



## ESSA STATE PLAN

*The following are the Texas State Teachers Association's comments and concerns about the proposed addendum and amendment requests to the state's Every Student Succeeds Act State Plan.*

The Texas State Teachers Association (TSTA) applauds the efforts of the Texas Education Agency (TEA) to address issues that have arisen due to COVID-19. We thank you for organizing the submission of waiver, addendum, and amendment requests to the Every Student Succeeds Act (ESSA) state plan under the Elementary and Secondary Education Act. We sincerely hope that the Agency will provide ongoing opportunities to analyze and provide feedback on these proposed changes and the circumstances arising from their administration, as exigencies associated with COVID-19 and its consequences will certainly continue beyond the comment deadline.

Since the onset of the pandemic, TSTA has stressed that schools and educators should not be penalized for changes in attendance and achievement during a health crisis over which they have no control. We must begin this comment by restating our already public position: TSTA opposes the administration of federally mandated English language arts and mathematics assessments until after the COVID-19 crisis has passed.

TSTA is pleased that TEA is requesting federal authorization of flexibilities to avoid the use of flawed or insufficiently comprehensive results to rank or rate students, educators, and schools. ***This is why TSTA supports the decoupling of summative assessment data from accountability scores and A-F ratings.*** While we continue to believe that statewide summative assessments will fail to provide the “deeper understanding of individual student strengths and needs” that the Agency seeks, we appreciate that they will not lead to punitive actions against students, educators, or schools. Above all, we hope that we can count on you not to sacrifice safety protocols for the purpose of conducting testing, which will likely lead to results that are wanting for validity and reliability in addition to endangering the health and safety of Texas communities.

TSTA stands ready to collaborate with TEA in ensuring schools will not face additional suffering due to a State ESSA Plan that never contemplated — and indeed could not have anticipated — the current and ongoing disruptions and consequences of COVID-19. To that end, we hope you will consider the comments to the proposed State ESSA Plan addendum and amendment discussed below.

### WAIVER REQUEST

1. TSTA supports TEA's request for a waiver of the 1% cap on alternate assessments. Students are entitled to opportunities to demonstrate subject area mastery, critical thinking, and other skills through assessments that are appropriate to their skills and adapted to their needs. Student services must respond to need and not to arbitrary numbers or limits. Moreover, the many rural districts in the state can easily reach a 1% cap with small numbers of testers and so are especially crippled by a meaningless cap.

## ADDENDUM REQUEST

1. To alleviate the paperwork burden on schools who are already ranked among the bottom 5% of all public schools in the state, we would request that CSI campuses that retain their ranking in the 2021-2022 school year automatically receive funding and support for continued interventions, rather than having to “opt in.”
2. Given that identification of TSI, CSI, and ATSI cohorts will be suspended for two years if the TEA proposal is accepted, we recommend that the Agency consider fresh identification of schools in the 2021-2022 school year in order to ensure that schools are properly identified according to their current achievement data and demographics. Accordingly, we would request that ATSI escalation is postponed so that the soonest rollover to CSI would occur in August of the 2024-2025 school year.

## AMENDMENT REQUEST

1. TSTA believes that one of the most powerful things that schools can do in their efforts to improve school performance is to partner with educators, families, and other public-school allies to create school improvement plans that reflect local needs and address inequities. While we appreciate that aligning school improvement interventions with state statute eliminates confusion and duplication of efforts, we believe that current provisions do not fully adhere to the spirit of ESSA in providing for educators and other stakeholders to meaningfully and authentically contribute to the improvement process. The present language falls short by merely asking how goals were “communicated to” stakeholders and how leaders will achieve “buy in.” This misses a critical opportunity under ESSA to advance education justice by collaborating with educators who know what students need to thrive. TSTA recommends that intervention actions for TSI, ATSI, and CSI require schools to specifically include educators as participants in the creation, administration, and evaluation of improvement plans.
2. We believe that, given the extended disruptions to students’ access to services, including the identification of English learners and assessments of English learners’ proficiency and growth, TEA should consider adding an additional subgroup to its State ESSA Plan. We recommend adding, “students previously identified as English learners” as distinct from the English learner subgroup in order to ensure that we are providing students with the resources, supports, and personnel they need in order to continue to make improvements in reading, speaking, listening, and writing in English even after they have “exited” an English learner program.
3. TSTA suggests the elimination of the following rigorous interventions following failure to meet exit criteria for CSI five consecutive years: restarting the school in partnership with a charter schools; converting the school to a charter school with an independent governing board; and inserting a state-appointed Board of Managers to oversee the entire LEA. We would articulate that community schools are an evidence-based school improvement model that provides an alternative to charters. Additionally, we oppose the appointment of a Board of Managers by the State as we believe that local control should remain with the district. While we do not oppose required consultation with such Board, we do not believe that schools will be authentically improved by removing opportunities for members of the community to have input in the decision-making processes concerning underserved schools.
4. We strongly oppose the use of competitive grant applications for school improvement. Awarding school improvement funds to local education agencies should be distributed via formula and based on the need to address inequities as identified by subgroup reporting figures. Moreover, it is critical that these funds be spent according to locally determined school-level resources and/or staffing needs. It makes little sense why a school must prove that it is struggling when the millions spent on the STAAR test are defended as being for this very purpose.

***TSTA stresses that, while we support suspending the identification of TSI, ATSI, and CSI schools, doing so should NOT disrupt the equitable allocation of critical funding and supports to respond to students' and schools' needs.*** TSTA further notes that while we do not oppose the one-year Addendum to be submitted by TEA, we recognize that further shifting or changing timelines for school identification, support and improvement, and exit criteria may be required depending on how actual, on-the-ground situations unfold in districts and schools.

We recognize that further actions may be required, and we hope to partner with TEA as needs arise in order to consider additional practical measures to respond to the COVID-19 pandemic and envision a future for our public schools. TSTA will continue to advocate on behalf of students and collaborate with the Agency to fulfill students' needs through and beyond the COVID-19 pandemic.