

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 April 18, 2025 issue of the *Texas Register* (50 TexReg 2472) and will be republished. The amendment adopts in rule applicable excerpts of the *2026 Accountability Manual*. Earlier versions of the manual 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 *2026 Accountability Manual* into rule as a figure. The excerpts, Chapters 1-12 of the *2026 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 2026 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 2026 accountability and RDA. Edits for clarity regarding consistent language and terminology throughout each chapter are embedded within the adopted *2026 Accountability Manual*. For example, references to the Public Education Information Management System (PEIMS) October submission were changed to the PEIMS Fall submission throughout the manual.

Chapter 1 gives an overview of the entire accountability system. Language in the Who is Rated section has been adjusted to clarify membership. One reason for being *Not Rated* was added back into the manual for clarity. Language was adjusted to add clarity to the Accountability Subset Rule section and the STAAR end-of-course (EOC) Retest Performance section. Based on public comment, clarification was provided at adoption in the table on page 7 under Accountability Subset Rule, on page 9 in the new Inclusion of Emergent Bilingual (TS) Students in STAAR-Based Indicators section, on page 9 in the Texas Student Data System (TSDS) PEIMS-Based Indicators section, in the table on page 10 under TSDS PEIMS-Based Indicators, and in the table on page 11 under Other Indicators.

Chapter 2 describes the "Student Achievement" domain. Emergent bilingual (EB) student coding was moved to Appendix H--Data Sources instead of being listed in the STAAR Component--Inclusion of EB Students section. A new section regarding Inclusion of STAAR English Learner Performance Measure Results was added. Language in the College, Career, and Military Readiness Component section was adjusted to provide clarity regarding college prep courses. A table was added regarding college, career, and military readiness (CCMR) credit requirements in the Schedule for Reviewed and Approved College Prep Courses section. Calculation language was clarified in the Graduation Rate--Minimum Size Criteria and Small Numbers Analysis and the Annual Dropout Rate--Minimum Size Criteria and Small Numbers Analysis sections. Based on public comment, clarification was provided at adoption on page 15 in the Overview section; on page 16 in the Inclusion of STAAR English Learner Performance Measure Results section; in the table on page 18 under STAAR Component--Example Calculation; in the bullets on page 19 under College, Career, and Military Readiness Component; in the College, Career, and Military Readiness Component section regarding adjustments to the timeline on pages 19, 20, and 21; on page 23 in the College, Career, and Military Readiness Component--Minimum Size Criteria and Small Numbers Analysis section; on page 27 in the alternative education accountability (AEA) College, Career, and Military Readiness Component--Minimum Size Criteria and Small Numbers Analysis section; and on page 28 in the AEA Graduation Rate--Minimum Size Criteria and Small Numbers Analysis section.

Chapter 3 describes the "School Progress" domain. EB student coding was moved to Appendix H--Data Sources instead of being listed in the Part A: Academic Growth--Inclusion of EB Students, Part B: Relative Performance--Inclusion of EB Students, and AEA Part B: Retest Growth--Inclusion of EB Students sections. Based on public comment, clarification was provided at adoption on page 31 in the Part A: Academic Growth--Minimum Size

Criteria and Small Numbers Analysis section and on page 32 in the Part A: Academic Growth: Annual Growth--Methodology section.

Chapter 4 describes the "Closing the Gaps" domain. Language regarding minimum size was moved to the Two Lowest Performing Racial/Ethnic Groups from the Prior Year and the Steps to Determine the Two Lowest Performing Groups sections. EB student coding was moved to Appendix H--Data Sources instead of being listed in the Inclusion of EB students section. Calculation language was clarified in the Federal Graduation Status--Minimum Size Criteria and Small Numbers Analysis All Students section. Language was updated to reflect the new methodology for measuring Texas English Language Proficiency System progress in the Progress in Achieving English Language Proficiency Component section. Based on public comment, the Continuously Enrolled section previously on page 42 was moved at adoption to page 110 in Chapter 10, and clarification was provided at adoption on page 43 in the Current Special Education Students section by moving the information regarding former special education students to Chapter 10.

Chapter 5 describes how the overall ratings are calculated. Language was added for clarity in the District Proportional Domain Methodology section. Based on public comment, clarification was provided at adoption by reordering the information on page 63 in the Campus Overall Rating section and on page 65 in the District Overall Rating section.

Chapter 6 describes distinction designations. Language was added to the Other Information section.

Chapter 7 describes the pairing process and AEA provisions. No edits beyond the technical edits described previously were made.

Chapter 8 describes the process for appealing ratings. No edits beyond the technical edits described previously were made.

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 regarding *Not Rated* were removed from the Actions Required Due to Low Ratings or Low Accreditation Status section.

Chapter 10 provides information on the federally required identification of schools for improvement. The proposed manual contained no edits beyond the technical edits described previously. Based on public comment, the Continuously Enrolled section was moved at adoption from Chapter 4 to page 110, and information regarding Former Special Education Students was moved at adoption from Chapter 4 to page 111.

Chapter 11 describes the local accountability system. No edits beyond the technical edits described previously were made.

Chapter 12 describes the RDA system. Language was clarified in the Principle 2: Drives Improved Results and High Expectations section. Language in the 2026 RDA Changes section was rewritten. Language was adjusted for clarity in the RDA PL Assignments for Program Area Determinations section.

Corrections were made at adoption to the information under 2026 RDA Changes on page 119 and on page 120 in the New DL 4 Needs Substantial Intervention (NSI) (DL4) Criteria section.

SUMMARY OF COMMENTS AND AGENCY RESPONSES: The public comment period on the proposal began April 18, 2025, and ended May 19, 2025. Following is a summary of the public comments received and agency responses.

Edits for Clarification

Comment: A district administrator recommended various formatting updates, including font sizes, table ordering, table numbers, the order of sections, and page spacing.

Response: The agency disagrees with the scope of these formatting changes. Maintaining the format in the current manual will ensure that the agency does not signal a change to methodology where there is not a change.

Comment: A district administrator requested clarification regarding the enhanced performance levels methodology used in the transition table for measuring School Progress, Part A: Academic Growth, specifically, if the raw score of zero is included.

Response: The agency agrees and has made a clarifying edit in Chapter 3 on page 32 to specify that an 'enhanced' performance level used for accountability is not calculated for a raw score of zero. The document, *STAAR Raw Scores and Scale Scores Associated with the Calculation of School Progress, Part A: Academic Growth within the A-F Accountability System*, is posted on the Performance Reporting website each year.

Comment: An education service center (ESC) representative requested clarifying edits to the manual regarding AEA and small numbers methodology.

Response: The agency agrees and has added clarifying statements in Chapter 2 on page 23 in the College, Career, and Military Readiness Component--Minimum Size Criteria and Small Numbers Analysis; on page 27 in the AEA College, Career, and Military Readiness Component--Minimum Size Criteria and Small Numbers Analysis section; and on page 28 in the AEA Graduation Rate--Minimum Size Criteria and Small Numbers Analysis.

Comment: The Texas Center for State Accountability (TXCSA) suggested that the definition of Former Special Education be updated in the *2026 Accountability Manual* to align with TEC, §39.053.

Response: The agency agrees and has added clarity to Chapter 10 on page 111 regarding the years of Special Education status used.

Comment: A district administrator requested clarity regarding the inclusion/exclusion criteria in Chapter 1: STAAR Component--Inclusion of EB Students and whether Appendix H that is referenced will align with the *Accountability Rating System Manual* for 2026 ratings.

Response: The agency agrees that additional clarity is needed within the *Accountability Rating System Manual* for 2026 ratings regarding the inclusion/exclusion criteria for EB students and has added the language from the manual for 2025 ratings to Chapter 1 on page 9.

Comment: lead4ward suggested the manual clarify that the subset rule does not apply to districts, specifically stating that the "district accountability subset" is no longer applicable.

Response: The agency agrees and has made a clarifying edit to Chapter 1 on page 7 to the column headers in the table to remove "district" from "subset of district/campus accountability."

Comment: lead4ward recommended changes to the language added to the 2026 manual at the beginning of Chapter 2 under the heading "Overview" that specified student achievement in the areas of performance on State of Texas Assessments of Academic Readiness (STAAR®), STAAR® EOC assessments, and STAAR® Alternate 2 assessments.

Response: The agency agrees with limiting confusion in the introduction by simplifying the language in Chapter 2 on page 15 to how it was described in the manual for 2025 ratings.

Comment: lead4ward recommended additional changes to the language added to the 2026 manual under the STAAR Component--Assessments and Measures Evaluated section in Chapter 2 and the Academic Achievement--Assessments and Measures Evaluated section in Chapter 4 regarding references to STAAR® assessments for Grades 3-12.

Response: The agency disagrees and has determined that the proposed language presents the clearest descriptions.

Comment: lead4ward recommended the word "eligible" be added to the sentence "A student's EL performance measure provides a more meaningful gauge of the achievement on STAAR for an eligible EB student" in Chapter 2.

Response: The agency agrees and has made this change to the *2026 Accountability Manual* in Chapter 2 on page 16.

Comment: lead4ward recommended the word "Reading" be replaced with "Reading Language Arts" in Chapter 2 for the STAAR Component--Example Calculation.

Response: The agency agrees and has made this change to the *2026 Accountability Manual* in Chapter 2 on page 18.

Comment: lead4ward requested additional clarity be added to Chapter 2 in the College, Career, and Military Readiness Component section about College Preparatory Course grade level requirements for 2026.

Response: The agency disagrees with adding information about 2026 to this section, as the current language is used to indicate the permanent requirement, which is Grade 12 for eligibility. However, the agency has added to Chapter 2 on page 19 the word "starting" to provide clarity about the timing of that requirement.

Comment: lead4ward requested that for additional clarity in Chapter 2, the phrase "Complete an Aligned Program of Study" should be removed and further clarity added about the requirements in 2026 for the CCMR indicator, Earn an Industry-Based Certification (IBC), and Complete an Aligned Program of Study.

Response: The agency disagrees with removing the phrase "and Complete an Aligned Program of Study" and adding additional descriptions about 2026 to this section in Chapter 2, as the current language is used to indicate the permanent requirement, which will be to complete an aligned program of study.

Comment: lead4ward suggested that in Chapter 3 on page 30 the word "STAAR" before "STAAR English I, English II, and Algebra I EOC assessment results" is confusing.

Response: The agency disagrees and has determined that the proposed language presents the clearest descriptions.

Comment: lead4ward suggested that in Chapter 3, "STAAR Alternate 2" assessments be more clearly specified as part of the calculation of Part A: Academic Growth--Minimum Size Criteria and Small Numbers Analysis.

Response: The agency agrees and has made this change to the *2026 Accountability Manual* in Chapter 3 on page 31.

Comment: lead4ward suggested that in Chapter 3 School Progress, Part B: Retest Growth for campuses evaluated under AEA methodology should be renamed Part B: EOC Retest Performance.

Response: The agency disagrees and has determined that the proposed language presents the clearest description.

Comment: lead4ward suggested a change in Chapter 4 to the way manual describes the calculation of the denominator for determining expected growth for two points in Closing the Gaps.

Response: The agency disagrees and has determined that the proposed language presents the clearest description.

Comment: lead4ward suggested Chapter 4 not repeat the CCMR components already listed in Chapter 2.

Response: The agency disagrees and has determined that the current language presents the clearest description.

Comment: A district administrator recommended a change for clarity to the listing of the two groups that are not a part of the Closing the Gaps Domain Rating calculation: Former Special Education and Continuously Enrolled.

Response: The agency agrees. The Continuously Enrolled section previously in Chapter 4 on page 42 was moved at adoption to page 110 in Chapter 10, and clarification was provided at adoption in Chapter 4 on page 43 in the Current Special Education Students section by moving the information regarding former special education students to Chapter 10.

Comment: A district administrator recommended separating Campus Methodology from District Methodology in the steps for calculating the overall rating.

Response: The agency agrees and has reordered the information on page 63 for Campus Overall Rating and on page 66 for District Overall Rating.

Advanced Math Pathways and Accelerated Testers

Comment: A district administrator requested an update to the SAT/ACT scores needed for accelerated testers to be considered Meets and Masters on STAAR®-based measures.

Response: The agency disagrees with making changes that are beyond the scope of the current rule proposal. The agency will review the accelerated testers methodology, including the score ranges needed on SAT/ACT, for future implementation into the next refresh of the A-F system.

Comment: A district administrator requested to include Advanced Placement as an additional assessment for accelerated testers.

Response: The agency disagrees that it has the authority to make such a change at this time. As indicated in the agency's accelerated testers waiver renewal request to the U.S. Department of Education (USDE), "students completing an advanced course in middle school will continue to be assessed in high school with one of these assessments (SAT or ACT) in the applicable subject area. Students completing an advanced science course in middle school will continue to be assessed again in high school using the ACT science assessment." The waiver renewal request is available at <https://tea.texas.gov/about-tea/laws-and-rules/essa>.

Comment: The College Board requested that the SAT be included as an additional assessment for accelerated testers and added as an indicator for the distinction designation for Academic Achievement in Science.

Response: The agency disagrees that it has the authority to make such a change at this time. As indicated in the agency's accelerated testers waiver renewal request to the USDE, "Students completing an advanced science course in middle school will continue to be assessed again in high school using the ACT science assessment."

Comment: A district administrator provided feedback on the March Texas Accountability Advisory Group proposal regarding middle school students who reach approaches on STAAR® EOC assessments and are considered accelerated testers.

Response: This comment is outside the scope of the proposed rulemaking. However, the agency will continue to gather feedback from stakeholders on changes to future accountability refresh cycles.

School Progress Domain

Comment: A district administrator suggested making a transition table specific for students that transition from taking the STAAR® test in Spanish to taking the STAAR® test in English.

Response: The agency disagrees with making changes that are beyond the scope of the current rule proposal. Additionally, the agency has conducted analysis on the growth of students that transition tested languages and has determined this is not an area for future implementation.

College, Career, and Military Readiness

Comment: An individual requested an additional year to move to the college preparatory course list.

Response: The agency agrees and has announced a change to the timeline for the College Preparatory Approved Course List. (See <https://tea.texas.gov/about-tea/news-and-multimedia/correspondence/taa-letters/postponement-of-approved-list-of-college-preparatory-courses-to-2028-accountability>.) 2026 graduates will not be limited to courses

from the approved course list for CCMR credit in 2027 accountability. The requirement for approved College Preparatory Courses for CCMR credit has been postponed to the 2028 accountability refresh year and will be implemented with 2027 graduates. Clarification was provided at adoption in Chapter 2 to the timeline on pages 19, 20, and 21.

Comment: A district administrator requested consideration and clarity for when a student takes a required college preparatory course in Grade 12 but is retained in Grade 12 for a repeat year.

Response: The agency disagrees that an edit is needed as the manual already includes the statement, "The grade of the student at the time of the course will be based on the grade submitted in the TSDS PEIMS Summer submission." Credit for CCMR will be earned if the student took the course when the district reported them as in Grade 12.

Comment: lead4ward suggested that "Complete College Prep Course" be given its own row in the table describing the TSDS PEIMS data used for accountability indicators due to changes to the grade levels eligible for CCMR credit beginning in 2026 and 2027 accountability.

Response: The agency agrees and has made a clarifying edit to Chapter 1 on page 10 in the College Prep Course row of the table for TSDS PEIMS data provided by school districts and used to create specific CCMR indicators.

Comment: lead4ward suggested that the CCMR calculation as described in the Other Indicators table should use the Texas Success Initiative (TSI) assessment results beginning with the introduction of the TSI assessment in June 2011.

Response: The agency agrees with clarifying the dates of TSI assessment results used in CCMR and has made an update to Chapter 1 on page 11 in the table describing the Other data used for CCMR. However, the agency disagrees with using the TSI assessment results back to June 2011 and has clarified that CCMR uses data dating 10 years back from the year of accountability.

Comment: lead4ward recommended that any changes to the valuation of IBCs be applied to students entering Grade 9 in the year following the final adoption of 19 TAC §97.1003, Local Accountability System.

Response: The agency disagrees as the comment is beyond the scope of the current rule proposal. However, the agency will continue to work with stakeholders to consider policy implementation for future accountability refresh cycles.

Comment: The College Board recommended changes to the development of the IBC lists used in state accountability, including updating the list of approved IBCs every two years, approving entry-level certifications, and removing the requirement of attainability by adults as part of the requirements of approved IBCs.

Response: This comment is outside the scope of the proposed rulemaking.

Comment: The TXCSA recommended the addition of graduation code 56 in the definition of Graduate with Completed Individualized Education Program (IEP) and Workforce Readiness for CCMR.

Response: The agency disagrees with the recommendation as this code does not demonstrate Workforce Readiness as defined by the IEP and the Workforce Readiness indicator.

Comment: The TXCSA suggested the agency not implement the Grade 12 requirement to earn CCMR credit for College Preparatory Courses, which will be in effect with the 2027 accountability, and the removal of the Schedule for Phase-in of College Prep 12th Grade requirement section in the *2026 Accountability Manual*.

Response: The agency disagrees and reiterates the statutory requirement that college preparatory courses be designed for Grade 12 students.

Comment: The TXCSA suggested a revision to the CCMR methodology in the *2026 Accountability Manual* to include mid-year December graduates in CCMR calculations.

Response: The agency disagrees that a revision of the manual is needed as the CCMR calculation already includes mid-year or early graduates.

Comment: The TXCSA indicated that House Bill 773, 87th Texas Legislature, Regular Session, 2021, did not require students to complete an aligned program of study in addition to successfully meeting IBC requirements and suggested that the two should not be combined in the CCMR indicator.

Response: The agency disagrees with separating these two indicators of a student's college or career readiness since program of study completion and IBC attainment are stronger indicators when combined than they are independently.

Comment: The TXCSA commented that based on TEC, §39.053, students who have completed an internship or practicum should be included in the CCMR calculation.

Response: The agency disagrees as policy changes are beyond the scope of the current rule proposal. The agency will continue to work with stakeholders to consider the CCMR indicators for future implementation in the next refresh of the A-F system.

Comment: The TXCSA suggested that the methodology in the *2026 Accountability Manual* for CCMR credit under Level I or Level II certification be modified to students who are "admitted" instead of "earning" a Level I or Level II certificate.

Response: The agency disagrees as admission requirements for Career and Technical Education Certificate in TEC, §61.003(12)(C), varies by institution and program and does not imply successful completion of a workforce program offered by an institution of higher education.

District and Campus Ratings

Comment: lead4ward and a district administrator suggested that the two steps in the Overall (District and Campus) Rating calculation, called "3 Ds Rule" and "3 Fs Rule," be removed from the *2026 Accountability Manual*.

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. The agency will continue to work with stakeholders to consider policy implementations for future accountability refresh cycles.

Comment: lead4ward and a district administrator suggested that the Overall Rating (Districts) Campus Scaled Score Rule be removed from the methodology for determining the district's overall and domain ratings in the *2026 Accountability Manual*.

Response: The agency disagrees as policy changes are beyond the scope of the current rule proposal. The agency will review the district proportional methodology implemented in 2023 as part of the next refresh of the A-F system.

Comment: lead4ward suggested a change to the Closing the Gaps score methodology, specifically for new campuses, to address the inability to earn one or two points given the lack of prior year data that is required.

Response: The agency disagrees as policy changes are beyond the scope of the current rule proposal. The agency will review the methodology for new campuses for future consideration in the next refresh of the A-F system.

Comment: The TXCSA recommended new campuses (such as campuses in the first year of STAAR® testing or those with a new county district campus numbers) not be evaluated in the Closing the Gaps domain for the first year and re-zoned campuses not be evaluated in Closing the Gaps.

Response: The agency disagrees that campuses of these types should be measured differently under the Closing the Gaps domain. As the state uses the Closing the Gaps domain to fulfill federal requirements under the Every Student Succeeds Act, all campuses must be scored under the same methodology.

Comment: The TXCSA requested a change to the *2026 Accountability Manual* to allow appeals to the Closing the Gaps domain based on the two lowest performing student groups, specifically in situations of a new campus or re-zoned campus.

Response: The agency disagrees as policy changes are beyond the scope of the current rule proposal. The agency will review the appeals procedures for future consideration in the next refresh of the A-F system.

Comment: The TXCSA requested that the federal school identifications be eligible for appeal.

Response: The agency disagrees that the federal school identifications are appealable as this identification is based on the release of preliminary accountability data.

Results-Driven Accountability (Chapter 12 of the 2026 Accountability Manual)

Comment: An ESC representative requested that the minimum size requirement be reduced for special education indicators.

Response: This comment is outside the scope of the proposed rulemaking. The agency will research and analyze student group minimum size requirements as RDA is integrated into the A-F system in the next refresh of the system.

Comment: An ESC representative requested additional clarity be provided on the data used in RDA significant disproportionality indicators, including the specific PEIMS codes in Appendix K.

Response: The agency disagrees as appendices are outside the scope of the proposed rulemaking. However, the agency will gather further stakeholder feedback on the addition of PEIMS codes to Appendix K.

Accountability Manual Release

Comment: lead4ward and a district administrator requested publishing the appendices with the proposed *2026 Accountability Manual* and future releases of the manual.

Response: The agency disagrees. The appendices will be published as soon as it is feasible after the adoption of the manual.

STATUTORY AUTHORITY. The amendment is adopted under Texas Education Code (TEC), §7.021(b)(1), which authorizes the Texas Education Agency (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 the Public Education Information Management System (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 (PEG) 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 (TEC), §§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 2026 are based upon specific criteria and calculations, which are described in excerpted sections of the *2026 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 2026 RDA report is based on specific criteria and calculations, which are described in the *2026 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.