

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 May 1, 2020 issue of the *Texas Register* (45 TexReg 2809) and will be republished. The amendment adopts applicable excerpts of the *2020 Accountability Manual*.

REASONED JUSTIFICATION: TEA has adopted its academic accountability manual in rule since 2000. 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 intention is to update 19 TAC §97.1001 annually to refer to the most recently published accountability manual.

The amendment to 19 TAC §97.1001 adopts excerpts of the *2020 Accountability Manual* into rule as a figure. The excerpts, Chapters 1-11 of the *2020 Accountability Manual*, specify the indicators, standards, and procedures used by the commissioner of education to determine accountability ratings for school 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. Ratings may be revised as a result of investigative activities by the commissioner as authorized under Texas Education Code (TEC), §39.056 and §39.057.

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 are updated to align with 2020 accountability and present tense is applied throughout.

Chapter 1 gives an overview of the entire accountability system. The description of the Accountability Policy Advisory Committee was updated to note that the committee makes its own recommendations to address policy issues. The description of a *Not Rated* rating was moved from the Single-Campus Districts section to the Rating Labels section and expanded upon. The label *Not Rated: Declared State of Disaster* was added to indicate that due to extraordinary public health and safety circumstances and the closure of schools during the state's testing window inhibiting the ability of the state to accurately measure district and campus performance, the 2020 rating label *Not Rated: Declared State of Disaster* was issued to all districts and campuses. The school types chart was updated to reflect numbers for 2020.

Chapter 2 describes the Student Achievement domain. The section describing the inclusion of substitute assessments was updated to state that results from fall 2019 and spring 2020 are not included. Unschooled asylee, refugee, and students with interrupted formal education (SIFE) inclusion language was updated to note that these results are included beginning with the student's second year of enrollment in U.S. schools. Clarifying language regarding rounding within the State of Texas Assessment of Academic Readiness (STAAR®) component was added. The list of College, Career, and Military Readiness (CCMR) indicators was reorganized to align with other Performance Reporting products. The list of career and technical education courses aligned with an industry-based certification (IBC) was updated in response to the expansion of the IBC list.

Chapter 3 describes the School Progress domain. Language referencing House Bill 22, 85th Texas Legislature, 2017, was removed. Unschooled asylee, refugee, and SIFE inclusion language was updated to note that these results are included beginning with the student's second year of enrollment in U.S. schools. The language describing small numbers analysis for the Academic Growth domain was updated to indicate that three years are used. The section describing the inclusion of substitute assessments was updated to state that results from fall 2019 and spring 2020 are not included. A sentence reiterating that English learners in their second year in U.S. schools are included was removed, as it is redundant.

Chapter 4 describes the Closing the Gaps domain. The construction of this domain is based on the need to align to the language of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (ESSA). Clarifying language was added to the minimum size section, noting that a district or campus must meet minimum size for at least five indicators in the Academic Achievement component to be evaluated. Clarifying language was added to the Current and Former Special Education Students and Current and Monitored English Learners sections regarding the sources used to identify students as such. Unschooled asylee, refugee, and SIFE inclusion language was updated to note that these results are included beginning with the student's second year of enrollment in U.S. schools. The section describing the inclusion of substitute assessments was updated to state that results from fall 2019 and spring 2020 are not included. A sentence describing the minimum number of indicators

needed to be evaluated was added to each section describing the minimum size criteria. The language describing small numbers analysis for the Academic Growth domain was updated to indicate that three years are used. Language was added to note changes to the graduation rate methodology if the amendment submitted to the U.S. Department of Education (USDE) is approved. Texas English Language Proficiency Assessment System (TELPAS) Alternate was added to the English Language Proficiency component descriptions as well as a shift to use 2018 TELPAS composite ratings if 2019 composite ratings are not available. The list of CCMR indicators was reorganized to align with other Performance Reporting products. Clarifying language was added to note that only summer 2019 substitute assessments are included as participants. Additional language was added to the middle school example calculation to illustrate how to proportionally distribute component weights.

Chapter 5 describes how the overall ratings are calculated. Language was added to note that the following provision does not apply if the triggering campus is an alternative education accountability campus with a domain or overall rating of *D*. A district may not receive an overall or domain rating of *A* if the district includes any campus with a corresponding overall or domain rating of *D* or *F*. In this case, the highest scaled score a district can receive for the overall or in the corresponding domain is an 89. The formatting was updated for the campus School Progress, Part B: Relative Performance Lookup Tables.

Chapter 6 describes distinction designations. Clarifying language was added stating that a campus may earn a distinction based on a sole indicator other than attendance. An indicator that evaluates Grade 8 Algebra I end-of-course performance was added to the mathematics distinction section. The Top 25 Percent distinction methodology language was updated to state the use of the raw score rather than the scaled score.

Chapter 7 describes the pairing process and the alternative education accountability (AEA) provisions. The Pairing section was updated to state that traditional campuses may not be paired with AEA campuses. A section regarding magnet campuses and programs was added to detail the attribution of assessment results. Clarifying language was added to the AEA of choice description. Language describing the AEA registration process was revised to note that if a campus was registered in 2019 using the at-risk safeguard and it does not meet the at-risk enrollment criterion in 2020, the campus would not be eligible for AEA and would not be re-registered in 2020. Language was added stating that campuses that were not registered in 2019 but meet eligibility requirements for AEA in 2020 are automatically registered along with the requirement for a district to rescind the registration if they do not wish for the campus to be evaluated under AEA provisions. The number of at-risk criteria was updated from 13 to 14 to reflect statutory changes.

Chapter 8 describes the process for appealing ratings. A deadline of June 5, 2020, for TELPAS rescore requests and a deadline of June 19, 2020, for STAAR® rescore requests was added. Additionally, rescore requests submitted after the deadline will not be considered during the appeals process. Language was added stating that all preliminary ratings are subject to change due to an investigation or an appeal. The *Local Accountability System Manual* was changed to *Local Accountability System Guide*. A paragraph describing special program campuses was added to the Special Circumstance Appeals section, and a paragraph describing rescoring was removed. Clarifying language was added to note that distinction designations are not reprocessed for districts and campuses that receive a granted appeal for an *A-D* rating. The example of a satisfactory appeal was updated to reflect a satisfactory appeal recently received. A sentence was added to state that certain appeal requests may lead to audits and/or investigations.

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. The reference to House Bill 22, 85th Texas Legislature, 2017, was removed. Language was added stating that due to the lack of 2020 accountability ratings, the campuses identified for Public Education Grant (PEG) based on 2019 ratings will remain on the 2021-2022 PEG List. The Campus Intervention Requirements under the TEC, Chapter 39A, section was revised to reference TEC, Chapter 39A, rather than TEC, §39A.101, and to address campuses with a *D* rating. The Actions Required Due to Low Ratings or Low Accreditation Status sections was updated to include *D* ratings along with *F* ratings. Language was added to the Campus Intervention Requirements section and the Actions Required Due to Low Ratings section noting that when a district or campus receives a rating of *Not Rated*, *Not Rated: Declared State of Disaster*, or *Not Rated: Data Integrity Issues*, the district or campus shall continue to implement the previously ordered sanctions and interventions. If a campus has been ordered to prepare a turnaround plan and then receives a rating of *Not Rated*, *Not Rated: Declared State of Disaster*, or *Not Rated: Data*

Integrity Issues, that campus is strongly encouraged, but not required, to implement the approved turnaround plan. Language was revised to clarify the policy for updating campus identification numbers.

Chapter 10 provides information on the federally required identification of schools for improvement. Language and charts were revised to detail changes to additional targeted support, targeted support and improvement, and comprehensive support and improvement identification methodology if the submitted ESSA amendment is approved. Language was revised to note that all students, former education, continuously enrolled, and non-continuously enrolled student groups are not evaluated for additional targeted and targeted support and improvement. For targeted support and improvement and additional targeted support sections, minimum size requirement language was removed for the all students group, as it is not evaluated. Language regarding the exit criteria for comprehensive support and improvement was revised to clarify that campuses must have an improved Closing the Gaps domain letter grade by the end of the second year.

Chapter 11 describes local accountability systems. Language was added to clarify that local accountability plans may vary by campus type and by school group but must apply equally to all campuses by type and group. Language noting that an independent panel consisting of representatives from current participating districts would participate in the review process was removed. The *Local Accountability System Manual* was replaced with the *Local Accountability System Guide*. References to a "what if" rating were removed. Language indicating that districts must submit scaled scores for each component was added.

Changes were made to the manual since published as proposed. The adopted manual includes the following changes either to provide clarification or in response to public comment.

Chapter 1 was revised in response to public comment to clarify that due to extraordinary public health and safety circumstances and the closure of schools during the state's testing window inhibiting the ability of the state to accurately measure district and campus performance, the 2020 rating label *Not Rated: Declared State of Disaster* is issued to all districts and campuses.

Chapter 4 was updated in response to public comment to indicate that all districts and campuses are labeled *Not Rated: Declared State of Disaster* for 2020, and, therefore, TELPAS and TELPAS Alternate results are not evaluated.

Chapter 5 was revised in response to public comment to clarify that in 2020, all districts and campuses are labeled *Not Rated: Declared State of Disaster* overall and for each domain and that the remainder of Chapter 5 describes how *A-F* ratings for overall and domain performance would have been applied to districts and campuses if ratings had been assigned.

Chapter 7 was updated to clarify that the pairing process is not necessary in 2020 because districts and campuses are labeled *Not Rated: Declared State of Disaster*. Additionally, Chapter 7 was updated to state that the 2020 registration process occurred May 15-June 1, 2020, and that the final list of AEA campuses and AEA charter campuses will be posted on the TEA website in June 2020. Lastly, language was added in response to public comment to clarify that CCMR and graduation rate outcomes are to be assigned to campuses of instruction, not campuses of origin. The types of programs and campuses to which the rule applies was also expanded to include Pathways in Technology Early College High Schools (P-TECHs), schools of choice, academies, and other similar programs.

Chapter 8 was revised in response to public comment to clarify that 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. Chapter 8 was also revised to clarify that due to circumstances caused by the COVID-19 pandemic, all districts and campuses are labeled *Not Rated: Declared State of Disaster* for 2020 and that notwithstanding any other provision of the chapter, the 2020 rating label cannot be appealed.

Chapter 10 was updated to state that notwithstanding any other provision of the chapter, campuses identified for comprehensive support and improvement, targeted support and improvement, and additional targeted support in 2019 maintain that label and interventions for the 2020-2021 school year under the provisions on the Elementary and Secondary Education Act, as amended by the ESSA, waiver approved by the USDE on March 30, 2020.

SUMMARY OF COMMENTS AND AGENCY RESPONSES: The public comment period on the proposal began May 1, 2020, and ended June 1, 2020. Following is a summary of the comments received and corresponding responses.

Comment: Lead4ward, Lexington Independent School District (ISD), Somerville ISD, and 36 district staff members requested additional clarity in Chapter 1 and Chapter 5 on the application of the *Not Rated: Declared State of Disaster* label. The Fast Growth School Coalition and the Texas School Alliance (TSA) proposed that the opening paragraph of Chapter 1 be updated with clarifying language from the To the Administrator Addressed letter released on April 2, 2020.

Agency Response: The agency agrees to add clarifying language. At adoption, Figure: 19 TAC §97.1001(b) was updated to clarify that all districts and campuses will be assigned a *Not Rated: Declared State of Disaster* label for 2020; however, the specific language from the April 2, 2020 letter was not used.

Comment: The Fast Growth School Coalition and TSA commented in support of Texas's request to amend the graduation rate methodology as described in Texas's ESSA plan and requested that if the amendment is approved, the table on page 57 be updated to reflect the amendment waiver language shown on page 47. TSA also recommended that if the amendment is denied, the agency should either remove the condition to "exceed the previous year by at least a tenth of a percent" and award credit in this component based on the 90% target or modify this condition to award credit when the student group increases by at least a tenth of a percent or reaches the long-term state target of 94%.

Agency Response: The agency disagrees as a response to the ESSA amendment has yet to be received.

Comment: The Fast Growth School Coalition and TSA proposed setting alternate targets for alternative education campuses that serve as dropout recovery schools.

Agency Response: The agency disagrees. Currently the state's ESSA plan does not differentiate targets by campus type. As such, TEA does not have the authority to update Figure: 19 TAC §97.1001(b) with the commenter's proposed changes. This change would require an amendment to the state's ESSA plan.

Comment: The Fast Growth School Coalition and TSA proposed aligning the new Algebra I by Grade 8 Performance indicator evaluated in the mathematics distinction designation with other indicators by requiring Masters Grade Level achievement for credit.

Agency Response: The agency disagrees. The indicator is credited based on the Meets Grade Level standard in response to stakeholder feedback.

Comment: The Fast Growth School Coalition commented in support of the new language addressing the proper assessment result attribution for students attending magnet programs and campuses.

Agency Response: The agency agrees.

Comment: Five parents, one community member, one district staff member, one higher education counselor, and two individuals commented in support of the new language addressing the proper assessment result attribution for students attending magnet programs and campuses but requested that the language also address graduation; CCMR; and programs and campuses similar to magnets. One district staff member, one community member, two parents, one higher education counselor, and two individuals also proposed language clarifying whether the new language relates to assignment of class rank for purposes of scholarships and/or tuition waivers related to the "Highest Ranking Graduate" (TEC, §54.301) and the "Automatic College Admission" (TEC, §51.803).

Agency Response: The agency agrees in part. At adoption, Figure: 19 TAC §97.1001(b) was updated to clarify that the rule applies to graduation, CCMR, and other specialized programs and campuses such as, but not limited to, P-TECHs, schools of choice, and academies. The portion of the comment regarding class rank and college admissions

is outside the scope of the proposed rulemaking. For further information about TEC, §54.301 and §51.803, please contact the Texas Higher Education Coordinating Board.

Comment: Fort Bend ISD commented in opposition to the new language addressing the proper assessment result attribution for students attending magnet programs and campuses.

Agency Response: The agency disagrees. Academic accountability ratings are intended to evaluate outcomes for students at the district or campus for which they are assigned and receive instruction.

Comment: One parent proposed that graduation type codes 04 and 05 be replaced with codes 34 and 35 in the Graduate with Completed Individualized Education Program (IEP) and Workforce Readiness indicator evaluated in CCMR components.

Agency Response: The agency disagrees. Graduation type codes 04 and 05 are included based on stakeholder feedback and indicate workforce readiness. The graduation type plans included are inclusive of students who may take longer than four years to graduate.

Comment: One parent proposed the removal of the Recommended High School Plan and Distinguished Achievement Plan from the Graduate Under an Advanced Degree Plan and be Identified as a Current Special Education Student indicator evaluated in CCMR components.

Agency Response: The agency disagrees. The graduation type plans included are inclusive of students who may take longer than four years to graduate.

Comment: Texans for Special Education Reform and one parent proposed that students receiving special education services be evaluated in the same manner as other students by removing the two CCMR indicators specific to special education and setting equivalent targets for all student groups in the Closing the Gaps domain. Additionally, Disability Rights Texas and Texans for Special Education Reform requested the removal of the minimum number of indicators requirement in the Closing the Gaps domain.

Agency Response: The agency disagrees. The Closing the Gaps domain targets were set during negotiations with the USDE during the state's ESSA plan approval. The first draft of Texas's plan included the same targets for each student group. As the baseline data reflected some groups would have much higher gains to make while other groups may have already exceeded those targets, the USDE requested individualized targets for each student group based on actual statewide average. Additionally, the two indicators referenced are included based on stakeholder feedback with the intent to recognize CCMR for students receiving special education services that graduate under advanced degree plans or complete an IEP with workforce readiness. Lastly, the minimum number of indicators in the Closing the Gaps domain is not new for 2020 and was established to ensure that the Closing the Gaps domain rating is reflective of the overall performance of the district or campus rather than allow performance of a small subset of results to disproportionately affect outcomes for a district or campus.

Comment: One district staff member and TSA proposed extending the phase-out of the half-point CCMR credit to 2022 accountability ratings.

Agency Response: As this comment pertains to future accountability ratings, it is outside the scope of the proposed rulemaking and should be addressed in next year's manual.

Comment: One district staff member proposed weighting the Closing the Gaps domain components for AEA middle schools as they are weighted for non-AEA middle schools or maintaining the current weights but reversing the substitution rules so that Growth is substituted for CCMR and the STAAR® component is substituted for Graduation Rate.

Agency Response: The agency disagrees. Currently, the state's ESSA plan does not differentiate AEA high schools and AEA middle schools. As such, TEA does not have the authority to update Figure: 19 TAC §97.1001(b) with the commenter's proposed changes. This change would require an amendment to the state's ESSA plan.

Comment: One district staff member and TSA proposed using graduation rate scaling methodology that considers school size.

Agency Response: The agency disagrees. School size is not a factor in the scaling formula for any component of the current accountability system. Scaling formulas were established using statewide data from all school sizes.

Comment: One district staff member and TSA proposed changing the Appeals Process language from "...a single indicator or measure will result in an *F* rating" to "a reduced rating."

Agency Response: The agency agrees. At adoption, Figure: 19 TAC §97.1001(b) was updated with the commenter's proposed language.

Comment: One district staff member proposed revising the Issues Unfavorable for Appeal language from "a newcomer center designed specifically to serve" to "a campus serving a high concentration of." TSA recommended expanding the phrase "newcomer center" to "newcomer center and/or campuses with 10 percent or more of their enrolled students identified as asylee/refugee/SIFE students."

Agency Response: The agency disagrees. "A high concentration of" is subjective in nature, and research would need to be conducted to establish a meaningful threshold before making such a change.

Comment: One district staff member and TSA commented in support of the removal of the All Students group from groups used to identify campuses for targeted support and improvement and additional targeted support.

Agency Response: The agency agrees.

Comment: Seven district staff members proposed to amend the language regarding the inclusion of TELPAS and TELPAS Alternate to indicate that TELPAS and TELPAS Alternate will not be measured for any accountability purposes for the 2019-2020 or 2020-2021 school year.

Agency Response: The agency agrees in part. At adoption, Figure: 19 TAC §97.1001(b) was updated to indicate that all districts and campuses are labeled *Not Rated: Declared State of Disaster* for 2020, and, therefore, TELPAS and TELPAS Alternate are not evaluated. As the second portion of the comment pertains to future accountability ratings, it is outside the scope of the proposed rulemaking and should be addressed in next year's manual.

Comment: The Fast Growth School Coalition recommended including an explanation as to why crisis codes are being collected.

Agency Response: The crisis codes are not used for 2020 accountability. This comment is, therefore, outside the scope of the proposed rulemaking.

Comment: TSA recommended the repeal of Step 10 from Chapter 5 to align the ratings calculations with legislative intent until such time as lawmakers decide to make changes.

Agency Response: The agency disagrees. This step is one of many additional steps (such as the better of School Progress, Part A or Part B) adopted under commissioner rule. This step clarifies that if a district/campus has not met standards in three of four areas, it is not meeting standards overall. TEA has determined that this step is fair and appropriate, especially given the "better of the better of" used in the first two domains and the additional provision for the Student Achievement domain outcome.

Comment: TSA recommended retaining the phrase "independent review panel consisting of representatives from current LAS districts" to align the accountability manual with statute until such time as lawmakers decide to make changes in future accountability manuals.

Agency Response: As this comment pertains to future accountability, it is outside the scope of the proposed rulemaking and should be addressed in next year's manual.

Comment: TSA recommended removing "D" from the Campus Number Tracking in the section in Chapter 1 to align the accountability manual with statute until such time as lawmakers decide to make changes.

Agency Response: The agency disagrees. The TEA School Improvement Division provides support to campuses with "D" ratings as is currently required by statute.

Comment: TSA proposed that the agency issue "hold-harmless," "not-rated," or "report only" accountability ratings for the 2020-2021 school year.

Agency Response: As this comment pertains to future accountability, it is outside the scope of the proposed rulemaking and should be addressed in next year's manual.

Comment: TSA recommended removing "D" from the Actions Required Due to Low Ratings or Low Accreditation Status section in Chapter 9 to align the accountability manual with statute until such time as lawmakers decide to make changes.

Agency Response: The agency disagrees. The TEA School Improvement Division provides support to campuses with "D" ratings as is currently required by statute.

Comment: TSA recommended returning to the state's long-time standard of including unschooled asylees, refugees, and students with interrupted formal education beginning in their sixth year of enrollment in U.S. schools for the Student Achievement, School Progress, Part A: Academic Growth and School Progress, Part B: Relative Performance domain calculations.

Agency Response: The agency disagrees. This change was made in response to a USDE program review finding and brings the state into compliance with federal accountability requirements under ESSA.

Comment: TSA requested the agency include a historical timeline in the appendix that outlines the significant changes that have been made to the assessment and accountability system since 2011.

Agency Response: As this comment pertains to appendices, which are not adopted in Figure: 19 TAC §97.1001(b), it is outside the scope of the proposed rulemaking. The recommendation will be considered for future appendices.

STATUTORY AUTHORITY. The amendment is adopted under Texas Education Code (TEC), §39.052(a) and (b)(1)(A), which require the commissioner to evaluate and consider the performance on achievement indicators described in TEC, §39.053(c), when determining the accreditation status of each school district and open-enrollment charter school; TEC, §39.053, which requires the commissioner to adopt a set of performance indicators related to the quality of learning and achievement in order to measure and evaluate school districts and campuses; 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 allows the commissioner to adopt indicators and standards under TEC, Subchapter C, at any time during a school year before the evaluation of a school district or campus; 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, §39.151, 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, §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; and TEC, §12.104(b)(3)(L), which subjects open-enrollment charter schools to the rules adopted under public school accountability in TEC, Chapter 39.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code, §§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)(3)(L).

<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 2020 are based upon specific criteria and calculations, which are described in excerpted sections of the *2020 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, §39.057.
- (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.