

Legislative Interpretations of the Distinction Designations in Chapter 39 of Texas Education Code

Subchapter G. Distinction Designations	Legislative Interpretation
<p>§39.201. Distinction Designations</p> <p>Not later than August 8 of each year, the commissioner shall award distinction designations under this subchapter. A district or campus may not be awarded a distinction designation under this subchapter unless the district or campus has acceptable performance under Section 39.054.</p>	<p>This section requires the commissioner to assign district and campus distinction designations.</p> <p>The date by which distinction designations must be awarded is the same date as the ratings under Section 39.054 and only districts and campuses that receive an acceptable rating under Section 39.054 are eligible for distinction designations.</p>
<p>§39.202. Academic Excellence Distinction Designation for Districts and Campuses</p> <p>The commissioner by rule shall establish a recognized and exemplary rating for awarding districts and campuses an academic distinction designation under this subchapter. In establishing the recognized and exemplary ratings, the commissioner shall adopt criteria for the ratings, including:</p> <ol style="list-style-type: none"> (1) percentages of students who: <ol style="list-style-type: none"> (A) performed satisfactorily, as determined under the college readiness performance standard under Section 39.0241, on assessment instruments required under Section 39.023(a), (b), (c), or (l), aggregated across grade levels by subject area; or (B) met the standard for annual improvement, as determined by the agency under Section 39.034, on assessment instruments required under Section 39.023(a), (b), (c), or (l), aggregated across grades by subject area, for students who did not perform satisfactorily as described by Paragraph (A); and (2) other factors for determining sufficient student attainment of postsecondary readiness. 	<p>This section requires the commissioner to award district and campus distinction designations for recognized and exemplary performance and gives the commissioner the authority to define the criteria for awarding the distinction designations. Those criteria must be included in the portions of the accountability manual that are adopted as commissioner rule.</p> <p>Indicators for the recognized and exemplary distinction designations must include assessment results from:</p> <ul style="list-style-type: none"> STAAR Gr. 3-8 English STAAR Gr. 3-5 Spanish EOC Modified and Alternate assessments <p>This provision does not prohibit the commissioner from including additional assessment results in the indicators, such as results from LAT assessments and TELPAS results. Inclusion of EOC retests is not prohibited.</p> <p>The assessment indicators must combine performance across grade levels. This provision does not prohibit the commissioner from developing separate indicators for elementary, middle, and high school grade spans or separate indicators for STAAR Gr. 3-8 results and EOC results. Combining EOC results for students enrolled below Grade 9 with assessment results for other students in the same grade is not required but is not prohibited.</p> <p>Separate indicators must be developed for each subject area.</p> <p>This section requires that the assessment indicators for recognized and exemplary distinction designations include Level III performance and progress for students who do not meet the Level III performance standard. This provision does not require that students who fail the test be counted as passing. It does not prohibit combining Level III performance and progress in a weighted index or using a cumulative score for EOC results.</p> <p>This subsection gives the commissioner authority to determine the number of distinction designation levels and the labels associated with each level.</p> <p>In addition to the STAAR assessment indicator, the recognized and exemplary distinction designation criteria must include other factors for determining student attainment of postsecondary readiness. These other factors are defined by the commissioner and could include indicators such as recommended high school program/distinguished achievement program graduates.</p> <p>This section does not require or prohibit use of student group performance in assigning recognized and exemplary</p>

Legislative Interpretations of the Distinction Designations in Chapter 39 of Texas Education Code

	<p>distinction designations, or use of other features such as required improvement and three-year average performance.</p> <p>Section 39.116, which prohibits use of Level III performance for ratings in 2013, extends to the recognized and exemplary distinction designations. These distinction designations will first be awarded in 2014.</p> <p>This section gives the commissioner the option of treating the recognized and exemplary distinction designations as higher ratings assigned under the system developed under Section 39.054 or as additional acknowledgments attached to an acceptable rating.</p>
§39.203. Campus Distinction Designations	The distinction designations under this section will be awarded only to campuses.
(a) The commissioner shall award a distinction designation if the campus is ranked in the top 25 percent of campuses in the state in annual improvement in student achievement as determined under Section 39.034.	<p>For the distinction designations awarded under this subsection, campuses will be ranked on performance on the student progress measure. Although not specified in this section, the intent is that the indicator be a measure of student progress in relation to the Level III student performance standard.</p> <p>This distinction designation is based on a single ranking on progress of all students. Distinction designations based on student group performance are described under the following subsection.</p> <p>This distinction designation will first be awarded in 2014 because the student progress measures cannot be finalized until after a second year of STAAR results are available.</p>
(b) In addition to the distinction designation described by Subsection (a), the commissioner shall award a campus a distinction designation if the campus demonstrates an ability to significantly diminish or eliminate performance differentials between student subpopulations and is ranked in the top 25 percent of campuses in this state under performance criteria described by this subsection. The commissioner shall adopt rules related to the distinction designation under this subsection to ensure that a campus does not artificially diminish or eliminate performance differentials through inhibiting the achievement of the highest achieving student subpopulation.	<p>For the distinction designations awarded under this subsection, campuses will be ranked on reduction of performance gaps between student groups. Although not specified in this section, the intent is that the indicator be a measure of performance gaps in relation to the Level III student performance standard.</p> <p>This subsection does not specify which student groups are to be evaluated.</p> <p>This distinction designation will first be awarded in 2014 because indicators of change in performance gaps cannot be finalized until after a second year of STAAR results are available.</p> <p>Criteria for this distinction designation must be included in sections of the accountability manual that are adopted as commissioner rule.</p>
(c) In addition to the distinction designations described by Subsections (a) and (b), a campus that satisfies the criteria developed under Section 39.204 shall be awarded a distinction designation by the commissioner for the following programs or the following specific categories of performance: <ol style="list-style-type: none"> (1) academic achievement in English language arts, mathematics, science, or social studies; (2) fine arts; (3) physical education; (4) 21st Century Workforce Development program; and (5) second language acquisition program. 	<p>Campus distinction designations will be awarded for academic achievement in areas other than STAAR performance and four new program areas.</p> <p>These distinction designations will be developed through a committee process described in Section 39.204.</p> <p>Distinction designations under this subsection will be phased in. For 2013 indicators will be developed for academic achievement in English Language Arts and Mathematics, and for 21st Century Workforce Development programs.</p>

Legislative Interpretations of the Distinction Designations in Chapter 39 of Texas Education Code

<p>(d) In addition to the distinction designations otherwise described by this section, the commissioner may award a distinction designation to a campus with a significant number of students below grade nine who perform satisfactorily on an end-of-course assessment instrument administered under Section 39.023(c).</p>	<p>This subsection gives the commissioner the option to award distinction designations to middle schools with significant numbers of students below Grade 9 who meet the Level II performance standard on EOC assessments. If implemented, these will be the only distinction designations awarded for Level II performance.</p>
<p>§39.204. Campus Distinction Designation Criteria: Committees</p> <p>(a) The commissioner by rule shall establish:</p> <ol style="list-style-type: none"> (1) standards for considering campuses for distinction designations under Section 39.203(c); and (2) methods for awarding distinction designations to campuses. <p>(b) In adopting rules under this section, the commissioner shall establish a separate committee to develop criteria for each distinction designation under Section 39.203(c).</p> <p>(c) Each committee established under this section must include:</p> <ol style="list-style-type: none"> (1) individuals who practice as professionals in the content area relevant to the distinction designation, as applicable; (2) individuals with subject matter expertise in the content area relevant to the distinction designation; (3) educators with subject matter expertise in the content area relevant to the distinction designation; and (4) community leaders, including leaders from the business community. <p>(d) For each committee the governor, lieutenant governor, and speaker of the house of representatives may each appoint a person described by each subdivision of Subsection (c).</p> <p>(e) In developing criteria for distinction designations under this section, each committee shall:</p> <ol style="list-style-type: none"> (1) Identify a variety of indicators for measuring excellence; and (2) Consider categories for distinction designations, with criteria relevant to each category, based on: <ol style="list-style-type: none"> (A) the level of a program, whether elementary school, middle or junior high school, or high school; and (B) the student enrollment of a campus. 	<p>The criteria for distinction designations under Subsection 39.203(c) will be developed with the advice of committees and will be adopted as commissioner rule.</p> <p>Five distinction designation committees will be appointed corresponding to the five categories of performance under Subsection 39.203(c). The governor, lieutenant governor, and speaker of the house appoint individuals to the committees who meet the qualifications listed in this section.</p> <p>The distinction designation committees will identify a variety of indicators to measure excellence for the program or category of performance, and consider criteria relevant to different campus sizes and grade spans.</p>