

The Texas Education Agency (TEA) adopts an amendment to §97.1001, concerning the accountability rating system. The amendment is adopted with changes to the proposed text as published in the February 23, 2024 issue of the *Texas Register* (49 TexReg 951) and will be republished. The amendment adopts in rule applicable excerpts of the *2024 Accountability Manual*.

REASONED JUSTIFICATION: TEA has adopted its academic accountability manual in rule since 2000 under §97.1001. The accountability system evolves from year to year, so the criteria and standards for rating and acknowledging schools in the most current year differ to some degree from those applied in the prior year.

The adopted amendment to §97.1001 adopts excerpts of the *2024 Accountability Manual* into rule as a figure. The excerpts, Chapters 1-12 of the *2024 Accountability Manual*, specify the indicators, standards, and procedures used by the commissioner to determine accountability ratings for districts, campuses, and charter schools. These chapters also specify indicators, standards, and procedures used to determine distinction designations on additional indicators for Texas public school campuses and districts. Chapter 12 describes the specific criteria and calculations that will be used to assign 2024 Results Driven Accountability (RDA) performance levels. Ratings may be revised as a result of investigative activities by the commissioner as authorized under Texas Education Code (TEC), §39.056 and §39.003.

Following is a chapter-by-chapter summary of the changes for this year's manual. In every chapter, dates and years for which data are considered were updated to align with 2024 accountability and RDA. Edits for clarity regarding consistent language and terminology throughout each chapter are embedded within the proposed *2024 Accountability Manual*.

Chapter 1 gives an overview of the entire accountability system. Dates and years for which data are considered are updated. Edits for clarity regarding consistent language and terminology have been added. Language is adjusted to clarify the existing processes and implications of data compliance reviews and special investigations related to data concerns. Detailed language has been added to clarify compliance reviews, results, and special investigations.

Chapter 2 describes the "Student Achievement" domain. Dates and years for which data are considered have been updated. Edits for clarity regarding consistent language and terminology have been added. Detailed language on the phase-in timeline for approved industry-based certifications (IBCs) and their aligned programs of study have been added. The updated IBC list revision cycle timeline has been added. Detailed language clarifying the expectations and future process for approving college prep courses has been added. Detailed language regarding the purpose and requirements of individual graduation committees has been added. Language describing the Military Enlistment Data Collection process was added. Language describing the alignment of college, career, and military readiness to the Texas Success Initiative Assessment exemption criteria benchmarks for ACT has been added. In response to public comment, Chapter 2 was modified at adoption to add clarity regarding how student demographic data is used in Test Information Distribution Engine (TIDE) to identify emergent bilingual (EB) students/English learners (ELs). Also in response to public comment, Chapter 2 was modified at adoption to include the definition of EL Performance Measures and to clarify when EL Performance Measures are used.

Chapter 3 describes the "School Progress" domain. Dates and years for which data are considered have been updated. Edits for clarity regarding consistent language and terminology have been added. In response to public comment, Chapter 3 was modified at adoption to add clarity regarding how the State of Texas Assessments of Academic Readiness (STAAR®) Spanish to STAAR® would be used for growth. Also in response to public comment, Chapter 3 was modified at adoption to add clarity regarding how student demographic data is used in TIDE to identify EB students/ELs and to clarify when EL Performance Measures are used.

Chapter 4 describes the "Closing the Gaps" domain. Dates and years for which data are considered have been updated. Edits for clarity regarding consistent language and terminology have been added. The language for methodology for English language proficiency has been updated. In response to public comment, Chapter 4 was modified at adoption to add clarity regarding how student demographic data is used in TIDE to identify EB students/ELs and to clarify when EL Performance Measures are used.

Chapter 5 describes how the overall ratings are calculated. Dates and years for which data are considered have been updated. Edits for clarity regarding consistent language and terminology have been added.

Chapter 6 describes distinction designations. Dates and years for which data are considered have been updated. Edits for clarity regarding consistent language and terminology have been added.

Chapter 7 describes the pairing process and the alternative education accountability (AEA) provisions. Dates and years for which data are considered have been updated. Edits for clarity regarding consistent language and terminology have been added.

Chapter 8 describes the process for appealing ratings. Dates and years for which data are considered have been updated. Edits for clarity regarding consistent language and terminology have been added.

Chapter 9 describes the responsibilities of TEA, the responsibilities of school districts and open-enrollment charter schools, and the consequences to school districts and open-enrollment charter schools related to accountability and interventions. Dates and years for which data are considered have been updated. Edits for clarity regarding consistent language and terminology have been added. In response to public comment, Chapter 9 was modified at adoption to reflect that the PEG list becomes final when final ratings are released.

Chapter 10 provides information on the federally required identification of schools for improvement. Dates and years for which data are considered have been updated. Edits for clarity regarding consistent language and terminology have been added.

Chapter 11 describes the local accountability system. The changes to this chapter are restricted to updating date and year references. At adoption, dates and years for which data are considered have been updated and edits for clarity regarding consistent language and terminology have been added.

Chapter 12 describes the RDA system. Dates and years for which data are considered have been updated. Edits for clarity regarding consistent language and terminology have been added. Detailed language regarding the change of report only to performance level assignment indicators for Bilingual Education/ English as a Second Language/ Emergent Bilingual was added.

**SUMMARY OF COMMENTS AND AGENCY RESPONSES:** The public comment period on the proposal began February 23, 2024, and ended March 25, 2024, and included a public hearing on March 5, 2024. Following is a summary of public comments received and agency responses.

#### *Accelerated Testers*

**Comment:** Alief Independent School District (ISD) and two school administrators suggested that the accelerated testers' masters level standards are too high and that the ACT/SAT proficiency scores are not equivalent to high school coursework.

**Response:** The agency disagrees that the accelerated testers' masters level standards are too high, as they were first introduced in 2021 accountability using actual Texas statewide SAT results. TEA will continue to monitor accelerated testers' data for any necessary adjustments for future implementation into the next refresh of the A-F system.

**Comment:** A school administrator requested that the SAT cross-test for science be considered as an option for accelerated testers.

**Response:** The agency disagrees as policy changes are beyond the scope of the current rule proposal. TEA will continue to work with stakeholders to consider changes to accelerated testers' policy for future accountability refresh cycles.

#### *Advanced Math Pathways*

**Comment:** COMMIT, TX2036, and a parent commented that there is a lack of recognition of Algebra I in middle school, particularly considering Senate Bill (SB) 2124, 88th Texas Legislature, Regular Session, 2023, and urged the

agency to consider strategies to ensure legislative requirements are met and expand public reporting on relevant data points to support local decision-making.

Response: The agency agrees that research has shown the importance of access to advanced math pathways; however, the agency disagrees with making changes that are beyond the scope of the current rule proposal. TEA will continue to research and analyze alternatives, such as bonus points, for future implementation into the next refresh of the A-F system.

#### *Industry Based Certifications/ Programs of Study*

Comment: A school administrator suggested a need to review the complete methodology for special student populations, including students with special needs or non-English language backgrounds.

Response: The agency disagrees. Statute requires that program of study completion is included in college, career, and military readiness (CCMR). In addition, there continue to be multiple ways for students to demonstrate CCMR.

Comment: Two school administrators suggested that the agency amend the phase-in for how IBCs count for CCMR credit to align with the intent of House Bill 773, 87th Texas Legislature, Regular Session, 2021, which indicated that completion of a program of study would meet criteria for CCMR in and of itself as noted in TEC, §39.053(c)(1)(B).

Response: The agency disagrees that program of study completion and IBC attainment are as strong independently as indicators of a student's college or career readiness as they are when they are combined.

#### *CCMR Indicators*

Comment: Two school administrators, the College Board, and a teacher suggested adding College Level Examination Program (CLEP) tests as a stand-alone measure for CCMR, which would offer students another viable option to demonstrate readiness, potentially saving costs.

Response: The agency disagrees as policy changes are beyond the scope of the current rule proposal. TEA will continue to work with stakeholders to consider the CCMR indicators for future implementation into the next refresh of the A-F system.

Comment: COMMIT and TX2036 supported efforts to improve the rigor of CCMR criteria and requested tiering CCMR indicators within the system to prioritize metrics linked to greater postsecondary success.

Response: The agency agrees that some CCMR indicators are better aligned with postsecondary success or are more in demand than others. The agency studied this suggestion as part of the 2023 A-F Refresh stakeholder feedback process and has previously communicated that additional validity requirements based on supply and demand and wage data will continue to be researched for future implementation into the next refresh of the A-F system.

Comment: Two school administrators suggested that any future changes to CCMR guidelines should apply to future cohorts only and not apply to current or past cohorts, with accompanying financial assistance to help districts meet requirements.

Response: The agency agrees that future changes to CCMR guidelines should be provided with as much advance notice as possible. However, for CCMR to be an accurate and responsive measure of readiness for postsecondary success, some changes may not be able to be delayed four years for a new student cohort. TEA will continue to provide advance notice of changes related to the accountability system and work with stakeholders to model and monitor CCMR data for future accountability refresh cycles.

Comment: Two Texas parents commented that CCMR should offer options to take college preparatory classes in Grade 10 or 11.

Response: The agency disagrees. Chapter 2 of the *2024 Accountability Manual* includes language clarifying the statutory requirements for college preparatory courses.

### *Alternative Education Accountability (AEA)/ Dropout Recovery System (DRS)*

Comment: The Texas Public Charter Schools Association (TPCSA) commented in support of some of the changes in the 2024 proposed manual and requested that TEA model data from the class of 2024 to determine changes for 2025 regarding IBC and programs of study for dropout recovery schools.

Response: The agency agrees and will continue to convene stakeholders with expertise in dropout recovery schools and model and monitor data for future years of accountability.

Comment: TPCSA commented that AEA/DRS should be recognized with their own system for distinction designations and badges.

Response: The agency disagrees as such changes are beyond the scope of the current rule proposal. The agency will continue to convene stakeholders with expertise in DRS, and TEA will explore adding AEA/DRS distinctions for future implementation into the next refresh of the A-F system.

Comment: A school administrator suggested that an attrition rate methodology be considered for DRS/AEAs.

Response: The agency disagrees as such changes are beyond the scope of the current rule proposal. TEA will explore such a change for the next A-F accountability refresh.

### *Academic Growth*

Comment: A school administrator commented that the transition table for academic growth needs to be different for students testing in different languages (English and Spanish) each year.

Response: The agency disagrees. One of the benefits of moving to a transition table model is the inclusion of more students in the growth calculation. This includes students moving from English to Spanish in the case that they take these assessments for the first time in the same year.

### *Domain III Scoring Methodology*

Comment: Waskom ISD and a school administrator suggested a revision to the calculation methodology for Domain 3's 2-point value to utilize only the 3-point target (current interim) rather than the next interim.

Response: The agency disagrees as changes to the methodology are beyond the scope of the current proposal. TEA will continue to work with stakeholders to model and monitor Domain 3 methodology changes for future implementation into the next refresh of the A-F system.

### *TELPAS Methodology*

Comment: A Texas school administrator, TPCSA, and an individual agreed with the proposed manual keeping the 2023 Texas English Language Proficiency Assessment System (TELPAS) growth methodology, which uses domain scores and not composite scores.

Response: The agency agrees with maintaining the 2023 TELPAS growth methodology.

Comment: Alief ISD commented that the TELPAS standards do not account for students from different backgrounds.

Response: The agency disagrees with setting different cut points for students from different backgrounds. TEA will continue to work with stakeholders and monitor any disproportionate impact of TELPAS standards.

Comment: A school administrator commented that if TELPAS composite methodology is used for 2025 accountability, scores should not be rounded.

Response: The agency agrees to model the TELPAS composite methodology data for the 2025 accountability cycle.

#### *Identification of Schools in Improvement*

Comment: A Texas school administrator suggested that new campuses either be excluded from being identified as a comprehensive support campus for the first year upon opening or be paired with an existing campus, or that a new methodology be developed that would allow for more opportunities to earn a score of 1 or 2 for approaching the 3-point target in year one.

Response: The agency disagrees. Identifications must include the schools in the bottom 5% of Title I campuses for comprehensive support and improvement (CSI). TEA will continue to work with stakeholders to model and monitor CSI identification data for future accountability refresh cycles.

Comment: A Texas school administrator and Lead4ward recommended not publishing the Public Education Grant (PEG) list until the final accountability ratings are released.

Response: The agency agrees that clarification is needed regarding publishing the final PEG list. At adoption, language has been adjusted to add clarity in Chapter 9 of the manual.

#### *3 D's and 3 F's Requirement*

Comment: Two Texas school administrators suggested that the three Fs and three Ds requirement should be removed from the *2024 Accountability Manual*, specifically from Chapter 5 regarding calculating ratings.

Response: The agency disagrees. The D and F requirement is aligned with the redefinition of acceptable and unacceptable performance in SB 1365, 87th Texas Legislature, Regular Session, 2021. TEA will continue to work with stakeholders to consider policy implementation for future accountability refresh cycles.

#### *District/Campus Ratings*

Comment: A Texas school administrator suggested that the requirement capping the overall district rating or domain rating at 89 if a single campus receives a score below 70 should be removed.

Response: The agency disagrees. A district may not receive an overall or domain performance rating of A if the district includes any campus with a corresponding overall or domain performance rating of D or F per TEC, §39.054. TEA will continue to work with stakeholders to consider policy implementation for future accountability refresh cycles.

Comment: A Texas school administrator proposed that district ratings should acknowledge each campus's strengths, whether it's in Domain I, Domain II-A, or Domain II-B, rather than adhering strictly to the methodology outlined in the *2023 Accountability Manual*.

Response: The agency disagrees as the district proportional weight methodology is intentionally aligned with campus results.

Comment: A school administrator suggested that a new formula is needed to identify campus types throughout the A-F accountability system.

Response: The agency disagrees with setting new cut points for different campus types as such changes are beyond the scope of the current rule proposal. TEA will continue to monitor any disproportionate impact to different campus types.

#### *Accountability Manual Release*

Comment: TPCSA commented in support of TEA's efforts to release the *2024 Accountability Manual* for public comment earlier in the year but suggested that a preliminary or near-final accountability manual be released by October of the school year to allow schools to better monitor progress against established requirements.

Response: This comment is outside the scope of the proposed rulemaking. However, for future updates to the system, TEA will continue to work with stakeholders to explore the communication timelines.

Comment: Lead4ward and a school administrator suggested publishing the appendices with the proposed accountability manual.

Response: The agency disagrees as the proposed accountability manual has already been published. The appendices will be published as soon as it is feasible after the adoption of the new manual.

#### *Various Edits for Clarification*

Comment: A Texas school administrator suggested clarification on page 26 of the manual that State of Texas Assessments of Academic Readiness (STAAR®) Spanish to STAAR® would be used for growth, potentially within the third bullet point for clarity.

Response: The agency agrees and has made a change at adoption to add clarity on page 26 of the manual that STAAR® Spanish to STAAR® would be used for growth.

Comment: A Texas school administrator suggested that clarity should be added on page 32 regarding who qualifies as a retester and specify which end-of-course exams are used for AEA Retest Growth.

Response: The agency disagrees and has determined that the proposed language presents the clearest descriptions. In addition, maintaining language as proposed will ensure that the agency does not signal a change to methodology where there is not a change.

Comment: A Texas school administrator suggested that definitions of how dropout rates are calculated, particularly in the sections addressing dropouts and previous dropouts, should be clearly defined to prevent misconceptions.

Response: The agency disagrees and has determined that the proposed language presents the clearest descriptions. TEA will consider the language for future accountability refresh cycles.

Comment: Lead4ward and a school administrator suggested simplifying EB students/ELs to a simpler term.

Response: The agency disagrees and has determined that the proposed language presents the clearest terms used that align to additional content in the manual. TEA will consider the language for future accountability refresh cycles.

Comment: Lead4ward and a school administrator suggested clarifying how student demographic data is used in TIDE to identify EB students.

Response: The agency agrees and has made a change at adoption to clarify how student demographic data is used in TIDE to identify EB students.

Comment: Lead4ward and a school administrator suggested including the definition of EL Performance Measures.

Response: The agency agrees and has made a change at adoption to clarify the definition of EL Performance Measures in Chapter 2.

Comment: Lead4ward and a school administrator suggested clarifying when EL Performance Measures are used.

Response: The agency agrees and has made a change at adoption to clarify when EL Performance Measures are used in Chapters 2, 3, and 4.

Comment: Lead4ward and a school administrator suggested including the inclusion/exclusion of EB students in various indicators and domains.

Response: The agency disagrees as the definitions are summarized in Appendix H where the criteria is listed.

Comment: A Texas school administrator requested additional percentages be added to a chart used for the identification of targeted support campuses in Chapter 10.

Response: The agency disagrees and has determined that the proposed language presents the clearest descriptions. In addition, maintaining language as proposed will ensure that the agency does not signal a change to methodology where there is not a change.

Comment: A Texas school administrator highlighted a need for clarity regarding the use of scaled scores, particularly concerning whether the goal for improvement consequences involves achieving a full letter grade increase or a specific increase in the scale score, such as from 40 to 50.

Response: The agency disagrees and has determined that the proposed language presents the clearest descriptions. In addition, maintaining language as proposed will ensure that the agency does not signal a change to methodology where there is not a change.

Comment: A Texas school administrator requested clarification of the exit criteria for comprehensive campuses in Chapter 10.

Response: The agency disagrees and has determined that the proposed language presents the clearest descriptions. In addition, maintaining language as proposed will ensure that the agency does not signal a change to methodology where there is not a change.

Comment: Several administrators and Lead4ward commented on various typographical and grammatical errors throughout the manual and suggested changes that would provide clarity to the content.

Response: The agency agrees and has made various typographical and grammatical updates to the manual based on stakeholder feedback to provide clarity throughout the manual.

STATUTORY AUTHORITY. The amendment is adopted under Texas Education Code (TEC), §7.021(b)(1), which authorizes the Texas Education Agency (TEA) to administer and monitor compliance with education programs required by federal or state law, including federal funding and state funding for those programs; TEC, §7.028, which authorizes TEA to monitor as necessary to ensure school district and charter school compliance with federal law and regulations, financial integrity, and data integrity and authorizes the agency to monitor school district and charter schools through its investigative process. TEC, §7.028(a), authorizes TEA to monitor special education programs for compliance with state and federal laws; TEC, §12.056, which requires that a campus or program for which a charter is granted under TEC, Chapter 12, Subchapter C, is subject to any prohibition relating to the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with TEC, Chapter 12, Subchapter C, as determined by the commissioner; high school graduation under TEC, §28.025; special education programs under TEC, Chapter 29, Subchapter A; bilingual education under TEC, Chapter 29, Subchapter B; and public school accountability under TEC, Chapter 39, Subchapters B, C, D, F, and J, and Chapter 39A; TEC, §12.104, which states that a charter granted under TEC, Chapter 12, Subchapter D, is subject to a prohibition, restriction, or requirement, as applicable, imposed by TEC, Title 2, or a rule adopted under TEC, Title 2, relating to PEIMS to the extent necessary to monitor compliance with TEC, Chapter 12, Subchapter D, as determined by the commissioner; high school graduation requirements under TEC, §28.025; special education programs under TEC, Chapter 29, Subchapter A; bilingual education under TEC, Chapter 29, Subchapter B; discipline management practices or behavior management techniques under TEC, §37.0021; public school accountability under TEC, Chapter 39, Subchapters B, C, D, F, G, and J, and Chapter 39A; and intensive programs of instruction under TEC, §28.0213; TEC, §29.001, which authorizes TEA to effectively monitor all local educational agencies (LEAs) to ensure that rules relating to the delivery of services to children with disabilities are applied in a consistent and uniform manner, to ensure that LEAs are complying with those rules, and to ensure that specific reports filed by LEAs are accurate and complete; TEC, §29.0011(b), which authorizes TEA to meet the requirements under (1) 20

U.S.C. Section 1418(d) and its implementing regulations to collect and examine data to determine whether significant disproportionality based on race or ethnicity is occurring in the state and in the school districts and open-enrollment charter schools in the state with respect to the (a) identification of children as children with disabilities, including the identification of children as children with particular impairments; (b) placement of children with disabilities in particular educational settings; and (c) incidence, duration, and type of disciplinary actions taken against children with disabilities including suspensions or expulsions; or (2) 20 U.S.C. Section 1416(a)(3)(C) and its implementing regulations to address in the statewide plan the percentage of schools with disproportionate representation of racial and ethnic groups in special education and related services and in specific disability categories that results from inappropriate identification; TEC, §29.010(a), which authorizes TEA to adopt and implement a comprehensive system for monitoring LEA compliance with federal and state laws relating to special education, including ongoing analysis of LEA special education data; TEC, §29.062, which authorizes TEA to evaluate and monitor the effectiveness of LEA programs and apply sanctions concerning emergent bilingual students; TEC, §29.066, which authorizes PEIMS reporting requirements for school districts that are required to offer bilingual education or special language programs to include the following information in the district's PEIMS report: (1) demographic information, as determined by the commissioner, on students enrolled in district bilingual education or special language programs; (2) the number and percentage of students enrolled in each instructional model of a bilingual education or special language program offered by the district; and (3) the number and percentage of emergent bilingual students who do not receive specialized instruction; TEC, §29.081(e), (e-1), and (e-2), which define criteria for alternative education programs for students at risk of dropping out of school and subjects those campuses to the performance indicators and accountability standards adopted for alternative education programs; TEC, §29.201 and §29.202, which describe the Public Education Grant program and eligibility requirements; TEC, §39.003 and §39.004, which authorize the commissioner to adopt procedures relating to special investigations. TEC, §39.003(d), allows the commissioner to take appropriate action under Chapter 39A, to lower the district's accreditation status or the district's or campus's accountability rating based on the results of the special investigation; TEC, §39.051 and §39.052, which authorize the commissioner to determine criteria for accreditation statuses and to determine the accreditation status of each school district and open-enrollment charter school; TEC, §39.053, which authorizes the commissioner to adopt a set of indicators of the quality of learning and achievement and requires the commissioner to periodically review the indicators for consideration of appropriate revisions; TEC, §39.054, which requires the commissioner to adopt rules to evaluate school district and campus performance and to assign a performance rating; TEC, §39.0541, which authorizes the commissioner to adopt indicators and standards under TEC, Chapter 39, Subchapter C, at any time during a school year before the evaluation of a school district or campus; TEC, §39.0543, which describes acceptable and unacceptable performance as referenced in law; TEC, §39.0546, which requires the commissioner to assign a school district or campus a rating of "Not Rated" for the 2021-2022 school year, unless, after reviewing the district or campus under the methods and standards adopted under Section 39.054, the commissioner determines the district or campus should be assigned an overall performance rating of C or higher; TEC, §39.0548, which requires the commissioner to designate campuses that meet specific criteria as dropout recovery schools and to use specific indicators to evaluate them; TEC, §39.055, which prohibits the use of assessment results and other performance indicators of students in a residential facility in state accountability; TEC, §39.056, which authorizes the commissioner to adopt procedures relating to monitoring reviews and special investigations; TEC, §39.151, which provides a process for a school district or an open-enrollment charter school to challenge an academic or financial accountability rating; TEC, §39.201, which requires the commissioner to award distinction designations to a campus or district for outstanding performance; TEC, §39.2011, which makes open-enrollment charter schools and campuses that earn an acceptable rating eligible for distinction designations; TEC, §39.202 and §39.203, which authorize the commissioner to establish criteria for distinction designations for campuses and districts; TEC, §39A.001, which authorizes the commissioner to take any of the actions authorized by TEC, Chapter 39, Subchapter A, to the extent the commissioner determines necessary if a school does not satisfy the academic performance standards under TEC, §39.053 or §39.054, or based upon a special investigation; TEC, §39A.002, which authorizes the commissioner to take certain actions if a school district becomes subject to commissioner action under TEC, §39A.001; TEC, §39A.004, which authorizes the commissioner to appoint a board of managers to exercise the powers and duties of a school district's board of trustees if the district is subject to commissioner action under TEC, §39A.001, and has a current accreditation status of accredited-warned or accredited-probation; or fails to satisfy any standard under TEC, §39.054(e); or fails to satisfy any financial accountability standard; TEC, §39A.005, which authorizes the commissioner to revoke school accreditation if the district is subject to TEC, §39A.001, and for two consecutive school years has received an accreditation status of accredited-warned or accredited-probation, failed to satisfy any standard under TEC, §39.054(e), or failed to satisfy a financial performance standard; TEC, §39A.007, which authorizes the

commissioner to impose a sanction designed to improve high school completion rates if the district has failed to satisfy any standard under TEC, §39.054(e), due to high school completion rates; and TEC, §39A.051, which authorizes the commissioner to take action based on campus performance that is below any standard under TEC, §39.054(e).

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code, §§7.021(b)(1); 7.028; 12.056; 12.104; 29.001; 29.0011(b); 29.010(a); 29.062; 29.066; 29.081(e), (e-1), and (e-2); 29.201; 29.202; 39.003; 39.004; 39.051; 39.052; 39.053; 39.054; 39.0541; 39.0543; 39.0546; 39.0548; 39.055; 39.056; 39.151; 39.201; 39.2011; 39.202; 39.203; 39A.001; 39A.002; 39A.004; 39A.005; 39A.007; 39A.051; and 39A.063.

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### **§97.1001. Accountability Rating System.**

- (a) The rating standards established by the commissioner of education under Texas Education Code (TEC), §§39.052(a) and (b)(1)(A); 39.053, 39.054, 39.0541, 39.0548, 39.055, 39.151, 39.201, 39.2011, 39.202, 39.203, 29.081(e), (e-1), and (e-2), and 12.104(b)(2)(L), shall be used to evaluate the performance of districts, campuses, and charter schools. The indicators, standards, and procedures used to determine ratings will be annually published in official Texas Education Agency publications. These publications will be widely disseminated and cover the following:
  - (1) indicators, standards, and procedures used to determine district ratings;
  - (2) indicators, standards, and procedures used to determine campus ratings;
  - (3) indicators, standards, and procedures used to determine distinction designations; and
  - (4) procedures for submitting a rating appeal.
- (b) The procedures by which districts, campuses, and charter schools are rated and acknowledged for 2024 are based upon specific criteria and calculations, which are described in excerpted sections of the *2024 Accountability Manual* provided in this subsection.

Figure: 19 TAC §97.1001(b)
- (c) Ratings may be revised as a result of investigative activities by the commissioner as authorized under TEC, §39.057.
- (d) The specific criteria and calculations used in the accountability manual are established annually by the commissioner and communicated to all school districts and charter schools.
- (e) The specific criteria and calculations used in the annual accountability manual adopted for prior school years remain in effect for all purposes, including accountability, data standards, and audits, with respect to those school years.
- (f) In accordance with TEC, §7.028(a), the purpose of the Results Driven Accountability (RDA) framework is to evaluate and report annually on the performance of school districts and charter schools for certain populations of students included in selected program areas. The performance of a school district or charter school is included in the RDA report through indicators of student performance and program effectiveness and corresponding performance levels established by the commissioner.
- (g) The assignment of performance levels for school districts and charter schools in the 2024 RDA report is based on specific criteria and calculations, which are described in the *2024 Accountability Manual* provided in subsection (b) of this section.
- (h) The specific criteria and calculations used in the RDA framework are established annually by the commissioner and communicated to all school districts and charter schools.
- (i) The specific criteria and calculations used in the annual RDA manual adopted for prior school years remain in effect for all purposes, including accountability and performance monitoring, data standards, and audits, with respect to those school years.