

DEPARTMENT OF EDUCATION
FY 2021-22 JOINT BUDGET COMMITTEE HEARING AGENDA

Wednesday, December 16, 2020
9:00 am – 12:00 pm; 1:30 pm – 2:00 pm

9:00-9:15 INTRODUCTIONS AND OPENING COMMENTS

Presenters:

- State Board of Education Chairwoman, Angelika Schroder
- Commissioner Katy Anthes, Ph.D.

Topic: Department Power Point. Located at Appendix A, pages A-1 through A-19 in the packet

9:15-9:30 COMMON QUESTIONS

Main Presenters:

- Commissioner Katy Anthes (in-person)
- Chief Operations Officer Jennifer Okes (remote)

Topics:

- Implementation of FY 2020-21 HLD Decrease: Page 1, Question 1 in the packet
- COVID-19 Changes: Page 1, Question 2 in the packet

9:30-9:45 REQUEST R3 – COLORADO IMAGINATION LIBRARY AND EARLY LITERACY

Main Presenters:

- Commissioner Katy Anthes (in-person)
- Associate Commissioner of Student Learning Melissa Colsman (in-person)

Supporting Presenters:

- Assistant Commissioner Nicole Davies (remote)
- Deputy Director Aaron Ray, Governor's Office (remote)

Topic: Request R3 (CO Imagination Library) and Early Literacy - Page 3, Questions 3-8 in the packet

9:45-10:00 REQUEST R4 – REPURPOSING EARLY INTERVENTION FUNDING

Main Presenters:

- Associate Commissioner of Student Learning Melissa Colsman (in-person)

Topic:

- Request R4 – Repurposing Early Intervention Funding: Page 9, Questions 9-13 in the packet
- Additional Child Find Question (added based on DHS Briefing): Page 27-28 Question 32

10:00-10:25 PROPOSED BUDGET REDUCTIONS (R5 THROUGH R9)

Main Presenters:

- Commissioner Katy Anthes
- Chief Operations Officer Jennifer Okes

Supporting Presenters:

- Associate Commissioner of Student Learning Melissa Colman (in-person)

Topic: Budget reductions proposed in R5 through R9 – Pages 13-16, Questions 14-19 in the packet

10:25-10:30 EDUCATOR LICENSURE CASH FUND

Main Presenters:

- Commissioner Katy Anthes (in-person)
- Associate Commissioner of Educator Talent Colleen O’Neil (remote)

Topic: Continuous Appropriation of the Educator Licensure Cash Fund: Page 17, Question 20 in the packet

10:30-10:45 BREAK

10:45-11:30 COVID-19 IMPACTS ON SCHOOL FINANCE AND PUPIL COUNTS

Main Presenters:

- Commissioner Katy Anthes
- Chief Operations Officer Jennifer Okes

Supporting Presenters:

- Associate Commissioner of School Quality Rhonda Haniford

Topics:

- FY 2020-21 Impacts on Pupil Counts and District Operations: Page 17, Questions 21-26 in the packet
- Pupil Count Expectations for FY 2021-22 and Beyond: Page 23, Question 27 in the packet
- Impacts of Remote Learning: Page 24, Question 28 in the packet

11:30-11:45 ADDITIONAL SCHOOL FINANCE QUESTIONS

Main Presenters:

- Commissioner Katy Anthes
- Chief Operations Officer Jennifer Okes

Topics:

- School Districts’ Fixed and Variable Costs: Page 25, Question 29 in the packet
- H.B. 20-1418 Mill Levy Provisions and Property Tax Credits: Page 26, Question 30 in the packet

11:45-12:00 SCHOOL FINANCE ADMINISTRATION

Main Presenters:

- Commissioner Katy Anthes
- Chief Operations Officer Jennifer Okes

Topics:

- School Finance Administration: Page 26, Question 31 in the packet

12:00-1:30 LUNCH

1:30-2:00 COLORADO SCHOOL FOR THE DEAF AND THE BLIND

Main Presenters:

- Dr. Nancy Benham, CSDB Superintendent
- Ms. Janelle Donley, CSDB Controller

Supporting Presenters (if needed):

- Ms. Tera Wilkins, CSDB Director of Curriculum, Instruction, and Assessment (**Please Note:** This individual will need an interpreter)
- Ms. Kathy Emter, Ed.S, NCSP, CSDB Director of Special Education
- Mr. Richard L. Jeffries, Jr., Ph.D., Director of Outreach (**Please Note:** This individual will also need an interpreter)

Topic:

- CSDB's Power Point Presentation: Appendix B, pages B-1 through B-7

Common Questions For Discussion at Department Hearings

1. *Please describe the Department's actions to implement the Health, Life, and Dental decrease in lieu of a 5.0 percent General Fund salary base reduction. Please include dollar and percentage share data on planned "allocations" of the decrease to all divisions and programs within the Department. Please describe the use of vacancy savings, delayed hiring, and the implementation of one-time or ongoing operating savings. Please describe the urgency of the Department's need to engage in a furlough in FY 2020-21 due to the inability to achieve savings in other ways.*

Department Response:

The Department's Health, Life and Dental (HLD) appropriations are divided between the Department of Education (CDE) and the Colorado School for the Deaf and the Blind (CSDB). In FY 2020-21, the 5.0 percent reduction amounts to a total decrease of \$863,000; CDE's portion was \$276,000, and CSDB's portion was \$587,000.

CDE will manage this reduction through savings in program lines throughout the Department's budget. A portion of this reduction will be achieved through employee furloughs. Although the Governor's mandatory furlough order does not officially include CDE due to our different governing structure, the State Board of Education and Commission Anthes believe that CDE should do its part and participate commensurately with our fellow state employees. Furloughs were estimated to result in approximately \$105,000 in General Fund savings (38 percent of the reduction). The remaining amount will be achieved through changes in our operations due to COVID which resulted in cost savings. For example, CDE has transitioned in-person trainings and district site visits to online platforms, resulting in travel savings. Given the critical support needs for our districts and schools, the Department is making every effort to minimize the service impact of these reductions on the districts.

The majority of CDSB's FTE is concentrated in two personal services lines. Therefore, the School was able to make adjustments to staffing and use vacancy to achieve the necessary one-time savings through vacancies in the personal services lines for FY 2020-21.

2. *Please describe how the changes implemented in response to the COVID-19 pandemic have changed the nature of the Department's work. Please address programmatic, budgetary, and office space impacts.*

Department Response:

As for all state agencies, the COVID-19 pandemic adjusted the nature and content of CDE's work, both externally and internally. CDE transitioned the majority of its work to a remote environment. CDE continues to prioritize providing support to schools and districts across the state. While CDE suspended school visits and technical assistance, in person services for educator licensing and Talking Book Library (temporarily), the Department has continued serving its customers through email, phone and online conference technology. In-person training and conferences have transitioned to online platforms and in-person site visits and technical assistance have transitioned to virtual check-ins.

Given the COVID-19 pandemic, CDE has taken on some new steps in order to best meet our students' needs. For example, with the influx of federal funding to address pandemic needs, our Federal Programs and Grants Fiscal Management Units have worked to distribute funding to districts equitably and efficiently. In addition, CDE partnered with the Colorado Education Initiative to [conduct a survey](#) to better understand district needs both in the spring and again in October. As a result of the findings, the Department has taken part in new efforts to expand access to broadband and devices across the state, prioritize CDE federal resources and most recently investigate strategies for addressing learning loss.

CDE staff have engaged with stakeholders to provide greater flexibility, as allowed by state and federal law, to schools and districts. For example, CDE worked to develop new guidance related to instructional hours, student attendance, and the October Count, in order to accommodate remote and hybrid learning models. Further, CDE staff continue to [monitor the learning models offered by districts](#) and update that data on a continuous basis.

Finally, in terms of our external work, CDE has worked consistently throughout the pandemic with the Colorado Department of Public Health and the Environment (CDPHE) to provide guidance to schools and districts on health protocols and best practices. CDE developed a [toolkit](#) providing a framework and planning guidance for the FY 2020-21 school year. Updates to the toolkit continue to be made as new information and relevant guidance is available.

Internally, CDE has made a number of adjustments as well related to our work from home policies, technology services, office space needs and budget needs. As our staff transitioned to work from home, our technology services needed to be redirected to accommodate remote work. Some technology changes include additional reliance on collaboration software tools, increased video conferencing, and increased utilization of VPN access to the network. This has created additional workload on our internal technology staff.

Similarly, several internal processes and practices needed to be adjusted to reflect the decentralization of staff. For example, CDE developed new procedures for approving time and effort reports and authorizing payments. Additionally, CDE recently created a new Employee Portal to facilitate the signing of employee evaluations. CDE developed a new normal business operations plan, which continues to evolve over time. This plan incorporates actions to support a return to work, including a wellness self-screening process and tracking tool. The plan also addresses issues such as customer service, employee engagement, communications, and risk and mitigation plans as the Department learns how to best provide for its customers and its employees through these unprecedented times.

In August 2020, CDE conducted a comprehensive employee survey that asked for the employees' and supervisors' perspective on both their remote work experience and return to the office. Based on survey results, the overwhelming majority of CDE employees feel the flexibility of working remotely, and the associated time and money savings, is working well. This appears to be echoed by our customers who remain appreciative of the level of customer service provided by CDE staff.

Prior to the pandemic, CDE completed a space needs study with the support of the Statewide Planning Program within the Office of the State Architect and Stantec. Additionally, CDE worked with the Real Estate Program and Jones Lang LaSalle Brokerage on expiring leases as well as consolidating disparate leases. Through this effort, CDE was able to co-locate all of the staff from one division and move two other units from private leased space to Capital Complex leased space. The Department's evaluation of office space needs will continue and the potential for hoteling space and office sharing will be considered as we redesign existing work locations. The potential for an increased level of remote work in the future will further discussion in this area.

Request R3 – Colorado Imagination Library and Early Literacy

3. *[Rep. McCluskie] Please discuss any potential interaction or relationship between the proposed Colorado Imagination Library program and the One Book Colorado program. Will the One Book Colorado program continue?*

Department Response:

The One Book Colorado program was a partnership that began during the Hickenlooper administration between local philanthropic partners, libraries, and Serve Colorado. As part of this partnership, Serve Colorado worked to distribute the same book to all four-year-olds in the state and conducted fundraising for the program. If R-3 is funded, Serve Colorado will phase out fundraising for One Book Colorado and instead fundraise for Imagination Library. These additional resources can be used to create a “distressed

affiliate fund,” which helps to pay the 50% match for counties that may have trouble raising money, and can also supplement administrative costs, outreach, and evaluation.

4. *[Sen. Rankin] Please discuss the Department’s projections for participation in the program. If the program serves approximately 45,000 children in FY 2021-22, what percentage of the eligible population would that represent? Similarly, with costs more than doubling in FY 2022-23 (from \$410,221 in FY 2020-21 to \$907,140 in FY 2021-22), how much of the eligible population are you expecting to serve? Do you expect costs to continue to increase beyond FY 2022-23? Please explain.*

Department Response:

The Colorado Imagination Library request is expected to serve 13 percent of the eligible population by the end of its first year of funding in FY 2020-21. At the end of FY 2022-23, the program is anticipated to serve 25 percent of the eligible population, approximately doubling the number of children served from the prior year. In order to effectively ramp-up the program to achieve the targeted enrollment level of 65 percent, a new budget request would be required in two fiscal years, for FY 2023-24, to increase the funding.

5. *[Sen. Hansen] Does the Department intend to target specific populations with this program? For example, does the proposal include any means testing to specifically serve low income populations? Please explain.*

Department Response:

As described under SB20-185, the only eligibility criteria for participating in the program is age. However, once established, the Colorado nonprofit contractor will conduct outreach to counties where this program is likely to have the greatest impact, which includes counties with with higher percentages of K-3 students identified with a significant reading deficiency (READ Act), lower 3rd grade English language arts scores on CMAS, high percentages of children and families in poverty and higher percentages of children and families of color, so that they can benefit more quickly from the program. The request also includes funding for a “distressed affiliate” fund to help local affiliate programs that have trouble meeting their match requirement, such as in the counties outlined above, participate in the program.

6. *[Sen. Rankin] Please discuss how this request relates to the Department’s efforts to communicate both the importance of reading and early literacy and the importance of understanding the science of reading and reading instruction. How would the Colorado Imagination Library help teach parents how to teach reading? How does the Department plan to integrate this effort with the public outreach programs under the READ Act? Please explain.*

Department Response:

The National Commission on Reading found that the single most significant factor influencing a child's early educational success is an introduction to books and being read to at home prior to beginning school. By the age of two, children who are read to regularly display greater language comprehension, larger vocabularies, and higher cognitive skills than their peers ([Raikes et al., 2006](#)). Children who are read to at least three times a week by a family member are almost twice as likely to score in the top 25 percent in reading compared to children who are read to less than 3 times a week ([Denton and West, 2002](#)). In addition to long-term reading success, an abundance of evidence indicates that specific early literacy skills are predictive of mathematics development because many aspects of early mathematics skills are largely language dependent ([Purpura et al., 2017](#)). Despite research demonstrating the impact of parents' reading at home to their children starting at birth, a national [survey](#) showed that just 42 percent of parents read to their children on a daily basis.

In Colorado, only 41 percent of children met or exceeded reading expectations in third grade, while 23.2 percent approached expectations, and 36 percent partially met or did not meet expectations. There are also significant gaps that exist in literacy based on race, ethnicity, income, and status as a student with disabilities or English learner.

Early literacy challenges in Colorado are anticipated to only worsen as a result of the impact of COVID-19 on learning loss. Through the state's Early Literacy Assessment Tool project, the department has some preliminary fall 2020 data on K - 3 reading achievement and findings indicate a significant level of reading loss for students in first grade with 44 percent of students performing significantly below grade level in reading in 2020 compared to 28 percent in 2019. Losses at other elementary grades are not as dramatic but just as troubling.

The Colorado Imagination Library request would complement the Department's existing early literacy work under the READ Act by providing parents and children with books to read at home. The Dolly Parton Imagination Library (DPIL), which meets the criteria of SB20-185, has demonstrated positive results for literary and student and family engagement across the country. Using the Letter Naming Fluency (LNF) test and controlling for race, gender, ESL status, special education status, and free- and reduced-lunch status, consistent DPIL participation "increases the odds of being ready for school by 90 percent" (Ridzi 2017). In addition, according to an internal study done by Shelby County Public Schools in Tennessee, DPIL resulted in an 11 percent increase in 3rd grade reading scores (Sell 2015). Moreover, DPIL has demonstrated positive impacts on frequency and quality of family reading (Ridzi 2014) and doubled the percentage of parents reading daily from 29 percent to 59.3 percent (Ridzi).

In 2020, the General Assembly passed SB20-185 (the Colorado Imagination Library Program), which requires, subject to available appropriations, the state librarian in the Department of Education to contract with a Colorado nonprofit organization for the

creation and operation of the Colorado Imagination Library Program. Such non-profit will establish county-based affiliate programs, develop and promote a public awareness campaign, support enrollment growth, and contract with a national nonprofit organization that will work with the Colorado Imagination Library to identify eligible children and mail age-appropriate, high-quality books each month to those children at no cost to families. Many of the books also include reading strategies for parents to utilize during shared reading time to engage their child and increase vocabulary and comprehension skills.

Neither the READ Act legislation nor the Colorado Imagination Library statute explicitly connect these two initiatives, but, as the JBC has implied with it's question, there is an opportunity to leverage this work. SB19-199 requires a [public awareness campaign](#), concerning the importance of parents reading with their children. The Colorado nonprofit that is selected to operate the Colorado Imagination Library Program could be leveraged to help disseminate materials associated with the public awareness campaign, as the Colorado Imagination Library Program is a great strategy to increase parents reading with their children. Likewise, the Imagination Library Program can be included among the parent resources listed on the website created for the public awareness campaign. While the Imagination Library Program encourages reading together, it is not an "instructional" program, per se. But as noted in the research above, the simple act of parents reading with their children makes a significant impact on their learning.

7. *[Sen. Rankin] Please provide an update on the Department's progress in implementing the 2019 Session changes to the READ Act. For example, please discuss the status of any efforts requiring outside vendors (such as the public information campaign) as well as the Department's progress with implementing any other changes. In addition, please address the school district's progress in implementing the changes, including ensuring the necessary training for teachers.*

Department Response:

Since its passage in May 2019, CDE and Colorado school districts have been working to implement the provisions of SB 19-199 with the goal of improving reading outcomes for Colorado's kindergarten through third-graders. The updates to the READ Act included changes to the unified improvement planning process, conducting external program evaluation, increasing accountability for fund usage, and requiring teacher training.

SB 19-199 also created a public information campaign, increased the Early Literacy Grant program by \$2.5 million, and specified that all students who read below grade level receive a daily literacy block for the length of time indicated by research. Below is implementation information for key provisions of SB 19-199.

K-3 Teacher Training: SB 19-199 requires that districts annually confirm that all K - 3 teachers have completed evidence-based training in teaching reading beginning with the FY 2021-22 school year. Additionally statute requires CDE to provide training at no cost

to help teachers meet the training requirement. CDE conducted a competitive process to select vendors to develop an asynchronous training option and provide a training program for CDE to deliver. In September 2020, CDE began providing no-cost online asynchronous and live training for elementary teachers. To date, approximately 6,000 teachers have enrolled in the training.

The State Board of Education voted to adopt rules in March 2020 to authorize various pathways that teachers may choose to complete this requirement provided that includes a minimum of 45 hours and must have addressed the content of the educator preparation literacy standards referenced in the state board's Rules for the Administration of Educator License Endorsements, 1 CCR 301-101, section 4.02(5) through 4.02(12).

Those pathways include:

- Option 1 - Reading Teacher or Reading Specialist Endorsement: Teachers who have a Colorado Reading Teacher or Reading Specialist endorsement meet the training requirement.
- Option 2 - State Board Approved Assessment of Knowledge of Teaching Reading: Teachers may take and pass a reading content assessment authorized by the State Board to meet the training requirement.
- Option 3 - Appropriate Undergraduate or Graduate University Course in Teaching Reading: Teachers may submit evidence of successfully completing an undergraduate or graduate course in teaching reading for CDE to review to determine whether it meets the statutory requirements.
- Option 4 - Course Appropriate for License Renewal: Teachers may submit evidence of successfully completing a course in teaching reading appropriate for license renewal for the CDE to review to determine whether it meets the statutory requirements.
- Option 5 - CDE-Provided Training: Teachers will have the option to successfully complete a CDE-provided training (online course or face-to-face) at no cost to the teacher.
- Option 6 - District- or BOCES-provided Training: Teachers will have the option to successfully complete a district- or BOCES-provided training approved by the CDE and can check with their district or BOCES whether this option will be available to them.
- Option 7 - Training Program from the CDE Advisory List of Professional Development: Teachers can successfully complete a training program included on the CDE Advisory List of Professional Development that has been designed to meet this requirement.

These options can be found on the department website regarding the multiple options teachers have to meet the training requirements:

<http://www.cde.state.co.us/coloradoliteracy/teacher-training>.

Given the challenges created for teachers during the COVID-19 pandemic, in November 2020, the State Board of Education voted to extend the deadline for completion of training until Jan. 31, 2022. This authority is granted to the State Board of Education in statute (C.R.S. 22-7-1208 (IV)(6)(d)) which allows this provision to be extended until the beginning of the FY 2022-23 school year.

Unified Improvement Planning (UIP): Starting with the FY 2020-21 UIP submission, districts will be providing information regarding their scientifically or evidence-based core, supplemental and intervention reading programming. CDE is providing guidance and support to assist with this new requirement.

External Evaluation: CDE has contracted with WestEd, a nonprofit research, development, and education service agency to begin the external evaluation process as required under SB 19-199. During the spring of 2020, WestEd designed the evaluation process. Evaluation activities are currently underway, and the first report should be available in the late spring of 2021.

Accountability for READ Per-Pupil Fund Use: Under SB 19-99, districts must submit an annual budget and narrative prior to receiving READ per-pupil intervention or early literacy grant funds. Implementation of this provision began in the spring of 2020 when districts submitted their budgets and narratives for FY 2020-21. This school year was the first that CDE approved expenditures prior to use. The suspension of in-person learning during the spring of the 2019-20 school year limited the ability of districts to expend their READ funds. As a result, an executive order from Governor Polis suspended the 15 percent cap to roll forward READ funds for FY 2019-20 only.

Public Information Campaign: CDE has contracted with Cactus to develop the state's public information campaign for early reading. The firm conducted qualitative and quantitative research to understand and refine the messaging and media that would be most effective in raising awareness and creating behavior changes among parents of young children. The campaign launched in September 2020 and includes social media advertising, television and connected video advertising, social media, a website and other materials. The link for the campaign website can be found here.

<https://readwithme.today/>

Early Literacy Grant: At their September 2019 meeting the State Board voted to amend the rules for the early literacy grant incorporating changes required by Senate Bill 19-199. The rule changes were necessary due to modifications in the statute which included the following:

- Increased the grant program by \$2.5 million to \$7.5 million
- Permitted grants to be awarded to both local education providers and schools
- Allowed grant recipients to use any of the assessments on the state board approved list.

- Added reporting requirements regarding students who are below grade level but not identified with a significant reading deficiency.
- Requires grant recipients to be a part of the state's independent evaluation process.
- Requires the board to extend the grant term and increase funding (as needed) for schools that the independent evaluator determines to have made significant academic progress.

At the June 2020 State Board of Education meeting the board voted to award professional development grants to 10 local education providers for a grand total of \$493,841. Additionally the board voted to approve 6 applications for sustainability grants in the amount of \$750,000.

8. *[Sen. Rankin] The Department also supports local libraries through the State Grants to Publicly-supported Libraries Program. Please describe how that program supports the READ Act and how/whether the Colorado Imagination Library Program would complement the Department's existing grants to local libraries.*

Department Response:

The intended purpose of the State Grants to Libraries funds, according to statute (Section 24-90-401, CRS) is for libraries to obtain educational resources they would otherwise be unable to afford. The Joint Budget Committee has encouraged a focus on early literacy materials. In an effort to accommodate both directives, latitude is provided to honor local control of these funds within established guidelines.

The \$2.5 million allocation from the State goes to the State Library to distribute funding to eligible publicly funded school, public, and academic libraries. The purpose of the funds is to provide for educational materials in libraries that support efforts to improve literacy and learning, including early literacy and other education-related needs identified by the grantee.

The State Grants to Libraries program supports public, school, and academic libraries, with a broad intended audience and many mediums (books, technology, programming, etc.) to support those populations. The grant program benefits the READ Act through helping to get books in the hands of children through public libraries and school libraries across the state.

The Colorado Imagination Library Program focuses on direct distribution of books for children ages 0-5 years old, which provides another method for getting books into the hands of children.

Request R4 – Repurposing Early Intervention Funding

9. *[Rep. McCluskie] This request proposes a legislative change to move responsibility for early intervention evaluations from the Department of Education and local school*

districts to the Department of Human Services. Please provide additional explanation of both why the Department of Education agrees that the change is necessary and how that change would better serve children and families.

Department Response:

As required under HB 18-1333, CDE and CDHS entered an interagency agreement to complete a study of early intervention evaluations in Colorado and then report to the JBC joint recommendations by June 30, 2019 for future administration of early intervention evaluations. The report in June 2019 did not include a final recommendation regarding administration of evaluations due to the need to fully engage key stakeholders in developing the recommendation. To account for this, the June 2019 report to the JBC included the following as it's first recommendation:

By November 1, 2019, with stakeholder input, select the administrative structure that ensures CDHS has the authority for monitoring, enforcement and correction of Early Intervention evaluations, which includes a planned transition process.

A task force was formed and convened in the fall of 2019 to review the information from the early intervention study and recommend an administrative structure. This task force made several recommendations they believed would improve service delivery to children and families, including a legislative change to move the responsibility for early intervention evaluation to CDHS. Based on the recommendation of this task force, contingent upon level ECEA funding, CDE is supportive of the administrative change to early intervention evaluations in Colorado. The change will streamline the early intervention experience for families, reducing the number of entities involved in the referral, evaluation, eligibility, and service delivery process.

10. *[Rep. McCluskie] The request implies that federal law requiring a single line of authority requires the change. Please explain whether and how the current system in Colorado is out of compliance with federal requirements.*

Department Response:

The Colorado Department of Human Services (CDHS), as lead agency for the Individuals with Disabilities Education Act (IDEA) Part C, must assure a single line of responsibility in the oversight of all aspects of the program, including child find activities. Staff from CDE and CDHS met with representatives from the Office of Special Education Programs (OSEP) from the U.S. Department of Education on two occasions to clarify the federal requirements regarding a single line of authority. OSEP indicated that states take different approaches to achieving a single line of authority for early intervention programming. One option is to have a single state agency have authority over all aspects of early intervention evaluations. An interagency agreement between the two Departments is another option; however, the agreement would have to include the methods that would be used to assign fiscal responsibilities for evaluation activities, as

well as provide the authority for CDHS to enforce Part C requirements. This means that the CDHS would need the authority to monitor, enforce and correct any noncompliance identified for an Administrative Unit (AU), which would be challenging under the current statutory and operational frameworks.

CDE has not concluded that Colorado's early intervention evaluation system is out of compliance with federal law.

11. *[Rep. McCluskie] Will the proposed change improve services for children and families during the identification process? Please explain.*

Department Response:

CDE and CDHS committed to improving services as the primary goal of developing recommendations for the administration of early intervention evaluations. All parties acknowledge that the current process can be complicated for families and time-intensive for AU and CCB staff to coordinate. In the majority of communities across the state, families are referred to the Community Centered Board (CCB) to arrange for an evaluation to determine eligibility for the program. In turn, the CCB shares the referral information with the Administrative Unit (AU) to schedule the evaluation. After the AU conducts the evaluation, the CCB is responsible for determining eligibility based on the results of the child's evaluation and communicating the results to the family.

CDHS and CDE engaged broad stakeholder involvement, including families, as a result of HB 18-1333. Stakeholders representing both early intervention and AU entities roles in this process unanimously agreed that the current structure is confusing for families and would be much more streamlined and efficient if managed by one agency. If the system is managed by a single agency, there is the potential for benefit to children and families by reducing redundancies and providing greater consistency across the state in training staff in the evaluation of infants and toddlers. There are also benefits to families of having the same system perform the evaluation, develop the service plan, and provide early intervention services. The current process requires that families move back and forth between the early intervention and public school system multiple times from referral to evaluation to service delivery, which can add time and opportunities for confusion to the process.

The Child Find activities for children age 0-3 are the responsibility of the Part C lead agency (CDHS) in federal IDEA regulations; however, in Colorado, the legislature made AUs responsible for initial evaluations of Part C.

12. *[Rep. McCluskie] School districts have indicated that building relationships with children and families during the identification process facilitates the transition to services provided by those school districts when children age into the system. Will the proposed change improve services for children and families in the long-term as many of those children transition to services provided by their schools? Please explain.*

Department Response:

CDE has heard from districts that they value building relationships with children and families during the early intervention evaluation process, which can support transition into Part B services for eligible children. While evaluating children for early intervention provides opportunities for establishing relationships with families, two thirds of children exiting early intervention in Colorado do not go on to Part B special education services. This is due to differences in Colorado's eligibility criteria for early intervention and special education, under Part C and Part B of IDEA.

From a system level perspective, changing responsibility for early intervention evaluations does not change the requirements for transition from early intervention (Part C) to Part B. Children who are identified as potentially eligible for Part B preschool special education services are the shared responsibility between the CDHS and CDE as both agencies must follow relevant IDEA regulations.

From a district and family perspective, the change in responsibility will allow additional time and dedicated focus for Part B evaluation and transition activities, without consuming resources evaluating the majority of infants and toddlers who do not go on to qualify for Part B services.

13. *[Rep. McCluskie] Please discuss how the Department of Education has involved school districts and special education experts in this process. Is the Department confident that local school districts feel adequately represented through this process? Please explain.*

Department Response:

CDE values stakeholder engagement to inform its planning and implementation activities and recognizes that district engagement in the early intervention evaluation study and recommendations could have been greater. However, CDE and CDHS worked hard to remedy some initial challenges with engagement and representation of key stakeholders in the early intervention evaluation improvement processes. In October 2018, the departments received a letter signed by the executives at the Consortium of Directors of Special Education, Colorado Association of School Boards, Colorado Association of School Executives, Colorado BOCES Association and Colorado Rural Schools Alliance requesting to be included in the work group on early intervention evaluations. In response, in December 2018, CDE and CDHS formed a Leadership Advisory Group to engage key stakeholders on issues related to the study of early intervention evaluations. The ten person group included two representatives from BOCES, one of whom is a director of special education, and the director of the Consortium of Directors of Special Education. The group met monthly to receive updates on the status of the early intervention study and pilot program and to provide feedback.

In recognition of the lack of robust stakeholder engagement on the question of the future administration of early intervention evaluations, CDE proposed that the Departments'

report to the JBC include a provision for ensuring stakeholder input on the administrative structure. CDE suggested engaging a cross-sector task force to include sufficient district and special education representation to focus on the issue of administration of early intervention evaluations. As noted in question 1, the task force was formed and convened in the fall of 2019 and unanimously recommended that CDHS assume full responsibility for early intervention evaluations contingent upon level ECEA funding for administrative units.

To ensure engagement of key stakeholders as the departments work toward implementation of improvement efforts, the task force has recently been re-engaged. The task force will serve as important partners with the departments to implement its recommendations.

Proposed budget reductions (R5 through R9)

14. *[Sen. Rankin/Rep. McCluskie] The request maintains nearly all of the reductions that the General Assembly approved for FY 2020-21, including two proposed through R5 that require statutory change to continue (Local School Food Purchasing Programs and Computer Science Education Grants).*

Please describe the Department's process for evaluating which reductions to maintain in FY 2021-22. How did the Department weigh continuing those reductions against reductions to other programs? Please explain whether and how the Department evaluated potential reductions to existing programs vs. the reductions to new (recently enacted) programs.

Department Response:

In proposing reductions, CDE evaluated its state-funded competitive grant programs across six criteria:

1. Whether the purpose of the program or allowable fund uses were tied to core academic instruction (i.e., the Colorado Academic Standards);
2. Whether the program has shown evidence of strong, measurable outcomes (as detailed in the program's required legislative report);
3. Whether the program serves vulnerable populations;
4. Whether the program is relatively new (established after 2018);
5. Whether the program is widely distributed (i.e., grants were allocated to at least 30 grant recipients in the most recent grant cycle); and
6. Whether the program allows for flexibility (i.e., broad allowable use of funds)

Only one of the six criteria listed above is directly related to a program's length of existence. The reason this criterion was included was because with a newer funding stream, grantees are less likely to be deeply reliant on the grant as a source of funds or component of their budget. However, it is also fair to say that newer programs were less

likely to be able to demonstrate evidence of effectiveness. If funding is sufficient to fund all programs, the JBC does not need to consider the potential reductions. When the budget was submitted, it was the common understanding that the state budget was in crisis and that it would be helpful for departments to identify areas of potential saving to ensure the ability to fund critical priorities. The state board and the Department intended all potential reductions to be suggestions to the JBC of how to prioritize scarce resources.

15. *[Sen. Rankin/Rep. McCluskie] Please discuss the role of the Computer Science Education Grants Program. Would funding this program be beneficial in a context where more students are learning remotely? Please explain.*

Department Response:

The General Assembly has created two Computer Science Grant Programs, one grant program to provide funding to train for teachers to teach computer science and one grant program to assist schools in creating computer science programs. The Computer Science *Teacher Education* Grant is intended to increase the content knowledge of K - 12 educators to teach computer science. The type of content knowledge includes the topics of computer science courses such as coding, computer programming, and software and hardware design. The focus on professional development is directed towards supporting educators in computer science learning and programming. While participants may receive professional development to use technology tools, it is not the intent or focus of the training.

The Computer Science *Program Development* Grant is intended to provide funding to school districts to increase enrollment of traditionally underrepresented students in computer science courses. The grant will fund activities that increase student awareness of computer science, improve computer science learning spaces, and purchase resources to support the implementation of computer science education activities such as equipment and instructional materials. The intent of the grant program is to increase awareness and opportunity for students to learn computer science, which is not specific to or focused on skills needed for remote learning.

16. *[Sen. Moreno] Please discuss the process by which the Department and/or the Governor's Office developed the budget balancing measures proposed in R5 through R9. Given the Department's unique status with respect to the State Board of Education and the Governor's Office, how was the process of budget development for FY 2021-22 different from previous years? Please explain.*

Department Response:

Historically, CDE has operated like other departments in terms of the relationship with OSPB throughout the budget process. As a result of some legal clarification last year,

CDE implemented some changes to the process. Importantly, for school finance issues, CDE continues to collaborate and work with OSPB as it always has. In terms of other decision items, the Department has taken more ownership, though it continues to communicate and work closely with OSPB on these items as well. This has allowed the Department to create internal deadlines that allow better involvement from the State Board of Education, while still meeting the deadlines for the JBC.

This year the budget process was different than prior years, for a number of reasons. Most importantly, the budget outlook for FY 2021-22 prompted CDE to look for budget reductions. CDE and the State Board of Education believed that the Department should contribute to the reductions needed to balance the budget. The Department worked with staff, based on the criteria listed above, to generate our list of proposed 10 percent reductions. That proposed list was considered by the State Board of Education and voted on at the October 8th board meeting. After the initial budget proposal, we were told by OSPB that the forecast had improved and that most agencies were not proposing such a high level of reductions. In partnership with the Governor's Office, the Department revised the proposed budget reductions, per the criteria above. On Oct. 22, the State Board of Education reviewed and approved the revised reductions that were submitted to the JBC on Nov. 2nd.

17. *[Sen. Moreno] Request R7 (Reduce Capital Construction Assistance Funding) further reduces funding for cash grants under the Building Excellent Schools Today (B.E.S.T.) program, from \$60.0 million in FY 2020-21 to \$57.0 million in FY 2021-22. In light of ongoing discussions about economic stimulus, has the Department considered the potential stimulus benefits of B.E.S.T. grants? Please explain.*

Department Response:

It was a difficult decision to include a reduction to this program, similar to many of the other proposed reductions. The Department did consider the potential stimulus benefits of BEST grants, as well as the costs associated with delays in investments in controlled maintenance.

Based upon estimates from the State Demographer, 17.5 direct jobs (construction, design, etc.) and indirect/induced jobs (restaurants, local merchants, etc.) are supported for each \$1 million of capital investment. Further, according to industry resources, every dollar in deferred maintenance costs \$4 in capital renewal needs in the future. At \$60 million plus an estimated 40 percent local match, approximately \$84M would be invested in capital construction through cash grants for FY 2021-22. This is equal to about 1,500 direct and indirect jobs. At \$57 million plus the 40 percent local match, this results in about 1,425 jobs.

While the Department is keenly aware of the value of the BEST program, the CDE and the State Board of Education determined that it would be appropriate to include a

reduction to this program commensurate with the overall reduction target. This decision was consistent with the evaluation criteria outlined in response to question 1 above.

As of November 30th, 59 charters or districts have submitted an intent to apply for a BEST grant in the upcoming grant cycle. Working with staff, the grant applications will all address the priority one issues of health, safety, security, and technology by the time the application period closes. This results in applications related to HVAC replacements, security upgrades, major renovations or replacement schools, and other urgent repairs. For reference in the last grant round, BEST received 69 applications for \$1.1 billion in construction costs and was able to fund 37 projects, or 53 percent.

18. *[Sen. Rankin] Request R8 (Personal Services and Operating Reductions) includes a proposal to eliminate the external contract for the financial transparency system and instead bring the system “in house” to be maintained by the Department. The request anticipates that doing so would save \$387,000 per year (reducing maintenance costs from \$462,000 per year to \$75,000). Have there been performance issues with the external vendor? Is there a performance reason to terminate the contract? Please explain.*

Department Response:

There have not been any performance issues with the external vendor, BrightBytes, Inc. To the contrary, CDE has enjoyed a very positive working relationship with BrightBytes throughout the development, implementation and ongoing maintenance and updates for the Financial Transparency for Colorado Schools website. The website has received positive feedback nationally on the functionality of the system. Due to state procurement statutes and rules, the contract with BrightBytes will expire on June 30, 2021 and CDE will either need to issue an RFP to provide interested vendors a fair and equitable opportunity to bid on providing a financial transparency website or transition this effort internally. The requirement to use an external entity and budget for the contract was established by the legislature when they created the program.. CDE has consistently communicated that the amount of money allocated by the legislature is more than necessary and that the Department has the ability to accomplish this work more cost-effectively.

19. *[Sen. Rankin] Please explain how the Department intends to accommodate the additional workload to maintain the system within the existing staff and resources (while spending \$387,000 less than under the existing contract).*

Department Response:

It will not require an extraordinary amount of staff time to use the same open-source coding in the existing site to create an intuitive user experience that is similar to the one the public enjoys with the current site. A major portion of the cost savings of moving the Financial Transparency Website in-house is tied to hosting costs. By utilizing CDE's

existing and established web server architecture for hosting the website in-house, CDE saves the “premium” hosting costs of \$325,000 charged by the vendor each year.

Available transition funds in FY 2020-21 (\$50,000) will be used to supplement existing staff resources, and the additional \$75,000 starting in FY 2021-22 for a temporary contractor will help with ongoing maintenance.

Educator Licensure Cash Fund

20. *[JBC Staff suggested] The statutory continuous appropriation of the Educator Licensure Cash Fund currently expires at the end of FY 2020-21. Is a continuous appropriation still necessary? If so, please explain why.*

Department Response:

While significant progress has been made in processing licenses and call center wait times, CDE must be diligent to ensure that challenges for educators do not rise again. Continuous spending authority allows CDE flexibility in allocating staff to accommodate workload and priorities. For example, as the eLicensing system improved and the timelines shortened, CDE trimmed and/or moved staff to support other services such as the evaluation of licenses and call center support, educator preparation and development, and student safety through educator enforcement and investigations.

The flexibility is also important given the cyclical nature of educator licensing. Specifically, many educator licensure applications come in the months of May through September. Continuous spending authority allows CDE 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 after this timeframe.

Finally, this flexibility also allows CDE 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 students.

COVID-19 Impacts on School Finance and Pupil Counts

FY 2020-21 Impacts on Pupil Counts and District Operations

21. *[Sen. Rankin] Please discuss the pupil count process for FY 2020-21, including the following information:*

- a. *Please explain the statutory definition of a funded pupil and how the statutes guide the count process.*

Department Response:

Colorado state law establishes interconnected requirements concerning school calendars, instructional hours, student attendance and school finance. The definition of a funded pupil is outlined in State Board Rule 1 CCR 201-39. These rules outline when a district can count students as enrolled full-time and part-time for the purposes of state funding. In order to be counted in pupil membership, a student must be enrolled and in attendance. To qualify for full-time funding, a student must be enrolled in at least 360 hours of instruction during the first half of the school year. To qualify for part-time funding, a student must be enrolled in at least 90 hours of instruction, but less than 360 hours.

- b. *Please describe the pupil count process for this year, how the Department communicated instructions to school districts, and any changes from the count process from prior years to reflect our current circumstances.*

Department Response:

As a result of challenges presented by the COVID-19 pandemic, CDE developed a [CDE Policy on Instructional Time and Student Attendance for the 2020-21 Academic Year](#). Additionally, the Department provided a number of [other supporting resources](#) that provide detailed instruction on the pupil count process for the year. The above policy was developed in order to maximize flexibility for districts in school schedules and attendance policies as needed to provide instruction during the pandemic, while still meeting the larger policy goals of allocating funding consistently and equitably and continuing to monitor student engagement during these times.

The primary change for the 2020-21 school year was that student contact days may include remote learning days as implemented as a result of public health and safety measures. In order to count a remote learning day as a student contact day, the following criteria must be met: (1) the local board must have adopted (via board policy, board resolution, or another governance document) a definition of “educational process” that includes remote learning; and (2) the district must have documented (in board policy, handbooks or other guidance) an explanation of the ways in which teacher-pupil instruction and contact time will occur outside the classroom during remote learning days.

Additionally, for the 2020-21 school year, districts may alter their district attendance policies and the way in which attendance is documented for remote learning, as described in the district’s “educational process” definition.

- c. *How is the count process accounting for districts and schools with a mix of in-person and remote learning? Is that affecting the hours of instruction required for the count process? Please explain.*

Department Response:

The required number of instructional hours required for full-time and part-time funding was not adjusted. As described above, the definition of instructional hours could be expanded to include remote learning by local boards of education.

- d. *The General Assembly recently appropriated an additional \$20.0 million to expand access to broadband services for students and educators. Please explain how school districts and the Department are counting students that are enrolled in a remote learning situation and do not have access to broadband. Is the State counting those students as enrolled even if they cannot access the services?*

Department Response:

Each school district was responsible for defining the educational process to include remote learning as appropriate and explaining the ways in which teacher-pupil instruction and contact time will occur outside the classroom during remote learning days. In some districts, remote learning involves some type of online instruction. However, in other districts remote learning is not conducted online. Rather, remote learning may involve the use of paper based assignments and distribution of hard-copy instructional materials.

22. *[Rep. Ransom] Please explain the student count averaging process for declining enrollment districts.*

- a. *How does the averaging process work? That is, please explain the number of years over which the Department takes the average under different circumstances, etc.*

Department Response:

For declining enrollment districts, the formula utilizes the higher FTE count of either current year or up to a five year average. This is done in order of current year, current year plus prior, current year plus prior two, through the four most recent years. Some districts may benefit from the two year average while others are higher with a three or four year average so it may be different by district.

- b. *How is the averaging process affecting funded pupil counts for school districts in FY 2020-21? Please explain*

Department Response:

In FY 2020-21, the averaging adds 29,271 students to the statewide funded student counts. This adds approximately \$233,700 to the funding for school districts. Student membership (head count of funding eligible students) decreased in FY 2020-21 by approximately 28,000 students from the prior year based on preliminary data.

23. *[Sen. Moreno/Rep. Ransom] If data are available, please describe the impact of the current circumstances on the overall (statewide) pupil count.*

a. *How has the overall pupil count changed from FY 2019-20 to FY 2020-21?*

Department Response:

The 2020 Student October Count is not yet final; districts are still making corrections to the data. The finalized Student October Count data will be available in January, consistent with the historic release of this data. Based upon the preliminary data, which the Department released/will release on December 15, the enrollment in Colorado school districts is down about 3.3 percent overall.

b. *Are those changes consistent statewide, or is the Department seeing significant regional or district-specific differences? Please explain.*

Department Response:

Most districts have decreased enrollment, however approximately 40 of the school districts have increased enrollment. Some of these districts have multi-district online schools, which have experienced an increase in enrollment.

Within school districts, the greatest decreases in enrollment are at the Pre-kindergarten and Kindergarten levels.

c. *Is the Department seeing increased movement to private schools in response to current circumstance? Similar to the previous question, are those changes consistent across the state or specific to certain regions or school districts? Please explain.*

Department Response:

Statewide, the numbers of students reported as homeschooled doubled with an estimated 15,773 students counted this fall compared to 7,880 in 2019. CDE is not authorized to collect data on enrollment within private schools.

24. *[Rep. McCluskie] Please discuss how the current pupil count situation (the declining pupil count) interacts with the size factor in the School Finance Act of 1994. For example, if some students are home schooling or are not enrolled, how does that affect*

the school district's size factor? Is the Department seeing or expecting any significant impacts in specific school districts? Please explain.

Department Response:

For FY 2020-21, based on preliminary data, 141 school districts saw a change in the size factor. There were 23 districts with decreases to the size factor and 118 with increases. The 66 percent of districts that experienced an increase in size factor also experienced reduced per pupil revenue in FY 2020-21 overall. The increase to the size factor assisted in a small way to minimize this decrease in per pupil revenue.

25. *[Sen. Moreno/Rep. McCluskie] Please discuss any shifts of students between school districts that the Department is seeing for FY 2020-21.*

- a. *Does the Department have data that would reflect the number of students shifting between school districts? Is the Department seeing a higher degree of mobility between districts this year? Please explain.*

Department Response:

Using the preliminary 2020 data, Data Services analyzed the number of students who completed the prior FY 2019-20 school year and who subsequently transferred into a different school district as of the 2020 Student October count date. In 2020, 11.2 percent of students in the October Count had transferred into a different district since the end of the prior school year. This percentage is lower than the prior two years which were 11.5 percent in 2019 and 11.8 percent in 2018.

- b. *Please discuss any shifts that the Department is seeing (or expects to see) among specific populations of students, such as immigrant families, English language learners, students of color, at-risk students, or other relevant demographic groups or specialized populations of students. Are certain populations changing more or less than others?*

Department Response:

Utilizing the same calculation as above with the preliminary 2020 data, Data Services analyzed several special populations. The calculation takes the number of October 2020 students who transferred into a different district than the one they were attending at the end of the prior school year divided by the total Student October 2020 count. Students who are immigrant (11.3%) and students who are English Learners (10.7%) were similar to the total student population average of 11.2%. However, students experiencing homelessness (21.1%), those in migrant families (19.4%), students eligible for at-risk funding (14.2%) and those eligible for free and reduced lunch (13.7%) were higher than the state's 11.2 percent average. Students of color were slightly higher at 12.6 percent. While Asians (7.3%) and Whites (9.9%) were below the 11.2 percent average, Black or African American (15.7%), Native

Hawaiian or Other Pacific Islander (14.5%), Hispanic/Latino (12.8%), Two or More Races (12.2%), and American Indian or Alaska Native (11.5%) were all higher than the average.

As stated above, this data is preliminary and will change as districts review and finalize their data. Therefore, definitive conclusions should not be made until final data is available.

- c. *Please discuss any changes in enrollment in multi-district on-line schools in FY 2020-21. Has enrollment changed significantly?*

Department Response:

Utilizing preliminary data, a total of 32,321 students registered in online educational programs this year - 9,873 more students than 2019 or 44% increase from October 2019 to October 2020.

There was an increase in students participating in multi-district online schools. In some cases, this occurred when students transferred to a multi-district school operated by a different school district than the one the student was enrolled in previously. In other cases, the students' school district contracted with multi-district schools operated by a BOCES. Therefore, the student remained enrolled in their historic school district.

26. *[Sen. Moreno] Please discuss the impacts of the COVID-19 pandemic on school district staffing. For example, are school districts and schools having trouble maintaining sufficient staff for ongoing operations? Please explain, including any regional or other differences as appropriate.*

Department Response:

In the [Fall 2020 Needs Inventory](#), districts reported significant workforce issues. The table below reports the percent of responding districts (n=108) that have sufficient staff in the following roles by region. Note that districts also flagged the need for more paraprofessionals, mental health professionals, and physical health professionals.

	Classroom Teachers	Classroom Teachers Able and Willing to Teach In-Person	Special Education Teachers	Substitute Teachers	Janitorial Staff	Food Services Staff	Bus Drivers
Metropolitan Region	75%	58%	58%	0%	50%	73%	30%
North Central Region	69%	88%	63%	6%	63%	88%	19%
Northeast Region	85%	100%	85%	20%	85%	95%	35%
Northwest Region	30%	70%	50%	0%	60%	50%	40%
Pikes Peak Region	75%	81%	63%	6%	75%	81%	38%
Southeast Region	69%	100%	83%	31%	92%	85%	38%
Southwest Region	58%	83%	58%	0%	58%	83%	36%
West Central Region	78%	89%	56%	11%	78%	89%	75%

Additionally, CDE has anecdotally heard concerns from districts with a lack of available substitute teachers. Two districts have sent CDE monthly substitute data from this fall to substantiate this need. Both districts indicate upwards of 25 percent of their classrooms are going unfilled when a teacher is absent due to substitute shortages. This has exacerbated the staffing difficulties in districts.

Pupil Count Expectations for FY 2021-22 and Beyond

27. *[Rep. Herod] Please discuss the Department's current expectations for pupil counts and enrollment in FY 2021-22 and subsequent years.*

a. *Do you expect enrollment to rebound to pre-pandemic levels in FY 2021-22? Please explain.*

Department Response:

Assuming that families are comfortable returning to school in fall 2021 once COVID-19 vaccinations are available, an enrollment increase is expected. However, a full rebound may not occur until fall 2022. Due to family decisions to delay public education, there is an anticipated large rebound in the early grades given the preliminary estimates of 13,800 fewer preschool (approximately 8,000 students or a 23 percent decrease) and kindergarten (approximately 5,800 or a 9 percent decrease) public school students than the prior year as reflected in preliminary 2020 Student October Count results.

b. *Please explain how the Department is developing any estimates for FY 2021-22. Are there previous precedents (e.g., recovery from natural disasters such as fires, hurricanes, etc.) that could inform our expectations as we look toward the FY 2021-22 budget and beyond? Please explain.*

Department Response:

CDE does not develop pupil count estimates. Legislative Council staff is responsible for developing estimates for inclusion in the annual School Finance Act. They are currently working on the development of these estimates for FY 2021-22.

CDE has not experienced any precedents to the degree of a worldwide pandemic. However, on a much smaller scale, communities which have experienced fires, floods and other natural disasters have rebounded in terms of enrollment numbers.

Impacts of Remote Learning

28. *[Rep. Ransom] Please discuss how the Department expects the increased use of remote learning during the pandemic to affect student achievement and educational outcomes. Please address any existing data that are informing your expectations regarding the following questions.*

- a. *How do you expect those impacts to vary across different regions and school districts?*

Department Response:

Using publicly available information, based on publicly posted district plans, CDE can approximate student participation in remote learning and in-person learning in the 2020-21 school year. For elementary students, remote learning increased from 18 percent of students learning remotely (as of Nov. 1) to 42 percent (as of Dec. 1), and for middle/high school students, remote learning increased from about 29 percent of students learning remotely (as of Nov. 1) to 52 percent (as of Dec. 1). Full in-person learning decreased for elementary students from about 63 percent (as of Nov. 1) to 38 percent (as of Dec. 1), and full in-person learning decreased from about 26 percent (as of Nov. 1) to 22 percent (as of Dec. 1) for secondary students. Generally, rural school districts have been able to operate in-person to a greater degree than non-rural districts. CDE's district tracker is available [here](#). Please note updates have been made in the tracker since Dec. 1.

In October 2020, CEI in partnership with CDE conducted a [fall Needs Inventory Survey](#). This report summarizes responses from the 140 Colorado school districts that responded to the fall needs assessment. Approximately 78 percent of Colorado districts responded. These districts serve close to 90% of the state's public-school students, and 80 percent of responding districts represent rural communities.

Although device and connectivity needs have declined quite a bit since spring 2020, the total number of students lacking access is approximately 30,000 in both categories. It's worth noting the small rural districts who responded to both needs

assessments saw the largest decline in device needs from spring (33% to 15% of students) but the least change in connectivity needs, likely in large part due to persistent connectivity constraints in rural communities. Lack of access to devices and connectivity issues continue to impact students' ability to learn remotely. The Legislature's investment in broadband access will be a significant resource in addressing the remaining, harder to fill needs for students and communities.

Anecdotally, the Department heard from districts that for many (but not all) students, remote learning is challenging and is having a negative impact on student achievement and educational outcomes. At this point in time we do not have any statewide data to share to this observation.

- b. *How to expect the impacts to vary across different student groups (e.g., students receiving special education services, English language learners, at-risk students, etc.)?*

Department Response:

Within the Fall Needs Inventory, districts were asked to select their top three priorities related to student needs from a list of ten options.

- Quality of virtual instruction (including instruction in a hybrid model) ranked 4th highest with 37 percent of the districts identifying this topic as a need, 41 percent of which were small rural districts.
- In addition, supporting students on an IEP in a virtual setting ranked 5th highest with 26 percent of the districts identifying this topic as a need, 55 percent of which were non-rural districts.
- In addition, supporting English language learners in a virtual setting ranked 10th with 10 percent of the districts identifying this topic as a need, 15 percent of which were rural districts.

[National research](#) has recently become available showing the learning loss from fall 2019 to fall 2020. At a high level, it shows greater learning losses in math, as compared to reading.

While the precise learning losses are not yet known, it is known that students experience poverty, English learners, and students with disabilities are disproportionately affected by the loss of learning. Further, students whose families are less able to support out-of-school learning may face larger learning losses than their more advantaged peers, which in turn would translate into deeper losses of lifetime earnings. These communities already face significant barriers to attaining an education.

Other School Finance Questions

29. *[Rep. Ransom] Please discuss how the school finance formula accounts for school districts' fixed and variable costs and how that mechanism reflects different school*

districts' characteristics. For example, what is the role of the personnel costs factor in adjusting for fixed and variable costs? Please explain.

Department Response:

The School Finance Act incorporates a personnel costs factor that varies by school district based on enrollment. This factor is applied in conjunction with the cost of living factor to theoretically adjust funding commensurate with the portion of the district's budget associated with employee salaries and benefits. This factor ranges from 79.92 percent to 90.50 percent based upon current law. These factors were incorporated into the statute in FY 1994-95. Based upon school district operating expenses in FY 2018-19, the percent of funding associated with employee salaries and benefits actually ranges from 51.07 percent to 94.73 percent.

H.B. 20-1418 Mill Levy Provisions and Property Tax Credits

30. *[Sen. Moreno] With the implementation of the mill levy corrections in H.B. 20-1418 (School Finance), many Colorado school districts will be responsible for administering property tax credits associated with those corrections. How does the Department expect those credits to appear on taxpayers' property tax bills? Does the Department expect the local property tax bills to identify the credits? Please explain.*

Department Response:

The Department has worked closely with school districts to determine the property tax credits associated with the mill levy corrections required by H.B. 20-1418. The Department anticipates that there will be some variation in how local property tax bills will identify these credits by county.

School Finance Administration

31. *[Sen. Moreno] The JBC Staff briefing document recommends shifting funding for school finance administration from the current rescission mechanism (with funding withheld from the state share of districts' total program funding) to a direct General Fund appropriation for those activities. The briefing document identified several reasons for the recommendation, including: (1) a lack of transparency in the current system; (2) while the rescission was created in FY 2009-10 as a budget balancing measure, with the budget stabilization factor in place it does not actually reduce appropriations; and (3) potential concerns about the Department's uses of rescission funds. The staff recommendation also indicates that the General Assembly may wish to consider legislation to clarify the uses of school finance administration funds.*

a. *Does the Department support the staff recommendation to shift school finance administration to a direct appropriation rather than the rescission? Please explain.*

Department Response:

The Department is supportive of the staff recommendation to shift school finance administration to a direct appropriation rather than a rescission. Several districts have indicated their preference that the rescission mechanism for administration be removed and that the state directly fund CDE from the General Fund. While this may increase the Budget Stabilization Factor (BSF) by the cost of administration, reducing the number of rescissions to only the BSF would be more accurate and transparent.

- b. *The JBC Staff briefing document identifies potential concerns about compliance with the statutory restrictions on the use of the rescission funds (see Sec. 22-54-114 (2.3), C.R.S.), including supporting positions that may not fit within the restrictions imposed by that statute. Please provide a brief description of each position funded by the rescission, whether the position is currently filled or vacant, and how that position fits within the statutory restrictions.*

Department Response:

The table in the Appendix outlines each of the positions funded through the School Finance Administration line which is funded by the rescission. This line item funds several positions directly related to the administration of the School Finance Act and other funding streams, as well as oversight of school district financial management and reporting. This includes the school audit function which confirms the accuracy of the pupil and free lunch counts which form the basis for the school finance funding distributions. Additionally, staff supporting CPP are included in this line item based upon legislative action. Before FY 2007-08, the rescission funded the School Finance area and CPP, which had 2.0 positions. HB08-1388 increased the CPP FTE by 6.0 as the bill expanded the number of preschool slots and required CDE to provide technical assistance for full-day kindergarten programs. Funding for these additional staff were incorporated into the School Finance Administration line item.

- c. *In addition, the briefing document identified two specific expenses in FY 2019-20 that staff contended did not fit within the statutory restrictions, including: (1) \$32,194 to replace drinking fountains and a water line at 201 E. Colfax; and (2) \$9,553 to install a panic alarm system at the same building. Please discuss whether the Department agrees that a different fund source would have been better for those expenses and how the Department decides which expenses are appropriately supported by the rescission.*

Department Response:

The Department agrees that a different fund source was appropriate for these expenses. The intent was to allocate these expenses to the appropriate funding sources, however, this allocation was not completed due to human error. These

department-wide expenditures do not occur frequently. The Department will review procedures to ensure the mistake is not repeated. Typically, expenditures are only related to a single funding source, making the determination of applicability clearly evident.

Additional Child Find Question (added based on DHS Briefing)

32. *[Sen. Rankin] The Department of Human Services is requesting \$2.6 million General Fund and 1.0 FTE to support the proposed transfer of early intervention evaluations to the Department. However, there is not an equivalent reduction of funding requested by the Department of Education. Please provide a detailed explanation as to why this transfer would not be budget neutral, with particular emphasis on the administrative costs of the program.*

Amendment 23 of the Constitution (C.R.S. 22-55-107) requires that the categorical programs, of which early intervention evaluation funding at CDE through special education programs for children with disabilities is one, increase by the rate of inflation each year and that funding for categorical educational programs cannot be reduced, and LEAs will still have Child Find responsibilities for children 3-21 for which the funding will be used.

The CDE R-04 and CDHS R-06 requests honor the unanimous support for transferring authority for early intervention evaluations from the Task Force, which was contingent upon the following recommendation:

Recommendation 7:

Use Early Intervention funds to pay for Early Intervention Evaluations, including Medicaid where possible. Exceptional Children's Education Act (ECEA) dollars currently used for Early Intervention Evaluations should be reallocated for the provision of special education services for children from three years to twenty-one years of age as required under the ECEA (22-20-102, C.R.S.).

Department Response:

The change to early intervention evaluation administration to CDHS would not result in any administrative cost differences at CDE. The ECEA dollars associated with the evaluations are part of the annual distribution of ECEA funds to districts. CDE cannot speak to the administrative needs of CDHS in relation to this request.

Appendix Additional Detail for Question 31.b. School Finance Administration

School Finance Administration Positions				
Position	Title	FTE	Status	Role
DAA09160	SUPERVISOR I	1.00	Filled	This position oversees the compliance audits of the school finance act (pupil count and at-risk funding) and school transportation funding.
DAA01760	SENIOR CONSULTANT	1.00	Filled	This position performs compliance audits of the school finance act (pupil count and at-risk funding) and supports audits of school transportation funding.
DAA01774	SENIOR CONSULTANT	1.00	Filled	This position performs compliance audits of the school finance act (pupil count and at-risk funding) and supports audits of school transportation funding.
DAA01778	SENIOR CONSULTANT	1.00	Vacant	This position performs compliance audits of the school finance act (pupil count and at-risk funding) and supports audits of school transportation funding.
DAA01647	SUPPORT STAFF	0.25	Filled	This position provides general administrative support CDE-wide and assists with department operations.
DAA09093	ASSOCIATE COMMISSIONER	0.20	Filled	This position provides executive level leadership for the Colorado Preschool Program. This includes legislative communication and reporting, coordination with the Governor's Office and CDHS, ensuring compliance with state statutes and rules, ensuring integration of services for students with disabilities as required under the Individuals with Disabilities Education Act, and coordinating fiscal compliance.
DAA00639	PROGRAM ASSISTANT II	0.20	Filled	This position provides general administrative support for the Teaching and Learning Unit which includes the Colorado Preschool Program
DAA01719	UNIT DIRECTOR	0.10	Filled	This position is the director of the Preschool through 3rd Grade Office in the Teaching and Learning Unit which includes the Colorado Preschool Program. The director provides supervisory support over the office.
DAA09071	SENIOR CONSULTANT	0.70	Filled	This position provides regional support to preschool providers who participate in the Colorado Preschool Program.
DAA09070	SENIOR	0.70	Filled	This position provides regional support to

	CONSULTANT			preschool providers who participate in the Colorado Preschool Program.
DAA09072	SENIOR CONSULTANT	0.70	Filled	This position provides regional support to preschool providers who participate in the Colorado Preschool Program.
DAA09069	SENIOR CONSULTANT	0.70	Filled	This position provides regional support to preschool providers who participate in the Colorado Preschool Program.
DAA01025	SENIOR CONSULTANT	0.15	Filled	This position provides regional support to preschool providers who participate in the Colorado Preschool Program.
DAA00656	ADMIN ASSISTANT III	0.25	Filled	This position provides general administrative support for the Preschool through 3rd Grade Office which includes the Colorado Preschool Program.
DAA01724	SUPERVISOR II	0.40	Filled	This position is the preschool supervisor. This position supervises staff in both the Colorado Preschool Program and preschool special education.
DAA00660	DATA MANAGEMENT II	0.25	Filled	This position is the data coordinator for the Preschool through 3rd Grade Office. This position is responsible for supporting data requests with CPP.
DAA01186	UNIT DIRECTOR	0.20	Filled	This position provides support for district budgeting and financial reporting, distribution of other district funding, and district technical support and training as needed.
DAA09096	SENIOR CONSULTANT	0.10	Filled	This position provides support for district budgeting and financial reporting, distribution of other district funding, and district technical support and training as needed.
DAA01130	PRINCIPAL CONSULTANT	0.10	Filled	This position provides support for district budgeting and financial reporting, distribution of other district funding, and financial reconciliations to the CORE system.
DAA01696	SENIOR CONSULTANT	0.20	Filled	This position provides policy support in relation to the School Finance Act, school transportation funding, and other district funding.
DAA02029	CONSULTANT	1.00	Filled	This position performs compliance audits of school transportation funding and supports audits for the school finance act (pupil count and at-risk funding).
DAA02030	PART TIME STAFF	1.00	Filled	This temporary position is assisting the Associate Commissioner with a variety of duties in light of vacancies.
DAA09043	ASSOCIATE COMMISSIONER	1.00	Filled	This position manages the Division of School Finance and Operations. As such, this position

				is responsible for overseeing the administration of the School Finance Act and oversight of the School District Operations Unit.
DAA09103	EXECUTIVE DIRECTOR	1.00	Pending Job Offer	This position manages the School District Operations Unit, with responsibility over school finance, school transportation, school auditing, grants fiscal management, and fiscal reporting.
DAA09044	PRINCIPAL CONSULTANT	1.00	Vacant	This position provides support for Financial December Data Pipeline, school district budgeting and financial reporting, financial transparency, and financial accounting technical advice.
DAA09097	PRINCIPAL CONSULTANT	1.00	Filled	This position provides support for Financial December Data Pipeline, school district budgeting and financial reporting, financial transparency, and school transportation funding.
DAA09012	PRINCIPAL CONSULTANT	0.97	Filled	This position is responsible for the administration of the School Finance Act and related funding streams.
DAA09052	SENIOR CONSULTANT	0.75	Filled	This position provides support for Financial December Data Pipeline, school district budgeting and financial reporting and financial transparency.
DAA01610	PRINCIPAL CONSULTANT	0.85	Filled	This position provides data analysis of Financial December Data Pipeline, Student October, and supports distribution of other district funding.
DAA01097	PROGRAM ASSOCIATE	0.50	Filled	This position provides support for the School Finance Unit.



COLORADO

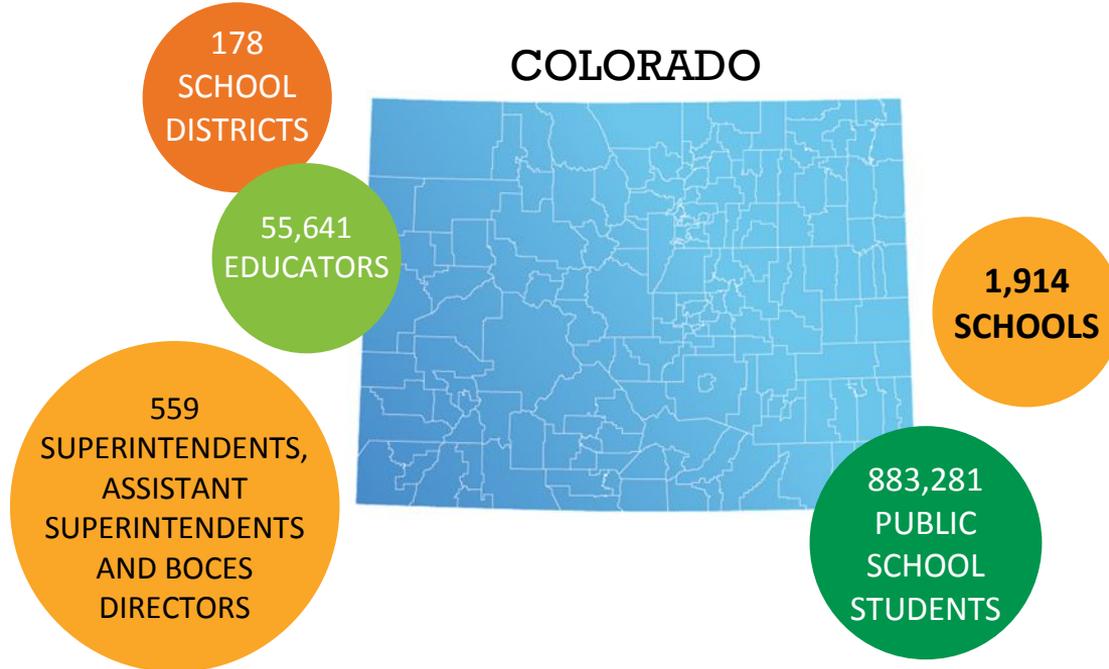
Department of Education

Ensuring Success for All Students

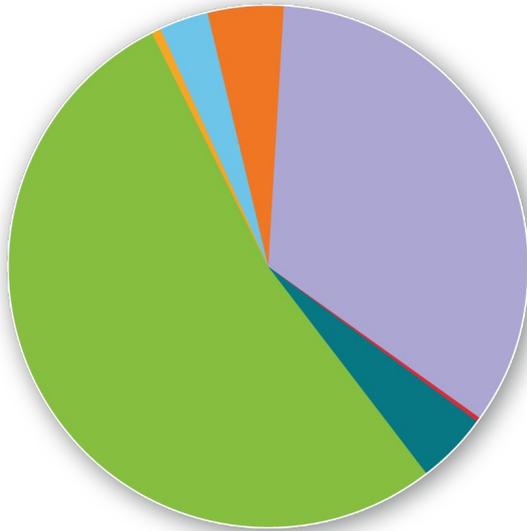
December 16, 2020

Commissioner of Education
Katy Anthes, Ph.D.

Colorado Education By the Numbers



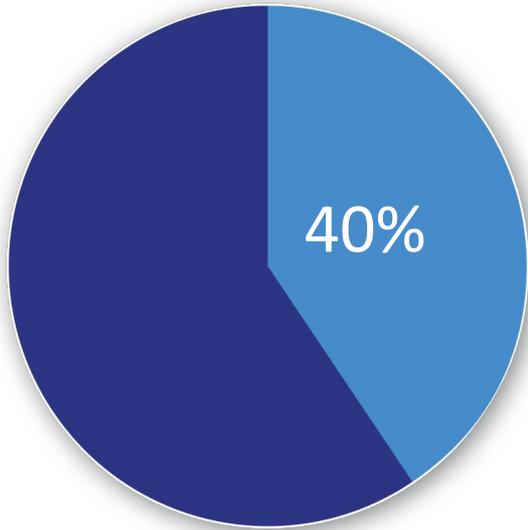
Colorado Student Demographics



- American Indian or Alaskan Native - 5,849
- Asian - 28,425
- Black or African American - 40,424
- Hispanic/Latinx - 301,887
- Native Hawaiian or Other Pacific Islander - 2,453
- Two or More Races - 40,913
- White - 463,330



Colorado Student Eligible for Free & Reduced Lunch



354,918
STUDENTS
are eligible for free or
reduced price meals.



Colorado State Board of Education



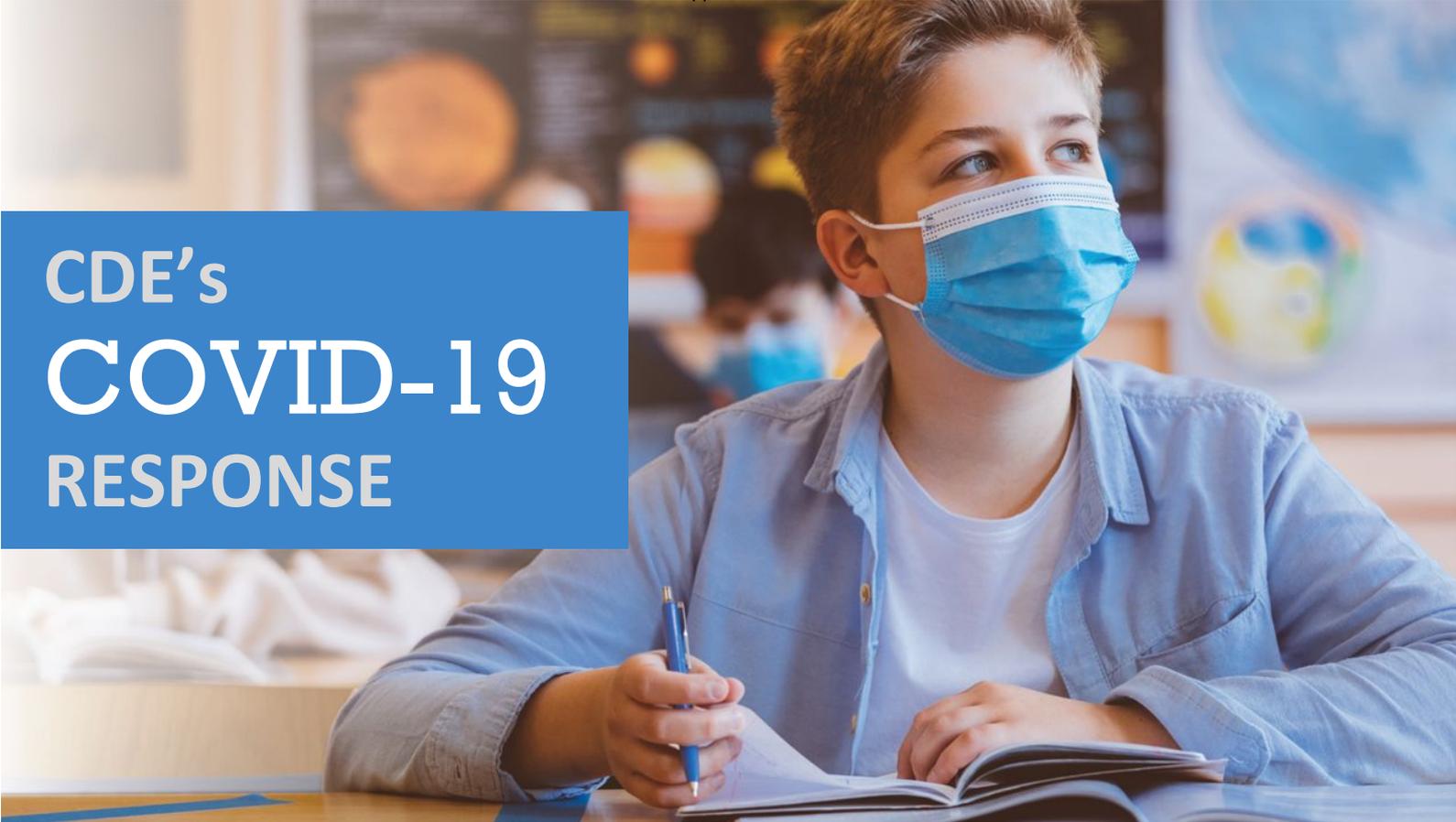
- Provides educational leadership for the state;
- Appoints the Commissioner of Education and the Director of State Board Relations;
- Employs personnel of the Department of Education;
- Approves the Department of Education budget;
- Makes rules, regulations, and policies that govern the Colorado Department of Education, public education including pre-kindergarten through 12th grade, adult education, and public libraries;
- Accredits public school districts;
- Facilitates the provision of library services to the citizens of Colorado through the State Library;
- Distributes federal and state funds;
- Regulates educator licensing;
- Supervises adult basic education and public libraries;
- Appoints advisory committees;
- Grants waivers of Colorado education law and regulations;
- Exercises judicial authority with regard to appeals by charter schools; and
- Submits recommendations for educational improvements to the General Assembly and Governor



CDE Responsibilities

- Implement state and federal education laws
- Disburse state and federal funds
- Hold schools and districts accountable for performance
- License educators
- Provide public transparency of performance and financial data





CDE's
COVID-19
RESPONSE

CDE's Role in the COVID-19 Response



1

Coordinate with the Governor's Office, State Emergency Operations Center and other state agencies to provide the public with accurate and timely information.

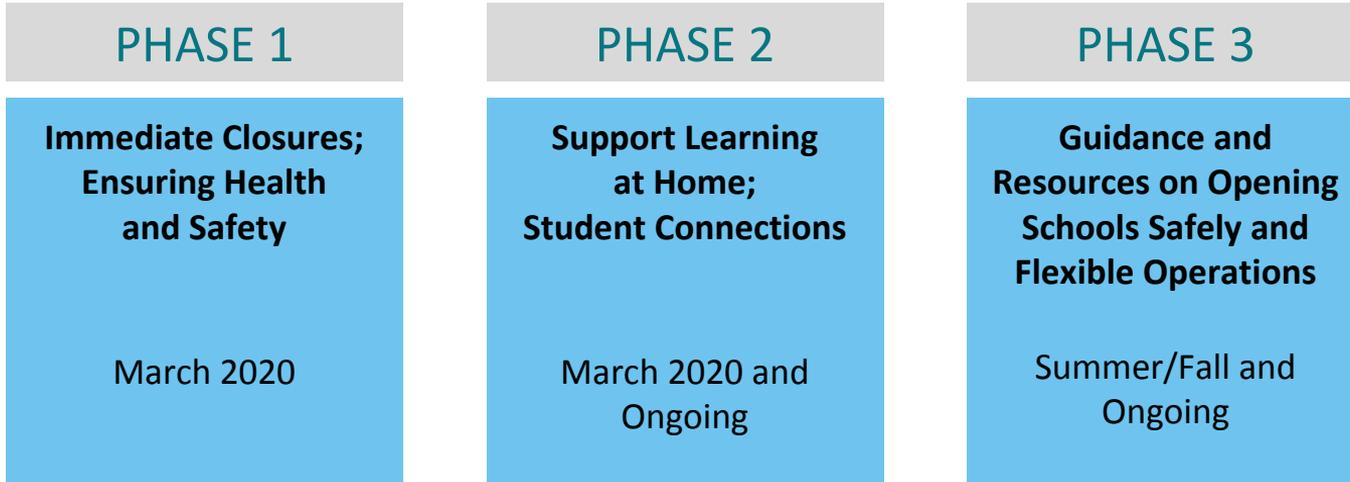
2

Support schools, districts and families with clear guidance on safety and remote learning. Allocate new funding streams to districts.

3

Make immediate decisions on necessary changes to education policy, and advise the Governor, Legislature, State Board of Education on more long-term changes that may be needed.

Phases of Response



Support for Districts, Schools and Educators

HIGHLIGHTS

- Distributed \$646 million relief funds to districts and schools
- Continued focus on literacy -- \$16 million federal grant
- Increasing broadband access across the state
- Provided flexibilities in policies to facilitate for remote learning
- Facilitated a stakeholder group to consider state tests, accountability and educator effectiveness

11



Support for Districts, Schools and Educators

HIGHLIGHTS

- Developed 2020-21 toolkit and health guidance with the Colorado Department of Public Health and Environment
- Created a resource bank for well-being and connection and training on supporting social emotional health
- Expanded food service
- Conducted two needs inventories to better understand specific district and school needs

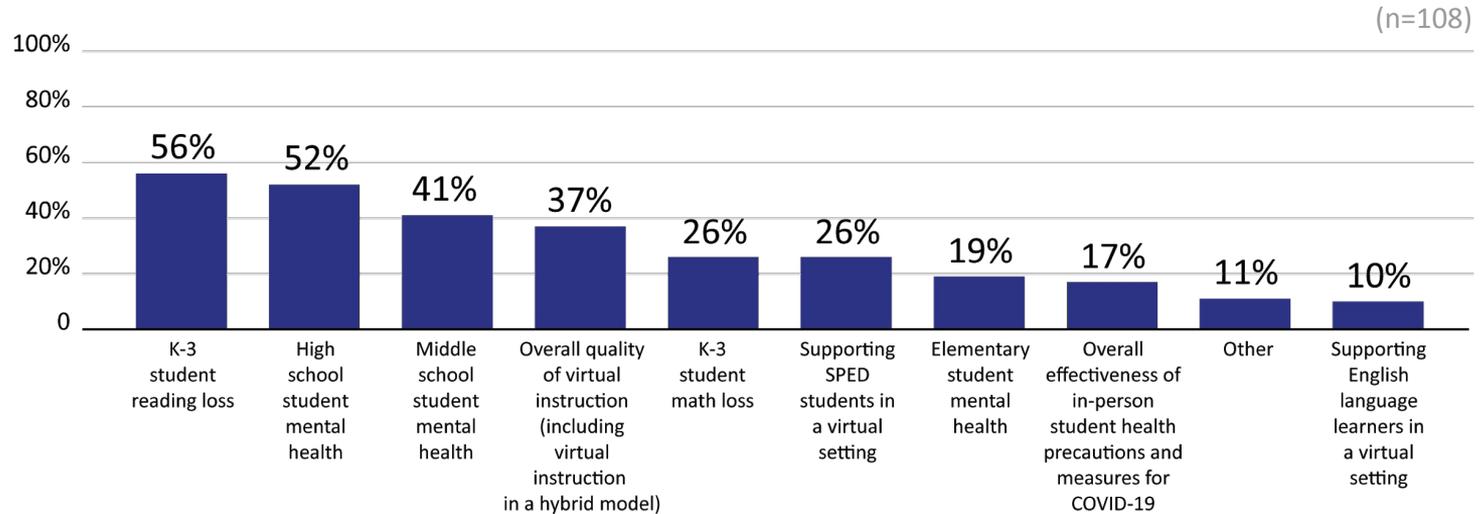
12



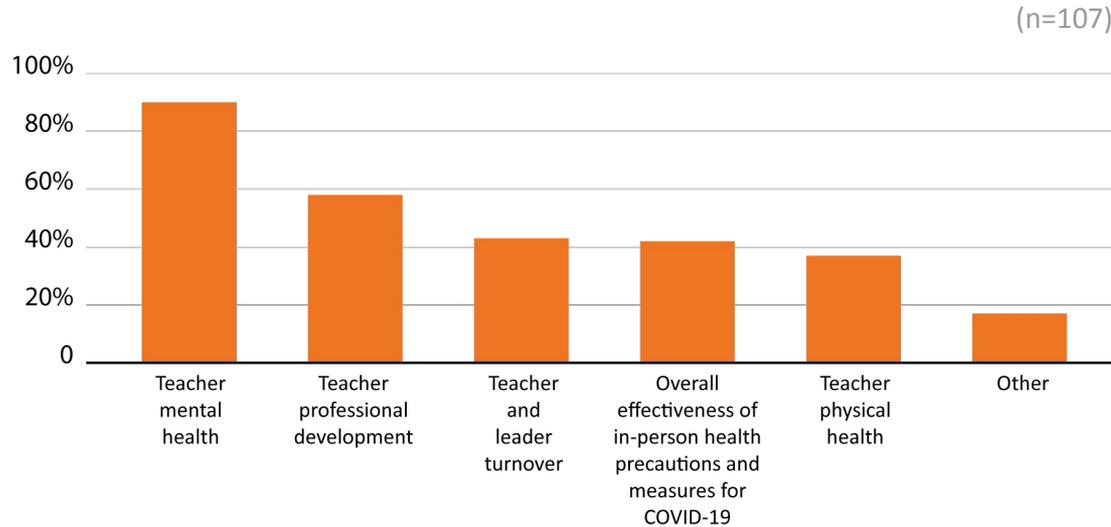
Colorado School District Needs Assessment Overview

Data Collected October 2020

Districts' Student Top Ten Priorities



Districts' Teacher Top Priorities



“If I could click on ‘teacher and leader turnover’ twice, I would.”

Personnel Gaps

Regions	Classroom Teachers	Classroom Teachers Able and Willing to Teach In-person	Special Education Teachers	Substitute Teachers	Janitorial Staff	Food Service Staff	Bus Drivers
Metropolitan	75%	58%	58%	0%	50%	73%	30%
North Central	69%	88%	63%	6%	63%	88%	19%
Northeast	85%	100%	85%	20%	85%	95%	35%
Northwest	30%	70%	50%	0%	60%	50%	40%
Pikes Peak	75%	81%	63%	6%	75%	81%	38%
Southeast	69%	100%	88%	31%	92%	85%	38%
Southwest	58%	83%	58%	0%	58%	83%	36%
West Central	78%	89%	56%	11%	78%	89%	75%

(n=108)

16 Data Collected October 2020

Catalyzing Ideas

Catalyzing Ideas



LEARNING PODS

How can we use what we've learned from implementation of the variety of learning pods to focus support for students who need it the most?

EXTENDED LEARNING OPPORTUNITIES

How can we expand learning opportunities (tutoring, extended day and/or extended year) that have already been proven to be effective in helping students catch-up?

EXTEND HYBRID MODELS

How can we use what we've learned through hybrid models, learning pods and work-based learning to add to our school improvement toolbox?

NEW CALENDAR APPROACHES

How could seat-time requirements evolve to provide the flexibility that encourages innovative models?



Appendix A



16-Dec-2020



COLORADO
Department of Education



A-19

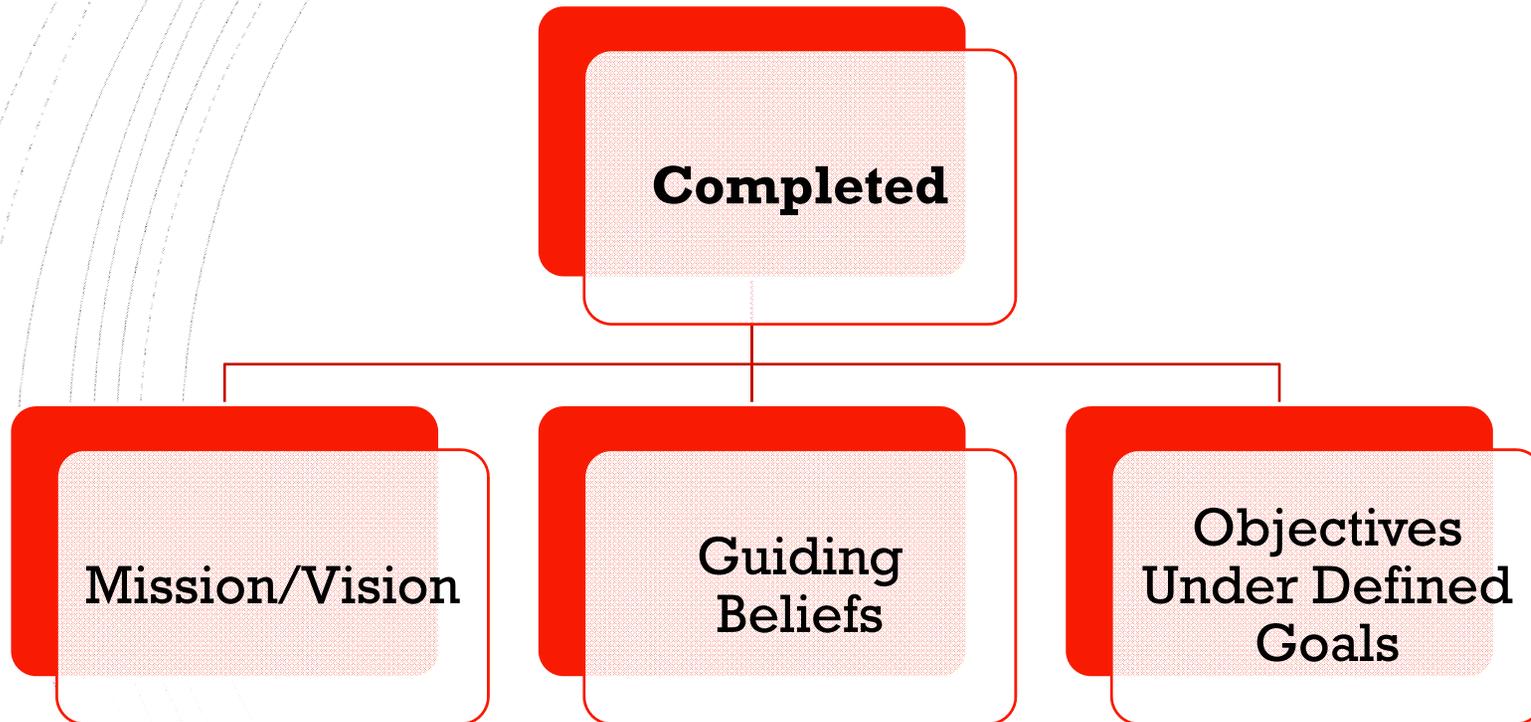


Education-hearing

Colorado School for the Deaf and the Blind



Strategic Plan

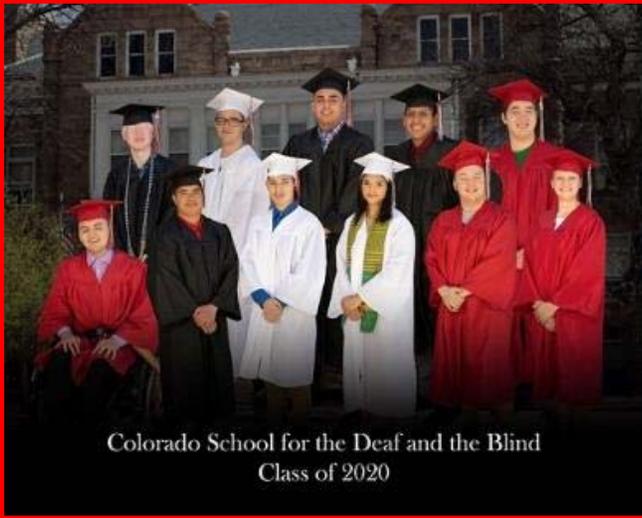


Strategic Plan Goals

- ▶ **School Climate**
- ▶ **Instruction**
- ▶ **Postsecondary and Workforce Readiness**
- ▶ **Learning and Living Beyond the Classroom**
- ▶ **Statewide Services**



Return to Learning



Statewide Participation Summary—CSDB Outreach Programs July 2019 – December 2020

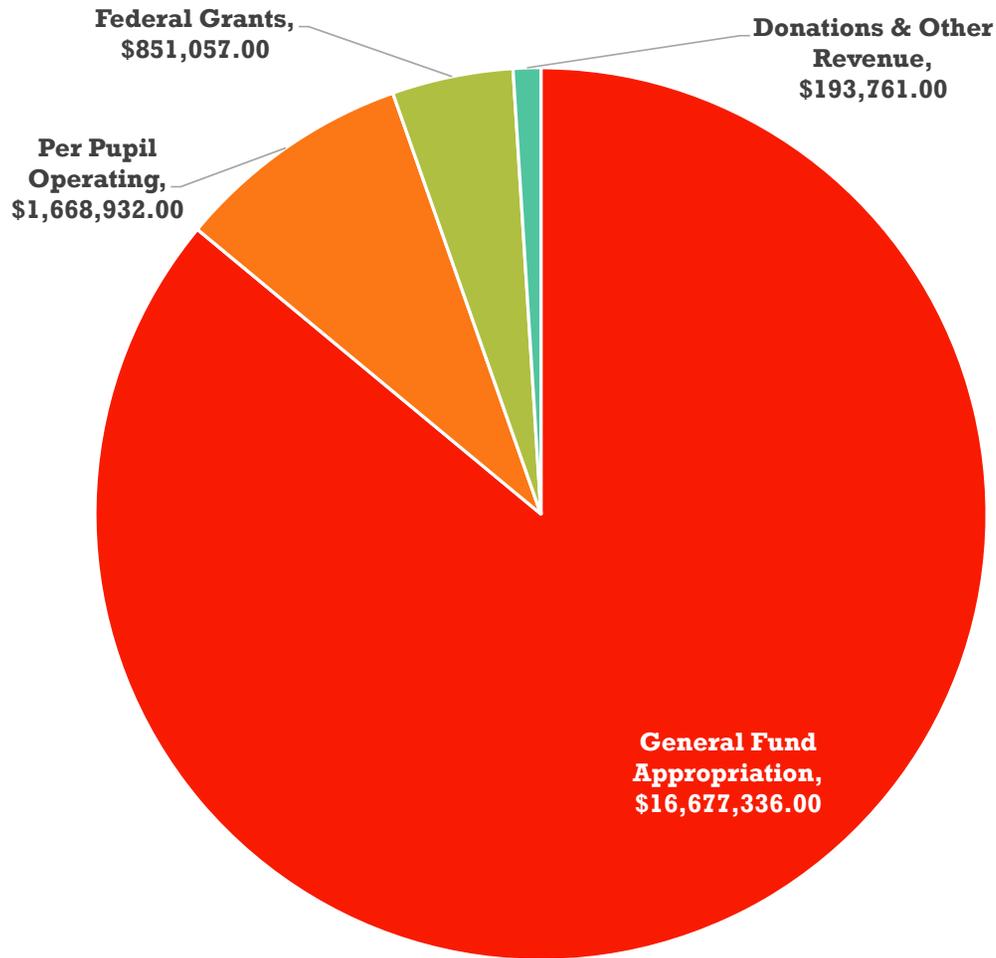


Total Participants/Region

Region	Deaf/HH		Blind/VI	
	In-person	Virtual	In-person	Virtual
Metro	671	426	24	1
North Central	92	73	No service requested	No service requested
Northeast	32	47	No service requested	No service requested
Northwest	12	12	3	2
Pikes Peak	268	74	95	82
Southeast	2	10	No service requested	No service requested
Southwest	22	17	No service requested	3
West Central	21	28	No service requested	No service requested

Numbers represent people served through Outreach Services, including family members, students and professionals participating in activities such as the Colorado Shared Reading Project, Early Literacy activities, professional development, ASL family and community classes, school-age itinerant services, and ASL Immersion activities. (Individuals are counted once regardless of how many activities they attended)

Revenue for Fiscal Year 2019-2020



Colorado School for the Deaf and the Blind

