

**Report of the State Board of Education  
Committee of the Full Board  
May 21, 2009**

The State Board of Education Committee of the Full Board met at 9:05 a.m. on Thursday, May 21, 2009, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. All members of the committee were present, as follows:

Presiding: Don McLeroy, chair; Rick Agosto, Lawrence A. Allen, Jr., Mary Helen Berlanga, David Bradley, Barbara Cargill, Bob Craig, Cynthia Dunbar, Pat Hardy, Mavis B. Knight, Terri Leo, Gail Lowe, Ken Mercer, Geraldine Miller, Rene Nuñez

A moment of silence was observed in memory of Dr. David Berlanga, Jr., who passed away on April 20, 2009. Dr. Berlanga was the husband of board member Mary Helen Berlanga.

**Public Testimony**

This item provides an opportunity for the public to present testimony at the time the related item comes up for committee discussion or action. The procedures for registering and taking public testimony at State Board of Education committee meetings and general board meetings are provided at <http://www.tea.state.tx.us/index4.aspx?id=3958> or in the information section (yellow pages) of the agenda.

The Committee of the Full Board heard public testimony on agenda item #4. Information regarding the individuals who presented public testimony is included in the discussion of that item.

**DISCUSSION ITEM**

**1. Commissioner's Comments Regarding the SBOE  
Agenda and Legislative Activity  
(Board agenda page I-29)**

Commissioner of Education Robert Scott provided an update and answered questions about legislative activity. He provided specific information about bills such as SB 3/HB 3, known as the accountability bill, and HB 4294, which deals with instructional materials. Several board members expressed concerns about HB 4294, which in its current form reduces the board's authority to approve textbook content and could reduce the chances that publishers would write textbooks specifically for the Texas market.

Mrs. Miller said she had asked Chair McLeroy to request an attorney general's opinion in which the state's top lawyer is asked to define what is meant by "textbook" as it is used in the Texas Constitution. She also suggested that the board send a letter to legislators expressing concerns about HB 4294 and endorsing full funding for textbook proclamations.

## ACTION ITEMS

2. **Proposed Revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Orientation, Subchapter A, Middle School, and Subchapter B, High School**  
(First Reading and Filing Authorization)  
(Board agenda page I-1)  
[Official agenda item #3]

Anita Givens, associate commissioner for standards and programs, explained the additional revisions made by the Texas Essential Knowledge and Skills (TEKS) writing teams to 19 TAC Chapter 127. Karen Batchelor, unit director for enrichment curriculum, provided a brief overview of the purposes of the career programs and how courses are used by districts.

**MOTION AND VOTE:** *It was moved by Mr. Craig and carried unanimously to recommend approval of the proposed revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Orientation, Subchapter A, Middle School, and Subchapter B, High School. (Mrs. Berlanga and Mr. Bradley were absent for the vote.)*

3. **Proposed New 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education**  
(First Reading and Filing Authorization)  
(Board agenda page I-17)  
[Official agenda item #4]

Ms. Givens and Karen Batchelor, unit director for enrichment curriculum, provided an overview of this item. The committee discussed courses that were recommended as options for fourth credit math and science courses. The committee directed agency staff to prepare enhancements to the Advanced Animal Science course to increase the rigor.

**MOTION:** *It was moved by Mr. Craig and seconded by Ms. Hardy to recommend approval for first reading and filing authorization of proposed new 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, and to amend 19 TAC §130.13 to be correctly identified as "Food Technology and Safety."*

**MOTION AND VOTE:** *It was moved by Mr. Bradley, seconded by Mr. Craig, and carried unanimously to recommend amending the language in 19 TAC §130.112 to add "capital gains" to (c)(11)(D) to read, "describe sources of income such as wages and salaries, interest, rent, dividends, capital gains and transfer payments." (Mr. Agosto and Mrs. Berlanga were absent for the vote.)*

**MOTION AND VOTE:** *It was moved by Mr. Bradley, seconded by Mr. Craig, and carried unanimously to recommend amending the language in 19 TAC §130.162 to add "capital gains" to (c)(2)(D) to read, "describe sources of income, including wages and salaries, interest, rent, dividends, capital gains and transfer payments." (Mr. Agosto and Mrs. Berlanga were absent for the vote.)*

**MOTION AND VOTE:** *It was moved by Mr. Bradley, seconded by Mrs. Lowe, and carried unanimously to recommend amending the language in 19 TAC §130.163 to add a new (c)(1)(C) to read, “outline and analyze the history and the impact of the use of the gold or silver standard in monetary policy.” (Mr. Agosto and Mrs. Berlanga were absent for the vote.)*

**MOTION AND VOTE:** *It was moved by Mr. Bradley to recommend deletion of the student expectations (c)(8)(R) and (c)(8)(S) from 19 TAC §130.164. The motion failed, with 5 members voting Aye and 8 voting No, as follows:*

<i><u>Aye:</u></i>	<i>Mr. Bradley</i>	<i>Dr. McLeroy</i>
	<i>Mrs. Leo</i>	<i>Mr. Mercer</i>
	<i>Mrs. Lowe</i>	

<i><u>No:</u></i>	<i>Mr. Allen</i>	<i>Ms. Hardy</i>
	<i>Mrs. Cargill</i>	<i>Mrs. Knight</i>
	<i>Mr. Craig</i>	<i>Mrs. Miller</i>
	<i>Ms. Dunbar</i>	<i>Mr. Nuñez</i>

*(Mr. Agosto and Mrs. Berlanga were absent for the vote.)*

**MOTION AND VOTE:** *It was moved by Mrs. Miller, seconded by Mr. Craig, and carried unanimously to recommend striking the language in 19 TAC §130.164 for student expectations (c)(8)(R) and (c)(8)(S) and insert the student expectations following (c)(6)(E) to read, “(F) describe real estate sales functions such as listing of property, methods of advertising, showing property, and closing and settlement; and (G) assist property owners in the sale of their real estate, including determining a list price, showing instructions, goals of holding an open house, and scheduling a tour or showing exclusively for real estate agents.” (Mr. Agosto was absent for the vote.)*

**MOTION AND VOTE:** *It was moved by Ms. Dunbar, seconded by Ms. Leo, and carried unanimously to recommend amending 19 TAC §130.182 (c)(2)(E) to read, “analyze the constitutional processes by which the United States Constitution can be amended.” (Mr. Agosto was absent for the vote.)*

**MOTION:** *It was moved by Mr. Craig and seconded by Ms. Hardy to recommend the addition of Section 130.XX, Advanced Mathematical Decision Making, to 19 TAC Chapter 130, Subchapter O.*

Ms. Leo called for the question.

**MOTION AND VOTE:** *It was moved by Ms. Leo, seconded by Ms. Dunbar, to stop debate. The motion failed for lack of two-thirds vote, with 7 members voting Aye and 6 members voting No, as follows:*

<u>Aye:</u>	Mr. Bradley	Mrs. Lowe
	Mrs. Cargill	Dr. McLeroy
	Mrs. Dunbar	Mr. Mercer
	Ms. Leo	

<u>No:</u>	Mrs. Berlanga	Mrs. Knight
	Mr. Craig	Mrs. Miller
	Ms. Hardy	Mr. Nuñez

*(Mr. Agosto and Mr. Allen were absent for the vote.)*

**MOTION AND VOTE:** *It was moved by Mr. Craig and seconded by Mrs. Miller to recommend allowing the representative from the Dana Center to provide clarification on a question. The motion failed with 6 members voting Aye and 7 members voting No, as follows:*

<u>Aye:</u>	Mrs. Berlanga	Mrs. Knight
	Mr. Craig	Mrs. Miller
	Ms. Hardy	Mr. Nuñez

<u>No:</u>	Mr. Bradley	Mrs. Lowe
	Mrs. Cargill	Dr. McLeroy
	Ms. Dunbar	Mr. Mercer
	Ms. Leo	

*(Mr. Agosto and Mr. Allen were absent for the vote.)*

**VOTE:** *A vote was taken on the motion to recommend the addition of Section 130.XX, Advanced Mathematical Decision Making, to 19 TAC Chapter 130, Subchapter O. The motion failed with 7 members voting Aye and 7 voting No, as follows:*

<u>Aye:</u>	Mr. Allen	Mrs. Knight
	Mrs. Berlanga	Mrs. Miller
	Mr. Craig	Mr. Nuñez
	Ms. Hardy	

<u>No:</u>	Mr. Bradley	Mrs. Lowe
	Mrs. Cargill	Dr. McLeroy
	Ms. Dunbar	Mr. Mercer
	Ms. Leo	

*(Mr. Agosto was absent for the vote.)*

**MOTION AND VOTE:** *It was moved by Mr. Craig and carried unanimously to recommend adding the word “science” to the title of 19 TAC Chapter 130, Subchapter O, §130.373, Engineering Design and Problem Solving, to clarify that this course earns science credit. (Mr. Agosto was absent for the vote.)*

**VOTE:** *A vote was taken on the motion to recommend that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, with amendments,, and to amend 19 TAC §130.13 to be correctly identified as Food Technology and Safety. (Mr. Agosto was absent for the vote.)*

#### **4. Update on Texas Essential Knowledge and Skills (TEKS)**

##### **Review**

(Board agenda page I-23)

[Official agenda item #5]

Ms. Givens provided an update of the review of the Texas Essential Knowledge and Skills (TEKS). She explained the current status of the TEKS for the English language arts electives.

**MOTION AND VOTE:** *It was moved by Ms. Hardy, seconded by Mr. Mercer, and carried unanimously to recommend that the State Board of Education elect not to appoint experts to review proposed revisions of the English language arts electives.*

Ms. Givens continued with an overview of the status of the TEKS process for math, science, Career and Technical Education (CTE) and social studies (see attached - May 2009 chart).

Mrs. Cargill provided an update on the Committee on Instruction April 22, 2009, work session.

Public testimony was provided by the following individuals:

NAME: Judy Brodigan  
AFFILIATION: Self

NAME: Julia Hyman  
AFFILIATION: Self

Ms. Givens provided the SBOE the following documents related to the TEKS revision process:

- Guidelines for Social Studies TEKS Review Committee Members
- The Process for Review and Revision of the TEKS, July 18, 2008
- The SBOE TEKS Review and Revision Process, May 20, 2009
- Side by Side SBOE TEKS Review and Revision Process
- Guidelines for Expert Feedback on the Social Studies TEKS
- TEKS Review Schedule for 2009 and 2010
- 2010 Meeting Date Options

Ms. Givens, with the collaboration of Monica Martinez, policy director, provided detailed information about the documents.

Dr. McLeroy suggested that further action be postponed to the following day.

## **DISCUSSION ITEMS**

### **5. Ethics Training**

(Board agenda page I-31)

**MOTION AND VOTE:** *It was moved by Mr. Bradley, seconded by Mr. Craig, and carried to postpone this item until the next meeting of the State Board of Education. Ms. Hardy voted No. (Mr. Agosto was absent for the vote.)*

### **6. Discussion of Pending Litigation**

(Board agenda page I-63)

The committee did not discuss pending litigation; therefore, no executive session was held.

Dr. McLeroy adjourned the meeting of the Committee of the Full Board at 5:23 p.m.