

Prior to submitting your comments, we invite you to read [a letter from Commissioner Anthes on Colorado's ESSA State Plan Development and release of the state plan draft](#).

### Section 3: Academic Assessments

*Instructions:* As applicable, provide the information regarding a State's academic assessments in the text boxes below.

- A. Advanced Mathematics Coursework.** Does the State: 1) administer end-of-course mathematics assessments to high school students in order to meet the requirements under section 1111(b)(2)(B)(v)(I)(bb) of the ESEA; and 2) use the exception for students in eighth grade to take such assessments under section 1111(b)(2)(C) of the ESEA?
- Yes. If yes, describe the SEA's strategies to provide all students in the State the opportunity to be prepared for and to take advanced mathematics coursework in middle school consistent with section 1111(b)(2)(C) and 34 C.F.R. § 200.5(b)(4).
- No.

Public feedback encouraged expanding this flexibility beyond 8th grade. Colorado understands that ESSA explicitly limits this flexibility to 8th grade and approval of expansion to 7th grade would be sought through a waiver.

All middle school students in Colorado have the opportunity to be prepared for and take advanced level courses prior to high school. Section 22-7-1013, C.R.S. requires local school boards to adopt policies for academic acceleration, which can include the systems and procedures to allow students in middle school grades to participate in secondary courses. Below, please find relevant statutory language:

(2.5) (a) Each local education provider shall review its procedures concerning academic acceleration for students. Academic acceleration allows a student to progress through an education program at a rate faster or at ages younger than the student's peers. The local education provider shall consider procedures that may include, but need not be limited to, the following:

(I) The process for referral for academic acceleration and procedures that ensure the fair, objective, and systematic evaluation of the students referred;

(II) A decision-making process for accelerated placement that involves multiple persons, including a student's parents, rather than a sole decision-maker;

(III) Guidelines for the practice of academic acceleration, including the categories, forms, and types of academic acceleration and the award of credit;

(IV) Guidelines for preventing non-academic barriers to the use of acceleration as an educational intervention; and

(V) An appeals process for decisions related to academic acceleration, as well as a process for evaluating the academic acceleration procedures and its effectiveness in successfully accelerating students.

Section 22-32-109(1)(t), C.R.S. provides the general statutory authority for local school boards to develop their own programs of study.

(t) [Each local board of education shall have the duty to] determine the educational programs to be carried on in the schools of the district and to prescribe the textbooks for any course of instruction or study in such programs;

Section 22-32-109(1), C.R.S. outlines how individual career and academic plans can be used by middle school students, parents, and educators to ensure that they understand and plan for options for advanced-level coursework.

(1)(I) [Local boards of education have the duty to] adopt policies to require each school of the school district, including the charter schools, to assist each student and his or her parent or legal guardian to develop and maintain the student's individual career and academic plan (ICAP), referred to in this paragraph as an "ICAP", no later than the beginning of ninth grade. The board of education may require the schools of the school district to assist the student and his or her parent or legal guardian to develop and maintain the student's ICAP in any grade prior to ninth grade. Each student's ICAP shall comply with the requirements specified in section 22-2-136 and the rules promulgated by the state board of education pursuant to said section.

(II) The board of education shall further require each school of the school district to assist each student who is enrolled in the school and has an ICAP to use the plan effectively to direct the student's course selections and performance expectations in at least grades nine through twelve; to assist the student in meeting his or her academic and career goals as described in the ICAP; and to enable the student to demonstrate postsecondary and workforce readiness prior to or upon graduation from high school at a level that allows the student to progress toward his or her postsecondary education goals, if any, without requiring remedial educational services or courses.

(III) At a minimum, each public school shall ensure that, in developing and maintaining each student's ICAP, the counselor or teacher explains to the student's parent or legal guardian, by electronic mail or other written form, and to the student the requirements for and benefits of concurrently enrolling in courses with an institution of higher education pursuant to the "Concurrent Enrollment Programs Act", article 35 of this title. Based on a request from the student or the student's parent or legal guardian, the counselor or teacher shall assist the

student in course planning to enable the student to concurrently enroll in courses with an institution of higher education.

**B. Languages other than English.** Describe how the SEA is complying with the requirements in section 1111(b)(2)(F) of the ESEA and 34 C.F.R. § 200.6(f) in languages other than English.

- i. Provide the SEA's definition for "languages other than English that are present to a significant extent in the participating student population," consistent with 34 C.F.R. § 200.6(f)(4), and identify the specific languages that meet that definition.

Consistent with Office of Civil Rights precedent, "Languages other than English that are present to a significant extent in the participating student population," is defined as 5% or 1000 persons, whichever is less, of the state grade-level English learner population eligible to be served or likely to be affected.\*

\*Students of a language background within a grade-level who have received content instruction in that language within the last year.

Spanish is the only language other than English that is present to a significant extent in the participating student population in Colorado.

For migrant English learners: Approximately 71% of our migrant students in our tested grades have a home language of Spanish. Written transadaptations are available to these students in science and mathematics. The next largest language group (Karen, Pa'0) falls to approximately 5% of the migrant group with no more than 11 students per grade out of our approximate 60,000 students/grade. State-provided written transadaptations for these students is not practicable.

For new to US English learners: Approximately 63% of our new to US English learners in our tested grades have a home language of Spanish. Written transadaptations are available to these students in science and mathematics. No other language group comprises at least 5% of our new to US English learners.

For Native American languages: The two largest Native American home languages for English learners in Colorado are Navajo (90 students across the tested grades with no grade exceeding 19 students) and Ute-Southern Paiute (30 students across all grades with no grade exceeding 8 students). While state-provided written transadaptations for these students is not practicable, we intend to connect with the most impacted districts to review the effectiveness of available accommodations.

For districts: Outside of Spanish, no more than 3 out of our 178 districts have more than 5% of their English learners associated with Colorado's top 5 home languages.\* In all of these cases, the percent of students with the relevant home language is less than 10%

of the English learners in the district. State-provided written transadaptations for these students is not practicable.

\*To account for small n-size issues, districts were included only if they had an average of at least one student per tested grade (i.e., 7 students) from the relevant home language.

- ii. Identify any existing assessments in languages other than English, and specify for which grades and content areas those assessments are available.

In 2016-2017, Colorado has Spanish transadapted accommodated assessments for all CMAS math and science assessments. Local translations for all other languages are allowed consistent with the students' instructional and local assessment experience. Colorado intends to continue with this approach. Additional native language accommodations, such as word-to-word glossaries, are also available. Lastly, Colorado has a Spanish language arts assessment that mirrors the English language arts assessment in grades 3 and 4.

- iii. Indicate the languages other than English identified in B.i. above for which yearly student academic assessments are not available and are needed.

Not applicable.

- iv. Describe how the SEA will make every effort to develop assessments, at a minimum, in languages other than English that are present to a significant extent in the participating student population by providing:

1. The State's plan and timeline for developing such assessments, including a description of how it met the requirements of 34 C.F.R. § 200.6(f)(4);

Not applicable.

2. A description of the process the State used to gather meaningful input on the need for assessments in languages other than English, collect and respond to public comment, and consult with educators; parents and families of English learners; students, as appropriate; and other stakeholders; and

Colorado's ESSA Assessment spoke committee includes parents; superintendents; principals; content educators; education experts of students with disabilities and English learners; assessment and accountability district staff; a legislator; and stakeholder organizations, including the Colorado Association of School Executives, teachers union representative and advocacy organizations. The Assessment spoke committee reviewed state data and considered the recommendations of Colorado's Culturally and Linguistically Diverse Education (CLDE) stakeholders group. (The CLDE Stakeholder Collaborative group was created in 2007 to bring stakeholders together for discussions and updates regarding English Learner policy and practice. The

stakeholders involved include members from Colorado school districts, Colorado Department of Education, Higher Educators in Linguistically Diverse Education, Colorado Association for Bilingual Education, and Colorado Teachers of English to Speakers of Other Languages (CoTESOL.) The Assessment Spoke recommendation was shared with the Colorado Technical Advisory Committee, which consists of national and state technical and special populations experts. They were supportive of the direction. In mid-December, the recommendation was shared with the ESSA Hub committee and the State Board of Education. The definition was revised after the Board meeting. Lastly, the key decision points were posted for comment in January with notice sent in accordance with the process outlined in Section 2.1 Consultation “Opportunities for Public Input and Feedback.”

Feedback centered on four themes:

1.) Some responders expressed a preference to expand the number of transadaptations so that they are available for (all) home languages found in our state, regardless of number of students with that home language.

After Spanish, the percent of students with other home languages drops drastically from above 75% to less than 2% at each grade level. There are well over 100 languages that appear in up to 2% of our English learner population. Providing written transadaptations for all of these languages is not practicable.

2.) Some responders acknowledged that while it is not practicable or necessarily helpful to provide fully transadapted assessments in languages beyond English and Spanish, additional strategies for serving English learners would be helpful.

Colorado allows a number of linguistic accommodations for English learners when consistent with instructional approach, including the use of word-to-word glossaries, translated and clarified directions in students’ home languages, and onsite translation.

3.) Some responders' comments indicated that they were unaware of the transadaptations already available for mathematics and science.

Increased emphasis on these will be pursued in our communications.

4.) Some responders expressed concern about whether our assessment practices supported the ongoing learning of Native American languages.

The two largest Native American home languages for English learners in Colorado are Navajo (90 students across the tested grades with no grade exceeding 19 students) and Ute-Southern Paiute (30 students across all grades with no grade exceeding 8 students). While providing written transadaptations for these students is not practicable, we will connect with the most impacted districts to review the effectiveness of available accommodations.

3. As applicable, an explanation of the reasons the State has not been able to complete the development of such assessments despite making every effort.

Not applicable.

\*\*\*[Click here to provide feedback on this Draft Section of the ESSA State Plan](#)\*\*\*