

<b>DATE:</b>	<b>March 21, 2019</b>
<b>SUBJECT:</b>	<b>U.S. Department of Education’s Performance Review Report</b>
<b>CATEGORY:</b>	<b>Notice</b>
<b>NEXT STEPS:</b>	<b>Share with appropriate staff</b>

The purpose of this communication is to provide information about the U.S. Department of Education’s (USDE) response to its performance review of Texas and the impact on academic accountability.

### History

From August 7–10, 2018, a team from the USDE’s Office of State Support (OSS) Management and Support Unit reviewed the Texas Education Agency’s (TEA’s) administration of fiscal requirements and certain program requirements of OSS programs—Title I, Part A; Title II, Part A; Title III, Part A; and School Improvement Grants. The OSS report included three required action items that impact academic accountability.

### Action Items that Impact Academic Accountability

1. *TEA must provide evidence that students who are identified as asylees, unschooled refugees, or students with interrupted formal education are included in assessment and accountability systems consistent with the Elementary and Secondary Education Act (ESEA).*

In order to align with federal requirements for inclusion, assessment results of students identified as asylees, unschooled refugees, and/or students with interrupted formal education will be excluded from accountability their first year of enrollment in U.S. schools. Assessment results for these students will be included in accountability beginning with their second year of enrollment in U.S. schools. As the summer 2018 and December 2018 testing administrations have already occurred, TEA has requested to delay the implementation of this requirement until accountability is determined for 2020.

2. *TEA must cease the policy of permitting substitute assessments in accountability calculations. All students must take the reading/language arts, mathematics, and science assessments required under ESEA. Exceptions are limited to alternate assessments for students with cognitive disabilities and 8th grade students taking the Algebra I end-of-course assessment in place of the State of Texas Assessments of Academic Readiness (STAAR) grade 8 mathematics.*

Substitute assessments may continue to be used to meet individual student graduation requirements. TEA is requesting that OSS grant TEA additional time to implement this requirement, in order for TEA to generate an action plan to research the feasibility of the continued use of substitute assessments in accountability as allowable locally-selected assessments under ESEA, as amended by the Every Student Succeeds Act (ESSA), §1111(b)(2)(H). TEA must have each substitute assessment peer reviewed to demonstrate the alignment between the assessments and the Texas Essential Knowledge and Skills. Alignment must also be demonstrated for three performance levels which equate to STAAR outcomes at the Masters Grade Level, Meets Grade Level, and Approaches Grade Level standards.

3. *TEA must provide evidence that it administers the same, grade-level assessments to all public-school students, including those students enrolled in advanced mathematics, reading/language arts, and, if applicable, science courses.*

Under this requirement, students in grades 3–8 taking advanced courses must take the applicable grade level STAAR assessment in addition to the advanced assessment aligned with the course. Only the grade level STAAR assessment results will be used in accountability calculations. The only permitted exception is for 8th grade students taking the Algebra I end-of-course assessment. A February 21, 2019, To the Administrator Addressed letter detailed TEA's proposed USDE waiver request to meet this requirement beginning with the 2019–2020 school year. The proposal is open for public comment until March 25, 2019. A copy of the letter and proposal are available on TEA's website at [https://tea.texas.gov/About\\_TEA/News\\_and\\_Multimedia/Correspondence/TAA\\_Letters/Proposed\\_Testing\\_Requirements\\_for\\_Accelerated\\_Students/](https://tea.texas.gov/About_TEA/News_and_Multimedia/Correspondence/TAA_Letters/Proposed_Testing_Requirements_for_Accelerated_Students/).

### **Contact Information**

If you have questions about academic accountability, please contact the Performance Reporting Division at (512) 463-9704 or [performance.reporting@tea.texas.gov](mailto:performance.reporting@tea.texas.gov).

Sincerely,

Mike Morath

Commissioner of Education

Cc: District and ESC Testing Coordinators