

§ 39.072. ACCREDITATION STANDARDS. (a) The State Board of Education shall adopt rules to evaluate the performance of school districts and to assign to each district a performance rating as follows:

- (1) exemplary (meets or exceeds state exemplary standards);
- (2) recognized (meets or exceeds required improvement and within 10 percent of state exemplary standards);
- (3) academically acceptable (below the exemplary and recognized standards but exceeds the academically unacceptable standards); or
- (4) academically unacceptable (below the state clearly unacceptable performance standard and does not meet required improvement).

(b) The academic excellence indicators adopted under Sections 39.051(b)(1) through (8) and the district's current special education compliance status with the agency shall be the main considerations of the agency in the rating of the district under this section. Additional criteria in the rules may include consideration of:

- (1) compliance with statutory requirements and requirements imposed by rule of the State Board of Education under specific statutory authority that relate to:
  - (A) reporting data through the Public Education Information Management System (PEIMS);
  - (B) the high school graduation requirements under Section 28.025; or
  - (C) an item listed in Sections 7.056(e)(3)(C)-(I) that applies to the district;
- (2) the effectiveness of the district's programs for special populations; and
- (3) the effectiveness of the district's career and technology programs.

(c) The agency shall evaluate against state standards and shall, not later than August 1 of each year, report the performance of each campus in a district and each open-enrollment charter school on the basis of the campus's performance on the indicators adopted under Sections 39.051(b)(1) through (8). Consideration of the effectiveness of district programs under Subsection (b)(2) or (3) must be based on data collected through the Public Education Information Management System for purposes of accountability under this chapter and include the results of assessments required under Section 39.023.

(d) Notwithstanding any other provision of this code, for purposes of determining the performance of a school district under this chapter, including the accreditation status of the district, a

student confined by court order in a residential program or facility operated by or under contract with the Texas Youth Commission is not considered to be a student of the school district in which the program or facility is physically located. The performance of such a student on an assessment instrument or other academic excellence indicator adopted under Section 39.051 shall be determined, reported, and considered separately from the performance of students attending a school of the district in which the program or facility is physically located.

Added by Acts 1995, 74th Leg., ch. 260, § 1, eff. May 30, 1995.  
Amended by Acts 1999, 76th Leg., ch. 396, § 2.22, eff. Sept. 1, 1999; Acts 1999, 76th Leg., ch. 1417, § 3, eff. June 19, 1999; Acts 2001, 77th Leg., ch. 1420, § 4.011, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 342, § 4, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 694, § 1, eff. June 20, 2003; Acts 2003, 78th Leg., ch. 1249, § 1, eff. June 20, 2003; Acts 2006, 79th Leg., 3rd C.S., ch. 5, § 3.14, eff. May 26, 2006.