ATTACHMENT II
Text of Adopted New 19 TAC

Chapter 102. Educational Programs

Subchapter EE. Commissioner's Rules Concerning Pilot Programs

§102.1053. Mathematics Instructional Coaches Pilot Program.

(a) Definitions. The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Approved service provider--An entity, as described in subsection (c) of this section, that has been approved through a request for qualifications (RFQ) process and designated by the commissioner of education as qualified to deliver intensive mathematics coaching and professional development to school districts approved to participate in the Mathematics Instructional Coaches Pilot Program.

(2) Mathematics Instructional Coaches Pilot Program--A pilot program established and implemented by the Texas Education Agency (TEA) in accordance with the Texas Education Code (TEC), §21.4541. Under the pilot program, participating school districts shall receive grants to provide teachers who instruct students in mathematics at the middle school, junior high school, or high school level with assistance in developing content knowledge and instructional expertise. Each participating school district must contract with an approved service provider.

(3) School district--For the purposes of this section, the definition of a school district includes an open-enrollment charter school.

(4) Shared services arrangement (SSA)--A shared services arrangement is an agreement between two or more school districts and/or education service centers that provides services for entities involved.

(b) Pilot program participation.

(1) Eligibility.

(A) Eligibility for participation in the Mathematics Instructional Coaches Pilot Program will be determined annually by the commissioner in accordance with the TEC, §21.4541, and eligibility criteria outlined in the TEC, §39.358.

(B) Education service centers (ESCs) established under the TEC, §8.001, are not eligible to apply for participation in the pilot program as the fiscal agent for an SSA or as a member in an SSA.

(2) Application process.

(A) An eligible school district must apply through the request for application (RFA) process to participate in the pilot program and include a description of how grant funds will be allocated.

(B) An eligible school district submitting an RFA on behalf of other school districts participating in an SSA must agree to serve as the fiscal agent for the grant and will be held responsible for all compliance and audit recoveries.

(C) Eligible applicants must meet all deadlines, requirements, and guidelines outlined in the RFA.

(3) Notification. The TEA will notify each applicant in writing of its selection or non-selection for participation in the Mathematics Instructional Coaches Pilot Program.

(4) Use of funds. The entire amount of a grant award must be used for the Mathematics Instructional Coaches Pilot Program as described in the RFA.

(5) Conditions of operation.

(A) Each successful applicant must operate a Mathematics Instructional Coaches Pilot Program in accordance with requirements detailed in the TEC, §21.4541, and must:

(i) select an approved service provider, as described in subsection (c) of this section, from the list provided by the TEA;

(ii) enter into a contractual relationship for mathematics instructional coaching and professional development services with the approved service provider; and

(iii) design and implement an action plan for the Mathematics Instructional Coaches Pilot Program in collaboration with the approved service provider.

(B) In addition, each successful applicant may enter into an SSA limited to no more than ten eligible districts. A school district may submit or be a member of an SSA for no more than one grant application.

(6) Program evaluation. Each school district operating an approved Mathematics Instructional Coaches Pilot Program must comply with evaluation procedures established by the commissioner as detailed in the RFA.

(7) Revocation for grantee.

(A) The commissioner may revoke grantee participation in the pilot program based on any of the following factors:

(i) noncompliance with requirements and assurances outlined in the RFA and/or the provisions of this section;

(ii) lack of program success as evidenced by progress reports and program data;

(iii) failure to meet performance standards specified in the RFA; or

(iv) failure to provide accurate, timely, and complete information as required by the TEA to evaluate the effectiveness of the pilot program.

(B) A decision by the commissioner to revoke authorization of a grant award is final and may not be appealed.

[~~(8) Sanctions. The commissioner may audit the use of grant funds and impose sanctions on a school district for failure to comply with this section as authorized by the TEC, Chapter 39, as determined by the commissioner.~~]

(8) [~~(9)~~] Recovery of funds. The commissioner may audit the use of grant funds and [~~As part of the sanctions described in paragraph (8) of this subsection, the commissioner~~] may recover [~~grant~~] funds against [~~from~~] any state provided funds.

(c) Approved service providers.

(1) Eligibility. The following entities that are TEA-certified continuing professional education providers are eligible to apply for approved service provider status:

(A) academies and training centers established in conjunction with a Texas Science, Technology, Engineering, and Mathematics (T-STEM) center;

(B) regional education service centers;

(C) institutions of higher education;

(D) private organizations with significant experience in providing mathematics instruction, as determined by the commissioner;

(E) county departments of education; and

(F) school districts, under the following condition. A school district's statewide assessments in mathematics (summed across all grade levels and for "All Students" only) must meet or exceed the Recognized standard. The TEA will determine eligibility, using the most current results, which can be found in the latest district Academic Excellence Indicator System (AEIS) report.

(2) Identification and selection. In accordance with the TEC, §21.4541(c) and (d), the TEA will identify and select approved service providers through a RFQ process. Failure to adhere to established RFQ requirements and assurances will result in non-selection as a service provider.

(3) Notification. The TEA will notify each applicant in writing of its selection or non-selection as an approved service provider.

(4) Condition of operation. A school district designated as an approved service provider may not be reimbursed with Mathematics Instructional Coaches Pilot Program funds for providing coaching services to teachers employed by the district.

(5) Renewal or revocation for service provider.

(A) Each approved service provider must submit a renewal application every two years in order to maintain eligibility to participate in the Mathematics Instructional Coaches Pilot Program as an approved service provider.

(B) The commissioner may deny renewal of or revoke participation in the Mathematics Instructional Coaches Pilot Program for a service provider based on any of the following factors:

(i) noncompliance with requirements and assurances outlined in the RFQ and/or the provisions of this section and the TEC, §21.4541;

(ii) lack of program success as evidenced by required progress reports and program data;

(iii) failure to meet performance standards specified in the RFQ;

(iv) failure to provide accurate, timely, and complete information as required by the TEA to evaluate the effectiveness of the service provider and the pilot program; or

(v) refusal to serve participants in the Mathematics Instructional Coaches Pilot Program.

(C) A decision by the commissioner to deny renewal or revoke approval of a service provider is final and may not be appealed.