The Texas Education Agency (TEA) proposes an amendment to §150.1001, concerning teacher appraisal. The proposed amendment would establish new provisions related to pilot activities supporting the development or revision of the Texas Teacher Evaluation and Support System (T-TESS).

BACKGROUND INFORMATION AND JUSTIFICATION: Section 150.1001 establishes general provisions related to teacher appraisal system selection, implementation of T-TESS, and statutory appraisal components.

The proposed amendment to §150.1001 would add new subsection (g) authorizing the commissioner to identify school districts and open-enrollment charter schools to participate in pilot activities supporting the development or revision of the T-TESS. The proposed amendment would also allow the commissioner to establish alternative requirements or timelines for school districts and charter schools participating in commissioner-approved pilot activities and clarify that appraisal processes implemented in accordance with approved pilot requirements are considered in compliance with Chapter 150, Subchapter AA.

The proposed amendment is intended to support the ongoing development and continuous improvement of the T-TESS by providing a structured process for testing potential revisions to appraisal components, processes, or timelines in a limited number of school districts or charter schools. Adding pilot authority to the general provisions ensures clear rule-level authorization for pilot implementation while maintaining statewide consistency and compliance with statutory appraisal requirements.

FISCAL IMPACT: Andrew Hodge, associate commissioner for system innovation, 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 expand an existing regulation. The proposed amendment would establish new provisions related to pilot activities supporting the development or revision of the T-TESS.

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 create a new regulation; would not 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: Mr. Hodge 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 establish a new provision related to pilot activities supporting the development or revision of the T-TESS. 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: TEA requests public comments on the proposal, including, per Texas Government Code, §2001.024(a)(8), information related to the cost, benefit, or effect of the proposed rule and any applicable data, research, or analysis, from any person required to comply with the proposed rule or any other interested person. The public comment period on the proposal begins July 3, 2026, and ends August 3, 2026. 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 July 3, 2026. 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/.

STATUTORY AUTHORITY. The amendment is proposed under Texas Education Code (TEC), §21.351, which requires the commissioner of education to adopt a state-recommended appraisal process for teachers; and TEC, §21.352, which establishes requirements for school districts' selection of teacher appraisal systems.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code, §21.351 and §21.352.

<rule>

§150.1001. General Provisions.

(a) All school districts have two choices in selecting a method to appraise teachers: a teacher appraisal system recommended by the commissioner of education or a local teacher appraisal system.

(b) The commissioner's recommended teacher appraisal system, the Texas Teacher Evaluation and Support System (T-TESS), was developed in accordance with the Texas Education Code (TEC), §21.351.

(c) The superintendent of each school district, with the approval of the school district board of trustees, may select the T-TESS. Each school district or campus wanting to select or develop an alternative teacher appraisal system must follow the TEC, §21.352, and §150.1007 of this title (relating to Alternatives to the Commissioner's Recommended Appraisal System).

(d) The commissioner may designate a regional education service center to serve as the T-TESS certification provider for the state. The designated regional education service center may collect appropriate fees under the TEC, §8.053, from school districts and open-enrollment charter schools for training and certification.

(e) Sections 150.1002 through 150.1006 of this title (relating to Assessment of Teacher Performance; Appraisals, Data Sources, and Conferences; Teacher Response and Appeals; Appraiser Qualifications; and Teacher Orientation) apply only to the T-TESS and not to local teacher appraisal systems.

(f) The statutorily required components of teacher appraisal are defined as follows.

  (1) The implementation of discipline management procedures is the teacher's pedagogical practices that produce student engagement and establish the learning environment.

  (2) The performance of teachers' students is how the individual teacher's students progress academically in response to the teacher's pedagogical practice as measured at the individual teacher level by one or more student growth measures.

(g) The commissioner may identify school districts and open-enrollment charter schools who choose to participate in pilot activities supporting the development or revision of the T-TESS. For pilot participants, the commissioner may establish alternative requirements or timelines related to §§150.1002, 150.1003, and 150.1005 of this title. School districts and charter schools that implement appraisal processes in accordance with commissioner-approved pilot requirements shall be considered in compliance with this subchapter.