



# NEWS

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January 20, 1999

## NUMBER OF SCHOOLS SUBJECT TO STATE'S CHOICE LAW HITS NEW LOW

**Improved performance means more schools 'making the grade,' education commissioner says**

AUSTIN – Improved performance on the Texas Assessment of Academic Skills test and the state's school rating system has reduced the number of Texas public schools subject to a state law allowing students at poor-performing schools to transfer to better schools, according to information released today by Texas Education Agency officials.

The Agency today released its annual list of Public Education Grant (PEG) Program schools, which are schools at which 50 percent or more of students did not pass the Texas Assessment of Academic Skills tests in reading, writing and mathematics in any two of the preceding three years or that were rated low-performing under the state's school accountability system in any of the last three years. Parents of students at those schools may apply to have their children attend schools in other districts for the next school year.

Only 281 – a record low number --- of the 7,053 Texas public schools appear on this year's PEG list, compared to 575 in 1998 and 1,150 in 1997, Agency figures show. The estimated number of students eligible for the program has also dropped from a high of 796,356 in 1997 to 252,261 this year, Agency officials said.

The main reason for the drop in the number of schools and students affected by the PEG provisions has been the steady improvement of students on the Texas Assessment of Academic Skills, which has increased the number of schools earning high ratings on the state's school accountability system, said Commissioner of Education Mike Moses.

"Since the passage of the Public Education Grant Program in 1995, there has been a steady increase in the passing rates on the TAAS at all grade levels and among all student ethnic groups," Moses said. "That has contributed to a reduction in the number of low-performing schools and an increase in the number of schools earning high performance ratings. It is yet another of the many signs we keep seeing

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that show that Texas public schools are indeed making the grade.

“Since 1994, the percent of students passing all TAAS tests has gone from 55 percent to 77 percent in 1998,” Moses said. “From 1995 to 1998, the number of exemplary campuses has gone from 255 to 1,048 and the number of recognized campuses has gone from 1,004 to 1,666. And the number of low-performing campuses has dropped from 267 in 1995 to 59 in 1998. What is even more impressive is that our accountability system numbers have improved at the same time that the system’s standards have increased. We still have room to improve, but Texas schools are clearly showing marked improvement,” he said.

In order to avoid being rated low-performing under the school accountability ratings issued last August, schools had to have a TAAS passing rate of at least 40 percent for all students and student groups on the TAAS reading, writing and mathematics tests, a dropout rate of no more than 6 percent for all students and student groups, and an attendance rate of 94 percent. Schools that meet this standard are rated as acceptable. For ratings to be issued in August of this year, the TAAS standard for acceptable will increase to 45 percent for all students and student groups. In 2000, the TAAS standard will increase to 50 percent, and Moses has proposed continuing to raise that standard until it reaches 70 percent.

Once students become eligible for the PEG Program, they remain so until one of the following conditions occurs: they complete all grades on the campus on which their eligibility was originally based, the campus is removed from the PEG list, or the student is assigned to a campus that is not on the PEG list as a result of redrawn attendance boundaries or if the student moves into a new attendance area. A student may continue to be treated as PEG-eligible after their eligibility has expired only if he or she has not yet completed all grades at the school to which they transferred. Students also may only seek transfers to other schools within their district or another district that are not on the PEG list.

Schools are not required by law to accept transfer requests from PEG-eligible students. But they cannot use criteria that discriminate on the basis of race, ethnicity, academic achievement, athletic abilities, language proficiency, gender or socioeconomic status to deny PEG transfer requests. A general desegregation order under which the state operates known as Civil Action 5281 also may limit the ability of schools to accept students under PEG transfer provisions. That order prevents school districts from accepting transfers that will change the ethnic makeup of either the sending or receiving school district by more than 1 percent.

Schools on the list must notify parents by Feb. 1 that their students are eligible to transfer to another school. The notification must be in the form of a letter to the students’ families and must contain

a clear, concise explanation of the PEG Program and how the parent can obtain more information about pursuing a transfer.

Although the number of schools subject to the PEG law has dropped, the number of students choosing to transfer to other schools under the law has increased each year since its inception, according to Agency figures. In 1995-96, the first year that PEG transfers could occur, only 31 students transferred out of PEG schools to other schools. In 1996-97, 43 students transferred out of PEG schools. But in 1997-98, 413 students transferred. Current year figures will not be available until later this year.

The drop in the number of schools subject to PEG has had little impact on student transfers statewide, an Agency survey shows. School districts are generally free to implement their own choice and transfer programs. The survey of nearly all of the 200 largest Texas school districts showed that in 1997-98, more than 113,000 students attended “open-enrollment” public school campuses that do not have defined attendance zones. In addition, more than 176,000 other students transferred to other schools within their own district under local district transfer programs, the survey said. Figures also show that school districts grant transfer requests at a rate of more than 88 percent. Another 48,546 students transferred to other school districts under transfer agreements their school districts had with other school districts.

A list of the 281 schools that are subject to the PEG law is attached. A list of the PEG-eligible schools that is searchable by district can be found at the Texas Education Agency’s website at [www.tea.state.tx.us](http://www.tea.state.tx.us) under the School Finance section.

**Public Education Grant (PEG) Program  
Number of Schools, Students Enrolled and Number of Students Transferring by Year**

<i>School Year PEG Transfer Available*</i>	<i>Number of Schools</i>	<i>Estimated Number of Students Enrolled</i>	<i>Number Transferring</i>
1995-96	1,010	744,524	31
1996-97	651	490,316	43
1997-98	1,150	796,356	413
1998-99	575	522,796	N/A**
1999-2000	281	252,261	N/A**

\* The school year shown is the year in which PEG transfers occurred.

\*\*Data for these school years are not yet available

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