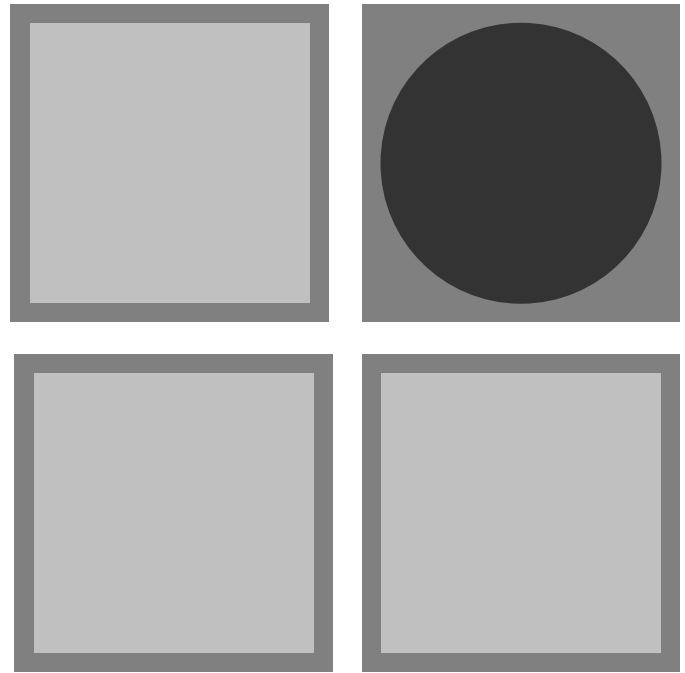




# Grade-Level Retention and Student Performance in Texas Public Schools, ~~20~~-23



Division of Research and Analysis  
Office of Analytics, Assessment, and Reporting  
Texas Education Agency  
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Grade-Level Retention  
and Student Performance  
in Texas Public Schools  
2022-23

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# Contents

Overview .....	v
History of Promotion Policies in Texas.....	1
Definitions and Calculations .....	9
Retention Definition.....	10
Retention Rate Calculations.....	10
Student Performance on the State of Texas Assessments of Academic Readiness .....	11
Data Masking.....	11
Retention and Student Performance .....	13
Statutory Requirements.....	14
State of Texas Assessments of Academic Readiness Passing Rates.....	14
State of Texas Assessments of Academic Readiness Scores .....	16
References .....	19

## List of Tables

Table 1.	State of Texas Assessments of Academic Readiness (STAAR) Percentage Passing 2023 and 2024, Grades 3-
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# Overview

## Overview

This report presents information on the performance of retained students on the state assessment, as required under Texas Education Code (TEC) §39.332 (2024, amended to be effective September 1, 2021). Passing rates and average scores were calculated separately, by grade level, for English- and Spanish-language versions of the 2023 State of Texas Assessments of Academic Readiness (STAAR) reading language arts and mathematics tests for Grades 3-8. For students repeating a grade in the 2023-24 school year, 2023 STAAR results were compared to 2024 STAAR results. This report also provides historical information about retention and promotion policies in Texas public schools. A companion interactive report, **Grade-Level Retention in Texas Public Schools 2022-23** (Texas Education Agency, 2024), presents retention data by student characteristics and program participation.



# History of Promotion Policies in Texas





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 2011-12 (TEC Chapter 39, 2010). High school students who began Grade 9 in 2010-11 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 3-8, 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 2011-12, 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 11 or 12 (TEC §28.0258, 2016; 19 TAC §101.3022, 2024, amended to be effective August 9, 2022). 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). Under the requirements, a student who fails an EOC assessment for no more than two of five required courses may receive a Texas high school diploma if the student is determined to be qualified to graduate by an individual graduation committee (IGC) (19 TAC §74.1025, 2024, amended to be effective February 10, 2020; 19 TAC §101.3022, 2024, amended to be effective August 9, 2022). A student receiving special education services is not subject to IGC requirements. The student's admission, review, and dismissal (ARD) committee determines whether the student is required to achieve satisfactory performance on an EOC assessment to graduate. If the ARD committee determines the student is not required to achieve satisfactory performance on an EOC assessment, the student is considered to be in compliance with assessment requirements under TEC §39.025 (2022). In 2021, in response to the COVID-19 pandemic, the Texas Legislature passed HB 999, which modified the graduation performance requirements for students in Grade 12 in the 2020-21 school year (TEC §28.0258, 2022). Under the modified requirements a student could graduate in 2020-21 via an IGC determination, regardless of the number of EOC assessments the student failed, and the IGC was not required to consider performance on EOC assessments when



opportunities to pass the reading and mathematics tests, GPCs be established, and accelerated instruction be provided, were made effective again in 2012-13 and remained in effect in 2013-14.

In 2014-15, 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 3-8 were not set until after the spring 2015 administration. In addition, 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 2014-15.

In 2015-16, the administration of STAAR tests was affected by online testing issues and reporting issues with the state's 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 2016-17, 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 2017-18 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 2018 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 2018-19, 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.

In spring 2020, the governor of Texas used the statutory authority granted under Texas Government Code §418.016 (2024, amended to be effective September 1, 2013) to suspend annual academic assessment requirements for the 2019-20 school year because of COVID-19. All STAAR administrations scheduled for April, May, and June 2020 were canceled. 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 2020-21, because of the continued effects of the COVID-19 pandemic, the commissioner of education issued a waiver related to SSI promotion requirements. STAAR reading and mathematics tests for Grades 5 and 8 were administered only once, and retest opportunities were not offered. Additionally, SSI promotion requirements for Grades 5 and 8 were suspended. Districts and charter schools were instructed to use STAAR test results along with other relevant academic information when making promotion and retention decisions and to provide accelerated instruction to students who did not perform satisfactorily on the tests. SSI requirements for Grades 5 and 8 were eliminated after the 2020-21 school year.

In 2021, the 87th Texas Legislature passed SB 1697, allowing a parent or guardian of a student in a public school district or charter school to elect for the student to repeat a grade between prekindergarten and Grade 8 or to retake a high school course (TEC §28.02124, 2022). Students in prekindergarten through Grade 3 may still be retained at the request of a parent or guardian, but per statute, this option expired at the end of the 2021-22 school year for students in Grades 4-12. In 2023, the 88th Texas Legislature passed HB 3803, once again allowing a parent or guardian of a student in Grades 4-12 to elect for the student to repeat a grade or retake a high school course (TEC §28.02124, 2024, amended to be effective June 13, 2023).

HB 4545, passed in 2021 by the 87th Texas Legislature, established new requirements for accelerated instruction for students who do not pass STAAR tests (TEC §28.0211, 2022; 19 TAC §104.1001, 2024, adopted to be effective June 9, 2022). Beginning in the 2021-22 school year, the new requirements (a) eliminate SSI retesting and grade retention requirements for students in Grades 5 and 8 who do not pass the tests; (b) require districts to establish accelerated learning committees for students in Grades 3, 5, and 8 who do not pass the STAAR reading or mathematics tests; and (c) clarify prior accelerated instruction requirements for students who do not pass STAAR tests in Grades 3-8 or STAAR EOC tests.





# Definitions and Calculations

Retention Definition

Retention Rate Calculations

Student Performance on the  
State of Texas Assessments of Academic Readiness

Data Masking

## Retention Definition

Grade retention has been defined as requiring a child to repeat a particular grade or delaying entry to kindergarten or first grade. This definition of retention <sup>2</sup>

# Student Performance on the State of Texas Assessments of Academic Readiness

STAAR was the primary statewide assessment of student performance in 2023 and 2024. Spanish-version reading language arts and mathematics tests were given to students identified as emergent bilingual students/English learners in Grades 3-5 receiving mostly Spanish-language instruction. Additionally, accommodations (e.g., visual aids, graphic organizers, text-to-speech functionality) were allowed for students who needed them.

TEA received student-level data for English-  
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# Statutory Requirements

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Table 1  
State of Texas Assessments of Academic Readiness (STAAR) Percentage Passing  
and 2024 Grades 3

# State of Texas Assessments of Academic Readiness Scores

Among students in Grades 3-8 who took the English-version STAAR RLA and mathematics tests in spring







# References

## References

Family Educational Rights and Privacy Act. 20 U.S.C. §1232(g) (2024), retrieved August 28, 2024, from <http://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title20-section1232g&num=0&edition=prelim>











# Compliance Statement

Title VI, Civil Rights Act of 1964, the Modified Court Order, Civil Action 5281, Federal District Court, Eastern District of Texas, Tyler Division.

Reviews of local education agencies pertaining to compliance with Title VI Civil Rights Act of 1964 and with specific requirements of the Modified Court Order, Civil Action No. 5281, Federal District Court, Eastern District of Texas, Tyler Division are conducted periodically by staff representatives of the Texas Education Agency. These reviews cover at least the following policies and practices:

1. acceptance policies on student transfers from other school districts;
2. operation of school bus routes or runs on a nonsegregated basis;
3. nondiscrimination in extracurricular activities and the use of school facilities;
4. nondiscriminatory practices in the hiring, assigning, promoting, paying, demoting, reassigning, or dismissing of faculty and staff members who work with children;
5. enrollment and assignment of students without discrimination on the basis of race, color, or national origin;
6. nondiscriminatory practices relating to the use of a student's first language; and
7. evidence of published procedures for hearing complaints and grievances.

In addition to conducting reviews, the Texas Education Agency staff representatives check complaints of discrimination made by a citizen or citizens residing in a school district where it is alleged discriminatory practices have occurred or are occurring.

Where a violation of Title VI of the Civil Rights Act is found, the findings are reported to the Office for Civil Rights, U.S. Department of Education.

If there is a direct violation of the Court Order in Civil Action No. 5281 that cannot be cleared through negotiation, the sanctions required by the Court Order are applied.

Title VII, Civil Rights Act of 1964 as Amended by the Equal Employment Opportunity Act of 1972; Executive Orders 11246 and 11375; Equal Pay Act of 1964; Title IX, Education Amendments; Rehabilitation Act of 1973 as Amended; 1974 Amendments to the Wagner



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