



Post Office Box 15583 Colorado Springs, Colorado 80935

March 24, 2017

Commissioner Katy Anthes, PhD
Colorado Department of Education
201 E. Colfax Ave.
Denver, CO 80203

Dear Commissioner Anthes:

In this communication to you, the **NAACP Colorado State Conference** -- on behalf of our NAACP Units & Leaders in Pueblo, Colorado Springs, Aurora, Denver, Boulder and Fort Collins -- write to follow-up on the March 13, 2017 letter regarding ESSA that the NAACP signed along with numerous civil rights and other organizations. **Specifically, we want to make clear that the NAACP believes individual groups of students must each count in accountability systems and that the use of "super-subgroups" should not be allowed.**¹ Further, we want to state our view on the need for discipline measures school ratings and the need for aggressive pursuit of full school desegregation.

The NAACP is concerned that the use of "super-subgroups" allows states to mask the performance of some subgroups that really need extra help now. These students cannot wait for state timeframes in which interventions will kick-in *eventually*. This is an issue which centers on transparency and accountability, both of which are essential under ESSA, and it's a franchise issue in a democracy: the issue of equity for Black students and other students of color.

The "super-subgroups" challenge is one that actually goes back to NCLB waivers. The NAACP and other civil rights groups expressed concern with their use through the Campaign for High School Equity² -- and those concerns remain. In addition, by setting an n-size of 10 or fewer students, Colorado's accountability system can identify and support the underserved students and realize the civil rights imperative inherent in the law. An n-size set higher than necessary to protect student information and be statistically sound is actually counterproductive to identifying and closing gaps.

Additionally, with respect to accountability under ESSA, the NAACP believes Colorado's ESSA Plan should include discipline measures in school ratings. School discipline indicators measure the percentage of students subjected to different types of disciplinary actions. Research shows that exclusionary and unequally meted discipline practices place students at greater risk for numerous academic and personal consequences, including lower achievement, disengagement from school, and increased risk of dropping out.

Further, on school desegregation, while targeted resource allocation is a critically important strategy to better support students of color, another key challenge is that our schools still remain largely segregated. The ESSA Plan should, consequently, also aggressively and simultaneously support approaches to voluntary desegregation of schools by both race and socioeconomic status.

Thank you for the opportunity to clarify our concerns regarding these issues.

Sincerely,

Rosemary Lytle
NAACP State President

Terrie Blackwell
NAACP Co-Education Chair

Kevin C. Mitchell
NAACP State Chief of Staff

¹ <http://www.civilrights.org/press/2016/essa-accountability-regs.html>

² http://lulac.org/assets/pdfs/WaiversReport_R8.pdf

