

**ESEA FLEXIBILITY
Amendment Submission**

Dear Assistant Secretary:

I am writing on behalf of the Texas Education Agency to request approval to amend the State’s approved ESEA flexibility request. The relevant information, outlined in the *ESEA Flexibility Amendment Submission Process* document, is provided in the table below.

Flexibility Element(s) Affected by the Amendment	Brief Description of Element as Originally Approved	Brief Description of Requested Amendment	Rationale	Process for Consulting with Stakeholders, Summary of Comments, and Changes Made as a Result
1.C Development and Administration of Annual, Statewide, Aligned, High-Quality Assessments That Measure Student Growth	See new text on page 27, since this level of detail was not included in the approved ESEA flexibility request. Due to changes in the assessment requirements for high school graduation mandated by House Bill 5 (83 rd Texas Legislature,	Texas proposes that middle school students enrolled in Algebra I in middle school only take the Algebra I end-of-course assessment.	This amendment does not eliminate the use of mathematics results in the accountability evaluations of Texas high schools. The Algebra I test results for all students taking this course during their high school career will be included in federal accountability results. However, instead of arbitrarily assigning the Algebra I test results attained in middle school to the students’ subsequent high school solely to meet federal accountability requirements, this amendment	Texas posted a public notice in the Texas Register requesting public comment. Additionally, the Texas Education Agency sent an email to all school district superintendents providing the specifics of the proposal and inviting comment. Comments received were in support of the amendment. However, some concerns were expressed about the inability to use the Algebra I scores of middle school students for high school accountability. Attached are educator comments submitted in response to the invitation

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	<p>2013), Algebra I is the sole mathematics assessment requirement for high school graduation. Therefore, students who take Algebra I in middle school and pass the State of Texas Assessments of Academic Readiness (STAAR) Algebra I EOC test have completed their testing requirements in mathematics and are not required to take an additional mathematics test in high school.</p>		<p>actually increases the rigor of the accountability evaluation in mathematics for Texas high schools. Students who take Algebra I in middle school typically perform extremely well on the STAAR Algebra I EOC test, and therefore, would artificially inflate the mathematics results for their high school. With this amendment, Texas high schools will be expected to meet state and federal accountability standards in mathematics for the students who were instructed and assessed during the full academic year on that campus.</p> <p>Since Texas state law now allows a portion of Texas students to complete part of their testing requirements for high school graduation prior to entering high school, this approach is the only instructionally appropriate and</p>	<p>to comment.</p>

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			<p>valid evaluation of mathematics for Texas middle schools and high schools.</p> <p>A core concept of the Texas system is that the state assessments are designed to measure individual student achievement and progress in relation to the curriculum standards for specific grades and courses. In this way, the state assessments are not separate from instruction; they assess only the content and skills that are required to be taught. However, this core concept breaks down when middle school students are forced to take two different assessments. Requiring Algebra I students to take a grade-level assessment would result in a score that would not be a true measure of their performance since they are not receiving instruction on the curriculum standards being</p>	

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			measured. The lack of alignment between the grade-level assessment and above-level instruction could render the assessment invalid.	
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Attached to this letter is a redlined version of the pages from our approved ESEA flexibility request that would be impacted with strikeouts and additions to demonstrate how the request would change with approval of the proposed amendment[s]. Please contact Criss Cloudt, Associate Commissioner, Assessment and Accountability at criss.cloudt@tea.state.tx.us or by telephone at (512) 463-9701 if you have any questions regarding this proposed amendment.

The Texas Education Agency acknowledges that the U.S. Department of Education may request supplementary information to inform consideration of this request.



Michael Williams
 Commissioner of Education
 Texas Education Agency

January 27, 2014