

State and Federal Accountability Alignment

Development of a new state accountability system presents an opportunity to align the state and federal accountability requirements of Texas school districts and campuses. The state accountability system must meet state statutory requirements of Texas Education Code, Chapter 39, Public School Accountability System. Texas public school districts and campuses must also meet federal for Adequate Yearly Progress (AYP) accountability provisions of Title I, Part A of the Elementary and Secondary Education Act (ESEA).

The Texas Education Agency (TEA) must continue to meet federal AYP accountability provisions of the ESEA during the transition to the State of Texas Assessments of Academic Readiness (STAAR) and the new state accountability system. TEA will submit an AYP transition plan for U.S. Department of Education (USDE) approval by January, 2013 that will include a proposal for AYP determinations for 2013 and beyond under the new STAAR assessment program.

On March 5, 2012, the Accountability Policy Advisory Committee (APAC) and the Accountability Technical Advisory Committee (ATAC) accepted the Commissioner's charge for their scope of work that includes development of recommendations that allow Texas to align the state and federal accountability systems to the greatest extent possible. Further consideration may be given to the development of a state accountability system that could potentially meet federal requirements. Options for a new AYP system for 2013 and beyond must meet the requirements of the current ESEA regulations.

ESEA Reauthorization and USDE Flexibility

Originally adopted in 1965, the federal Elementary and Secondary Education Act (ESEA) was reauthorized by the *Improving America's Schools Act* of 1994 (IASA) and the most recent reauthorization by the *No Child Left Behind Act* of 2001 (NCLB). Under the amended accountability provisions of ESEA, all districts, campuses, and the state are evaluated for AYP. Each state is required to implement the federal accountability requirements of AYP, and required to submit for USDE approval a *Consolidated State Application Accountability Workbook* (AYP Workbook) that describes the state's AYP calculations.

In 2010, the USDE released a plan for revising ESEA, *A Blueprint for Reform: The Reauthorization of the Elementary and Secondary Education Act*. The blueprint provided a framework to guide congressional deliberations toward ESEA reauthorization. Relevant proposals in the blueprint include requirements for states to develop assessments aligned with college and career-ready standards, and setting a goal for all students graduating or on track to graduate from high school ready for college and a career by 2020. Lacking congressional action toward reauthorization of ESEA by late 2011, the USDE developed flexibility waivers in response to states' petitions for relief from the requirements of the current law. Also, based on the comprehensive reforms outlined in *The Blueprint for Reform*, USDE waiver approval allows states to request flexibility regarding specific requirements of NCLB, most notably, performance targets that require all students to be proficient by 2014. The flexibility is offered in exchange for rigorous and comprehensive state-developed plans designed to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction. On February 9, 2012, the USDE reported that 11 states have received flexibility waivers approval. The flexibility waiver approval process provides an indication of other states' accountability systems that meet the requirements for comprehensive reform outlined in *The Blueprint for Reform*.

TEA will continue to monitor ESEA reauthorization and flexibility waiver approval process closely. It is unlikely that reauthorization of ESEA will occur during the 2012 congressional session, although the issue may be considered in sessions following. Reauthorization of ESEA at any time in the future may require modification of the Texas AYP system after completion of the statewide accountability development process. Nonetheless, a guiding principle of the statewide accountability development process is consideration of an overall coordinated strategy for state and federal ratings.

Current Adequate Yearly Progress (AYP) system

Federal regulations require that AYP report three indicators for each district and campus in the state: Reading/English Language Arts (Reading/ELA), Mathematics, and an Other Measure. The Reading ELA and Mathematics indicators consist of the performance and participation components. The district and campus performance rate is based on test results for students enrolled for the full academic year (students enrolled on the date of testing who were also enrolled on the fall enrollment snapshot date). The participation rate is based on participation in the assessment program of all students enrolled on the day of testing. AYP Reading/ELA and Mathematics indicators are evaluated for the total number of students and each student group that meets the minimum size criteria. States are required to evaluate AYP indicators for each of the following student groups: major racial and ethnic groups, economically disadvantaged, special education, and English language learners (ELL, formerly referred to as limited English proficient or LEP).

For Texas, the Reading ELA and Mathematics indicators are taken from assessments in Reading/ELA and Mathematics for all students in grades 3–8 and 10. The AYP performance and participation information is summed across grades 3–8 and 10 and reported for the total number of students and each student group. In addition to Reading/ELA and Mathematics, AYP evaluates one Other Measure, either Graduation Rate or Attendance Rate. The Other Measure is determined by the grades offered in the district or campus. Graduation rate is the other measure for high schools, combined elementary/secondary schools offering grade 12, and districts offering grade 12. Attendance Rate is used for elementary schools, middle/junior high schools, combined elementary/secondary schools not offering grade 12, and districts not offering grade 12. The Other Measure is evaluated for the total number of students that meet the minimum size criteria.

Federal regulations require that 2012 AYP include the evaluation of individual student groups for the graduation rate calculations. For secondary schools and school districts offering grade 12, the Graduation rate will be evaluated for each student group beginning with 2012 AYP.

2012 AYP

On December, 2010, Texas submitted an AYP Workbook amendment request to the USDE to carry forward 2011 AYP status for all campuses and districts and maintain School Improvement Program (SIP) intervention stages for the 2012-13 school year. Although this approach was most similar to the state accountability transition plan, the request was not approved.

Amendments to the 2012 AYP Texas Workbook were re-submitted on February 15, 2012. In order to provide 2012 AYP results on a timely basis, Texas will use bridge studies that identify the existing TAKS performance standards on the new STAAR assessments for the grades 3-8 tests on which STAAR performance standards will not yet be available. In order to transition to new graduation rate student group requirements, the AYP graduation rate targets were requested to remain constant.

2012 AYP Calculations

Reading ELA and Mathematics indicators are based on:

2011-12 TAKS results for grade 10, and
2011-12 STAAR results for grades 3-8 at the TAKS proficiency standard.

Performance rate annual targets are to scheduled increase to:

Reading/English language arts: 87 percent;
Mathematics: 83 percent

The rigor of the graduation rate indicators will increase significantly when student group graduation rates are evaluated for 2012 AYP for the first time. Graduation rate annual targets are proposed to remain constant at:

4-year graduation rate: 75.0 percent;
5-year graduate rate: 80.0 percent

AYP for 2013 and Beyond

In December 2012, TEA will submit a proposal to USDE for a new AYP system for Texas based on the STAAR Grade 3–8 and high school end-of-course (EOC) assessments. In February 2013, proposed new annual performance targets for performance rates based on 2011-12 STAAR results will be submitted.

The Texas AYP system meets current ESEA requirements as outlined in the 2011 *Texas Consolidated State Application Accountability Workbook* (Texas AYP Workbook). The transition to the STAAR testing program will require some calculations outlined in the Texas AYP Workbook to change yet continue to meet current federal regulation.

Alignment of State Accountability with AYP

Alignment of the state accountability ratings and federal AYP will have to be addressed from both the state and federal accountability perspectives. Major revisions to the Texas AYP Plan are required based on the transition to STAAR EOC assessments for Texas high school students. The ATAC Performance Index Workgroup has proposed a framework made up of four indexes: 1) Student Achievement, 2) Student Progress, 3) Closing Performance Gaps, and 4) the Postsecondary Readiness. States also have the opportunity to request of USDE changes in the major racial and ethnic student groups evaluated for AYP based on changes to data collection due to federal race/ethnicity reporting requirements.

The proposed Performance Index Framework provides an opportunity for alignment of the state and federal systems. For example, science and social studies performance could be added to AYP to meet state accountability requirements. Likewise, reading/ELA and mathematics participation, required in AYP, could be included in the state accountability system. Implementing the federal cap on use of results from alternate assessments in the state accountability system would remove one of the primary differences in reading and mathematics performance indicator definitions.

The table below outlines approaches to aligning the state accountability system and AYP that range from minimal alignment that preserves two separate systems to development of aligned state and federal systems. A single academic accountability system that meets both state and federal requirements would require reauthorization of ESEA, an approved flexibility waiver, or possible amendments to state law in order to remove specific indicator differences.

Another aspect of the accountability system is interventions and sanctions that are triggered by failure to meet standards. Under AYP the interventions and sanctions apply only to Title I campuses and districts. Some of the approaches to alignment presented in the following table would need to be implemented in conjunction with aligned state and federal interventions.

Possible Alignment of Federal AYP within the Proposed Accountability Framework			
Degree of Alignment	Approaches to Alignment of State and Federal Systems	Possible Options	Plans/Constraints under Current Proposal
Separate Accountability Systems	<p>Underlying Performance Data Produce a single set of underlying performance results that can be used to calculate indicators for both systems.</p>	<ul style="list-style-type: none"> • Reading and Mathematics STAAR Grade 3-8 and EOC assessments for all grades included in AYP. • Graduation Rate indicators use the same underlying data, with additional exclusions required for the proposed state system. 	A comprehensive reporting system is planned that will include common underlying performance data for state and federal ratings, reporting, monitoring, and interventions.
Aligned State and Federal Accountability Systems	<p>Common Indicators Include the same general indicators in both systems even if they are defined differently and evaluated for different student groups.</p>	<ul style="list-style-type: none"> • Include state-required indicators (science and social studies performance) in AYP. • Include AYP-required indicators (participation indicators for reading/ELA and mathematics) in state accountability system. 	Consideration of the common indicators required for AYP is possible with no state or federal statutory changes required.
	<p>Performance Designations or Ratings Include the performance designation from one system as an additional indicator in the other system.</p>	<ul style="list-style-type: none"> • State rating of Acceptable Performance is an additional requirement for a designation of Meets AYP. • Meets AYP is an eligibility requirement for state Distinction Designations. 	ATAC/APAC topics for future discussion; no state or federal statutory changes are required for these options.
	<p>Indicator Definitions For the three indicators that are in both systems, define the indicators in both systems to meet both state and federal requirements to the extent possible.</p>	Submit specific components of the proposed state accountability system that could potentially meet federal requirements	Reauthorization of ESEA, an approved flexibility waiver, or possible amendments to state law may be necessary to remove differences.
Single Accountability System	<p>Integrated Accountability Systems Use the proposed state accountability system for AYP so that a designation of <i>Meets AYP</i> is equivalent to a state rating of an “acceptable” performance.</p>	Submit proposed state accountability system to the USDE as the proposed AYP system	

Plan for 2013 and Beyond

The proposed Performance Index Framework also allows the use of underlying data to be structured for specific use among one or more of the components of the multiple index design. For example, student achievement information may be developed for a number of student groups, including special education and ELL student groups that are required for AYP or PBMAS monitoring purposes. As proposed by the ATAC Performance Index (PI) Workgroup, only the All Student group would be used to determine the outcome of *Index 1: Student Achievement*, however the component student groups may be reported and used as required for AYP and PBM. A comprehensive reporting system will include common underlying performance data for state and federal ratings, reporting, monitoring, and interventions.

Statutory Constraints and Limitations for Common Indicators

The primary statutory difference in indicator definitions for reading/ELA and mathematics performance is the assessment performance level evaluated. The new state accountability system must include evaluation of student performance at satisfactory and college-ready levels. Currently, AYP evaluates student performance on assessments at the proficient level, which may be defined as the Level II: Satisfactory Academic Performance standard on the STAAR assessments. However, a focus on college- and career-readiness performance is a requirement for an approved flexibility waiver and one of the key priorities in *The Blueprint for Reform*.

Another difference in the two systems is that new state legislation excludes certain students from state accountability indicators, exclusions that are not allowed under AYP. Although the numbers of students, campuses, and districts affected is relatively small, these state exclusions may complicate the development of indicators that can be used in both accountability systems.

Options for Alignment

- 1) **Student Groups.** Following the adoption of new federal standards for collecting and reporting race and ethnicity for students and staff, individual states have the opportunity to request changes in the student groups evaluated for AYP. The new data collection of race/ethnicity information available on test answer documents is the primary source for race/ethnicity information for assessment participation and performance data. Student group definitions and evaluation requirements are currently being considered for both state and federal accountability (AYP). Non-racial student groups such as economically disadvantaged, special education, and ELL (formerly referred to as limited English proficient) must be evaluated in AYP.
- 2) **Minimum Size Criteria.** Minimum size criteria for selected group evaluations within the proposed state accountability framework are currently under discussion.
- 3) **Dropout exclusions from the longitudinal cohort calculation.** Certain students must be excluded from the state accountability dropout/completion indicator calculations beginning with the rates reported in the 2011–2012 school year. For example, students who are court ordered to attend a general educational development (GED) preparation program must be excluded from the dropout/completion rates used for state accountability. However, those students must be included in the graduation rates used for AYP to be consistent with the standards and definitions of the U.S. Department of Education.

Possible Resolution:

- Consider proposing the state-defined longitudinal Graduation Rate (with exclusions) for federal AYP evaluations.

4) **Graduation Rate.** As required by federal regulation, 2012 AYP will evaluate individual student groups for graduation rate. For secondary schools and school districts offering grade 12, the Graduation rate will be evaluated for each student group beginning with 2012 AYP.

Possible Resolution:

- Consider evaluation of the federally required student groups of race/ethnicity, economically disadvantaged, special education, and ELL students in Index 4: Postsecondary Readiness.

5) **ELL (LEP) students.** The performance results of recent immigrant ELL students who are enrolled in their second or third school year in U.S. schools must be included in AYP. Linguistically accommodated tests (LAT) were developed to assess students with limited English proficiency (LEP) students who are not required to be tested under state statute. Recent changes in the state rule, the Texas Administrative Code (TAC) §101.1001 *Commissioner's Rules Concerning the Participation of English Language Learners in State Assessments, et seq.*, now require all ELLs to participate in the STAAR Grades 3-8 and end-of-course assessment. ELL students may be tested with the STAAR general assessment, Spanish-version, or linguistically accommodated English versions (available for mathematics, science, or social studies only), regardless of their years in enrollment in U.S. schools.

Commissioner rules regarding the assessment of recent immigrant ELL students do not address the use of their results in state accountability. Students who are asylees or refugees must be excluded from all state accountability indicators up to their sixth year in U.S. schools, but cannot be removed from the AYP results. In spite of these conflicts, there are options that may be considered for the inclusion of recent immigrant ELLs who are no longer granted an exemption from statewide assessments based on their language deficiency.

Possible Resolution:

- Consider including the TELPAS assessment for recent immigrant ELLs in their first school year in U.S. schools in a participation calculation. Recent immigrant ELLs in their first school year in U.S. schools will continue to be counted as participants in AYP, and excluded from AYP performance results. TELPAS results are also included in the Title III Annual Measurable Achievement Objectives (AMAOs) accountability calculations. ELL inclusion in the state accountability system will be addressed by the ATAC ELL Workgroup.
- Consider including recent immigrant ELL students enrolled in their second or third school year in U.S. schools in the new state accountability system through a student progress measure designed specifically for ELL students, such as Index 2: Student Progress. Recent immigrant ELL students who are enrolled in their second or third school year in U.S. schools will continue to be included in AYP performance results either through STAAR or STAAR L; or a USDE approved student progress measure. ELL inclusion in the state accountability system will be addressed by the ATAC ELL Workgroup.

6) Federal Cap on Alternative Assessments for Special Education students. In December 2003, federal regulations were authorized that implement a federal cap on proficient results from alternative assessments. This regulation limits the number of students who can be counted as proficient in the accountability indicator based on performance results from alternative assessments. As required in federal regulation, STAAR Modified and STAAR Alternate are subject to the federal 1% and 2% caps on proficient results (respectively). Texas AYP Workbook amendments will continue to specify a method of limiting proficient results from STAAR Modified and STAAR Alternate results in AYP evaluations. Currently, the process for determining the federal cap limits on STAAR Modified assessments includes the school district campus ranking for selection of student assessment results included in the 2% federal cap. The 1% federal cap on STAAR Alternate results are determined by selecting students randomly up to the federal cap limit.

Possible Options for Resolution:

- Consider applying a limit or cap on the number of proficient results from STAAR Modified and STAAR Alternative at an appropriate level for the Texas student population, which would impose a limit on the combined STAAR Modified and STAAR Alternate proficient results in Index 1: Student Achievement.
 - Apply the federal cap limit to state accountability. The limit on the number of proficient results from STAAR Modified and STAAR Alternative could be implemented using the Federal Campus Ranking application. The federal cap would limit the combined STAAR Modified and STAAR Alternate proficient results in *Index 1: Student Achievement*.
 - Request a federal cap limit above the 3% limit for both state and federal accountability. Amendment requests for 2013 AYP may include such a request to extend the federal cap limit. Plans to include applying the same federally approved cap to both state and federal accountability could limit proficient results in *Index 1: Student Achievement*.

7) Participation. Federal regulations require the evaluation of participation rates for the following student groups: African American, Hispanic, White, Economically Disadvantaged, Special Education, and ELL. For 2013 AYP calculations, performance and participation rates will include STAAR (general assessment), STAAR L, STAAR Modified, and STAAR Alternate results.

Possible Resolution:

- Consider including a participation indicator for student group evaluation in the new state accountability system, such as a possible safeguard for the All Student group evaluation of Index 1: Student Achievement.

Options for Alignment of AYP System Criteria within the Proposed Performance Index Framework

The options shown below may be considered for the development of a state accountability system that could potentially meet federal requirements.

Current AYP Recommendations

- Options for submission of the 2013 Texas AYP Workbook:
 - Request the use of the new state accountability system for federal AYP evaluations.

If denied,
 - Augment the proposed state accountability system to include all federal requirements.

If denied,
 - Use a performance index developed from components (Reading and Mathematics) of the proposed state accountability system.
- Request the use of growth or student progress measures in federal AYP.
- Align the racial/ethnic student groups evaluated with state accountability racial/ethnic groups.
- Align the minimum size criteria for student groups with state accountability.
- Align the reading and mathematics assessments with *Index 1: Student Achievement* (STAAR English I, II, and III Reading components only), which would include all grades and test programs.
- Use AYP participation indicators for reading/ELA and mathematics among the safeguards in *Index 1: Student Achievement* and *Index 2: Student Progress*.
- Align the Graduation Rate racial/ethnic student groups with *Index 4: Postsecondary Readiness* evaluations.

Additional Options for Further Alignment

- Use science and social studies performance as Other Indicators for elementary schools, middle/junior high schools, combined elementary/secondary schools not offering grade 12 (rather than Attendance Rate).
- Evaluate elementary/middle schools (Grade 3–8) and high schools separately for district AYP – district must miss AYP at both levels to be designated as *Missed AYP*.
- *Meets AYP* is an eligibility requirement for state Distinction Designations.

Attachment
AYP Accountability Development Timeline

Spring 2012	<p>ATAC advisory committee considers:</p> <p style="padding-left: 40px;">Accountability Framework,</p> <p style="padding-left: 40px;">Assessment Indicators</p>
Summer 2012	<p>Implement 2012 AYP</p> <p>Draft AYP Proposal for 2013 and Beyond (excluding new annual performance targets)</p>
September/October 2012	<p>Title I Committee of Practitioners review AYP Proposal for 2013 and Beyond at September meeting</p> <p>ATAC/APAC advisory committees consider recommendations for federal accountability</p> <p>Draft Texas AYP Workbook</p>
November/December 2012	<p>Submit AYP Proposal for 2013 and Beyond (excluding new annual performance targets) to USDE</p>
January 2013	<p>Finalize AYP annual performance targets</p> <p>Title I Committee of Practitioners review of AYP annual performance targets</p> <p>Submit AYP annual targets to USDE</p>
Spring 2013	<p>2013 and Beyond accountability advisory group fifth meeting – final state accountability recommendations</p> <p>USDE approval of STAAR assessment program and Texas AYP proposal for 2013, and update of Texas AYP Workbook</p>
Summer 2013	<p>Publish 2013 AYP Guide and adopt as Commissioner of Education rule</p> <p>Release 2013 state accountability and AYP preliminary results under new accountability systems</p>