

Chapter 9 – Responsibilities and Consequences

State Responsibilities

The Texas Education Agency is responsible for the state accountability system and other statutory requirements related to its implementation. TEA applies a variety of system safeguards to ensure the integrity of the system. TEA is also charged with taking actions to intervene when conditions warrant.

District Accreditation Status

State statute requires the Commissioner of Education to determine an accreditation status for districts and charters. Accreditation statuses were first assigned to districts under this statute in 2007. To determine accreditation status and sanctions, TEA takes into account the district's state accountability rating and its financial accountability rating. There are other factors that may be considered in the determination of accreditation status. These include, but are not limited to, the integrity of assessment or financial data used to measure performance, the reporting of PEIMS data, and serious or persistent deficiencies in programs monitored in the Performance-Based Monitoring Analysis System (PBMAS). Accreditation status can also be lowered as a result of data integrity issues or as a result of special accreditation investigations. The four possible accreditation statuses are: *Accredited*, *Accredited-Warned*, *Accredited-Probation*, and *Not Accredited-Revoked*.

Rules that define the procedures for determining a district's accreditation status, as well as the prior accreditation statuses for all districts and charters in Texas are available at <http://www.tea.state.tx.us/accredstatus>.

PEG Program Campus List

TEA is responsible for annually producing the list of campuses identified under the PEG criteria. By early December 2013 the list of 2014-15 PEG campuses will be released publicly. For more information on the PEG program, please refer to *PEG Frequently Asked Questions*, available at http://ritter.tea.state.tx.us/perfreport/peg_faq.html.

TEA Data Integrity Activities

Activities conducted by TEA to ensure the integrity of the system continue to protect the accountability system from purposeful manipulation as well as from the use of data of such poor quality—whether intentional or not—that no reliable rating can be determined.

- **Campus Number Tracking.** As in past years, approval of requests for campus number changes are based on prior state accountability ratings outcomes. *Improvement Required* ratings received for the same campus under two different campus numbers may be considered to be consecutive years of low ratings for accountability interventions and sanctions.
- **Data Validation Monitoring.** The Performance-Based Monitoring (PBM) system is a comprehensive system designed to improve student performance and program effectiveness. The PBM system, like the state accountability rating system, is a data-driven system that

relies on data submitted by districts; therefore, the integrity of districts' data is critical. To ensure data integrity, the PBM system includes annual data validation analyses that examine districts' leaver and dropout data, student assessment data, and discipline data. Districts identified with potential data integrity concerns engage in a process to either validate the accuracy of their data or determine that erroneous data were submitted. This process is fundamental to the integrity of all the agency's evaluation systems. For more information, see the Data Validation Manuals on the PBM website at <http://www.tea.state.tx.us/pbm/DVManuals.aspx>.

- **Test Security.** As part of ongoing efforts to improve security measures surrounding the assessment program, TEA has a comprehensive set of test security procedures that are designed to assure parents, students, and the public that test results are meaningful and valid. Among other measures, districts are required to implement seating charts during all administrations, conduct annual training for all testing personnel, and maintain test security materials for five years. Detailed information about test security policies for the state assessment program is available online at <http://www.tea.state.tx.us/student.assessment/security/>.
- ***Not Rated: Data Integrity Issues.*** A rating can be changed to *Not Rated: Data Integrity Issues*. This rating is used in the rare situation where the accuracy and/or integrity of performance results have been compromised, and it is not possible to assign a rating based on the evaluation of performance. This label may be assigned temporarily pending an on-site investigation, or may be assigned as the final rating label for the year. This rating label is not equivalent to an *Improvement Required* rating, though the Commissioner of Education has the authority to lower a rating or assign an *Improvement Required* rating due to data quality issues. All districts and campuses with a final rating label of *Not Rated: Data Integrity Issues* are automatically subject to desk audits the following year.

The agency activities above can occur either before or after the ratings release. Sanctions can be imposed at any time. To the extent possible, ratings for the year are finalized when updated ratings are released following the resolution of appeals (in 2013 the update is scheduled for early November 2013). A rating change resulting from an imposed sanction will stand as the final rating for the year.

State Accountability System Safeguards

The disaggregated performance results of the state accountability system serve as the basis of safeguards for the accountability rating system to ensure that poor performance in one area or one student group is not masked in the performance index. The state accountability system safeguard data will be release in conjunction with the state accountability ratings in August, 2013.

The disaggregated performance measures and safeguard targets will be calculated for performance rates, participation rates and graduation rates of eleven student groups: All Students, Seven Racial/Ethnic groups: African American, American Indian, Asian, Hispanic, Pacific Islander, White, and Two or More Races; Economically Disadvantaged, Students with Disabilities, and English language learners (ELLs). Performance rates calculated for the safeguard system are the disaggregated performance rates used for Index 1. A single target will

be used for the disaggregated performance rates that correspond to the 2013 target for student achievement in Index 1. Targets for participation rates, graduation rates, and limits on use of STAAR Alternate and STAAR Modified are aligned to federal requirements. District and campus level system safeguard results will be reported for any cell that meets accountability minimum size criteria.

Accountability System Safeguard Measures and Targets											
	All	African American	American Indian	Asian	Hispanic	Pacific Islander	White	Two or More Races	Econ. Disadv.	ELL	Special Educ.
Performance Rates											
Reading	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Mathematics	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Writing	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Science	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Soc. Studies	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Participation Rates											
Reading	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
Mathematics	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
Federal Grad. Rates *											
4-year	78%	78%	78%	78%	78%	78%	78%	78%	78%	78%	78%
5-year	83%	83%	83%	83%	83%	83%	83%	83%	83%	83%	83%
District Limits on Use of Alternative Assessment Results											
Reading											
Modified	2%	<i>Not Applicable</i>									
Alternate	1%	<i>Not Applicable</i>									
Mathematics											
Modified	2%	<i>Not Applicable</i>									
Alternate	1%	<i>Not Applicable</i>									

* Federal graduation rate targets include an improvement target.

Consequences and Interventions

Interventions pertain to activities that result from the issuance of ratings under the state accountability system. State accountability-related interventions are those activities conducted by the Texas Accountability Intervention System (TAIS). Intervention activities reflect an emphasis on increased student performance, focused improvement planning, data analysis, and data integrity. Required levels of intervention are determined based on the requirements of TEC, Chapter 39. See the Division of Program Monitoring and Interventions website at <http://www.tea.state.tx.us/pmi> for more information.

Failure to meet the safeguard target for any reported cell will be addressed through the Texas Accountability Intervention System (TAIS). If the campus or district is already identified for assistance or intervention in the TAIS based on the current year state accountability rating or

prior year state or federal accountability designations, performance on the safeguard indicators will be incorporated into that improvement effort. The TAIS determines the level of intervention and support the campus or district receives based on performance history as well as current year state accountability rating and performance on the safeguard measures.

Determination of Multiple-year *Improvement Required* Status

In determining consecutive years of *Improvement Required* ratings for purposes of accountability interventions and sanctions, only years that a campus is assigned an accountability rating shown below will be considered.

- 2013: *Met Standard, Met Alternative Standard, Improvement Required*;
- 2012: *No State Accountability Ratings Issued*;
- 2004-2011: *Exemplary, Recognized, Academically Acceptable, Academically Unacceptable, AEA: Academically Acceptable, AEA: Academically Unacceptable*.

While no ratings were issued in 2012, an *Improvement Required* rating assigned in 2013 and *Academically Unacceptable/AEA: Academically Unacceptable* ratings assigned in 2011 are considered as consecutive years. In addition, the consecutive years of *Improvement Required/Academically Unacceptable* ratings may be separated by one or more years of temporary closure or *Not Rated* ratings. This policy applies to districts and charters as well as campuses when *Not Rated: Data Integrity Issues* and *Not Rated: Other* ratings are assigned. An exception applies to districts (charters) or campuses that received a rating of *AEA: Not Rated – Other* under the AEA Residential Facility procedures prior to 2011. For these residential facilities, *Academically Unacceptable* ratings separated by *AEA: Not Rated – Other* are not considered consecutive.

Identification of Campuses with Additional Campus Improvement Plan (CIP) Requirements

For the 2013-14 school year, campuses rated *Met Standard* in 2013 will be identified if their 2013 performance does not meet the accountability criteria established for the 2014 school year.

Local Responsibilities

Districts have responsibilities associated with the state accountability system. Primarily these involve following statutory requirements, collecting and submitting accurate data, properly managing campus identification numbers, and implementing an optional local accountability system.

Statutory Compliance

A number of state statutes direct local districts and/or campuses to perform certain tasks or duties in response to the annual issuance of the state accountability ratings. Key statutes are discussed below.

- Public Discussion of Ratings [TEC §11.253 (g)] – Each campus site-based decision-making committee must hold at least one public meeting annually after the receipt of the annual campus accountability rating for the purpose of discussing the performance of the campus

and the campus performance objectives. The confidentiality of the performance results must be ensured before public release. The accountability data tables available on the TEA public website have been masked to protect confidentiality of individual student results.

- Notice in Student Report Card and on Website (TEC §39.361 and TEC §39.362) – Districts are required to publish accountability ratings on their websites and include the rating in the student report cards. These statutes require districts:
 - to include, along with the first written notice of a student’s performance that a school district gives during a school year, a statement of whether the campus has been awarded a distinction designation or has been rated *Improvement Required* and an explanation, and
 - by the 10th day of the new school year to have posted on the district website the most current information available in the campus report card and the information contained in the most recent performance report for the district.

A document addressing frequently asked questions regarding these requirements is available on the TEA website at http://ritter.tea.state.tx.us/perfreport/3297_faq.html.

- Public Education Grant (PEG) Program (TEC §§29.201 - 29.205) – In 1995, the Texas Legislature created the PEG program which permits parents with children attending campuses that are on the PEG list to request that their children be transferred to another campus within the same district or to another district. If a transfer is granted to another district, funding is provided to the receiving district. A list of campuses identified under the PEG criteria is generated and transmitted to districts annually. By February 1 following the release of the list, districts must notify each parent of a student assigned to attend a campus on the PEG list. For more information on the PEG program, please refer to *PEG Frequently Asked Questions*, available at http://ritter.tea.state.tx.us/perfreport/peg_faq.html.
- Actions Required Due to Low Ratings or Low Accreditation Status – Districts with an *Improvement Required* rating (campus or district) or *Accredited Probation/Accredited Warned* accreditation status will be required to follow directives from the commissioner designed to remedy the identified concerns. Requirements will vary depending on the circumstances for each individual district. Commissioner of Education rules that define the implementation details of these statutes are available on the website for the TEA Division of Program Monitoring and Interventions in the Accountability Monitoring link, at <http://www.tea.state.tx.us/pmi>, and on the TEA Accreditation Status website at <http://www.tea.state.tx.us/accredstatus>.

Accurate Data

Accurate data is critical to the credibility of the rating system. Responsibility for the quality of data used for the indicators that determine campus and district ratings rests with local districts. The system depends on the responsible submission and collection of assessment and Public Education Information Management System (PEIMS) information by local school districts.

Campus Identification Numbers

In a given year, districts may need to change, delete, or add one or more campus identification numbers, the unique 9-digit county-district-campus (CDC) number, due to closing old schools,

opening new schools, or changing the grades or populations served by an existing school. Unintended consequences can occur when districts "recycle" CDC numbers.

Because performance results of prior years is a component of the accountability system in small numbers analysis and required improvement calculations in future years, and merging prior year files with current year files is driven by campus identification numbers, comparisons may be inappropriate when a campus configuration has changed. The following example illustrates this situation.

Example: A campus served grades 7 and 8 in 2012, but in 2013, serves as a 6th grade center. The district did not request a new CDC number for the new configuration. Instead, the same CDC number used in 2012 was maintained (recycled). Therefore, in 2013, grade 6 performance on the assessments may be combined for small numbers analyses purposes with performance index results which included grade 7 and 8 performance.

Whether or not to change a campus number is a serious decision for local school districts. Districts should exercise caution when either requesting new numbers or continuing to use existing numbers when the student population or the grades offered change significantly. Districts are strongly encouraged to request new CDC numbers when school organizational configurations change dramatically.

TEA policy requires school districts and charters to request campus number changes of existing campuses for the current school year by October 1 to ensure time for processing before the PEIMS fall snapshot date in late October. Changes for a subsequent school year will not be processed before November 1. This policy does not apply to new active campuses opening mid-year or campuses under construction.

School districts and charters must receive TEA approval to change the campus number of a campus rated *Improvement Required*. The determination of whether or not accountability ratings histories will be linked to new campus numbers will be made at the time the new numbers are approved so that districts are aware of the accountability consequences of changing campus numbers.

Although the ratings history may be linked across campus numbers for purposes of determining consecutive years of *Improvement Required* ratings, data will not be linked across campus numbers. This includes PEIMS data, assessment data, and graduation/dropout data that are used to develop the accountability indicators. Campuses with new campus numbers cannot take advantage of the planned Required Improvement provisions of the accountability system in which the performance index outcomes may be compared under a new number. Therefore, changing a campus number under these circumstances may be to the disadvantage of an *Improvement Required* campus. This should be considered by districts and charters when requesting campus number changes for *Improvement Required* campuses. In the rare circumstance where a campus or charter district receives a new district number, the ratings history is also linked while the data are not linked across the district numbers.

An analysis to screen for the inappropriate use of campus numbers is part of the TEA Data Integrity Activities described earlier in this chapter. TEA can assist in establishing new or retiring old campus numbers.

If a school district enters into a legal agreement with TEA that requires new district or campus numbers, the ratings history will be linked to the previous district or campus number. In this case, both the district and campus will be rated the first year under the new number. Data for districts and campuses in these circumstances will not be linked. This includes the PEIMS data, assessment data, and graduation/dropout data that are used to develop the accountability indicators. Districts or campuses under a legal agreement with TEA cannot take advantage of any planned Required Improvement provisions or small numbers analysis the first year under a new district or campus number.

Complementary Local Accountability Systems

Although the statewide accountability system has been designed to address the guiding principles articulated in *Chapter 1 – Introduction*, it is not a comprehensive system of performance evaluation. Communities across Texas have varied needs and goals for the school districts educating their students. Local systems of accountability can best address those priorities.

Districts are encouraged to develop their own complementary local accountability systems to plan for continued student performance improvement. Such systems are entirely voluntary and for local use only. Performance on locally-defined indicators does not affect the ratings determined through the statewide system.

Examples of locally-defined indicators include, but are not limited to:

- level of parent participation;
- progress on locally administered assessments;
- progress on goals identified by campus improvement plans;
- progress compared to other campuses in the district;
- progress on professional development goals; and
- school safety measures.

As a different approach, districts may choose to expand the state-designated accountability ratings. For example, they may wish to further differentiate among campuses rated *Met Standard*.

A third approach might be to examine the accountability indicators that comprise the performance indexes, both currently in use and planned for implementation, that fall short of local expectations. Additional performance measures could be constructed to track efforts to improve performance in those areas.

Regardless of the strategy chosen, local accountability systems should be designed to serve the needs of the local community and to improve performance for all students.

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