



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

May 12, 2022

The Honorable Katy Anthes
Commissioner of Education
Colorado Department of Education
201 East Colfax Avenue, Room 500
Denver, CO 80203-1799

Dear Commissioner Anthes:

I am writing in response to Colorado's request on March 14, 2022, to the U.S. Department of Education (Department) to amend its approved consolidated State plan under the Elementary and Secondary Education Act of 1965 (ESEA), using the COVID-19 State Plan Addendum (Addendum). Colorado requested these amendments to account for short-term changes in the 2021-2022 school year due to extraordinary circumstances related to the COVID-19 pandemic and in response to the waivers the Department granted Colorado from the accountability requirements of the ESEA for the 2019-2020 and 2020-2021 school years and the assessment requirements for the 2019-2020 school year.

Specifically, Colorado requested the following amendments:

- Shift forward long-term goals for academic achievement, graduation rate, and progress in achieving English language proficiency by two years.
- Due to the waiver the Department granted Colorado to not require its statewide assessments in all grades in the 2020-2021 school year,¹ modify the Other Academic indicator for public elementary schools and secondary schools that are not high schools to include mathematics growth for grades 5 and 7 and reading/language arts growth for grades 4, 6, and 8.
- Modify the School Quality or Student Success (SQSS) indicators to exclude science achievement and alter the State's definition of chronic absenteeism and the cut scores for the chronic absenteeism indicator.
- Use one year of accountability data from the 2021-2022 school year to identify schools for comprehensive support and improvement (CSI) based on low performance, targeted support and improvement due to consistently underperforming subgroups (TSI), and additional targeted support and improvement (ATSI).
- Exclude the 2019-2020 and 2020-2021 school years from the number of years in which a school must meet the exit criteria in order to exit CSI and ATSI status.
- For schools identified for CSI in fall 2022, modify the exit criteria such that the CSI school may exit if it is not reidentified in fall 2023 or fall 2024 and its academic performance is higher than the year in which it was identified.
- Reduce the State-determined number of years a CSI school identified in fall 2022 has to exit status before it must take a more rigorous State-determined action to two years.

¹ See: <https://oese.ed.gov/files/2021/03/CO-assessment-response-letter-POST.pdf>.

- For schools that are eligible to exit CSI status in fall 2022, modify the exit criteria such that the CSI school may only exit if it is not reidentified in fall 2022 and its academic performance is higher than the year in which it was identified.

I am approving Colorado's changes to its ESEA consolidated State plan. This letter and Colorado's approved Addendum for the 2021-2022 school year will be posted on the Department's website along with the currently approved version of Colorado's ESEA consolidated State plan (available at: <https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/essa-consolidated-state-plans/>). Because I am approving changes through the Addendum that are not limited to the 2021-2022 school year (e.g., shifted long-term goals and modified exit criteria), the State must submit an updated ESEA consolidated State plan that incorporates those approved changes at a later date.

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 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.

I know that you are doing all in your power to support your districts and schools to ensure the health and well-being of students and educators. Thank you for your dedication to this effort. If you have any questions, please contact my staff at OESE.TitleI-a@ed.gov.

Sincerely,

/s/

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

cc: Nazanin Mohajeri Nelson, ESEA Office Director, Federal Programs, CDE