

SUBJECT: Pausing accountability sanctions pending STAAR readability study

COMMITTEE: Public Education — committee substitute recommended

VOTE: 12 ayes — Huberty, Bernal, Allen, Allison, K. Bell, Dutton, M. González, K. King, Meyer, Sanford, Talarico, VanDeaver

0 nays

1 absent — Ashby

WITNESSES: For — Tyra Walker, Alief ISD and Texas School Alliance; Kristi Hassett, Lewisville ISD; Lora Darden, Round Rock ISD and Texas School Alliance; Annalisa Hardy, Texas Association of School Administrators; Diane Miller, Texas Council of Teachers of English Language Arts; Suzi Kennon, Texas PTA; Dee Carney, Texas School Alliance; Jodi Pilgrim; (*Registered, but did not testify*: Andrea Chevalier, Association of Texas Professional Educators; Jacquie Benestante, Autism Society of Texas; Chris Masey, Coalition of Texans with Disabilities; Erica Anthony-Benavides, Escalada Education Co.; Traci Berry, Goodwill Central Texas; Laurie Filipelli, League of Women Voters of Texas; Fatima Menendez, Mexican American Legal Defense and Education Fund; Deborah Caldwell, North East ISD; Naomi Miller, Northside ISD; Bob Popinski, Raise Your Hand Texas; Sheri Hicks, Heather Sheffield, and Theresa Trevino, Texans Advocating for Meaningful Student Assessment; Barry Haenisch, Texas Association of Community Schools; Michael Lee, Texas Association of Rural Schools; Casey McCreary, Texas Association of School Administrators; Paige Williams, Texas Classroom Teachers Association; Mark Terry, Texas Elementary Principals and Supervisors Association; Morgan Craven, Texas Latino Education Coalition; Jerod Patterson, Texas Rural Education Association; Lisa Dawn-Fisher, Texas State Teachers Association; Patty Quinzi, Texas-American Federation of Teachers; and eight individuals)

Against — Kara Belew, Texas Public Policy Foundation; (*Registered, but did not testify*: Frank Corte Jr.)

On — Molly Weiner, Texas Aspires Foundation; Monica Martinez, Texas Education Agency; (*Registered, but did not testify*); Hannah LaPorte, IDEA Public Schools; Andy MacLaurin and Tedd Holladay, Legislative Budget Board; Kathleen Zimmermann, NYOS Charter School; Pablo Barrera, Texas Charter School Association; Jamie Crowe, Tyson Kane, Eric Marin, and Chris Jones, Texas Education Agency; Heather Smith)

BACKGROUND: Education Code sec. 39.023 requires the Texas Education Agency to adopt or develop appropriate criterion-reference exams to assess essential knowledge and skills in reading, writing, mathematics, social studies, and science. Since the spring of 2012, Texas students have taken the State of Texas Assessments of Academic Readiness, or STAAR.

Education Code ch. 39A requires the commissioner of education to take certain actions to intervene and sanction certain low-performing school districts under the public school accountability system.

DIGEST: CSHB 4242 would require the Texas Education Agency (TEA) to contract for an independent study to determine whether STAAR exams administered during the 2018-2019 and 2019-2020 school years were written at the appropriate reading levels. The bill would prohibit student performance on STAAR exams from being used as a factor in determining campus closure or student promotion after the 2018-2019 school year. If the study determined that an exam administered in the 2019-2020 school year was written at a reading level above the grade level being tested, additional sanctions would be suspended.

The bill also would prevent TEA from using content in a state assessment unless that content had been evaluated by a committee of educators to ensure that the reading level of the content was appropriate for the grade level being tested.

Suspension of sanctions pending study. Student performance on STAAR exams in the 2018-19 school year could not be used as a factor in determining whether to order closure of a campus or whether a student

advanced to the next grade level.

The bill would require the education commissioner to contract for a study to determine whether, for each applicable grade level, each STAAR exam administered during the 2018-2019 school year or scheduled to be administered during the 2019-2020 school year was written at the appropriate reading level for students in that grade level. In contracting for the study, the commissioner would have to use a competitive process to select an independent entity that was not an entity that developed or reviewed STAAR exams. The University of Texas at Austin, Texas Tech University, and Texas A&M University would have to oversee the design, completion, and evaluation of the study.

By December 1, 2019, the commissioner would have to submit a report that included the study results to the Legislature and the presiding officer of each legislative standing committee with jurisdiction over primary and secondary education. The commissioner also would have to hold a public meeting with representatives of the three universities that oversaw the study to discuss and explain the results.

If the report indicated that a STAAR exam scheduled to be administered during the 2019-2020 school year was written at a reading level above the grade level being tested, student performance could not be used as a factor in determining whether:

- interventions and sanctions could be applied to a school district or campus for an unacceptable performance rating for the 2019-2020 school year;
- to impose interventions or sanctions after the 2019-2020 school year, including requirements for a campus turnaround plan; or
- a student, based on the student's performance, advanced to the next grade level after the student completed the 2019-2020 school year.

The bill's requirements regarding the study and pauses in sanctions would expire September 1, 2023.

Readability requirements. CSHB 4242 would require each STAAR exam to include only passages, questions, answers, and other content aligned with the essential knowledge and skills for the applicable subject for the grade level being tested or for any previous grade level and to include only passages written at a reading level not higher than the grade level being tested.

TEA would be required annually to submit a report to the State Board of Education demonstrating compliance with the readability requirements.

The bill would add a requirement that exams be determined appropriate, in addition to being determined valid and reliable, by an entity independent of TEA and any other entity that developed the exam.

TEA could not use a passage on a STAAR exam unless it had been individually evaluated by a committee to ensure the reading level was appropriate for the grade level being tested. The committee would have to:

- consist of not fewer than 10 educators nominated by a regional education service center; and
- include at least one educator with a graduate degree in reading or literacy, at least one educator with a reading specialist certification, and at least one educator with current experience teaching in Texas at a grade level relevant to the evaluation.

The committee would have to consider information from not fewer than five nationally recognized readability formulas, information from evidence-based readability evaluation methods, and the reading level of other exams commonly administered to students in each grade level.

TEA would have to release the reading level of each passage at the same time it released questions and answer keys to each STAAR exam. A question with a related passage could not be field-tested without its related passage first being evaluated by the committee.

Performance standards. The education commissioner would be required

to base the levels of satisfactory performance and college readiness for STAAR exams on the grade-level expectations and standards for each subject or course.

The bill would apply beginning with the 2019-2020 school year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

**SUPPORTERS
SAY:**

CSHB 4242 would address concerns about the readability of STAAR exams being misaligned with the grade levels being tested by requiring an independent evaluation of grade-level readability. The bill would allow students, campuses, and school districts to continue to be evaluated using the 2018-2019 STAAR results but not impacted by sanctions related to grade promotion and school closure while the exams were being investigated.

Several academic studies have shown STAAR reading passages were at least one grade level higher than the grade being tested. In addition, a number of educators have said that diagnostic exams administered throughout the school year have shown students reading on grade level only to have those students perform below expectations on STAAR exams administered near the end of the school year. It is unfair to ask children to show mastery at higher reading levels than those taught in their current grade. Although STAAR questions are reviewed by Texas classroom teachers, the study required by CSHB 4242 would appropriately involve three major Texas universities with expertise in evaluating the readability of passages and test content.

It is appropriate and educationally sound to ease sanctions associated with STAAR until a determination can be made about whether the exams are properly aligned with the targeted grade level. If STAAR is misaligned and a student is actually performing at grade level, the student could be forced to receive remedial instruction the student might not actually need. This remedial instruction could come at the expense of a fine arts class or

a high school elective the student wanted to attend.

While some have said that that National Assessment of Educational Progress (NAEP) exams support the validity of STAAR because they also show Texas students lagging in their reading skills, the NAEP exams are given to a representative sample of students across the country and are not designed to measure year-to-year progress. When the NAEP results of Texas students are broken down demographically, they show Texas students are performing similarly to their peers across the nation.

OPPONENTS
SAY:

Texas should not pause accountability sanctions until the independent study required by CSHB 4242 is completed. That would be the appropriate time to decide whether there should be a moratorium on using STAAR results to require additional instruction for students who are underperforming on the exams.

STAAR questions are reviewed by Texas classroom teachers and field tested. The Texas Education Agency has expressed confidence that the exams are valid and reliable and test students at the appropriate grade level. The Legislature directed STAAR to be designed to predict students' postsecondary readiness, resulting in more challenging exams than those previously administered to Texas students.

STAAR is not the only set of exams that show Texas students are struggling to read on grade level. The NAEP periodically tests a sample of Texas students and shows declining reading levels, which supports TEA's contention that STAAR exams do appropriately measure students at their grade level.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of \$421,000 to general revenue related funds through fiscal 2020-21.