

ACCOUNTABILITY & ASSESSMENT UPDATE



HB 1 (88–3CS) Assessment & Accountability Provisions

TEA Updates

Commissioner's Proposed Rules

ARTICLE 5 pg 97	Vouchers	Education Saving Account Program
Sec. 5.01	ESA Program	Participating students must take state assessments and share results with educational assistance organizations. Educational assistance organizations are directed to provide for public reporting of that information.

HB 1 (88-3CS)
Assessment & Accountability Provisions

ARTICLE 6 pg 130	Other Changes	Changes Related to Public Schools Generally
Sec. 6.03	Assessment	Requires districts to provide a written report to parents the results of a benchmark assessment no later than 30 days after the results of the assessment are available.
Sec. 6.04	Assessment	1) Requires the commissioner to adopt procedures to ensure the results of reading instruments are valid, reliable and equated, and identify students at risk for dyslexia or other reading difficulties. 2) Prohibits administering a reading instrument to a student more than three times during the school year; 3) Requires the commissioner to adopt a comprehensive list of assessments for K-3 that meet specific criteria.
Sec. 6.04	Reading Intervention	1) Requires ISDs and charters to provide reading intervention to each student in K-3 as determined by the assessment, and to continue to provide the intervention until the student achieves "satisfactory performance" on the reading instrument. 2) Outlines specific requirement for a reading intervention program
Sec. 6.05	Supplemental Reading Instruction	1) Requires ISDs and charters to "make available" supplemental reading instruction to a student who needs reading intervention two consecutive school years; 2) Parents may choose from a list of high-quality tutors approved by TEA or by the ISD or charter to provide supplemental instruction.

HB 1 (88-3CS)

Assessment & Accountability Provisions (continued)

ARTICLE 8 pg 173	Accountability	Changes related to Accountability
Sec. 8.01	Chapter 39	Chapter 39 expires on August 31, 2026
Sec. 8.02	A-F Ratings	For the 2023-2024, 2024-2025, and 2025-2026 SY the commissioner shall use the indicators, standards, procedures, criteria, and calculations in the 2022 Accountability as was adopted in rule as of September 1, 2023; allows TEA to receive a direct appropriation if any additional costs incurred for re-scoring assessments.
Sec. 8.03	CCMR	Expands the definition of military readiness to include passing ASVAB or completing a JROTC program.
Sec. 8.03	CCMR	1) Requires TEA to study CCMR indicators to determine the correlation of each indicator with post-secondary success, including the correlation of IBC with wages and available jobs. Recall that \$250K was allocated for this study during the regular session. 2) Requires TEA to maintain the IBC list eligible for accountability. Requires IBCs must be aligned to a program of study that leads to high-wage, high-skill, in-demand occupations.
Sec. 8.06	Local Accountability Grants	Establishes a local accountability grant program to assist at least one ISD per ESC in developing local accountability systems that comply with current statute.
Sec. 8.07	New Commission	Establishes the Texas Commission on Assessment and Accountability to develop and make recommendations to improve assessment and accountability systems. The commission includes 15 members appointed by the governor, Lt. governor, speaker, and SBOE member. The commission is required to make recommendations including: 1) purpose of assessment and accountability; 2) number of assessments per grade level that comply with federal requirements; 3) change in policy to meet the needs of the state; 4) grading systems - including the use of AI; 5) the development and use of additional indicators; and 6) adopt systems that meet the needs of 21st-century students. The commission is required to issue a report to the legislature no later than December 2024, and the commission expires January 7, 2025.
Sec.8.08	No ratings issued for 2022-2023	1) Forbids the commissioner to issue ratings for the 2022-2023 school year 2) The commissioner may, "using abbreviated notice... and without a public hearing, but with input from the legislature" adopt rules for determining the accountability of public schools for the 2022-2023 SY."

HB 1 (88-3CS)

Assessment & Accountability Provisions (continued)



GOVERNOR GREG ABBOTT

For Immediate Distribution | October 31, 2023 | (512) 463-1826

Governor Abbott Expands Third Special Session Agenda

AUSTIN – Governor Greg Abbott today [issued a proclamation](#) expanding the Special Session #3 agenda for universal school choice to include additional school finance, such as teacher pay raises, school safety, and special education. The expanded special session agenda follows productive discussions with Lieutenant Governor Dan Patrick and Speaker Dade Phelan.

"Working with Speaker Phelan and his House leadership team, the Speaker and I reached an agreement on school choice for Texas families, and I am expanding the agenda for Special Session #3," said Governor Abbott. "The legislation will create an Education Savings Accounts program with universal eligibility for all Texas schoolchildren and will be entirely voluntary for families and schools to participate. Participating students will be eligible for approximately \$10,400 per year in their Education Savings Account, administered by an education organization overseen by the Texas Comptroller on behalf of the parents and students participating in the program. We will also provide billions more in public education funding to boost Texas' top-notch public school system, including teacher pay raises, while staying within the constitutional spending limit. This bill will codify recommendations made by the Teacher Vacancy Task Force, the Commission on Virtual Education, and the Commission on Special Education Funding. Importantly, the STAAR Test will be phased out to be replaced with an improved assessment system."

This is the next step in the legislative process to deliver school choice to Texas parents and students who deserve the freedom to choose the education that best fits their learning needs. I look forward to working with both chambers of the Texas Legislature on getting this legislation to my desk to sign into law."

Key aspects of the legislation to expand school choice in Texas include:

- Universal eligibility for all K-12 schoolchildren in Texas.
- Voluntary participation – parents, students, and schools choose whether they want to participate.
- Students will receive approximately \$10,400 per year in their Education Savings Accounts.
- Phases out the State of Texas Assessments of Academic Readiness (STAAR) Test.
- Students participating in the program will have the option of taking a norm-referenced test or STAAR test to ensure the program achieves good educational outcomes.
- Billions more in funding for Texas public schools for the biennium, including teacher pay raises and school safety.

MESSAGE

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH TEXAS LEGISLATURE, THIRD CALLED SESSION:

WHEREAS, the people of Texas through their state constitution have placed in the hands of the governor the power to call and set the agenda for special sessions of the legislature; and

WHEREAS, pursuant to a gubernatorial proclamation issued on October 5, 2023, the members of the 88th Legislature have convened in a Third Called Session to consider the subjects designated in that proclamation;

NOW, THEREFORE, I, GREG ABBOTT, Governor of the State of Texas, by the authority vested in me by Article III, Section 40, and Article IV, Section 8, of the Texas Constitution, do hereby present the following additional subjects to the 88th Legislature, Third Called Session, for consideration:

Legislation relating to primary and secondary education, including the establishment of an education savings account program, the certification, compensation, and health coverage of certain public school employees, the public school finance system, special education in public schools, measures to support the education of public school students that include certain educational grant programs, reading instruction, and early childhood education, the provision of virtual education, and public school accountability.

Legislation related to school safety measures and related state funding mechanisms.

Respectfully submitted,

GREG ABBOTT
Governor



<https://www.txsmartbuy.com/>

Assessment Administration, Online Platform, Scoring and Reporting Project (APSR) due 11/30/2023 [ESBD Details \(txsmartbuy.com\)](https://www.txsmartbuy.com/)

The Texas Education Agency (TEA) is requesting proposals from qualified organizations to provide for the administration, online platform, scoring, and reporting for the Texas Student Assessment Program, and all additional functions described in this solicitation.

Assessment Item, Test Form and Instructional Instrument

Development (ITFD) due 11/30/2023 [ESBD Details \(txsmartbuy.com\)](https://www.txsmartbuy.com/)

The Texas Education Agency (TEA) is requesting proposals from qualified organizations to provide Item, Test Form and Instructional Instruments Development for the Texas Student Assessment Program (Assessment Program) in accordance with all requirements stated herein. The purpose of the contract(s) resulting from this solicitation is to provide high quality items to be used for instruction and assessment, to build valid and reliable assessment instruments and to develop and implement instructional instruments that will provide better information to educators and parents about student achievement and assist educators in offering stronger instruction with deeper content expectations.

Top 3 Plays of the Day



3. TEC 39.023 (a-11)

TEC 39.023 |(a-11) Before an assessment instrument adopted or developed under Subsection (a) may be administered under that subsection, the assessment instrument must, on the basis of empirical evidence, be determined to be valid and reliable by an entity that is independent of the agency and of any other entity that developed the assessment instrument.

2. *“We did not intend to do both in the same year.”*

1. *“Are these statutory requirements or suggestions?”*

Judicial Impact on Schedule

The Texas Education Agency (TEA) is providing this notice to assist school systems in planning for the possible release of A-F ratings, given that the language of the final rule identifies November 16th as the date of ratings issuance and the rule was finalized last week before any judicial ruling. However, the dates provided are pending and subject to change based on judicial rulings or decisions from the 88th Legislature during a special called session.

To provide a two-week notice before 2023 ratings would have been released publicly, TEA’s planned schedule has been: Ratings are scheduled in the final rule to be issued on November 16, 2023. However, this date only applies to the extent that TEA is able to follow its final rule pending judicial rulings or special session legislation related to accountability.

To provide information to help school systems internally evaluate performance, *What If* ratings for the 2021-22 school year based on the newly final rule's methodology from the *2023 Accountability Manual* will be posted for districts in TEAL on **November 7, 2023**. Statewide summaries of 2021-22 *What If* ratings will also be made available. Additionally, on **November 14, 2023**, underlying data for 2022-23 used to calculate ratings based on the *2023 Accountability Manual* will be posted in TEAL.

Similarly, Comprehensive, Targeted, and Additional Targeted Support designations under federal accountability will be issued on **November 16**, as noted in the final rule. The release of designations under federal accountability is not subject to change pending judicial rulings. Of note: the alignment between federal and state accountability systems that was established in 2017 under the A-F system may be impacted by judicial rulings or special session legislation related to accountability. Additional information related to required actions under federal accountability will be provided in subsequent correspondence.



Commissioner Mike Morath

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DATE:	October 31, 2023
SUBJECT:	2023 Accountability Manual
CATEGORY:	Notice
NEXT STEPS:	Share with appropriate staff

- The purpose of this communication is to inform school systems about the publication of the final rule adopting the *2023 Accountability Manual*. A few key points:
- The final Manual, which was filed on Wednesday, October 25th, is now [posted online](#). The manual is the result of two years of stakeholder feedback, a posted framework in January 2023, and feedback collected from the proposed rule posted in May.
 - The issuance of A-F ratings under this final rule is pending and subject to change based on judicial rulings or decisions from the 88th Legislature during a special called session.
 - The Manual also covers topics related to designations under the federal accountability system and Results Driven Accountability (RDA), which take effect per the final rule.



***Q: Do we know
everything we
need/want to
know about
2023
Accountability?***

No



Independent School District
THE SMART CHOICE



*... but do we
know what we
need to know to
lead instruction
for 2023-24?*

Yes

Source: Lead4Ward



#growthwins

Source: Lead4Ward

PROPOSED COMMISSIONER'S RULES

<https://tea.texas.gov/about-tea/laws-and-rules/commissioner-rules-tac/proposed-commissioner-of-education-rules>

Proposed Amendment to 19 TAC Chapter 101, Assessment, Subchapter CC, Commissioner's Rules Concerning Implementation of the Academic Content Areas Testing Program, Division 1, Implementation of Assessment Instruments, §101.3011, Implementation and Administration of Academic Content Area Assessment Instruments

Summary: The proposed amendment would clarify the policies relating to the administration mode of certain required assessments.

Resumen en Español: La modificación propuesta aclararía las políticas relacionadas con el modo de administración de determinadas evaluaciones exigidas.

Publication in the Texas Register: October 6, 2023

Public Comment Period: October 6, 2023-November 6, 2023.

Proposed Effective Date: February 11, 2024

[Send a public comment on Proposed Amendment to 19 TAC §101.3011](#)

- (3) A student is only eligible to take an assessment instrument intended for use above the student's enrolled grade if the student is on schedule to complete instruction in the entire curriculum for that subject during the semester the assessment is administered.
- (4) A student shall be administered the assessments under TEC, §39.023(a), (c), and (l), online as required by TEC, §39.0234, except for a student:
 - (A) who requires specific accommodations that cannot be provided online as specified in the test administration materials; or
 - (B) whose parent, guardian, or teacher in the applicable subject area requests a paper administration of an assessment. Requests must be submitted to the school district or open-enrollment charter school by the dates indicated in TEC, §39.02342(b). Requests from a district or charter school may not exceed 3% of eligible students enrolled in the district or charter school who are administered each assessment.
- ~~[(4) As specified in TEC, §28.0211(p), a Grade 5 or 8 student described by paragraph (1)(A) or (B) of this subsection may not be denied promotion on the basis of failure to perform satisfactorily on an assessment instrument not required to be administered to the student.]~~