

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 December 12, 2025 issue of the *Texas Register* (50 TexReg 7967) and will be republished. The amendment adopts in rule applicable excerpts of the *2027 Accountability Manual*, which include provisions to implement House Bill (HB) 6, 89th Texas Legislature, Regular Session, 2025. Earlier versions of the manuals 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 *2027 Accountability Manual* into rule as a figure. The excerpts, Chapters 1-12 of the *2027 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 2027 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 2027 accountability and RDA. Edits for clarity regarding consistent language and terminology throughout each chapter are embedded within the proposed *2027 Accountability Manual*.

Chapter 1 gives an overview of the entire accountability system. The "Who is Rated?" section has been adjusted to include the new the Public Education Information Management System (PEIMS) Fall Enrollment Submission, which begins in the 2026-2027 school year. Language was adjusted to reflect four years of data for indicators related to earning an industry-based certification (IBC), dual credit, or an associate degree. The description of the Data Validation System was revised to highlight its role in ensuring education-related programs are implemented with fidelity. Clarification was added at adoption on page 5 to specify that adult charter high schools authorized under TEC, Chapter 12, Subchapter G, are excluded from A-F ratings. PEIMS data language was added at adoption on page 10 to align with statutory changes enacted by HB 8, 89th Legislature, 2nd Called Session, 2025. HB 8 requires TEA to establish processes for the submission and correction of prior-year PEIMS data for accountability purposes.

Chapter 2 describes the "Student Achievement" domain. The College, Career, and Military Readiness component was clarified, including updates to dual course credit criteria and definitions for Level I and Level II certificates. New language was added to outline requirements for dual credit courses, including curriculum crosswalks and annual memorandums of understanding between districts and partnering institutions of higher education. Language was added to reflect updated requirements for IBCs and Programs of Study.

Chapter 3 describes the "School Progress" domain. The Part A: Academic Growth: Annual Growth-Methodology section was revised to clarify annual growth methodology by explicitly stating eligibility rules for the State of Texas Assessments of Academic Readiness (STAAR®) and STAAR® Alternate 2 assessments, adding exclusions for certain score codes and specifying how growth is measured across grade levels and language transitions. Based on public comment, clarification was added at adoption on page 30 to specify that if a student completes English I and English II in the same year, the English to English II growth measure will be applied instead of relying on a prior-year STAAR® result.

Chapter 4 describes the "Closing the Gaps" domain. References to "migrant" were changed to "migratory" to align with TEA guidelines. Language was added to clarify that when a student group meets minimum size but lacks prior-year data or was measured with small numbers analysis, the campus cannot earn one or two points for that component in the current year. The methodology for Academic Achievement-Minimum Size Criteria and Small Numbers Analysis was clarified.

Chapter 5 describes how the overall ratings are calculated. No major changes were made beyond updates for year references.

Chapter 6 describes distinction designations. No major changes were made beyond updates for terminology and year references.

Chapter 7 describes the pairing process and the alternative education accountability (AEA) provisions. Language was added to clarify that paired data from the Closing the Gaps domain are used for School Improvement identification. The phrase "charter school campuses" was removed and replaced with "all" at adoption on page 76 to clarify AEA pairing rules. Language was added at adoption on page 78 to specify that adult charter high schools authorized under TEC, Chapter 12, Subchapter G, are rated using the performance framework adopted specifically for these schools. A correction was made at adoption on page 81, updating "Closing the Gaps School Progress Domain" to "School Progress Domain."

Chapter 8 describes the process for appealing ratings. Language was added to clarify that campuses cannot appeal identification for comprehensive, targeted, or additional targeted support interventions, but a granted Closing the Gaps appeal can update identification. Additionally, new language for Local Accountability System (LAS) appeals was introduced, effective in 2027, along with clarifications on general considerations and the appeals submission process. Based on public comment, clarification was added at adoption on page 86 to specify acceptable formats for superintendent signatures and the minimum requirements for letterhead.

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. Language was added to move the campus number request deadline from September 1 to May 31 in alignment with anticipated changes to 19 TAC §97.1066. Language was added at adoption on page 93 to address the responsibilities and consequences for adult charter high schools in TEC, §12.262. Language was also added at adoption on pages 94-95 to clarify campus closure requirements and county-district-campus number (CDCN) reassignment, aligning with anticipated changes to §97.1066.

Chapter 10 provides information on the federally required identification of schools for improvement. The Overview section was updated to clarify the Every Student Succeeds Act (ESSA) alignment for school improvement identification, adding language specifying that campuses paired for state accountability fulfill ESSA requirements for Comprehensive Support and Improvement, Targeted Support and Improvement, and Additional Targeted Support identifications.

Chapter 11 describes LAS. The LAS Appeals section was revised to reference the state accountability appeals process in Chapter 8, including appeal steps for LAS and state ratings.

Chapter 12 describes the RDA system. HB 6, 89th Texas Legislature, Regular Session, 2025 changes were implemented, including the removal of performance level (PL) assignments for discipline indicators and the exclusion of those indicators from determination-level calculations. The federally required significant disproportionality risk ratio threshold has been adjusted from 2.5 to 3.0. Additionally, indicator names were fully updated in accordance with the requirements of the prior 2026 chapter, including revised terminology to "Alternative Methods." Based on public comment, language was added at adoption on page 106 to provide for inclusion of PLs for special education discipline as report only measures. Clarifying edits were made at adoption on pages 105 and 124-125 to ensure consistent use of the terms "bilingual education" and "bilingual program."

SUMMARY OF COMMENTS AND AGENCY RESPONSES: The public comment period on the proposal began December 12, 2025, and ended January 12, 2026. Following is a summary of the public comments received and agency responses.

General Feedback

Comment: The Texas Center for State Accountability (TXCSA) and Texas School Alliance (TSA) expressed appreciation for the inclusion of specific years or current years for describing data that ensures clarity and consistency for all stakeholders.

Response: The agency agrees that including specific years provides clarity and consistency.

Comment: TXCSA and TSA expressed support for the additional details included in the *2027 Accountability Manual* regarding the dual course credit process and the references to industry-based certification versions by year.

Response: The agency agrees that including these additional details provides meaningful clarification and practical guidance for district and charter staff.

Comment: TXCSA and TSA expressed support for the change indicating that federal identification labels can be updated following a successful Closing the Gaps appeal.

Response: The agency agrees that this clarification ensures districts and charter schools understand that federal identification labels can be updated when a Closing the Gaps appeal is granted.

Edits for Clarification

Comment: TXCSA and TSA recommended retaining the term "migrant" within the highly mobile student category.

Response: The agency disagrees. The US Department of Education (USDE) updated the definition of a migrant child and the terminology used in the ESSA, Title 1, Chapter 3, from "education of migrant children" to "education of migratory children." The accountability system and the Texas Education Data Standards have updated the terminology from "migrant" to "migratory" to align terminology with federal legislation.

School Progress Domain

Comment: TXCSA and TSA requested that the proposed statement describing the English II growth calculations be revised to specify whether a student's growth should be determined using the prior year's Grade 8 STAAR® assessment to English I end-of-course (EOC) assessment and/or the current year English I to English II EOC assessment in cases when a student takes English I and II during the same school year.

Response: The agency agrees and has made a clarifying edit in Chapter 3 on page 30 to specify that when a student completes English I and English II within the same year, only the English I to English II growth measure will be used to measure academic growth, not a prior year STAAR® assessment.

Closing the Gaps Targets

Comment: Disability Rights Texas noted that specific methodology used to calculate Closing the Gaps targets is not publicly documented in the manual and requested opportunities for meaningful stakeholder engagement for developing recommendations related to the special education Closing the Gaps targets.

Response: The agency disagrees with including the methodology for calculating Closing the Gaps targets in the accountability manual, as this information is currently published and approved by the USDE in the state's ESSA consolidated plan. However, TEA agrees to work with stakeholders to explore additional communications resources.

District and Campus Ratings

Comment: TXCSA suggested removing the "Campus Overall Ratings 3Ds Rule" and "Campus Overall Ratings 3Fs Rule."

Response: The agency disagrees. The D and F requirements are aligned with the redefinition of acceptable and unacceptable performance in Senate Bill 1365, 87th Texas Legislature, Regular Session, 2021. This consideration for the 2028 accountability refresh cycle was discussed with, and rejected by, the Texas Accountability Advisory Group.

Appeals Process

Comment: TXCSA and TSA requested clarification regarding acceptable forms of superintendent signatures and minimum requirements for letterhead.

Response: The agency agrees that clarification is needed and has made an edit in Chapter 8 on page 86 to indicate that a digital signature can be accepted on official district or charter school letterhead.

Campus Closures

Comment: TXCSA and TSA recommended that TEA maintain the June 30 deadlines as outlined in 19 TAC §97.1066 for districts to complete all outlined compliance requirements.

Response: The agency disagrees. Campus closure decisions should not be based solely on accountability ratings, and the updated May 31 deadline provides districts with adequate time for community engagement and summer planning to support an orderly transition. Changes to §97.1066 are anticipated to be in effect during the summer of 2026 and are, therefore, appropriately reflected in the *2027 Accountability Manual*.

Pairing Campus for Federal Identification Purposes

Comment: TXCSA and TSA requested that paired campuses be identified for federal identification purposes without requiring the implementation of school improvement provisions, noting that without a district-level federal identification process in place, this approach could unintentionally encourage districts to pair non-STAAR®-grade campuses with the district rather than with another campus.

Response: The agency disagrees, as school improvement requirements for paired campuses are beyond the scope of the current rule proposal.

Results-Driven Accountability (RDA)

Comment: TXCSA and TSA requested to include student-level data lists including student identification number, name, demographics, program information, campus number, and student outcome for each indicator in RDA.

Response: The agency disagrees, as this request for a student listing report is beyond the scope of the proposal.

Comment: TXCSA and TSA requested that the term "emergent bilingual education" be used to more accurately reflect the student population served across multiple instructional program models, noting that replacing "bilingual education/English as a second language/emergent bilingual" with "bilingual education" does not accurately represent the full range of students served.

Response: The agency disagrees, as the term "bilingual education" was adopted in the *2026 Accountability Manual* and is consistent with other administrative rules, including 19 TAC §89.1201(a), which defines the state's policy for educating emergent bilingual students and specifies that they shall be provided the opportunity to participate in "bilingual education, to include bilingual and English as a second language (ESL) programs."

Comment: TXCSA, TSA, and Disability Rights Texas recommended continuing to report PLs for special education discipline as report-only measures.

Response: The agency agrees and has added a clarifying edit in Chapter 12 on page 106 to provide for inclusion of PLs for special education discipline as report-only measures.

Comment: TXCSA and TSA suggested expanding the RDA section to include RDA-specific guides, intervention requirements, and submission calendars that are currently available on the RDA web page. They also suggested maintaining the "Monitoring Interventions" section from page 124 and including new changes, such as the new DL 4 special education calculation.

Response: The agency disagrees, as the guides, calendars, and web page materials are outside the scope of the proposal.

Accountability Releases

Comment: TXCSA and TSA recommended including Appendix H in all future rulemaking processes.

Response: The agency disagrees with making this change. Appendices are not part of the rule text adopted under §97.1001 and, therefore, are not included in the rulemaking process. The appendices will be published as soon as feasible after the adoption of the 2027 manual.

Comment: TXCSA and TSA requested that TEA publish preliminary reports such as the Texas Academic Performance Reports (TAPR) and the Texas Performance Reporting System (TPRS) prior to finalizing the data after the appeals process.

Response: The agency disagrees, as the reporting calendars of TAPR and TPRS are outside the scope of the proposal.

2028 Accountability

Comment: A district administrator expressed concerns about the cost of additional assessments required for the 2028 accountability system due to the implementation of through-year testing under House Bill 8, 89th Texas Legislature, 2nd Called Session, 2025. The individual recommended that the state cover the testing cost.

Response: The agency disagrees, as through-year testing is outside the scope of the proposal.

STATUTORY AUTHORITY. The amendment is adopted under Texas Education Code, §7.021(b)(1), which authorizes 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 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 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 2027 are based upon specific criteria and calculations, which are described in excerpted sections of the *2027 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 2027 RDA report is based on specific criteria and calculations, which are described in the *2027 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.