PART 8 CHAPTER 11: The First 2 Topics Will Directly Help Explain The Horrific Challenge TEA Confronted in Transition to TAKS; The Second 2 Topics Show the Growing Awareness of Issues One Year Out From Federal Court Decision

Prior to the administration of TAAS tests in the 1999-2000 academic year testing cycle, TEA Education Commissioner Jim Nelson advised school districts throughout the state that that year's TAAS would be a more rigorous test – a harder test academically.

However, with that notification Commissioner Nelson also soothed the concerns of district officials when he also advised them that the performance standards (passing) would be lowered such that no higher percent of students would fail the test than the prior 'easier' ones.

> **"…this test is more rigorous. However, a child who would have passed last year's test will also pass this year's test…In other words, the TAAS will be no more or no less difficult for a child to pass in one year than another…Since a child who could have passed last year's test will also pass this year's test, there will be no change from the perspective of a school district for purposes of accountability…" wrote Nelson.**

The simple fact of the matter is that the TEA had an absolute legal burden to produce that 'no change in passing result' for overall discrimination purposes because of the timing of the change from one year to the next. It had ZERO to do with academic grade level integrity. The Agency would have been legally crucified in a court of law had they discriminated against the graduation standards for students in immediately successive testing years.

TAAS Passing Standards: Final 3 Years

Test Cycle	Academic Year	Questions On Test	Right Answers To Pass	% Right Answers
Win/Spr	1998-99	60	41	68%
Fall	1999-00	60	32	53%
Win/Spr	1999-00*	60	39	65%
Fall	2000-01	60	30	50%
Win/Spr	2000-01	60	29	48%
Fall	2001-02	60	30	50%
Win/Spr	2001-02	60	29	48%

It was dramatic foreshadowing of what was to come in the transition to TAKS.

For the most part during the TAAS testing era, students had to achieve at or about a 70% content mastery on the tests to have passed. It has been more than documented by now that TAAS was substantially below grade level assessment at every level particularly at the 8th and 10th grades.

The table above shows what the passing standards on the 10th grade math exit test: 41 questions or 68%% correct answers out of 60 questions on the test.

In the one administration of this 'harder' test in the fall 1999, there were still 60 questions but a student only had to get 32 correct answers or 53% content mastery.

You will note that in the winter and spring of the 1999-00 test administration, the TEA had returned to the easier test kicking the passing rate back up to 65% content mastery.

There is no mystery as to why the TEA retreated for the spring 2000 administrations of TAAS: Texas Governor George Bush was going to be running for President and one of the prime strengths was the Texas Educational Miracle he 'fathered.'

As evidence of the growing cantankerous relationship and increasing publicity that TRA was gaining on the issue of education, I called the head of the TEA's accountability section and literally taunted and laughed at him for the TEA's willingness to put its Governor out on a Presidential campaign having acknowledged that the TAAS was not rigorous grade level forced to reduce performance standards to keep the image alive.

By the fall of 2000, it was really no longer a potential issue of Presidential politics; the TEA went back to its "harder" TAAS test in preparation for the launch of the TAKS testing era which would start in 2002-03.

More important than this actually relevant political factoid was the reality that researcher groups such as TRA could now see and analyze what TEA was calling a harder test.

There is a full report evaluating the 10th grade math test on a question by question basis for both the fall and spring administrations.

Here's a summary:

Between the fall test of the 1999-00 cycle (the harder test) and the February test in that same cycle (the easier test) there were a total of 92 questions. Each test had 60 questions:

Of these 92 questions, an independent advanced level classroom teacher of mathematics was retained to evaluate the academic rigor of each question. The standard of evaluation that this highly qualified mathematics teacher was asked to use was from the book "The Educated Child" written by William J. Bennett and Chester Finn, Jr. Finn was then president of the Fordham Foundation. Bennett became a Secretary of Education.

In their book, the authors outlined detailed specifications of what math students should be able to do on a grade level basis.

On that standard:

- **5th Grade**: 21 questions or 23%
- **6th Grade:** 34 or 37%
- **7th Grade:** 19 or 21%
- **8th Grade:** 18 or 20%

Of these 92 questions:

- **32** questions appeared upon the FALL test but not the FEBRUARY test.
- **28** questions appeared upon both the FALL and FEBRUARY tests.
- **32** questions appeared ONLY on the FEBRUARY test.

The average grade level of the 60 questions that were published on the fall and February tests:

- **FALL:** Slightly above 6th grade
- **FEBRUARY:** Slightly above 6th grade

In fact, there were more 7th and 8th grade questions on the February (easier) test than the 7th and 8th grades on the Fall (harder) test.

Independently, neither of the tests even approached credible grade level and the tests evaluated at essentially the same mean level. The full report is available inclusive of the actual questions disaggregated by fall or February.

The Mathematically Correct researchers, in particular, but also the Rand Corporation addressed:

- The ‘topping out’ factor that allowed below grade level students to have high achievement on TAAS,
- The annual release of ALL TAAS tests which allowed parallel testing across grade levels to artificially boost performance results by teaching the test methodologies.

The following section publish ACTUAL questions that appeared on TAAS’ math tests at various grade levels over a several year period.

This section as well will give tremendous context to the TAAS transition to TAKS and the manipulation of passing standards which were foreshadowed by the ‘harder’ TAAS tests.\

CHAPTER 12: Parallel Questions Across Grade Levels (Samples selected among many more available)

The questions shown here are a small portion of what could be shown to give empirical evidence from TAAS tests that validate both the statistical and grade-level analytics of critics that have now been presented.

All of the questions were multiple choice. When one observes the multiple-choice answers, keep in mind the MC's analysis of the quality of the choices the group raised. There is a profound example of that provided among the questions. The "Bennett/Finn" references in headlines alludes to their assessment of grade-level in their book "The Educated Child." It's there for context. The questions shown were published on TAAS tests.

There is simply no other way to evaluate what you are about to review as anything other than TEA's acknowledgement that it created a system:

1. That systemically put below grade level questions on the full range of testing.
2. That the annual release of tests in conjunction with the parallel questions that cut across grade levels boosted passing rates.
3. That implementing testing methodologies that allowed systemic 'teaching to the tests' strategies to work at the highest level of efficiency.\
4. While not as extensive, this section will show you some questions from the end of course Biology exams.

The examples of actual questions starts on the next page.

Parallel Questions Across Grade Levels: Bennett/Finn
5th grade page 304 and 6th grade page 306

- **TAAS – Grade 5 – 1997-98:** Alexander bought a book for $12.89, a ruler for $1.75, a calculator for $14.89, and a dictionary for $26.76. How much money did he spend altogether, not including tax?
- **TAAS – Grade 5 – 1998-1999:** Amanda bought 4 books for $2.95, $11.49, $17.50, and 24.85, not including tax. How much did the books cost, not including tax?
- **TAAS – Grade 6 – 1996-97:** LaTasha wants a blouse that costs $17.50, a skirt that costs $24.69, and a belt that costs $6.88. What is the cost of the outfit she wants to buy before tax is added?
- **TAAS – Grade 7 – 1988-99:** Meryl saved $78 from doing yard work, $8.13 from her allowance and $34.50 from gifts. What was the total amount she saved?
- **TAAS – Grade 7 – 1997-98:** A trip for a school band will cost $425. The band students have raised $98.46. Exactly how much do they still need to raise?
- **TAAS – Grade 8 – 1988-99:** Including tax, Sandy paid $24.95 for a sweater, $22.49 for shoes, and $6.89 for earrings. How much did she spend altogether?
- **TAAS – Grade 10 – 1988-99:** Ashley had $127.34 in her savings account. After withdrawing $48.65, how much remained?
- **TAAS – Grade 10– 1998-99:** Sarah bought a rake for $8.29, a garden hose for $12.99 and a 50-pound bag of topsoil for 4.49. How much did she spend altogether?
- **TAAS – Grade 10– 1995-96:** Mr. Appleton spent $8,50, $10,20, $17.59 and $22.90 for 4 prescriptions at the drugstore. What is the total amount that Mr. Appleton paid for his prescriptions?
- **TAAS – Grade 10– 1988-99:** A motorist asked for direction and was told, "Go 10.5 miles straight ahead, then turn right and go 3.3 miles, then turn left and go 5.7 miles farther" If the motorist follows these instructions, how far will he travel?
- **There are more…**

Parallel Questions Across Grade Levels: Bennett/Finn
5th grade page 304 and 6th grade page 306

- **TAAS – Grade 5 – 1997-98:** A magazine cost $3.75. Lenny gave the clerk $20 for the magazine. How much change should Lenny have received from the clerk?
- **TAAS – Grade 5 – 1996-97:** Byron bought some groceries. The total was $17.44, including tax. If he paid with a $20 bill, how much change did he receive?
- **TAAS – Grade 6 – 1998-99:** Ms. Foster put $10.32 worth of gasoline into her car. If she gives the gas station attendant a $20 bill, how much change should she receive?
- **TAAS – Grade 6 – 1995-96:** Mrs. Vargas pumped $5.67 worth of gasoline into her car. If she gave the gas station attendant a $10 bill, how much change should she receive?
- **TAAS – Grade 10 – 1997-98:** At a restaurant Steve ordered food totaling $6.85. If he paid with a $20 bill, how much change should he receive?
- **TAAS – Grade 10 – 1997-98:** Jerry bought two textbooks at the campus bookstore an was charged a total of $66.89, If he paid the cashier with a $100 bill, how much change should he receive?
- **There were more…**

Parallel Questions Across Grade Levels: Bennett/Finn
5th grade page 304 and 6th grade page 306
Find A Perimeter: All Questions Provide The Distance of 2 Non-Parallel Sides

- **TAAS – Grade 3 – 1998-99:** A park in the shape of a rectangle is 50 yards wide and 100 yards long. What is the perimeter of the park?
- **TAAS – Grade 3 – 1994-95:** A fence 9 feet high is to be built around a rectangular field. How many feet of fencing will be needed? (54 feet and 120 feet for respective sides of rectangle are show in graph).
- **TAAS – Grade 3 – 1997-98:** How much ribbon is needed to go all the way around the bulletin board shown below? (5 feet and 4 feet for respective sides of rectangle are show in graph).
- **TAAS – Grade 4 – 1998-99:** The softball diamond measures 60 feet between each base. If Laquita starts at home base and runs all the way around the bases in order, how many feet will she have to go to get back to home base? (graphic included).
- **TAAS – Grade 5 – 1996-97:** Paul walked around the perimeter of a garden. The garden measures 75 feet by 100 feet. How far did Paul walk?
- **TAAS – Grade 5 – 1998-99:** What is the perimeter of this square? (Graphic shows length of one side).
- **TAAS – Grade 6 – 1994-95:** What is the perimeter of this rectangle? (Graphic shows respective sides of 25cm and 16 cm and answers are expressed in centimeters).
- **TAAS – Grade 10– 1996-97:** Devon's house is on a rectangular block that is 330 yards long and 1120 yards wide. What is the distance around this block? (In this question, you will see the answers which automatically indicated ONLY 1 ANSWER IS AVAILABLE.
  - **450 YARDS**
  - **570 YARDS**
  - **900 YARDS**
  - **3900 YARDS** – One side of the rectangle is longer than 3 of the answers thus this is way below grade level AND with 3 dishonest answers: a cheating psychometrician's 'wet dream.'
- **There are more…**

When the MC group referenced diminished credibility in the actual multiple-choice selections, they had the last question above in mind.

Parallel Questions Across Grade Levels: Bennett/Finn
4th grade page 301
Rounding Numbers to the Nearest Thousandth

- **TAAS – Grade 8– 1997-98:** According to the Almanac, the population of Los Angeles, California is 3,485,398. What is the population of Los Angeles rounded to the nearest thousand?
- **TAAS – Grade 10– 1995-96:** Total attendance recorded at the 1984 Summer Olympic Games in Los Angeles, California was 5,797,923. What is this number rounded to the nearest thousand?
- **There are more**

Parallel Questions Across Grade Levels: Bennett/Finn
5th Grade Page 304 and 6th Grade Page 307
Understanding Mean, Mode, Range, and Median

- **TAAS – Grade 7 1997-98:** There were 18 students in Monica's class on Monday, 23 on Tuesday, 21 on Wednesday, and 18 on Thursday. What was the mean (average) number of students present for these 4 days?
- **TAAS – Grade 7 1994-95:** Gloria bowled 4 games. Her scores were 93, 105, 84, and 110. What the mean (average) of Gloria's 4 scores?
- **TAAS – Grade 8 1997-98:** Carla's midterm grades were 93 in English, 88 in mathematics, 81 in social studies, and 82 in science. What was the mean (average) grade in the 4 subjects?
- **TAAS – Grade 10 1997-98:** Ms. Bateman recorded her weekly grocery bill for 4 weeks. The amounts were $90, $85, $115, and $90. What was the mean average of the grocery bills?
- **TAAS – Grade 10 1997-98:** The ages of the students in a dance class are 15, 10, 16, and 15. What is the mean (average) age of these students.
- **There are more…**

Demonstrably Across Grade Levels: Bennett/Finn
Top Question: 6th Grade Page 306-307
Bottom Question: 5th Grade Page 304 and 6th Grade Page 306

- **TAAS – Grade 10 1995-96:** The weather reporter said that the probability of rain on Tuesday in a certain town is 20%. What is the probability that it will not rain in that town on Tuesday?
- **TAAS – Grade 10 1998-99:** Brian received a bill from an auto repair shop for maintenance done on his car. He was charged $98.95 for brake work, $19.90 for an oil change and $32.50 for a tune-up. If Brian was also charged $73.25 for parts, how much was the total bill not including tax?
- **There are more…many more…**

We'll make only a passing reference to this screenshot from years ago from a report issued by the American Federation of Teachers (national teachers' union!) that mocked the TAAS math 8th grade tests.

The full report is available. The AFT's conclusion have been more than validated by other researchers the data would be repetitive.

However, there was one ferocious conclusion from the report that deserves this retroactive applause for courage that it took for that group to be so bold.

1998: American Federation of Teachers Study of 8th Grade Math Test

American Federation Of Teachers TAAS 8th Grade Math Test		
Rating	**% Of Problems**	**Each Category Defined**
HARD	0%	The problem is not well defined in that you cannot look at it and immediately know what to do…
MEDIUM	2%	Generally defined as requiring thinking and coalescing of knowledge…
EASY	98%	Questions that basically require students to recognize and plug numbers into a formula which is usually given. The solution jumps out at the student.

Another Look At End of Course Algebra and Quick Peek At End of Course Biology

The MC group did an extensive review of the end of course Algebra testing that was previously reported for the academic years of 1995-1998. The TRA decided to take a peek at End of Course Biology.

The group retained two highly qualified and experienced teachers to do two reviews:

- The Algebra Teacher: The teacher was asked to take the next two years of Algebra testing beyond what the California researchers had reviewed: 1999 and 2000.
- The Biology Teacher: The teacher was asked to evaluate two years of EOC Biology tests: 2000 and 2001.

THE ALGEBRA TEACHER:

The tables on the following page show separately and in combination the overall evaluation of the academic rigor for six testing cycles was by both the Mathematically Correct group and the classroom teacher.

Both used the same standard to classify each individual problem.

The results between the studies were remarkably similar. As one reads the tables, it is important to note that the classroom teacher evaluated the 'problem' without discounting certain factors that made it easier.

The MC evaluators included the external factors in their final evaluation of rigor including multiple choice selections that narrow the answers.

The classroom teacher explicitly noted which questions were reduced in actual rigor because students were allowed to use calculators and formulas were provided.

Even without considering the footnotes and acknowledgements of the teacher, the percent of questions per category were extremely consistent.

Of the 80 questions evaluated by the teacher, she noted just over 36% of the stated problems could be rated lower due to the use of the calculator. It is particularly interesting to note that the use of the calculator's impact was particularly relevant at the pre-algebra and low-difficulty algebra levels.

The teacher did classify 13.8% of the problems as moderately difficult nothing that the three of those questions were made easier by the use of the calculator.

Overall, of the 240 total questions evaluated, some 93% were evaluated as ranging from prior to pre-algebra to low difficulty algebra.

Neither evaluator found a single problem that rated high difficulty.

THE BIOLOGY TEACHER:

We have deliberately saved this portion of the TAAS testing program analysis as the last step before moving to the TAAS transition to the TAKS era.

After strictly adhering to solid and reliable statistical and academic rigor analysis standards, we make no apologies for resorting to outright facetiousness and mocking as we deal with this topic.

Why?

The classroom biology teacher's review of the 80 questions determined 74% of the actual questions were low difficulty or did not even test biology.

We are going to give you examples of questions on the test that validate the teacher's conclusions. But more than that these are the images that should be in your brain when we introduce the TAKS transition to you. We've made the case of TEA's absolute abandonment of credible grade-level integrity. We believe these images inclusive of the graphics actually symbolize the TEA's manipulation of academic

State of Texas: End of Course Algebra: TAAS
Academic Years: 1995-2000 (6 Consecutive Years

Prior Mathematically Correct Study: 1995-1998
160 Questions Over 4 Years

Academic Rigor Evaluation	Number of Questions	% By Category	?s Easier By Calculator
Prior Pre-Algebra	14	8.8%	Calculator & Multiple Choice Was Included In Final Evaluation of Rigor
Pre-Algebra	64	40.0%	
Low Difficulty	77	48.1%	
Moderate Difficulty	5	3.1%	
High Difficulty	0	0.0%	
Total Questions	160	100%	

Prior Mathematically Correct Study: 1999-2000
80 Questions Over 2 Years

Academic Rigor Evaluation	Number of Questions	% By Category	?s Easier By Calculator
Prior Pre-Algebra	6	7.5%	1
Pre-Algebra	31	38.8%	16
Low Difficulty	32	40.0%	9
Moderate Difficulty	11	13.8%	3
High Difficulty	0	0.0%	0
Total Questions	80	100%	36.3%

COMBINED OVER SIX YEARS

Prior Pre-Algebra	20	8.3%	Classroom Teacher Noted & Footnoted Factors But Evaluation Included Problem Only
Pre-Algebra	95	39.6%	
Low Difficulty	109	45.4%	
Moderate Difficulty	16	6.7%	
High Difficulty	0	0.0%	
Total Questions	240	100%	

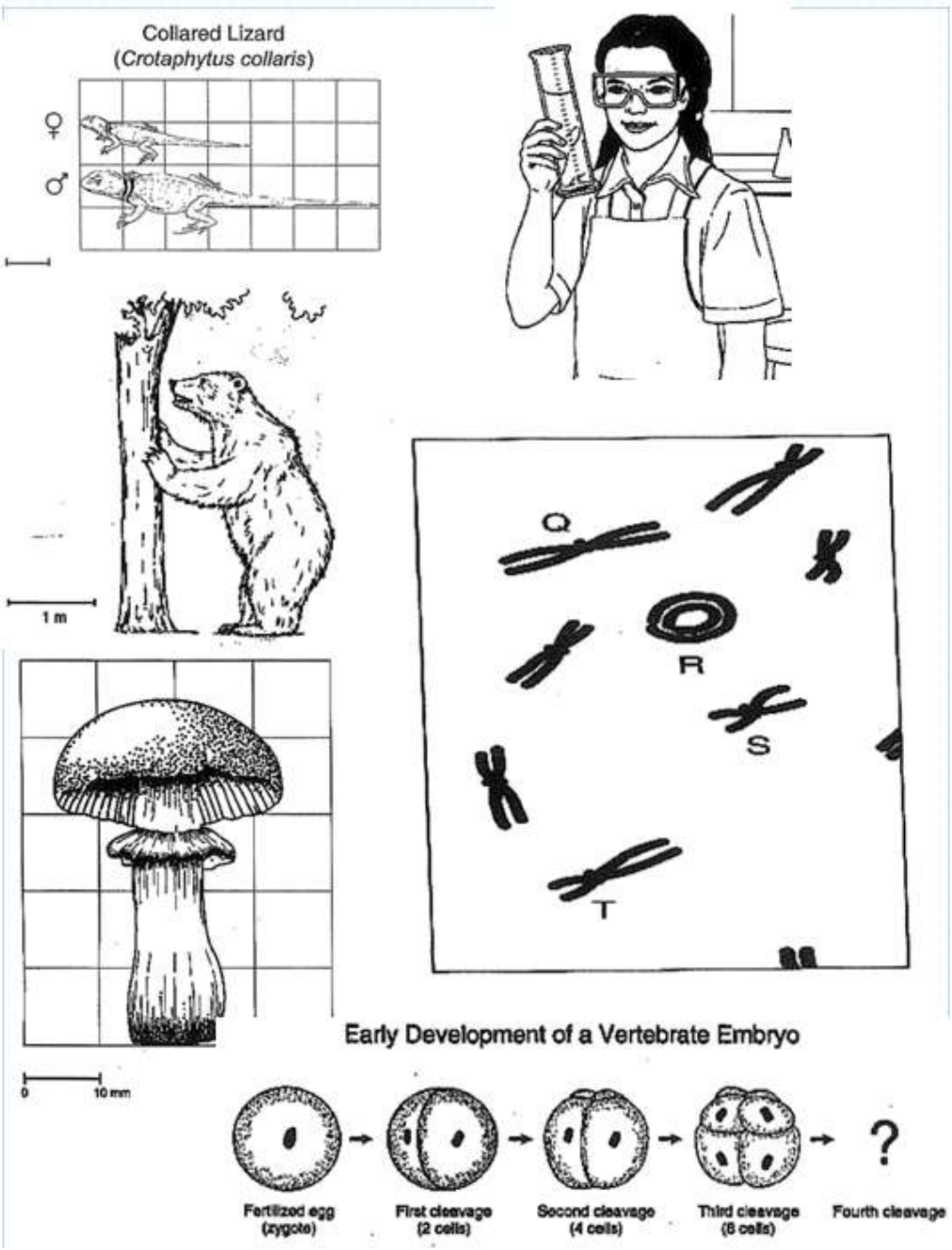
State of Texas: End of Course Biology:
TAAS Academic Years 2000 & 2001

Katy I.S.D. AP Biology Teacher Findings
84 Questions Over 2 Testing Cycles

Academic Rigor Evaluation	Number of Questions	% By Category
Difficult	0	0%
Moderate Difficulty	22	26%
Low Difficulty	41	49%
Not Testing Biology	21	25%
TOTAL QUESTIONS	**84**	**100%**

integrity to achieve a desired legal and political and judicial goal: closing achievement gaps

In the real world, the graphics tell the story here. You don't even really need to know the actual questions. So, let's cut to the chase.



COLLARED LIZARD:

It's not legible but the scale shows 5 cm.

How much longer is that lizard on bottom than the one on top?

One absolutely does not need to know anything biological such as 'Crotaphytus collaris.'

*****

BEAR:

It's not legible but the scale shows 1 m.

How tall is that bear?

*****

MUSHROOM

It's not legible but the scale shows 10 MM.

How tall is that mushroom?

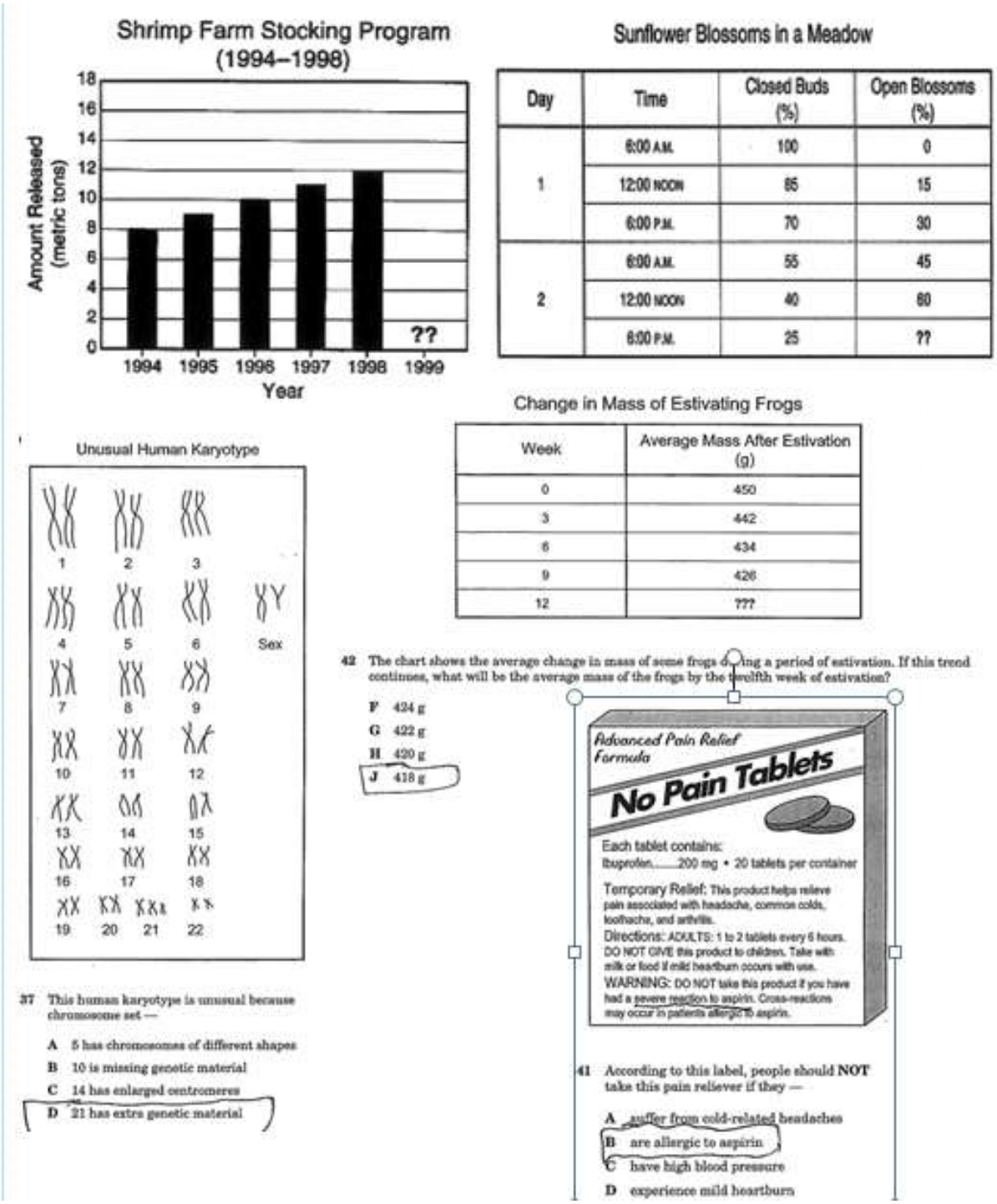
Back up to the top:

BEAKER: What does the student need to do to get an accurate measurement?

X & O: Which of these symbols is not like the others? (actual question to give the pretense of biology was: Which of these chromosomes was most likely exposed to toxic chemicals or radiation?

VERTEBRATE EMBRYO: Base + 2 = **2** +2 = **4** + 2 = **6** + 2 = **?** This is elementary school math by the nature of the graphic which is more legible in full size. What does one need to know about the early development of a Vertebrate Embryo? NOTHING. What does biological cleavage have to do with test question construction as presume biology? NOTHING.

SHRIMP STOCKING PROGRAM: 8, 9, 10, 11, 12, **?** This is an upper elementary, lower middle school graph of almost the simples challenge using biological terms. Replace the descriptions and ask what's the next number? Presumed biology.



Shrimp Farm Stocking Program (1994–1998)

Sunflower Blossoms in a Meadow

Day	Time	Closed Buds (%)	Open Blossoms (%)
1	6:00 A.M.	100	0
	12:00 NOON	85	15
	6:00 P.M.	70	30
2	6:00 A.M.	55	45
	12:00 NOON	40	60
	6:00 P.M.	25	??

Change in Mass of Estivating Frogs

Week	Average Mass After Estivation (g)
0	450
3	442
6	434
9	426
12	???

Unusual Human Karyotype

37 This human karyotype is unusual because chromosome set —

A 5 has chromosomes of different shapes
B 10 is missing genetic material
C 14 has enlarged centromeres
D 21 has extra genetic material

42 The chart shows the average change in mass of some frogs during a period of estivation. If this trend continues, what will be the average mass of the frogs by the twelfth week of estivation?

F 424 g
G 422 g
H 420 g
J 418 g

41 According to this label, people should **NOT** take this pain reliever if they —

A suffer from cold-related headaches
B are allergic to aspirin
C have high blood pressure
D experience mild heartburn

SUNFLOWER BLOSSOMS IN A MEADOW: Remove all the biological verbiage and here's what a student has: 2 columns with one complete filled in. This is a elementary school math problem. 0 + 15 = 15 0 + 15 = **30** + 15 = **45** + 15 = **60** + 15 = **?** Coupled with that, in every instance shown, the two columns add up to 100. So, a second embedded tips: 100 – 25 = **?**

CHANGE IN MASS OF ESTIVATING FROGS: Remove all the biological verbiage and here's what a student has: 450 – 8 = **442** – 8 = **434** – 8 = **426** – 8 = **?** Students need no biological understanding at all. Although there is no referenced to a pond of water, they don't need to know if a frog estivating is having sex with another frog or hibernating.

With three of the samples here (one above and two below), we have left in the actual questions with the multiple-choice answers. Why? Because there is a more theoretical reference to biology. But, look at the graphics of the two questions below in particular because the biological references are needless.

UNUSUAL HUMAN KAROTYPE: The question might as well be: Of the 22 'numbered' symbols, which one is not like the other? Literally, a student could take a biology course and the basis of that question have zero idea of what a human karyotype is.

NO PAIN TABLETS: Whatever the biological references, there is one overriding fact. The answer to the question is written in black and white on the label. The other three potential answers are categorically ignored – only the right answer is, well, only the right answer making this an elementary school reading problem – not a high biology problem IS SHOWN.

At long last, we will transition this report to the State of Texas' transition from TAAS testing era which generated two key judicial victories validating its strategy to close achievement gaps for economically disadvantaged, at-risk students statistically dominated by children of color.

There was a harsh reality to the challenge Texas confronted.

The TAAS was nothing less than a systemic academic fraud and hoax if honest, credible, rational, empirical standards of genuine grade level performance by students was to be the measure.

In TAAS, testing was NEVER about academic integrity. It would about prevailing with constitutional muster from state and federal courts with a stamp of approval for its systemic academic corruption.

That this academic corruption helped elect a Texas governor President of the United States was an extra bonus – icing on the cake for more than a decade of institutional lies.

But the TAAS to TAKS transition confronted a brutal reality that gave the TEA no choice but to double down on its institutional dishonesty by doing precisely what that "harder" TAAS test fiasco in 1999 foreshadowed:

- **Make the Questions Harder** (harder than what will remain an issue but genuinely harder);
- **Dramatically Devalue Content Mastery Passing Standards** to keep the hoax alive.

At the moment the path forward from that dilemma was made, the system's institutional racism that guided the TEA to those pivotal state and federal court victories was embedded forever in the State's accountability system. It's still there.

Finally, the transition. Institutional racism that harms at-risk, economically-disadvantaged students dominated by children of color is not a pretty picture. It was mostly in the shadows – discernible for sure – during TAAS. As TAAS became TAKS, the TEA's institutional racism emerged from those shadows for those who actually gave a damn – which most didn't know enough to know what to do.