

## Chapter 6 – Special Issues and Circumstances

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The vast majority of the standard accountability ratings can be determined through the process detailed in *Chapters 2-4: The Basics*. However, there are special circumstances that require closer examination. Accommodating all Texas campuses and districts increases the complexity of the accountability system, but it also increases the fairness of the ratings ultimately assigned. This chapter describes pairing, Special Analysis, and the treatment of non-traditional campuses and their data under the standard accountability procedures.

### Pairing

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#### IDENTIFYING CAMPUSES

All campuses serving grades 1-12 must receive an accountability rating. Beginning in 1994, campuses with no state assessment results due to grade span served were incorporated into the accountability system by having districts choose another campus within the same district with which to pair for accountability purposes. The campuses shared assessment data. Since 2004, districts have also been able to pair a campus with the district and be evaluated on the district's results. In 2011, pairing was expanded to meet new federal accountability requirements to assign Adequate Yearly Progress (AYP) statuses to pre-kindergarten (PK) and kindergarten (K) campuses. These additional PK-K pairing relationships are used for AYP evaluations only. PK-K campuses under state rating procedures are still issued *Not Rated: Other* ratings.

TEA determines which campuses need to be paired for any given accountability cycle after analyzing enrollment files submitted on PEIMS submission 1. For the state accountability system, all districts with campuses with enrollment in grades higher than kindergarten, and solely in grades with no TAKS data, *i.e.*, grades 1, 2, or 12, receive a request for pairing. Charters and registered alternative education campuses (AECs) are not asked to pair any of their campuses.

For campuses that are paired, only indicators based on assessment data are shared (TAKS, Commended Performance, and the ELL Progress Indicator). The paired campus is evaluated on its own non-assessment indicator data, should it have any. The campus with which it is paired does not share any dropout, completion, or Gold Performance Acknowledgment (GPA) indicator data it may have.

#### ADDITIONAL FEATURES

*Required Improvement.* Paired campuses are eligible for Required Improvement. Note, however, that Required Improvement is calculated with 2011 data based on the pairing relationships established in 2011. The 2010 ratings were based on the pairing relationships established in 2010. Campuses with pairing statuses that change between years may have improvement calculations that differ from the campuses they are paired with. Since the ELL Progress Indicator is new in 2011 there was no pairing of ELL Progress Indicator data in 2010; therefore, a campus with paired ELL Progress Indicator data in 2011 cannot participate in Required Improvement for this indicator this year. See *Chapter 15 – Appealing the Ratings* for more information about this situation. This is not an issue for paired Commended

Performance because Required Improvement is not available for the Commended Performance indicator.

*Exceptions Provision.* Paired campuses are eligible for exceptions using the paired data. However, as with Required Improvement, campuses with pairing statuses that change between years may have exceptions calculations that differ from the campuses they are paired with.

*GPA.* Paired data are not used for GPA indicators. This means that paired campuses cannot earn GPAs for the Commended Performance, Comparable Improvement, or Texas Success Initiative (TSI) indicators. They may, however, receive GPAs for other indicators based on their own data.

## **PAIRING PROCESS**

Districts are given the opportunity to use the same pairing relationship they used in the prior year or to select a new relationship by completing special data entry screens on the secure TEA website. In early April, districts with campuses that needed to be paired received instructions on how to access this on-line application. Pairing decisions were due by April 29, 2011.

If a district fails to inform the state, pairing decisions are made by agency staff. In the case of campuses that have been paired in the past, staff will assume that prior year pairing relationships still apply. In the case of campuses identified as needing to be paired for the first time in the 2010-11 school year, pairing selections will be made based on the guidelines given in this section in conjunction with analysis of attendance and enrollment patterns using PEIMS data.

## **GUIDELINES**

Campuses that are paired should have a “feeder” relationship with the selected campus and the grades should be contiguous. For example, a K-2 campus should be paired with the 3-5 campus that accepts its students into 3<sup>rd</sup> grade.

Another option is to pair a campus with the district instead of another campus. This option is suggested for cases where the campus has no clear relationship with another single campus in the district. A campus paired with the district will be evaluated using the district’s TAKS results (for all grades tested in the district). Note that pairing with the district is not required in these cases. Districts have the choice of selecting another campus or selecting the district. For example, in cases where a K-2 campus feeds into several 3-5 campuses, one of the 3-5 campuses may be selected, or the district can be selected. A 12<sup>th</sup> grade center serving students from several high school campuses can select one of the high school campuses or the district may be selected. In these cases, the district should make the best choice based on local criteria.

Multiple pairings are possible: If several K-2 campuses feed the same 3-5 campus, all of the K-2 campuses may be paired with that 3-5 campus.

Districts may change pairings from year to year; however, these changes should be justifiable (*e.g.*, a change in attendance zones affecting feeder patterns).

## Special Analysis

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Districts and campuses with small numbers of students pose a special challenge to the accountability system. There are two types of small numbers situations. One is small numbers of students within a group, *e.g.*, few African American test-takers in science. These are handled by applying the minimum size criteria described in *Chapter 2 – The Basics: Base Indicators*. The second type is small numbers of *total* students, that is, few students tested in the All Students category.

Districts and campuses with small numbers of total students raise issues regarding the stability of the data. Special Analysis is used to ensure that ratings based on small numbers of TAKS or Commended Performance results are appropriate. As a result of Special Analysis, a rating can remain unchanged, be elevated, or be changed to *Not Rated*. If Special Analysis is applied, only All Students performance is examined.

### IDENTIFYING CAMPUSES AND DISTRICTS

Campuses and districts that are eligible for Special Analysis fall into two categories. The first are those that have fewer than six TAKS testers in each and every subject and do not have their own leaver data of sufficient size to evaluate. These campus and district ratings are changed to *Not Rated: Other*. Special Analysis is also applied when:

- the campus or district is *Academically Unacceptable* due to TAKS only, with fewer than 30 All Students tested in one or more of the *Academically Unacceptable* subject(s); or
- the campus or district is limited to *Academically Acceptable* or *Recognized* due to TAKS only, and the evaluation is governed by the results of fewer than six All Students tested; or
- the campus or district is limited to *Academically Acceptable* or *Recognized* due to Commended Performance only, and the evaluation is governed by the results of fewer than six All Students tested.

The following are examples of campuses and districts that will NOT undergo Special Analysis:

- Campuses or districts that are *Not Rated*.
- Campuses or districts that are not small (30 or more testers in all subjects).
- Campuses or districts that have few students tested in TAKS, but whose rating of *Academically Unacceptable*, *Academically Acceptable*, or *Recognized* is due to the Completion Rate or Dropout Rate indicators.
- Campuses or districts that have few students tested in TAKS, but whose rating of *Academically Acceptable* is due to the ELL Progress Indicator.

### METHODS FOR SPECIAL ANALYSIS

Campuses or districts that undergo Special Analysis receive professional review based on analysis of all available performance data. The professional review process involves producing a summary report of the district or campus data, analyzing the data, and arriving at a consensus decision among a group of TEA staff members familiar with the standard accountability procedures. The summary report includes available indicator data for all

TAKS tested years (2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, and 2011). Trends and aggregate data are reviewed.

Because of the small numbers of test takers involved, professional review can also result in a *Not Rated* label for some campuses or districts not otherwise meeting the automatic criteria for *Not Rated*.

## New Campuses

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All campuses—established or new—are rated. A new campus is defined to be a campus with at least one student in membership in the current school year that did not have any students in membership in the immediate preceding school year. A new campus may receive a rating of *Academically Unacceptable* in its first year of operation. This can occur even though the campus does not have prior-year data on which to calculate improvement. The management of campus identification numbers across years is a district responsibility. See *Chapter 16 – Responsibilities and Consequences* for more information regarding the possible consequences of changing campuses numbers.

## Charters

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Based on fall PEIMS data for the 2010-11 school year, there were 199 charter operators serving approximately 134,000 students. Most charter operators have only one campus (108 of the 199); however, about 46 percent operate multiple campuses.

By statute, charter operators are subject to most of the same federal and state laws as other public school districts, including reporting and accountability requirements. Prior to the 2004 accountability system, only the campuses operated by the charter received an accountability rating. Since then, charters as well as the campuses they operate are rated, meaning charter operators are rated using district rating criteria based on the aggregate performance of the campuses operated by the charter. This means charter operators are also subject to the additional performance requirements applied to districts (underreported student standards and the check for *Academically Unacceptable* campuses). Because they are rated, charter operators and their campuses are eligible for GPA.

In 2011, there are some differences between the treatment of charter operators and traditional districts. These are:

- A charter operator may be rated under the alternative education accountability (AEA) procedures. This can occur in two cases: when the charter operates only registered AECs; or, when 50% or more of the charter operator's students are enrolled at registered AECs and the operator opts to be evaluated under AEA procedures.
- A charter operator may be labeled *Not Rated: Other*. This can occur in cases where the charter operator has too little or no TAKS data on which it can be evaluated.
- Charter operators are not asked to pair any of their campuses. Charters are unique in that they either have only one campus, or they have multiple campuses with no feeder relationships; therefore, pairing charter campuses is problematic.

As with non-charter campuses, a charter campus that is a registered AEC will be rated under AEA procedures.

## Non-Traditional Educational Settings

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As previously stated, all campuses in the state serving grades 1–12 must receive a campus rating; however, some situations require a different treatment.

Alternative Education Campuses (AEC) meeting certain eligibility criteria may register to be evaluated under Alternative Education Accountability (AEA) procedures. See *Part 2* of this *Manual* for all details on the AEA procedures.

Other AECs may not be registered for evaluation under AEA procedures: Either they chose not to register, did not meet the registration criteria, or did not meet the at-risk registration criterion to be registered for evaluation under AEA procedures. These campuses are evaluated under standard procedures and will be rated *Exemplary*, *Recognized*, *Academically Acceptable*, *Academically Unacceptable*, *Not Rated: Other*, or *Not Rated: Data Integrity Issues*.

Generally speaking, districts are responsible for the performance of all their students, including those who attend AECs that are registered for evaluation under AEA procedures. That is, the performance results for students who attend campuses evaluated under AEA procedures *are included* in the district's performance and *are used* in determining the district's rating and acknowledgments.

Certain state statutes mandate exceptions to the accountability ratings. In particular, Texas Education Code (TEC) in effect for the 2011 accountability year stipulates that the performance of students served in certain campuses cannot be used in evaluating the district where the campus is located. Three campus types that are specifically addressed in statute are Residential Treatment Facility (RTF) campuses, Texas Juvenile Probation Commission (TJPC) campuses, and Texas Youth Commission (TYC) campuses. *See note\* at the end of this chapter regarding statutory citations.*

### RESIDENTIAL TREATMENT FACILITIES

A district that has a privately operated RTF within its geographic boundaries is not held accountable for the TAKS or dropout data for students reported with certain student attribution codes. TEA identifies and removes dropouts with student attribution codes of 21, 22, or 23 from the serving district and campus rates. TEA identifies and removes TAKS results for students with student attribution codes of 21 or 22 from the serving district. (See TEC §39.073(f)\*.)

### TEXAS JUVENILE PROBATION COMMISSION CAMPUSES

A district with a registered pre-adjudication detention center or post-adjudication correctional facility within its geographic boundaries is not held accountable for the TAKS or dropout data for students reported with certain student attribution codes. TEA identifies and removes dropouts with student attribution codes of 13, 14, or 15 from the serving district and the non-TJPC campus rates. TEA identifies and removes TAKS results for students with student attribution codes of 13 or 14 from the serving district.

In addition, any completion or dropout data reported on campuses designated as TJPC campuses are not included in the district results for the district where the TJPC campus is located. The TJPC campus will be rated (either under standard or AEA procedures) on the

data assigned to it. The district rating is not affected by the completion or dropout data reported on these campuses. (See TEC §39.072(d)\* and §39.073(f)\*.)

Furthermore, a rating of *Academically Unacceptable* on a TJPC campus does not prevent an *Exemplary* or *Recognized* district rating in the district where the TJPC campus is located. (See *Chapter 3 – The Basics: Additional Features*.)

## **TEXAS YOUTH COMMISSION FACILITIES WITHIN TEXAS PUBLIC SCHOOL DISTRICTS**

A district that has a TYC facility within its geographic boundaries is not held accountable for the TAKS or dropout data for students reported with certain student attribution codes. TEA identifies and removes dropouts with student attribution codes of 17, 18, or 19 from the serving district and the non-TYC campus rates. TEA identifies and removes TAKS results for students with student attribution codes of 17 or 18 from the serving district.

In addition, any completion or dropout data reported on campuses designated as TYC campuses are not included in the district results for the district where the TYC campus is located. The district's TYC campus will be rated (either under standard or AEA procedures) on the data assigned to it. The district rating is not affected by the completion or dropout data reported on these campuses. (See TEC §39.072(d)\*.)

Furthermore, a rating of *Academically Unacceptable* on a TYC campus does not prevent an *Exemplary* or *Recognized* district rating in the district where the TYC campus is located. (See *Chapter 3 – The Basics: Additional Features*.)

## **JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAMS AND DISCIPLINARY ALTERNATIVE EDUCATION PROGRAMS**

Juvenile Justice Alternative Education Programs (JJAEPs) and Disciplinary Alternative Education Programs (DAEPs) are two types of campuses that are not rated under either standard or AEA procedures.

*JJAEPs.* Statute prohibits the attribution of performance results to JJAEPs. For counties with a population of 125,000 or more, Texas Education Code §37.011(h) requires that a student enrolled at a JJAEP be reported as if the student were attending and being tested at his or her “sending” campus. Each district that sends students to a JJAEP is responsible for properly attributing all performance data according to the *PEIMS Data Standards* and the testing guidelines.

By statute, procedures for evaluating the educational performance of JJAEPs in large counties are the responsibility of the TJPC. In the state accountability system, campuses identified to be JJAEPs will be labeled *Not Rated: Other*. Any accountability data erroneously reported to a JJAEP campus are subject to further investigation.

*DAEPs.* Statutory intent prohibits the attribution of performance results to a DAEP. Each district that sends students to a DAEP is responsible for properly attributing all performance data according to the *PEIMS Data Standards* and the testing guidelines.

All campuses identified to be DAEPs will be labeled *Not Rated: Other*. Accountability data erroneously reported to a DAEP campus are subject to further investigation.

*Table 9* on the following page lists various campus types discussed above and indicates whether the performance data are included or excluded from the district evaluation.

## **SPECIAL EDUCATION CAMPUSES**

Campuses where all students are served in special education programs and are tested on TAKS (including TAKS (Accommodated), TAKS-M, and TAKS-Alt) will be rated on the performance of their students.

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\* These statutory citations reference TEC as it existed prior to the changes made by the 81<sup>st</sup> legislative session in 2009. The citations are in effect through the 2011 accountability year.

**Table 11: Inclusion or Exclusion of Performance Data**

Campus Type	Student-Level Processing	
	Dropout (2009-10)	TAKS (2010-11)
TJPC	PEIMS student attribution codes 13, 14, and 15: <ul style="list-style-type: none"> <li>Remove dropouts from serving district results.</li> <li>Remove dropouts from serving campus results if the campus is a regular campus.</li> </ul>	PEIMS student attribution codes 13 and 14 remove results from serving district results.
TYC	PEIMS student attribution codes 17, 18, and 19: <ul style="list-style-type: none"> <li>Remove dropouts from serving district results.</li> <li>Remove dropouts from serving campus results if the campus is a regular campus.</li> </ul>	PEIMS student attribution codes 17 and 18 remove results from serving district results.
RTF	PEIMS student attribution codes 21, 22, and 23: <ul style="list-style-type: none"> <li>Remove dropouts from serving district results.</li> <li>Remove dropouts from serving campus results.</li> </ul>	PEIMS student attribution codes 21 and 22 remove results from serving district results.
JJAEP	Dropout data are attributed to non-JJAEP campus using PEIMS attendance data or district-supplied campus of accountability. Students who cannot be attributed to a non-JJAEP campus remain dropouts at the JJAEP campus. Dropouts at the JJAEP campus will be included in the district results.	No assessment data should be reported to the JJAEP. Data reported mistakenly to the JJAEP will be included in the district results.
DAEP	Dropout data are attributed to non-DAEP campus using PEIMS attendance data or district-supplied campus of accountability. Students who cannot be attributed to a non-DAEP campus remain dropouts at the DAEP campus. Dropouts at the DAEP campus will be included in the district results.	No assessment data should be reported to the DAEP. Data reported mistakenly to the DAEP will be included in the district results.

Campus Type	Campus-Level Processing
	Dropout (2009-10) and Completion (Class of 2010)
TJPC	<ul style="list-style-type: none"> <li>The TJPC campus is excluded from the district results.</li> <li>The TJPC campus is evaluated on the data it has.</li> </ul>
TYC	<ul style="list-style-type: none"> <li>The TYC campus is excluded from the district results.</li> <li>The TYC campus is evaluated on the data it has.</li> </ul>
RTF	<ul style="list-style-type: none"> <li>Data remaining after student-level processing are included in the evaluation of the RTF campus.</li> <li>The RTF campus is included in the district results.</li> </ul>
JJAEP	No dropout, completion, or assessment data should be reported to the JJAEP. Data reported mistakenly to the JJAEP will be included in the district results.
DAEP	No dropout, completion, or assessment data should be reported to the DAEP. Data reported mistakenly to the DAEP will be included in the district results.