

- SUBJECT:** Replacing TAKS with end-of-course exams for high school graduation
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 8 ayes — Zedler, Branch, Delisi, Dutton, Hochberg, Mowery, Olivo, Patrick
0 nays
1 absent — Eissler
- SENATE VOTE:** On final passage, April 19 — 30-0
- WITNESSES:** (*On House companion bill, HB 2236:*)
For — David Anthony, Texas School Alliance; Nancy Hester, Texas Social Studies Supervisors Association; Freddie McFarland, Texas Association of Secondary School Principals; Mike Motheral, Texas Association of School Administrators; James R. Phillips, Texas Association of School Boards (*Registered, but did not testify*: Bill Hammond, Texas Association of Business; Mary Smith)

Against — None

On — Cindy Chapman, Association of Texas Professional Educators; Holly Eaton, Texas Classroom Teachers Association; MerryLynn Gerstenschlager, Texas Eagle Forum; Richard Kouri, Texas State Teachers Association; Karen L. Pennell, ACT, Inc.; Ted Melina Raab, Texas Federation of Teachers; Brooke Dollens Terry, Texas Public Policy Foundation; Mark Terry, Texas Elementary Principals and Supervisors Association; Ken Zarifis; (*Registered, but did not testify*: Debra Craig, The College Board)
- BACKGROUND:** Education Code, ch. 39 requires TEA to adopt or develop criterion-referenced assessment instruments designed to measure essential knowledge and skills in reading, writing, mathematics, social studies, and science. In 2003, TEA adopted a new, more rigorous assessment instrument known as the Texas Assessment of Knowledge and Skills (TAKS) to conform with these requirements.

Eleventh graders must pass exit-level TAKS exams in English-language arts, social studies, science, and mathematics in order to receive a high school diploma. Each assessment must include the following:

- English-language arts: English III and a writing component;
- Social studies: Early American and United States history;
- Science: Biology and integrated chemistry and physics;
- Mathematics: Algebra I and geometry.

A student who does not perform satisfactorily on any exit-level TAKS test must be given multiple opportunities to retake that test.

All students are required to be tested annually in mathematics in grades 3-10, reading in grades 3-9, writing in grades 4 and 7, English-language arts in grade 10, social studies in grades 8 and 10, science in grades 5, 8, and 10, and any other subject and grade required by federal law. Students in special and bilingual education or with special needs take adapted versions of these tests.

DIGEST:

CSSB 1031 would replace the exit-level TAKS test and other high school TAKS assessments with end-of-course exams, which students would be required to pass in order to graduate from high school. The bill also would establish test security procedures and penalties for those who violated these procedures.

End-of-course exams. To receive a high school diploma, students would have to perform satisfactorily on end-of-course exams in:

- English language arts III;
- Algebra II or geometry;
- biology, chemistry or physics; and
- world geography, world history, or U.S. history.

Students who did not perform satisfactorily on an end-of-course exam would have to be given multiple opportunities to retake it.

TEA would have to develop end-of-course exams for the following subjects: Algebra I and II, geometry, biology, chemistry, physics, English I, II, and III, world geography and history, and U.S. history. Performance on any of these exams would account for 15 percent of a student's final grade in the course. End-of-course assessments could be adopted for other

courses, but the grade and performance requirements would not apply to these tests. Spring tests administration could be no earlier than the first week of May, with the exception of tests in English I, II and III.

TEA would have to adopt rules for the transition to end-of-course exams, so that the last students to take the exit-level TAKS test would be those entering 10th grade in the 2011-12 school year, and students entering ninth grade in that year would be subject to the new requirements regarding end-of-course exams. By the time they were in seventh grade, students subject to the new requirements would have to be given written notice of the change to end-of-course assessments.

Tests would have to be developed to allow for the measurement of annual student achievement. Optional questions could be included in the test to measure college readiness and to identify students who were likely to succeed in advanced high school courses. These students, and their parents, would have to be notified by the district of their potential to succeed in advanced courses. The tests could not be used to screen students for eligibility for advanced courses.

A student's satisfactory performance on an advanced placement test, international baccalaureate examination, an SAT subject test, or another assessment considered by TEA to be equally rigorous could be substituted for performance on an end-of-course examination.

Assessment instruments would have to be designed so that they could be administered by computer. By September 1, 2008, school districts would have to notify TEA of their ability to administer assessments by computer. TEA would have to compile this data and submit a report to the Legislature by December 1, 2008.

By June 1, 2008, TEA would have to develop a vertical scale for evaluating and comparing student test performance from one grade to the next. This scale would be implemented beginning with the 2008-09 school year.

The bill would limit field testing of questions for any end-of-course exams to the minimum number of tests necessary to ensure the validity of the questions and in a manner that minimized the amount of field testing conducted at any particular campus.

Test security. TEA would have to develop procedures for administering tests to ensure security and could establish record retention requirements for school districts for test security. TEA also could develop and implement statistical methods and standards for identifying potential security violations beginning with the 2008-09 school year. These standards could include indicators of potential violations monitored annually and patterns of inappropriate testing practices that occurred over time. TEA could establish one or more advisory committees to advise the agency on these issues and could require training for those responsible for administering tests.

TEA could investigate school districts for potential violations of test security. Each school year, the agency would have to identify the districts being investigated and the statistical methods and standards used to select the district. Beginning with the 2007-08 school year, TEA could conduct random audits of school districts to determine compliance with security requirements.

The bill would authorize TEA to issue subpoenas as part of an investigation or audit of test security violations, including an investigation of an educator, or for an agency accreditation investigation.

Intentional disclosure of the contents of any portion of a test, including answers, would be a class C misdemeanor (maximum fine of \$500).

College preparation assessments. Each school year and at state cost, school districts would have to administer the following tests:

- For eighth graders, a nationally norm-referenced preliminary college preparation assessment instrument to diagnose student strengths and deficiencies before entering high school;
- For 10th graders, a preliminary college preparation assessment test to measure a student's progress toward readiness for college and the workplace; and
- For 11th and 12th graders, students could select and take once, at state cost, assessment instruments used by colleges and universities as part of their undergraduate admissions process.

TEA would have to select and approve vendors of the specific assessment instruments, pay all fees from funds allotted from the Foundation School Program, and reduce allotments to school districts accordingly. Vendors

could not be paid for a test that was not actually administered. TEA would have to develop a refund system in which vendors returned any payment for a student who registered for but did not take a test.

Test results would have to be included in TEA's electronic student records system, and the student's parents would have to receive a copy of test results.

CSSB 1031 would take effect September 1, 2007, and would apply beginning with the 2007-08 school year.

**SUPPORTERS
SAY:**

CSSB 1031 would phase out the exit-level TAKS exam, which has outlived its usefulness, and replace it with an assessment method that better reflects high school achievement and college readiness. The bill would maintain accountability for schools while providing multiple pathways to graduation by allowing a student to satisfy graduation requirements in different ways instead of depending on a single pass/fail test.

End-of-course exams would allow a more in-depth study of a particular subject and provide a more timely assessment of a student's grasp of that subject. These exams would be more relevant to the content of the course than is the broad-based TAKS test. Students would be tested at the end of the course, when the material was fresh in their minds, instead of having to pass a test covering information about subjects they may have studied years ago.

The bill would move the state away from a system in which one test is used to measure the quality of teaching as well as student performance. A random survey by one teachers' organization found that more than three out of four teachers believe the TAKS does not accurately measure a student's academic level and is turning students into test-takers rather than critical thinkers. More than 60 percent of teachers and parents surveyed said that TAKS had reduced learning to how well a student can take a test.

The bill would promote college readiness by encouraging all students to take nationally normed tests such as the SAT, ACT, and PSAT. All eighth graders would take a diagnostic test such as EXPLORE, an assessment designed by ACT to measure a student's strengths and weaknesses in preparation for high school. Students would not be required to take the

SAT or ACT, and the state would be reimbursed if a student signed up for a test but did not take it.

OPPONENTS
SAY:

Overemphasis on the TAKS test could be replaced with overemphasis on end-of course exams, which could lead teachers to design entire courses around one final exam. Currently, teachers develop their own final exams based on the elements they have emphasized over the year. Standardized end-of-course exams could lead to more conformity in teaching.

By requiring students to pass at least four end-of-course exams rather than one exit-level TAKS test, the bill could lead to an increase in dropout rates. Students who failed one or several of these exams may choose to drop out of high school instead of retaking these exams.

Administering all tests by computer could create problems for districts not set up to administer exams in this way. In some courses, such as mathematics, paper exams are preferable to computer-administered assessments because of the need to show a student's work in solving a problem. School districts should have the option of administering paper tests in some cases.

More than half of the cost of the bill in fiscal 2009 and 2010, about \$13 million, would cover the state cost of such nationally normed tests as the ACT, SAT, PSAT and, in eighth grade, an assessment instrument produced by ACT. Most of these tests traditionally have been paid for by students as part of the college admissions process. If students have some financial investment in test results, they are likely to take such tests more seriously.

The EXPLORE assessment, in particular, would add another layer of testing at a time the state is trying to scale back on assessments. In addition to the EXPLORE assessment, eighth-grade students still would have to take the TAKS test, which would provide a similar measurement of the student's strengths and weaknesses. The state should not cover the cost of this additional assessment. School districts should still have the option of whether they want to participate in this diagnostic program.

NOTES:

According to the fiscal note, the bill would cost \$29 million in fiscal 2008-09 and \$51 million a year beginning in 2011. These funds would be deducted from payments to school districts from the Foundation School Fund.

The committee substitute removed a requirement that students receive a cumulative average score of 70 on end-of-course assessments required for graduation. The implementation dates for the administration of end-of-course exams was moved from the 2009-10 school year to the 2010-11 school year, and the timeline for the spring administration of tests was changed from the last 20 instructional days to no earlier than the first week of May.