



COLORADO
Department of Education
Commissioner of Education

201 East Colfax Avenue
Denver, CO 80203-1799

Equity in Colorado Coalition

March 27, 2017

Good afternoon,

Thank you for your insightful March 13, 2017 letter regarding Colorado's draft plan for the Every Student Succeeds Act (ESSA) and areas that the coalition strongly feels should be amended. I appreciate your engagement and want to thank you again for your dedication to the children of Colorado and to the development of Colorado's ESSA plan.

One of the great things that has come out of the ESSA stakeholder process is that we have gotten to know many more of you and created a strong foundation for ongoing feedback and conversations about the education system in Colorado. We know that ESSA is just one way to do that. As you know, I am absolutely committed to our state's shared goal of providing a high quality education to each and every student, and the Colorado Department of Education (CDE) will work diligently to meet that goal as we implement our plan over the coming years.

Colorado led a very robust stakeholder engagement process on ESSA for more than a year, and we will continue that engagement in implementing the plan. CDE understands that engaging stakeholders is not just about meeting requirements outlined in law, but it is a best practice to ensure a strong plan that meets the needs of every student in Colorado. From the 170 meetings, 5,000 comments, nine Hub meetings and more than 30 spoke meetings, it is clear there is high interest and many good ideas. We have worked hard to find common ground, reach compromise and deploy best practices based on what we have learned.

The process outlined at the beginning was for the Hub committee to accept feedback from all the spoke committees, listening tour participants and many other stakeholders and use that information to make the best recommendations to the State Board of Education. It is ultimately the state board that will make the final decisions on whether or not to change the main elements of the ESSA plan.

The context for the development and submission of the ESSA plan is that Colorado (through current legislation and state board rule) has a comprehensive education system that achieves many of the requirements of ESSA. The state must show that it has developed ways to ensure quality teachers are in every classroom, struggling schools get the support they need, and all students are learning from rigorous standards at each grade level so they are prepared for college or careers when they graduate high school. Some of these critical components are addressed in our state ESSA plan that we intend to deliver to the U.S. Department of Education in May. However, many more are outlined in our state laws. Thus, we have a strong framework and ways to incorporate your feedback into many areas of Colorado's education landscape.



Elements of your letter fall into several different categories for how we can use your feedback moving forward. We will share your feedback with the State Board of Education, legislators, and districts as they consider the detailed decisions they will need to make in implementation.

- **Considerations for the State Board of Education**
 - **Reconsider the 95 percent assessment participation requirement.** Your letter notes that ESSA requires districts and schools to assess at least 95 percent of students across the state and urges Colorado to “reenact policies” that direct specific consequences to districts that do not meet the 95 percent participation threshold. We understand your position, however it is contradictory to a state board motion passed in February 2015 that specifically stated districts cannot be held liable if parents decide not to allow their children to take the statewide assessments. In addition, state law also requires districts to have a policy in place for parental opt-out and that parents and students cannot be punished for choosing to opt-out.
 - **Revisit metrics and cut scores.** These decisions are made by the state board as it determines the metrics and cut scores for the accountability frameworks. CDE works with the Technical Advisory Panel for longitudinal growth as well as the Accountability Work Group to develop recommendations to share with the board. We will be sure to include the feedback from the ESSA plan as decisions are made moving forward.
 - **Omit data suppression rules.** This is an ongoing, evolving conversation with districts, the state board and other critical partners like yourselves. We need to strike a balance between public transparency and student and educator data privacy. CDE has received strong guidance from the state board to err on the side of data privacy. Using mean scale scores for achievement and median growth percentiles allows for the greatest possible transparency and reporting of all data, while maintaining student data privacy.
 - **Set aside 3 percent.** Please note that while we will share your recommendation with the state board, the majority of the Hub committee recommended not retaining the Title I funds for Direct Student Services grants.
- **Considerations for CDE as we Implement ESSA**
 - **Set more specific measures of interim progress.** This is an important area of our accountability process that will be addressed in ongoing discussions as we work with school districts and stakeholders to implement ESSA.
 - **Clearly identify “more rigorous interventions” for schools.** This is certainly a part of CDE’s ongoing implementation plan as we build out the process, support and evidence-based interventions that can be used with state and federal dollars. Additionally, state law defines the rigorous interventions for schools and districts not making progress under the state’s accountability system.
 - **Articulate a plan for monitoring testing rates for newly classified English learners.** This can be done as we articulate implementation plans moving forward and we look forward to working together and gathering more feedback.
 - **Include plans on how to release and present data to the public.** We have a plan that includes the use of our accountability frameworks, SchoolView and Data Center. We are also working on creating more “parent friendly” reports and look forward to further engaging you in this conversation. This is an ongoing part of our implementation.
 - **Omit data suppression rules.** Although we continue to be strong supporters of data privacy, especially as supported by the state board, we are also interested in evolving as we learn more. Next year CDE will start a planning process to determine if there are different rules for data suppression that can better find a balance between privacy concerns and public transparency. Districts also have a role in thinking about data



privacy and suppression. It is important to remember that districts receive ALL their student data, and they also have decision-making authority in how to share it with their communities. Additionally, CDE continues to think carefully about how the achievement and growth metrics selected allow for the greatest reporting and transparency, while considering data privacy.

- **Considerations for District Implementation**
 - **Parent and family engagement.** ESSA includes parent engagement requirements in several areas. CDE is committed to exploring these areas with the Statewide Advisory Committee for Parent Involvement in Education (SACPIE), Urban League, Colorado PTA and other organizations as we move to ESSA plan implementation. These requirements reside primarily at the district level so we will be sure to share this feedback with superintendents and district leaders as well.
 - **Clarify processes for evaluation and continuous improvement; more detail on attracting and retaining educator talent; more detail on support of students with disabilities.** We are very committed to each one of these elements and will be focused on these areas as part of the implementation of ESSA. Districts will also be focused on these areas of implementation.
 - **There are many other local decisions that districts make related to the feedback provided in your letter. We will be sure to share this letter with districts as they begin thinking about their implementation of ESSA and their use of federal resources to support all students.**

We anticipate that the Colorado State Board of Education will be making its final decision on the plan at its April 12-13 meeting. We will share this letter and other feedback with board members for their consideration as they make the final determination on the plan. And, while I have highlighted most of your comments and feedback above, I know there are other areas we can continue to work on together after the ESSA plan is submitted.

The ESSA plan is one part of our education system in Colorado and I look forward to our continued partnership as we get to the most important part—implementation.

Lastly, you had a few questions at the end of your letter about the process moving forward.

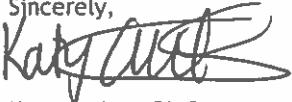
- 1) CDE staff is currently poring through feedback and making any clarifications or additions to our plan that fit within our purview, or the Hub's direction, or feedback from the state board of Education. If there are substantive changes to the plan (that differ from the board's or Hub's direction), we will not be making those changes. Instead, we will give that feedback to the state board for its consideration. For the big decision items, it is up to the State Board of Education to decide whether to include them in the Colorado ESSA plan or not.
- 2) We will make sure to communicate changes to the plan through the ESSA newsletter, ESSA Blog, CDE website and ongoing meetings and CDE communication tools (like The Scoop).
- 3) ESSA implementation occurs at the state and district levels. CDE will continue to meet and work with the ESSA Committee of Practitioners, the SACPIE (and strive to incorporate your feedback into the process and composition of this group), and other ongoing groups like the Accountability Work Group. We will also have the opportunity to convene focus groups and planning committees on certain topics as needed. Some of those topics include, data reporting, a theory of action on the educator talent pipeline and data suppression rules. As we get time to plan for these groups once the ESSA plan is submitted, we will be reaching out to you and others to share more.



The issues raised in your letter that are under CDE's purview will continue to be a part of our focus as we implement the state plan. We will continue to share your perspective and feedback with the state board, districts and others that lead and decide other aspects of the plan. We greatly appreciate and respect your perspective and want your honest input to help us implement a plan that meets the needs of every child in Colorado.

Again, my thanks to you for your participation in this process and your passion for ensuring high quality educational opportunities exist for all students in Colorado.

Sincerely,



Katy Anthes, Ph.D.
Commissioner of Education

