

History of Promotion Policies in Texas Through 2020-21

Texas policy on student promotion and retention decisions has evolved over the past three decades, while consistently requiring that decisions about promotion be based on academic achievement. Legislation passed in 1984 prohibited social promotion, requiring instead that students be promoted only on the basis of academic achievement (Texas Education Code [TEC] §21.701, Requirement for Advancement or Course Credit 1986). The State Board of Education (SBOE) rules implementing the legislation Promotions and Alternatives to Social Promotion (Title 19 of the Texas Administrative Code [TAC] §§75.19-75.195, 1985), outlined the grading procedures to be used by districts and guidelines for promotion. The rules included the provisions that no student could repeat the same grade more than once or repeat more than two grade levels during the elementary grades.

In 1987, legislation was enacted to expand TEC §21.557 Compensatory and Remedial Instruction (1988). The legislation provided a definition of students in Grades 7

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

In 2003, a new, more rigorous state assessment system, the Texas Assessment of Knowledge and Skills (TAKS), was introduced. Like the TAAS, the TAKS was aligned with the state curriculum, measuring the extent to which a student learned and was able to apply the knowledge and skills defined in the TEKS at each grade level tested.

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

Senate Bill (SB) 149, passed by the 84th Texas Legislature in 2015, revised the state's assessment graduation requirements for students enrolled in Grade 12 (TEC §28.0258, 2010; §101.3022, 2012, amended to be effective September 6, 2015). The revised requirements were extended by the legislature in 2017 and 2019 and were made permanent by House Bill (HB) 1603 in 2021 (TEC §28.0258, 2022).

spelling assistance, supplemental materials, and extra time to complete assessments. ARD committees and placement committees for students served under Section 504 of the Rehabilitation Act of 1973, as amended (Title 29 of the United States Code §794 [Section 2021, Title 34 of the Code of Federal Regulations, Part 104.2022), determine which accommodations can be used by students receiving special education services and Section 504 services, respectively. When a student does not receive special education or Section 504 services but meets eligibility criteria for testing accommodations, the decision is made by the appropriate team of people at the campus level, such as the response to intervention (RtI) team or the student assistance team. Emergent bilingual students/English learners (EB students/ELs) may also receive accommodations on the statewide assessments. EB students/ELs in Grades 3-5 may be provided Spanish language versions of tests when available. Language proficiency assessment committees (LPACs) make assessment and accommodation decisions for EB students/ELs.

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

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

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

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

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

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

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

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

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