. Funds were used for: hiring trainers and coaches with expertise in either academic or behavioral supports; room rental for trainings; travel and lodging for participants, trainers, and coaches; contracting with Parent/Family agencies to support family, school and community partnering; educational materials, and evaluation services.	\$73,171.46	\$524,914.87	\$614,652.13
Special Education Educational Technology Media, and Materials for Individuals with Disabilities	Federal	M-Y	The purposes of the Educational Technology, Media, and Materials for Individuals with Disabilities program are to: (1) improve results for children with disabilities by promoting the development, demonstration, and use of technology; (2) support educational activities designed to be of educational value in the classroom for students with disabilities; and (3) provide support for captioning and video description that is appropriate for use in the classroom; and (4) provide accessible educational materials to students with disabilities in a timely manner.	\$ -	\$15,788.69	\$184,211.31
Special Education Grants to States	Federal	M-Y	Funds have been used to provide technical assistance, professional development, monitoring, and general supervision activities to administrative units and state operated programs across the state, specific to programs and services for students with disabilities and identified as requiring special education and related services. Funds have also been used for administrative costs	\$167,682,115.60	\$159,808,297.62	\$222,044,786.01

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
			associated with the provision of services. Do we include flow through funding to AUs and SOPs here?			
Special Education Preschool Grants	Federal	M-Y	Funds have been used to provide technical assistance, professional development, monitoring, and general supervision activities to preschool programs across the state, specific to programs and services for students with disabilities, ages three through five, and identified as requiring special education and related services. Funds have also been used for administrative costs associated with the provision of services.	\$5,276,927.10	\$4,483,104.28	\$7,147,495.14
Special Education Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities	Federal	M-Y	Funds have been used to provide technical assistance, professional development, monitoring, and general supervision activities to administrative units and state operated programs across the state, specific to programs and services for students with disabilities and identified as requiring special education and related services. Do we include flow through funding to AUs and SOPs here?	\$116,004.15	\$149,207.62	\$281,758.43
Special Milk Program for Children	Federal	M-Y	Special Milk Program--The USDA provides funds to the CDE Office of School Nutrition (OSN) for the Special Milk Program. About 20 school districts across the state serve milk each day to students enrolled in Pre-K or Kindergarten who do not have access to the National School Lunch or Breakfast programs. These districts then file a reimbursement claim with the OSN. The OSN pays these claims on a monthly basis, and school districts use the funds to pay for the cost of the milk. All breakfast funds received by CDE go directly to school districts for reimbursement.	\$92,509.07	\$101,060.97	\$56,721.98
State Administrative Expenses for Child Nutrition	Federal	M-Y	State Administrative Expenses (SAE)--The USDA provides funds to the CDE Office of School Nutrition (OSN) to cover the state administrative expense for running the Child Nutrition Programs. These funds are used to pay salaries, cover the cost of training and workshops, fund the cost of	\$1,986,785.14	\$1,655,757.67	\$1,572,574.59

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
			developing materials and resources for school districts, and provide for other administrative expenses. SAE is also used for supporting the system used by the OSN and school districts for reimbursement.			
Student Support and Academic Enrichment Program	Federal	M-Y	To improve student's academic achievement by increasing the capacity of States, local educational agencies (LEAs), schools and local communities to: (1) provide all students with access to a well-rounded education; (2) improve school conditions for student learning; and (3) improve the use of technology in order to improve the academic achievement and digital literacy for all students.	\$ -	\$ -	\$ 3,953,594.00
Substance Abuse and Mental Health Services Projects of Regional and National Significance	Federal	M-Y	Funds are provided by the Department of Human Services to expand the availability of effective substance abuse treatment and recovery services available to Americans to improve the lives of those affected by alcohol and drug additions, and to reduce the impact of alcohol and drug abuse on individuals, families, communities and societies and to address priority mental health needs of regional and national significance and assist children in dealing with violence and traumatic events through by funding grant and cooperative agreement projects.	\$1,937,321.36	\$2,107,680.27	\$2,346,991.31
Summer Food Service Program for Children	Federal	M-Y	Summer Food Service Program--The USDA provides funds to the CDE Office of School Nutrition (OSN) for the Summer Food Service Program. About 75 sponsors (school districts and other organizations) participate in the program, providing meals to school children when school is out of session. These sponsors file a reimbursement claim with the OSN. The OSN pays these claims on a monthly basis, and sponsors use the funds to pay for the cost of the program (administrative and operating expenses). Funds received by CDE from the USDA go to sponsors for reimbursement and also cover the state administrative expense for running this program.	\$4,864,353.37	\$4,504,185.66	\$2,835,472.60

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
Team Nutrition Grants	Federal	M-Y	Team Nutrition Funding Grants - The USDA provides funds to increase food security and reduce hunger by providing children and low-income people access to food, a healthful diet and nutrition education in a way that supports American agriculture and inspires public confidence.	\$100,992.21	\$29,776.34	\$ -
Title I Grants to Local Educational Agencies	Federal	M-Y	Title I, Part A is the largest federal program supporting both elementary and secondary education. The program's resources are allocated based upon the poverty rates of students enrolled in schools and districts and are designed to help ensure that all children meet challenging state academic standards.	\$158,834,971.60	\$143,036,299.94	\$218,161,577.45
Title I State Agency Program for Neglected and Delinquent Children and Youth	Federal	M-Y	Title I, Part D provides funds for youth in state-operated institutions or community day programs. It also provides assistance to school districts who work with local correctional facilities. Colorado receives formula funds based on the number of students in state institutions and costs per pupil.	\$562,374.79	\$432,904.00	\$599,759.58
Troops to Teachers	Federal	M-Y	Funds for this program are used to provide stipends to veterans of the armed services who wish to become teachers. Those who become teachers in low performing schools or hard to serve areas receive an additional stipend upon employment. The Mountain Pacific Troops to Teachers program is located in Colorado Springs and serves 8 states.	\$1,076,895.15	\$252,754.85	\$-
Troops to Teachers	Federal	M-Y	Funds for this program are used to provide stipends to veterans of the armed services who wish to become teachers. Those who become teachers in low performing schools or hard to serve areas receive an additional stipend upon employment. The Mountain Pacific Troops to Teachers program is located in Colorado Springs and serves 8 states.	\$ -	\$ -	\$192,368.00

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
Twenty-First Century Community Learning Centers	Federal	M-Y	This grant program distributes funds to qualified applicants pursuant to Title IV, Part B, of the Elementary and Secondary Education Act (ESEA). Specifically the program provides opportunities for academic and enrichment programming, including tutorial services to help students (particularly students in high-poverty areas and those who attend low-performing schools) meet state and local student performance standards in core academic subjects such as reading and mathematics. It offers students a broad array of additional services and programs, such as youth development activities, drug and violence prevention programs, counseling programs, art, music, and recreation programs, STEM (Science, Technology, Engineering and Math) programs, and character education programs, that are designed to align with the school day. These out-of-school time programs most frequently occur before and after school and during the summer. The program also provides parent education and support for families of the children attending the 21st CCLC program.	\$9,784,796.21	\$12,458,891.81	\$21,215,252.79
Continuously Appropriated Funds						
Closing the Achievement Gap Fund	Gifts, Grants, and Donations	M-Y	Closing the Achievement Gap funds were used to measure and close opportunity gaps in education by tracking participation and proficiency rates at the core course level for high school students.	\$ -	\$ -	\$55,887.00
Great Teachers and Leaders Fund	Gifts, Grants, and Donations	M-Y	The Great Teachers and Leaders Fund supports activities around Educator Effectiveness and Licensing.	\$24,344.00	\$1,906.00	\$29,742.00

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
Education Licensure	Education Licensure Cash Fund	M-Y	The State Board of Education annually adjusts fees charged for licensing purposes, if necessary, so that revenues generated approximates the direct and indirect costs of administering the Colorado Educatory Licensing Act. Fee revenues are deposited into the Educator Licensure Cash Fund. Further, this stature provides that for fiscal years 2011-12 through 2017-18 the monies in the fund are 'continuously appropriated	\$2,930,896.00	\$3,091,915.00	\$444,509.00
School Bullying Prevention Fund	Marijuana Cash Fund	M-Y	Bullying prevention and education--Implementation of evidence based bullying prevention practices; Family and community involvement in school bullying prevention strategies; and adopting specific policies concerning bullying education and prevention	\$7,733.00	\$2,286,338.00	\$2,000,000.00
Teacher of the Year Fund	State Education Fund/Gifts, Grants and Donations	M-Y	The program is designed to honor and reward the Colorado Teacher of the Year.	\$14,952.00	\$28,218.00	\$17,428.00
Private Gifts, Grants and Donations						
Achieve Competency Based Pathways	Private	M-Y	These funds support competency-based education	\$11,595.87	\$3,632.33	\$4,772.60

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
Buell Foundation Growing Readers Together	Private	M-Y	<p>Through a second generous grant from the Temple Hoyne Buell Foundation, the Colorado State Library (CSL) is partnering with 15 public libraries in eastern Colorado to undertake Growing Readers Together, a pilot project designed to support Family, Friend, and Neighbor (FFN) childcare providers in early literacy.</p> <p>By combining caregivers' desire to learn with librarians' expertise in early literacy, Growing Readers Together will improve access to early literacy-focused resources and training in local communities. Specifically, Growing Readers Together will:</p> <p>FFN caregivers in eastern Colorado will have the skills, confidence, and resources to engage children in their care with early literacy materials and activities daily.</p> <p>Public library staff in eastern Colorado will have strategies to connect FFN caregivers in their area with early literacy services.</p> <p>CSL will develop state-level infrastructure for early literacy support to FFN caregivers and the children in their care.</p> <p>Children under six in southeast Colorado will be exposed to language and literacy-rich experiences in informal childcare settings and at the library.</p>	\$ -	\$216,758.01	\$335,381.99
CCSSO-LLN Center For Best Practice	Private	M-Y	Capture best and promising practices from schools and districts to share	\$8,594.65	\$14,559.86	\$61,845.49
CEI Accelerator	Private	O-T	Funding to support district implementation of the Colorado Academic and English Language Proficiency Standards, including any necessary staff to support districts with implementing the standards. These funds support CDE working with educator teams to develop and share examples of how teachers across the state are helping students master the state standards.	\$82,104.60	\$ -	\$ -
CEI Center For Best Practice	Private	M-Y	Capture best and promising practices from schools and districts to share	\$54,145.21	\$31,440.92	\$14,373.91

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
College Invest Scholarship	Private	O-T	Summer Migrant Youth Conference - Scholarships directly benefiting students to attend the Summer Migrant Youth Conference	\$500.00	\$ -	\$ -
Colorado Academic Growth Standards	Private	O-T	To present an award to the public high school that demonstrates the highest levels of academic growth within each classification.	\$1,054.74	\$ -	\$ -
Colorado Library Consortium	Private	O-T	These funds were used as matching funds to the CDE's National Leadership Grant from the Institute of Museum and Library Services. The funds supported summer reading workshops for public libraries throughout the state and the Supporting Parents in Early Literacy Learning Symposium .	\$ -	\$1,100.00	\$ -
CWDC/21st Century Sponsorship	Private	O-T	State funds from CWDC to support graduation guidelines work group on essential skills with business and higher education	\$8,289.39	\$ -	\$ -
Donations-Library Only	Private	M-Y	These funds are used to support the Talking Book Library.	\$5,682.91	\$3,773.05	\$4,265.00
DU Fellowship Program Grant	Private	O-T	This funding provided partial support to part-time interns from the DU post graduate library program.	\$10,500.00	\$ -	\$ -
Eisner Graphic Novel	Private	O-T	The 2017 Will Eisner Graphic Novel Growth Grant is awarded to the Colorado State Library, Denver, Colorado. For their project "Where There Is Art, There Is Hope: Graphic Novels and Literacy at the Sterling Correctional Facilities Libraries" they plan to allow a new teacher to travel to Sterling, Colorado, to enrich their LEAD With Comics curriculum at the Sterling Correctional Facility (SCF) Libraries. The growth of LEAD at SCF will encourage literacy and reduce recidivism.	\$ -	\$ -	\$2,000.00
Grant Friends Of CTBL	Private	M-Y	This grant supports the Colorado Talking Book Library (CTBL) in its mission to provide free services to Coloradans who are unable to read standard print material due to visual, physical, or learning disabilities. CTBL provides audio, Braille, and large-print books and magazines. The grant supports reader services and outreach.	\$107,554.71	\$115,424.60	\$170,000.00

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
Green Ribbons Schools	Private	M-Y	<p>The U.S. Department of Education Green Ribbon Schools honors America's public and private elementary, middle and high schools for their efforts toward improving student health and achievement and reducing their environmental impact. A Green Ribbon Schools award will represent a healthy and sustainable school, recognized by parents, students, staff and governments at federal, state and local levels as an exemplary model of achievement in sustainability, health and environmental education.</p> <p>Green Ribbon Schools sets a standard of excellence for all schools to become energy efficient and healthy learning spaces that provide environmental education. National studies and existing green schools programs indicate that the benefits of the Green Ribbon Schools program will include increased energy cost savings, improved student and staff health and productivity, enhanced critical thinking skills, improved student performance, reduced behavioral problems and increased student engagement, particularly in science, technology, engineering and mathematics (STEM) subjects.</p> <p>While the award confers no federal funds, winners of the Green Ribbon, like Blue Ribbon Schools, may experience national and local press coverage, re-energized staff and parents, enhanced community support, increased application rates, and increased opportunities for private financial assistance. Winners will be invited to participate in national and local recognition ceremonies.</p>	\$1,862.50	\$1,195.64	\$191.86
Healthy Schools	Private	M-Y	Funding to support the Physical Education Cadre to conduct statewide trainings on physical education and physical activity. Additionally, a regional nurse specialist program provides technical assistance and professional development to school nurses.	\$351,267.78	\$25,647.89	\$ -

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
Hearst/Us Senate Youth	Private	M-Y	These funds pay for the selection and delegation of two students to attend an educational week in Washington, D.C.	\$1,053.00	\$548.32	\$1,878.58
Kaiser Healthier Learner	Private	M-Y	Funding to support school nursing. These funds support CDE's work with regional nurse specialists in Pikes Peak and the North Central region to improve the management of students with chronic asthma in schools. The aim is to improve the coordination of evidence based chronic disease management in schools and between families, medical providers, and the student.	\$145,739.42	\$164,647.55	\$147,036.40
Mile High United Way	Private	O-T	Foster Care Education Program - This grant supports CDE in providing research, technical assistance, and training to schools, communities, and child welfare agencies related to supporting students in foster care in attaining educational success.	\$7,142.41	\$ -	-
Milender White Donation Account	Private	O-T	These funds will be used to support the Colorado Preschool Program	\$ -	\$ -	\$4,000.00
New Superintendent Workshop	Private	M-Y	Each year the Field Services office hosts a full-day workshop for those newly appointed as a superintendent or BOCES executive director. The new education leaders are introduced to several CDE leaders and hear a short review of some of the major initiatives that the education leaders will need to know about in their first year.	\$1,997.53	\$1,459.21	\$2,000.00
Reach Out And Read	Private	O-T	Colorado State Library (CSL) has received grants from two organizations to support training personnel from approximately 40 public libraries and their early literacy agency partners. That training will support public libraries in the creation and implementation of programs that support the youngest Coloradans and their families in achieving early literacy.	\$ -	\$3,000.00	\$ -
Rose Foundation Teachers Cabinet	Private	O-T	These funds are used to support activities of The Commissioner's Teacher Cabinet.	\$ -	\$ -	\$1,000.00

Program	Source of Funds	One-Time (O-T) Multi-Year (M-Y)	Purpose of Funds	FY16 Expenditures	FY17 Expenditures	FY18 Funding/ Appropriation
Serve Colorado	Private	O-T	Colorado State Library (CSL) has received grants from two organizations to support training personnel from approximately 40 public libraries and their early literacy agency partners. That training will support public libraries in the creation and implementation of programs that support the youngest Coloradans and their families in achieving early literacy.	\$ -	\$5,000.00	\$ -
Tiger Grant Face Vocal Band	Private	O-T	The TIGER Music Grant is made possible through gifts, grants and donations from FACE Vocal Band. Approximately \$30,000 will be available for the 2017-2018 school year. Applicants may request grant funding in amounts of up to \$250, \$500, \$1000, or \$2000 per school. Funds may be used to help offset costs for music instruction in classrooms, including, but not limited to: <ul style="list-style-type: none"> • Risers, chairs, stands; • Materials (e.g., folders, pencils, staff paper); • Music (including printed music or recordings); • Technology (i.e., recording/hardware/software equipment); • Accompanists; • Competition entry fees; • Music experiences (e.g., guest artists, field trips); • Classroom instruments (e.g., classroom recorders, drums, xylophones, mallets, band instruments, string instruments, pianos/keyboards, guitars, or other small percussion); and • Classroom resources (e.g., sight-reading books, notation books). 	\$ -	\$ -	\$30,500.00
Teacher of the Year Fund	State Education Fund/Gifts, Grants and Donations	M-Y	The program is designed to honor and reward the Colorado Teacher of the Year.	\$14,952.00	\$28,218.00	\$17,428.00

40 *What is the Department's process for engaging in (or disputing) federal land, environmental, jurisdictional, and/or water policy issues? How do you coordinate with other departments, the Governor's Office, local governments, and/or citizens?*

Response:

The Department has not had cause to deal with these issues.

Exhibit A

Breakfast After the Bell Nutrition Program

Overview of House Bill 13-1006

The Breakfast After the Bell Nutrition Program was created by House Bill 13-1006 and implementation began in school year 2014-2015. The purpose of this program is to offer a breakfast, at no charge, to each student enrolled in a public school that has 70 percent or more students who are eligible for free or reduced price meals under the U.S. Department of Agriculture (USDA) National School Lunch Program (NSLP). The Colorado Department of Education (CDE) Office of School Nutrition (OSN) assists school districts with the implementation of this state law by providing an implementation guide, resources, training and technical assistance.

Program objectives

- Increase the number of children eating breakfast on school days
- Increase the consumption of nutritious foods, making breakfast programs more effective
- Improve academic performance by preparing children to learn
- Improve the overall health of children in Colorado
- Generate additional revenue for school nutrition programs through federal and state reimbursements

Program guidelines

Criteria for participation

Beginning in the 2015-2016 school year and each year thereafter, public schools participating in the NSLP with 70 percent or more students who are eligible for free or reduced price meals, from the prior year, must offer a breakfast at no charge to each student after the tardy bell. Schools must implement programs by the first day of the school year in which they are required to participate.

- Pupil membership (October count) data from the prior school year must be used to determine district enrollment and school free and reduced price percentages. This data is typically available in January each year.
- School food authorities must use pre-K-12 pupil membership data that is published on the CDE website. To access current pupil membership data, visit: www.cde.state.co.us/cdereval/pupilcurrentschool.

Exemptions

- Public or charter schools who do not participate in the NSLP
- School districts with less than 1,000 students

Implementation Timeline

School year 2013—2014

- The CDE Office of School Nutrition conducted subcommittee meetings with staff members and school nutrition directors
- The CDE Office of School Nutrition and the subcommittee developed an implementation guide, resources and trainings

School year 2014—2015

- Public schools participating in the NSLP with 80 percent or more students eligible for free or reduced price meals in the prior school year were required to participate

School year 2015—2016 and thereafter

- Public schools participating in the NSLP with 70 percent or more students eligible for free or reduced price meals in the prior school year must participate



-
- Public schools that have a free and reduced price percentage less than 70 percent for two consecutive years have the option to continue to participate, but are not required to.
 - If federal per-meal reimbursements for free or reduced price school breakfast and lunch decrease below the 2013 levels or are eliminated, schools required to offer breakfast under the Breakfast After the Bell Nutrition Program will be exempt.

Meal pattern

- Breakfast meals served under the Breakfast After the Bell Nutrition Program must meet federal and state School Breakfast Program rules and regulations, including nutrition and meal pattern requirements.

Serving model

- Districts, schools or local boards may determine the breakfast model and serving time, as long as it occurs after the tardy bell.
- Serving models may include breakfast in the classroom, breakfast in the cafeteria after the tardy bell and grab 'n go.

Time of service

- Breakfast must be served after the time the student would be considered tardy. Schools cannot add a first bell before the tardy bell to meet the requirements of this bill (i.e. a zero bell is not allowed).
- A school that offers breakfast to students before the bell may continue to do so. Schools with new Breakfast After the Bell Programs may offer breakfast before the bell to students arriving early. However, all schools must offer breakfast after the bell to any student who does not receive a breakfast before the bell.

Program compliance

- The CDE Office of School Nutrition offers technical assistance to public schools and school districts concerning compliance with the Breakfast After the Bell Nutrition Program requirements, School Breakfast Program requirements, claims for reimbursement and other rules and regulations associated with the administration of this program.
- Compliance will be assessed through the Administrative Review process.
- Noncompliance will be addressed through technical assistance and corrective action, dependent upon the severity of the findings.



R6 Mill Levy Equalization Fund Budget Request

DR. TERRY CROY LEWIS, EXECUTIVE DIRECTOR

What is the Charter School Institute (CSI)?

In 2004, the General Assembly adopted the Charter School Institute Act.

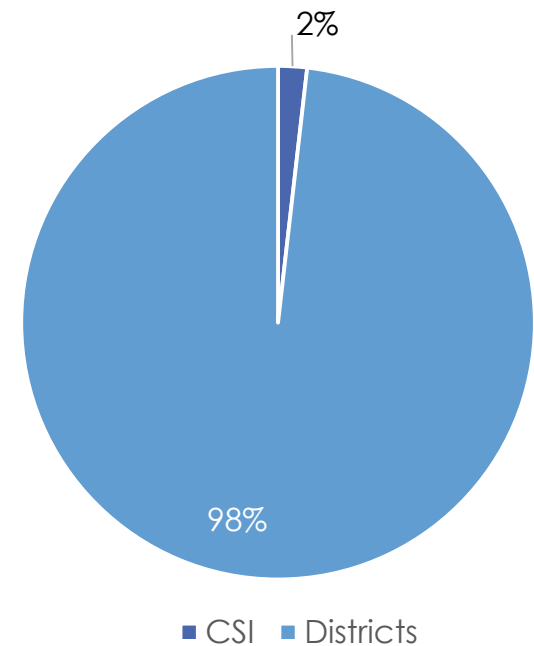
CSI currently authorizes:

- ▶ **16%** of the state's charter schools (41 schools)
- ▶ **2%** of public school students (<17,000 students)

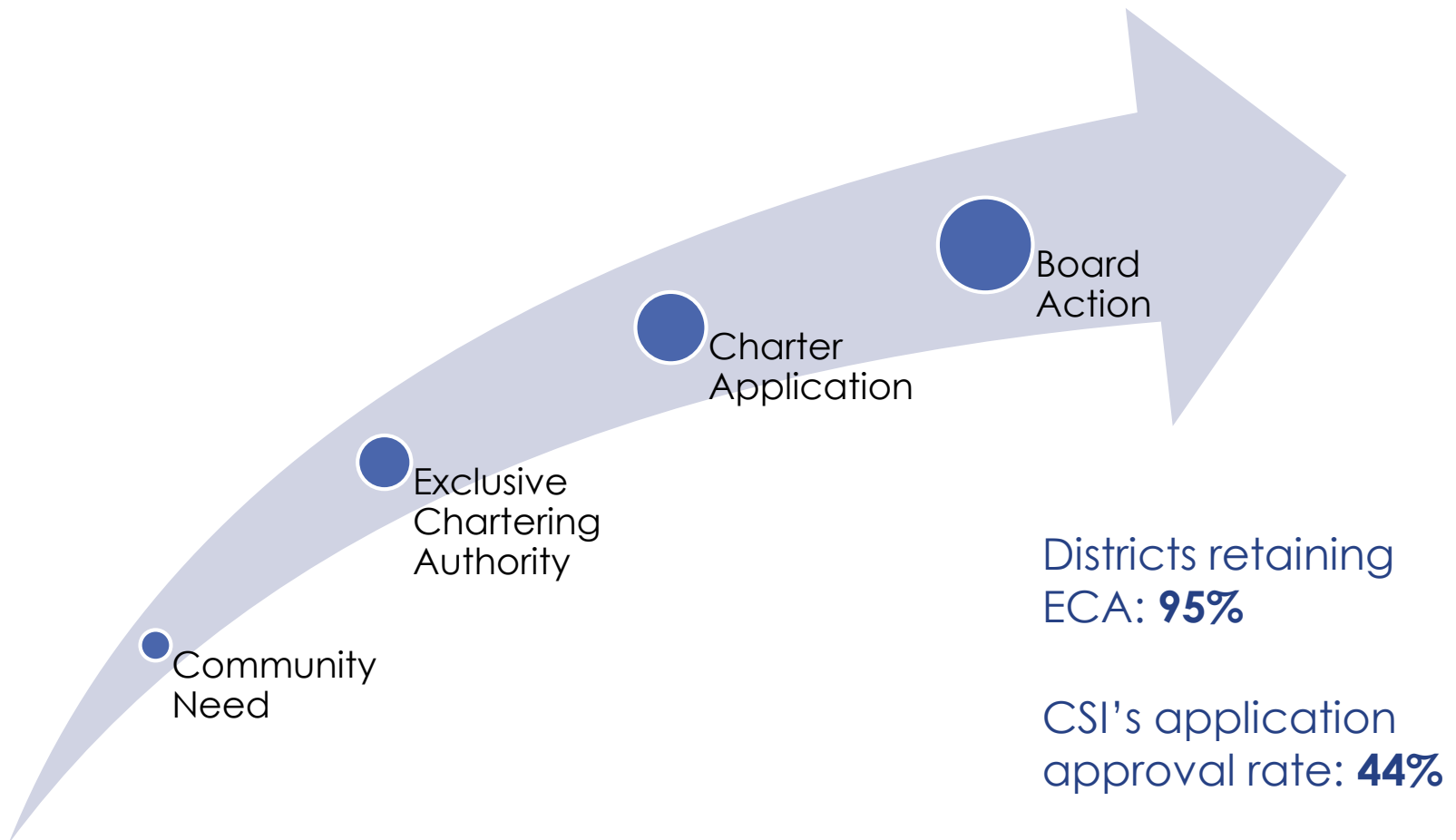
The role of a charter authorizer is to:

- ▶ Hold schools accountable for student learning
- ▶ Provide flexibility on the decisions about instructional strategies, model, etc.

Student Enrollment by Authorizer Type



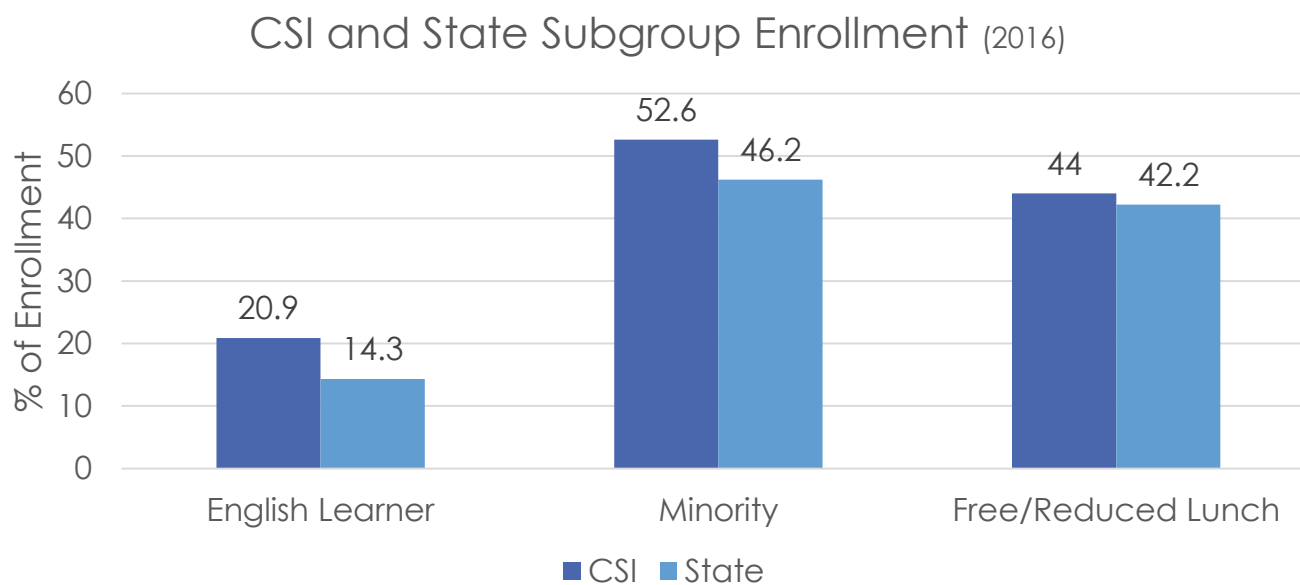
How are new charters authorized by CSI?



Our Mission

Foster high-quality, **high-performing** charter schools with a particular focus on service to **at-risk students**.

We serve at-risk students.

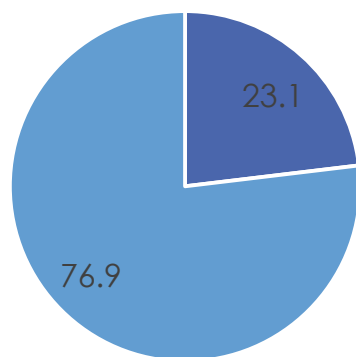


We serve the highest risk youth in Colorado.



Nearly 25% of our high schoolers attend AECs.

CSI High School Enrollment
(2015)

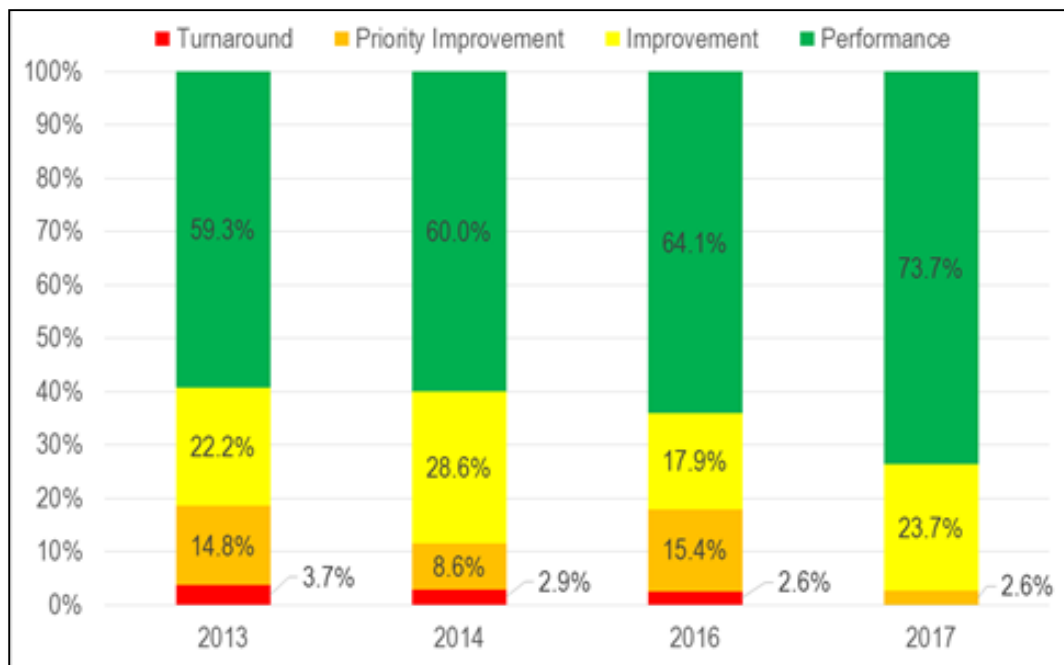


■ AEC ■ Non-AEC

Districts with Highest % of High Schoolers in AECs (2015)

- 1** Centennial BOCES (100%)
- 2** Plateau Valley 50 (56%)
- 3** Falcon 49 (50%)
- 4** Englewood 1 (33%)
- 5** **Charter School Institute (23%)**

We seek to serve all students well.



Budget Request

R6 CSI MILL LEVY EQUALIZATION FUND

Every public school student
deserves equal access to
public resources.



Students from Montessori del Mundo (Aurora)

The MLO Disparity

Student attends a traditional APS school



Student attends an APS-authorized charter



Student attends a CSI-authorized charter (located in APS)



Our Request

Begin to provide CSI students access to the same level of MLO dollars as their peers in district schools.



Students from Ross Montessori (Carbondale)

DEPARTMENT OF EDUCATION
FY 2018-19 JOINT BUDGET COMMITTEE HEARING AGENDA

Tuesday, December 19, 2017
1:30 pm – 5:00 pm

1:30-1:50 **INTRODUCTIONS AND OPENING COMMENTS**

1:50-2:30 **EDUCATIONAL EQUITY, SCHOOL FINANCE, AND CONCURRENT ENROLLMENT**

School Finance and Educational Equity

- 1 Please discuss the state of equity of educational opportunity in Colorado. Please address how the State can improve the equity of opportunity given the prevalence and distribution of mill levy overrides depending on local property wealth, as well as the variation in opportunities available to local students simply based on where they live. Is the system providing equitable opportunity and meeting its Constitutional requirements? Please explain.

Early College High Schools and Concurrent Enrollment

[Background Information: The FY 2018-19 JBC Staff Briefing Document for the Department of Education (briefing document) discusses the increasing prevalence of early college high schools, increasing enrollment in the programs, and the increased cost to the State (through the school finance formula) of students remaining in early college programs beyond the fourth year of high school.]

- 2 Please discuss the apparent increase in students remaining in early college programs beyond the fourth year of high school. Did the Department anticipate additional costs for such students when the legislation (H.B. 09-1319) was enacted? Please explain.
- 3 The JBC Staff briefing document notes that eligible students that have officially graduated from high school could receive Pell Grant funding and defray the cost of providing higher education to eligible students. Does the Department have information regarding the number and percentage of early college students that would be eligible for Pell Grants? Please explain and, if possible, provide data showing the share of eligible students that would be eligible.
- 4 Can the Department provide information on the number of home school students attending early colleges? How many of the fifth- (or subsequent) year early college students are coming from home school backgrounds, and how does that impact the equity of funding the additional years of high school? Please explain.
- 5 Please provide a side-by-side comparison of all concurrent enrollment options and opportunities available to Colorado students, including cost per student, enrollment data for each program, the outcomes provided, and success rates of the program (if the success rate is defined). Please discuss

the potential interaction between programs. For example, are ASCENT and early colleges mutually exclusive or do fifth year early college students participate as ASCENT students? Please explain.

- 6 Please discuss potential disparities in access to concurrent enrollment opportunities in Colorado, including higher education opportunities provide through early colleges.

2:30-3:00 DECISION ITEM REQUESTS

R2 Categorical Programs Increase

[Background Information: Request R2 seeks an increase of \$8,928,668 cash funds from the State Education Fund to support the inflationary increase for categorical programs required by Amendment 23. The request distributes the increase among seven categorical programs.]

- 7 Request R2 includes increases for the Expelled and At-risk Student Services Grant Program and Comprehensive Health Education, neither of which has received an increase in recent years. Please provide additional background and justification for the requested increases for those programs.
- 8 During the briefing presentation, JBC Staff alluded to an issue preventing the Department from being able to spend the full allocation of English Language Proficiency Act categorical program funds in FY 2017-18. Please explain the issue and discuss potential remedies to allow the Department to maximize the effective use of those funds.

R3 Staffing Information Management Systems

[Background Information: Request R3 seeks an increase of \$462,865 General Fund and 3.0 FTE to improve the Department's information management systems, particularly focused on information security and modernization of the Department's public and private data reporting processes and systems. This request represents the operating funding associated with a \$2.3 million capital information technology (IT) request submitted to the Joint Technology Committee in October 2017, bringing the total (operating and capital) cost of the request to \$2.8 million in FY 2018-19.]

- 9 Please discuss the potential duplication of efforts related to cyber security. Why does the State need so many different cyber security efforts, and why can the Department's cyber security needs not be addressed through the statewide efforts of the Office of Information Technology (OIT)? Please explain how the Department interacts with OIT on cyber security matters and why the Department requires separate staffing and resources.
- 10 Some other state agencies have commissioned external reviews of their information security systems, processes, and procedures. Has the Department had such an external review? Please explain why or why not.

R7 Career Development Success Pilot Increase

[Background Information: The request includes an increase of \$1.0 million General Fund for the Career Development Success Pilot Program created in H.B. 16-1289. The requested increase would double the FY 2017-18 appropriation of \$1.0 million General Fund for a total of \$2.0 million in FY 2018-19. The program provides financial incentives for participating school districts and charter schools that encourage high school students to complete a qualified workforce program, including the following in priority order: industry credential programs, internships, residencies, construction pre-apprenticeship or apprenticeship programs, or qualified advanced placement courses.]

- 11 Please provide data regarding the number of industrial placements that have resulted from this program in FY 2017-18. How many additional placements did this program generate? How were the incentives paid? How does the program interact with the Career West program?
- 12 Please provide additional data on increasing participation in the programs incentivized through the bill. How does the Department define success for this program? Who is participating in the incentivized programs (which districts and how many students in each district)?
- 13 A variety of schools have been providing these types of opportunities for years, predating this legislation and the incentives provided by the program. Please explain whether and how this program is generating new opportunities for students. How does the program interact with local programs that predate the incentives authorized in the bill? Please explain.
- 14 How does the Department plan to use the additional funds requested through R7? Does the Department expect the additional funds to be able to support the demand for the program, including incentives for the options identified in the legislation? Please explain.

3:00-3:10 BREAK

3:10-3:25 MARIJUANA-FUNDED PROGRAMS

- 15 S.B. 17-267 (Sustainability of Rural Colorado) provides \$30.0 million in one-time funding (originally from marijuana taxes) for per pupil distributions to rural and small rural school districts in FY 2017-18. Please provide information on the amount distributed to each category of school per pupil and how much each district is receiving under this provision. Please also discuss the impact of the funds and the impact of the one-time nature of the funds. That is, how are districts using the funds, and what does the one-time nature of the funds mean to recipient schools?
- 16 Please discuss the effectiveness of the Early Literacy Competitive Grant Program and the impact of the program on the State's early literacy efforts under the READ Act.
- 17 Current law dedicates the first \$40.0 million of annual marijuana excise tax funds to public school capital construction, including \$35.0 million per year for the Building Excellent Schools Today

(B.E.S.T.) Program and \$5.0 million for charter school capital construction. Please discuss the current *need* for school capital construction funds in Colorado and the status of the B.E.S.T. Program's efforts to update the inventory of school capital construction needs statewide. Please discuss the current state of capital construction funding and the potential need.

3:25-3:35 EDUCATOR LICENSURE (OFFICE OF PROFESSIONAL SERVICES)

- 18 Under current law, the continuous appropriation of the Educator Licensure Cash Fund will expire at the end of FY 2017-18. Please discuss whether and how the continuous appropriation (in place for FY 2011-12 through FY 2017-18) has benefited the Licensure program, including both operational benefits (such as flexibility) and outcomes (such as reducing the backlog of license applications). Does the Department wish to see an extension of the continuous appropriation? Please explain.
- 19 Please provide an update on the current status of the educator licensure backlog and the Department's turnaround time for processing licenses.

3:35-4:00 DEPARTMENT OVERSIGHT OF THE SCHOOL FOR THE DEAF AND THE BLIND

[Background Information: An issue brief starting on page 55 of the JBC Staff Briefing Document discusses potential concerns about both the operations of the School for the Deaf and the Blind (CSDB) and the Department's oversight of CSDB.]

- 20 The JBC Staff Briefing Document raises several potential concerns about the Department's oversight of CSDB and recommends that the Committee ask the Department to conduct (contract for) an independent external performance and financial audit of the school's operations.
 - a. Please discuss potential concerns regarding the Department's authority to oversee the CSDB given its Type 1 agency status. Please explain further why the Department does not believe it has oversight authority of the CSDB given that Section 22-2-112 (1)(m), C.R.S., lists the following as a duty of the Commissioner: "To supervise, manage, and control the Colorado school for the deaf and the blind at Colorado Springs". Given the Department's internal expertise, is additional oversight authority necessary? Would the Department require statutory clarification of its authority? Please explain.
 - b. In addition to communicating with the Joint Budget Committee, the same stakeholders have voiced their concerns to the Department. The Department appears to have argued that it does not have the authority to conduct a program review in response to those external complaints or the other issues raised in the JBC Staff briefing document. Does the Department argue that it does not have the authority to conduct proactive monitoring and response to issues raised in complaints from parents and/or the public regarding educational operations and outcomes at CSDB (or another school or district)? Please provide the statutory or regulatory basis prohibiting the Department from acting on this type of concern (from stakeholders, the Committee, or others) rather than an internal

- policy or procedure under which the Department is choosing not to conduct such a review.
- c. Please discuss the concerns (raised in the briefing document) about the application of the statewide accountability process to CSDB. Currently, as an alternative education campus (AEC), the CSDB's performance is compared to other AECs for accountability purposes. The JBC Staff recommendation is to shift to a comparison against results for other deaf and/or blind students statewide and the school districts serving a large enough population for comparison purposes. Does the Department support that recommendation? Please explain. Would legislation be necessary to change the frame of comparison? Please explain.
 - d. Please respond to the concerns raised in the briefing document regarding special education oversight of CSDB by the Exceptional Student Services Unit (ESSU). For example, are the compliance measures used for the administrative unit (AU) determination process relevant to CSDB? According to the JBC Staff Briefing Document, the 2017 determination provided "free points" to each AU for specific results measures based on the lack of relevant data from FY 2015-16. How did that change the results of the 2017 determination?
 - e. Please respond to the concerns raised in the briefing document regarding the ESSU's lack of proactive oversight and monitoring of AUs (including the CSDB). Specifically, how would/does the Department respond to potential concerns highlighted in disaggregated data (e.g., a specific disabled population not being served well) in a district with a favorable overall determination?
 - f. Please discuss the role of the Department (state education agency) in ensuring adequate and appropriate education services for all disaggregated groups.

4:00-4:30 COLORADO SCHOOL FOR THE DEAF AND THE BLIND

4:00-4:10 INTRODUCTIONS AND OPENING COMMENTS

4:10-4:30 RESPONSE TO QUESTIONS AND CONCERNS

- 21 Please respond to the issues and concerns raised in the JBC Staff briefing document.
 - a. Please respond to the external concerns highlighted in the briefing document (academic results, AEC designation and accountability, CSDB Board and CDE oversight, lack of spoken language instruction and exposure, admissions and enrollment, CSDB's regional vs. state role, outreach services, and early intervention services).
 - b. The JBC Staff has recommended that the Committee ask the Department (CDE) to contract for an independent external financial and performance review of the school. Would the CSDB support such a review? Please explain.
 - c. Currently, CSDB's performance is compared to other AECs for accountability purposes. JBC Staff has recommended changing to a comparison against outcomes for deaf and/or

blind students served in local school districts. Would CSDB support such a change? Please explain.

- d. Please discuss the appropriate roles of the CSDB Board and the Department in oversight of CSDB. Would statutory clarification regarding the oversight role of the Department be beneficial? Please explain.
- 22 Please discuss the CSDB's plan for moving forward in response to the variety of concerns raised by external groups and through the briefing document. Does the school plan to improve collaboration and engagement with the Department? How does the school intend to respond to the external concerns to improve services provided to deaf and blind students served at CSDB and elsewhere? Please explain.

4:30-5:00 COLORADO STATE CHARTER SCHOOL INSTITUTE

4:30-4:40 INTRODUCTIONS AND OPENING COMMENTS

4:40-5:00 RESPONSE TO QUESTIONS

- 23 Please explain the requirements for school districts to equalize override funding for district-authorized charter schools under H.B. 17-1375. Is the override funding to be equalized on a flat per pupil basis or will districts be able to adjust the equalization based on the needs of students? How does the policy proposed in R6 align with the requirements in H.B. 17-1375? Please explain.
- 24 Please discuss the timing of the request (for FY 2018-19) given that H.B. 17-1375 does not require sharing until FY 2019-20. Please explain why equalization in FY 2018-19 is appropriate or necessary.
- 25 Please explain how CSI's reporting and compliance requirements compare to those of the district-authorized schools that will receive override equalization under H.B. 17-1375. Are CSI schools subject to all of the same reporting and compliance requirements?

ADDENDUM: OTHER QUESTIONS FOR WHICH SOLELY WRITTEN RESPONSES ARE REQUESTED

- 26 Please explain the status of the Breakfast After the Bell Program. Has the Department received federal funds to support the program? Are all students in eligible schools receiving free breakfast? Please explain how and students at eligible schools are receiving free breakfasts and how any associated costs are paid.
- 27 The JBC Staff briefing document identified 12 grant programs within the Department's statutes that have not been funded in at least five years. Please provide additional background (where possible) on each of those programs, why the program is no longer funded, and whether the

Department believes those programs should be funded going forward. Please identify any programs for which the Department would or would not support the recommended repeal.

QUESTIONS COMMON TO ALL DEPARTMENTS (WRITTEN RESPONSES ONLY)

- 28 Provide a list of any legislation that the Department has: (a) not implemented, or (b) partially implemented. Explain why the Department has not implemented or has only partially implemented the legislation on this list. Please explain any problems the Department is having implementing any legislation and any suggestions you have to modify legislation.
- 29 Does the Department have any HIGH PRIORITY OUTSTANDING recommendations as identified in the "Annual Report: Status of Outstanding Audit Recommendations" that was published by the State Auditor's Office and dated June 30, 2017 (link below)? What is the Department doing to resolve the HIGH PRIORITY OUTSTANDING recommendations? Please indicate where in the Department's budget request actions taken towards resolving HIGH PRIORITY OUTSTANDING recommendations can be found.
- <http://leg.colorado.gov/audits/annual-report-status-outstanding-audit-recommendations-june-30-2017>
- 30 If the Department receives federal funds of any type, please respond to the following:
- Please provide a detailed description of any federal sanctions or potential sanctions for state activities of which the Department is already aware. In addition, please provide a detailed description of any sanctions that MAY be issued against the Department by the federal government during FFY 2017-18 or 2018-19.
 - Are you expecting any changes in federal funding with the passage of the FFY 2017-18 or 2018-19 federal budget? If yes, in which programs, and what is the match requirement for each program?
 - Does the Department have a contingency plan if federal funds are eliminated?
- 31 Is the Department spending money on public awareness campaigns? If so, please describe these campaigns, the goal of the messaging, the cost of the campaign, and distinguish between paid media and earned media. Further, please describe any metrics regarding effectiveness and whether the Department is working with other state or federal departments to coordinate the campaign?
- 32 Based on the Department's most recent available record, what is the FTE vacancy and turnover rate by department and by division? To what does the Department attribute this turnover/vacancy? Do the statewide compensation policies administered by the Department of Personnel help or hinder in addressing vacancy or turnover issues?
- 33 Please provide an update on the Department's status, concerns, and plans of action for increasing levels of cybersecurity, including existing programs and resources. How does the Department

work with the Chief Information Security Office (CISO) in the Office of Information Technology (OIT)? Have your information technology infrastructure and policies been audited for cybersecurity capabilities? If so, was the audit completed by the legislative auditor or an outside entity? Do you have dedicated cybersecurity personnel? How do your cybersecurity staff interact with the CISO in OIT? What unique security issues does your Department have? Do you handle private or sensitive data? What unique cybersecurity processes or tools do you use to protect this data?

- 34 What impact do the SMART Act and Lean processes have on your budget requests? Could they be used more effectively?
- 35 Does your Department use evidence-based analysis as a foundation for your budget request? If so, please provide a definition for your use of “evidence-based,” indicate which programs are “evidence-based,” and describe the evidence used to support these programs.
- 36 Please identify how many rules you have promulgated in the past two years (FYs 2015-16 and 2016-17). With respect to these rules, have you done any cost-benefit analyses pursuant to Section 24-4-103 (2.5), C.R.S., regulatory analyses pursuant to Section 24-4-103 (4.5), C.R.S., or any other similar analysis? Have you conducted a cost-benefit analysis of the Department’s rules as a whole? If so, please provide an overview of each analysis.
- 37 Describe the expected fiscal impact of proposed changes to PERA made by both the Governor’s Office and the PERA Board of Directors. In addition to direct budgetary impacts, please describe any anticipated secondary impacts of an increase in employee contribution rates. For instance, does the Department anticipate a need to increase employee salaries to compensate for the increase in PERA contributions?
- 38 Senate Bill 17-267 required Departments, other than Education and Transportation, that submit budgets to OSPB to propose a budget that is 2.0 percent below the total funds budget in FY 2017-18. Please highlight the following regarding the 2.0 percent reduction:
- Where these reductions can be found in the Department’s request;
 - What programs are impacted by the reduction; and
 - Total amount of the reduction.
- 39 Please provide the following information for the Department’s custodial funds and continuously appropriated funds:
- Name of the fund;
 - Amount of funds received;
 - Whether the revenues are one-time or multi-year;
 - Current cash fund balance;
 - Source(s) of the funds;

- A list of FY 2015-16 and FY 2016-17 expenditures from these funds;
- Expected uses of the funds in FY 2017-18 and FY 2018-19; and
- Legal authorization and restrictions/limitations on the Department's use of these funds.

40 What is the Department's process for engaging in (or disputing) federal land, environmental, jurisdictional, and/or water policy issues? How do you coordinate with other departments, the Governor's Office, local governments, and/or citizens?