

The Texas Education Agency (TEA) adopts amendments to §53.1002 and §53.1021, concerning regional education service centers (RESCs). The amendments are adopted without changes to the proposed text as published in the July 11, 2025 issue of the *Texas Register* (50 TexReg 3984) and will not be republished. The amendments clarify existing rules, reflect current RESC practices, allow electronic application submissions, and replace the Performance Standards and Indicators Manual with a reference to online metrics.

REASONED JUSTIFICATION: Section 53.1002 allows the commissioner of education to appoint a non-voting charter school representative to the board of an RESC if at least one open-enrollment charter school operates in the region and outlines the eligibility, application, and appointment process for that role.

The adopted amendment to §53.1002 clarifies the term limits for charter members serving on RESC boards to ensure consistent understanding and implementation of the rule. Additionally, the amendment permits applicants to submit their applications electronically to the commissioner, which will reduce the administrative burden and result in time and cost savings for both applicants and RESCs. A cross reference was also updated to reflect a reorganization of charter school rules in 19 TAC Chapter 100.

Section 53.1021 authorizes the commissioner to establish and communicate performance standards and indicators for evaluating RESCs and their executive directors, as outlined in the manual adopted as Figure: 19 TAC §53.1021(b).

The adopted amendment removes the current figure containing the outdated Performance Standards and Indicators Manual. This manual has been replaced by a new version that reflects more relevant and accurate metrics. The new manual will be published on the TEA website rather than included as a figure in the rule, allowing for easier updates and improved accessibility. Section 53.1021(c), which references the outdated manual, has been removed.

SUMMARY OF COMMENTS AND AGENCY RESPONSES: The public comment period on the proposal begins July 11, 2025, and ends August 11, 2025. No public comments were received.

STATUTORY AUTHORITY. The amendments are adopted under Texas Education Code (TEC), §8.001, which provides the commissioner of education with authority to decide any matter concerning the operation or administration of regional education service centers (RESCs); TEC, §8.003, which provides the commissioner of education with rulemaking authority regarding the local selection, appointment, and continuity of membership of RESC boards of directors; TEC, §8.101, which provides that the commissioner of education shall establish performance standards and indicators for evaluating RESCs; and TEC, §12.104, which provides that the commissioner of education with rulemaking authority to provide for the representation of open-enrollment charter schools in RESCs.

CROSS REFERENCE TO STATUTE. The amendments implement Texas Education Code, §§8.001, 8.003, 8.101, and 12.104.

<rule>

§53.1002. Charter School Representation on Board of Directors.

- (a) Charter school member. Notwithstanding the provisions of §53.1001 of this title (relating to Board of Directors), where a regional education service center (RESC) has at least one open-enrollment charter school, as defined by §100.1001(6) of this title (relating to Definitions), approved to operate within its boundaries on or after June 1, and to which the RESC provides services, the commissioner of education shall appoint a representative of the open-enrollment charter schools in the region to serve as a non-voting member of the board of directors of that RESC as provided by this section.
- (b) Term of office.
 - (1) A charter school member of an RESC board of directors shall be appointed for a one-year term. The term of office shall begin June 1 and may be extended for an additional three years, for a total of four years, by the commissioner.

- (2) If a vacancy occurs due to death or resignation of a charter school member of an RESC board of directors, a 30-day period shall elapse, after notice has been given to the board chair, before the vacancy is filled.
 - (3) At the beginning of the 30-day period, notice of any vacancy shall be given to the president of the governing body and the chief executive officer of each open-enrollment charter school in the education service center region and shall be posted in appropriate locations.
 - (4) A vacancy for the unexpired term of a charter school member of an RESC board of directors shall be filled by appointment by the commissioner.
- (c) Appointment process.
- (1) A charter school member of an RESC board of directors must be a United States citizen, a resident of the State of Texas, and at least 18 years of age. A person may be appointed to serve as a charter school member of more than one RESC board of directors.
 - (2) Any eligible person wishing to seek appointment as a charter school member of an RESC board of directors shall file an application between February 1 and February 20. The application shall be in the form of a letter seeking appointment to a specific RESC board of directors. The letter must:
 - (A) include a description of the applicant's qualifications to serve as a charter member of the RESC board of directors;
 - (B) enclose letters of support signed by representatives from at least one open-enrollment charter school in the education service center region; and
 - (C) supply contact information for the persons signing the letters of support.
 - (3) The application for appointment as a charter school member of an RESC board of directors may be filed electronically by sending the application materials to the commissioner or by mail to the Commissioner of Education, Texas Education Agency, 1701 N. Congress Avenue, Austin, Texas 78701-1494.
 - (4) Not later than May 31, the commissioner shall notify the board of directors of each qualifying RESC of the commissioner's appointee to serve as the charter school member of that RESC board of directors effective June 1.
- (d) No applicant appointed. If the commissioner does not select a representative from among the applicants under subsection (c) of this section, or if no applicant applies for such appointment, then there shall be a vacancy which shall be filled by appointment by the commissioner.

§53.1021. Regional Education Service Center Performance Standards and Indicators.

- (a) In accordance with the Texas Education Code, §8.101, the commissioner of education shall establish performance standards and indicators for regional education service centers (RESCs) to be used in the annual evaluation of each RESC and executive director.
- (b) The performance standards and indicators for evaluating each RESC and executive director will be published on the Texas Education Agency's website annually prior to the evaluation cycle.