

**Status of Implementation of House Bill 3**  
(81<sup>st</sup> Texas Legislature, Regular Session)

HB 3 Assessment and Accountability Provisions	Status	Comments/Issues
<b>Assessment, Grades 3-8</b>		
<p><b>Assessment: Student Success Initiative</b></p> <p>The requirement that Grade 3 students pass the reading assessment to be eligible for promotion to Grade 4 is removed.</p> <p><i>TEC §28.0211 [HB 3, Sec. 29]</i></p>	<p>SBOE rules to update SSI requirements submitted for final adoption in November 2009.</p> <p>Proposed commissioner rules submitted to the Texas Register for public comment in January 2010.</p>	None
<p><b>Assessment: Spanish</b></p> <p>The requirement that Grade 6 reading and mathematics assessments be available in Spanish is removed.</p> <p><i>TEC §39.023(l) [HB 3, Sec. 50]</i></p>	<p>SBOE rules were adopted in fall 2009 to update requirements for assessments in Spanish.</p>	None
<p><b>Assessment: Grades 3-8</b></p> <p>TEA shall develop the Grade 3-8 assessment instruments in Section 39.023(a) in such a way that</p> <ul style="list-style-type: none"> <li>• a student's score provides reliable information about the student's performance on each performance standard; and</li> <li>• an appropriate range of performance serves as a valid indication of growth in student achievement.</li> </ul> <p><i>TEC §39.023(a-1) [HB 3, Sec. 50]</i></p>	<p>Item development and test design activities for the new grades 3-8 assessments began in the 2009-2010 school year. New test items will be field tested beginning in spring 2011 for use on the new assessments.</p> <p>Test construction guidelines are being developed such that test questions will be selected that:</p> <ul style="list-style-type: none"> <li>○ Assess skills at a greater depth and level of cognitive complexity;</li> <li>○ Assess more than one student expectation in an item;</li> <li>○ Assess fewer student expectations multiple times and in more complex ways; and</li> <li>○ Allow growth to be measured at all performance levels.</li> </ul>	<p>Performance standards on the new assessments will be determined in fall 2012 after the first operational administration with scores being reported to districts after the start of the 2012-2013 school year. With this schedule, there could be implications with SSI requirements and the use of assessment data to make retention decisions at the district level.</p>

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<p><b>Assessment: Special Education</b></p> <p>TEA shall develop or adopt appropriate criterion-referenced alternative assessment instruments to be administered to students in special education programs.</p> <p><i>TEC §39.023(b) [HB 3, Sec. 50]</i></p>	<p>Completed.</p>	<p>This provision in HB 3 applies to the new grades 3-8 assessments and the high school end-of-course assessments. No funding was appropriated to develop modified versions of the 12 EOC assessments. Additionally, many high school students with disabilities are currently enrolled in high school courses that may not prepare them to take a modified version of the EOCs.</p>
<p><b>Assessment: Performance Standards</b></p> <p>TEA conducts studies during 2009-2010 and 2010-2011 school years to substantiate the correlation between passing standards across grade levels (including Grades 3-8 and EOC) before September 2011. <i>TEC §39.0242</i></p> <p>For the purpose of establishing performance across grade levels, the commissioner shall establish performance standards across Grades 3-8 and for EOC assessments that correlate with performance on the next higher assessment in the same content area. <i>TEC §39.0241(a) and (a-2)(1)-(5)</i></p> <p>Every three years, TEA conducts studies to substantiate the correlation between passing standards across grade levels (including Grades 3-8 and EOC). <i>TEC §39.0242(d)</i></p> <p><i>[HB 3, Sec. 53]</i></p>	<p>A schedule for conducting the required studies for grades 3-8 and EOC have been established, and the first of the studies began in fall 2009. Other studies will be conducted during the 2010-2011 and 2011-2012 school years.</p> <p>Plans are being developed for the process of setting performance standards on the new assessments. Performance standards for EOC are currently scheduled to be set in fall 2011. Performance standards for the grades 3-8 assessments are currently scheduled to be set in fall 2012.</p> <p>Rulemaking is currently scheduled to begin in fall 2011.</p>	<p>HB 3 currently calls for a series of linking studies to be completed on the grades 3-8 assessments before the beginning of the 2011-2012 school year. However, the grades 3-8 assessments will not be field tested until spring 2011 and standards will be set in fall 2012. Linking studies for grades 3-8 cannot be conducted until after students have tested under the new program for two consecutive years in order to correlate performance from one year to the next. Performance standards will be set after the linking studies are conducted.</p> <p>No studies are currently required or planned to link within the science, social studies, and writing content areas.</p> <p>It may be necessary to establish an annual phase-in approach for the performance standards (as was done for the TAKS program) based on impact data provided by the linking studies.</p>

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<p><b>Assessment: Growth Measure</b></p> <p>TEA shall determine the necessary annual improvement required each year for a student to be prepared to perform satisfactorily on</p> <ul style="list-style-type: none"> <li>• the Grade 5 assessments;</li> <li>• the Grade 8 assessments; and</li> <li>• the EOC assessments required for graduation.</li> </ul> <p><i>TEC §39.034(d) [HB 3, Sec.58]</i></p>	<p>TEA received approval from USDE in January 2008 for use of a growth measure in state and federal accountability. The Texas Projection Measure (TPM) was reported for the first time in spring 2009. TPM for TAKS-M (in grades and subjects for which enough data are available) will be reported for the first time in spring 2010. Additionally, a growth measure for TAKS-Alt will be reported beginning in spring 2010. Studies are planned to determine how a growth measure will be implemented for the EOC assessments.</p>	<p>Identifying an appropriate method for determining growth across EOC assessments within some of the content areas (such as social studies and science) could be challenging because there is no specified course sequence, and all 12 assessments will be required for graduation for most students.</p>

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<b>End-of-Course (EOC) Assessments</b>		
<p><b>EOC: Special Purpose Questions</b></p> <p>Special purpose questions to measure college readiness and advanced coursework readiness may not be administered in a separate section of the EOC assessment instrument.</p> <p><i>TEC §39.0233(d) [HB 3, Sec. 51]</i></p>	<p>The Algebra II EOC assessment will be field tested in spring 2010. Items will be included that are linked to the critical skills for college readiness identified during external meetings conducted by Curriculum and the Southern Regional Education Board (SREB) in summer and fall of 2009. English III assessment items will be field tested in spring 2011.</p> <p>COE rulemaking to establish performance levels on assessment instruments to indicate college readiness is currently scheduled to begin in November 2011, with an effective date of May 2012.</p> <p>Commissioner of Education rulemaking related to reporting performance levels on assessments to indicate college readiness and advanced course readiness is currently scheduled to begin in June 2012, with an effective date of September 2012.</p>	<p>Incongruities in current statute need to be addressed. <i>TEC §39.0233(c)</i> states that the State Board of Education will set the performance level required on the special purpose questions that indicates college readiness although <i>TEC §39.024(e)</i> and <i>TEC §39.0241(a-1)</i> grants authority for setting college readiness performance standards on the Algebra II and English III end-of-course assessments to the commissioner of education and the commissioner of higher education.</p> <p>The special purpose questions in the EOC assessments may not be administered in a separate section. However, <i>TEC §39.0233(c)</i> states that performance on the special purpose questions cannot be used to determine performance on the assessment for graduation purposes.</p>
<p><b>EOC: Test Development</b></p> <p>TEA and THECB shall ensure that the Algebra II and English III EOC assessments required under Section 39.023(c) are capable of measuring college readiness beginning with the 2011-2012 school year.</p> <p><i>TEC §39.024(b) [HB 3, Sec. 53]</i></p>	<p>The Algebra II EOC assessment will be field tested in spring 2010. Items will be included that are linked to the critical skills for college readiness identified during external meetings conducted by Curriculum and the Southern Regional Education Board (SREB) in summer and fall of 2009. English III assessments will be field tested in spring 2011.</p>	<p>Algebra II and English III will be operational in the 2011-2012 school year and standards will be set on both assessments in fall 2011. However, the English III standards will be set based on field test data only, and it will be necessary to review these standards after the spring 2013 administration and adjust them if necessary.</p>

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<p><b>EOC: College-Ready Standards for Algebra II and English III</b></p> <p>The commissioner of education and the commissioner of higher education shall determine the level of performance necessary to indicate college readiness. <i>TEC §39.0241(a-1)</i></p> <p>Before the beginning of the 2011-2012 school year, TEA and THECB conduct studies to substantiate the correlation between student performance on Algebra II and English III EOC assessments and college readiness.</p> <p>Based on the results of the studies, TEA and THECB will establish student performance standards for Algebra II and English III that will indicate college readiness.</p> <p><i>TEC §39.024(c) and (e) [HB 3, Sec. 53]</i></p>	<p>A series of studies are planned for this purpose. Some studies involve correlating performance on an EOC assessment with other assessments of college readiness. Other studies could involve administering EOC assessments to college freshmen.</p> <p>Currently scheduled to begin rulemaking in November 2011 with an anticipated effective date of May 2012.</p>	<p>Because the Algebra II EOC assessment will be operational for the first time in spring 2011 and the English III EOC assessment will first be operational in spring 2012, it will not be possible to substantiate the link between performance on these two assessments and college readiness prior to the beginning of the 2011-2012 school year. Any studies that may be conducted will not be as meaningful if they are conducted before the assessments are operational and before Texas high school students have had an opportunity to take the assessments under high-stakes conditions. Studies conducted after the 2011-2012 administration will be used to revisit the standards initially set on the Algebra II and English II EOC assessments.</p>

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<p><b>EOC: College-Ready Standards for Science and Social Studies</b></p> <p>TEA and THECB shall study the correlation between performance on the science and social studies EOC assessments with college readiness.</p> <p>By December 1, 2012, TEA and THECB shall deliver a report to the legislature that includes an analysis of the feasibility of establishing college readiness standards for science and social studies EOC assessments and a summary of any implementation procedures adopted for each standard.</p> <p><i>TEC §39.024(f) and (f-1) [HB 3, Sec. 53]</i></p>	<p>A plan for conducting studies is being developed whereby performance on a science or social studies EOC assessment is correlated with performance on other assessments of college readiness.</p> <p>Scheduled to begin rulemaking in January 2013, effective date July 2013.</p>	<p>Published research about the relationship between science and social studies assessments and success in college is scarce. Furthermore, studies that are conducted in Texas will not be as meaningful if they are conducted before the assessments are operational and before Texas high school students have had an opportunity to take the assessments under high-stakes conditions.</p>
<p><b>EOC: College-Ready Standards Review</b></p> <p>TEA and THECB are to conduct correlation studies at least once every three years to substantiate the correlation between:</p> <ul style="list-style-type: none"> <li>• performance on Algebra II and English III EOC assessments with college readiness; and</li> <li>• performance on science and social studies EOC assessments and college readiness.</li> </ul> <p>TEA and THECB shall periodically review the college readiness performance standards and compare the performance standards to those established for comparable national and international assessment instruments. After each review, the TEA and THECB shall deliver a report to legislative leaders.</p> <p>If TEA and THECB determine that the college readiness standards are not sufficiently rigorous, the agencies shall recommend changes to the college readiness standards.</p> <p><i>TEC § 39.024(g) and (h) [HB 3, Sec. 53]</i></p>	<p>Studies are planned for relating performance on the EOC assessments with college readiness.</p> <p>Some studies will be conducted for the initial standard setting and data may be gathered again for the purpose of standards review. These studies include correlating performance on the EOC assessments with other assessments of college readiness and administering EOC assessments to college freshmen.</p> <p>Other studies, such as following students from high school into college, will take longer to complete and will only be part of the standards review process.</p>	<p>None</p>

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<p><b>EOC: Performance Standards</b></p> <p>TEA will gather data and conduct research studies to substantiate any correlation between EOC performance and success in military service; or in workforce training, certification, or other credential program at an institution of higher education that primarily offers associate degrees or certificates or credentials.</p> <p><i>TEC §39.024(i) [HB 3, Sec. 53]</i></p>	<p>TEA is drafting a schedule for conducting these studies.</p>	<p>Close coordination with THECB will be essential to ensure that necessary data can be gathered from IHEs. In addition, clarification will be necessary on how success in military service should be determined, and which credentialing programs are most critical for inclusion in the studies.</p>
<p><b>EOC: Retesting</b></p> <p>Each time an end-of-course assessment is administered, a student failed to achieve a minimum score under subsection (a) shall retake the assessment instrument. A student who fails to perform satisfactorily on an Algebra II or English III end-of-course assessment instrument under the college readiness performance standard, as provided under section 39.024(b), may retake the assessment instrument. Any other student may retake an end-of-course assessment for any reason. A student is not required to retake a course as a condition of retaking an end-of-course instrument. <i>TEC §39.025(b)</i></p> <p>A school district shall provide each student who fails to perform satisfactorily as determined by the commissioner under section 39.0241(a) on an end-of-course assessment instrument with accelerated instruction in the subject assessed by the assessment instrument. <i>TEC §39.025(b-1)</i></p> <p><i>[HB 3, Sec. 54]</i></p>	<p>TEA is evaluating implications for implementation of this provision, including the number of retests that will be offered annually and the months in which the retests will occur.</p>	<p>This provision allows students to retake an EOC assessment for any reason, including retesting to raise test scores. Issues that must be addressed include:</p> <ul style="list-style-type: none"> <li>• the impact of retesting 12 EOC assessments on the overall costs of the assessment program</li> <li>• the difficulty of anticipating and providing sufficient test materials to districts administering paper assessments</li> <li>• the increased test administration burden for school districts for both paper and online assessments</li> <li>• recalculation of cumulative scores after each retest and tracking of multiple cumulative scores for each student by content area; and</li> <li>• the increased challenge of meeting remediation needs of students.</li> </ul>

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<b>Graduation Requirements</b>		
<p><b>Graduation: Cumulative Score</b></p> <p>The commissioner shall adopt rules requiring participation in EOC assessments as a high school graduation requirement and that students achieve a cumulative score in each foundation subject (English, mathematics, science, social studies) under the advanced, recommended, and minimum graduation plans. The commissioner shall determine the minimum score a student must achieve for an EOC score to be included in the cumulative score.</p> <p><i>TEC §39.025(a) [HB 3, Sec. 54]</i></p>	<p>Commissioner of Education rulemaking regarding the cumulative score requirements will begin after performance standards activities have begun, with the anticipated effective date to be spring 2012. Rules can be submitted for public comments no later than November 2011.</p>	<p>Given the increase in the potential number of assessments that students must perform satisfactorily on in order to graduate and the increased rigor of the new assessment program over the current TAKS requirements, graduation rates will likely initially decline. The transition from TAAS to TAKS as a graduation requirement caused graduation rates to decline for three years before increases were seen in the fourth year.</p> <p>Calculating a cumulative score is complicated by the current requirement that students can retake an EOC assessment at any time for any reason.</p> <p>Because the cumulative score requirements are dependent on the graduation plan a student selects and the specific courses a student takes, it will be more of a challenge at the local level to keep track of which students have met all assessment graduation requirements.</p>
<p><b>Graduation: Other Tests in Cumulative Score</b></p> <p>The commissioner <u>must</u> by rule determine a method by which a student's satisfactory performance on an advanced placement, international baccalaureate, or SAT subject test or other test equal in rigor to an EOC test may be used to meet the EOC graduation requirement.</p> <p>The commissioner <u>may</u> determine a method by which a student's satisfactory performance on a PSAT or preliminary American College Test (ACT) may be used to meet the EOC graduation requirement.</p> <p><i>TEC §39.025(a-1) [HB 3, Sec. 54]</i></p>	<p>Commissioner of Education rulemaking is currently scheduled to begin in November 2011, with an effective date of February 2012.</p>	<p>Pending availability of funds, a study would need to be conducted to determine that the alternative assessment instruments are "at least as rigorous as" the companion EOC assessments and to determine score conversions for use in calculating the cumulative score.</p>



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<p><b>Graduation: Algebra II and English III Scores for RHSP and AHSP</b></p> <p>The commissioner must determine the score required on the Algebra II and English III EOC assessments for a student to graduate under the recommended high school program (RHSP) and advanced high school program (AHSP).</p> <p><i>TEC §39.025(a-2) and (a-3) [HB 3, Sec. 54]</i></p>	<p>The scores will be determined as part of the standard-setting process for the EOC program.</p> <p>Rules must be submitted no later than November 2011.</p>	<p>None.</p>

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<b>Other</b>		
<p><b>Assessment: Data Portal</b></p> <p>TEA shall establish and maintain a student assessment data portal for use by school districts, teachers, parents, students, and public institutions of higher education.</p> <p><i>TEC §32.258 [HB 3, Sec. 49]</i></p>	<p>The data portal was included as part of the Assessment Services RFP. The current plan is for the data portal to be available in fall 2010 with limited capabilities; full implementation is planned for fall 2011.</p>	<p>The capability of the data portal to meet all provisions of HB 3 is contingent on establishing a teacher-student link in PEIMS and providing this information to the assessment contractor for incorporation in the portal.</p>
<p><b>Assessment: Release of Test Information</b></p> <p>Assessments administered for retesting purposes are excluded from the three-year release schedule for assessment instruments.</p> <p><i>TEC §39.023(e) [HB 3, Sec. 50]</i></p>	<p>SBOE rules were adopted in fall 2009 to update the test release schedule.</p>	
<p><b>Assessment: Online Administration</b></p> <p>TEA shall ensure that assessments required under 39.023 can be administered by computer. However, the commissioner may not require a school district or open-enrollment charter to administer an assessment by computer.</p> <p><i>TEC §39.0234(a) [HB 3, Sec. 52]</i></p>	<p>Requirements met.</p>	<p>If assessments are made available in both paper and online formats, it is necessary to conduct comparability studies so that student results reported from a paper-administered and online-administered test have the same interpretations. Restrictions on requirements to administer assessments online could jeopardize TEA's ability to conduct these studies, as some districts may need to be assigned to test online only so that data on a representative number of students is available to make a comparability study statistically possible.</p>

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<p><b>Assessment: Study Guides</b></p> <p>TEA <i>may</i> [no longer <i>shall</i>] develop study guides for students who fail the Grade 3-8 and EOC assessments.</p> <p><i>TEC §39.0241(c) [HB 3, Sec. 53]</i></p>	<p>No further distribution of paper copies of the TAKS study guides is planned. Personalized study guides are no longer provided. No development activities are currently planned for study guides to accompany the EOC assessments.</p>	<p>Study guides could be used in the provision of required accelerated instruction for the new assessment program. However, no resources are currently available for development and/or updating of these study guides.</p>
<p><b>Assessment: Eliminate TAAS</b></p> <p>The Texas Assessment of Academic Skills (TAAS) is eliminated and the commissioner must approve a list of alternative assessments for exit-level testers graduating under TAAS.</p> <p><i>TEC §39.025(c-1) [HB 3, Sec. 54]</i></p>	<p>TAAS tests are no longer being administered as of October 2009. The commissioner has established cut scores on exit level TAKS to be used with students for whom TAAS or TEAMS are the graduation requirements.</p>	<p>None.</p>
<p><b>Assessment: LEP Exemption</b></p> <p>A student may be administered an accommodated or alternative assessment or may be granted an exemption from or postponement of the administration for</p> <ul style="list-style-type: none"> <li>• a period of one year after their initial enrollment in a U.S. school if the student is of limited English proficiency</li> <li>• an additional period of up to four years if the student initially enrolled in a U.S. school as an unschooled asylee or refugee.</li> </ul> <p><i>TEC §39.027(a)(3) [HB 3, Sec. 56]</i></p>	<p>Proposed rules were filed, public comments have been received and COE rules will be submitted for final adoption in January 2010, to be effective by February 2010.</p>	<p>Current statute addresses the needs of one specific group of unschooled recent immigrants, setting up inequities for similar students who only lack the required documentation to qualify for these special provisions.</p>

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<p><b>Assessment: Information on the Website</b></p> <p>On or before September 1, the following information must be made available on TEA's website</p> <ul style="list-style-type: none"> <li>• number of questions on the assessment instrument</li> <li>• number of questions needed to answer correctly to meet satisfactory performance (including college readiness)</li> <li>• the corresponding scale scores</li> </ul> <p><i>TEC §39.023(p) [HB 3, Sec. 50]</i></p>	<p>The number of questions on the assessment instrument and the scale scores associated with each performance standard are published on the website each year.</p>	<p>The number of questions that must be answered correctly to meet each performance standard is dependent on the equating process, which is not determined until after the test has been constructed and administered to students.</p>

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<b>Accountability - General</b>		
<p><b>Accountability: Accountability System</b></p> <p>Develop new accountability system based on new assessments and college-ready performance.</p> <p><i>TEC §§ 39.053 and 39.054 [HB 3, Sec. 59]</i></p>	<p>An accountability development calendar and process will be outlined in the December 10, 2010, transition plan.</p>	<p>HB 3 language regarding performance indicators and features of the performance rating system may limit options that can be considered during the development process for the new accountability system.</p>
<p><b>Accountability: Campus Improvement Plan (CIP)</b></p> <p>If a campus receives an acceptable performance rating but does not meet performance standards to be used for the following school year, the commissioner may request a campus improvement plan relevant for the areas in which the campus would not satisfy performance standards.</p> <p><i>TEC §39.105(a) [HB 3, Sec. 59]</i></p>	<p>Identifying Campus Improvement Plan (CIP) campuses (formally Technical Assistance Team campuses) will continue to be done in the 2009-10 and 2010-11 school years. The CIP campuses will not be identified for the 2011-12 school year because the criteria are linked to performance ratings, which are suspended this school year. The CIP criteria for the 2012-13 school year are yet to be determined. The transition to the new accountability system will be outlined in the December 1, 2010 transition plan.</p>	
<p><b>Accountability: Campus Report Card</b></p> <p>TEA shall prepare and distribute to each school district a report card for each campus.</p> <p><i>TEC §39.305 [HB 3, Sec. 59]</i></p>	<p>School Report Cards (SRCs) will continue to be prepared and distributed to each school district in the 2009-10 and 2010-11 school years.</p> <p>The SRC requirements for the 2011-12 school year are yet to be determined. The transition to the new reporting requirements will be outlined in the December 1, 2010 transition plan.</p>	

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<p><b>Accountability: Performance Reports [AEIS]</b></p> <p>TEA will provide:</p> <ul style="list-style-type: none"> <li>• district and campus performance on the performance and reporting indicators and</li> <li>• descriptive information required in the district annual report.</li> </ul> <p><i>TEC §39.306 [HB 3, Sec. 59]</i></p>	<p>The Academic Excellence Indicator System (AEIS) data will continue to be reported under the current accountability system in 2009-10 and 2010-11.</p> <p>The AEIS requirements for the 2011-12 school year are yet to be determined. The transition to the new reporting requirements will be outlined in the December 1, 2010 transition plan.</p>	

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<p><b>Accountability: Calendar and Transition Timeline</b></p> <p>2011-2012: Performance ratings suspended; district and campus proficiency and college-ready performance reported</p> <p>2012-2013: Performance ratings based on percent proficient and growth to proficiency; district and campus college-ready performance reported</p> <p>2013-2014: Performance ratings based on percent proficient and growth to proficiency, and college-ready performance and growth to college readiness</p> <p><i>TEC §39.116 [HB 3, Sec. 59]</i></p> <p>June 15: Ratings for Unacceptable in prior year  August 8: Ratings for all districts and campuses  <i>TEC §39.054(a) [HB 3, Subchapter C]</i></p> <p>August 8: Distinction designations  <i>TEC §39.201 [HB 3, Subchapter G]</i></p>	<p>December 1, 2010: Transition Plan submitted</p> <p>August 1, 2011: 2011 ratings are the last ratings issued under the current accountability system</p> <p>2011-2012 Assignment of accreditation statuses and performance ratings suspended for this school year. Development of new accreditation and academic accountability system continues with the timelines established by the adopted transition plan.</p> <p>August 8, 2013: District accreditation statuses and district and campus performance ratings are issued for the first time under the new system. Ratings will be based on percent proficient indicator. The percent college-ready indicator will be a report only.</p> <p>Distinction designations will be issued to districts and campuses with acceptable performance concurrent with the release of performance ratings.</p> <p>August 8, 2014: District accreditation statuses and district and campus performance ratings are issued for the second time under the new system.</p> <p>Ratings will be based on both percent proficient and percent college-ready indicators.</p>	<p>Passing standards for the new 3-8 assessments will not be available until late 2012, limiting TEA's ability to provide advance notice to school districts of accountability standards the first year.</p>

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<b>Performance and Reporting Indicators</b>		
<p><b>Indicators: Assessment Performance</b></p> <p>The commissioner shall adopt Indicators of student achievement that include the results of criterion-referenced assessments; EOC assessments; assessments retaken for graduation; and assessments administered in Spanish.</p> <p>For the performance standards and college readiness performance standards, results must be aggregated across grade levels by subject and include the percentages of students who performed satisfactorily or, for students not performing satisfactorily, the percentage of students who met the standard for annual improvement.</p> <p>The commissioner shall determine the period within which a student must retake an assessment for that assessment to be considered in determining the performance rating of the district.</p> <p><i>TEC §39.053(c)(1) and (d) [HB 3, Sec. 59]</i></p>	<p>Assessment indicators based on the current assessment program will continue to be reported on the AEIS reports in 2009-10 and 2010-11.</p> <p>The assessment indicators that will be available to the meet the reporting requirements for the 2011-12 school year are yet to be determined. The transition to the new reporting requirements will be outlined in the December 1, 2010 transition plan.</p>	



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<p><b>Indicators: Completion and Dropout</b></p> <p>The commissioner shall adopt indicators of</p> <ul style="list-style-type: none"> <li>• dropout rates and district completion rates, computed in accordance with National Center for Education Statistics (NCES) standards and definitions; and <i>TEC §39.053(c)(2)</i></li> <li>• high school graduation rates, computed in accordance with the standards and definitions adopted for the No Child Left Behind Act of 2001. <i>TEC §39.053(c)(3)</i></li> </ul> <p>In computing dropout and completion rates under <i>TEC §39.053(c)(2)</i>, the commissioner shall exclude:</p> <ul style="list-style-type: none"> <li>• <i>TEC §39.053(g-1)(1)</i> Students who are under a court order to attend a high school equivalency certificate program, but who have not yet earned the high school equivalency certificate;</li> <li>• <i>TEC §39.053(g-1)(2)</i> Students who were previously reported as dropouts;</li> <li>• <i>TEC §39.053(g-1)(3)</i> Students in attendance who are not in membership for the purpose of determining average daily attendance;</li> <li>• <i>TEC §39.053(g-1)(4)</i> Students who initially enrolled in a U.S. school in Grades 7-12 as an unschooled refugee or asylee;</li> <li>• <i>TEC §39.053(g-1)(5)</i> Students who are in a district only because they are held at county detention facility in the district; and</li> <li>• <i>TEC §39.053(g-1)(6)</i> Students who are incarcerated in state jails and federal penitentiaries either as adults or certified to stand trial as adults.</li> </ul> <p><i>[HB 3, Sec. 59]</i></p>	<p>The Texas Education Agency (TEA) implemented <i>TEC §§39.053(c)(2) – 39.053(c)(3)</i> beginning with the 2005-06 school year.</p> <p><i>TEC §39.053(g-1)</i> is effective beginning with the 2011-12 school year for students enrolled in 2010-11.</p> <p>For <i>TEC §§39.053(g-1)(1), (4) and (6)</i>, language has been drafted for publication in the March version of the <i>PEIMS Data Standards</i> to collect these data in 2010-11 and report in 2011-12.</p> <p>For <i>TEC §§39.053(g-1)(2) and (3)</i>, the agency has the data necessary to implement as required by the effective date of 2011-12.</p> <p><i>TEC §39.053(g-1)(5)</i> duplicates <i>TEC §39.053(f)</i> and <i>§39.055</i>, which was implemented beginning with the 2003-04 school year.</p>	

HB 3 Assessment and Accountability Provisions	Status	Comments/Issues
<p><b>Indicators: Graduates by Program</b></p> <p>The commissioner shall adopt indicators of the percentage of students who graduate under the</p> <ul style="list-style-type: none"> <li>• Minimum high school program;</li> <li>• Recommended high school program; and</li> <li>• Advanced high school program.</li> </ul> <p><i>TEC §39.301(c)(1) [HB 3, Sec. 59]</i></p>	<p>This indicator will continue to be reported on the AEIS reports in 2009-10 and 2010-11.</p> <p>The indicators that will be available to the meet the reporting requirements for the 2011-12 school year are yet to be determined. The transition to the new reporting requirements will be outlined in the December 1, 2010 transition plan.</p>	
<p><b>Indicators: Postsecondary Readiness</b></p> <p>The commissioner shall adopt indicators of the results of the SAT, ACT, articulated postsecondary degree programs and certified workforce training programs.</p> <p><i>TEC §39.301(c)(2) [HB 3, Sec. 59]</i></p>	<p>This indicator will continue to be reported on the AEIS reports in 2009-10 and 2010-11.</p> <p>The indicators that will be available to the meet the reporting requirements for the 2011-12 school year are yet to be determined. The transition to the new reporting requirements will be outlined in the December 1, 2010 transition plan.</p>	
<p><b>Indicators: Progress of Prior Year Failers</b></p> <p>The commissioner shall adopt indicators of the subsequent performance of students who failed to pass a Grade 3-8 or EOC assessment.</p> <p><i>TEC §39.301(c)(3) [HB 3, Sec. 59]</i></p>	<p>This indicator will continue to be reported on the AEIS reports in 2009-10 and 2010-11.</p> <p>The indicators that will be available to the meet the reporting requirements for the 2011-12 school year are yet to be determined. The transition to the new reporting requirements will be outlined in the December 1, 2010 transition plan.</p>	

HB 3 Assessment and Accountability Provisions	Status	Comments/Issues
<p><b>Indicators: Minimum High School Program</b></p> <p>The commissioner shall adopt indicators of the number of students who agree to take courses under the minimum high school program.</p> <p><i>TEC §39.301(c)(4) [HB 3, Sec. 59]</i></p>	<p>This indicator will continue to be reported on the AEIS reports in 2009-10 and 2010-11.</p> <p>The indicators that will be available to the meet the reporting requirements for the 2011-12 school year are yet to be determined. The transition to the new reporting requirements will be outlined in the December 1, 2010 transition plan.</p>	
<p><b>Indicators: Student Success Initiative</b></p> <p>The commissioner shall adopt indicators, aggregated by grade level and subject, of the</p> <ul style="list-style-type: none"> <li>• percentage of students provided accelerated instruction after failing an assessment in Grades 3-8,</li> <li>• percentage promoted by a grade placement committee after failing a mathematics or reading test in Grade 5 or 8, and</li> <li>• promoted students' performance on assessments during the following school year.</li> </ul> <p><i>TEC §39.301(c)(5) [HB 3, Sec. 59]</i></p>	<p>This indicator will continue to be reported on the AEIS reports in 2009-10 and 2010-11.</p> <p>The indicators that will be available to the meet the reporting requirements for the 2011-12 school year are yet to be determined. The transition to the new reporting requirements will be outlined in the December 1, 2010 transition plan.</p>	
<p><b>Indicators: LEP Exemptions</b></p> <p>The commissioner shall adopt indicators of the percentage of LEP students who were exempted from taking an assessment.</p> <p><i>TEC §39.301(c)(6) [HB 3, Sec. 59]</i></p>	<p>This indicator will continue to be reported on the AEIS reports in 2009-10 and 2010-11.</p> <p>The indicators that will be available to the meet the reporting requirements for the 2011-12 school year are yet to be determined. The transition to the new reporting requirements will be outlined in the December 1, 2010 transition plan.</p>	

HB 3 Assessment and Accountability Provisions	Status	Comments/Issues
<p><b>Indicators: Alternative Assessment Participation</b></p> <p>The commissioner shall adopt indicators of the percentage of students in a special education program assessed through alternative assessments.</p> <p><i>TEC §39.301(c)(7) [HB 3, Sec. 59]</i></p>	<p>This indicator will continue to be reported on the AEIS reports in 2009-10 and 2010-11.</p> <p>The indicators that will be available to the meet the reporting requirements for the 2011-12 school year are yet to be determined. The transition to the new reporting requirements will be outlined in the December 1, 2010 transition plan.</p>	
<p><b>Indicators: College Readiness</b></p> <p>The commissioner shall adopt indicators of the percentage of students who satisfy the college readiness measure.</p> <p><i>TEC §39.301(c)(8) [HB 3, Sec. 59]</i></p>	<p>This indicator will continue to be reported on the AEIS reports in 2009-10 and 2010-11.</p> <p>The indicators that will be available to the meet the reporting requirements for the 2011-12 school year are yet to be determined. The transition to the new reporting requirements will be outlined in the December 1, 2010 transition plan.</p>	
<p><b>Indicators: Dual Language Proficiency</b></p> <p>The commissioner shall adopt indicators of the measure of progress toward dual language proficiency for LEP students.</p> <p><i>TEC §39.301(c)(9) [HB 3, Sec. 59]</i></p>	<p>The indicators that will be available to the meet the reporting requirements for the 2011-12 school year are yet to be determined. The transition to the new reporting requirements will be outlined in the December 1, 2010 transition plan.</p>	

HB 3 Assessment and Accountability Provisions	Status	Comments/Issues
<p><b>Indicators: Non-Educationally Disadvantaged</b></p> <p>The commissioner shall adopt indicators of the percentage of students who are not educationally disadvantaged.</p> <p><i>TEC §39.301(c)(10) [HB 3, Sec. 59]</i></p>	<p>This indicator will continue to be reported on the AEIS reports in 2009-10 and 2010-11.</p> <p>The indicators that will be available to the meet the reporting requirements for the 2011-12 school year are yet to be determined. The transition to the new reporting requirements will be outlined in the December 1, 2010 transition plan.</p>	
<p><b>Indicators: Higher Education Enrollment</b></p> <p>The commissioner shall adopt indicators of the percentage of students who enroll and begin instruction at an institution of higher education in the year following their high school graduation.</p> <p><i>TEC §39.301(c)(11) [HB 3, Sec. 59]</i></p>	<p>The Texas Higher Education Coordinating Board (THECB) currently collects information about Texas students who enroll in Texas public and private institutions of higher education following graduation from public high school. THECB has published an annual report that displays the enrollment counts by Texas school district and campus since the 2001-02 school year.</p> <p>These data are provided to TEA per an MOU that facilitates data sharing between the two agencies. TEA links the THECB report to the Texas P-16 Public Education Information Resource (TPEIR) website. Out-of-state college enrollment data will be provided per an agreement between TEA and the National Student Clearinghouse, funded by the State Fiscal Stabilization Fund (SFSF) grant to be submitted by TEA in January 2010. The data is expected to be loaded in the TPEIR data warehouse in 2011.</p>	

HB 3 Assessment and Accountability Provisions	Status	Comments/Issues
<p><b>Indicators: Higher Education First Year Completion</b></p> <p>The commissioner shall adopt indicators of the percentage of students who successfully complete their first year at an institution of higher education without needing to take a developmental education course.</p> <p><i>TEC §39.301(c)(12) [HB 3, Sec. 59]</i></p>	<p>The Texas Higher Education Coordinating Board (THECB) will be collecting higher education student course data as funded by the 2009 Statewide Longitudinal Data Systems (SLDS) grant. This classroom data will be loaded in the TPEIR data warehouse in January 2012.</p>	
<p><b>Indicators: TELPAS</b></p> <p>Performance on the Texas English Language Proficiency Assessment System (TELPAS), including performance of refugee/asylee students, is included in the indicator systems under Sections 39.301 (Performance Indicators: Reporting), performance report [AEIS] under 39.306, and comprehensive annual report under 39.332.</p> <p><i>TEC §39.027(e) [HB 3, Sec. 56]</i></p>	<p>The English Language Learners (ELL) Progress Measure was added to the 2008-09 AEIS reports and will continue to be reported in the 2009-10 and 2010-11 schools years.</p> <p>Reporting requirements for these indicators in the 2011-12 school year have yet to be determined.</p>	
<p><b>Indicators: Special Language Program</b></p> <p>Performance and reporting indicators must be based on longitudinal student data that is disaggregated by any bilingual or special education program in which any limited English proficient (LEP) student is (or was) enrolled. If a LEP student was not enrolled in specialized language instruction, the number and percentage of those students shall be provided.</p> <p><i>TEC §39.301(d) [HB 3, Sec. 59]</i></p>	<p>These performance and reporting indicators were reported in the new Section III of the AEIS reports for the first time in 2008-09 school year. These indicators will continue to be reported in the 2009-10 and 2010-11 school years.</p> <p>Reporting requirements for these indicators in the 2011-12 school year have yet to be determined.</p>	

HB 3 Assessment and Accountability Provisions	Status	Comments/Issues
<b>Distinction Designations</b>		
<p><b>Distinction Designations: Recognized and Exemplary Districts and Campuses</b></p> <p>The commissioner shall award a Recognized or Exemplary distinction designation for academic excellence to a district or campus for the number of students who met the standard for college readiness, annual improvement, or postsecondary readiness.</p> <p><i>TEC §39.202 [HB 3, Sec. 59]</i></p>	<p>The Academic Excellence Distinction Designation will have two rating levels—Recognized and Exemplary. These distinctions will be based on the percent of students achieving college-ready standards or demonstrating improvement toward those standards that will be reported for the first time in 2012-13 and fully implemented in the 2013-14 school year.</p> <p>Plans for defining, collecting, evaluating, and integrating new indicators will be outlined in the 2010 transition plan.</p>	
<p><b>Distinction Designations: Top 25% Campuses</b></p> <p>The commissioner shall award a distinction designation to a campus if the campus is ranked in the top 25% of campuses in the state in annual improvement in student achievement</p> <p><i>TEC §39.202(a) [HB 3, Sec. 59]</i></p>	<p>Plans for defining, collecting, evaluating, and integrating new indicators will be outlined in the 2010 transition plan.</p>	
<p><b>Distinction Designations: Campus Performance Gaps</b></p> <p>The commissioner shall award a distinction designation to a campus if it is able to significantly decrease or eliminate performance differences between student groups and is ranked in the top 25 percent of campuses in the state.</p> <p><i>TEC §39.202(b) [HB 3, Sec. 59]</i></p>	<p>Plans for defining, collecting, evaluating, and integrating new indicators will be outlined in the 2010 transition plan.</p>	

HB 3 Assessment and Accountability Provisions	Status	Comments/Issues
<p><b>Distinction Designations: Campus Academic Achievement</b></p> <p>The commissioner shall award a distinction designation to a campus for academic achievement in English language arts, mathematics, science, or social studies. The commissioner will establish a committee to develop criteria for these distinction designations.</p> <p><i>TEC §39.202(c)(1) [HB 3, Sec. 59]</i></p>	<p>Plans for defining, collecting, evaluating, and integrating new indicators will be determined by the committees that will be convened, as outlined in the 2010 transition plan.</p>	



HB 3 Assessment and Accountability Provisions	Status	Comments/Issues
<b>Transition</b>		
<p><b>HB 3 Transition Plan</b></p> <p>No later than December 1, 2010, TEA shall prepare and deliver to the governor, lieutenant governor, and leaders of the Texas legislature a transition plan to implement provisions of HB 3.</p> <p><i>[HB 3, Sec. 68]</i></p>	<p>The transition plan development schedule will include time for public comment before the transition plan is finalized.</p> <p>This plan will contain a detailed description of the process the COE will use to develop and implement HB 3, including timelines, provisions for educator and public input, resources required for implementation, scope and sequence of tasks to be performed, and rulemaking to implement provisions.</p>	