

REVIEW OF AGENCY RULES

This section contains notices of state agency rules review as directed by the Texas Government Code, §2001.039. Included here are (1) notices of *plan to review*; (2)

notices of *intention to review*, which invite public comment to specified rules; and (3) notices of *readoption*, which summarize public comment to specified rules. The complete text of an agency's *plan to review* is available after it is filed with the Secretary of State on the Secretary of State's web site (<http://www.sos.state.tx.us/texreg>). The complete text of an agency's rule being reviewed and considered for *readoption* is available in the *Texas Administrative Code* on the web site (<http://www.sos.state.tx.us/tac>).

For questions about the content and subject matter of rules, please contact the state agency that is reviewing the rules. Questions about the web site and printed copies of these notices may be directed to the *Texas Register* office.

Proposed Rule Reviews

Office of Consumer Credit Commissioner

Title 7, Part 5

The Finance Commission of Texas (commission) files this notice of intention to review and consider for readoption, revision, or repeal Texas Administrative Code, Title 7, Part 5, Chapter 84, concerning Motor Vehicle Installment Sales. Chapter 84 contains Subchapter A, concerning General Provisions; Subchapter B, concerning Retail Installment Contract; Subchapter C, concerning Insurance and Debt Cancellation Agreements; Subchapter D, concerning Acquisition of Contract or Balance; Subchapter E, concerning Holder's Rights, Duties, and Limitations; Subchapter F, concerning Licensing; Subchapter G, concerning Examinations; and Subchapter H, concerning Retail Installment Sales Contract Provisions.

This rule review will be conducted pursuant to Texas Government Code, §2001.039. The commission will accept comments for 31 days following publication of this notice in the *Texas Register* as to whether the reasons for adopting these rules continue to exist.

The Office of Consumer Credit Commissioner, which administers these rules, believes that the reasons for adopting the rules contained in this chapter continue to exist. Any questions or written comments pertaining to this notice of intention to review should be directed to Laurie Hobbs, Assistant General Counsel, Office of Consumer Credit Commissioner, 2601 North Lamar Boulevard, Austin, Texas 78705-4207 or by email to laurie.hobbs@occc.texas.gov. Any proposed changes to the rules as a result of the review will be published in the Proposed Rules Section of the *Texas Register* and will be open for an additional 31-day public comment period prior to final adoption or repeal by the commission.

TRD-201600083

Leslie L. Pettijohn
Commissioner

Office of Consumer Credit Commissioner
Filed: January 6, 2016



Adopted Rule Reviews

Texas Education Agency

Title 19, Part 2

The Texas Education Agency (TEA) adopts the review of 19 TAC Chapter 97, Planning and Accountability, Subchapter AA, Accountability and Performance Monitoring; Subchapter BB, Memoranda of Understanding; Subchapter EE, Accreditation Status, Standards, and

Sanctions; and Subchapter FF, Commissioner's Rules Concerning the Job Corps Diploma Program, pursuant to the Texas Government Code, §2001.039. The TEA proposed the review of 19 TAC Chapter 97, Subchapters AA, BB, EE, and FF, in the July 24, 2015 issue of the *Texas Register* (40 TexReg 4825).

Relating to the review of 19 TAC Chapter 97, Subchapter AA, the TEA finds that the reasons for adopting §97.1001 and §97.1005 continue to exist and readopts the rules. The TEA finds that the reasons do not exist for adopting §97.1004, Adequate Yearly Progress. Adequate Yearly Progress statuses are no longer assigned to Texas public schools as a result of a conditional waiver from the United States Department of Education. At a later date, the TEA plans to propose the repeal of §97.1004. The TEA received one comment related to the review of Subchapter AA. Following is a summary of the public comment received and the corresponding agency response.

Comment: Disability Rights Texas commented that the reasons for adopting 19 TAC §97.1005, Performance-Based Monitoring Analysis System, continue to exist. Disability Rights Texas also offered recommendations specific to the Special Education Representation Indicator adopted under §97.1005 and suggested readopting §97.1005 with certain amendments.

Agency Response: The agency agrees that the reasons for adopting 19 TAC §97.1005 continue to exist. The recommendations specific to the Special Education Representation Indicator are outside the scope of the proposed rule review. As stated in §97.1005(c), "the specific criteria and calculations used in the PBMAS are established annually by the commissioner of education and communicated to all school districts and charter schools." The annual adoption and communication to school districts for the 2015-2016 school year have already occurred. TEA will consider comments received on future rule actions to §97.1005 as those rule actions occur.

Relating to the review of 19 TAC Chapter 97, Subchapter BB, the TEA finds that the reasons for adopting Subchapter BB continue to exist and readopts the rules. The TEA received no comments related to the review of Subchapter BB. No changes are necessary as a result of the review.

Relating to the review of 19 TAC Chapter 97, Subchapter EE, the TEA finds that the reasons for adopting Subchapter EE continue to exist and readopts the rules. No changes to Subchapter EE are necessary as a result of the review. The TEA received one comment related to the review of Subchapter EE. Following is a summary of the public comment received and the corresponding agency response.

Comment: Disability Rights Texas commented that the reasons for adopting 19 TAC §97.1072, Residential Facility Monitoring, continue to exist. Disability Rights Texas also offered recommendations on

ways the commissioner of education could improve and strengthen the rule.

Agency Response: The agency agrees that the reasons for adopting 19 TAC §97.1072 continue to exist and that residential facility monitoring still needs to be conducted to meet the agency's obligation to students with disabilities residing in residential facilities. In alignment with the TEA's Rider 70 report to the 84th Texas Legislature, 2015, and in considering the recommendations of the Residential Facility Monitoring Workgroup sessions held in the spring of 2015, the agency will take the recommendations for improvement into consideration.

Relating to the review of 19 TAC Chapter 97, Subchapter FF, the TEA finds that the reasons for adopting Subchapter FF continue to exist and

readopts the rule. The TEA received no comments related to the review of Subchapter FF. At a later date, the TEA may propose an amendment to §97.2001, Job Corps Diploma Program Accountability Procedures, to update the manual adopted in rule.

This concludes the review of 19 TAC Chapter 97.

TRD-201506005

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: December 29, 2015

