

## Texas School Alliance summary of 2009 Accountability Legislation

Issue	Position
<b>End-of-Course examination requirements for graduation</b>	<ul style="list-style-type: none"> <li>• <b>Support House</b> language that establishes exam requirements appropriate to students' graduation plans and that focuses on areas most needed for postsecondary success, rather than requiring all students to master 2 out of 3 examinations in each of four core areas</li> <li>• <b>Support House</b> language that accepts completion of dual credit as evidence of college readiness, which fosters students' orientation to postsecondary education and de-emphasizes their having to take one test, on one day</li> </ul>
<b>Determination of accreditation status based on 85 percent of measures met; Exceptions</b>	<ul style="list-style-type: none"> <li>• <b>Support House</b> language that provides for accreditation determinations to be made on a level playing field for all sizes and types of districts</li> <li>• <b>Support House</b> language that affords the commissioner flexibility to consider alternative criteria in atypical circumstances</li> <li>• <b>Support House</b> language that permits the commissioner to apply appropriate performance floors as new measures are introduced and standards become more rigorous over time, if floors must be applied at all</li> </ul>
<b>Time frame and administration of sanctions</b>	<ul style="list-style-type: none"> <li>• <b>Support House</b> language that affords the Commissioner increased flexibility in administration of, and time frames for, sanctions</li> <li>• <b>Support Senate</b> language for efficiency in improvement plans by having teams review only relevant areas, rather than <i>all</i> areas</li> <li>• <b>Support Senate</b> language allowing principal retention contingent on student performance, and House language regarding teacher review and retention</li> <li>• <b>Modify House</b> language that calls for community input on staff retention decisions by focusing on criteria to be used rather than on personnel</li> <li>• <b>Modify House</b> language to eliminate comparisons to other campuses and teacher quality reviews when teams prepare focused needs assessments</li> </ul>
<b>Dropout provisions</b>	<ul style="list-style-type: none"> <li>• <b>Support Senate</b> provisions that exclude specific groups of students from being counted as dropouts for situations largely beyond districts' control</li> </ul>
<b>Assessment exemptions provisions</b>	<ul style="list-style-type: none"> <li>• <b>Support Senate</b> language because it acknowledges the need for instructional time prior to assessment, <i>provided that it includes a technical amendment to re-establish the initial one-year LEP exemption period</i></li> <li>• <b>Support House</b> language that permits the Commissioner to exclude scores for certain students from being included in the accountability subset</li> </ul>
<b>Grade level advancement determinations and accelerated instruction</b>	<ul style="list-style-type: none"> <li>• <b>Support House</b> language that requires parents to be consulted in development of accelerated instruction, rather than to serve as approvers</li> <li>• <b>Support House</b> provisions concerning accelerated instruction, <i>provided that the provision for it to begin "immediately" be clarified or removed</i></li> </ul>
<b>Additional measures or consideration in "base" accreditation determinations</b>	<ul style="list-style-type: none"> <li>• <b>Eliminate extra measures from either bill</b> that would be used to determine accreditation because 10 more "base" measures are already being added. Examples are the progress of socially promoted students (<b>Senate</b>) or gaps in percentages of students graduating on Recommended or Distinguished graduation plans (<b>House</b>). These add complexity and are duplicative: districts are already being held accountable for the performance of students through test-based and completion rate measures.</li> </ul>

## Bill Amendments proposed for elimination

HB 3 Floor Amendment #29 requires districts to adopt policies that require **counselors to spend no more than 10% of their time on assessment-related responsibilities.**

- This provision does not distinguish between assessments that relate to primary guidance and counseling responsibilities and assessments mandated by the state or district.
- It erodes campus- and district-based decision making with regard to assignment of responsibilities.

HB 3 Floor Amendment #75 prohibits districts from administering to any student locally required assessments, designed to prepare students for state-administered assessments, on **more than 8 instructional days in any school year.**

- Routine assessment of student mastery of the curriculum is among the best practices identified by such significant organizations as the National Center for Educational Achievement (NCEA), the Broad Foundation, and others.
- The language erodes local control in determining how, when and in what ways to assess student learning of the TEKS, the state-required curriculum.
- Giving tests on 8 days does not mean that all instructional time on those days is consumed by testing, so the restriction is excessively limiting to district and campus practices.

HB 3 Floor Amendment #61 imposes significant **additional steps on districts when considering campus closure for any reason.**

- This dictates the means by which Board and superintendent are required to interact with the community, including expense of first-class mail for certain notifications.
- This requires districts to issue statements about impact that are unduly burdensome to prepare (e.g., it is not possible to anticipate ways in which EACH child's education will be altered, and it is cumbersome to include elements such as the number of registered sex offenders residing in the vicinity of each new assigned campus).

SB 3 Floor Amendment #2 requires students to complete **four semesters of fine arts in middle school grades.**

- For students who need intensive academic support, this provision actually reduces district and campus opportunity to incorporate "double doses" of core subject area instruction into the regular school day.
- The requirement could have staffing and other scheduling / facilities implications as well (does the campus have enough art room space to accommodate that many classes in fine arts?).

SB 3 Floor Amendment #11 **relates to the assignment of student grades.**

- Eliminating local control on this issue could result in a mire of additional district policies to support students' opportunities to get back on track, such as unlimited opportunities to make up work, to retake examinations, etc.

HB 3 Floor Amendments #42 and #43 require districts to **post, on their web sites, general ledgers and adopted budgets** and to keep the material posted for a three-year period.

- The volume of information to be posted annually is huge, risks being unmanageable to download, and may clog district server capacity, especially as multiple years' worth of data come to be posted.
- People who are not already familiar with accounting coding and procedures will not be able to understand what they see.

Current law (Subchapter G, §§29.201-205) provides for the **Public Education Grant (PEG) program** to extend choice to students if the schools they attend are rated unacceptable in any of the last three years, or if aggregate passing rates on state assessments are at 50% or less in any of the last 2 out of 3 years.

- It is inappropriate to require campuses and districts to extend PEG options to students when schools are given satisfactory or acceptable performance ratings by the state.
- The provision is unnecessary and duplicative; relatively few students exercise PEG options in light of existing transfer policies maintained by districts, and the availability of AYP choice options under the federal accountability system for schools in need of improvement.
- Failing elimination of Subchapter G, the provision needs to be updated and simplified to align with new ratings provisions of SB 3 and HB 3.
- Inclusion of any arbitrary passing rate criterion in law, such as 50%, perpetuates lack of alignment as new accountability measures are introduced over time.

### **Bill Amendments proposed for support**

HB 3 places appropriate rather than excessive pressure on students to pass state examinations for promotion and for graduation, and on the system to drive continuous improvement.

- The main issues identified by the Joint Select Committee on Public Education Accountability were excessive emphasis on state assessments and too much pressure on students associated with those tests. HB 3 establishes meaningful and manageable examination requirements for students while holding adults responsible for continually improving student achievement.
- Eligibility for distinctions is open to all campuses with acceptable performance, permitting maximum opportunity to identify best practices in specific areas.

SB 3 includes a reasonable approach to financial solvency reviews.

- Districts are required to make financial projections for the current year, plus the following two years. This is more manageable than the five-year projections required by the House, and supports the reliability of the assumptions used to generate the projections.

SB 3 contains provisions that require the Commissioner to exclude certain students from being considered as dropouts, as does HB 3 Floor Amendment #24.

- Districts currently are being held accountable for students whose departures from school are largely outside of district control, e.g., those ordered by a court of law into certain settings, those detained by law enforcement authorities or incarcerated as adults.
- Limiting the window of opportunity for recovering students to school, and counting students as dropouts each year that they drop out, creates unintended disincentives for educators to keep pursuing students' return to school.
- Allow exceptions for two consecutive years on completion rate measures because of the longitudinal nature of the measure (i.e., results of current year efforts may not be visible in a 4-year measure).

SB 3 Floor Amendment #9 and HB 3 Floor Amendment #37 both protect the stability and planned development of the state accountability system.

- For the system to drive improvement, districts and campuses need to be able to see how they are being evaluated and what their performance is like on new measures prior to being held accountable for it. Students are not given high-stakes tests without warning or preparation. Neither should districts or schools be evaluated without appropriate baseline information and opportunities to adjust programs, resource allocations and instruction, including time for teachers to complete targeted professional development activities.
- This should not preclude TEA from applying possible adjustments to existing measures, as is being done this year with the inclusion of growth in the evaluation of TAKS performance.

HB 3 Amendments #33, #6, #11 and #12 recognize students' completion of dual credit courses as evidence of college readiness that should satisfy both graduation plan and state assessment requirements in relevant core subject areas.

- Amendments #6 and #33 foster students' orientation to postsecondary education by accepting dual credit courses as evidence of completing graduation requirements and being college ready.
- Amendments #11 and #12 reduce excessive pressure on students to pass specific tests because the ability to earn college credit in a relevant core area will allow them to waive the corresponding end-of-course examination.

Several HB 3 amendments protect and promote the role of career and technical education (CTE) courses in preparing students for successful careers in the 21<sup>st</sup> Century workplace.

- Amendments # 5, #14, and #86 align CTE courses with key provisions of the Perkins Act.
- Amendments #2, #4, #13 and #15 promote the rigor and relevance of CTE courses.