



COLORADO DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL SERVICES

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William J. Moloney
Commissioner of Education

February 15, 2007

Secretary Spellings
United States Department of Education
400 Maryland Avenue, SW
Washington DC 20202

Honorable Secretary Spellings:

The Colorado Department of Education (CDE) submits for your consideration its request to amend its NCLB State Accountability Workbook. After careful consideration among CDE staff, the AYP committee and the Committee of Practitioners, the requests for amendments are as follows:

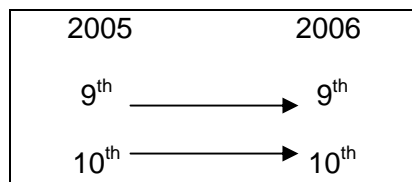
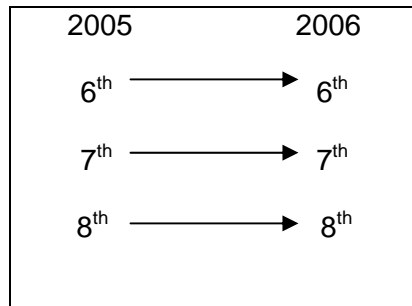
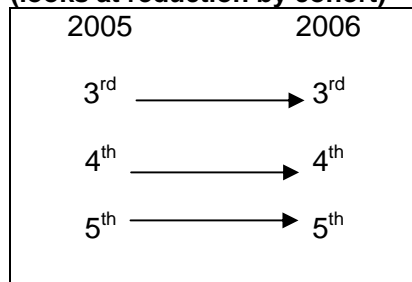
Amendment #1

CDE proposes to amend its accountability workbook in the area of Adequate Yearly Progress, Safe Harbor calculations. Section 1111 of No Child Left Behind, states that *"Each State educational agency may incorporate the data from the assessments under this paragraph into a State-developed longitudinal data system that links student test scores, length of enrollment, and graduation records over time."* Colorado would like to utilize the fact that we have a well established student identifier system and a continuous assessment system from grades three through ten. We are able to track the same students' results as they progress through the assessment system. Additionally, there is widespread support throughout the state and legislature to use longitudinal data in school and district accountability. Thus, the state would like to take advantage of this longitudinal data in Safe Harbor calculations under Section 1111.

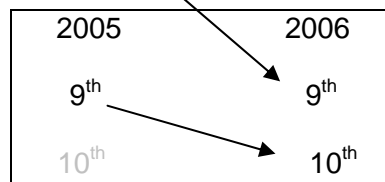
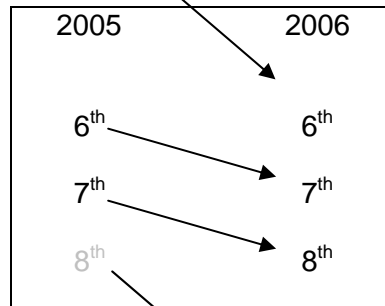
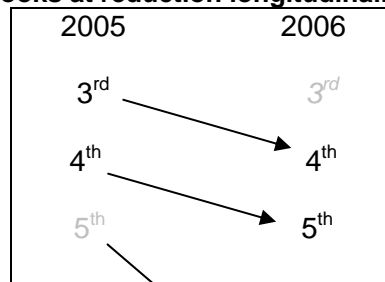
Currently, Safe Harbor is a cohort comparison. It compares a snapshot of a school from one year to the snapshot of the school in the next year. While it includes some of the same students' scores in both years, it is impacted by the new cohort that enters at the lowest grade in the current year and the highest grade cohort that leaves in the prior year.

CDE proposes to create an additional Safe Harbor measure comparing only the same students' scores from the prior year to the current year. Our statewide student identifier system would allow us to calculate this longitudinal measure. The following tables illustrate the difference between the current Safe Harbor cohort model and the proposed longitudinal model.

**Current SH
(looks at reduction by cohort)**



**Proposed Longitudinal SH
(looks at reduction longitudinally)**



The main difference between the two methods is that the current year third grade scores are not included in the longitudinal Safe Harbor calculations, since we do not have second grade scores to compare them with. As a result, the AYP Committee recommended that we decrease the minimum N to twenty. There is less error associated with calculations when comparing matched student records, so we believe it is valid to use a smaller N size with the longitudinal model. Additionally, since the majority of elementary schools in Colorado contain grades three through five, if we do not have prior year data for third graders, which is one third of the school. So reducing the minimum N to 20 would account for those third graders' scores.

Both methodologies offer a different, valid way to measure the progress of a school toward 100% proficiency. CDE believes that they are both important to measure and that both should be used when determining Safe Harbor. While the current measurement captures the overall school/district functioning, the longitudinal measure focuses in on how schools and districts are doing with individual students. The longitudinal measurement helps to ensure that all struggling students are the focus of supplemental instruction so that they are not left behind. The longitudinal measurement also is a more credible measure to practitioners. At the classroom level, it seems a very reasonable goal to reduce by 10% the percentage of non-proficient students. However, to a practitioner, the cohort model may seem outside of their control, depending upon the new cohort of students they get and the cohort that leaves the school.

After analyzing the current Safe Harbor results with the longitudinal methodology, we have found that more districts/schools/subgroups make the current Safe Harbor measurement than make the longitudinal measurement. It is truly more difficult to show a ten percent reduction of the percentage non-proficient for the same students than when you compare the cohorts. The only

areas where the longitudinal reduction is more successful is at the school level, in reading for Asian students and at the district level, in reading for Asian students and English language learners. (See attached chart for the details of the results of the analysis).

We believe that there are two main reasons why the longitudinal reduction is a greater challenge than the current methodology. First, in math, the percentage of proficient students statewide declines as we advance from grade to grade. In third grade 92.76% of students score proficient, but by the 10th grade there are only 66.33% proficient. When comparing third and fourth grade scores to fourth and fifth grade scores, for example, statewide results show a decrease in proficiency. The percentage of students proficient in reading is fairly steady from third to tenth grade. Second, the data indicate that improving individual student growth is much more difficult than improving a school as a whole, over time.

Since a ten percent longitudinal reduction is much more difficult to achieve than the current safe harbor methodology, CDE proposes to use the longitudinal measure as an alternative way to make Safe Harbor. We believe that if a school/district could not make the cohort measure, but can show longitudinal reduction, they should get credit for showing significant growth. However, if we had used this option in making 2005-2006 AYP determination, no additional schools or districts would have made AYP. Regardless of the impact on AYP outcomes, using a longitudinal measure is an important step forward in educational accountability.

CDE would like to discuss this specific proposal in more detail with the Department should you have any questions or concerns. We would welcome either a conference call or a meeting with you in person as we understand you may have questions regarding the specifics of our proposal and we would like to work through them with you. Please contact Patrick Chapman (contact information below) to discuss this proposal in further detail.

Amendment #2

Meeting the AYP targets for the students with disabilities subgroup has been a challenge for many schools and districts. The USDE has granted additional flexibility in this area and Colorado's state legislature passed legislation convening the HB 1246 Technical Advisory Committee to examine and make recommendations related to "students in the gap" – those students that consistently perform poorly on CSAP but for whom the CSAPA may be inappropriate. CDE and an external committee are studying how best to take advantage of the additional flexibility granted by the USDE and whether recommendations of the technical advisory committee can and should be incorporated into the State's NCLB application. The group has focused its recommendations on ensuring all students get the appropriate accommodations while it waits for the final regulations on the 2% rule.

Amendment Request: CDE requests a one-year extension of its current USDOE approved plan under the additional flexibility granted by the USDE for AYP and students with disabilities to allow for IEP students to meet the prior target, if it is the only target that is preventing the school from making AYP.

Amendment #3 (carry-over from 2006 as no response was received in 2006)

This amendment request was submitted last year. In September of 2006, it was still under review. There has been no word since then. Therefore, it is being re-submitted as part of this year's amendments for the consideration of the Department.

Currently, it is CDE's understanding that School Improvement money must be awarded to districts on behalf of *schools* that have been identified for Improvement, giving priority to those schools farthest along in the Improvement cycle. States are limited in their ability to award School Improvement funds to districts identified for Improvement, especially when districts have no schools that have been identified for School Improvement. In addition, a district may have a need to implement a district-wide initiative in support of several schools that have been – or may soon be – identified for Improvement. As the number of schools and districts identified for Improvement increases, it would be helpful to have the flexibility to award Improvement grants to districts in support of district-wide systemic reforms. The emphasis at CDE is moving toward building the capacity of school districts to improve their schools. CDE is not staffed in such a way that it can provide school level support to all schools identified for Improvement. CDE has an effective school and district support team process and increased flexibility in the use of school improvement funds would go a long way toward ensuring the needs of both schools and districts are met.

Amendment Request: CDE requests flexibility to give equal priority in the awarding of School Improvement grant funds to districts identified for Title I Program Improvement in support of district-wide systemic strategies and reforms even when that district may not have any schools identified for School Improvement.

Amendment #4 (carry-over from 2006 as no response was received in 2006)

This amendment request was submitted last year. In September of 2006, it was still under review by legal counsel. There has been no word since then. Therefore, it is being re-submitted as part of this year's amendments for the consideration of the Department.

Under NLCB requirements, schools identified for Improvement must offer school choice in year one and school choice and supplemental services in year two. In many areas, particularly in rural areas, there are no viable school choice alternatives for parents of children enrolled in schools identified for Improvement as the nearest school may be many miles away. In addition, many parents would prefer to have additional options at their child's current school as opposed to sending their child to another school across town or in another district. It is not in the child's best interest to wait for supplemental services if school choice is not an option.

Amendment Request: Districts would be required to offer both school choice and supplemental services in year one of Improvement. The minimum and maximum requirements (5% and 15%) for Title I expenditures in Year I of Improvement would still apply. Districts would be required to expend no less than 5% and no more than 15% (unless a lesser amount were necessary) for choice and supplemental services combined.

If further clarification of our amendment request is needed, please contact Patrick Chapman, Director of the Consolidated Federal Programs Unit in the Office of Special Services. His phone number is 303.866.6780. His email is: chapman_p@cde.state.co.us. Alternatively, you may contact me by phone at 303.866.6631 or via email at windler_w@cde.state.co.us. Thank you for your consideration of these requests.



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