A BILL TO BE ENTITLED
AN ACT
relating to public school accountability.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. Section 29.202, Education Code, is amended as follows:

Sec. 29.202. ELIGIBILITY. (a) A student is eligible to receive a public education grant or to attend another public school in the district in which the student resides under this subchapter if the student is assigned to attend a public school campus that has been issued an unacceptable performance rating, in both the student achievement domain under Section 39.053(c)(1) and the school progress domain under Section 39.053(c)(2), that is made publicly available under Section 39.054.

(1) at which 50 percent or more of the students did not perform satisfactorily on an assessment instrument administered under Section 39.023(a) or (c) in any two of the preceding three years (a-3); or

(2) that, at any time in the preceding three years, failed to satisfy any standard under Section 39.054(e).

(b) After a student has used a public education grant to attend a school in a district other than the district in which the student resides:

(1) the student does not become ineligible for the grant if the school on which the student's initial eligibility is
based no longer meets the criteria under Subsection (a); and

(2) the student becomes ineligible for the grant if the student is assigned to attend a school that does not meet the criteria under Subsection (a).

SECTION 2. Section 39.052(b)(1), Education Code, is amended as follows:

Sec. 39.052. DETERMINATION OF ACCREDITATION STATUS OR PERFORMANCE RATING. (a) Each year, the commissioner shall determine the accreditation status of each school district.

(b) In determining the accreditation status of a school district, the commissioner:

(1) shall evaluate and consider:

(A) performance in the domains on achievement indicators described by Section 39.053(c); and

(B) performance under the financial accountability rating system developed under Subchapter D; and

(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 under specific statutory authority that relate to:

(i) reporting data through the Public Education Information Management System (PEIMS) or other reports required by state or federal law or court order;

(ii) the high school graduation requirements under Section 28.025; or

(iii) an item listed under Sections
7.056(e)(3)(C)-(I) that applies to the district;
(B) the effectiveness of the district's programs for special populations; and
(C) the effectiveness of the district's career and technology program.

SECTION 3. Section 39.053, Education Code, is amended as follows:
Sec. 39.053. PERFORMANCE INDICATORS: ACHIEVEMENT. (a) The commissioner shall adopt a set of indicators, including the indicators within the domains specified under Subsection (c), of the quality of learning and achievement. The commissioner periodically biennially shall review the indicators for the consideration of appropriate revisions.
(a-1) The indicators adopted by the commissioner under Subsection (a), including the indicators identified under Subsection (c), must measure and evaluate school districts, and campuses with respect to:
(1) improving student preparedness for success in:
(A) subsequent grade levels; and
(B) entering the workforce, the military, or postsecondary 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 in the domains described by Subsection (e) and, for the domain described by Subsection (e)(5),
in accordance with local priorities and preferences.

(b) Performance on the achievement indicators in the domains adopted under Subsections (c)(1)-(4), (2), and (3)(B)-(C) shall be compared to state-established standards. To the extent feasible, the indicators must be based on information that is disaggregated should allow for disaggregation by race, ethnicity, and socioeconomic status.

(c) School districts and campuses must be evaluated based on three five domains of indicators of achievement adopted under this section that include:

(1) in the student achievement first domain, indicators of student achievement that shall include the results of:

(A) the results of assessment instruments required under Sections 39.023(a), (c), and (l), as applicable for the district and campus, including the results of assessment instruments required for graduation retaken by a student, aggregated across grade levels by subject area, including:

(i) for the performance standard determined by the commissioner under Section 39.0241(a), the percentage of students who performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area; and

(ii) for the college readiness performance standard as determined under Section 39.0241, the percentage of students who performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area; and

(B) the results of assessment instruments
required under Section 39.023(b), as applicable for the district and campus aggregated across grade levels by subject area, including the percentage of students who performed satisfactorily on the assessment instruments, as determined by the performance standard adopted by the agency, aggregated across grade levels by subject area;

(C) the results of locally selected assessments, to the extent that alternative assessments are available under rules to be adopted by the commissioner;

(D) for evaluating the performance of high school campuses and districts that include high school campuses, indicators that account for:

(i) students who satisfy the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.3062(f) on an assessment instrument in reading or mathematics designated by the Texas Higher Education Coordinating Board under Section 51.3062(c);

(ii) students who satisfy standards on advanced placement assessments, college level examination program assessments, or similar assessments;

(iii) students who earn the qualifying number of dual course credits;

(iv) students who enlist in the armed forces of the United States;

(v) students who earn a qualifying industry certification;
(vi) students admitted into postsecondary industry certification programs that require as a prerequisite for entrance performance or attainment of secondary level success;

(vii) students whose successful completion of a course or courses under Section 28.014 indicates the student's preparation to enroll and succeed, without remediation, in an entry level general education course for a baccalaureate degree or associate degree;

(viii) students who successfully met standards on a composite of indicators that through research indicates the student's preparation to enroll and succeed, without remediation, in an entry level general education course for a baccalaureate degree or associate degree;

(ix) students' high school graduation rates, including completion rates, computed in accordance with standards and definitions adopted in compliance with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) except as provided by Subsections (g), (g-1), (g-2) and Section 39.054(f);

(x) students who successfully complete the distinguished level of achievement under Section 28.025(b-7); and

(xi) students who complete an associate level degree while enrolled in high school;

(E) for evaluating the performance of middle school campuses and districts that serve students through the eighth grade, indicators that account for:

(i) students who satisfy standards on advanced placement assessments, college admissions tests, or
similar assessments; and

(ii) students who drop out of school annually and do not return by a certain date, established in rules to be adopted by the commissioner, in the following school year; and

(F) for evaluating the performance of campuses and districts that serve elementary, middle, and high school students, indicators that account for:

(i) students who successfully complete fine arts, physical education, or second language acquisition courses or enrichment classes;

(ii) students who participate in extra-curricular programs, such as UIL (academic, fine arts, athletic), clubs (foreign language, fine arts, chess, robotics, etc.), or other extra-curricular activities.

(2) in the school progress second domain, indicators that account for effectiveness in promoting student learning, which may include:

(A) for assessment instruments, including assessment instruments under Subdivision (1)(A), (1)(B), and to the extent available, (1)(C), indicators that account for:

(i) for the performance standard determined by the commissioner under Section 39.0241(a), the percentage of students who met the standard for annual improvement on the assessment instruments, as determined by the commissioner, including students who took English language proficiency assessments under Section 29.056(a)(2) and met the applicable standards for improvement; by rule or by the method for measuring
annual improvement under Section 39.034, aggregated across grade
levels by subject area; and

(ii) for the college readiness performance
standard as determined under Section 39.0241, the percentage of
students who met the standard for annual improvement on the
assessment instruments, as determined by the commissioner by rule
or by the method for measuring annual improvement under Section
39.034, aggregated across grade levels by subject area;

(B) students identified under Section 29.052 who
successfully exit the programs by meeting criteria under Section
29.056(g) for assessment instruments under Subdivision (1)(B), the
percentage of students who met the standard for annual improvement
on the assessment instruments, as determined by the commissioner by
rule or by the method for measuring annual improvement under
Section 39.034, aggregated across grade levels by subject area;

(C) students enrolled in grade 9 for the first
time who have earned enough credits by the end of that school year
for promotion to the next grade level;

(D) students enrolled in grades 1 through 8 who,
by the end of the school year, successfully complete curriculum
requirements for advancement to the next grade level;

(E) students who complete varied, rigorous and
relevant curricular options that lead to postsecondary success,
including completion of advanced placement courses or other similar
courses;

(F) for middle and high school campuses and
districts that serve students in grades 6, 7, 8, 9, 10, 11, or 12,
student participation rates in advanced placement, international baccalaureate, college admissions or preliminary college admissions assessments; and

(G) the performance of a district or campus compared to similar districts or campuses; and

(3) in the third domain, the student academic achievement differentials among students from different racial and ethnic groups and socioeconomic backgrounds;

(4) in the fourth domain:

(A) for evaluating the performance of high school campuses and districts that include high school campuses:

(i) dropout rates, including dropout rates and district completion rates for grade levels 9 through 12, computed in accordance with standards and definitions adopted by the National Center for Education Statistics of the United States Department of Education;

(ii) high school graduation rates, computed in accordance with standards and definitions adopted in compliance with the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et seq.);

(iii) the percentage of students who successfully completed the curriculum requirements for the distinguished level of achievement under the foundation high school program;

(iv) the percentage of students who successfully completed the curriculum requirements for an endorsement under Section 28.025(c-1);
(v) the percentage of students who completed a coherent sequence of career and technical courses;
(vi) the percentage of students who satisfy the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.3062(f) on an assessment instrument in reading, writing, or mathematics designated by the Texas Higher Education Coordinating Board under Section 51.3062(c);
(vii) the percentage of students who earn at least 12 hours of postsecondary credit required for the foundation high school program under Section 28.025 or to earn an endorsement under Section 28.025(c-1);
(viii) the percentage of students who have completed an advanced placement course;
(ix) the percentage of students who enlist in the armed forces of the United States, and
(x) the percentage of students who earn an industry certification;
(B) for evaluating the performance of middle and junior high school and elementary school campuses and districts that include those campuses:
(i) student attendance; and
(ii) for middle and junior high school campuses:
(a) dropout rates, computed in the manner described by Paragraph (A)(i); and
(b) the percentage of students in
grades seven and eight who receive instruction in preparing for high school, college, and a career that includes information regarding the creation of a high school personal graduation plan under Section 28.02121, the distinguished level of achievement described by Section 28.025(b-15), each endorsement described by Section 28.025(c-1), college readiness standards, and potential career choices and the education needed to enter those careers; and

(C) any additional indicators of student achievement not associated with performance on standardized assessment instruments determined appropriate for consideration by the commissioner in consultation with educators, parents, business and industry representatives, and employers; and

(3) in the school climate fifth domain, indicators of school climate, which may include:

(A) three programs or specific categories of performance related to community and student engagement locally selected and evaluated as provided by Section 39.0546, which shall comprise at least 50% of the domain rating;

(B) students who successfully complete at least one endorsement under Section 28.025(c-1);

(C) students who successfully complete a coherent sequence of career and technical courses or a coherent sequence of fine arts courses;

(D) economically disadvantaged students who successfully complete a postsecondary readiness course;

(E) students who are not absent 15 days or more during the school year. "Absent" in this subsection means that the
student(s) is not physically on school grounds and is not participating in instruction or instruction-related activities at an approved off-campus location for the school day, without regard to whether the absence is excused or unexcused;

(F) teacher quality indicators as determined by the commissioner;

(G) for elementary campuses serving kindergarten through fifth grade, student participation rates in literacy and mathematics academies;

(H) for elementary campuses serving Pre-Kindergarten, student participation rates in full-day Pre-kindergarten programs;

(I) health and wellness indicators as determined by the commissioner; and

(J) results from a local evaluation of school or district climate, obtained through a uniform method of data collection adopted into rule by the commissioner, for all schools and districts in the state;

(c-1) An indicator adopted under Subsection (c) that would measure improvements in student, campus, or district progress in the school progress domain achievement cannot negatively affect the commissioner's review of a school district or campus if that district or campus is already achieving at the highest level for that indicator.

(c-2) The commissioner by rule shall determine a method by which a student's performance may be included in determining the performance rating of a school district or campus under Section
39.054 if, before the student graduates, the student:

(1) satisfies the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.3062(f) on an assessment instrument designated by the Texas Higher Education Coordinating Board under Section 51.3062(c); or

(2) performs satisfactorily on an assessment instrument under Section 39.023(c), notwithstanding Subsection (d).

(d) For purposes of Subsection (c), the commissioner by rule shall determine the period within which a student must retake an assessment instrument for that assessment instrument to be considered in determining the performance rating of the district under Section 39.054.

(d-1) In aggregating results of assessment instruments across grade levels by subject in accordance with Subsection (c)(1)(A), the performance of a student enrolled below the high school level on an assessment instrument required under Section 39.023(c) is included with results relating to other students enrolled at the same grade level.

(e) [Repealed by Acts 2015, 84th Leg., R.S., Ch. 1094 (H.B. 2804), effective June 19, 2015.]

(f) By September 30 annually, or as soon thereafter as possible Annually, the commissioner shall define the state standard for the current school year for each domain adopted under this section and evaluated under Section 39.054. In consultation with educators, parents, business and industry, as necessary, the
commissioner shall establish and modify standards to continuously improve student performance to achieve the goals of eliminating achievement gaps based on race, ethnic and socioeconomic status and to ensure Texas is a national leader in preparing students for postsecondary success. achievement indicator described by Subsections (c)(1)-(4) and shall project the state standards for each indicator for the following two school years. The commissioner shall periodically raise the state standards for the college readiness achievement indicator described by Subsection (c)(1)(A)(ii) for accreditation as necessary to reach the goals of achieving, by not later than the 2019-2020 school year:

(1) student performance in this state, disaggregated by race, ethnicity, and socioeconomic status, that ranks nationally in the top 10 states in terms of college readiness; and

(2) student performance with no significant achievement gaps by race, ethnicity, and socioeconomic status.

(g) In the computation of a defining the required state standard for the dropout rate indicator described by graduation or completion rate such as a high school graduation rate under Subsections (c)(1)(D)(ix) (c)(4)(A)(i) and (B)(ii)(a), the commissioner may not consider as a dropout a student whose failure to attend school results from:

(1) the student's expulsion under Section 37.007; and

(2) as applicable:

(A) adjudication as having engaged in delinquent conduct or conduct indicating a need for supervision, as defined by Section 51.03, Family Code; or
(B) conviction of and sentencing for an offense under the Penal Code.

(g-1) In computing dropout and completion rates such as high school graduation or completion rates under Subsections (c)(1)(D)(ix) (c)(4)(A)(i) and (B)(ii)(a), the commissioner shall exclude:

(1) students who are ordered by a court to attend a high school equivalency certificate program but who have not yet earned a high school equivalency certificate;

(2) students who were previously reported to the state as dropouts, including a student who is reported as a dropout, reenrolls, and drops out again, regardless of the number of times of reenrollment and dropping out, unless the student graduates;

(3) students in attendance who are not in membership for purposes of average daily attendance;

(4) students whose initial enrollment in a school in the United States in grades 7 through 12 was as unschooled refugees or asylees as defined by Section 39.027(a-1);

(5) students whose initial enrollment in Texas public schools occurred in grades 11-12;

(6) students who are in the district exclusively as a function of having been detained at a county detention facility but are otherwise not students of the district in which the facility is located; and

(7) students who are incarcerated in state jails and federal penitentiaries as adults and as persons certified to stand trial as adults.
(g-2) In computing completion rates such as high school graduation rates under Subsection (c)(1)(D)(ix) (c)(2), the commissioner shall exclude students who:

1. are at least 18 years of age as of September 1 of the school year as reported for the fall semester Public Education Information Management System (PEIMS) submission and have satisfied the credit requirements for high school graduation;
2. have not completed their individualized education program under 19 T.A.C. Section 89.1070(b)(2) and the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.);
3. are enrolled and receiving individualized education program services.

(g-3) In annually computing results under Section 39.053, the commissioner shall exclude students who are newly enrolled in Texas public schools from the evaluation of results under Section 39.054(a), as effective on September 1, 2017. The term "newly enrolled" in this subsection refers to students who transfer into Texas public schools from out of state or out of the country, and who have no prior history of enrollment within Texas public schools.

(h) Each school district shall cooperate with the agency in determining whether a student is a dropout for purposes of accreditation and evaluating performance by school districts and campuses under this chapter.

(i) Each school district shall submit the data required for the indicators adopted under this section, to the extent necessary
for processing under Section 39.054. The commissioner by rule shall adopt accountability measures to be used in assessing the progress of students who have failed to perform satisfactorily as determined by the commissioner under Section 39.0241(a) or under the college readiness standard as determined under Section 39.0241 in the preceding school year on an assessment instrument required under Section 39.023(a), (c), or (l).

SECTION 4. Section 39.0531, Education Code, is added as follows:

Sec. 39.0531. STUDENT SURVEYS. (a) The commissioner may incorporate student surveys as an indicator under 39.053(c)(3).

(b) The commissioner may develop rules to implement this section, including rules:

(1) determining the format of student surveys;
(2) determining the questions that student surveys must include;
(3) establishing when student surveys must be conducted;
(4) establishing requirements and parameters for administering and reporting results of the student surveys; and
(5) authorizing school districts and open enrollment charter schools to administer the student surveys or include the required survey questions in a locally administered student survey.

(c) Notwithstanding any other provision including Section 21.355, school districts and open enrollment charter schools shall report the information required under this section to the agency in accordance with rules adopted under subsection (b).
(d) The commissioner may contract with a third party to fulfill any and all functions under this section.

(e) The commissioner shall determine the feasibility of incorporating student surveys for use in the accountability ratings by the 2021-2022 school year, by piloting the use of such surveys in the 2018-2019 school year and reporting the results of such surveys in the 2019-2020 and 2020-2021 school years. This subsection expires September 1, 2022.

SECTION 5. Section 39.054, Education Code, is amended as follows:

Sec. 39.054. METHODS AND STANDARDS FOR EVALUATING PERFORMANCE.

(a) The commissioner shall adopt rules to evaluate school 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 Sections 39.053(c)(1)-(3). An overall or domain performance rating of A reflects exemplary performance. An overall or domain performance rating of B reflects recognized performance. An overall or domain performance rating of C reflects acceptable performance. An overall or domain performance rating of D reflects performance in need of improvement. A domain performance rating of or 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 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, acceptable or needs improvement performance.

(a-1) In assigning ratings under Subsection (a):
(1) the commissioner may adjust the performance rating for a domain disaggregated by race, ethnicity, socioeconomic status, or other factors;
(2) the weight given to the indicators in Section 39.053(c)(1)(A) and (B), combined, may not be greater than 50 percent of the total weight in assigning a rating to the student achievement domain under Section 39.053(c)(1); and
(3) the weight given to the indicators in Section 39.053(c)(2)(A) may not be greater than 50 percent of the total weight in assigning a rating to the student progress domain under Section 39.053(c)(2).

If the commissioner determines a domain rating adjustment is needed, the adjustment is limited to one and only one letter grade change.

For purposes of assigning an overall performance rating under Subsection (a), the commissioner shall attribute:
(1) 55 percent of the performance evaluation to the achievement indicators for the first, second, and third domains under Sections 39.053(c)(1)-(3);
(2) for middle and junior high school and elementary campuses and districts that include only those campuses, 35 percent of the performance evaluation to the applicable achievement
indicators for the fourth domain under Section 39.053(c)(4),

(3) for high school campuses and districts that include those campuses:

(A) 10 percent of the performance evaluation to the high school graduation rate achievement indicator described by Section 39.053(c)(4)(A)(ii); and

(B) 25 percent to the remaining applicable achievement indicators for the fourth domain under Section 39.053(c)(4); and

(4) 10 percent of the performance evaluation to the locally selected and evaluated achievement indicators provided for under the fifth domain under Section 39.053(c)(5).

(a-2) For purposes of evaluating the performance of a school or district under Subsection (a), to the extent feasible, the commissioner shall give greater weight to the results of students who have been enrolled for at least four consecutive years in the same school or district. The commissioner by rule shall adopt procedures to ensure that a repeated performance rating of D or F or unacceptable in one domain, particularly performance that is not significantly improving, is reflected in the overall performance rating of a district or campus and is not compensated for by a performance rating of A, B, or C in another domain.

(a-3) 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 under this section. If a district or campus received an overall or domain performance rating of D or F for the preceding school year, the commissioner shall
notify the district of a subsequent such designation on or before June 15 or as soon thereafter as is practicable.

(b) Repealed by Acts 2015, 84th Leg., R.S., Ch. 1094, Sec. 22, eff. June 19, 2015.

(b-1) Consideration of the effectiveness of district programs under Section 39.052(b)(2)(B) or (C):

(1) must:

(A) be based on data collected through the Public Education Information Management System (PEIMS) for purposes of accountability under this chapter; and

(B) include the results of assessments required under Section 39.023; and

(2) may be based on the results of a special accreditation investigation conducted under Section 39.057.

(c) In evaluating school district and campus performance on the achievement indicators for student performance on assessment instruments adopted under Sections 39.053(c)(1)(A)-(B) and 39.053(c)(1)(D)(x) and in the school progress domain under Section 39.053(c)(2)(A)(2) and the dropout rate indicator adopted under Sections 39.053(c)(4)(A)(i) and (B)(ii)(a), the commissioner shall evaluate define acceptable performance as meeting the state standard determined by the commissioner under Section 39.053(f) for the current school year based on:

(1) student performance in the current school year; or

(2) when necessary to address small numbers of records available to use in the calculations, student performance as
averaged over the current school year and the preceding two school years.

(d) Repealed by Acts 2015, 84th Leg., R.S., Ch. 1094, Sec. 22, eff. June 19, 2015.

(d-1) Repealed by Acts 2015, 84th Leg., R.S., Ch. 1094, Sec. 22, eff. June 19, 2015.

(e) Each annual performance review under this section shall include an analysis of the domains student achievement indicators adopted under Section 39.053, including Subsections 39.053(c)(1)-(3),(4) to determine school district and campus performance in relation to standards established for each domain indicator.

(f) In the computation of dropout rates and completion rates such as high school graduation rates under Sections 39.053(c)(1)(D)(ix)(c)(4)(A)(i) and (B)(ii)(a), a student who is released from a juvenile pre-adjudication secure detention facility or juvenile post-adjudication secure correctional facility and fails to enroll in school or a student who leaves a residential treatment center after receiving treatment for fewer than 85 days and fails to enroll in school may not be considered to have dropped out from the school district or campus serving the facility or center unless that district or campus is the one to which the student is regularly assigned. The agency may not limit an appeal relating to dropout computations under this subsection.

SECTION 6. Section 39.0541, Education Code, is added as follows:

Sec. 39.0541. ADOPTION OF INDICATORS AND STANDARDS. (a)
The commissioner may adopt rules to implement this chapter.

(b) The commissioner shall adopt indicators and standards under this chapter at any time prior to September 30 of the same school year in which the evaluation of a school district or campus will take place.

SECTION 7. Section 39.0546, Education Code, is amended as follows:

Sec. 39.0546. PERFORMANCE IN COMMUNITY AND STUDENT ENGAGEMENT AS COMPONENT OF OVERALL DISTRICT AND CAMPUS RATING. (a) For purposes of including the local evaluation of districts and campuses under Section 39.053(c)(3)(A)(5) and assigning an overall rating under Section 39.054, before the beginning of each school year:

(1) each school district shall:

(A) select and report to the agency three programs or categories under Section 39.0545(b)(1), as added by Chapter 211 (H.B. 5), Acts of the 83rd Legislature, Regular Session, 2013, under which the district will evaluate district performance;

(B) submit to the agency the criteria the district will use to evaluate district performance and assign the district a performance rating; and

(C) make the information described by Paragraphs (A) and (B) available on the district's Internet website; and

(2) each campus shall:

(A) select and report to the agency three programs or categories under Section 39.0545(b)(1), as added by
Chapter 211 (H.B. 5), Acts of the 83rd Legislature, Regular Session, 2013, under which the campus will evaluate campus performance;

(B) submit to the agency the criteria the campus will use to evaluate campus performance and assign the campus a performance rating; and

(C) make the information described by Paragraphs (A) and (B) available on the Internet website of the campus.

(b) Based on the evaluation under this section, each school district shall assign the district and each campus shall assign the campus a performance rating of A, B, C, D, or F, for both overall performance and for each program or category evaluated. An overall or a program or category performance rating of A reflects exemplary performance. An overall or a program or category performance rating of B reflects recognized performance. An overall or a program or category performance rating of C reflects acceptable performance. An overall or a program or category performance rating of D reflects performance in need of improvement. An overall or a program or category performance rating of or F reflects unacceptable performance.

(c) On or before the date determined by the commissioner by rule, each school district and campus shall report each performance rating to the agency for the purpose of including the ratings in evaluating school district and campus performance and assigning an overall rating the school climate domain under Sections 39.053(c)(3) and 39.054.
follows:

Sec. 39.0548. EVALUATING DROPOUT RECOVERY SCHOOLS. (a) For purposes of evaluating performance under Section 39.053(c), the commissioner shall designate as a dropout recovery school a school district or an open-enrollment charter school or a campus of a district or of an open-enrollment charter school:
(1) that serves students in grades 9 through 12 and has an enrollment of which at least 50 percent of the students are 15-17 years of age or older as of September 1 of the school year as reported for the fall semester Public Education Information Management System (PEIMS) submission; and
(2) that meets the eligibility requirements for and is registered under alternative education accountability procedures adopted by the commissioner.

(b) Notwithstanding Section 39.053(c)(1)(D)(ix) the commissioner shall use the alternative completion rate under this subsection to determine the dropout graduation rate indicator under Section 39.053(c)(1)(D)(ix) (c)(4)(A)(i) for a dropout recovery school. The alternative completion rate shall be the ratio of the total number of students who graduate, continue attending school into the next academic year, or receive a high school equivalency certificate to the total number of students in the longitudinal cohort of students.

(c) Notwithstanding Section 39.053(c)(1)(D)(ix) (c)(4)(A)(i), in determining the performance rating under Section 39.054 of a dropout recovery school, the commissioner shall include any student described by Section 39.053(g-1) who graduates or
receives a high school equivalency certificate.

(d) Notwithstanding Section 39.053(c), for purposes of evaluating a dropout recovery school under the accountability procedures adopted by the commissioner to determine the performance rating of the school under Section 39.054:

(1) only the best result from the primary administration or any retake of an assessment instrument administered to a student in the school year evaluated may be considered; and

(2) only a student enrolled continuously for at least 90 days during the school year evaluated may be considered.

SECTION 9. The indicator measures and domains established under Section 39.053, as revised, shall be evaluated under the procedures in Section 39.054, as revised, beginning in August 2019.

SECTION 10. (a) No later than December 1, 2017, the commissioner shall prepare a report to the governor, lieutenant governor, speaker of the House, and the chairs of the Senate committee on education and the House committee on public education that, to the greatest extent possible, describes and lists the ratings that would be assigned to each school and district under Section 39.054, if the domains and indicators described in Section 39.053 in August, 2018, were in place in August, 2017, using available data from no later than the 2017-2018 school year. The report shall include information about the extent to which ratings under Section 39.054 correlate with student demographic characteristics, including economic status, continuously enrolled status, identification as a student with limited English
proficiency under Section 29.052, and identification for special education under Section 29.003(b).

(b) No later than December 1, 2018, the commissioner shall prepare a report to the governor, lieutenant governor, speaker of the House, and the chairs of the Senate committee on education and the House committee on public education that, to the greatest extent possible, describes and lists the ratings that would be assigned to each school and district under Section 39.054, if the domains and indicators described in Section 39.053 in August, 2019, were in place in August, 2018, using available data from no later than the 2017-2018 school year. The report shall include information about the extent to which ratings under Section 39.054 correlate with student demographic characteristics, including economic status, continuously enrolled status, identification as a student with limited English proficiency under Section 29.052, and identification for special education under Section 29.003(b).

(c) This section expires on December 1, 2019.

SECTION 11. This Act takes effect September 1, 2017.