

April 12, 2018

TO THE ADMINISTRATOR ADDRESSED:

SUBJECT: Waiver Request to the Every Student Succeeds Act (ESSA)

This letter is to notify you of TEA's intent to apply for a waiver from the requirement to include an English language progress measure in the State's ESSA accountability system due to recent changes in the Texas English Language Proficiency Assessment (TELPAS).

Background

The TELPAS Yearly Progress Indicator compares a student's current year composite rating to the prior year composite rating. For 2017 and prior, the composite ratings were calculated using, in part, the student's TELPAS Listening and Speaking performance as determined by a holistic rating system. In 2018, the composite ratings will instead use the student's TELPAS Listening and Speaking performance as determined by the new item-based standardized assessments. Thus, the composite scores from 2017 to 2018, while likely to be correlated, will represent different measures. Therefore, it is not appropriate to make a direct comparison between these two different measures for the ESSA required English Language Learner Progress indicator.

Once there are two years (i.e., 2018 and 2019) of composite rating data calculated in the same way, it will be appropriate to resume the comparison.

Additionally, the final submitted and approved ESSA plan for Texas states that performance results for English learners in their second year of enrollment in U.S. schools will be included in the accountability performance indicators based on the EL Progress Measure. A TELPAS composite rating is needed to establish a student's EL Progress Measure plan. A change in the composite rating due to changes in TELPAS and the timing of standard setting in late summer 2018 make it impossible to include EL Progress Measures in 2018 accountability. Therefore, TEA will request a one-year exclusion of English learners in their second year in U.S. schools for 2018 accountability. For 2019, English learners in their second year in U.S. schools will be included in accountability performance measures using an EL progress measure similar to the one used in 2017 and prior years.

Waiver Request

Based on the reasons outlined above TEA will be requesting a waiver from section 1111(c)(4)(B)(iv) of ESSA for 2018 accountability ratings.

Comment Period

Due to the need to receive final approval from the US Department of Education prior to the release of ratings, all comments on these proposed waivers are due by **Friday, April 20th, 2018**, by electronic mail to performance.reporting@tea.texas.gov.

Once TEA reviews any comments received and makes any appropriate modifications, the comments will be submitted to USDE as part of the state's waiver requests. When and if TEA

receives USDE approval of the waiver request, additional information will be provided to LEAs on the impact to August 2018 accountability ratings.

For Further Information

If you have any questions regarding this waiver request please contact TEA's Performance Reporting Department at (512) 463-9704 or performance.reporting@tea.texas.gov.

Sincerely,
Jamie Crowe
Executive Director, Performance Reporting
Texas Education Agency