



COLORADO DEPARTMENT OF EDUCATION

OFFICE OF FEDERAL PROGRAMS

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Dr. Zollie Stevenson, Jr.
Director, Student Achievement and School Accountability
U.S. Department of Education
400 Maryland Ave. SW, Room 3W116
Washington DC 20202

Dear Dr. Stevenson,

The Colorado Department of Education appreciates the opportunity to submit revisions to Colorado's accountability workbook. Our proposed revisions are intended to update our accountability workbook based on current practice and strengthen the accountability measures within the *No Child Left Behind Act*. There are a few areas of the accountability system within Colorado, that need to be better aligned and strengthen, in order to create a more meaningful, motivating AYP system.

Specifically, Colorado is writing to update the definition of graduation rate, update details about AMAO targets, and request the continued use of matched safe harbor. Additionally, Colorado is requesting flexibility to strengthen accountability for students with disabilities and English language learners in AYP calculations. The details concerning these requests follow.

Updates:

1. Wait to Implement On-Time Graduation Rate.

Forty six state governors, including Colorado Governor Bill Owens, signed the "[Compact on State High School Graduation Data](#)" proposed by the National Governors Association in 2005. Under the compact, governors agreed to take steps to implement a standard, four-year adjusted cohort graduation rate. States agreed to calculate the graduation rate by dividing the number of on-time graduates in a given year by the number of first-time entering ninth graders four years earlier. The compact also specified that "***Special education students, recent immigrants with limited English proficiency, and students in programs that give them five years to earn both a high school diploma and an associate's degree can be assigned to different cohorts to allow them more time to graduate.***" [Emphasis added].

The specific terms of this compact served as the basis for Colorado Senate Bill 05-091 and the associated Administrative Rules (CCR 301-67 "Rules for the Administration of Colorado Data Reporting for School Accreditation") adopted by the Colorado State Board of Education in March 2005. The recommendations and definitions set forth by the NGA Compact have guided The Colorado Department of Education's programming, testing, and district training efforts over the past three years – with the goal of

implementing this new graduation rate calculation to the 2008 cohort (reported in the 2007-2008 school year).

Recent guidance from the US Department of Education states that no accommodations to provide additional years in which to graduate “on-time” shall be provided to any group of students.

“As noted previously, after considering the public comments, the Secretary has revised the regulations to remove the provision that would have allowed a State to propose and use an alternate definition of “standard number of years.” We recognize, however, that some students may take longer to graduate than others. Accordingly, rather than permitting cohort reassignment, we have revised the regulations to require States to calculate and report a four-year adjusted cohort graduation rate. If a State chooses to do so, and receives approval from the Secretary, it may also calculate and report an extended-year graduation rate.”

In light of 1) the conflicting nature of the National Governors Association compact and the U.S. Department of Education guidance at the present time regarding cohort reassignment for certain sub-sets of students (without yet having approval for flexibility), 2) the substantial time already invested in allowing for cohort readjustment for qualifying students under the NGA compact, and 3) the fact that Colorado’s districts and schools desire their official 2007-2008 graduation and completion rates to be calculated and finalized as soon as possible, the Colorado Department of Education requests to update our Accountability Workbook to:

- Continue to use the existing Colorado graduation and completion rate calculations for the 07-08 and 08-09 school years.
- Develop on-time graduation rate calculations for the Class of 2010 as currently directed by the U.S. Department of Education.

2. CDE requests the ability to continue the use of the Matched Safe Harbor option. The methodology has added meaning to AYP, by providing a concrete way for schools and teachers to show progress with students. If additional information is needed, please just let us know.

3. Please see the attached document, Title III Accountability Workbook, for updates to the AMAO calculations. In the past, Colorado approved three language proficiency assessments to be used in State and Federal Accountability systems. In an effort to assess English Language Learners’ progress in English language development, Colorado passed Senate Bill 109, which required the State to develop, adopt and implement a single assessment of language proficiency (the Colorado English Language Assessment- CELA). AMAO targets have been adjusted to reflect new levels of proficiency based on the new, single assessment. The attached Title III workbook clearly outlines the new policies and procedures that have been revised to reflect this change in assessment.

Amendments:

1. Accountability for non-English proficient students

The Colorado Department of Education requests the ability to make AYP determinations more meaningful and valid for the English language learners. The State proposes to allow an appeal for districts and schools that recognizes that it takes a few years for students to become fluent in English, more than just their first year in the U.S. Colorado proposes to allow schools and districts to appeal the scores of our non-English proficient students, who have been in the US less than three years, from reading performance calculations, if the district has made AMAO 1 and AMAO 2. We believe that this flexibility maintains tough accountability for English language learners. Districts and schools would need to ensure that they are moving their non-English proficient students into English proficiency (based on AMAO 1 and AMAO 2) in order to have any flexibility with AYP reading performance targets. Only if students are gaining English proficiency would districts be granted additional time to ensure students become proficient in English reading content knowledge. (Students who take the Lectura- the Spanish reading assessment in 3rd and 4th grade- would not be exempt from inclusion in AYP determinations). Scores from the math assessment would always be included, if students meet the FAY definition.

2. 2% Flexibility

Colorado used the 2% flexibility offered by the USED for 2006-2007, 2005-2006, and 2004-2005 AYP determinations. We had been approved for districts and schools to appeal AYP determinations if the only reason they did not make AYP was the performance targets for students with disabilities, and the students with disabilities met the 2003-2004 performance targets. In 2006-2007, this helped 52 schools make AYP in reading, math or both content areas. Nineteen district levels (elementary, middle or high) were able to make AYP in reading, math or both. This appeal provided appropriate flexibility to account for the challenge of making AYP for students with disabilities.

At the same time, Colorado has conducted in-depth research to determine whether modified achievement standards and a modified assessment would be appropriate for the state. We have analyzed the following data:

- Accommodation usage on CSAP
- Growth on CSAP for students with disabilities
- Who takes the CSAPA and how they score
- Validity study of CSAPA

After bringing together various stakeholders and looking at multiple years of data, there has been consensus in the state that an additional layer of standards and a different assessment is not what is best for our students. We have very few students who are not showing some movement in CSAP, and a few students who are topping out of CSAPA (the alternate assessment). However, CDE believes that the work we have done and plan to do, with regard to data analysis and the appropriate use of accommodations, should warrant additional interim flexibility.

Data Analysis and New Processes in Place

We determined that students who were four standard deviations below the CSAP mean would be considered students in the gap between assessments. In 2005, there were 1,737 students in grades 3-10 who met this criterion for reading (0.038% of the tested population). In 2007 there were 1653 students (0.035%). If students remain in this low level of CSAP performance, we'd consider them to be in the gap. However, only 212 students who were outliers in 2005 were again outliers in 2006. These results follow the same pattern for 2006 and 2007. Clearly, there are very few students in Colorado that remain as outliers. When our stakeholders look at this data, they conclude that if students are able to access CSAP over time, then we should continue to provide them with the opportunity to meet high standards and not create a modified assessment system.

Additionally, for the CSAP, we are focusing on providing appropriate accommodations for students with disabilities. We looked at students with disabilities who scores in the lowest third of the Unsatisfactory category for three years (another way to possibly identify students who might be considered in the gap). Of the 1,192 students in grades 3-10 in this situation, only 525 students received accommodations on the CSAP for all three years, and 249 students never received any accommodations.

Only 59% of students with disabilities received accommodations in the reading CSAP assessment in 2008. As time in school increases, the student's likelihood of receiving accommodations decreases- at the elementary school level 68% of students with disabilities who took the reading CSAP received accommodations, while at high school, only 43% receive accommodations. In response to this data analysis, the Colorado Department of Education created the "Colorado Accommodations Manual" posted at http://www.cde.state.co.us/cdeassess/documents/csap/manuals/2009/2008-0929_CO_Accomm_Man.pdf to provide additional guidance to the state on determining and providing appropriate accommodations for students. After a few years of focused attention on accommodations, the state will review the data to reflect on the "fit" of assessments for students. At that point in time, if it appears clear that additional standards and assessments are what is best for students, the State will move forward in that direction. But for the time being there is no reason to create modified standards and expectations in Colorado until we are convinced that there are some students who cannot meet the current standards. The Colorado Department of Education wants to be certain that students are given every chance and opportunity to show that they can meet the state content standards before we change our expectations for them.

Additionally, CDE is revising CSAPA to increase expectations for students so that it is the most appropriate and challenging assessment for the eligible students. The CSAPA math assessment was reviewed in 2006-2007. As you can see in the table below, the changes definitely increased the difficulty of the assessment.

Grade	Percent of students scoring Emerging and Above in 2006 in Math	Percent of students scoring Emerging and Above in 2007 in Math	Percent of students scoring Emerging and Above in 2008 in Math
3	81.61%	64.85%	66.42%
4	81.67%	60.33%	64.41%
5	86.93%	60.60%	65.16%
6	86.85%	61.23%	63.71%
7	77.26%	60.18%	57.09%
8	87.55%	51.76%	56.32%
9	83.27%	50.46%	54.29%
10	75.00%	47.46%	54.95%

The Reading CSAPA was reviewed in 2007-2008. Results in 2008 show the increased difficulty of the revised assessment.

Grade	Percent of students scoring Emerging and Above in 2006 in Reading	Percent of students scoring Emerging and Above in 2007 in Reading	Percent of students scoring Emerging and Above in 2008 in Reading
3	89.60%	89.30%	63.26%
4	87.59%	85.97%	63.30%
5	86.93%	88.44%	62.77%
6	86.85%	82.75%	63.03%
7	85.18%	83.97%	55.29%
8	87.55%	87.78%	52.07%
9	83.27%	83.03%	58.12%
10	85.69%	79.28%	51.69%

CDE is aware that the USED has announced that states must be well on the way to a modified assessment system in order to continue to take advantage of the 2% flexibility. However, we believe that we are trying a different approach, one that requires more of our students and schools. And while it is not what the USED has prescribed as the methodology, we believe that it is in the spirit of the flexibility allowed and more rigorous as well. As a result, we are requesting interim flexibility while we focus on providing our students with disabilities more of the accommodations and instructional supports that they need.

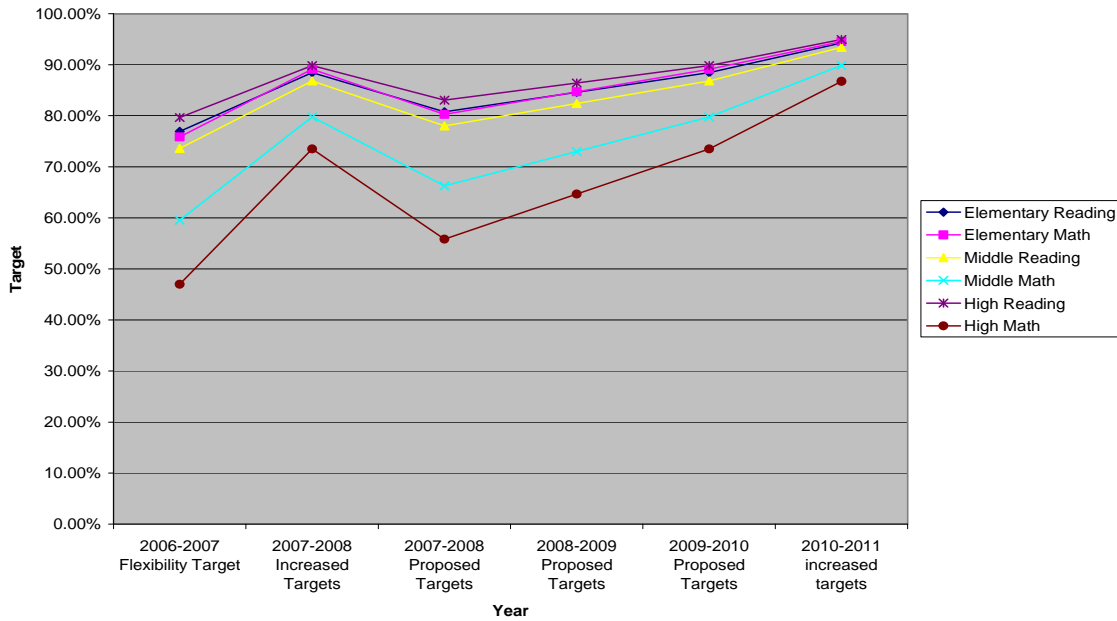
AYP targets increased for the 2007-2008 AYP determinations. When we did not receive any flexibility in the target, high school math targets increased 26% points. We have seen consistent increased proficiency for our students with disabilities, but we are afraid that if the target becomes unreachable, the momentum will be squelched. In 2008 not a single district met the reading or math performance targets for students with disabilities.

While districts made safe harbor and matched safe harbor for students with disabilities, the fact that no one met the performance targets means they are not meaningful targets for districts to work towards. When we reach the point that targets are unattainable, then the entire AYP accountability system will be dismissed and its potential for school improvement is lost. CDE does not want districts, schools, teachers, and students to feel that their efforts are futile, while we push them to do more and better. Continued flexibility will allow the state to ride on the momentum we are experiencing with increased proficiency for students and increased best practices, so that in a few years we can get our students with disabilities to where we expect them to be able to achieve.

CDE proposes to continue using the 2% flexibility that we had been granted in the past, but with revisions to the targets so that we can “catch-up” our students with disabilities to where we need to be. The following chart shows the proposed targets.

	2006-2007 Flexibility Target	2007-2008 Increased Targets	2007-2008 Proposed Targets (not approved)	2008-2009 Proposed Targets	2009-2010 Proposed Targets	2010-2011 targets for all (no appeal)
Elementary Reading	76.92%	88.46%	80.77%	84.61%	88.46%	94.23%
Elementary Math	75.86%	89.09%	80.27%	84.68%	89.09%	94.54%
Middle Reading	73.61%	86.81%	78.01%	82.41%	86.81%	93.41%
Middle Math	59.51%	79.75%	66.26%	73.00%	79.75%	89.88%
High Reading	79.65%	89.83%	83.04%	86.44%	89.83%	94.92%
High Math	47.00%	73.50%	55.83%	64.67%	73.50%	86.75%

Colorado's Proficiency Targets



As you can see, we would ratchet up the proficiency target required for the appeal each year until we are in line with the current targets. This way, schools and districts have a little more time to get their students caught up and there would still be some flexibility within the system to allow the system to still have meaning.

The State of Colorado is deeply committed to ensuring that students are provided the opportunity to reach the highest standards. We know that our students with disabilities can achieve to higher levels than are currently being realized. We do not want to send any message to the contrary. But we do need to keep meaning in the accountability system and ensure that it is attainable.

If further clarification of our amendment request is needed, please contact Patrick Chapman, Executive Director of the Office of Federal Programs Administration. His phone number is 303.866.6780. His email is: chapman_p@cde.state.co.us. Alternatively, you may contact Alyssa Pearson at pearson_a@cde.state.co.us or by phone at 303.866.6855. Thank you for your consideration of these requests.

Sincerely,

Dwight D. Jones
 Commissioner of Education
 Colorado Department of Education

Cc: Robert Hammond Ken Turner
 Patrick Rooney Richard Wenning
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 Clayton Hollingshead