

## Frequently Asked Questions: Use of 2017-18 TNReady Data

The General Assembly recently passed two bills ([here](#) and [here](#)) (referred to collectively in this document as the Legislation) addressing the use of data generated from the 2017-18 TNReady assessment. Specifically, SB 1623/HB 1981:

- Permits each local board of education to choose a percentage between zero percent (0%) to fifteen percent (15%) that a score from the 2017-18 TNReady assessments shall count on a student's final grade for the spring semester. Present law requires fifteen percent (15%) of a student's final grade to be based on the 2017-18 TNReady assessment.
- Prohibits student performance and student growth data from the TNReady assessments administered in the 2017-18 school year from being used to assign an A-F letter grade to a school.
- Prohibits student performance and student growth data from the TNReady assessments administered in 2017-18 school year from being used to identify a school as a priority school or to assign a school to the achievement school district.
- Prohibits LEAs from basing employment termination and compensation decisions for teachers during the 2017-18 school year on data generated by the 2017-18 statewide assessments.

Additionally, SB 578/HB 75 adds a new section to the law stating the following:

- "No adverse action may be taken against any student, teacher, school, or LEA based, in whole or in part, on student achievement data generated from the 2017-18 TNReady assessments. For purposes of this section, adverse action includes, but is not limited to, the identification of a school as a priority school and the assignment of a school to the achievement school district."

Both bills address the use of data generated from the 2017-18 TNReady assessment but do so in different ways. Therefore, LEAs must read the plain language of the Legislation together to properly implement them. Because SB 578/HB 75 does not explicitly or exhaustively define "adverse action", each LEA should also review all local board policies that use 2017-18 assessment data with their local board attorney to ensure they are in compliance with the new laws.

Please see the following questions addressing the implementation of the Legislation.

### **1. *How will teacher and principal evaluation be impacted by the Legislation?***

All teachers and principals will still receive an overall evaluation score (which is called the level of overall effectiveness or LOE) this year. For teachers that have an individual growth score, TNReady data from 2017-18 will count for 10% of a teacher's overall evaluation score as defined in the Teacher Evaluation Enhancement Act. Please see detailed overview of evaluation calculations [here](#).

However, to comply with the Legislation and ensure no adverse action based on 2017-18 TNReady data, teachers and principals who have 2017-18 TNReady data included in their LOE (school-wide TVAAS, individual TVAAS, or achievement measure) may choose to nullify their entire evaluation score (LOE) for the 2017-18 school year at their discretion. No adverse action may be taken against a teacher or principal based on their decision to nullify his or her LOE. Nullifying an LOE will occur in TNCompass through the evaluation summative conference. Detailed guidance on how an educator may nullify their LOE will be shared in the coming days.

Teachers and principals who do not have 2017-18 TNReady data included in their evaluation will not have the option to nullify their LOE. For example, teachers utilizing a portfolio model and an achievement measure that is not based on TNReady will not be eligible to nullify their LOE.

Please note that if a school or district believes that a student's test responses do not reflect the student's full knowledge of the standards due to specific online challenges or other irregularities, the school or district may submit a Report of Irregularity (RI) through Nextera by marking the student's response as an "Irregular Administration." If the district chooses to file an RI, the entire student test for that content area will be nullified. The student scores and responses will be suppressed and their scores will not be reported or count in any way.

## **2. *Do TNReady scores have to be excluded from a student's final grade?***

The Legislation provides that for grades 3-8 "each local board of education may choose the percentage within the range of zero percent (0%) to fifteen percent (15%) that scores from the TNReady assessments administered in the 2017-18 school year shall count on a student's final grade for the spring semester." Additionally, the state board of education's High School Policy was updated at the April meeting to allow local boards to choose the percentage within the range of zero percent (0%) to fifteen percent (15%) that scores from the End-of-Course exams administered in the 2017-18 school year shall count in a student's final grade. If a district chooses to include 2017-18 TNReady or EOC scores in a student's final grade, then inclusion of such scores must **not** result in a lower final grade for a student. This means districts may include scores for some students and exclude scores for others. Additionally, an individual student may have scores included for one subject area but excluded for others. Fall semester grades are not impacted by the Legislation and should not be changed based on the Legislation.

Furthermore, T.C.A. § 49-4-617 still provides that if raw scores are not received within 5 days of the last day of school, then scores do not have to be included in student grades.

## **3. *How will the Legislation impact district accountability?***

District accountability will still assess student performance in six areas across multiple measures. The score for each area will reflect a combination of absolute performance or AMO targets and value-added data. For more information on district accountability please see [here](#). Pursuant to the Legislation, no adverse action will be taken against a district based on the district designations.

**4. How will the Legislation impact school accountability?**

The Legislation provides that “student performance and student growth data from the TNReady assessments administered in the 2017-18 school year shall not be used to assign a letter grade to a school pursuant to this section.” This means schools will not receive an overall letter grade or a letter grade for any of the indicators for the 2017-18 school year. Pursuant to the Every Student Succeeds Act (ESSA), the department will still provide “meaningful differentiation” for all public schools based on all indicators for all students and each student subgroup, but the department will not publish an overall summative label. All calculations for the 2017-18 school year will be based on the school accountability framework approved in Tennessee’s ESSA plan (see [here](#) for more information), and the indicators will be labeled using numbers on a scale of 0.0-4.0. For example:

| Indicator                 | Value |
|---------------------------|-------|
| Achievement               | 3.1   |
| Growth                    | 3.6   |
| Graduation Rate           | 3.6   |
| Ready Graduate            | 2.4   |
| Chronically Out of School | 3.0   |
| ELPA                      | 1.9   |

**5. How will the Legislation impact school designations?**

The department is having continued conversations with the U.S. Department of Education to determine how the 2018 school designations will be calculated and identified.

The Legislation provides “performance and student growth data from the TNReady assessments administered in the 2017-18 school year shall not be used to identify a school as a priority school or to assign a school to the achievement school district.”

No school will be identified as a Priority school using 2017-18 TNReady data. The **Priority school** calculation will be based on a two-year success rate for high schools and a one-year success rate for K-8 schools that incorporates only TCAP data from the 2015-16 (high school only) and 2016-17 school years. However, the department will run the Priority school calculation including 2017-18 TNReady data to remove schools from the list that benefit from the use of 2017-18 data.

Additionally, schools that demonstrate high growth (represented by a TVAAS level 4 or 5) in 2016-17 and 2017-18 will not be identified as a Priority school. Current Priority schools that are also identified on the 2018 Priority list will continue on their current intervention track; however, they will not be eligible for placement in the Achievement School District in the 2018-19 school year.

Further updates will be provided as we hear back from the U.S. Department of Education.

**6. What is the impact of the Legislation on the achievement measure?**

If an educator chose an achievement measure not based on 2017-18 TNReady data, such as graduation rate, ACT, an off-the-shelf assessment, early postsecondary exam, or industry certification, those scores will remain as the achievement measure in the LOE.

If an educator chose an achievement measure based on 2017-18 TNReady data, that data will remain as the achievement measure unless the teacher chooses to nullify his or her LOE.

**7. What is the impact on the observation schedule for a teacher who chooses to nullify his or her level of overall effectiveness?**

For the 2018-19 school year, the observation schedule for any teacher who nullifies his or her LOE should be based on the teacher's 2016-17 LOE or individual TVAAS, if available, whichever is higher.

**8. Can teachers still receive tenure status this year?**

Yes. All teachers will still receive an evaluation score or LOE this year, and these evaluations may determine eligibility for tenure. Even if a teacher chooses to nullify his or her 2017-18 LOE, he or she may still become eligible for tenure this year.

Pursuant to T.C.A. § 49-5-503(4), "a teacher who has met all other requirements for tenure eligibility but has not acquired an official evaluation score during the last one (1) or two (2) years of the probationary period due to an approved extended leave; transfer to another school or position within the school district; or invalidated data due to a successful local level evaluation grievance pursuant to § 49-1-302(d)(2)(A) may utilize the most recent two (2) years of available evaluation scores achieved during the probationary period." Detailed guidance on how teachers may nullify their LOE and utilize the most recent two years of available evaluation scores for tenure eligibility will be shared in the coming days.

**9. The law prohibits an adverse action being taken against a teacher based in whole or in part on student achievement data generated by the 2017-18 TNReady assessments, but can teachers benefit from the inclusion of 2017-18 TNReady data in their evaluations?**

Yes. Pursuant to the Tennessee Teaching Evaluation and Enhancement Act of 2015, a teacher can use TNReady assessment data from 2017-18 for their full growth score (35%) if it results in a higher score for the teacher. Additionally, teachers and principals with a student growth (school-wide TVAAS or individual TVAAS) score of 3, 4, or 5 may use that score in lieu of the achievement measure if it results in a higher LOE.

**10. What is the impact of the Legislation on teacher compensation?**

The Legislation provides that for the 2017-18 school year, "LEAs shall not base compensation

decisions for teachers on data generated by statewide assessments administered in the 2017-18 school year.”

All currently approved alternative salary schedules and differentiated pay plans are based on 2016-17 school year data and may remain in effect because they are not impacted by the Legislation. Districts should consult closely with their board attorneys to ensure that any other strategic compensation policies do not result in an action being taken concerning a teacher in the 2017-18 school year based on 2017-18 data.

As always, teachers may not earn less than they did the previous year unless there is a change in the teacher’s duties or position.

**11. *What is the impact of the Legislation on other employment decisions?***

The Legislation prohibits LEAs from making termination or compensation decisions in the 2017-18 school year based on data generated by statewide assessments administered in the 2017-18 school year. Generally, LEAs have discretion to include test data or teacher evaluations as a factor in employment decisions like promotion and retention. LEAs may continue doing so in compliance with the Legislation as long as doing so does not result in an adverse action being taken against a teacher. LEAs should work closely with their board attorneys to review any policies that utilize 2017-18 TNReady results as a factor in employment.

**12. *How is the department analyzing and verifying that the data generated from the 2017-18 TNReady assessment is valid?***

The department allows for schools and districts to use their discretion in reporting irregularities due to online disruptions or other irregularities in any instance where they believe that a student’s test responses do not reflect the student’s full knowledge of the standards. This procedure excludes the student’s score from use in any capacity, including reporting. For scores that are not invalidated, additional checks exist within the TVAAS process to ensure it is fair. For example, student assessment scores are reviewed each year to determine if any scores are outliers. The statistical process that is used is a conservative one, and a lower score would be considered an outlier before a higher score would be, so these lower outliers are removed.

Additionally, all assessment data is checked for reliability and reasonableness. Psychometricians perform checks and make necessary adjustments based on item performance and the effects of test mode on student scores. The scores resulting from these psychometric processes and checks are used when calculating a TVAAS score.

Finally, this year, the department is engaging with an outside firm to perform additional rigorous analyses to determine whether and/or how online interruptions factored into item and student performance. These analyses will provide evidence to inform how we handle data from a psychometric and reporting perspective.