

The Texas Education Agency (TEA) proposes new §102.1503, concerning mathematics innovation zones. The proposed new rule would establish the requirements for a school district or open-enrollment charter school to earn a Math Innovation Zone designation.

**BACKGROUND INFORMATION AND JUSTIFICATION:** Texas Education Code (TEC), §28.020, provides the commissioner with the authority to designate mathematics innovation zones and establishes the necessary implementation process for a designated mathematics innovation zone.

Proposed new 19 TAC §102.1503 would establish the requirements that school districts and open-enrollment charter schools must meet to earn Math Innovation Zone designations and the corresponding benefits. By defining the requirements of a designated Math Innovation Zone, TEA will be able to ensure the integrity of the program and ensure that only school districts and open-enrollment charter schools who meet Math Innovation Zone designation requirements attain the resulting benefits.

**FISCAL IMPACT:** Kristen Hole, associate commissioner for instructional strategy, has determined that for the first five-year period the proposal is in effect there are no additional costs to state or local government, including school districts and open-enrollment charter schools, required to comply with the proposal.

**LOCAL EMPLOYMENT IMPACT:** The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in Texas Government Code, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

**GOVERNMENT GROWTH IMPACT:** TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would create a new regulation. The proposed new rule would define the criteria by which a school district or open-enrollment charter school can earn Math Innovation Zone designation.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not expand, limit, or repeal an existing regulation; would not increase or decrease the number of individuals subject to the rule's applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** Ms. Hole has determined that for each year of the first five years the proposal is in effect, the public benefit anticipated as a result of enforcing the proposal would be defining the criteria by which Math Innovation Zone designation must be earned, ensuring that the benefits of the designation are reserved only for qualifying and compliant school districts and open-enrollment charter schools. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** The proposal would have no new data or reporting impact. The current program requires school districts and open-enrollment charter schools participating in the Math Innovation Zone program to submit data related to fidelity of implementation of their blended learning programs. Fidelity of implementation data is used to evaluate the effectiveness and efficacy of the program. All data is collected in a secure and compliant manner.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

PUBLIC COMMENTS: The public comment period on the proposal begins December 11, 2020, and ends January 11, 2021. A request for a public hearing on the proposal submitted under the Administrative Procedure Act must be received by the commissioner of education not more than 14 calendar days after notice of the proposal has been published in the *Texas Register* on December 11, 2020. A form for submitting public comments is available on the TEA website at [https://tea.texas.gov/About\\_TEA/Laws\\_and\\_Rules/Commissioner\\_Rules\\_\(TAC\)/Proposed\\_Commissioner\\_of\\_Education\\_Rules/](https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_(TAC)/Proposed_Commissioner_of_Education_Rules/).

STATUTORY AUTHORITY. The new section is proposed under Texas Education Code (TEC), §28.020, which provides that the commissioner may adopt rules as necessary to administer the mathematics innovation zone designation process.

CROSS REFERENCE TO STATUTE. The new section implements Texas Education Code, §28.020.

<rule>

### **§102.1503. Math Innovation Zone Designation.**

The commissioner of education may designate a campus as a Math Innovation Zone if all participating grade levels of the campus successfully fulfill the Math Innovation Zone fidelity of implementation requirements in planning and execution of the program, as described in paragraphs (1) and (2) of this section.

(1) To achieve fidelity of implementation in planning, a school district must:

- (A) submit a Math Innovation Zone strategic plan to a third-party evaluator that will evaluate the plan against a publicly available rubric that addresses the requirements of Texas Education Code, §28.020(b)(1); and
- (B) receive approval of the plan, based on the recommendation of the third-party evaluator, from the Texas Education Agency (TEA).

(2) To achieve fidelity of implementation in execution, a campus must demonstrate evidence of:

- (A) sufficient student progress with a TEA-approved online curriculum program, indicated by measures such as time spent in the program, lessons completed, or skills mastered;
- (B) sufficient teacher usage of a TEA-approved online curriculum program, indicated by measures such as weekly logins, student progress report downloads, or corrected student misconceptions;
- (C) sufficient time for data-driven planning for teachers, including successful completion of the full data cycle (gathering data, analyzing data, and changing practice based on the data) to improve classroom implementation of high quality instructional materials;
- (D) satisfactory completion of professional development opportunities for participating teachers, including an intended improvement in teacher instructional practice that is aligned to the chosen TEA-approved online curriculum program and high quality instructional materials; and
- (E) the administration and analysis of an approved, Texas Essential Knowledge and Skills-aligned interim assessment that measures student growth and provides data to students and teachers to support future learning.