



April 29, 2020

Mike Morath, Commissioner
Texas Education Agency
1701 N. Congress Avenue
Austin, TX 78701-1494

Re: Petition USDE for a 2021 ESSA waiver due to the COVID-19 pandemic and resulting school closures

Commissioner Morath,

The 40 member districts of the Texas School Alliance (TSA) **greatly appreciate** the Agency's support in helping us provide meals, home learning resources, online instruction, and social emotional counseling services to our 2.1 million students during the COVID-19 school closures. We recognize that while closing schools and pivoting to remote learning was hard, reopening schools in August will be harder.

Recent NWEA research suggests that students, overall, will be much farther behind than usual once school resumes. As a result, teachers will see an even wider range of academic levels in their classrooms because of the 'COVID-19 Slide' due to the vastly different learning opportunities for students that transpired while schools were closed.¹

One of the biggest challenges we share is helping our state and local leaders understand that the learning loss from this crisis will require a multi-year effort to help our students fully recover academically. This will be especially true for our most vulnerable students – those from low-income families, those unable to digitally connect, those who are learning English, and those with learning disabilities. Researchers from Tulane University found that it took Hurricane Katrina students two full years to recover their lost learning.²

While TSA member districts **strongly support** the April 2nd announcement (see Figure 1) that "*no ratings will be issued in 2020*" and "*campuses identified for federal support and improvement will maintain their 2019 label and interventions*", TSA asks that the Agency **reconsider** the decision to treat 2019 and 2021 as consecutive years "*for the determination of multiple-year unacceptable status*"; because 2019 and 2021 will **NOT** be consecutive years in the sense of uninterrupted instruction, student learning opportunities, and data collection.

¹ Dr. Megan Kuhfeld and Dr. Beth Tarasawa, *The COVID-19 slide: What summer learning loss can tell us about the potential impact of school closures on student academic achievement*, NWEA Collaborative for Student Growth, April 2020.

² NPR, *9 Out Of 10 Children Are Out Of School Worldwide. What Now?* April 2, 2020.

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To be clear, TSA is **not** asking to “reset” the accountability ratings. Instead, TSA **respectfully requests** the Agency quickly petition the U.S. Department of Education (USDE) to issue ‘**hold-harmless**’ or ‘**not-rated**’ or ‘**report only**’ ESSA accountability ratings for the 2020-2021 school year for the reasons listed below:

- 1) ESSA Academic Growth and English Language Proficiency components will be missing for 2021.
 - a. As shown in Figure 2, neither the Academic Growth Component nor the English Language Proficiency Component (as currently defined in Texas’ ESSA Plan) will be available for use in the 2021 Closing the Gaps Domain calculations. For elementary and middle school campuses, this means that 60% of the weighted score (which was included in the 2019 rating calculations) will not be available to use in the 2021 ratings calculations.
2. ESSA Federal Graduation Rates and College, Career, and Military Ready (CCMRs) Components for the Class of 2020 will be impacted by school closures.
 - a. As shown in Figure 2, the lagging indicators for the Class of 2020 are scheduled to be included in accountability ratings as well as federal identification, sanctions, and interventions in Spring 2021. The Class of 2020 will be impacted by this year’s COVID-19 school closures and therefore, will not be comparable to the Class of 2018 (which were used to calculate the 2019 accountability ratings).
3. ESSA Student Group Targets and Cut Scores used to assign A-F letter grades in the Closing the Gap Domain will no longer be valid or comparable.
 - a. The fourteen student group targets used in the calculations of the Closing the Gap Domain will no longer be valid or comparable considering the learning loss of our students due to COVID-19 school closures. (See Figure 3.)
 - b. TSA members ask, *“Is it reasonable to expect students who have missed an entire term to meet a standard and/or target that was previously set for that grade? How relevant are the STAAR cut points and scale scores next year?”*; and *“Met standard is grade specific and achieving it, for the most part, is contingent on students attending school. Is it realistic to expect students to meet the same standard next school year without being in school since March?”*

Proposed Solutions:

- 1) **Petition the USDE to issue ‘hold-harmless’ or ‘report only’ or ‘not-rated’ for 2021 ESSA accountability ratings and federal identification.**

A ‘**hold-harmless**’ rating, (which is similar to the “hold-harmless” grading policies adopted by many districts during COVID-19), means that a campus’ or district’s 2021 accountability rating may not be lower than the 2019 accountability rating; ‘**report only**’ is what the Agency currently displays for Kindergarten Readiness in the TAPR (see Figure 4); and a ‘**not-rated**’ means that the 2019 ratings would remain in place for 2021.

With the coronavirus threat already impacting the 2020-21 school year, and the reality that it will take several years to recover from the academic effects of school closures due to the pandemic, the time to request an ESSA waiver is **now** - before the 2020-21 school year is scheduled to begin. This will allow districts to put resources (time, energy, people, and money) into proactive measures to



accelerate instruction due to the catastrophic losses in learning. Doing so now is a critical, timely investment in our students.

IMPORTANT to NOTE: Texas will not be alone in seeking ESSA waivers for the 2021 accountability cycle. Currently, there are 47 states that include a growth measure for elementary and middle schools and 20 states that include a growth measure for high school. Each of these states will also need to request ESSA flexibility for the 2020-2021 school year.³

- 2) **Petition the USDE for flexibility in assessing ESSA Academic Growth and English Language Proficiency Components.** See Figure 5 for possible assessment 'report only' options for the 2020-2021 school year.

Finally, TSA agrees with the Agency's statement, *"The state accountability system relies on fair, reliable, and valid assessment results to assign ratings and to identify schools for support and improvement."*⁴ However, the known and unknown impact of COVID-19 related disruptions will render the Texas ESSA plan invalid for 2021 and now requires flexibility for future ESSA ratings.

TSA member districts would be happy to serve as a resource to Agency staff as you work with the U.S. Department of Education to identify issues and develop possible solutions for the upcoming school year.

Sincerely,

A handwritten signature in black ink that reads "Steven A. Chapman".

Steve Chapman, President, Texas School Alliance
Superintendent, Hurst-Euless-Bedford Independent School District

The Texas School Alliance (TSA) comprises 40 of Texas' largest school districts, serving over 2 million students or nearly 40 percent of the state's total pupil enrollment. Our students represent 42 percent of the state's economically disadvantaged student population, 50 percent of its English Learners, and 43 percent of all at-risk students in the state. The organization works on issues that will improve educational quality for Texas students, particularly those in large and urban districts.

³ Education Commission of the States, *50-State Comparison: State's School Accountability Systems*, May 2018

⁴ TEA, *Performance Reporting Bulletin*, April 10, 2020

Figure 1. Source: TEA 2020 COVID-19 ESSA Waiver Approval & 2020 State Academic Accountability Notice, April 2, 2020.



To the Administrator Addressed

Commissioner Mike Morath

1701 North Congress Avenue • Austin, Texas 78701-1494 • 512 463-9734 • 512 463-9838 FAX • tea.texas.gov

DATE:	April 2, 2020
SUBJECT:	Every Student Succeeds Act (ESSA) Waiver Approval & 2020 State Academic Accountability
CATEGORY:	Notice
NEXT STEPS:	Share with appropriate staff

This letter is to notify you that the Texas Education Agency (TEA) received approval from U.S. Department of Education (USDE) on March 30, 2020, to waive statewide assessment and accountability requirements under the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), for the 2019–2020 school year.

Additionally, for 2020 state academic accountability, all districts and campuses will receive a label of *Not Rated: Declared State of Disaster*.

Background

As announced in the *To the Administrator Addressed* letter dated March 18, 2020, Governor Greg Abbott used his statutory authority under Texas Government Code, §418.016 to suspend annual academic assessment requirements for the remainder of the 2019–2020 school year. As a result, the State of Texas Assessments of Academic Readiness (STAAR®) are not being administered for the 2019–2020 school year in response to the COVID-19 pandemic.

TEA submitted a federal assessment and accountability waiver on March 24, 2020, and will issue labels indicating *Not Rated: Declared State of Disaster* for 2020 to recognize that the closure of schools during the state's testing window inhibited the ability of the state to accurately measure district and campus performance.

School Improvement Implications and Funding

While no ratings will be issued in 2020, an overall rating or domain rating of *D* or *F* in 2019 and an overall rating or domain rating of *D* or *F* in 2021 will be considered to be consecutive for the determination of multiple-year unacceptable status.

Furthermore, as with other *Not Rated* labels, when a district or campus receives a *Not Rated: Declared State of Disaster* label, the district or campus shall continue to implement the previously ordered sanctions and interventions. If a campus has been ordered to prepare a turnaround plan and then receives a rating of *Not Rated: Declared State of Disaster*, that campus is strongly encouraged, but not required, to implement the approved turnaround plan.

Campuses identified for comprehensive support and improvement, targeted support and improvement, and additional targeted support in 2019 will maintain that label and interventions for 2020–2021.

For Further Information

To view the complete amendment request and approval as well as other valuable resources, visit <https://tea.texas.gov/texas-schools/health-safety-discipline/coronavirus-covid-19-support-and-guidance>

Figure 2. Source: TEA 2019 Accountability Manual, Chapter 4 - Closing the Gaps / ESSA Domain, Appendix H – Data Sources, TEA 2020 Accountability Updates, November 2019.

The Class of 2020 lagging indicators that will be used in the 20201 and 2022 accountability cycles are noted in red boxes below.

Calculating a Closing the Gaps Domain Score

To calculate the Closing the Gaps domain score, weight each component for which the district or campus has at least the minimum number of evaluated indicators based on the following table.

Component points are rounded to one decimal place. Total points for each component are determined by multiplying the percentage of evaluated indicators met by the corresponding weight and rounding to one decimal place. The Closing the Gaps domain score is the sum of the total points rounded to the nearest whole number.

Closing the Gaps Component Weights		
Campus Types	Closing the Gaps Domain Component	Weight
Elementary and Middle Schools	Academic Achievement	30%
	Academic Growth Status	50%
	English Language Proficiency	10%
	Student Achievement Domain Score: STAAR Component Only	10%
High Schools, K-12s, AEAs, and Districts	Academic Achievement	50%
	Federal Graduation Status or Academic Growth Status ¹	10%
	English Language Proficiency	10%
	College, Career, and Military Readiness or Student Achievement Domain Score: STAAR Component Only ²	30%

¹If Federal Graduation Status is not available, Academic Growth Status is used.

²If College, Career, and Military Readiness is not available, Student Achievement Domain Score: STAAR Component Only is used.

Academic Growth (as currently defined) and TELPAS will NOT be available for 2021 ratings / federal identification

Graduation rates and CCMRs are lagging indicators. TELPAS NOT available. The Class of 2020 (impacted by COVID-19 school closures) will be used in the 2021 ratings / federal identification.

TEA CCMR Indicators for HS, K-12, and Districts

College Ready

- Meet criteria of 3 on AP or 4 on IB examinations
- Meet TSI criteria (SAT/ACT/TSIA/College Prep course) in reading and mathematics
- Complete a course for dual credit (9 hours or more in any subject or 3 hours or more in ELAR/mathematics)
- Earn an associate's degree
- Complete an OnRamps course in any subject and qualifying for college credit

Military Ready

Enlist in the United States Armed Forces

Career Ready

- Earn an industry-based certification
- CTE coherent sequence coursework completion and credit aligned with approved industry-based certifications (one-half point credit)
- Graduate with completed IEP and workforce readiness (graduation type codes 04, 05, 54, or 55)
- Earn a Level I or Level II certificate
- Graduate under an advanced degree plan and be identified as a current special education student

These are the CCMR lagging indicators. The Class of 2020 results (impacted by COVID-19 school closures) will be used in the 2021 ratings / federal identification.

Figure 3. Source: TEA 2019 Accountability Manual, Chapter 4 - Closing the Gaps / ESSA Domain Performance Targets, page 45.

2019 Closing the Gaps Performance Targets															2019 Accountability Manual			
Subject	Academic Achievement (Percentage at Meets Grade Level or above)																	
	All Students	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Educ.	Econ. Disadv.	EL (Current and Monitored)	Special Ed (Former)	Cont. Enrolled	Non-Cont. Enrolled				
ELA/Reading	44%	32%	37%	60%	43%	74%	45%	56%	19%	33%	29%	36%	46%	42%				
Mathematics	46%	31%	40%	59%	45%	82%	50%	54%	23%	36%	40%	44%	47%	45%				
Subject																		
Academic Growth Status (Elementary and Middle Schools)																		
ELA/Reading	66%	62%	65%	69%	67%	77%	67%	68%	59%	64%	64%	65%	66%	67%				
Mathematics	71%	67%	69%	74%	71%	86%	74%	73%	61%	68%	68%	70%	71%	70%				
Federal Graduation Status (High Schools, K-12s, and Districts) ¹																		
90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	n/a	n/a	n/a				
Student Achievement Domain Score: STAAR Component Only (Elementary and Middle Schools)																		
47%	36%	41%	58%	46%	73%	48%	55%	23%	38%	37%	43%	48%	45%					
College, Career, and Military Readiness Performance Status (High Schools, K-12s, and Districts)																		
47%	31%	41%	58%	42%	76%	39%	53%	27%	39%	30%	43%	50%	31%					
English Language Proficiency Status ²																		

¹ Ever ELs (EL [Ever HS]) are evaluated in the federal graduation rates. Ever ELs (EL [Ever HS]) are students reported in TSDS PEIMS as ELs at any time while attending grades 9–12 in a Texas public school.

² English Language Proficiency Status evaluates current ELs only.

Chapter 4—Closing the Gaps Domain 45

Figure 4. Source: TEA 2018-19 TAPR Kindergarten Readiness – Example of “Report Only” Results

TEXAS EDUCATION AGENCY Texas Academic Performance Report 2018-19 State Kindergarten Readiness											
	State	African American	Hispanic	White	American Indian	Asian	Pacific Islander	Two or More Races	Special Ed	Econ Disadv	EL
Assessed Students in KG											
2018-19											
Students ready for KG	163,691	18,637	74,511	54,603	543	9,603	249	5,545	7,109	88,683	33,247
Students assessed in KG	313,021	39,019	157,255	91,007	1,053	14,633	529	9,525	19,699	194,673	69,236
Percent ready	52.3%	47.8%	47.4%	60.0%	51.6%	65.6%	47.1%	58.2%	36.1%	45.6%	48.0%
2017-18											
Students ready for KG	141,432	15,324	65,962	47,263	502	7,579	237	4,565	5,405	74,381	32,816
Students assessed in KG	298,931	35,896	154,114	85,899	1,028	13,084	527	8,383	17,574	180,746	75,732
Percent ready	47.3%	42.7%	42.8%	55.0%	48.8%	57.9%	45.0%	54.5%	30.8%	41.2%	43.3%
2016-17											
Students ready for KG	160,497	18,590	76,910	51,478	514	8,058	236	4,711	6,056	87,252	36,643
Students assessed in KG	273,175	32,823	144,268	75,721	932	11,887	423	7,121	15,134	167,207	72,589
Percent ready	58.8%	56.6%	53.3%	68.0%	55.2%	67.8%	55.8%	66.2%	40.0%	52.2%	50.5%
Eligible Students Who Attended PK											
2018-19											
Students ready for KG	74,886	10,754	49,059	9,843	213	3,282	107	1,628	3,018	68,504	29,392
Students assessed in KG	142,811	21,365	94,813	17,817	414	5,353	191	2,858	9,155	132,786	55,273
Percent ready	52.4%	50.3%	51.7%	55.2%	51.5%	61.3%	56.0%	57.0%	33.0%	51.6%	53.2%
2017-18											
Students ready for KG	63,870	8,523	42,728	8,295	243	2,697	116	1,268	2,251	57,266	28,036
Students assessed in KG	136,182	19,213	92,458	16,400	490	4,973	203	2,445	8,024	124,332	59,572
Percent ready	46.9%	44.4%	46.2%	50.6%	49.6%	54.2%	57.1%	51.9%	28.1%	46.1%	47.1%
2016-17											
Students ready for KG	72,789	10,284	49,284	8,884	223	2,723	101	1,290	2,498	66,111	30,795
Students assessed in KG	124,846	17,085	86,944	14,105	381	4,192	166	1,973	6,835	114,539	56,152
Percent ready	58.3%	60.2%	56.7%	63.0%	58.5%	65.0%	60.8%	65.4%	36.6%	57.7%	54.8%
Eligible Students Who Did Not Attend PK											
2018-19											
Students ready for KG	22,818	3,617	9,960	6,821	97	1,271	76	976	1,424	20,179	3,855
Students assessed in KG	67,258	10,336	35,306	16,107	268	2,759	209	2,273	4,773	61,887	13,963
Percent ready	33.9%	35.0%	28.2%	42.4%	36.2%	46.1%	36.4%	42.9%	29.8%	32.6%	27.6%
2017-18											
Students ready for KG	19,886	2,832	9,685	5,447	92	1,027	52	751	1,106	17,115	4,780
Students assessed in KG	62,705	8,947	34,613	14,262	246	2,585	180	1,872	4,257	56,414	16,160
Percent ready	31.7%	31.7%	28.0%	38.2%	37.4%	39.7%	28.9%	40.1%	26.0%	30.3%	29.6%
2016-17											
Students ready for KG	24,328	3,529	12,397	6,193	93	1,182	51	883	1,285	21,141	5,848
Students assessed in KG	58,488	8,302	33,434	12,220	253	2,512	138	1,629	3,795	52,668	16,437
Percent ready	41.6%	42.5%	37.1%	50.7%	36.8%	47.1%	37.0%	54.2%	33.9%	40.1%	35.6%
Students Who Were Not Eligible for PK											
2018-19											
Students ready for KG	65,987	4,266	15,492	37,939	233	5,050	66	2,941	2,667	0	0
Students assessed in KG	102,952	7,318	27,136	57,083	371	6,521	129	4,394	5,771	0	0
Percent ready	64.1%	58.3%	57.1%	66.5%	62.8%	77.4%	51.2%	66.9%	46.2%	0.0%	0.0%

Figure 5. Possible BOY, EOY and Report Only Options for Assessing Academic Growth in Reading, Math, and English Proficiency.

Options for Fall 2020 BOY No Stakes Diagnostic Assessments to Determine Baseline for Reading & Math Growth for grades 4 thru English I and Algebra I	Options for Spring 2021 EOY No Stakes Diagnostic Assessment to Calculate Reading & Math Growth for grades 4 thru English I and Algebra I	Report Only Results to TEA (See figure 4 example from TAPR Kindergarten Readiness Results)
Option 1: Locally Selected Assessments - BOY	Locally Selected Assessments - EOY	<u>Report Only</u> vendor calculated growth metrics from BOY to EOY: • Met or Exceeded growth • Did not meet growth
Option 2: TEA's Interim Assessments - BOY	TEA's Interim Assessments - EOY	<u>Report Only</u> TEA's calculated interim assessment growth metrics from BOY to EOY: • Met or Exceeded growth • Did not meet growth
Option 3: Administer Spring 2020 STAAR tests from the prior grade level <i>[Note: these tests were not used during Spring 2020, yet taxpayers have paid for them and the tests could be administered online to provide teachers and parents with immediate results. Recommend starting with enrolled 4th grade students taking the 3rd grade STAAR reading and math tests from Spring 2020.]</i>	Spring 2021 STAAR tests	<u>Report Only</u> TEA's calculated STAAR growth metrics: • Met or Exceeded growth • Did not meet growth
English Proficiency BOY similar options for Fall 2020	English Proficiency EOY similar options for Spring 2021	English Proficiency similar options for Report Only