



COLORADO DEPARTMENT OF EDUCATION

201 East Colfax Avenue • Denver, Colorado 80203-1799
303.866.6600 • www.cde.state.co.us

Dwight D. Jones
Commissioner of Education

Robert K. Hammond
Deputy Commissioner

Kenneth R. Turner
Deputy Commissioner

August 27, 2009

Via www.regulations.gov

Attn: State Fiscal Stabilization Fund Phase II Comments
Secretary Arne Duncan
U.S. Department of Education
400 Maryland Avenue, SW, Room 3W329
Washington, DC 20202

Secretary Duncan:

Thank you for the support provided by the State Fiscal Stabilization Fund to ensure the continuation of critical education programs in the midst of the current economic crisis that our nation is experiencing.

We ask that you consider the following comment to the notice of proposed priorities, requirements, definitions and selection criteria published in the Federal Register:

- The definition of indicator (b)(2) should be revised to accommodate a broader set of growth models and methods for relating student growth to educators. Specifically, we recommend deleting "...include estimates of individual teacher impact on student achievement" and inserting "relates individual student academic growth on state assessments to individual teachers." This is important because the current proposed language implies a specific subset of longitudinal growth models that are more limited than the models already approved by the U.S. Department of Education, and which would limit the purpose of informing instruction.

- Please clarify under what circumstances a State will be deemed “currently able to fully collect and report the [required] data or other information”. In some cases although a State may have access to the required data elements, it lacks the resources to verify and upload such information in a manner that enables it to be “easily accessible and...understandable by the public”. We recommend that if a State lacks the staff or other resources to validate and upload data that is available but has not been publicly reported on an annual basis as of the date it submits its application for Phase II of the State Fiscal Stabilization Fund they should not be deemed “currently able” to meet that reporting requirement and should instead be permitted to submit a plan to do so.
- Please indicate which of the required information elements will be expected to be reported through the EDEN submission system. Additionally, please indicate a date certain by which the technical file elements for each of those additional EDEN data elements will be available to states.

Should you have any questions about the comments included herein, please contact Nina Lopez, Director of ARRA at 303-866-6245 or Lopez_N@CDE.state.co.us.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Jones", with a stylized flourish extending from the end.

Dwight D. Jones
Commissioner of Education

Copy: Bill Ritter, Jr., Governor
Colorado State Board of Education