



Mandated Achievement Testing in the Public Schools of Texas

Facts & Issues

A Study by the League of Women Voters of Texas Education Fund

Fall 2007

Public education in Texas is changing. More tests and more accountability have raised the stakes for students, educators, districts, and the state. Demographics are changing. Our population is becoming more diverse, with more English learners, low-income students, and students at risk of dropping out of school. Technology, research, and development require that all students receive a more rigorous education to succeed in college and the workplace.

The link between good schools and a good economy is important. Texas ranked among the five states with the highest public school enrollment and the highest number of children living in poverty, according to a February 2007 presentation by former Education Commissioner Mike Moses.

Table 1. Texas Public School Students by Ethnicity and Economic Status, 2005-2006

	Number of Students	% of Total	% Change from 2005
African American	664,242	14.7%	6.8%
Hispanic	2,040,449	45.3%	4.0%
White	1,644,308	36.5%	-0.5%
Other	156,573	3.5%	6.3%
Total	4,505,572	100.0%	2.8%
Economically Disadvantaged	2,503,755	55.6%	4.6%

Source: *Pocket Edition, 2005-2006 Texas Public School Statistics*, Texas Education Agency

How did we get here? Is test-driven accountability helping us meet the challenges? What steps should we take to support an educational system that will help ensure personal and economic success for the diverse student population in our state? This report will help address these questions.

What Is the History of State-Mandated Testing and Accountability in Texas?

Texas has been at the forefront of state-mandated testing and accountability in the nation. The state's accountability system, which was first initiated in 1990-91, was the model for the federal accountability system established in the *No Child Left Behind (NCLB) Act* of 2001. An *accountability system* is a way of making sure that the districts are teaching the state-required curriculum and that students are learning.

Origins of our state accountability system, the *Academic Excellence Indicator System (AEIS)*, date back to 1984. At that time, the Legislature decided to emphasize student achievement as the basis for accountability rather than school district compliance with rules, regulations, and educational practices.

The state's first statewide assessment dates back even farther, to 1980. It and its successors are all criterion-referenced tests. In a *criterion-referenced test*, the test-taker's *performance* (score) is interpreted by comparing it with a prespecified body of knowledge and skills—the *curriculum*. Texas has a tradition of developing its

own tests to make sure that students are meeting state curriculum requirements. Over the years, these mandated standardized tests have become progressively more rigorous, involving more problem solving and higher level thinking skills.

Other states may use a national *norm-referenced test*, such as the *Iowa Test of Basic Skills (ITBS)*. These norm-referenced tests measure the performance of test takers against a target group—for instance, third graders against third graders in the national norm.

Some school districts in Texas, such as the Houston Independent School District, still use a norm-referenced test along with the state-mandated TAKS, to compare how their district fares against others. The state also tracks the performance of selected groups of Texas students on norm-referenced tests such as the *National Assessment of Educational Progress (NAEP)* and the *Scholastic Aptitude Test (SAT)*. Using both criterion- and norm-referenced tests offers the advantages of both systems.

How Is the State-Mandated TAKS Test Used?

Testing—or *assessment*—is an age-old way of determining how teachers are teaching and how well students are learning. The outcry over testing has grown louder as test scores have been paired with accountability rating systems that have become increasingly complex and punitive.

The TAKS is the state-mandated, standardized test currently used in our state. The state sets the parameters for the tests, and the public schools are required to administer the tests. The Legislature required that TAKS be more challenging than its predecessors and be aligned with the state mandated curriculum, the *Texas Essential Knowledge and Skills (TEKS)*. The TAKS needed to be a tougher test because so many students were topping out on the TAAS.

TAKS tests are given in grades 3-9 in reading; grades 4 and 7 in writing; grades 10 and 11 in English language arts (reading and writing); grades 3-11 in math; grades 8, 10, and 11 in social studies; and grades 5, 8, 10, and 11 in science.

How are the TAKS tests developed?

Texas educators have played an important role in the development of the TAKS tests from beginning to end. These educators include teachers, curriculum specialists, administrators, and education service center staff. Serving on committees, they represent the diversity of the state, according to geographic regions, ethnicity, gender, and types and sizes of school districts in the state.

The first steps in the test-development process involve developing the objectives, guidelines, and student expectations for each grade and subject test. With these guidelines in hand, the two-year process of developing a test begins. First, a contractor writes preliminary TAKS questions. The contractor also prints and distributes the test

booklets, as well as related test materials. *Pearson Education Measurement* has been the main contractor in Texas since 1981. Next, curriculum and assessment specialists at the *Texas Education Agency (TEA)* review the questions. Then, *Item Review Committees* review the questions and decide which ones to eliminate. For example, they consider whether questions represent a range of grade-appropriate difficulty levels. The committees are composed of about 25 educators from across the state for every grade level and subject area. Members include new and experienced teachers, men and women, and racially diverse members.

In the second year, the state field-tests the questions to ensure that they are valid and reliable. A sample of students from throughout the state takes the test. The new questions are embedded in the TAKS multiple-choice tests. During the next stage, *Data Review Committees* review the field-tested questions and decide which ones are flawed and should be eliminated. For example, they check for correct answers from students by gender and ethnicity. These committees are composed of about 25 educators for every grade level and subject area. The valid questions are included in a *Test Item Bank*. Finally, the TAKS tests are constructed. They must be the same difficulty level as the first-year 2002-2003 test, which is the baseline. This process ensures that the hurdle for students is the same every year.

Previous tests are released periodically, according to state law. This drains the bank of questions and creates additional costs for development. Every test that is administered is different, including the makeup tests.

Is there one state achievement test for all students?

The TAKS general assessment addresses the academic needs of a wide range of students, including Spanish speakers, sight-impaired students, and special education students on grade level. Under federal law, the TAKS general assessment must be aligned to grade-level standards and must account for 97% of all students tested by 2007-2008. The TAKS-Modified is a simplified test being developed to meet federal law, which limits this test to only 2% of the special education students. The TAKS-Alternate accounts for the remaining 1% of the special education students with significant cognitive impairment, who cannot take a paper-and-pencil test.

Spanish-speaking students who are not proficient in English are eligible to take a Spanish-language version of the TAKS in grades 3-6. A local *Language Proficiency Assessment Committee (LPAC)* identifies *Limited English Proficient (LEP)* students and decides what assessments the individual LEP students will take. Some LEP students who are recent immigrants are eligible for a state exemption from taking the TAKS for up to three years. This exemption is available in grades 3-10. However, under the federal No Child Left Behind Act, the performance of LEP students who are recent immigrants counts in federal school accountability measures after one school year.

Certain recent immigrants are eligible to take the TAKS with linguistic accommodations under the federally required *Linguistically Accommodated Testing (LAT)*. Using a bilingual or English dictionary is an example of an accommodation that can help students better understand the English used on the tests. LEP students are required to take the exit-level TAKS tests currently required for graduation.

However, recent immigrants can get a one-time postponement.

Which students are required to take the TAKS?

Taking the TAKS is a requirement for all students in public schools and open-enrollment charter schools. However, charter schools are not held to the same accountability standards. Most charter schools are set up to serve at-risk students. The state uses the TAKS to regulate them.

For private schools, taking the TAKS is optional because they are not required to meet accountability standards. Private schools must pay for the tests if they choose to participate. Home schools are not required to take the TAKS or to meet accountability standards. The state has no control over them.

Why is there so much testing?

TAKS preparation and testing take a lot of instruction time. TAKS tests are given in the spring, and one day is needed for each test. In addition to the administration of the TAKS, teachers also must give field tests, makeup tests, and retests for students who fail.

Concerns about student test performance and the resulting accountability ratings have caused districts to stress test-taking skills and to give more *benchmark tests*. They help teachers determine how well students are learning the curriculum over a given period—for example, every six weeks. Benchmark tests are not required by the state. Some districts develop their own benchmark tests, and others buy them.

The trend in benchmark and practice testing is underscored in a 2005 online survey conducted by the *Texas AFT* (formerly the Texas Federation of Teachers). Of the 2,817 teachers who responded, 97.4% said they were required to give practice tests, benchmark tests, or other standardized tests that are designed to prepare students to take the TAKS. In addition, half the teachers responding said they spent 50% or more of class time in preparation for the TAKS.

In addition to the TAKS, the state assesses limited English proficiency with the *Texas English Language Proficiency Assessment System (TELPAS)*. It assesses the progress LEP students make annually in learning to speak, listen, read, and write in English.

Other standardized tests not mandated by the state but often used in school districts are norm-referenced tests. They include the following: *Advanced Placement (AP)*, *Scholastic Aptitude Test (SAT)*, *American College of Testing (ACT)*, *International Baccalaureate (IB)*, *National Assessment of Educational Progress (NAEP)*, also called the Nation's Report Card, *Iowa Test of Basic Skills (ITBS)*, and *Stanford Achievement Test*.

Is the TAKS used to determine grade-level promotion?

The state has been phasing in a program that requires students to pass the TAKS to be promoted from grade 3 (began in 2002-2003); grade 5 (2004-2005); and grade 8 (2007-2008). The program, called the *Student Success Initiative (SSI)*, is designed to ensure that all students get the support they need to succeed in reading and math. Students in grades 3, 5, and 8 have three chances to pass the required TAKS. (Grade 3 students must pass only the reading TAKS test.) Those who do not pass are given additional instruction after each

testing opportunity. Parents are notified if their child does not pass the TAKS test that is required for promotion.

After a student has failed the second test, a *Grade Placement Committee (GPC)* creates an instructional plan, based on the individual needs of the student. The GPC includes the principal, teacher, and parent or guardian. Students who fail after three tries are to be retained. However, parents are allowed to appeal the decision to the GPC. The committee may decide to promote those students who are likely to perform at grade level if they are given supplemental instruction. Whether a district retains or promotes a student, the district must develop an individual instructional plan for the student for the following school year.

In 2004-2005 school year, 11% of the third-graders failed reading on the first try, and 3.2% of them were eventually retained. Among the fifth-graders, about 18% failed reading on the first try, and 3.5% were retained.

Retention rates in 2004-2005 varied based on ethnicity. In grade 3, 4.5% of the African-American and Hispanic students were retained, compared to 1.3% of White students. In grade 5, 5.3% of the African American students were retained, compared to 1.5% for White students.

The state's campaign to address social promotion is designed to provide students with the requisite skills to do on-grade-level work. On the other hand, grade-level retention disproportionately affects certain subgroups of students. In addition, students who fail are labeled and identified as being at risk of dropping out of school.

Is the TAKS used to determine graduation from high school?

To graduate from high school, students currently are required to pass all four content areas assessed by the TAKS in grade 11: English language arts (ELA), math, science, and social studies. Students can retake these *exit-level tests* five times during their junior and senior year. Those who still have not passed by the end of their senior year can continue to take the tests for an unlimited number of times.

Of the grade 11 students in the class of 2007 who took exit-level TAKS tests in spring 2006, 64% met the passing standard on all tests taken. By graduation, the cumulative passing rate for the 2007 senior class was 84%. That means that 16 percent, or 39,095 public school students, did not graduate with their class even though they may have passed all the required coursework.

Can end-of-course tests be used instead of the exit-level requirement?

Discussions building up to the 2007 legislative session focused on replacing exit-level TAKS with *end-of-course (EOC) tests* as a requirement for graduation from high school. An advantage of the EOC approach is that students are tested on course material while it is fresh in their minds. Because the TAKS tests take a survey approach, students are expected to remember material they took in grade 9—for example, biology.

The TEA began developing EOC tests after the governor's Executive

Order of December 2005. Algebra I already has been field-tested and is available to districts online. EOC tests are compatible with No Child Left Behind. Several other states are using different combinations of EOC tests.

Did the Legislature act on end-of-course exams?

The 2007 Texas Legislature approved end-of-course testing in SB 1031. It replaces the four TAKS exit-level tests in high school with 12 EOC tests, starting with students entering grade 9 in the 2011-2012 school year. EOC tests will count as 15% of the course grade. To graduate, students must earn an average score of 70 in each of four core subject areas—English, math, social studies, and science. Students must score at least 60 on each individual test in order to apply the scores to their 70-point average. Students who score below 70 would get supplemental instruction and an opportunity to be retested.

Under SB 1031, districts are prohibited from spending more than 10% of the instructional year giving district-required tests. The bill limits field tests of new exam questions to every other year, though the limit does not apply to questions for new state or federal assessments. In addition, school districts must give students in grades 8 and 10 a college-readiness diagnostic assessment at state expense. Districts must offer students in grades 11 or 12 a college entrance exam at state expense.

In addition, the bill directs the TEA to develop a vertical scale for evaluating and comparing student test performance in math and reading in grades 3-8 for implementation in the 2008-2009 school year. The bill also includes penalties for violating test security, and creates a committee to consider changes in the test-driven accountability system before the next session, with implementation scheduled for 2011-2012.

Does TAKS prepare students for college?

Basic proficiency on the TAKS is not an adequate measure of college readiness, said Dr. Raymund Paredes, Commissioner of Higher Education in Texas, in remarks before the House Committee on Higher Education on Feb. 12, 2007. Paredes urged policy makers to consider using a 10th grade PSAT program or an ACT college readiness package, and strengthening the college-readiness indicators in the state's accountability system for K-12. He also recommended that students take more advanced placement and dual credit courses, and that they continue taking rigorous courses in the senior year. (Note: Students who participate in University Interscholastic League activities tend to avoid AP and dual credit courses because of the No Pass, No Play Rule in Texas.)

According to the TEA, participation in AP and IB courses continues to increase. The percentage of 11th and 12th graders in public schools taking at least one of these tests rose to 18.4% in 2004-2005 from 8.6 percent in 1996-97. Participation in college admissions testing has increased at higher rates in Texas than nationally. The percentage of Texas high school graduates who took the SAT, ACT, or both increased from 61.9% for the class of 2004 to 65.5% for the class of 2005. Texas does not limit student eligibility to take the SAT and the ACT to students in the top percentiles, as some states do. The state monitors scores on these national, norm-referenced tests to track college readiness. In August 2006, the TEA reported that Texas

students scored slightly below the national average on both the ACT and the SAT.

What are the perceptions of the TAKS?

Tests have long been used to gauge a student’s grasp of knowledge. The egalitarian manner in which the TAKS tests have been developed in Texas has helped garner support for the assessment. The quality of the test and how the state uses test results were noted in a national survey on state accountability by the *Princeton Review*, “Testing the Testers in 2003: An Annual Ranking of State Accountability Systems.” The accountability system in Texas was ranked third nationally.

Perceptions of the tests seem to be changing as the time spent on testing and the importance of performance on the TAKS increases. Some educators feel that the Texas testing and accountability system has resulted in unintended consequences, such as narrowing the curriculum, “dumbing down” the education system, and increasing dropout rates.

The *Association of Texas Professional Educators* funded a survey of 500 randomly selected teachers and 500 randomly selected parents to gauge concerns about the TAKS and how it should be changed. The results appear in a 2006 report, *Teacher and Parent Perceptions of the Texas Assessment of Knowledge and Skills*, by Edward Fuller, PH.D., with the University of Texas at Austin.

Perceptions of both teachers and parents were quite negative in the report. Among the many findings are the following:

- Less than 10% of teachers and 30% of parents believe that the TAKS accurately assesses a student’s academic level.
- About 23% of teachers and about 42% of parents agreed or strongly agreed that the TAKS increases the overall quality of education.
- A majority of teachers (58%) and parents (59%) agreed that the TAKS is best used as a diagnostic tool rather than a tool to determine grade promotion or graduation.

The responses indicate that parents and teachers see the TAKS as having both positive and negative impacts. “Importantly, the results suggested that neither teachers nor parents want to return to the days of no assessment or accountability. Indeed, both teachers and parents suggested that the system has simply swung too far from one extreme (no testing or accountability) to another (too much testing and accountability),” said the report.

How Does Testing Measure Higher Level Thinking Skills?

Educators have mixed feelings about the effectiveness of testing in measuring higher level thinking skills. Under the TAKS, students are achieving a higher level of thinking than they did under the previous test, the TAAS. Lots of information must be inferred. Questions on the TAKS are classified according to the depth of thinking required, using the TEKS student expectation. The older the student, the higher is the expectation. The writing portion of the TAKS, which does not involve a bubble-in format, adds an additional dimension to the test.

Responses from individuals with many educator organizations in Table 2 indicate a range of thought. These educators answered

survey questions from the League of Women Voters of Texas study committee. The respondents were with the *Texas Education Agency (TEA)*, the *Association of Texas Professional Educators (ATPE)*, the *Texas Federation of Teachers (the TFT, now the Texas AFT)*, the *Texas Classroom Teachers Association (TCTA)*, the *Texas State Teachers Association (TSTA)*, the *Texas Association of Secondary School Principals (TASSP)*, the *Texas Association of School Boards (TASB)*, the *Texas Association for Bilingual Education (TABE)*, the *Texas Alliance of Black School Educators (TABSE)*, the *Texas Association for the Gifted and Talented (TAGT)*, and the *Texas Council of Administrators of Special Education (TCASE)*.

Table 2. Does Testing Measure Higher Level Thinking Skills?*

Org.	Responses of Individuals with the Organization*
TEA	Yes, a certain percentage of the TAKS questions require higher level thinking skills. Questions have up to four objectives; two involve higher level thinking.
ATPE	TAKS seems generally ineffective in increasing student learning, does not accurately assess student achievement, inhibits mastery learning, and emphasizes test taking instead of critical thinking.
Texas AFT	Higher level thinking involves logical extrapolation from the known to develop reasoned hypotheses about the as-yet-unknown. Tests involving multiple-choice or yes-no answers, even when properly designed, are no substitute for more probing exams that demand explanations for the answers given and allow evaluation of the reasoning that produced the answers.
TSTA	The question is, can a criterion-referenced test that is used to determine if a student meets the minimum standards to graduate from high school adequately test higher level thinking skills. Even though TAKS covers more difficult material and includes more questions that require a higher level of analysis, how effective it is remains questionable.
TASSP	Testing does measure higher-level thinking skills on some questions.
TABE	Higher level thinking skills require more than factual information; they require students to manipulate information to perhaps make and explain a generalization, analyze situations, or explain why.
TABSE	Not necessarily.
TAGT	Tests can measure higher level thinking, but only if they are designed to do so. By and large, commonly used multiple-choice tests do not measure higher level thinking. Higher level thinking utilizes analysis, evaluation, and the creation of new ideas.
TCASE	My definition of higher level thinking skills has to do with a student’s ability to find answers to their questions without rote memorization of facts. Students should have skills to determine how to find answers, and how to learn from others.

*Names of respondents are listed in Reference 1.

What Is the State-Mandated Curriculum?

The state-mandated curriculum in Texas is the *Texas Essential Knowledge and Skills (TEKS)*. They are the curriculum standards that currently guide student instruction in Texas. Questions on the TAKS are based on the TEKS. Therefore, students who do not learn the TEKS do not perform well on the TAKS.

The state used a very egalitarian process for developing the TEKS. In 1997, the TEA invited every district in the state to help with the development of the TEKS and the subsequent assessment, the TAKS. The process was designed to ensure balanced viewpoints from members who represented the diversity of the state's population.

The TEKS were adopted by the State Board of Education (SBOE) in 1998-1999. The TEKS are lengthy and a much more comprehensive replacement for the Essential Elements, which were implemented in 1984. Some educators believe that the TEKS should be revised to provide clearer descriptions of what should be taught and to reduce the number of topics taught at each grade level.

What is the role of the State Board of Education?

While the SBOE is not involved with the development of the TAKS, the board does have jurisdiction over the curriculum. Since the TEKS drives the TAKS, there is a strong correlation. Updates to the TEKS are in progress. The SBOE approved changes to the math curriculum in 2005-2006, and began considering changes to English language arts in 2006-2007. Science is up for review in 2007-2008. Gathering input and support from diverse groups of Texans and professional state educators is a way to ensure that the curriculum is balanced and represents the diverse needs of the students.

What subjects are covered by the TEKS?

State law requires that the TEKS be used for instruction in the foundation areas of English language arts and reading, mathematics, science, and social studies. In addition, state law requires that the TEKS cover enrichment subjects, including health education, physical education, fine arts, career and technical education, economics, languages other than English, kindergarten, and technology applications.

How does testing affect the curriculum?

Pressure to improve test scores and accountability ratings has caused schools to spend more time on the core subjects that are tested, sometimes at the expense of subjects not tested. According to a November 2006 study of the effects of NCLB by the *Center on Education Policy (CEP)*, 71% of districts across the nation are reducing time spent on subjects other than reading and math in elementary schools, at least to some degree.

Another report from the CEP found significant changes in curriculum and instruction in the wake of high-stakes testing. The report, "*It's Different Now*": *How Exit-Exams Are Affecting Teaching and Learning in Jackson (Mississippi) and Austin (Texas)*, found that assessments have increased the instructional time in tested subject areas. The Austin case study highlighted the importance of test preparation and assessments to monitor students' progress, as well as intervention for struggling students. Those who fail a test get a

double dose of the subject they have failed. In addition, students may attend after-school and Saturday classes. This time spent on remediation and tutorials may leave little time for other electives and high school experiences. The case study in Austin noted benefits, including increased accountability and consistency in instruction, which especially help students who move frequently.

Art and physical education classes are often the first courses to be dropped as schools focus on the subjects being tested. To remedy this, a bill was passed in the recent 2007 legislative session requiring students in kindergarten through grades 5 to have 30 minutes of physical education daily, which could include recess. The bill also requires 30 minutes of physical education for students in grades 6-8 for at least four semesters during those grade levels. The bill requires a physical assessment for students in grades 3-12.

Is the curriculum getting more rigorous?

In November 2006, the SBOE beefed up the curriculum for high school students in the two graduation plans that most students take. The new "4x4" requirement mandated by state law requires graduates to complete four credits in each of the core subject areas: math, science, English language arts, and social studies. The plan will apply to students who enter high school in the fall of 2007, except for those in the Minimum Graduation Plan.

The plan increases math and science credits from three to four years and increases the total number of credits required for graduation. There are concerns about finding qualified teachers for the upper-level math and science courses, and whether it is realistic to expect many students to take the tougher curriculum and master it.

How Are Accountability Systems Used in Texas?

Texas school districts are held accountable under two systems: one mandated by the Texas Legislature, the Academic Excellence Indicator System (AEIS); and another mandated by the federal government under the No Child Left Behind (NCLB). While both systems examine student performance on the state-mandated test—the TAKS—each system slices and dices the data in different ways. Each system has different standards and different sanctions for failing to meet them.

Both systems look at data for a one-year period. Another approach is a *growth model*. It tracks individual achievement from one year to the next, so schools get credit for student improvement over time. The U.S. Department of Education has approved this approach in several states, including Arkansas, Delaware, Florida, Iowa, North Carolina, Ohio, and Tennessee. The TEA is developing a growth model for Texas.

Why do we have accountability in the public schools?

The accountability movement in education was prompted by widespread dissatisfaction with age-old methods of schooling in our country. In the 1950s, the space race raised questions about the quality of education American students were receiving, when compared to education systems in other countries. The 1960s brought questions about equity in the schools.

With the growth in technology, business leaders became concerned about students being adequately prepared for the workforce. Business models inspired educator efforts to produce hard data on student performance. Another incentive for accountability is the quest for government funding. To get money from the state Legislature and from Congress, data should show that schools are making progress in improving academic achievement.

How is the state accountability system used?

The state's accountability system—the Academic Excellence Indicator System (AEIS)—is used to assign performance ratings to schools on an annual basis. Preliminary ratings are released on August 1 each year, and final ratings that reflect upheld appeals are issued in the fall.

There are four ratings: *Exemplary*, *Recognized*, *Academically Acceptable*, and *Academically Unacceptable*. From 1994-2002, the accountability system included 21 *indicators*, or outcome measures, based on tests in reading, writing, and math. The state has increased the indicators to 36 by adding two additional subjects, social studies and science.

The current AEIS breaks down the data on each test according to the performance of five subgroups of students: *All Students*, *African American*, *Hispanic*, *White*, and *Economically Disadvantaged*. Under the system, one subgroup of students can fail to meet one outcome measure and cause a school's rating to be lowered. Not all schools are measured under all the categories because of differences in grades offered, size, and student populations. Schools with large populations of low-income students and English learners have a harder time meeting the standards.

Of the 36 indicators in the AEIS, 25 involve performance of the five student groups in the five areas of reading/ELA, writing, math, social studies, and science. Other indicators track special education, annual dropout rates, and high school completion rates. Under the AEIS, tougher passing standards have been phased in. Students must get a higher percentage of the questions correct for campuses to get ratings that are Academically Acceptable or better.

Measures and indicators that are analyzed in the AEIS include the following: TAKS results; dropout rates; attendance rates; results of special education assessments; cumulative percentage of students passing the exit-level TAKS; progress of students who failed the reading or English language arts portion of the TAKS the previous year; grades 3, 5, and 8 results for the Student Success Initiative; progress of English language learners (ELL); completion rates; indicators of college readiness; and profile information on students, programs, staff, and finances.

Are schools and districts rewarded or sanctioned under the state accountability system?

Chapter 31 of the Texas Education Code includes provisions for financial awards for successful schools and districts under the state accountability system. Eligibility is often related to Recognized or Exemplary ratings.

Sanctions come into play for schools with Academically Unacceptable ratings. The sanctions became more stringent as a result of House Bill 1 passed during the third called session in the

spring of 2006. It expanded the authority of the Commissioner of Education to make sweeping changes in low-performing schools.

As schools accumulate unacceptable ratings, the sanctions become more severe in stages. Options move from creating a campus intervention team, to replacing the principal and staff, to reconstituting the school. In the last two stages, which involve multiple years of Academically Unacceptable ratings, the Commissioner of Education may recommend alternative management or closure. There are significant implications for neighborhoods and their public schools.

How do ratings affect the schools?

The ratings have huge implications for educators. Jobs and incentives are based on the ratings. Pressure from the district and the community to achieve higher ratings may cause teachers to leave and contributes to teacher shortages. The ratings also have an effect on the economy and the real estate values of a district or area surrounding a campus. Many home buyers make decisions based on the ratings.

The ratings have major implications for school districts that serve poor and nonwhite students and English learners, who tend to score lower on the TAKS. Areas like Houston where students speak over 60 different languages, and Amarillo where students speak 38 languages, are heavily impacted.

The *Texas Association of Business Officials (TASBO)* has analyzed the demographic implications of academic ratings on school districts and charter providers. The data reveal a bias in the system. Small districts or charter schools are disproportionately represented in the highest Exemplary rating. In the 2005-2006 school year, 13 of the 19 districts with the Exemplary rating had an enrollment of 280 or fewer, and 11 of the entities did not serve grades 7-12 or 9-12.

The accountability system favors districts or charter operators with relatively low numbers of low-income students. In the 2005-2006 school year, districts or charters that were rated as Exemplary or Recognized had high populations of White students: 68% and 57.1%, respectively. Entities that were rated as Academically Unacceptable or Acceptable had high populations of economically disadvantaged students: 67.6% and 59.5%, respectively.

A comparison of TASBO data for 2004-2005 with data from 2005-2006 shows that the number of districts with the second-best Recognized rating increased dramatically: from 172 to 337 in the latest data. The highest Exemplary rating increased from 11 to 19. However, the number of Academically Unacceptable ratings also increased over the same period: from 37 to 47.

While rankings improved significantly in the 2005-2006 school year, the trend is expected to change as standards change. The state continues to ramp up the percent of questions students are required to pass. In addition, other changes are expected to cause the number of low-performing schools to increase—for example, a change in the way dropouts are classified and the requirement that 97% of the special education students be tested on grade level.

What is No Child Left Behind and how does it differ from the state system?

Through the federal No Child Left Behind (NCLB) Act, the federal government is playing a much more active role in public education than ever before. The state's comprehensive accountability system has been noticeably affected by this additional layer of accountability that was established in 2001.

Under NCLB, all public school campuses, school districts, and the state are evaluated for *Adequate Yearly Progress (AYP)*, using assessments established by each state. Test difficulty and achievement varies from state to state. Federal standards rise in difficulty, with expectations that all subgroups must reach 100% passing by the 2013-2014 school year. Other goals address grade-level performance, teacher quality, and parent information. States can opt out of NCLB, but they lose federal education funding. Congress is currently considering reauthorization of NCLB, and changes are being discussed.

NCLB uses state data in ways that are different from the state's accountability system. Following are some of the differences and changes under the federal system.

- **Data collected for subgroups of students.** While the state system breaks down data into five subgroups of students, NCLB adds two more subgroups—*LEP (Limited English Proficient)* and *Special Education*, for a total of seven subgroups.
- **Subjects and grades tested differ.** NCLB requires assessments in grades 3-8 and 10 (two fewer than Texas), and only in two subjects, reading and math (Texas also tests in social studies and science).
- **Requirements for Limited English Proficient (LEP) students.** Texas law allows TAKS exemptions for up to three years for qualifying recent immigrant LEP students—in particular, for those who come to the U.S. with limited prior schooling. However, under NCLB, all LEP students must participate in the reading and math TAKS tests used in federal accountability measures. The performance of LEP students counts in federal accountability calculations after one year. Such testing issues loom large in states with diverse student populations like Texas.
- **A federally required test for limited English proficient (LEP) students.** The Texas English Language Proficiency Assessment System (TELPAS) requires teachers to rate a LEP student's English language proficiency, based on classroom observations of listening, speaking, reading, and writing in grades K-1; and listening, speaking, and writing in grades 2-12. Teachers must qualify through a rigorous training process to assume this responsibility. In addition, the TEA has to audit the program to ensure assessment validity and reliability.
- **New requirements for special education students.** Texas historically has worked with parents and teachers to develop an approach that allowed special education students to take off-grade-level testing, depending on the individual student's developmental capabilities. That approach will change with the 2007-2008 school year under a new federal law. It now requires that all but 3% of the special education students must be tested on the TAKS general assessment. These changes will be expected to have a significant effect on accountability ratings.
- **A new definition for dropouts.** Controversy surrounds the definition of dropouts. According to the TEA's dropout data in mid-

May of 2007, the cumulative passing rate for the state's 2007 senior class was 84%. Other studies find a much higher dropout rate. Beginning in August 2007, the state will begin using the national definition for dropouts by the *National Center for Education Statistics (NCES)*, a part of the U.S. Department of Education. This system allows for comparisons from state to state. As the changes under the federal system are phased in, dropout rates will begin to look worse.

Are schools sanctioned for failing to meet NCLB standards?

Sanctions come into play as schools accumulate consecutive low-performance ratings for the same indicator—for example, special education. These sanctions apply only to *Title I schools* that receive federal money to educate disadvantaged children through Title I of the Elementary and Secondary Education Act, as amended by NCLB.

Federal sanctions become increasingly severe as schools fail to meet AYP in the same subject for consecutive years. When a school has missed AYP two years in a row, the district must offer students the choice of attending another school, with transportation provided at the district expense. Later stages include such sanctions as replacing the school staff, extending the school day or year, restructuring, reopening as a charter school, or contracting with an independent entity.

Schools that have failed to meet the Adequate Yearly Progress (AYP) standard in the same subject for two or more years in a row must make AYP for two years in a row to end sanctions and interventions. There are concerns that sanctions are invoked—for example, offering students a choice of attending another school—before remedial initiatives have had time to improve achievement. In August 2006, the TEA reported that 81 percent of the state's schools met AYP, and 87% of the districts.

How Much Governmentally Mandated Testing Is Needed for Accountability?

Currently in Texas, schools and districts are held accountable under dual, and sometimes dueling, state and federal systems. A school may get an Exemplary rating from the state, and at the same time be found to be low performing under the federal system.

Both accountability systems have become increasingly more complex as measures are added, as definitions change, and as the passing requirements are ratcheted up. The AEIS, which began with 21 indicators, now includes 36. NCLB is also placing new responsibilities upon the schools, and changes will likely result from the Congressional review process that is currently under way.

Table 3 provides insight on how much testing is needed for accountability, according to a League survey of representatives of the educator organizations listed earlier in this report.

Table 3. Are Both Federal and State Mandated Academic Testing Needed for Accountability?

Org.	Responses from Individuals with the Organization*
TCTA	TCTA supports reasonable limitations on mandatory student testing so as to assess progress without disrupting learning.
Texas AFT	The federal accountability scheme is largely redundant for a state like Texas, which already had a well-developed accountability system before the federal mandates were enacted. The federal scheme does have two additional categories of disaggregated data for students with disabilities or with low English proficiency. Otherwise, its coverage is less comprehensive. When schools receive a favorable rating under one system but an unfavorable rating under another, citizens don't know which to believe and end up mistrusting both.
TSTA	TSTA supports a single system of accountability. A dual system allows for the same campuses to be viewed as both acceptable and unacceptable, which does nothing but confuse parents and teachers.
TASSP	State and federal mandated testing is needed for accountability; however all testing should be more aligned so that schools can report data more easily.
TASB	There is a lack of alignment between the state and federal systems. Our members are more supportive of the state system because this is a state and local issue.
TABE	Academic testing should only be required from the state. The Texas assessment system continually makes improvements to their instruments, and some especially impressive improvements have been announced for the Spanish reading tests. They will be developed in Spanish, rather than be a translation from the English test.
TABSE	Yes. The disaggregated data have brought light to some problems.
TAGT	The federal and state goals are somewhat different at this time. This leads to awkward situations where a school may be recognized as exemplary by the state and cited by the federal government for not making adequate yearly progress (or vice versa). It would make sense for the two entities to share some common results-based goals.
TCASE	Having federal accountability through NCLB has opened many doors for special education students. This federal accountability has increased achievement standards, inclusion, and "ownership" of students with disabilities by their general education principals and teachers.

* Names of respondents are listed in Reference 1.

Calling for reforms to the state's accountability system is *Raise Your Hand Texas*, a bipartisan group initiated by business and community leaders in support of improving public schools. A May

2007 editorial detailed recommendations. It was written by Texas Former Lieutenant Governor Bill Ratliff, who helped craft many of the education reforms currently in place, and former State Education Commissioner Mike Moses.

The Ratliff-Moses editorial said in part, "Accountability must be rigorous and fair. Unfortunately, the system is anything but fair. It's time to start over and create a streamlined system that accurately reports the progress of our schools in ways that can be easily understood by every parent, educator, and taxpayer. The system has become so complex that the results are no longer meaningful and it is losing its ability to communicate useful information to the public as clearly as it once did.

"To add to the confusion, the state's accountability system is not aligned with the federal No Child Left Behind Act. Imagine the frustration when a school community achieves a recognized or exemplary rating from the State of Texas only to be told it is low-performing under federal standards. Congress is scheduled to reauthorize NCLB this year and we must ensure that the Texas system does not conflict with federal requirements," concluded the editorial.

Has Testing Been Effective in Narrowing the Education Gap?

Educators agree that data from test-driven accountability systems have identified gaps that exist among the subgroups of students whose scores are tracked.

Are the gaps in performance being narrowed?

While gaps still remain, student achievement for all subgroups of students is improving. Data from the TEA indicate that test scores of all subgroups of students improved each year over a three-year period from 2004-2006. Figure 1 shows the state improvement in the Reading/English Language Arts TAKS in 2006 over 2004. Passing rates were lower in math, though they also improved each year over the same 2004-2006 period. Figure 2 shows the state improvement in math in 2006 over 2004.

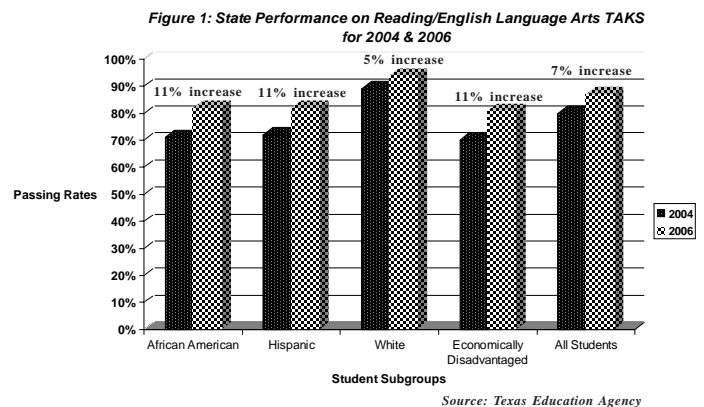
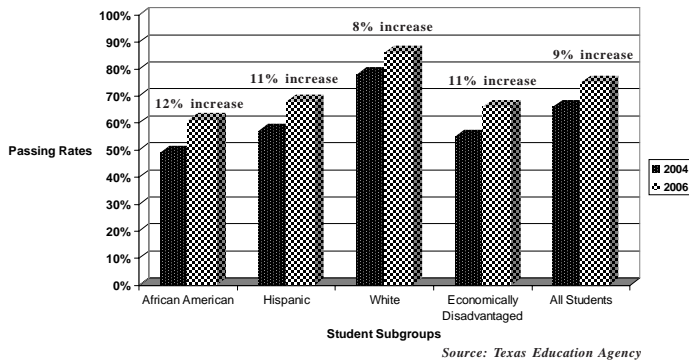


Figure 2: State Performance on Math TAKS for 2004 & 2006



How do Texas students stack up against their peers across the country? A commonly used measure is the National Assessment of Educational Progress (NAEP), called “the Nation’s Report Card” because it provides results for students across the nation. NAEP tests for grades 4 and 8 are required for states and districts receiving Title I funding. According to the TEA, average scores in 2005 for fourth graders were above the national average for all groups of students. For the eighth grade, scores were slightly below the national average. However, Texas’ Hispanic students earned a significantly higher average scale score than their national peers.

Where are the disparities?

Data collected in the state’s accountability system reveal disparities in several areas. Data for 2004-2006 on **performance on standardized tests** show that Economically Disadvantaged students typically had the most trouble meeting Academically Acceptable standards, while White students consistently scored the highest of the subgroups. For the class of 2005, African American and Hispanic students had lower **graduation rates** and higher **dropout rates** than White students. In 2004-2005, African American and Hispanic students also had higher **retention rates** than their White counterparts in both elementary and secondary schools.

How do educators feel about the gap?

While many educators in the League of Women Voters survey acknowledged that test-driven accountability has helped identify gaps, opinions differ about how effective the system is in narrowing the gap, as seen in Table 4.

Table 4. Has testing been effective in narrowing the education gap?

Org.	Responses from Individuals with the Organization*
TEA	Assessment and accountability have definitely helped narrow the gaps in performance. The biggest gap involves the economically disadvantaged. Performance for all subgroups has improved.
ATPE	TAKS testing does not level the playing field and limits the education of advanced students.
Texas AFT	Disaggregated reporting of standardized test results has helped to draw attention and steer needed resources to often-neglected student subgroups. To help these students succeed, we should do what we know works: reduce class size; intervene early;

	provide intensive instruction to help students overcome weaknesses; deliver health care and social services; and use innovative curriculum adapted to students’ special needs.
TSTA	One of the few positive benefits of the current testing system in Texas has been the use of disaggregated data to identify how different groups of students are performing. The achievement gaps have narrowed, but vast differences still exist. Changes in funding, curriculum, class size, and increased funding for early childhood education are probably responsible for narrowing the achievement gaps. Certain teacher approaches to helping non-English learners could also help.
TASSP	Testing has helped narrow the education gap. Many subgroup populations have improved.
TASB	Disaggregating data has helped focus attention on the gap, but it is resources that have helped narrow the gap.
TABE	Testing has assisted in ensuring that all students are accountable. It has placed emphasis on those subgroups that were never addressed.
TABSE	We need an aggressive overhaul of the curriculum. There is not enough infusion of minority children’s culture, so African American children don’t relate to the curriculum. This problem affects children’s reading comprehension, resulting in depressed scores for African American children.
TAGT	Testing has brought needed attention to this education gap, but narrowing the gap often means “lowering the ceiling” for the highest achievers. The better question to answer is: “How can we ensure that every child is getting at least one year’s worth of learning for a year’s worth of schooling?”
TCASE	For students with disabilities, the last three or four years has been the first time many of them have been given the opportunity to access challenging grade-level or near-grade-level curriculum. The Legislature should institute required training for general education teachers and administrators in disability issues and ways to accommodate and modify curriculum for access by all disabilities.

*Names of respondents are listed in Reference 1.

States with a greater proportion of minority students tend to have accountability systems that exert the greatest pressure, according to research conducted by a professor at the University of Texas at San Antonio, working with two researchers from Arizona State University. The study concluded that high-stakes testing tended to have greater impact on minority students. The pressure of this testing led to an increasing number of students held back or dropping out.

According to the researchers, supporters of high-stakes testing tend to assume that if only teachers and students work harder, student test scores will improve. This view fails to consider differing

backgrounds and learning styles within public school classrooms, say the researchers.

What steps should be taken to support equitable opportunity for all students?

Data collected in accountability systems clearly show the gap in academic success among subgroups of students. While test scores are improving, efforts must focus on ways to ensure equitable opportunity for all students. Proven examples follow:

- **Universal prekindergarten and kindergarten programs** are widely accepted ways to close the gap early. The state funds full-day public kindergarten, which most districts provide, though they have the option of offering a half-day program. Children who are five years old on Sept. 1 of the school year may attend; however, attendance is not mandatory. Compulsory school attendance begins at age 6. The state funds half-day prekindergarten programs. They must be offered in districts with at least 15 eligible children who are at least 3 years old. *Eligible* students include those who are non-English speaking; educationally disadvantaged; homeless; whose parents are in the U.S., state, or reserve active military service; whose parent in military service was injured or killed while on active duty; or who have been in foster care (recent 2007 legislation). A district may offer prekindergarten to other students who pay a tuition that is set by the district and approved by the Commissioner of Education.
- **Research-based instruction for identified subgroups of students**, such as English learners and African Americans, is recommended by many educators.
- **Early intervention for students who are at risk** is a widely accepted strategy.
- **Requiring students who fail a section or sections of the standardized test to double up on coursework in those areas and to get remedial help and tutoring** are other ways to target low-performing students.
- **Giving extra instruction after school, on Saturdays, and in the summer or offering night courses in high school** is another option. The current required school day is seven hours, including recess and lunch.
- **Extending the school year** has been suggested. The state currently requires that public schools provide at least 180 days of instruction.

What Is the Impact of Testing on Teacher Time?

Standardized testing has a major impact on teachers because of the time that is spent preparing students for the TAKS and administering and monitoring it. This was the consensus of the educator groups surveyed for this report. Teachers also must give makeup tests, retests, and field tests. In addition, they must identify, track progress, and provide special help for students at risk of failing the TAKS.

While they are not required, benchmark and practice tests eat up increasing amounts of class time, leaving less time for content mastery, electives, and field trips. Many teachers feel the joy of teaching has been replaced by teaching to the test. Teachers are tutoring and doubling up on the tested curriculum, often at the

sacrifice of lessons that stress creativity, deeper understanding of more complex curriculum, and alternative teaching approaches.

The impact of testing is the greatest in schools with large populations of low-income and non-English speaking students. They are at the highest risk of failing to meet state and federal accountability standards. The stakes are high for low-rated schools that are placed under sanctions. Principals and teachers can be reassigned or lose their jobs. A proposal during the 2007 legislative session would have based principal and teacher appraisals on student performance. The proposal, which was widely opposed by educator groups, failed.

The state currently gives teacher incentives based on student performance. Problems can arise over performance-based incentives. The Houston Independent School District initiated a complicated plan to give incentives based in part on improvements in the TAKS results of students and in part on other tests that measured the results against scores at comparable schools around the state. Controversy arose as teachers were singled out, creating divisiveness in a teaching environment that stresses a teamwork approach. Some of the problems included recognizing one member in a teaching team but not the other, excluding teachers in noncore subjects, and failing to reward teachers for continuing good performance.

In the atmosphere of high-stakes testing, the more experienced teachers leave the tougher assignments or avoid them entirely. The newest and least experienced teachers often end up in the most challenging and ethnically diverse campuses and frequently leave the profession following these experiences. These teachers need nurturing and mentoring. Stress and pressure to achieve higher ratings are consequences of the test-driven accountability ratings.

The make-or-break effect of ratings creates an atmosphere where efforts to improve student scores can lead to breaches of test security. The TEA had Caveon Test Security study 2005 test results for possible irregularities. The investigation flagged 700 schools out of the state's 8,000 for unusual test responses. Follow-up analysis conducted by the Commissioner's Task Force on Test Integrity cleared all but eight districts or charters, as of May 30, 2007. At that time, the Commissioner of Education announced a 14-point plan to enhance test security. The new law authorizing end-of-course tests will create criminal penalties for violating security and integrity measures of the assessment system.

How can the state help support teachers to improve student performance?

As the state raises expectations for student performance, so too should the state provide teachers with the tools they need to achieve the desired goals. Following are recommendations:

- **Providing adequate planning time or class-release time.** The state provides 45 minutes a day for instructional planning and preparation.
- **Providing relevant professional development**, preferably that which is supported by research demonstrating improvement in student achievement. Professional development is also an important component of the NCLB requirements for teacher quality. The state now requires 18 hours per year of professional development.
- **Mandating smaller class size** is especially important in schools with diverse populations of students who need extra attention. Class

size in Texas is currently set at 22-1 in kindergarten through grade 4. In upper grades, individual districts or campuses may reduce class size, but it is not mandated by law.

- **Providing teacher aides** would provide help with paperwork, and allow more one-on-one time with students.
- **Providing incentives based on student performance.** Under Chapter 21 of the Education Code, the state provides funds for districts to develop local incentive programs. Teachers are rewarded for improving student achievement.
- **Giving incentives to encourage experienced and qualified teachers to take positions at low-performing schools.** Currently, there is little incentive for the most experienced teachers to share their expertise in the hardest learning environments—especially when these schools are more likely to be sanctioned and closed. To be moved is a negative on a teacher’s resume.
- **Giving incentives to attract teachers to subject areas where shortages exist.** Under Chapter 21 of the Education Code, a portion of certain grants can be used for bonuses to teachers in shortage areas.
- **Paying experienced teachers to mentor new teachers.** New teachers often get discouraged and leave the profession. In 2006, the state authorized the Beginning Teacher Induction and Mentoring Program, which offers grants for mentoring programs that are designed to increase the retention of beginning teachers.

What Is the Cost of Testing?

The TEA and the school districts pay for the costs associated with assessment and accountability. The state allocates a percent of the money to the TEA, and the rest is passed through to schools districts, Education Service Centers, and education providers. The TEA also gets a certain amount of federal money that is earmarked for certain kinds of testing.

How much does the TEA spend on testing and accountability?

For 2006-2007, the 79th Texas Legislature appropriated \$94,997,650 to the TEA for the state’s assessment and accountability system, according to the *2006 Comprehensive Annual Report on Texas Public Schools, A Report to the 80th Legislature from the Texas Education Agency*, published in December 2006. The assessment and accountability figure includes all costs for the department.

The TEA’s budget for assessment and accountability represents 0.48%—about half of 1%—of the agency’s total appropriation of \$19,987,392,937. In comparison, the budget for achievement of students at risk accounted for 6.61% of the total (\$1,321,071,531); and for improving teacher quality, 1.32% (\$264,272,759). The TEA’s total budget includes \$16,008,355,064 from state funds (80%) and \$3,979,037,873 from federal funds (20%).

What is the cost of assessment and accountability for school districts?

For school districts, the cost of assessment varies widely, depending on such factors as the size, the diversity of the student population, the number of economically disadvantaged students, and the number of English learners. Some districts have separate testing departments with salaried staff members. Other districts have a campus coordinator

for this responsibility. District administrative costs also depend on the number of tests administered. One day is dedicated for each of the four TAKS tests.

What is the cost of the state teacher payroll for each day’s administration of the TAKS test? To get an idea, Tom Canby, research consultant with TASBO, first looked at staffing information from the TEA for full-time equivalent teachers for the 2005-2006 school year. There were 267,692 elementary, secondary, and special education teachers. The average annual salary and benefits for a Texas teacher was \$45,932, according to 2004-2005 TEA data. Therefore, the daily cost for salary and benefits for teachers working the required 187 annual days of service was \$65,752,026.

Based on a conservative estimate that 75% of the teachers’ time was spent each test day administering the TAKS, the daily teacher payroll for administering the TAKS was \$49,314,019. The cost for the four days officially set aside for testing was about \$200 million.

In addition to district payroll expense for administering the tests, there are also costs associated with makeup tests, retests, test preparation, tutoring, special programs, and remedial help. The cost for TAKS testing is a highly significant use of public funds, considering all the costs in time spent on these additional duties.

Districts also incur costs for administering and developing benchmark tests and practice tests to help teachers determine how well students are learning over a given period. The frequency of administration varies from one district to another, as do the costs. In an attempt to improve performance on the tests, districts are also spending more money on consultants and software. In addition, districts incur costs associated with sanctions for low-performing schools—for example, providing busing to students who choose to attend another school under the NCLB sanctions. Because of the variety of school districts in Texas, there is no typical cost for closing a school—the worst-case scenario.

Conclusion

Efforts to improve quality and equity in our public schools rely heavily on the use of mandated, standardized testing as a diagnostic tool. In Texas, the state’s required tests are a critical link between the state-mandated curriculum on one hand and the state and federal accountability systems on the other.

There is a gap in the public’s understanding of the difference between the TAKS and the way it is used—and overused. Performance on one such test becomes a high-stakes proposition when it is used to determine student promotion and graduation, teacher bonuses, and school reputations, sanctions, and closings.

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Published by the League of Women Voters of Texas Education Fund with generous support from Austin Community College, Rebecca Bergstresser, The Harold Simmons Foundation, The Hatton W. Summers Foundation, HEB, The Helen Greathouse Charitable Trust, Barbara Lischer, Lucy Polter, Candy Porter, The Ruth McLean Bowman Bowers Foundation, Manny & Ethyl Rosenblatt, The Texas Federation of Teachers, Barbara Ticken, Elaine Vail, Linda Wassenich, Marilyn Wragg.

LWV-TEF has sole responsibility for the contents of this Facts & Issues. Donors for this study had no editorial control or influence over the content or findings in this report.

Researched and written by the Mandated Achievement Testing in the Public Schools of Texas Study Committee: Nan Clayton & Anne Roussos, Co-Chairs; Glenda Boverie, Barbara Burns, Anette Carlisle, Peggy Hill, Roger Kallenberg, Sylvia Kauffman, Alice O'Brien, Kathleen Sadler, Erma Spencer, Pat Stanley, Roxanne Tyroch. Edited by Nan Clayton, Anne Roussos, Janet Imhoff and Darlene Hicks.

Printed by Paragon Printing, Austin, TX.

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