



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

June 22, 2023

The Honorable Katy Anthes
Commissioner of Education
Colorado Department of Education
1560 Broadway, Suite 1100
Denver, CO 80202-5149

Dear Commissioner Anthes:

I am writing in response to the Colorado Department of Education's (CDE's) January 31, 2023, request to the U.S. Department of Education (Department), updated on February 7, 2023, to amend its approved consolidated State plan under the Elementary and Secondary Education Act of 1965 (ESEA). Prior to implementing any revisions to its approved consolidated State plan, a State must submit its proposed amendments to the Department for review and approval.

I have determined that State's changes in the amended request meets the requirements in the ESEA and, for this reason, I am approving Colorado's amended State plan. A summary of Colorado's amendment is enclosed. This letter, as well as Colorado's revised ESEA consolidated State plan, will be posted on the Department's website. Any further requests to amend Colorado's ESEA consolidated State plan must be submitted to the Department for review and approval.

During the review of Colorado's amendment, the Department identified an issue in the previously approved plan that requires revision for the plan to meet the applicable statutory requirements. Specifically, to be identified for comprehensive support and improvement due to low graduation rates, Colorado requires a school to meet identification criteria for three consecutive years. Although a State is permitted to average data across years, it is not permitted to require a school to meet the same identification criteria each year, for multiple years. I recognize that Colorado will need time to consider how to revise its methodology for identifying schools for comprehensive support and improvement based on low graduation rates and to engage stakeholders across the State. Therefore, within 30 days of receipt of this letter, CDE must submit to the Department a plan and timeline for submitting an amendment and implementing this change. My staff is available to support CDE as it works to implement this change.

Please be aware that approval of this amendment to Colorado's consolidated State plan is not a determination that all the information and data included in the amended State plan comply with Federal civil rights requirements, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of

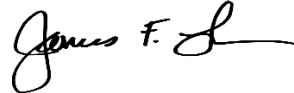
400 MARYLAND AVE., SW, WASHINGTON, DC 20202
<http://www.ed.gov/>

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

the Americans with Disabilities Act, and requirements under the Individuals with Disabilities Education Act. It is Colorado's responsibility to comply with these civil rights requirements.

Thank you for all of the work CDE has put into its consolidated State plan under the ESEA. If you need any assistance regarding State plan implementation, please contact Ariel Jacobs of the Office of School Support and Accountability at: OESE.TitleI-a@ed.gov.

Sincerely,

A handwritten signature in black ink that reads "James F. Lane". The signature is written in a cursive style with a large, stylized initial "J".

James F. Lane, Ed.D.
Principal Deputy Assistant Secretary
Delegated the Authority to Perform the
Functions and Duties of the Assistant Secretary
Office of Elementary and Secondary Education

Enclosure

cc: Nazanin Mohajeri-Nelson, Executive Director, Federal Programs & Support Unit, CDE

Amendment to the Colorado’s Consolidated State Plan

The following is a summary of the Colorado’s Department of Education’s (CDE’s) amendment request. Please refer to the Department’s website <https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/essa-consolidated-state-plans/> for Colorado’s complete consolidated State plan.

Approved Amendments

The following amendments are aligned with the statute and regulations:

Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies (LEAs)

- *Long-Term Goals – Academic Achievement and Graduation Rate*
The Department acknowledges that CDE shifted forward its long-term goals and measurements of interim progress for academic achievement and graduation rate by two years, consistent with its previously approved ESEA State plan Addendum.
- *Long-Term Goals – Progress in Achieving English Language Proficiency*
CDE established revised baseline data, measurements of interim progress, and long-term goals for progress in achieving English language proficiency. CDE also shifted its long-term goals for ELP forward five years (to 2027) from the new baseline (2022).
- *Academic Achievement Indicator*
CDE provided the specific cut scores for assigning performance bands for its Academic Achievement indicator for high schools that align with its previously approved methodology. Previously, CDE indicated it would set the cut scores at the 15th, 50th, and 85th percentile, consistent with the other indicators in its system of annual meaningful differentiation.
- *Progress in Achieving English Language Proficiency Indicator*
CDE updated the cut scores associated with its previously established methodology for assigning performance bands for its Progress in Achieving English Language Proficiency indicator.
- *School Quality and Student Success Indicator*
 - CDE modified its methodology for calculating its chronic absenteeism SQSS indicator, consistent with the change it previously made in its ESEA State plan Addendum. Specifically, the State modified its methodology to only include unexcused absences and to use a single year of chronic absenteeism data, rather than calculating the change over two years. The State will continue to set the school performance bands based on school chronic absenteeism data at the 15th, 50th, and 85th percentiles, consistent with the previously approved methodology for chronic absenteeism.
 - CDE also removed its science achievement SQSS indicator for all grade spans.
- *Minimum Number of Students*
CDE deleted sentences clarifying how the State aggregates data across three years when a school has too few students in a single subgroup. This modification does not alter the State’s methodology for including schools with small n-sizes.

- *Annual Meaningful Differentiation*
Consistent with the changes described above to its SQSS indicators, for elementary and middle schools, chronic absenteeism will comprise 100 percent of the SQSS indicator and for high schools the dropout rate will be 100 percent of the SQSS indicator. The weighting of the remaining indicators is unchanged.
- *Participation Rate*
CDE clarified its methodology for calculating the participation rate in order to meet the requirements that the Academic Achievement indicator be calculated based on a denominator of 95 percent of all students or the number participating in the assessment (whichever is greater).
- *Including All Public Schools in a State’s Accountability System*
CDE clarified that, when using multiple years of data to ensure that all schools are included in the State system of annual meaningful differentiation, it will use pre-pandemic data in fall 2023, 2024, and possibly 2025, in addition to current year data.
- *School Identification Methodology – Comprehensive Support and Improvement-Low Performing*
CDE clarified that, when identifying the lowest-performing Title I schools for comprehensive support and improvement (CSI) in fall 2023, it will use three non-consecutive years of data. Specifically, CDE will use data from school years 2018-2019, 2021-2022, and 2022-2023. The State will resume using three consecutive years of accountability data to identify low-performing Title I schools for CSI in fall 2024.
- *Frequency of Identification – Comprehensive Support and Improvement-Low Performing*
CDE clarified that it identifies CSI-low performing schools annually and any school scoring below the highest-ranking, previously identified CSI-low performing school will be identified for CSI, even if the percentage of schools exceeds five percent of all Title I schools.
- *School Identification Methodology – Targeted Support and Improvement-Consistently Underperforming Subgroups*
CDE will identify schools for targeted support and improvement (TSI) in fall 2023 based on accountability data from school years 2018-2019, 2021-2022, and 2022-2023. The State will resume identifying schools for TSI using three consecutive years of data in fall 2024.
- *School Identification Methodology – Additional Targeted Support and Improvement*
CDE modified its criteria for identifying schools for additional targeted support and improvement (ATSI). From among its schools identified as TSI, CDE will identify any school with one or more student groups that has a summative score at or below the highest performing school that was identified for CSI. CDE clarified that in fall 2023, it will continue to use three non-consecutive years of data. The State will resume using three consecutive years of accountability data to identify schools for ATSI in fall 2024.
- *Exit Criteria – Comprehensive Support and Improvement*
The Department acknowledges that CDE will exit schools identified in fall 2022 for CSI based on two years of improved performance, consistent with the previously approved ESEA State plan Addendum.