

STATE BOARD OF EDUCATION
Summary of Actions
November 15, 2019

The State Board of Education met November 15, 2019 and took the actions described below. Additional information about each agenda item can be found at [https://tea.texas.gov/About_TEA/Leadership/State Board of Education/SBOE Meetings/Archived Schedules and Agendas](https://tea.texas.gov/About_TEA/Leadership/State_Board_of_Education/SBOE_Meetings/Archived_Schedules_and_Agendas).

Student Performance

The Judson High Mariachi from the Judson Independent School District performed for the board and its audience.

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

1. Resolutions

The board approved a resolution recognizing Nihar Janga, who as an eighth-grade student in the Leander Independent School District, won the 2019 National Geographic GeoBee in May 2019.

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

2. Approval of Consent Agenda

(1) Approval of Costs to Administer the 2019–2020 State-Developed Assessments to Private School Students

The board approved the per-student cost to be charged to private schools that wish to administer the State of Texas Assessments of Academic Readiness (STAAR[®]) and the Texas English Language Proficiency Assessment System (TELPAS) to their students. The cost ranges from \$2.75 for STAAR fifth grade reading and math assessments to \$18.83 for the STAAR English II.

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 2019

The board approved the purchases and sales of investments executed in the portfolio of the Permanent School Fund for the months of August and September 2019 in the amounts of \$1,419,631,578 and \$1,401,730,654, respectively.

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

(3) Adoption of Review of 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules (Adoption of Review)

The board adopted the review of 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules. The rules establish definitions, requirements, and procedures for the investment of the Permanent School Fund (PSF).

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

(4) Authorization to Issue a Request for Qualifications for Bond Guarantee Program Counsel for the Permanent School Fund

The board voted to issue a request for qualifications for an outside tax counsel for the Bond Guarantee Program (BGP) of the Permanent School Fund.

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

(5) Review of the Permanent School Fund Liquid Account

The board received an update on the Phase 1 implementation plan for the PSF liquid account but took no action on this item.

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

(6) Recommendation for Appointments to the Fort Sam Houston Independent School District Board of Trustees

The board approved the re-appointment of Deborah Seabron and the appointment of Willie White and Andrea Nicholas to serve on the board of trustees of the Fort Sam Houston Independent School District from November 15, 2019 to November 15, 2021.

Staff Contact: Questions about this item should be directed to the School Governance Division at (512) 475-3697.

COMMITTEE OF THE FULL BOARD

3. Proposed Revisions to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials (Second Reading and Final Adoption)

The board approved for second reading and final adoption revisions to 19 Texas Administrative Code (TAC) Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials, as amended. The

revisions update rules related to state review and adoption of instructional materials. The amendments will take effect 20 days after the rules are filed with the *Texas Register*.

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

4. Report from the Commissioner of Education Regarding Instructional Materials Offered for Adoption under *Proclamation 2020*

The board approved the adoption of new instructional materials for high school English language arts and reading and English for speakers of other languages as submitted in response to *Proclamation 2020*.

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

5. Ratification of Texas Essential Knowledge and Skills Coverage in Materials Submitted for the Texas Resource Review

The board ratified the report of the commissioner of education regarding Texas Essential Knowledge and Skills (TEKS) and English Language Proficiency Standards alignment in instructional materials submitted to the Texas Resource Review.

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

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

The board provided additional direction to the health education work groups that are working on recommendations to update the K-12 health education TEKS.

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

COMMITTEE ON INSTRUCTION

7. Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs (Second Reading and Final Adoption)

The board approved for second reading and final adoption an amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs. The amendment updates the rule to modify the requirements for approval of innovative courses, specifies that innovative courses cannot be approved if they substantially duplicate the content of TEKS-based courses, and adds requirements for review of ethnic studies innovative courses approved by the commissioner. The revised rule will be effective 20 days after it is filed with the *Texas Register*.

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

8. Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.26, Award of Credit (First Reading and Filing Authorization)

The board approved for first reading and filing authorization a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.26, Award of Credit. The proposed amendment would update the rule to clarify that a district may award credit proportionately for successful completion of half of a course regardless of the time duration of the course.

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

9. Proposed Amendments to 19 TAC Chapter 117, Texas Essential Knowledge and Skills for Fine Arts, Subchapter C, High School, §117.312, Music, Level III (One Credit), Adopted 2013; §117.313, Music, Level IV (One Credit), Adopted 2013; and §117.314, Music Studies (One Credit), Adopted 2013 (First Reading and Filing Authorization)

The board approved for first reading and filing authorization proposed amendments to 19 TAC Chapter 117, Texas Essential Knowledge and Skills for Fine Arts, Subchapter C, High School, §117.312, Music, Level III (One Credit), Adopted 2013; §117.313, Music, Level IV (One Credit), Adopted 2013; and §117.314, Music Studies (One Credit), Adopted 2013, to revise the TEKS for music to align with current International Baccalaureate (IB) course offerings in music.

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

10. Approval of Update of Instructional Materials for EDUSPARK, Inc.

The board approved updated content from EDUSPARK, Inc. for the following adopted instructional materials products: *Lengua, Ritmo y Cultura Kindergarten*; *Lengua, Ritmo y Cultura 1*; *Lengua, Ritmo y Cultura 4*; and *Lengua, Ritmo y Cultura 5*. The updated content was reviewed by curriculum subject-area specialists and determined to address the pertinent student expectations in a manner equal to the content initially reviewed and approved by the state review panel.

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

11. Texas Certificate of High School Equivalency

The board authorized Texas Education Agency (TEA) staff to proceed with the Fiscal Year 2021 renewal of existing contracts with GED Testing Service and Educational Testing Service. The board also authorized staff to begin working on the competitive procurement process for a Fiscal Year 2022 award.

Staff Contact: Questions about this item should be directed to the College, Career, and Military Preparation Division at (512) 936-6060.

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND

- 12. Proposed Amendment to 19 TAC Chapter 129, Student Attendance, Subchapter B, Student Attendance Accounting, §129.21, Requirements for Student Attendance Accounting for State Funding Purposes (Second Reading and Final Adoption)**

The board approved for second reading and final adoption an amendment to 19 TAC Chapter 129, Student Attendance, Subchapter B, Student Attendance Accounting, §129.21, Requirements for Student Attendance Accounting for State Funding Purposes. The amendment updates the rule to allow districts and charter schools flexibility for selecting an official attendance-taking time during the campus's instructional day. The amendment will be effective 20 days after the rule is filed with the *Texas Register*.

Staff Contact: Questions about this item should be directed to the Financial Compliance Division at (512) 463-2945.

- 13. Proposed Amendments to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules (First Reading and Filing Authorization)**

The board approved for first reading and filing authorization proposed amendments to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules, as amended. The proposed amendments would reorganize references to the Permanent School Fund (PSF) distribution policy, include references to new authority and duties assigned by the 86th Texas Legislature, 2019, and address permissible investments.

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

- 14. Review and Determine the List of Nominees for Appointment to the School Land Board**

The board approved lists of nominees to be considered by the governor for appointment to the School Land Board. As directed by state law, there are six nominees on each list.

Following are the names and home counties of those nominated by the SBOE:

List 1

Rebecca Berger (Lavaca)
John Caley (Fort Bend)
Doug Launius (Travis)
Michael Neill (Henderson)

List 2

Brad Curlee (Williamson)
Manasseh Durkin (Dallas)
Darrick Eugene (Travis)
Juana Teixeira (El Paso)

Lee Partridge (Harris)
Robert Scott (Aransas)

James Watt (Dallas)
Todd Williams (Dallas)

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

COMMITTEE ON SCHOOL INITIATIVES

15. Proposed Amendments to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship (First Reading and Filing Authorization)

The board approved for first reading and filing authorization proposed amendments to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, as amended. The proposed amendment to §61.1 reflect changes made by House Bill (HB) 3 and HB 403, 86th Texas Legislature, 2019, to the State Board of Education's (SBOE's) duty to provide training courses for independent school district trustees. The proposed amendment to §61.2 reduces the number of required nominees for trustee candidates for military reservation school districts from three to one per board position. This item was moved to the consent agenda.

Staff Contact: Questions about this item should be directed to the School Governance Division at (512) 475-3697.

16. Review of Proposed Revisions to 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans

The SBOE took no action on the State Board for Educator Certification (SBEC) rule actions that revises 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans. The revisions implement Senate Bill (SB) 1200, 86th Texas Legislature, 2019, which allows military spouses licensed in other states, and in good standing, to teach in Texas with the credential issued by another state. Additional revisions streamline the credentials review and certificate issuance process for all members of the military community (military service members, military spouses, and military veterans). Under Texas law, the SBOE may only reject or take no action on a proposed SBEC rule.

Staff Contact: Questions about this item should be directed to the Department of Educator Leadership and Quality at (512) 936-9831.

17. Review of Proposed Amendments to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, Subchapter A, Admission to Educator Preparation Programs

The SBOE took no action on the SBEC rule actions that amend 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, Subchapter A, Admission to Educator Preparation Programs. The amendments implement the statutory requirements of SB 1839 and HBs 2039 and 3349, 85th Texas Legislature, Regular Session, 2017. The amendments clarify select definitions, add language for admission requirements for the Early Childhood–Grade 3 (EC–3) and Trade and Industrial Workforce Training: Grades

6–12 certificates, and clarify the implementation date in Subchapter A. The amendments implement subject-matter-only assessments to be used for the Pre-Admission Content Test (PACT) in lieu of the current examination that tests an applicant's knowledge of both content and pedagogy prior to admission to an educator preparation program (EPP). The amendments also implement changes based on stakeholder input and TEA staff recommendations. Under Texas law, the SBOE may only reject or take no action on a proposed SBEC rule.

Staff Contact: Questions about this item should be directed to the Department of Educator Leadership and Quality at (512) 936-9831.

18. Review of Proposed Amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs

The SBOE took no action on the SBEC rule actions that amend 19 TAC Chapter 229, Accountability System for Educator Preparation Programs. The amendments provide for commendations for high-performing EPPs; adopt the accountability manual into rule; adjust the performance standard for the accountability indicator for the pedagogy and professional responsibility (PPR) examinations; clarify performance standards; clarify the determination of EPP, certification class, or category accreditation status; allow for the SBEC to require EPP action plans; and allow for a contested case hearing of a certification class or category. Technical changes also remove outdated provisions, clarify processes, and update language to align with other chapters. Under Texas law, the SBOE may only reject or take no action on a proposed SBEC rule.

Staff Contact: Questions about this item should be directed to the Department of Educator Leadership and Quality at (512) 936-9831.

19. Review of Proposed Repeal of 19 TAC Chapter 239, Student Services Certificates, Subchapter E, Master Teacher Certificate

The SBOE took no action on the SBEC rule actions that repeals 19 TAC Chapter 239, Student Services Certificates, Subchapter E, Master Teacher Certificate. The repeal implements the requirements of HB 3, 86th Texas Legislature, 2019. HB 3 requires that effective September 1, 2019, the SBEC can no longer issue or renew master teacher certificates. HB 3 also specifies that master teacher certificates will be designated as "legacy" certificates and recognized for assignment purposes until they expire. Under Texas law, the SBOE may only reject or take no action on a proposed SBEC rule.

Staff Contact: Questions about this item should be directed to the Department of Educator Leadership and Quality at (512) 936-9831.