

May 9, 2016

Dear Mr. Chairman and Members of the State Board of Education:

As a coalition of 22 organizations working with and on behalf of Colorado students and their families, we would like to comment on the Colorado Department of Education's recent release of mock district accountability reports for the 2016-17 school year. Specifically, we are concerned about the replacement of disaggregated subgroups in school and district accountability systems with a "combined subgroup" (often called a "super subgroup") that aggregates the performance results of English learners, students of color, students with disabilities, and students eligible for free/reduced price lunch – subgroups that are currently accounted for separately in the frameworks.

While we appreciate CDE's proposal to disaggregate student subgroup data in achievement (not just growth, as was the case in previous frameworks), as well as the Department's commitment to ensuring transparency of subgroup performance data in reporting, we strongly encourage CDE to reconsider the adoption of a combined subgroup for accountability purposes, which would have significant implications for educational equity. Below, we detail our significant concerns with this policy change:

***The subgroup distinctions are meaningful.*** Combined subgroups obscure important differences in history and identity, creating the unacceptable impression that groups of students with very different needs and challenges are the same. Students who fall into one or several different categories have experiences shaped by those identities, which schools and districts need to acknowledge. While students in each of these subgroups have historically been denied opportunity for various reasons, the strategies for addressing the learning needs of an African American student are very different than addressing the needs of an English learner, or of a low-income student with a disability, for example. Our greatest concern is that with less accountability for serving the needs of individual groups of students, there will be less attention paid to the supports each group needs to improve.

***Districts and schools receive funding to meet the needs of subgroups.*** It is worth noting that schools and districts receive targeted funding to serve particular groups of students or particular student needs. Colorado allocates money to districts through various categorical programs, such as the English Language Proficiency Act (ELPA) and the State Exceptional Children's Educational Act (ECEA), and allocates funds directly to districts according to the at-risk factor through the school finance formula with the intention of providing additional resources to low-income students. Further, the U.S. Department of Education allocates funding to states through separate funding streams (i.e., Title I for low-income students, Title III for English learners, and IDEA for students with disabilities). As such, we believe there should be accountability for how that funding serves students in each category.

***Decisions about changes to accountability should be made in consultation with representatives from impacted communities.*** The Accountability Work Group that informed recommended changes to accountability frameworks included district administrators and representatives of the state's educator, administrator, and school board member associations, but it did not include community-based representatives living and working with students and families of color or from low-income, special education, and English learner communities. We ask that CDE undertake a more comprehensive stakeholder process to consider changes to accountability that includes representatives from these groups.

***The use of super subgroups in accountability may not be allowed by federal law.*** There is still a question of whether the use of super subgroups is consistent with the Every Student Succeeds Act as it is written. Our understanding is that ESSA clearly prohibits their use as a replacement for accountability with respect to specific subgroups. We discourage a preemptive change to the accountability system before the U.S. Department of Education has released guidance on this issue.

We understand the reasons why some advocate for the use of combined subgroups. This approach may result in more small schools and districts being held accountable, particularly those that otherwise escape accountability for subgroups altogether due to the minimum "n" size of 16 students needed to be considered reliable. However,

we don't believe this advantage is sufficient to overcome the negative impacts of using combined subgroups. Aggregating disparate groups does not provide useful information, and only serves to confuse a consumer of data by masking the performance of the individual subgroups. We recognize that proponents for this change do not wish to mask the performance of our most vulnerable students and we are committed to working collaboratively toward an approach that addresses concerns while mitigating against unintended consequences.

We must always challenge ourselves to believe that all children can succeed. While proponents of using combined subgroups claim the current system is unfair because a low-performing student who falls into more than one subgroup counts against the school's accountability twice, the opposite is also true – a student who scores well counts twice favorably for a school or district's rating. We know there are many examples of schools serving students with various needs very well, and they should receive credit for those efforts.

As the State Board of Education is tasked with making this challenging decision, we urge you to think of the benefits of maintaining the existing system of disaggregated subgroups within our accountability frameworks. One of the central components of accountability for the last 15 years has been disaggregated data by individual subgroup, which has helped us understand the disparities that exist between various student populations. This focus created a sense of urgency and a renewed emphasis on educational equity for historically underserved students. Aggregation, for any purpose, dims the light that must continue to shine on the students that federal law is meant to protect: English learners, students with disabilities, low-income students, and students of color.

Thank you for the opportunity to share our concerns. In light of them, we ask for a response from CDE that details the Department's position and rationale for the proposed "combined subgroup," as well as its plan for communicating this proposal and soliciting feedback from representatives of the impacted student subgroups across the state. We look forward to partnering with CDE to find solutions that result in the best set of recommendations for the future of Colorado's accountability system and, ultimately, all our children.

Respectfully,

A+ Colorado  
The Arc of Arapahoe & Douglas Counties  
The Arc of Pueblo  
The BUENO Center for Multicultural Education  
Climb Higher Colorado  
The Colorado Association for Bilingual Education (CABE)  
Colorado Children's Campaign  
Colorado Latino Leadership, Advocacy & Research Organization (CLLARO)  
Colorado Succeeds  
Democrats for Education Reform (DFER)  
Escuela Tlatelolco  
Higher Educators in Linguistically Diverse Education (HELDE)  
The Independence Institute  
Latinos for Education Reform (LFER)  
NAACP – Denver  
Padres y Jóvenes Unidos  
Project VOYCE  
Ready Colorado  
RISE Colorado  
Stand for Children  
Together Colorado  
Urban League of Metropolitan Denver  
Young Aspiring Americans for Social and Political Activism (YAASPA)

CC: Commissioner Richard Crandall, Katy Anthes, Alyssa Pearson