

Figure: 19 TAC §97.1002(b)

Accountability Ratings Appeals Process and Timeline

The commissioner of education is required to provide a process for school districts (districts) and open-enrollment charter schools (charter schools) to challenge an agency decision relating to an academic rating that affects the district or school, including a determination of consecutive school years of unacceptable performance ratings (Texas Education Code [TEC], §39.151). **This figure supersedes the timelines referenced in Chapter 8 of the 2023 and 2024 Accountability Manuals and applies to all Accountability Rating Appeals from 2023 and beyond until otherwise updated.**

Appeals Process Overview and General Timeline

While districts and charter schools may appeal for any reason, the accountability system framework limits the likelihood that a single indicator or measure will result in a reduced rating. For this reason, a successful accountability appeal is usually limited to such rare cases as a data or calculation error attributable to the testing contractor(s), a regional education service center (ESC), or the Texas Education Agency (TEA). Online applications provided by TEA and the testing contractors ensure that districts and charter schools are aware of data correction opportunities, particularly through TSDS PEIMS data submissions and the Test Information Distribution Engine (TIDE). District and charter schools' responsibility for data quality is the cornerstone of a fair and uniform rating determination.

District and charter school appeals that challenge the agency's determination of the accountability rating and/or determination of consecutive school years of unacceptable performance ratings are carefully reviewed by an external panel. District superintendents and chief operating officers of charter schools may appeal accountability ratings by following the guidelines in this figure. Local Accountability System (LAS) districts that wish to appeal LAS campus ratings must follow the LAS appeals process in the *Local Accountability System Technical Guide*.

The following is the annual timeline for appealing ratings. The appeals timeline follows this pattern each year. The calendar dates for the accountability year will be announced in conjunction with the release of preliminary accountability ratings in [TEA Login](#) (TEAL). Late appeals are denied to maintain a fair appeal process.

Timeline	<u>Appeals [Appeal] Process</u>
<u>Appeals [Appeal] Window Opens</u>	<p><u>Preliminary Ratings Release on TEAL.</u></p> <ul style="list-style-type: none"> No appeals will be resolved before the public release of ratings.
2 days after the <u>Appeals Window [appeal window] opens</u>	<p><u>Preliminary Ratings and Preliminary Count of Consecutive Years of Unacceptable Performance Released [Release] on TEA Public Website.</u></p> <ul style="list-style-type: none"> <u>Preliminary ratings [Ratings]</u> and <u>preliminary counts</u> of consecutive years are subject to change due to the results of an audit, compliance review, investigation, or appeal.
30 calendar day period <u>after the Appeals Window opens</u>	<p><u>Appeals Window.</u></p> <ul style="list-style-type: none"> Appeals may be submitted by the superintendent or chief operating officer once ratings and year counts are released. Districts and charter schools register their intent to appeal using the TEA Login (TEAL) Accountability application, and mail (e-mail or postal mail) their appeal letter with supporting documentation. Appeals not signed by the district superintendent or chief operating officer of the charter school are denied.

Timeline	<u>Appeals [Appeal] Process</u>
Day 30 of <u>Appeals Window [appeal window]</u>	<p><i>Appeals Deadline.</i></p> <ul style="list-style-type: none"> • Appeals must be uploaded in the TEAL Accountability Appeals system, postmarked, or hand-delivered by 5pm no later than the date shared by TEA in conjunction with the preliminary ratings release into the TEAL Accountability application.
90 calendar days after the <u>Appeals Window [appeal window]</u> closes	<p><i>Decisions Released.</i></p> <ul style="list-style-type: none"> • Commissioner’s decisions are provided in the form of response letters to each district and charter school that filed an appeal by the submission deadline. Letters are posted to the TEAL Accountability application.
Day 90 [calendar days] after the <u>Appeals Window [appeal window]</u> closes	<p><i>Final Ratings and Count of Consecutive Years of Unacceptable Performance Release.</i></p> <ul style="list-style-type: none"> • The outcomes of all appeals are reflected in the final ratings and year counts update. • The TEAL and public websites are updated. • Ratings and year counts are subject to change due to the results of an audit, compliance review, or investigation.