

- SUBJECT:** Assessment tests for students in special education
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 8 ayes — Sadler, Dutton, Culberson, Hernandez, Hochberg, Price, Rhodes, Uher
- 0 nays
- 1 absent — Williamson
- WITNESSES:** For — Denise Brady, Association of Retarded Citizens of Texas; Karen Dannheim; Eric Hartman, Texas Federation of Teachers; Verl Hopper; Colleen Horton, Texas Advocates for Special Kids; Sandy Kibby, Texas Congress of Parents and Teachers; Amanda Krejci; Kay Lambert, Advocacy, Inc.; Mike McLamore, Association of Texas Professional Educators; Susan Murphree; Janet Patton; Johnye Smith, TCASE; Claude Wilson, Texas Planning Council for Developmental Disabilities
- Against — None
- On — Penny Seay, Texas University Affiliated Programs
- DIGEST:** CSHB 1800 would require the Texas Education Agency (TEA) to adopt appropriate assessment instruments to be administered to students in special education programs. A student's admission, review and dismissal (ARD) committee would determine whether any allowable modification was necessary or whether the student should be exempted from the testing requirement. The committee would also determine a satisfactory level of performance for each student according to criteria established by the TEA. A student's ARD committee would design intensive, individualized programs for students who did not perform satisfactorily on the assessment test.
- Students would be exempted from the assessment requirement if their education program did not include instruction in the knowledge and skills at any grade level assessed by the test, or if the assessment would not provide

an appropriate measure of their achievement as determined by the ARD committee.

The education commissioner would be required to develop and adopt a process for reviewing the exemption process of any school that exempted more than five percent of its students from the regular state assessment test.

Beginning with the 2002-2003 school year, results of the assessment tests for special education students would have to be published along with results of other students. The scores could not be aggregated by grade level or subject area.

The TEA would have to begin developing or adopting assessment instruments for special education students no later than September 1, 1997. The agency would have to field test the instruments before the 2000-2001 school year, and adopt, administer and report the results of the tests by the 2000-2001 school year. The education commissioner would have to begin the process of reviewing the exemption process of school district the first school year that assessment tests were administered to special education students.

CSHB 1800 would take immediate effect if finally approved by a two-thirds record vote of the membership in each house.

**SUPPORTERS
SAY:**

CSHB 1800 would strengthen special education programs by making schools more accountable for the achievements of students in these programs. The bill also would discourage schools from placing students in special education as a way to avoid having a student's poor scores figured into the school's overall score on assessment tests.

By holding schools more accountable for the educational performance of students in special education, CSHB 1800 would prompt schools to pay more attention to students in these programs. With the current emphasis on a school's performance on assessment tests, students in special education may be ignored or left out of the process because their progress is not figured in to the school's overall assessment score. The testing requirement would give students in special education a goal to work towards, and a sense of achievement if they passed it.

The bill would ensure that assessment tests for special education students were adapted to the needs of each student and appropriate to the student's overall educational program. Scores for special education students would be reported separately. Schools need not be concerned that scores for special education students would provide an inaccurate assessment of overall student achievement.

OPPONENTS
SAY:

The provisions of CSHB 1800 should also apply to students who are not in special education but who have difficulties in taking standardized assessment tests. For example, hyperactive students who are in regular school programs may have difficulty with the general test format of taking assessment tests for several hours over two days. Such students may do poorly on these tests not because they do not know the information, but because physical difficulties prohibit them from performing well. The assessment tests should be adapted to meet the needs of all students, regardless of whether they are in special education.

The scores of special education students should not be figured into overall school performance scores for teacher assessment purposes. Teachers in a regular school program should not be held accountable for the performance of special education students.

CSHB 1800 would require the education commissioner to review schools exempting more than five percent of their students from the regular state assessment test. This threshold is too low, and should be raised at least 10 percent. Small schools could be subject to review if they have just a few students in special education programs.

NOTES:

The committee substitute stipulated that the student's assessment, review and dismissal committee, rather than TEA, would determine whether modifications in an assessment instrument were needed and whether a student's performance was satisfactory. The committee substitute also added the time lines for adopting assessment instruments.