State Board of Education
Summary of Action Items
November 19, 2010

1. Resolutions and Presentations

The Stephen F. Austin Academy Los Tigres Mariachi Ensemble from the San Antonio Independent School District performed for the board.

The board passed a resolution honoring winners of the 2010 National History Day contest. Those award winners are Ashlynne Macnee of Arlington's Christian Life Preparatory School; Alejandra Europa, Monica Melendez, Mayra Romero, Anail Caudillo; Daniel Aguirre and Oscar Trejo-Soria of the Aldine Independent School District; and Jonathan Box of Austin ISD.

The board passed resolutions thanking departing board members Geraldine Miller of Dallas, Rene Nuñez of El Paso, Don McLeroy of College Station, Rick Agosto of San Antonio and Cynthia Dunbar of Richmond for their service on the board.

Staff Contact: Questions about this item should be directed to the office of the State Board of Education at (512) 463-9007.

2. Approval of Consent Agenda

Any agenda item may be placed on the Consent Agenda by any State Board of Education committee.

(1). Approval of Costs of Administering the 2010-2011 Texas Assessment of Knowledge and Skills (TAKS) to Private School Students

The board approved a schedule of costs for administering the TAKS to private school students. The rates simply allow the state to recover costs associated with the administration. The rates vary depending on the number of students who take the tests.

Staff Contact: Questions about this item should be directed to the Student Assessment Division at (512) 463-9536.

(2). Ratification of the Purchases and Sales of the Investment Portfolio of the Permanent School Fund for the Months of August and September 2010

The board voted to approve the purchases and sales for the months of August and September 2010 in the amount of $681,566,747 and $457,269,970 respectively.

Staff Contact: Questions about this item should be directed to the office of the Permanent School Fund (512) 463-9169.

(3). Proposed Amendments to Section I of the Investment Procedures Manual

The board voted to adopt amendments to Section I of the Investment Procedures Manual.

Staff Contact: Questions about this item should be directed to the office of the Permanent School Fund (512) 463-9169.

(4). Recommendation for Appointments to the Boys Ranch Independent School District Board of Trustees (Committee on School Initiatives)

The board approved the reappointment of Lance E. Purcell and the appointment of Sharon Miner to the board of trustees of the Boys Ranch Independent School District for three-year terms from Nov. 19, 2010 to Nov. 18 2013.

Staff Contact: Questions about this item should be directed to the Division of Governance and General Inquiries at (512) 463-9290.

(5). Recommendation for Appointment to the Randolph Field Independent School District Board of Trustees (Committee on School Initiatives)

The board approved the appointment of Glenda Solomon to the board of trustees of the Randolph Field Independent School District for a two-year term from Nov. 19, 2010 to Nov. 18, 2012.

Staff Contact: Questions about this item should be directed to the Division of Governance and General Inquiries at (512) 463-9290.

ITEMS FOR ACTION BY THE FULL SBOE (COMMITTEE OF THE FULL BOARD)

3. Legislative Recommendations for the 82nd Texas Legislature

The board approved five legislative recommendations, which are:

1. Assure full funding of Proclamation 2011 instructional materials to honor the commitment made to publishers during the 81st session and assure that the Permanent School Fund monies paid to the Available School Fund each biennium are appropriated to fully fund instructional materials content first before they are utilized for other education-related expenses.

2. Prevent subsequent subject matter content changes to electronic textbooks after initial approval from introducing factual errors and/or diluting TEKS coverage. Require the elected State Board of Education, not the appointed commissioner of education, to approve electronic textbooks.

3. Require a general appropriation by the legislature for textbook proclamations prior to the SBOE adopting materials in that proclamation.

4. Assure funding for supplemental science materials in preparation for the onset of

End-of-Course exams.

5. Amend Texas Education Code Chapter 7.103(c) to clarify eligibility of registered lobbyist doing business with a profession, business or association related to the operation of the board.

Staff Contact: Questions about this item should be directed to the Division of Governmental Relations at (512) 463-9682.

4. Proposed New 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter C, High School, §111.37, Advanced Quantitative Reasoning (One Credit)
(First Reading and Filing Authorization)

The board approved for first reading and filing authorization a new mathematics course called Advanced Quantitative Reasoning, which can be used to satisfy the fourth mathematics credit requirement in high school.

Staff Contact: Questions about this item should be directed to the Curriculum Division at (512) 463-9581.

5. Report and Recommendations from the Commissioner of Education Regarding Instructional Materials Offered for Adoption under Proclamation 2011

The board approved conforming and nonconforming instructional materials for the following areas: Prekindergarten systems; English Language Arts, grades 2-8; Spanish Language Arts, grades 2-5; English as a Second Language, grades K-8; handwriting, grades 1-3; spelling, grades 1-6; and English I-IV. They also allowed some publishers to withdraw bids they had submitted. Materials approved for purchase are estimated to cost $490 million but the board asked publishers to re-examine the prices they bid to see if costs can be reduced.

Staff Contact: Questions about this item should be directed to the Instructional Materials and Educational Technology Division at (512) 463-9601.

6. Update on Bids Submitted for Supplemental Science Instructional Materials

The board agreed to proceed with the schedule for acquiring supplemental science instructional materials for high school biology, chemistry, physics and Integrated Physics and Chemistry (IPC). Schools will be notified in the spring when EMAT will open and make these instructional materials available for order.

Board members agreed to seek bids on supplemental science materials for grades 5-8. Originally the board asked for these materials but took that request off the table in September due to budget concerns. They reconsidered that action at the November meeting and agreed to purchase this material, which would be available in August. Because all the supplemental material will only be available in an electronic format, it is still possible to have this new material in schools in time for the 2011-2012 school year.

Staff Contact: Questions about this item should be directed to the Instructional Materials and Educational Technology Division at (512) 463-9601.

7. Decision on the Percentage Distribution of the Permanent School Fund

The board approved a payout that will generate $1.9 billion for the 2012-2013 biennium. This includes an anticipated $500 million from the General Land Office to the Available School Fund, which is $300 million more than had been previously anticipated.

Staff Contact: Questions about this item should be directed to the office of the Permanent School Fund (512) 463-9169.

COMMITTEE ON INSTRUCTION

8. Proposed Amendment to 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter O, Science, Technology, Engineering, and Mathematics, §130.371, Principles of Technology (One Science Credit)
(Second Reading and Final Adoption)

The board unanimously approved minor modifications to the Principles of Technology course to align it with end-of-course assessment requirements. This course may be used to satisfy the physics graduation requirement. These amendments become effective 20 days after filing as adopted with the Texas Register.

Staff Contact: Questions about this item should be directed to the Curriculum Division at (512) 463-9581.

9. Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.36, Requirements for Elective Courses on the Bible's Hebrew Scriptures (Old Testament) and New Testament and Their Impact on the History and Literature of Western Civilization
(Second Reading and Final Adoption)

The board approved amendments that update 19 TAC §74.36 to align student expectations for elective courses in Bible Literacy with revised student expectations in the Texas Essential Knowledge and Skills for Special Topics in Social Studies and Independent Study in English. This item was approved for first reading at the May 2010 meeting where various sections within the subchapter were updated as a result of the statutorily required four-year review of rules. Statute (TEC §28.011) required the courses to be submitted to the attorney general for review to ensure that it complied with the First Amendment to the United States Constitution before the board could give final approval.

Staff Contact: Questions about this item should be directed to the Curriculum Division at (512) 463-9581.

10. Update on Texas Essential Knowledge and Skills (TEKS) Review

The board received an update on the Texas Essential Knowledge and Skills (TEKS) review. Applications for mathematics and fine arts TEKS review committee members are due

Jan. 3, 2011 and board nominations are due Jan. 31, 2011.

Staff Contact: Questions about this item should be directed to the Curriculum Division at (512) 463-9581.

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND

11. Report on Back-Ordered Instructional Materials and Recommendations for Penalties (Moved to Consent)

The board voted to impose a penalty for publishers' back orders based on one percent of the average value of back-ordered materials for each day the instructional materials remained on back order after the first day of school year 2009-2010. The board also voted to require each publisher to issue credit to the agency in the appropriate amount as recommended.

Staff Contact: Questions about this item should be directed to the Instructional Materials and Educational Technology Division at (512) 463-9601.

12. Accessible Digital Textbook Files and Materials for Texas Public Schools (Moved to Consent)

The board accepted the proposal from Region 4 Education Service Center (ESC) to produce digital Braille files for use with portable Braille-reading devices, accessible student-ready digital files in other formats, and tactile graphics from Packages A and B and authorize the commissioner of education to conclude the necessary contract. The board also accepted the proposal from Region 20 ESC to produce digital Braille files for use with portable Braille-reading devices, accessible student-ready digital files in other formats, and tactile graphics from Package C and authorize the commissioner of education to conclude the necessary contract. The board also voted to accept the proposal from Visual Aid Volunteers, Inc. to produce digital Braille files for use with portable Braille-reading devices, accessible student-ready digital files in other formats, and tactile graphics from Package D and authorize the commissioner of education to conclude the necessary contract. The board also accepted the proposal from Region 4 ESC to produce Braille copies from Copy Packages A and B and to authorize the commissioner of education to conclude the necessary contract. The board accepted the proposal from Region 20 ESC to produce Braille copies from Copy Packages C and D and to authorize the commissioner of education to conclude the necessary contract.

Staff Contact: Questions about this item should be directed to the Instructional Materials and Educational Technology Division at (512) 463-9601

13. Production of Large Type Materials for Texas Public Schools

The board voted to accept the proposal submitted by Braille Jymico and authorize the commissioner of education to conclude the necessary contract.

Staff Contact: Questions about this item should be directed to the Instructional Materials and Educational Technology Division at (512) 463-9601

14. Approval of the Selection of a Firm(s) to Provide Absolute Return Discretionary Separately Managed Account Fund-of-Hedge Funds Manager for the Permanent School Fund and Authorization to Negotiate Terms and for Contract Execution by the Commissioner of Education

The board voted to approve a contract with GAM USA, Inc. to provide absolute return discretionary separately managed account fund-of-hedge funds manager for the Permanent School Fund with future consideration of rebalancing and authorization to negotiate terms and for contract execution by the commissioner of education.

Staff Contact: Questions about this item should be directed to the office of the Permanent School Fund (512) 463-9169.

COMMITTEE ON SCHOOL INITIATIVES

15. Proposed Amendments to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship (Second Reading and Final Adoption)

The board approved for second reading and final adoption the rules for the continuing education for school board members, and the nomination of trustees for military reservation school districts and the Boys Ranch ISD. The amendments revise the rules to better align with statute and current practice. No additional changes were recommended since approved for first reading.

Staff Contact: Questions about this item should be directed to the Division of Governance and General Inquiries at (512) 463-9290.

16. Review of Proposed Amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, §§228.2, Definitions; 228.35, Preparation Program Coursework and/or Training; and 228.60, Implementation Date

The board took no action on rules from the State Board for Educator Certification (SBEC) that amend requirements for educator preparation programs. The amendments clarify the requirements for educator preparation program coursework, training, internships, student teaching, clinical teaching, practicums, field-based experiences, and field supervision and provide that the program requirements that were in effect on the date an educator candidate was admitted to a program would be the requirements applicable to that candidate. By law, the SBOE may take no action on an SBEC item, which effectively endorses it, or the board may reject the item.

Staff Contact: Questions about this item should be directed to the Division of Educator Certification and Standards at (512) 936-8304.

17. Review of Proposed Amendments to 19 TAC Chapter 247, Educators' Code of Ethics, and 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, Subchapter A, General Provisions, §249.3, Definitions

The board took no action on SBEC rules amending the Educators' Code of Ethics, and the rules for disciplinary proceedings, sanctions, and contested cases, for educators. The amendments update the Educators' Code of Ethics to clarify and address current issues relating to ethical and professional educator conduct. The amendments also incorporate technical edits and add definitions for words, terms, and phrases. By law, the SBOE may take no action on an SBEC item, which effectively endorses it, or the board may reject the item.

Staff Contact: Questions about this item should be directed to the Division of Educator Certification and Standards at (512) 936-8304.