

**Report of the State Board of Education
Committee on Instruction
November 19, 2009**

The State Board of Education Committee on Instruction met at 5:47 p.m. on Thursday, November 19, 2009, in Room #1-104 of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. The following members of the committee were present:

Presiding: Barbara Cargill, chair; Ken Mercer, vice chair; Lawrence A. Allen, Jr., Terri Leo

Absent: Geraldine Miller

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 on Instruction heard public testimony on agenda item #3. Information regarding the individual who presented public testimony is included in the discussion of that item.

ACTION ITEMS

1. **Proposed Revisions to 19 TAC Chapter 101, Assessment, Subchapter A, General Provisions, and Subchapter B, Development and Administration of Tests**
(Second Reading and Final Adoption)
(Board agenda page II-1)
[Official agenda item #16]

Criss Cloudt, associate commissioner for assessment, accountability, and data quality, described the proposed amendments and informed the committee that no public comments had been received.

MOTION AND VOTE: *By unanimous consent, the committee recommended, by an affirmative vote of two-thirds of the members of the board, approval for second reading and final adoption the proposed revisions to 19 TAC Chapter 101, Assessment, Subchapter A, General Provisions, and Subchapter B, Development and Administration of Tests, with an effective date of 20 days after filing as adopted with the Texas Register.*

2. **Recommended Penalties for Failure to Correct Factual Errors in Adopted Instructional Materials**
(Board agenda page II-15)
[Official agenda item #17]

John Lopez, managing director of instructional materials and educational technology, introduced the item and explained the procedure for, and board rules associated with, the assessment of penalties for failure to correct factual errors.

MOTION AND VOTE: *It was moved by Mrs. Cargill and approved unanimously to recommend that the State Board of Education assess penalties for failure to make required corrections in instructional materials adopted under Proclamation 2000 in November 2002, Proclamation 2004 in November 2006, and Proclamation 2005 in November 2007 as reflected on the Attachment, and the placement of this item on the consent agenda of the State Board of Education meeting of November 20, 2009.*

DISCUSSION ITEM

3. Discussion of Texas Middle School Program (Board agenda page II-21)

Anita Givens, associate commissioner for standards and programs, explained that House Bill 3, 81st Texas Legislature, requires the addition of a fine arts course in the Texas middle school program. Ms. Givens asked the committee to provide guidance regarding whether the rule should require a fine arts course in each of the 6th, 7th, and 8th grades or require a fine arts course sometime during the middle school experience. Ms. Givens also asked the committee to provide guidance regarding when the new requirement for a fine arts course in middle school should take effect.

Public testimony was provided by the following individual:

NAME: Robert Floyd
AFFILIATION: Texas Music Educators Association and Texas Coalition for Quality Arts Education

Based on discussion, Mrs. Cargill requested that staff prepare proposed rule language recommending that the fine arts course be required once during middle school, keeping in mind the various campus configurations for Grades 6, 7, and 8. The committee recommended that implementation of the fine arts course begin with students who enter Grade 6 in 2010-2011.

The meeting of the Committee on Instruction adjourned at 6:10 p.m.