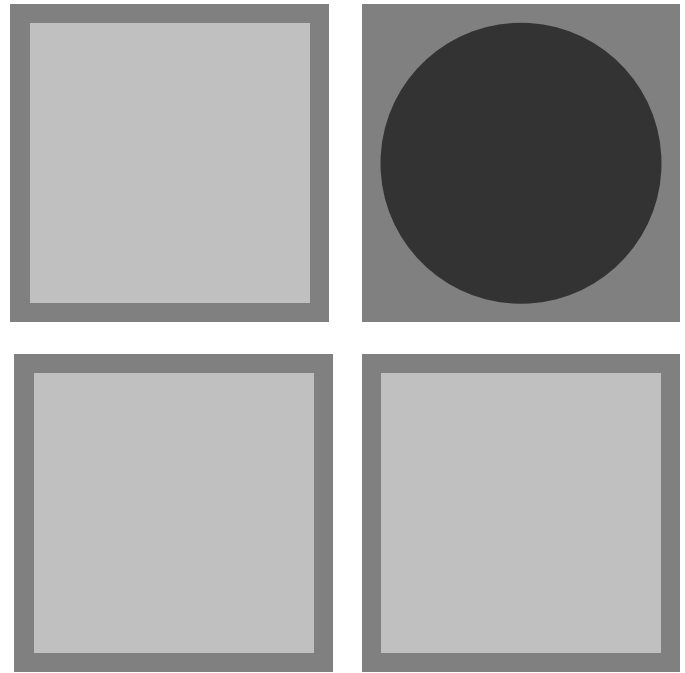




Grade-Level Retention and Student Performance in Texas Public Schools, 2020-21



Division of Research and Analysis
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Grade-Level Retention and Student Performance in Texas Public Schools 2020-21

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Abstract. This annual report provides information for the 2020-21 school year on grade-level retention and student performance in the Texas public school system. Student retention and promotion data are reported with data on the performance of students in Grades 3-8 on the State of Texas Assessments of Academic Readiness (STAAR) reading and mathematics tests.

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Introduction

Overview

Highlights

Overview

This report presents information on the performance of retained students on the state assessment, as required under Texas Education Code (TEC) §39.332 (2022). Passing rates and average scores were calculated separately, by grade level, for English- and Spanish-language versions of the 2021 State of Texas Assessments of Academic Readiness (STAAR) reading and mathematics tests for Grades 3-8. For students repeating a grade in the 2021-22 school year, 2021 STAAR results were compared to 2022 STAAR results. Historically, this report also analyzed STAAR performance and promotion statuses for students in Grades 5 and 8 in light of the Student Success Initiative (SSI) grade advancement criteria stipulated under TEC §28.0211 (2019). However, for the 2020-21 school year, the commissioner of education issued a waiver suspending SSI promotion requirements and retest opportunities were not offered. The Texas Legislature passed House Bill (HB) 4545 in 2021, establishing new requirements for accelerated instruction for students who do not pass STAAR tests (TEC §28.0211, 2022; 19 TAC §104.1001, 2022, adopted to be effective June 9, 2022). Beginning in the 2021-22 school year, the new requirements eliminate SSI retesting and grade retention requirements for students in Grades 5 and 8 who do not pass the tests. Therefore, analyses of STAAR performance and promotion statuses in relation to SSI criteria for Grades 5 and 8 are no longer provided in this report. Finally, this report also provides historical information about retention and promotion policies in Texas public schools. A companion data dashboard, *Grade-Level Retention in Texas Public Schools, 2020-21* (Texas Education Agency, 2022), presents retention data by student characteristics and program participation.

Highlights

- Under TEC §28.0211 (2019), students in Grades 5 and 8 in the 2020-21 school year were subject to SSI grade advancement criteria. However, for the 2020-21 school year, the commissioner of education suspended the SSI promotion requirements and retest opportunities were not offered. Therefore, analyses of STAAR performance and promotion statuses in relation to SSI criteria for Grades 5 and 8 are not provided in this report. Districts were instructed to make promotion and retention decisions based on local criteria that reflect a student's academic achievement and mastery of subject matter, including STAAR assessment results and other relevant information.
- The Texas Legislature passed HB 4545 in 2021, establishing new requirements for accelerated instruction for students who do not pass STAAR tests (TEC §28.0211, 2022; 19 TAC §104.1001, 2022, adopted to be effective June 9, 2022). Beginning in the 2021-22 school year, the new requirements: (a) eliminate SSI retesting and grade retention requirements for students in Grades 5 and 8 who do not pass the tests; (b) require districts to establish accelerated learning committees for students in Grades 3, 5, and 8 who do not pass the STAAR reading or mathematics tests; and (c) clarify prior accelerated instruction requirements for students who do not pass STAAR tests in Grades 3-8 or STAAR end-of-course (EOC) tests.
- Among students in Grades 3-8 who took the English-version STAAR reading and mathematics tests, passing rates and average scale scores were higher for students who were promoted than for students who were retained. In spring 2021, 72.1 percent of promoted Grade 5 students passed the reading test, whereas 24.3 percent of retained fifth graders passed the test. Similarly, 55.5 percent of promoted Grade 8 students passed the mathematics test in spring 2021, whereas 16.4 percent of retained eighth graders passed.
- After a year in the same grade, passing rates and average scale scores for retained students improved. In 2022, after repeating Grade 5, 67.5 percent of retained fifth graders passed the reading test. After repeating Grade 8, 52.3 percent of retained eighth graders passed the mathematics test in spring 2022.
- Additionally, in 2022 average scale scores exceeded passing standards for retained students in every grade for both tests except for the mathematics average scale score for students retained in Grade 7. Nevertheless, nearly all passing rates and average scale scores for retained students did not meet or exceed the passing rates and average scale scores for students who had been promoted the year before.

History of Promotion Policies in Texas

History of Promotion Policies in Texas

Texas policy on student promotion and retention decisions has evolved over the past three decades, while consistently requiring that decisions about promotion be based on academic achievement. Legislation passed in 1984 prohibited social promotion, requiring instead that students be promoted only on the basis of academic achievement (Texas Education Code [TEC] §21.721, *Grade Requirement for Advancement or Course Credit*, 1986). The State Board of Education (SBOE) rules implementing the legislation, *Promotions and Alternatives to Social Promotion* (Title 19 of the Texas Administrative Code [TAC] §§75.191-75.195, 1985), outlined the grading procedures to be used by districts and guidelines for promotion. The rules included the provisions that no student could repeat the same grade more than once or repeat more than two grade levels during the elementary grades.

In 1987, legislation was enacted to expand TEC §21.557, *Compensatory and Remedial Instruction* (1988). The legislation provided a definition of students in Grades 7-12 considered to be at risk of dropping out of school and required districts to provide remedial and support programs for these students. The definition of "at-risk" students included students who had not advanced from one grade level to the next in two or more school years.

In 1991, the rule prohibiting retention of students below Grade 1 was amended to allow districts to assign six-year-old students who were not developmentally ready for the first grade to grades deemed appropriate by the schools (19 TAC §75.195(j), 1992 Supplement).

Also in 1991, legislation updated TEC §21.721 (1992) to eliminate the prohibition on advancement of students with grade averages below 70. Policies on advancement from one grade level to the next were to be adopted by school districts. Local policies on promotion had to incorporate a variety of factors, including a minimum yearly grade average of 70; course grades earned in each subject; performance on the Texas Assessment of Academic Skills (TAAS); extenuating circumstances; and the judgment of parents and teachers. Districts were required to consider alternatives to retention, including extended school day, extended school year, specialized tutorial support, peer tutoring, cross-age tutoring, student mentoring, and summer programs.

A retention reduction grant program was enacted in 1993 (TEC §21.562, 1994). A \$5 million appropriation allowed 54 Texas school districts to pilot extended instructional programs to eliminate retentions in first grade during the 1992-93 school year. The retention reduction grants allowed school districts and campuses to offer programs based on lengthening the school year as alternatives to retention. These programs provided additional instruction to students who needed extra assistance to master the first-grade objectives in the Essential Elements—the state-mandated curriculum in place at that time. The pilots were extended to the second grade in 1994-95.

School districts not receiving retention reduction grants could apply to the commissioner of education for approval to provide extended year programs (TEC §21.563, *Optional Extended Year Program*, 1994). Optional extended year programs (OEYPs) of up to 45 days in length could be

provided to students in Grades K-8 who would otherwise be retained. To fund the programs, school districts could reduce the number of instructional days in the regular school year by five.

In 1995, the Texas Education Code was reviewed and readopted. In the new code, the provisions on promotion, *Student Advancement*, reiterated that students be promoted only on the basis of academic achievement or demonstrated proficiency in the subject matter of the course or grade level (TEC §28.021, 1996). At the same time, the language regulating local promotion and retention policies was repealed. In April 1996, the SBOE rules regulating local policies, including restrictions on the number of times students could be retained in grade, were also repealed. The definition of students at risk of dropping out was carried forward (TEC §29.081, 1996).

The 1995 TEC revisions included a single set of provisions for extended year programs (TEC §29.082, 1996). Commissioner of education rules implementing the OEYP were adopted to be effective in May 1996 (19 TAC §105.1001, 1997). Districts were required to promote each student who attended at least 90 percent of the extended year program days, unless the student's parents requested that the student be retained. If the parents requested retention, the student's principal, teacher, and counselor were required to meet with the parents to provide information on the effects of retention on future academic performance, student self-esteem, and high school completion. The commissioner of education was directed to withhold 5 percent of the Foundation School Program compensatory education allotment to finance extended year programs. This increased to about \$50 million per year the allocation for extended year programs for students in Grades K-8 who were identified as not likely to be promoted. Districts could use portions of their compensatory education allotments or apply for state funds to implement extended year programs. Although districts had to apply for state OEYP funds, they were no longer required to apply for approval to operate OEYPs funded locally.

The promotion policies implemented in Texas public schools in 2002-03 built on the state curriculum and assessment programs that had been developed over many years. In 1984, Texas first adopted a state curriculum, known as the Essential Elements (19 TAC Chapter 75, Subchapters B-D, 1984). Over the years, the rigor of knowledge and skills required of students increased. A revised curriculum, the Texas Essential Knowledge and Skills (TEKS), was adopted by the SBOE and became effective on September 1, 1998 (19 TAC Chapters 110-128, 1998). By state law and SBOE rule, the TEKS in the foundation areas of English language arts and reading, mathematics, science, and social studies are required for use in instruction and statewide assessment. The TEKS have been widely distributed to schools and to the public. Professional development on TEKS implementation in the classroom has been available statewide.

The state testing program known as TAAS was introduced in 1990. When last administered in 2002, the TAAS measured mastery of the state curriculum in reading and mathematics at Grades 3-8 and 10; in writing at Grades 4, 8, and 10; and in science and social studies at Grade 8. The Grade 10 tests served as an exit-level examination. As was the case under the previous testing program, the Texas Educational Assessment of Minimum Skills (TEAMS), satisfactory performance on the exit-level examination was a prerequisite to a high school diploma.

In 2002-03, a new, more rigorous state assessment system, the Texas Assessment of Knowledge and Skills (TAKS), was introduced. Like the TAAS, the TAKS was aligned with the state curriculum, measuring the extent to which a student learned and was able to apply the knowledge and skills defined in the TEKS at each grade level tested.

In response to statutory requirements, the TAKS was replaced by the more rigorous State of Texas Assessments of Academic Readiness (STAAR) beginning in 2011-12 (TEC Chapter 39, 2010). High school students who began Grade 9 in 2010-11 or earlier continued to take grade-specific TAKS assessments to comply with graduation standards already in place. STAAR is aligned with the TEKS and provides the foundation for the accountability system for Texas public education. In Grades 3-8, STAAR assesses the same grade-specific subjects that were assessed with the TAKS. In high school, however, grade-specific assessments have been replaced by STAAR end-of-course (EOC) assessments. Although 15 EOCs were originally required to graduate for students who started Grade 9 in 2011-12, the 83rd Texas Legislature reduced the requirement to five assessments in 2013: Algebra I, Biology, English I, English II, and U.S. History.

Senate Bill (SB) 149, passed by the 84th Texas Legislature in 2015, revised the state's assessment graduation requirements for students enrolled in Grade 11 or 12 (TEC §28.0258, 2016; 19 TAC §101.3022, 2022, amended to be effective September 6, 2015). The revised requirements were extended by the legislature in 2017 and 2019 and were made permanent by House Bill (HB) 1603 in 2021 (TEC §28.0258, 2022). Under the requirements, a student who fails an EOC assessment for no more than two of five required courses may receive a Texas high school diploma if the student is determined to be qualified to graduate by an individual graduation committee (IGC) (19 TAC §74.1025, 2022, amended to be effective February 10, 2020; 19 TAC §101.3022, 2022, amended to be effective October 15, 2019). A student receiving special education services is not subject to IGC requirements. The student's admission, review, and dismissal (ARD) committee determines whether the student is required to achieve satisfactory performance on an EOC assessment to graduate. If the ARD committee determines the student is not required to achieve satisfactory performance on an EOC assessment, the student is considered to be in compliance with assessment requirements under TEC §39.025 (2022). In 2021, in response to the COVID-19 pandemic, the Texas Legislature passed HB 999, which modified the graduation performance requirements for students in Grade 12 in the 2020-21 school year (TEC §28.0258, 2022). Under the modified requirements a student could graduate in 2020-21 via an IGC determination, regardless of the number of EOC assessments the student failed, and the IGC was not required to consider performance on EOC assessments when determining whether the student was qualified to graduate.

State testing procedures allow accommodations on STAAR for students who need them. Several accommodations are available to eligible students, including content and language supports, spelling assistance, supplemental aids, and extra time to complete assessments. ARD committees and placement committees for students served under Section 504 of the Rehabilitation Act of 1973, as amended (Title 29 of the United States Code §794 [Section 504], 2022; Title 34 of the Code of Federal Regulations, Part 104, 2022), determine which accommodations can be used by students receiving special education services and Section 504 services, respectively. When a student does not

receive special education or Section 504 services but meets the eligibility criteria for testing accommodations, the decision is made by the appropriate team of people at the campus level, such as the response to intervention (RtI) team or the student assistance team. Emergent bilingual students/English learners (EB students/ELs) may also receive accommodations on the statewide assessments, and EB students/ELs in Grades 3-5 may be provided Spanish-language versions of tests when available. Language proficiency assessment committees (LPACs) make assessment and accommodation decisions for EB students/ELs.

Since 1995, Texas statute has stipulated that "a student may be promoted only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level" (TEC §28.021, 1996). In 1999, specific provisions linking test performance, promotion, and instruction were added (TEC §28.0211, 1999). From 2002-03 to 2008-09, students in Grade 3 were required to pass the state reading test to advance to Grade 4. Students in Grade 5 were required to pass the state reading and mathematics tests beginning in 2004-05. Students in Grade 8 were required to pass the reading and mathematics tests beginning in 2007-08. Through the 2010-11 school year, students in Grades 5 and 8 were given three opportunities to pass the TAKS. School districts were required to provide accelerated instruction in the subject areas failed after each test administration (TEC §28.0211, 2010).

If a student failed the test a second time, the district was required to establish a grade placement committee (GPC) to determine the accelerated instruction the student would receive before the third testing opportunity. A student who failed to perform satisfactorily on the third opportunity was required to be retained. A parent or guardian could appeal the retention decision to the GPC. The GPC could decide in favor of advancement if committee members unanimously concluded, based on standards adopted by the local school board, that the student was likely to perform on grade level if given additional accelerated instruction during the next school year.

In 2009, the 81st Texas Legislature stipulated that students in Grade 5 or Grade 8 who fail the state reading or mathematics assessment must complete accelerated instruction before they may be promoted to the next grade level (TEC §28.0211, 2010). Districts anticipated difficulty implementing the provision for students who fail the third administration of a Grade 5 or Grade 8 test, which occurs during the summer. To help districts and charter schools meet the requirement, the Texas Education Agency developed a waiver allowing promotion of such students to the next grade level prior to the completion of accelerated instruction. A district or charter school applying for the waiver in 2020-21 was required to: identify and document the accelerated instruction each student needed; target the accelerated instruction to the subject areas on which each student demonstrated weakness; ensure each student completed the accelerated instruction during the first six weeks of the school year; and develop an accelerated plan that would provide the student with ongoing instructional support during the entire school year.

In 2011, the 82nd Texas Legislature directed that a student in Grade 5 or Grade 8 who is enrolled in a course above the student's grade level or for which the student will receive high school credit is not required to take a grade-level state assessment in the corresponding subject (TEC §28.0211, 2011).

Because performance standards for STAAR had not been established in time for student promotion decisions, promotion criteria for Grades 5 and 8 that were based on state assessment results were suspended in 2011-12. Instead, promotion criteria developed entirely at the district level were in effect. Statutory promotion criteria, including requirements that students receive three opportunities to pass the reading and mathematics tests, GPCs be established, and accelerated instruction be provided, were made effective again in 2012-13 and remained in effect in 2013-14.

In 2014-15, the STAAR mathematics tests were updated to reflect the revised mathematics TEKS adopted by the State Board of Education in 2012. As a result of these changes, performance standards for 2015 STAAR mathematics tests in Grades 3-8 were not set until after the spring 2015 administration. In addition, Student Success Initiative (SSI) retest opportunities for STAAR mathematics tests in Grades 5 and 8 were not offered in May and June of 2015. Districts were instructed to use other relevant academic information in place of STAAR mathematics results when making promotion and retention decisions. SSI requirements for reading remained in effect in 2014-15.

In 2015-16, the administration of STAAR tests was affected by online testing issues and reporting issues with the state's testing vendor. As a result, the June administration of the Grades 5 and 8 STAAR reading and mathematics tests was not offered. Furthermore, SSI requirements for Grades 5 and 8 were suspended. Districts were instructed to use other relevant academic information in place of STAAR reading and mathematics results when making promotion and retention decisions.

In 2016-17, the administration of STAAR tests went as planned. Statutory promotion criteria, including SSI requirements that students in Grades 5 and 8 receive three opportunities to pass the reading and mathematics tests, GPCs be established, and accelerated instruction be provided, were made effective again.

For the 2017-18 school year, SSI requirements were not in place for all students for two reasons. First, after Hurricane Harvey, the commissioner of education gave all districts within the 47-county area identified in the presidential disaster declaration the option to opt out of the June administration of the Grades 5 and 8 mathematics and reading assessments. Second, students who experienced online testing issues during the spring administration of the assessments and who did not perform satisfactorily on the May 2018 assessment were not required to retest during the June administration. In both cases, the commissioner suspended the requirement that districts convene GPCs for affected students and directed districts to use local discretion and other relevant academic information in place of STAAR reading and mathematics results when making promotion and retention decisions.

In 2018-19, the administration of STAAR tests went as planned. Statutory promotion criteria, including SSI requirements that students in Grades 5 and 8 receive three opportunities to pass the reading and mathematics tests, GPCs be established, and accelerated instruction be provided, were made effective again.

In spring 2020, the governor of Texas used his statutory authority under Texas Government Code §418.016 to suspend annual academic assessment requirements for the 2019-20 school year because

of COVID-19. All STAAR administrations scheduled for April, May, and June 2020 were canceled. Furthermore, SSI requirements for Grades 5 and 8 were suspended. Districts were instructed to use other relevant academic information in place of STAAR reading and mathematics results when making promotion and retention decisions.

In 2020-21, because of the continued effects of the COVID-19 pandemic, the commissioner of education issued a waiver related to SSI promotion requirements. STAAR reading and mathematics tests for Grades 5 and 8 were administered only once, and retest opportunities were not offered. Additionally, SSI promotion requirements for Grades 5 and 8 were suspended. Districts and charter schools were instructed to use STAAR test results along with other relevant academic information when making promotion and retention decisions and to provide accelerated instruction to students who did not perform satisfactorily on the tests.

In 2021, the 87th Texas Legislature passed SB 1697, allowing a parent or guardian of a student in a public school district or charter school to elect for the student to repeat a grade between prekindergarten and Grade 8 or to retake a high school course (TEC §28.02124, 2022). For students in Grades 4-12, statute stipulates that the option expires at the end of the 2021-22 school year.

The legislature also passed HB 4545 in 2021, establishing new requirements for accelerated instruction for students who do not pass STAAR tests (TEC §28.0211, 2022; 19 TAC §104.1001, 2022, adopted to be effective June 9, 2022). Beginning in the 2021-22 school year, the new requirements (a) eliminate SSI retesting and grade retention requirements for students in Grades 5 and 8 who do not pass the tests; (b) require districts to establish accelerated learning committees for students in Grades 3, 5, and 8 who do not pass the STAAR reading or mathematics tests; and (c) clarify prior accelerated instruction requirements for students who do not pass STAAR tests in Grades 3-8 or STAAR EOC tests.

Definitions and Calculations

Retention Definition

Retention Rate Calculations

*Student Performance on the
State of Texas Assessments of Academic Readiness*

Data Masking

Retention Definition

Grade retention has been defined as requiring a child to repeat a particular grade or delaying entry to kindergarten or first grade. This definition of retention—repetition of a grade or delayed entry—applies primarily to Grades K-6. The same grade level in successive years in high school does not necessarily represent the repetition of a full year's curriculum, as it does in elementary school. Secondary school programs are structured around individual courses. Because passing and failing are determined at the level of the course and credits are awarded for courses completed successfully, the concept of a "grade level" becomes more fluid. Students who fail to earn credit in a single course or take fewer courses than required in one year may be classified at the same grade level in two consecutive years. Practices in Grades 7 and 8 may be like those in elementary school or like those in high school, depending on local school district policies.

Public Education Information Management System (PEIMS) data used in this report on the grade levels of all students in the Texas public school system were submitted by districts through the Texas Student Data System (TSDS) (Texas Education Agency [TEA], 2021). Data on State of Texas Assessments of Academic Readiness (STAAR) performance for 2021 were provided to TEA by Educational Testing Service.

Retention Rate Calculations

Retention rates for the 2020-21 school year were calculated by comparing 2020-21 attendance records to fall 2021 enrollment records. Students who left the Texas public school system for any reason other than graduation were excluded from the total student count. Students new to the Texas public school system in fall 2021 were also excluded. Students who enrolled in both years or graduated were included in the total student count. Students found to have been enrolled in the same grade in both years were counted as retained. Students found to have been in a higher grade in fall 2021 than in 2020-21 were counted as promoted. Students reported to have had improbable grade sequences were assigned an "unknown" promotion status. Retention rates were calculated by dividing the number of students retained by total student count. Because of the criteria used, student counts in this report differ from those in other agency publications.

Retention rates have been calculated by TEA based on year-to-year progress of individual students since 1994-95. Prior to the 1998-99 school year, the retention calculations included only students who were enrolled on the last Friday in October. Beginning in 1998-99, additional enrollment data for Grades 7-12 were collected by TEA to calculate the secondary school dropout and graduation rates. This collection expanded available Grades 7-12 enrollment data beyond students enrolled the last Friday in October to include students enrolled at any time during the fall. The change in the retention calculation allowed more secondary school students to be included and made the calculation of the retention rate more like that of the secondary school dropout and graduation rates. Expanded enrollment data were not collected for Grades K-6, so the method of calculating enrollment counts for Grades K-6 was unchanged.

Student Performance on the State of Texas Assessments of Academic Readiness

STAAR was the primary statewide assessment of student performance in 2021 and 2022. Spanish-version reading and mathematics tests were given to students identified as emergent bilingual students/English learners in Grades 3-5 receiving mostly Spanish-language instruction. Additionally, accommodations (e.g., visual aids, graphic organizers, text-to-speech functionality) were allowed for students who needed them. In 2021, the year following the cancellation of all STAAR administrations because of the COVID-19 pandemic, only 88 percent of eligible students participated in the assessment, compared to 99 percent participation in 2019 and 99 percent in 2022. These participation rates should be taken into consideration when interpreting results.

TEA received student-level data for English- and, where applicable, Spanish-language STAAR tests in each grade level and subject area assessed. For each subject area test, every student received either a score or a code for the reason no score was reported. The code identified students who were absent; students who were ill, took above grade level tests, or had certain irregularities, including cheating; and students for whom STAAR Alternate 2 assessments (designed to assess students with significant cognitive disabilities) were appropriate.

In 2021 and 2022, students were classified into four performance categories: Masters Grade Level, Meets Grade Level, Approaches Grade Level, and Did Not Meet Grade Level. The categories were meant to provide clear, accurate information to parents about how their children performed on STAAR. Students categorized as Approaches Grade Level and above were considered to have passed an exam. The passing standards for STAAR are set by the commissioner of education (Texas Education Code [TEC] §39.0241, 2022).

The Student Success Initiative (SSI), a policy under which students in Grades 5 and 8 were given three opportunities to pass STAAR reading and mathematics tests (TEC §28.0211, 2019), was repealed by House Bill (HB) 4545 during the 87th Texas Legislature. Though SSI was still in effect at the time of the 2021 STAAR administration, the commissioner of education issued a waiver suspending SSI promotion requirements and retest opportunities were not offered. By the 2022 administration, HB 4545 was in effect and only one administration of STAAR was provided for Grades 5 and 8.

Analysis of promotion status and test performance in this report required matching student records in the promotion and test databases. Records were matched based on the TSDS Unique ID or social security number, last name, first name, and date of birth. Records that could not be matched were excluded. In some cases, students participated in spring 2021 STAAR testing but were not enrolled in a Texas public school in fall 2021. Consequently, these students had records in the test database but not in the promotion database. In other cases, students enrolled in school after spring 2021 STAAR testing and, therefore, had records in the promotion database but not in the test database. Finally, some records failed to match because of errors in reporting student identification data.

Data Masking

The Family Educational Rights and Privacy Act (FERPA) (Title 20 of the United States Code §1232(g), 2022; Title 34 of the Code of Federal Regulations, Part 99, 2022) prohibits improper disclosure of personally identifiable student information by any educational agency or institution that receives funding under any program administered by the U.S. Department of Education (ED). In 2016, ED guidance on reporting education data in compliance with FERPA changed, relaxing requirements for masking state-level data. Based on this guidance, data presented in this report are not masked.

Retention and Student Performance

Statutory Requirements

State of Texas Assessments of Academic Readiness Passing Rates

State of Texas Assessments of Academic Readiness Scores

Statutory Requirements

This section of the report presents information on the performance of retained students on the state assessment, as required under Texas Education Code (TEC) §39.332 (2022). Passing rates and average scores were calculated separately, by grade level, for English- and Spanish-language versions of the 2021 State of Texas Assessments of Academic Readiness (STAAR) reading and mathematics tests for Grades 3-8. For students repeating a grade in the 2021-22 school year, 2021 STAAR results were compared to 2022 STAAR results. For comparison purposes, 2021 STAAR results for promoted students also were calculated.

State of Texas Assessments of Academic Readiness Passing Rates

Among students in Grades 3-8 who took the English-version STAAR reading and mathematics tests in spring 2021, passing rates were higher for students who were promoted than for students who were retained (Table 1). After a year in the same grade, with one exception, passing rates for retained students improved but did not meet or exceed the passing rates for students who had been promoted the year before. For example, 72.1 percent of promoted Grade 5 students passed the reading test in spring 2021, whereas 24.3 percent of retained fifth graders passed the test. In 2022, after repeating the grade, 67.5 percent of retained students passed the test. Similarly, 55.5 percent of promoted Grade 8 students passed the mathematics test in spring 2021, whereas 16.4 percent of retained eighth graders passed. The following year, 52.3 percent of retained Grade 8 students passed the test. The only exception to this trend was the Grade 4 reading test. In 2021, 17.4 percent of retained students passed. After repeating Grade 4, the 2022 passing rate for retained students (67.3%) exceeded the 2021 passing rate for fourth graders who had been promoted the year before (63.1%).

Table 1
State of Texas Assessments of Academic Readiness (STAAR) Percentage Passing 2021
and 2022, Grades 3-8, by Grade and Promotion Status 2020-21, Texas Public Schools

Status	English-version STAAR reading 2021	English-version STAAR reading 2022	English-version STAAR math 2021	English-version STAAR math 2022	Spanish-version STAAR reading 2021	Spanish-version STAAR reading 2022	Spanish-version STAAR math 2021	Spanish-version STAAR math 2022
Grade 3								
Promoted	68.2	— ^a	61.8	—	52.1	—	42.9	—
Retained	18.2	66.3	13.0	56.5	11.9	51.1	3.1	50.4
Grade 4								
Promoted	63.1	—	58.9	—	46.0	—	33.1	—
Retained	17.4	67.3	10.9	57.2	10.0	42.0	0.0	37.1
Grade 5								
Promoted	72.1	—	69.6	—	75.2	—	43.1	—
Retained	24.3	67.5	17.9	59.9	39.1	63.0	8.6	42.9
Grade 6								
Promoted	61.5	—	66.5	—	n/a ^b	n/a	n/a	n/a
Retained	24.7	54.1	24.9	60.1	n/a	n/a	n/a	n/a
Grade 7								
Promoted	68.5	—	53.3	—	n/a	n/a	n/a	n/a
Retained	31.9	64.2	15.8	41.0	n/a	n/a	n/a	n/a
Grade 8								
Promoted	72.4	—	55.5	—	n/a	n/a	n/a	n/a
Retained	35.2	62.7	16.4	52.3	n/a	n/a	n/a	n/a

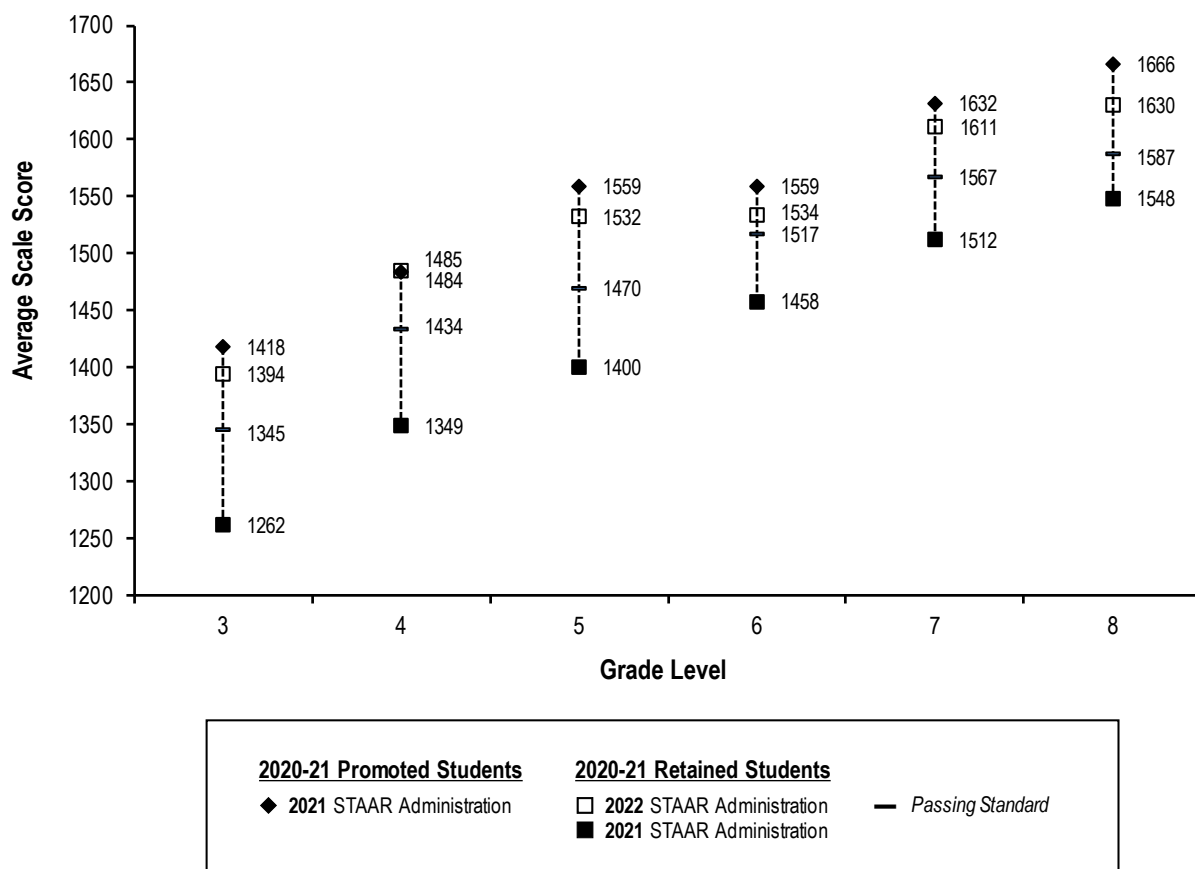
Note. Students taking tests above their grade level are excluded from these analyses.

^aA dash (—) indicates data are unavailable. Students promoted in 2021 were not expected to repeat the same grade-level test in 2022. ^bNot applicable. Spanish-version STAAR tests were available in Grades 3-5 only.

State of Texas Assessments of Academic Readiness Scores

Among students in Grades 3-8 who took the English-version STAAR reading and mathematics tests in spring 2021, those promoted at the end of the 2020-21 school year had average scale scores on both tests that exceeded the passing standards in every grade (Figure 1 and Table 2). Average scale scores for retained students were lower than those for promoted students and below the passing standards on both tests in every grade. After a year in the same grade, average scale scores for retained students improved and exceeded passing standards on both tests in every grade except for the mathematics average scale score for students retained in Grade 7. Nevertheless, with the exception of the reading test for students retained in Grade 4, average scale scores for retained students did not meet or exceed the average scale scores for students who had been promoted the year before.

Figure 1
Grade-Level Retention 2020-21 and Average Reading Scale Scores on the English-Version State of Texas Assessments of Academic Readiness (STAAR) 2021, Grades 3-8, Texas Public Schools



Note. Students taking advanced-level tests are excluded from these analyses.

Table 2
State of Texas Assessments of Academic Readiness (STAAR) Average Scale Scores 2021 and 2022, Grades 3-8, by Grade and Promotion Status 2020-21, Texas Public Schools

Status	English-version STAAR reading 2021	English-version STAAR reading 2022	English-version STAAR math 2021	English-version STAAR math 2022	Spanish-version STAAR reading 2021	Spanish-version STAAR reading 2022	Spanish-version STAAR math 2021	Spanish-version STAAR math 2022
Grade 3								
<i>Passing standard^a</i>	1345	1345	1360	1360	1318	1318	1360	1360
Promoted	1418	– ^b	1411	–	1347	–	1340	–
Retained	1262	1394	1251	1375	1212	1314	1208	1354
Grade 4								
<i>Passing standard</i>	1434	1434	1467	1467	1413	1413	1467	1467
Promoted	1484	–	1523	–	1414	–	1433	–
Retained	1349	1485	1370	1488	1273	1394	1327	1444
Grade 5								
<i>Passing standard</i>	1470	1470	1500	1500	1461	1461	1500	1500
Promoted	1559	–	1599	–	1558	–	1496	–
Retained	1400	1532	1433	1543	1430	1494	1383	1494
Grade 6								
<i>Passing standard</i>	1517	1517	1536	1536	<i>n/a^c</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>
Promoted	1559	–	1606	–	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>
Retained	1458	1534	1497	1571	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>
Grade 7								
<i>Passing standard</i>	1567	1567	1575	1575	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>
Promoted	1632	–	1611	–	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>
Retained	1512	1611	1521	1570	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>
Grade 8								
<i>Passing standard</i>	1587	1587	1595	1595	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>
Promoted	1666	–	1629	–	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>
Retained	1548	1630	1528	1603	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>

Note. Students taking tests above their grade level are excluded from these analyses.

^aThe minimum score required to pass each test. ^bA dash (–) indicates data are unavailable. Students promoted in 2021 were not expected to repeat the same grade-level test in 2022. ^cNot applicable. Spanish-version STAAR tests were available in Grades 3-5 only.

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Compliance Statement

Title VI, Civil Rights Act of 1964, the Modified Court Order, Civil Action 5281, Federal District Court, Eastern District of Texas, Tyler Division.

Reviews of local education agencies pertaining to compliance with Title VI Civil Rights Act of 1964 and with specific requirements of the Modified Court Order, Civil Action No. 5281, Federal District Court, Eastern District of Texas, Tyler Division are conducted periodically by staff representatives of the Texas Education Agency. These reviews cover at least the following policies and practices:

1. acceptance policies on student transfers from other school districts;
2. operation of school bus routes or runs on a nonsegregated basis;
3. nondiscrimination in extracurricular activities and the use of school facilities;
4. nondiscriminatory practices in the hiring, assigning, promoting, paying, demoting, reassigning, or dismissing of faculty and staff members who work with children;
5. enrollment and assignment of students without discrimination on the basis of race, color, or national origin;
6. nondiscriminatory practices relating to the use of a student's first language; and
7. evidence of published procedures for hearing complaints and grievances.

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If there is a direct violation of the Court Order in Civil Action No. 5281 that cannot be cleared through negotiation, the sanctions required by the Court Order are applied.

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