

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 January 10, 2025 issue of the *Texas Register* (50 TexReg 232) and will be republished. The amendment adopts in rule applicable excerpts of the *2025 Accountability Manual*. Earlier versions of the manual will remain in effect with respect to the school years for which they were developed.

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 amendment to §97.1001 adopts excerpts of the *2025 Accountability Manual* into rule as a figure. The excerpts, Chapters 1-12 of the *2025 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 2025 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 2025 accountability and RDA. Edits for clarity regarding consistent language and terminology throughout each chapter are embedded within the adopted *2025 Accountability Manual*. Additionally, based on public comment, the extra blank pages were removed from the document and the page numbers were adjusted accordingly.

Chapter 1 gives an overview of the entire accountability system. Dates and years for which data are considered have been updated. Edits for clarity regarding consistent language and terminology have been added. Language has been adjusted to clarify the existing processes of the data validation system. Based on public comment, clarification was provided at adoption on page 7 in the Accountability Subset Rule section, page 8 in the STAAR EOC Retest Performance section, page 9 in the table for the TSDS PEIMS-Based Indicators section, and page 10 in the table for the Other Indicators section.

In addition, corrections were made at adoption on pages 5 and 11 to remove the redundant text regarding special investigations and accurately reflect the steps in a compliance review.

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. Based on public comment, clarification was provided at adoption on page 18 in the Schedule for Phase-in of College Prep 12th Grade Requirement section; page 20 in the College, Career, and Military Readiness Component--Minimum Size Criteria and Small Numbers Analysis section; page 21 in the Graduation Rate Component section; page 22 in the Graduation Rate--Methodology; and page 24 in the AEA CCMR Rate--Methodology section.

In addition, a correction was made at adoption on page 18 to add the Texas First Early High School Completion Program with a Distinguished Level of Achievement to the list of graduation plans for advanced diplomas.

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.

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. Based on public comment, clarification was provided at adoption on page 36 in the Two Lowest Performing Racial/Ethnic Groups from the Prior Year section; page 40 in the 0-4 Points section; page 47 in the College, Career, and Military Readiness Performance Status--Minimum Size Criteria and Small Numbers Analysis section; and page 48 in the Minimum Number of Evaluated Indicators section.

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. Based on public comment, clarification was provided at adoption on page 58 in the Student Achievement Domain section; page 59 in the District Proportional Domain Methodology section; and page 60 in the Overall Rating (Districts and Campuses) section.

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 AEA provisions. Dates and years for which data are considered have been updated.

Chapter 8 describes the process for appealing ratings. Dates and years for which data are considered have been removed. Edits for clarity regarding consistent language and terminology have been added. Based on public comment, clarification was provided at adoption on page 89 in the Appeals Timeline section.

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.

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. Based on public comment, clarification was provided at adoption on page 105 in the table for the Example Campus Identified for Targeted Support and Improvement section and page 110 in the Exit Criteria for Comprehensive Support and Improvement section.

Chapter 11 describes the local accountability system. 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 (BE/ESL/EB) Indicator for TELPAS Composite Rating Levels, Special Education Indicator for Out of School Suspension and Expulsion, and Special Education Indicator for In-School Suspension have been added. Detailed language discontinuing the Hold Harmless element of certain Other Special Populations have been added. Detailed language for indicators that will no longer be reported through RDA have been added. Detailed language regarding the change from report only to No in performance level assignment indicators have been added. Indicator numbers and data note numbers have been updated.

**SUMMARY OF COMMENTS AND AGENCY RESPONSES:** The public comment period on the proposal began January 10, 2025, and ended February 10, 2025. A public hearing on the proposal was held on January 31, 2025. Following is a summary of public comments received and agency responses.

#### *Edits for Clarification*

**Comment:** Three district administrators and lead4ward commented on various typographical and grammatical errors throughout the *2025 Accountability Manual* and suggested corrections.

**Response:** The agency agrees and has made various typographical and grammatical corrections to the manual, including adjusting the page numbers, adding a reference to Appendix H on page 21, and correcting a section title on page 60.

**Comment:** lead4ward suggested a change to sections throughout the *2025 Accountability Manual* (i.e., STAAR Component-Assessments and Measures Evaluated, Part A: Academic Growth-Assessments Evaluated, Part B: Relative Performance-Assessments and Measures Evaluated, Academic Achievement-Assessments and Measures

Evaluated, Student Achievement Domain Score: STAAR Component Only-Assessments and Measures Evaluated) to clarify the data included, remove references to accommodations, and remove references to the English Language (EL) Performance Measure.

Response: The agency disagrees and has determined that the proposed language in the manual 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 district administrator and lead4ward requested changes to the descriptions of emergent bilingual (EB) students throughout the *2025 Accountability Manual* for consistency.

Response: The agency disagrees with making the changes to the *2025 Accountability Manual*. The agency has been in a transition from "English Learner" to "Emergent Bilingual" since the *2022 Accountability Manual* publication and is still using the description Emergent Bilingual (EB) Student/English Learner (EL) to define a student whose primary language is other than English and who is in the process of acquiring English. However, the agency will continue to work with stakeholders to consider changes to the descriptions for a future accountability cycle.

Comment: A district administrator and lead4ward requested clarity be added to the *2025 Accountability Manual* regarding the inclusion or exclusion of EB students from the various indicators and measures and that repetitive language regarding the use of the Test Information Distribution Engine (TIDE) for student demographic data be adjusted. lead4ward recommended revisions to EB inclusion/exclusion descriptions in STAAR Component-Inclusion of EB Students; College, Career, and Military Readiness Component; Graduation Rate-Methodology; Part A: Academic Growth-Inclusion of EB Students/ELs; Part B: Relative Performance-Inclusion of EB Students/ELs; AEA Part B: Inclusion/Exclusion of EB Students; and Closing the Gaps-Inclusion of EB Students/ELs.

Response: The agency disagrees that revisions are needed to the *2025 Accountability Manual*. Maintaining language as proposed will ensure that the agency does not signal a change to the inclusion and exclusion methodology where there is not a change. However, the agency will continue to work with stakeholders to consider the clarity of this information for a future accountability cycle.

Comment: lead4ward suggested edits throughout the *2025 Accountability Manual* to delete the reference to the EL performance measure (described by lead4ward as performance standard, not a separate assessment). The commenter also suggested adding an appendix to describe and define how the EL Performance Measure is calculated.

Response: The agency agrees that additional clarification would support stakeholder understanding of the EL Performance Measure. However, the agency disagrees with making changes to the *2025 Accountability Manual*. Maintaining language as proposed will ensure that the agency does not signal a change to methodology where there is not a change. Appendices are beyond the scope of the current rule proposal but will be considered for sharing this additional information.

Comment: lead4ward suggested a change to the *2025 Accountability Manual* in the Accountability System School Types table on page 6, proposing the example from a prior accountability year be removed and replaced with a more general table.

Response: The agency disagrees and has determined that the proposed language in the manual, including the example from a prior cycle, presents the clearest description. However, for future updates to the accountability manual, the agency will continue to work with stakeholders on communication of the school type determination methodology.

Comment: A district administrator and lead4ward suggested that clarity should be added to the *2025 Accountability Manual* regarding subset rules. The district administrator requested specific clarity on the subset used for the Texas English Language Proficiency Assessment System (TELPAS) results in the Closing the Gaps Domain. lead4ward requested specific clarity on the end-of-course (EOC) assessments' campus of assignment.

Response: The agency agrees and has made changes to the manual at adoption to add clarity on page 7 to indicate that the accountability subset rules apply to TELPAS results in addition to the State of Texas Assessments of

Academic Readiness (STAAR®) results and to indicate under the assessment administration periods that results are for students enrolled "at that campus."

Comment: lead4ward requested clarity be added to the *2025 Accountability Manual* regarding the use of STAAR® EOC assessments in the School Progress domain, specifically that growth is only measured from first-time test attempts.

Response: The agency agrees and has added a statement to page 8 of the manual to provide clarity that only first-time STAAR® EOC assessments are included in School Progress: Part A, Academic Growth calculations.

Comment: A district administrator suggested adding a link to the performance reporting resource entitled "CCMR Accountability Data Sources" to help provide clarity under the section *TSDS PEIMS-Based Indicators* in the *2025 Accountability Manual*.

Response: The agency disagrees with adding the link to the "CCMR Accountability Data Sources" document on page 9 of the manual as it already links to the "Accountability Data Resources" webpage, but the agency will add the link to the webpage.

Comment: lead4ward suggested that in the *2025 Accountability Manual*, the wording be revised in the table *TSDS PEIMS data used for accountability indicators* as the "July 2023 administrations" is not applicable.

Response: The agency agrees and has updated the table on page 9 of the manual to change from a specific administration date to a school year to ensure clarity.

Comment: A district administrator suggested the table regarding other indicators for the College, Career, and Military Readiness (CCMR) component in the *2025 Accountability Manual* should include a line for the Texas Success Initiative Assessment (TSIA) and a line for TSIA2 to clarify when a student's score is allowable.

Response: The agency disagrees as the differentiation is not necessary in the table on page 10 of the manual since any TSIA or TSIA2 test within the date range would be allowable.

Comment: lead4ward suggested that in the *2025 Accountability Manual*, the wording be revised on the header for the table *Other data used for College, Career, and Military Readiness*.

Response: The agency agrees and has removed the language "for examinations taken as of" to ensure clarity of the table on page 10 of the manual.

Comment: lead4ward suggested a change to the phrasing of the *STAAR® Component--Minimum Size Criteria and Small Numbers Analysis* section on page 16 of the *2025 Accountability Manual*.

Response: The agency disagrees and has determined that the proposed language in the manual presents the clearest descriptions.

Comment: lead4ward suggested that the agency's references to dates of CCMR data as "following graduation" should be removed on page 17 of the *2025 Accountability Manual*.

Response: The agency disagrees. The language "following graduation" is correct in the manual.

Comment: An education service center (ESC) representative and lead4ward requested clarifying language be added to the *2025 Accountability Manual* regarding the source data for determining student grade for the grade level requirement to earn CCMR credit through the completion of a College Preparatory course.

Response: The agency agrees and has added clarification to page 18 of the manual that the grade of the student at the time of the course will be based on the grade submitted in the Texas Student Data System (TSDS) Public Education Information Management System (PEIMS) Summer submission.

Comment: In the section *Schedule for Phase-in of College Prep 12th Grade requirement* on page 18 of the *2025 Accountability Manual*, lead4ward suggested replacing "Class of 2025" or "Class of 2026" with "2024-2025 graduates" and "2025-2026 graduates."

Response: The agency disagrees and has determined that the proposed language in the manual presents the clearest descriptions in alignment with other references to annual graduates in the section *CCMR Credit Requirements for Annual Graduates by Accountability Year*.

Comment: lead4ward suggested renaming School Progress, Part B: Retest Growth for campuses evaluated under AEA methodology in the *2025 Accountability Manual* to "Part B: EOC Retest Performance" to clarify it is different from Academic Growth.

Response: The agency disagrees and has determined that the proposed language in the manual presents the clearest description.

Comment: lead4ward suggested an edit in the *2025 Accountability Manual* to indicate that Part A: Academic Growth evaluates the subject area assessments of reading language arts (RLA) and mathematics.

Response: The agency disagrees that an edit is needed as the manual already includes the statement "results for grades 4-8 in RLA and mathematics" on page 26.

Comment: lead4ward noted that the calculation used to identify the two lowest performing racial/ethnic groups is not an average as described in the *2025 Accountability Manual* and proposed a clarifying edit to the calculation.

Response: The agency agrees that the calculation is not an average. To ensure the methodology is clear to all stakeholders, the agency adjusted the language on page 36 of the manual and added steps to calculate the two lowest performing racial/ethnic groups from the lowest combined percentage.

Comment: lead4ward recommended a revision in the *2025 Accountability Manual* to clarify the percentage change needed to earn one point for minimal growth in the Closing the Gaps domain.

Response: The agency agrees additional clarification is needed and has revised the language on page 40 of the manual to ensure the methodology is clear to stakeholders.

Comment: lead4ward suggested the language in the *2025 Accountability Manual* regarding the small numbers analysis for the CCMR Component be changed to clarify the calculation is not an average, but it is the calculation of a single rate based on data cumulated across three years.

Response: The agency agrees the calculation is not an average. To ensure the methodology is clear to all stakeholders, the agency clarified that the calculation is based on three years of combined CCMR data on pages 20 and 47 of the manual.

Comment: lead4ward recommended language be added to the *2025 Accountability Manual* to clarify the methodology that the Closing the Gaps Domain is not evaluated if the Academic Achievement component does not include the minimum of four indicators.

Response: The agency agrees additional clarification is needed and has added language on page 48 of the manual to ensure the methodology is clear to stakeholders.

Comment: The Texas Center for School Accountability (TXCSA) suggested an edit to clarify the methodology used when a high school campus is missing both CCMR and graduation rate.

Response: The agency agrees and has provided clarity in the Student Achievement Domain section on page 58 of the manual.

Comment: lead4ward recommended that language be added to the *2025 Accountability Manual* regarding the steps defining the District Proportional Domain Methodology to specify and clarify the rounding rules.

Response: The agency agrees additional clarification is needed and has added rounding details to the District Proportional Domain Methodology steps on page 59 of the manual and in the example on page 60.

Comment: TXCSA and the Texas School Alliance (TSA) requested a live link to the appeals rule be embedded in the *2025 Accountability Manual*.

Response: The agency disagrees with adding a live link to the manual. Throughout the manual, the agency identifies relevant TEC or Texas Administrative Code (TAC) citations but does not embed direct web links. However, the agency has added more specific language to reference 19 TAC §97.1002 in "Chapter 8--Appealing the Ratings."

Comment: The TXCSA requested all dates in the *2025 Accountability Manual* reflect the current accountability cycle.

Response: The agency disagrees that all dates within the manual be updated each year as this enables the manual to remain more consistent from year to year.

Comment: A district administrator suggested consistency in the terms used for "October Snapshot" or "Fall Snapshot" and consistency in the section locations for minimum size criteria and small numbers throughout the *2025 Accountability Manual*.

Response: The agency disagrees with making this change in the *2025 Accountability Manual*. Maintaining language as proposed will ensure that the agency does not signal a change to snapshot methodology where there is not a change. However, the agency will work with stakeholders to consider changes to the terms and section locations used in a future accountability manual.

Comment: A district administrator suggested clarity in various terms used throughout Chapter 4, including indicating that "School Quality is Student Achievement Domain Score" and the "Student Success is CCMR Performance status."

Response: The agency disagrees with making these changes in the manual as the "School Quality" section of the manual already indicates "Student Achievement Domain Score: STAAR Component Only... as described in Chapter 2." Additionally, in Chapter 4 of the manual, it is clarified that the CCMR Performance Status component "differs from the CCMR component in the Student Achievement Domain."

#### *Accountability Manual Development and Release*

Comment: TXCSA requested that the meeting materials and minutes from ESC Advisory Group and the Results Driven Accountability (RDA) Integration Taskforce be made public in addition to the Texas Accountability Advisory Group meeting materials and minutes.

Response: This comment is outside the scope of the proposed rulemaking. The same meeting materials are shared with both advisory groups. The RDA Integration Taskforce is used to explore various considerations and proposals, and at the conclusion of their meetings a proposal will be made public.

Comment: Three district administrators and lead4ward requested publishing the appendices with the proposed *2025 Accountability Manual* and as part of future releases of the proposed manual, as well as adding an index.

Response: The agency disagrees as appendices are outside the scope of the proposed rulemaking. The appendices will be published as soon as it is feasible after the adoption of the manual.

Comment: The Texas Public Charter Schools Association (TPCSA) commented in support of the release of the *2025 Accountability Manual* for public comment earlier in the year but requested an August 2025 publication of the proposed *2026 Accountability Manual*.

Response: This comment is outside the scope of the proposed rulemaking. However, the agency agrees that for future updates to the accountability system, the agency will continue to work with stakeholders on communication timelines.

Comment: The Commit Partnership, along with the E3 Alliance, EdTrust in Texas, Dallas Regional Chamber, Democrats for Education Reform, Good Reason Houston, Teach Plus, and Texas 2036, commented in support of the release of the *2025 Accountability Manual* for public comment earlier in the year. The comment also supported the *2026 Accountability Manual's* anticipated release but requested the methodology for the next A-F refresh be communicated as soon as possible to allow for a successful transition.

Response: This comment is outside the scope of the proposed rulemaking. However, the agency agrees that for future updates to the accountability system, the agency will continue to work with stakeholders on communication timelines.

Comment: lead4ward referred to the proposed amendment to 19 TAC §74.1003 and recommended that any changes to the calculation of CCMR be introduced in future accountability manuals as early as possible.

Response: This comment is outside the scope of the proposed rulemaking. However, the agency agrees that for future updates to the accountability system, the agency will continue to work with stakeholders on improved communication timelines.

#### *Identification of Schools in Improvement*

Comment: An ESC representative recommended revisions to the *Example Campus Identified for Targeted Support and Improvement* table in the *2025 Accountability Manual*. The revisions were to add 2023 and 2024 to the table for Special Education (Former) and Continuously Enrolled groups, to change the percentages in the table to 0-4 points, and to add the "Count of Indicators Missed for 3 Consecutive Years" row that is included on accountability reports.

Response: The agency agrees and has made these changes at adoption to add clarity to the table on page 105 of the manual.

Comment: lead4ward requested that information be added to the *2025 Accountability Manual* regarding the exit criteria for campuses that escalated from additional targeted support (ATS) to comprehensive support and improvement (CSI).

Response: The agency agrees and has clarified on page 110 of the manual that if a campus was escalated to CSI after being identified ATS for three consecutive years, the campus must meet the CSI exit criteria.

Comment: The Fast Growth School Coalition (FGSC), TXCSA, and TSA commented that the federal school identifications should be eligible for appeal, specifically to update a federal identification if an appeal to state results is approved.

Response: The agency disagrees that the federal school identifications are appealable as this identification is based on the release of preliminary accountability data.

Comment: TXCSA recommended a revision to the table in the *2025 Accountability Manual* used to visualize the description that "Any Title I campus identified for ATS for three consecutive years will be identified for CSI the following school year."

Response: The agency disagrees. The table in the manual accurately depicts the identification for the following year. A campus that received a third ATS identification in the fall of 2024 based on 2023-2024 accountability data was identified for CSI as its interventions in school year 2024-2025.

#### *Closing the Gaps (Domain 3)*

Comment: FGSC, TXCSA, and TSA requested a change to the *2025 Accountability Manual* to allow appeals to the Closing the Gaps domain based on the two lowest performing student groups, specifically in situations of a new campus or re-zoned campus.

Response: The agency disagrees as policy changes are beyond the scope of the current rule proposal. The agency will review the appeals procedures for future consideration in the next refresh of the A-F system.

Comment: A district administrator, FGSC, lead4ward, TXCSA, and TSA recommended that the agency develop an evaluation framework specifically for new campuses and re-zoned campuses for Domain 3: Closing the Gaps or use a revised score table to address current methodology that new campuses in their first year of operation are evaluated for four, three, or zero points as they do not have prior year data. TXCSA suggested using the label "Not Rated-- Domain 3: New/Closure/Consolidation Impact."

Response: The agency disagrees that it has the authority to measure campuses of these types differently under the Closing the Gaps domain. As the state uses the Closing the Gaps domain to fulfill federal requirements under the Every Student Succeeds Act, all campuses must be scored under the same methodology.

Comment: A district administrator recommended that newly opened high schools use district CCMR data from the prior year if the campus does not have its own data for the purposes of calculating Domain 3.

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

Comment: A district administrator recommended that newly opened high schools use district graduation data from the prior year if the campus does not have its own data for the purposes of calculating Domain 3.

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

Comment: A district administrator suggested the methodology used to identify student groups in the Closing the Gaps domain needs revising for a future accountability cycle suggesting a very small percentage of the school accounts for a large portion of the Domain 3 scoring. The commenter suggested changes to student minimum size or a percent of the overall population.

Response: The agency disagrees as policy changes are beyond the scope of the current rule proposal. The agency will continue to work with stakeholders to consider the Domain 3 methodology for future implementation in the next refresh of the A-F system.

### *Student Mobility*

Comment: TPCSA recommended that for the 2028 A-F refresh, the agency reflect student mobility in outcomes, analyze mobility data, and model ways to account for it within achievement and growth.

Response: This comment is outside the scope of the proposed rulemaking. The agency will continue to research and analyze system measures of student groups, such as highly mobile students, for future implementation in the next refresh of the A-F system.

Comment: A district administrator suggested a CCMR subset based on the length of time a student is enrolled at a campus be added to the *2025 Accountability Manual* to reflect more mobile students.

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

### *CCMR Indicators*



Comment: A district administrator suggested students follow the CCMR methodology in place when they entered Grade 9.

Response: The agency disagrees as the most up-to-date and timely indicators for postsecondary success should be applied to students when CCMR is calculated upon their graduation.

Comment: Cushing Independent School District (ISD), TXCSA, and TSA suggested a revision to the CCMR methodology in the *2025 Accountability Manual* to include mid-year or December graduates in CCMR calculations.

Response: The agency disagrees that a revision to the manual is needed as the CCMR calculation already includes mid-year or early graduates.

Comment: The TXCSA recommended graduation code 56 be included in the *2025 Accountability Manual* under the CCMR indicator "Graduate with Completed Individualized Education Program (IEP) and Workforce Readiness" as a measure of "Career Ready."

Response: The agency disagrees. Code 56 "Completion of IEP And Access to Services, Employment, Or Education Outside of Public Education" is included in the manual under the CCMR indicator "Graduate under an Advanced Diploma Plan and be Identified as a Current Special Education Student."

Comment: The TXCSA commented that, based on TEC, §39.053, students who have completed an internship or practicum should be included in the CCMR calculation of the *2025 Accountability Manual*.

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

Comment: TXCSA suggested that the methodology in the *2025 Accountability Manual* for CCMR credit under Level I or Level II certification be modified to students who are "admitted" instead of "earning" a Level I or Level II certificate.

Response: The agency disagrees as admission requirements for Career and Technical Education (CTE) Certificate in TEC, §61.003(12)(C), varies by institution and program and does not imply successful completion of a workforce program offered by an institution of higher education.

Comment: The Commit Partnership, along with the E3 Alliance, EdTrust in Texas, Dallas Regional Chamber, Democrats for Education Reform, Good Reason Houston, Teach Plus, and Texas 2036, requested tiering CCMR indicators within the system to with greater weights for the most impactful indicators 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 potential tiering of CCMR indicators will continue to be researched for future implementation into the next refresh of the A-F system.

Comment: TXCSA and TSA suggested that House Bill 773 does not require students to complete an aligned program of study in addition to successfully meeting industry-based certification (IBC) requirements and that the two should not be combined in the *2025 Accountability Manual* under the CCMR indicator.

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.

Comment: A district administrator suggested adding to the *2025 Accountability Manual* a one-year delay in the implementation of the requirement that only approved College Preparatory courses are eligible for CCMR credit, which would move it to the 2028 accountability year (Class of 2027).

Response: The agency disagrees as the College Preparatory courses that are currently planned to be offered should be high quality and meet faculty review and approval requirements. Districts will receive notification in March 2025, with time to adjust if a currently planned course is not approved.

Comment: Cushing ISD, TXCSA, and TSA suggested that the requirement for College Preparatory courses be completed in Grade 12 should not be applied and recommended that the 2026 accountability methodology as described in the *2025 Accountability Manual* (Grade 11 or 12 course completion is acceptable for CCMR) remain in place after 2026.

Response: The agency disagrees and reiterates the statutory requirement that College Preparatory courses be designed for Grade 12 students.

Comment: The Commit Partnership, along with the E3 Alliance, EdTrust in Texas, Dallas Regional Chamber, Democrats for Education Reform, Good Reason Houston, Teach Plus, and Texas 2036, commented in support of consistency and stability in the re-adoption of the 2024 accountability manual for 2025 and in support of efforts to maintain rigor in the CCMR criteria. The commenters requested the agency publish the approved list of College Preparatory courses by March 2025, with annual updates each December.

Response: The agency agrees to publish the list of College Preparatory courses by March 2025. The next cycle of consideration is anticipated to open in September 2025, with updates made on the College Preparatory Courses for CCMR website scheduled to occur by February 2026 for new approved College Preparatory Course for CCMR providers.

Comment: An ESC representative recommended a clarification to the *2025 Accountability Manual* in the example for the AEA CCMR rate example regarding previous dropouts.

Response: The agency agrees and has added clarifying language about previous dropouts to the example on page 24 of the manual.

### *Graduation Rates*

Comment: A district administrator suggested a change to the scaling for graduation rate expectations in the *2025 Accountability Manual*.

Response: The agency disagrees as policy changes are beyond the scope of the current rule proposal. The agency will continue to work with stakeholders to consider the targets and cut points (scaling) for future implementation into the next refresh of the A-F system.

Comment: TPCSA requested that reporting of a Grade 9 "on track" to graduation indicator begin starting in the *2025 Accountability Manual* and considered for full inclusion into the 2028 A-F refresh.

Response: The agency disagrees as policy changes are beyond the scope of the current rule proposal. However, the agency will continue to work with stakeholders to consider policy implementation for future accountability refresh cycles.

Comment: lead4ward requested clarification regarding the definitions of a graduate included in the *2025 Accountability Manual*.

Response: The agency agrees and has removed the statement "a graduate is defined as" when providing clarity regarding graduation program requirements on page 22 of the manual.

### *Advanced Math Pathways and Accelerated Testers*

Comment: The Commit Partnership, along with the E3 Alliance, EdTrust in Texas, Dallas Regional Chamber, Democrats for Education Reform, Good Reason Houston, Teach Plus, and Texas 2036, 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 asked the agency to consider strategies to ensure legislative requirements are met and do not create misalignment in impact across middle and high school campuses.

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. The agency will continue to research and analyze alternatives, such as bonus points, for future implementation in the next refresh of the A-F system.

Comment: A district administrator requested to include Advanced Placement Biology as an additional assessment for accelerated testers.

Response: The agency disagrees that it has the authority to make such a change at this time. As indicated in the agency's [accelerated tester waiver](#) with the United States Department of Education (USDE), "students completing an advanced course in middle school will continue to be assessed in high school with one of these assessments [SAT or ACT] in the applicable subject area. Students completing an advanced science course in middle school will continue to be assessed again in high school using the ACT science assessment."

Comment: The College Board requested that the SAT be included as an additional assessment for accelerated testers and added as an indicator for the distinction designation for Academic Achievement in Science.

Response: The agency disagrees that it has the authority to make such a change at this time. As indicated in the agency's accelerated tester waiver with the USDE, "Students completing an advanced science course in middle school will continue to be assessed again in high school using the ACT science assessment."

#### *District and Campus Ratings*

Comment: lead4ward suggested that the two steps in the Overall (District and Campus) Rating calculation called "3 Ds Rule" and "3 Fs Rule" be removed from the *2025 Accountability Manual*.

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. The agency will continue to work with stakeholders to consider policy implementation for future accountability refresh cycles.

Comment: TPCSA requested that 2028 A-F refresh cut scores be communicated in advance of the school year in which the data will be collected for those indicators and the CCMR and Graduation Rate Components of the accountability system be communicated one year in advance of the accountability year or otherwise use a bonus-point for lagging indicators.

Response: This comment is outside the scope of the proposed rulemaking. However, the agency agrees that for future updates to the accountability system's cut scores, the agency will continue to work with stakeholders on improved communication timelines.

Comment: FGSC, TXCSA, and TSA requested a change to the *2025 Accountability Manual* in how an appeal is considered if a new campus appeals to be assigned a *Not Rated* label.

Response: The agency disagrees as appeals to assign a *Not Rated* label to campuses that are rated in their first year of operation are not considered.

#### *Accountability of Special Populations, Including AEA/Dropout Recovery Schools (DRS), RDA*

Comment: TXCSA proposed a change to the methodology in the *2025 Accountability Manual* for identifying students formerly receiving special education services, referring to the language in TEC, §39.053.

Response: The agency disagrees. Three years of TSDS PEIMS data are used to identify if a student has previously received special education services and then current year TSDS PEIMS data or TIDE data can be used to identify students who are no longer receiving special education services.

Comment: Betty M. School for Education Innovation suggested a new methodology be added to the *2025 Accountability Manual* to separate performance by test (STAAR® versus STAAR® Alternate 2) and by special education status.

Response: The agency disagrees as policy changes are beyond the scope of the current rule proposal. The agency will continue to work with stakeholders regarding policy changes that impact students receiving special education services for future implementation into the next refresh of the A-F system.

Comment: TPCSA requested the agency run modeling using data from the graduating class of 2025 to study the methodology of the phase-in for IBCs and programs of study and its impacts on dropout recovery schools (DRS) measured under AEA to make any changes to the *2026 Accountability Manual*.

Response: This comment is outside the scope of the proposed rulemaking. However, the agency will continue to convene stakeholders with expertise in DRS and model and monitor data for future years of accountability.

Comment: TPCSA requested that the RDA taskforce consider whether RDA data will be integrated into campus ratings or district ratings for the 2028 A-F refresh and how the cut scores are set, exploring options for schools serving specific subsets of grade levels or specific student populations.

Response: This comment is outside the scope of the proposed rulemaking. However, the agency agrees with ensuring the RDA taskforce considers these topics, including RDA's district-only methodology and cut-point setting.

#### *Distinction Designations*

Comment: A district administrator suggested an edit to the distinction designations paragraph in the *2025 Accountability Manual* to refer to campus comparison groups.

Response: The agency disagrees and has determined that the proposed language in the manual presents the clearest description given the reference to see "Chapter 6--Distinction Designations" for more information.

Comment: TPCSA recommended that a new distinction designation based on postsecondary outcomes (student success after graduation) be added for the 2028 A-F Refresh and that a system of distinction designations be developed for DRSs. The commenter suggested 'badges' for areas such as arts, languages, advanced courses, CTE programs, and extra and co-curriculars.

Response: These comments are outside the scope of the proposed rulemaking. However, the agency will continue to convene stakeholders on distinction designation methodology and will explore adding AEA/DRS distinctions for future implementation into the next refresh of the A-F system.

Comment: lead4ward recommended that annual growth be added in the *2025 Accountability Manual* as an indicator for Academic Achievement Distinction Designations in RLA and mathematics

Response: The agency disagrees as policy changes are beyond the scope of the current rule proposal. However, the agency will continue to convene stakeholders on distinction designation methodology and will explore distinctions to add for future implementation into the next refresh of the A-F system.

#### *Assessment Policies*

Comment: A district administrator requested changes to the scoring of STAAR® student responses.

Response: This comment is outside the scope of the proposed rulemaking.

Comment: TXCSA requested an addition to the *2025 Accountability Manual* appendices to include condition codes from the automated scoring engine.

Response: This comment is outside the scope of the proposed rulemaking, and no exclusions are made to accountability based on condition codes.

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. §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. §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 (PEG) 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 TEC, §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; TEC, §39A.051, which authorizes the commissioner to take action based on campus performance that is below any standard under TEC, §39.054(e); and TEC, §39A.063, which authorizes the commissioner to accept substantially similar intervention measures as required by federal accountability measures in compliance with TEC, Chapter 39A.

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.

<rule>

#### **§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 2025 are based upon specific criteria and calculations, which are described in excerpted sections of the *2025 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, §39.003.
- (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 2025 RDA report is based on specific criteria and calculations, which are described in the *2025 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.