Chapter 74. Curriculum Requirements

Subchapter C. Other Provisions

Statutory Authority: The provisions of this Subchapter C issued under the Texas Education Code, §§7.102, 28.002, 28.023, 28.025, 28.053, 28.054, 29.907, 33.081, and 38.003, unless otherwise noted.

§74.21. Schedule for Implementation.

The requirements in this chapter shall be implemented according to the following schedule.

(1) Elementary, kindergarten through Grade 5. All provisions of §74.2 of this title (relating to Description of a Required Elementary Curriculum) shall be implemented fully beginning with the 1996-1997 school year.

(2) Secondary, Grades 6-12. All provisions of §74.3(b) of this title (relating to Description of a Required Secondary Curriculum) and Subchapter B of this chapter (relating to Graduation Requirements) shall be implemented fully beginning with the 1997-1998 school year. A student entering Grade 9 in the 1997-1998 school year or thereafter must meet the provisions of Subchapter B of this chapter (relating to Graduation Requirements).

(3) Other sections. Provisions of other sections of this chapter shall be implemented during the 1996-1997 school year unless otherwise specified.

Source: The provisions of this §74.21 adopted to be effective September 1, 1996, 21 TexReg 4311.

§74.22. Options for Offering Courses.

(a) A school district may use alternative procedures for delivering instruction to ensure that essential knowledge and skills are taught. The district shall pay any fees or other costs for students to participate in alternative delivery procedures.

(b) A school district may operate a magnet program, academy, or other innovative program to serve student populations with specialized interests and aptitudes.

Source: The provisions of this §74.22 adopted to be effective September 1, 1996, 21 TexReg 4311; amended to be effective September 1, 1998, 23 TexReg 5675; amended to be effective December 25, 2007, 32 TexReg 9623.

§74.23. Correspondence Courses and Distance Learning.

Credit toward state graduation requirements may be granted under this section only under the following conditions.

(1) The institution offering correspondence courses must be The University of Texas at Austin, Texas Tech University, or another public institution of higher education approved by the commissioner of education.

(2) Students may earn course credit through distance learning technologies such as, but not limited to, satellite, Internet, two-way video-conferencing, online courses, the Texas Virtual School Network (TxVSN), and instructional television.

(3) The correspondence and distance learning courses must include the essential knowledge and skills as specified in §74.1 of this title (relating to Essential Knowledge and Skills) for such a course.

Source: The provisions of this §74.23 adopted to be effective September 1, 1996, 21 TexReg 4311; amended to be effective September 1, 1998, 23 TexReg 5675; amended to be effective September 1, 2001, 25 TexReg 7691; amended to be effective August 24, 2010, 35 TexReg 7211.

§74.24. Credit by Examination.

(a) General provisions.

(1) A school district must provide at least three days between January 1 and June 30 and three days between July 1 and December 31 annually when examinations for acceleration for each primary school grade level and for credit for secondary school academic subjects required under Texas Education Code, §28.023, shall be administered in Grades 1-12. The days do not need to be consecutive but must be designed to meet the needs of all students. The dates must be publicized in the community.

(2) A school district shall not charge for an examination for acceleration for each primary school grade level or for credit for secondary school academic subjects. If a parent requests an alternative examination, the district may administer and recognize results of a test purchased by the parent or student from Texas Tech University or The University of Texas at Austin.

(A) Texas Tech University and The University of Texas at Austin shall ensure that the assessments they provide for the purposes of this section are aligned with and contain appropriate breadth of coverage of the Texas Essential Knowledge and Skills for the appropriate course.

(B) Texas Tech University and The University of Texas at Austin shall arrange for a third party to conduct an audit, on a rotating basis, of at least 20% of the assessments they provide for the purposes of this section. The audit shall be conducted annually.

(C) The results of each audit shall be provided to the Texas Education Agency in the form of a report to be delivered no later than May 31 of each year.

(3) A school district must have the approval of the district board of trustees to develop its own tests or to purchase examinations that thoroughly test the essential knowledge and skills in the applicable grade level or subject area.

(4) A school district may allow a student to accelerate at a time other than one required in paragraph (1) of this subsection by developing a cost-free option approved by the district board of trustees that allows students to demonstrate academic achievement or proficiency in a subject or grade level.

(b) Assessment for acceleration in kindergarten through Grade 5.

(1) A school district must develop procedures for kindergarten acceleration that are approved by the district board of trustees.

(2) A student in any of Grades 1-5 must be accelerated one grade if he or she meets the following requirements:

(A) the student scores 90% on a criterion-referenced test for the grade level he or she wants to skip in each of the following areas: language arts, mathematics, science, and social studies;

(B) a school district representative recommends that the student be accelerated; and

(C) the student's parent or guardian gives written approval for the acceleration.

(c) Assessment for course credit in Grades 6-12.

(1) A student in any of Grades 6-12 must be given credit for an academic subject in which he or she has had no prior instruction if the student scores 90% on a criterion-referenced test for the applicable course.

(2) If a student is given credit in a subject on the basis of an examination, the school district must enter the examination score on the student's transcript.

(3) In accordance with local school district policy, a student in any of Grades 6-12 may be given credit for an academic subject in which he or she had some prior instruction, if the student scores 70% on a criterion-referenced test for the applicable course.

Source: The provisions of this §74.24 adopted to be effective September 1, 1996, 21 TexReg 7239; amended to be effective September 1, 1998, 23 TexReg 5675; amended to be effective September 1, 2001, 25 TexReg 7691; amended to be effective August 8, 2006, 31 TexReg 6212; amended to be effective September 1, 2008, 33 TexReg 1089.

§74.25. High School Credit for College Courses.

(a) A school district board of trustees may adopt a policy that allows a student to be awarded credit toward high school graduation for completing a college-level course. The course must be provided only by an institution of higher education that is accredited by one of the following regional accrediting associations:

(1) Southern Association of Colleges and Schools;

(2) Middle States Association of Colleges and Schools;

(3) New England Association of Schools and Colleges;

(4) North Central Association of Colleges and Schools;

(5) Western Association of Schools and Colleges; or

(6) Northwest Association of Schools and Colleges.

(b) To be eligible to enroll and be awarded credit toward state graduation requirements, a student must have the approval of the high school principal or other school official designated by the school district. The course for which credit is awarded must provide advanced academic instruction beyond, or in greater depth than, the essential knowledge and skills for the equivalent high school course.

Source: The provisions of this §74.25 adopted to be effective September 1, 1996, 21 TexReg 4311; amended to be effective September 1, 1998, 23 TexReg 5675; amended to be effective September 1, 2001, 25 TexReg 7691.

§74.26. Award of Credit.

(a) The award of credit for a course by a school district affirms that a student has satisfactorily met all state and local requirements. Any course for which credit is awarded must be provided according to this subsection.

(1) Credit earned toward state graduation requirements by a student in an accredited school district shall be transferable and must be accepted by any other school district in the state. A district may not prohibit a new student from attending school pending receipt of transcripts or records from the school district the student previously attended. Credit earned in a local-credit course may be transferred only with the consent of the receiving school district.

(2) A school district must ensure that the records or transcripts of an out-of-state or out-of-country transfer student (including foreign exchange students) or a transfer student from a Texas nonpublic school are evaluated and that the student is placed in appropriate classes promptly. The district may use a variety of methods to verify the content of courses for which a transfer student has earned credit.

(b) Districts may offer courses designated for Grades 9-12 (refer to §74.11 of this title (relating to High School Graduation Requirements)) in earlier grade levels. A course must be considered completed and credit must be awarded if the student has demonstrated achievement by meeting the standard requirements of the course, including demonstrated proficiency in the subject matter, regardless of the time the student has received instruction in the course or the grade level at which proficiency was attained. The academic achievement record (transcript) shall reflect that students have satisfactorily completed courses at earlier grade levels than Grades 9-12 and have been awarded state graduation credits.

(c) Credit for courses for high school graduation may be earned only if the student received a grade which is the equivalent of 70 on a scale of 100, based upon the essential knowledge and skills for each course.

(d) In accordance with local district policy, students who are able to successfully complete only one semester of a two-semester course can be awarded credit proportionately.

Source: The provisions of this §74.26 adopted to be effective September 1, 1996, 21 TexReg 4311; amended to be effective September 1, 1998, 23 TexReg 5675; amended to be effective September 1, 2001, 25 TexReg 7691.

§74.27. Innovative Courses and Programs.

A school district may offer innovative courses to enable students to master knowledge, skills, and competencies not included in the essential knowledge and skills of the required curriculum.

(1) The State Board of Education (SBOE) may approve any course that does not fall within any of the subject areas listed in the foundation and enrichment curricula when the applying school district or organization demonstrates that the proposed course is academically rigorous and addresses documented student needs.

(2) The commissioner of education may approve a discipline-based course in the foundation or enrichment curriculum when the applying school district or organization demonstrates that the proposed course is academically challenging and addresses documented student needs.

(3) To request approval from the SBOE or the commissioner of education, the applying school district or organization must submit a request for approval at least six months before planned implementation that includes:

(A) a description of the course and its essential knowledge and skills;

(B) the rationale and justification for the request in terms of student need;

(C) a description of activities, major resources, and materials to be used;

(D) the methods of evaluating student outcomes;

(E) the qualifications of the teacher; and

(F) the amount of credit requested.

(4) With the approval of the local board of trustees, a school district may offer, without modifications, any state-approved innovative course.

Source: The provisions of this §74.27 adopted to be effective September 1, 1996, 21 TexReg 4311; amended to be effective September 1, 1998, 23 TexReg 5675; amended to be effective September 1, 2001, 25 TexReg 7691; amended to be effective December 25, 2007, 32 TexReg 9623.

§74.28. Students with Dyslexia and Related Disorders.

(a) The board of trustees of a school district must ensure that procedures for identifying a student with dyslexia or a related disorder and for providing appropriate instructional services to the student are implemented in the district. These procedures will be monitored by the Texas Education Agency with on-site visits conducted as appropriate.

(b) A school district's procedures must be implemented according to the State Board of Education (SBOE) approved strategies for screening and techniques for treating dyslexia and related disorders. The strategies and techniques are described in "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders," a set of flexible guidelines for local districts that may be modified by SBOE only with broad-based dialogue that includes input from educators and professionals in the field of reading and dyslexia and related disorders from across the state. Screening should only be done by individuals/professionals who are trained to assess students for dyslexia and related disorders.

(c) A school district shall purchase a reading program or develop its own reading program for students with dyslexia and related disorders that is aligned with the descriptors found in "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders." Teachers who screen and treat these students must be trained in instructional strategies which utilize individualized, intensive, multisensory, phonetic methods and a

variety of writing and spelling components described in "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders. " The professional development activities specified by each district and/or campus planning and decision making committee shall include these instructional strategies.

(d) Before an identification or assessment procedure is used selectively with an individual student, the school district must notify the student's parent or guardian or another person standing in parental relation to the student.

(e) Parents/guardians of students eligible under the Rehabilitation Act of 1973, §504, must be informed of all services and options available to the student under that federal statute.

(f) Each school must provide each identified student access at his or her campus to instructional programs required in subsection (c) of this section and to the services of a teacher trained in dyslexia and related disorders. The school district may, with the approval of each student's parents or guardians, offer additional services at a centralized location. Such centralized services shall not preclude each student from receiving services at his or her campus.

(g) Because early intervention is critical, a process for early identification, intervention, and support for students at risk for dyslexia and related disorders must be available in each district as outlined in "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders."

(h) Each school district shall provide a parent education program for parents/guardians of students with dyslexia and related disorders. This program should include: awareness of characteristics of dyslexia and related disorders; information on testing and diagnosis of dyslexia; information on effective strategies for teaching dyslexic students; and awareness of information on modification, especially modifications allowed on standardized testing.

Source: The provisions of this §74.28 adopted to be effective September 1, 1996, 21 TexReg 4311; amended to be effective September 1, 2001, 25 TexReg 7691; amended to be effective August 8, 2006, 31 TexReg 6212; amended to be effective August 24, 2010, 35 TexReg 7211.

§74.29. Texas Advanced Placement Incentive Program.

(a) Purpose. The Texas advanced placement incentive program is created to recognize and reward students, teachers, and schools that demonstrate success in achieving the educational goals of the state. An award or a subsidy granted under this section shall be for the public purpose of promoting an educated citizenry.

(b) Types of awards.

(1) A school participating in the program shall be eligible to receive the following awards:

(A) a one-time, $3,000 equipment grant for providing a College Board advanced placement or International Baccalaureate course, based on need as determined by the commissioner of education;

(B) up to $100 for each student who receives a score of three or better on a College Board advanced placement or International Baccalaureate test; and

(C) up to $450 to reimburse a teacher or pay for a teacher to complete approved College Board advanced placement or International Baccalaureate training.

(2) A teacher who teaches a College Board advanced placement or International Baccalaureate course shall be eligible to receive the following awards:

(A) a one-time award of $250 for teaching a College Board advanced placement or International Baccalaureate course for the first time; and

(B) a share of the teacher bonus pool proportional to the number of courses taught that shall be distributed by the teacher's school. Fifty dollars may be deposited in the teacher bonus pool for each student enrolled in the school who receives a score of three or better on a College Board advanced placement or International Baccalaureate test.

(3) A student who receives a score of three or better on a College Board advanced placement or International Baccalaureate test may receive a reimbursement of up to $65 for the advanced placement or International Baccalaureate testing fee. The reimbursement shall be reduced by the amount of any subsidy awarded by the College Board or International Baccalaureate or under subsection (e) of this section.

(c) Award adjustment. The commissioner of education shall adjust and prorate by category the sum and number of awards to ensure the purpose of the program is realized.

(d) Application for, and use of, awards.

(1) To obtain an award, a school or teacher must submit to the State Board of Education (SBOE) a written application in a form, manner, and time prescribed by the commissioner of education.

(2) A school must give priority to academic enhancement purposes in using any award received under this section. An award may not be used for any purpose relating to athletics.

(3) The principal of each school participating in the program shall convene, at least annually, a team composed of not more than five members, with not fewer than three teachers, to include at least one teacher participating in the program and at least one teacher who teaches students in preparation for their participation in the program, for the purpose of determining the use of funds awarded under subsection (b) of this section.

(e) Subsidies for College Board advanced placement or International Baccalaureate tests.

(1) A student is entitled to a subsidy for the fee he or she pays to take a College Board advanced placement or International Baccalaureate test if the student demonstrates financial need according to guidelines adopted by the College Board.

(2) The Texas Education Agency (TEA), with SBOE approval, may pay each eligible applicant an equal amount of up to $25.

(f) Funding of awards and subsidies.

(1) An award or a subsidy granted under this section is subject to the availability of funds. An award or a subsidy may be funded by donations, grants, or legislative appropriations.

(2) The commissioner of education may solicit and receive a grant or donation for the purpose of making awards under this section. The TEA shall account for and distribute any donation, grant, or legislative appropriation.

(3) The TEA shall apply to the program any available funds from its appropriations that may be used for this purpose.

(4) An application for funding may be filed with TEA at a date determined by the commissioner of education.

Source: The provisions of this §74.29 adopted to be effective September 1, 1996, 21 TexReg 4311; amended to be effective September 1, 2001, 25 TexReg 7691; amended to be effective August 24, 2010, 35 TexReg 7211.

§74.30. Identification of Honors Courses.

(a) The following are identified as honors classes as referred to in the Texas Education Code, §33.081(d)(1), concerning extracurricular activities:

(1) all College Board advanced placement courses and International Baccalaureate courses in all disciplines;

(2) English language arts: high school/college concurrent enrollment classes that are included in the "Community College General Academic Course Guide Manual (Part One)";

(3) Languages other than English: high school/college concurrent enrollment classes that are included in the "Community College General Academic Course Guide Manual (Part One)," and languages other than English courses Levels IV-VII;

(4) Mathematics: high school/college concurrent enrollment classes that are included in the "Community College General Academic Course Guide Manual (Part One) " and Precalculus;

(5) Science: high school/college concurrent enrollment classes that are included in the "Community College General Academic Course Guide Manual (Part One)"; and

(6) Social studies: Social Studies Advanced Studies, Economics Advanced Studies, and high school/college concurrent enrollment classes that are included in the "Community College General Academic Course Guide Manual (Part One)."

(b) Districts may identify additional honors courses in the subject areas of English language arts, mathematics, science, social studies, economics, or a language other than English for the purpose of this section, but must identify such courses prior to the semester in which any exemptions related to extracurricular activities occur.

(c) Districts are neither required to nor restricted from considering courses as honors for the purpose of grade point average calculation.

Source: The provisions of this §74.30 adopted to be effective September 1, 1996, 21 TexReg 4311; amended to be effective September 1, 1998, 23 TexReg 5675; amended to be effective June 23, 2008, 33 TexReg 4883.

§74.31. Health Classifications for Physical Education.

For physical education, a district must classify each student, on the basis of health, into one of the following categories.

(1) Unrestricted (not limited in activities).

(2) Restricted (excludes the more vigorous activities).

(A) Permanent. A member of the healing arts licensed to practice in Texas must provide the school written documentation concerning the nature of the impairment and the expectations for physical activity for the student.

(B) Temporary. The student may be restricted from physical activity of the physical education class. A member of the healing arts licensed to practice in Texas must provide the school written documentation concerning the nature of the temporary impairment and the expected amount of time for recovery. During recovery time, the student must continue to learn the concepts of the lessons but may not actively participate in the skill demonstration.

(3) Adapted and remedial (specific activities prescribed or prohibited, as directed by a member of the healing arts licensed to practice in Texas).

Source: The provisions of this §74.31 adopted to be effective September 1, 2001, 25 TexReg 7691.

§74.33. Additional Requirements for Social Studies Classes for Grades 3-12.

(a) Instruction during Celebrate Freedom Week. Each social studies class shall include, during Celebrate Freedom Week as provided under Texas Education Code, §29.907, or during another full school week as determined by the board of trustees of a school district, appropriate instruction concerning the intent, meaning, and importance of the Declaration of Independence and the United States Constitution, including the Bill of Rights, in their historical contexts. The study of the Declaration of Independence must include the study of the relationship of the ideas expressed in that document to subsequent American history, including the relationship of its ideas to the rich diversity of our people as a nation of immigrants, the American Revolution, the formulation of the United States Constitution, and the abolitionist movement, which led to the Emancipation Proclamation and the women's suffrage movement.

(b) Recitation during Celebrate Freedom Week.

(1) Each school district shall require that, during Celebrate Freedom Week or other week of instruction prescribed under subsection (a) of this section, students in Grades 3-12 study and recite the following text: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness--That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."

(2) Each school district shall excuse from the recitation a student:

(A) whose parent or guardian submits to the district a written request that the student be excused;

(B) who, as determined by the district, has a conscientious objection to the recitation; or

(C) who is the child of a representative of a foreign government to whom the United States government extends diplomatic immunity.

Source: The provisions of this §74.33 adopted to be effective December 7, 2003, 28 TexReg 10935.

§74.35. Additional Requirements for High School Health Classes.

(a) Parenting and paternity awareness.

(1) A school district and an open-enrollment charter school shall incorporate instruction in parenting awareness into any course meeting a requirement for a health education credit, using the materials approved by the State Board of Education for this purpose in accordance with Texas Education Code (TEC), §28.002(p). Implementation of this requirement shall comply with requirements that the board of trustees of each school district establish a local school health advisory council to assist the district in ensuring that local community values are reflected in the district's health education instruction as stated in TEC, §28.004.

(2) A school district may add elements at its discretion but must include the following areas of instruction:

(A) parenting skills and responsibilities, including child support;

(B) relationship skills, including money management, communication, and marriage preparation; and

(C) skills relating to the prevention of family violence, only if the school district's high schools do not have a family violence prevention program.

(3) If the required high school health education credit is earned through a course taken prior to Grade 9, the materials and parenting awareness instruction must be incorporated into that course or, at the district's discretion, may be incorporated into another course available to all students in Grades 9-12.

(4) At the discretion of the district, a teacher may modify the suggested sequence and pace of the program at any grade level.

(5) A student under 14 years of age may not participate in a parenting and paternity awareness program without the permission of the student's parent or person standing in parental relation to the student.

(6) A school district shall use the materials approved by the State Board of Education for this purpose beginning with the 2008-2009 school year.

(b) Alcohol awareness.

(1) A school district and an open-enrollment charter school shall incorporate instruction in the dangers, causes, consequences, signs, symptoms, and treatment of binge drinking and alcohol

poisoning into any course meeting a requirement for a health education credit in accordance with TEC, §28.002(r).

(2) A school district shall choose an evidence-based alcohol awareness program to use in the district's middle school, junior high school, and high school health curriculum from a list of programs approved by the commissioner of education for this purpose.

Source: The provisions of this §74.35 adopted to be effective April 27, 2008, 33 TexReg 3261; amended to be effective December 23, 2009, 34 TexReg 9198.

§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.

(a) Pursuant to this rule, a school district may offer to students in Grade 9 or above:

(1) an elective course on the Hebrew Scriptures (Old Testament) and its impact and an elective course on the New Testament and its impact; or

(2) an elective course that combines the courses on the Hebrew Scriptures (Old Testament) and its impact and on the New Testament and its impact.

(b) The purpose of a course under this section is to:

(1) teach students knowledge of biblical content, characters, poetry, and narratives that are prerequisites to understanding contemporary society and culture, including literature, art, music, mores, oratory, and public policy; and

(2) familiarize students with, as applicable:

(A) the contents of the Hebrew Scriptures or New Testament;

(B) the history of the Hebrew Scriptures or New Testament;

(C) the literary style and structure of the Hebrew Scriptures or New Testament; and

(D) the influence of the Hebrew Scriptures or New Testament on law, history, government, literature, art, music, customs, morals, values, and culture.

(c) A course offered under this section shall follow applicable law and all federal and state guidelines in maintaining religious neutrality and accommodating the diverse religious views, traditions, and perspectives of students in their school district. A course under this section shall not endorse, favor, or promote, or disfavor or show hostility toward, any particular religion or nonreligious faith or religious perspective.

(d) A course offered under this section shall follow the Texas Essential Knowledge and Skills for Special Topics in Social Studies or the Texas Essential Knowledge and Skills for Independent Study in English as set out in this subsection until the 2011-2012 school year.

(1) Texas Essential Knowledge and Skills for Special Topics in Social Studies (One-Half Credit). The provisions of this paragraph shall be superseded by subsection (e)(1) of this section beginning with the 2011-2012 school year.

(A) General requirements. Students shall be awarded one-half unit of credit for successful completion of this course. Students may take this course with different course content for a maximum of two credits.

(B) Introduction. In Special Topics in Social Studies, an elective course comparable to the former Advanced Social Science Problems, students are provided the opportunity to apply the knowledge and skills of the social sciences to a variety of topics and issues. Students use critical-thinking skills to locate, organize, analyze, and use data collected from a variety of sources. Problem solving and decision making are important elements of the course as is the communication of information in written, oral, and visual forms.

(C) Knowledge and skills.

(i) Social studies skills. The student applies critical-thinking skills to organize and use information acquired from a variety of sources including electronic technology. The student is expected to:

(I) differentiate between, locate, and use primary and secondary sources such as computer software, databases, media and news services, biographies, interviews, and artifacts to acquire information about a selected topic in social studies;

(II) analyze information by sequencing, categorizing, identifying cause-and-effect relationships, comparing, contrasting, finding the main idea, summarizing, making generalizations and predictions, and drawing inferences and conclusions;

(III) identify points of view from the historic context surrounding an event and the frame of reference that influenced the participants;

(IV) support a point of view on a social studies issue or event;

(V) identify bias in written, oral, and visual material;

(VI) evaluate the validity of a source based on language, corroboration with other sources, and information about the author; and

(VII) use appropriate mathematical skills to interpret social studies information such as maps and graphs.

(ii) Social studies skills. The student communicates in written, oral, and visual forms. The student is expected to:

(I) use social studies terminology correctly;

(II) use standard grammar, spelling, sentence structure, and punctuation;

(III) transfer information from one medium to another, including written to visual and statistical to written or visual, using computer software as appropriate; and

(IV) create written, oral, and visual presentations of social studies information.

(iii) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others, in a variety of settings. The student is expected to:

(I) use a problem-solving process to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution; and

(II) use a decision-making process to identify a situation that requires a decision, gather information, identify options, predict consequences, and take action to implement a decision.

(2) Texas Essential Knowledge and Skills for Independent Study in English (One-Half to One Credit). The provisions of this paragraph shall be superseded by subsection (e)(2) of this section beginning with the 2011-2012 school year.

(A) Introduction. Students enrolled in Independent Study in English write in a variety of forms for a variety of audiences and purposes. High school students are expected to plan, draft, and complete written compositions on a regular basis, and carefully examine their

papers for clarity, engaging language, and the correct use of the conventions and mechanics of written English. Independent Study in English students are expected to write in a variety of forms including business, personal, literary, and persuasive texts for a variety of audiences and purposes. Writing is used as a tool for learning as students create, clarify, critique, and express appreciation for others' ideas and responses. Independent Study in English students evaluate their own written work as well as the work of others. Students continue to read extensively in increasingly difficult texts selected in multiple genres for a variety of purposes. When comprehension breaks down, students effectively and efficiently monitor and adjust their use of a variety of comprehension strategies. Students respond to texts through talking and writing in both traditional print and electronic formats. Students connect their knowledge of the world and the knowledge they gather from other texts with the text being read. For high school students whose first language is not English, the students' native language serves as a foundation for English language acquisition and language learning.

(B) Knowledge and skills.

(i) Writing. The student uses writing as a tool for learning and research. The student is expected to:

(I) use writing to formulate questions, refine topics, and clarify ideas;

(II) use writing to organize and support what is known and what needs to be learned about a topic;

(III) compile information from primary and secondary sources using available technology;

(IV) use writing to discover, record, review, and learn;

(V) organize notes from multiple sources, including primary and secondary sources, in useful and informing ways;

(VI) link related information and ideas from a variety of sources;

(VII) represent information in a variety of ways such as graphics, conceptual maps, and learning logs;

(VIII) compile written ideas and representations, interpret empirical data into reports, summaries, or other formats, and draw conclusions; and

(IX) use writing as a tool such as to reflect, explore, or problem solve.

(ii) Reading. The student inquires through reading and researching self-selected and assigned topics. The student is expected to:

(I) read widely to establish a specific area of interest for further study;

(II) generate relevant, interesting, and researchable questions with instructor guidance and approval;

(III) locate appropriate print and non-print information using text and technical resources, including databases;

(IV) use text organizers such as overviews, headings, and graphic features to locate and categorize information;

(V) organize and record new information in systematic ways such as notes, charts, and graphic organizers;

(VI) produce research projects and reports in various forms for audiences;

(VII) draw relevant questions for further study from the research findings or conclusions; and

(VIII) conduct a research project(s), producing an original work in print or another medium with a demonstration of advanced skill.

(iii) Viewing/representing. The student produces visual representations that communicate with others. The student is expected to:

(I) use a range of techniques in planning and creating media text; and

(II) prepare and present a research project.

(e) Beginning with school year 2011-2012, a course offered under this section shall follow the Texas Essential Knowledge and Skills for Special Topics in Social Studies, Beginning with School Year 2011-2012, or the Texas Essential Knowledge and Skills for Independent Study in English as set out in this subsection.

(1) Texas Essential Knowledge and Skills for Special Topics in Social Studies (One-Half Credit), Beginning with School Year 2011-2012. The provisions of this paragraph shall be implemented by school districts beginning with the 2011-2012 school year and at that time shall supersede subsection (d)(1) of this section.

(A) General requirements. Students shall be awarded one-half unit of credit for successful completion of this course. Students may take this course with different course content for a maximum of two credits.

(B) Introduction.

(i) In Special Topics in Social Studies, an elective course, students are provided the opportunity to develop a greater understanding of the historic, political, economic, geographic, multicultural, and social forces that have shaped their lives and the world in which they live. Students will use social science knowledge and skills to engage in rational and logical analysis of complex problems using a variety of approaches, while recognizing and appreciating diverse human perspectives.

(ii) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(iii) State and federal laws mandate a variety of celebrations and observances, including Celebrate Freedom Week.

(I) Each social studies class shall include, during Celebrate Freedom Week as provided under Texas Education Code, §29.907, or during another full school week as determined by the board of trustees of a school district, appropriate instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, including the Bill of Rights, in their historical contexts. The study of the Declaration of Independence must include the study of the relationship of the ideas expressed in that document to subsequent American history, including the relationship of its ideas to the rich diversity of our people as a nation of immigrants, the American Revolution, the formulation of the U.S. Constitution, and the abolitionist movement, which led to the Emancipation Proclamation and the women's suffrage movement.

(II) Each school district shall require that, during Celebrate Freedom Week or other week of instruction prescribed under subclause (I) of this clause, students in Grades 3-12 study and recite the following text: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness--That to

secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."

(C) Knowledge and skills.

(i) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others, in a variety of settings. The student is expected to:

(I) apply social studies methodologies encompassing a variety of research and analytical tools to explore questions or issues thoroughly and fairly to include multiple perspectives;

(II) evaluate effects of major political, economic, and social conditions on selected social studies topic;

(III) appraise a geographic perspective that considers physical and cultural processes as they affect the selected topic;

(IV) examine the role of diverse communities in the context of the selected topic;

(V) analyze ethical issues raised by the selected topic in historic, cultural, and social contexts;

(VI) depending on the topic, use a problem-solving process to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution; and

(VII) depending on the topic, use a decision-making process to identify a situation that requires a decision, gather information, identify options, predict consequences, and take action to implement a decision.

(ii) Social studies skills. The student applies critical-thinking skills to organize and use information acquired from a variety of sources, including electronic technology. The student is expected to:

(I) locate, analyze, organize, synthesize, evaluate, and apply information about selected topic, identifying, describing, and evaluating multiple points of view;

(II) differentiate between valid primary and secondary sources and use them appropriately to conduct research and construct arguments;

(III) read narrative texts critically and identify points of view from the historical context surrounding an event and the frame of reference that influenced the participants;

(IV) analyze information by sequencing, categorizing, identifying cause-and-effect relationships, comparing, contrasting, finding the main idea, summarizing, making generalizations and predictions, and drawing inferences and conclusions;

(V) collect visual images (photographs, paintings, political cartoons, and other media) to enhance understanding and appreciation of multiple perspectives in a social studies topic;

(VI) identify bias in written, oral, and visual material;

(VII) evaluate the validity of a source based on language, corroboration with other sources, and information about the author; and

(VIII) use appropriate mathematical skills to interpret social studies information such as maps and graphs.

(iii) Social studies skills. The student creates written, oral, and visual presentations of social studies information. The student is expected to:

(I) apply the conventions of usage and mechanics of written English;

(II) use social studies terminology correctly;

(III) use appropriate oral communication techniques;

(IV) construct a thesis that is supported by evidence;

(V) recognize and evaluate counter arguments;

(VI) use visual images (photographs, paintings, and other media) to facilitate understanding and appreciation of multiple perspectives in a social studies topic;

(VII) develop a bibliography with ideas and information attributed to source materials and authors using accepted social science formats such as *Modern Language Association Style Manual* (MLA) and *Chicago Manual of Style* (CMS) to document sources and format written materials; and

(VIII) use computer software to create written, graphic, or visual products from collected data.

(2) Texas Essential Knowledge and Skills for Independent Study in English (One-Half to One Credit). The provisions of this paragraph shall be implemented by school districts beginning with the 2011-2012 school year and at that time shall supersede subsection (d)(2) of this section.

(A) Introduction.

(i) Students enrolled in Independent Study in English will focus on a specialized area of study such as the work of a particular author or genre. Students will read and write in multiple forms for a variety of audiences and purposes. High school students are expected to plan, draft, and complete written compositions on a regular basis and carefully examine their papers for clarity, engaging language, and the correct use of the conventions and mechanics of written English.

(ii) If this course is being used to satisfy requirements for the Distinguished Achievement Program, a student research/product must be presented before a panel of professionals or approved by the student's mentor.

(iii) For high school students whose first language is not English, the students' native language serves as a foundation for English language acquisition and language learning.

(iv) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(v) The essential knowledge and skills as well as the student expectations for Independent Study in English are described in subparagraph (B) of this paragraph.

(B) Knowledge and skills.

(i) The student inquires through reading literature and researching self-selected and assigned topics. The student is expected to:

(I) read widely for further study;

(II) generate relevant, interesting, and researchable questions with instructor guidance and approval; and

(III) draw relevant questions for further study from the research findings or conclusions.

(ii) The student uses writing as a tool for learning and research. The student produces visual representations that communicate with others. The student is expected to:

(I) produce research projects and reports in multiple forms for a variety of audiences from primary and secondary sources using available technology;

(II) conduct a research project(s), producing an original work in print or another medium with a demonstration of advanced skill;

(III) use writing to organize and support what is known and needs to be learned about a topic, including discovering, recording, reviewing, and learning;

(IV) compile written ideas and representations; interpret information into reports, summaries, or other formats; and draw conclusions; and

(V) use writing as a tool such as to reflect, explore, or problem solve.

Statutory Authority: The provisions of this §74.36 issued under the Texas Education Code, §§7.102(c)(4), 28.002, and 28.011.

Source: The provisions of this §74.36 adopted to be effective September 1, 2008, 33 TexReg 7159; amended to be effective December 20, 2010, 35 TexReg 11224.

§74.37. Public School Physical Education Curriculum.

(a) The essential knowledge and skills for physical education shall:

(1) emphasize the knowledge and skills capable of being used during a lifetime of regular physical activity;

(2) be consistent with national physical education standards for:

(A) the information that students should learn about physical activity; and

(B) the physical activities that students should be able to perform;

(3) meet the needs of students of all physical ability levels, including students who have a disability, chronic health problem, or other special need that precludes the student from participating in regular physical education instruction but who might be able to participate in physical education that is suitably adapted and, if applicable, included in the student's individualized education program;

(4) take into account the effect that gender and cultural differences might have on the degree of student interest in physical activity or on the types of physical activity in which a student is interested;

(5) ensure students develop self-management and movement skills;

(6) ensure students develop cooperation, fair play, and responsible participation in physical activity; and

(7) promote student participation in physical activity outside of school.

(b) A physical education course shall:

(1) offer students an opportunity to choose among many types of physical activity in which to participate;

(2) offer students both cooperative and competitive games; and

(3) be an enjoyable experience for students.

(c) On a weekly basis, at least 50% of a physical education class shall be used for actual student physical activity and the activity shall be, to the extent practicable, at a moderate or vigorous level.

Source: The provisions of this §74.37 adopted to be effective December 23, 2009, 34 TexReg 9198.