

Context and Purpose

Texas law requires that students not receiving approaches or higher on STAAR or an End of Course exam receive accelerated instruction. House Bill 1416, 88(R) updated these requirements and provides that the Texas Education Agency (TEA) shall approve automated, computerized, or other augmented method products for providing accelerated instruction. Approved products may be used to waive the 4 to 1 student to tutor ratio required in statute if evidence indicates that the product is more effective than individual or group instruction. This evidence must reflect that high fidelity usage of the product yields higher student outcomes than students who did not use the product. School systems may still use any curricular tool they choose to meet accelerated instruction requirements, but only products approved through the HB 1416 Ratio Waiver List qualify for the waiver of the 4 to 1 student to teacher ratio.

The purpose of this document is to detail requirements for vendors approved for this list. Non-compliance with any of the following requirements may result in removal from this list.

Terms used in this section.

1. Defined Terms: The following capitalized terms have the meanings specified below.
 - (a) *Response* is what a Vendor submits in response to the following specific information: HB 1416 Ratio Waiver List Application.
 - (b) *Vendor* means the party who is providing the materials or services to a school system, provided that, prior to list approval, Vendor means the person or entity who provides a Response (i.e., a "Respondent").
 - (c) *School systems* include a school district or open-enrollment charter school.
 - (d) *TEA* means the Texas Education Agency.
 - (e) *State* means the State of Texas.
 - (f) *Education Research Center* houses Texas data and facilitates research that benefits all



school systems to the extent that, and at the same time as, the price is reduced or offered to be reduced elsewhere in the United States.

3. Outcomes Data

- (a) For initial approval, Vendor will provide an outcomes study evaluating product efficacy that will include to the extent possible the following information: demographic indicators such as race, gender identification, age, grade; group ratios; number of participating Texas students and school districts; product components; minimum dosage, and outcomes related to student usage, student performance, and student growth. Product efficacy study evaluation will analyze these areas:
 - i. Inclusion of a broad range of students and school districts in Texas
 - ii. Identification of product components
 - iii. Definition and measurement of the fidelity usage as indicated by product assertions
 - iv. Improved student outcomes that can be attributed to the intervention provided by the product
 - v. Demonstration of study reliability
 - vi. A design of the study that allows for strong claims to be made about the outcomes
 - vii. Inclusion of length of treatment as part of the study
- (b) Vendor whose product is approved for the 2025-2026 TEA HB 1416 Ratio Waiver List will be required to satisfy renewal criteria for the 2027-2028 school year. Timelines and renewal data submission deadlines will be provided as part of the renewal information packet. For renewal approval:
 - i. Vendor will provide an annual STAAR outcomes study evaluating the impact of



2. Section 28.0022 of the Texas Education Code;
 3. Section 43.22 of the Texas Penal Code (meaning no violation of such Penal Code section); and
 4. any other law or regulation that protects students from obscene or harmful content; and
- ii.



- i. A description of the services provided, and inventory of the data collected from the school system or generated by student / staff through use of the service or software
- ii. Agreement that the data is and remains the property and under the control of the school system, and that the operator will only access and use the data for the purposes of fulfilling its obligations under the service agreement
- iii. Definition of procedures and policies for:
 - 1.





- (a) TEA does not endorse any vendor, commodity, or service, and Vendor agrees not to state or imply otherwise.
 - (b) Vendor is not authorized to make or participate in any media releases or public announcements pertaining to TEA's HB 1416 Ratio Waiver List, the Response, or the services to which any of the foregoing relate without TEA's prior written consent, and then only in accordance with explicit written instructions from TEA.
14. FERPA: Vendor, its employees, and subcontractors, agree that they will not use any student identifying information in any way that violates the provisions of applicable law and regulations, including without limitation, FERPA.
15. No Exclusivity



List may also be removed from the list at any time for any reason at the discretion of the commissioner.

19. Removal from TEA HB 1416 Ratio Waiver List: Failure to comply with the stated requirements in these terms, conditions and affirmations may result in automatic removal from the TEA HB 1416 Ratio Waiver List.
20. TEA reserves the right to change these criteria as needed.