

Appendix C – Statutory Requirements

Texas Administrative Code (TAC)

Select chapters of the accountability manual are adopted as part of the Texas Administrative Code on an annual basis as Commissioner of Education rule. With the publication of this manual, the Texas Education Agency (TEA) files a Commissioner's Rule amendment to 19 TAC §97.1001, *Accountability Rating System*, with the Office of the Secretary of State. This rule adopts chapters 2–9 of the *2015 Accountability Manual* giving legal standing to the state rating processes and procedures.

Allowing for a 30-day comment period, final adoption is scheduled to take effect by August 7, 2015. When effective, the rule is accessible online at <http://ritter.tea.state.tx.us/rules/tac/chapter097/ch097aa.html>.

Texas Education Code (TEC)

The 2015 accountability system is based on statutory mandates of the Texas Legislature contained in *TEC Chapter 39. Public School Accountability*. The full text of Chapter 39 is available at <http://www.statutes.legis.state.tx.us/docs/ed/pdf/ed.39.pdf>.

Chapter 39. Public School System Accountability

Subchapter B. Assessment of Academic Skills

- Sec. 39.021 Essential Skills and Knowledge
- Sec. 39.022 Assessment Program
- Sec. 39.023 Adoption and Administration of Instruments
- Sec. 39.024 Measure of College Readiness
- Sec. 39.025 Secondary-Level Performance Required
- Sec. 39.026 Local Option
- Sec. 39.027 Exemption
- Sec. 39.028 Comparison of State Results to National Results
- Sec. 39.029 Migratory Children
- Sec. 39.030 Confidentiality; Performance Reports
- Sec. 39.031 Cost
- Sec. 39.032 Assessment Instrument Standards; Civil Penalty
- Sec. 39.033 Voluntary Assessment of Private School Students
- Sec. 39.034 Measure of Annual Improvement in Student Achievement
- Sec. 39.035 Limitation on Field Testing of Assessment Instruments
- Sec. 39.036 Vertical Scale for Certain Assessment Instruments
- Sec. 39.037 International Assessment Instrument Program
- Sec. 39.038 Restriction on Appointments to Advisory Committees
- Sec. 39.038 Sunset Review of Contracting Procedures for Assessment Instruments
- Sec. 39.039 Prohibition on Political Contribution or Activity by Certain Contractors

Subchapter C. Accreditation

- Sec. 39.051 Accreditation Status
- Sec. 39.052 Determination of Accreditation Status or Performance Rating
- Sec. 39.053 Performance Indicators: Student Achievement
- Sec. 39.054 Methods and Standards for Evaluating Performance
- Sec. 39.0545 Evaluating Dropout Recovery Schools
- Sec. 39.0545 School District Evaluation of Performance in Community and Student Engagement; Compliance

Sec. 39.055 Student Ordered by a Juvenile Court or Student in Residential Facility Not Considered for Accountability Purposes

Sec. 39.056 On-Site Investigations

Sec. 39.057 Special Accreditation Investigations

Sec. 39.058 Conduct of Investigations

Subchapter D. Financial Accountability

Sec. 39.081 Definitions

Sec. 39.082 Development and Implementation

Sec. 39.083 Reporting

Sec. 39.084 Posting of Adopted Budget

Sec. 39.085 Rules

Sec. 39.086 Software Standards

Subchapter E. Accreditation Interventions and Sanctions

Sec. 39.102 Interventions and Sanctions for Districts

Sec. 39.103 Interventions and Sanctions for Campuses

Sec. 39.104 Interventions and Sanctions for Charter Schools

Sec. 39.105 Campus Improvement Plan

Sec. 39.106 Campus Intervention Team Duties

Sec. 39.107 Reconstitution, Repurposing, Alternative Management, and Closure

Sec. 39.108 Annual Review

Sec. 39.109 Acquisition of Professional Services

Sec. 39.110 Costs Paid by District

Sec. 39.111 Conservator or Management Team

Sec. 39.112 Board of Managers

Sec. 39.113 Campus Intervention Team Members

Sec. 39.114 Immunity from Civil Liability

Sec. 39.115 Campus Name Change Prohibited

Sec. 39.116 Transitional Interventions and Sanctions

Sec. 39.117 Special Student Recovery Program

Subchapter F. Procedures for Challenge of Accountability Determination, Intervention, or Sanction

Sec. 39.151 Review by Commissioner: Accountability Determination

Sec. 39.152 Review by State Office of Administrative Hearings: Sanctions

Subchapter G. Distinction Designations

Sec. 39.201 Distinction Designations

Sec. 39.2011 Applicability to Charter Schools

Sec. 39.202 Academic Distinction Designation for Districts and Campuses

Sec. 39.203 Campus Distinction Designations

Sec. 39.204 Campus Distinction Designation Criteria; Committees

Subchapter H. Additional Rewards

Sec. 39.232 Excellence Exemptions

Sec. 39.233 Recognition of High School Completion and Success and College Readiness Programs

Sec. 39.234 Use of High School Allotment

Sec. 39.235 Innovation Grant Initiative for Middle, Junior High, and High School Campuses

Sec. 39.236 Gifted and Talented Standards

Subchapter I. Successful School Awards

- Sec. 39.261 Creation of System
- Sec. 39.262 Types of Awards
- Sec. 39.263 Awards
- Sec. 39.264 Use of Awards
- Sec. 39.265 Funding
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- Subchapter J. Parent and Educator Reports
 - Sec. 39.301 Additional Performance Indicators: Reporting
 - Sec. 39.302 Report to District: Comparisons for Annual Performance Assessment
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 - Sec. 39.307 Uses of Performance Report
 - Sec. 39.308 Annual Audit of Dropout Records; Report
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- Subchapter K. Reports by Texas Education Agency
 - Sec. 39.331 General Requirements
 - Sec. 39.332 Comprehensive Biennial Report
 - Sec. 39.333 Regional and District Level Report
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- Subchapter L. Notice of Performance
 - Sec. 39.361 Notice in Student Grade Report
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