

**MEMORANDUM OF AGREEMENT  
UNDER TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT  
BETWEEN THE UNITED STATES DEPARTMENT OF EDUCATION  
AND THE TEXAS EDUCATION AGENCY**

This Memorandum of Agreement (Agreement) is hereby entered into between the U.S. Department of Education (Department) and the Texas Education Agency.

I. BACKGROUND: STATUTORY AND REGULATORY REQUIREMENTS

Title I of the Elementary and Secondary Education Act of 1965 (Title I), as amended by the No Child Left Behind Act of 2001, requires each state receiving Title I funds to satisfy certain requirements.

Each state is required to adopt academic content and academic achievement standards in at least mathematics, reading or language arts, and science. Content standards must specify what all students are expected to know and be able to do, contain coherent and rigorous content, and encourage the teaching of advanced skills. Achievement standards must be aligned with the state's academic content standards and must describe at least three levels of proficiency (*e.g.*, basic, proficient, and advanced) to determine how well students in each grade are mastering the content standards.

Each state is also required to implement a student assessment system used to evaluate whether students are mastering the subject material reflected in the State's academic content standards. States are required to administer mathematics and reading or language arts assessments yearly in grades 3-8 and once in grades 10-12, and, as of the 2007-2008 school year, states are also required to administer a science assessment in at least one grade in each of the following grade spans: 3-5, 6-9, and 10-12.

In addition to a general assessment, states are also required to develop and administer at least one alternate assessment for students with disabilities who cannot participate in the general assessment, even with appropriate accommodations. An alternate assessment may be based on grade-level academic achievement standards, alternate academic achievement standards, or modified academic achievement standards. Like the general assessment, any alternate assessment must satisfy the requirements for high technical quality, validity, and reliability.

II. PURPOSE OF AGREEMENT

The Department has determined that Texas' standards and assessment system for reading and mathematics does not satisfy all of the Title I statutory and regulatory requirements for standards and assessment systems. Accordingly, the Texas Education Agency (TEA) hereby enters into this Agreement to demonstrate how it intends to come into compliance and administer a fully approved standards and assessment system for reading and mathematics in the 2008-2009 school year. Texas' compliance with the Material Terms of this Agreement, as designated herein, will allow Texas to continue to receive Title I funds while working to bring its standards and assessment system into compliance.

### III. TEXAS' CURRENT NON-COMPLIANCE AND EVIDENCE REQUIRED TO ESTABLISH COMPLIANCE

The Department has determined that Texas' standards and assessment system for reading and mathematics does not fully comply with Title I statutory and/or regulatory requirements in the following areas: Texas did not demonstrate that the alternate assessment based on alternate academic achievement standards for students with the most significant cognitive disabilities, the Texas Assessment of Knowledge and Skills-Alternate (TAKS-Alt), meets the requirements for technical quality and alignment with grade-level content standards.

To correct these deficiencies and demonstrate that Texas' standards and assessment system for reading and mathematics complies with all of the Title I requirements, Texas is required to submit the following evidence:

#### **2.0 – ACADEMIC ACHIEVEMENT STANDARDS**

1. Documentation that the state has reported separately the number and percentage of those students with disabilities assessed against alternate achievement standards, those assessed on an alternate assessment against grade-level standards, and those included in the general assessment (including those administered with appropriate accommodations) for the spring 2008 and spring 2009 administrations of the Texas assessment program in reading and mathematics.
2. Documentation that skill-level performance on the spring 2009 TAKS-Alt is differentiated in the scoring and achievement-level classification.

#### **4.0 – TECHNICAL QUALITY**

1. Evidence that the state has documented validity of the spring 2009 TAKS-Alt (in addition to the alignment of the TAKS-Alt with Texas' content standards) as described in the *Standards for Educational and Psychological Testing* (AERA/APA/NCME, 1999).
  - a. A technical report for the spring 2009 administration of the TAKS-Alt.
  - b. Evidence that the assessment tasks measuring academic content on the spring 2009 TAKS-Alt are not driven by non-academic IEP goals.
  - c. Evidence that the assessment tasks on the spring 2009 TAKS-Alt are aligned with the objectives and essence statements.
  - d. Evidence that the cut scores on the TAKS-Alt have been applied to a larger sample of assessment tasks after the spring 2009 administration to verify that the scores result in appropriate classifications.
  - e. Evidence that score classifications are valid and reliable for the students and subgroups taking the spring 2009 TAKS-Alt.
2. For the spring 2009 TAKS-Alt, evidence that the state has considered the issue of reliability, as described in the *Standards for Educational and Psychological Testing*.
  - a. Evidence that Texas has instituted an annual procedure for documenting reliability through an inter-rater reliability study in which a trained second

rater will observe a representative percentage of assessment tasks to enable reliability inferences to be drawn at the state level.

- b. Evidence that the state has revised the current procedure for second raters to ensure independence of the ratings.
3. Evidence that the state has taken steps, such as bias review of assessment tasks, to ensure fairness in the development of the spring 2009 TAKS–Alt.
4. Evidence that the state has established clear criteria for the administration, scoring, analysis, and reporting components of the spring 2009 TAKS–Alt:
  - a. Evidence that the state has developed procedures to qualify staff prior to their involvement in the administration and/or scoring of assessment tasks.
  - b. Specific timelines and activities related to the state’s increased training and support.
5. Evidence that the state conducts monitoring and auditing of the spring 2009 TAKS–Alt to ensure consistency, comparability, and accuracy (i.e. alignment) of the submissions.
6. Evidence that the state has plans to institute a process to review a representative sample of individual student assessments across years, beginning with the spring 2009 administration, to monitor that skill and assessment tasks associated with an essence statement show adequate progression of skill development over time.
7. Studies that include the representativeness of the sample of students taking the spring 2009 TAKS–Alt assessments.

## **5.0 – ALIGNMENT**

1. Evidence that the alignment study has been replicated with an adequate sample of assessment tasks that is representative of the population of students taking the spring 2009 TAKS–Alt.
2. A plan with activities and timelines that addresses any issues that emerge as a result of the new alignment study of the spring 2009 TAKS–Alt.

## **6.0 – INCLUSION**

1. Participation data for all students with disabilities taking the TAKS (with and without accommodations), TAKS–Alt, and TAKS–M assessments in the spring 2008 and spring 2009 administrations.
2. A final accommodations manual from the 2008–2009 school year showing the list of accommodations and training requirements for test administrators.

## **7.0 – REPORTING**

1. State and district disaggregated reports after the implementation of the spring 2009 TAKS–Alt administration.

This list of required evidence constitutes a Material Term of this Agreement.

#### IV. ACTION STEPS AND TIMELINE

Appendix A to this Agreement sets forth the specific action steps required by TEA to be able to submit the above-listed evidence required to demonstrate full compliance of Texas' standards and assessment system for reading and mathematics with the Title I requirements for standards and assessment systems. In addition to listing the specific action steps, Appendix A also lists the individual, group of individuals, or agency that will perform each action step, and the deadline for completion of each action step. Among the other action steps set forth in Appendix A, TEA agrees to submit to the Department quarterly reports on its progress on the action steps.

If an action step is designated as a Material Term, both the action step and the deadline for the completion of the action step constitute a Material Term of this Agreement.

Appendix A is an essential part of this Agreement and is incorporated herein by reference as though fully set forth herein.

This entire Section IV constitutes a Material Term of this Agreement.

#### V. PENALTIES FOR VIOLATION

Because the Department has determined that Texas' standards and assessment system for reading and mathematics does not satisfy all of the Title I statutory and regulatory requirements for standards and assessment systems, the Department is authorized by section 1111(g)(2) of Title I to withhold Texas' Title I administrative funds. The Department agrees that it will refrain from exercising this authority so long as Texas complies with all Material Terms of this Agreement.

If TEA fails to comply with any Material Term of this Agreement, including the action steps in Appendix A that are designated as Material Terms, the Department may consider the Agreement no longer in effect and may take any action authorized by law, including, without limitation, the withholding of funds and/or the issuance of a complaint to compel compliance through a cease and desist order. If the Department should initiate withholding proceedings, in so doing and in determining the proper amount to be withheld, it will take into consideration the number of violations of the MOA as well as any other relevant circumstances.

This entire section V constitutes a Material Term of this Agreement.

#### VI. MODIFICATION

This agreement, including the action steps or associated deadlines set forth in Appendix A, may be modified by mutual agreement of the parties. A modification to any term or provision that is designated as a Material Term must be made in writing, signed by both parties, and attached hereto. This requirement may be satisfied by an e-mail exchange between the parties or their agents that includes the substance of the modification and both parties' electronic signatures (*e.g.*, "/s/ John Smith on behalf of TEA"), a copy of which is attached hereto.

In the event that changes in the governing federal statute or regulations make it significantly more difficult for TEA to implement the terms of this agreement on a timely basis, the parties will make a good faith effort to renegotiate the effected terms of this agreement.

In addition, in the event that, after the effective date of this agreement, the Department provides, whether through regulations, non-regulatory guidance, or otherwise, greater flexibility to states than is permitted pursuant to the terms of this agreement, the parties will make a good-faith effort to renegotiate the affected terms of this agreement. In addition, the fact that the TEA has entered into this agreement with the Department shall not be relied upon as the sole basis for denying the TEA flexibility regarding its compliance with Title I, Part A of the ESEA that is granted to states generally, whether through regulations, non-regulatory guidance, or otherwise, provided that the TEA complies with the terms of this agreement and provided that it meets all requirements for being granted such flexibility. To the extent that any such flexibility is conditioned upon a state's not being a party to an MOA with the Department, this paragraph shall not be read to waive that requirement.

This section VI constitutes a Material Term of this Agreement.

VII. AUTHORITY

This Memorandum of Agreement is entered into pursuant to the Secretary's authority under 34 C.F.R. § 80.12, which authorizes the Secretary to impose special conditions and/or restrictions on a grantee whom the Department has determined has failed to comply with the terms and conditions of prior grant awards.

The effective date of this agreement is the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

For the Texas Education Agency:

\_\_\_\_\_  
Robert Scott  
Commissioner of Education

\_\_\_\_\_  
Date

For the United States Department of Education:

\_\_\_\_\_  
Kerri L. Briggs, Ph.D.  
Assistant Secretary  
Office of Elementary and Secondary Education

\_\_\_\_\_  
Date

## APPENDIX A

The following changes will be made to the TAKS–Alt assessments for reading and mathematics for the 2008–2009 school year to comply fully with the requirements for standards and assessment systems under the ESEA.

- **Standardized Assessment Tasks.** Assessment tasks will be standardized to address the alignment requirements, the measurement of academic content, any potential bias in the assessment tasks, and assessment task development. The tasks will be developed for each tested essence statement from the content objectives assessed for TAKS. There will be three access tasks for each tested essence statement. The task is standardized, but the supports/accommodations/mode of communication the teacher provides the student during the task is based on the supports/accommodations/mode of communication the student routinely receives in instruction. Four assessment tasks for each tested grade and subject area will be assessed each year, and all four will be mandated by the state. The tasks will be rotated annually to ensure content coverage for all assessment objectives over a two-year period. After the assessment tasks are developed, an alignment study will be conducted to verify the alignment of the standardized tasks.
- **Reliability Studies.** Reliability evidence will be provided from three annual sources. First, a statewide online teacher qualification process will be implemented. All personnel administering the assessment will be required to participate in training, and a separate qualification component will be embedded in the updated interactive training modules. Second, an inter-rater reliability study will be executed by which trained independent raters will re-rate assessment tasks of a representative percentage of students. Third, a monitoring and auditing protocol will be further developed to help ensure consistency, comparability, and accuracy of the submissions. This will include a formal audit in which all assessment tasks from a representative sample of students will be reviewed for scoring consistency.
- **Skill Differentiation will result from designing three levels to each activity, and applying weights to the scoring rubric.** The standardized assessment tasks cover the same content standards but have levels that vary in complexity. Skill differentiation will be accomplished in the scoring. Teachers will score the student's assessment task using the three scoring dimensions on the rubric (Demonstration of Skill, Level of Support, Generalization of Skill) Students successfully completing more complex tasks will receive a higher score.
- **Timelines.** The following timeline outlines how and when the above items will be addressed. Quarterly Reports will be submitted on the following dates: October 1, 2008, January 5, 2009, April 1, 2009, and July 1, 2009. The final submission will be in October 2009.

All items determined to be Material Terms are noted with an asterisk and have been printed in ***bold, italicized*** font. The U.S. Department of Education is referred to herein as “USDE.” The Texas Education Agency is referred to herein as “TEA.” The Texas Assessment of Knowledge and Skills – Alternate is referred to as the “TAKS–Alt.” As used herein, “the state” refers to Texas or the TEA.

<u>Action Step</u>	<u>Completion Date</u>	<u>Deliverable</u>	<u>Performed By</u>
<p><b>4.0 Technical Quality</b>            3. Evidence that the state has taken steps, such as bias review of assessment tasks, to ensure fairness in the development of the spring 2009 TAKS–Alt.  <b>Action:</b> TEA will standardize all assessment tasks for the 2008–2009 administration of TAKS–Alt. In addition, TEA will document through the educator review process that appropriate steps have been taken to ensure fairness in the development of the assessment tasks. This evidence will be submitted to USDE.</p>	June 2008 - October 2008	Evidence: <ul style="list-style-type: none"> <li>• educator review meeting agendas and rosters</li> <li>• sample assessment task judgment form used at the educator review meetings</li> <li>• assessment task content committee review report generated after the educator review meetings</li> <li>• assessment task development report</li> </ul>	TEA – Student Assessment Division
<p><b>6.0 Inclusion</b>            2. A final accommodations manual from the 2008–2009 school year showing the list of accommodations and training requirements for test administrators.  <b>Action:</b> The 2008–2009 manual will be submitted along with a list of accommodations and the accommodations training plan for test administrators for the spring 2009 administration.</p>	June 2008 - October 2008	Evidence: <ul style="list-style-type: none"> <li>• <b><i>2008–2009 accommodations manual*</i></b></li> <li>• list of accommodations/supports allowed for TAKS–Alt</li> <li>• accommodations training plan including what materials will be used in accommodations training sessions</li> </ul>	TEA – Student Assessment Division (Accommodations Manual was completed in collaboration with the Division of IDEA Coordination)
Quarterly Report – report will include progress and plans related to the action steps that are outlined in this agreement and are completed prior to October 1, 2008.	October 1, 2008	<b><i>Quarterly Report*</i></b>	TEA – Student Assessment Division

<u>Action Step</u>	<u>Completion Date</u>	<u>Deliverable</u>	<u>Performed By</u>
TEA will receive written feedback from USDE regarding the October 1, 2008 Quarterly Report.	November 3, 2008	Written feedback from USDE	USDE
<p><b>2.0 Academic Achievement Standards</b></p> <p>1. Documentation that the state has reported separately the number and percentage of those students with disabilities assessed against alternate achievement standards, those assessed on an alternate assessment against grade-level standards, and those included in the regular assessment (including those administered with appropriate accommodations) for the spring 2008 administration of the Texas assessment program in reading and mathematics.</p> <p><b>Action:</b> The AYP participation report will be submitted to USDE. The report will contain participation rates for those students with disabilities assessed against alternate achievement standards, those assessed on modified achievement standards, and those assessed on grade-level standards for the spring 2008 administration (same action as in 6.0).</p>	November 2008	<p>Evidence:</p> <ul style="list-style-type: none"> <li>• participation data by test for all students receiving special education services</li> </ul>	TEA – Performance Reporting Division
<p><b>4.0 Technical Quality</b></p> <p>1.b. Evidence that the assessment tasks measuring academic content on the spring 2009 TAKS–Alt are not driven by non-academic IEP goals.</p> <p><b>Action:</b> TEA will standardize all assessment tasks for the 2008–2009 administration of TAKS–Alt, and through this standardization process, TEA will have evidence to demonstrate that the assessment tasks are measuring academic content and are driven by academic IEP goals. The assessment tasks will be developed for each tested essence statement from the content objectives assessed for TAKS. There will be three access tasks for each tested</p>	June - November 2008	<p>Evidence:</p> <ul style="list-style-type: none"> <li>• educator review meeting agendas and rosters</li> <li>• sample assessment task judgment form used at the educator review meetings</li> <li>• assessment task content committee review report generated after the educator review meetings</li> <li>• <b>TAKS–Alt test administrator manual*</b></li> </ul>	TEA – Student Assessment Division

<u>Action Step</u>	<u>Completion Date</u>	<u>Deliverable</u>	<u>Performed By</u>
<p>essence statement. Each task will be standardized, but the supports/accommodations/mode of communication the teacher provides the student during the task will be based on the supports/accommodations/mode of communication the student routinely receives in instruction. Four assessment tasks for each tested grade and subject will be assessed each year. The tasks will be rotated annually to achieve content coverage for all assessment objectives over a two-year period.</p>		<ul style="list-style-type: none"> <li>• applicable training modules and additional teacher training materials</li> <li>• assessment task development report</li> <li>• sample standardized assessment tasks</li> </ul>	
<p><b>6.0 Inclusion</b>  1. Participation data for all students with disabilities taking the TAKS (with and without accommodations), TAKS–Alt, and TAKS–M assessments in the spring 2008 administration.  <b>Action:</b> The AYP participation report will be submitted to USDE. The report will contain participation rates for those students with disabilities assessed against alternate achievement standards, those assessed on modified achievement standards, and those assessed on grade-level standards for the spring 2008 administration (same action as in 2.0).</p>	November 2008	Evidence: <ul style="list-style-type: none"> <li>• participation data by test for all students receiving special education services</li> </ul>	TEA – Performance Reporting Division
<p>Quarterly Report – report will include progress and plans related to the action steps outlined in this agreement and completed between October 1, 2008 and January 5, 2009.</p>	January 5, 2009	<i>Quarterly Report*</i>	TEA – Student Assessment Division
<p>TEA will receive written feedback from USDE regarding the January 5, 2009, Quarterly Report.</p>	February 2, 2009	Written feedback from USDE	USDE
<p><b>4.0 Technical Quality</b>  1.c. Evidence that the assessment tasks on the spring 2009 TAKS–Alt are aligned with the objectives and essence statement.  <b>Action:</b> TEA will ensure that the assessment tasks are</p>	June 2008 - April 2009	Evidence: <ul style="list-style-type: none"> <li>• educator review meeting agendas and rosters</li> <li>• sample assessment task judgment form used at the</li> </ul>	TEA – Student Assessment Division

<u>Action Step</u>	<u>Completion Date</u>	<u>Deliverable</u>	<u>Performed By</u>
aligned with the objectives and essence statements. Additional alignment evidence will be generated from an accepted alignment study methodology for alternate assessments based on alternate academic achievement standards.		educator review meetings <ul style="list-style-type: none"> <li>• assessment task content committee review report generated after the educator review meetings</li> <li>• assessment task development report</li> <li>• sample standardized assessment tasks</li> <li>• <i>alignment study report</i> * (see action for 5.0/1 Alignment)</li> </ul>	
<b>5.0 Alignment</b> 1. Evidence that the alignment study has been replicated with an adequate sample of assessment tasks that is representative of the population of students taking the spring 2009 TAKS–Alt. <b>Action:</b> An alignment study from an accepted alignment study methodology for alternate assessments based on alternate academic achievement standards conducted on the new standardized alternate assessment tasks.	June 2008 – April 2009	Evidence: <ul style="list-style-type: none"> <li>• alignment report providing the alignment results</li> </ul>	TEA – Student Assessment Division
<b>5.0 Alignment</b> 2. A plan with activities and timelines that address any issues that emerge as a result of the new alignment study of the spring 2009 TAKS–Alt. <b>Action:</b> After the alignment analysis is complete, TEA will draft a plan and timeline to address any issues that might emerge as a result of the study.	December 2008 - April 2009	Evidence: <ul style="list-style-type: none"> <li>• alignment plan and timeline to address any issues from the study</li> </ul>	TEA – Student Assessment Division
Quarterly Report – report will include progress and plans related to the action steps outlined in this agreement and completed between January 5, 2009 and April 1, 2009.	April 1, 2009	<i>Quarterly Report*</i>	TEA – Student Assessment Division

<u>Action Step</u>	<u>Completion Date</u>	<u>Deliverable</u>	<u>Performed By</u>
TEA will receive written feedback from USDE regarding the April 1, 2009 Quarterly Report.	May 1, 2009	Written feedback from USDE	USDE
TAKS–Alt used in 2009 AYP calculations for participation; also used in 2009 calculations for proficiency for no more than 1% of students in Texas assessment program.	August 2009	N/A	TEA (Performance Reporting Division)
<p><b>2.0 Academic Achievement Standards</b></p> <p>2. Documentation that skill-level performance on the spring 2009 TAKS–Alt is differentiated in the scoring and achievement-level classifications.</p> <p><b>Action:</b> Skill-level performance on the TAKS–Alt will be differentiated. There will be three standardized assessment tasks for each essence statement corresponding to three levels of complexity. Teachers will determine the appropriate standardized assessment task for each essence statement (high, medium, or low) based on specific criteria provided by the state. The assessment task will be scored using the three scoring dimensions on the rubric (Demonstration of Skill, Level of Support, and Generalization of Skill). Students will receive more credit for successfully completing more complex tasks and receive less credit for successfully completing less complex tasks.</p>	July 2008 - July 2009	<p>Evidence:</p> <ul style="list-style-type: none"> <li>• Texas Technical Advisory Committee (including the roster, agenda, and discussion points)</li> <li>• standard-setting review rosters, agenda, and meeting minutes, including new cuts (if applicable)</li> <li>• <b><i>standard setting report including new cut scores</i></b> *</li> <li>• scoring rubric</li> <li>• approval letter of the new standards (if applicable) by the Texas Commissioner of Education</li> </ul>	TEA – Student Assessment Division; Commissioner of Education
<p><b>4.0 Technical Quality</b></p> <p>1.a. A technical report for the spring 2009 administration of the TAKS–Alt.</p> <p><b>Action:</b> The technical report for the 2009 administration of TAKS–Alt will be completed and submitted with information regarding the training, scoring, and the results of the assessment.</p>	May 2008 - July 2009	<p>Evidence</p> <ul style="list-style-type: none"> <li>• <b><i>2008-2009 TAKS–Alt Technical Report*</i></b></li> </ul>	TEA– Student Assessment Division

<u>Action Step</u>	<u>Completion Date</u>	<u>Deliverable</u>	<u>Performed By</u>
<p><b>4.0 Technical Quality</b> 1.d. Evidence that the cut scores on the TAKS–Alt have been applied to a larger sample of assessment tasks after the spring 2008–2009 administration to verify that the scores result in appropriate classifications. <b>Action:</b> A reporting of the cut scores and the impact of those cut scores on the student population being assessed with TAKS–Alt in the spring 2009 administration will be completed and these performance data will be submitted to verify appropriate classifications of score results.</p>	May 2009 - July 2009	<p>Evidence:</p> <ul style="list-style-type: none"> <li>• proficiency classification levels data for of all students assessed with TAKS–Alt</li> </ul>	TEA – Student Assessment Division
<p><b>4.0 Technical Quality</b> 1.e. Evidence that score classifications are valid and reliable for the students and subgroups taking the spring 2009 TAKS–Alt. <b>Action:</b> The impact data of the score classification for the students and subgroups (gender, ethnicity/race, socio-economic status) from the spring 2009 TAKS–Alt administration will be provided.</p>	May 2009 - July 2009	<p>Evidence:</p> <ul style="list-style-type: none"> <li>• standard-setting report that will include impact data by individual student groups (gender, ethnicity/race, socio-economic status) for all students assessed with TAKS–Alt</li> </ul>	TEA – Student Assessment Division
<p><b>4.0 Technical Quality</b> 2.a. Evidence that Texas has instituted an annual procedure for documenting reliability through an inter-rater reliability study. A trained second rater will observe a representative percentage of assessment tasks to enable reliability inferences to be drawn at the state level. <b>Action:</b> An inter-rater reliability study will be conducted during the spring 2009 TAKS–Alt administration. As part of the study, second raters will independently rate assigned assessment tasks for selected raters. A representative sample of the students will be randomly selected for</p>	January 2009 - July 2009	<p>Evidence:</p> <ul style="list-style-type: none"> <li>• results of the inter-rater reliability study</li> </ul>	TEA – Student Assessment Division

<u>Action Step</u>	<u>Completion Date</u>	<u>Deliverable</u>	<u>Performed By</u>
inclusion in the study sample. All essence statements for the grades in the sample (at least one elementary, middle, and high school grade) for reading, mathematics, and science will be part of the inter-rater reliability study.			
<p><b>4.0 Technical Quality</b> 2.b. Evidence that the state has revised the current procedure for second raters to ensure independence of the ratings. <b>Action:</b> A representative sample of students and activities will be selected by the state for the inter-rater reliability study. Second raters will score the assessment tasks for the selected essence statements independently and the scores of the 1<sup>st</sup> and 2<sup>nd</sup> raters will be compared. Detailed procedures for independent ratings will be communicated in the test administrator materials. Second raters will be required to successfully complete the training modules.</p>	January 2009 - July 2009	<p>Evidence:</p> <ul style="list-style-type: none"> <li>• results of the inter-rater reliability study</li> <li>• procedures for independent ratings from the TAKS–Alt test administrator manual</li> <li>• statewide report providing data detailing the qualification of teachers administering TAKS–Alt</li> </ul>	TEA – Student Assessment Division
<p><b>4.0 Technical Quality</b> 4.a. Evidence that the state has developed procedures to qualify staff prior to their involvement in the administration and/or scoring of assessment tasks. <b>Action:</b> A qualification component will be added to the TAKS–Alt training modules for the 2008–2009 school year, and all training will be mandatory for those administering TAKS–Alt. The security oath signed by all test administrators must also be submitted to document the teacher’s successful completion of the training and understanding of the administration and scoring of the assessment tasks. The qualification completion data along with a sample oath will be submitted to USDE.</p>	July 2008 - July 2009	<p>Evidence:</p> <ul style="list-style-type: none"> <li>• updated training modules</li> <li>• TAKS–Alt test administrator manual</li> <li>• statewide report providing data detailing the qualification of teachers administering TAKS–Alt</li> <li>• a copy of the oath of confidentiality that is required to be signed by all TAKS-Alt test administrators</li> </ul>	TEA – Student Assessment Division

<u>Action Step</u>	<u>Completion Date</u>	<u>Deliverable</u>	<u>Performed By</u>
<p><b>4.0 Technical Quality</b>  4.b. Specific timelines and activities related to the state's increased training and support.  <b>Action:</b> TEA will supply a formal training report (which includes the qualification of raters) and timeline related to the state's increased training and support. Plans include updated training modules, statewide training series via the statewide video teleconference network, making use of the state's educational service centers to provide additional training opportunities for district staff, training sessions at statewide conferences, and school district support via direct training from TEA staff.</p>	August 2008 - July 2009	Evidence: <ul style="list-style-type: none"> <li>• list of all the training dates (including statewide video teleconferences, the Texas Assessment Conference sessions, and face-to-face training)</li> <li>• materials used during the training sessions</li> <li>• updated training modules</li> <li>• training report</li> </ul>	TEA – Student Assessment Division
<p><b>4.0 Technical Quality</b>  5. Evidence that the state conducts monitoring and auditing of the spring 2009 TAKS–Alt to ensure consistency, comparability, and accuracy (i.e., alignment) of the submissions.  <b>Action:</b> TEA will conduct an audit study after the TAKS–Alt administrations. The audit study will verify the documentation of the observation and the match to the student score. Only score data will be entered into the assessment tool. Observation data documentation will be collected and retained at the campus level. TEA will require teachers of students chosen for the audit study to submit their observation data. There will be explicit instructions in the training and administration materials outlining procedures for maintaining and collecting observation data. Additional evidence will include documentation of TEA's monitoring protocol within the assessment system, training qualification data, the oaths of confidentiality, manuals and users' guides, assessment incident reports, and active</p>	July 2008 - July 2009	Evidence: <ul style="list-style-type: none"> <li>• audit study plan</li> <li>• <i>audit study report*</i></li> <li>• assessment monitoring report (including the number and nature of incident reports)</li> <li>• training qualification data</li> <li>• copy of the oath of confidentiality</li> <li>• TAKS–Alt test administrator manual</li> </ul>	TEA – Student Assessment Division

<u>Action Step</u>	<u>Completion Date</u>	<u>Deliverable</u>	<u>Performed By</u>
monitoring by administrators and TEA staff during the assessment window.			
<p><b>4.0 Technical Quality</b></p> <p>6. Evidence that the state has plans to institute a process to review a representative sample of individual student assessments across years, beginning with the spring 2009 administration, to monitor that skill and assessment tasks associated with an essence statement show adequate progression of skill development over time.</p> <p><b>Action:</b> This study will be conducted for the first time after the 2010 administration of TAKS–Alt as two years of assessment data are needed to show progression of skill over time.</p>	July 2009	<p>Evidence:</p> <ul style="list-style-type: none"> <li>• plan for the study</li> </ul>	TEA – Student Assessment Division
<p><b>4.0 Technical Quality</b></p> <p>7. Studies that include the representativeness of the sample of students taking the spring 2009 TAKS–Alt assessments.</p> <p><b>Action:</b> TEA will clearly define the samples associated with the inter-rater reliability study and the audit to show the representativeness (regional representation, ethnicity/race, and gender) of students taking the TAKS–Alt assessment.</p>	July 2009	<p>Evidence:</p> <ul style="list-style-type: none"> <li>• reports for the inter-rater reliability study and the audit study, both of which will contain specific information on how the samples were selected</li> </ul>	TEA – Student Assessment Division
<p><b>7.0 Reporting</b></p> <p>1. State and district disaggregated reports after the implementation of the spring 2009 TAKS–Alt administration.</p> <p><b>Action:</b> State and district disaggregated reports will be generated as a result of the spring 2009 administration of TAKS–Alt.</p>	July 2009	<p>Evidence:</p> <ul style="list-style-type: none"> <li>• 2009 TAKS–Alt proficiency disaggregated summary reports</li> </ul>	TEA – Student Assessment Division
Quarterly Report – report will include progress and plans related to the action steps outlined in this agreement and completed between April 1, 2009 and July 1, 2009.	July 1, 2009	<i>Quarterly Report*</i>	TEA – Student Assessment Division

<u>Action Step</u>	<u>Completion Date</u>	<u>Deliverable</u>	<u>Performed By</u>
TEA will receive written feedback from USDE regarding the July 1, 2009 Quarterly Report.	August 3, 2009	Written feedback from USDE	USDE
<p><b>2.0 Academic Achievement Standards</b></p> <p>1. Documentation that the state has reported separately the number and percentage of those students with disabilities assessed against alternate achievement standards, those assessed on an alternate assessment against grade-level standards, and those included in the regular assessment (including those administered with appropriate accommodations) for the spring 2009 administration of the Texas assessment program in reading and mathematics.</p> <p><b>Action:</b> The AYP participation report will be submitted to USDE. The report will contain participation rates for those students with disabilities assessed against alternate achievement standards, those assessed on modified achievement standards, and those assessed on grade-level standards for the spring 2009 administration (same action as in 6.0).</p>	October 2009	<p>Evidence:</p> <ul style="list-style-type: none"> <li>• participation data by test for all students receiving special education services</li> </ul>	TEA – Performance Reporting Division
<p><b>6.0 Inclusion</b></p> <p>1. Participation data for all students with disabilities taking the TAKS (with and without accommodations), TAKS–Alt, and TAKS–M assessments in the spring 2009 administration.</p> <p><b>Action:</b> The AYP participation report will be submitted to USDE. The report will contain participation rates for those students with disabilities assessed against alternate achievement standards, those assessed on modified achievement standards, and those assessed on grade-level standards for the spring 2009 administration (same action as in 2.0).</p>	October 2009	<p>Evidence:</p> <ul style="list-style-type: none"> <li>• participation data by test for all students receiving special education services</li> </ul>	TEA – Performance Reporting Division