

The Texas Education Agency (TEA) adopts on an emergency basis new §100.1020, concerning determination of academic accountability. The new section implements the requirements of Texas Education Code (TEC), §12.1141, Renewal of Charter; Denial of Renewal; Expiration, which requires the commissioner to adopt a procedure for renewal, denial of renewal, or expiration of a charter for an open-enrollment charter school at the end of the term of the charter; and TEC, §12.114, Revision, which requires the commissioner to provide to the charter holder written notice of approval or disapproval of an expansion amendment not later than the 60th day after the date that a charter holder submits a completed request for approval for an expansion amendment.

The new section is adopted on an emergency basis to take effect immediately. As a result of a court order enjoining the commissioner of education from issuing A-F academic accountability ratings for the 2022-2023 school year, TEA, pursuant to Texas Government Code, §2001.034, is adopting this emergency rule on fewer than 30 days' notice in order to comply with requirements of state law found in TEC, Chapter 12, and its associated rules.

STATUTORY AUTHORITY. The new section is adopted under Texas Education Code (TEC), §12.114, which requires the commissioner to provide to the charter holder written notice of approval or disapproval of an expansion amendment not later than the 60th day after the date that a charter holder submits a completed request for approval for an expansion amendment; and §12.1141, which requires the commissioner to adopt a procedure for renewal, denial of renewal, or expiration of a charter for an open-enrollment charter school at the end of the term of the charter.

CROSS REFERENCE TO STATUTE. The new section implements Texas Education Code, §12.114 and 12.1141.

<rule>

§100.1020. Determination of Academic Accountability.

If academic ratings are not issued for any reason, scaled scores may be used to determine "academically acceptable" and "academically unacceptable" performance.