

By Tracy Kriese

# Legislative Update



The 2015-2016 year has been an especially busy one in Texas education. Teachers and other professionals had opportunities to participate in the revision of the ELAR/SLAR TEKS, a process that is now nearing completion. As a result of several bills signed into law after the 84<sup>th</sup> Texas legislative session, changes were made in the areas of state assessment, the reporting of test results, and graduation policy. At the national level, the No Child Left Behind Act became the Every Student Succeeds Act, bringing about long-anticipated changes in the role of federal government in education.

## TEKS Revision

As reported in the previous issue of *English in Texas*, TCTELA sponsored an online forum for feedback on the revision of the ELAR/SLAR TEKS. More than 800 teachers, administrators, and citizens contributed their views about the first draft received from the TEKS workgroups, and the TCTELA annual conference

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in January provided additional opportunity for feedback on the draft through roundtable discussions. Responses were noted and included in a report by forum moderator Victoria Young, who presented a summary to the Texas State Board of Education (SBOE) at its January 26, 2016, meeting of the Committee of the Full Board. At that meeting, Young was joined by expert reviewers, representatives of the grade band committees, and members of the public in testifying about the revised TEKS.

## Testimony

Much of the testimony from expert reviewers voiced concern over the need for vertical alignment of the TEKS to close gaps in areas of study and to ensure consistent use of terminology. Workgroup representatives shared their plan to address this lack of vertical alignment by having representatives of each grade band meet as a group to review K-12 progression through each strand.

Another concern was the sometimes word-for-word repetition of TEKS across grade levels. Questions were raised as to whether this repetition was purposeful, giving teachers room to accommodate the needs of students who enter school below grade level and therefore must have the standards of the previous year taught again in the current year, or whether this repetition instead made the document unnecessarily bulky and vulnerable to confusion, requiring teachers to seek clarification and coordination during district or regional professional development. Despite some disagreement about the repetition of standards in the TEKS,

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the recursive nature of English language arts was affirmed by all, and testimony clarified that differentiation of those repeated standards would be achieved through the study of increasingly complex texts as students advance from year to year.

Some Board members and experts questioned the lack of specificity in the TEKS. It was acknowledged that while this lack of specificity could give teachers latitude to make choices appropriate to their diverse classrooms, there was also concern that new teachers and those in small districts with fewer opportunities for teacher development would find the TEKS inadequate for their needs. Proposed solutions by several Board members and experts included embedding a glossary of academic terms in the TEKS and attaching a clarifying document that could elaborate the standards and student expectations as well as provide teachers a list of suggested authors and titles by grade band.

There were several questions from Board members about the length of the draft document. It was recommended that workgroups consider whether the TEKS were too broad by exploring whether all of each grade year's TEKS could reasonably be taught within the scope of a single school year.

The Board expressed thanks to TCTELA for taking on the cost and work of hosting the forum and to Victoria Young for her time in moderating and reporting the results.

TEKS revision workgroups met again in February to continue their work on the document, and a revised draft was made available for review prior to the April 6-8 meeting of the SBOE. At that meeting, the revised draft was submitted for discussion and public hearing. Testimony from that meeting was then shared with grade band and vertical alignment committees, and the revision work continued through May.

### Next Steps

The SBOE will hear further testimony and discussion of the revised TEKS at its July 20-22 meeting, after which TCTELA will open the second phase of its TEKS review forum. Teachers, administrators, and citizens are encouraged to participate in this second forum, providing valuable feedback before finalization of the TEKS. Forum responses will be analyzed and reported to TCTELA membership and shared with the SBOE prior to the September 14-16 meeting of the Board.

Several bills signed into law during the Texas 84<sup>th</sup> legislative session pertain to English classrooms in Texas.

House Bill 743 mandates that 85 percent of students in grades three through five be able to complete state assessments in under two hours, and that 85 percent of students in grades six through eight be able to complete those assessments in under three hours. The bill requires that all assessments be limited to a one-day administration. Consequently, the 2016 Writing STAAR was revised to include only one essay at fourth grade and one essay at seventh grade. Test proctors were required to keep track of how much time students spent taking the tests, reporting this data to the Texas Education Agency (TEA). This data will be used in redesigning all subject area tests to bring them into compliance with the time restrictions of HB 743 by spring 2017.

House Bill 2349 requires that school districts and charters administering STAAR notify TEA of any students who transferred in from out of state during the school year. The test results of these out-of-state transfers will be reported separately from those of a district's or charter's other students. The law also stipulates that transfer students who, prior to transferring, received credit for a course for which there is a STAAR end-of-course exam and who have had that credit accepted by their new school are exempt from taking the EOC for that course in order to graduate.

SB 149 requires the creation of an Independent Graduation Committee for juniors and seniors who have not met testing requirements for graduation. The committee meets on behalf of any student who has completed his or her junior year but has failed to pass no more than two of the five required end-of-course exams. If a student has met curriculum requirements for graduation, the committee then takes into consideration that student's overall academic performance and the completion of any other requirements determined by the committee, such as participation in a remedial program, before deciding eligibility for graduation.

### ESSA

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### Testing and Accountability

The new law still requires that each state assess students annually in math and reading for grades three through eight, once in math and reading for grades nine through twelve, and once in science during each of three specified grade spans (three through five, six through nine, and ten through twelve). English language learners will continue to be assessed in English language proficiency annually in each of grades kindergarten through twelve.

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Where ESSA differs from NCLB is in its lack of mandates about the use of those test scores in accountability and teacher evaluation. The new law gives individual states more leeway in both areas, no longer specifying how states use test results in rating districts and campuses and in evaluating teacher job performance.

Most of the new accountability changes in ESSA do not go into effect until 2017-18, giving TEA time to consult with all relevant stakeholders in developing a new state plan for accountability and funding. In a letter dated March 8, 2016, TEA Commissioner Mike Morath explained that 2016-17 will be a transition year in which the state's list of priority and focus campuses will not change.

### Teacher Evaluation

After a two-year pilot, TEA is replacing PDAS with the new Texas Teacher Evaluation and Support System (T-TESS) for the 2016-17 school year. Although the passage of ESSA means that states are no longer required to tie student growth to a teacher's evaluation, TEA will continue with its plan to assess teacher performance with a rubric that is weighted 70% observation, 20% student growth, and 10% professional practices and responsibilities.

Districts will have four options for determining student growth: student learning objectives, portfolio assessment, district level pre- and post-tests, and value-added measures (VAM) for teachers in state-tested subjects.

At its annual conference in January of 2016, TCTELA joined several other professional organizations in calling upon TEA to re-evaluate its use of student growth as a component in teacher evaluations. The following resolution was adopted at the conference:

*Whereas TCTELA values meaningful, authentic, and supportive evaluation of classroom teachers, and*

*Whereas the reauthorization of NCLB, known as ESSA, no longer requires the inclusion of a student growth measure in teacher evaluation, and*

*Whereas the American Statistical Association cautions that limitations of Value Added Models exist, and that such "limitations are particularly relevant if VAM scores are used for high-stakes purposes,"*

*Be it resolved that TCTELA requests transparent and immediate communication with teachers regarding the student growth component of the newly developed Texas Teacher Evaluation and Support System, or T-TESS, and*

*Be it resolved that TCTELA requests that TEA re-evaluate the inclusion of the student growth measure in T-TESS.*

Some progress has been made in achieving the transparent communication requested in TCTELA's resolution. In a document sent to school districts titled "Measures of Student Growth" and dated January 2016, TEA explained that districts are free to choose any of the four student growth measures in evaluations, clarifying that districts may opt to use VAM in evaluating teachers of STAAR-tested subjects but are not required to do so. The document was subsequently posted to the T-TESS section of TEA's website ([texas.tea.org](http://texas.tea.org)), making information about the Student Growth Measure more accessible to classroom teachers. The Student Growth Measure component of T-TESS goes into effect for the 2017-18 school year.

### References

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