

(source: [http://www.tea.state.tx.us/index2.aspx?id=2147494699&menu\\_id=2147483702#definitions](http://www.tea.state.tx.us/index2.aspx?id=2147494699&menu_id=2147483702#definitions))

## Definitions - 19 TAC §97.1055(a)

---

(a) General provisions.

(1) Each year, the commissioner of education shall assign to each school district an accreditation status under Texas Education Code (TEC), §39.052(b) and (c). Each district shall be assigned a status defined as follows.

(A) Accredited. Accredited means the Texas Education Agency (TEA) recognizes the district as a public school of this state that:

(i) meets the standards determined by the commissioner under TEC, §39.052(b) and (c), and specified in §97.1059 of this title (relating to Standards for All Accreditation Sanction Determinations); and

(ii) is not currently assigned an accreditation status of Accredited-Warned or Accredited-Probation.

(B) Accredited-Warned. Accredited-Warned means the district exhibits deficiencies in performance, as specified in subsection (b) of this section, that, if not addressed, will lead to probation or revocation of its accreditation status.

(C) Accredited-Probation. Accredited-Probation means the district exhibits deficiencies in performance, as specified in subsection (c) of this section, that must be addressed to avoid revocation of its accreditation status.

(D) Not Accredited-Revoked. Not Accredited-Revoked means the 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 TEC, §39.052(b) and (c), and specified in subsection (d) of this section.

### **Note: Accreditation Status - Pending Designation**

A pending designation does not reflect an accreditation status assignment and is a neutral designation. A district whose current accreditation status assignment is pending retains the accreditation status assigned for the previous school year. Rules adopted at 19 TAC §97.1055(a)(4) state that, "... an accreditation status remains in effect until replaced by an accreditation status assigned for the next school year." Therefore, under circumstances in which an accreditation status is being withheld and an accreditation status assignment is shown as pending, the status most recently assigned to the entity remains in force. As noted in 19 TAC §97.1055(a)(5)-(6), an accreditation status assignment may be withheld and left pending under circumstances in which the Texas Education Agency does not yet have sufficient data upon which to base an accreditation status assignment. In this case, the prior year status should be referenced to determine the current accreditation standing of the entity.

## Status Assignment Determination - 19 TAC §97.1055(b)-(d)

---

(b) Determination of Accredited-Warned status.

(1) A district shall be assigned Accredited-Warned status if, beginning with its 2006 rating, the district is assigned:

(A) for two consecutive school years, an academic accountability rating of Academically Unacceptable or insufficient performance under §97.1001 of this title (relating to Accountability Rating System);

(B) for two consecutive school years, a financial accountability rating of Substandard Achievement or Suspended--Data Quality under §109.1002 of this title (relating to Financial Accountability Ratings);

(C) for two consecutive school years, any one of the ratings referenced in subparagraphs (A) and (B) of this paragraph; or

(D) for one school year, a combination of ratings referenced in both subparagraphs (A) and (B) of this paragraph.

(2) Notwithstanding the district's performance under paragraph (1) of this subsection, a district shall be assigned Accredited-Warning status if the commissioner determines this action is reasonably necessary to achieve the purposes of TEC, §39.051 and §39.052. Such action is generally required by the following circumstances:

(A) to an extent established under subsection (e) of this section, the district has failed to comply with requirements related to:

(i) the integrity of assessment or financial data used to measure performance under TEC, Chapter 39 or 42, and rules implementing those chapters;

(ii) the reporting of data under TEC, §42.006, and §61.1025 of this title (relating to Public Education Information Management System (PEIMS) Data and Reporting Standards);

(iii) other reports required by state or federal law or court order;

(iv) awarding high school graduation under TEC, §28.025; or

(v) any applicable requirement under TEC, §7.056(e)(3)(C)-(I); or

(B) after investigation under TEC, §39.056 or §39.057, the commissioner finds:

(i) the district's programs monitored under §97.1005 of this title (relating to Performance-Based Monitoring Analysis System) exhibit serious or persistent deficiencies that, if not addressed, may lead to probation or revocation of the district's accreditation; or

(ii) the district otherwise exhibits serious or persistent deficiencies that, if not addressed, may lead to probation or revocation of the district's accreditation.

(3) Notwithstanding paragraph (2) of this subsection, a district shall be assigned Accredited-Warning status if the commissioner determines this action is reasonably necessary to achieve the purposes of TEC, §39.051 and §39.052.

(4) Notwithstanding any provisions in this subsection, a district shall be assigned Accredited-Warning status if it has otherwise earned the Accredited status, but the commissioner determines:

(A) the district failed to submit a plan as provided by TEC, §39.0823(b);

(B) the district failed to obtain approval from the TEA for a plan as provided by TEC, §39.0823(b);

(C) the district failed to comply with a plan approved by the TEA under TEC, §39.0823(b); or

(D) in a subsequent school year, based on financial data submitted by the district, the approved plan for the district is insufficient or inappropriately implemented under TEC, §39.0823.

(c) Determination of Accredited-Probation status.

(1) A district shall be assigned Accredited-Probation status if, beginning with its 2006 rating, the district is assigned:

(A) for three consecutive school years, an academic accountability rating of Academically Unacceptable or insufficient performance under §97.1001 of this title;

(B) for three consecutive school years, a financial accountability rating of Substandard Achievement or Suspended--Data Quality under §109.1002 of this title;

(C) for three consecutive school years, any one of the ratings referenced in subparagraphs (A) and (B) of this paragraph; or

(D) for two consecutive school years, a combination of ratings referenced in both subparagraphs (A) and (B) of this paragraph.

(2) Notwithstanding the district's performance under paragraph (1) of this subsection, a district shall be assigned Accredited-Probation status if the commissioner determines this action is reasonably necessary to achieve the purposes of TEC, §39.051 and §39.052. Such action is generally required by the following circumstances:

(A) to an extent established under subsection (e) of this section, the district has failed to comply with requirements related to:

(i) the integrity of assessment or financial data used to measure performance under TEC, Chapter 39 or 42, and rules implementing those chapters;

(ii) the reporting of data under TEC, §42.006, and §61.1025 of this title;

(iii) other reports required by state or federal law or court order;

(iv) awarding high school graduation under TEC, §28.025; or

- (v) any applicable requirement under TEC, §7.056(e)(3)(C)-(I); or
    - (B) after investigation under TEC, §39.056 or §39.057, the commissioner finds:
      - (i) the district's programs monitored under §97.1005 of this title exhibit serious or persistent deficiencies that, if not addressed, may lead to revocation of the district's accreditation; or
      - (ii) the district otherwise exhibits serious or persistent deficiencies that, if not addressed, may lead to revocation of the district's accreditation.
  - (3) Notwithstanding paragraph (2) of this subsection, a district shall be assigned Accredited-Probation status if the commissioner determines this action is reasonably necessary to achieve the purposes of TEC, §39.051 and §39.052.
  - (4) Notwithstanding any provision in this subsection, a district shall be assigned Accredited-Probation status if it has otherwise earned the Accredited-Warning status, but the commissioner determines:
    - (A) the district failed to submit a plan as provided by TEC, §39.0823(b);
    - (B) the district failed to obtain approval from the TEA for a plan as provided by TEC, §39.0823(b);
    - (C) the district failed to comply with a plan approved by the TEA under TEC, §39.0823(b); or
    - (D) in a subsequent school year, based on financial data submitted by the district, the approved plan for the district is insufficient or inappropriately implemented under TEC, §39.0823.
- (d) Determination of Not Accredited-Revoked status; Revocation of accreditation.
- (1) The accreditation of a district shall be revoked if, beginning with its 2006 rating, the district is assigned:
    - (A) for four consecutive school years, an academic accountability rating of Academically Unacceptable or insufficient performance under §97.1001 of this title;
    - (B) for four consecutive school years, a financial accountability rating of Substandard Achievement or Suspended--Data Quality under §109.1002 of this title;
    - (C) for four consecutive school years, any one of the ratings referenced in subparagraphs (A) and (B) of this paragraph; or
    - (D) for three consecutive school years, a combination of ratings referenced in both subparagraphs (A) and (B) of this paragraph.
  - (2) A district shall have its accreditation revoked if, notwithstanding its performance under paragraph (1) of this subsection, the commissioner determines this action is reasonably necessary to achieve the purposes of TEC, §39.051 and §39.052. Such action is generally required by the following circumstances:
    - (A) to an extent established under subsection (e) of this section, the district has failed to comply with requirements related to:
      - (i) the integrity of assessment or financial data used to measure performance under TEC, Chapter 39 or 42, and rules implementing those chapters;
      - (ii) the reporting of data under TEC, §42.006, and §61.1025 of this title;
      - (iii) other reports required by state or federal law or court order;
      - (iv) awarding high school graduation under TEC, §28.025; or
      - (v) any applicable requirement under TEC, §7.056(e)(3)(C)-(I); or
    - (B) after investigation under TEC, §39.056 or §39.057, the commissioner finds:
      - (i) the district's programs monitored under §97.1005 of this title exhibit serious or persistent deficiencies that require revocation of the district's accreditation; or
      - (ii) the district otherwise exhibits serious or persistent deficiencies that require revocation of the district's accreditation.
  - (3) Notwithstanding paragraph (2) of this subsection, a district's accreditation shall be revoked if the commissioner determines this action is reasonably necessary to achieve the purposes of TEC, §39.051 and §39.052.
  - (4) Notwithstanding any provision in this subsection, a district shall be assigned Not Accredited-Revoked status if it has otherwise earned the Accredited-Probation status, but the commissioner determines:
    - (A) the district failed to submit a plan as provided by TEC, §39.0823(b);
    - (B) the district failed to obtain approval from the TEA for a plan as provided by TEC, §39.0823(b);
    - (C) the district failed to comply with a plan approved by the TEA under TEC, §39.0823(b); or
    - (D) in a subsequent school year, based on financial data submitted by the district, the approved plan for the district is insufficient or inappropriately implemented under TEC, §39.0823.
  - (5) The commissioner's decision to revoke a district's accreditation may be appealed under §97.1037 of this title (relating to Record Review of Certain Decisions). If the decision is sustained on appeal, the commissioner shall appoint a management team or board of managers to bring to closure the district's operation of the public school.

## Required Notification for Lowered Status - 19 TAC §97.1055(f)

(f) Required notification of Accredited-Warned or Accredited-Probation status.

(1) A district assigned an accreditation status of Accredited-Warned or Accredited-Probation shall notify the parents of students enrolled in the district and property owners in the district as specified by this subsection.

(2) The district's notice must contain information about the accreditation status, the implications of such status, and the steps the district is taking to address the areas of deficiency identified by the commissioner. The district's notice shall use the format and language determined by the commissioner.

(3) Notice under this subsection must:

(A) not later than 30 calendar days after the accreditation status is assigned, appear on the home page of the district's website, with a link to the notification required by paragraph (2) of this subsection, and remain until the district is assigned the Accredited status; and

(B) appear in the newspaper with the greatest circulation in the district for three consecutive days as follows:

(i) from Sunday through Tuesday of the second week following assignment of the status;

or

(ii) if the newspaper is not published from Sunday through Tuesday, then for three consecutive issues of the newspaper beginning the second week following assignment of the status; or

(C) 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

(D) 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.

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

(A) the universal resource locator (URL) for the link required by paragraph (3)(A) of this subsection; and

(B) copies of the notice required by paragraph (3)(B) of this subsection showing dates of publication, or a paid invoice showing the notice content and its dates of publication; or

(C) copies of the notice required by paragraph (3)(C) of this subsection and copies of all mailing lists and postage receipts; or

(D) copies of the notice required by paragraph (3)(D) of this subsection and copies of the board of trustees meeting notice and minutes for the board meeting in which the notice was presented and publicly discussed.