



Colorado Department of Education
William J. Moloney, Commissioner



January 28, 2003

"Today we are honoring Colorado, Indiana, Massachusetts, New York, and Ohio because they are trailblazers who have made a commitment to a cause that is so vital to the future of our country."

- President George W. Bush
- Remarks at the White House, January 8, 2003

I. BLENDING HR-1 WITH OTHER ACCOUNTABILITY MEASURES

As the President's remarks suggest, the reason State Board Chairman Randy DeHoff, myself, and Principal Keith Owens of Beulah Heights Elementary were at the White House is because of the exceptional reform efforts occurring in our state.

Those efforts revolve around that much used word – Accountability.

Though we are quite happy with the \$502 million dollars HR-1 brings to our state this year (a 35% increase over last year), nonetheless, there is genuine apprehension about the several accountability requirements that come with that money. There is also real concern about how this new Federal accountability fits with the earlier State accountability laws.

Let us look at these things from a superintendent's or principal's point of view in terms of what has to be done and what does not have to be done, particularly in regard to reporting to your communities.

Let me summarize broadly how we are interpreting these things, hopefully with an eye toward holding your tasks to a minimum and, wherever possible, avoiding that duplication and overlap for which Federal and State bureaucracies have long been notorious.

Here are the three accountability measures we mainly need to think about, the years they became law, and how they have been fitted together to hold down everyone's work load as much as possible:

A. Accreditation (1998)

A key requirement of HR-1 is that every state have a "single system of accountability" based on student achievement. Happily, we were able to persuade the Federal folk that in Accreditation, Colorado already had such a system. Thus, we did not have to invent something new and you do not have to deal with one more new thing.

A powerful element common to Accreditation and HR-1 is "Closing the Achievement Gap." Both place strong emphasis on the needs of our most vulnerable children.

B. School Accountability Reports (2000)

HR-1 required that everyone have a statewide system of report cards that would tell citizens all kinds of things about what was going on in our schools. Once again, Washington agreed that in the SARs Colorado already had such a system.

Another plus here is that the efforts involved in Accreditation and the SARs substantially meet the requirements of a much earlier law (1989) that required you to send your community, by October 1st of each calendar year, an "Accountability Report" concerning achievement and other educational matters (C.R.S. 22-7-205). Our Accreditation Indicators move this date to December.

What this means, practically speaking, is that a single mailing in the month of December can fulfill the public reporting requirements of all of the above noted laws. That mailing can include your SARs and such supplementary information that you feel will give the fullest, fairest, and most accurate portrait of the progress of children in your schools.

C. HR-1: No Child Left Behind (2002)

The above items help illustrate how Colorado – unlike so many other states – already had in place most of the major elements of HR-1 – notably regarding standards, assessment, and accountability.

None of this, however, can conceal the truth that HR-1 sets daunting challenges that no state can be assured of meeting.

Even though Washington finally accepted Colorado's definition of Annual Yearly Progress (AYP), the achievement goals, particularly when disaggregated into sub-populations, are in some instances truly daunting.

What about the requirements beyond student achievement? What about "highly qualified" teachers and paraprofessionals? School Safety? Choice?

We do not have final answers to these or many other questions, but you may be assured of this: the right people are taking the right steps to find them and common sense will be applied as we proceed.

Attached, you will find a diagram illustrating how Colorado has organized its address to HR-1 in general and its many subsidiary issues in particular.

The central or "Hub Committee" meets regularly in the conference room of the Colorado Association of School Boards (CASB). It is co-chaired by CDE's Deputy Commissioner Dr. Roscoe Davidson and Assistant Commissioner for Special Services Bill Windler, who is the overseer of all things Federal. This "steering" group brings together representation from all the state's education organizations, the Governor's office, and an array of professionals from CDE and the field who are active in the many sub-committees.

Also, in frequent attendance are State Legislators, State Board members, Secretary Paige's Regional Representative, and officers from foundations that have become involved with various aspects of HR-1.

This group hears reports from and tracks the progress of the various sub-committees – "Work Groups" – you see listed on the diagram (state phone extensions included). Examples include the group led by CDE Professional Services Director Dorothy Gotlieb, working on the "highly qualified" teacher and

paraprofessional issues and the Safe School Group, led by Janelle Krueger of Prevention Initiatives, whose large and very broad-based committee is successfully reaching final conclusion on the thorny issue of "persistently dangerous schools."

As needed, other groups are formed – short-term or long-term – to address new or newly urgent issues that may not be fully covered by the above-described standing committees.

Dr. Davidson convened such a group on January 9, 2003. Made up of education organization leaders and representatives from our five regional Superintendents groups, these individuals specifically looked at how we should plan and prioritize the accountability tasks that people in the field have to deal with. Which issues must be dealt with right now? Which issues can be safely designated as "back burner?"

Thus far, we have reasonably coordinated these efforts in a manner that combines responsiveness and the avoidance of that earlier noted duplication and overlap.

Looking globally at HR-1 and our efforts to deal with this historic legislation, certain fundamental realities stand out. They are:

Flexibility

The reality of HR-1 lies to a great extent not in the literal meaning of the words but in the interpretation of those words.

Who does the interpreting? Whenever you are in doubt, we at CDE can provide the answer. When CDE is in doubt, we talk to Washington.

During the negotiations over the holidays that led up to the White House ceremony, we found that the United States Department of Education (U.S.D.O.E) was indeed willing to give ground when we made our case. I believe, within reason, we can continue to count on that flexibility.

Colorado's Advantage

Because we are among the first states anointed by the U.S.D.O.E and because Secretary Paige has frequently praised our work, Colorado can count on having special leverage in making a case for the things we believe are important. Key to this leverage is our determination to protect the integrity of the reform program that our state has developed over the last ten years.

Future Changes

Ever since the first passage of the Elementary and Secondary Education Act in 1965, each subsequent reauthorization has been reinterpreted throughout the six years of its effective dates. Make no mistake, HR-1 will change over time as well.

When you look at the challenges that the U.S.D.O.E is facing as it seeks to oversee implementation across the 50 states – challenges beyond anything the Department has ever attempted before – it is abundantly clear that they are moving through a learning experience just as we are and you are.

Your experience at the local level informs our implementation at the state level and, similarly, our experience at the state level will inform and shape future adaptations of this historic law at the national level.

A Cause So Vital To The Future Of Our Country

As indicated in this phrase of the President's from our masthead quote, the goals of "No Child Left Behind" reflect a national priority from which none of us can turn away. Nothing less than the promise of America is involved in our commitment to close the achievement gap. Failure would threaten the future of both our children and our country.

Like all states, we have done projections which show how difficult some of the achievement goals are for special populations, for example high school mathematics for special education youngsters. Even with support from the "safe harbor" provision of HR-1, these are extraordinary challenges.

Remember, the vast majority of our schools face no sanctions of any kind relative to these goals for at least two years. It would be wrong to say before we even start that the goals are inappropriate or that we can never achieve them.

This would send a very negative message to our most vulnerable children, their families, and not least to the overwhelming bipartisan majorities of the U.S. Congress that passed this law.

By far the better course for us to take is to make a good faith effort over the next two years to meet these challenges. If we fall short of some of these goals – and assuredly we will in some instances – we can make the case more credibly for appropriate adjustments to the law. If Colorado is short of some goals, let there be no doubt that we shall not be alone. Most other states will be having the very same kinds of problems. Be also assured in that case Washington will be reasonable and flexible in making the needed adjustments.

In the meantime, we shall have been true to a cause that many have called "not just the right thing to do," but also nothing less than a "moral imperative."

Sincerely yours,

William J. Moloney
Commissioner of Education

cc: Governor Owens, General Assembly, State Board of Education, Congressional Delegation, CDE Cabinet, CDE Staff, BOCES, CASB, CASE, CEA, and CFT

NO CHILD LEFT BEHIND ACT

Work Groups

