



**RESOLUTION OF THE BOARD OF TRUSTEES OF
THE BIRDVILLE INDEPENDENT SCHOOL DISTRICT
REGARDING THE A-F ACCOUNTABILITY SYSTEM**

WHEREAS, the A–F Accountability System is a statewide rating system established by the Texas Legislature to provide information about the academic performance of Texas public schools; and

WHEREAS, the Texas Legislature, in Texas Education Code §39.054, has granted broad authority to the Commissioner (“the Commissioner”) of the Texas Education Agency to “adopt rules to evaluate school district and campus performance and assign each district and campus an overall performance rating of A, B, C, D, or F”; and

WHEREAS, the current A-F Accountability system was designed by the current Commissioner; and

WHEREAS, despite the lack of a requirement in the statute that the Commissioner change the accountability system on any particular schedule, the Commissioner has stated that the A-F Accountability system should be revised every five years; and

WHEREAS, the Commissioner intends to impose, on a retroactive basis, a new accountability system for the 2022-23 school year which has still yet to be finalized; and

WHEREAS, the changes made by the Commissioner are intended to be applied to graduating classes who have already graduated from Birdville Independent School District (“the District”); and

WHEREAS, the Commissioner intends to release ratings for the 2022-23 school year on September 28 using retroactive updates to the accountability system that would lower the rating of thousands of schools; and

WHEREAS, the Commissioner still has not finalized the rules and methodologies that will be used to evaluate schools for the 2022-2023 school year or the 2023-2024 school year; and

WHEREAS, in violation of state law, in the 2022-2023 school year, the Commissioner failed to provide school districts “a document in a simple, accessible format that explains the accountability performance measures, methods, and procedures that *will* be applied” for the 2022-2023 school year; and

WHEREAS, in violation of state law, in the 2023-2024 school year, the Commissioner has failed to provide school districts “a document in a simple, accessible format that explains the accountability performance measures, methods, and procedures that *will* be applied” for the 2023-2024 school year; and

WHEREAS, Birdville ISD students continue to show growth in STAAR performance and all College, Career, and Military Readiness (CCMR) indicators; and

WHEREAS, based on the retroactively-applied changes in the accountability system, despite improvements in student achievement, the District expects the overall district grade to drop and a significant number of campus letter grades to drop despite increased performance year over year ; and

WHEREAS, the District believes the A-F Accountability System should be adjusted to raise standards, but only with appropriate advanced notice; and

WHEREAS, the purpose of the A-F Accountability System is to provide transparency and clarity for schools, parents, and the community at large about the performance of Texas public schools in relation to state expectations; and

WHEREAS, contrary to the purpose of transparency regarding school performance, the ratings intended to be issued by the Commissioner under the 2022-2023 school year will give the appearance that schools with higher levels of student achievement are actually declining in performance; and

WHEREAS, the failure of the Commissioner to comply with state law and provide an explanation of the measures, methods, and procedures to be used during the 2022-2023 school year prevented the District from appropriately adjusting its practices and allocation of resources in accordance with state expectations; and

WHEREAS, the retroactive application of new measures, methods, and procedures without the required advanced notice represents harm to the District and its community because it gives the appearance of declining school performance which impacts enrollment, property values, the application of potential sanctions by the Commissioner, and the effective use of resources; and

WHEREAS, several Texas school districts have filed a lawsuit seeking an injunction to prevent the Commissioner from issuing new ratings using the retroactively applied, yet-to-be-finalized, measures, methods, and procedures; and

WHEREAS, the District agrees with the arguments laid out in the lawsuit and believes the intention of the Commissioner to issue ratings using retroactively applied, yet-to-be-finalized measures, methods, and procedures to be in contravention of state policy regarding the A-F accountability system and in violation of the law;

NOW, THEREFORE, BE IT RESOLVED, that:

1. All the above-referenced paragraphs, findings, and recitals are incorporated into and made part of this resolution.
2. The Birdville ISD Board directs the Superintendent to take the necessary steps to join the litigation challenging of the Commissioner's failure to provide Texas school districts advanced notice of the measures, methods, and procedures to be used in the 2022-2023 and 2023-2024 school years prior to the start of each of those school years in violation of state law.
3. The Birdville ISD Board urges the Commissioner to comply with state law and issue ratings for the 2022-2023 and 2023-2024 school years utilizing the existing measures, methods, and procedures of which school districts had notice in accordance with state law.

SIGNED this 22rd day of September, 2023.

Richard Davis
President, Birdville ISD Board of Trustees

Ralph Kunkel
Secretary, Birdville ISD Board of Trustees