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Testimony of IDRA on Senate SB53 by Senator Zaffirini **Presented by Albert Cortez Ph.D., IDRA Policy Director** **Before the Texas Senate Education Committee, March 31, 2011**

Madam Chairman and members of the committee, my name is Dr. Albert Cortez and I am the policy director at the Intercultural Development Research Association, also known as IDRA. IDRA is a non-profit 501c3 research, training and technical assistance organization established in 1973 that is dedicated to strengthening public schools to work for all children.

Our organization has extensive experience with issues related to limited-English-proficient students dating back to our involvement in helping frame state policies that became the *Texas Bilingual Education Act* adopted in 1981. The state of Texas has implemented relatively effective elementary school level programs for its LEP students. Data suggest that, while the achievement gap between LEP students and non-LEP students has not been closed, it is far smaller than the great differences in achievement we see between LEP and non-LEP students at the secondary level. (See exhibit below for LEP performance levels by grade level on TAKS in 2010.)

Our review of SB53 indicates that the proposed changes to the PBMAS system would help to strengthen state oversight of programs serving LEP secondary level students. As it currently operates, the PBMAS system calculates whether districts meet PBMAS standards by including the performance of all LEP students tested in grades 3 through 11 (which varies depending on which TAKS exams are administered in which grades) and then determines the percent of LEP students who meet an arbitrarily established PBMAS standard for this sub-group of students.

The problem created by aggregating of TAKS scores across grades is that the higher performing students in the elementary levels tend to mask the lower performance of LEP students served in the state's less effective ESL programs. To see how the PBMAS criteria would work if we applied the same criteria on a school campus level, taking school districts that were rated at different stages of intervention starting from Stage 0 (where no action was needed) to Stage 3, we found that when we applied the criteria to individual schools, we discovered the following:

- For 87 school districts rated at Stage 0 (requiring no intervention), that 84 schools would have been classified as Stage 1A, 18 schools at Stage 1B, and 18 schools at Stage 2.
- For 157 school districts categorized at Stage 1A, that 53 schools met the criteria for Stage 1B, and another 18 would have been rated at Stage 2.
- For 87 districts rated at Stage 1B, 44 schools would have been rated at Stage 2, and 2 schools would be at the lowest rating of Stage 3.

Our conclusion was that the PBMAS system's use of aggregated district LEP data tends to miss many individual schools whose LEP students are not performing well on TAKS.

A final observation related to the PBMAS system is that, since the existing monitoring system does not examine discrepancies between the number of potential LEP students (based on ethnic enrollment and home language survey data), it fails to identify school districts that may be under-identifying the number of LEP students enrolling in their schools.

For these reasons, we conclude that SB53 seems to move the state in the direction needed to correct flaws in the current LEP program monitoring system that is in the midst of a federal court challenge. Addressing these issues could impact future legal action on these points.

IDRA Analyses: LEP Student Performance on the TAKS 2010, Grades 3-11					
Grade Level	Mathematics – Percent Met Standard	Reading – Percent Met Standard	Writing – Percent Met Standard	Science – Percent Met Standard	Social Studies – Percent Met Standard
3	88%	83%			
4	85%	73%	87%		
5	84%	75%		72%	
6	66%	59%			
7	61%	53%	80%		
8	66%	69%		39%	82%
9	41%	59%			
10	41%	50%		30%	71%
11	61%	53%		58%	86%

Source: Texas Education Agency Lone Star Website 3/28/2011

Campus-Level Designation Based on PBMAS Standards Applied at the School District Level, 2007				
District Stage Designation 2007 – TEA	Campus Level Analyses – Designations	Campus Level Analyses – Designations	Campus Level Analyses – Designations	Campus Level Analyses – Designations
	Stage 1A	Stage 1B	Stage 2	Stage 3
Stage 0 (87)	84	58	18	0
Stage 1A (157)	89	53	18	0
Stage 1B (87)	122	107	44	2
Stage 2 (29)	48	55	47	
Stage 3 (21)	34	37	8	24

Source: IDRA, Bilingual Education and English as a Second Language Monitoring in Texas, Supplemental Report, December 2006.

IDRA is an independent, private non-profit organization, directed by María Robledo Montecel, Ph.D., dedicated to strengthening public schools to work for all children. As a vanguard leadership development and research team for more than three decades, IDRA has worked with people to create self-renewing schools that value and empower all children, families and communities. IDRA conducts research and development activities, creates, implements and administers innovative education programs and provides teacher, administrator, and parent training and technical assistance.