



UPDATE ON TEXAS EDUCATION

League of Women Voters of the Houston Area Education Fund

August, 2010

INTRODUCTION

Parents, citizens, educators and business people are concerned that the children of Texas are properly and adequately educated by our public school systems. The students of public schools are dependent upon the State Board of Education to provide them with the academic preparation they need for the work force, postsecondary education and lifelong learning. Texas students compete with students from across the country, nationwide and worldwide, for admission to colleges and universities, and they must be prepared for that competition. In recent years the SBOE has been enacting curriculum revisions based on personal ideological beliefs, which have caused strife over the revision process and tainted the credibility of the SBOE.¹ During the past year, almost daily there has been publicity about the public school system problems. We will attempt to address some of those problems so that we have some understanding of how our schools perform, how our children are evaluated for achievement, the financing of education, and how these problems are viewed by the Texas State Teacher Association as they either support or oppose prospective legislation. A problem not addressed is the drop out rate of students, and the cost to the schools and society.

ACCOUNTABILITY: TEXAS PROJECTION MEASURE

TPM: The TPM is part of the accountability system that awards schools credit for students who have actually failed state-mandated tests, but who are expected to pass sometime in the future. Texas state Rep. Scott Hochberg, a Houston Democrat and chairman of an appropriations subcommittee overseeing the education budget, was quoted by the *American-Statesman* as calling the measure “invalid,” and urged education officials to “start from scratch and develop a real measure of the progress students make in schools.” According to the State-Telegram, “when a student fails a test but shows enough gain to make it statistically likely that he or she is on track to pass during the next high-stakes testing period,” the TPM “counts that student as having passed for school accountability purposes.”² A Press Release by the HISD dated July 30, 2010, shows new data using the TPM and re-rating schools without the TPM. Data of 2008 reflects 38 Exemplary and 119 Recognized schools. Data for 2009 with TPM shows 84 Exemplary and 121 Recognized schools, while removing TPM leaves only 54 Exemplary and 111 Recognized schools. The difference shown in 2010 data reflects that with TPM, there are 101 Exemplary and 105 Recognized schools. Without TPM, there are only 56 Exemplary and 113 Recognized schools. HISD stated that even without TPM, HISD reflected growth by the number of highly rated schools increasing from 165 Exemplary and Recognized schools in 2009, to 169 in 2010.

This statistical device has magically turned about 450,000 of about 1 million failed TAKS tests last year into “passing” on the basis that the students were likely to pass two or three years later. The number of schools rated as “unacceptable” was more than cut in half, and the number given the top rating of “exemplary” more than doubled. Note: the student didn’t get credit for passing, but their school is shown to be doing a great job. Hochberg has shown that the Texas Projection Measure isn’t a “growth measure” at all, but has a miserable success rate at predicting success. Gov. Perry appointed Robert Scott, a member of Perry’s staff, as Commissioner of the Texas Education Agency last October, 2009. Scott, apparently with

the governor's support, has presided over a program that makes the whole system seem to be a fraud by counting failures as successes.³

The statewide 2010 ratings recently released were fantastic, albeit, not credible. Of the 239 school districts that claimed the exemplary rating, only 72 met the standards without administrative help. Use of the TPM more than doubled the number of campuses classified as exemplary. The total went from 1,159 to 2,624 with the added boost. The same was true among the districts and campuses claiming Recognized and Academically Acceptable status. This measurement device is not fair to the children whose school districts and campuses have received a higher rating due to the creative bookkeeping. Students who are not passing the state's accountability measures are not going to be equipped for college or the workforce. Accountability ratings need to mean something.⁴

The TPM was introduced in 2009. It predicts students' future TAKS scores in a given subject based on their current TAKS scores and on their previous year's average campus score. If a student fails this year's TAKS test but is predicted to pass in a future year, the school gets credit as if the student had passed this year. Because of the criticism, Commissioner Scott has said the TPM may be eliminated or revised in 2011. Supporters say the concept helps recognize the efforts of schools where students have made academic gains but still fall short of the passing standards.⁵

Commissioner Scott sent a message to school leaders that he is considering doing away with the Texas Projection Measure or changing it for the 2011 accountability ratings. Educators like the provision because it gives schools credit for how well students are expected to do in the future, while critics contend that it doesn't give a true assessment of how students are performing.⁶

ACCOUNTABILITY: STUDENT GROWTH MEASURES, TAKS, TGI, VSG, AYP

TAKS - TGI - VSG: When the Texas Assessment of Knowledge and Skills (TAKS) testing program was implemented in 2003, a new growth measure, the Texas Growth Index (TGI), was introduced. The TGI provides an estimate of a student's academic growth on the TAKS tests, over two consecutive years and in two consecutive grades. Between 2004 and 2009, the TGI was calculated for students in grades 4 -11 for reading and mathematics. The TGI for science and social studies was calculated only for grade 11 because grades 10 and 11 were the only consecutive tested grades for these two subjects. The TGI did not meet the requirements for growth-based accountability for the U.S. Department of Education growth pilot. Texas began researching alternatives for growth measures that would satisfy both federal and state requirements. The Texas Projection Measure was selected as the best option and was implemented in 2009. In 2010, TPM was used for all grades and subjects except writing in grade 7 and all subjects in grade 11. New state legislative requirements resulted in a need for a vertical scale formula to be developed in 2009 for TAKS reading and mathematics tests in grades 3-8 (including Spanish reading and mathematics in grades 3-6). The Vertical scale scores are not reported for TAKS writing (grades 4 and 7), science (grades 5,8,10, and exit level), social studies (grades 8, 10, and exit level), reading and mathematics at grade 9, and English language arts and mathematics at grade 10 and exit level. Student performance computed by these assessments have a scale score of 2100 for Met Standard and 2400 for Commended Performance. In the grades and subjects measured with the vertical scale, the TGI cannot be calculated. The Vertical Scale Growth (VSG) compares a student's scale score in one grade to the student's scale score in another grade as long as the scores are in the same language and subject. Both TPM and VSG provide information. The TPM focuses on future performance and VSG focuses on past performance. TPM is a projection; VSG are actual changes in performance. VSG enables progress of students who have different initial proficiency levels to be compared.⁷

AYP: Texas has received approval to use the TPM in the 2010 Adequate Yearly Progress (AYP) calculations for students taking reading/English language arts and mathematics assessments in grades 3 - 8 and 10. Students who Met Standard in 2010 or are projected to meet the standard at the next high-stakes grade will be included in district and campus performance rates for evaluating 2010 AYP results.⁸ Adequate Yearly Progress is the federal measurement used under the No Child Left Behind Act. The federal ratings are determined by students' participation and performance on the reading/language arts and math portions of the TAKS, in addition to graduation rates and attendance rates in elementary and middle schools . The TPM will give a boost to schools in the federal ratings by giving credit for students who fail the test but are predicted to pass in the future. HISD has failed to meet the Adequate Yearly Progress federal standard for the last three years in a row. Under No Child Left Behind, by 2014 all performance level assessment is supposed to be at 100 percent of kids passing.⁹

STAAR: Commissioner of Education Robert Scott announced that the next generation of student tests will be called the State of Texas Assessments of Academic Readiness or STAAR. It will be used for the 12 end-of-course assessments mandated by SB 1031 in 2007 and the new grade 3-8 assessments mandated by HB 3 in the 2009 legislative session. The new tests will be used beginning in the 2011-2012 school year. Students in the graduating class of 2015 will be the first students who must meet the end-of-course testing requirements, as well as pass their classes.¹⁰

EDUCATION BUDGET - FINANCES

BUDGET: The public education agencies account for the largest expenditures within the state budget. For fiscal 2010 -11, the Senate appropriated \$49.3 billion in all funds to public education agencies, including the Texas Education Agency, the School for the Blind and Visually Impaired, and the School for the Deaf. The general revenue and general revenue-dedicated portion of the TEA budget, \$32 million, is a 1.8 percent decrease from fiscal 2008-09. The higher education appropriation of \$22.6 billion was a 6.9 percent increase over fiscal 2008-09. Texas received \$3.3 billion through the federal Recovery Act to assist levels of support for public and higher education. The Senate appropriated the funds to TEA. According to the Texas Higher Education Coordinating Board, higher education programs will receive about \$326 million in federal stimulus funds for fiscal 2010-11.¹¹

JOBS BILL: On August 10, President Obama signed an emergency jobs bill for federal assistance for states. Texas would receive \$830 million from the bill if Gov. Perry will use the funds to abide by restrictions included in the bill exclusively for Texas. House democrats led by Rep. Lloyd Doggett of Austin and backed by Houston-area Democratic lawmakers, sought the binding legislative instructions to prevent the Texas Governor and Legislature from repeating the move of last year when they used \$3.3 billion federal stimulus funds to balance the state budget and avoid depleting the state's "rainy day fund" rather than bolstering education. Gov. Perry said "It is unfortunate that Washington continues to play partisan games with Texans' tax dollars and the very future of our children. Texas will not surrender to Washington ..." over a bill the intent for which is to prevent the layoff of thousands of teachers, first responders and government workers, etc The Houston ISD stands to gain \$71.8 million of the stimulus funds.¹²

TUTORING: The No Child Left Behind Law guarantees free tutoring to low-income students who attend schools that repeatedly miss federal academic standards. Parents are to choose a tutoring firm from a list approved by the state, and the school district pays the bill. There is a lack of accounting for government-funded tutors, some charging as much as \$100 per hour. School districts across Texas are forced to pay tens of millions of taxpayer dollars to private tutoring firms approved by the state. The State's own evaluation found seven of eight firms studied did nothing significant to improve students' test scores. Large districts, including

Houston, San Antonio, and Forth Worth, are calling for tougher standards for the tutor providers. Many of the approved tutors have no educational back-ground. When the HISD complained about the tutoring company, Read and Succeed, the TEA investigation confirmed that the company paid students to recruit their friends. TEA stopped the practice, but, instead of faulting Read and Succeed, TEA ruled HISD was wrong not to enroll all students who selected the program, and required HISD to pay the company's \$75 hourly rate. "Read and Succeed and Houston ISD had differences in the past, but Read and Succeed is pleased to provide reading tutoring to the children in Houston," stated Leslie McCollom, an Austin attorney representing the company. More than 48,000 children used tutoring in reading and math last year, to taxpayers cost of \$67 millions¹³

CHARTER SCHOOLS: The Permanent School Fund of \$23 billion, is an endowment created in 1876 to benefit Texas public schools. To promote local initiative, the **Education Code, Chapter 4. Public Education Mission, Objectives, and Goals**, established a new kind of public school, a Charter School. The SBOE has adopted a plan to invest \$100 million of public school endowment dollars to develop/purchase and lease charter school facilities, contingent on an opinion of the attorney general. Opinions vary as to the wisdom of such an act. Commissioner Scott said he would have staff address lingering questions about the plan and charter school policy.¹⁴ KIPP and YES Prep are both Houston Charter schools that have extended school years. YES Prep decreased the school year from 215 days to 190. KIPP has a 220 day year, including some Saturdays. KIPP also has a 2 hour longer school day. Charters are subject to fewer state laws than other public schools, with the idea of ensuring fiscal and academic accountability without undue regulation of instructional methods or pedagogical innovation. Like school districts, charter schools are monitored and accredited under the statewide testing and accountability system. For the past ten years, 100% of YES Prep's graduating seniors have been accepted to top colleges and universities across the country. YES Prep, founded by Chris Barbic in the mid 1990's, considers the success of its students to be the result of hard work and dedication of their teachers who are from diverse academic and professional backgrounds. Knowledge is Power Program (KIPP) was founded in Houston in 1994, by Mike Feinberg as a free, open enrollment, college preparatory public school.. Now there are 15 campuses in Houston, 82 schools in 19 states and the District of Columbia. The first 4 graduating classes of KIPP boast an 80 - 95% college matriculation rate which compares to the 10 - 15% rate in other public high schools.

(http://www.kipphouston.org/kipp/About_KIPP_EN.asp?SnID=2).

MAGNET SCHOOLS: Another option for parents' and students' choice is the Magnet School, a concept of district-wide specialty schools begun in the late 1970's. They offer special curricula, such as math-science or performing arts programs, or languages, or special instructional approaches that accomplish academic achievement. Magnet schools are a means of desegregating school systems. They are intended to provide incentives for parents to remain in the public school system and to send their children to integrated schools without having to resort to mandatory desegregation measures. Operating costs for Magnets are funded by federal grants, state grants, local school board contributions, corporate contributions, and, in some cases, tuition paid by parents. (http://www.psparents.net/magnet_schools.htm)

HISD EXTENDED SCHOOL YEAR: Superintendent Grier sees the YES Prep and KIPP schools both as partnership relationships and as competition. Grier stated that HISD is ready to "get busy" in order to ensure that parents are not leaving failing HISD schools to attend YES Prep, Kipp, or other high performing charters in Houston. The HISD school board has approved a pilot program to extend the school year from 180 to 190 days, divided into quarters, followed by two weeks off for students each quarter. Work load for teachers is to be 200 days with extra pay. Estimated cost is \$500,000 per school. Summer vacation will be three weeks. The pilot program is intended for a few poor performing schools.¹⁵ On August 17, 2010, the program was announced in the Houston Chronicle, as the Apollo 20 initiative and begun in 9 schools, with intention to expand to 11 elementary schools next year. The program adds five extra days to the school year and one hour

to the school day. There is to be daily math tutoring for all sixth and ninth graders as well as an extra math or reading class for students below grade level.

BOND EXPENDITURES: Questions have been raised about the oversight of the voter approved \$805 million bond program in 2007. It is thought that cost overrun is up to \$39 million. The bond program was for the construction of 23 new schools, the renovation of 133 schools and the expansion of four others. Superintendent Terry Grier told the school board that he feared the district would have to tap into its savings account if it can't cut costs for some projects.¹⁶

TSTA PROPOSED LEGISLATIVE PLANS: The teacher's association **will support legislation** that (1) ends the shortage of appropriately certified teachers for classrooms; (2) provides high standards for teacher certification; (3) creates mentors for new teachers; (4) protects and enhances Teacher Retirement System's defined benefit program, including an annual cost of living adjustment and affordable health insurance; (5) provides a positive working environment for educational employees and students, including a meaningful voice in important decisions that relates to working conditions and students' learning environment; (6) creates long term, equitable school finance solutions; (7) establishes and funds a full-day kindergarten program; (8) reduces class size across grade levels; (9) supports teacher preparation programs that balance content knowledge and pedagogy; (10) minimizes the use of standardized assessments in our schools.

The teacher's association **will oppose legislation** that (1) creates incentive or merit pay programs based on a competitive model using standardized test scores; (2) decreases the state's contribution to the Teacher Retirement System; (3) restricts the ability of TSTA to organize and provide services to educational employees; (4) makes current state standards subject to "home rule" or otherwise allows school districts to be exempt from or to roll back the current standards that protect the quality learning environment for students; (5) which would shift public tax dollars to private entities. Vouchers would take the funding we have for public schools and give it to students to attend private or religious schools that are exempt from our accountability system; (6) turns management of public schools over to for-profit companies.

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4. *School ratings carry a footnote*, ExpressNews Editorial Board. Web Posted 08/04/2010.

5. *Controversial Texas Projection Measure may again boost schools' ratings*, Dallas Morning News. 07/19/2010, and EducationNews.org.

6. *Texas may eliminate provision that raises school accountability ratings*, Fort Worth Star-Telegram. 07/10/2010. And EducationNews.org

7. *Appendix E - Student Growth Measures*, 2010 Accountability Manual.

8. *TPM for TAKS, Accountability*, 2009 AYP Guide.

9. *8 Texas districts fail to meet federal standards*, EducationNews.org. 08/06/2010.

10. *STAAR to replace TAKS*, EducationNews.org. 02/05/2010.
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