

- SUBJECT:** Recognizing academic success by former special education students
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 11 ayes — Huberty, Bernal, Allen, Bohac, Deshotel, Dutton, Gooden, K. King, Koop, Meyer, VanDeaver
- 0 nays
- WITNESSES:** For — Janna Lilly, Texas Council of Administrators of Special Education; (*Registered, but did not testify:* Audrey Young, Apple Springs ISD President, Board of Trustees; Chris Masey, Coalition of Texans with Disabilities; Steven Aleman, Disability Rights Texas; Grace Chimene, League of Women Voters of Texas; C LeRoy Cavazos-Reyna, San Antonio Hispanic Chamber of Commerce; Barry Haenisch, Texas Association of Community Schools; Casey McCreary, Texas Association of School Administrators; Grover Campbell and Vernagene Mott, Texas Association of School Boards; Mark Terry, Texas Elementary Principals and Supervisors Association; Ellen Arnold, Texas PTA; Colby Nichols, Texas Rural Education Association; Dee Carney, Texas School Alliance; Portia Bosse, Texas State Teachers Association; Kyle Piccola, The Arc of Texas; Tami Keeling, Victoria ISD, TASB)
- Against — (*Registered, but did not testify:* Heather Sheffield, Texans Advocating for Meaningful Student Assessment)
- On — (*Registered, but did not testify:* Kara Belew, Shannon Housson, Gene Lenz, Texas Education Agency)
- BACKGROUND:** Education Code, sec. 39.053 establishes performance indicators of academic achievement under the public school accountability system, which uses five domains to measure district and campus performance. Sec. 39.202 requires the Commissioner of Education to establish an academic distinction designation for districts and campuses that attain certain measurements of postsecondary readiness.

The Texas Education Agency uses a performance-based monitoring analysis system to collect data and report annually on the performance of school districts and charter schools in selected program areas, including special education. One indicator measures the percent of students formerly served by special education who met their phase-in performance standard on the State of Texas Assessments of Academic Readiness (STAAR) grade 3 through 8 assessments in mathematics, reading, science, social studies, and writing.

**DIGEST:** HB 61 would add mechanisms to the public school accountability system to recognize academic performance by students formerly participating in a special education program.

The bill would add an indicator to domain 4 for evaluating the performance of students who formerly received special education services and who subsequently achieved satisfactory academic performance on STAAR assessments in grades 3 through 8. This would apply to students who participated in a special education program for the preceding year and who were not participating in such a program for the current year.

The Commissioner of Education would be required by rule to establish an academic distinction designation for districts and campuses for outstanding performance in attainment of postsecondary readiness that included the percentages of students who formerly received special education services who achieved satisfactory academic performance on state assessments in grades 3 through 8.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017, and would apply beginning with the 2017-18 school year.

**SUPPORTERS SAY:** HB 61 would recognize districts and campuses with successful special education programs by establishing a new performance indicator and an academic distinction for successful STAAR performance by students who exit the special education program. Districts currently can earn academic

distinction designations for positive outcomes among the general student population, and they should be able to earn a similar designation for successfully serving students in special education. School districts that invest significant time and resources in helping students with disabilities achieve academic success should be allowed to earn this new distinction on state accountability reports.

Some students who need special education services such as speech therapy for a period of time may at some point no longer need those services. Districts already are required to report to TEA how these students perform in a category called "special education year-after-exit STAAR 3-8 passing rate." For example, in 2016 statewide, 13,051 of 18,074 students (72.2 percent) in this category passed their STAAR reading exams and 13,601 of 17,768 (76.5 percent) passed their math exams.

The academic distinction would serve as an incentive for districts to strive for the highest level of support for all students, including those served by special education. It is unlikely the bill would result in students being removed from special education programs before they were ready because school districts must observe strict eligibility standards for services. Satisfactory performance on STAAR exams is only one measure of whether a student should continue to receive special education services.

**OPPONENTS  
SAY:**

By rewarding districts for former students who pass STAAR exams, HB 61 could result in some districts removing students from special education services before they were ready. Amid concerns about limiting the number of students receiving special education services, the state should not create an academic distinction designation centered on students who exit these programs.