

Commissioner's Rules Review

Chapter 157, Subchapter EE, Review by State Office of Administrative Hearings: Certain Accreditation Sanctions

Chap.	Ext.	Issue	Desired Change	Rationale	Focus Group Comments	TEC	Agency Response
157	1169	Change wording	(c) change may to shall in last sentence	Possibility of contradiction of terms	Do not agree.	39.301	The current rule language provides appropriate discretion to the commissioner, when considering new evidence, to determine whether the evidence should change the agency's findings or decision.
157		Confusion related to required sanctions and actions	Clearly list sanctions and actions in one common area	confusing for LEAs	Keep as is.		The Texas Administrative Code is organized into defined chapters, subchapters, and divisions based on topical areas, and the agency has determined that it is appropriate for the subchapter dealing with SOAH reviews to fall within the chapter dedicated to hearings and appeals.
157		No Change	No Change	No Change	No further comment.		No change requested.
157		Requiring newspaper notification of a district's Accredited-Warned or Accredited-Probation is costly and duplicative.	Revise the rule by eliminating the newspaper notice requirement.	As currently written, the rule requires a district assigned an accreditation status of Accredited-Warned or Accredited-Probation to notify parents and property owners (1) on the district website, (2) in a newspaper for three days, and (3) via first class mail. These requirements are duplicative and constitute an unfunded mandate. It should be sufficient and most effective to post the notice on the district website and notify each parent and property owner by mail.	Comment N/A to Chapter 157. Meant to be a comment in 97 EE. No further change recommended by focus group as this already was addressed in rules effective on July 28, 2010.		This comment is addressed to 19 TAC §97.1055(f) related to accreditation status assignment and public notification requirements. The agency wishes to clarify that the rules, as they existed at the time of this comment, required two, rather than three, methods of public notification. Districts were required to post notices to their websites and disseminate information by newspaper <u>or</u> by mail. Furthermore, the agency believes that the public's right to know is an overarching priority. However, to address concerns related to costs, an additional option for public notification was included in rule revisions effective on July 28, 2010.

Commissioner's Rules Review

Chapter 157, Subchapter EE, Review by State Office of Administrative Hearings: Certain Accreditation Sanctions

Chap.	Ext.	Issue	Desired Change	Rationale	Focus Group Comments	TEC	Agency Response
157		These two rules address accreditation sanctions. Throughout these two rules, there are references to "campuses" as well as "districts". This is confusing, as only districts are accredited. Campuses receive accountability ratings.	Remove references to "campuses" throughout rules 19 TAC 97.1057 and 19 TAC 97.1059 where accreditation status is referenced.	Districts rather than campuses are the unit of analysis for accreditation. The new language in 19 TAC 97.1059(e) is consistent with this recommendation.	No change recommended.		<p>This comment is addressed to 19 TAC §97.1057 and §97.1059 related to accreditation sanctions and standards for accreditation sanctions. No change to current rule language is recommended as both campuses and districts can receive accreditation sanctions. Texas Education Code, Chapter 39, specifies sanctions that apply at the district and campus levels, so a reference to both entities in sanction rule is necessary.</p> <p>This issue also is addressed in Chapter 97, Subchapter EE.</p>