

Fixing a Badly Flawed System

HOW TO MAKE PUBLIC SCHOOL ACCOUNTABILITY IN TEXAS MEANINGFUL AND ACCURATE



ABC



PREPARED BY THE
TEXAS STATE TEACHERS ASSOCIATION



Accountability is an important component of the public education system in Texas. The parents, the public and the Legislature need a process to know what schools are teaching and how well students are learning.

Improving accountability deals with how we best assess learning. Improving education deals with how intelligent and capable we make our children. Tests will not make students smarter. Every minute a student spends with a high-stakes test that has little if any diagnostic value is a minute that his or her education stagnates. In fact, this out-of-control testing actually distracts from the most important activity in the classroom: learning.

In the original accountability system, tests were used as a support for schools and the communities they served and to provide diagnostic information to teachers. This idea seemed to work, and it was one reason that George W. Bush became the 43rd president of the United States. Likewise, his educational initiatives became the new focus of the reauthorization of the Elementary and Secondary Education Act, the so-called No Child Left Behind Act (NCLB).

The purpose of NCLB is to have all students performing at grade level by the year 2014. Under NCLB, each state has developed and implemented measurements for determining whether its schools and local educational agencies are making adequate yearly progress (AYP) — an individual state's measure of progress toward the goal of 100% of students achieving to state academic standards in at least reading/language arts and math.

It also sets the minimum level of proficiency that the state, its school districts and schools must achieve each year on annual tests and related academic indicators. Although it is

significantly under-funded, NCLB is far less punitive than the Texas model has become.

Over time, the Texas model has become increasingly negative and punitive in its approach to school accountability. What began as a diagnostic tool to help parents and schools know how students were doing has evolved into an entire chapter, Chapter 39, in the Texas Education Code. Instead of determining student strengths and weaknesses, and areas to improve the curriculum and instruction, tests have now become the primary focus of public education rather than providing students a broad based, quality education.

The question, then, is when testing came to be the primary focus of public schools in Texas. In 1995, then-state Senator Bill Ratliff and the Texas Legislature put school accountability standards in place. The standards were initially meant to be diagnostic in nature. If there were problems, schools were given assistance to correct any issues. Only after it was determined that significant help was needed was a school labeled “low performing.”

The federal program and the state program have some characteristics in common. They are based on the same test. They follow the same sanction pattern. They both focus on the concept of “leaving no child behind.” But in many ways, they are different. Most notably, Texas rules for school sanctioning are significantly more strident than those of the federal government.

Let Us Count the Ways

The Texas system of educational evaluation administers TAKS tests to the following grades in the following subjects: reading (grades 3-9), writing (grades 4 and 7), English language arts (grades 10 and 11), mathematics (grades 4-11), science (grades 5, 8, 10, and 11), and social studies (grades 10 and 11).

Schools are also evaluated on the percentage of students who attend school on a daily basis, as well as the percentage of students who drop out of school and the percentage of students who receive high school diplomas. In all, districts are accountable for as many as 36 different standards. These standards apply to individual schools as well as districts. That is, each school could be accountable for 36 variables, as well as an aggregate number for the district.

Upcoming end-of-course examinations, which the Texas Legislature mandated in 2007's Senate Bill 1031, will add two more tests for high school students.



Texas Education Agency (TEA) further disaggregates the information by the following subgroups: bilingual education/English As a Second Language students, Limited English Proficiency students, Career and Technical Education students, American Indian students, Asian students, Black students, Hispanic students, White students, male students, female students, economically disadvantaged students, at-risk students, and special education students.

All of these results must be presented to the public, giving parents, students and community members large quantities of data to absorb and limiting transparency.

While Texas uses the above categories, NCLB uses six general categories that significantly overlap: race/ethnicity, economic disadvantage, disability, limited English proficiency, migrant status, and gender.

“ We need to back up, rethink it, and get a system that is right for the parents, right for the students, right for the school, right for the government entities involved, right for the public—that everybody can understand and that helps the student, that’s not in business to penalize the student or to make the schools look bad, which some people like to use it for. So, yes I am for accountability and testing, but I think we’ve gone overboard and need to rethink the whole thing. ”

Charles Butt
CHAIRMAN AND CEO OF H-E-B
San Antonio Express-News, Jan. 31, 2008

These categories also overlap with those used in the Texas accountability system. However, they are two different systems. A school can be rated Exemplary by the state and fail the federal Adequate Yearly Progress standards (AYP).



Also, a district may be Academically Unacceptable while meeting AYP.

Under the current framework, Texas schools are accountable under several systems with a host of overlapping measures included in each. The specific measures for each of these systems often overlap, but are not always defined in precisely the same way, and educators and the public must keep track of roughly 430 pages of documentation to understand their ratings under these various approaches.



Penalties for Schools

The NCLB legislation is designed to avoid school disruption and
The following is a series of progressively more aggressive steps us

In Year One

A school is going about its business as usual.

In Year Two

A school finds out that it did not make AYP for the previous school year. Under the law, there are no consequences for not making AYP for one year. Schools and districts should use this information to identify areas that need attention and make necessary adjustments, but nothing happens under NCLB.

In Year Three

If a school does not make AYP for two consecutive years in the same subject, it is identified as in need of improvement. Schools must identify the specific areas that need improvement and work with parents, teachers and outside experts to develop a two-year plan to raise student achievement. Parents need to be notified and given the option to transfer their children to a higher performing school in the district. Priority needs to be given to the lowest achieving low-income students in that school. Student transfers are paid for exclusively with a set-aside of federal funds.

In Year Four

If a school fails to make AYP for another consecutive year, then tutoring and other supplemental educational services must be made available to low-income students at that school. Like student transfers, supplemental services are paid for with federal funds.



sanctions, but it does contain such sections.
used to sanction schools under NCLB:

In Year Five

If a school does not make AYP for four years, it is identified for corrective action. Children can continue to transfer to other schools or to receive tutoring and other services. In addition, the district and school are required to implement at least one of the following corrective actions:

- Appoint an outside expert to advise the school.
- Institute a new curriculum, including appropriate professional development.
- Extend the school year or the school day for the school.
- Restructure the school's internal organizational structure.
- Significantly decrease management authority at the school level.
- Replace the school staff who are relevant to the failure to make AYP.

In Year Six

If the school fails to make AYP for five years, the school must continue corrective action and develop an alternate governance plan, which must include one of the following:

- Reopen the school as a public charter school.
- Replace all or most of the staff responsible for the lack of progress.
- Enter into a contract with a private company to operate the school.
- Turn over operation and management of the school to the state.
- Implement other fundamental reforms approved by the state.

In Year Seven

If a school does not make AYP for six years, the alternate governance plan that was developed the previous year must be implemented.



Texas Raises the Stakes

House Bill 1, which the Texas Legislature passed in 2006, increased penalties and raised the stakes. TEA can now take over and run individual campuses through intervention teams and require the school district to pay for the services while having no input or oversight in the process.

Under the law, any campus that is low performing or that would become low performing based on the passing standards for that year will be assigned a campus intervention team. The teams have extraordinary authority and are required to come in and analyze the current campus and look at numerous factors in trying to determine a plan that improves the school's rating. Any campus that is low performing for two years must be reconstituted. Any principal that has been on the campus for those two years must be reassigned.

“The TAKS has turned into a punishment tool. It is used to punish teachers. It is used to punish schools. It is used to punish students. I think it's just absolutely gone berserk. We need to scrap the whole system and adopt a system that is positive in nature, that doesn't concentrate on the negative. And to make it simple. Make it where parents and teachers can understand it.”

Bill Ratliff
FORMER LIEUTENANT GOVERNOR

The intervention may keep only those teachers who have demonstrated they have improved student learning on the campus. It allows but does not require a teacher who is not retained on the campus to be assigned to another position in the district. It allows the state commissioner of education to turn a campus over to a non-profit entity if it is determined that the campus is not following the intervention plan or if they have not become academically acceptable two years after they have been reconstituted. The school district must pick up the cost of the program.

There are key differences between the Texas accountability system and the federal accountability system. Unlike NCLB sanctions, which are paid by Title I funds, Texas sanctions come at the expense of the school district and local property taxes. Whereas NCLB orders a school takeover as late as the seventh year of failure, Texas now mandates that some schools will be saddled with an alternate governance plan before the school has failed.

With such a system, school districts are not made aware of problems until the first year of failure is almost complete. Test results arrive at the end of the school year, and TEA analysis requires more time. Such a system forces an immediate change in curriculum and an immediate abdication of school control. The focus on specific test scores often becomes the entire curriculum, and all other aspects of a child's education are lost for at least one year.

Further, a school can fix the initial problem and still be labeled “failing” if another issue arises. For example, a school deficient in 4th grade black male mathematics scores can increase these scores but drop in 5th grade science scores. That school is now in a second year of failing.

School districts must report their performance ratings in a public forum. The report, called the Academic Excellence Indicator System, is presented by a school's administration to the school board in a public meeting. The same forum presents data from the Performance-Based Monitoring Analysis System. This information, as well as financial information and other information, can also be found in the district's Public Education Information Management System report.

One such school district, as an example, presented the public with a 38-slide PowerPoint presentation. When finished, the presentation elicited three questions from the school board. None of the public attendees asked questions. As more and more layers of test-based accountability measures are put in place, the reports become longer and more difficult to understand. What was once a transparent, community-friendly school report has become far too detailed.

A Necessary Reaction to a Scary Situation

The current system's philosophy is based on fear and sanctions. The premise is that punishing a school or district, or threatening to do so, will result in more and better attention for each child. Our current experience shows this is not the case.



Rather than treat children as individuals and celebrate each learning triumph, schools react out of fear, fear that works to the detriment of children.

The TAKS test is not the only standardized test anymore. School districts, haunted by the specter of a low accreditation rating, administer practice tests to children. Each of these tests takes one day, and the practice tests are given twice each year.

Other districts focus even more on their upcoming test scores. They have implemented a diagnostic system called a Curriculum-Based Assessment (CBA). Every six weeks, districts use CBAs to test children on the TAKS subjects they will face during the year. Fifth grade students, for example, will test on reading, mathematics and science every six weeks.

Since CBAs, like TAKS tests, are not timed, they can take up to a full day of school to administer. The tests function as preparation for high-stakes tests, and they are treated accordingly. If six CBAs are administered in four subjects, a total of 24 days of school time can be devoted to CBAs. TAKS tests, in sets of three, each take a full day to administer. This is true of the practice TAKS tests, as well. Three TAKS tests/practice tests times four administrations add another 12 days of lost instructional time.

Such an approach is not uncommon in Texas. Schools may spend 36 out of 185 days (nearly 20%) administering standardized, high-stakes tests and practice tests to students, all based on a district's fear of failure.

This number does not account for the time spent tutoring for the tests, taking field tests to help TEA prepare future tests, additional time with students who did not pass all sections of the tests, and taking re-tests. It also ignores the hundreds and hundreds of pages that teachers must read to correctly administer all of the tests. This scenario also ignores many other tests administered to students during the school year. Most of these other tests are administered to students who use English as a second language and students with other special needs. Sadly, those students who need the most instruction are the very students that lose the most instruction time to testing.

More testing is not a solution to a testing problem. Our legislators recognize this, and they passed SB 1031 with a provision mandating schools to spend no more than 10% of their school year on testing. Even that much time taken away from classroom instruction interferes with teaching and learning.

Unfortunately, districts still may feel forced to engage in more excessive standardized testing because there are no reasonable options for them. Supplemental Education Services (SES) are offered by the state to failing schools and often used as justification for any punishment. Unfortunately, these attempts have hit-and-miss track records when it comes to student success. Many for-profit companies have conducted their own research to prove their programs work. Many Texas districts, desperate for success, have contracted for these services. When an SES fails, the focus turns back to the district, not to the SES provider.

Texas has always worked hard to maintain high standards in its education system. What matters right now is not standards, it's the test.



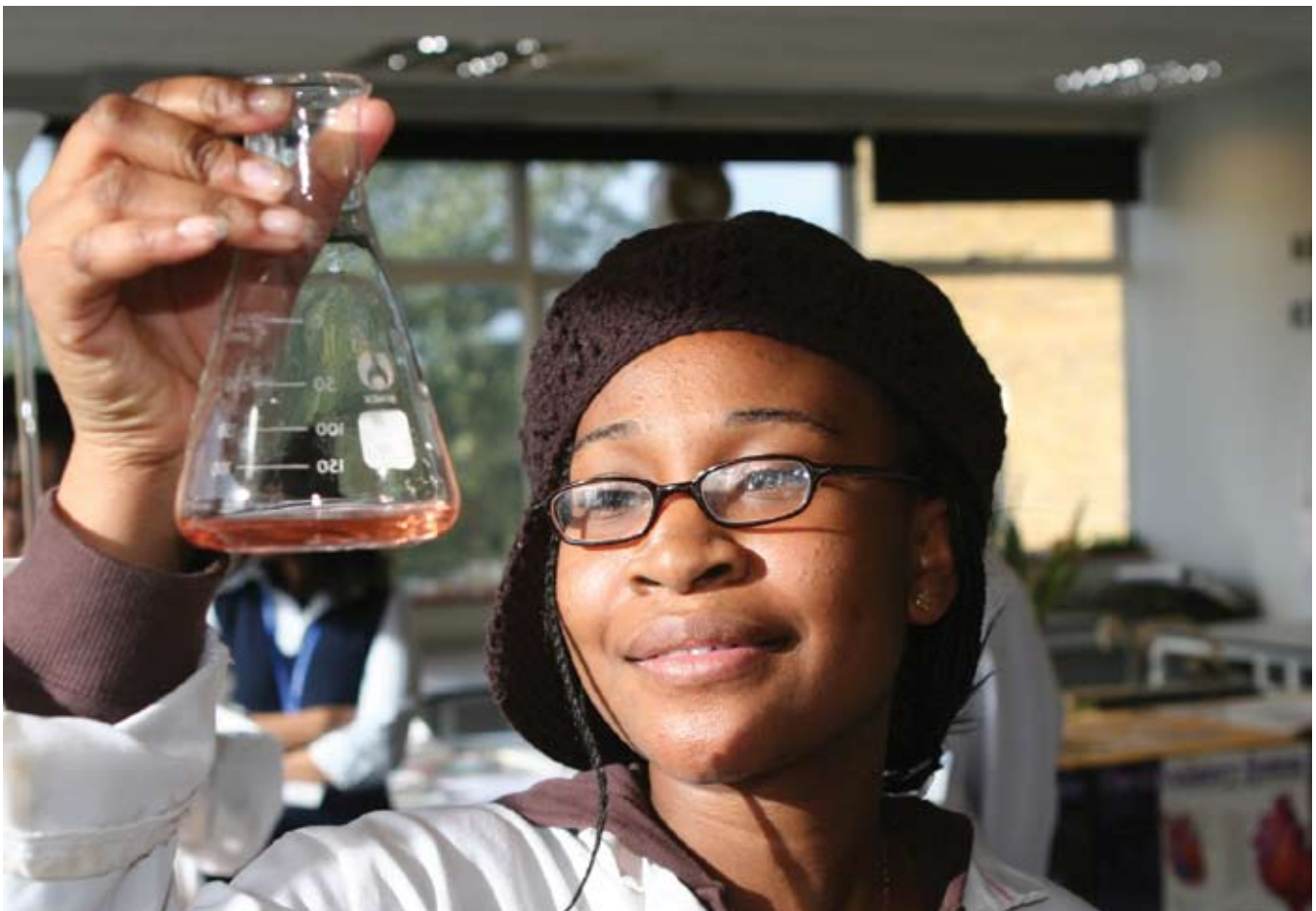
A Revolving Door

The number of Texas teachers has increased by 13.3% over six years. At the same time, campus administrators (principals, assistant principals) increased by 26.1%.

—Austin American Statesman, February 2008

The increase in teachers makes sense. It takes more teachers to teach more students. To some extent, the increase in principals could be expected, too. They are a necessary reaction to the increased number of schoolchildren in Texas, and they are the initial test score monitors. What is most remarkable is the dramatic increase in upper administration. This number has jumped 32.5% in this same time frame. One reason for this could be that districts need people who can focus on testing data to ensure that test scores are high, or at least high enough to pass. Under Texas' seriously flawed school accountability system, schools need to hire additional personnel to deal with standardized testing, diverting resources that could be devoted to teaching and learning in their classrooms.

Principals are no longer hired based on leadership skills, collaboration skills, or child-friendly approaches. Instead of these, principals are hired based on what they have done in previous years to raise test scores. In many cases, principals learn to run schools in such a way as to avoid state





punishment, no matter the approach. Such a system rarely bodes well for teacher-principal relationships, as teachers are told they are failures and principals are, too.

Often, these principals are drawn from other districts, especially those with schools that need “quick turnarounds.” The focus becomes solely on test scores, and students from these schools are shorted many of the other programs offered at non-failing schools. In other words, these schools become drill-and-kill training centers instead of places where children can learn about the world around them.

Such principals, and their “success,” are in high demand, and they command very high salaries. At the same time, there is an overall shortage of principals in Texas. The shortage becomes more acute each year. Being a principal in Texas is a very difficult job in the “test-and-punish” accountability system. As a result of this seriously flawed system, principals leave—just like teachers leave—just like students leave.

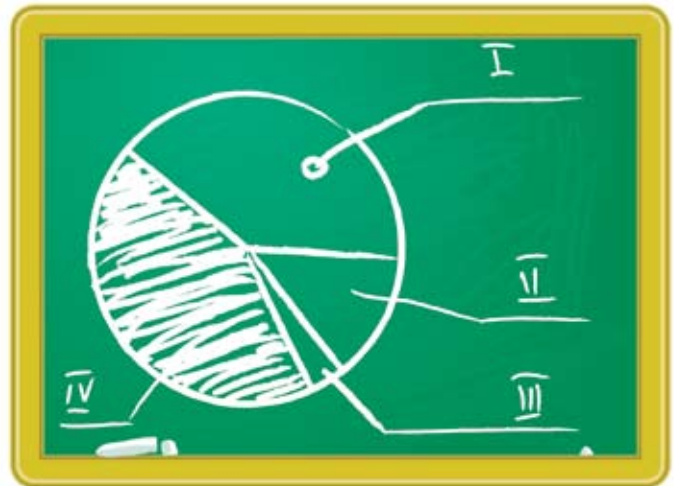
Solutions in a Sanctioned World

The federal government may have jurisdiction over much of America’s education system, but the state of Texas has the final word in almost every substantive educational decision. Under NCLB standards each state:

- determines what all students should know and be able to do;
- calculates the starting point for AYP;
- sets specific targets to measure whether all groups of students are making AYP in language arts and math;
- measures the performance of students and schools; and
- retains vast discretion to tailor improvement efforts to the unique circumstances in each school.

There are alternative ways of accomplishing these goals, approaches that differ from what the state of Texas is doing, alternatives that have shown promise and proven their worth. However, implementing worthwhile changes will require an investment of resources for capital improvements and true and comprehensive professional development; redefining school success in Texas to a focus on relevance to both the student and society; and developing a compensation structure that actually attracts trained teachers and keeps them teaching.

The Texas Education Agency can take over a school, or even an entire district, even before it fails.



The Texas accountability system has become one of the most punitive in the nation, and the state cannot look to federal legislation as reason for such aggressive and hurtful approaches. It is incumbent on our state leaders, in both elected and appointed positions, to move forward with positive solutions and leave a “test-and-punish” approach system behind.

The seriously flawed Texas school accountability system requires the following considerations:

- 1. Diagnostic vs. Punitive.** Testing has value when it identifies student needs. But under the current system, tests assess students when it is typically too late to fix any problems. Such an approach makes our accountability system unhelpful to Texas children. Moving testing from the spring to the fall, to allow more time to be devoted to addressing student needs once they are identified, will make testing more valuable as a diagnostic tool.



2. One Accountability System vs. Two. Texas must institute a school appraisal system that matches that of the U.S. Department of Education. Right now, districts and schools find themselves faced with criteria from both the state and federal level. While there is significant overlap, there are also many differences. An academically recognized school may fail criteria from the NCLB law and be punished accordingly. A more streamlined overall accountability system will reduce the need for resources devoted to testing, rather than to teaching, and will make the accountability system more understandable, and thus more accountable, to parents and the public generally.

3. Growth vs. Snapshots. Students are not numbers, but we treat them that way. We test them. We judge them. Then we walk away because we already have the numbers we need. If we need to learn more, we assign more numbers to them. There is a push to move beyond TAKS scores to even more scores in an attempt to determine a child's "college-readiness." Many numbers. Little understanding. Assessment has to become more meaningful to meet the needs of Texas' children. Unfortunately, too few policy makers understand the crucial distinction between meaningful and rigorous.

Students have names. We denigrate them by ignoring their individuality. Our assessment needs to be more personal, more authentic and more meaningful. It doesn't matter how many numbers we assign to a child. The child isn't fully described by numbers.

The U.S. Department of Education is backing away from the existing one-day "snapshot model" of evaluation and is moving toward providing more states with better tools to measure student progress. The department believes that "these models hold promise as reliable and innovative methods to measure student achievement over time."

Accountability systems should reward success and support educators to help students learn. Tracking individual student growth is more helpful than the current approach. This year, all states meeting certain federal criteria will be allowed to develop "growth models" to meet the requirements of the NCLB Act. Texas is very close to meeting all requirements, and U.S. Department of Education approval is attainable. Texas officials should adopt and institute a growth model to evaluate schools.

North Carolina has used a growth model together with



a test-based state accountability model for years. As one education expert noted, “Comparing cohort groups as they make progress is much better than the all or nothing AYP model. You have to know that teachers want to be able to demonstrate that students have made progress based on data and not just one test score.”

4. Evaluating Necessary Skills vs. Testing Irrelevant

Content. Under Texas’ seriously flawed accountability system, students are being tested on Phoenician ink and the “Why?” of subatomic particles. This “Jeopardy!” knowledge might help win game shows, but it has little consequence outside of the test. Such knowledge will not help our children in their battle to maintain intellectual and economic superiority. The four core classes should continue; however, school curricula should allow students to experiment both within and outside of these subject areas. The current accountability structure needs to allow for creativity, as well as knowledge. To do that, the TAKS examinations need to focus on more meaningful and necessary information as well as the legitimate and basic skills to become Texas citizens, parents, taxpayers and contributors.

With every generation, workers change jobs more and more. Developing countries, particularly those that are increasingly challenging this nation’s economic dominance, are focusing their higher learning institutions to act as career training centers. Generally, they don’t flip jobs like Westerners can.

In a global economy in which the ability to adapt quickly to ever-changing circumstances is a key component of success, employers need “soft skills” from their employees. How creative and adaptable is a new employee? Can a new employee work with a team? Can a new employee contribute in multiple ways to the company? How much direct instruction will this new employee need?

To succeed in the new global economy and to ensure a high quality of life, the state of Texas also needs to focus on teaching students the soft skills and the flexibility they will need to function in the 21st century. Schools that a seriously flawed accountability system force to focus too narrowly cannot do this.

5. Local Control vs. Remote Control. Accountability measures, including funding, move from the local, to the state, to the national level. Decisions from Washington

and Austin dictate cafeteria-style accountability measures in a very diverse state. These strategies make it difficult to truly measure children as people. Like all people, children are complex. The community, district and school are the best places to meaningfully measure the whole student. It is time to commit resources and focus from statewide strategies to more meaningful approaches that work for children in specific communities with specific local needs. For effective dropout prevention interventions to work, they need to come from the location of the situation, not the remote seat of policy making. For achievement gaps to close, communities need to be the focus of the accountability process.

Accountability regards measurement, not achievement. Any changes to the Texas accountability model must begin with this premise. So TSTA recommends a system that measures student learning more accurately, focuses more time on instruction and improves education for all of Texas. We hope teachers, community members and policymakers work together constructively to bring more accurate and meaningful accountability to our state.



MAKING TEXAS SCHOOL ACCOUNTABILITY MEANINGFUL AND ACCURATE



TEXAS STATE TEACHERS ASSOCIATION

316 West 12th Street, Austin, TX 78701
877.ASK.TSTA • www.tsta.org