

The Texas Education Agency (TEA) proposes new §97.1007 and §97.1008, concerning the school report card and the Texas Academic Performance Report. The proposed new sections would relocate existing requirements from 19 TAC Chapter 61 with no changes to the content of the rules.

BACKGROUND INFORMATION AND JUSTIFICATION: Proposed new §97.1007 would move existing language from 19 TAC §61.1021, which establishes requirements for a campus's dissemination of the annual school report card. The relocation is necessary due to a comprehensive reorganization of Chapter 61. No changes from the existing rule are proposed.

Proposed new §97.1008 would move existing language from 19 TAC §61.1022, which establishes requirements for a school district's dissemination of the annual Texas Academic Performance Report, including holding a public hearing on the report. The relocation is necessary due to a comprehensive reorganization of Chapter 61. No changes from the existing rule are proposed.

FISCAL IMPACT: Iris Tian, deputy commissioner of analytics, assessment, and reporting, has determined that for the first five-year period the proposal is in effect, there are no additional costs to state or local government, including school districts and open-enrollment charter schools, required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT: The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in Texas Government Code, §2006.002, is required.

COST INCREASE TO REGULATED PERSONS: The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

TAKINGS IMPACT ASSESSMENT: The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

GOVERNMENT GROWTH IMPACT: TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would create new regulations to relocate existing requirements.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not expand, limit, or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

PUBLIC BENEFIT AND COST TO PERSONS: Ms. Tian has determined that for each year of the first five years the proposal is in effect, the public benefit anticipated as a result of enforcing the proposal would be to allow for TEA rules to be reorganized. There is no anticipated economic cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: The proposal would have no data and reporting impact.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

PUBLIC COMMENTS: The public comment period on the proposal begins May 16, 2025, and ends June 16, 2025. A request for a public hearing on the proposal submitted under the Administrative Procedure Act must be received by the commissioner of education not more than 14 calendar days after notice of the proposal has been published in the *Texas Register* on May 16, 2025. A form for submitting public comments is available on the TEA website at

[https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_\(TAC\)/Proposed_Commissioner_of_Education_Rules/](https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_(TAC)/Proposed_Commissioner_of_Education_Rules/).

STATUTORY AUTHORITY. The new sections are proposed under Texas Education Code (TEC), §39.305, which requires the commissioner to adopt rules requiring dissemination of campus report cards annually to the parent or person standing in parental relation to each student at the campus; and TEC, §39.306, which authorizes the commissioner to adopt rules concerning dissemination of the annual school district and campus performance report.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §39.305, for §97.1007; and TEC, §39.306, for §97.1008.

<rule>

§97.1007. School Report Cards.

- (a) The campus report card disseminated by the Texas Education Agency (TEA) under Texas Education Code, §39.305, shall be termed the "school" report card (SRC).
- (b) The intent of the SRC is to inform each student's parents or guardians about the school's performance and characteristics. Where possible, the SRC will present the school information in relation to the district, the state, and a comparable group of schools. The SRC will present the student, staff, financial, and performance information required by statute, as well as any explanations and additional information deemed appropriate to the intent of the report.
- (c) The SRC must be disseminated within six weeks after it is received from TEA.
- (d) The campus administration may provide the SRC in the same manner it would normally transmit official communications to parents and guardians, such as: including the SRC in a weekly folder sent home with each student, mailing it to the student's residence, providing it at a teacher-parent conference, enclosing it with the student report card, or sending it via electronic mail.
- (e) The school may not alter the report provided by TEA; however, it may concurrently provide additional information to the parents or guardians that supplements or explains information in the SRC.

§97.1008. Texas Academic Performance Report.

- (a) The performance report provided by the Texas Education Agency (TEA) under Texas Education Code, §39.306, shall be termed the Texas Academic Performance Report.
- (b) The intent of the Texas Academic Performance Report is to inform the public about the educational performance of the district and of each campus in the district in relation to the district, the state, and a comparable group of schools. The Texas Academic Performance Report will present the campus performance information as well as student, staff, and financial information required by statute. It will also include any explanations and additional information deemed appropriate to the intent of the report.
- (c) The hearing for public discussion of the Texas Academic Performance Report must be held within 90 days after the report is received from TEA. This hearing may take place during a regularly scheduled or special meeting of the local board of trustees.
- (d) The Texas Academic Performance Report must be published within two weeks after the public hearing. It must be published in the same format as it was received from TEA.
- (e) The district may not alter the report provided by TEA; however, it may concurrently provide additional information to the public that supplements or explains information in the Texas Academic Performance Report.
- (f) The local board of trustees shall disseminate the report by posting it on the school district website and in public places, such as each school office, local businesses, and public libraries.