

ACCOUNTABILITY
ACCREDITATION AND PERFORMANCE INDICATORS

AIA
(LEGAL)

Accreditation

Each district must be accredited by Texas Education Agency (TEA). A district that is not accredited may not receive funds from TEA or hold itself out as operating a public school of this state. *Education Code 11.001, 39.052(f)*

District accreditation is determined in accordance with Education Code Chapter 39, Subchapter C and rules adopted by the commissioner of education at 19 Administrative Code, Chapter 97, Subchapter EE (related to Accreditation Status, Standards, and Sanctions). *Education Code 39.051*

Statuses

The commissioner shall determine criteria for the following accreditation statuses:

1. Accredited;
2. Accredited-warned;
3. Accredited-probation; and
4. Not accredited-revoked.

Education Code 39.051; 19 TAC 97.1055(a)(1)

Annual Evaluation

Each year, the commissioner shall determine the accreditation status of each district. In determining the accreditation status of a district, the commissioner:

1. Shall evaluate and consider performance:
 - a. On achievement indicators under Education Code 39.053 [see Performance Indicators, below]; and
 - b. Under the financial accountability rating system developed under Education Code, Chapter 39, Subchapter D [see CFA].
2. May evaluate and consider:
 - a. The district's compliance with statutory requirements and requirements imposed by rule of the commissioner or State Board of Education that relate to:
 - (1) Reporting data through the Public Education Information Management System (PEIMS) or other reports required by state or federal law or court order;
 - (2) High school graduation requirements; or
 - (3) Extracurricular activities, student health and safety, purchasing, elementary class size limits, removal of a disruptive student from the classroom, at-risk programs, and prekindergarten programs;

ACCOUNTABILITY
ACCREDITATION AND PERFORMANCE INDICATORS

AIA
(LEGAL)

- b. The effectiveness of the district's programs for special populations; and
- c. The effectiveness of the district's career and technology program.

Based on a district's performance, the commissioner shall assign each district an accreditation status or revoke the accreditation of the district and order closure of the district.

A district's accreditation status may be raised or lowered based on the district's performance or may be lowered based on the performance of one or more campuses in the district that is below a standard required by Education Code Chapter 39, Subchapter C.

Education Code 7.056(e)(3)(C)-(I), 39.052; 19 TAC 97.1055

For additional information on the commissioner process for assigning accreditation status, see 19 Administrative Code 97.1055.

Notice of Status

The commissioner shall notify a district if the district has received an accreditation status of accredited-warned or accredited-probation, or a campus's performance is below standard. *Education Code 39.052(e)*

*To Parents and
Property Owners*

A district assigned an accreditation status of accredited-warned, accredited-probation, or not accredited-revoked shall notify the parents of students enrolled in the district and property owners in the district as specified in 19 Administrative Code 97.1055. The district's notice must contain information about the accreditation status, the implications of such status, and the steps the district is taking to address the areas of deficiency identified by the commissioner. The district's notice shall use the format and language determined by the commissioner.

The district's notice must:

1. Not later than 30 calendar days after the accreditation status is assigned, appear on the home page of the district's website, with a link to the required notification, and remain until the district is assigned the accredited status; and
2. Appear in a newspaper of general circulation, as defined in 19 Administrative Code 97.1051 (relating to Definitions), in the district for three consecutive days as follows:
 - a. From Sunday through Tuesday of the second week following assignment of the status; or

ACCOUNTABILITY
ACCREDITATION AND PERFORMANCE INDICATORS

AIA
(LEGAL)

- b. If the newspaper is not published from Sunday through Tuesday, then for three consecutive issues of the newspaper beginning the second week following assignment of the status; or
3. Not later than 30 calendar days after the status is assigned, be sent by first class mail addressed individually to each parent of a student enrolled in the district and each property owner in the district; or
4. Not later than 30 calendar days after the status is assigned, be presented as a discussion item in a public meeting of the board of trustees conducted at a time and location that allows parents of students enrolled in the district and property owners in the district to attend and provide public comment.

To TEA

A district required to act under this subsection shall send the following to TEA via certified mail, return receipt requested:

1. The universal resource locator (URL) for the link to the notification required above; and
2. Copies of the notice in the newspaper showing dates of publication, or a paid invoice showing the notice content and its dates of publication; or
3. Copies of the notice sent by mail and copies of all mailing lists and postage receipts; or
4. Copies of the notice presented at a public meeting and copies of the board of trustees meeting notice and minutes for the board meeting in which the notice was presented and publicly discussed.

19 TAC 97.1055(f)

**Performance
Indicators**

The commissioner shall adopt a set of indicators of the quality of learning and achievement, including three domains of achievement indicators. [See Achievement Indicators, below] *Education Code 39.053(a)*

The indicators must measure and evaluate districts and campuses with respect to:

1. Improving student preparedness for success in subsequent grade levels and entering the workforce, the military, or post-secondary education;
2. Reducing, with the goal of eliminating, student academic achievement differentials among students from different racial and ethnic groups and socioeconomic backgrounds; and

ACCOUNTABILITY
ACCREDITATION AND PERFORMANCE INDICATORS

AIA
(LEGAL)

3. Informing parents and the community regarding campus and district performance.

Education Code 39.053(a-1)

*Achievement
Indicators*

Districts and campuses must be evaluated based on indicators of achievement grouped in three domains:

1. Student achievement domain;
2. School progress domain; and
3. Closing the gaps domain.

Education Code 39.053(c)

Performance on the achievement indicators in the three domains shall be compared to state-established standards. The indicators must be based on information that is disaggregated by race, ethnicity, and socioeconomic status. *Education Code 39.053(b)*

Each school district shall submit the data required for the indicators to the commissioner. *Education Code 39.053(i)*

**A–F Performance
Ratings**

The commissioner shall adopt rules to evaluate district and campus performance and assign each district and campus an overall performance rating of A, B, C, D, or F.

In addition to the overall performance rating, the commissioner shall assign each district and campus a separate domain performance rating of A, B, C, D, or F for each domain under Education Code 39.053(c) [see Achievement Indicators, above].

An overall or domain performance rating of:

1. A reflects exemplary performance.
2. B reflects recognized performance.
3. C reflects acceptable performance.
4. D reflects performance that needs improvement.
5. F reflects unacceptable performance.

A district may not receive an overall or domain performance rating of A if the district includes any campus with a corresponding overall or domain performance rating of D or F. A reference in law to an acceptable rating or acceptable performance includes an overall or domain performance rating of A, B, C, or D or exemplary, recognized, or acceptable performance, or performance that needs improvement.

ACCOUNTABILITY
ACCREDITATION AND PERFORMANCE INDICATORS

AIA
(LEGAL)

For purposes of assigning districts and campuses an overall and a domain performance rating, the commissioner shall ensure that the method used to evaluate performance is implemented in a manner that provides the mathematical possibility that all districts and campuses receive an A rating.

Not later than August 15 of each year, the performance ratings of each district and campus shall be made publicly available as provided by rules adopted by the commissioner.

Education Code 39.054(a), (a-3), (b)

**Local Accountability
System**

The commissioner shall adopt rules regarding the assignment of campus performance ratings by districts. The rules:

1. Must require a district, in assigning an overall performance rating for a campus, to incorporate:
 - a. Domain performance ratings assigned by the commissioner under Education Code 39.054 [see A–F Performance Ratings, above]; and
 - b. Performance ratings based on locally developed domains or sets of accountability measures;
2. May permit a district to assign weights to each domain or set of accountability measures, as determined by the district, provided that the domains under Education Code 39.054 must in the aggregate account for at least 50 percent of the overall performance rating;
3. Must require that each locally developed domain or set of accountability measures:
 - a. Contains levels of performance that allow for differentiation, with assigned standards for achieving the differentiated levels;
 - b. Provides for the assignment of a letter grade of A, B, C, D, or F; and
 - c. Meets standards for reliability and validity;
4. Must require that calculations for overall performance ratings and each locally developed domain or set of accountability measures be capable of being audited by a third party;
5. Must require that a district produce a campus score card that may be displayed on TEA's website; and

ACCOUNTABILITY
ACCREDITATION AND PERFORMANCE INDICATORS

AIA
(LEGAL)

6. Must require that a district or school develop and make available to the public an explanation of the methodology used to assign performance ratings under this section.

Approval by TEA

The commissioner shall develop a process to approve a request by a district to assign campus performance ratings under which a district must obtain approval of a local accountability plan submitted by the district to TEA. A plan may be approved only if:

1. After review, the agency determines the plan meets the minimum requirements under this section and agency rule;
2. At the commissioner's discretion, an audit conducted by the agency verifies the calculations included in the plan; and
3. A review panel approves the plan.

Review Panel

The commissioner shall appoint a review panel that includes a majority of members who are superintendents or members of the board of trustees of school districts with approved local accountability plans.

Campus
Performance
Ratings

A district authorized to assign campus performance ratings shall evaluate the performance of each campus and assign each campus a performance rating of A, B, C, D, or F for overall performance and for each locally developed domain or set of accountability measures. Not later than a date established by the commissioner, the district or school shall:

1. Report the performance ratings to the agency; and
2. Make the performance ratings available to the public as provided by commissioner rule.

Education Code 39.0544

If a district has been approved under Education Code 39.0544 to assign campus performance ratings and the commissioner has not assigned a campus overall performance rating of D or F, the commissioner shall assign the campus an overall performance rating based on the district-assigned performance rating under the local accountability system. A reference in law to an acceptable rating or acceptable performance includes an overall domain performance rating of A, B, C, or D or performance that is exemplary, recognized, or acceptable performance, or performance that needs improvement. *Education Code 39.054(a)*

**Distinction
Designations for
Outstanding
Performance**

The commissioner shall award distinction designations for outstanding performance. A distinction designation awarded to a district or campus shall be referenced directly in connection with the

ACCOUNTABILITY
ACCREDITATION AND PERFORMANCE INDICATORS

AIA
(LEGAL)

performance rating assigned to the district or campus and made publicly available together with the A–F performance ratings.

A district or campus may not be awarded a distinction designation unless the district or campus has acceptable performance under the A–F performance ratings.

Education Code 39.201

Academic
Distinction

The commissioner shall establish an academic distinction designation for districts and campuses for outstanding performance in attainment of postsecondary readiness based on the commissioner's adopted criteria. *Education Code 39.202*

Campus Distinction

The commissioner shall award a campus a distinction designation for outstanding performance in:

1. Improvement in student achievement;
2. Closing student achievement differentials; and
3. Academic achievement in English language arts, mathematics, science, or social studies.

Education Code 39.203

The commissioner may award a distinction designation for outstanding performance in advanced middle or junior high school student achievement. *Education Code 39.203(d)*

**Excellence
Exemptions**

Except as listed below, a district or campus that is rated A (exemplary) is exempt from requirements and prohibitions imposed under the Education Code, including regulations adopted under the Education Code.

An exemplary campus or district is not exempt from:

1. A prohibition on conduct that constitutes a criminal offense;
2. Requirements imposed by federal law or rule, including requirements for special education or bilingual education programs;
3. A requirement, restriction, or prohibition relating to:
 - a. Curriculum essential knowledge and skills or high school graduation requirements;
 - b. Public school accountability;
 - c. Extracurricular activities;
 - d. Health and safety;

ACCOUNTABILITY
ACCREDITATION AND PERFORMANCE INDICATORS

AIA
(LEGAL)

- e. Purchasing;
- f. Elementary class size limits;
- g. Removal of a disruptive student from the classroom;
- h. At-risk programs;
- i. Prekindergarten programs;
- j. Rights and benefits of school employees;
- k. Special education programs; or
- l. Bilingual education programs.

The commissioner may exempt an exemplary campus from class size limits if the campus submits a written plan showing steps that will be taken to ensure that the exemption will not be harmful to the academic achievement of the students on the school campus. If granted, the exemption remains in effect until the commissioner determines that achievement levels of the campus have declined.

Education Code 39.232