

September 7, 2021

Mike Morath, Commissioner
Texas Education Agency
1701 N. Congress Avenue
Austin, TX 78701-1494

Re: Proposed New 19 TAC Chapter 97, Planning and Accountability, Subchapter AA, Accountability and Performance Monitoring, §97.1006, Alternative Methods and Standards for Evaluating Performance for 2020-2021 School Year

Commissioner Morath,

The 44 member districts of the Texas School Alliance (TSA) appreciate the opportunity to comment on the proposed rule and applicable guidelines for the alternative methods and standards for evaluating performance for the 2020-2021 school year, as required by SB 1365, 87th Legislature, Regular Session.

TSA agrees with a) the legislative intent of SB 1365 to provide an opportunity for currently D/F rated campuses (that meet the participation requirements) to demonstrate student progress and achievement gains they have made since 2019; and b) that for campuses who qualify for the alternative evaluation, an Acceptable performance rating for the 2020-2021 school year *“is considered a break in consecutive school years of unacceptable performance ratings.”*

However, TSA disagrees with the proposed new rule regarding scaling methodologies and averaging of the two domains and offers the following recommendations:

1. The proposed rule states that the component scores for the Student Achievement domain and the School Progress, Part B: Relative Performance domain “shall be calculated using scaling methodologies as were adopted in the 2020 Accountability Manual.”
 - a) The scaling methodologies adopted in the 2020 Accountability Manual are the exact same scaling methodologies that were adopted in the 2019 Accountability Manual (which was the first year that A-F ratings were applied to campuses). The scaling methodologies and component / domain score cut points were calibrated by psychometricians using the 2018-2019 STAAR results when Texas students had an opportunity for 180+ days of face-to-face instruction.
 - b) During the 2020-2021 school year, Texas students experienced significant learning disruptions due to the COVID-19 pandemic and the lack of face-to-face instruction contributed to the statewide declines in 2021 STAAR performance across all grades and subject areas.¹

¹ Texas Education Agency, 2021 STAAR Analysis, July 2021.



www.TexasSchoolAlliance.org

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Recommendation:

Use the 2021 STAAR results to recalculate and/or adjust the 2021 alternative evaluation scaling methodologies and cut scores to accurately reflect the impact of the pandemic on teaching, learning, and assessment.

2. The proposed rule states that the alternative evaluation results in an outcome of A, B, C, D, or F will be determined “by averaging the scaled score of the Student Achievement domain... and the scaled score of the School Progress, Part B Relative Performance domain.”

Recommendation:

If the Agency’s intent is to apply the same scaling methodologies and cut scores from the 2020 Accountability Manual to provide “apples-to-apples” letter grade ratings and public reporting, then TSA members recommend the Agency maintain the use of the “*better outcome of the Student Achievement or School Progress domain scaled scores*”² methodology in the 2021 alternative evaluation results rather than calculating an average of the two domains.

Finally, TSA members realize that SB 1365 does not provide an AEA option, and we respectfully ask that the Agency include AEA and dropout recovery schools in the alternative evaluation for 2020-2021.

Thank you again for the opportunity to comment on the proposed rules. TSA member districts would be happy to discuss our proposed recommendations with you and to serve as a resource to Agency staff as you move through the rule adoption process.

Respectfully,



Michael Hinojosa, Ed.D., President, Texas School Alliance
Superintendent, Dallas ISD

The Texas School Alliance comprises 44 of Texas’ largest school districts, serving over 2.25 million students or 40 percent of the state’s total pupil enrollment. Our students represent 45 percent of the state’s economically disadvantaged student population and 50 percent of its’ English Learners. The organization works on issues that will improve educational quality for Texas students, particularly those in large and urban districts.

² Texas Education Agency, 2020 Accountability Manual, Chapter 5, Step 6, page 52.



GARY VANDEAVER
DISTRICT 1

STATE OF TEXAS
HOUSE OF REPRESENTATIVES

September 23, 2021

The Honorable Mike Morath
Commissioner, Texas Education Agency
1701 N. Congress Avenue
Austin, TX 78701

Re: 2021 Alternative Optional Evaluation System

Dear Commissioner Morath,

When legislators negotiated SB 1365 during the 87th Regular session, they did so on the basis that the current accountability system does not take into consideration future performance disparities due to COVID 19 learning loss. Without significant changes through the 2021 alternative evaluation system, the accountability system will fail our schools by expecting them to show two years of instruction, improvement, and progress within nine months. The goal of the legislation was to take into account the immense challenges our education system endured and only use accountability data to measure progress, drive instruction, and provide an alternative baseline -- not to punish schools for being unable to meet pre-COVID 19 standards with post-COVID 19 results. As stated in the May 24, 2021 letter to all members, SB 1365 is meant to provide *"a reprieve for school districts coming out of a period of incredible hardship, and offer them some much needed grace."*

In light of the negotiations that legislators had with one another in good faith in order to pass SB 1365, there are three concerns we share regarding the current proposed rules in §97.1006. First, we are concerned that the deadline for districts to select alternative evaluation is taking place a month prior to the formal adoption of the rules in which that deadline is set. Second, we are concerned that TEA will be using the scaling methodologies of the 2020 Accountability Manual, which were established based on 2017 STAAR outcomes, instead of using student performance on the 2021 STAAR assessments. Third, we are concerned that TEA will be averaging two domain scores rather than taking the higher of the two, going against the 2019 precedent, which



will unilaterally result in lower ratings for all schools meeting the required 95% participation rate. We hereby respectfully request that the rules implementing SB 1365 accurately reflect the bill that passed into law.

First, the currently proposed rule in §97.1006 (a) establishes October 15, 2021, as the deadline for districts to request an accountability special evaluation for a campus for the 2020-2021 school year. The rules, however, will not be effective until November 14, 2021. We do not think it is fair for schools to be held to a deadline that is not even established by rule until almost a month later. We request that the deadline for requesting the optional evaluations coincide with the date the rules are finally adopted.

Our second concern is regarding the scaling methodologies in §97.1006 (c). The agency has made it very clear publicly that they have full faith in the STAAR testing system and its ability to accurately measure the performance of students, whether in person or online, despite the failings of assessment vendors. This was their justification for requiring STAAR during the Spring 2021 semester, in which the participation rate was 87% overall with 92% participation in high school tests. In 2019, when A-F ratings were first assigned to campuses, the overall participation rate was 96%.¹ Considering these facts, we request that the proposed rule regarding scaling methodology not be based on STAAR scores from 2017-2019 through the 2020 Accountability Manual, but rather on the 2021 STAAR exam results. This change adjusts the threshold of standards to more accurately reflect a school's performance after lost instruction time due to the pandemic, rather than holding them to an expectation that was based in the reality of 2019 and not the reality of our state's situation in 2021.

Our final concern is regarding the proposed rules §97.1006 (d-1) and (d-2), which state that performance ratings will be assigned using the averaging of scaled scores of the Student Achievement domain and School Progress, Part B: Relative Performance domain. In TEA's own resources regarding an overview of the 2019 State Accountability System, it states that the agency took the better of either domain to calculate the overall performance rating.² A university does not average a candidate's SAT and ACT scores in order to compare their performance to other candidates. They take the best score as an accurate representation of that student's academic abilities. How can we allow that practice at universities, which are the goal destinations for students who are currently within our care in the K-12 system, but not allow it when evaluating those students now? Doing so adds a step to calculations that only serves to unilaterally lower performance ratings, misrepresenting a campus's progress in order to provide the state another opportunity to penalize them in the future. Given that the agency has an established precedent of using a methodology in which the best score is used without explicit

¹ Texas Education Agency. **Overview of 2021 STAAR Results**, July 2021. Retrieved from <https://tea.texas.gov/about-tea/news-and-multimedia/news-releases/news-2021/tea-releases-spring-2021-staar-grades-3-8-and-end-of-course-assessment-results-outcomes-for-in-person-learners-appreciably-higher-than-for-those-who-were-remote>

² Texas Education Agency A-F Resources. **Overview of the 2019 State Accountability System (one-page)**. Retrieved from https://tea.texas.gov/sites/default/files/A%20F%20Resources_final.pdf

statutory guidance, we request that you return to this practice for the 2021 alternative optional evaluation system.

In conclusion, we appreciate the efforts that you and your agency are making to assist our schools through this difficult time and to implement several legislative changes. We respectfully request that these three changes to the proposed rules be adopted as quickly as possible, in order for SB 1365 to be fully implemented throughout our state.

Respectfully,

A handwritten signature in black ink, appearing to read "Gary VanDeaver". The script is fluid and cursive.

Rep. Gary VanDeaver

A handwritten signature in black ink, appearing to read "Harold Dutton". The script is bold and somewhat stylized.

Chair Harold Dutton

A handwritten signature in black ink, appearing to read "Steve Allison". The script is elegant and cursive.

Rep. Steve Allison

A handwritten signature in black ink, appearing to read "Keith Bell". The script is bold and cursive.

Rep. Keith Bell

A handwritten signature in black ink, appearing to read "Brad Buckley". The script is bold and cursive.

Rep. Brad Buckley



GARY VANDEAVER
DISTRICT 1

STATE OF TEXAS
HOUSE OF REPRESENTATIVES

September 23, 2021

The Honorable Mike Morath
Commissioner, Texas Education Agency
1701 N. Congress Avenue
Austin, TX 78701

Addendum to "Re: 2021 Alternative Optional Evaluation System"

Dear Commissioner Morath,

I would like to thank the agency for proactively making the first requested change of this letter, shifting the deadline for districts to submit requests for the optional alternative evaluation system from October 15th, 2021 (one month prior to rule adoption on November 15, 2021) to December 15, 2021 (one month after the rule adoption).³ I appreciate the demonstration of flexibility on the agency's part to adjust these new rules to reflect the concerns of others at this point in the rule proposal and adoption process. I further hope that this modification is followed with changes that address the second and third concerns listed in our letter.

Respectfully,

A handwritten signature in black ink that reads "Gary VanDeaver".

Rep. Gary VanDeaver

³ Texas Education Agency. ***Superintendent's Bulletin: 2021 Optional Alternative Evaluation and Appeal Systems Temporarily Closed.*** Received September 23, 2021.



The Texas Education Agency adopts new §97.1006, concerning accountability and performance monitoring. The new section is adopted with changes to the proposed text as published in the August 6, 2021 issue of the *Texas Register* (46 TexReg 4816) and will be republished. The new section adopts in rule applicable guidelines for the alternative methods and standards for evaluating performance for the 2020-2021 school year.

REASONED JUSTIFICATION: Senate Bill (SB) 1365, 87th Texas Legislature, Regular Session, 2021, established alternative methods and standards for evaluating performance for the 2020-2021 school year. The alternative evaluation may be requested by school districts or open-enrollment charter schools with campuses that meet the participation requirements for all students in all subject areas for the annual measurement of achievement under the Every Student Succeeds Act (20 U.S.C. §8311(c)(4)(E)), §1111, and to which the most recent performance rating assigned, other than a Not Rated rating, is a D, F, or performance that needs improvement.

New §97.1006 adopts the indicators, standards, and procedures used by the commissioner of education to determine alternative accountability ratings for the 2020-2021 school year for campuses that meet the statutory criteria for review and request such review.

The new section was modified at adoption to change the dates in subsections (a) and (f) to December 15, 2021. This change will ensure all school districts and open-enrollment charter schools have sufficient time to request the 2021 optional alternative evaluation.

SUMMARY OF COMMENTS AND AGENCY RESPONSES: The public comment period on the proposal began August 6, 2021, and ended September 7, 2021. Following is a summary of the public comments received and the corresponding agency responses.

Comment. Four school district staff members requested the rule allow all campuses with a previous unacceptable rating be evaluated under the optional alternative evaluation without regard to participation rate.

Response. The agency disagrees. Texas Education Code (TEC), §39.0545, defines the two eligibility criteria for the optional alternative evaluation. The statute requires a campus to meet the same participation rate as is required under Section 1111, Every Student Succeeds Act (20 U.S.C. §8311(c)(4)(E)), which is 95% for the all students group in all subject areas.

Comment. Four school district staff members and three individuals requested the rule allow identified alternative education accountability (AEA) campuses with a previous unacceptable rating be evaluated under the optional alternative evaluation without regard to participation rate.

Response. The agency disagrees. TEC, §39.0545, defines the two eligibility criteria for the optional alternative evaluation. The statute requires a campus to meet the same participation rate as is required under Section 1111, Every Student Succeeds Act (20 U.S.C. §8311(c)(4)(E)), for the all students group in all subject areas.

Comment. The Texas School Alliance (TSA), seven school district staff members, and five individuals commented that the optional alternative evaluation methodology should use the "better of" Student Achievement or School Progress, Part B: Relative Performance domains methodology instead of the average of these two domains.

Response. The agency disagrees. The accountability system relies on the disaggregated data in the Closing the Gaps domain as 30% of the overall rating to reduce the chance that poor performance in a historically underserved student group is not masked with the use of the best of methodology among the Student Achievement and School Progress Parts A and Part B domains. TEC, §39.0545, requires the use of the Student Achievement and School Progress, Part B: Relative Performance domains to determine if a campus meets the minimum standard for a 2021 Acceptable rating. Although statute does not preclude inclusion of Closing the Gaps domain data, using an average of the Student Achievement and School Progress, Part B: Relative Performance domains ensures poor performance for historically underserved student groups is not masked by using only one domain for the alternative evaluation.

Comment. One school district staff member commented that Texas English Language Proficiency Assessment System (TELPAS) and English learner (EL) performance should be considered in addition to State of Texas Assessments of Academic Readiness (STAAR®) outcomes.

Response. The agency provides the following clarification. ELs and emergent bilingual students who are in their first year in U.S. schools are excluded from accountability performance calculations. ELs who are in their second year in U.S. schools are included in accountability calculations and alternative evaluation calculations for 2021. ELs who are in their second year in U.S. schools are included in the STAAR® component of the Student Achievement and School Progress, Part B: Relative Performance domains using the EL performance measure. ELs who are in their second year in U.S. schools who have a parental denial for EL services do not receive an EL performance measure and are included in the same manner as non-ELs.

Comment. TSA, three school district staff members, and one individual commented that the scaling methodologies established for 2018 accountability based on school year 2016-2017 outcomes should be recalculated based on 2020-2021 data as a result of lower participation due to COVID-19 impact.

Response. The agency disagrees. Eligible campuses must meet the statutory 95% participation requirement, which negates the potential impact of lower outcomes as a result of low 2021 participation. Furthermore, lowering cut scores on the assumption that non-participating students scored higher than participating students is both hypothetical and inconsistent with demographic information on non-participants statewide. Additionally, maintaining scaling methodologies provides stability in the accountability system and allows for an Acceptable threshold that aligns with prior year accountability outcomes when participation thresholds are equitable.

Comment. TSA commented that the agency should include AEA and dropout recovery schools in the alternative evaluation for the 2020-2021 school year.

Response. The agency provides the following clarification. All campuses, including those evaluated under AEA, are eligible for evaluation under the optional alternative evaluation. These campuses will use existing adopted AEA cut points and scaling for optional alternative evaluation outcomes.

Comment. TSA commented that their members agree (a) with the legislative intent of SB 1365, 87th Texas Legislature, Regular Session, 2021, to provide an opportunity for campuses with a current D/F rating (that meet the participation requirements) to demonstrate student progress and achievement gains they have

made since 2019; and (b) that for campuses that qualify for the alternative evaluation, an Acceptable performance rating for the 2020-2021 school year "is considered a break in consecutive school years of unacceptable performance ratings."

Response. The agency agrees.

STATUTORY AUTHORITY. The new section is adopted under Texas Education Code (TEC), §39.052(a) and (b)(1)(A), which require the commissioner to evaluate and consider the performance on achievement indicators described in TEC, §39.053(c), when determining the accreditation status of each school district and open-enrollment charter school; TEC, §39.053, as amended by House Bill (HB) 773 and HB 1147, 87th Texas Legislature, Regular Session, 2021, which requires the commissioner to adopt a set of performance indicators related to the quality of learning and achievement in order to measure and evaluate school districts and campuses; TEC, §39.054, as amended by Senate Bill (SB) 1365, 87th Texas Legislature, Regular Session, 2021, which requires the commissioner to adopt rules to evaluate school district and campus performance and to assign a performance rating; TEC, §39.0541, which allows the commissioner to adopt indicators and standards under TEC, Subchapter C, at any time during a school year before the evaluation of a school district or campus; TEC, §39.0543, as added by SB 1365, 87th Texas Legislature, Regular Session, 2021, which defines the performance ratings requiring intervention or other action; TEC, §39.0545, as added by SB 1365, 87th Texas Legislature, Regular Session, 2021, which allows the commissioner to adopt alternative methods and standards for evaluating performance for the 2020-2021 school year for campuses that meet participation and performance rating requirements for 2020-2021; TEC, §39.0548, as amended by SB 879, 87th Texas Legislature, Regular Session, 2021, which requires the commissioner to designate campuses that meet specific criteria as dropout recovery schools and to use specific indicators to evaluate them; TEC, §39.055, which prohibits the use of assessment results and other performance indicators of students in a residential facility in state accountability; TEC, §39.151, as amended by SB 1365, 87th Texas Legislature, Regular Session, 2021, which provides a process for a school district or an open-enrollment charter school to challenge an academic or financial accountability rating; TEC, §29.081(e), (e-1), and (e-2), which define criteria for alternative education programs for students at risk of dropping out of school and subjects those campuses to the performance indicators and accountability standards adopted for alternative education programs; and TEC, §12.104(b)(3)(L) as amended by SB 1365, 87th Texas Legislature, Regular Session, 2021, which subjects open-enrollment charter schools to the rules adopted under public school accountability in TEC, Chapter 39.

CROSS REFERENCE TO STATUTE. The new section implements Texas Education Code (TEC), §§39.052(a) and (b)(1)(A); 39.053; 39.054; 39.0541; 39.0543; 39.0545; 39.0548; 39.055; 39.151; 29.081(e), (e-1), and (e-2); and 12.104(b)(3)(L).

§97.1006. *Alternative Methods and Standards for Evaluating Performance for 2020-2021 School Year.*

(a) A school district or an open-enrollment charter school may request no later than December 15, 2021, an accountability special evaluation for the 2020-2021 school year for a campus:

(1) that meets a 95% assessment participation rate threshold for the all students group for all subjects combined for the 2020-2021 school year; and

(2) to which the most recent overall performance rating assigned, other than a rating of Not Rated, is a D, F, or performance that needs improvement.

(b) Upon request, as provided in subsection (a) of this section, the commissioner of education shall evaluate a campus that meets the requirements of subsection (a)(1) and (2) of this section in:

(1) the Student Achievement domain of Texas Education Code (TEC), §39.053(c)(1); and

(2) the School Progress, Part B: Relative Performance domain of TEC, §39.053(c)(2).

(c) The component scores for the Student Achievement domain of TEC, §39.053(c)(1), and School Progress, Part B: Relative Performance domain of TEC, §39.053(c)(2), shall be calculated using scaling methodologies as were adopted in the 2020 Accountability Manual under §97.1001 of this title (relating to Accountability Rating System).

(d) One of the following performance ratings shall be assigned according to the results of the evaluation requested under subsection (b) of this section.

(1) If the evaluation results in an outcome of A, B, or C by averaging the scaled score of the Student Achievement domain of TEC, §39.053(c)(1), and the scaled score of the School Progress, Part B: Relative Performance domain of TEC, §39.053(c)(2), the campus shall be assigned a performance rating of Acceptable for the 2020-2021 school year.

(2) If the evaluation results in an outcome of D or F by averaging the scaled score of the Student Achievement domain of TEC, §39.053(c)(1), and the scaled score of the School Progress, Part B: Relative Performance domain of TEC, §39.053(c)(2), the campus shall be assigned a performance rating of Not Rated: Declared State of Disaster for the 2020-2021 school year.

(e) An Acceptable performance rating assigned under subsection (d)(1) of this section is considered a break in consecutive school years of unacceptable performance ratings under TEC, §39.054.

(f) A school district or an open-enrollment charter school may appeal a rating issued under subsection (d)(2) of this section in accordance with TEC, §39.151, and the determination of consecutive school years of unacceptable performance ratings in accordance with TEC, §39.054. For the 2020-2021 school year, such an appeal must be filed with the Texas Education Agency by December 15, 2021.

(g) This section does not apply to an intervention ordered on the basis of consecutive school years of unacceptable performance ratings accrued before the effective date of this section.

(h) This section expires September 1, 2027.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 25, 2021.

TRD-202104290

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Effective date: November 14, 2021

Proposal publication date: August 6, 2021

For further information, please call: (512) 475-1497

Text of Adopted New 19 TAC

Chapter 97. Planning and Accountability

Subchapter AA. Accountability and Performance Monitoring

§97.1006. Alternative Methods and Standards for Evaluating Performance for 2020-2021 School Year.

- (a) A school district or an open-enrollment charter school may request no later than ~~December~~ ~~[October]~~ 15, 2021, an accountability special evaluation for the 2020-2021 school year for a campus:
 - (1) that meets a 95% assessment participation rate threshold for the all students group for all subjects combined for the 2020-2021 school year; and
 - (2) to which the most recent overall performance rating assigned, other than a rating of Not Rated, is a D, F, or performance that needs improvement.
- (b) Upon request, as provided in subsection (a) of this section, the commissioner of education shall evaluate a campus that meets the requirements of subsection (a)(1) and (2) of this section in:
 - (1) the Student Achievement domain of Texas Education Code (TEC), §39.053(c)(1); and
 - (2) the School Progress, Part B: Relative Performance domain of TEC, §39.053(c)(2).
- (c) The component scores for the Student Achievement domain of TEC, §39.053(c)(1), and School Progress, Part B: Relative Performance domain of TEC, §39.053(c)(2), shall be calculated using scaling methodologies as were adopted in the 2020 Accountability Manual under §97.1001 of this title (relating to Accountability Rating System).
- (d) One of the following performance ratings shall be assigned according to the results of the evaluation requested under subsection (b) of this section.
 - (1) If the evaluation results in an outcome of A, B, or C by averaging the scaled score of the Student Achievement domain of TEC, §39.053(c)(1), and the scaled score of the School Progress, Part B: Relative Performance domain of TEC, §39.053(c)(2), the campus shall be assigned a performance rating of Acceptable for the 2020-2021 school year.
 - (2) If the evaluation results in an outcome of D or F by averaging the scaled score of the Student Achievement domain of TEC, §39.053(c)(1), and the scaled score of the School Progress, Part B: Relative Performance domain of TEC, §39.053(c)(2), the campus shall be assigned a performance rating of Not Rated: Declared State of Disaster for the 2020-2021 school year.
- (e) An Acceptable performance rating assigned under subsection (d)(1) of this section is considered a break in consecutive school years of unacceptable performance ratings under TEC, §39.054.
- (f) A school district or an open-enrollment charter school may appeal a rating issued under subsection (d)(2) of this section in accordance with TEC, §39.151, and the determination of consecutive school years of unacceptable performance ratings in accordance with TEC, §39.054. For the 2020-2021 school year, such an appeal must be filed with the Texas Education Agency by ~~December~~ ~~[October]~~ 15, 2021.
- (g) This section does not apply to an intervention ordered on the basis of consecutive school years of unacceptable performance ratings accrued before the effective date of this section.
- (h) This section expires September 1, 2027.

<https://edsource.org/2019/poverty-levels-in-schools-key-determinant-of-achievement-gaps-not-racial-or-ethnic-composition-study-finds/617821>

Poverty levels in schools key determinant of achievement gaps, not racial or ethnic composition, study finds

While racial and ethnic segregation in the nation's schools is strongly correlated with gaps in academic achievement, the income level of students' families in a school rather than its racial or ethnic composition account for those gaps, according to [a new study](#).

The study, based on massive amounts of data from schools attended by nearly all of the nation's black and Hispanic students, was conducted by Sean Reardon, a professor at Stanford University's Graduate School of Education, and other researchers from Stanford, Pennsylvania State University and St. John's University in New York City.

Achievement gaps among black, Hispanic and white students, the study found, is "completely accounted for" by the poverty level of students in a school, as measured by the percentage of students who qualify for free and reduced priced meals.

"While racial segregation is important, it's not the race of one's classmates that matters," the researchers concluded in the study released today. "It's the fact that in America today, racial segregation brings with it very unequal concentrations of students in high and low poverty schools."

"Differences in exposure to poverty may be more important for the development of achievement gaps than differences in exposure to minority students," they state. The study looked at student test performance in math and English language arts between the 3rd and 8th grade.

The study looked at what it called *de facto* segregation in schools, districts and metropolitan areas across the United States with high concentrations of black and Hispanic students, in contrast to the *de jure* segregation that occurred in many parts of the United States, especially in the American South, as a result of official laws or ordinances barring access to schools based on race.

While the study didn't break down achievement gaps by state or district, it was accompanied by [a tool kit](#) that for the first time maps average test scores, how much students' learning improves each year and trends in test score data for every school and district in the nation. Thus it is possible to drill down into hundreds of districts like [Los Angeles Unified](#), [Fresno Unified](#), [West Contra Costa Unified](#) and thousands more

around the country to look at how these districts are doing on a range of indicators related to test scores — and the extent to which performance is improving over time.

The study underscores the consequences of the nation having virtually abandoned efforts to desegregate its schools over the last several decades as courts have lifted desegregation orders, and desegregation has become harder to accomplish as school districts in many metropolitan areas have had a declining share of white students.

This is especially the case in California where the demographic makeup of the schools has changed dramatically in recent decades. In the just completed school year (2018-19), white students made up 24 percent of California's total enrollment of 6.2 million students, compared to 38 percent 20 years ago. Black students declined from 8.8 percent in 1998-99 to 5.4 percent of the total student enrollment, while enrollment of Latinos increased from 41 percent to 54 percent over the same period, as did that of Asian students, from 8.1 percent to 9.3 percent.

A 2016 report by [UCLA's Civil Rights Project](#) asserted that Latino and black students in California attended some of the most segregated schools in the United States, meaning that they were most likely to attend a school with the lowest proportion of white students.

instead the focus among school reformers and lawmakers is now primarily on trying to improve the quality of schooling “within a system of schooling that is highly segregated by both race and class.”

Reardon and his colleagues found that the more segregated a school system, the larger the average achievement gap, and that the gaps grow faster during the K-8 grades than in less segregated ones.

The study focused on averages for the entire nation and as a result does not highlight where students and schools are “[beating the odds](#),” as described for example in a recent paper by the Learning Policy Institute, or the fact that there are many black and Hispanic students who perform far above average and are outstanding students.

The test scores reflect what the researchers broadly refer to as “educational opportunities,” which include not only what they are taught in school, but learning opportunities in their homes and in neighborhoods, their access to child care, preschool, and after-school programs and a range of other resources typically available to higher income children.