

## Texas Classroom Teachers Association



PO Box 1489 | Austin, Texas 78767  
888-879-8282 | 512-477-9415 | Fax: 512-469-9527  
[tcta.org](http://tcta.org)

### **Response to House Public Education Committee Request for Information Regarding Interim Charge 1(B) / Accountability and Related Issues**

Submission from:  
Holly Eaton  
On behalf of the Texas Classroom Teachers Association  
P. O. Box 1489  
Austin, TX 78767  
[heaton@tcta.org](mailto:heaton@tcta.org)  
512-477-9415

**Interim Charge 1[B]: HB 1842 (84R), HB 22 (85R), SB 1882 (85R), and HB 3906, which relate to public school accountability, assessment, interventions, and district-charter partnerships. Monitor the ongoing progress of the TEA's implementation and rulemaking of the A-F rating system, the State of Texas Assessments of Academic Readiness (STAAR), and public school sanctions and interventions.**

The current COVID-19 pandemic has made it essentially impossible to implement existing accountability practices and standards with any fidelity to the original intent. **The Texas Classroom Teachers Association urges that policymakers consider the vast changes and disruption to our accountability and testing systems, and rescind and revise policies accordingly.**

We are appreciative that STAAR testing was not administered in the spring of 2020, as it would have caused additional stress and been of little value in light of the rapid changes to the educational climate caused by the pandemic. The circumstances of individual students and the level and extent of the continuation of their educations, particularly given the connectivity gap, makes comparisons among students at the aggregate or individual level inappropriate and unfair.

From our perspective, the A-F system of accountability for districts and campuses was ill-conceived at the outset and serves primarily as a means of ranking and sorting districts and campuses. Unfortunately, that ranking and sorting still comports uncomfortably closely with student demographics, and provides relatively little information that could not be predicted (with the exception of some outliers). We do not believe that Texas has developed a system that is capable of identifying the fine gradations between A-F ranked districts and campuses. To those who would argue that this system provides much more information to parents and the public, we would assert that this is illusory, and that there is very little difference between a district or campus barely qualifying for an A rating, for example, and one that barely missed it.

It is our understanding that Texas is not currently obligated to a long-term contract for STAAR testing. Simultaneously, we are on the cusp of a national election that may result in a change in the administration at the U.S. Capitol. A new president, secretary of education and Congress may have different perspectives about state testing requirements, and it seems advisable to avoid long-term contractual obligations until federal expectations are known.

Even without an administration change at the federal level, it seems unlikely that funding for programs such as IDEA and Title I would, in fact, be withheld by the federal government for failure to comply with current testing requirements. Among the states that have specifically allowed parents to opt their children out of testing, none, to our knowledge has been penalized.

**If it is determined to be critical to continue some sort of statewide testing during these uncertain times, we would strongly urge that any new contractual obligation be limited to one year. Further, we would suggest that high stakes consequences for students, teachers, districts, and campuses, as well as the A-F rating system, be suspended for the current school year.** Continuing the consequences would take its heaviest toll on the students and districts that are the least socio-economically advantaged, and would serve little purpose.

**We are not asserting that there should be no accountability, but suggest instead that it be reworked to serve more worthy purposes.** As the state has continued to double-down on accountability, student outcomes have largely failed to improve, so our current course does not appear to be achieving worthy goals. On the 2019 National Assessment of Education Progress (NAEP) tests, for example, Texas 8th grade students' math scores declined slightly, dropping below the national average. Statewide reading performance in 4th and 8th grade remains well below the national average.

The state has a unique opportunity to rethink its whole approach to accountability and what it is intended to accomplish. We are very supportive of low-stakes testing of individual students in order to identify performance deficiencies and strengths, and to respond appropriately. **For example, struggling students should be placed in smaller classes, in order to receive more individual attention. Likewise, students who are not achieving at desired levels should be instructed by fully certified teachers who are experienced and teaching in the areas in which they are certified. We would suggest that any sort of "grading" of districts or campuses should encompass how they are modifying practices to respond to student needs, and providing support and resources to those most in need.**

Public school interventions and sanctions should continue to exist for those districts that are blatantly mismanaged, and for which an investigatory process has taken place. However, there has been significant pushback resulting in some fairly major stalemates when TEA has attempted significant interventions, so without any consequence for failure to comply, this approach may be more bark than bite for districts of a size to allow them to fight back. As is the case with many legislative requirements, effective enforcement mechanisms are lacking.

With regard to charter partnerships, in general, charter school students are performing at lower levels than those in traditional public schools. The 2019 accountability ratings for Texas traditional school districts and charter schools clearly demonstrate the disparity: According to data cited by noted NYU research professor of education Diane Ravitch, while 86.2% of Texas school districts received an "A" or "B" rating, only 58.6% of charter operators received an "A" or "B". Less than

3% of school districts were given a “D” or “F” rating, compared to 17.7% of charters.  
<https://dianeravitch.net/2019/09/05/texas-public-schools-outperform-charter-schools/>

More specifically, for 2018-29, the average academic ratings of eight campuses turned over to charters under SB 1882 declined by more than eight percentage points. (See Ravitch link above.)

Summary of Campus Ratings - S.B. 1882 Partnerships with Private Organizations					
Community-Based School District	Campus	Private Organization	State Rating 2017/18	State Rating 2018/19	Change
Austin ISD	Mendez Middle	T-STEM	54	50	-4
San Antonio ISD	Stewart Elem.	Democracy Prep	84	61	-23
San Antonio ISD	Storm Elem.	Relay Lab School	70	47	-23
Waco ISD	Alta Vista Elem.	Prosper Waco	71	72	+1
Waco ISD	Brook Avenue Elem.	Prosper Waco	52	72	+20
Waco ISD	J.H. Hines Elem.	Prosper Waco	64	46	-18
Waco ISD	G.W. Carver Middle	Prosper Waco	70	50	-20
Waco ISD	Indian Spring Middle	Prosper Waco	71	72	+1
Average					-8.25

**To the extent such alliances continue, only high-performing charters that are not using the alternative accountability system should be eligible.**

As for partnerships pursuant to SB 1882, the commissioner of education has adopted rules for the bill that take away significant protections for school employees that TCTA and other groups negotiated in good faith while the bill was being developed by the Legislature. TCTA did not oppose the bill due to those protections. Unfortunately, a House floor amendment did not expressly incorporate those protections for entities other than open-enrollment charter schools as provided by Texas Education Code, Section 11.174(a)(2). As the House amendments were accepted by the Senate, there was no chance to clean up this language in conference committee. The commissioner’s rules eliminate those protections and create several other provisions that exceed his statutory authority to adopt rules pursuant to this law. The result is that they significantly limit local discretion for districts to maintain protections for employees. The rules have currently been declared invalid by a district court, and an appeal is pending. The commissioner is continuing a process of concentrating authority at the agency level by adopting rules and “guidelines” in excess of the authority granted to him, as we have pointed out in our other submissions to this committee.