



**Testimony to the Senate Committee on Education, Senate Interim Charge #8  
October 30, 2012  
Texas Council of Administrators of Special Education**

Honorable Dan Patrick and members of the Senate Committee on Education, my name is Cynthia Peltier, Director of Special Education in Texas City ISD. I am testifying with approval from my Superintendent on behalf of TCASE, the Texas Council of Administrators of Special Education. TCASE is a professional association comprised of nearly 1,200 members who administer and support special education programs throughout the state of Texas. TCASE and I thank you for the opportunity to testify regarding the state's current and proposed accountability system and the impact on students with disabilities.

Many items in the current accountability system have been positive for students with disabilities such as more rigorous assessments aligned to grade level standards, increase of allowable accommodations for all students and required participation of student with disabilities in the accountability system. There are also elements in the proposed accountability framework that are step in the right direction such as including all students in the accountability system and evaluating student progress.

Additionally, there are also areas in need of improvement in the current state accountability system. First, for special education students, the current state system presents a conflict with the AYP federal system. The federal system includes the scores of special education students who take any of the STAAR assessments, but limits the percent of students whose scores may be counted as proficient on the STAAR -Modified (2%) and STAAR -Alt (1%). The state system has no such limits. This has created some motivation for campuses to assign students to a less rigorous STAAR -Modified in order to increase the opportunity of achieving higher ratings in a state accountability. This increases the likelihood that a district will exceed the 3% cap and not meet AYP.

In the current system, the "I" in IDEA can easily be lost in favor of a numbers game. In order to meet AYP, it is likely a district will not meet AEIS. If ARD committees move students from STAAR Modified tests to non-modified STAAR tests, the greater the likelihood of scores decreasing, directly affecting AEIS ratings. In order to stay out of school improvement, I have to rotate my area of focus each year. One year it is AEIS and one year it is AYP. This definitely goes against the 'I' in IDEA resulting in a no win game for districts and many students.

Second, including students with significant cognitive disabilities in the accountability system is essential. However the design of the state's STAAR Alternative assessment needs to be simplified. In a recent survey of over 700 special education teachers across the state, 70 percent said it takes over six hours per week outside the typical work day to develop the STAAR Alt assessment while 93 percent stated the STAAR Alt assessment does not help their students achieve independence and employability. 45 percent of special education directors surveyed said the administration of the STAAR Alt imposes additional costs to districts for substitute teachers, many of which are needed for over 3 days per teacher.



Third, graduation rate calculations are a concern, particularly regarding students with significant cognitive disabilities. Per the IDEA, students with disabilities may remain in school through 21 if their IEP states that is a need. However, under the current accountability system, even if the student's IEP team, including parents and professionals, agree that the student needs to remain in school past 4, 5 or 6 years for additional training, the district is penalized in its graduation rate calculations.

In order to address some of these areas of concern, TCASE recommends the following elements be embedded in the new state accountability system:

- 1) As long as the federal accountability system includes a 1 and 2 percent cap, apply similar limits on proficient results for STAAR modified and STAAR alternate takers;
- 2) Simplify the administration of the STAAR Alternative assessment;
- 3) Incorporate an upfront system for districts that allow them to receive credit or not be penalized for students whose IEPs state their need for more than 4 years of instruction. This change would be similar to the flexibility currently allowed during an appeals process for students whose IEP that states their transition service needs exceed the 4 or 5 year cohort period;
- 4) Include performance growth measures that take into consideration students moving to a more rigorous non-modified assessment;
- 5) Include incentives for appropriate participation of students with disabilities in the general assessment.

If TCASE or I can answer any questions or provide any resources, please feel free to contact me, Cynthia Peltier, at 409-916-0106 or the TCASE Director of Governmental Relations, Janna Lilly, at 512-474-4492.