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Requirement for Notice of Performance Frequently Asked Questions

Q: What does TEC §39.251 and §39.252 require?

A: This law requires districts to do the following:

1. Requires districts by the 10th day of the new school year to have posted on the district website the most current accountability ratings, Academic Excellence Indicator System (AEIS) reports, and School Report Cards (SRC).
2. Requires districts to include the most current campus performance rating with the first student report card each year, along with an explanation of the rating.

Note that this statute was redesignated as §39.361 and §39.362 during the 81st session of the Texas Legislature (2009).

Q: What does this law actually state?

A: This law is part of Chapter 39 of the Texas Education Code. For the actual language, please see **Text of TEC Subchapter J**.

Q: Are there any plans for the commissioner or the State Board of Education to adopt rules implementing this statute?

A: No additional requirements regarding how to implement this statute will be adopted by the commissioner or board.

Notice in Student Grade Report

Q: Does the school accountability rating need to be printed on the student's report card?

A: It can be, but the law states that it "... must **include** the ... information." This could mean including a paper insert that shows the rating.

Q: The state accountability system is pretty complicated. Where do I find "a definition and explanation of each performance rating described by Section 39.072" that does not require attaching the entire accountability manual?

A: Districts may create their own explanatory materials or may reprint *Table 6: Requirements for Each Rating Category* of the **2010 Accountability Manual**. It provides a brief definition and explanation of each rating category.

Q: *Table 6* is way too complicated for our parents to understand. Does the agency have a sample letter with a brief and clear explanation that we can use?

A: The complete explanation of all aspects of the system is contained in the **2010 Accountability Manual**. Districts are free to prepare their own, more simplified explanatory materials, but at this time the most concise explanation is *Table 6* of the manual.

Q: The first report the campus sends home is not a report card but a status report. Does the accountability information need to be provided at that time?

A: The language of the bill is: "The first written notice of a student's performance ..." The district will have to make the decision in relation to the content of the status report. The first report sent that applies to all students and contains an evaluation of their academic performance in all subjects should be used.

Q: My district has submitted an appeal for the state accountability rating for my campus. Do I have to include the 2010 accountability rating in the notification if there is a chance that it will be updated following the appeals process?

A: The statute requires that districts provide the most recent performance rating in the notification. For the 2010-11 school year, the 2010 state accountability rating released publicly on July 30, 2010, is the most recent performance rating. The district can include the information that the rating has been appealed in the notification. If the appeal is granted, the district may wish to provide a follow-up notification.

Notice on District Website

Q: What specifically is "... the 10th day after the first day of instruction of each school year...?"

A: This is the 10th school day, or actual instructional day. It does not include weekends, holidays, or other non-instructional days.

Q: I have the accountability ratings for this year which I can post, but the school report cards aren't available yet. How can I post them?

A: Statute specifically requires that the district post "... the most recent campus report card..." on the website. That means that you must post last year's SRC, AEIS, etc. if more current reports are not yet available. The posting should be revised later in the year as more current information becomes available. Districts are free to note the date of a posted report and the approximate date of future revisions.

Q: What reports need to be posted on our website as of the beginning of the 2010-11 school year?

A: For 2010-11, districts must post:

- the 2008-09 School Report Cards for each campus (available at the **AEIS** website);
- the 2008-09 **AEIS** Report for the district;
- the current accountability rating, as of July 30, 2010, for the district; and
- a definition and explanation of each rating, such as *Table 6: Requirements for Each Rating Category* of the **2010 Accountability Manual**.

The district should update its site with the 2009-10 AEIS Reports and SRCs as soon as they are available, later in the fall.

Q: My district has submitted an appeal for the state accountability rating for my campus. Do I have to post the 2010 accountability rating on the district's website if there is a chance that it will be updated following the appeals process?

A: The statute requires that districts provide the most recent performance rating on the district's website no later than the tenth day after the first day of instruction. Similar to the student grade report requirement, the 2010 state accountability rating that was released publicly on July 30, 2010, is the most recent performance rating. The district can post the rating with a notation that the rating has been appealed, such as the following: *2010 State Accountability Rating: Academically Acceptable (Appeal Pending)*.

If the appeal is granted, the district should update the website with the final rating.

Q: Will we need to update our website when the latest SRC and AEIS reports are finally posted and/or when our rating changes due to a granted appeal?

A: HB 3297 does not require that the district website be updated with the latest SRC or AEIS reports following the 10th instructional day of the year, but districts are encouraged to do so especially if a rating has changed due to a granted appeal. In addition, there are other statutory requirements that require each school to disseminate the School Report Card to the "parent, guardian, conservator, or other person having lawful control of each student at the campus." Districts will receive detailed instructions regarding the distribution requirements for the School Report Cards when these reports are released in early December. Also, districts must follow TEA Guidelines for publishing the AEIS reports when these reports are released in late November or early December.

Q: How exactly are we expected to post these reports?

A: The simplest way would be to save the PDF version of each report to the district server, and make those available through a link on your district website.

Q: We have limited space on our servers and even more limited resources for maintaining our website. Would it be possible to simply link to the TEA website to comply with all of these requirements? This would also ensure that we have the latest information and reports available for our public.

A: Yes, but you will need to provide very specific instructions on how to find each report. Please refer to the [sample web page](#) for an example of text that explains how to access the reports from the TEA website.

Q: What is the length of time that these items remain on our website?

A: Since the legislation does not have an expiration date, these items will be a permanent addition to your website, updated as necessary. Please note that you are not required to keep old reports on your site once new ones are available for posting.

Q: Our district does not currently have a website. Does this legislation require that we create a district website?

A: No, the Notice on District Website is required for districts that maintain an internet website.

Performance Reporting

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