

**Written Testimony of Texas School Alliance  
Interim Charge 1(A and B)  
September 30, 2020**

The Texas School Alliance would like to bring three issues forward related to Interim Charge 1 (A) HB 3 and (B) HB 1842 (84R), HB 22 (85R), SB 1882 (85R) and HB 3906. Both issues are relevant to student outcomes and the lack of transparency by the Texas Education Agency in the rule making process.

### **Forced Failure Rule**

HB 22 (85R) required the commissioner to “*provide for a mathematical possibility that all districts and campuses receive an A rating*”. During the rule making process for HB 22, a “last minute” suggestion was made during the public comment period by a local Chamber of Commerce representative. This suggestion was included in the final rules for HB 22 without any discussion on the impact to campuses and districts.

### **The Problem**

The forced failure rule essentially forces a campus to receive an F rating even if the campus was not an F based on the mathematical results of the adopted scoring system. The Texas School Alliance believes this rule is in conflict with the legislature’s intent of HB 22 and would respectfully request it be removed from the Accountability Manual.

### **Changes to D and F Ratings**


HB 22 (85R) requires that a letter grade of D be considered *Needs Improvement* and not be equivalent to an *Unacceptable* rating. It was intended that there be a difference between a D and an F rating. In June 2019, the Commissioner proposed a rule change that would equate a D and an F rating as the same. During the October 2019 House Public Education Committee hearing, the Commissioner was asked to withdraw the proposed rule change and allow the Legislature to determine if this change should be addressed in statute. In January 2020, TEA withdrew the proposed rules.

### **The Problem**

In May 2020, TEA adopted three separate rules into the Accountability Manual that allows a D rating to be treated as an F rating. The Texas School Alliance believes these changes are in conflict with HB 22 and the House Public Education Committee’s request to TEA and would respectfully request they be removed from the Accountability Manual.

### **Readability Level of STAAR Exam**

HB 3 (86R) required an institution of higher education determine the readability levels of STAAR questions and passages in grades 3-8. The University of Texas Meadows Center was selected by TEA to conduct the study. The study concluded that most reading and writing passages were “appropriately” difficult.



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## The Problem

Previous readability studies as well as reading and literacy experts from K-12 schools and higher education disagree with the Meadows Center study for several reasons, including the following:

- Meadows Center study was incomplete and not peer reviewed (this is significant because it is inconsistent with all best practices for a study of this nature).
- Meadows Center did not utilize Lexile measures. Lexiles are the measures that TEA, teachers, parents, etc. use to communicate reading levels. Classroom instruction, libraries, and textbooks utilize Lexile measures.
- Incomplete data used to score actual reading and writing passages on STAAR assessments.
- Meadows Center methodology has not been shared by TEA. There is not a peer review nor a simple review by educators as to how the Meadows Center and TEA came to their conclusions.

In conclusion, TSA respectfully asks this committee to remove any rules from the 2020 Accountability Manual that are in conflict with legislative intent, and to continue with an independent, objective, peer-reviewed study to determine if the reading and writing passages on the 2019 and 2020 STAAR assessments were or were not written on grade level.

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The Texas School Alliance (TSA) comprises 41 of Texas' largest school districts, serving over 2 million students or nearly 40 percent of the state's total pupil enrollment. Our students represent 43 percent of the state's economically disadvantaged student population, 50 percent of its' English Learners, and 43 percent of all at-risk students in the state. The organization works on issues that will improve educational quality for Texas students, particularly those in large and urban districts.