AT-RISK STUDENT AVERSE: RISK MANAGEMENT AND ACCOUNTABILITY

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In 1983, *A Nation at Risk* made the case that the US school system was not competitive globally and that US students’ achievement was in decline (National Commission on Excellence in Education, 1983). Prepared by an influential committee created by Secretary of Education, Terrell Bell, and subsequently endorsed by President Ronald Reagan, this report indicted the American public education system for failing to adequately prepare the country’s children to be competitive in the 20th century. Citing declining standardized test scores, unfavorable international comparisons, and waning public support for America’s schools, the report argued that American students’ low performance was a direct result of weak curriculum, poor educational programs, and an untalented educator workforce.

Soon after the release of the Nation at Risk report, there was a push by business leaders in Texas to reform the state’s schools. Ross Perot, a prominent Dallas businessman and former candidate for president of the U.S., and his allies were “influential actors” and proponents of accountability and testing in Texas (Carnoy and Loeb, 2003). The Perot Commission, and later the Texas Business-Education Coalition (TBEC), united corporate leaders in Texas in an effort to promote a business perspective in education reform (Grissmer and Flanagan, 1998). Codified in this reform effort was a determination to inculcate reform measures in the public consciousness that increased efficiency, quality and accountability in a push for schools to perform more like businesses (Grubb, 1985). Salinas and Reidel (2007) argued that the Texas business elite utilized “the policy process, power relationships and educational value conflicts” to promote accountability as the “paradigm for educational policy reform” (p. 1). As a result, Texas was one of the earlier states to develop statewide testing systems during the 1980s, and the state adopted minimum competency tests for school graduation in 1987.
Texas business leaders were (and continue to be) interested in the efficient use of funding to public schools. Additionally, the state had been challenged to craft school finance legislation that would survive the state’s Supreme Court (Vasquez Heilig, Williams and Jez, 2010). Former Lt. Governor Bill Ratliff, Republican senate sponsor of Texas Senate Bill 7 (SB 7), related that the inclusion of the accountability system in SB 7 was necessary to gain passage of the proposed school finance system, also known as the Robin Hood plan because it redistributed funds from richer districts to poor districts. He stated:

If you are going to pass a school finance bill, it’s almost inevitable to get the votes to pass one that you have to put considerably more money into the system, because if you don’t you have school districts who are winners and you have school districts who are losers, and the losers, the members who represent losing districts can’t vote for it….But many members were skeptical about putting that much new money in unless we required some kind of an accountability for the money. That is... are we getting the bang for our buck? (personal communication, November 14, 2007)

Thus, in addition to reforming school finance, SB 7 modified the existing public school accountability system from a diagnostic to a performance-based system. Signed into law by Democratic Governor Ann Richards in 1993, SB 7 represented a bipartisan solution to the state’s educational woes as it was passed by a wide margin in both the Texas House and Senate. When asked about whether there were any legislators against the accountability system at the time that SB 7 was considered, Lt. Governor Ratliff stated the following:

Well, there were some that were against the accountability, but frankly the accountability was sort of overshadowed by the school finance….Most of the votes in the Senate…were votes against the Robin Hood plan, not against the accountability system. The
accountability system, except for some members who wanted some accountability, sort of flew under the radar because the school finance bill was so controversial (personal communication, November 14, 2007).

Despite the fact that accountability “flew under the radar,” SB 7 mandated the creation of the Texas public school accountability system to rate school districts and evaluate campuses. The first Texas accountability system was enacted in 1994, under the leadership of Governor Ann Richards, was an information forum that utilized test scores and other measures of student progress to determine whether school districts should remain accredited by the state. The Texas accountability system was undergirded by the Public Education Information Management System (PEIMS) data collection system, a state-mandated curriculum, and a statewide standardized test to measure student proficiency in core subjects.

From 1995-1999, Texas test-based accountability commenced under Governor George W. Bush. During this period, educational policy in the state evolved beyond district-level consequences to applying a variety of sanctions on teachers, principals and schools. Achievement gains across grade levels conjoined with increases in high school graduation rates and decreases in dropout rates brought nationwide acclaim to the Texas accountability “miracle” (Haney, 2000, p. 1). Citing the success of Texas-style high-stakes testing and accountability rating formulas, former President George W. Bush chose Rod Paige, the Houston Independent

1 For more about Ann Richard’s approach to Texas-style Accountability, go to http://ritter.tea.state.tx.us/perfreport/account/94/manual.pdf
3 The state also saw the promulgation of higher-stakes for students such as the abolition of automatic grade progression. For example, in Houston, Superintended Rod Paige utilized TAAS and Stanford 9 test scores to determine whether students advanced to the next grade.
School District Superintendent, as his first Secretary of Education. During his first day on the job, Rod Paige declared that Texas-style accountability had made a difference for at-risk students during his tenure in Houston. He stated, “I personally witnessed in the last seven years schools where most would say these students had all the at-risk characteristics associated with failure, and they shouldn't grow. In fact they did.” He explained that accountability had highlighted “islands of excellence” and that the Texas system of sanctions and rewards would be integrated into a national Bush education plan (Suarez, 2001).

According to McNeil (2005), Texas-style high-stakes testing and accountability policy, by force of federal law, became the driving education policy for the entire nation through the reauthorization of the Elementary and Secondary Education act of 2002— also known as No Child Left Behind (NCLB). NCLB (2002) replicated the Texas model of accountability, injecting public rewards and sanctions into education policy for states, districts and schools nationwide. Eight years after the passage of NCLB, accountability policies are influencing the process of public schooling nationwide. High-stakes standardized tests have become the foundation for decisions determining the progression of children through school, access to education, student achievement progress and the amount of resources a school receives to educate its student body (Darling-Hammond, 2003).

The prevailing theory of action underlying Texas-style testing and accountability ratings is that holding schools and students accountable through measures of achievement will increase

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4 ESEA was the first large-scale federal legislation aimed at equalizing educational opportunities for all of America’s students. President Johnson posited that a significant goal of ESEA was to address resource allocation inequities among U.S. schools serving wealthy and poor students (Johnson, 1965). Of its many provisions, ESEA was the first large-scale federal effort to federal dollars to schools serving large populations of students of poverty— a goal that had been sought in the U.S. since 1870 (Johnson, 1965).
the quality of education in the U.S. because educators will try harder, schools will adopt more effective methods, and students will learn more (Vasquez Heilig, 2011). In sum, the argument holds that identification of student success by disaggregating test scores by demographic groups will pressure schools and educators to improve test scores (Hanushek and Raymond, 2003). While accountability’s theory of action intuitively seemed plausible, at the point of NCLB’s national implementation, little scientifically-based research was available to establish the efficacy of accountability claims or to predict the long term effects of accountability systems on the success of poor and ethnic/racial minority students and the schools that served them (Ravitch, 2010).

Indeed, the effects of high-stakes testing policies in Texas have been debated (Carnoy, Loeb, and Smith, 2001; Haney, 2000; Klein et al., 2000; McNeil et al., 2008; Linton and Kester, 2003; Toenjes and Dworkin, 2002; Vasquez Heilig and Darling-Hammond, 2008). Researchers, educators, parents and policy makers alike have asked whether policies that reward and sanction schools and students, based on average school-level test scores and disaggregated by student demographic groups, can improve achievement and the quality of education for all or most students. Also debated is the question of whether accountability and high-stakes testing policies institutionalize other, less helpful, school practices, such as narrowing the curriculum and gaming the system—actions that systematically manipulate student populations to achieve accountability goals (McNeil and Valenzuela, 2001; Valencia and Bernal, 2000).

Evidence on the effects of high-stakes testing and accountability policies on school responses suggests that high-stakes testing systems that reward or sanction schools based on average student scores may create incentives for schools to boost scores by manipulating the population of students taking the test. In addition to retaining students in grade so that their
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relative standing will look better on “grade-equivalent’ scores, schools have been found to label large numbers of low-scoring students for special education placements so that their scores are not factored into school accountability ratings (Allington and McGill-Franzen, 1992; Figlio and Getzer, 2002), exclude low-scoring students from admission to “open-enrollment” schools, and encourage poorly performing students to leave school, transfer to GED programs, or drop out (Darling-Hammond, 1991; Haney, 2000; Booher-Jennings, 2006; Vasquez Heilig and Darling-Hammond, 2008). This paper focuses on developing a framework that conceptualizes these events, often called accountability “gaming.”

A growing body of literature indicates that many educational professionals under the pressure of accountability are engaging in practices that enable their schools to survive but do not adequately support high quality education. In this paper, we examine the responses of educational personnel to the current high stakes accountability environment in Texas, paying particular attention to risk management behaviors, what we are calling at-risk student averse. Specifically, in this project we use theory and research on risk management (Ericson and Leslie, 2008; Power, 2007; Stowe and Jeffery, 2008; Stultz, 1996; Williams and Heins, 1989) to analyze the work and perceptions of teachers and school leaders as they seek to meet the requirements of educational accountability in Texas. We believe this paper is among the first to use this particular perspective to conceptualize and understand the practices of educational organizations with regard to the treatment of at-risk students attending high schools serving a majority of At-risk students in the midst of accountability. Specifically, this study asks the following questions: How might risk management theory inform our understanding of the effects of accountability pressure on teachers and school leaders? To what extent has the monitoring and measuring of student and school performance led to the treatment of at-risk students as liabilities for meeting the
objectives of accountability policies? In their efforts to meet the objectives of accountability policy, have school personnel implemented practices that deemphasize quality education? To answer these questions we interviewed 89 administrators, school staff members and teachers and used risk management theory to analyze their responses. Our paper begins with a review of research revealing the unintended negative outcomes of high stakes accountability. This is followed by an overview of risk management literature and a delineation of how this literature is applied in our paper. Following a description of our methods, we share and discuss our findings.

**Unintended Consequences of High-Stakes Accountability**

Carnoy, Loeb, and Smith (2001) proposed two scenarios about the possible relationship between test-based accountability—then underpinned by the Texas Assessment of Academic Skills (TAAS) test— and student success in Texas. They stated,

In the first, an emphasis on increasing TAAS scores increases the overall quality of schooling, leading to gains in student learning on multiple levels and decreases in the dropout rate. In an alternative scenario, however, increased emphasis on TAAS comes at the expense of other learning or leads to efforts to screen students before they take the TAAS. This may lead to increases in the dropout rate, either as low performing students are forced out of schools in order to increase school average TAAS scores or as students choose to leave (p. 18).

Research reveals that Carnoy and his colleagues (2001) adequately predicted some deleterious effects of high stakes accountability. Indeed, these scholars suggested that while accountability legitimated complex technocratic responses throughout the educational system, that these responses might not have elicited the increase in educational output originally envisioned by school reformers. Instead, such technocratic responses may have escalated historical inequities by
legitimating problematic practice. To illustrate, the press of accountability has led to schools identifying and “pushing” students out of school that are seen as liabilities due to their low-performance on standardized tests (Gotbaum, 2002; McNeil, Coppola, Radigan and Vasquez Heilig, 2008; Vasquez Heilig and Darling-Hammond, 2008). Studies have also revealed evidence of specific gaming actions in Texas schools. For example, Booher-Jennings (2006) identified teachers who sought to create the appearance of test score improvement by using “educational triage” practices. In some classrooms, this was accomplished by diverting resources to elementary students believed to be on the threshold of passing the TAAS (“bubble kids”) and to “accountable” students (those affecting the school’s accountability rating). She also found that teachers sought to affect their school’s accountability rating by referring non-bubble students for special education, though this was not necessarily the teachers’ own idea. Booher-Jennings (2006) detailed the advice given by a consultant to a San Antonio elementary school on how to improve test scores using educational triage.

“Using the data, you can identify and focus on the kids who are close to passing. The bubble kids. And focus on the kids that count…” (¶ 4). “Take out your classes' latest benchmark scores”, the consultant told them, “and divide your students into three groups. Color the “safe cases”, or kids who will definitely pass, green. Now, here's the most important part: identify the kids who are “suitable cases for treatment”. Those are the ones who can pass with a little extra help. Color them yellow. Then, color the kids who have no chance of passing this year and the kids that don't count — the “hopeless cases” — red. You should focus your attention on the yellow kids, the bubble kids. They'll give you the biggest return on your investment” (¶ 5).

Booher-Jennings (2005) reported that educational triage has become an increasingly
widespread response to accountability systems documented in Texas, California, Chicago, Philadelphia, New York, and England. Ironically, accountability appears to be creating an educational environment that is fostering risk management rather than excellence. More importantly, schools serving a majority of At-risk students appear to be becoming at-risk student averse due to the press of high-stakes testing and accountability. Several decades of research and business management literature suggest that these organizational responses to NCLB are both predictable and rationale.

**Business Ideology and Schools**

Business ideology is often used in educational research and practice to outline potential courses of action (Ravitch, 2010) and to present preferred approaches to educational leadership (Tyack and Hansot, 1982). Gumport (2000), for example, conceptualized organizational change in institutions of education as fertile territory for private-sector inspired managerialism, though she cautioned that wholesale adaptation to managerial rationales could subsume the discourse of educational institutions’ “logic of economic rationality at a detriment to the longer-term educational legacies and democratic interests that have long characterized US public education” (p.1).

Empiricist scholars have studied the use of management theory and practices in education by direct examination (i.e. Murphy and Beck, 1995), while others, like Gumport (2000) and Cuban (2004) have used business ideology to intuit what was and is likely to occur. Our use of management theory reflects the latter approach. We consider the emergence of school-based risk management practices as a response to the recent entrenchment of long-standing business ideology—data management practices, accounting measurement formulas and high-stakes testing—in educational policy.
Risk Management

Risk analysis emerged four decades ago as a field that drew on the statistical sciences to measure risk, expressing results as probability statements (Erickson and Leslie, 2008). However, this approach suffered from the fact that it is rarely directly applicable to the situations defined by decision-makers on the ground (Power, 2007). As a result there has been a rush to invent new technologies that emphasize the management and governance of risk. Crockford (1986) defined the main features of risk management as the identification, evaluation, minimization and mitigation of risk. Risk management involves a holistic evaluation of an organization to measure the potential loss that an organization faces if an event occurs (Gorrod, 2004). According to this perspective, decision makers, who remain objective, can use risk management to reach organizational goals, while minimizing potential negative outcomes (Flybjerg, 2006). In a context of concern over organizational effectiveness and the possibility of blame if things go wrong, Power (2007) explains this shift in focus to governing the processes of risk management has led to a rise in regulatory mechanisms that emphasize audits and accountability.

Risk “objectification, rationalism and standardization are crucial in process of risk governance” (Erickson and Leslie, 2008, p. 616). To illustrate, the risk management process typically encompasses six courses of action: 1) determining the objectives of the organization, 2) identifying exposures to loss, 3) measuring those same exposures, 4) selecting alternatives, 5) implementing a solution, and 6) monitoring the results (Williams and Heins, 1989). An institution will modify the strategy for managing risk based upon the primary objective of institutional success (As seen in figure I). In business, the chief objective of a public company may be increasing profit; for schools a chief objective may be increasing achievement scores and accountability ratings. The risk management process in both cases would involve identifying and
measuring exposures, selecting alternatives, implementing solutions and monitoring results.

[Insert figure I here]

As one might imagine, such processes may produce valid and useful information; however, as Erickson and Leslie (2008) assert, information is only as good as its interpretation and use.

Knowledge is always subject to mediation and massaging as part of political strategies ‘to govern unruly perceptions [of risk] and to maintain the production of legitimacy in the face of these perceptions.’ Reputation protection and the management of public perceptions have become primary goals of the re-invented risk analysis and its redeployed scientific authority. (Erickson and Leslie, 2008, p. 616)

Although consideration of risk can be traced back to ancient Greece (Bernstein, 1998), contemporary practices most closely reflect the content of government reports (e.g., the Treadway Committee report, 1991) that examine fraudulent financial reporting and legislation, such as the Sarbanes-Oxley Act of 2002 (SOX). Such reports quickly became blueprints for risk management in business, government and non-governmental organizations, advancing the importance of internal controls and processes to improve compliance.

**Risk Management in Education**

The titular usage and focus on accountability in the SOX legislation is conspicuously similar to the theory of action underlying the re-authorization of the Elementary and Secondary Education Act (ESEA) as No Child Left Behind (NCLB) a mere six months prior. SOX focused on accuracy and accountability in auditing—in parallel, NCLB required a new system of accounting in every state to improve schools by measuring student outcomes and progress through school. George W. Bush, the first U.S. president to hold a MBA, declared in the signing
ceremony for NCLB that accountability was his “first principle” for schools (White House, 2002).

Although there are a growing number of risk management processes and strategies, public companies seeking to comply with SOX 404, a section of the federal law that requires assessments of internal controls and risks (Thomson, 2007), typically choose either a SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis or Enterprise Risk Management (ERM). Each of these risk management processes encompass the conceptual logic delineated by Williams and Heins (1989), but with a greater specificity of processes. SWOT analyses identify internal and external opportunities and threats that the company can either embrace or prepare to respond to through the development of a risk management plan designed to mitigate weaknesses and potential threats to the organization. ERM is a risk management approach wherein regulatory mechanisms are strategically developed throughout an organization to bring the activities of all organizational members under the jurisdiction of management, thus integrating concepts of internal control (Erickson and Leslie, 2008). ERM is used by businesses to determine the risk capacity of an organization, including norm violation and system irregularities—then objectives are set to comply with the firm’s goals and risk.

Similar to SOX for the business community, NCLB created accountability requirements for schools such as reporting Adequate Yearly Progress (AYP) measures to allow the U.S. Department of Education to examine how every school is performing academically according to results on standardized tests. And similar to public companies, schools are hyper-aware of the attention being paid to their performance as well as the consequences for missteps. Moreover, like public companies seeking to meet the accountability demands of SOX, some schools are using risk management strategies. How these two pieces of legislation differ is in the
requirement to assess risks, whereas SOX requires that public companies assess and mediate risks, NCLB has no such explicit requirement. However, considering the data collection and accounting mechanisms institutionalized by NCLB, the environment is ripe for risk management logic and subsequent behaviors, particularly in high schools serving a majority of at-risk students in Texas.

Applying the literature on organizational risk assessment practice and theory within educational organizations, this paper seeks to understand whether and how Texas high schools have assessed the risk of at-risk students when faced with the pressure of NCLB-inspired policies. This analysis aims to examine if Texas high schools mirror corporate risk management processes as a means to improve school performance measures. Furthermore, this paper seeks to understand whether risk management practices have led to the treatment of certain students as liabilities and what deleterious practices, such as developing an aversion to at-risk students, have emerged as school personnel have attempted to meet the objectives of accountability policies.

**Method**

This paper coalesces data from two studies that examine the effects of Texas-style high stakes accountability from 1995-2008. The analysis seeks to understand how schools assess and respond to the risk associated with at-risk students for test-driven accountability. The research presented here is a précis of several years of in-depth qualitative interviews with 89 administrators, staff and teachers from seven high schools in Brazos City (pseudonym for a large, urban Texas school district) and four rural, small city and suburban public high schools located along the U.S.-Mexico border region of South Texas.

Each of the eleven high schools in this analysis had student populations with more than 50% of their students categorized as at-risk. The Texas Education Agency (TEA), the state
governmental agency responsible for overseeing education in Texas, calculates an At-Risk indicator for each student in the state of Texas based on thirteen state-determined criteria (e.g., retention, poor performance on state assessment, pregnancy etc.) to identify whether a student is “at-risk” of dropping out of school (Texas Education Agency, 2007). Ten high schools where the majority of students were ethnic/racial minorities were contacted in Brazos City; seven high schools agreed to participate. The sample includes Latina/o majority high schools and African American majority high schools. The selection of the sample high schools in the Rio Grande Valley began by randomly selecting six candidate schools based upon locality (rural, small city and suburban). Once schools were identified, four high schools agreed to participate in the research. One school declined and the sixth did not respond to repeated email or phone calls.

To understand the achievement distribution of the schools, we present the schools results on state and federal accountability measures (See Tables I and II). As discussed above, the state of Texas has had an accountability system in place since the early 1990s. The Texas accountability system uses formulas to measure a variety of student outcomes such as test scores, graduation rates and dropout rates. The indices are then disaggregated by student groups (i.e. race/ethnicity, English Language Learner etc.) and entered into formulas to determine ratings for districts and schools. For example, the Texas accountability system ratings for 2010 are: “Unacceptable,” “Acceptable,” “Recognized,” and “Exemplary.”

5 The federal NCLB act requires that each state establish an AYP timeline for ensuring that all students in the United States would meet or exceed state standards within 12 years of implementation of the federal education law. Although AYP is defined by individual states, the

5 For more about the current Texas Accountability system go to http://ritter.tea.state.tx.us/perfreport/account/2010/manual/index.html
measurement of AYP is similar across the states. Specifically, high-stakes tests and other measures of student progress (i.e. graduation rates and attendance rates) are used to determine whether every public school and school district in the United States is making yearly progress towards all students meeting state standards by 2014.\(^6\)

[Insert tables I and II here]

The randomly selected high schools examined in our work have had a range of accountability results over the past five years. Table I shows that the high schools in the sample were ranked academically unacceptable (the lowest accountability rating) 12 times over a five-year period—about 22% of the time. Since 2005, the 11 high schools in the sample performed somewhat worse on the federal accountability measure. The sample high schools did not meet their AYP goals 35 times, about 64% of the time (See Table II). In summary, the schools in the sample are not consistently “below the line.” In fact, during the past two years, 6 of the 11 schools received a “Recognized” Texas accountability rating.

The studies utilized a key informant strategy, wherein principals and counselors in each high school were asked to identify veteran school staff that could share their institutional memory about the evolution of accountability in their schools (El Sawy, Gomes and Gonzalez, 1986). These key informants were then used to snowball sample other individuals who could provide a variety of perspectives on the affect of accountability and high stakes testing on their schools (Goodman, 1961). Interviews with high school personnel were conducted on campus over several days and were spread throughout the academic year. Table III shows the total numbers of teachers and administrator/staff members interviewed at each school in both studies.

\(^6\) For more about No Child Left Behind go to http://www2.ed.gov/nclb/landing.jhtml
To ensure privacy and confidentiality, all high schools are referred to by pseudonyms.

[Insert table III here]

**Data Analysis**

Glaserian comparative analysis method involves concurrent data gathering and analyzing and emphasizes induction and emergence during the research process (Strauss and Corbin, 1990). Thus, analysis begins the moment one enters the field. School visitations during data collection facilitated the analysis process by enabling the contextualization of the experiences of students and school staff in relation to high-stakes testing and accountability.

Comparative analysis method is grounded in flexibility as the research evolves (Glaser, 1992). As a result, the interview and focus group discussions in both studies drew from a bank of open-ended questions based on high-stakes exit testing and accountability. As the research proceeded, most but not all questions in the bank were used, and several were amended to capitalize on relevant issues and ideas that arose during the research process. In essence, to gather richer data, the research was grounded in emerging themes revealed by the participants.

The transcripts in both studies were analyzed using the constant comparative method (Janesick, 1994; Patton, 1990). Once the interviews were transcribed, several individuals coded phrases that had meaning in relation to the main purposes of the study. These categories were modified as each new interview transcript was analyzed. This process is described by Lincoln and Guba (1986) as the "saturation of categories" or the "emergence of regularities" (p. 350).

Comparative pattern analysis was used to illuminate recurring patterns in the data.

To triangulate the research process, research team members (a mix of faculty and graduate students) from Rice University, Stanford University and the University of Texas at Austin independently conducted axial coding that identified consistent themes within the phrase
coding. Informant data was triangulated with field notes, archival materials provided by schools
and local press reports. For synthesis, informant counts by category were conducted to
understand the representativeness of the dominant themes generated in the field interviews. The
full set of themes were detailed and published in two prior peer-reviewed articles. Subsequently,
an additional overarching theme was revealed through the analysis of both data sets: the idea that
schools were developing an aversion to at-risk students. This, third paper is dedicated to this
theme.

Findings

Advocates of test-based accountability hold that educators should be held accountable for
student achievement and that student achievement should be measured through standardized tests
(Stecher, Hamilton and Gonzalez, 2003). In theory, test-based accountability inspires educators
to feel personal and collective responsibility for how much students learn. Supporters of test
based accountability point to successful private-sector management practices as a model for
schools and argue that “student achievement will improve when educators are judged in terms of
student performance” and when these “judgments carry some consequences for educators” (p. 3).
However, our research provides a different picture. Rather than fostering increased focus and
commitment to improving student achievement and to higher quality teaching, test-based
accountability in the schools we studied is undermining these important goals. Specifically, the
press of accountability has at least three unintended and negative consequences. It is putting
intense pressures on educators and fostering an environment of fear in many schools, it has
resulted in the search for and use of loopholes for navigating accountability, and it has led many
educators to view students a liabilities. Each of these consequences is delineated below.
The Press of Accountability

The pressure of accountability in Texas high schools was readily apparent in every interview. In each of the high schools studied, accountability placed pressure on teachers and administrators to increase test scores and ratings. A math teacher, with almost 20 years of experience teaching in Carver and King high schools, described the pressure on teachers. He related, “Unfortunately, [accountability] puts the pressure on the teachers. We are in a tough situation as teachers. If you are low-performing, you lose your job.” A teacher, with 20 years of experience at Douglas and Lincoln, also described the pressure on teachers and students.

A lot of students say to me…these tests are making me just not want to be here. These tests are making me just want to give up. And then throw the pressure in on top of that.

The principal says, “If our scores don’t go up, I’m going to be fired. And if I’m going to be fired, you’re going to pay for that.” And the teachers say, “if these scores don’t go up, we’re going to get fired.”

The principal at Edgeview described the impact of at will employment on school leaders (Rothstein, Knapp and Liebman (1987) related that “at will” employment in U.S. case law is any hiring where the employer is free to discharge individuals “for good cause, or bad cause, or no cause at all”). She related, “All of us are on at will contracts. So if we – we can be let go at the end of the year. And its – it’s a lot of pressure, and its – its not even subtle pressure. Its just hard pressure put on you to get those scores up.”

The pressure of job loss was also underscored during fieldwork at Camino high school. The visit coincided with the announcement from TEA that the high school was under threat of school reconstitution due to the Adequate Yearly Progress (AYP) results of students in the school. The principal provided the research team access to five hour-long conversations that the
principal convened with faculty from each department. Essentially, the principal told the teachers assembled in her conference room that she was serious about replacing staff if high-stakes test scores results did not improve. During her interview, the principal related that the threat of reconstitution and the pressure of accountability had necessitated these ominous conversations.

**Seeking and Using Loopholes**

Although the theory of action for test-based accountability holds that the pressure on educators associated with accountability would increase positive student outcomes such as test scores, lower dropout rates and higher graduation rates, other unintended outcomes are common. To investigate the nature and prevalence of such unintended outcomes, we asked school staff at urban, suburban and rural schools in Texas to discuss how the pressure of accountability has led to organizational behavior that the proponents of accountability may not have originally envisioned. School administrators, staff and teachers revealed that they have sought loopholes to mediate the risk associated with accountability. The testing coordinator at Edgeview high school related,

> I think each year we get a new set of regs, and we try and figure out how is the best way to use it to our advantage… I mean, the game changes…it’s…like any – like a game that has a set of instructions. And everybody gets the same set of instructions, and everybody follows the same set of instructions… If you’re really savvy, and if you’re really into everything as a principal you may see a problem… you may give your campus an advantage that another campus doesn’t have.

Edgeview’s testing coordinator suggested that staff in other Brazos City high schools studied the details of accountability to take advantage of loopholes. She revealed that Fine Oak, a peer high school in Brazos City, had dramatically raised their test scores by not allowing students that had
failed ninth grade core courses to test on the high school exit exams. When the scores came out each year, Edgeview’s staff was bewildered about how their peer high school had continued to dramatically increase their exit test scores until in the Brazos City high schools gathered at the district’s central administration building to discuss strategies to raise test scores. Fine Oak shared their “waiver” policy that systematically excluded at-risk students from exit testing. Edgeview’s testing coordinator related, “Why did we have to wait two years to find out Fine Oak was doing it [excluding students from exit testing]? … Fine Oak’s [test scores] were up here, and I kept saying, “How the hell is that possible? Their kids aren’t any different than ours are.” The testing coordinator suggested that Brazos City high school staff viewed excluding students from exit testing to manage the pressure and risk associated with accountability ratings as a rationale choice when faced with the policy constraints. The vice principal at Clearbend high school echoed the approach that Brazos City high schools have taken towards accountability.

It’s human nature to… look at your game plan and to look at the rules of the game... You know, and to say that using a loophole is not right or is a bad thing to do, I don’t necessarily agree with, because it could be a good thing. It depends on the loophole… schools, yes, are under pressure to look for creative ways to be successful, okay, that’s obvious.

A conversation with a Clearbend senior revealed how loopholes were utilized at the high school. A Latina student related that her brother was suspended for truancy by a Brazos City middle school. The student’s mother asked her to stay home to ensure that the sibling avoided trouble during his school suspension. She explained that she was having a difficult time passing the Texas Exit examinations and that missing a week or more of school was going to be an issue for her academically. Yet, she wanted to assist her working mother with her brother’s
disciplinary situation and stayed home with the sibling during his suspension. She related that a few weeks later a letter arrived from Clearbend high school. In this letter, the school detailed that she was going to be ticketed, fined and sent to court for her absences. Notably, Clearbend offered her another option—she could skip the ticket and fine by signing and returning an enclosed form to officially dropout of school.

In this same conversation, the student mentioned that Clearbend would allow students to make-up failed courses through “service” credits. These service credits were determined by the school and were earned by weekend remediation activities. By completing these service credits, her friend skipped from the 10th grade into the 12th grade. Unfortunately, she also skipped over the Texas exit testing. Her friend was classified as a senior, but she could not graduate because she never tested or passed the exit exams, which are required for graduation in Texas (A quantitative analysis of the large-scale exclusion of low-performing students in Brazos City School District testing is also detailed in Vasquez Heilig and Darling-Hammond, 2008).

At-Risk Students as Liabilities

School administrators revealed why many Texas high schools have sought to marginalize low-performing and at-risk students. It seems that the risk associated with job loss and public embarrassment for leaders whose schools do not perform as expected under the Texas’s present accountability system—currently underpinned by the Texas Assessment of Knowledge and Skills (TAKS) test—has resulted in the identification of at risk students as liabilities. The principal of Edgeview high school provided an illustrative quote:

There is no incentive to keep low-performing students…because a lot of pressure is put on by all the administration in this district. For instance, I was told by my immediate superior, “I don’t care what other good things you’re doing, the only thing that matters is
how your kids do on the TAKS test. That is all that matters. That’s all the public cares about. That’s all that Brazos City cares about…”

An apparent dilemma of accountability emerges. One the one hand, the disaggregation of test score data is intended to encourage technical assistance for at-risk youth. While disaggregated data is supposed to be used to design technical interventions, interviews revealed that urban, rural and small city high schools serving majorities of at-risk students in Texas have also used data to assess their exposure to risk and to make decisions concerning the exclusion of students based on whether they were likely to exhibit low test scores. A counselor at Edgeview related,

Schools were [not allowing transfers] just before the time for the standardized tests—because they didn’t want students to come in. They might be students that were low-performing [and] would affect our scores…when we tested for TAKS last week, there were students that needed to enroll. The test coordinator emailed me with the principal’s sanction to let me know that we weren’t going to enroll until after the 28th…we were allowed to ask those students to not enroll until the 28th. That means they did not take that test.

The vice principal at Clearbend high school echoed that schools see no benefit, whether they be exemplary or low-performing, in enrolling at-risk students. He stated:

I don’t think that schools that are blue ribbon schools in the state of Texas or that are exemplary schools necessarily will take students like we have at Clearbend…I’ve heard stories of schools in our district that turn our kids away. They find a way. They find a way, and that’s wrong. That’s morally wrong, but they get away with it…and it starts at the top.
Similarly, the vice principal at Edgeview identified that risk associated with students' low test scores adversely affected, in particular, the enrollment of mobile students and the recovery of dropouts. Many high schools were not willing to enroll students that they deemed to be at-risk and low-performing due the potential impact of such students on their school’s test scores.

I encountered a student just a week ago, and he is 16 years old, this is his first year in the 9th grade. His chances of graduating are slim. … Most of the 9th grade kids are like this, he is going to give up by the time, if he does not make it to the 10th grade, he is going to be 17 years old and he is going to be a dropout…

No school is going to want to take him. They are not going to want him. He is going to screw up their test scores…There are no incentives [to keep him in school]… These kids move from school to school and then dropout. Would you go to school and be 17 or 18 in the 9th grade and sit with 15-year-olds? There is something like 60% or 70% of our 9th graders [who] are 16 years old.

The principal at Edgeview shared that enrolling at-risk students was in direct competition with the incentives set up by the accountability system. Educators, he explained, had to ponder the risks involved for their school when enrolling low-performing students under the press of accountability. For most educators, this is in direct opposition to their belief in the importance of educating all students.

There are all these kids [in dropout recovery program] that are going to struggle on the TAKS. That's going to pull our scores way down. [But] what I want is to get those kids to march across that stage. But, you know, it’s going to make us not look that good. We may be on everybody's list of low-performing or whatever… Are we about looking good in the newspaper? Are we about really, really teaching kids and saving kids and bringing
them in and helping them to achieve?

One of the more surprising examples of a high school’s management of the liability of at-risk students was revealed in a Tierra high school teacher focus group. Focus group members revealed that their principal had used school TAKS test data and returned mail to identify low-performing Latina/o students in the school and then to accuse them of being illegal aliens. He called a meeting of the students and threatened to report them to US immigration authorities regardless of whether they were actually illegal aliens or not with the intention of encouraging their departure. Understandably, Tierra teachers were very hesitant to discuss the details of this meeting. A teacher described the situation,

The administration threatened the kids... I thought that was really [expletive]. If they reported an address that they did not live at and they got back the letter, the school would drop them and they would call immigration. What kind of an effect do you think that has on kids?... It was coercion— it was a threat. And I see it that way, and I found it, I mean it offended me. I spoke to our principal about it. He justified it completely, he did.

When asked, administrators and staff tended to attribute at-risk students’ lack of exit test scores and increased risk of dropping out to characteristics of high school. The principal at Edgeview underscored the obstacles created by high schools in response to high-stakes testing and accountability.

I think that the kids are being forced out of school. I think that what has happened at Fine Oaks is what happens at many schools. I had a kid who came here from Fine Oaks High School and said, “Miss, if I come here could I ever take the TAKS?” And I said, “What do you mean, if you come here you must take the TAKS.” And he said, “Well, every time I think I’m going to take the TAKS, they either say, ‘You don’t have to come to
school tomorrow, or you don’t have to [take the test]’…we’re told different things.”
That’s when kids drop out. . . when you never give them a chance… I think we’ve done a
lot to force kids out of school… When you talk the company talk, you forget what
honesty is. And my fear is that…we’ve forgotten what honesty is. I think that what has
happened is that we’ve gotten all caught up in [TEA accountability] that we don’t know
what honesty is anymore… And I think that we’ve gotten so caught up…that we’ve lost
sight of what is the essence of what we should be doing. And that is truly educating all
these kids…

This principal provided a rich description of the ethical dilemmas associated with
accountability— such as deciding between potential school closure or forcing at-risk and low-
performing students out of school in order to improve test scores and accountability ratings.
Such searches for loopholes to foster short-term gains, rather than investments of time and
resources on longer-term substantive educational changes, are a direct result of the environment
of fear created by accountability, an environment in which students are viewed as either assets or
liabilities and where flawed understandings of what is truly at risk thrive.

Discussion

Economic turmoil in the US and beyond has been tied to private sector risk practices
gone awry. For example, during the mortgage boom, risk management formulas determined how
many mortgages could be generated and how quickly they could be bundled into securities and
sold to another financial institution (Wyman, 2008). To generate short-term profit and bonuses,
firms moved from the bounds of standard banking practice and worked to generate more
mortgages and increase earnings. These mortgage lenders, working within a competitive
environment, deemed the greatest risk to be the loss of market share to other companies.
Unfortunately, the real risk was an impending economic downturn that would deplete home values, making many mortgage loans worthless. Clearly, the financial industry was operating from risk assessments that were based on faulty notions of what was truly at risk.

In our research, we explored whether a similar flawed notion of risk might be operating in K-12 education. As explained in an earlier section of this paper, research on risk management describes how organizations have come to think to think of, reform and govern themselves through the vague but powerful notion of risk (Erickson and Leslie, 2008). Given this understanding, we explored the affect of risk management on the behaviors of educational personnel, particularly those working with at risk students, within the context of accountability policy. We found that schools in Texas had turned to risk management strategies in response to the accountability requirements of No Child Left Behind. We also found that the adoption of risk management systems has had several unintended and negative consequences, including the development of an environment of fear for educators in many schools, the search for and use of loopholes to foster short term gains, the definition of students as either assets or liabilities, and the development of faulty notions of what is truly at risk.

Fear, insecurity, and concern are seen more and more frequently in the discourse surrounding public education and accountability (Young and Brewer, 2008). Put simply, an uncertainty has developed around the “core technology” of education, questions have been raised about whether educators know what they are doing and systems have been put in place to embed organizational routines that manage risk (Power, 2007). Many educators feel as if their work has changed dramatically, from a focus on curriculum and instruction to one on assessment and intervention. Furthermore, the intense focus on test results and how those results are used and shared with the public has left many feeling disillusioned, anxious and uncertain. As one teacher
stated “I don’t care what other good things you’re doing, the only thing that matters is how your kids do on the TAKS test. That is all that matters. That’s all the public cares about.” Although working under such pressure is unfortunate for teachers, the outcomes, as we have demonstrated in this paper, for students are of greater concern. In our research we found that fear, fostered by the press of accountability, has led to at-risk student aversion. To make matters worse, for many educators, the exclusion of at-risk students from school appeared to be a rational response, given the goals, pressures and constraints they faced.

The exclusion of at-risk students from school in order to manage impressions regarding the effectiveness of a teacher or an entire school demonstrates a bias toward short-term rather than long-range solutions. This is not uncommon risk management behavior. Indeed, pro-active firms in market driven environments utilize risk management tools to identify potential threats and determine how to manage those risks to exceed the performance of competitors in their current environment (Beasley et al., 2008). Thus, there is a bias towards positive short-term outcomes, which may be leading educators to emphasize the benefits of excluding student rather than the risks of an action (Flybjerg, 2006). Returning to the process of risk management detailed in figure I, the NCLB accountability environment has operationalized the objectives of schools serving majorities of at-risk students by integrating standardized testing into formulas such as accountability ratings and AYP. There appear to be tangible benefits for Texas high schools to systematically enact procedures that minimize certain risks, such as school closure, in an environment of high-stake testing and accountability by modifying the student management process and utilizing clear strategies that reduce a school’s overall risk profile (Bowling and Rieger, 2005).

Considering Williams and Heins’ (1989) risk management framework, the high schools
included in this study, which served a majority of at-risk students, exhibited classic risk
management behaviors. Educational personnel measured exposure to risk through the analysis of
test score data and based on their results they made decisions about how to minimize risk for the
school, which involved excluding low-scoring at-risk students, a behavior we have labeled at-
risk student averse practice. School leaders and their staff managed their exposure to loss by
investing in the education of students that had a positive material impact on the NCLB-defined
objectives—better test scores and ratings. As evidenced by the interviews in the urban, small
city and rural high schools, the pressure of accountability stirred school leaders to view high
achieving students as assets and at-risk students as liabilities in the pursuit of testing and
accountability goals. In an effort to increase assets and decrease liabilities, a number of
administrators actively sought loopholes in accountability requirements that would enable them
to exclude low performing students. As noted by the testing coordinator at Edgeview, as student
demographics change, so do the policies that high schools implement to manage and measure
risk. She posited that “savvy” schools would develop management procedures that are constantly
monitored and updated to meet the changing rules and interpretation of accountability. Although
some administrators described this risk management behavior as “human nature,” others viewed
these gaming responses as an attack on the honesty of the profession.

What is notable about the at-risk student aversion described in this paper is that staff in a
majority (8 of 11) of the urban, suburban and rural Texas high schools reported activities in
response to high-stakes testing and accountability that mirror private-sector risk management
processes. More than two-thirds of all school administrators and staff provided confirming
examples of schools eliminating ‘accountable kids’ (i.e., those who would likely bring down the
school accountability ratings due to low test scores) in response to the current accountability
system. Although many educators seemed saddened that patterns of at-risk student aversion had flourished in their schools, few questioned if whether schools had accurately identified what was truly at risk in these schools. The at-risk student aversion techniques documented here (i.e. seeking loopholes, denying enrollment to low-scoring students, threatening Latina/o students with deportation) appear to conflict with the traditional task of these Texas high schools—educating and graduating at-risk students.

Yet, audits by TEA and careful empirical scrutiny of individual-level district data throughout the more than fifteen years of accountability reveal a lack of student progress and low graduation rates for large numbers of at-risk students in Texas (Peabody, 2003; Vasquez Heilig and Nichols, 2011). Recognizing problems in the data, TEA has modified the PEIMS data system codes that identify student leaving from Texas schools over the past 15 years (author). Furthermore, in 2005, Texas began to use the National Center for Education Statistics (NCES) dropout definition for leaver reporting. When the new standard was phased in, the yearly dropout count instantly tripled for Latina/os and quadrupled for African Americans (author). Clearly, Latina/os and African Americans had been over-represented in the underreporting of yearly dropouts.

The Intercultural Development Research Association (IDRA) has argued that adopting the NCES national dropout definition for Texas has provided a more accurate, yet still understated representation of the magnitude of the dropout problem in Texas (Johnson, 2008). More than two decades of IDRA’s annual analysis of PEIMS high school attrition data suggest that TEA has consistently and severely undercounted student leaving in publicly reported dropout and graduation rates. For example, while IDRA found the overall student attrition rate of 33% to be the same in 2007–2008 as it was more than two decades ago (Johnson, 2008), TEA
reported that annual dropout rates had declined from 5% to 1% and longitudinal cohort dropout rates that declined from about 35% to around 5% over the same time frame (author). IDRA also posited that the high school attrition rates for Latina/o and African American students accounted for more than two thirds of the estimated 2.8 million students lost from Texas public high school enrollment since the 1980s (Johnson, 2008).

Thus, two important question arise: are the costs of high-stakes accountability greater than the benefits, and are at-risk students best served by high schools enacting risk management processes similar to those utilized in the private sector? For schools involved in our work, the costs of high-stakes accountability are clearly greater for at-risk students. It is important to point out that the purpose of a public school is not to produce a snapshot test score, or a school rating, or a gold star for a principal or superintendent, but to educate children. Thus, any operationalization of student outcomes should foster that collective goal as a public good, rather than fomenting an environment in which students are viewed as either assets or liabilities. The reliance on standardized accountability indicators based on arbitrary thresholds reduces the capacity of creative schools and educators to act in complex, flexible ways, ways that are essential to running a stable, yet nimble public enterprise, and for educating children.

**Conclusion**

United States educators are not alone— tests and accountability are intercontinental policies. England, in fact, was one of the first countries to enact a test-based accountability system, beginning in the late 1980s. Its high-stakes accountability system could be considered most similar to NCLB in the United States. The English system utilized a combination of national testing, curriculum, inspection, and school choice policies (Rustique-Forrester, 2005). With the exclusion of the original English system, most international accountability systems,
such as MySchool in Australia, do not have entrenched sanctions attached to testing and other school related information. Rather the vast majority of international accountability systems are conduits to “learn” about local schools. Countries in Asia and Europe— such as France, Hong Kong, China, Japan, Korea— have used national assessments to measure student and school progress and to make decisions about each (Anderson, 2005). In South America, Chilean laws have required schools to produce test results for increased funding (García-Huidobro and Bellei, 2006). A few countries in the Middle East and North Africa, such as Jordan and Tunisia, have recently implemented low-stakes tests, incentives, and accountability measures (Shafiq, 2011), while Israel has contemplated revisions to national education indicators (Justman and Bukobza, 2010).

The creators of Texas’ system of accountability originally envisioned the policy as an information exchange very similar to accountability systems that exist in practice in countries around the world. However, the evolution of Texas testing and accountability under successive gubernatorial administrations has fomented disillusionment amongst many former supporters of accountability (see for example Ravitch, 2010). When asked about the current state of Texas’ educational accountability system, Lt. Governor Bill Ratliff (personal communication, November 14, 2007) shared several disconcerting issues related to its evolution.

[Accountability] is so complicated. Back at the time we initiated it, we wanted a simple report card to the public as to what each school is doing. Well, if you tell a parent, “Here’s our accountability system on the school that your child goes to,” the parent looks at that mess….You have 36 different factors that a school district

7 For more information about the Australian system go to http://www.myschool.edu.au/
is rated on. And if they fall down on one, then they get classified as a poor school
district. The system has just kind of gone berserk…I’m concerned that this animal
that I helped create is turned around and devouring us, and in particular devouring
our students and our teachers…

The problem with the system as it has morphed today is that…there are proposals
to use the system to punish teachers, to punish school districts, to deny the school
districts funding, to fire teachers if their students are not making certain grades on
the test, to punish students…The stakes now are so high that you have teachers
that are under enormous pressure….It’s what brings on the accusation of teaching
to the test because the stakes have gotten so high that there’s the sort of
irresistible temptation to do those kinds of things in order to survive.

We concur with Lt. Governor Ratliff and posit that teachers and leaders are victims of a
broken system, responding to high-stakes testing and accountability in ways that under other
circumstances they wouldn’t do, and under the current circumstances, are often rather
uncomfortable doing. The research described in this paper and the departure from the creators’
original intent of accountability raises many questions about the test-driven educational policy
espoused by NCLB.

We, of course, do not believe that any human or organizational theory is ubiquitous and
predicts behavior in all situations or contexts. The purpose of our work is not to be tendentious,
instead our analysis provides a counter-conceptual narrative to the numerous accounts that
already exist in the literature and popular media purporting that high-stakes testing and
accountability has had spectacular success in U.S. schools without causing disconcerting
unintended consequences. For future research, of interest is the external validity of the current findings beyond the eleven urban, small city and rural Texas high schools visited in this study. For example, do high schools serving at-risk students in other states where accountability is a fairly recent policy prescription exhibit similar responses to Texas schools where the pressure of high-stakes testing and accountability has been institutionalized over the past 15 years? Would these types of responses occur in other countries if current accountability systems segue from information systems for the public to test-based accountability systems undergirded by high-stakes exams and sanctions? There is existing evidence in the literature that the gaming and exclusion practices identified in this paper already occurred in the midst of England’s test-driven accountability policy (Rustique-Forrester, 2005). Future research in heterogeneous contexts over time will begin to shed light on these questions.

The 2002 reauthorization of the Elementary and Secondary Education Act (NCLB) was hailed by many as a milestone for civil rights for poor and ethnic/racial minority students in the United States. In theory, accountability should spur high schools to increase education output for all students, especially low-performing students who have been historically underserved by U.S. schools. Conversely, voices from Texas high schools that have experienced test-driven accountability for more than 15 years have revealed that the majority of the high schools included in this study have responded to Texas-style test-based accountability as would be expected from an accounting and risk management paradigm. The long-term implications of high school’s at-risk student aversion will be dire, both for the U.S. schools and the students they serve. Considering the précis of research presented here examining the current U.S. form of test-based accountability, incentivizing the exclusion of students from high schools is not in the best interest of world societies and is an American export best left on the shelf.
The authors thank Roberta Rincon, Suyun Kim, Kori Stroub and Linda McNeil for their feedback and assistance with the work.

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*Figure 1. Process of risk management (adapted from Williams and Heins, 1989)*
Table I

Respondent High Schools’ State Accountability Ratings (2005-2010)

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Table II

**Respondent High Schools’ Federal Adequate Yearly Progress Ratings (2005-2010)**

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Table III

**Summary of qualitative interviews by Texas high schools**

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