

# **Student Success Initiative Manual**

**Grade Advancement Requirements**



**Update for the 2012–2013 School Year**

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# Introduction

# INTRODUCTION

The goal of the Student Success Initiative (SSI) is to ensure that all students receive the instruction and support they need to be academically successful in mathematics and reading. This effort depends greatly on schools, parents and guardians, and community members working in partnership to meet individual student needs. This manual is designed to support school personnel in the implementation of the grade advancement requirements of the SSI, including the coordination of Grade Placement Committees (GPCs) as required by law.

The SSI was enacted by the 76<sup>th</sup> Texas Legislature in 1999. Significant changes were made by the 81<sup>st</sup> Texas Legislature in 2009, including the following.

- The grade 3 advancement requirements related to assessment were eliminated. Students in grade 3 are no longer required to pass the state reading assessment to be promoted to grade 4.
- By the start of the school year, a district must make public the requirements for grade promotion under Texas Education Code (TEC), §28.021(d).
- SSI grade advancement requirements apply only to the mathematics and reading assessments at grades 5 and 8. If a student does not demonstrate proficiency on one or both of these assessments, the student may advance to or be placed in the next grade level only if (1) he or she completes **all** accelerated instruction required by the GPC, and (2) the GPC determines, by unanimous decision, that the student is likely to perform on grade level by the end of the next school year given additional accelerated instruction during the course of the year. In making promotion decisions, the GPC is required to consider the recommendation of the student's teacher, the student's grades, the student's state assessment scores, and any other relevant academic information.
- Required accelerated instruction must occur after each administration of the assessment, **including the third administration.**

To assist districts and charter schools in meeting the accelerated instruction provision listed above after the third administration of the assessment, the Texas Education Agency allows districts and charter schools to apply for an expedited waiver to adjust the timeline for providing accelerated instruction to students who fail the third administration. The waiver is granted if districts and charter schools meet certain conditions, which are specified below:

- identifying the intensive instruction a student needs
- targeting this intensive instruction to the STAAR reporting categories on which the student demonstrated weakness
- ensuring that this intensive instruction is completed during the first six weeks of school
- documenting that the student has completed this intensive instruction

In addition to intensive accelerated instruction, the GPC is responsible for developing an accelerated instruction plan that will provide the student with ongoing instructional support during the next school year.

- School districts must ensure that any student who fails to demonstrate proficiency in mathematics or reading, completes required accelerated instruction, and is promoted to the next grade level receives instruction in that subsequent grade from a teacher who meets all state and federal qualifications to teach that subject and grade.
- The No Child Left Behind Act of 2001 defines a highly qualified teacher as one who has obtained a full state teacher certification or has passed the state teacher licensing examination and holds a license to teach in the state; holds a minimum of a bachelor's degree; and has demonstrated subject-area competence in each of the academic subjects in which the teacher teaches.
- An eligible student who enrolls in a school district or charter school on any day between January 1 and the date of the first administration of the grade advancement assessments is subject to all of the SSI grade advancement requirements, including automatic retention. An eligible student who enrolls after the date of the first administration of the grade advancement assessments is not subject to the grade advancement requirements but must receive the opportunity to be assessed and be given access to required accelerated instruction.

In 2009 the legislature passed House Bill 3, which supports the goals of SSI by strengthening the state's accelerated instruction provisions for students in grades 3–8. Districts are now required to provide accelerated instruction to all students who do not demonstrate proficiency on STAAR. Whether they are in an SSI grade (grade 5 or 8) or a non-SSI grade (grades 3, 4, 6, or 7), students who do not meet the passing standard on STAAR must receive appropriate instructional intervention so that they will be able to make the academic progress necessary to do on-grade-level work at the next grade. Accelerated instruction may require participation by the student before or after normal school hours or at times of the year outside normal school operations.

## Purpose

This manual has three purposes:

- to provide clear administrative guidance, with step-by-step instructions that are accompanied by sample forms and letters
- to guide GPCs in their decision-making responsibility concerning accelerated instruction and review upon appeal by a parent or guardian whether to promote or retain a student, which includes designing an accelerated instruction plan for the summer and/or following school year
- to assist district- and campus-level personnel with regard to accelerated instruction

# SSI Manual Organization

The SSI Manual is organized as follows:

- SSI Activities Guide
- SSI Topics
- Appendix—Laws and Rules

The **SSI Activities Guide** is designed to be a chronological explanation of the SSI activities and requirements that occur throughout the school year. The guide includes an interactive flowchart, a timeline of SSI assessments and notification dates and requirements, and important information about SSI requirements and activities beginning with the first administration of the SSI assessments. The guide also includes checklists for each administration.

The “SSI Topics” section provides specific program information organized by subject matter. The topics include Requirements for Special Populations, Mobile and Migrant Students, Accelerated Instruction, the Grade Placement Committee, Parent Notification, Summer Accelerated Instruction and Assessment, and Substitute Assessment Option.

**Appendix A, Laws and Rules**, contains links to the TEC, §28.0211 pertaining to grade advancement requirements and the Title 19 of the Texas Administrative Code (19 TAC), Chapter 101, Subchapter BB, Commissioner’s Rules Concerning Grade Advancement and Accelerated Instruction. In fall 2009 the commissioner of education and the State Board of Education (SBOE) began the process of adopting new rules and amending current rules to conform to the changes in SSI law enacted by the 81<sup>st</sup> Texas Legislature. The revised SSI and accelerated instruction rules became effective April 19, 2010.

Sample forms and letters that districts may use for the required and optional notification and progress-monitoring activities of the SSI are located on the Student Success Initiative page on TEA’s Student Assessment Division website. The forms are available in English and Spanish in a format that facilitates downloading and editing for local use.

## Overview of the Grade Advancement Requirements of the Student Success Initiative

The SSI, enacted by the 76<sup>th</sup> Texas Legislature in 1999, is a system of support structured to ensure that all students gain sufficient understanding of the knowledge and skills in the Texas Essential Knowledge and Skills (TEKS) curriculum. The SSI is composed of three initiatives that, together, support on-grade-level student achievement in mathematics and reading so that every student can succeed throughout his or her school career. These three initiatives, as originally designed, were the Texas Reading Initiative, the Texas Math Initiative, and the grade advancement requirements in reading at grades 3, 5, and 8 and in mathematics at grades 3, 5, and 8. In 2009 the 81<sup>st</sup> Texas Legislature amended the SSI initiatives to eliminate the grade 3 advancement requirements and modify the accelerated instruction requirements for grades 3–8.

This manual focuses on the grade advancement requirements of the SSI as set forth in TEC, §28.0211, Satisfactory Performance on Assessment Instruments Required; Accelerated Instruction.

As amended by the 81<sup>st</sup> Legislature, TEC §28.0211(a) mandates that a student may not be promoted to

- (1) the sixth grade program to which the student would otherwise be assigned if the student does not perform satisfactorily on the fifth grade mathematics and reading assessment instruments under Section 39.023; or
- (2) the ninth grade program to which the student would otherwise be assigned if the student does not perform satisfactorily on the eighth grade mathematics and reading assessment instruments under Section 39.023.

In addition, a student who fails to perform satisfactorily on reading and/or mathematics assessments at grades 5 and 8 may not be promoted to or be placed in the next grade level unless he or she completes **all** required accelerated instruction. This instruction may require participation of the student before or after normal school hours, during summer school, or before the beginning of the next school year.

The law requires school districts to provide students up to three assessment opportunities during the spring and summer of the year, outlines the provision of accelerated instruction after each assessment opportunity, and describes parents' rights regarding promotion and retention. The entire text of the law is available online at <http://www.statutes.legis.state.tx.us/DOCS/ED/PDF/ED.28.pdf>.

The law was further clarified through the adoption of 19 TAC, Chapter 101, Assessment, Subchapter BB. Commissioner's Rules Concerning Grade Advancement and Accelerated Instruction (herein referenced as "commissioner's rules"). Text of this chapter, which has been amended to conform to the new statutory provisions, is available online at <http://ritter.tea.state.tx.us/rules/tac/chapter101>. The purpose of these rules is to ensure the effective implementation of the grade advancement assessment requirements as part of an overall system of support for student academic achievement. This system includes but is not limited to the following:

- assessment of student needs at preceding grades and corresponding early intervention activities that address those needs
- continuous and ongoing evaluation by a variety of means
- research-based instructional programs, which are defined as programs that are supported by scientific research that has been included in peer-review studies or been reviewed by a neutral panel. Additional evidence that supports effectiveness includes positive reports from districts and progress monitoring/outcome data from districts.
- targeted accelerated instruction informed by multiple assessment opportunities and other means of evaluation
- a GPC that decides on an individual student basis the most effective way to support a student's academic achievement on grade level
- an accelerated instruction plan for every student who does not meet the passing standard on the required grade advancement assessments after three opportunities, whether he or she is retained or promoted upon parent appeal to the GPC and, if promoted, the completion of required accelerated instruction prior to placement or promotion

Students subject to SSI requirements include those receiving special education services who take STAAR or STAAR Modified and students who receive dyslexia accommodations. Special provisions for these populations are discussed in the “Requirements for Special Populations” section of this manual.

English language learners (ELLs) who participate in STAAR L assessments or who qualify for special provisions as unschooled asylees or refugees are not subject to SSI requirements. For more information on assessment policies for ELLs, consult the *2013 Decision Making Guide for LPACs*, which can be found on the Language Proficiency Assessment Committee (LPAC) Assessment Resources website.

The commissioner’s rules also describe the administration schedule, the role of the GPC, and the responsibilities for notification of parents and guardians. It is the intent of the rules that parents and guardians be fully informed throughout the process. The commissioner’s rules describe the requirements for accelerated instruction, the provision for a parental waiver of the third administration of the assessment due to potential harm to the student, the parental appeal process, the responsibilities for scoring and reporting, and credit for high school graduation.

The SSI Manual is designed to provide campus personnel with the resources to implement the law and the rules. Parents and guardians serving on GPCs may also wish to consult this manual.

## Grade Advancement Requirements for Mathematics and Reading at Grades 5 and 8

SSI grade advancement requirements apply only to the mathematics and reading assessments at grades 5 and 8. The flowchart on page 8 illustrates the process for determining whether a student has met the SSI requirements in mathematics and reading at grades 5 and 8.

In 2013 the first administration of mathematics assessments at grades 5 and 8 was on Tuesday, April 2; and the first administration of reading assessments at grades 5 and 8 was on Wednesday, April 3. Districts may choose to combine notification letters and GPC meetings for those students who do not meet the passing standard on either assessment.

The timeline on pages 9–11 will help districts track SSI assessment, reporting, and notification dates for the 2013 school year.

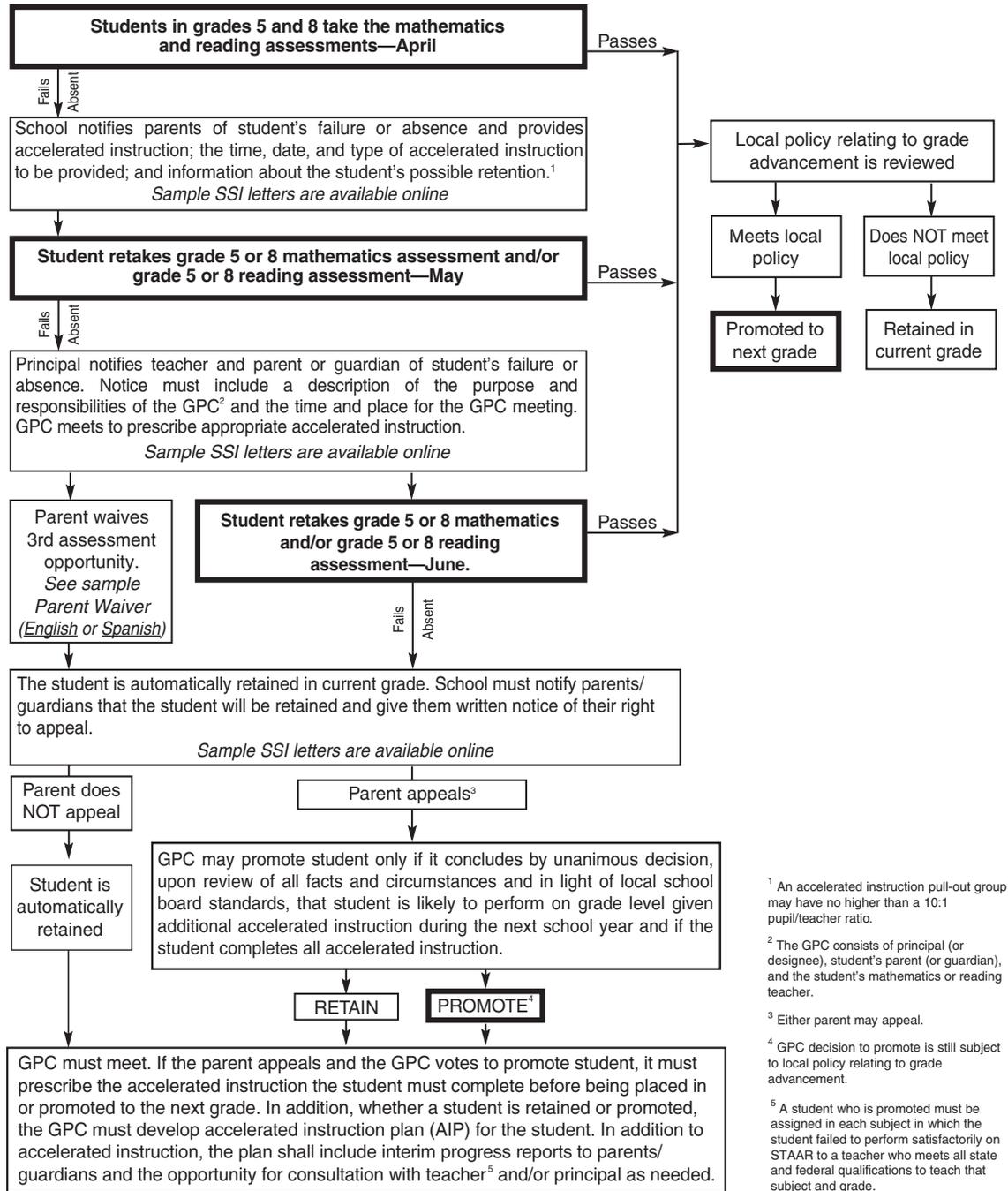
# SSI Activities Guide

This section outlines step-by-step the responsibilities for school personnel in the implementation of the SSI. It includes the following subsections:

- Interactive Flowchart
- Activities Timeline (includes a list of corresponding forms)
- First Administration of STAAR
- Second Administration of STAAR
- Third Administration of STAAR

The sample forms and letters referenced in the Activities Guide are available online at <http://www.tea.state.tx.us/student.assessment/ssi>.

**2012–2013 School Year**  
**Flowchart for Students Taking STAAR**  
**Grade Advancement Requirements for General Education Students**  
**Enrolled in SSI Grades and Subjects**



<sup>1</sup> An accelerated instruction pull-out group may have no higher than a 10:1 pupil/teacher ratio.

<sup>2</sup> The GPC consists of principal (or designee), student's parent (or guardian), and the student's mathematics or reading teacher.

<sup>3</sup> Either parent may appeal.

<sup>4</sup> GPC decision to promote is still subject to local policy relating to grade advancement.

<sup>5</sup> A student who is promoted must be assigned in each subject in which the student failed to perform satisfactorily on STAAR to a teacher who meets all state and federal qualifications to teach that subject and grade.

**NOTE:** For information regarding STAAR and STAAR Modified for SSI grades and subjects for students receiving special education services, see the flowcharts on pages 28–29.

# SSI Activities Timeline

## Grade Advancement Requirements of the Student Success Initiative 2012–2013 School Year

	Date	Action	Sample Forms for Required Notification*	Sample Forms for Optional Notification and Documentation*
Before Testing	January 2013	Inform parent of child's progress in mathematics and reading (grades 5 and 8)—middle of school year.		
Mathematics First Administration	April 2, 2013	Administer first STAAR grades 5 and 8 mathematics assessments.		
	April 22, 2013	<ul style="list-style-type: none"> <li>■ Receive student results for STAAR grades 5 and 8 mathematics assessments.†</li> <li>■ Begin accelerated instruction.</li> </ul>		
	April 29, 2013	Notify parent of results for STAAR grade 5 or 8 mathematics assessment (for students who met the passing standard).	Confidential Student Report	Parent Notification of Student Performance—M.1
	April 29, 2013	Notify parent of results for STAAR grade 5 or 8 mathematics assessment and of plans for accelerated instruction (for students who did not meet the passing standard).	<ul style="list-style-type: none"> <li>■ Parent Notification of Student Performance—M.2</li> <li>■ Confidential Student Report</li> </ul>	
Reading First Administration	April 3, 2013	Administer first STAAR grades 5 and 8 reading assessments.		
	April 22, 2013	<ul style="list-style-type: none"> <li>■ Receive student results for STAAR grades 5 and 8 reading assessments.†</li> <li>■ Begin accelerated instruction.</li> </ul>		
	April 29, 2013	Notify parent of results for STAAR grade 5 or 8 reading assessment (for students who met the passing standard).	Confidential Student Report	Parent Notification of Student Performance—R.1
	April 29, 2013	Notify parent of results for STAAR grade 5 or 8 reading assessment and of plans for accelerated instruction (for students who did not meet the passing standard).	<ul style="list-style-type: none"> <li>■ Parent Notification of Student Performance—R.2</li> <li>■ Confidential Student Report</li> </ul>	

\*Forms or letters specific to subject areas are identified as follows: M = mathematics; R = reading.

†Schools will receive results within ten working days of receipt of the assessment materials by the testing contractor.

	Date	Action	Sample Forms for Required Notification*	Sample Forms for Optional Notification and Documentation*
Mathematics Second Administration	May 14, 2013	Administer second STAAR grades 5 and 8 mathematics assessments.		
	June 3, 2013	Receive student results for STAAR grades 5 and 8 mathematics assessments.†		
	June 10, 2013	Notify parent of results for STAAR grade 5 or 8 mathematics assessment (for students who met the passing standard).	Confidential Student Report	Parent Notification of Student Performance—M.1
	June 10, 2013	Notify parent of results for STAAR grade 5 or 8 mathematics assessment and plans for accelerated instruction (for students who did not meet the passing standard).	<ul style="list-style-type: none"> <li>■ Parent Notification of Student Performance—M.3</li> <li>■ Confidential Student Report</li> </ul>	
	June 17, 2013 (Suggested Date)	Convene and document GPC meetings for students who did not meet the passing standard in grades 5 and 8 mathematics (includes accelerated instruction requirements).	Confirmation of Participation in Grade Placement Committee—M.4	
	June 20, 2013 (Suggested Date)	Notify parent of GPC decisions.	Parent Notification of Grade Placement Committee Decisions—M.6	
Reading Second Administration	May 15, 2013	Administer second STAAR grades 5 and 8 reading assessments.		
	June 3, 2013	Receive student results for STAAR grades 5 and 8 reading assessments.†		
	June 10, 2013	Notify parent of results for STAAR grade 5 or 8 reading assessment (for students who met the passing standard).	Confidential Student Report	Parent Notification of Student Performance—R.1
	June 10, 2011	Notify parent of results for STAAR grade 5 or 8 reading assessment and plans for accelerated instruction (for students who did not meet the passing standard).	<ul style="list-style-type: none"> <li>■ Parent Notification of Student Performance—R.3</li> <li>■ Confidential Student Report</li> </ul>	
	June 17, 2013 (Suggested Date)	Convene and document GPC meetings for students who did not meet the passing standard in grades 5 and 8 reading (includes accelerated instruction requirements).	Confirmation of Participation in Grade Placement Committee—R.4	
	June 20, 2013 (Suggested Date)	Notify parent of GPC decisions.	■ Parent Notification of Grade Placement Committee Decisions—R.6	

\*Forms or letters specific to subject areas are identified as follows: M = mathematics; R = reading.

†Schools will receive results within ten working days of receipt of the assessment materials by the testing contractor.

	Date	Action	Sample Forms for Required Notification	Sample Forms for Optional Notification and Documentation
Mathematics Third Administration	June 25, 2013	Administer third STAAR grades 5 and 8 mathematics assessments.		
	July 12, 2013	Receive student results for STAAR grades 5 and 8 mathematics assessments.†		
	July 19, 2013	Notify parent of results for STAAR grade 5 or 8 mathematics assessment (for students who met the passing standard).	Confidential Student Report	Parent Notification of Student Performance—M.1
	July 19, 2013	Notify parent of results for STAAR grade 5 or 8 mathematics assessment and plans for accelerated instruction (for students who did not meet the passing standard).	<ul style="list-style-type: none"> <li>■ Parent Notification of Student Performance—M.8</li> <li>■ Confidential Student Report</li> </ul>	
	August 2, 2013 (Suggested Date)	Convene and document GPC meetings for students who did not meet the passing standard in grades 5 and 8 mathematics. GPC must determine accelerated instruction student must complete before being placed in or promoted to the next grade as well as accelerated instruction plan for next school year.	Confirmation of Participation in Grade Placement Committee—M.9	
	August 6, 2013 (Suggested Date)	Notify parents of GPC decisions.	<ul style="list-style-type: none"> <li>■ Parent Notification of Grade Placement Committee Decisions—M.11</li> <li>■ GPC Meeting Minutes—M.10</li> </ul>	
Reading Third Administration	June 26, 2013	Administer third STAAR grades 5 and 8 reading assessments.		
	July 12, 2013	Receive student results for STAAR grades 5 and 8 reading assessments.†		
	July 19, 2013	Notify parent of results for STAAR grade 5 or 8 reading assessment (for students who met the passing standard).	Confidential Student Report	Parent Notification of Student Performance—R.1
	July 19, 2013	Notify parent of results for STAAR grade 5 or 8 reading assessment and plans for accelerated instruction (for students who did not meet the passing standard).	<ul style="list-style-type: none"> <li>■ Parent Notification of Student Performance—R.8</li> <li>■ Confidential Student Report</li> </ul>	
	August 2, 2013 (Suggested Date)	Convene and document GPC meetings for students who did not meet the passing standard in grades 5 and 8 reading. GPC must determine accelerated instruction student must complete before being placed in or promoted to the next grade as well as accelerated instruction plan for next school year.	Confirmation of Participation in Grade Placement Committee—R.9	
	August 6, 2013 (Suggested Date)	Notify parents of GPC decisions.	<ul style="list-style-type: none"> <li>■ Parent Notification of Grade Placement Committee Decisions—R.11</li> <li>■ GPC Meeting Minutes—R.10</li> </ul>	
End of School Year	Late Spring 2013	For grade 4 students: notify parent of child's progress in mathematics and reading at end of grade 4.		
	Late Spring 2013	For grade 7 students: notify parent of child's progress in mathematics and reading at end of grade 7.		

\*Forms or letters specific to subject areas are identified as follows: M = mathematics; R = reading.

†Schools will receive results within ten working days of receipt of the assessment materials by the testing contractor.

**NOTE:** All sample forms and notification letters are available online at <http://www.tea.state.tx.us/student.assessment/ssi> in a format that facilitates downloading and editing for local use. All forms are provided as samples only. When modifying any of the sample forms for local purposes, schools should be careful to include all of the components required by the grade advancement law and commissioner's rules.

# FIRST ADMINISTRATION OF STAAR

Grade 5 students take the first administration of the STAAR mathematics and reading assessments.

Grade 8 students take the first administration of the STAAR mathematics and reading assessments.

All eligible students should take the first administration of the STAAR mathematics and reading assessments at grades 5 or 8. The dates for these assessments can be found on the assessment calendar and on the SSI Activities Timeline. SSI grade advancement requirements apply to all students in grades 5 and 8 who are enrolled in a local school district or charter school on any day between January 1 and the date of the first administration of the grade advancement assessments. This includes ELLs who take STAAR in English or Spanish, except those who participate in STAAR L assessments or qualify for special provisions as an unschooled asylee refugee. For specific information about how the SSI grade advancement requirements apply to ELLs, mobile and migrant students, and students who are receiving special education services, refer to the “Requirements for Special Populations” section of this manual.

SSI requirements apply only to students enrolled in grades 5 and 8 who are taking the grades 5 or 8 assessments. Students enrolled in grades 5 and 8 who are receiving instruction in a subject or course above their enrolled grade level and therefore taking the related STAAR assessment may not be denied promotion based on unsatisfactory performance on the assessment above their enrolled grade level. For example, an enrolled grade 8 student who is receiving instruction in Algebra I would take the STAAR Algebra I EOC assessment. This student is not required to pass the STAAR Algebra I EOC assessment in order to be promoted to the next grade.

Students enrolled in grades other than grades 5 and 8 who are receiving above-grade-level instruction in grades 5 or 8 mathematics or reading and therefore taking the related STAAR assessment may not be denied promotion based on unsatisfactory performance on the assessment above their enrolled grade level. For example, an enrolled grade 7 student who is receiving instruction in grade 8 reading would take the STAAR grade 8 reading assessment during the first administration. This student is not required to pass the STAAR grade 8 reading assessment in order to be promoted to the next grade.

The law requires that a student be given three opportunities for assessment. Make-up assessments for students who are absent are allowed during the week of all SSI administrations. A student who is absent both on the scheduled assessment day and during the make-up days will be required to take the assessment during the next administration. The district must provide appropriate accelerated instruction as warranted for students who are absent or otherwise do not have valid assessment results. If a student has missed an assessment opportunity, the district may administer a local assessment or an individual inventory or other diagnostic assessment to determine accelerated instruction needs prior to the next state-designated administration.

## Results

By rule, schools will receive results from the first administration of STAAR within ten working days of receipt of the assessment materials by the testing contractor. Refer to the *2013 District and Campus Coordinator Manual* for specific dates for returning assessment materials. Both the calendar of events

in the coordinator manual and the SSI Activities Timeline in this manual include dates for receiving results. Schools must return assessment materials on schedule to receive results on the date specified.

When results are received, students will be in one of two groups:

- Satisfactory Academic Performance (Students made the required score to meet the passing standard.)
- Unsatisfactory Academic Performance (Students did not make the required score to meet the passing standard, were absent on the date of administration, or otherwise did not submit an assessment that could be scored.)

Students who met the passing standard have met the state-identified assessment criterion for promotion to the next grade level; however, local districts may have additional requirements for promotion. Students must meet all local requirements for promotion in addition to meeting the passing standard on STAAR. Students who pass a grade advancement assessment but are retained due to local policy will be subject to all of the SSI grade advancement requirements during the repeated school year.

Students who did not meet the passing standard have not met the state-identified assessment criterion for promotion to the next grade level.

## Notification

School notifies parents of student's failure and provisions for accelerated instruction; the time, date, and type of accelerated instruction to be provided; and information about the child's possible retention.

Districts must notify parents and guardians within five working days of receipt of the results that their child did not meet the passing standard on the STAAR assessment and that not meeting the passing standard on the assessment after three opportunities will result in automatic grade-level retention. This notice should explain fully the grade advancement policy and the review process by the GPC. To the extent possible, all notifications should be in the language spoken most often in the home. Sample letters in English and Spanish are available online at <http://www.tea.state.tx.us/student.assessment/ssi>. Districts/schools may wish to attach a cover letter with this sample notification or design a letter that is written in a style more consistent with their own correspondence with parents and guardians. For documentation purposes, a copy of this notification should be maintained in the student's permanent record file.

## Required Accelerated Instruction

In the notice to parents and guardians, school personnel must outline the intervention plan for accelerated instruction. Accelerated instruction should be consistent with previous diagnostic testing and intervention activities the student has received. For students receiving special education services, the school and parents must determine accelerated instruction. This decision should be documented either through an agreement to amend the student's individualized education program (IEP) or through an admission, review, and dismissal (ARD) committee meeting. As specified in TEC, §28.0211 (c), group-administered accelerated instruction may not have a ratio of more than 10 students to each teacher. This instruction may be conducted within the school day or after school; however, each school district

and each charter school shall be responsible for providing transportation to eligible students required to attend acceleration programs if these programs occur outside of regular school hours.

As outlined in the rules, accelerated instruction shall be based on but not limited to the following:

- assessment of specific student needs
- research-based instructional practices
- use of a variety of instructional models

School personnel should monitor each student's progress during accelerated instruction.

## . . . Checklist for the First Administration of STAAR

- Administer STAAR to eligible students.
- Receive results within ten working days of receipt of assessment materials by the testing contractor.
- Notify parents/guardians of results within five working days of receiving results from testing contractor.
- Document notification in students' permanent record files.
- Develop and implement intervention plans for accelerated instruction for students who did not meet the passing standard.
- Ensure that instructional-group size requirements are met.
- Monitor and document student progress.

# SECOND ADMINISTRATION OF STAAR

Student retakes the STAAR grade 5 mathematics and/or reading assessment. Student retakes the STAAR grade 8 mathematics and/or reading assessment.

Students who did not meet the passing standard on the first administration of the STAAR mathematics assessment at grades 5 or 8 and/or the reading assessment at grades 5 or 8 should take the second administration of the applicable assessment on the scheduled administration date. Schools should prepare for the administration by determining room location(s) and assigning test administrators, among other tasks.

Make-up administrations for students who are absent are allowed during the week of the second STAAR SSI administration. A student who is absent both for the second administration and during the make-up days will be required to be assessed during the third administration unless a parental waiver is approved. A student who is absent for both the first and second administrations must be provided appropriate accelerated instruction, as determined by the student's GPC. Since no results will be available, the district may administer a local assessment or other diagnostic assessment to determine accelerated instruction needs prior to the next state-designated administration.

## Results

By rule, schools will receive results from the second administration of STAAR within ten working days of receipt of the assessment materials by the testing contractor. When the results are received, students will be in one of two groups:

- Satisfactory Academic Performance (Students made the required score to meet the passing standard.)
- Unsatisfactory Academic Performance (Students did not make the required score to meet the passing standard, were absent on the date of administration, or did not return an assessment that could be scored.)

As with the first administration, students who met the passing standard have met the state-identified assessment criterion for promotion to the next grade level; however, local districts may have additional requirements for promotion. Students must meet all local requirements for promotion in addition to meeting the passing standard on STAAR. Students who pass a grade advancement assessment but are retained due to local policy will be subject to all of the SSI grade advancement requirements during the repeated school year.

Students who did not meet the passing standard have not met the state-identified assessment criterion for promotion to the next grade level. At this point the school **must** notify parents/guardians and convene a GPC.

# Notification

Principal notifies teacher and parents of student's failure. Notice must include a description of the purpose and responsibilities of the GPC and the time and place for the GPC meeting. GPC meets to prescribe appropriate accelerated instruction.

The district must notify the campus principal within five working days of receipt of the assessment results. Upon receiving the results, the principal must notify parents that their child did not meet the passing standard on the second administration of the STAAR assessment. As with the first notification, this notice to parents should state that the student is automatically retained if he/she does not meet the passing standard after three opportunities. This notification should also include a description of the purpose and responsibilities of the GPC and the time and place for the GPC to hold its first meeting.

In addition, the school should inform parents that the student may not be promoted to or placed in the next grade level unless he or she has participated in all required accelerated instruction. This notification should include that this instruction may require participation of the student before or after normal school hours or during the summer. If more than one parent or guardian has the authority to make educational decisions regarding the student, a good-faith effort must be made to notify both parents, but participation of one parent or guardian is sufficient. To the extent possible, notifications should be sent in the language spoken most often in the home. Sample letters in English and Spanish are available online at <http://www.tea.state.tx.us/student.assessment/ssi>. For documentation purposes, schools should maintain a copy of this notification in the student's permanent record file.

## Grade Placement Committee

### Role and Membership

In accordance with the TEC, §28.0211(c), the superintendent of each school district and chief administrative officer of each charter school shall establish procedures for convening a GPC for each student who fails to demonstrate proficiency on the second administration of an assessment required for grade advancement. Decisions by the GPC shall be made on an individual student basis to ensure the most effective way to support the student's academic achievement on grade level.

The GPC shall be composed of the following members:

- the principal or principal's designee
- the student's parent or guardian
- the student's teacher(s) of the subject of the grade advancement assessment(s) on which the student has failed to demonstrate proficiency

If a parent, guardian, or designee is unable to attend a meeting, the district may use other methods to ensure parent participation, including individual and conference telephone calls. The district may designate an individual to act on behalf of the student in place of a parent, guardian, or designee if no such person can be located. A surrogate parent named to act on behalf of a student with a disability shall be considered a parent for purposes of TEC, §28.0211.

If the teacher is unavailable, the principal shall designate a certified professional educator who is most familiar with the student in the subject area to serve on the GPC.

The district may accept a parent's or guardian's written designation of another individual to serve on the GPC for all purposes. Parents may also have other individuals present to assist them in the decision-making process. Local policy for involvement of other members should be reviewed. The district may accept a parent's or guardian's written and signed waiver of participation in the GPC and designation of the remaining members of the GPC as the decision-making entity for all purposes.

For students receiving special education services, the ARD committee serves as the GPC. The ARD committee is responsible for determining grade placement and accelerated instruction. All accelerated instruction must be documented in the student's IEP.

For an eligible ELL who has not met SSI requirements, the LPAC should make recommendations to the GPC. These recommendations should be recorded in the minutes of the GPC meeting. If an ELL is also receiving special education services, the LPAC should make recommendations to the ARD committee, which serves as the GPC.

## The GPC Meeting

The proposed date, time, and location of the GPC meeting should be included in the notification to parents. There should be an opportunity for the parent/guardian to participate in determining a convenient time for this meeting. Minutes of the GPC meeting should be taken and maintained in the student's permanent record file with a copy given to the parents. At this meeting the committee will establish that all required members are present, review accelerated instruction and assessment data, and make assessment decisions based on local policy. The GPC will complete the following:

- Review any waiver requests from the parent or guardian (see Parental Waiver below).
- Prescribe accelerated instruction for the student as required by TEC, §28.0211.
- Mark the student's report card with a designation, such as "promotion pending," since the student has not fulfilled all requirements for promotion.

## Parental Waiver

19 TAC, §101.2015 requires districts to establish a waiver process by which a parent or guardian may request that a student not participate in the third opportunity due to potential harm to the student. The provision of this waiver is intended to provide flexibility for a parent or guardian in making appropriate decisions in the best interest of the child. In making this decision, parents may consult with the other GPC members as they review the student's options. A district may not initiate a waiver process.

If the waiver is granted, the student is automatically retained. However, the GPC is still required to determine the appropriate accelerated instruction for the summer, and the student is still required to complete this accelerated instruction before he or she can be promoted to or placed in the next grade.

Once the student completes all mandated accelerated instruction, the GPC must reconvene to discuss any parental appeal of the automatic retention and to determine the accelerated instruction plan for the following school year (whether the student has been retained or promoted).

## . . . Checklist for the Second Administration of STAAR

- Administer STAAR to eligible students—those who did not meet the passing standard or did not receive a score on the first administration.
- Receive results within ten working days of receipt of assessment materials by the testing contractor.
- District notifies principal within five working days of receipt of student assessment results. Upon receipt, the principal must notify the teacher and parents.
- Notify parents of GPC meeting.
- Document notification in permanent record file.
- Consult with the LPAC for students with limited English proficiency who did not meet the passing standard.
- Convene GPC with required members. (NOTE: An ARD committee will serve as the GPC for students receiving special education services.)
  - Review membership.
  - Review accelerated instruction and assessment data.
  - Review waiver request, if applicable.
- Prescribe and implement accelerated instruction for students who did not meet the passing standard.
- Ensure that group size requirements are met.
- Document and monitor student progress.
- Document that the student has completed all required accelerated instruction.

# THIRD ADMINISTRATION OF STAAR

Student retakes the STAAR grade 5 mathematics and/or reading assessment. Student retakes the STAAR grade 8 mathematics and/or reading assessment.

Students who did not meet the passing standard on the first or second administrations of the STAAR grades 5 or 8 mathematics or grades 5 or 8 reading assessments should take the third administration of the STAAR assessment(s) on the scheduled administration date. Schools should prepare for the administration by determining room location(s) and assigning test administrators, among other tasks. A parent or guardian may request that the student not participate in the third assessment opportunity due to potential harm to the student.

Make-up administrations for students who are absent is allowed during the week of the third STAAR SSI administration. A student who is absent both for the third administration and during the make-up days will be automatically retained. The GPC is still required to determine the appropriate accelerated instruction for the summer, and the student is still required to complete this accelerated instruction before he or she can be promoted to or placed in the next grade.

Once the student completes all mandated accelerated instruction, the GPC must reconvene to discuss any parental appeal of the automatic retention and to determine the accelerated instruction plan for the following school year (whether the student has been retained or promoted).

## Results

By rule, schools will receive results from the third administration of STAAR within ten working days of receipt of the assessment materials by the testing contractor. Schools that return assessment materials on schedule will receive results by the date specified in the assessment calendar. At this point, students will be in one of two groups:

- Satisfactory Academic Performance (Students made the required score to meet the passing standard.)
- Unsatisfactory Academic Performance (Students did not make the required score to meet the passing standard, were absent on the date of administration, or turned in an assessment that could not be scored.)

As with the first two administrations, students who met the passing standard have met the state-identified assessment criterion for promotion to the next grade level; however, local districts may have additional requirements for promotion. Students must meet all local requirements for promotion in addition to meeting the passing standard on the STAAR assessment. Students who pass a grade advancement assessment but are retained due to local policy will be subject to all of the SSI grade advancement requirements during the repeated school year.

Students who did not meet the passing standard on any of the three opportunities of a STAAR SSI assessment and who meet the eligibility requirements as specified by 19 TAC §101.2003(b) have not met the state-identified assessment criterion for promotion to the next grade level. At this point the student is **retained in the current grade (grade 5 or 8)** unless the parent, guardian, or designee

appeals that decision. School personnel may not appeal this decision unless the parent or guardian has designated the remaining members of the GPC as the decision-making entity for all purposes. (See Commissioner's Rules, 19 TAC §101.2007[b].)

## Notification

Student is retained. Principal must notify parents that the child will be retained and give the parents written notice of their right to appeal.

The district must notify the campus principal within five working days of receipt of the assessment results. Upon receiving the results, the principal must notify parents that their child did not meet the passing standard on the third assessment opportunity. The notice to parents must state that because the student has not met the passing standard on the assessment, the student is automatically retained in the current grade and the parent must appeal in order for the GPC to review the retention. **The parent must be given the opportunity to appeal the automatic retention.** Sample forms and letters are available online at <http://www.tea.state.tx.us/student.assessment/ssi>. The parent or guardian may appeal the retention by submitting a request to the GPC within five working days of receipt of the retention notification.

The notice to parents shall include a description of the purpose and responsibilities of the GPC and the time and place for the required GPC meeting. In addition, the school should inform parents that the student may not be promoted to or placed in the next grade level unless he or she has participated in all required accelerated instruction. This notification should include that this instruction may require participation of the student before or after normal school hours or at times outside of the normal school year (e.g., before the school year begins). If more than one parent or guardian has the authority to make educational decisions regarding the student, a good-faith effort must be made to notify both parents, but participation of any one parent or guardian is sufficient. To the extent possible, all notifications should be in the language spoken most often in the home. Sample letters in English and Spanish are available online at <http://www.tea.state.tx.us/student.assessment/ssi>. A copy of this notification should be maintained in the student's permanent record file.

## Grade Placement Committee

The proposed date, time, and location of the GPC meeting should be contained in the notification to parents. There should be an opportunity for the parent to participate in determining a convenient time for this meeting. Minutes of the GPC meeting should be taken and maintained in the student's permanent record file with a copy given to the parents.

If an appeal has been initiated by the parent or guardian, the GPC must complete the following:

- establishing that all required members are present;
- confirming that the student has participated in all accelerated instruction required before the third administration of the assessment;

- reviewing all facts and circumstances to determine whether the student should be retained or promoted. In making promotion decisions, the GPC is required to consider the recommendation of the student's teacher, the student's grades, the student's STAAR scores, and any other relevant academic information;
- prescribing the accelerated instruction the student must complete before being placed in or promoted to the next grade; and
- documenting the decision in accordance with district policy.

Students receiving special education services or who are English language learners will be reviewed in the same manner as with the first GPC meeting.

According to TEC, §28.0211 (e), a student may be promoted only if the GPC decision is unanimous and if the student has completed all required accelerated instruction. However, in cases where both parents participate in the GPC decision-making process, if both school representatives agree to promote and if **either** parent or guardian agrees to promote, the child is promoted. The review and final decision of the GPC must be appropriately documented as meeting the standards adopted by the school board. The decision of the GPC is final and may not be appealed.

For every student who does not meet the passing standard after the three assessment opportunities, the GPC must develop an AIP, which the district must provide to the student during the next school year. The plan must be designed to enable the student to perform on the appropriate grade level by the end of the next school year. The AIP must provide for interim progress reports to the student's parent or guardian and the opportunity for parent consultation with the teacher and/or principal as needed.

## . . . Checklist for the Third Administration of STAAR

- Administer STAAR to eligible students—those who did not meet the passing standard or did not receive scores on the first and second administrations.
- Receive results within ten working days of receipt of assessment materials by the testing contractor.
- District notifies principal within five working days of receipt of student assessment results. Upon receipt, the principal must notify the teacher and parents.
- Notify parents of automatic retention, of the GPC meeting, and of the opportunity for parent appeal for a student who did not meet the passing standard on any of the three opportunities.
- Consult with the LPAC for each student with limited English proficiency who did not meet the passing standard.
- Provide an opportunity for parent appeal.
- Document notification in permanent record file.
- Convene GPC with required members. (Note: The ARD committee will serve as the GPC for each student receiving special education services.)
  - Review membership.
  - Review accelerated instruction and assessment data.
  - Review appeal and vote on appeal of grade-level placement (if applicable).
- If the committee votes to promote, prescribe the accelerated instruction the student must complete before being placed in or promoted to the next grade.
- Required accelerated instruction must occur after each administration of the assessment, including the third administration. To assist districts and charter schools in meeting the accelerated instruction provision after the third administration of the assessment, the Texas Education Agency allows districts and charter schools to apply for an expedited waiver to adjust the timeline for providing accelerated instruction to students who fail the third administration. The waiver is granted if districts and charter schools meet certain conditions, which are specified below:
  - Identifying the intensive instruction a student needs
  - targeting this intensive instruction to the STAAR reporting categories on which the student demonstrated weakness
  - ensuring that this intensive instruction is completed during the first six weeks of school
  - documenting that the student has completed this intensive instruction
- In addition to intensive accelerated instruction, the GPC is responsible for developing an accelerated instruction plan that will provide the student with ongoing instructional support during the next school year.
- Document that the student has completed the prescribed accelerated instruction prior to promotion/placement in the next grade.
- Develop and implement an AIP for the following school year for each student who did not meet the passing standard, whether the student is retained or promoted.



# SSI Topics

This section provides specific program information organized by subject matter. It includes the following subsections:

- Requirements for Special Populations
- Mobile and Migrant Students
- Accelerated Instruction
- The Grade Placement Committee (GPC)
- Parent Notification
- Summer Accelerated Instruction and Assessment
- Substitute Assessment Option for STAAR

# REQUIREMENTS FOR SPECIAL POPULATIONS

## Students Receiving Special Education Services

Due to the design of STAAR Alternate (in that teachers make observations throughout the academic year and are expected to provide any necessary remediation during the course of the academic year), students participating in STAAR Alternate are not subject to SSI requirements.

Students receiving special education services who take STAAR or STAAR Modified are subject to SSI requirements. The ARD committee will determine which assessment is appropriate for the individual student in each SSI content area and grade level and will make all decisions involving accelerated instruction and promotion. The flowcharts on pages 28–29 outline how the SSI grade advancement requirements affect students receiving special education services who take STAAR or STAAR Modified. In the case where a student’s IEP states that the student is to take one of these assessments and the student does not meet the passing standard on the assessment, the ARD committee will serve as the GPC.

The role of the ARD committee in making decisions about students subject to SSI requirements is defined in 19 TAC, §101.2003. A student receiving special education services enrolled in grade 5 or grade 8 who is receiving instruction in the TEKS curriculum in mathematics and reading is subject to SSI requirements. In accordance with 19 TAC, §101.5(b) (relating to Student Testing Requirements) and TEC, §28.0211 (i), the student’s ARD committee shall determine appropriate assessment and accelerated instruction for each eligible student. Assessment decisions must be made on an individual basis and in accordance with administrative procedures established by TEA. These decisions must be documented in the student’s IEP.

Districts are encouraged to carefully weigh the individual needs of students with disabilities as they consider decisions pertaining to the procedures outlined in this manual. For the students described above, an ARD committee must make decisions regarding **appropriate** (1) assessment, (2) accelerated instruction, and (3) grade placement based on a student’s specific disability-related needs.

## **SSI Requirements for Students Receiving Special Education Services Who Take STAAR or STAAR Modified**

Based on the ARD committee decision, most grade 5 or 8 students will take STAAR or STAAR Modified. The flowcharts on pages 28–29 outline how the SSI grade advancement requirements affect students receiving special education services who take the STAAR or STAAR Modified grade 5 or 8 mathematics and reading assessments. The information below provides a general description of the processes that are outlined in the flowcharts.

### **Students Taking STAAR**

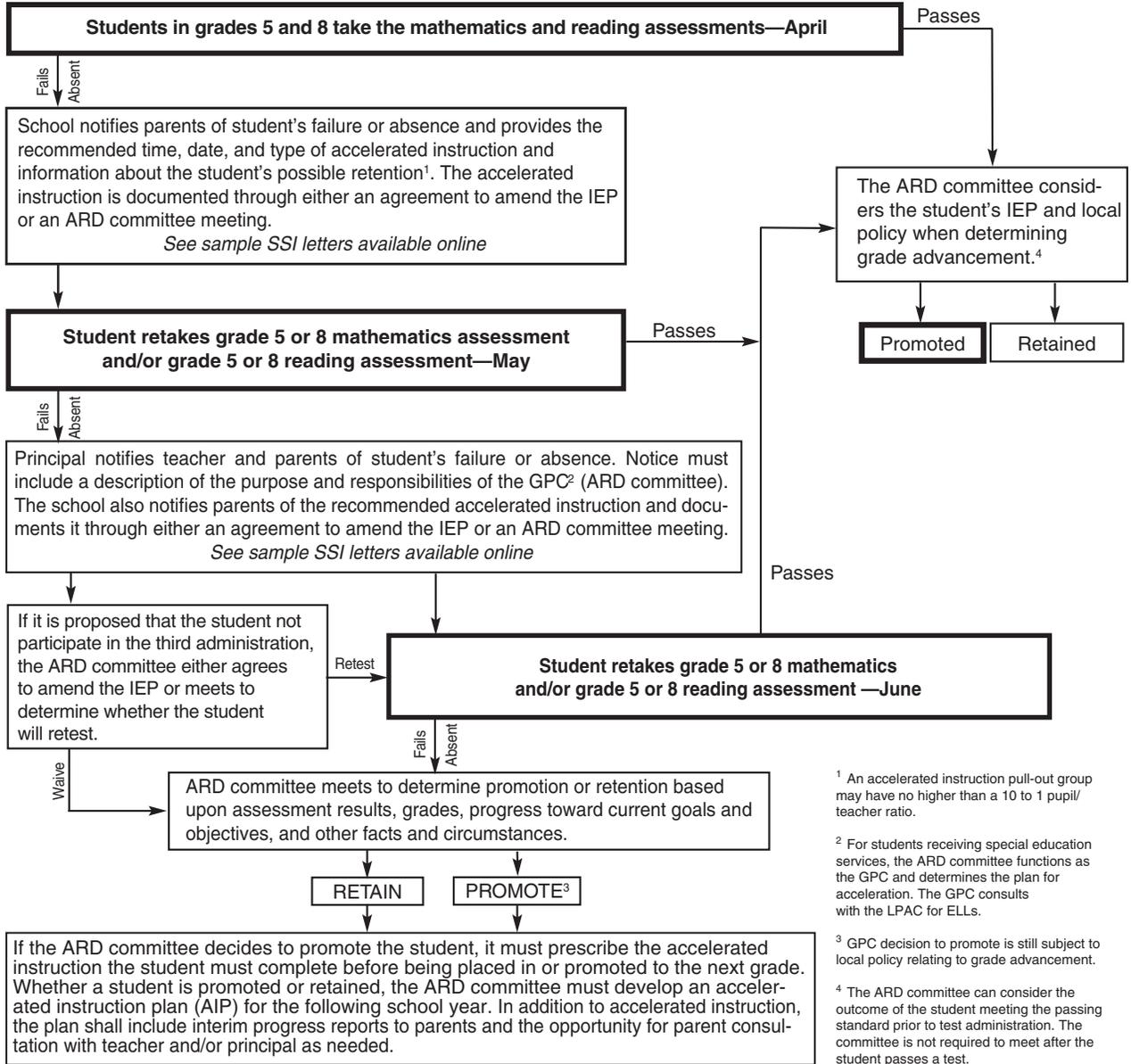
If a student does not demonstrate satisfactory academic performance (meet the passing standard) on the first administration, the school must document the accelerated instruction needed either through an agreement to amend the student’s IEP or through an ARD committee meeting, and the student participates in the second administration. If the student does not meet the passing standard for a second time, then the school must document additional accelerated instruction either through an agreement to amend the student’s IEP or through an ARD committee meeting. The ARD committee, of which the parent/guardian is a member, may determine at that time that the student will not participate in the third administration and decide whether the student will be promoted or retained. If the student participates in the third administration and does not meet the passing standard, then the ARD committee will determine whether the student will be promoted or retained. This decision does not have to be unanimous but must follow the general rules governing ARD committee decision-making as set forth in 19 TAC, Chapter 89, Subchapter AA. If the ARD committee decides to promote the student, it must ensure that the student completes all required accelerated instruction prior to being placed in or promoted to the next grade.

### **Students Taking STAAR Modified**

If a student does not demonstrate satisfactory academic performance (meet the passing standard) on the first administration, the school must document the accelerated instruction needed either through an agreement to amend the student’s IEP or through an ARD committee meeting. The ARD committee, of which the parent/guardian is a member, may also determine at that time that further assessment is not appropriate based on the student’s individual needs and whether the student will be promoted or retained. In that case, the ARD committee must document justification for these decisions in the student’s IEP. However, if the student does not participate in the second administration, the school must continue to provide accelerated instruction for the remainder of the school year.

If the student participates in the second administration and does not meet the passing standard, then the school must document additional accelerated instruction either through an agreement to amend the student’s IEP or through an ARD committee meeting. The ARD committee may determine at that time that the student will not participate in the third administration and whether the student will be promoted or retained. If the student participates in the third administration and does not meet the passing standard, then the ARD committee will determine whether the student will be promoted or retained. This decision does not have to be unanimous but must follow the general rules governing ARD committee decision-making as set forth in 19 TAC, Chapter 89, Subchapter AA.

## SSI Grade Advancement Requirements for Students Receiving Special Education Services Taking STAAR



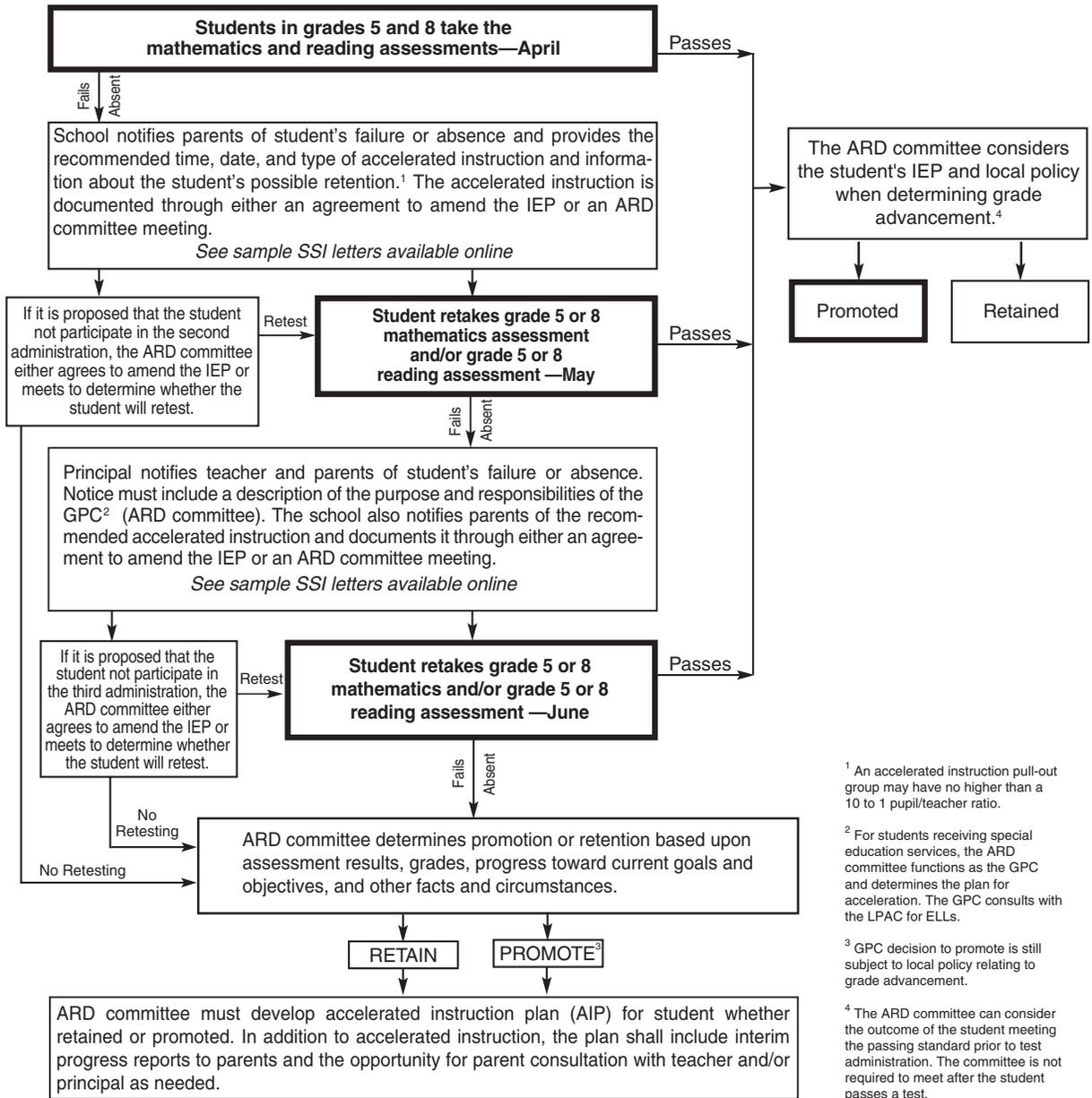
<sup>1</sup> An accelerated instruction pull-out group may have no higher than a 10 to 1 pupil/teacher ratio.

<sup>2</sup> For students receiving special education services, the ARD committee functions as the GPC and determines the plan for acceleration. The GPC consults with the LPAC for ELLs.

<sup>3</sup> GPC decision to promote is still subject to local policy relating to grade advancement.

<sup>4</sup> The ARD committee can consider the outcome of the student meeting the passing standard prior to test administration. The committee is not required to meet after the student passes a test.

## SSI Grade Advancement Requirements for Students Receiving Special Education Services Taking STAAR Modified



<sup>1</sup> An accelerated instruction pull-out group may have no higher than a 10 to 1 pupil/teacher ratio.

<sup>2</sup> For students receiving special education services, the ARD committee functions as the GPC and determines the plan for acceleration. The GPC consults with the LPAC for ELLs.

<sup>3</sup> GPC decision to promote is still subject to local policy relating to grade advancement.

<sup>4</sup> The ARD committee can consider the outcome of the student meeting the passing standard prior to test administration. The committee is not required to meet after the student passes a test.

## Guidance Related to an Agreement to Amend an IEP

The following is an excerpt from the federal Individuals with Disabilities Education Improvement Act of 2004 (IDEA) regulations and may be used as guidance in determining when an ARD committee needs to convene to make decisions required by the SSI. Eligibility determinations, changes of placement, and manifestation determination reviews may not be conducted through the amendment without a meeting process. For questions related to this law, please contact the TEA Division of Federal and State Education Policy at 512-463-9414.

34 CFR, Sec. 300.324 Development, review, and revision of IEP (excerpt).

(a) Development of IEP.

(4) Agreement. (i) In making changes to a child's IEP after the annual IEP Team meeting for a school year, the parent of a child with a disability and the public agency may agree not to convene an IEP Team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child's current IEP.

(ii) If changes are made to the child's IEP in accordance with paragraph (a)(4)(i) of this section, the public agency must ensure that the child's IEP Team is informed of those changes.

(5) Consolidation of IEP Team meetings. To the extent possible, the public agency must encourage the consolidation of reevaluation meetings for the child and other IEP Team meetings for the child.

(6) Amendments. Changes to the IEP may be made either by the entire IEP Team at an IEP Team meeting, or as provided in paragraph (a)(4) of this section, by amending the IEP rather than by redrafting the entire IEP. Upon request, a parent must be provided with a revised copy of the IEP with the amendments incorporated.

## Students with Dyslexia or Related Disorders

The SSI grade advancement requirements apply to all students enrolled in grades 5 and 8, except ELLs who participate in STAAR L assessments or qualify for special provisions as an unschooled asylee refugee. SSI grade advancement requirements include students who do not receive special education services but are dyslexic or have related disorders. Districts should carefully review all information relating to allowable and nonallowable accommodations for the STAAR or STAAR Modified assessments to ensure that students with disabilities receive appropriate accommodations when taking an SSI assessment.

TEC, §28.021(b), Student Advancement, requires that districts consider students' potential for achievement or proficiency in the assessed subjects when making assessment decisions about students who are dyslexic.

The GPC must ensure that accelerated instruction and promotion decisions are made on an individual basis. Upon a parent's appeal of the automatic retention due to his or her child's not passing an assessment required under the SSI, the GPC is required to look at "all facts and circumstances" regarding the student's grade-level academic achievement and progress. Dyslexia should be considered in this review as well as in the development of the accelerated instruction plan for the next school year.

## English Language Learners (ELLs)

Language proficiency assessment committees (LPACs) are responsible for determining the appropriate assessments for ELLs in accordance with the policies and procedures delineated in the 2013 Decision-Making Guide for LPACs, which can be found on the Language Proficiency Assessment Committee (LPAC) Assessment Resources website.

ELLs, except for those who participate in STAAR L assessments or qualify for special provisions as an unschooled asylee refugee, are subject to SSI grade advancement requirements in grades 5 and 8. Students who participate in STAAR L assessments do not retake mathematics or reading assessments if they fail them, and decisions about these students' grade advancement are made in accordance with locally determined procedures.

Under the SSI requirements, a GPC is formed if an eligible student does not meet the passing standard after two SSI assessment opportunities. When a GPC convenes for an ELL who has not passed the required statewide assessment, the commissioner's rules specify that the GPC make its decisions in consultation with a member of the student's LPAC. After consultation, the GPC will prescribe accelerated instruction and review parental waiver requests (if applicable), as stated in this manual.

If an ELL does not meet the passing standard on the third administration of an assessment required under the SSI, the student is automatically retained. The GPC, after consulting with a member of the student's LPAC, will determine an AIP for the upcoming school year and make promotion decisions if the student's parent has appealed the automatic retention. The GPC may consider the LPAC member's advice regarding promotion or retention, but the decision to promote must be made by a unanimous decision of the GPC members (the principal or principal's designee, the teacher in the subject area failed, and the parent or guardian). Additionally, the student may not be promoted to or placed in the next grade level unless he or she has participated in all required accelerated instruction.

### ELLs Receiving Special Education Services

For ELLs who are receiving special education services, the ARD committee in conjunction with the LPAC makes the final decisions about assessment and grade placement so that issues related to both the student's disability and language proficiency are carefully considered.

# MOBILE AND MIGRANT STUDENTS

## Mobile Students

Student mobility within and across school districts is a significant challenge to effective implementation of the SSI grade advancement requirements. Continuity in understanding and addressing a student's needs for grade-level academic achievement requires effective coordination and communication across schools and districts. Schools must ensure sufficient documentation of student progress with regard to SSI grade advancement, including additional accelerated instruction, assessment history, and GPC minutes as well as any other pertinent documentation.

According to 19 TAC, §101.2003, any student who is enrolled at the time of a STAAR assessment is required to take the statewide STAAR or STAAR Modified SSI assessments. There is no minimum period of enrollment before the assessments. Under 19 TAC, §101.2003(b), an eligible student who enrolls in a school district or charter school on any day between January 1 and the date of the first administration of the grade advancement assessments is subject to all of the SSI grade advancement requirements, including automatic retention. An eligible student who enrolls after the date of the first administration of the grade advancement assessments is not subject to the grade advancement requirements but must receive the assessment opportunity and be given access to required accelerated instruction.

When a student moves from one Texas public school district to another after the first or second administration of an assessment required under the SSI, the receiving district is responsible for reviewing the student's records and, if applicable, providing appropriate accelerated instruction and additional assessment opportunities as required by the law. The receiving district must coordinate with the previous district in regard to assessment history and accelerated instruction.

A student who has transferred from another state or a private/home school and who enrolls in a Texas public school after the first administration of a STAAR SSI assessment but prior to the second or third administration is required to be assessed on the next scheduled administration date and is subject to all SSI requirements except the automatic retention component.\*

Students who transfer directly from one Texas public school district or charter school to another in an SSI year are subject to all the SSI requirements\*. This includes students who transfer between grade levels. If the student has not met the SSI requirements for the previous school year, the receiving school must review the student's assessment and accelerated instruction history and provide additional accelerated instruction and a GPC, as needed. Receiving districts can disagree with the GPC decision from the student's previous district since the district where the student is currently enrolled is responsible for the student.

Out-of-state or private/home-school students who enroll after the completion of an SSI school year are not subject to the requirements of the SSI for that school year. When a student has been promoted in another state or in a nonpublic school before enrolling in a Texas public school, a GPC does not have any mandated responsibility to determine the grade placement of the student. Districts must continue to decide on these grade placements as a local responsibility. Based on local policy, the district may choose to honor or to reject the placement decision of the other state or nonpublic school with or without the administration of an assessment to make the placement decision.

\*Refer to the previous section for details regarding SSI requirements and ELLs who are eligible to take STAAR L.

## Migrant Students

Students identified as migrant are required to be assessed if they are enrolled during the time of assessment, with the exception of certain qualifying unschooled asylee refugee ELLs. A migrant student who withdraws from a Texas public school during the school year of a grade advancement assessment is not subject to SSI grade advancement requirements unless the student re-enrolls during that school year and meets other eligibility requirements. Moreover, according to 19 TAC, §101.2007(h), any student who has been promoted upon completion of a school year in another state (or in a nonpublic school) may be enrolled in that grade without regard to his or her satisfactory performance on an SSI assessment. This rule applies to many migrant students.

An eligible student who enrolls in a school district or charter school on any day between January 1 and the date of the first administration of the grade advancement assessment is subject to all of the SSI grade advancement requirements, including automatic retention. An eligible student who enrolls after the date of the first administration of the grade advancement assessments is not subject to the grade advancement requirements but must receive the opportunity to be assessed and be given access to required accelerated instruction.

Migrant students who do not pass the first two administrations of an SSI assessment and who will be in another state for the third administration will be able to meet assessment requirements through STAAR. During the summer, migrant students can take the appropriate STAAR mathematics and/or reading assessment at a receiving-state site under the oversight of the Texas Migrant Interstate Program (TMIP). Migrant students who are in the state but residing away from their home district for the summer administration may register for the assessment in or near the district where they are residing during the summer. (See the “Summer Accelerated Instruction and Assessment” section of this manual.)

Informed and continuous communication between all parties involved is critical to the migrant student’s academic success. Districts and GPCs may wish to keep in contact with Migrant Service Coordinators to effectively communicate and address migrant students’ needs.

# ACCELERATED INSTRUCTION

## Policy Requirements

TEC, §28.0211(a-1) requires accelerated instruction be provided to a student in the applicable subject whenever the student does not meet the passing standard on a state assessment for grades 3–8. The type of accelerated instruction is a local decision that should be based on individual student needs. Accelerated instruction may require participation of the student before or after normal school hours and may include participation at times of the year outside normal school operations. Accelerated instruction is subject to state compulsory attendance laws as specified by TEC, §25.085(d)(3), which requires a student enrolled in a school district to participate in “an accelerated instruction program to which the student is assigned under Section 28.0211.”

According to 19 TAC, §101.2006(e)(1) and TEC, §28.0211(c), a 10:1 (or lower) student-to-teacher ratio is required when providing accelerated instruction in a pull-out group. This applies to any period of time in which accelerated instruction is being provided in response to the requirements stated in TEC, §28.0211, including summer school. The ratio is not applicable for the student’s entire instructional day. The 10:1 ratio applies to students receiving accelerated instruction as a result of failing an SSI assessment but does not apply to students receiving accelerated instruction as a result of failing any other STAAR assessment in grades 3–8.

When a student has not met the passing standard or was absent for the first opportunity of a grade advancement assessment, the district must provide accelerated instruction before the next assessment opportunity. For students who are absent for an assessment required by the SSI, the district may choose to administer a local or other diagnostic assessment to determine accelerated instruction needs.

If a student has not met the passing standard or was absent for two assessment opportunities of a grade advancement test, the GPC is required to meet and prescribe accelerated instruction for the student. The GPC should be specific about the accelerated instruction the student will receive before the third administration, including summer accelerated instruction programs. However, the GPC may be flexible in prescribing accelerated instruction to meet the needs of students with special summer circumstances. (See the “Summer Accelerated Instruction and Assessment” section of this manual.)

The law requires the GPC to meet and create an accelerated instruction plan (AIP) for the next school year for each student who has not met the passing standard after three assessment opportunities of a grade advancement assessment, whether the student is retained or promoted by the GPC. This AIP must be designed to enable the student to perform at the appropriate grade level by the conclusion of the next school year. During the school year, the student should be monitored to ensure that he or she is making progress toward this goal. The district should provide interim progress reports to the parent as well as the opportunity for parent consultation with the teacher and/or principal as needed.

If a parental waiver request has been granted for the third assessment opportunity due to potential harm to the student, the student must still participate in all accelerated instruction required by the GPC before he or she can be placed in or promoted to the next grade. The accelerated instruction should be designed to address the instructional needs of each individual student.

## Designing Accelerated Instruction and Accelerated Instruction Plans Required for a Grade Advancement Assessment

Accelerated instruction should begin as soon as possible after a district has been notified that a student has not met the passing standard on a grade advancement assessment. Instruction should continue until the next scheduled assessment opportunity. Students in grades 5 or 8 who are identified as being at risk for failure on a STAAR SSI assessment should receive accelerated instruction throughout the school year, plus further accelerated instruction after each assessment opportunity on which they are unsuccessful. It is important to note that this instruction should build on any accelerated instruction the student has received prior to STAAR.

Neither the law nor the rules specify the amount of time to be provided for the accelerated instruction. To support the SSI requirements, the law and the commissioner’s rules provide districts and charter schools with flexibility to determine on an individual student basis the appropriate form, content, and timing of the accelerated instruction. The policy governing accelerated instruction is intended to allow districts flexibility to meet individual student needs. Although students’ instructional needs may vary, all students deserve qualified professional delivery of instruction by highly trained educators. Therefore, a component of the SSI is training for classroom teachers in frequent and ongoing assessment and instructional strategies to meet the full spectrum of student needs. The coordination of regular instruction and accelerated instruction both before and after the STAAR administrations is strongly recommended.

In designing an AIP, the GPC should use a student’s STAAR results and other performance data, such as previous diagnostic tests, classroom assessments, grades, teacher observation, and academic progress reports, to build a program that enhances the instruction the student has already received. In addition, a district should employ best instructional practices as identified through current scientific research. A district may obtain and implement these practices with technical assistance from regional education service centers.

### Identifying At-Risk Students

School personnel should use results from previous STAAR assessments and other diagnostic tools as the primary criteria for identifying students who are struggling in mathematics and/or reading. Resources such as the MSTAR Universal Screener, the ESTAR Screener (available fall 2013), and the Texas Achievement Items Repository (TxAIR) (formerly the Texas Math and Science Diagnostic System—TMSDS) are also available to assist districts in identifying at-risk students and diagnosing their academic needs. Additional considerations may include performance on district-created progress-monitoring tools, classroom assessments, teacher observation, progress reports, and report cards.

### Accelerated Instruction

TEA’s Curriculum Division provides guidelines for accelerated programs for students in grades K–8 who are identified as needing intervention. Response to Intervention (RtI) may be one model that districts can use to provide accelerated instruction. RtI resources are available through the Curriculum Division at <http://www.tea.state.tx.us/index2.aspx?id=5817>. Although these resources provide guidance in implementing appropriate instructional interventions, districts are ultimately responsible for specific decisions regarding both pre- and post-STAAR accelerated instruction. Districts may also find additional support in addressing the needs of a diverse student population by attending professional development training at each of the regional education service centers. TEKS-based training is currently available for K–12 educators in the four core content areas—English language arts, mathematics, science, and social

studies—at no cost to districts, and all TEKS-based training includes training in the implementation of RtI.

## Mathematics Instruction

Resources and information for teachers who work with students identified as being at risk in mathematics may be accessed through Curriculum Division website's mathematics page. These materials will assist teachers in implementing TEKS-based instruction. Teachers in grades 5–8 also have access to Middle School Students in Texas: Algebra Ready (MSTAR) Academies in both face-to-face and online formats. The MSTAR Academies provide training on how to improve overall mathematics instruction and student achievement in order to meet Algebra I standards. K–5 teachers have access to Elementary School Students in Texas: Algebra Ready (ESTAR) Academies in both face-to-face and online formats. The ESTAR Academies introduce participants to the Texas Response to Curriculum Focal Points (TXRCFP) and identify critical areas for mathematics instruction at each grade level. Beginning in summer 2013, teachers in grades K–8 may also participate in face-to-face training on the revised Mathematics Texas Essential Knowledge and Skills (TEKS) scheduled to be implemented in the 2014–2015 school year. Online New Math TEKS courses and teacher/student resources will be available in fall 2013. In addition to the MSTAR and ESTAR Academies and the New Math TEKS training, online resources such as the MSTAR Universal Screener, the ESTAR Screener (available beginning in fall 2013), and the Texas Achievement Items Repository (TxAIR) (formerly the Texas Math and Science Diagnostic System—TMSDS) are available. Information about the MSTAR Academies, the New Math TEKS training, and the online resources is available through all regional education service centers. Information about the online courses is also available through the Project Share course catalog.

## Reading Instruction

The professional development materials created for the Texas Teacher Reading Academies (TRAs) are a valuable resource for teachers. Districts may offer a TRA training locally, or teachers may attend training sessions at their regional education service center, if offered. The Online Teacher Reading Academies (OTRAs) for grades K–4 are available at <http://www.texasreadsources.org>. Additional information and resources from the TRAs and the Texas Reading First program can also be accessed at <http://www.texasreadsources.org>. English language arts, mathematics, science, and social studies teachers in grades 6–8 have access to the Texas Adolescent Literacy Academies (TALA). The Tier I Academy provides professional development in scientifically based reading instruction (SBRI) for adolescents. The Tiers II & III Academies (designed specifically for ELA teachers) provide instructions on how to administer the Texas Middle School Fluency Assessment (TMSFA), how to interpret results of the TMSFA, and how to provide appropriate reading interventions for struggling adolescent readers. The Tier I and Tiers II & III Academies are available in face-to-face and online formats. Information about the academies is available through all regional education service centers. Information about the online courses is also available through the Project Share course catalog.

# THE GRADE PLACEMENT COMMITTEE (GPC)

## Purpose of the GPC

A school district must establish a GPC for each student who does not demonstrate proficiency on the second administration of STAAR. Each student's GPC will

- determine appropriate accelerated instruction that the district must provide the student before the third administration;
- consider all facts and circumstances if a parent appeals the automatic retention of a student who does not demonstrate proficiency after three assessment opportunities. The GPC may promote the student if it determines, by **unanimous** decision and in accordance with local board policy and the criteria under TEC, §28.021(c), that the student has completed all required accelerated instruction and is likely to perform satisfactorily at the next grade level given additional accelerated instruction;
- if the GPC votes to promote, prescribe the accelerated instruction the student must complete before being placed in or promoted to the next grade; and
- develop a plan for the accelerated instruction the student shall receive during the next school year, regardless of whether the student is retained or promoted.

The superintendent of each school district or chief administrative officer of each charter school is responsible for establishing local procedures for the convening of a GPC. Additionally, local school boards have the authority to establish further GPC policies beyond those required in the rules. The district has authority to determine “the time and place for convening” the GPC under TEC, §28.0211(c).

## The GPC for Special Populations

For students receiving special education services, the ARD committee serves as the GPC. For ELLs, the GPC makes decisions in consultation with a member of the student's LPAC. If an ELL is receiving special education services, the ARD committee, serving as the GPC, makes all decisions for the student. In such cases, 19 TAC §101.2003(f) specifies that the ARD committee must make assessment-related decisions in conjunction with the LPAC to ensure that issues related to the student's language proficiency are duly considered.

## Required Members of the GPC

The GPC consists of the principal or principal's designee, the teacher of the subject-area assessment not passed by the student, and the student's parent or guardian. The intent of the law governing the SSI grade advancement requirements is that the GPC meet with all its members in attendance. Ideally, the GPC consists of the primary members listed above. However, the commissioner's rules provide for specific alternatives in the event that any one of the members is unable or unavailable to meet. (See 19 TAC §101.2007.)

With regard to the principal:

The law allows for the principal to appoint a designee to serve on the GPC in his or her place. The intent of this provision is to enable the GPC to function most effectively in the interest of the student. Principals are encouraged but not required to make decisions regarding designees as early as possible and to inform parents of the decision.

With regard to the teacher:

TEC, §28.0211(c) requires that the teacher of the subject-area assessment not passed by the student be a member of the GPC. Therefore, the law intends for the GPC to include a teacher assigned to this student for that subject if at all possible. In the case where the original teacher is no longer a district employee, the teacher serving on the GPC may be someone other than the original classroom teacher. In addition, the teacher “most familiar with the student’s performance in the subject of the assessment on which the student failed to perform satisfactorily” may have changed since the previous administration of STAAR. For example, the teacher in a summer program may be determined to be more familiar with the student’s progress in the applicable subject than the classroom teacher. In either case, the teacher “most familiar with the student” in the applicable subject area should serve on the GPC.

The commissioner’s rules also provide that when the student’s teacher is unavailable, the principal shall designate a certified professional educator who is most familiar with the student in the applicable subject area to serve on the GPC. (See 19 TAC, §101.2007[b].) The term “unavailable” in this rule is understood to apply to exceptional circumstances such as extended illness, leave of absence, or change in employment. It should be emphasized that this rule authorizes a district to switch personnel **only** when necessary to ensure that the student has the GPC to which he or she is entitled under the statute.

With regard to the parent:

The rules provide several options to ensure that the parent is represented on the GPC in the event that he or she is unable or unavailable to serve on the GPC. (See 19 TAC, §101.2007[b].) The parent has the option to designate another individual to serve on the GPC for all purposes; this designation must be provided in writing to the district. The parent also may waive participation in the GPC and designate the remaining members of the GPC as the decision-making entity for all purposes. The principal may designate an individual to fulfill the parent’s role if a parent cannot be located. Additionally, a surrogate parent named to act on behalf of a student with a disability shall be considered a parent for purposes of TEC, §28.0211.

The district shall make a good-faith effort to notify a parent about the GPC meeting. There may be circumstances, however, when a parent cannot physically be present to attend the GPC meeting but wants to retain the right to participate. The rules provide that if a parent or designee is unable to attend a meeting, the district may use other methods to ensure parent participation, including individual and conference telephone calls. This rule does not, however, authorize the district to arbitrarily decide not to meet. Instead, it directs the district to accomplish the purpose and intent of the statute—to have the committee meet and address the needs of the student—even though the parent cannot attend.

If a parent is unavailable and no designee or surrogate parent has been named, the remaining members of the GPC must convene as required and take any actions required; however, the GPC **may not** agree to promote a student unless a parent or designee has appealed or has waived his or her rights to the remaining members of the GPC. See 19 TAC, §101.2007(b) and (b)(2). A district may allow an appeal to be filed in writing by the parent in lieu of attendance at the GPC.

If more than one parent has the authority to make educational decisions regarding the student, both may serve on the GPC, but participation of only one parent is sufficient. If both parents serve on the GPC but do not agree, either may agree to promote the student (if the remaining members of the GPC also agree to the promotion).

## Required GPC Meetings

The law and rules specify a minimum number of GPC meetings that must occur at specific times during the school year in accordance with accelerated instruction and retesting opportunities. The GPC is first established and required to meet after a student does not meet the passing standard on or is absent from the second administration of a grade advancement assessment. At this first meeting the GPC is responsible for prescribing accelerated instruction designed to meet the student's needs prior to the third assessment opportunity. The GPC should also consider and decide on any waiver requests from parents or guardians for the third administration and whether the student will continue to take STAAR or STAAR Modified.

The GPC is also required to meet after a student does not meet the passing standard, is absent, or has been waived from the third administration of the grade advancement test (resulting in the automatic retention of the student). At this meeting the GPC is responsible for determining grade-level placement for the next school year. If the committee votes to promote the student, it must prescribe the accelerated instruction the student must complete before being placed in or promoted to the next grade. Whether the student is retained or promoted, the GPC must also develop an AIP for the student.

In addition to the required minimum number of meetings set by state law and rules, districts have the authority to establish further GPC policies or procedures.

## Parental Request for Waiver of Third Administration

The commissioner's rules (19 TAC, §101.2015) require districts to establish a waiver process by which a parent or guardian may request that a student not participate in the third testing opportunity due to potential harm to the student. The provision of this waiver is intended to provide flexibility for a parent or guardian in making appropriate decisions in the best interest of the child. If the district procedure for granting waivers allows, the waiver decision can be made in consultation with the GPC. A student must still participate in the accelerated instruction determined by the GPC, even if the third assessment opportunity is waived.

The waiver request must provide documentation of potential harm, student need, and other appropriate information. Since this is a waiver for the third and final assessment opportunity, the student would be automatically retained if the district grants the waiver, as would any other student who has not met the passing standard in the applicable subject on any of the three assessment opportunities. The parent must initiate an appeal of the automatic retention in order for the GPC to review whether to promote the student. The GPC would then review the question of retention or promotion and also determine the appropriate accelerated instruction plan for the next school year, regardless of whether the student is promoted or retained. In addition, the GPC must ensure that all required accelerated instruction has been completed before the student can be placed in or promoted to the next grade.

## Parental Appeal of an Automatic Retention

If a student is automatically retained, the parent must be notified of his or her right to appeal the retention. The parent or guardian may appeal the retention by submitting a request to the GPC within

five working days of receipt of the retention notification. If an appeal has been initiated by the parent or guardian, the GPC must complete the following:

- Review all facts and circumstances, in accordance with standards adopted by the local school board, regarding whether the student, given additional accelerated instruction, is likely to perform on grade level during the next school year. These standards may include but are not limited to the following:
  - evidence of satisfactory student performance, including grades, portfolios, work samples, local assessments, and individual mathematics and reading diagnostic tests or inventories
  - improvement in student assessment performance over the three assessment opportunities
  - extenuating circumstances that have adversely affected student participation in the required assessments
  - consideration of whether a student was not enrolled in a Texas public school for part of the school year
- Determine the grade-level placement of the student. Under TEC, §28.0211, a student may be promoted only if he or she has completed all required accelerated instruction and the GPC decision is unanimous. (See TEC, §28.0211 [a–2] and [e].) The review and decision of the GPC must be appropriately documented as meeting the standards adopted by the school board. In addition, under TEC, §28.021(c) evidence supporting the GPC’s decision to promote a student must include the recommendation of the student’s teacher(s), the student’s grade in the subject(s) or course(s), the student’s assessment scores, and any other relevant academic information.
- Document the decision in accordance with local policy.
- Determine an accelerated instruction plan, whether the student is promoted or retained.

This review may take place at the same meeting or at an additional meeting or meetings.

The decision of the GPC is final and may not be appealed.

## Student Retention

There is no longer any state law limiting the number of student retentions. State law was changed in 1995 to require that student advancement be based on proficiency in the state-mandated curriculum. TEC, §28.021, Student Advancement, states, “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.” The agency reiterates that the SSI supports on-grade-level academic achievement in the state-mandated curriculum. Two specific provisions of the SSI grade advancement rules are intended to address the concerns of multiple-year retention—19 TAC §101.2019(a), which provides that a student retained at grade 8 may earn course credit for high school graduation, and 19 TAC §101.2019(b), which allows local policy to provide for the placement of retained students in an age-appropriate learning environment.

While TEC, §28.0211 established statewide grade advancement requirements, districts may establish local standards as long as these standards do not conflict with the state requirements. A student

who meets the requirements of SSI grade advancement is still subject to local policy relating to grade advancement.

Students who meet the passing standard on a grade advancement assessment but are retained due to local policy will be subject to all of the SSI grade advancement requirements during the repeated school year.

# PARENT NOTIFICATION

Districts must inform the parents of every child about the overall requirements of the law regarding the SSI grade advancement. 19 TAC §101.13(b) states:

The superintendent of each school district and chief administrative officer of each charter school shall be responsible for the following in order to provide timely and full notification of assessment requirements for advancement at certain grades:

1. notifying each student and his or her parent or guardian in writing no later than the beginning of the student's first-grade year or no later than the beginning of the student's kindergarten year, for students attending kindergarten in a public school, of the assessment and accelerated instruction requirements for grade advancement as specified in the TEC, §28.0211;
2. notifying each student in Grades 1–8 who is new to the school district or charter school and his or her parent or guardian in writing of the assessment and accelerated instruction requirements for grade advancement; and
3. notifying each student required to take the grade advancement assessments of the dates, times, and locations of testing.

Parents should also be notified at the beginning of a grade advancement year. To assist with this notification, the agency has developed a brochure, *Prepare for Success—A Parent Guide to the Student Success Initiative at Grades 5 and 8*. This brochure is available online at <http://www.tea.state.tx.us/student.assessment/ssi> and is being sent to districts for distribution.

## Early Notification for At-Risk Students

Parents whose children may be at risk for reading failure based on the results of the early reading instruments given in K–2 must be notified under the SSI as mandated by TEC, §28.006. TEC, §28.006 (g) requires schools to notify parents of all K–2 students of the early reading instrument results and to notify the parents of K–2 students identified as being at risk for reading difficulties, including dyslexia, about placement in an accelerated reading program.

The commissioner's rules also address early notification. This notification applies to students entering grades 5 and 8. Title 19 TAC §101.2009(b), Notice to Parents or Guardians, requires school districts to provide early notice to parents or guardians of students identified to be at risk of failure on the first administration of an assessment in an SSI grade and subject. The district must provide this notice before the end of the school year preceding the grade advancement requirements, and the superintendent must establish the instruments/procedures used to identify students at risk of failing an SSI assessment. The notice to parent must also include accelerated instruction participation requirements.

## Parent Notification After Each Test Administration

The commissioner's rules under 19 TAC §101.2009(c) require that notification to parents of students who did not demonstrate proficiency on the first STAAR administration include the student's assessment results, description of the district's grade advancement policy, the mandatory accelerated instruction assigned to the student, and the possibility that the student might be retained at the same grade level for the next school year. This notification should be made within five working days of district receipt of student assessment results from this administration.

Parent notification requirements for students who have failed to demonstrate satisfactory academic performance after the second administration are found in 19 TAC §101.2007(c). The rules require that the district notification include a description of the purpose and responsibilities of the GPC and a time and place for the first GPC meeting.

After a student fails to meet the passing standard on the third administration, the GPC must reconvene. As per 19 TAC §101.2007(e), parents must be notified of assessment results, the time and place of the GPC meeting, and the parents' opportunity to appeal the automatic retention of their child. The district must have a procedure to ensure that a good-faith effort is made toward securing the parent or guardian's receipt of the retention notification. The parent or guardian must submit an appeal to the GPC within five working days of receiving the retention notification.

## Sample Notification Forms and Letters

Sample letters that districts may use to meet parental notification requirements about grade advancement requirements are available online at <http://www.tea.state.tx.us/student.assessment/ssi>. These materials cover the scope of required notices and forms related to the grade advancement requirements in a format that facilitates downloading and editing for local use. The materials are provided in both English and Spanish to help districts meet the requirement of a good-faith effort to provide parent notifications in the parent's native language. A number of optional forms are also provided.

The SSI Activities Timeline includes a listing of the sample forms required and optional notification letters and forms, organized by SSI activity and date.

# SUMMER ACCELERATED INSTRUCTION AND ASSESSMENT

If a student has not met the passing standard after two assessment opportunities required under the SSI, the GPC meets and prescribes the accelerated instruction to be offered before the next assessment opportunity. The accelerated instruction should be designed to meet the student's academic needs. Since the GPC is allowed flexibility in prescribing the accelerated instruction, the committee should make an effort to accommodate the needs of students and parents who may have special circumstances that affect a child's ability to attend an established summer program in the district. However, the district statutorily has the ability to require the student to participate in accelerated instruction before or after normal school hours, which may include participation at times of the year outside normal school operations.

Accelerated instruction is required under state law related to SSI grade advancement (TEC, §28.0211). Therefore, it is subject to state compulsory attendance laws as specified by TEC, §25.085(d)(3), which refers to "an accelerated instruction program to which the student is assigned under Section 28.0211." This would apply to a summer school program that has been prescribed by the GPC.

## Summer Out-of-District Accelerated Instruction

19 TAC §101.2006(c) addresses students who will be residing outside their home district during the summer. A student who did not meet the passing standard on the first two administrations of a STAAR SSI assessment and who will be residing away from his or her home district may participate in any established, on-campus accelerated instruction program in the local district where he or she will be living for the summer. The district must accommodate the request of an out-of-district student to participate in its accelerated instruction program provided the program meets the needs of that student as prescribed by the student's GPC. The student's home district should contact the receiving district to ensure that the accelerated instruction is appropriate and has been completed. The two districts should enact a reciprocal agreement to ensure that all relevant information about the student is communicated.

When a district is receiving a student from out-of-district, the district is not required to schedule an additional class in cases where the out-of-district student increases the student-to-teacher ratio above 10:1 for accelerated instruction. In this situation, the district should include the out-of-district student in the existing class and request a waiver from TEA to allow for the additional student. Since the district is not required to set up an additional class or provide additional instructors for out-of-district students, the cost of adding a student should be minimal.

## Summer Out-of-District Administrations

In addition to attending out-of-district accelerated instruction programs, students who need to take the third administration of an SSI grade advancement assessment out-of-district may do so in the local district where they will be living for the summer. The district must accommodate the request of an out-of-district student to participate in the third administration, provided the district is scheduled to administer a STAAR SSI assessment to local students and the out-of-district student has registered in advance to take the test. To register a student for an out-of-district assessment, the home district must complete a registration form by a specified deadline. The form may be accessed online during the registration period at <http://www.TexasAssessment.com/staar-5and8-ood> or completed on paper and mailed to the testing contractor. A district may choose to test walk-in students or out-of-district students who register

after this deadline, but the district is not required to do so. Precoded campus identification sheets will be provided for all out-of-district students who are registered. A district must hand-grid answer documents for all out-of-district students taking the test. Appropriate materials identification sheets must be hand-gridded for walk-ins and late registrants if the district chooses to allow them to test.

# SUBSTITUTE ASSESSMENT OPTION FOR STAAR

State law allows a school district the option of using a substitute assessment in place of STAAR on the third assessment opportunity. TEC, §28.0211(b) specifies, “A school district may administer an alternate assessment instrument to a student who has failed an assessment instrument specified under Subsection (a) on the previous two opportunities.” At this time there are no substitute assessment options for STAAR grades 5 and 8 mathematics and reading assessments.



# **Appendix**

## **Laws and Rules**



## Texas Education Code (TEC)

The TEC is available on the Internet in PDF or Word format, which allows users to print copies as needed and search the electronic version for specific topics.

TEC, § 28.0211, Satisfactory Performance on Assessment Instruments Required; Accelerated Instruction, details the obligations of school districts to students who do not meet the passing standard on the STAAR mathematics and reading tests in grades 5 and 8.

The complete text can be accessed online at <http://www.statutes.legis.state.tx.us/DOCS/ED/PDF/ED.28.pdf>.

## Texas Administrative Code (TAC)

The TAC and updates to the TAC are available on the Internet in PDF format, which allows users to print copies as needed and search the electronic version for specific topics.

The following chapter of the TAC details the SSI:

**Title 19, TAC Chapter 101, Assessment, Subchapter BB, Commissioner’s Rules Concerning Grade Advancement and Accelerated Instruction**

The complete text can be accessed online at <http://ritter.tea.state.tx.us/rules/tac>.

Updates are made periodically to the TAC. These updates reflect the latest published adopted rule actions taken by the SBOE and the commissioner of education. The current rule language is available at <http://ritter.tea.state.tx.us/rules/tac>.