



COLORADO DEPARTMENT OF EDUCATION

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Commissioner of Education

Richard G. Elmer
Deputy Commissioner

February 26, 2001

Mitzi Beach
U.S. Department of Education
Office of Compensatory Education
400 Maryland Avenue, S.W., #3W200
Washington, D.C. 20202-6132

Milagros Lanauze
U.S. Department of Education
Ed-Flex Office
400 Maryland Avenue, S.W., 3E219
Washington, D.C. 20202-6400

Re: Ed-Flex Application including Title I Definition of "Adequate Yearly Progress"

Dear Ms. Beach and Ms. Lanauze:

Attached please find Colorado's Ed-Flex Application including the Title I definition for "Adequate Yearly Progress". This application builds upon Colorado's experience of implementing the Ed-Flex Partnership Demonstration Program over the past four years. CDE's Ed-Flex Program is designed to fully support and leverage Colorado's increasingly comprehensive education reform package.

Over the past month, CDE staff has held ten regional meetings to obtain public comment on our Ed-Flex Plan and the state's proposed definition for Title I "Adequate Yearly Progress". Appendix "E" of the application includes the written comments CDE staff received relative to the draft application widely distributed statewide.

All public comment was reviewed and analyzed. The draft plan was significantly modified based upon the public comment received. The attached application contains modifications made as a result of the public input.

CDE staff believes that the application being presented to the United States Department of Education fulfills all of the requirements of the Education Flexibility Partnership Act of 1999 and all pertinent Title I requirements. We also believe that our definition of "Adequate Yearly Progress" meets the standards set forth in the "Peer Reviewer Guidance for Evaluating Evidence of Final Assessments Under Title I of the Elementary and Secondary Education Act", specifically pages 52-54.

If you have any questions, please feel free to contact me at any time. CDE staff looks forward to working together with U.S. Department of Education staff to implement these new exciting programs on behalf of our children, our nation's most valuable asset.

Sincerely,

William E. Windler
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Special Services
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February 26, 2001

Colorado



Ed-Flex

Application

including Title I Definition of “Adequate Yearly Progress” and Technical Assistance Plan for Title I Schools Not Making “Adequate Yearly Progress”



Colorado’s Ed-Flex Team is dedicated to:

*Coordination of Federal Programs to
Improve Academic Achievement for All Students*

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Colorado Department of Education
Organizational Commitment

The Colorado Department of Education dedicates itself to increasing achievement levels for all students through comprehensive programs of education reform involving three interlocking elements: A) High Standards for what students must know and be able to do; B) Tough Assessments that honestly measure whether or not students meet standards and tell citizens the truth about how well our schools serve children; and C) Rigorous Accountability Measures that tie the accreditation of school districts to high student achievement.

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INTRODUCTION

The Colorado Department of Education (CDE) is hereby submitting its Ed-Flex II application pursuant to the requirements of Public Law 106-25, the Education Flexibility Partnership Act of 1999. This application builds upon the state's experience as an Education Flexibility Partnership Demonstration Program (Ed-Flex) pilot site for the past four years.

CDE's Ed-Flex program is designed to fully support and leverage Colorado's increasingly comprehensive education reform package. The ongoing reorganization of CDE continues to focus all programs, including Ed-Flex as well as state and federal grants, on the advancement of CDE's Organizational Commitment.

CDE'S ORGANIZATIONAL COMMITMENT

The Colorado Department of Education dedicates itself to increasing achievement levels for all students through comprehensive programs of education reform involving three interlocking elements:

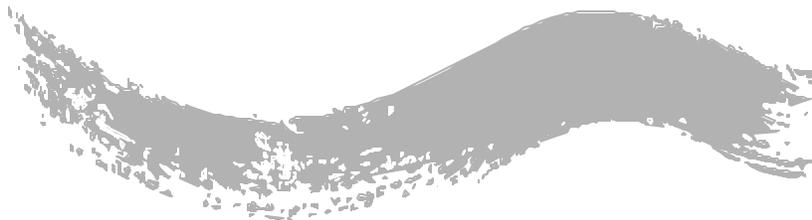
1. **High Standards** for what students must know and be able to do;
2. **Tough Assessments** that honestly measure whether or not students meet standards and tell citizens the truth about how well our schools serve children; and
3. **Rigorous Accountability Measures** that tie the accreditation of school districts to high student achievement.

CDE dedicates itself to "closing the achievement gap" and increasing achievement levels for all students through comprehensive programs of education reform centered around the Department's organizational commitment.

The commitment to improve student achievement for all students is further enhanced through the Department's Unified Grants Office, which coordinates and/or supervises the following programs and activities:

- Ed-Flex.
- State Consolidated Plan.
- Title I, Title II, Title VI, and Title VI D.
- IASA Consolidated Federal Programs Application in Support of Improved Student Academic Performance.
- Colorado Coordinated Professional Development and Technical Assistance and Grant Program supporting statewide professional development activities using numerous state and federal funding sources.
- Charter Schools.
- Review of all state and federal competitive and formula grants to assure alignment with CDE's organizational commitment.

CDE's proposed Ed-Flex program is designed to be an integral component of Colorado's accountability and education reform agendas. Supporting local efforts to reform and improve the achievement levels of all children through increased flexibility in exchange for enhanced accountability is a central focus of CDE's proposed Ed-Flex program.



Colorado Department of Education Eligibility Criteria

A. Development and Implementation of Challenging State Content Standards

In 1993, the Colorado General Assembly enacted House Bill 93-1313 to bring about continued improvement in, and accountability for, student academic performance through a standards-based education system; “a system of instruction focused on student learning of content standards” [Colorado Revised Statutes (CRS) 22-7-402 (11)]. Accordingly, the General Assembly declared, “...that this system of standards-based education will serve as an anchor for education reform, with the focus of education including not just what teachers teach, but what students learn. In addition, standards-based education will advance equity, will promote assessment of student learning, and will reinforce accountability” [CRS-22-7-401]. House Bill 93-1313, and subsequent amendments, required the state to develop model academic content standards, and state assessments aligned to the state standards.

In 2000, the Colorado General Assembly enacted Senate Bill 00-186 setting forth a program of year-to-year assessments in grades three through ten for reading and writing and grades five through 10 in mathematics. This legislation also required the implementation of a diagnostic report of student performance on the Colorado Student Assessment Program (CSAP). This along with CDE training of district staff in the use of electronic data and item maps of the CSAP, will provide parents, teachers, and administrators with data that will be informative and useful in making instructional decisions.

Colorado’s Model Academic Content Standards reflect what all students should know and be able to do in 12 areas: reading, writing, mathematics, science, history, geography, civics, art, music, physical education, economics and foreign language. The State Model Academic Content Standards were developed by Colorado teachers, school administrators, business leaders, community members and higher education officials. Approximately 10,000 Coloradans contributed to the development of the content standards. The following guidelines were issued in developing the recommended State Model Academic Content Standards:

- They must specify the academic content students should know and be able to do. They must also specify what students should learn during key points in their education. Colorado Model Academic Content Standards do not address performance levels or how well a student has learned the material. The model content standards include specific expectations for student achievement by the

end of grades K-4, 5-8, and 9-12. These “benchmarks” are the cumulative knowledge students should gain during grades K-4, 5-8, and 9-12.

- The primary goal for education standards is to increase student achievement for all students. While some students may need more assistance, time, and opportunities to reach the standards, all students, with rare exceptions, are expected to learn at high levels.
- Content standards are not curricula. Content standards specify the end product: what a student should know and be able to do. How a district chooses to organize its schools and classrooms to ensure students are meeting the standards is a local community issue. School districts must identify books, teaching materials, and instructional approaches that best meet the needs of all their students.
- The model academic content standards do not represent the totality of what students should learn in school. Districts and schools are encouraged to build into the curriculum additional skills, knowledge and perspectives that are important to their communities.

CDE, under the leadership of the Deputy Commissioner, developed and disseminated “suggested grade level expectations” for each set of model academic content standards. The academic content standards and suggested grade level expectations are aligned to the CSAP.

With the passage of Senate Bill 00-186, and the addition of assessments at new grade levels, CDE has developed assessment frameworks for reading in grades 3-10, writing in grades 4, 7, and 10, and mathematics in grades 5, 8 and 10. During the 2000-01 school year, Assessment Frameworks will be completed for writing in grades 3, 5, 6, 8, 9 and in mathematics grades 6, 7 and 9.

B. U.S. Department of Education’s Approval of Colorado Student Assessment Program (CSAP)

On January 16, 2001, Commissioner Moloney submitted a timeline waiver request to Michael Cohen, Assistant Secretary, Office of Elementary and Secondary Education, regarding Colorado’s final assessment system. Prior to June 1, 2001, Colorado will submit to the U.S. Department of Education the remaining documentation, which is required for final and full approval of the state assessment system. Colorado’s timeline waiver extension was approved on January 18, 2001. (Appendix A)



C. Overview of State Assessment System

The purpose of the Colorado Student Assessment Program (CSAP) is to provide educators, policy makers, and the community with a picture of student performance and to determine the level at which all Colorado students meet the State's academic content standards. The results will provide a context for improving public education in Colorado. The fact that the CSAP is based on the State's model academic content standards will ensure that all districts are held to the same challenging standards that Coloradans expect for their children regardless of students' individual characteristics or whether they live in urban, suburban, or rural areas.

CSAP is designed to provide schools and districts a tool with which to align their efforts to the State Model Academic Content Standards, while providing a single and uniform statewide measurement to assess schools' progress in raising the achievement levels of all Colorado students. Districts and schools are now being held accountable for increasing the academic performance of all students, as measured by CSAP and other Accreditation Indicators (Appendix B).

D. Definition of Title I "Adequate Yearly Progress"

The Colorado Student Assessment Program (CSAP) is intended to monitor educational programs at the state, district and school levels; therefore, the inclusion of all students is imperative. School *Performance Profiles*, based upon CSAP results, are provided to every school and district in Colorado, including Title I schools. Data are disaggregated into all required student subgroups.

Results of academic progress for each Title I school have been and will continue to be provided to the state's Title I staff for each Title I school/district so that CDE staff, in collaboration with LEA staff, can determine if "Adequate Yearly Progress" has been made.

In all Title I schools, targeted assistance or schoolwide, all student results will be used to determine a school's "Adequate Yearly Progress".



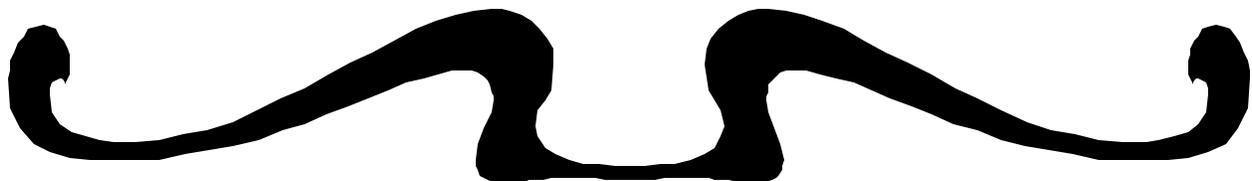
Adequate Yearly Progress and School Improvement

The 1994 reauthorization of Title I of the Elementary and Secondary Education Act required states to establish challenging content and performance standards and, by school year 2000-2001, design and implement a comprehensive accountability system to annually assess the progress of schools and districts toward meeting those standards. Section 1111 (b)(2) of Title I requires states to establish, based on the State's final assessment system, a definition of "Adequate Yearly Progress" that the State will use to measure the progress of Title I schools and LEAs. That definition must result in *continuous and substantial* annual improvement sufficient "to achieve the goal of *all children served under Title I* meeting the State's proficient or advanced levels of performance."

The 1999-2000 school year data will be the last year CDE will use the current "Title I Index", based on transitional assessments, to measure "Adequate Yearly Progress" and identify Title I schools and LEAs for school improvement. Thereafter, the definition of "Adequate Yearly Progress" for schools with grade 3 and higher will be based on growth against reading and math baselines established during the 2000-2001 CSAP administrations.

"Adequate Yearly Progress" for schools that contain only grades K-2 will be determined using the number of grade 2 students reading at grade level as measured using assessments approved under the Colorado Basic Literacy Act (CBLA).

CDE will generate annual "Adequate Yearly Progress" reports for all Title I schools. The "Adequate Yearly Progress" reports will be generated based upon data collected at CDE through the Colorado Student Assessment Program (CSAP). Based upon data available at CDE, reports will be generated and mailed to Title I schools and their LEAs not making "Adequate Yearly Progress".



The new criteria are as follows:

Content Area/School	Adequate Yearly Progress (AYP)
<p>Reading - for schools that contain grade 3 and higher.</p> <p>Only those CSAP exams for grades contained in a school will be used to assess AYP for that school. For example, for K-5 schools, the 3rd and 5th grade CSAP reading assessment will be used.</p> <p>Progress in K-2 reading will not be assessed by CDE in K-5 schools for the purpose of determining AYP unless an LEA contacts CDE requesting a review of such data.</p>	<p>Definition: A 7% reduction in the number of students scoring below proficient from one CSAP administration to the administration of CSAP the following year at the same grade level. Grade 3, 5, 8 and 10 CSAP reading assessments will be used. Baselines will be established during the school year 2000-2001 CSAP administrations.</p> <p>Formula: The number of students scoring below proficient on applicable CSAP (CSAPs for grades to be used in determining AYP contained in the school) reading assessments X .07 equals the number of below proficient students in the first year to be removed from the below proficient category in the second year to make AYP.</p> <p>Example: 35 students score below proficient on applicable reading CSAPs in year one. $35 \times .07 = 2.45$. Consequently, 2 fewer, or 33 students, may score below proficient on the same CSAP reading assessments the second year to make AYP, 31 in year three, 29 in year four, and so on. In year 7, the number of students that need to move to proficiency would be reduced to at least one student per year.</p>
<p>Math - for schools that contain grade 3 and higher.</p> <p>Only those CSAP exams for grades contained in a school will be used to assess AYP. For example, for K-5 schools, the 5th grade CSAP math assessment will be used.</p> <p>Progress in K-4 math will not be assessed by CDE in K-5 schools for the purpose of determining AYP unless an LEA contacts CDE requesting a review of other standardized assessment data.</p>	<p>Definition: A 7% reduction in the number of students scoring below Proficient from one CSAP administration to the administration of CSAP the following year at the same grade level. Grade 5, 8, and 10 CSAP math assessments will be used. Baselines will be established during school year 2000-2001 CSAP administrations.</p> <p>Formula: The number of students scoring below proficient on applicable CSAP (CSAPs for grades to be used in determining AYP contained in the school) math assessment(s) X .07 equals the number of below proficient students in the first year to be removed from the below proficient category in the second year.</p> <p>Example: 35 students score below proficient on applicable math CSAPs in year one. $35 \times .07 = 2.45$. Consequently, 2 fewer, or 33 students, may score below proficient on the same CSAP math assessment(s) the second year to make AYP. In year 7, the number of students that need to move to proficiency would be reduced to at least one student per year.</p>
<p>Reading –For schools that contain <u>ONLY</u> grades K-2.</p>	<p>Definition: A 7% reduction in the number of Grade 2 students not reading at grade level as assessed using assessments approved under the Colorado Basic Literacy Act from one Spring administration to the Spring administration the following year. Baselines are being established during the 2000-2001 school year.</p> <p>Formula: The number of Grade 2 students not reading at grade level in year one X .07 equals the number of students not reading at grade level in the first year that must be reading at grade level the second year.</p> <p>Example: 35 2nd grade students are not reading at grade level as assessed by CBLA assessments during the Spring of 2001. $35 \times .07 = 2.45$. Consequently, 2 fewer, or 33 students, may be reading below grade level using the same assessment during the Spring of 2002 to make AYP. In year 7, the number of students who need to move to grade level would be reduced to at least one student per year.</p>

Exceptions and Extenuating Circumstances

If an LEA believes that certain extenuating circumstances exist that CDE should consider before making a final determination regarding “Adequate Yearly Progress”, it is the LEAs responsibility to contact CDE's Title I office to request another review of the data. CDE will work with the LEA to examine any extenuating circumstances and additional standardized assessment data the LEA believes should be considered by CDE in assessing the progress of a particular school. These determinations will be made on a case-by-case basis. Extenuating circumstances may include, for example:

- ❑ A large percentage of students who are English language learners.
- ❑ Schools with very high levels of proficiency in reading or math.
- ❑ Sudden and dramatic changes in enrollment or demographics.
- ❑ Natural disasters such as fire or tornado damage resulting in long term disruption to the school’s educational program.

CDE will work with the LEA and/or Title I school(s) in question to examine scientifically based research, programs, and strategies to be implemented to mitigate identified and mutually agreed upon extenuating circumstances using SMART goals (specific, measurable, attainable, research-based, and time-phased). Individual Learning Plans (ILP’s) must also be considered as a means to assist with the mitigation of any extenuating circumstances mutually agreed upon. Reliable research and proven methodologies will be reviewed to determine the amount of extra time a Title I school may be granted to achieve “Adequate Yearly Progress” based upon the extenuating circumstances identified.

Other Assessments

Colorado school districts must adopt content and performance standards that meet or exceed those of the State. CDE encourages LEAs to develop and utilize other assessments aligned with state and local content and performance standards to further measure the success of local educational programs and individual student growth. CDE will consider the results of other standardized assessments in cases where CSAP data does not exist.

When CDE is considering other standardized assessment results, the LEA and Title I school(s) must demonstrate that numerically significant subgroups (e.g., race and gender) have made gains comparable to those of the school as a whole. Title I schools that report a percentage of children in the "Non-Tested" category on CSAP higher than the 3% state average will have their “Adequate Yearly Progress” determined using CSAP only, unless specific extenuating circumstances can be documented.

Other Information Used In Determining “Adequate Yearly Progress”

Other information that may be helpful in understanding the new definition of “Adequate Yearly Progress” and accompanying procedures include the following:

- ❑ AYP will be assessed separately in reading and math for Title I schools that contain grades 3 and higher. Schools that contain grades 3 and higher must make “Adequate Yearly Progress” in both content areas.
- ❑ Pursuant to federal Title I requirements, “Adequate Yearly Progress” will be assessed in math regardless of whether a Title I school provides Title I services in math.
- ❑ In all Title I schools, targeted assistance or schoolwide, all student results will be used to assess “Adequate Yearly Progress”.
- ❑ Enrollment fluctuations in a school of 10% or more will necessitate establishing new baselines.
- ❑ CSAP results will be counted only for those students falling into the "12+month" category as indicated on the CSAP testing booklets. Those students enrolled for less than 12 months in the school will not be counted in determining “Adequate Yearly Progress”.
- ❑ CDE will consider the results of other standardized assessments from schools or LEAs where fewer than 16 students are being administered applicable CSAP exams.

Adequate Yearly Progress for LEAs

CDE is required to identify LEAs failing to make “Adequate Yearly Progress” for Program Improvement. “Adequate Yearly Progress” for LEAs will be assessed as follows:

Definition: An LEA is considered to have made “Adequate Yearly Progress” if no more than 25% of its Title I students are enrolled in Title I schools designated for school improvement or corrective action status.

Formula: The total number of districtwide Title I students X .25 = the maximum number of Title I students that may be enrolled in Title I School Improvement or Corrective Action schools.

Example: If there are 100 Title I students in the LEA, no more than 25 of those students may be enrolled in Title I School Improvement or Corrective Action schools.

School Improvement/Corrective Action

Title I regulations require each LEA receiving Title I funds to use the State's definition of “Adequate Yearly Progress” to annually review the performance of each school served under Title I. CDE will identify for school improvement any school that has not made

“Adequate Yearly Progress” for two consecutive years based on the State's definition of “Adequate Yearly Progress”.

Schools failing to make “Adequate Yearly Progress” for two consecutive years in math and reading or, for K-2 schools, in 2nd grade reading, will be identified for School Improvement. After identification, each school on School Improvement must revise or develop a School Improvement Plan under Section 1112 of Title I to include ways of improving student performance in meeting the State's standards.

If other standardized assessments contradict the State's determination of “Adequate Yearly Progress,” CDE will review appropriate data on a case-by-case basis to determine “Adequate Yearly Progress”.

LEAs with schools on School Improvement must work with those schools to develop a comprehensive reform plan that will be implemented over the 3 years of School Improvement status. A School Improvement school must allocate at least 10% of its Title I allocation to professional development during the first two years of School Improvement or document that a comparable amount has been allocated from other resources.

Once identified for School Improvement, a school must make “Adequate Yearly Progress” for at least two of the following three years to exit School Improvement status. If the school fails to make “Adequate Yearly Progress” for at least two of the next three years, the LEA must identify the school for Corrective Action. Together, the LEA and school must develop and implement a comprehensive corrective action plan in that school to be submitted to CDE by September 1st of the first year of Corrective Action.

The following chart illustrates this requirement under various possible scenarios.

Sch. Yr. 96-97	Sch. Yr. 97-98	Sch. Yr. 98-99	Sch. Yr. 99-00	Sch. Yr. 00-01	Sch. Yr. 01-02
Identification for School Improvement		In School Improvement			Corrective Action?
Making Adequate Yearly Progress?					
No	No	No	No	No	Yes
No	No	No	No	Yes	Yes
No	No	No	Yes	No	Yes
No	No	No	Yes	Yes	Out of School Improvement
No	No	Yes	No	Yes	Out of School Improvement
No	No	Yes	Yes	Out of School Improvement	

LEA Program Improvement

LEAs failing to make “Adequate Yearly Progress” for two consecutive years will be identified for Program Improvement. LEAs identified for Program Improvement will be required to develop an improvement plan that:

- ❑ Contains the *Nine Components of Comprehensive School Reform*;
- ❑ Contains research-based strategies to address specific elements of student performance problems;
- ❑ Delineates responsibilities for the plan's implementation; and
- ❑ Allocates the personnel and resources necessary for LEA schools already on School Improvement or Corrective Action to implement their school-based, school improvement plans.

Identification of Distinguished Schools

Schools making gains that are significantly above the State's definition of “Adequate Yearly Progress” for three consecutive years or in which virtually all students have met the State's proficient or advanced performance level, will be eligible for designation as a Colorado Title I Distinguished School. Application procedures are being developed for those schools that want to apply for Colorado Title I Distinguished School Status. These awards are separate from those offered through the U.S. Department of Education.

E. Title I Technical Assistance Plan

Raising achievement levels in low performing schools and closing the achievement gap among student subgroups are CDE's top priorities. In order to tailor services to the unique needs of different parts of the State, CDE has organized around eight regions. The Department has formed eight Regional Service Teams and has established eight Regional Assistance Centers. In addition, each region has a Title I Committee of Practitioners and pool of distinguished educators identified for the purpose of school support. Using information compiled from regional needs assessments, Title I Performance Reports, IASA Consolidated Federal Program Applications, as well as other sources of data, CDE has and will continue to identify the schools in each region most in need of assistance in order to meet the State's standards. CDE will assign Title I staff to the Regional Service Teams based on the number of high-need schools within a region. CDE and/or the Regional Assistance Centers will tailor professional development opportunities and offer technical assistance to the Title I School Improvement schools most in need. Members of the CDE Title I staff and Regional Team members will provide technical assistance services when they can and broker services when they are unable to provide them directly. Team Members will prioritize

low performing schools for their services. The duties of CDE Title I staff and Regional Team members include:

- Assisting in the development of partnerships among families, schools and communities;
- Providing information on effective, research-based instruction and school reform;
- Conducting needs assessments and using the results to formulate action plans;
- Identifying, providing, and/or brokering of professional development and technical assistance;
- Facilitating the effective use of local, state, and federal resources;
- Creating partnerships with higher education;
- Training in the use of disaggregated data to drive school improvement efforts;
- Serving as a resource to Accreditation and Unified Grants Application processes; and
- Establishing and facilitating effective regional councils such as Title I Committees of Practitioners and Special Education Councils.

Steps CDE will take to assist schools identified for school improvement include, but are not limited to the following:

- Conduct workshops around the *Nine Components of Comprehensive School Reform*.
- Conduct workshops in the use of disaggregated data as a tool to drive school improvement efforts.
- Disseminate the *Schoolwide Planning Handbook* and provide training opportunities to schools considering Schoolwide as a school reform option.
- Disseminate information regarding best instructional practices using a variety of media. For example, Networking Days, Federal Programs Workshops, publications such as the Colorado Basic Literacy Handbook and standards for Quality Preschool Programs, the *Standards in Action* CD-Rom, and placement of abstracts of Distinguished School plans on CDE's website.
- Review descriptions of LEA support activities as described in the LEA's IASA Consolidated Federal Programs Application.
- Facilitate an exchange of information between Title I Distinguished Schools and Title I School Improvement schools.
- Where possible, utilize Title I Distinguished Educators to provide support to Title I schools farthest away from all students meeting the State's standards.
- When possible, award discretionary grants to Regional Assistance Centers to assist the highest need Title I schools in addressing specific problem areas.
- Administer the Title I School Improvement Grant Program.
- Develop and disseminate Title I self-assessment instrument to be used by a school to assess the quality of its Title I program.
- Provide training of trainers in the areas of: family literacy, English language acquisition, and the closing of achievement gaps among student subgroups.

- Work with Regional Assistance Centers to identify areas of need among School Improvement schools and tailor professional development opportunities to those needs.
- Provide annually, to each Title I school, a report of its progress relative to the State's definition of AYP using disaggregated CSAP data.
- Offer technical assistance on an as-requested basis to all School Improvement schools.
- Assist schools and districts to leverage the Colorado Charter Schools Act and Grant Program to bring about comprehensive school reform in chronically low performing schools.

A school identified for school improvement must, in collaboration with its LEA, formulate and implement a School Improvement Plan. The following table delineates the steps that a School Improvement school and its LEA must take over the three-year School Improvement period.



	Year One In School Improvement	Year Two In School Improvement	Year Three In School Improvement
Each school identified for school improvement must work with its LEA to do the following:	LEA and school consult with parents, teachers, the school district or BOCES, and others to identify elements of student performance problems.	Implement school improvement plan.	LEA and school representatives will meet with CDE staff and, when possible, distinguished educators and staff from Title I Distinguished Schools to monitor the progress and effectiveness of the plan's implementation.
	Teams from the school and its LEA must attend training, sponsored by CDE, in the <i>Components of Comprehensive School Reform</i> , Title I School Improvement grants, schoolwide planning, the use of disaggregated data, best instructional practices, and the coordination of resources.	Expend all monies (10% of allocation) designated for research-based professional development in Year One and Year Two.	Schools identified for corrective action must begin development of a new corrective action plan to be implemented during year four of their school improvement status. The plan must address the Nine Components of Comprehensive School Reform and be submitted to CDE.
	Develop a school improvement plan that addresses specific elements of student performance problems.	Document that activities designated for Year One and Year Two have been implemented.	
	Devote, over a two year period, at least 10% of its school allocation to research-based professional development.		
	Submit the plan for LEA approval.		
	The LEA must, in its Consolidated Federal Programs Application, describe efforts to assist School Improvement schools.		

F. Title I School Corrective Action/Comprehensive Reform Plan

Nine schools have been identified for Corrective Action implementation during the 2001-2002 school year. LEAs have been notified that they may institute corrective actions at any time a Title I school is not making "Adequate Yearly Progress" but that corrective action must be imposed and implemented during the fourth year of school improvement. LEAs have been notified that options available under Section 1116 (c)(5) include, but are not limited to, the following:

- Withholding funds;
- Interagency collaborative agreements to provide health, counseling, and other social services needed to remove barriers to learning;
- Revocation of authority to operate a schoolwide program;
- Decreased school level decision-making;
- Alternative governance arrangements such as the creation of a public charter school;
- Reconstitution of school staff;
- Authorizing students to transfer, including transportation costs to other public schools served by the LEA; and
- Implementing opportunity-to-learn standards or strategies developed by the State under the Goals 2000: Educate America Act.

Schools identified for corrective action will be required to develop a new corrective action plan. The plan must address and focus on the *Components of Comprehensive School Reform* which place a special emphasis, in the design and implementation on the following:

- Comprehensive design with aligned components;
- Effective, research-based methods and strategies;
- Professional development;
- Measurable goals and benchmarks;
- Support within the school;
- Parent and community involvement;
- External technical support and assistance;
- Evaluation strategies; and
- Coordination of resources.

CDE staff will assist corrective action schools and their LEAs in the development of the corrective action plan. After the school's LEA has approved the plan, it must be forwarded it to CDE no later than September 1st of the school year of implementation.

G **Individual School Profiles**

Each spring, all public schools in Colorado, including all Title I schools, are required to participate in the Colorado Student Assessment Program (CSAP). By the end of the 2000-2001 school year, the CSAP will include state-mandated assessments in reading for grades 3-10; in writing for grades 4, 7 and 10; in mathematics for grades 5, 8, and 10; and in science for grade 8. Other assessments may be developed and used by districts or schools.

All students (high poverty, migrant, neglected and delinquent, homeless and students with limited English proficiency) are included in the school/district CSAP results. Also, the state rules and regulations for accreditation monitor growth. In accordance with House Bill 97-1249 and Colorado Revised Statutes 22-7-409(2) the Department prepares an annual report of the results of the statewide assessments no later than January 1 of each year to the education committees of the House of Representatives and the Senate and to the Governor and is made available upon request to members of the public. In the report, the Department reports the percentage of students achieving each of the performance levels specified by the board, calculated for the state as a whole, for each district and by district size. The Department also reports the percentage of students in the state achieving each of the performance levels by gender, race, separate disabling condition, and ethnicity. The Department also reports the percentages of schools, categorizing the schools by socioeconomic status.

The improvements in student achievement and the success of schoolwide programs are also determined when data from CSAP scores for all Colorado schools, including all Title I schools, are compiled. After CSAP data, including the results of the assessments administered as a part of the Colorado Basic Literacy Act (CBLA) for K-2 schools are compiled, Title I schools are identified as distinguished or as a school in need of improvement, or not making "Adequate Yearly Progress".

H. **Accommodations**

The Colorado Department of Education's goal is to describe all students' levels of achievement with accuracy by providing as many students as possible with the opportunity to demonstrate their skills and knowledge. Since accommodations are used during instruction to provide students with access to information and learning activities, the CSAP allows assessment accommodations that also are used for instruction. An accommodation is a change made to the assessment procedures that provides a student with an equal opportunity to demonstrate knowledge and skills without affecting the reliability or validity of the assessment. An accommodation does not change the construct being measured, instructional level, content, or the performance criteria. Accommodations are not intended to provide an unfair advantage; they are intended to simply "level the playing field."

The vast majority of students who receive accommodations in the assessment procedure were special education students and students with disabilities. For each assessment, some students receive accommodations as to how the assessment is administered. These accommodations are the same as the accommodations the students have received during instruction. For example, large-print and Braille versions of the assessment are provided for visually impaired students.

Also, this year the CSAP-A or alternate assessment was administered as a pilot to fourth grade IEP students with the most severe needs.

I. English Language Learners (Spanish)

For the first time the results of the Spanish assessment are detailed in the annual report. This assessment provides students who are Spanish speakers an opportunity to demonstrate their abilities in 3rd grade reading and 4th grade reading and writing. These assessments have been administered since 1998 and students have shown marked proficiency gains during this time. In 1998, 41% of third graders were at or above proficient. This figure increased in 1999 to 47% and in 2000 to 52%. For fourth grade reading, 22% of students scored at or above proficient in 1998, 23% in 1999 and 29% in 2000. In writing, 23% of fourth grade students scored at or above proficient in 1998, and 27% and 31% in 1999 and 2000, respectively.

J. Non-Participation

The reasons for non-participation include: does not read English or Spanish; disabilities so severe that the student has individualized standards; parent refusal; and incomplete or invalid test sessions.

The category reported as "Not tested" represents students who were not tested due to inadequate literacy in either English or Spanish, parental refusal, or to the severity of a disability that resulted in the student working on individual standards rather than on State standards for Reading. Students who did not complete all testing sessions or whose tests were invalid (e.g., student shared answers, made no attempt to respond to the test) are also contained in this category. It is the intent of the Colorado Department of Education that as many students as possible participate in the assessment.

K. Results

Results from the May 2000 report on CSAP data related to third grade reading show that 69% of Colorado students earned scores indicating that they are proficient or advanced readers. This represents a two-percentage point increase over 1999 scores. Furthermore, the results show that 60% of Colorado fourth grade students are proficient or advanced in reading, while 36% are proficient or advanced in writing. The results also show that 58% of Colorado seventh grade students are proficient or advanced in

reading, while 42% are proficient or advanced in writing. Finally, the results show that 33% of eighth grade students are proficient or advanced in mathematics and 45% are proficient or advanced in science.

Students with some of the greatest challenges have shown progress over the last three years on the third grade assessment. Those on IEPs have made steady growth since the first assessment in 1998. Students scoring proficient or advanced increased from 19% in 1998 to 23% in 2000. The most encouraging change was the decrease in students scoring at the unsatisfactory level (from 41% in 1998 to 36% in 2000).

Preliminary analysis of these CSAP data have indicated that Title I students are showing greater percent growth than non-Title I students. For example, on the 4th grade CSAP reading and writing assessments from 1997 to 1999, Title I students showed 27% growth compared to 5.4% growth for non-Title I students.

The process for holding all schools and districts accountable for the performance of each student through public reporting of assessment results and CDE's work with individual schools, districts and educational organizations through their staff development process has served to support the continued incorporation of challenging content and student performance standards into instruction. This is enhanced through CDE training of district staff in the use of electronic data and item maps of the CSAP, which provide parents, teachers, and administrators with the information necessary to ensure that challenging content, and student performance standards are being applied effectively.



State Statutory/Regulatory

Waiver Authority

Colorado Revised Statute (CRS) 22-2-117 became law in 1989, giving the Colorado State Board of Education the authority to grant waivers of Title 22, CRS, the state educational code and from the Colorado Code of Regulations.

The only waivers not permitted from the educational code or from the Colorado Code of Regulations are those which change the revenues, expenditures, restrictions or other fiscal requirements upon a school district or board of cooperative services from the levels provided by statute.

During the 2000 legislative session, the process for obtaining waivers for both school districts and their charter schools was simplified in HB00-1040. The General Assembly determined that the State Board of Education should have the authority to waive any state statutory or regulatory requirements identified at the local level as creating barriers to carrying out local education reform plans. The process was also simplified for charter schools seeking to implement their reform plans.

Waiver requests have steadily increased over the past decade, providing further demonstration of the need for flexibility in exchange for enhanced accountability. Examples of waivers granted to date by the State Board of Education include, but are not limited to, statutes pertaining to the following:

- Adopting policies, procedures, rules and regulations
- Employing personnel and fixing compensation
- Establishing a school calendar
- Determination of educational program
- Policies and regulations regarding student conduct, welfare, etc.
- Discharge of personnel
- Policies and regulations regarding employee training
- Principals' employment and authority
- Employment license required-exceptions
- Employment contracts
- Renewal of employment contracts
- Transfer of teachers and salary adjustments
- Grounds for dismissal
- Salary schedules
- Length of school year
- Curriculum
- Textbooks

Colorado Department of Education State Application Educational Flexibility (Ed-Flex) Plan

A. Introduction

CDE's Unified Grants Office had the responsibility for writing Colorado's Ed-Flex Plan and assembling the evidence to demonstrate that the plan meets all of the Ed-Flex eligibility criteria. Staff participating in the development and implementation of the plan include:

- William Moloney, Commissioner of Education
- Dick Elmer, Deputy Commissioner
- William Windler, Assistant Commissioner
- Patrick Chapman, Supervisor, Title I, Title II, Title VI, and Title VI D
- Betty C de Baca, Consultant, Title I
- Brooke Fitchett, Senior Consultant, CSRD
- Iris Hogue, Assistant Director, Title I
- Arti Jackson, Senior Consultant, Title I, Neglected and Delinquent
- Dean Kern, Senior Consultant, Unified Grants and Charter Schools
- Flo Lenhart, Director, English Language Acquisition Unit
- Denise Mund, Consultant, Charter Schools
- Stan Paprocki, Senior Consultant, Title IV
- Jan Silverstein, Director, Competitive Grants and Goals 2000
- Don Watson, Director, Student Assessment Office
- CDE Ed-Flex Committee

In addition, broad public input was collected and is outlined in the following sections of this plan. All of the above referenced people were integrally involved in designing and collecting the public input processes and procedures. Most were also involved in creating the waiver management process and many will be involved in managing the waiver process through their membership on the Ed-Flex Waiver Committee. The Committee is composed of staff representing all the programs affected by waivers, plus other programs such as charter schools, Unified Grants, student assessment and competitive grants.

The objectives of the Ed-Flex Plan are to further advance the original goals of Colorado's Consolidated State Plan. The Goals are summarized later in this plan as well.

B. Colorado Ed-Flex Waiver Process: Individual and Statewide

There are two types of waivers: Individual and Statewide. The Colorado Department of Education (CDE) has designed its Ed-Flex waiver process to grant individual and statewide waiver requests to districts that demonstrate that the Federal regulation/statutes cited create barriers in carrying out the education reform plan in an effective way.

Colorado has had several years of experience in providing Ed-Flex technical assistance as an Ed-Flex Demonstration State. As a pilot state, Colorado has identified the regulations and requirements that most often prove to be a barrier to improving instructional services and increasing student achievement. Colorado has also learned the importance of setting specific goals tied to waiver requests, maintaining and tracking accurate waiver data, and evaluating the impact of waivers on an annual basis. These lessons are being incorporated into revised guidance, policies, and procedures that will be compiled into an Ed-Flex packet of information and communicated to LEAs. The Department will provide training to CDE Regional Teams in the new guidelines and procedures so that they are familiar with the information as they work with districts on school improvement efforts.

Individual and statewide waivers will not be granted which would reduce, eliminate, or change maintenance of effort; comparability; equitable participation of students and teachers in private schools; in parental involvement; distribution of funds to LEAs; serving eligible school attendance areas in rank order; the selection of a school attendance area or school under Sections 1113(a) and (b) of Title I, except that an SEA may grant a waiver to allow a school attendance area or school to participate in Title I, Part A, if the percentage of children from low-income families in the school attendance area or school is within 10 percentage points of lowest Title I eligible school or attendance area; the use of federal funds to supplement, not supplant, non-federal funds; applicable civil rights requirements; Title X, Part C, charter school requirement; safety requirements; prohibition of use of State aid funds for religious worship or instruction; prohibition of restrictions regarding construction; or requirements relating to the basic purposes or goals of programs.

Individual and statewide waivers will be granted when LEA requests demonstrate the federal regulation creates a barrier to effective delivery of educational services that will improve student achievement. Waivers will only be granted for those statutory or regulatory requirements for which authority is provided.

C. Individual Waiver Requests

Local educational agencies requesting individual waiver requests will be required to submit requests on a standard CDE Ed-Flex application form that includes responses to the following statements:

1. The statutory or regulatory requirement to be waived.
2. A description of the need and rationale for the waiver.
3. A description of the expected result and a description of how the waiver is related to school or district goals and accreditation indicators.
4. A description of how the school/district/BOCES will continue to meet the underlying purpose of the waived requirement.
5. The length of time for which the waiver is being requested.
6. A description of how results will be measured using CSAP scores, Colorado Basic Literacy Act bodies of evidence, and other accreditation indicators.
7. Evidence of parent and community support for the waiver and principal support if the waiver is for a school.

Individual waiver requests must complete CDE's Ed-Flex Waiver Application, answering, in full, the seven questions referred to above. The Ed-Flex Committee will make a determination whether the waiver requested is allowable under the Educational Flexibility Partnership Act and state law and regulations. Requests for items that are clearly prohibited will be returned immediately to the applicant. Those applicants who request waivers where there is uncertainty as to their allowability will be referred to the appropriate U.S. Department of Education Program Office or State Attorney General's office for legal review. Applications that clearly demonstrate and address the criteria outlined previously will be forwarded, along with the Committee's recommendation for review and approval/denial, to the Commissioner of Education.

D. Statewide Waiver Requests

Waivers that will clearly benefit other LEAs or schools will be considered by CDE for statewide waiver status. As an Ed-Flex pilot state, CDE initiated requests for two waivers under the Eisenhower program and three waivers under the Class Size Reduction Program. The Eisenhower waivers, pertaining to the cost-sharing and consortium requirements, were anticipated in the program's authorizing legislation. Consequently, SEAs have the authority to grant such waivers even without Ed-Flex status. The Class Size reduction waivers were those recommended for consideration in the U.S. Department of Education's non-regulatory guidance. The steps that were taken to create the statewide waivers were as follows:

- LEAs were surveyed to assess need for the waiver. Only those waivers in high demand (a minimum of 20% of survey respondents) were pursued. Approving such waivers on an individual basis places a heavy administrative burden on the Department.

- CDE drafted waiver requests for consideration of the state's Ed-Flex Committee.
- Notices inviting public comment regarding the waiver requests were widely distributed. For example, letters were sent to all LEA superintendents, Colorado PTA, Colorado Association of School Executives, Colorado Association of School Boards, La Rasa, and the Colorado Education Association.
- Three regional public forums were held informing attendees of the implications of the waivers.
- The waiver requests were reviewed and approved by the Ed-Flex Committee.

BOCES or districts requesting a statewide waiver will be required to submit their request as a part of the IASA Consolidated Federal Programs Application. The consolidated application requires the applicant to describe how the underlying purpose of the waived statute will continue to be met and the expected outcome that will be achieved.

Should additional statewide waivers be approved in the future, similar steps will be taken and criteria for those waivers will be developed and widely disseminated. Statewide waivers are considered upon notification to the Department of an educational agency's request to implement a statewide waiver during the development and submission of its IASA Consolidated Federal Programs Grant Application. An LEA applying for a statewide waiver must specify how it will meet the underlying intent of the requirement to be waived.

E. Ed-Flex Committee Review

Both individual and statewide waiver requests are submitted to CDE's Ed-Flex office for committee review. LEA requests for individual and statewide waivers are considered for approval during the review of an LEA's IASA Consolidated Federal Programs Grant Application to CDE. All waivers requested are reviewed by Ed-Flex committee members for benefit and effectiveness in decreasing barriers to implementing education reform. A waiver will be denied if the Ed-Flex Committee determines that the request is unwarranted.

Waivers will be granted for the duration of the state's Ed-Flex authority, unless extenuating circumstances warrant a shorter period of time. Waiver revocation will be considered when student achievement results decline for any student subpopulation originally targeted by the waived statute. Annually progress reports will be required for all waivers issued.

Ed-Flex application and reporting materials and procedures have been integrated into the State's Consolidated Federal Programs Application. The Consolidated Federal Programs Application has been designed around the components of comprehensive school reform, data-driven, research-based school improvement, and Safe and Drug Free Schools Title IV Principles of Effectiveness. The use of Ed-Flex as a tool for educational improvement and reform has been promoted in guidance materials and Regional Federal Program Workshops around the state.

In providing technical assistance to LEAs regarding waivers, the Department makes clear those requirements and statutory provisions that may not be waived. However, LEAs are encouraged to be innovative and reform-oriented in the use of their federal program dollars. Often LEAs perceive barriers or requirements in federal programs that in actuality do not exist. CDE will take steps to ensure that LEAs have the information necessary to know what they can and cannot do under federal programs covered by Ed-Flex and cite examples of requirements that they may consider waiving if they prove to be barriers to increasing student achievement in their district. All information regarding Ed-Flex waivers will also be posted on CDE's website.

F. Monitoring Waiver Requests

The Unified Grants Office will maintain a comprehensive database for all Ed-Flex waivers approved by CDE. The database will include:

- Name of LEA and contact person
- Statutory citation
- Duration of waiver
- Date approved and date of expiration
- Rationale for waiver
- Annual review date
- Accreditation goal the waiver will be measured against

Annually, all Ed-Flex waiver recipients will be required to provide CDE with an evaluation of the waiver's impact on student academic achievement. This annual evaluation will be included in each LEA's IASA Consolidated Federal Programs Progress Report. The waiver recipient's pertinent CSAP and other assessment baseline data will be compared to current data. As mentioned earlier in this application, all Ed-Flex waivers must support one or more of the state's measurable accreditation goals submitted as part of the LEAs IASA Consolidated Federal Programs Grant Application. In all cases, Ed-Flex waiver recipients will be required to monitor the degree to which the targeted student populations are performing in relationship to non-targeted student populations. For example, if a school receives a waiver from the poverty threshold so that it can become a schoolwide school, that school must be able to document through pre and post assessment results, that the Title I students who would have been served if the school were a targeted assistance school, have made academic gains comparable to those of all other students. If achievement results for the targeted student population have decreased, the waiver will be revoked.

G. Public Notice and Comment

A formal 3 week “public comment” period was established and the draft “Ed-Flex Plan” including the state’s definition of “Adequate Yearly Progress” for Title I schools (Appendix C) was posted on the CDE’s website.

Notification was mailed to numerous stakeholders including:

- School District Superintendents
 - BOCES Directors
 - Charter School Directors
 - IASA District Federal Program Directors
 - Colorado Association of School Boards
 - Colorado Association of School Executives
 - Colorado PTA
 - Title I Committee of Practitioners
 - Other interested parties
- All local educational agencies were notified of this plan through the annual CDE Federal IASA Program Directors Workshops held in at least ten areas across the state.
 - Presentations and discussions were conducted with the State Board of Education to seek their input and approval for submission of this Ed-Flex Plan.
 - Presentation and discussions were conducted with the Consolidated Federal Programs Grant Team and the CDE Regional Teams.
 - Presentation and discussions were conducted with the Title I Committee of Practitioners
 - Letters sent to LEAs with waivers granted under the State’s Ed-Flex Demonstration Program authority. The letter will inform the LEA of the State’s intent to apply for similar authority under the Ed-Flex Partnership Act and invite them to comment on the application. The LEAs will be asked to re-apply for waivers under the new legislation and cautioned that the State’s ability to grant such waivers is contingent upon receiving such authority from the Secretary of Education.
 - Comments regarding changes to the State’s Ed-Flex status and procedures are included in CDE’s Consolidated Federal Program Application and reporting materials. These materials are reviewed with district accountability committees that include parents, teachers as well as members of the business community.

Ed-Flex Educational Objectives

Colorado's Ed-Flex program is designed to support and enhance the goals found in Colorado's original Consolidated State Plan. The state's goals are listed below with a brief progress report for each.

Goal 1 ***Establish and maintain clear standards for what students must know and be able to do.***

Progress: In 1993, the Colorado General Assembly enacted House Bill 93-1313 to bring about coordinated improvement in, and accountability for, student academic performance through a standards-based education system; "a system of instruction focused on student learning of content standards: [CRS-22-7-402 (11)]. During the fall of 1995, the Colorado State Board of Education adopted State Model Content Standards in the initial six identified subject areas of reading, writing, geography, history, mathematics, and science. During the fall of 1997, State Model Content Standards were adopted by the State Board of Education in the following second priority areas: foreign language, music, physical education, and visual arts. Economics and civics model content standards were adopted by the State Board of Education in August of 1998. CDE, under the leadership of the Deputy Commissioner, developed and disseminated "suggested grade level expectations" for each set of model academic content standards. The academic content standards and suggested grade level expectations are aligned to the Colorado Student Assessment Program (CSAP).

Goal 2 ***Implement assessments to ensure that all students are meeting high academic standards.***

Progress: The Colorado Student Assessment Program (CSAP) is designed to provide schools and districts a tool with which to align their efforts to the State Model Content Standards, while providing a single, uniform, statewide measurement to assess school's progress in raising the achievement levels of all Colorado students. Districts and schools are now being held accountable for increasing the academic performance of all students, as measured by CSAP and other Accreditation Indicators

Goal 3 ***Align curriculum and instruction to standards and assessments.***

Progress: Senate Bill 00-186 set forth a model for year-to-year assessment in grades three through ten for reading and writing and grades five through ten in mathematics. This legislation also put in place a system of report cards intended to inform the public

of the academic performance of schools. This legislation also required the implementation of a diagnostic report of student performance on the Colorado Student Assessment Program (CSAP). Colorado's Model Content standards reflect what all student should know and be able to do in 12 areas: reading, writing, mathematics, science, history, geography, civics, art, music, physical education, economics and foreign languages.

Goal 4 ***Prepare and support educators and schools to enable students to reach high standards.***

Progress: The ***Nine Components of Comprehensive School Reform*** have been embedded into nearly all state and federally funded grant programs administered through CDE. Ongoing, high-quality professional development is one of the key components of comprehensive school reform. To that end, all professional development activities supported through CDE's grants and programs must support the ***Guidelines for Professional Development of Educators in Colorado***. Major financial support for statewide professional development activities is provided through several grants and programs discussed earlier in this application.

Goal 5 ***Begin education early to ensure that students are ready to learn when they enter school.***

Progress: The Early Childhood Leadership Team promotes coordination in the early childhood care and education arena by encouraging dialogue at the LEA level among Head Start, Migrant Head Start, the Colorado Preschool Program, Title I Even Start, and Family Literacy Programs. Through a partnership with the Department of Human Services, CDE works with 18 pilot communities to consolidate early childhood funding streams and to evaluate the effectiveness of services. Preliminary data from some school districts indicate that children who attended the Colorado Preschool Program are doing as well on the CSAP as the general population. The early childhood team staffs the regional teams and provides expertise and training to regions. Specifically, the team trains providers in "Building Blocks" activities for the classroom supporting skills and content knowledge related to the state standards.

Goal 6 ***Create safe, disciplined, and drug free learning environments.***

Progress: CDE staff has been working with LEAs to fully integrate the Safe and Drug Free School's Principles of Effectiveness into district and BOCES Consolidated Federal Programs Applications. CDE staff has worked intensively with LEA staff during the past two years to provide technical assistance on the implementation of the Principles. CDE has incorporated the Principles into the 1999-2000 application for funding to ensure LEA's develop programs and activities in a manner consistent with the Principles. This practice has formed the basis for improved program development and implementation within school districts and schools across the state. LEA goals and objectives have

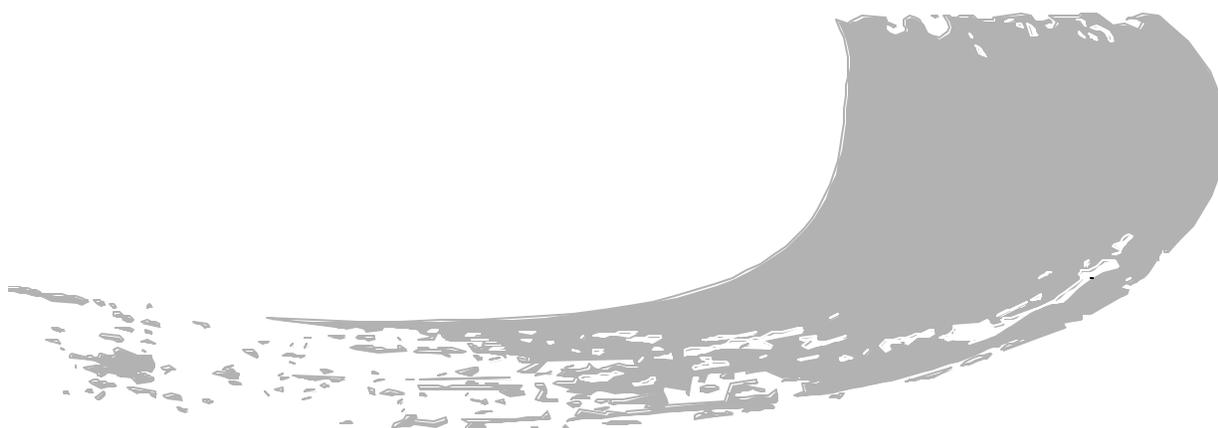
been revised based on a review of needs, enhanced data analysis, and evaluation of their programs to assess progress toward achieving their goals.

Goal 7 ***Promote partnerships and establish links among the education, parent, and business communities to support children and schools.***

Progress: CDE has implemented a regional team structure to support districts and communities in standards implementation and the attainment of the Accreditation Indicators. The Regional Team structure also connects with and supports local parent and community involvement efforts. For example, each of the Regional Teams works with a Title I advisory council. Regional teams also provide support and assistance to school and district accountability committee advisory teams. All CDE grant applications include clear expectations for parent and community involvement (e.g., family literacy components) in building-based efforts. The partnerships and linkages emphasized in Goal 7 have been enhanced by the active participation of educators and community members from across the state on the advisory boards for each of the competitive grant programs. In addition, educators from across the state work together in the peer review of grant applications.

Goal 8 ***Share responsibility and be accountable for results.***

Progress: The CDE Organizational Commitment embodies the reform philosophy being advanced in Colorado. The Accreditation Indicators (Appendix B), which constitute the core of state accreditation and accountability, contain the more specific and measurable goals all school districts are now held accountable to meet. Annual progress reports are required for district accreditation. Incentives and sanctions are embedded into the state accreditation process.



Summary

The ongoing reorganization of CDE continues to focus all programs and grants (federal and state) on the advancement of CDE's Organizational Commitment. Federal and state funds and programs, including Ed-Flex, are now being significantly leveraged toward the attainment of the overarching goals found in the Colorado State Plan. The CDE Organizational Commitment embodies the reform philosophy being advanced in Colorado.

Significant alignment of state and federal resources has already occurred. For example, the *Nine Components of Comprehensive School Reform*, developed, implemented, and evaluated through the "Comprehensive School Reform Demonstration Program (CSRDP)", have now been imbedded into nearly all state and federally funded grant programs administered through CDE.

Nine Components of Comprehensive School Reform

- 1. Comprehensive design with aligned components*
- 2. Effective, research-based methods and strategies*
- 3. Ongoing, high-quality professional development*
- 4. Measurable goals and benchmarks*
- 5. Support from within the school*
- 6. Meaningful parent and community involvement*
- 7. High-quality external technical support and assistance*
- 8. Evaluation strategies*
- 9. Coordination of financial and other resources*

The advance of these research-based components, through the administration of CDE's state and federal programs, combined with the increased flexibility of Ed-Flex, has significantly enhanced cross-program planning and implementation at the state, district and school levels. This enhanced cross-program collaboration is proving to be a catalyst to promote high-quality teaching and higher levels of learning for many students.

Appendix A

William J. Moloney
Commissioner of Education
Colorado Department of Education
201 E. Colfax Avenue, Room 500
Denver, CO 80203

Dear Commissioner Moloney:

I am writing to inform you that the Department has approved your request for a waiver of timeline for Colorado's final assessment system, based on the evaluation conducted by external peer reviewers and U.S. Department of Education staff. With this waiver, Colorado has until the end of June 2001 to complete the following parts of the system identified as not meeting the requirements of Section 1111(b)(3) and 1116(a) of the Elementary and Secondary Education Act:

- Complete the setting and passage of performance standards for elementary mathematics and for the 10-12 grade span.
- Complete a technical manual for the high school assessment, and
- Revise the existing State reporting procedure to meet the Title I requirements. Section 1111(b)(3)(I) of the statute makes clear that, "The State assessments shall – Enable results to be disaggregated within each State, local educational agency, and school by gender, by each major racial and ethnic group, by English proficiency status, by migrant status, by students with disabilities as compared to no disabled students, and by economically disadvantaged students as compared to students who are not economically disadvantaged." Colorado reports currently not disaggregated". Colorado reports currently include all required disaggregation categories except economically disadvantaged students as compared to students who are not economically disadvantaged.

When evidence that these changes has been submitted to ED, the assessment system will be fully approved.

If, over time, changes are made to Colorado's assessment system, the State must submit information about those changes to the Department as required by section 1111(e)(2) of Title I.

Please note that the approval of Colorado's assessment system for Title I does not mean that the system complies 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.

Enclosed with this letter are more detailed comments from the peer review team that evaluated the Colorado assessment documents. I hope you will find the reviewers comments and suggestions helpful. We look forward to working with Colorado to support a high quality assessment system. If you would like to discuss this further, please so not hesitate to call me.

Sincerely,

Michael Cohen
Assistant Secretary

Enclosure

Appendix B

Colorado education reform is a three-part harmony of high standards, tough assessments, and rigorous accountability. July 1, 2000, new accreditation requirements were implemented. Simultaneously, the IASA Consolidated Federal Programs was unified to provide assistance for school improvement, accountability, and reporting to support the success of a school district's accreditation program. The Consolidated Federal Programs Application in Support of Increasing Student Academic Achievement (Title I, II, IV, VI, and VII) must be aligned to these State Accreditation Indicators.

NOTE: These Accreditation Indicators are currently under revision to more fully align them with the requirements of Senate Bill 00-186 which was discussed earlier in this application.

Academic Indicators:

A. CSAP Tests:

- Ultimate Goal: 100% of students are Proficient or Advanced level.
- Intermediate Benchmark: 80% of students are Proficient or Advanced level.
- Short-Term Benchmark: 25% increase in students at Proficient or Advanced level over three years. Example: a district at 40% Proficient or Advanced would need to improve to 50% level within 3 years.

B. Third Grade Literacy Test Results

- 25% percent decrease in number of Students Reading below Grade Level Over Three Year Period. Example: A district with 100 third graders below grade level would have to get at least 25 of those youngsters up to grade level within 3 years.

C. Advanced Placement

- District Sets Challenging Goals for Progress. Key indicator would be number of students obtaining passing grade on AP exam and/or equivalent indicators of high academic performance as defined in the local district/State Board of Education Accreditation Contract.

D. Results of District Tests Administered for all other Standards.

- For all these indicators each school district will adopt challenging, measurable and achievable goals aligned with state content standards.

Other State Accreditation Indicators:

- Dropout Rates
- Student Attendance Rates, including Number of Students Expelled and Suspended.
- Graduation Rates and Graduation Requirements.

For all these indicators each school district will adopt challenging, measurable and achievable goals aligned with state content standards.

- Percentage of students taking and percentage of students exempt from assessment programs.
- Evidence of a safe, civil learning climate.

Local District Accreditation Indicators: (Voluntary)

- School Districts may Develop Other Indicators, which Assess Progress on Local District Goals and Objectives. These Indicators would be reflected in the Accreditation Contract between State Board of Education and the local district.

Under
Revision

Appendix C



COLORADO DEPARTMENT OF EDUCATION

201 East Colfax Avenue [Central Office 303.866.6600]
Denver, Colorado 80203-1704 • www.cde.state.co.us

William J. Moloney
Commissioner of Education

Richard G. Elmer
Deputy Commissioner

OPPORTUNITY FOR PUBLIC COMMENT

THE COLORADO DEPARTMENT OF EDUCATION SEEKS COMMENTS ON ITS “ED FLEX APPLICATION AND ITS PROPOSED DEFINITION OF “ADEQUATE YEARLY PROGRESS” FOR TITLE 1 SCHOOLS TO BE SUBMITTED PRIOR TO MARCH 1, 2001 TO THE UNITED STATES DEPARTMENT OF EDUCATION FOR APPROVAL

The Title 1 definition for “Adequate Yearly Progress” is embedded into CDE’s Ed-Flex application. The Title 1 plan must be approved by the United States Department of Education as a prerequisite to Ed Flex approval. Refer to page 4 of the Ed Flex application for the Title 1 definition of “Adequate Yearly Progress”.

To: School District Superintendents
BOCES Directors
District Title 1 Directors
Colorado Association of School Boards
American Federation of Teachers (CO)
Regional Assistance Center Directors

Colorado PTA
Colorado Association of School Executives
Charter School Directors
Title 1 Committee of Practitioners
Colorado Education Association
Other Interested Parties

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Date: January 22, 2001

NOTICE OF PUBLIC COMMENT – JANUARY 23 THROUGH FEBRUARY 19, 2001

All comments must be received by 4 p.m., February 19, 2001, via the on-line public comment system found at: <http://www.cde.state.co.us/cdeunified/edflexpubcomment.htm>

HOW DO I REVIEW THE PLAN?

The plan can be found on CDE’s website. Go to:
<http://www.cde.state.co.us/cdeunified/edflexpubcomment.htm>

STATE ED FLEX PLAN – SUMMARY

Passed by Congress in 1999, the Ed Flex Partnership Act allows the U.S. Secretary of Education to delegate to states the authority to waive certain federal education requirements that may impede state and local efforts to improve education. Ed Flex is designed to give schools more flexibility to implement educational reforms designed to raise student academic achievement.

Ed Flex gives Colorado an opportunity to invest federal education dollars based more on local needs and priorities than on strict federal mandates. This is an important first step in allowing states the flexibility to help improve their education systems. Ed Flex is one more tool that will make it easier and quicker to implement state and local reform initiatives. It will enhance state and local efforts to make federal education programs an integral part of our reform efforts instead of an obstacle.

Under Ed Flex, the Colorado Department of Education will be empowered to waive some federal elementary and secondary education requirements, enabling schools and districts to better serve their students. The proposed state Ed Flex Plan is posted on CDE's website: <http://www.cde.state.co.us/cdeunified/edflexpubcomment.htm> You may submit your comments via this web site as well.

TITLE 1 – DEFINITION FOR ADEQUATE YEARLY PROGRESS

Under Section 1111 (b)(2) of Title 1, a State must establish a definition of "Adequate Yearly Progress" (AYP), based primarily on the State's final assessment system, that the State will use to measure the progress of its Title 1 schools and LEAs. That definition must result in "continuous and substantial yearly improvement of each LEA and school sufficient to achieve the goal of all children served under Title 1 meeting the State's proficient and advanced levels of performance" In addition, the State's definition must specifically articulate how the State will use that definition to identify low-performing schools and LEAs.

That definition must be accompanied by a state technical assistance plan to assist schools and LEAs identified as in need of improvement under Title 1 and include State and LEA strategies for intervening in schools that have been identified for school improvement for three years.

Page 4 of CDE's proposed Ed Flex plan contains the proposed definition of "Adequate Yearly Progress" for Title 1 schools. It is posted on CDE's website: <http://www.cde.state.co.us/cdeunified/edflexpubcomment.htm> You may submit your comments via this web site as well.

INTRODUCTION TO COLORADO BASIC LITERACY ACT BACKGROUND

In the spring of 1996 the Colorado General Assembly passed House Bill 96-1139, Colorado's Basic Literacy Act. The preamble to this act states:

It is the intent of the General Assembly that, after third grade, no pupil may be placed at a grade level or other level of schooling that requires literacy skills not yet acquired by the pupil.

It is important to note, however, that the Colorado Basic Literacy Act is not a retention bill. Instead the act makes three promises to the citizens of Colorado.

- ✓ Colorado educators will work in partnership with parents to teach all students to read by the end of the third grade.
- ✓ To that end, educators will routinely assess student progress toward proficiency in reading.
- ✓ Schools will provide intensive reading instruction for students who need additional help.

Immediately after HB 96-1139 was passed, educators throughout the state wanted answers to many unanswered questions. In response, Dr. Richard Laughlin, the Acting Commissioner of Education, assigned the task of writing rules and regulations to CDE's Linkages Committee, a committee in the process of examining how to link the Colorado Basic Literacy Act with the Standards and Assessment Law (HB 93-1313). The committee was composed of reading specialists, Title I Directors, curriculum specialists, assessment experts, special education directors, university professors, and, most importantly, classroom teachers. With the cooperation of Don Watson from the Assessment Unit at Colorado Department of Education (CDE) and Stevi Quate, CDE's language and arts consultant, the committee facilitated the process of writing the rules and regulations.

For several months, the Linkages Committee reviewed research on reading, examined best practices to teach reading, debated issues, and developed a set of rules they knew could make a difference for young students. In the process, they agreed that Colorado would avoid the "Great Reading Wars" raging in many other states. Colorado educators from a variety of philosophical stances agreed that decisions that would influence Colorado students would be based on the needs of students, not ideological stances.

Although no educator would argue with the intent of this act, difficulties had to be overcome: determining the needs of all students, assessing them appropriately, and providing adequate instruction. The purpose of this handbook is to assist Colorado school districts as they implement this law. The writers of this handbook include many members of the Linkages Committee along with teachers, administrators, parents and others who have provided important feedback. All the included suggestions are firmly grounded in research and aimed towards one goal: to ensure that all Colorado students are reading well.

HISTORY OF THE COLORADO BASIC LITERACY ACT

May, 1996:

House Bill 96-1139. Colorado Basic Literacy Act, was passed by Colorado legislators.

January, 1997:

CDE's Linkages Committee began the task of drafting guidelines for implementing the Colorado Basic Literacy Act and linked to HB 96-1139 to the Standards and Assessment Law, HB 93-1313. The committee included Lois Adams, Judy Bulmer, Laura Benson, Ron Cabrera, Jackie Colt, Wendy Downie, Sharon Dwyer, Catherine Felknor, Pat Hagerty, Dianne Harper, Billie Hufford, Sandy Husk, Deborah Johnson, Lynn Kuhn, Kay Mervar, Karen Packard, Colleen Rickert, Sue Schafer, Bev Stoll, Judy Stout, Pat Ward, Dave Wendelin and Vicky Winterscheidt; Stevi Quate chaired the committee. In the meantime various other groups, including the Denver Area School Superintendents' Council (DASSC) discussed and proposed policies for implementation of the Act.

February, 1997:

Dr. Laughlin, the Acting Commissioner, requested that the Linkage Committee write the rules for HB 96-1139 and present them to the Colorado State Board of Education for approval. This was to be done in concert with the Standards and Assessment Development and Implementation Council. (SADI).

May, 1997:

Colorado state legislators passed HB 97-1249 which mandated that all third graders would take a state reading assessment.

Colorado State Board of Education approved rules for HB 96-1139.

July, 1997:

CDE and CTB-McGraw Hill began the development of the third grade reading assessment as part of the Colorado State Assessment Program (CSAP).

September, 1997:

Conten, Bias, and the Community Review Panels met to examine proposed test items and passages for third grade reading assessment.

October, 1997:

Colorado State Board of Education approved the third grade reading assessments.

March, 1997:

Colorado's third graders took the third grade CSAP, as mandated by HB 97-1249.

School year 1998-1999:

The Colorado Basic Literacy Act is implemented in school districts.

SUMMARY OF THE BILLS IMPACTING THE COLORADO BASIC LITERACY ACT

HB 96-1139: Colorado Basic Literacy Act

This Act mandates that all students will be reading on the third grade level by the end of the third grade and before they can move on to a fourth grade reading class. This Act requires that the reading growth of all students be monitored carefully from the kindergarten through the third grade. Those students not reading on that grade level will be placed on Individual Literacy Plans (ILPs), which are developed with the school and the family. (See Appendix for the law).

Direct responsibilities include:

1. Assessing the reading performance of all students
2. Placing students on ILPs if students are not reading on grade level
3. Reporting to the state:
 - a. The number and percentage of pupils enrolled in the third grade who read at or are above their grade level.
 - b. The number and percentage of pupils enrolled in the district who are on ILPs
 - c. The number and percentage of pupils who have increased their literacy and reading comprehension levels by two or more during one year of instruction.

Other related Colorado State Board of Education-approved documents include:

The Rules and Regulations of HB 96-1139 (See Appendix B, page 75)

- Proficiencies for readers K-3.

The rules and regulations clarify:

- Requirements for selection of reading assessments.

List of approved reading assessments for 3rd grade (See Page 9)

Note: This is not an exhaustive list; instead, it is a framework for making decisions about selecting reading assessments and examples of assessments that will work.

HB 97-1249

This bill requires a state reading test for all third graders.

Note: The state reading test was developed by CTB-McGraw Hill under the direction of CDE. Committees of community members and educators examined the test for bias, accuracy, and alignment to the reading proficiencies as stated in the Rules and Regulations for HB 96-1139. The first 3rd grade state reading test was administered March, 1998.

RULES FOR THE ADMINISTRATION OF COLORADO BASIC LITERACY ACT

(As adopted by the Colorado State Board of Education, May 1997)

PROFICIENCY LEVELS

Levels of performance deemed to be proficient must match stages of reading development and be aligned to Colorado Model Content Standards. As a result, continuity in literacy instruction is maintained from kindergarten through the third grade.

Kindergarten proficiency

By the end of kindergarten, students will be emergent readers with a foundation of reading strategies that prepare them for reading at higher levels. This requires knowing:

A sense of story that shall include, but is not necessarily limited to, students being able to

- Tell a simple story with a beginning, middle and end.
- Retell a known story in sequence.

Concepts about print that shall include, but is not necessarily limited to, students being able to:

- Handle books correctly;
- Understand directionality of print;
- Focus on word after word in sequence (voice-print match);
- Use pictures to predict print;
- Realize that print carries meaning.

Phonological and phonemic awareness that shall include, but is not limited to, students being able to:

- Recognize patterns of sound in oral language (i.e., rhyming words)
- Follow written text when the text is read aloud;
- Hear and repeat initial sounds in words.

Some letter and word recognition that shall include, but is not limited to, students being able to:

- Know the letters in their names;
- Know own name in print;
- Recognize the differences between numerals and letters;
- Recognize the difference between lower and upper case letters.

First grade proficiency

By the end of first grade, students will be emergent/early readers with reading strategies used to gain meaning from print – at first grade level. These strategies will prepare them for reading at higher levels. This requires:

An understanding of text that shall include, but is not necessarily limited to, students being able to:

- Use pictures to check meaning;
- Use prior knowledge to comprehend text;
- Retell in a logical, sequential order including some detail and inference;
- Make logical predictions;
- Monitor reading to make sure the message makes sense.

An integration of the cueing systems – graphophonics, syntax, and semantics – that shall include, but are not necessarily limited to, students being able to:

- Recognize letters and know the sound-symbol relationships (graphophonics)
- Use letter-sound relationships when reading (graphophonics);
- Use sentence structure and word order to predict meaning (syntax);
- Use background knowledge and context to construct meaning (semantics).

Second grade proficiency

By the end of second grade, students will be early/fluent readers with strategies used independently to gain meaning from print at the second grade level. These strategies will prepare them for reading at higher levels. This requires:

An understanding of texts that shall include, but is not necessarily limited to, students being able to:

- Gain meaning from a variety of print, such as lists, letters, rhymes, poems, stories and expository text;
- Use a variety of comprehension strategies before, during and after reading.

As integration of cueing systems while reading a wider variety of increasingly difficult text that shall include, but not necessarily limited to, students being able to:

- Use word attack skills to read new and unfamiliar words (graphophonics);
- Use sentence & paragraph structure, and word order to predict meaning (syntax);
- Use and integrate background knowledge, experience, and context to construct meaning (semantics).

Third grade proficiency

By the end of third grade, students will be fluent readers with a full range of reading strategies to apply to reading a wide variety of increasingly difficult narrative and expository text at the third grade level. This requires:

An understanding of the text that shall include, but is not limited to, students being able to:

- Adjust reading pace to accommodate purpose, style, difficulty of text;
- Summarize text passages;

Apply information and make connections from reading.

An integration of cueing systems that shall include, but is not limited to, students being able to:

- Apply word attack skills to read new and unfamiliar words (graphophonics);
- Use sentence & paragraph structure, text organization and word order (syntax);
- Use and apply background, experience, and context to construct a variety of meanings over developmentally appropriate complex texts (semantics);
- Use strategies of sampling, predicting, confirming and self-correcting quickly, confidently, and independently (graphophonics, syntax, and semantics).

Exceptions

Students continue with reading instruction in the fourth grade reading class when they are reading at or above 3rd grade reading proficiency level. Those students reading below the performance level will continue to receive intensive reading instruction, as described in their individual literacy plan and designed to cause them to meet or exceed third grade reading proficiency, except the following:

- Children with disabilities when the disability is a substantial cause for a pupil's inability to read and comprehend at grade level. Prior levels will take precedence.

As reading comprehension is dependent upon students' understanding of the language, children with limited English proficiencies must be assessed in their language of reading instruction, which leads to their proficiency in reading English.

ASSESSMENTS

The purpose of the assessment for the Colorado Basic Literacy Act is threefold:

- 1) To identify who needs to be placed on an Individual Literacy Plan
- 2) To monitor progress of students who are on ILPs
- 3) To assess the proficiency level at the end of grade three

All assessments must:

- Reflect the stage and complexity of reading development
- Inform reading instruction
- Provide information about student growth
- Yield information about students' reading in relationship to the proficiency levels
- Align with local content standards
- Include multiple measures over time that constitute a body of evidence
- Include a variety of authentic text structures, response formats and administrative procedures (such as, individual, small group, or whole group).

In addition, 3rd grade assessments:

- Must be comparable across schools and districts¹
- Yield information about student performance level that can be summarized and aggregated for reporting
- Are among the instruments approved by Colorado State Board of Education

¹The third grade assessment (CSAP) mandated by HB 97-1249 fulfills this requirement.

STATE BOARD OF EDUCATION
APPROVED ASSESSMENTS FOR
DETERMINING THIRD GRADE READING PROFICIENCY
(Adopted October, 1997)

The Rules of Implementation of the Colorado Basic Literacy Act state that decisions of third grade students' reading proficiency must be based on a body of evidence gathered over time to "reflect the stages and complexity of reading development". The Rules explain that "assessment also must inform reading instruction, provide information about student growth, " as well as yield information on students' phonic skills and reading comprehension in relation to the proficiency levels as defined in the Rules². To comply with the Rules, Colorado school districts must use evidence from the two categories : Individual Reading Assessments and the Sate Third Grade Reading Assessment. Districts may use information from Other Reading Assessments to determine the reading proficiency of third graders (see below).

INDIVIDUAL READING ASSESSMENTS³

Sample individual assessments include:

- Reading inventories, such as:
 - Qualitative Reading Inventory
 - Flynt Cooter
 - Basic Reading Inventory (Johns)
- Running records with leveled books that include comprehension questions and/or retell, such as:
 - Celebration Press
 - Wright Group
- District developed assessments with researched and documents results (which may include written retelling⁴)

STATE THIRD GRADE READING ASSESSMENT

The body of evidence must include the results of the state assessment.

OTHER READING ASSESSMENTS THAT MAY BE INCLUDED IN THE BODY OF EVIDENCE

Sample assessments that include:

- Reading series assessments, such as:
 - Houghton-Mifflin *Invitations to Literacy*
- District adopted, integrated reading performance assessments, such as:
 - Iowa Test with Constructed Responses or Integrated Performance Assessments (Riverside)
 - Levels Test (Northwest Evaluation Association)
 - Terra Nova (CTB)

²In order for students to receive the necessary instruction for reading, schools must carefully monitor students reading performance beginning in kindergarten.

³These assessments are administered to individual students. The same procedures for administering, scoring and interpreting data as followed in all district settings.

⁴Based on the body of evidence, teachers may assess proficient students with written retelling. (See Part III).