

New! *Local Policy Overview* is replacing *Vantage Points*

Beginning with Update 116, Policy Service has a newly redesigned publication, *Local Policy Overview*, available in both video and written document formats under [Policy Manual Update Resources](#)¹ on myTASB. The *Local Policy Overview* replaces *Vantage Points*, previously provided on yellow paper in mailed update packets and available online.



Update 116 contains (LOCAL) policies that require board action before we can incorporate Update 116 into your district's Policy On Line manual.

Please notify Policy Service of your policy adoption by completing the electronic [Notify TASB of Policy Adoption](#) form* on myTASB. As an alternative option, you may complete, scan, and submit this form via email to pol-support@tasb.org.

**Update
116**

220912 Crowley ISD

Your Name:

Your Email:

Previous Updates

- I confirm that all updates prior to Update 116 have been adopted. (Visit [Local Manual Updates](#)[†] to see updates pending adoption. If your district prints its own hard copies, be sure to save a copy of the "Update Packet (PDF)." Local Manual Updates is not a permanent archive.)

Update 116 Adoption Date:

Status (please check one):

- Adopted as presented by TASB—place online immediately
- Adopted with further changes, described below

Policy Changes

If you wish to make changes to policies issued in Update 116, submit those changes with your adoption notification. If you wish to make changes to policies not issued in Update 116, please email those changes directly to your policy consultant.

Changes will be processed as a Local District Update. Your policy consultant may contact you about policy changes if necessary.

If you have questions, please call Travis Damron at 800-580-7529.

* Notify TASB of Policy Adoption: <https://www.tasb.org/apps/PolicyAdmin/>[†]
Local Manual Updates: <https://www.tasb.org/apps/policyUpdates/index.aspx>*

TASB Policy Service

Localized Policy Manual Update

116 Crowley ISD

You can download a PDF of this update packet, annotated copies of the (LOCAL) policies, editable (LOCAL) text, and more under [Local Manual Updates](#)² in the myTASB Policy Service Resource Library.

Other materials, including an overview video of the (LOCAL) policy changes, are available under [Policy Manual Update Resources](#).³

Need help? Please call your policy consultant at 800-580-7529 or email Policy.Service@TASB.org.

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Overview

Update 116 includes policy revisions in response to revised state rules and provisions from the 86th Legislative Session that are effective January 1, 2021.

Your Localized Update 116 packet also contains:

- **Explanatory Notes** describing the changes to each policy. Please note that, where appropriate, the Explanatory Notes ask you to verify that a particular policy reflects current district practice and to advise us of any changes needed so that our records and the district's policy manual accurately track the district's practice. Explanatory notes may also provide important information about policies not included in the update packet.
- **Instructions** for incorporating this update into each of the district's Localized Policy Manuals after board adoption. Use the enclosed Instruction Sheet as a guide to which policies should be added, replaced, and removed from your manual.



New! Local Policy Overview for Update 116

The newly redesigned publication *Local Policy Overview* is available in the myTASB Policy Service Resource Library. *Local Policy Overview* is presented in both video and written document formats and replaces *Vantage Points*, previously provided on yellow paper in mailed update packets and available online.

Like *Vantage Points*, the *Local Policy Overview* provides a general, high-level overview of the changes to the (LOCAL) policies included in TASB updates. This resource has been redesigned to better present the information and to meet accessibility standards for individuals with visual impairments. Both the video and written formats of the *Local Policy Overview* are available on myTASB in [Policy Manual Update Resources](#).⁴ From there, you may forward them electronically or print the written document for distribution to staff and board members.

Legal Services Update Memo

TASB Legal Services' [Legal Issues in Update 116 memo](#)⁵ (available in the myTASB Policy Service Resource Library under Policy Manual Update Resources) describes common legal concerns specific to the local policies recommended in this update for your consideration prior to board adoption of any local policies. Local policies will not be sent for a separate review by Legal Services as part of the update process. If after reviewing the memo you have questions about any specific provisions in your local policies, please contact TASB Legal Services at 800-580-5345.

(LEGAL) vs. (LOCAL) Policies: Remember the Difference

(LEGAL) policies:

- Reflect the ever-changing legal context for governance and management of the district
- Should inform local decision making
- Should NOT be adopted, but only reviewed

(LOCAL) policies:

- Require close attention by both the administration and the board
- Must reflect the practices of the district and the intentions of the board
- May only be changed by board action (adopt, revise, or repeal)



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If your board adopts changes to the (LOCAL) policies contained in this packet, please notify your policy consultant.

How to Place Policy Changes on the Agenda for Board Action

TASB recommends that the district address this update on the agenda as

follows: "*Policy Update 116*:"

- (LEGAL) policies
- (LOCAL) policies (see attached list of codes)”

(LEGAL) policies sub-item: TASB recommends that the board review, but not adopt, the (LEGAL) policies issued in the update. If the board may discuss certain issues addressed by the updated (LEGAL) policies, particularly if those issues are of interest to the public, then, for purposes of discussion, the relevant policy codes, titles, and subtitles should be listed under the sub-item.

(LOCAL) policies sub-item: Board action on the (LOCAL) policies included in the update must occur within a properly posted, open meeting of the board.

- You may use the “(LOCAL) Policy Action List” provided online in Local Manual Updates and include the list under the sub-item, or you may compile a list of (LOCAL) policy codes, titles, and subtitles from the Instruction Sheet and Explanatory Notes included in the update packet.

- A suggested motion for board action on the (LOCAL) policies included in the update:

“I move that the board add, revise, or delete (LOCAL) policies as recommended by TASB Policy Service and according to the Instruction Sheet for TASB Localized Policy Manual Update 116 [with the following changes:]”

How to Notify Policy Service of Board Action

Notify Policy Service of the board’s action on Update 116 by completing the electronic [Notify TASB of Policy Adoption](#)⁶form on myTASB or by using the Update 116 Adoption Notification Form, enclosed, so Policy Service records remain accurate.



How to Keep Minutes

The board’s action on Localized Update 116 must be reflected in board minutes. Your minutes should include:

- The list of proposed (LOCAL) policy actions, such as the Instruction Sheet—annotated to reflect any changes made by the board
- The Explanatory Notes for the update (filed as an attachment to the minutes)
- Copies of new, replaced, or rescinded (LOCAL) policies

How to Maintain Your Historical Record

To construct a separate historical record of the manual, you must track the history of

individual (LOCAL) policies. You should maintain a permanent historical record of every (LOCAL) policy adopted, revised, or rescinded by the board.

At a minimum, this record should include the following key pieces of

information:

- Policy code

- Date of board action

- Text of policy

For more guidance on maintaining this record, please refer to:

- [The Administrator's Guide to Policy Management](#)⁷

- [Tutorial videos](#)⁸ on handling an update

These guides are available in the myTASB Policy Service Resource Library.

How to Keep Your Administrative Regulations Current

[Regulations Resource Manual](#)⁹ Update 62, which includes revisions to model regulations and forms corresponding with Update 116, is now available on myTASB.

Inspect your district's administrative procedures and documents—including (EXHIBIT)s, (REGULATION)s, handbooks, and guides—that may be affected by Update 116 policy changes.

If you must make changes to the (REGULATION)s or (EXHIBIT)s contained in your board policy manual, please notify your policy consultant.



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Disclaimer and Copyright

PLEASE NOTE: This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional adviser. Consult with your attorney or professional adviser to apply these principles to specific fact situations.

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¹ Policy Manual Update Resources: <https://www.tasb.org/services/policy-service/mytasb/policy-manual-update-resources.aspx>

² Local Manual Updates: <https://www.tasb.org/apps/policyUpdates/GetUpdates.aspx> ³ Policy Manual Update Resources: <https://www.tasb.org/services/policy-service/mytasb/policy-manual-update-resources.aspx>

⁴ Policy Manual Update Resources: <https://www.tasb.org/services/policy-service/mytasb/policy-manual-update-resources.aspx>

⁵ Legal Issues memo: <https://www.tasb.org/services/policy-service/mytasb/policy-manual-update>

[resources/documents/u116_legal_issues.aspx](#)

⁶ Notify TASB of Policy Adoption: <https://www.tasb.org/apps/PolicyAdmin/>

⁷ Administrator's Guide to Policy Management: <https://www.tasb.org/services/policy-service/mytasb/guidance-for-policy-administrators.aspx>

⁸ Tutorials: <https://www.tasb.org/services/policy-service/mytasb/tutorials.aspx>

⁹ *TASB Regulations Resource Manual*: <https://www.tasb.org/services/policy-service/mytasb/regulations-resource-manual.aspx>

Instruction Sheet TASB Localized Policy Manual Update 116

Crowley ISD

Code Type Action To Be Taken Note

ATTN	(NOTE)	No policy enclosed	See explanatory note
A25	(INDEX)	Replace cross-index	Revised cross-index
AIA	(LEGAL)	Replace policy	Revised policy
AIB	(LEGAL)	Replace policy	Revised policy
AIC	(LEGAL)	Replace policy	Revised policy
BE	(LEGAL)	Replace policy	Revised policy
BJCB	(LEGAL)	Replace policy	Revised policy

C	(LEGAL)	Replace table of contents	Revised table of contents
CBB	(LEGAL)	Replace policy	Revised policy
CCG	(LEGAL)	Replace policy	Revised policy
CE	(LEGAL)	Replace policy	Revised policy
CFC	(LEGAL)	Replace policy	Revised policy
CKB	(LEGAL)	Replace policy	Revised policy
CO	(LEGAL)	Replace policy	Revised policy
COA	(LEGAL)	Replace policy	Revised policy
COB	(LEGAL)	Replace policy	Revised policy
CQA	(LEGAL)	Replace policy	Revised policy
CQB	(LOCAL)	Replace policy	Revised policy
CX	(LEGAL)	Replace policy	Revised policy
DAA	(LEGAL)	Replace policy	Revised policy
DBA	(LEGAL)	Replace policy	Revised policy
DCD	(LOCAL)	Replace policy	Revised policy
DCE	(LOCAL)	Replace policy	Revised policy
DEAA	(LEGAL)	Replace policy	Revised policy
DH	(EXHIBIT)	Replace exhibit	Revised exhibit
DIA	(LEGAL)	Replace policy	Revised policy
DP	(LEGAL)	Replace policy	Revised policy
EHAC	(LEGAL)	Replace policy	Revised policy
EHBC	(LEGAL)	Replace policy	Revised policy
EIF	(LEGAL)	Replace policy	Revised policy
EKB	(LEGAL)	Replace policy	Revised policy
EKBA	(LEGAL)	Replace policy	Revised policy
FDD	(LEGAL)	Replace policy	Revised policy

FFAC	(LOCAL)	Replace policy	Revised policy
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Instruction Sheet

TASB Localized Policy Manual Update 116

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Code Type Action To Be Taken Note

FFEB	(LEGAL)	Replace policy	Revised policy
FFG	(LEGAL)	Replace policy	Revised policy
FFH	(LEGAL)	Replace policy	Revised policy
FL	(LEGAL)	Replace policy	Revised policy
GKA	(LOCAL)	Replace policy	Revised policy
GNC	(LEGAL)	Replace policy	Revised policy
GRA	(LEGAL)	Replace policy	Revised policy
GRAA	(LEGAL)	Replace policy	Revised policy

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Explanatory Notes

TASB Localized Policy Manual Update 116

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ATTN(NOTE) GENERAL INFORMATION ABOUT THIS UPDATE

New! Local Policy Overview for Update 116: The newly redesigned publication *Local Policy Overview* is available in the myTASB Policy Service Resource Library. *Local Policy Overview* is presented in both video and written document formats and replaces *Vantage Points*, previously provided on yellow paper in mailed update packets and available online.

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(LEGAL) policies provide the legal framework for key areas of district operations; they are not adopted by the board.

A25(INDEX) CROSS-INDEX

The cross-index has been updated to reflect new terms and revisions to content and coding in the policy manual.

AIA(LEGAL) ACCOUNTABILITY: ACCREDITATION AND PERFORMANCE INDICATORS

Revisions from Administrative Code rules incorporate details previously included in the [Local Accountability](#)

[Systems Guide](#). The *Guide* is no longer adopted by reference in the Administrative Code but is available online.

AIB(LEGAL) ACCOUNTABILITY: PERFORMANCE REPORTING

We have added revised Administrative Code rules addressing Results Driven Accountability, a framework to evaluate district performance in regard to certain populations of students in select program areas.

AIC(LEGAL) ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS

Provisions regarding Monitoring Reviews and On-Site Investigations have been revised to better reflect statute.

BE(LEGAL) BOARD MEETINGS

Provisions at Persons with Hearing Impairments have been revised to better reflect statute.

BJCB(LEGAL) SUPERINTENDENT: PROFESSIONAL DEVELOPMENT

Details from revised Administrative Code rules have been added to the provision requiring superintendents to receive training on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children.

C(LEGAL) BUSINESS AND SUPPORT SERVICES

The title of CX has been revised to Contracts for Facilities to better reflect the content.

CBB(LEGAL) STATE AND FEDERAL REVENUE SOURCES: FEDERAL

Extensive revisions to this legally referenced policy are based on Office of Management and Budget (OMB) amendments to federal regulations addressing awards and grants.

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Explanatory Notes

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CCG(LEGAL) LOCAL REVENUE SOURCES: AD VALOREM TAXES

Provisions, effective January 1, 2021, from Senate Bill 2, 86th Legislative Session, have been added and address:

- Use and submission of the comptroller's tax rate calculation forms to calculate the no-new-revenue and voter-approval tax rates; and
- Taxpayer injunctions restraining the collection of taxes and prohibiting a district from adopting a tax rate if certain requirements are not met.

Guidance from the Texas Tax Code on calculating the voter approval tax rate has also been added.

CE(LEGAL) ANNUAL OPERATING BUDGET

We have added a provision requiring the board to attach the forms used to calculate the no-new-revenue and voter-approval tax rates as an appendix to the district's budget. The provision is effective January 1, 2021, and is from Senate Bill 2, 86th Legislative Session.

CFC(LEGAL) ACCOUNTING: AUDITS

Revised Administrative Code rules clarify that the district's independent auditor must be associated with a certified public accountancy firm licensed by the Texas State Board of Public Accountancy or a state licensing agency from another state.

CKB(LEGAL) SAFETY PROGRAM/RISK MANAGEMENT: ACCIDENT PREVENTION AND REPORTS

New Administrative Code rules on mandatory school drills have been added.

CO(LEGAL) FOOD AND NUTRITION MANAGEMENT

We have updated web links in this legally referenced policy.

COA(LLEGAL) FOOD AND NUTRITION MANAGEMENT: PROCUREMENT We have updated web links in this legally referenced policy.

COB(LLEGAL) FOOD AND NUTRITION MANAGEMENT: FREE AND REDUCED-PRICE MEALS

We have updated web links in this legally referenced policy.

CQA(LLEGAL) TECHNOLOGY RESOURCES: DISTRICT, CAMPUS, AND CLASSROOM WEBSITES

A new required internet posting has been added from revised Administrative Code rules. A district with a local accountability system must post on the district's website an explanation of the methodology used to assign local campus accountability performance ratings.

CQB(LOCAL) TECHNOLOGY RESOURCES: CYBERSECURITY

To ease compliance with state law provisions requiring the board to select a cybersecurity training program and verify and report cybersecurity training by district employees, recommended revisions to this policy provide for the board to delegate these responsibilities to the superintendent.

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Explanatory Notes

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CX(LLEGAL) CONTRACTS FOR FACILITIES

The title to this legally referenced policy has been changed to Contracts for Facilities, and the text has been revised to better reflect statute.

DAA(LLEGAL) EMPLOYMENT OBJECTIVES: EQUAL EMPLOYMENT OPPORTUNITY

This legally referenced policy has been significantly reorganized to focus on discrimination in hiring and discharging employees. Some details on disability discrimination have been moved to DIA, addressing discrimination, harassment, and retaliation in other aspects of employment.

For clarification a Note has been added to indicate that Title VII, the Americans with Disabilities Act, and the Genetic Information Nondiscrimination Act only apply to employers with 15 or more employees as described in the Note.

DBA(LLEGAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS: CREDENTIALS AND RECORDS

This legally referenced policy has been updated to clarify that holders of intern or probationary certificates may be employed on an emergency permit under certain circumstances.

DCD(LOCAL) EMPLOYMENT PRACTICES: AT-WILL EMPLOYMENT

Recommended revisions clarify that an at-will employee's appeal of dismissal would follow the district's employee grievance policy and not begin with the board.

The *Legal Issues in Update 116* memo describes common legal concerns and best practices specific to [this policy topic](#).

DCE(LOCAL) EMPLOYMENT PRACTICES: OTHER TYPES OF CONTRACTS

Recommended revisions clarify that an appeal by an employee whose non-Chapter 21 contract is not reissued at the end of the contract period would follow the district's employee grievance policy and not begin with the board.

The *Legal Issues in Update 116* memo describes common legal concerns and best practices specific to [this policy topic](#).

DEAA(LLEGAL) COMPENSATION PLAN: INCENTIVES AND STIPENDS

References have been added to new Administrative Code rules on optional local teacher designation systems and mentor teacher training programs.

DH(EXHIBIT) EMPLOYEE STANDARDS OF CONDUCT

The Educators' Code of Ethics has been updated to reflect current Administrative Code rules.

DIA(LEGAL) EMPLOYEE WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

This legally referenced policy has been significantly reorganized to focus on the prohibition against discrimination, harassment, and retaliation with respect to compensation, terms, conditions, or privileges of employment.

For clarification a Note has been added to indicate that Title VII, the Americans with Disabilities Act, and the Genetic Information Nondiscrimination Act only apply to employers with 15 or more employees as described in the Note.

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Explanatory Notes

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DP(LEGAL) PERSONNEL POSITIONS

Revised Administrative Code rules implement House Bill 1501 from the 86th Legislative Session, which created the Texas Behavioral Health Executive Council to regulate psychological services in public schools, including services provided by a licensed specialist in school psychology.

EHAC(LEGAL) BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (SECONDARY)

Revisions from amended Administrative Code rules align the required secondary curriculum with changes to the technology applications and CTE TEKS and legislation from the 86th Legislative Session.

In addition, provisions on personal financial literacy were moved within the policy for clarity.

EHBC(LEGAL) SPECIAL PROGRAMS: COMPENSATORY/ACCELERATED SERVICES From amended Administrative Code rules, we have added provisions explaining:

- How educationally disadvantaged students are defined for the compensatory education allotment and the methods a district may use to verify eligibility; and
- The approval process a district must use to claim students receiving a full-time virtual education through TXVSN in their counts of educationally disadvantaged students.

EIF(LEGAL) ACADEMIC ACHIEVEMENT: GRADUATION

We have added a new Administrative Code rule addressing the option for an elementary school student to complete a course in American Sign Language to satisfy one of the required graduation credits for languages other than English.

EKB(LEGAL) TESTING PROGRAMS: STATE ASSESSMENT

Amended Administrative Code rules require a student in grades 3 through 8 who is enrolled in an accelerated course and who will complete the high school end-of-course assessment for the content area prior to high school to take the ACT or SAT in high school.

Revisions at Accountability Testing are to better match statutory wording.

EKBA(LEGAL) STATE ASSESSMENT: ENGLISH LANGUAGE LEARNERS/LEP STUDENTS

Revised Administrative Code rules address the administration of the alternate English language proficiency assessment for students with the most significant cognitive disabilities and amend terminology in some places from *English language learner* to *English learner*.

FDD(LEGAL) ADMISSIONS: MILITARY DEPENDENTS

Under new Administrative Code rules, a campus may qualify to earn a Purple Star Designation if the campus meets criteria demonstrating supports and resources for its military-connected students.

FFAC(LOCAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

Policy Service recommends several revisions to this local policy on student medical treatment to reflect current guidance from the Texas Department of State Health Services (DSHS) and common district practices.

· Administrative details on student illness and accidents are recommended for removal.

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Explanatory Notes

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- Provisions on administering medication provided by parents direct the superintendent to designate the employees authorized to administer medication and refer to administrative regulations for detailed requirements.
- In accordance with DSHS guidance, the policy now reflects that the district shall not purchase non prescription medication to administer to students. **Contact the district's policy consultant if the district purchases or provides any medication for students, including providing nonprescription medication in the district's athletic program, unassigned epinephrine auto-injectors, or unassigned prescription asthma medication.**
- Medical treatment provisions have been updated to clarify who may complete medical treatment authorization forms and reflect that the district shall seek appropriate emergency care for a student as required or deemed necessary. This new text is recommended to replace previous text that covered emergency treatment forms.

See FFAC in the [TASB Regulations Resource Manual](#) for updated procedures and forms.

The *Legal Issues in Update 116* memo describes common legal concerns and best practices specific to [this policy topic](#).

FFEB(LLEGAL) COUNSELING AND MENTAL HEALTH: MENTAL HEALTH

Revised Administrative Code rules adopted by the Texas Behavioral Health Executive Council address consent regarding school psychological services provided by a licensed specialist in school psychology.

FFG(LLEGAL) STUDENT WELFARE: CHILD ABUSE AND NEGLECT

Revisions at SBEC Disciplinary Action are from amended Administrative Code rules. We have also added a Note connecting the general child abuse and neglect investigation provisions in this legally referenced policy with the more specific provisions at GRAA(LLEGAL) addressing investigations of abuse and neglect at school.

FFH(LLEGAL) STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

A revision clarifies that the notification of nondiscrimination required by Title IX does not need to state that it extends to admission.

FL(LLEGAL) STUDENT RECORDS

Revisions have been made to reorganize the provisions for better flow and to better match statutory text. Provisions on flagging records of missing children and notifying law enforcement of subsequent requests for those records have been moved to GRAA(LLEGAL). Provisions regarding student information a district receives from law enforcement have been removed, as these provisions are duplicated at GRAA(LLEGAL).

GKA(LOCAL) COMMUNITY RELATIONS: CONDUCT ON SCHOOL PREMISES

A recommended revision specifies that a person filing a complaint regarding refusal of entry to or ejection from property based on Education Code 37.105 shall be permitted to address the board within 90 "calendar" days. This change aligns with changes made at Update 115 to the grievance policies at FNG and GF.

The *Legal Issues in Update 116* memo describes common legal concerns and best practices specific to [this policy topic](#).

Explanatory Notes

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GNC(LEGAL) RELATIONS WITH EDUCATIONAL ENTITIES: COLLEGES AND UNIVERSITIES

Details on contracting with an institution of higher education for design or construction of instructional or athletic facilities have been removed, as this information is located in CX(LEGAL).

GRA(LEGAL) RELATIONS WITH GOVERNMENTAL ENTITIES: STATE AND LOCAL GOVERNMENTAL AUTHORITIES

New Administrative Code rules implement the Child Abuse and Treatment Act, resulting in extensive revisions to this legally referenced policy addressing Department of Family and Protective Services investigations of abuse and neglect at school.

GRAA(LEGAL) STATE AND LOCAL GOVERNMENTAL AUTHORITIES: LAW ENFORCEMENT AGENCIES

Provisions on flagging records of missing children and notifying law enforcement of subsequent requests for those records have been moved to this code from FL(LEGAL).

CROSS-INDEX

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GKA class rankings EIC
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CBB financial CAA
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GF committees
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FOF emergency placement FOE
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tions FNCC
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FNA Title IX DAA, DIA, DGBA, FB, FFH, FNG
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Transportation) DHE dress and personal grooming

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EHBC dropout recovery program GNC
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CFEA duplicating and printing CPAA, FL, GBAA
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EKC, EL

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FFEB early voting (See elections)
early voting clerk (See elections)
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(See Education Department General Administrative
Regulations)
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GKD electronic communication BBI, CQ, CQB, DH,
FNCE Electronic Communication Privacy Act (ECPA)
CQ electronic courses, defined EHDE
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FNCE electronic storage CQ
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 DK credentials and records DBA, DK
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 contractual DC, DCA, DCB, DCC, DCE
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FMH endorsements, graduation plan EIF
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FFAF Equal Access Act FNAB, GKD
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equal employment opportunities DAA, DAB, DAC,
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CBB financial CAA
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ELA existing facilities CS
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FFC suspension and reinstatement FM
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ACCOUNTABILITY AIA ACCREDITATION AND PERFORMANCE INDICATORS (LEGAL)

Accreditation

Statuses

Annual Evaluation

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 (Accreditation Status, Standards, and Sanctions). *Education Code 39.051*

The commissioner shall determine criteria for the following accreditation statuses:

1. Accredited. Accredited means TEA recognizes the district as a public school of this state that meets the standards determined by the commissioner under Education Code 39.052(b) and (c), and specified in 19 Administrative Code 97.1059; and is not currently assigned an accreditation status of Accredited-Warning or Accredited-Probation;

2. Accredited-Warning. Accredited-Warning means the district exhibits deficiencies in performance, as specified in 19 Administrative Code 97.1055(b), that, if not addressed, will lead to probation or revocation of its

accreditation status;

3. Accredited-Probation. Accredited-Probation means the district exhibits deficiencies in performance, as specified in 19 Administrative Code 97.1055(c), that must be addressed to avoid revocation of its accreditation status; and

4. Not Accredited-Revoked. Not Accredited-Revoked means TEA does not recognize the district as a Texas public school because the district's performance has failed to meet standards adopted by the commissioner under Education Code 39.052(b) and (c), and specified in 19 Administrative Code 97.1055(d).

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

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

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(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;

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

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:

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 sta

ACCOUNTABILITY AIA ACCREDITATION AND PERFORMANCE INDICATORS (LEGAL)

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 (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

b. If the newspaper is not published from Sunday through Tuesday, then for three consecutive issues of the news paper 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.

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

To TEA

tus, 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 web site, with a link to the required notification, and

**Performance
Indicators**

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

Education Code 39.053(a-1)

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)*

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].

*Achievement
Indicators*

A–F Performance Ratings

board meeting in which the notice was presented and publicly discussed.

19 TAC 97.1055(f)

The commissioner shall adopt a set of indicators of the quality of learning and achievement, including three domains of

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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.

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)

The local accountability system standards established by the commissioner under Education Code 39.0544 shall be used by districts to develop a plan to locally evaluate the performance of their campuses. 19 TAC 97.1003(a)

A local accountability plan created by a district must include domain performance ratings assigned by the commissioner under Education Code 39.054, and performance ratings based on locally developed domains or sets of accountability measures. 19 TAC 97.1003(b)

Local Accountability System

Local Accountability Plan

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

A district must create its local accountability plan based on school type. The four school types are elementary school, middle school, high school, and kindergarten–grade 12. The plan must include all campuses within a school type. The district may also request to identify an additional school group within a school type for which to customize its local accountability plan.

Otherwise, all campuses within a school type must be evaluated on a common set of components determined by the district. A district may also request to

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*Plan
Components*

domains: academics, culture and climate, extra- and co-curricular, future ready learning, and locally determined. The weight of all plan components must equal 100 percent. *19 TAC 97.1003(b)(1)*

A district may assign weights to each plan component, as determined by the district, provided that the plan components must in the aggregate account for no more than 50 percent of the combined overall performance rating. A local accountability plan may include no fewer than two and no more than ten components weighted between 5 percent and 60 percent. *19 TAC 97.1003(c)*

Each plan component must contain levels of performance that allow for differentiation, with assigned standards for achieving the differentiated levels that are aligned to a letter grade of A, B, C, D, or F and meet the requirements of 19 Administrative Code 97.1003(d)(1)–(3). *19 TAC 97.1003(d)*

Each plan component measure must meet standards for reliability and validity as required by 19 Administrative Code 97.1003(e)(1)–(3). *19 TAC 97.1003(e)*

Campuses without STAAR or State Ratings

For the purposes of assigning state accountability ratings, a campus that does not serve any grade level for which a State of Texas Assessments of Academic Readiness (STAAR) examination is administered is paired with a campus in its district that serves grade levels for which STAAR examinations are administered.

A campus not rated under the state accountability system is not eligible to combine state and local ratings. Local accountability data for a campus without state ratings may be displayed on TEA, district, and campus websites but will not be combined with state accountability data. The state accountability manual adopted under 19 Administrative Code 97.1001 (Accountability Rating System) provides information about campus ratings and eligibility for applicable years.

*Campus
Performance
Ratings*

identify a campus rated under alternative education accountability provisions as a unique school type. *19 TAC 97.1003(b)(4)*

19 TAC 97.1003(b)(3)

A locally developed domain or set of accountability measures is referred to as a plan component. Plan components must describe each item and the reason for its inclusion in the plan. A district must assign each component to one of the following five

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 perfor

ACCOUNTABILITY AIA ACCREDITATION AND PERFORMANCE INDICATORS (LEGAL)

Calculations for each plan component and overall performance ratings must be capable of being audited by a third party.

A district must use a one-to-one correspondence when converting campus grades based on plan component measures to a standard scale of 30–100 where A=90–100, B=80–89, C=70–79, D=60–69, and F=30–59. Categorical data, or data not on a continuous scale, must be converted to the standard scale of A=90–100, B=80–89, C=70–79, D=60–69, and F=30–59 by assigning the maximum value for each scaled score interval with the corresponding category used in the campus rating scale.

A district is required to submit local accountability plan component, domain, and overall scaled scores and ratings to TEA by the first week of July of the applicable accountability year.

All scaled scores and letter grades submitted by a school district are subject to audit. Any data discrepancies or any indication that data have been compromised may result in verification and audit of district and campus data used to assign local accountability ratings. The audit process may include requests for data used for campus-level calculation of component and domain scaled scores.

On an annual basis, TEA will randomly select districts for local accountability audits, and, for each such audit, TEA will randomly select components for review. Selected districts must submit the requested data for review within the timeframe specified. A district must maintain documentation of its local accountability plan, along with all associated data used to assign campus ratings, for two years after the end of the plan implementation period.

Submission and Audit Standards
performance and for each locally developed domain or set of accountability measures. Not later than a date established by the commissioner, the district 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(e)

Each campus with an approved district plan is eligible to receive a local accountability rating. A campus with an overall state accountability rating of C or higher based on ratings derived from student performance at the campus is eligible to combine an overall local accountability rating with the overall state accountability rating to determine the combined rating. *19 TAC 97.1003(b)(2); Education Code 39.054(a)*

19 TAC 97.1003(f)(1)–(6)

Scorecard and Website

A district must produce a campus scorecard and make available on the district website an explanation of the methodology used to assign local accountability performance ratings. The campus score card shall include, at a minimum, the scaled score and rating for each component and domain along with the overall rating. A link to the local accountability ratings posted by the district must be provided to TEA and may be included on the agency-developed school report card. *19 TAC 97.1003(g)*

Appeal and Revision

An appeal of a local accountability rating may be submitted by the superintendent once ratings are released. The local accountability appeals timeline follows the appeal deadline dates and processes as described in the state accountability manual adopted under 19 Administrative Code 97.1001 of this title for the applicable year. *19 TAC 97.1003(f)(7)*

Ratings may be revised as a result of investigative activities by the commissioner as authorized under Education Code 39.057(d) and (e). *19 TAC 97.1003(h)*

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

Academic Distinction

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

Campus Distinction
Responsibility for the accuracy and quality of data used to determine local accountability ratings rests with each district. Superintendent certification of data accuracy during the ratings submission process shall include an assurance that calculations have been verified to ensure that all data were included as appropriate for all components.

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*

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

1. Improvement in student achievement;

ACCOUNTABILITY AIA ACCREDITATION AND PERFORMANCE INDICATORS (LEGAL)

- 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;
 - 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.

Excellence Exemptions

- 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)*

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;

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

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granted, the exemption remains in effect until the commissioner determines that achievement levels of the campus have declined.

Education Code 39.232

ACCOUNTABILITY AIB PERFORMANCE REPORTING (LEGAL)

District Annual Report

Texas Academic Performance Report (TAPR)

information required by statute. It will also include any explanations and additional information deemed appropriate to the intent of the report.

The district may not alter the report provided by TEA. However, the district may concurrently provide additional information to the public that supplements or explains information in the TAPR.

19 TAC 61.1022(a)–(b), (e); Education Code 39.306(d) The annual report must also include:

1. Campus performance objectives established under Education Code 11.253 and the progress of each campus toward those objectives, which shall be available to the public;
2. Information indicating the district's accreditation status and identifying each district campus awarded a distinction designation or considered an unacceptable campus under Education Code Chapter 39A;
3. The district's current special education compliance status with the agency;
4. A statement of the number, rate, and type of violent or criminal incidents that occurred on each district campus, to the extent permitted under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g);
5. Information concerning school violence prevention and violence intervention policies and procedures that the district is using to protect students;
6. The findings that result from evaluations conducted under the Safe and Drug-Free Schools and Communities Act of 1994 (20 U.S.C. 7101 et seq.);

Other Annual Report Information

The board shall publish an annual report describing the educational performance of the district and of each campus in the district that includes uniform student performance and descriptive information as determined under rules adopted by the commissioner of education. *Education Code 39.306(a)*

The performance report provided by the Texas Education Agency (TEA) under Education Code 39.306 shall be termed the Texas Academic Performance Report (TAPR). The intent of the TAPR is to inform the public about the educational performance of the district and of each campus in the district in relation to the district, the state, and a comparable group of schools. The TAPR will present the campus performance information as well as the student, staff, and financial

EA].

Education Code 39.306(a)

The report must include a statement of the amount, if any, of the district's unencumbered surplus fund balance as of the last day of the preceding fiscal year and the percentage of the preceding year's budget that the surplus represents.

Education Code 39.306(g)

The report must also include the number of school counselors providing counseling services at each campus. *Education Code 39.306(d-1)*

The report may include the following information:

1. Student information, including total enrollment, enrollment by ethnicity, socioeconomic status, and grade groupings and retention rates;
2. Financial information, including revenues and expenditures;
3. Staff information, including number and type of staff by sex, ethnicity, years of experience, and highest degree held; teacher and administrator salaries; and teacher turnover;
4. Program information, including student enrollment by program, teachers by program, and instructional operating expenditures by program; and
5. The number of students placed in a disciplinary alternative education program (DAEP) under Education Code Chapter 37.

Education Code 39.306(e)

Supplemental information to be included in the reports shall be determined by the board. *Education Code 39.306(b)*

Public Hearing

7. Information received under Education Code 51.403(e) for each high school campus in the district, presented in a form determined by the commissioner; and

8. Progress of the district and each campus in the district toward meeting the goals set in the district's early childhood literacy and mathematics proficiency plans and college, career, and military readiness plans [see

The board shall hold a hearing for public discussion of the report. The board shall give notice of the hearing to property owners in the district and parents of and other persons standing in parental relation to a district student. The notice of hearing must include notice to a newspaper of general circulation in the district and notice to electronic media serving the district.

Education Code 39.306(c)

ACCOUNTABILITY AIB PERFORMANCE REPORTING (LEGAL)

Publication

The information in the annual report shall be a primary consideration in district and campus planning. It shall also be a primary consideration of the board in the evaluation of the performance of the superintendent, and of the superintendent in the evaluation of the performance of campus principals. *Education Code 39.307*

Report Uses

Each school year, TEA shall prepare and distribute to each district a report card for each campus. The campus report card distributed by TEA shall be termed the "school" report card (SRC). The intent of the SRC is to inform each student's parents or guardians about the school's performance and characteristics. The SRC will present the student, staff, financial, and performance information required by statute, as well as any explanations and additional information deemed appropriate to the intent of the report.

Campus Performance Report Distribution

The district must disseminate each SRC within six weeks after the SRC is received from TEA. The school may not alter the report provided by TEA; however, it may concurrently provide additional information to the parents or guardians that supplements or explains information in the SRC.

A board shall hold a hearing for public discussion of the TAPR within 90 days after the report is received from TEA. The hearing may take place during a regularly scheduled or special meeting of the board. *19 TAC 61.1022(c)*

The SRC must be distributed to the parent, guardian, conservator, or other person having lawful control of each student at the campus. On written request, a district shall provide a copy of the SRC to any other party.

The TAPR must be published within two weeks after the public hearing, in the same format as it was received from TEA. *19 TAC 61.1022(d)*

The campus administration may provide the SRC in the same manner it would normally transmit official communications to parents and guardians, such as including the SRC in a weekly folder sent home with each student, mailing it to the student's residence, providing it at a teacher-parent conference, enclosing it with the student report card, or sending it via electronic mail.

The board shall disseminate the report by posting it on the district website and in public places, such as each school office, local businesses, and public libraries. *Education Code 39.306(c); 19 TAC 61.1022(f)*

Education Code 39.305; 19 TAC 61.1021

Website Notices

4. A definition and explanation of each accreditation status, based on commissioner rule.

Education Code 39.362

Each year, TEA shall report to a district whether each student fell below, met, or exceeded the necessary target for improvement necessary to be prepared to perform satisfactorily on, as applicable, the grade five assessments, the grade eight assessments, and the end-of-course assessments required for graduation.

Education Code 39.034, .302

The district a student attends shall provide a record of the annual improvement information from TEA in a written notice to the student's parent or other person standing in parental relationship. If a student failed to perform satisfactorily on a state assessment, the district shall include in the notice specific information relating to access to online educational resources at the appropriate assessment instrument content level, including educational resources and assessment instrument questions and released answers. *Education Code 39.303*

A district shall prepare a report of the annual improvement information and provide the report at the beginning of the school year to:

1. Each teacher for all students, including incoming students, who took a state assessment; and
2. All students who were provided instruction by that teacher in the subject for which the assessment instrument was administered.

The report shall indicate whether the student performed satisfactorily or, if the student did not perform satisfactorily, whether the student met the standard for annual improvement.

Education Code 39.304

Student Performance Report

Notice to Parents

Notice to Teachers and Students

Not later than the tenth day after the first day of instruction of each school year, a district that maintains an internet website shall make the following information available:

1. The information in the most recent campus report card for each campus in the district;
2. The information contained in the most recent performance report for the district;
3. The most recent accreditation status and performance rating of the district; and

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ACCOUNTABILITY AIB PERFORMANCE REPORTING (LEGAL)

Quality of Learning Indicators

The commissioner shall also adopt indicators of the quality of learning for the purpose of

preparing performance reports. Performance on the indicators shall be evaluated in the same manner provided for evaluation of the achievement indicators under Education Code 39.053(c) [see Achievement Indicators,

AIA].

The quality of learning indicators must include:

1. The percentage of graduating students who meet the course requirements for the foundation high school program, the distinguished level of achievement under the foundation high school program, and each endorsement described by Education Code 28.025(c-1) [see EIF];
2. The results of the SAT, ACT, and certified workforce training programs;
3. For students who have failed to satisfy the state standard on an assessment, the performance of those students on subsequent assessments, aggregated by grade level and subject area;
4. For each campus, the number of students, disaggregated by major student subpopulations, who take courses under the foundation high school program and take additional courses to earn an endorsement, disaggregated by type of endorsement;
5. The percentage of students, aggregated by

- grade level, provided accelerated instruction under after unsatisfactory performance on a state assessment; the results of assessment instruments administered under the accelerated instruction program; the percentage of students promoted through the grade placement committee process; the subject of the assessment instrument on which each student failed to perform satisfactorily under each performance standard; and the performance of those students in the school year following that promotion on the state assessments;
6. The percentage of students of limited English proficiency exempted from the administration of an assessment;
 7. The percentage of students in a special education program assessed through alternative assessment instruments;
 8. The percentage of students who satisfy the college readiness measure;
 9. The measure of progress toward dual language proficiency for students of limited English proficiency;

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ACCOUNTABILITY AIB PERFORMANCE REPORTING (LEGAL)

**Results Driven
 Accountability (RDA)**

- Minimum Requirements
10. The percentage of students who are not educationally disadvantaged;
 11. The percentage of students who enroll and begin instruction at an institution of higher education in the school year following high school graduation; and
 12. The percentage of students who successfully complete the first year of instruction at an institution of higher education without needing a developmental education course.

Education Code 39.301

Federal Report Card Implementation

In accordance with Education Code 7.028(a), the purpose of the Results Driven Accountability (RDA) framework is to evaluate and report annually on the performance of

districts for certain populations of students included in selected program areas. The performance of a district is included on the RDA report through indicators of student performance and program effectiveness and corresponding performance levels established by the commissioner. *19 TAC 97.1005; Education Code 7.028(a)*

A district that receives Title I funding shall prepare and disseminate an annual federal report card that includes information on the district as a whole and each school within the district.

The federal report card shall be concise; presented in an understandable and uniform format, and to the extent practicable, in a language that parents can understand; and accessible to the public, which shall include placing the report card on the district's web

site. If the district does not operate a website, the information in the report card must be provided to the public in another manner determined by the district.

The federal report card shall include the information required in the annual state report card described at 20 U.S.C. 6311(h)(1)(C), as applied to the district and each school served by the district, including:

1. In the case of the district, information that shows how students served by the district achieved on state academic assessments compared to students in the state as a whole;
2. In the case of a school, information that shows how the school's students' achievement on state academic assessments compared to students served by the district and the state as a whole; and

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The website must:

1. Include district information, disaggregated by campus, grade, sex, race, academic quarter or semester, as applicable, and school year, regarding the following:

- a. Student academic achievement and growth;
- b. Teacher and student attendance; and
- c. Student discipline records; and

2. Be updated at least once each quarter of the school year.

The commissioner shall provide information that permits a board member to compare the district's academic performance with the academic performance of other districts of similar size and racial and economic demographics.

District Data on Academic Achievement

3. Any other information that the district determines is appropriate and will best provide parents, students, and other members of the public with information regarding the progress of each public school served by the district, whether or not such information is included in the annual state report card.

20 U.S.C. 6311(h)(2)

On request by the board, TEA shall create a website that members of the board may use to review campus and district academic achievement data. The website must also be made available to campuses in a similar manner that access is provided to the board.

A district must provide requested information to the commissioner for the creation of the website. Confidential information received by the commissioner remains confidential. The commissioner shall design the website to ensure that public information is made available to the public, and information

submitted by districts noted as confidential is not made available to the public.

may not release information submitted by a district that is noted as confidential information.

A request for public information under this provision shall be submitted to the district that provides the agency with the information. TEA *Education Code 11.1516*

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ACCOUNTABILITY AIC INTERVENTIONS AND SANCTIONS (LEGAL)

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ACCOUNTABILITY AIC INTERVENTIONS AND SANCTIONS (LEGAL)
Code 39.057.

Interventions and Sanctions for School Districts

Grounds for
Commissioner
Action

Education Code 39A.001

If a district is subject to commissioner action, the commissioner may:

1. Issue public notice of the deficiency to the board;
2. Order a hearing to be conducted by the board to notify the public of:
 - a. The insufficient performance;
 - b. The improvements in performance expected by the Texas Education Agency (TEA); and
 - c. The interventions and sanctions that may be imposed if the performance does not improve;

*Authorized
Commissioner
Actions*

The commissioner of education shall take any of the actions authorized by Education Code, Chapter 39A, Subchapter A, to the extent the commissioner determines necessary if:

1. A district does not satisfy:
 - a. The accreditation criteria under Education Code 39.052 [see AIA];
 - b. The academic performance standards under Education Code 39.053 or 39.054 [see AIA]; or
 - c. Any financial accountability standard as determined by commissioner rule [see CFA]; or
2. The commissioner considers the action to be appropriate on the basis of a special accreditation investigation under Education

3. Order the preparation of a student achievement improvement plan that addresses each academic achievement indicator under Education Code 39.053(c) for which the district's performance is insufficient, the submission of the plan to the commissioner for approval, and the implementation of the plan;
4. Order a hearing to be held before the commissioner or the commissioner's designee at which the president of the board and the district's superintendent shall appear and explain the district's low performance, lack of improvement, and plans for improvement;
5. Arrange a monitoring review of the district;
6. Appoint a TEA monitor to participate in and report to TEA on the activities of the board or superintendent;

performance.

Education Code 39A.002

Regardless of whether the commissioner lowers a district's status or rating, the commissioner may take action under Education Code Chapters 39 and 39A or 19 Administrative Code 97.1057 if the commissioner determines that the action is necessary to improve any area of performance by the district or campus.

Subject to 19 Administrative Code 97.1057(h)–(k), once the commissioner takes action under 19 Administrative Code Subchapter EE (accreditation status, standards, and sanctions), the commissioner may impose on the district or campus any other sanction under Education Code Chapter 39 or 39A, or Subchapter EE, singly or in combination, to the extent the commissioner determines is reasonably required to achieve the purposes specified in 19 Administrative Code 97.1053.

19 TAC 97.1057(c), (e)

In making a determination to impose district and campus accreditation sanctions under 19 Administrative Code Chapter 97, Subchapter EE, the commissioner shall meet the requirements of 19 Administrative Code 97.1059. *19 TAC 97.1059*

The commissioner shall clearly define the powers and duties of a conservator or management team appointed to oversee the operations of a district.

Conservator or Management Team

7. Appoint a conservator to oversee the operations of the district;

8. Appoint a management team to direct the operations of the district in areas of insufficient performance or require the district to obtain certain services under a contract with another person; or

9. Authorize the district to enter into a memorandum of understanding with an institution of higher education that provides for the assistance of the institution of higher education in improving the district's

At least every 90 days, the commissioner shall review the need for the conservator or management team and shall remove the conservator or management team unless the commissioner determines that continued appointment is necessary for effective governance of the district or delivery of instructional services.

A conservator or management team, if directed by the commissioner, shall prepare a plan for the implementation of the appointment of a board of managers or the revocation of accreditation.

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principal of a campus, the superintendent of the district, or the board.

The conservator or management team may not:

1. Take any action concerning a district election, including ordering or canceling an election or altering the date of or the polling places for an election;
2. Change the number of or method of selecting the board;
3. Set a tax rate for the district; and
4. Adopt a budget for the district that provides for spending a different amount, exclusive of required debt service, from that previously adopted by the board.

Education Code 39A.003

Regardless of whether a district has satisfied the accreditation criteria, if for two consecutive school years, including the current school year, a district has had a conservator or management team assigned, the commissioner may appoint a board of managers, a majority of whom must be residents of the district, to exercise the powers and duties of the board of trustees. For purposes of this subsection, a school year begins on the first day of instruction and includes any portion of the school year. 19 TAC 97.1057(d); Education Code 39A.006(b)

Board of Managers

The commissioner may appoint a board of managers to exercise the powers and duties of a district's board if the district is subject to commissioner action and:

1. Has a current accreditation status of accredited-warned or accredited-probation;
2. Fails to satisfy any standard under Education Code 39.054(e); or
3. Fails to satisfy financial accountability standards as determined by commissioner rule.

Revocation of Accreditation

The conservator or management team may: *Education Code 39A.004*

1. Direct an action to be taken by the principal of a campus, the superintendent of the district, or the board; and
2. Approve or disapprove any action of the

The commissioner may revoke the accreditation of a district if the district is subject to commissioner action, and for two consecutive school years, including the current school year, the district has:

ACCOUNTABILITY AIC INTERVENTIONS AND SANCTIONS (LEGAL)

rule.

In addition to revoking a district's accreditation, the commissioner may:

1. Order closure of the district and annex the district to one or more adjoining districts under Education Code 13.054; or
2. In the case of a home-rule school district, order closure of all programs operated under the district's charter.

Education Code 39A.005

If a district is subject to commissioner action and the district has failed to satisfy any standard under Education Code 39.054(e) because of the district's dropout rates, the commissioner may impose sanctions against a district designed to improve high school completion rates, including:

1. Ordering the development of a dropout prevention plan for approval by the commissioner;
2. Restructuring the district or appropriate campuses to improve identification of and service to students who are at risk of dropping out of school, as defined by Education Code 29.081;
3. Ordering lower student-to-counselor ratios on campuses with high dropout rates; and
4. Ordering the use of any other intervention strategy effective in reducing dropout rates, including mentor programs and flexible class scheduling.

Education Code 39A.007

If the performance of a campus is below any standard under Education Code 39.054(e), the commissioner shall:

1. Take actions, to the extent the commissioner determines necessary, as provided by Education Code, Chapter 39A; and
2. Assign a campus intervention team.

To the extent the commissioner determines necessary, the commissioner may:

Intervention to
Improve High
School Completion Rate

Campus Intervention Team and Targeted Improvement Plan

Actions Based on Campus Performance

1. Received an accreditation status of accredited-warned or accredited-probation;
2. Failed to satisfy any standard under Education Code 39.054(e); or
3. Failed to satisfy financial accountability standards as determined by commissioner

ACCOUNTABILITY AIC INTERVENTIONS AND SANCTIONS (LEGAL)

team as outlined in 19 Administrative Code 97.1063 and Education Code 39A.052. The campus shall establish a campus leadership team (CLT) that includes the campus principal and other campus leaders responsible for the development, implementation, and monitoring of the targeted improvement plan.

If a campus is assigned an unacceptable rating under Education Code 39.054(e):

1. For a second consecutive year, the campus must engage in the processes outlined in this provision, and the campus must develop a campus turnaround plan to be approved by the commissioner.

2. For a third or fourth consecutive year, the campus must engage in the processes outlined in this provision, and the campus must implement the commissioner-approved campus turnaround plan as described in 19 Administrative Code 97.1064.

3. For a fifth consecutive year, the commissioner shall order the appointment of a board of managers to govern the district or the closure of the campus.

Based on a campus's progress toward improvement, the commissioner may order a hearing if a campus's performance is below any standard under Education Code 39.054(e).

Interventions and sanctions listed under this provision begin upon release of preliminary ratings and may be adjusted based on final accountability ratings.

19 TAC 97.1061(a)-(c), (e)-(i)

Texas

Accountability
Intervention System

1. Order a hearing to be held before the commissioner or the commissioner's designee at which the president of the board, the superintendent, and the campus principal shall appear and explain the campus's low performance, lack of improvement, and plans for improvement; or

2. Establish a school community partnership team composed of members of the campus-level planning and decision-making committee and additional community representatives as determined appropriate by the commissioner.

Education Code 39A.051

If a campus's performance is below any standard under Education Code 39.054(e), the campus shall engage in interventions as described by TEA. The commissioner shall assign members to a campus intervention

ACCOUNTABILITY AIC INTERVENTIONS AND SANCTIONS (LEGAL)

Campus
Intervention Team

On-Site Needs Assessment

The campus intervention team shall follow the requirements of 19 Administrative Code 97.1061 and Education Code 39.106.

A campus intervention team assigned by the commissioner may include teachers, principals, other educational professionals, and superintendents recognized for excellence in their roles and appointed by the commissioner to serve as members of a team. *Education Code 39A.052*

A campus intervention team must include a district coordinator of school improvement (DCSI) and the campus principal's direct supervisor, if the DCSI is not the campus principal's direct supervisor. The DCSI must submit qualifications to TEA for approval.

An education professional, approved through an application either by TEA or TEA's technical assistance provider, who is not an employee of the campus or district, shall assist with the needs assessment.

19 TAC 97.1063(b)-(c)

A campus intervention team shall:

1. Conduct, with the involvement and advice of the school community partnership team, if

applicable:

- a. If the commissioner determines necessary, a comprehensive on-site needs assessment; or
- b. A targeted on-site needs assessment relevant to an area of insufficient performance of the campus; and

2. Recommend appropriate actions as provided by Education Code 39A.054.

An on-site needs assessment must determine the factors resulting in the campus's low performance and lack of progress, including the contributing education-related factors.

In conducting a comprehensive on-site needs assessment, the campus intervention team shall use each of the guidelines and procedures at Education Code 39A.053(c) and 19 Administrative Code 97.1061(d).

In conducting a targeted on-site needs assessment, the campus intervention team shall use the appropriate guidelines and procedures described above relevant to each area of insufficient performance.

Education Code 39A.053

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Recommendations

*Targeted
Improvement Plan*

strategies and incentives provided by the district to attract and retain appropriately certified and experienced teachers; or

8. Other actions the campus intervention team considers appropriate.

Education Code 39A.054

In addition to the duties relating to the on-site needs assessment, the campus intervention team shall:

1. Assist the campus in developing a targeted improvement plan;
2. Conduct a public meeting at the campus with the campus principal, the members of the campus-level planning and decision-making committee, parents of students attending the campus, and community members residing in the district to review the campus performance rating and solicit input for the development of the targeted improvement plan [see Notice of Public Meeting, below];
3. Assist the campus in submitting the targeted improvement plan to the board for approval and presenting the plan in a public hearing [see Public Hearing, below]; and
4. Assist the commissioner in monitoring the progress of the campus in executing the targeted improvement plan.

*Education Code 39A.055; 19 TAC
97.1061(d)(3)–(4)*

The campus intervention team must provide written notice of the public meeting to the parents of students attending the campus and post notice of the meeting on the campus's internet website.

Notice of Public Meeting

On completing the on-site needs assessment, the campus intervention team shall, with the involvement and advice of the school community partnership team, if applicable, recommend actions relating to any area of insufficient performance, including:

1. Reallocation of resources;
2. Technical assistance;
3. Changes in school procedures or operations;
4. Staff development for instructional and administrative staff;
5. Intervention for individual administrators or teachers;
6. Waivers from state statutes or rules;
7. Teacher recruitment or retention

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the campus. 19 TAC 97.1061(d)(3)(A)(2)

After a targeted improvement plan or an updated targeted improvement plan is submitted to the board, the board shall conduct a hearing to:

1. Notify the public of:
 - a. The insufficient performance of the campus;
 - b. The improvements in performance expected by TEA; and
 - c. The intervention measures or sanctions that may be imposed under Education Code, Chapter 39A if the performance does not improve within a designated period; and
2. Solicit public comment on the targeted improvement plan or updated targeted improvement plan.

The board must post the targeted improvement plan on the district's internet website before the hearing.

The board may conduct one hearing relating to one or more campuses subject to a targeted improvement plan or an updated targeted improvement plan.

Education Code 39A.057

The board shall submit the targeted improvement plan or updated targeted improvement plan to the commissioner for approval. The campus intervention team shall assist the campus in submitting the targeted improvement plan to the commissioner. *Education Code 39A.058*

Public Hearing

Submission to Commissioner

Executing Plan

The notice must include the date, time, and place of the meeting. *Education Code 39A.056*

The public must be notified of the meeting 15 days prior to the meeting by way of the district and campus website, local newspapers, or other media that reach the general public, and the parent liaison, if present on

In executing the targeted improvement plan, the campus intervention team shall, if appropriate:

1. Assist the campus in implementing research-based practices for curriculum development and classroom instruction, including bilingual education and special education programs, and financial management;

improvement plan to identify and analyze areas of growth and areas that require improvement; and

2. Submit each updated targeted improvement plan to the board.

Education Code 39A.060

If a district or campus is assigned an overall or domain performance rating of D:

1. The commissioner shall order the district or campus to develop and implement a targeted improvement plan approved by the board; and

2. The interventions and sanctions provided by Education Code, Chapter 39A based on failure to satisfy performance standards under Education Code 39.054(e) apply to the district or campus only as provided below.

The interventions and sanctions based on failure to satisfy performance standards under Education Code 39.054(e) apply to a district or campus ordered to develop and implement a targeted improvement plan if the district or campus is assigned:

1. An overall or domain performance rating of F; or 2. An overall performance rating of D as provided below.

If a district or campus is assigned an overall performance rating of D for a school year after the district or campus is ordered to develop and implement a targeted improvement plan, the commissioner shall implement interventions and sanctions that apply to an unacceptable campus and those interventions and sanctions shall

Continuing Duties of the Campus Intervention Team

Needs Improvement Rating

2. Provide research-based technical assistance, including data analysis, academic deficiency identification, intervention implementation, and budget analysis, to strengthen and improve the instructional programs at the campus; and

3. Require the district to develop a teacher recruitment and retention plan to address the qualifications and retention of the teachers at the campus.

Education Code 39A.059

For each year a campus is assigned an unacceptable performance rating, the campus intervention team shall:

1. Assist in updating the targeted

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Campus
Improvement Plan

performance standards under Education Code 39.054(e) for the current school year but would not satisfy the performance standards if the standards to be used for the following school year were applied to the current school year, on the request of the commissioner, the campus-level planning and decision-making committee shall revise and submit to the commissioner the portions of the campus improvement plan that are relevant to those areas for which the campus would not satisfy performance standards. The revised portions of the improvement plan must be submitted in an electronic format. *Education Code 39A.062*

Compliance
Through Federal Accountability

Notwithstanding the provisions of Education Code Chapter 39A, if the commissioner determines that a campus subject to interventions or sanctions has implemented substantially similar intervention measures under federal accountability requirements, the commissioner may accept the substantially similar intervention measures as measures in compliance with Education Code Chapter 39A. *Education Code 39A.063*

Campus Turnaround Plan

Updated Targeted Improvement Plan continue for each consecutive school year thereafter in which the campus is assigned an overall performance rating of D.

Education Code 39A.0545

The commissioner may authorize a school community partnership team established under Education Code 39A.051 to supersede the authority of and satisfy the requirements of establishing and maintaining a campus-level planning and decision-making committee.

If a campus has been identified as unacceptable for two consecutive school years, the commissioner shall order the campus to prepare and submit a campus turnaround plan.

A campus intervention team shall assist the campus in:

The commissioner may authorize a targeted improvement plan or an updated targeted improvement plan to supersede the provisions of and satisfy the requirements of developing, reviewing, and revising a campus improvement plan.

1. Developing an updated targeted improvement plan, including a campus turnaround plan to be implemented by the campus;

2. Submitting the updated targeted improvement plan to the board for approval and presenting the plan in a public hearing as provided by Education Code 39A.057;

Education Code 39A.061

If the performance of a campus satisfies

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Public Notice

Submission and Approval

Implementation Required Contents

3. Obtaining approval of the updated plan from the commissioner; and
4. Executing the updated plan on approval by the commissioner.

The updated targeted improvement plan submitted to the board must include all plans and details that are required to execute the campus turnaround plan without any additional action or approval by the board.

Education Code 39A.101

Within 60 days of receiving a campus's preliminary accountability rating, the district must notify parents, community members, and stakeholders that the campus received an unacceptable rating for two consecutive years and request assistance in developing the campus turnaround plan in accordance with 19 Administrative Code 97.1064. 19 TAC 97.1064(d)

Upon approval of the board, the district must submit the campus turnaround plan electronically to TEA by March 1 unless otherwise specified. Not later than June 15 of each year, the commissioner must either approve or reject any campus turnaround plan prepared and submitted by a district. *19 TAC 97.1064(g)–(h); Education Code 39A.103–.104*

A campus may implement, modify, or withdraw its campus turnaround plan with board approval if the campus receives an academically acceptable rating for the school year following the development of the campus turnaround plan.

A campus that has received an unacceptable rating for the school year following the development of the campus turnaround plan must implement its commissioner-approved campus turnaround plan with fidelity until the campus operates for two consecutive school years without an unacceptable rating.

The commissioner may appoint a monitor, conservator, management team, or board of managers for a school district that has a campus that has been ordered to implement an updated targeted improvement plan. The commissioner may order any of the interventions as necessary to ensure district-level support for the low performing campus and the implementation of the updated targeted improvement plan. The commissioner may make the appointment at any time during which the campus is required to implement the updated targeted improvement plan.

19 TAC 97.1064(j)–(k)

A campus turnaround plan must include:

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- b. Length of school day and school year;
 - c. Academic credit and promotion criteria; and
 - d. Programs to serve special student populations;
3. If a district charter is to be granted for the campus under Education Code 12.0522:
- a. The term of the charter; and
 - b. Information on the implementation of the charter;
4. Written comments from:
- a. The campus-level committee established under Education Code 11.251, if applicable;
 - b. Parents; and
 - c. Teachers at the campus;
5. A detailed description of the budget, staffing, and financial resources required to implement the plan, including any supplemental resources to be provided by the district or other identified sources; and
6. A detailed description for developing and supporting the oversight of academic achievement and student performance by the board of trustees under Education Code 11.1515.

Education Code 39A.105(a) [Acts of the 85th Legislative Session, Senate Bill 1566, amended former Education Code 39.107(b-1) to include the information provided at Subsection (6)]

A campus may submit an accelerated campus excellence (ACE) turnaround plan. The plan must provide:

- 1. The assignment of a principal to the campus who has demonstrated a history of improvement in student academic growth at campuses in which the principal has previously worked;
- 2. That the principal has final authority over personnel decisions at the campus;

ACE Turnaround Plan

- 1. Details on the method for restructuring, reforming, or reconstituting the campus;
- 2. A detailed description of the academic programs to be offered at the campus, including:
 - a. Instructional methods;

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3. That at least 60 percent of the classroom teachers assigned to the campus be teachers who demonstrated instructional effectiveness during the previous school year, with instructional effectiveness determined by:
 - a. For a teacher who taught in the district during the previous school year:
 - (1) The teacher's impact on student growth as determined using a locally developed value-added model that measures student performance on at least one assessment selected by the district; and
 - (2) An evaluation of the teacher based on classroom observation; and
 - b. For a teacher who did not teach in the district during the previous school year, data and other evidence indicating that if the teacher had taught in the district during the previous school year, the teacher would have performed in the top half of teachers in the district;
4. A detailed description of the employment and compensation structures for the principal and classroom teachers, which must include significant incentives for a high-performing principal or teacher to remain at the campus and a three-year commitment by the district to continue incentives for the principal and teachers;
5. Policies and procedures for the implementation of best practices at the campus, including:
 - a. Data-driven instructional practices;
 - b. A system of observation of and feedback for classroom teachers;
 - c. Positive student culture on the campus;
 - d. Family and community engagement, including partnerships with parent and community groups;
 - e. Extended learning opportunities for students, which may include service or workforce learning opportunities; and
 - f. Providing student services before or after the instructional day that improve student performance, which may include tutoring, extracurricular activities, counseling services, and offering breakfast, lunch, and dinner to all students at the campus; and

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shall consider individuals who have demonstrated success in managing campuses with student populations similar to the campus at which the individual appointed will serve.

Education Code 39A.102, .108

Implementing Entities

A campus turnaround plan must take effect not later than the school year following the third consecutive school year that the campus has received an unacceptable performance rating. *Education Code 39A.106*

Not later than June 15 of each year, the commissioner shall, in writing, either approve or reject any campus turnaround plan prepared and submitted to the commissioner by a district. If the commissioner rejects a campus turnaround plan, the commissioner must also send the district an outline of the specific concerns regarding the turnaround plan that resulted in the rejection. *Education Code 39A.107(a-1)*

Effective Date

If the commissioner rejects a campus turnaround plan, the district must create a modified plan with assistance from TEA staff and submit the modified plan to the commissioner for approval not later than the 60th day after the date the commissioner rejects the campus turnaround plan. The commissioner shall notify the district in writing of the commissioner's decision regarding the modified plan not later than the 15th day after the date the commissioner receives the modified plan. *Education Code 39A.107(a-2)*

Commissioner Approval or Rejection

6. Assistance by a third-party provider that is approved by the commissioner in the development and implementation of the district's plan.

Education Code 39A.105(b)

A campus ordered to prepare a campus turnaround plan shall implement the updated targeted improvement plan as approved by the commissioner.

The commissioner may appoint a monitor, conservator, management team, or board of managers to the district to ensure and oversee district-level support to low-performing campuses and the implementation of the updated targeted improvement plan.

In making appointments, the commissioner

The commissioner may approve a campus turnaround plan only if the commissioner determines that the campus will satisfy all student performance standards required under Education Code 39.054(e) not later than the second year the campus receives a performance rating following the implementation of the campus turnaround plan.

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- govern the district; 2. Alternative management of the campus; or
- 3. Closure of the campus.

Education Code 39A.107; 19 TAC 97.1065

Following approval of a campus turnaround plan by the commissioner, the district, in consultation with the campus intervention team, may take any actions needed to prepare for the implementation of the plan.
Education Code 39A.108

A district may:

- 1. Request that a regional education service center provide assistance in the development and implementation of a campus turnaround plan; or
- 2. Partner with an institution of higher education to develop and implement a campus turnaround plan.

Education Code 39A.109

If a campus for which a campus turnaround plan has been ordered receives an acceptable performance rating for the school year following the order, the board may:

- 1. Implement the campus turnaround plan;
- 2. Implement a modified version of the campus turnaround plan; or
- 3. Withdraw the campus turnaround plan.

A district required to implement a campus turnaround plan may modify the plan if the campus receives an acceptable performance rating for two consecutive school years following implementation of the plan.

Education Code 39A.110

Implementation

Assistance and Partnerships

Change in Campus Performance Rating Education Code 12.0522(b) does not apply to a district charter approved by the commissioner. An approved district charter may be renewed or continue in effect after the campus is no longer subject to the commissioner's order under Education Code 39A.101.

If the commissioner does not approve a campus turnaround plan, the commissioner shall order:

- 1. Appointment of a board of managers to

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ACCOUNTABILITY AIC INTERVENTIONS AND SANCTIONS (LEGAL)
Performance Rating

Continued
Unacceptable

campus with an unacceptable performance rating for three consecutive school years, specifying an authorized action that the parents request the commissioner to order, the commissioner shall order the specific action requested.

If the board presents to the commissioner, in the time and manner specified by commissioner rule, a written request that the commissioner order specific authorized action other than the specific action requested in the parents' petition and a written explanation of the basis for the board's request, the commissioner may order the action requested by the board.

Education Code 12.051, 39A.112; 19 TAC 97.1065(d)

Repurposing of Closed Campus

If a campus is considered to have an unacceptable performance rating for three consecutive school years after the campus is ordered to submit a campus turnaround plan, the commissioner shall order:

1. Appointment of a board of managers to govern the district; or
2. Closure of the campus.

Education Code 39A.111; 19 TAC 97.1065(a)(2)

"Parent" means the parent who is indicated on the student registration form at that campus and the signature of only one parent of a student is required.

If the commissioner is presented, in the time and manner specified by commissioner rule, with a written petition signed by the parents of a majority of the students enrolled at a

If the commissioner orders the closure of a campus, that campus may be repurposed to serve students at that campus location only if the commissioner finds that the repurposed campus offers a distinctly different academic program and approves a new campus identification number for the repurposed campus. A campus may be repurposed if the campus:

1. Serves a majority of grade levels not served at the original campus; or
2. Is operated under a contract, approved by the school board, with a nonprofit organization exempt from federal taxation under Section 501(c)(3), Internal Revenue Code of 1986 that:
 - a. Has a governing board that is independent of the district;
 - b. Has a successful history of operating school district campuses or open-enrollment charter schools:

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c. Has been assigned an overall performance rating of B or higher under Education Code 39.054 for the preceding school year.

Any student assigned to a campus that has been closed must be allowed to transfer to any other campus in the district that serves that student's grade level and on request must be provided transportation to the other campus.

The commissioner may grant an exemption allowing students assigned to a closed campus to attend the repurposed campus if there is no other campus in the district at which the students may enroll.

The majority of students assigned to a campus that has been closed and repurposed may not have attended that campus in the previous school year if the campus was repurposed to serve a majority of grade levels not served at the original campus.

A contract approved by the school board with a nonprofit organization must provide that a student residing in the attendance zone of the campus immediately before the campus was repurposed shall be admitted for enrollment at the repurposed campus.

Education Code 39A.113

If the commissioner determines that the basis for the unacceptable performance of a campus for more than two consecutive school years is limited to a specific condition that may be remedied with targeted technical assistance, the commissioner may require the district to contract for the appropriate technical assistance. *Education Code 39A.114*

A decision by the commissioner under the campus turnaround plan subchapter of the Education Code is final and may not be appealed. *Education Code 39A.116*

The commissioner shall appoint a monitor, conservator, management team, or board of managers whenever such action is required, as determined by 19 Administrative Code 1073. Action under any other section of 19 Administrative Code Chapter 97, Subchapter EE is not a prerequisite to acting under this section. *19 TAC 97.1073*

Student Enrollment and Assignment

*Noncontracted
Repurposed
Campus*

*Enrollment
Provision in
Contract*

Targeted Technical Assistance

Commissioner
Authority

**Alternative
Management**

- (1) That cumulatively serve 10,000 or more students; and
- (2) A majority of which have been assigned an overall performance rating of B or higher under Education Code 39.054 for the preceding school year; and

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Solicitation of Proposals

the campus.

If a school district is appointed, the district shall assume management of the campus in the same manner as a qualified entity or in accordance with commissioner rule.

The commissioner may annually solicit proposals for the alternative management of a campus. The commissioner shall notify a qualified entity that has been approved as a provider under this section.

Education Code 39A.151

To qualify for consideration as a managing entity, the entity must submit a proposal that provides information relating to the entity's management and leadership team that will participate in management of the campus under consideration, including information relating to individuals who have:

1. Documented success in whole school interventions that increased the educational and performance levels of students in campuses considered to have an unacceptable performance rating;
2. A proven record of effectiveness with programs assisting low performing students;
3. A proven ability to apply research-based school intervention strategies;
4. A proven record of financial ability to perform under the management contract; and
5. Any other experience or qualifications the commissioner determines necessary.

In selecting a managing entity, the commissioner shall give preference to a qualified entity that:

1. Meets any of the commissioner's qualifications; and

Qualifications of Managing Entity

If the commissioner orders alternative management of a campus, the commissioner shall solicit proposals from qualified nonprofit entities to assume management of the campus or appoint a school district as provided below. The commissioner may solicit proposals from qualified for-profit entities if a nonprofit entity has not responded to the commissioner's request for proposals.

The commissioner may appoint a school district to assume management of the campus if the district:

1. Is not the district in which the campus is located; and
2. Is located within the boundaries of the same regional education service center as

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campus. The term of the contract may not exceed five years with an option to renew the contract. The district must execute the contract and relinquish control of the campus before January 1 of the school year.

The management contract must include:

1. A provision describing the district's responsibilities in supporting the operation of the campus; and
2. Provisions approved by the commissioner requiring the managing entity to demonstrate improvement in campus performance, including negotiated performance measures.

Performance measures must be consistent with the priorities of Education Code Chapters 39 and 39A.

The management contract must be approved by the commissioner before the contract is executed. As appropriate, the commissioner may require the district, as a term of the contract, to support the campus in the same manner as the district was required to support the campus before the execution of the contract.

Education Code 39A.153; 19 TAC 97.1067

The commissioner may require a district to extend the term of a management contract with a managing entity if the commissioner determines that extending the contract on expiration of the initial term is in the best interest of the students attending the campus. The terms of the contract must be approved by the commissioner. *Education Code 39A.154*

The commissioner shall evaluate a managing entity's performance on the first and second anniversaries of the date of the management contract.

If the evaluation fails to demonstrate improvement as negotiated under the management contract by the first anniversary of the date of the contract, the district may:

1. Terminate the contract, with the commissioner's consent, for nonperformance or breach of contract; and

Contract with
Managing Entity

*Extension of
Management
Contract*

*Evaluation of
Managing Entity*

2. Has documented success in educating students from similar demographic groups and with similar educational needs as the students who attend the campus to be operated by the managing entity.

Education Code 39A.152

If the commissioner has ordered alternative management of a campus, the district shall execute a contract with an approved provider to serve as a managing entity for the

ACCOUNTABILITY AIC INTERVENTIONS AND SANCTIONS (LEGAL)

2. Select another provider from an approved list provided by the commissioner or resume operation of the campus if approved by the commissioner.

If the commissioner approves the district's resumed operation of the campus, the commissioner shall assign a technical assistance team to assist the campus.

Education Code 39A.155

If a campus receives an unacceptable performance rating for two consecutive school years after a managing entity assumes management of the campus, the commissioner shall cancel the contract with the managing entity. *Education Code 39A.156*

Cancellation of Management Contract

Return of Management to District

Unless a campus has an unacceptable performance rating for three consecutive school years [see Continued Unacceptable Performance Rating, above], at the end of a management contract term or on the cancellation of a management contract, the board shall resume management of the campus. *Education Code 39A.157*

Applicability of Accountability Provisions

Each campus operated by a managing entity is subject to Education Code Chapters 39 and 39A in the same manner as any other campus in the district. *Education Code 39A.158*

Funding

The funding for a campus operated by a managing entity may not be less than the funding of the other campuses in the district on a per student basis so that the managing entity receives at least the same funding the campus would otherwise have received.

Open Meetings and Public Information
2. Select another provider from an approved list provided by the commissioner.

Education Code 39A.159

If the evaluation fails to demonstrate significant improvement, as determined by the commissioner, by the second anniversary of the date of the management contract, the district shall:

With respect to the management of a campus by a managing entity:

1. Terminate the contract; and

1. A managing entity is considered to be a governmental body for purposes of the Texas Open Meetings Act and Public Information Act; and