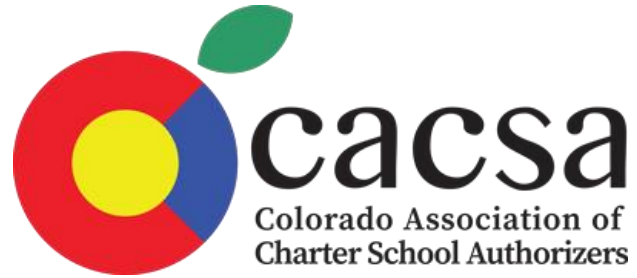


CACSA Memo

Final Recommendations and CACSA Analysis of Colorado's COVID-19 Policy Implications Stakeholder Group

November 30, 2020



1. Background

The state's COVID-19 Policy Implications Stakeholder Group (Stakeholder Group) wrapped up its deliberations on Tuesday, November 10, 2020. The group's final recommendations are available [here](#). The recommendations, if enacted, would change the information available to charter school authorizers trying to assess the performance of charter schools for several years. The group was unable to reach consensus on the key question of whether to conduct the spring 2021 CMAS assessments in English and math. However, the group did agree on accountability and accreditation, educator effectiveness, and on PSAT/SAT and social studies and science assessments.

The 19-person group issued recommendations on a variety of topics. For any of the recommendations to be adopted in policy, action would be required by state leaders and institutions like the legislature, the Governor, the Colorado Department of Education (CDE), and the State Board of Education (SBE). Some actions may also require waivers from the U.S. Department of Education; or they could be enacted by the state without federal permission but doing so would risk corrective actions, including financial consequences unless federal policy also changes. It is not clear whether the recommendations will be adopted, but there is a reasonable likelihood that some, if not all, of the recommendations will eventually become official policy.

The Stakeholder Group used a consensus process and limited recommendations to points with universal support. They also noted questions the group disagreed about and provided a basic description of the issues that did not receive consensus. The state could still implement some of the recommendations that did not receive consensus. The group reached consensus on the following points:

- **CMAS Social Studies & Science:** Do not administer.
- **PSAT/SAT:**
 - Administer assessments to the extent that local health orders allow;
 - Include the essay portion as an option if testing takes place; and
 - State should distribute individual student level assessment and growth results to students, guardians, schools, and districts; and include notes describing “the unique circumstances and conditions of testing in 2021, and provide additional guidance on the proper use and interpretation of results.”
- **Educator Effectiveness:** final evaluations should be based 100% on professional practice score for the 2020-21 school year only.
- **Accountability Frameworks:**
 - Pause calculation and publication of school- and district-level performance frameworks and state accountability ratings for the 2021-22 school year;

- Roll-over reports from 2020; and
- CDE partner with schools, districts, and other stakeholders to develop a process for special considerations for schools and districts on performance watch (i.e., Priority Improvement, Turnaround, On Watch). “For example, including, but not limited to use a body of evidence, state review panel, additional supports and grants may be considered.”
- **District Accreditation:**
 - Roll-over plan types from 2019; and
 - Districts responsible for reporting and implementing other legal responsibilities of district accreditation and for accrediting their schools, with assistance from CDE.
- **Unified Improvement Process (UIP):**
 - Provide optional spring 2021 submission window for improvement plans;
 - Implement 2021-22 improvement planning process during the accountability pause; and
 - Adjust process to reflect COVID-related learnings and needs of schools and districts.

The group noted the following issues, but failed to reach consensus about them:

- **PSAT/SAT:**
 - Public Reports for assessment and growth and calculating individual student-level growth.
- **CMAS:**
 - If and how to administer ELA and math assessments;
 - Individual and public reports for assessment and growth;
 - Calculating individual student-level growth in ELA and math; and
 - Disaggregated results to schools and districts containing personally identifiable information.

2. Analysis

CMAS Testing and Accreditation

Any discussion of the changes to data used to assess school quality should be attentive to the purposes that data will be used for. Given the disruption in how schools operate and the potential for systematic challenges to learning for many students, high-stakes authorizer decisions are likely to be less important than authorizer efforts to understand what is going on in schools so that they can use that data, albeit imperfect, to direct extra assistance and support where it is most needed.

While the group failed to reach consensus regarding whether to conduct this spring’s CMAS assessments, several members spoke against testing. Those opposing testing represent major state groups, such as CASE, CASB, and the CEA, as well as individual district leaders that reported on widespread opposition among their colleagues to testing this spring. Speaking in defense of resuming testing were DFER, Ready Colorado, the charter school network Strive Prep, and charter authorizers like Jenn Holladay from Denver Public Schools.

It is impossible to predict this recommendation’s chances in the legislature or before the State Board of Education, or how the U.S. Department of Education would respond if the state does partner with

various stakeholders, which should include charter school authorizers, to develop a process for special considerations for schools and districts on performance watch to not test this spring. The feds could issue waivers of federal law that remove consequences for states that do not test. If the feds did not grant waivers as they did in spring 2020, and states still refused to conduct tests, states could face consequences like the loss of federal funding. Presumably, if current regulations and policy apply, reduction in federal funding would likely be aimed primarily at CDE's administrative funding rather than funding that flows to school districts and schools. It is unclear what the change to a Biden Administration will mean for federal waivers or the application of consequences to states.

Despite the unpredictability of action by state and federal policymakers, authorizers should consider it quite likely that there will not be state testing this spring and that state and federal accountability ratings for schools and districts would be rolled over without change for another year. If testing does take place, there is likely to be a substantial portion of students that decline to take the tests, creating additional challenges with assessing school performance.

The group recommended that school performance frameworks and accreditation ratings be paused, holding all ratings at the same level they were before the cessation of testing. However, state and district activities triggered by the accountability clock and accreditation ratings would continue. This means that schools and districts would still be subject to the oversight and would be required to implement the interventions that were prescribed before the pandemic. Funding available to schools identified as chronically under-performing, such as the state's EASI grants, would still be available as well. The State Review Panel's assessments of schools on the accountability clock would continue, and schools and districts would still be required to share plans with the State Board of Education and be subject to their oversight and approval. While schools and districts that are not on the clock would not have their ratings changed, the group was in favor of letting schools and districts on the clock exit the clock through processes such as the request to reconsider based on a body of evidence.

Implications for Authorizing

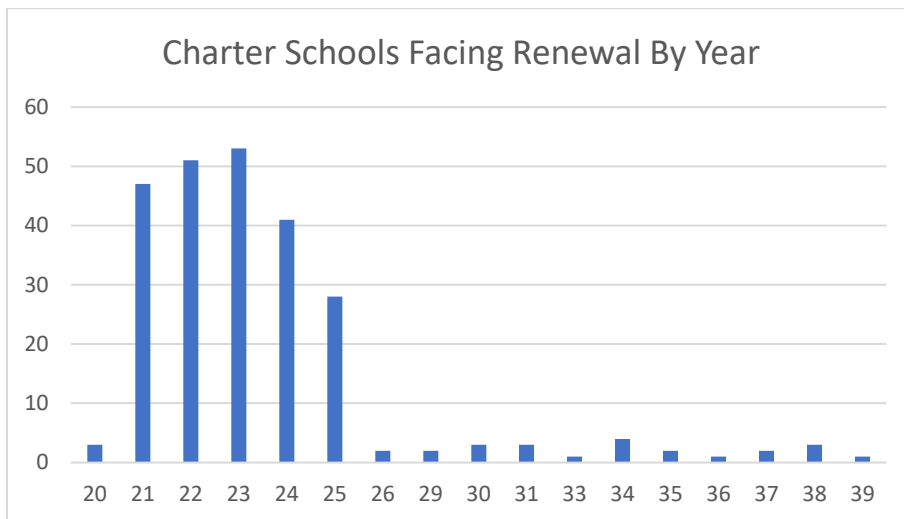
With a one-year pause in testing from the 2019/20 school year, authorizers were facing a gap of three years for achievement data and four years for growth data from state assessments that could be applied to charter schools. See this [earlier CACSA analysis](#) and [webinar](#) of the implication over time of the halt to testing in 2020. Larger authorizers like CSI and DPS have developed plans for accountability work that leverage their long-standing systems for performance management. CSI, for example, has developed policies and guidance that explains when and how they will consider new data in their analysis of performance. Their approach is sensitive to the school's historical performance trends and is based on producing an appropriate body of evidence that may still inform high-stakes decisions during the crisis.

With no CMAS testing in spring 2021, there will be no achievement data until the fall of 2022 and no growth data until the fall of 2023. Authorizers could use this data during renewal processes taking place during the 2023/2024 school year. In the event of non-renewal, the first closures that were based on growth data would occur more than four and a half years from now -- after the spring of 2024.

Between now and spring 2024, about 80 percent of Colorado charter schools will go through a renewal cycle without the traditional state data on student achievement and another 10 percent will be up for renewal in 2025 (see Figure 1). For all these schools, the gap in testing creates a substantial gap in the data that had been expected when their charter contracts were written. Except in cases of extremely

long charter contracts, almost all charter schools in Colorado will go through a renewal process under their current contract without the academic performance data that historically informed authorizing decisions. Further, many charter schools with terms of longer than five years are subject to a review of their performance similar to a charter renewal process on five-year cycles. Temporary solutions -- like enacting a one- or two-year renewals -- will not necessarily leave the authorizer in a stronger position to assess school performance.

Figure 1. Colorado Charter School Contract Expiration Date



Source: CDE Schools of Choice Unit, Data Accessed 11/20/2020

Even when testing data becomes available, it will not have the same meaning it had prior to the pandemic. When testing resumes, it may be useful as a baseline for future analysis and to gauge and understand the details of pandemic’s impact on student learning. However, it is likely to be less credible as a measure of school efficacy. It is unclear how much growth should be expected during the crisis. For most observers, comparisons of pre- and post-pandemic achievement and growth will not be considered credible in the years immediately after the pandemic. Efforts to use that data to assess the quality of a school’s instruction during the pandemic are likely to be heavily contested.

Regardless of technical concerns over testing, all charter schools could argue that the changes in instruction and operations, as well as the student trauma associated with the health crisis, require authorizers and other stakeholders to recalibrate their expectations of student performance. There is not likely to be consensus on how much achievement or growth is reasonable to expect.

Charter schools will also argue that the requirements of the pandemic affecting in-person instruction and other operational details of schooling effectively removed the flexibility that charter schools receive. A key idea in chartering is that schools are subject to heightened accountability (such as closure) in exchange for receiving the flexibility they need to implement their preferred model. Without the flexibility to implement their vision, charter schools will challenge whether it is appropriate for authorizers to apply the agreed-to high-stakes accountability.

3. What Should Authorizers Do?

Authorizers are anticipating and implementing steps to adjust their oversight strategies to accommodate a long period without traditional data sources. For a discussion of initial responses by authorizers like CSI and DPS, see this [webinar](#), as well as a CSI [guide](#) and [presentation](#) on the topic. CSI and other authorizers have been continuing to develop their approach to oversight, including exploring ways to observe schools using remote instruction through remote site visits. DPS has also been implementing a remote-site visit approach that is yielding qualitative information on the quality of a school's remote instruction. Additional resources on how to conduct remote site-visits are available, including an upcoming webinar hosted by the Tri-State Alliance featuring district lessons learned in Florida.

Authorizers are considering how long-term data, trends in achievement, additional data on performance, and information from remote site visits can be applied. In many cases, effectively managing these approaches will be easier for authorizers that already had an effective and comprehensive performance management systems in place to track performance and to drive communication with charter schools regarding expectations. Authorizers using these various approaches report that they can make meaningful distinctions in the quality of implementation and outcomes in charter schools. And based on the range of quality they believe that authorizers can and should use their oversight strategies to inform authorizing decisions during the crisis.

If CDE follows through on the stakeholder group recommendation to partner with various stakeholders, to develop a process for special considerations for schools and districts on performance watch (i.e., schools rated as Priority Improvement, Turnaround, On Watch), charter school authorizers should be included as partners in that work.

The continuation of the interventions and other mechanisms associated with the state and federal accountability systems may present both challenges and opportunities for authorizers. Many authorizers that incorporate specific performance goals in their charter contracts or charter oversight tools may need to revisit their approach. For example, in recent years authorizers have included conditions in their charter contracts that are triggered by test data or changes in accreditation ratings. Without testing, and with accountability measures frozen, schools will not have the opportunity to demonstrate improvement, even if they are making progress. Or schools may struggle, but ratings will not reflect their deterioration over the next few years. In both cases, the authorizers will be interested in finding new ways to reliably assess current performance. In addition to leveraging the remaining aspects of the state and federal accountability systems, authorizers should work with their charter schools to develop new performance management strategies and a new sense of shared expectations and each school's support needs. Some stated accountability strategies and related processes and resource are still available and could take on greater importance given the pause in new ratings. Future steps include:

1. Authorizers should participate in any CDE effort to partner with stakeholders to develop a process for special considerations for schools and districts on performance watch.
2. Focus on building strong relationships with charter schools that allow transparency and communication around identified challenges. The focus should be on building understanding schools needs more than informing high-stakes accountability.

3. Charter schools on the accountability clock will still be subject to review by the State Board of Education. The State Review Panel will inform State Board decisions. Authorizers may find data and analysis from this process helpful when assessing schools with long-term performance challenges that predate the pandemic.
4. Authorizers may want to examine the Unified Improvement Planning (UIP) process more closely to understand what schools are working on and how they understand and diagnose their challenges and strategies. The district's and the school's UIP processes may present opportunities for schools and districts to assemble data they believe is credible, and schools and districts could facilitate discussions about the local context, school and district priorities, and the data that people believe is appropriate to track progress in their situation.
5. Authorizers hoping to support struggling charter schools may want to coordinate with them more closely and encourage and support charter schools that apply for resources. Resources available to charter schools include EASI grants and various school improvement networks available to schools identified by the accountability systems.