Chapter 97. Planning and Accountability

Subchapter AA. Accountability and Performance Monitoring

§97.1001. Accountability Rating System.

(a) The rating standards established by the commissioner of education under Texas Education Code (TEC), §39.051(c) and (d) (as that section existed before amendment by House Bill 3, 81st Texas Legislature, 2009), shall be used to evaluate the performance of districts, campuses, and charter schools. The indicators, standards, and procedures used to determine ratings under both standard and alternative education accountability (AEA) procedures will be annually published in official Texas Education Agency publications. These publications will be widely disseminated and cover the following procedures:

(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 acknowledgment on Additional Indicators; and

(4) procedures for submitting a rating appeal.

(b) The standard and alternative procedures by which districts, campuses, and charter schools are rated and acknowledged for 2011 are based upon specific criteria and calculations, which are described in excerpted sections of the *2011 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, §39.074 and §39.075 (as those sections existed before amendment by House Bill 3, 81st Texas Legislature, 2009).

(d) The specific criteria and calculations used in the accountability manual are established annually by the commissioner of education and communicated to all school districts and charter schools.

(e) The specific criteria and calculations used in the annual accountability manual adopted for school years prior to 2011-2012 remain in effect for all purposes, including accountability, data standards, and audits, with respect to those school years.

Statutory Authority: The provisions of this §97.1001 issued under the Texas Education Code, §§39.051(c)-(d), 39.072(c), 39.0721, 39.073, and 29.081(e), as those sections existed before amendment by HB 3, 81st Texas Legislature, 2009.

Source: The provisions of this §97.1001 adopted to be effective June 13, 2000, 25 TexReg 5625; amended to be effective October 3, 2005, 30 TexReg 6265; amended to be effective July 30, 2006, 31 TexReg 5800; amended to be effective July 26, 2007, 32 TexReg 4549; amended to be effective July 31, 2008, 33 TexReg 5923; amended to be effective July 22, 2009, 34 TexReg 4734; amended to be effective July 26, 2010, 35 TexReg 6522; amended to be effective July 28, 2011, 36 TexReg 4657.

§97.1004. Adequate Yearly Progress.

(a) In accordance with the federal No Child Left Behind Act and Texas Education Code, §§7.055(b)(32), 39.073, and 39.075, as these sections existed before amendment by House Bill 3, 81st Texas Legislature, 2009, all public school campuses, school districts, and the state are evaluated for Adequate Yearly Progress (AYP). Districts, campuses, and the state are required to meet AYP criteria on three measures: reading/English language arts, mathematics, and either graduation rate (for high schools and districts) or attendance rate (for elementary and middle/junior high schools). The performance of a school district, campus, or the state is reported through indicators of AYP status established by the commissioner of education.

(b) The determination of AYP for school districts and charter schools in 2011 is based on specific criteria and calculations, which are described in excerpted sections of the 2011 AYP Guide provided in this subsection.

Figure: 19 TAC §97.1004(b)

(c) The specific criteria and calculations used in AYP are established annually by the commissioner of education and communicated to all school districts and charter schools.

(d) The specific criteria and calculations used in the AYP guide adopted for the school years prior to 2011-2012 remain in effect for all purposes, including accountability, data standards, and audits, with respect to those school years.

Statutory Authority: The provisions of this §97.1004 issued under the Texas Education Code, §§7.055(b)(32) and 39.073 and 39.075(a)(4), as those sections existed before amendment by HB 3, 81st Texas Legislature, 2009.

Source: The provisions of this §97.1004 adopted to be effective July 14, 2005, 30 TexReg 3995; amended to be effective November 3, 2005, 30 TexReg 7036; amended to be effective September 20, 2006, 31 TexReg 7988; amended to be effective August 8, 2007, 32 TexReg 4753; amended to be effective September 30, 2008, 33 TexReg 8167; amended to be effective September 1, 2009, 34 TexReg 5912; amended to be effective October 31, 2010, 35 TexReg 9500; amended to be effective August 2, 2011, 36 TexReg 4799.

§97.1005. Performance-Based Monitoring Analysis System.

(a) In accordance with Texas Education Code, §7.028(a), the purpose of the Performance-Based Monitoring Analysis System (PBMAS) is to report annually on the performance of school districts and charter schools in selected program areas: bilingual education/English as a Second Language, career and technical education, special education, and certain Title programs under the federal No Child Left Behind Act. The performance of a school district or charter school is reported through indicators of student performance and program effectiveness and corresponding performance levels established by the commissioner of education.

(b) The assignment of performance levels for school districts and charter schools in the 2011 PBMAS is based on specific criteria and calculations, which are described in excerpted sections of the PBMAS 2011 Manual provided in this subsection.

Figure: 19 TAC §97.1005(b)

(c) The specific criteria and calculations used in the PBMAS are established annually by the commissioner of education and communicated to all school districts and charter schools.

(d) The specific criteria and calculations used in the annual PBMAS manual adopted for the school years prior to 2011-2012 remain in effect for all purposes, including accountability and performance monitoring, data standards, and audits, with respect to those school years.

Statutory Authority: The provisions of this §97.1005 issued under the Texas Education Code, §§7.028, 29.001(5), 29.010(a), 39.051, 39.052, 39.054, 39.056-39.058, and 39.102-39.104.

Source: The provisions of this §97.1005 adopted to be effective June 5, 2005, 30 TexReg 3098; amended to be effective November 24, 2005, 30 TexReg 7737; amended to be effective September 20, 2006, 31 TexReg 7989; amended to be effective August 8, 2007, 32 TexReg4754; amended to be effective July 15, 2008, 33 TexReg 5525; amended to be effective August 25, 2009, 34 TexReg 5690; amended to be effective August 4, 2010, 35 TexReg 6651; amended to be effective July 28, 2011, 36 TexReg 4658.