



TEXAS EDUCATION AGENCY

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Robert Scott
Commissioner

February 15, 2008

Dr. Kerri L. Briggs, Assistant Secretary
United States Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-6400

Dear Assistant Secretary Briggs:

Enclosed is the Texas Consolidated State Application Accountability Workbook (Texas AYP Workbook) dated February 15, 2008. The workbook is updated to reflect changes to the Texas AYP calculations as a result of the following events and guidance letters from the United States Department of Education (USDE).

- Review of your November 19, 2007, letter regarding Amending Title I Accountability Workbooks in which states were strongly encouraged to submit only amendments that are either (1) necessary to bring your State's accountability workbook into compliance with current law, or (2) required to accurately reflect current practice in your State's accountability system.
- Expiration of the November 30, 2005, USDE Agreement on Inclusion of Certain Students with Disabilities in the Texas AYP calculation. The Texas AYP Workbook includes updates removing the provisions of that agreement.
- Administration of new alternate assessments in spring 2008 for (1) students with the most significant cognitive disabilities (TAKS-Alternate), and (2) students assessed on alternate assessments based on modified academic achievement standards (TAKS-Modified).
- Request for resubmission of an amendment to the AYP Safe Harbor calculation as a result of the Title I monitoring visit conducted in Texas on January 17-18, 2008. A description of this request is included as Attachment I to this letter.

In addition to the modifications above, the workbook also includes other minor revisions which have been tracked for your convenience.

If you need additional information or have questions about any of the proposed amendments or revisions, please contact Criss Cloudt, Associate Commissioner for Assessment, Accountability, and Data Quality, by telephone at (512) 463-9701 or by e-mail at criss.cloudt@tea.state.tx.us.

Sincerely,

Robert Scott
Commissioner of Education

Attachment

Attachment
Request for Amendments to the Texas AYP Workbook for 2008
(Consolidated State Application Accountability Workbook)

Safe Harbor Improvement on Other Measure

Background/Issue: The AYP safe harbor provisions require that districts, charters, and campuses show improvement for the student group on the other measure (Graduation Rate or Attendance Rate) in addition to the improvement on the performance measure for the subject. This requirement is having the unintended consequence of preventing districts, charters, and campuses with high performance on the other measure from meeting safe harbor, even when they show exceptional performance gains for the student group in the subject. In this situation, even the best districts, charters, and campuses will see some years that the other measure fails to improve due to chance yearly fluctuations in the other measure data.

Proposed Amendment: If a district, charter, or campus meets the absolute standard on the other measure for all student groups that meet minimum size criteria (in addition to all students), they do not have to show improvement on the other measure as a condition of safe harbor.

Justification:

- No Child Left Behind (NCLB) anticipated the situation in which it would be difficult for a high-performing school to continue showing progress. Consistent with the intent of NCLB, it is appropriate to apply that provision to safe harbor if high performance on the other measure is preventing a district, charter, or campus from meeting the AYP standard related to academic achievement. This provision is found in the following section of NCLB:

20 USC 6316.1116(b)(1)(C) Application – Subparagraph (A) shall not apply to a school if almost every student in each group specified in section 1111(b)(2)(C)(v) enrolled in such school is meeting or exceeding the State’s proficient level of academic achievement.

[Note that section 1111(b)(2)(C)(v) delineates the student groups required to measure AYP.]

- AYP is based primarily on academic assessments, and the system is not intended to penalize districts, charters, and campuses with high performance on the other measure.