Student Success Initiative Manual

Grade-Advancement Requirements

Update for the 2016–2017 School Year
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
REQUIREMENTS FOR SPECIAL POPULATIONS

Students Receiving Special Education Services

Students participating in STAAR Alternate 2 are not subject to SSI grade-advancement requirements.

Students receiving special education services who take STAAR are subject to SSI grade-advancement requirements. In the case where a student who receives special education services does not meet the passing standard on a state assessment, the ARD committee, however, will make all decisions involving accelerated instruction and promotion. The flowchart on page 27 outlines how the SSI grade-advancement requirements affect students receiving special education services who take STAAR. In the case where a student’s IEP states that the student is to take these assessments and the student does not meet the passing standard on the assessment, the ARD committee will determine accelerated instruction and whether the student should be promoted.

The role of the ARD committee in making decisions about students subject to SSI grade-advancement requirements is described 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 grade-advancement requirements. In accordance with 19 TAC §101.5(b) (relating to Student Testing Requirements) and TEC §28.02111(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 individual educational needs.
Based on the ARD committee’s decision, most grade 5 or 8 students will take STAAR. The flowchart on page 27 outlines how the SSI grade-advancement requirements affect students receiving special education services who take the STAAR grade 5 or 8 assessments. The information below provides a general description of the processes that are outlined in the flowchart.

If a student does not meet the passing standard on the first administration of the assessment(s), the ARD committee must document the accelerated instruction needed in the student’s IEP. The student’s IEP can be modified in an ARD committee meeting or through an agreement to amend the IEP as described in 34 CFR, Sec. 300.324. The ARD committee may also determine at that time whether the student will participate in the second administration of the test(s). If the ARD committee determines that the student will not participate, it can make a decision at that time whether to promote or retain the student.

If the student participates in the second administration and does not meet the passing standard, then the ARD committee must document additional accelerated instruction in the IEP. The student’s IEP can be modified in an ARD committee meeting or through an agreement to amend the IEP as described in 34 CFR, Sec. 300.324. If the ARD committee determines that the student will not participate in the third administration of the test(s), the committee can make a decision at that time whether to promote or retain the student.

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. These decisions 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

Students in grades 5 and 8 take the mathematics and reading assessments—March

School notifies parents/guardians of student’s failure or absence and the ARD Committee determines the most appropriate accelerated instruction. The ARD committee documents the accelerated instruction through either an agreement to amend the IEP or an ARD committee meeting.

Refer to sample SSI letters available online

If it is proposed that the student not participate in the second administration, the ARD committee either agrees to amend the IEP or meets to determine whether the student will retest.

Student retakes grade 5 or 8 mathematics and/or reading assessment—May

The ARD committee considers the student’s IEP and local policy when determining grade advancement.

Promoted Retained

The ARD committee will determine whether or not the student will participate in the third administration through an agreement to amend the IEP or an ARD Committee meeting.

Student retakes grade 5 or 8 mathematics and/or reading assessment—June

No Retesting

ARD committee determines promotion or retention based upon assessment results, grades, progress toward current goals and objectives, and other facts and circumstances.

ARD committee must develop an AIP for the student whether retained or promoted. In addition to accelerated instruction, the AIP shall include interim progress reports to parents and the opportunity for parent/guardian consultation with teacher and/or principal as needed.

No Retesting Retest

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

2. GPC decision to promote is still subject to local policy relating to grade advancement.
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, 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

SSI grade-advancement requirements apply to students who do not receive special education services but have dyslexia or related disorders. Refer to the flowchart on page 8. Districts should carefully review all information relating to allowable and nonallowable accommodations for STAAR to ensure that students with dyslexia or related disorders receive appropriate accommodations when taking a state assessment.

TEC §28.021(b), Student Advancement, requires that districts consider students’ potential for achievement or proficiency in the addressed subjects when making assessment decisions about students with dyslexia.

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 failure to pass a required assessment 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 AIP for the next school year.
English Language Learners (ELLs)

LPACs are responsible for determining the appropriate assessments for ELLs in accordance with the policies and procedures delineated in the STAAR Decision-Making Resources for LPACs, which can be found on the LPAC Resources webpage. ELLs, except for those who qualify for special provisions as an unschooled asylee/refugee, are subject to SSI grade-advancement requirements in grades 5 and 8. Refer to the flowchart on page 8.

ELLs who qualify as unschooled asylee/refugees in their first year in U.S. schools may be granted an exemption from testing by the LPAC. ELLs in these situations are not subject to SSI grade-advancement requirements in the subject areas for which the LPAC has determined that they are exempt from testing. See the LPAC Resources webpage for specific information regarding these exemptions. ELLs who qualify as unschooled asylee/refugees with two or more years in U.S. schools, or who are not granted an exemption from testing by the LPAC in their first year in U.S. schools, are subject to all applicable SSI grade-advancement requirements.

NOTE: ELLs who are administered STAAR with linguistic accommodations are subject to SSI grade-advancement requirements.

Under the SSI grade-advancement 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 state 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 the next grade 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.