

Chapter 74. Curriculum Requirements

Subchapter DD. Commissioner's Rules Concerning Mathematics Instruction

§74.2101. Middle School Advanced Mathematics Program.

- (a) Each school district and open-enrollment charter school shall develop a middle school advanced mathematics program for students in Grades 6-8 to enable students to enroll in Algebra I in Grade 8.
- (b) Each school district and open-enrollment charter school shall identify a local measure for use in determining student eligibility for automatic enrollment in a middle school advanced mathematics program.
- (c) School districts and open-enrollment charter schools shall automatically enroll in a middle school advanced mathematics program each Grade 6 student whose performance was either:
 - (1) in the 60th percentile or higher on statewide scores for the Grade 5 mathematics assessment instrument administered under Texas Education Code, §39.023(a); or
 - (2) in the top 40% on a local measure that includes the student's Grade 5 class ranking or a demonstrated proficiency in the student's Grade 5 mathematics coursework.
- (d) A local measure shall be used to determine enrollment of Grade 6 students for whom there are no results on the state Grade 5 mathematics assessment.
- (e) A school district or open-enrollment charter school shall make public the criteria for automatic enrollment in a middle school advanced mathematics program, including any criteria for a local measure, before the start of each school year.
- (f) The parent or guardian of a student who will be automatically enrolled in a middle school advanced mathematics program may opt the student out of automatic enrollment in an advanced mathematics program.
- (g) Each school district and open-enrollment charter school shall provide a written notice to the parent or guardian of each student entering Grade 6 who will be automatically enrolled in a middle school advanced mathematics program. The written notification shall be provided no later than 14 days before the first day of instruction for the school year. The required notice shall include a description of:
 - (1) the purpose of the program;
 - (2) the middle school advanced mathematics program offered by the school district or open-enrollment charter school, including an overview of the content addressed at each grade level;
 - (3) resources offered to support student success;
 - (4) the right of the parent or guardian to opt their child out of the middle school advanced mathematics program; and
 - (5) the process for a parent or guardian to opt their child out of the program and any associated deadlines.
- (h) A school district or open-enrollment charter school shall obtain written approval from the parent or guardian to remove a student from the middle school advanced mathematics program.
- (i) Each school district and open-enrollment charter school shall annually report to the Texas Education Agency (TEA) data related to student enrollment and performance in the middle school advanced mathematics program in a manner and time to be determined by TEA.
- (j) This section does not prohibit a school district or open-enrollment charter school from establishing a process to initially enroll Grade 7 or 8 students in a middle school advanced mathematics program.

Statutory Authority: The provisions of this §74.2101 issued under Texas Education Code, §28.029, as added by SB 2124, 88th Texas Legislature, Regular Session, 2023.

Source: The provisions of this §74.2101 adopted to be effective July 8, 2024, 49 TexReg 4906.