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Proposed Commissioner of Education Rules

All proposed new rules, proposed amendments to existing rules, and proposed repeals being considered by the commissioner of education are available here. The rule text on this page reflects what was filed as proposed with the Texas Register. Rule actions will remain on this page until approved for adoption by the commissioner and filed as adopted with the Texas Register.

During the proposed rule public comment period, you may submit public comments electronically using the public comment form. See proposals below for their comment periods.

If you have questions about the public comment process for proposed rulemaking, please view our Frequently Asked Questions (FAQ) page ([/node/105751](#)) or contact the TEA Rulemaking Unit at (512) 475-1497 or by email at rules@tea.texas.gov (<mailto:rules@tea.texas.gov>).

The following links present the preamble filed with the Texas Register in PDF format. The preamble includes information describing the proposed rule action as well as the rule text. The PDF contains a bookmark that will allow you to navigate directly to the beginning of the rule text using the bookmarks feature of your PDF reader.

If you do not have a PDF reader, you may download the Adobe Acrobat Reader for free from the Adobe website (<http://get.adobe.com/reader>).

PROPOSED RULES WITH OPEN PUBLIC COMMENT PERIODS

[Proposed Revisions to 19 TAC Chapter 62, Commissioner's Rules Concerning the Equalized Wealth Level, §62.1001, Authority of Trustees; Duration of Agreements; §62.1011, Election Duties of Board of Trustees; §62.1031, Date of Agreement for Purposes of Determining Election Date; §62.1041, Weighted Students in Average Daily Attendance for Purposes of Tax Rate Rollback; and §62.1051, Definition of Parcel Detached and Annexed by Commissioner](#) ([/sites/default/files/19_10_62.pdf](#))

Summary: The proposed revisions would implement House Bill 3, 86th Texas Legislature, 2019, by removing an outdated provision and updating references to statute.

Publication in the Texas Register: October 25, 2019

Public Comment Period: October 25, 2019-November 25, 2019

Proposed Effective Date: February 10, 2020

Send a public comment on Proposed Revisions to 19 TAC §§62.1011, 62.1031, 62.1041, and 62.1051 (<https://form.jotform.com/81206305801142>)

Proposed New 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter FF, Commissioner's Rules Concerning Transition Assistance for Highly Mobile Students Who Are Homeless or in Substitute Care (/sites/default/files/19_11_89ff.pdf)

Summary: The proposed new rules would assist with the transition of students who are homeless or in substitute care from one school to another and provide local education agencies with guidance on the requirements of Texas Education Code, §25.007.

Publication in the Texas Register: November 22, 2019

Public Comment Period: November 22, 2019-December 23, 2019

Proposed Effective Date: March 1, 2020

Send a public comment on Proposed New 19 TAC Chapter 89, Subchapter FF (<https://form.jotform.com/81206305801142>)

Proposed Amendment to 19 TAC Chapter 100, Charters, Subchapter AA, Commissioner's Rules Concerning Open-Enrollment Charter Schools, Division 1, General Provisions, §100.1010, Performance Frameworks (/sites/default/files/19_11_100-1010.pdf)

Summary: The proposed amendment would adopt in rule the 2019 Charter School Performance Frameworks (CSPF) Manual, which would be updated to comply with statutory provisions and clarify the operation of the CSPF to rate the performance of open-enrollment charter schools in Texas.

Publication in the Texas Register: November 22, 2019

Public Comment Period: November 22, 2019-December 23, 2019

Proposed Effective Date: February 23, 2020

Proposed 2019 Charter School Performance Frameworks Manual (/sites/default/files/19_11_figure-19_0100_1010-1.pdf)

Send a public comment on Proposed Amendment to 19 TAC §100.1010 (<https://form.jotform.com/81206305801142>)

Proposed Amendment to 19 TAC Chapter 102, Educational Programs, Subchapter AA, Commissioner's Rules Concerning Early Childhood Education Programs, §102.1003, High-Quality Prekindergarten Grant Program (/sites/default/files/19_10_102-1003.pdf)

Summary: The proposed amendment would modify the rule to reflect changes made by House Bill 3,

86th Texas Legislature, 2019, by implementing full-day high-quality prekindergarten for eligible four-year-old students and removing reference to the grant program.

Publication in the Texas Register: November 8, 2019

Public Comment Period: November 8, 2019-December 9, 2019

Proposed Effective Date: February 17, 2020

Send a public comment on Proposed Amendment to 19 TAC §102.1003

(<https://form.jotform.com/81206305801142>)

Proposed Amendments to 19 TAC Chapter 102, Educational Programs, Subchapter JJ, Commissioner's Rules Concerning Innovation District, §102.1309, Prohibited Exemptions, and §102.1315, Termination (/sites/default/files/19_10_102jj.pdf)

Summary: The proposed amendments would reflect changes made by House Bill 3, 86th Texas Legislature, 2019, by reflecting the recodification of Texas Education Code, Chapters 41 and 42, and specifying additional reasons the commissioner may terminate a district's designation as a district of innovation.

Publication in the Texas Register: October 25, 2019

Public Comment Period: October 25, 2019-November 25, 2019

Proposed Effective Date: February 9, 2020

Send a public comment on Proposed Amendments to 19 TAC §102.1309 and §102.1315

(<https://form.jotform.com/81206305801142>)

PROPOSED RULES WITH CLOSED PUBLIC COMMENT PERIODS

Proposed New 19 TAC Chapter 61, School Districts, Subchapter AA, Commissioner's Rules on School Finance, §61.1009, Fast Growth Allotment (/sites/default/files/19_09_61-1009.pdf)

Summary: The proposed new rule would reflect changes made by House Bill 3, 86th Texas Legislature, 2019.

Publication in the Texas Register: October 4, 2019

Public Comment Period: October 4, 2019-November 4, 2019

Proposed Effective Date: December 29, 2019

Proposed Amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter CC, Commissioner's Rules Concerning Instructional Materials Allotment, §66.1307, Instructional Materials Allotment (/sites/default/files/19_09_66-1307.pdf)

Summary: The proposed amendment is necessary to align the rule for allowable instructional materials allotment expenditures with statute amended by House Bill 396, 86th Texas Legislature, 2019.

Publication in the Texas Register: October 4, 2019

Public Comment Period: October 4, 2019-November 4, 2019

Proposed Effective Date: January 26, 2020

Proposed Revisions to 19 TAC Chapter 74, Curriculum Requirements, Subchapter BB, Commissioner's Rules Concerning High School Graduation (/sites/default/files/19_09_74bb.pdf)

Summary: The proposed amendments would extend the expiration provisions as required by Senate Bill 213, 86th Texas Legislature, 2019, and clarify language.

Publication in the Texas Register: October 4, 2019

Public Comment Period: October 4, 2019-November 4, 2019

Proposed Effective Date: January 26, 2020

Proposed Amendment to 19 TAC Chapter 97, Planning and Accountability, Subchapter AA, Accountability and Performance Monitoring, §97.1005, Performance-Based Monitoring Analysis System (/sites/default/files/19_08_97-1005.pdf)

Summary: The proposed amendment would adopt into rule the 2019 Results Driven Accountability (RDA) Manual, which would replace the 2018 Performance-Based Monitoring Analysis System (PBMAS) Manual; provide clarifications to existing statutory provisions; and reflect the recodification of Texas Education Code, Chapter 39A. The proposed amendment to 19 TAC §97.1005 would also change the section title to Results Driven Accountability.

Publication in the Texas Register: August 16, 2019

Public Comment Period: August 16, 2019-September 16, 2019.

Public Hearing Notice: Public hearings to solicit testimony and input on the proposal will be held at 1:00 p.m. on September 4, 2019, in Room 1-111, and September 9, 2019, in Room 1-100, William B. Travis Building, 1701 North Congress Avenue, Austin, Texas 78701. Anyone wishing to testify at one of the hearings must sign in between 12:30 p.m. and 1:00 p.m. on the day of the respective hearing. Each hearing will conclude either once all who have signed in have been given the opportunity to comment or at 3:30 p.m., whichever comes first. Questions about the hearing should be directed to Review and Support at (512) 463-9414.

Proposed Effective Date: November 10, 2019

Differences between Proposed 2019 RDA Manual and 2018 PBMAS Manual (/sites/default/files/19_0097_1005-1.pdf)

Proposed Amendment to 19 TAC Chapter 97, Planning and Accountability, Subchapter EE, Accreditation Status, Standards, and Sanctions, Division 1, Status, Standards, and Sanctions, §97.1051, Definitions, and Proposed New §97.1060, Considerations Regarding Needs Improvement Rating (/sites/default/files/19_06_97-1051-60.pdf)

Summary: The proposed amendment to §97.1051 would expand the definition for campus turnaround, remove the definition for professional service provider, and add definitions for chain of unacceptable performance ratings and intervention pause. Proposed new §97.1060 would implement and clarify the interventions that will result from an assignment of a "D" rating to a public school in accordance with statutory provisions.

Publication in the Texas Register: June 28, 2019

Public Comment Period: June 28, 2019-July 29, 2019

Public Hearing Notice: A public hearing on the proposal will be held at 9:30 a.m. on July 15, 2019, in Room 1-100, William B. Travis Building, 1701 North Congress Avenue, Austin, Texas 78701. Anyone wishing to testify at the hearing must sign in between 9:00 a.m. and 9:30 a.m. on the day of the hearing. The hearing will conclude once all who have signed in have been given the opportunity to comment.

Proposed Effective Date: September 22, 2019

Proposed Amendment to 19 TAC Chapter 97, Planning and Accountability, Subchapter EE, Accreditation Status, Standards, and Sanctions, Division 1, Status, Standards, and Sanctions, §97.1055, Accreditation Status (/sites/default/files/19_08_97-1055.pdf)

Summary: The proposed amendment would modify the rule to reflect the applicability of proposed new 19 TAC §97.1060(e) to accreditation status under Texas Education Code, Chapter 39, Subchapter C, and to clarify the commissioner's authority to revoke a district's accreditation status that is operated by an appointed board of managers.

Publication in the Texas Register: August 30, 2019

Public Comment Period: August 30, 2019-September 30, 2019.

Proposed Effective Date: December 2, 2019

Proposed Amendments to 19 TAC Chapter 97, Planning and Accountability, Subchapter EE, Accreditation Status, Standards, and Sanctions, Division 1, Status, Standards, and Sanctions, §97.1061, Interventions and Sanctions for Campuses, §97.1063, Campus Intervention Team, and §97.1064, Campus Turnaround Plan (/sites/default/files/19_09_97-1061-63-64.pdf)

Summary: The proposed amendments would implement the statutory provisions in accordance with Senate Bill (SB) 1488, SB 1566, and House Bill 2263, 85th Texas Legislature, 2017. The proposed amendments would also clarify intervention activities required in Texas Education Code, Chapter 39A, Accountability Interventions and Sanctions.

Publication in the Texas Register: September 20, 2019

Public Comment Period: September 20, 2019-October 21, 2019

Proposed Effective Date: December 29, 2019

Proposed Amendment to 19 TAC Chapter 101, Assessment, Subchapter DD, Commissioner's Rules Concerning Substitute Assessments for Graduation, §101.4002, State of Texas Assessments of Academic Readiness End-of-Course Substitute Assessments (/sites/default/files/19_09_101-4002.pdf)

Summary: The proposed amendment would modify the rule to reflect changes in statute made by Senate Bill 213, 86th Texas Legislature, 2019. The proposed amendment would also modify the rule to align Texas assessment and accountability policies with federal requirements.

Publication in the Texas Register: October 11, 2019

Public Comment Period: October 11, 2019-November 12, 2019

Public Hearing Notice: A public hearing to solicit testimony and input on the proposal will be held at 2:00 p.m. on December 10, 2019, in Room 1-104, William B. Travis Building, 1701 North Congress Avenue, Austin, Texas 78701. Anyone wishing to testify at the hearing must sign in between 1:30 p.m.

and 2:00 p.m. on the day of the hearing. The hearing will conclude once all who have signed in have been given the opportunity to comment. Questions about the hearing should be directed to Student Assessment at (512) 463-9536.

Proposed Effective Date: January 26, 2020

Proposed New 19 TAC Chapter 153, School District Personnel, Subchapter EE, Commissioner's Rules Concerning Registry of Persons Not Eligible for Employment in Public Schools

(/sites/default/files/19_09_153ee.pdf)

Summary: The proposes new rules would implement the requirement for the registry created by House Bill 3, 86th Texas Legislature, 2019.

Publication in the Texas Register: September 20, 2019

Public Comment Period: September 20, 2019-October 21, 2019

Proposed Effective Date: December 15, 2019

Contact Information

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