Chapter 9—Responsibilities and Consequences

State Responsibilities

The Texas Education Agency (TEA) is responsible for the state accountability system and other statutory requirements related to its implementation. As described in "Chapter 4—Closing the Gaps," and this chapter, TEA applies a variety of safeguards to ensure the integrity of the system. TEA is also charged with taking actions to intervene when conditions warrant.

District Accreditation Status

State statute requires the commissioner of education to determine an accreditation status for districts and charter schools.

Rules that define the procedures for determining a district's or charter school's accreditation status, as well as the prior accreditation statuses for all districts and charter schools in Texas are available at https://tea.texas.gov/accredstatus/.

Determination of Multiple-Year Unacceptable Status

In determining consecutive years of unacceptable ratings for purposes of accountability interventions and sanctions, only years that a district, charter school, or campus is assigned an accountability rating shown below will be considered.

- 2019: *A, B, C, D, F* for districts and campuses
- 2018: *A, B, C, D, F* for districts and *Met Standard, Met Alternative Standard, Improvement Required* for campuses
- 2013–2017*: Met Standard, Met Alternative Standard, Improvement Required*
- 2012: (No state accountability ratings issued)
- 2004–2011: *Exemplary, Recognized, Academically Acceptable, Academically Unacceptable, AEA: Academically Acceptable, AEA: Academically Unacceptable*

While no ratings were issued in 2012, an *Improvement Required* rating assigned in 2013 and *Academically Unacceptable/AEA: Academically Unacceptable* ratings assigned in 2011 are considered consecutive years. In addition, although the consecutive years of *F/Improvement Required* ratings may be separated by one or more years of temporary closure or *Not Rated* ratings, such separations, whether for single or multiple years, do not break the chain of consecutive years of unacceptable ratings for purposes of accountability interventions and sanctions. This policy applies to districts and charter schools as well as campuses when *Not Rated* and *Not Rated: Data Integrity Issues* labels are assigned.

Public Education Grant (PEG) Program Campus List

Each year, TEA produces a list of campuses identified under the Public Education Grant (PEG) criteria. House Bill 22 (85th Texas Legislature) changed the criteria for identifying PEG campuses: those that receive an *F* rating in both the Student Achievement domain and the School Progress domain in August 2019 will be on the 2020–21 PEG List. The list of 2020–21 PEG campuses will be released on August 15, 2019. For more information about the PEG program, please see the PEG webpage on the TEA website at https://tea.texas.gov/PEG.aspx.

Local Responsibilities

Districts and charter schools have responsibilities associated with the state accountability system. Primarily these involve following statutory requirements, collecting and submitting accurate data, and properly managing campus identification numbers.

Statutory Compliance

Several state statutes direct local districts, charter schools, and/or campuses to perform certain tasks or duties in response to the annual release of the state accountability ratings. Key statutes are discussed below.

Public Discussion of Ratings (TEC §11.253(g))

Each campus site-based decision-making committee must hold at least one public meeting annually after the receipt of the annual campus accountability rating for discussing the performance of the campus and the campus performance objectives. The confidentiality of the performance results must be ensured before public release. The accountability data tables available on the TEA public website have been masked to protect confidentiality of individual student results.

Notice in Student Grade Report and on District Website (TEC §§39.361–39.362)

Districts and charter schools are required to publish accountability ratings on their websites and include the rating in the student grade reports. These statutes require, in relevant part, districts and charter schools:

- to include, along with the first written notice of a student's performance that a school district or charter school gives during a school year, a statement of whether the campus has been awarded a distinction designation or has been rated *F*, as well as an explanation of the distinction or unacceptable identification; and
- by the 10th day of the new school year to have posted on the district or charter school website the most current information available in the school report card and the information contained in the most recent performance report for the district or charter school.

For more information regarding these requirements, please see *Requirement for Posting of Performance Frequently Asked Questions: Notice in Student Grade Report*, available on the TEA website at https://rptsvr1.tea.texas.gov/perfreport/3297_faq.html.

Public Education Grant Program Parent Notification (TEC §§29.201–29.205)

The PEG program permits parents with children attending campuses that are on the PEG List to request that their children be transferred to another campus. If a transfer is granted to another district, funding is provided to the receiving district. A list of campuses identified under the PEG criteria is released to districts annually. Districts must notify each parent of a student assigned to attend a campus on the PEG List by February 1. For more information on the PEG program, please see *PEG Frequently Asked Questions*, available at https://tea.texas.gov/perfreport/peg_faq.html.

Campus Intervention Requirements under Subchapters B and C of TEC Chapter 39A

TEC §39A.101 prescribes specific interventions for any campus that was rated *F* or *Improvement Required* in the state's accountability system for two or more years. For additional details on interventions, please see the Division of School Improvement's Accountability Interventions website at https://tea.texas.gov/si/accountabilityinterventions/.

Actions Required Due to Low Ratings or Low Accreditation Status

Districts and charter schools that earn an *F* rating or *Accredited-Probation/Accredited-Warned* accreditation status and campuses with an *F* rating will be required to follow directives from the commissioner designed to remedy the identified concerns. Requirements will vary depending on the circumstances for each individual district or charter school. Commissioner of education rules that define the implementation details of these statutes are available on the TEA School Improvement Division website at the Accountability link at https://tea.texas.gov/schoolimprovement/ and on the TEA Accreditation Status website at https://tea.texas.gov/accredstatus/.

Campus Identification Numbers

In a given year, districts or charter schools may need to change, delete, or add one or more county-district-campus (CDC) numbers due to closing old schools, opening new schools, or changing the grades or populations served by an existing school. Unintended consequences can occur when districts or charter schools "recycle" CDC numbers.

As performance results of prior years are a component of the accountability system in small-numbers analysis and possible statutorily-required improvement calculations in future years, merging prior-year files with current-year files is driven by campus identification numbers. Comparisons may be inappropriate when a campus configuration has changed. The following example illustrates this situation.

Example: A campus served grades 7 and 8 in 2018, but in 2019 serves only grade 6. The district did not request a new CDC number for the new configuration. Instead, the same CDC number used in 2018 was maintained (recycled). Therefore, in 2019, grade 6 performance on the assessments may be combined for small-numbers analyses purposes with grade 7 and 8 outcomes from prior years.

Whether to change a campus number is a serious decision for local school districts and charter schools. Districts and charter schools should exercise caution when either requesting new numbers or continuing to use existing numbers when the student population changes significantly or the grades served change significantly. Districts and charter schools are strongly encouraged to request new CDC numbers when campus organizational configurations change dramatically.

TEA policy requires school districts and charter schools to request campus number changes of existing campuses for the current school year by October 1 to ensure time for processing before the TSDS PEIMS fall snapshot date in late October. Changes for a subsequent school year will not be processed before November 1. This policy does not apply to new active campuses opening mid-year or campuses under construction.

Districts and charter schools must consult with the Division of School Improvement to change the campus number of a campus rated *F*. The consolidation, deletion, division, or addition of a campus identification number does not absolve the district or charter school of the state accountability rating history associated with campuses newly consolidated, divided or closed, nor preclude the requirement of participation in intervention activities for campuses that received an *F* rating. The Division of School Improvement will work with the district or charter school to determine specific intervention requirements.

Although the ratings history may be linked across campus numbers for purposes of determining consecutive years of *F* or *Improvement Required* ratings, data will not be linked across campus numbers. This includes TSDS PEIMS data, assessment data, and graduation/dropout data that are used to develop the accountability indicators. Therefore, changing a campus number under these circumstances may be to the disadvantage of an *F* campus. This should be considered by districts and charter schools when requesting campus number changes for *F* campuses. In the rare circumstance where a campus or charter school receives a new campus or district number, the ratings history is linked while the data are not linked across the district numbers.

If a district or charter school enters into a legal agreement with TEA that requires new district or campus numbers, the ratings history will be linked to the previous district or campus numbers. In this case, both the district/charter school and campuses will be rated the first year under the new numbers. Data for districts, charter schools, and campuses in these circumstances will not be linked. This includes the TSDS PEIMS data, assessment data, and graduation/dropout data that are used to develop the accountability indicators. Districts, charter schools, or campuses under a legal agreement with TEA cannot take advantage of small-numbers analysis the first year under a new district or campus number.