

Special Note: This Result Driven Accountability (RDA) BE/ESL/EB and OSP Determination Level Framework document includes information about the method for generating both BE/ESL/EB determinations and OSP determinations.

Determination Level Overview

The Texas Education Agency (TEA) is required to make annual determinations on the performance of local educational agency (LEA) Bilingual Education/English as a Second Language/Emergent Bilingual (BE/ESL/EB) and Other Special Populations (OSP) program areas using four determination categories: meets requirements, needs assistance, needs intervention, and needs substantial intervention, in accordance with [Chapter 12 – Results Driven Accountability](#) of the *2023 Accountability Manual*.

The BE/ESL/EB and OSP determinations are intended to reflect the extent to which an LEA is meeting the requirements and purposes of these RDA program areas. LEA determinations, in addition to other factors, drive general supervision responsibilities by TEA.

Guiding Principles

The following guiding principles provide the fundamental values that guide general supervision responsibilities by TEA and the required determination level (DL) assignments for LEA program areas.

Monitoring and Intervention Supports

- LEAs with elevated DLs are identified for monitoring interventions and support activities.
- Interventions are differentiated to ensure monitoring and support activities improve LEA performance.

Determination Level Assignments

- The RDA system ensures consistent, comparable LEA performance by normalizing data formats, collection methods, performance level (PL) assignments, DL assignments, and by applying uniform rules and definitions.
- Performance uniformity ensures achieving consistent and comparative results by applying percentile-based cut points for assigning determinations based on the 99/95/80 percentile rule.

Determination Level Method

The method for generating annual determinations is encapsulated by the following three steps: (1) identify data sources, (2) calculate PL mean scores, and (3) identify percentile-based cut points and assign DLs.

Step #1: Data Sources to Identify Performance Levels

This step involves identifying the RDA data sources from the State databases for the PL assignments.

- **Results-Driven Accountability Indicators with Performance Levels:** Refer to the section, *RDA PL Assignments for Program Area Determinations*, in [Chapter 12 – Results-Driven Accountability \(RDA\)](#) and [Appendix K](#) of the *2023 Accountability Manual* for details about the PLs associated with the BE/ESL/EB and OSP RDA indicators. Please note that some RDA indicators have more than one PL. All PLs for each indicator are utilized for making program area determinations.

The RDA indicator PLs are utilized for calculating the PL mean scores for each LEA program area.

Step #2: Calculating Performance Level Means

This step involves using the following formula to calculate the PL mean for each LEA program area:

$$PL\ Mean = \frac{Sum\ of\ all\ PL\ values}{Total\ number\ of\ PLs}$$

To apply this formula to the special education PLs and calculate the PL mean, follow three steps:

1. Sum all PL scores (typically ranging from 0 to 3 or 4) to get the total PL score (the numerator)
2. Count the total number of PLs to get the PL count (the denominator)
3. Divide the sum of all PL scores by the total number of PLs to calculate the PL mean score.

Step #3: Identifying Percentile-Based Cut Points and Assigning Determination Levels

The final step involves identifying percentile-based cut points and assigning determinations to LEAs. Percentiles are thresholds below which a given percentage of data lies. Applying the 99th, 95th, and 80th percentile rule to PL mean scores divides LEAs into four categories. The 99th percentile pinpoints the top 1% of LEAs with the highest scores. LEAs with scores at or above the 95th percentile but below the 99th make up the next 4%, with the second-highest scores. Those at or above the 80th percentile but below the 95th form the next 15%, with the third-highest scores. LEAs below the 80th percentile constitute the lowest scoring 80%. The PL mean scores at these percentiles establish cut points, segmenting the distribution into four distinct DLs.

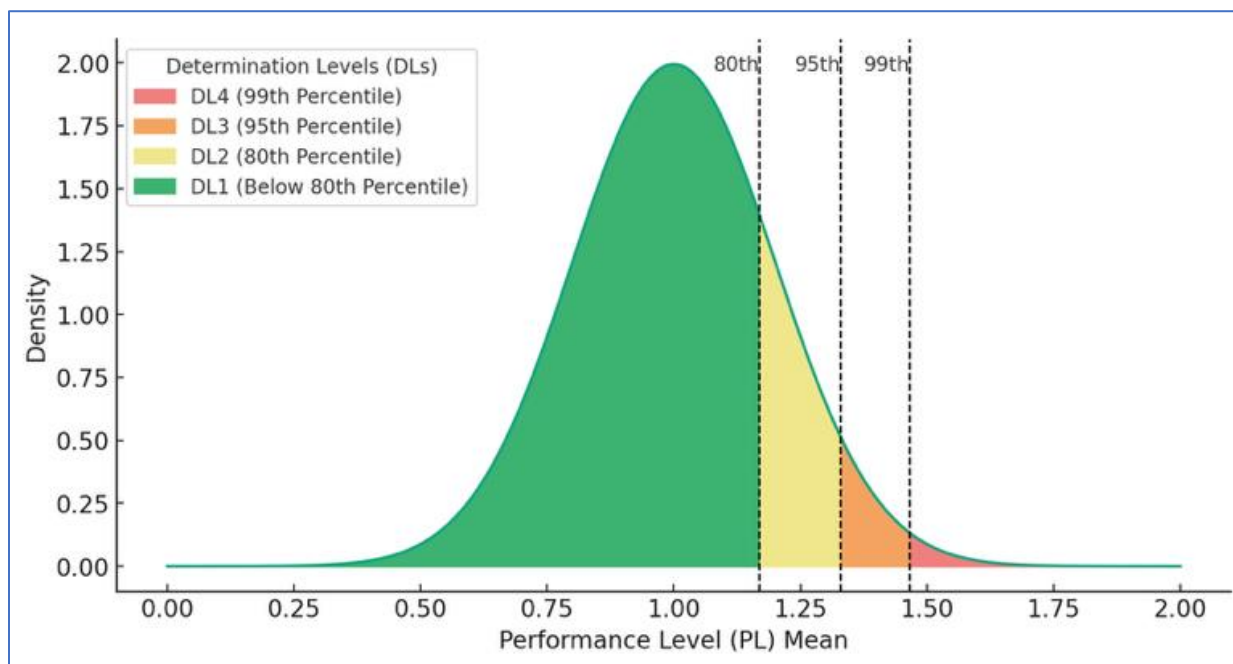


Figure 1. Theoretical Distribution of LEA Determinations Based on Percentile Cut Points

The preceding graph, Figure 1, provides a visual representation of the relative performance of LEAs' PL mean scores and their associated DLs. This visual representation illustrates a theoretical data distribution of PL mean scores. The distribution is shown as a bell-shaped curve on the graph with the x-axis representing the PL mean scores and the y-axis indicating the corresponding density.¹ Dashed vertical lines on the graph demarcate the specific PL mean scores that correspond to the 99th, 95th, and 80th percentiles, separating the distribution into four distinct and nonoverlapping sections of PL mean scores. Each shaded section is a distinct color representing one of four DLs, which correspond to the percentile ranges of the PL mean scores.

Important Note: LEAs should understand the importance of both their PL mean scores and their DLs. While the DLs provide a comparative measure of normative performance, the PL mean scores serve as a criterion for evaluating year-to-year improvements for the same performance levels. Therefore, an LEA might maintain the same DL from one year to the next, even though they have improved by reducing their PL mean score.

2023 BE/ESL/EB Determination Level Results

The BE/ESL/EB program area summary results table shows the distribution of LEAs at each DL.

BE/ESL/EB Determination Level Results Table

Determination Level	Percentile	Cut Point	Count	Percent
Not Assigned	-	-	98	8.11%
Meets Requirements (DL1)	-	< 0.36	888	73.45%
Needs Assistance (DL2)	80th pctl	>= 0.36 but < 0.73	165	13.65%
Needs Intervention (DL3)	95th pctl	>= 0.73 but < 1.50	46	3.80%
Needs Substantial Intervention (DL4)	99th pctl	>= 1.50	12	0.99%
Total	-	-	1,209	100%

Note. The total of all displayed percentages may not always add up to 100% due to rounding.

2023 OSP Determination Level Results

The OSP program area summary results table shows the distribution of LEAs at each DL.

OSP Determination Level Results Table

Determination Level	Percentile	Cut Point	Count	Percent
Not Assigned	-	-	103	8.52%
Meets Requirements (DL1)	-	< 0.11	876	72.46%
Needs Assistance (DL2)	80th pctl	>= 0.11 but < 0.67	168	13.90%
Needs Intervention (DL3)	95th pctl	>= 0.67 but < 1.50	50	4.14%
Needs Substantial Intervention (DL4)	99th pctl	>= 1.50	12	0.99%
Total	-	-	1,209	100%

Note. The total of all displayed percentages may not always add up to 100% due to rounding.

¹ Density on the y-axis does not represent how many LEAs are at a specific PL mean score but rather it indicates the *concentration* of scores around a value. Think of it like this: In a room full of people, *density* tells us where most people are standing. If many people are huddled close together around one spot, the density is higher there; if they are spread out, the density is lower. In Figure 1, a higher point on the curve means a greater concentration of LEA scores around that PL mean value. So, the peak of the bell curve shows us the most common range of scores, where most LEAs are standing.

The columns in the 2023 Determination Level Results tables are explained below.

- The “Determination Level” column displays the DLs assigned to the RDA program area for all LEAs.
- The “Percentile” column displays the percentiles corresponding to the DLs. A percentile indicates the value below which a certain percentage of data lies.
- The “Cut Point” column displays the PL mean scores corresponding to the percentile for each DL. Cut points divide the data set into specific intervals or categories based on LEA PL mean scores.
- The “Count” column shows the raw number of LEAs at each determination category.
- The “Percent” column contextualizes the count numbers, indicating the proportion of LEAs at each determination category relative to the total number of LEAs.